NSW GOVERNMENT | Planning & Environment

STATE SIGNIFICANT DEVELOPMENT ASSESSMENT REPORT: Mona Vale Community Health Centre (SSD 6160)



Secretary's Environmental Assessment Report
Section 89H of the
Environmental Planning and Assessment Act 1979

October 2014

ABBREVIATIONS

Applicant	Health Infrastructure
CIV	Capital Investment Value
Department	Department of Planning and Environment
EIS	Environmental Impact Statement
EP&A Act	*Environmental Planning and Assessment Act 1979*
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPI	Environmental Planning Instrument
LEP	Local Environmental Plan
Minister	Minister for Planning
PAC	Planning Assessment Commission
Regulation	Environmental Planning and Assessment Regulation 2000
RtS	Response to Submissions
SEARs	Secretary's Environmental Assessment Requirements
Secretary	Secretary of the Department of Planning and Environment, or his delegate/nominee
SEPP	State Environmental Planning Policy
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development

Cover Photograph: Illustrative perspective from Coronation Street (*Source: mcconnel smith & johnson)*

© Crown copyright 2014
Published October 2014
NSW Department of Planning and Environment
www.planning.nsw.gov.au

Disclaimer:
While every reasonable effort has been made to ensure that this document is correct at the time of publication, the State of New South Wales, its agents and employees, disclaim any and all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance upon the whole or any part of this document.

EXECUTIVE SUMMARY

This report is an assessment of a State significant development application lodged by Heath Infrastructure seeking approval for the construction and operation of the Mona Vale Community Health Centre (MVCHC) (also known as the Northern Community Health Centre), at 18 Coronation Street, Mona Vale (Mona Vale Hospital site).

The MVCHC will become a hub for aged care, rehabilitation and chronic disease management programs. These services will complement the sub-acute rehabilitation services to be provided at Mona Vale Hospital, and facilitate the continuation of care for patients towards an improved level of function. Co-location of inpatient and community services will provide opportunities for improved integration and collaboration across services, along with a range of operational efficiencies.

The project has a capital investment value (CIV) of approximately $30 million and will generate 21 operational jobs and 100 construction jobs.

The proposal is State significant development under clause 14 of Schedule 1 to the State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP), as it is development for a medical centre and has a CIV of more than $30 million. The Minister for Planning is subsequently the consent authority.

The site is zoned SP2 Infrastructure - Health Services Facility under the Pittwater Local Environmental Plan 2014, and was zoned 5(a) Special Uses - Hospital under the Pittwater Local Environmental Plan 1993 (PLEP 1993) at the time of lodgement of the application. The development is permissible under both the zonings.

The proposal was exhibited from 6 March 2014 until 4 April 2014. The Department received submissions from Pittwater Council, Roads and Maritime Services, Transport for NSW, Office of Environment and Heritage, Environment Protection Authority and Sydney Water. A total of 10 submissions were also received from the public. The matters raised in the submissions included height of the building, built form, adequacy of the parking provided, traffic impacts, view impacts, details regarding plans for the future of the hospital site and impacts associated with construction vehicles.

The applicant provided a Response to Submissions, which:

- reduced the maximum building height by 1.4 metres from 14.2 metres to 12.8 metres;
- revised the profile of the roof to reduce view impacts;
- relocated emergency plant equipment from the south-east portion of the site to the north-west corner of the building;
- relocated rooftop plant to the lower ground car park;
- reconfigured the internal layouts; and
- provided further clarification regarding view impacts, traffic impacts and confirmation that there is a low likelihood that any Aboriginal cultural heritage material will be found on the site.

The Department has assessed the merits of the proposal and identified the key issues associated with the project as being: built form; view impacts; acoustic impacts; traffic impacts; and adequacy of car parking. The Department's assessment concludes that:

- the applicant has incorporated appropriate design measures to minimise the mass of the building and mitigate view impacts;
- management measures can be implemented to reduce the predicted noise levels and minimise the noise impacts to appropriate levels;
- traffic generated by the proposed additional floor space will not have a significant impact on the operation of the Coronation Street and Pittwater Road intersection, and therefore the traffic impacts are deemed to be satisfactory; and

- the car parking to be provided will be acceptable in terms of meeting the demand created by the additional community health floor space.

The Department is satisfied that the impacts of the proposed development have been addressed in the Environmental Impact Statement and Response to Submissions, and can be adequately managed through the recommended conditions. The Department's assessment also concludes that the site is suitable for the proposed development and that the application is consistent with the objects of the EP&A Act (including Ecologically Sustainable Development), NSW 2021 and the draft Metropolitan Strategy for Sydney to 2031.

The Department concludes that the proposal will support the ongoing delivery of community health services to complement the delivery of core services at the Northern Beaches Hospital with the delivery of sub-acute services at the Mona Vale Hospital, and will provide additional employment opportunities. The Department therefore considers the development would be in the public interest and recommends that the State significant development application be approved, subject to conditions.

1. PROPOSED DEVELOPMENT AND SITE DESCRIPTION

1.1 The Proposal

Health Infrastructure (the applicant) proposes to construct and operate the MVCHC, located at 18 Coronation Street, Mona Vale (Lot 1 DP439092), on the Mona Vale Hospital campus.

The project location is shown in **Figure 1**.



Figure 1: Project location

1.2 Site Description and Surrounding Development

The proposal is located on the Mona Vale Hospital site towards the south of the campus, with a frontage to Coronation Street. The hospital site is bound by: Mona Vale Golf Course to the north and west; Robert Dunn reserve to the east; Coronation Street to the south; and remnant bushland to the west (see **Figure 2**). The site falls steeply to north and the proposed development is located towards the south where the existing community health centre is located (see **Figure 3**). The site has been used for health related purposes since 1964.



Figure 2: Existing Mona Vale Hospital site layout



Figure 3: View of the site from Coronation Street (showing existing community health centre, to be demolished)

The proposed MVCHC is proposed to be located where the existing two storey community health centre and surrounding landscaped area is currently sited. Health Infrastructure will undertake the demolition of the existing centre and tree removal works on the subject site as development permitted without consent pursuant to clause 58 of the Infrastructure SEPP.

The land uses immediately surrounding the proposed community health centre are:

- the at-grade helipad to the north-east;
- the one and two storey palliative care buildings to the east;
- at-grade car parking and Coronation Street to the south and low scale residential south of Coronation Street;
- seven storey main hospital building to the north-west; and
- the single storey emergency department building and ambulance station to the west.

1.3 Key Development Components and Features

Figure 4 shows the development layout and **Table 1** provides a summary of the development proposal's key components and features.

