



***MODIFICATION REQUEST:
Extension of Kareena Private Hospital
86 Kareena Road, Caringbah
MP08_0169 MOD 1***

Extensions to the central hospital building



Director-General's
Environmental Assessment Report
Section 75W of the
Environmental Planning and Assessment Act 1979

May 2013

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1. BACKGROUND

1.1 The Site

The subject site is known as 86 Kareena Road, Caringbah and is bounded by Kareena Road to the west and the Kingsway to the south. Dwelling houses directly adjoin the site along its northern and eastern boundaries.



Figure 1: Site location

1.2 Previous Approvals

On 9 June 2009 a Concept Plan and Project Application for the expansion of the Kareena Private Hospital was concurrently approved.

The Concept Plan approved the use of a residential lot for the purpose of a carpark to service the hospital.

The Project Application approved the works associated with the expansion of the existing hospital facilities including:

- the partial demolition of existing hospital structures;
- the expansion and refurbishment of the rehabilitation department;
- provision of an additional 67 beds in extensions to the north and south of the hospital building;
- extension of the theatre suite at the ground floor;
- new administration and staff facilities;
- a reconfigured car parking layout to provide an additional 29 car spaces (resulting in a total of 127) and associated pedestrian links;
- new roof plant and air conditioning plant;
- landscape improvements and associated works; and
- new building identification signage.

The extent of the approved works under the Project Application is illustrated in **Figure 2** below.

