

Notice of decision

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State significant development
Application number and project name	SSD-10159 Northside Hospital, West Gosford
Applicant	AA Crown Holdings Pty Ltd
Consent Authority	Minister for Planning and Public Spaces

Decision

The Director- Regional Assessments under delegation from the Minister for Planning and Public Spaces has, under section 4.38 of the *Environmental Planning and Assessment Act 1979 (the Act)* granted consent to the development application subject to the recommended conditions.

A copy of the development consent and conditions is available [here](#).

A copy of the Department of Planning and Environment's Assessment Report is available [here](#).

Date of decision

14 May 2021

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's Assessment Report;
- the prescribed matters under the *Environmental Planning and Assessment Regulation 2000*;
- the objects of the Act;
- all information submitted to the Department during the assessment of the development application;
- the findings and recommendations in the Department's Assessment Report; and
- the views of the community about the project (see Attachment 1).

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision.

The key reasons for granting consent to the development application are as follows:

- the project would provide a range of benefits for the region and the State as a whole, including provision of new health infrastructure, capital investment in the region of \$182 million, creation of 2,200 construction jobs and 460 operational jobs, and public domain upgrades
- the project is permissible with development consent, and is consistent with NSW Government policies including
 - o The Central Coast Regional Plan 2036
 - o The Gosford Urban Design Framework
 - o NSW Future Transport Strategy 2056
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards. Conditions of consent are recommended to address key impacts associated with building design, public domain and landscaping, traffic, transport and access, noise impacts; and
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through changes to the project and the recommended conditions of consent.
- weighing all relevant considerations, the project is in the public interest.

Attachment 1 – Consideration of Community Views

The Department exhibited the Environmental Impact Statement for the project from 27 February until 25 March 2020 (28 days) and received two public submissions from community organisations objecting to the proposal. It also received comments from Council.

The key issues raised by the community (including in submissions) and considered in the Department's Assessment Report and by the decision maker include building height and scale, building design, traffic, parking and transport. Other issues are addressed in detail in the Department's Assessment Report.

<i>Issue</i>	<i>Consideration</i>
Building Height and Scale - Requirements to vary planning controls have not been met (particularly design excellence requirements) - The scale results in adverse traffic impacts - Inconsistent with the area and the objectives of the area under the DCP - Approval would set a precedent for other development of a similar scale	Assessment - Although the proposed development would exceed the height and floor space ratio (FSR) controls that would ordinarily apply to the land, the Gosford SEPP provides exceptions which allows consent to be granted despite the variation from the controls. The Department is satisfied the relevant requirements (including Design Excellence as discussed below) have been met to enable a variation from the height and FSR controls. - The Department has assessed the height and scale of the proposal on merit and supports the scale of the development, as it has strategic merit, would sit comfortably within the emerging future character of the area, would not result in any unacceptable amenity outcomes, is consistent with the objectives of the planning controls applicable to the site, and would not result in unacceptable traffic impacts (considered below). - The scale of future applications in the vicinity of the site would be assessed having regard to the planning controls and any applicable exceptions that apply under the controls.
Building Design - The proposal does not achieve Design Excellence - It presents continuous unbroken walls to the street frontages	Assessment - Concerns raised in relation to building design were made before the building design was amended to remove the blank facades. - Following the amendments to the design, The DAP has confirmed the proposal exhibits design excellence. - Subject to conditions to improve street tree plantings on Faunce Street, the Department is also satisfied the proposal would present a well-designed building without unacceptable impacts to the surrounding streetscape. Conditions Conditions include: - Retention of the design architect to maintain design excellence through the construction phase. - A requirement to underground powerlines and improve street tree plantings on Faunce Street. - Future assessment requirements to ensure active frontages and appropriate building design as part of Stage 2.
Traffic - Issues with the methodology of the traffic assessment - The proposal would generate additional traffic impacts - There are existing traffic problems in the area which require resolution and the worsening of these impacts has not been addressed	Assessment - The Traffic Assessment (TIA) was updated with the RTS. Following the submission of the updated TIA, TfNSW and Council did not raise any concerns with the methodology used by the Traffic Consultant and the Department is satisfied the TIA can be relied upon to make an assessment of the impacts of the proposal. - The TIA demonstrates that the proposal would not result in any unacceptable traffic impacts to the road network immediately adjacent to the site. - Two other intersections near the site (Central Coast Highway / Racecourse Road) and Racecourse Road where it passes over the railway bridge) are recognised as problematic, approaching capacity. However, the proposed development would have limited impacts on the overall operation of these intersections. Rather, issues associated with these intersections and their deterioration can be attributed to background traffic growth as well as the growth of the Gosford City Centre generally under the GCC SEPP.

	- The Department considers that the payment of Infrastructure Contributions provides an appropriate mechanism to ensure equitable sharing of the cost of future road upgrade works as a result of the growth of the centre under the GCC SEPP. A request by the Applicant to waive payment of contributions has not been supported. <i>Conditions</i> Conditions include - Conditions enabling payment of infrastructure contributions.
<i>Parking</i> Additional on-site parking is required	<i>Assessment</i> The Department is satisfied with the approach taken by the Applicant to assess parking demand and notes proposed on-site parking would exceed parking demand for the site. Therefore, no additional parking is required.
<i>Transport</i> - The site does not have good access to public transport - A shuttle bus service should be provided	<i>Assessment</i> - The Department agrees a shuttle bus service should be provided to complement existing public transport services. <i>Conditions</i> Conditions include - Conditions requiring details of a shuttle bus service to be approved as part of a Green Travel Plan and for the service to be operational from the commencement of operations.
<i>Consent Authority</i> Considers the Gosford SEPP should not have made the Minister the consent Authority, rather than Council	<i>Assessment</i> This issue is beyond the scope of the Assessment. This application is determined in accordance with applicable statutory provisions.