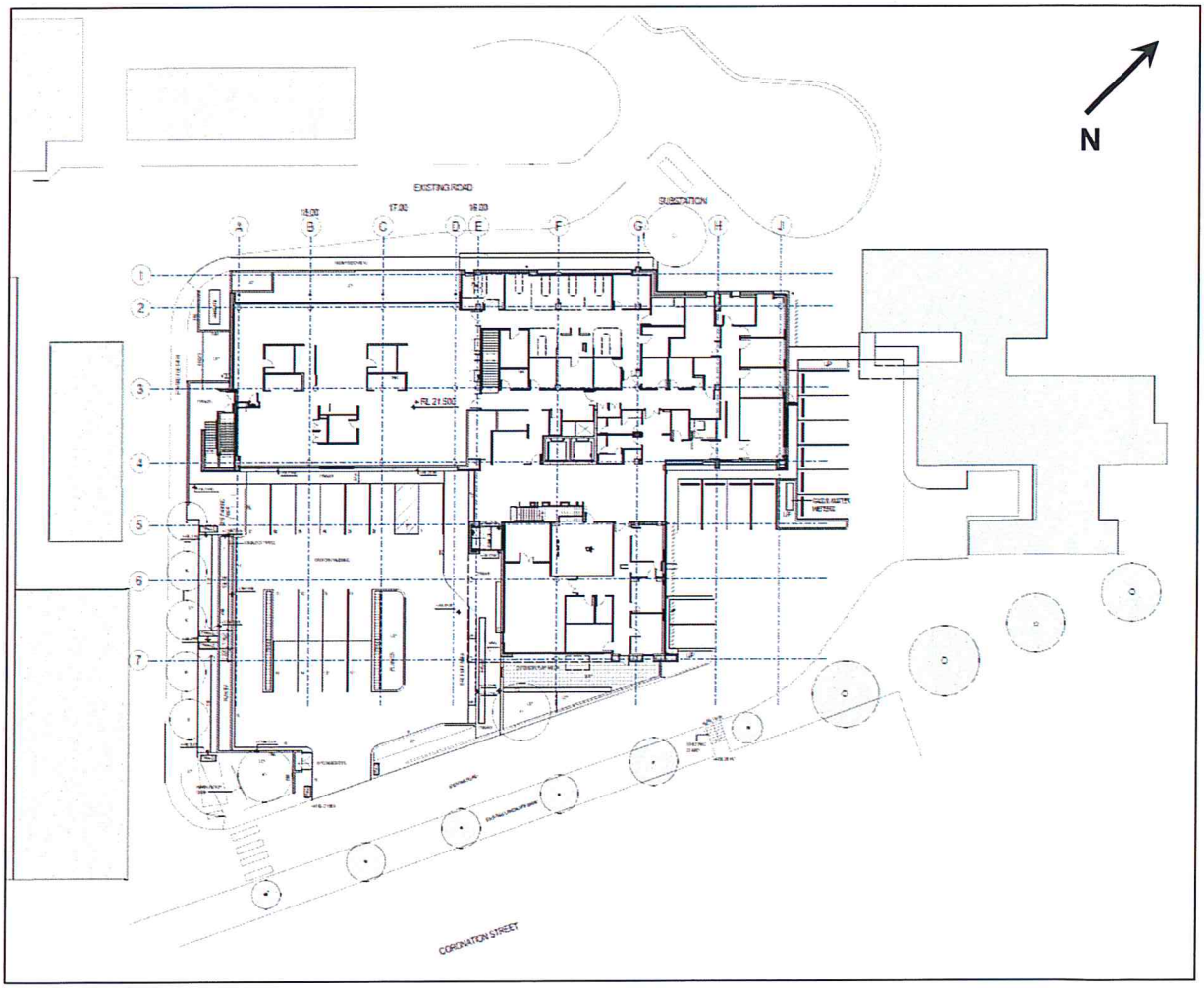


Figure 4: Development layout

Table 1: Key Development Components

Development Summary	• Site preparatory works, including site excavation and demolition of switchboard and generator; • construction of a three storey building for health services; • ancillary car parking (45 spaces); and • associated landscaping and infrastructure, including emergency generator.
Accommodated Services	• Rehabilitation and Aged Care Services • Musculoskeletal Physiotherapy • Chronic Care Services • Community Nursing • Acute Post Acute Care Service (intense, short term, interdisciplinary acute health care and management at home instead of in-patient hospital care) • Child and Adolescent Mental Health • Drug and Alcohol Services • Oral Health Services • Adult and Child Occupational Therapy • Paediatric Physiotherapy • Adult Community Mental Health • Early Childhood Health Centre
GFA	Approximately 4,000 sqm
Height	12.8 metres
Car Parking Spaces	45
Capital Investment Value	$30,276,269.00
Jobs	100 construction jobs and 21 operational jobs

2. STATUTORY AND STRATEGIC CONTEXT

2.1. SEPP (State and Regional Development) 2011

The proposal is for a State significant development because it is development for the purpose of medical centre with a capital investment value (CIV) in excess of $30 million under clause 14 (Hospitals, medical centres and health research facilities) of Schedule 1 of State Environmental Planning Policy (State and Regional Development) 2011. Therefore the Minister for Planning is the consent authority.

2.2. Delegated Authority

Under the Minister's Delegation dated 14 September 2011, the Secretary of the Department of Planning and Environment can determine the application as Council has not objected to the proposal, no political disclosure statement has been made and five public submissions were received objecting to the proposal

2.3. Permissibility and Zoning

The site is zoned SP2 Infrastructure - Health Services Facility under the Pittwater Local Environmental Plan 2014 and the development is permissible in the zone. The site was zoned 5(a) Special Uses - Hospital under the Pittwater Local Environmental Plan 1993 (PLEP 1993) at the time of lodgement of the application and the development was also permissible in the zone.

The savings provisions under Pittwater Local Environmental Plan 2014 apply to the development as the application was lodged prior to the commencement of the Pittwater Local Environmental Plan 2014 (PLEP 2014) on 27 June 2014, and therefore the zoning under PLEP 1993 prevails.

2.4. Environmental Planning Instruments

The Department's consideration of relevant Environmental Planning Instruments (EPIs) (including SEPPs) is provided in **Appendix B** and include:

- State Environmental Planning Policy (State and Regional Development) 2011;
- State Environmental Planning Policy No 33 - Hazardous and Offensive Development;
- State Environmental Planning Policy No. 55 - Remediation of Land;
- State Environmental Planning Policy (Infrastructure) 2007;
- Pittwater Local Environmental Plan 1993; and
- Draft Pittwater Local Environmental Plan 2013.

The proposal is consistent with the relevant requirements of the EPIs.

2.5. Objects of the EP&A Act

Decisions made under the EP&A Act must have regard to the objects of the EP&A Act, as set out in section 5 of the Act (see glossary at **Appendix C**). The proposal complies with the objects of the EP&A Act as it would deliver additional community facilities for allied health services to promote the social welfare of the State. The proposal supports the orderly development of land within an existing hospital campus for social infrastructure, and thereby protects the land for public purposes.

2.6. Ecologically Sustainable Development

The EP&A Act adopts the definition of Ecologically Sustainable Development (ESD) found in the *Protection of the Environment Administration Act 1991* (see glossary at Appendix C). Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes.

The Department has considered the project in relation to the ESD principles. The Precautionary and Inter-generational Equity Principles have been applied in the decision making process via a thorough and rigorous assessment of the environmental impacts of the project. The proposal is considered to be consistent with ESD principles as described in Section 5.12 of the applicant's EIS, which has been prepared in accordance with the requirements of Schedule 2 of the Regulation.

The proposal is located on a previously developed and disturbed site. It would not result in the loss of any threatened or vulnerable species, populations, communities or significant habitats. The site is not subject to any known effects of flooding and is not subject to bushfires. The site would not be impacted by changes in sea level resulting from climate change.

The development incorporates the following sustainability initiatives:

- a reduction in energy use by maximising natural light whilst incorporating façade design measures to manage solar heat loads;
- the adoption of a building management system that conserves energy;
- a reduction in potable water use through use of water efficient fixtures;
- a reduction in operational waste and the encouragement of recycling; and
- use of recycled or plantation timbers to avoid use of rainforest or high conservation forest timber.