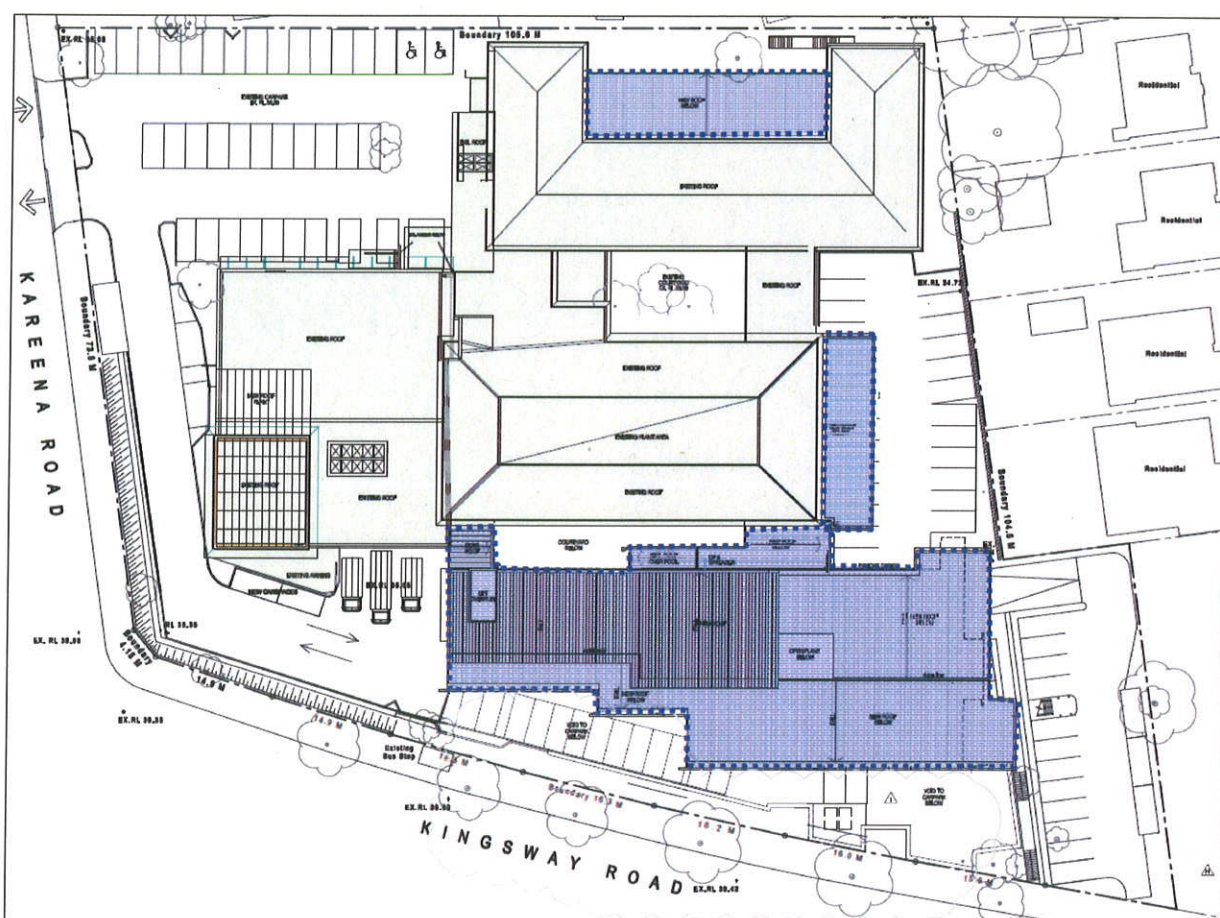


Figure 2: Location of approved extensions hi-lighted in 'blue'

The purpose of this report is to assess a request to modify the Project Approval for the expansion of the Kareena Private Hospital.

2. PROPOSED MODIFICATION

2.1 Modification Description

The proposal seeks to undertake two additional extensions to the currently approved central hospital building. The extensions are proposed to the eastern and southern sides of the central hospital building. The proposed eastern extension measures approximately 124m² in area and consists of two theatres, a staff room and a storeroom and are effectively on the first floor level

suspended over a portion of the approved carpark. The southern extension consists of a storeroom measuring 40.81m² in area.

The extent of the currently approved extension and the extensions proposed as part of this modification application are shown in blue and red respectively in **Figure 3**.

