

Planning proposal to amend Willoughby LEP 2012 to permit hospital use and amend the floor space ratio for 12 Frederick Street, St Leonards.

Proposal Title : **Planning proposal to amend Willoughby LEP 2012 to permit hospital use and amend the floor space ratio for 12 Frederick Street, St Leonards.**

Proposal Summary : **The planning proposal seeks to amend Willoughby Local Environmental Plan 2012 to permit hospital uses and amend the floor space ratio controls for a site at 12 Frederick Street, St Leonards.**

PP Number : **PP_2016_WILLO_001_00** Dop File No : **16/09786**

Proposal Details

Date Planning Proposal Received :	18-Jul-2016	LGA covered :	Willoughby
Region :	Metro(CBD)	RPA :	Willoughby City Council
State Electorate :	WILLOUGHBY	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :	12 Frederick Street		
Suburb :	St Leonards	City :	Sydney
		Postcode :	2065
Land Parcel :	Lot 1 DP 591747		

DoP Planning Officer Contact Details

Contact Name : **Amy Ravitz-Williams**
 Contact Number : **0292282050**
 Contact Email : **amy.ravitz-williams@planning.nsw.gov.au**

RPA Contact Details

Contact Name : **Ian Arnott**
 Contact Number : **0297777646**
 Contact Email : **ian.arnott@willoughby.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name : **Sandy Chappel**
 Contact Number : **0292286591**
 Contact Email : **sandy.chappel@planning.nsw.gov.au**

Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :		Consistent with Strategy :	

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MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	166

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment :

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment :

Supporting notes

Internal Supporting Notes : **DELEGATION OF PLAN MAKING FUNCTIONS**
Willoughby City Council is seeking delegation to carry out the Minister's functions under section 59 of the EP&A Act 1979 to progress this planning proposal. Council has provided Attachment 4 - Evaluation Criteria for the delegation of plan making powers.

Given the location of this site within the identified St Leonards strategic study area, Council will not be given delegation to carry out this planning proposal.

External Supporting Notes : **Council supports this planning proposal because it is consistent with the strategic objectives of A Plan for Growing Sydney and supports new and diverse employment opportunities in the Artarmon Industrial Area.**

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The objective of the planning proposal is to facilitate the development of a private hospital on the southern part of the site known as 12 Frederick Street, St Leonards, which will complement the specialised health and related functions of the St Leonards strategic centre.**

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **It is proposed to retain the existing IN1 zoning across the entire site at 12 Frederick Street and, in relation to the southern portion of the site (proposed Lot 1 DP 591747), permit an additional use to enable the development of the proposed private hospital.**

In addition, it is proposed to increase the maximum permissible floor space ratio on the southern portion of the site from 1.5:1 to 3:1 to accommodate the design of the future hospital.

The outcome proposed will be achieved by preparing an amendment to the WLEP 2012 which will include:

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- a) amend Schedule 1 by adding "Hospital" as an additional permitted use at 12 Frederick Street, St Leonards being part Lot 1 DP591747; and
- 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

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

- 1.1 Business and Industrial Zones**
- 3.4 Integrating Land Use and Transport**
- 4.1 Acid Sulfate Soils**
- 5.1 Implementation of Regional Strategies**
- 6.1 Approval and Referral Requirements**
- 6.3 Site Specific Provisions**
- 7.1 Implementation of A Plan for Growing Sydney**

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 55—Remediation of Land

e) List any other matters that need to be considered :

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

S117 Directions

1.1 Business and Industrial Zones

The proposal seeks to encourage employment growth in a suitable location and to support the viability of identified strategic centres. As the proposal is located adjacent to existing SP2 - hospital zoning and is within close proximity to the Royal North Shore Hospital and Private Hospital the land has the potential to boost economic, business and employment activities in the locality.

A rezoning is not proposed but the use of land will differ from what is currently permitted. As the proposed use facilitates the generation of employment opportunities, the proposal is considered consistent with this Direction.

Mapping Provided - s55(2)(d)

Is mapping provided? **No**

Comment :

The proposal requires the amendment of the Floor Space Ratio map. Council is to provide this prior to the public exhibition of the planning proposal.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

28 days public exhibition is proposed.

The applicant has also commenced its own consultation program, having undertaken a letterbox drop of adjoining landowners in February 2016 notifying them of the proposal to redevelop the site. The applicant is also developing a consultation plan for the site.

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Additional Director General's requirements

Are there any additional Director General's requirements? **N/A**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment : **The planning proposal meets the adequacy criteria.**

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **Willoughby Local Environmental Plan 2012 was notified on 31 January 2013.**

Assessment Criteria

Need for planning proposal :

The planning proposal seeks to facilitate the use of the site as a private hospital and medical centre which is a use currently not permitted in the zone. Council considers it appropriate to propose the inclusion of "hospital" as an additional permitted use under Schedule 1 of the WLEP 2012, rather than a rezoning. A planning proposal is the most appropriate mechanism to enable this use to occur.

The increase to FSR from 1.5:1 to 3:1 as proposed is considered appropriate for a proposed development of this nature.

Consistency with strategic planning framework :

The proposal is consistent with A Plan for Growing Sydney, specifically Direction 1.10 aimed at planning for education and health services to meet Sydney's growing needs. The planning proposal also seeks to support health-related land uses and infrastructure around the Royal North Shore Hospital which is adjacent to the subject site.

Council's community strategic plan, the Willoughby City Strategy, provides goals and strategies relevant to the planning proposal. The strategy 5.1.1. (e) aims to 'implement the St Leonards Strategy as a specialist centre for health and education with neighbouring councils.'