The Department is satisfied that the proposed sustainability initiatives would encourage ESD, in accordance with the objects of the EP&A Act.

2.7. Environmental Planning and Assessment Regulation 2000

Subject to any other references to compliance with the Regulation cited in this report, the requirements for Notification (Part 6, Division 6) and Fees (Part 15, Division 1AA) have been complied with.

2.8. Strategic Context

The Department concludes that the proposal is appropriate for the site given:

- it is consistent with the priorities of NSW 2021, the State's 10 year plan, which seeks to increase focus on wellness and illness prevention in the community, which the increased investment in community health infrastructure would support;
- it is consistent with the draft Metropolitan Strategy for Sydney to 2031 (draft Strategy) as the consolidation of the community health care services at Mona Vale Hospital aligns with its changing role within the northern Sydney health services district, which is to play a complementary role to the emerging Frenchs Forest Specialised Health Precinct. It is envisaged that the consolidation of core services at this new precinct will ensure the delivery of a broader range of services and a higher standard of hospital care for northern Sydney and is currently being realised with the recent approval of the concept proposal for the Northern Beaches Hospital and Stage 1 site preparation and site clearing works, which are underway. The consolidation of community health services at the Mona Vale Hospital location will facilitate a greater focus on wellness and preventative medicine;
- the ongoing investment in community health on an existing hospital campus and delivery of new jobs and social infrastructure is consistent with the objective in the draft strategy to achieve productivity outcomes through investment in critical and enabling infrastructure;
- it will provide social infrastructure that will promote the State's capacity for delivering health care services; and
- it will provide direct investment of $30 million, which would support the generation of 100 construction jobs and 21 new operational jobs.

2.9. Secretary's Environmental Assessment Requirements

The EIS is compliant with the Secretary's Environmental Assessment Requirements (SEARs) and is sufficient to enable an adequate consideration and assessment of the proposal for determination purposes.

3. EXHIBITION CONSULTATION AND SUBMISSIONS

3.1. Exhibition

In accordance with section 89F of the EP&A Act and clause 83 of the EP&A Regulation, the application and accompanying information was made publicly available for at least 30 days following the date of first publication, in accordance with the Regulation. The Department publicly exhibited it:

- on the Department's website from 6 March 2014 until 4 April 2014 (30 days); and
- at the Department's Bridge Street Sydney Information Centre and Pittwater Council's offices from 6 March 2014 until 4 April 2014 (30 days).

The Department also advertised the public exhibition in the Sydney Morning Herald, The Daily Telegraph and the Manly Daily on 5 March 2014. The Department notified adjoining landholders, and relevant State and local government authorities in writing.

A total of 16 submissions were received, comprising six from council and public authorities and 10 from the public. A summary of the issues raised in the submissions is provided in the following sections.

3.2. Public Authority Submissions

A total of six submissions were received from public authorities, as summarised below. None objected to the proposal.

Pittwater Council identified the following matters for the Department's consideration:

- the development should address the controls in council's LEP and DCP, in particular traffic and parking, built form and view sharing controls, which reflect the community's expectations as they have been derived through extensive community consultation;
- car parking should be provided based on the demand generated by the whole development and not the net increase in floor space;
- the vehicle entries for staff/visitors and emergency vehicles should be separated and any subsequent loss of on-street car parking should be provided on site;
- the assessment of the traffic impacts on Pittwater Road and Coronation Street intersection should be based on the whole development and not the traffic generated by the net increase in floor space;
- the traffic impacts on the Coronation Street and Melbourne Avenue intersection should be considered;
- the traffic impacts and parking needs of the whole hospital site should be addressed in a master planning process for the future operations of the hospital as the cumulative effects of the future development across the hospital site may identify the need for road upgrades or additional car parking to mitigate impacts and opportunities to improve bus access; and
- a construction traffic management plan should be provided.

Roads and Maritime Services (RMS) raised no objection to the development.

Transport for NSW requested that a Construction Traffic Management Plan (CMTP) be prepared. The CMPTP must identify potential construction vehicle impacts on bus services and pedestrian access to the bus services and appropriate mitigation measures to address these impacts.

Office of Environment and Heritage (OEH) advised that the Aboriginal Due Diligence Report does not provide an archaeological or cultural Aboriginal heritage impact assessment and the consultation undertaken with the Aboriginal community was informal and does not meet the necessary requirements.

Environment Protection Authority (EPA) provided the following comments for consideration:

- a comprehensive construction noise and vibration impact assessment should be prepared with consideration of the Interim Construction Noise Guideline (ICNG) and should identify all measures to mitigate impacts on hospital operations;
- the background noise assessment undertaken is not adequate for establishing the design noise criteria as required by EPA's Industrial Noise Policy (INP);
- the noise and vibration impacts and mitigation measures for the operation of the hospital should be identified;
- further justification is required to relax the noise criteria for the operation of the emergency back-up generator;
- noise compliance assessments should be prepared prior to operation and during operation to confirm that noise generated by the development meet noise criteria in INP;
- additional measures to minimise energy and water use should be identified and integrated into the design;
- noted that licences and further approvals would be required for removal of special waste and the storage or use of radioactive material; and
- recommended that waste is classified before removal, dust is managed during construction and erosion and sediment controls are implemented during construction.

Sydney Water advised that water and wastewater infrastructure is available for connection and the applicant must obtain a section 73 certificate.

The Department has fully considered the issues raised in submissions in its assessment of the development.

3.3. Public Submissions

A total of 10 submissions were received from the public. Of the10 public submissions, five objected to the project, two supported the project and three did not object but raised issues. The key issues raised in public submissions are as follows:

- insufficient car parking has been provided, which would result in further demand and congestion on the local roads and therefore further on-street parking restrictions for the local roads are required;
- the cumulative traffic impacts from recent developments and the traffic generated by this development and impacts on the Melbourne Avenue and Coronation Street intersection should be assessed;
- cars circulating looking for parking will result in additional traffic impacts on the local roads and the installation of a turn-back-circle at the end of Coronation Street and diversion of the bus route to travel through the hospital site would potentially resolve these issues;
- the height of the building is excessive and will result in impacts on views to the golf course and Pittwater;
- the pitch of the roof should be flattened and a green roof installed to reduce visual and view impacts;
- the master planning process currently being undertaken for Mona Vale Hospital should be completed before this project proceeds to identify the most appropriate location for the new building, including potentially on the eastern portion of the campus where the site is currently underdeveloped; and
- construction vehicles will have adverse impacts on on-street car parking supply and would potentially impact emergency access given the current combined emergency and staff / visitor vehicle entrance arrangement is being maintained.

The Department has fully considered the issues raised in submissions in its assessment of the development.

3.4. Applicant's Response to Submissions

The applicant provided a response to the issues raised in submissions. The response included the following changes:

- a reduction in the maximum building height by 1.4 metres from 14.2 metres to 12.8 metres through reduced floor to ceiling heights;
- a revised profile for the roof to improve view sharing;
- relocation of emergency plant equipment from the south-east portion of the site to the north-west corner of the building away from residences to minimise acoustic impacts;
- relocation of roof top plant to the lower ground car park to minimise acoustic impacts, view impacts and visual impacts; and
- reconfiguration of the internal layouts.