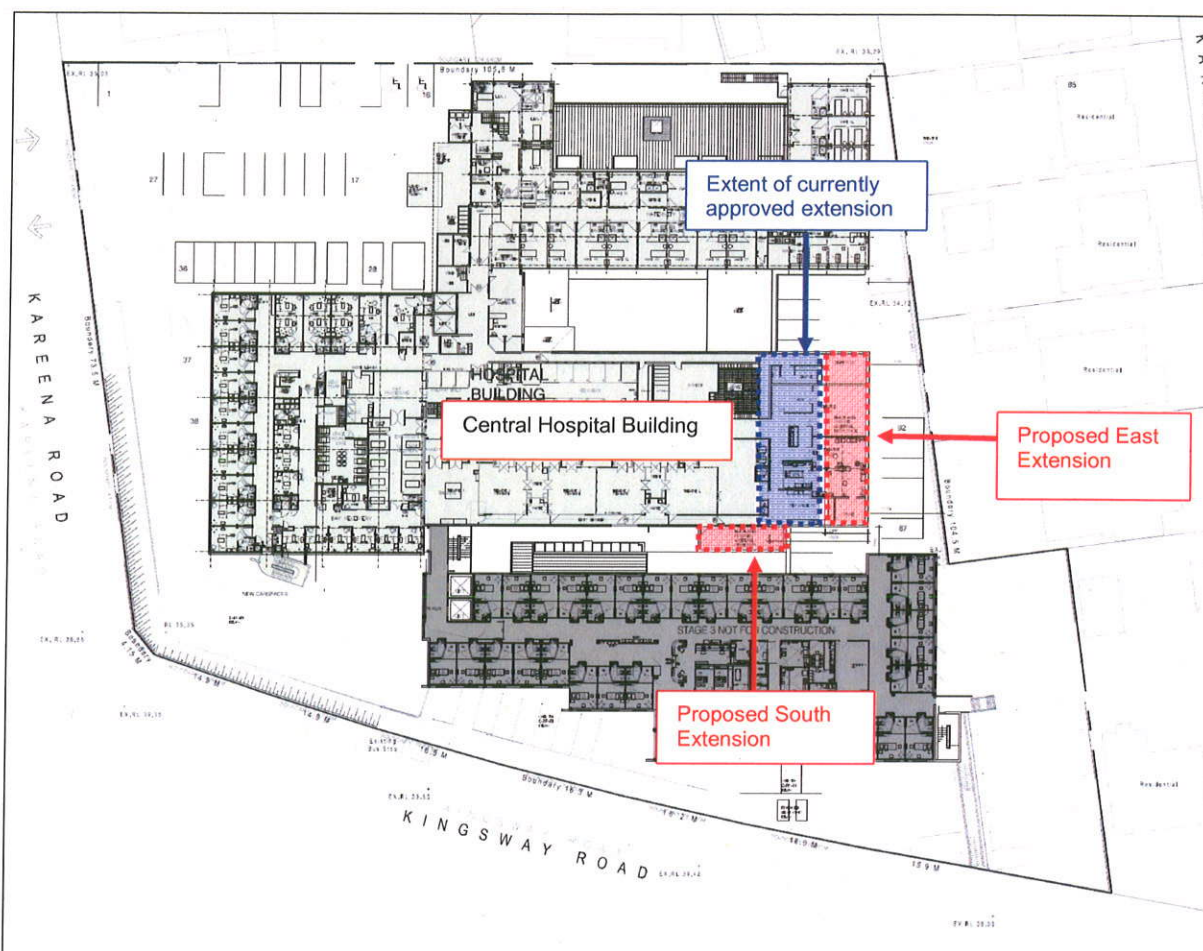


Figure 3: Proposed extensions to the Ground floor Level

The proposed extensions are comprised of lightweight cladding on steel framing and compressed fibre cement sheeting with an applied finish and colorbond metal deck roofing.

The purpose of the proposed extensions is to allow additional floor space to accommodate surgical equipment and technologies and comply with an increase in the Australasian Health Facility Guidelines surrounding operating room sizes.

3. STATUTORY CONTEXT

3.1 Continuing Operation of Part 3A to Modify Approvals

In accordance with clause 3 of Schedule 6A of the Environmental Planning and Assessment Act (EP&A Act), Section 75W of the EP&A Act as in force immediately before its repeal on 1 October 2011 and as modified by Schedule 6A, continues to apply to transitional Part 3A projects.

Consequently, this report has been prepared in accordance with the requirements of Part 3A and associated regulations, and the Minister (or his delegate) may approve or disapprove of the carrying out of the project under Section 75W of the EP&A Act.

3.2 Modification of Minister's Approval

The modification application has been lodged with the Director-General pursuant to Section 75W of the EP&A Act. Section 75W provides for the modification of a Minister's approval including "revoking or varying a condition of the approval or imposing an additional condition of the approval".

The Minister's approval for a modification is not required if the project as modified will be consistent with the existing approval. However, in this instance the proposal seeks design modifications to a building, which requires the terms and conditions of the Project Application Approval to be amended and therefore, approval to modify the application is required.