It should also be noted that DPE is currently reviewing the St Leonards/Crows Nest area to determine future land use controls and has commissioned an employment study of the Artarmon Industrial Area.

The Urban Renewal team provided comments on the proposal, recommending that a condition in the Gateway Determination be included similar to those that have been included for other sites in the Precinct. These conditions relate to satisfactory arrangements for state infrastructure and consistency with the Department's strategic investigation for the St Leonards and Crows Nest Station Precinct.

Given the site location inside the strategic study area, plan making powers will not be delegated to Council.

Environmental social economic impacts :

**Environmental:
A Flora and Fauna Assessment undertaken in support of the Environmental Impact Statement being prepared for the site has found the site does not support any ecologically significant flora and fauna species.**

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Contamination and Noise:

Based on the findings of Preliminary Site Investigation (PSI) prepared by Coffey Geotechnics, Council's Environmental Health Officer has advised that the site is suitable for the proposed hospital and medical centre development. There may, however, be a number of potential sources of contamination based on the former historical uses of the site.

Council have recommended that a Stage 3 Remedial Action Plan (RAP) and a Stage 4 Site Validation Report be prepared as part of the development of the site. The provision of the RAP will be required prior to the public exhibition of the planning proposal.

Consideration will need to be given to the impact of noise generated by surrounding industrial zones on the proposed hospital development. It is important that a new land use does not sterilise future uses permissible under the surrounding IN1 land. Council will request a comprehensive noise assessment be submitted with any Development Application. In addition, this issue has been addressed through the draft amendments proposed to the Willoughby Development Control Plan Part 4.6 submitted with the planning proposal.

Traffic:

A Traffic and Parking Review has been prepared for the site and was considered by Council prior to submitting the planning proposal to DPE. The report concludes that the proposed hospital development is not anticipated to result in any significant traffic or parking implications. Further traffic studies will be undertaken at the Development Assessment stage.

Social:

The provision of additional medical services on the site contributes to enhanced health services for the community. Its proximity to the Royal North Shore Hospital and the North Shore Private Hospital is considered beneficial for future users.

Economic:

The proposal would enable the development of a hospital with a Capital Investment Value of over \$80 million and would generate 500 construction jobs and 166 full-time equivalent operational jobs.

Assessment Process

Proposal type :	Routine	Community Consultation Period :	28 Days
Timeframe to make LEP :	9 months	Delegation :	RPA
Public Authority Consultation - 56(2)(d) :	Department of Health Medical Council of NSW Transport for NSW - Sydney Trains Transport for NSW - Roads and Maritime Services State Emergency Service Adjoining LGAs		
Is Public Hearing by the PAC required?	No		
(2)(a) Should the matter proceed ?	Yes		
If no, provide reasons :			
Resubmission - s56(2)(b) : No			
If Yes, reasons :			

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Identify any additional studies, if required. :

Other - provide details below

If Other, provide reasons :

A Stage 3 Remediation Action Plan is required to be submitted to Council prior to the public exhibition of the planning proposal.

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name

DocumentType Name

Is Public

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions:

- 1.1 Business and Industrial Zones**
- 3.4 Integrating Land Use and Transport**
- 4.1 Acid Sulfate Soils**
- 5.1 Implementation of Regional Strategies**
- 6.1 Approval and Referral Requirements**
- 6.3 Site Specific Provisions**
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Additional Information :

The planning proposal should proceed subject to the following conditions:

1. Prior to public exhibition the planning proposal is to be updated to:

- (a) include Site identification maps to clearly show the boundaries for the site; and**
- (b) include Floor Space Ratio maps which clearly show both the existing and proposed controls for the site.**

Note: Maps should be prepared to the standards identified in 'Standard Technical Requirements for LEP Maps' (Department of Planning and Environment 2013).

2. The draft Willoughby Development Control Plan with Site Specific Requirements is to be placed on public exhibition along with the planning proposal documents.

3. A Stage 3 Remediation Action Plan (RAP) is to be prepared prior to community consultation being undertaken and placed on public exhibition along with the planning proposal documents.

4. Community consultation is required under sections 56(2)(c) and 57 of the EP&A Act as follows:

- (a) the planning proposal must be made publicly available for a minimum of 28 days; and**
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning and Environment 2016).**

5. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the relevant s117 directions:

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- (a) Department of Health;
- (b) Medical Council of NSW;
- (c) Transport for NSW - Sydney Trains;
- (d) Transport for NSW - Roads and Maritime Services;
- (e) State Emergency Service; and
- (f) Adjoining LGAs.

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

6. Prior to finalisation, the planning proposal is to be amended to demonstrate consistency with any available findings of the St Leonards planning review work being undertaken by the Department in consultation with North Sydney, Lane Cove and Willoughby councils.

7. Prior to undertaking public exhibition, the planning proposal is to be updated to include a satisfactory arrangements provision for contributions to designated State public infrastructure identified as part of a draft or final strategic planning review for St Leonards.

8. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

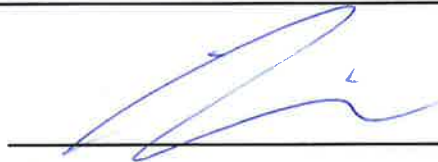
9. The timeframe for completing the LEP is 9 months from the week following the date of the Gateway determination.

Supporting Reasons :

The planning proposal is supported because:

- the proposal will provide a service to respond to a growing need for health care services on the lower north shore;
- the proposed site meets the specialised technical, transport, spatial and servicing requirements of a hospital and is in close proximity to the Royal North Shore Hospital; and
- the additional permitted use is the most appropriate mechanism to enable the proposed use in this case.

Signature:



Printed Name:

W. Williamson

Date:

7/9/2016