The response to submissions also provided further clarification regarding the traffic impacts of the development, the potential impacts on on-street parking and further assessment of the potential for Aboriginal cultural heritage material, which was assessed as being very low. The applicant has also provided further information regarding the consolidation of services in the new community health centre building and the uses to be relocated from within the hospital site. The applicant has confirmed that the spaces being vacated across the hospital site are no longer suitable for health purposes and will remain vacant. Furthermore, the broader vision and plan is to relocate services to the future Northern Beaches Hospital. Therefore

when the new hospital is delivered and the Mona Vale Hospital is converted to a supporting hospital, the traffic and car parking demand is predicted to fall, meaning reduced traffic and parking impacts.

The applicant's response to submissions was forwarded to council and agencies for comment and was made publicly available on the Department's website. EPA advised that the comments in relation to operational noise and vibration impacts are still applicable and that the applicant should investigate the re-use of stormwater. Council acknowledged that the height reductions are an improvement and that appropriate consultation with the community should be undertaken. In regards to the traffic and parking, council has reiterated that the traffic and parking assessment should be based on the whole building and should consider impacts on the Coronation Street and Melbourne Avenue intersection. These matters are discussed in detail in section 4 of this report.

4. ASSESSMENT

4.1. Section 79C Evaluation

Table 2 identifies the matters for consideration under section 79C that apply to State significant development, in accordance with section 89H of the EP&A Act (see glossary at Appendix C). The table represents **a summary** for which additional information and consideration is provided for in Section 4 (Key and Other Issues) and relevant appendices or other sections of this report and the EIS, referenced in the table.

The EIS has been prepared by the applicant to consider these matters and those required to be considered in the SEARs and in accordance with the requirements of section 78(8A) of the EP&A Act and Schedule 2 of the EP& A Regulation.

Table 2: Section 79C(1) Matters for Consideration

Section 79C(1) Evaluation	Consideration
(a)(i) any environmental planning instrument	Complies - see Appendix B
(a)(ii) any proposed instrument	At the time of lodgement of the application, the recently gazetted Pittwater LEP 2014 had been exhibited. The Draft LEP has been considered in Section 4.2 and Appendix B.
(a)(iii) any development control plan	See Appendix B*
(a)(iiia) any planning agreement	Not applicable
(a)(iv) the regulations	The development application satisfactorily meets the relevant requirements of the Regulation, including the procedures relating to development applications (Part 6 of the Regulations), public participation procedures for SSD's and schedule 2 of the Regulation relating to environmental impact statements. Refer to discussion at Section 2.7.
(a)(v) any coastal zone management plan	Not applicable
(b) the likely impacts of that development	Appropriately mitigated or conditioned - refer to Section 4.2
(c) the suitability of the site for the development	Suitable - Refer to Sections 2.8 and Section 5
(d) any submissions	Refer to Sections 3.2 and 4.2
(e) the public interest	Refer to Section 4.2.4
Biodiversity values exempt if: (a) On biodiversity certified land (b) Biobanking Statement exists	Not applicable

* Under clause 11 of the SRD SEPP, development control plans do not apply to state significant development. Notwithstanding, consideration has been given to relevant Development Control Plans at Appendix B.

4.2. Key and Other Issues

The Department considers the key environmental assessment issues for the application to be:

- built form;
- environmental and residential amenity;
- transport and traffic impacts; and
- the public interest.

4.2.1. Built Form

The proposed building has a height of 12.8 metres and a total gross floor area of approximately 4,000 sqm (see **Figure 5**). No height or floor space controls apply to the site under the PLEP 1993, however, the PLEP 2014 introduces a height control of 8.5 metres. This height control is also replicated in the Pittwater 21 Development Control Plan 2014 (DCP).

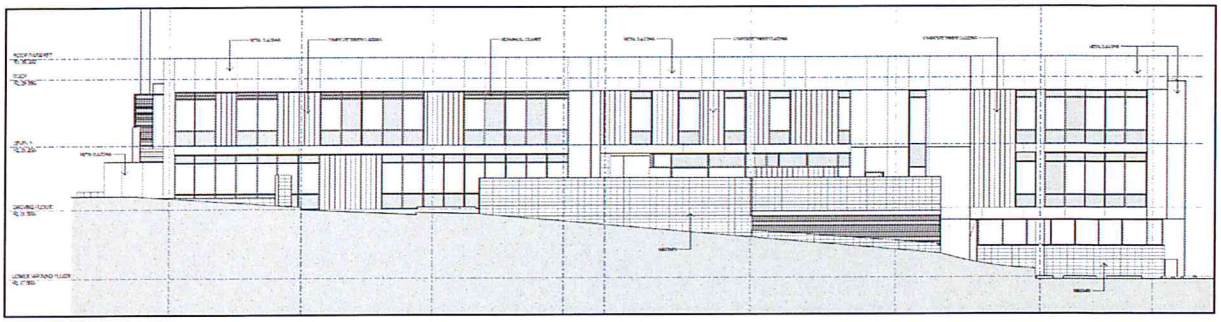


Figure 5: Northern elevation

The applicant has detailed that the height and scale of the proposed three storey, 4,000 sqm community health centre building, which replaces a two storey building with approximately 1,600 sqm of floor space, is required to allow for the consolidation and expansion of the community health services at Mona Vale Hospital to one accessible location. The applicant has indicated that the height of the building responds to the constraints of the site, with the building partially set below ground to minimise the visual and view impacts. The building has been setback from Coronation Street and is consistent with the existing multi-storey institutional nature and built form on the hospital site. The applicant contends that compliance with the newly imposed height control in PLEP 2014 is unreasonable and unnecessary as the control has been imposed for the surrounding residential zoning and does not consider the existing character of the hospital site and existing larger built form.

The height of the building as originally proposed in the exhibited EIS was identified as an issue by council and in the public submissions. Council considers the proposal should adhere to the local controls as they have been established through an extensive community consultation period and therefore reflect the community's vision for the site. The height of the building was raised as an issue in the public submissions due to the visual and view impacts. The public submissions suggested the use of a green roof and walls to address the visual and view impacts of the increased massing at a visually prominent location. The view impacts are further discussed in section 4.2.2 of this report.

The applicant submitted amended plans in the response to submissions to address the visual impacts of the building. The proposed height of the building was reduced from 14.2 metres to 12.8 metres, the roof was flattened to further reduce bulk and the roof top plant was relocated to the lower ground level (see **Figures 6 to 9**). In response to the request to provide a green roof and green walls, the applicant has indicated that this would result in ongoing public cost implications due to maintenance requirements. Health Infrastructure is of the opinion that it would not be appropriate to divert funding from public health to deliver these mitigation measures when, when in its opinion, the design of the building complements the existing hospital buildings and is considered suitable within the coastal setting.