3.3 Delegated Authority

On 14 September 2011, the Minister delegated his powers and functions under Section 75W of the EP&A Act to Directors in the Major Projects Assessment Division in cases where;

- the relevant local council has not made an objection; and
- a political donation disclosure statement has not been made; and
- there are less than 10 submissions in the nature of objections.

Sutherland Shire Council (Council) has not objected to the proposal and no political donations have been disclosed for the subject application. In addition, no public submissions were received during the notification period.

Accordingly, the application can be determined by the Director, Metropolitan & Regional Projects South, under delegation.

4. CONSULTATION AND SUBMISSIONS

4.1 Exhibition

Under Section 74W of the Act, a request to modify an approval does not require public exhibition. However, under Section 75X(2)(f) of the Act, the Director-General is required to make publicly available requests for modifications of approvals given by the Minister.

The application to modify the approval was:

- made publicly available on the Department's website; and
- Sutherland Shire Council and affected landowners were notified in writing of the proposal and were provided with a 14 day period between 21 March 2013 and 5 April 2013 to comment.

4.2 Public Authority Submissions

A submission was received from Sutherland Shire Council (Council) regarding the proposed development.

The submission advises its strong support of the proposal subject to the following matters being resolved:

- conflict between the placement of columns of the proposed east extension and the approved carpark layout; and
- privacy of adjoining residential properties.

These matters are discussed in detail under **Section 5** of this report.

4.3 Public Submissions

The landowners of five adjoining properties were notified in writing of the proposed modification and given the opportunity to respond within a period of 14 days. No submissions were received from the public during this period.

5. ASSESSMENT

The Department considers the key issues for the proposed modification to be:

- amenity impacts to adjoining properties; and
- conflict with the carpark layout.

5.1 Amenity impacts to adjoining properties

The Department considers the key amenity issues for adjoining properties comprise the potential for overshadowing and privacy impacts. These are discussed separately below.

5.1.1 Overshadowing

The proponent submitted sun shadow diagrams incorporating the proposed extensions to the central hospital building. The diagrams depict the extent of overshadowing during the summer and winter months at 3.00pm (when the shadow from the proposed eastern extension will be cast toward the neighbouring residential properties to the east). The shadow cast at 3.00pm on the Winter Solstice is shown in **Figure 4**.

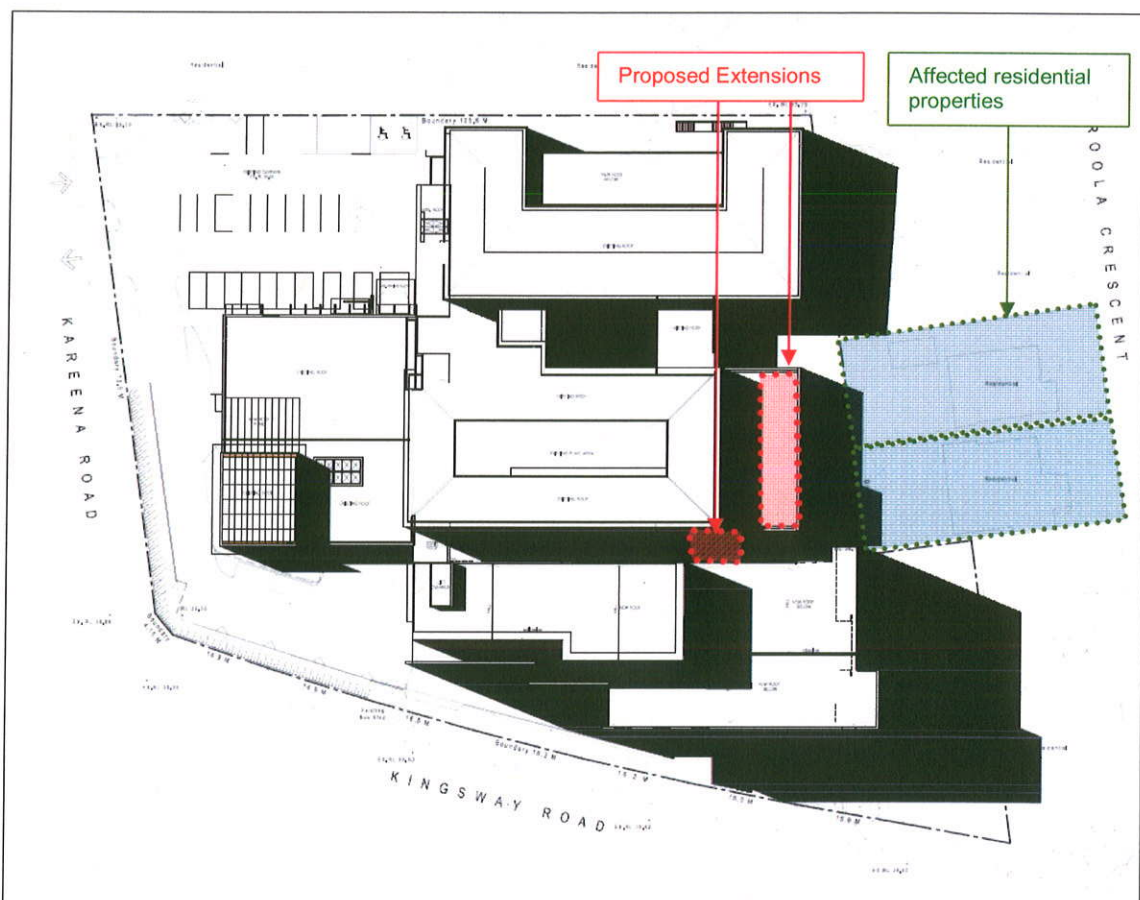


Figure 4: The extent of overshadowing incorporating the proposed extensions (shown in 'red') on 21 June at 3.00pm

The shadow diagrams indicate that at 3.00pm on the Winter Solstice, approximately 16m² and 25m² (representing a very small portion) toward the end of the rear yards of adjoining residential properties (31 and 33 Karoola Crescent) would be in shadow. There would be no overshadowing to these properties at other times.