Figure 6: Illustrative 3D model view (as exhibited) from Coronation Street



Figure 7: Illustrative 3D model view (as amended in Response to Submissions) from Coronation Street

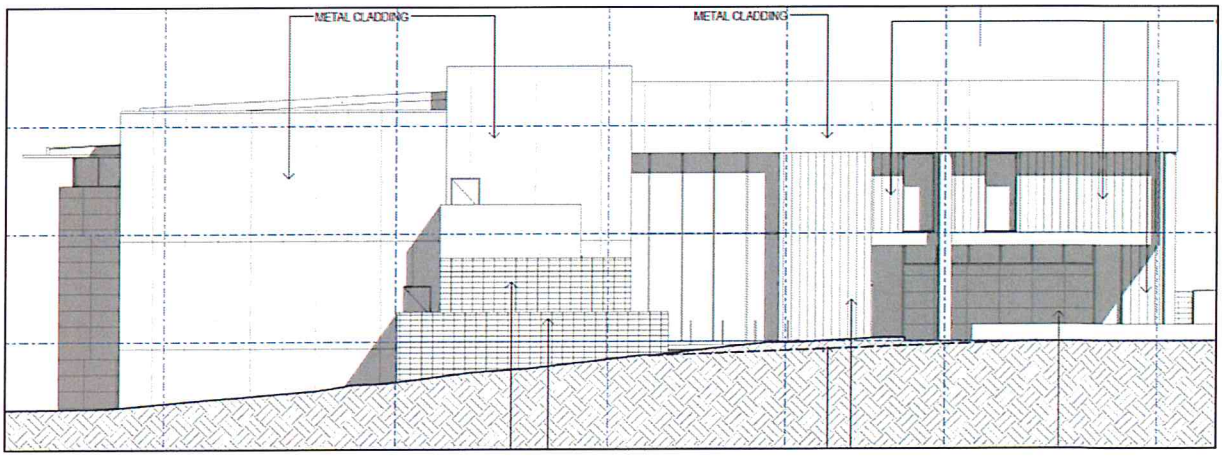


Figure 8: Western elevation (as exhibited)

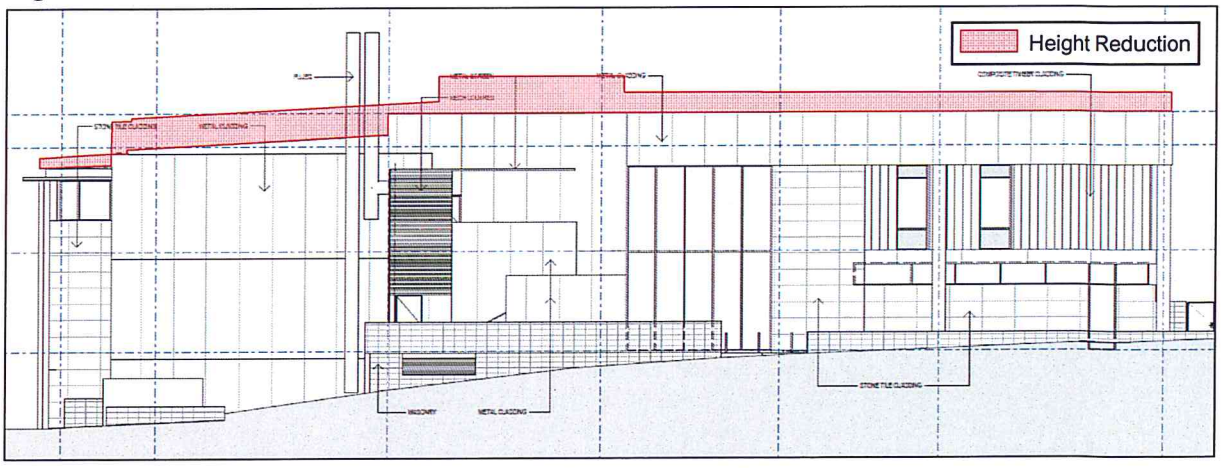


Figure 9: Western elevation (as amended in Response to Submissions)

The Department considers the height and form of the proposed building acceptable as:

- the height of the building would appear as 8.8 metres from Coronation Street as one level is located below the Coronation street level, which only marginally exceeds the new height control at the street frontage;
- it has been setback from the boundary which minimises its visual prominence;
- the building is consistent with the larger form of hospital buildings already located on the hospital site;
- the proposal responds to the topography of the hospital site as it generally conforms to the transition in building height, which steps down from the larger seven storey main hospital building and single storey emergency department located on higher ground to the west to the one and two storey palliative care building located on lower ground to the east towards the public reserve;
- the applicant has incorporated appropriate design measures to minimise the mass of the building, including modulation and articulation of the building to minimise extensive façades, use of predominantly earthy tones to minimise the prominence of the building and flattening and tapering the roof to minimise view impacts; and
- the view impacts as discussed in the following section are deemed to be acceptable.

Whilst the public submissions also recommended that a green roof be installed, the Department concurs with the applicant that adequate design measures have been adopted to minimise the visual impacts, therefore it is not necessary to install a green roof or green walls.

4.2.2. Environmental and residential amenity

View Impacts

The proposed development will result in a building that is approximately six metres higher than the existing building in the same location on the campus. Impacts on views to the Mona Vale Golf Course and Pittwater were raised as an issue in three of the public submissions. The potential views to be impacted by this development would be views enjoyed by nearby residences to the south of the site towards the ocean, Mona Vale Beach, Mona Vale Headland and the valley/Mona Vale Golf Course. To a lesser extent, views from the public domain, Robert Dunn Reserve and Mona Vale Beach, will also be impacted.

The applicant has undertaken a view sharing analysis in the EIS (and further analysis of the revised design in the RtS) with consideration of the relevant planning principles and concluded that the view impacts:

- from the public domain areas would be low as the development would have low visibility from the Robert Dunn Reserve and Mona Vale Beach and would be visually absorbed into the backdrop of the existing hospital landscape from these vantage points; and
- from private properties to the south of the site along Coronation Street and Cook Terrace to the ocean, Mona Vale Beach, Mona Vale Headland and the valley/ Mona Vale Golf Course would be moderate to high for eight properties and generally low for the other 77 properties potentially impacted (see **Figure 10**).

In response to the concerns raised in the three public submissions, the applicant reduced the height of the original building by 1.4 metres and flattened the roof structure and tapered it to the north to reduce the view impacts and minimise the visual bulk of the proposed Community Health Centre.

The Department notes that the proposed development will not impact on views to significant local landmarks (ocean, Mona Vale Beach and Headland) from existing areas of public domain (including Robert Dunn Reserve). When viewing the hospital from these areas, the proposed building will be consistent in form and scale with existing hospital buildings. The Department has considered the impacts on private property views in detail in the following section.