It is apparent from the diagrams that during this time of the year, the impact of shadow cast over the residential properties is likely to be consistent with the extent of the shadow cast by the approved 1.8m high dividing fence (as shown on the approved landscape plan) and would therefore be negligible.

Based on the above observations, the Department considers the impact of overshadowing on adjoining residential properties to be insignificant in this instance.

5.1.2 Privacy

Council noted in its submission that given the reduced proximity of windows of the proposed east extension to the rear yards of adjoining residential properties, the privacy of these properties could be compromised. The location of windows to the proposed east extension in relation to adjoining residential properties is shown in **Figure 5**.

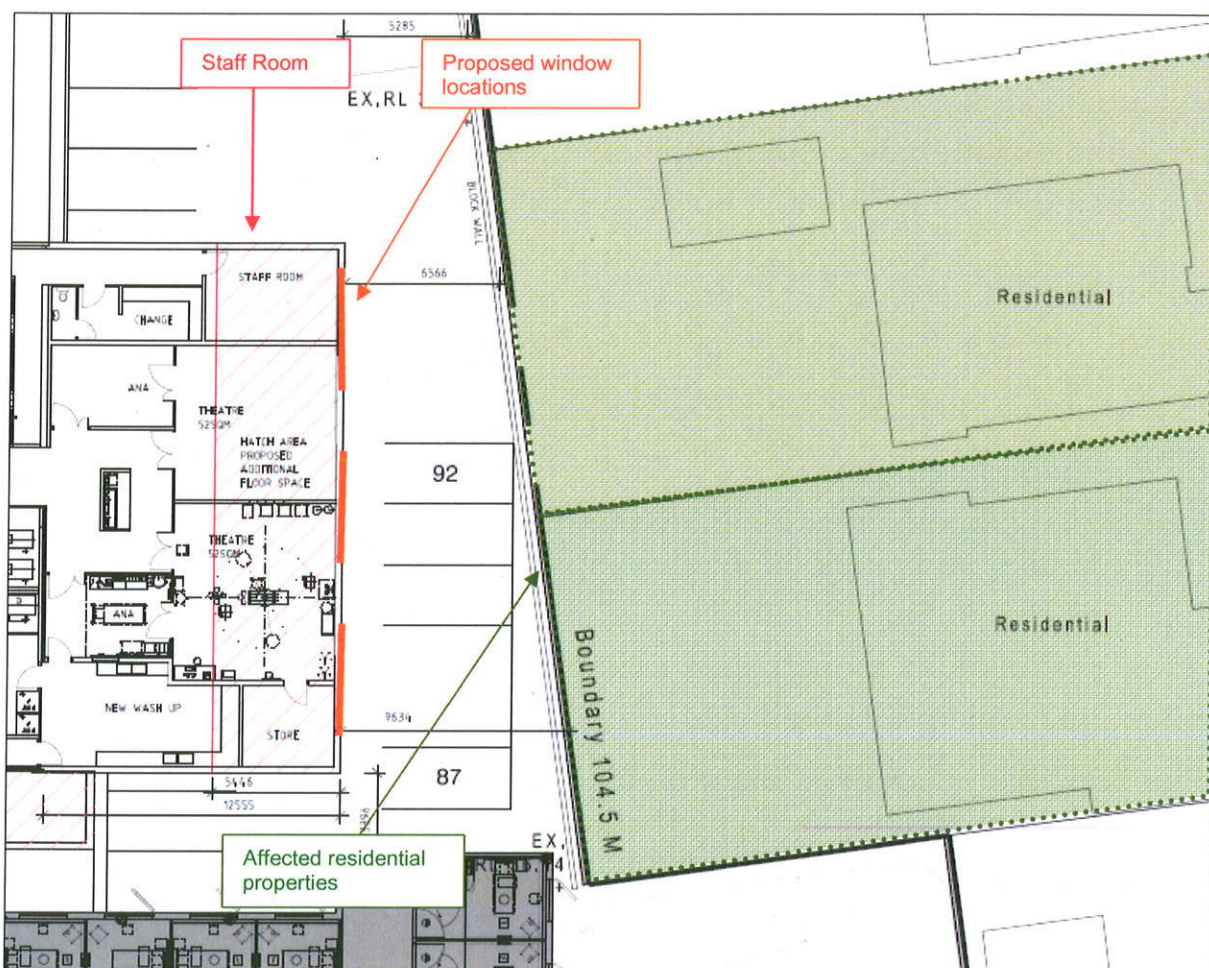


Figure 5: Window locations of proposed eastern extension in relation to adjoining residential properties

In order to minimise privacy impacts, Council recommends the consideration of a number of window treatments including the use of highlight windows, opaque glazing or external louvres set at an angle/direction to direct view lines away from residential properties.

The Department notes that the level of the proposed extension is essentially a first floor level and as such, is 3m to 4m higher than the rear yards of adjoining residential properties to the east. It is also acknowledged that the distance between the eastern extension and the adjoining residential properties is proposed to be 6.57m at its closest point as shown in **Figure 5**.

Despite the elevation and proximity of the extension to the boundary of the affected residential properties, the Department notes that the proposal adequately addresses privacy impacts by incorporating highlight windows with sill heights measuring 1.6m above the finished floor level and would prevent overlooking into the adjoining residential properties.

5.2 Conflict with the carpark layout

As detailed in **Section 2** of this report, the proposal seeks further extensions to the central hospital building. The plans indicate five new columns are proposed to support the east extension above a portion of the approved onsite carpark. The approximate location of these columns is illustrated in **Figure 6**.

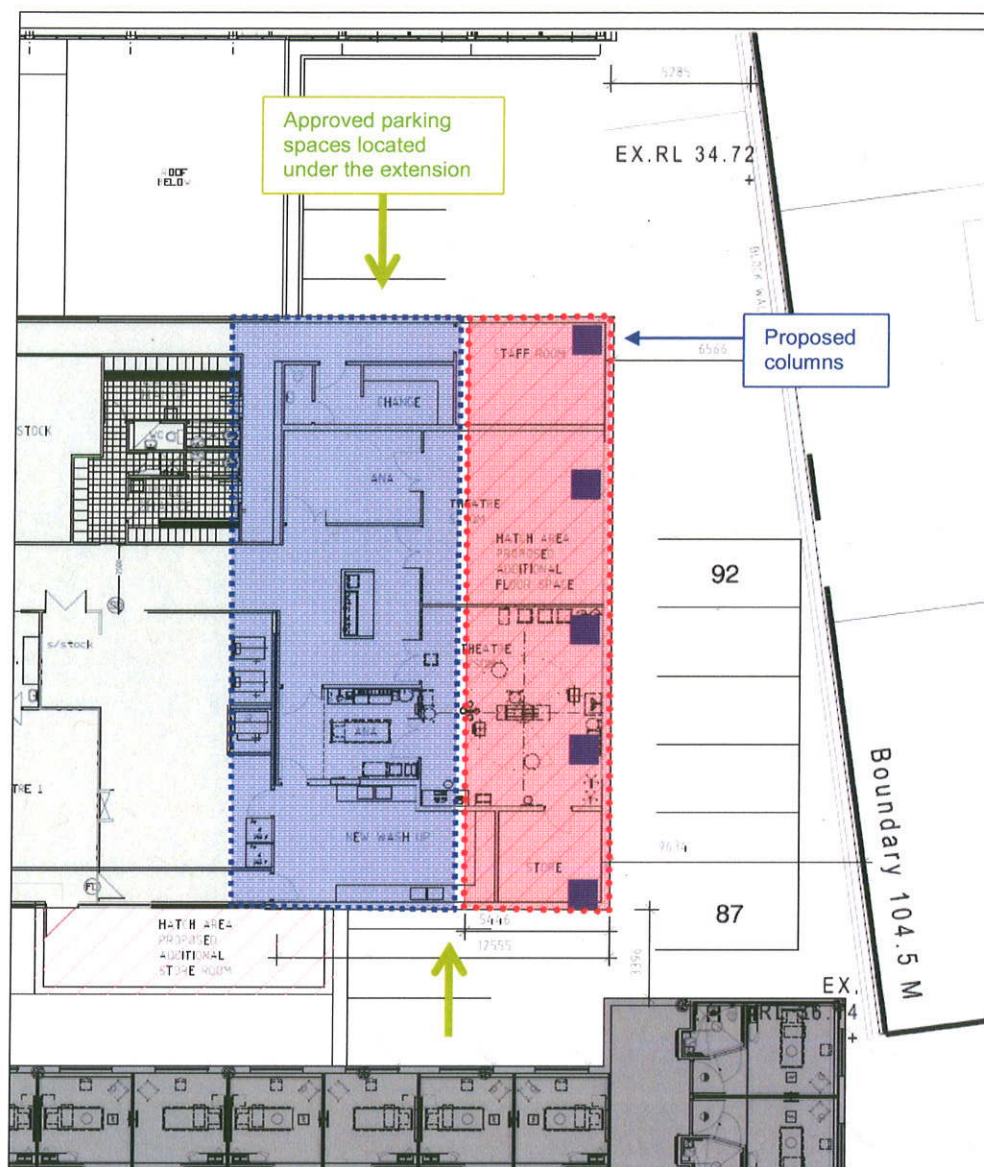


Figure 6: Approximate location of columns to the East Extension highlighted in 'blue'

Council raises concern over the placement of these columns as they appear to conflict with the position of parking spaces and vehicle aisles of the approved onsite carpark. This conflict is identified in **Figure 6** above.

The Department acknowledges Council's concern noting that the current positioning of columns would likely conflict with up to 20 of the 127 parking spaces approved on the site. The number of parking spaces was approved partly on the basis that it complied with Council's minimum requirement under their DCP. In this regard, any reduction from the approved number of parking spaces of the scale noted above is unacceptable.

Given the relatively minor increase in size of the proposed extension and the use of lightweight building materials (described in **Section 2**), an alternative structural arrangement of columns that avoids conflict with the onsite carpark is achievable and will allow the approved carparking arrangements to be met.

The Department therefore considers it appropriate to impose a new condition in the approval to ensure the abovementioned requirement is met and approved by the certifying authority prior to issue of the Construction Certificate.

6. CONCLUSION

The Department has assessed the proposed modifications and has considered Council's comments. It is noted that Council supports the proposal subject to the privacy of adjoining residential property owners and the conflict with the layout of the approved onsite carpark being resolved.

The Department considers the issues raised by Council to be adequately addressed by the inclusion of a new condition in the approval to require an alternative design for the placement of columns to support the proposed east extension.

The Department therefore considers that the proposed modification should be approved subject to appropriate conditions.

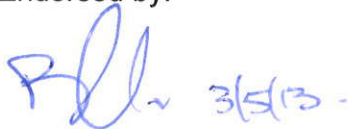
7. RECOMMENDATIONS

It is recommended that the Director, Metropolitan & Regional Projects South, as delegate for the Minister for Planning & Infrastructure:

- **note** the information provided in this report;
- **approve** the modification request, subject to conditions; and
- **sign** the attached modifying instruments (**APPENDIX C**).

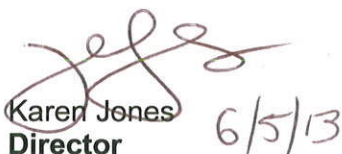
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APPENDIX A MODIFICATION REQUEST

See the Department's website at

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=5837

APPENDIX B SUBMISSIONS

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APPENDIX C RECOMMENDED MODIFYING INSTRUMENT