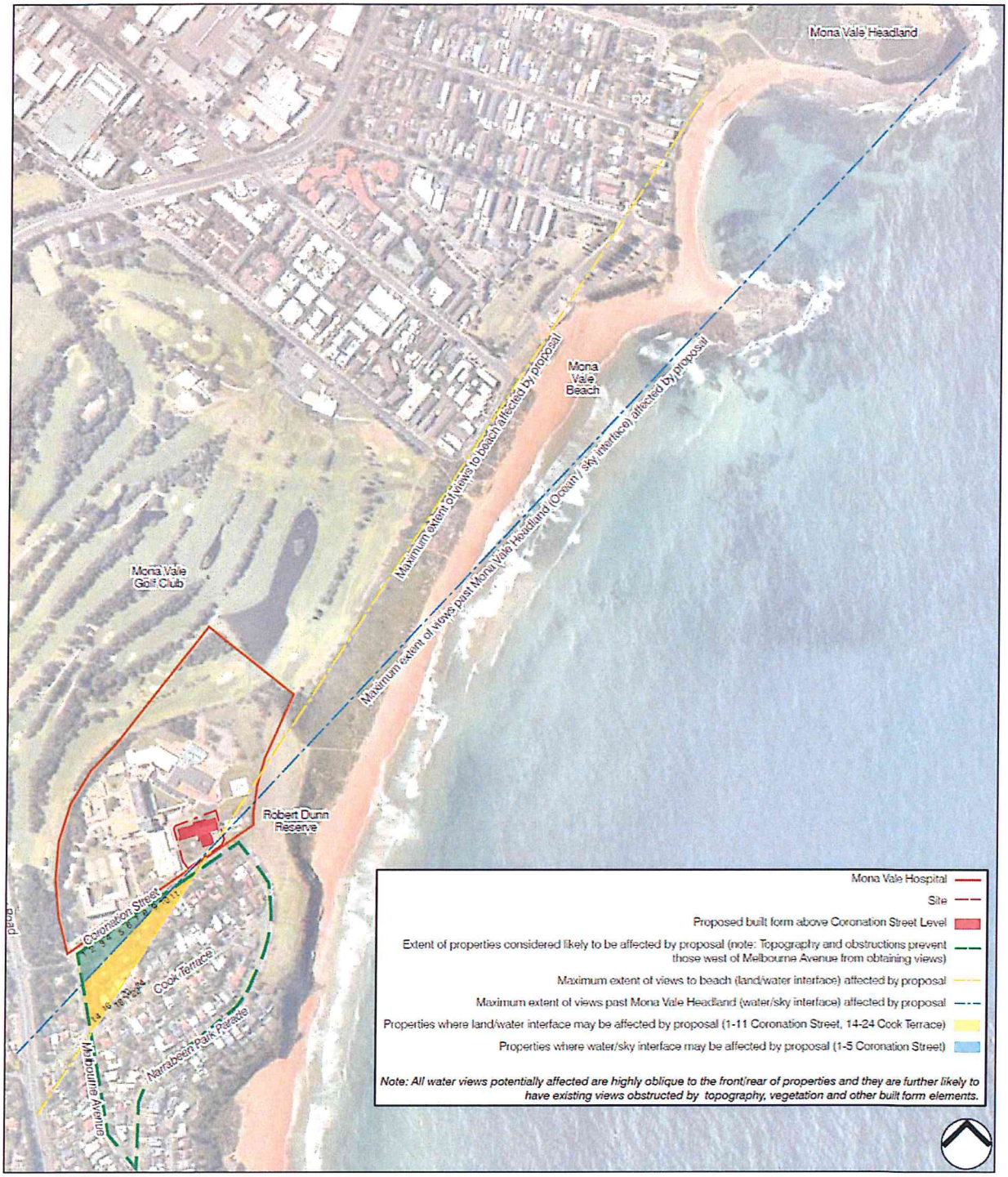


Figure 10: View impact assessment

Consideration of impacts on private property views

The planning principles for view sharing established in Tenacity Consulting v Warringah [2004] NSWLEC 140 establish a four-step process to determine whether a development maintains a reasonable level of view sharing. The steps/principles adopted in the decision are:

1. Identify the views to be impacted and assess the value of the views (i.e. water views are valued more highly than land views, iconic views are valued more highly than views without icons and whole views are valued more highly than partial views);
2. Identify what part of the property the views are obtained from (as protecting views from front and rear boundaries is more realistic than from the side boundary, protecting standing views is also a more realistic than sitting views);

3. Assess the extent of the view loss qualitatively as negligible, minor, moderate, severe or devastating from the whole of the property; and
4. Assess the reasonableness of the proposal that is causing the impact (i.e. a development that complies with all planning controls is more reasonable than one that breaches them).

The Department has included in **Table 3** its consideration of the first three Tenacity steps for the Coronation Street properties to the south of the development site and those generally west of the development, and likewise for the Cook Terrace properties.

Table 3: Private Property View Impacts

Property	View	View Type	Department's View Impact Assessment
Coronation Street – East (see **Figure 11**)	Ocean, land / water interface and headland	Front oblique and side views	The views are to the east and north-east of these properties and as the building will be located to the north of these properties, these views would not be affected by this development. The proposal would have a **negligible impact** on these views.
Coronation Street – West (see **Figure 12**)	Ocean, land / water interface and headland	Front oblique and side views	The properties further to the west along Coronation Street are positioned lower but are still elevated above the hospital site. The views would be partially obscured by existing hospital buildings and the development would have a **moderate impact** on views to the headland for the private properties 1 - 5 Coronation Street and **moderate impact** on views to land/water interface for properties 7-11, as the other properties would already be partially obscured by existing hospital buildings.
Cook Terrace – East	Ocean, land / water interface and headland	Oblique rear and side views	The views are to the east and north-east of these properties and as the building will be located to the north of these properties, these views would not be affected by this development and are already partially obscured by Coronation Street properties. The proposal would have a **negligible impact** on these views.
Cook Terrace – West	Ocean, land / water interface and headland	Oblique rear and side views	The views are to the east and north-east of these properties and as the building will be located to the north of these properties, the limited views to the headland from these properties would not be affected by this development. Views to the land/water interface may be affected for the western most properties, however, due to the similar elevation of these properties to the central Coronation Street properties and lower elevation and positioning further south, compared to the central Cook Terrace properties, views would be partially obscured by Coronation Street properties and Cooks Terrace properties. The proposal would have a **negligible impact** on land /water interface views. The more central properties would not be impacted as the proposal would not be located in the view corridor to the land/water interface.
Coronation Street – East (see **Figure 11**)	Golf course / Pittwater	Front views	These properties are not elevated to a height that would provide unobstructed views to the golf course and therefore the existing building would already partially obstruct views to the lower golf course. Views to Pittwater and the valley beyond would be further obscured by the new building and therefore would have a **moderate impact**.

Property	View	View Type	Department's View Impact Assessment
Coronation Street – West (see **Figure 12**)	Golf course / Pittwater	Front and oblique front views	The views to the golf course are largely obscured by existing hospital buildings and therefore the development would have a **negligible impact** on these views as the development conforms to the existing hospital landscape.
Cook Terrace – East	Golf course / Pittwater	Rear views	The Cook Terrace properties are elevated by approximately nine metres above the subject site and located generally higher than the maximum height of the proposed development. The height of the new building will present as approximately 8.8 metres at the southern frontage and taper down towards the north. The views to the golf course are partially obscured for some of the properties by existing Coronation Street properties, however, some views are currently unobstructed. Therefore, the new MVCHC building would result in partial obscuring of the golf course and have a **moderate impact** on rear facing views to the golf course, as wider panoramic views can be maintained at RL 27.5 (which is below the level of the Cook Terrace properties) from the rear of Cook Terrace properties (see **Figure 13**).
Cook Terrace – West	Golf course / Pittwater	Rear and oblique rear views	The views to the golf course are largely obscured by Coronation Street properties and existing hospital buildings and therefore the proposal would have **negligible impacts** on views to the golf course and Pittwater and the higher elevation of these properties above the site ensure any broader panoramic views around the existing hospital buildings to the golf course would be maintained.

Note: East properties refer to properties generally to the south of the development and west properties generally south-west of the development. View impacts have only been assessed for the northern Cook Terrace properties as the southern properties would have no view impacts given the elevation of these properties and limited views to the site.



Figure 11: Coronation Street (east) – street level view to the north and north-east



Figure 12: Coronation Street (west) – street level view to the north and north-east



Figure 13: Indicative view to the north from Coronation Street (east) properties at RL 27.5

The views enjoyed by the residents to the south of the development are not iconic, however, do include ocean views and land/water interface views. As the residential properties are orientated north-west and are located to the south and south-west of the development, ocean views and land/water interface views would be oblique views or side views that are largely retained. The moderate view impacts are front and rear property views to the headland and the golf course / Pittwater to the north beyond the hospital site as discussed in **Table 3**. Notwithstanding that there will be moderate view impacts, these are predominantly to less valuable views and the applicant has refined the design to minimise these impacts. Furthermore, the proposal will not be eliminating views but further obscuring the more significant views to the headland and land/water interface, which are oblique and more difficult to protect.

The fourth Tenacity step in considering the view impacts relate to the reasonableness of the impact with consideration of compliance with the development controls. Whilst the height of the proposed building exceeds the recently introduced height control, the development has a generous front setback, which is consistent with the established front building line (alignment of the front setbacks achieved for the adjacent hospital buildings). Further, the strict application of the height control is not considered necessary in this instance given the institutional character of the hospital site and the fact that existing development already significantly exceeds the height limit. The Department accepts that the location of the building on the campus is appropriate as the Community Health Centre operates independently of the hospital functions and therefore should maintain direct street access from Coronation Street where the centre is currently located, instead of situated in the middle or rear of the hospital campus.

Critically it is reasonable to expect that the subject site would be developed for the purpose of providing hospital and health related facilities and that such development is of the scale and form necessary to accommodate these services. The fulfilment of these objectives on the existing hospital site and the associated public benefits outweigh the negligible to moderate view impacts to these residences.

The Department concludes that the view impacts are reasonable given: the development is for public social infrastructure; view sharing can be maintained; and the proposal is consistent with the urban character of the site.

Acoustic and Vibration Impacts

Construction Noise Impacts

The applicant has indicated that the acoustic construction impacts would exceed the noise management levels in the Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009) (ICNG) for the closest sensitive residential receivers and the adjoining hospital buildings, in particular the Palliative Care Building (see **Figure 14**) for the majority of the 54 week construction period if noise mitigation measures are not provided.

The noise management levels according with the ICNG would be 58 dB(A) L_{Aeq} for the residences and 65 dB(A) L_{Aeq} for the surrounding hospital buildings and recreation areas. The predicted noise levels would significantly exceed the noise management levels for the Palliative Care Building during all stages of construction except site establishment works, by up to 13 dB during the noisiest period. The predicted noise levels would exceed the noise management levels for the sensitive residential receivers during excavation, construction of the lower ground level and building stages by up to 15 dB, whilst marginal exceedances to the other hospital buildings would also occur during these stages of between 2 dB and 5 dB (see **Table 4**).

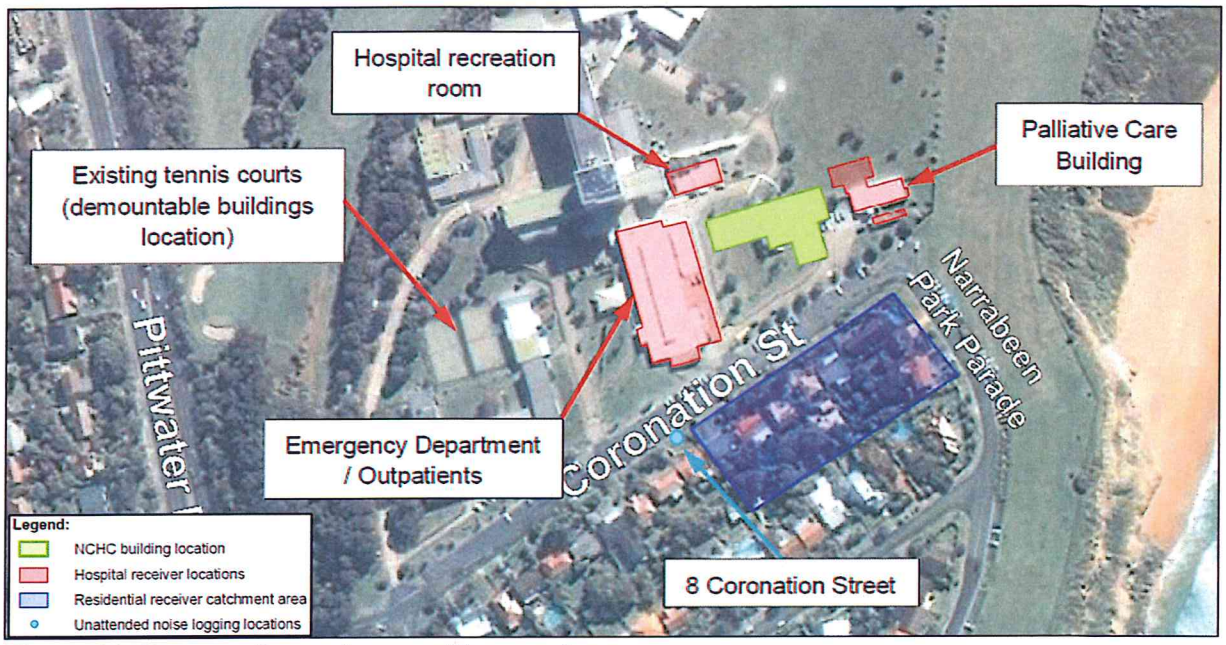


Figure 14: Surrounding noise sensitive receivers

Table 4: Predicted Noise Levels During Construction and Compliance with Noise Management Levels

Construction Stage	Noise Management Level (dB(A))	Predicted noise level (dB(A))	Exceedance (dB)
Site establishment (Approx. 2 weeks)			
Palliative Care Building	65	38	-
Emergency Department / Outpatients	65	38	-
Hospital recreation room	65	23	-
Sensitive Residential Receivers	58	54	-
Golf Course	65	29	-
Earthworks and excavations (Approx. 8 weeks)			
Palliative Care Building	65	78	13
Emergency Department / Outpatients	65	67	2
Hospital recreation room	65	70	5
Sensitive Residential Receivers	58	70	12
Golf Course	65	58	-
Lower ground level (Approx. 10 weeks)			
Palliative Care Building	65	76	11
Emergency Department / Outpatients	65	65	-
Hospital recreation room	65	67	2
Sensitive Residential Receivers	58	73	15
Golf Course	65	60	-
Construction of community health building (Approx. 20 weeks)			
Palliative Care Building	65	75	10
Emergency Department / Outpatients	65	62	-
Hospital recreation room	65	67	2
Sensitive Residential Receivers	58	67	9
Golf Course	65	55	-
Building envelope (Approx. 10 weeks)			
Palliative Care Building	65	73	8
Emergency Department / Outpatients	65	54	-
Hospital recreation room	65	54	-
Sensitive Residential Receivers	58	62	4
Golf Course	65	50	-

Construction Stage	Noise Management Level (dB(A))	Predicted noise level (dB(A))	Exceedance (dB)
Landscaping, external finishes and car park finishes (Approx. 4 weeks)			
Palliative Care Building	65	73	8
Emergency Department / Outpatients	65	54	-
Hospital recreation room	65	54	-
Sensitive Residential Receivers	58	65	7
Golf Course	65	51	-

The highest predicted noise level without mitigation would be 73 dB(A) at the sensitive residential receivers during the construction of the lower ground level stage, which is below the highly noise affected level of 75 dB(A). The exceedances would be greatest for the hospital buildings during the earthworks / excavation stage and construction of the lower ground level stages, which is anticipated to take a total of 18 weeks, and to a lesser extent the construction of the building, which is anticipated to take 20 weeks where the exceedance would be 10 dB for the Palliative Care Building. The acoustic assessment concludes that mitigation measures would be required and should be detailed in a Construction Noise and Vibration Management Plan.

The applicant has indicated that a Construction Noise and Vibration Management Plan will be prepared and the recommended measures identified in the acoustic assessment will be adopted, including:

- investigating potential installation of a three metre hoarding;
- local barriers around fixed plant;
- use of less intrusive movement alarms;
- temporarily boarding up the windows of the Palliative Care Building facing the construction site during the noisiest stages;
- permanent vibration monitoring system;
- staff training; and
- community liaison.

The applicant has also advised that no patients reside in the Palliative Care Building and it is predominantly office space and used for consultation and meetings. The education/meeting room facing the development that is to be boarded up would also not be used during this period.

The EPA has advised that:

- a comprehensive construction noise and vibration impact assessment must be prepared with consideration of the ICNG; and
- less intrusive vehicle movement alarms should be used during construction.

The Department considers that as the predicted noise levels at the sensitive receivers assumes that all noisy equipment is operating concurrently, it would be reasonable to expect that management measures can be implemented to reduce the predicted noise levels and minimise the noise impacts on the locality. The construction noise levels would be below the highly noise affected threshold of 75 dB(A) for adjacent residential properties before the various mitigation measures would be implemented and therefore the actual noise impacts are likely to be noticeably less. The Department has included in the recommended conditions the requirement that the recommendations of the acoustic assessment (as outlined above) be incorporated in the final CNVMP and that they be implemented prior to construction commencing. The Department has also recommended that the rooms in the Palliative Care Building that have openings that will be boarded up, are not used during these periods.

Operational Noise Impacts

The EPA raised a concern that the Acoustic Report submitted with the application does not properly establish noise criteria and this may result in adverse operational noise impacts. The Acoustic Report concludes that the operation of the proposed building is not expected to generate any adverse noise impacts on the adjoining noise sensitive receivers. The report identifies the potential operational noise impacts would be from the plant and emergency generator, however, the noise generated from the plant can be adequately mitigated to meet noise limits established in accordance with the EPA's Industrial Noise Policy (INP) using conventional methods including:

- strategic location and orientation of plant;
- selection of plant;
- noise enclosures;
- noise barriers;
- acoustic louvers; and
- noise attenuators.

The applicant proposes to relax the noise criteria for the emergency generator given the low likelihood that the generator would be used given the historically minimal blackouts in the area. The applicant has indicated that further investigation of the mitigation measures would be required at the detailed design stage.

The EPA advised in its submission that:

- the background noise assessment undertaken is not adequate for establishing the project specific noise levels;
- further justification is required if the applicant seeks to relax the noise criteria for the operation of the emergency back-up;
- further details are required regarding vibration risk mitigation;
- a comprehensive noise and vibration assessment is required and must identify appropriate mitigation and management measures to address: potential sleep disturbance impacts; tonal noise emissions; noise and vibration impacts from mechanical plant and services; noise from vehicle movement alarms within service areas, including limiting operational hours of loading areas; and consulting with residents and the hospital to establish appropriate times for testing fire alarms and emergency generators; and
- noise compliance assessments are required prior to operation and during operation to confirm that noise generated by the development meet noise criteria in the INP.

In the applicant's Response to Submissions, the emergency generator was relocated to the north-west of the building, away from the residential receivers. In this regard, the new building will mitigate noise impacts by screening the generator from residential properties.

The applicant's acoustic specialist has further consulted the EPA in relation to establishing appropriate project specific noise levels. Revised project specific noise levels were recommended by the acoustic specialist in a Memorandum dated 5 September 2014. The Department has consulted with the EPA in relation to these revised levels and has been advised that the levels in the Memorandum are acceptable. The Department has therefore recommended a condition that requires appropriate mitigation measures be included in the detailed design of the mechanical services, plant and emergency generator, to ensure the development can meet these project specific noise levels.

Road Noise Impacts

The acoustic report concludes that based on the projected increase in vehicles on Coronation Street from the operation of the new community health centre and the Sub-Acute Rehabilitation Unit, the increase in road traffic noise would be less than 1 dB(A). Accordingly, the expected increase in vehicle movements associated with the proposed development would not lead to an unacceptable increase in the existing noise levels at the boundary of the nearest sensitive

residential receivers and would satisfactorily comply with the traffic noise criteria set out within the EPA's Road Noise Policy, which prescribes a maximum increase of 2 dB(A).

4.2.3. Transport and Traffic Impacts

Traffic Impacts

The Transport Statement (TS) submitted as part of the EIS calculated the additional traffic generated by the proposed development. Whilst the proposed development comprises 4,000 sqm of GFA, this assessment is based on an additional 620 sqm of floor space, as the other 3,400 sqm of floor space in the new building will be supporting the consolidation of existing community health services already on the hospital campus. The existing community health services are currently located in the old community health building (1,600 sqm) to be demolished and 1,800 sqm dispersed across the campus. These spaces will remain vacant after relocation of these services to the new building.

The TS identified that 55 additional vehicle trips in the peak hour would be generated by the new community health floor space in accordance with the rates for medical centres in the RMS Guideline for Traffic Generating Development. The TS concluded that the additional traffic would not have significant impacts on traffic efficiency as the Coronation Street and Pittwater Road intersection would still operate at the existing levels of service (between good and satisfactory levels).

Council and the public submissions raised the cumulative traffic impacts of development across the hospital site as an issue and the traffic impacts on Coronation Street and Melbourne Avenue as issues. Both Council and public submissions also identified that the traffic impacts should be considered for the whole development and not the net increase in floor space. RMS raised no issue with the traffic generation or method used for assessing the impacts of the development.

In the Response to Submissions, the applicant maintained that the development would have minimal additional traffic as it is supporting existing services and therefore the majority of the staff and patients/visitors are already accounted for in the traffic data. The applicant has further advised that the floor space that will be made available across the campus as a result of consolidating services to this location will not be redeveloped and will remain vacant as the spaces are no longer suitable for health purposes. Therefore, there would be no additional staff or patients/visitors occupying the vacated spaces. The applicant has also clarified that whilst the traffic analysis did not factor in the traffic generated by the recently constructed Mona Vale Sub-Acute Rehabilitation Unit, the facility was assessed as having negligible traffic impacts and would be offset in the traffic counts by construction vehicles that would have been included in the traffic counts used for the traffic assessment for the proposal.

The Department considers that the applicant's TS is appropriate as it would be unreasonable to factor in additional traffic for uses that are already operational on the hospital site. Hospital uses and medical centres also generate different levels of traffic, and therefore accounting for existing traffic for the existing uses and assigning traffic generation to the new floor space is considered reasonable given the applicant has advised that the vacated floor space would remain vacant. Therefore, as the traffic generated by the additional floor space will not have a significant impact on the operation of the Coronation Street and Pittwater Road intersection, the Department considers the traffic impacts satisfactory.

Car Parking

The proposed development will provide a total of 45 additional car parking spaces. This comprises:

- 20 spaces required to replace those lost as a result of the redevelopment; and

- 25 spaces required in accordance with the RMS Guide to Traffic Generating Developments (rate of four spaces per 100 sqm of floor space). Pittwater 21 DCP does not specify a rate for medical centres.

Council and the public submissions raised the adequacy of car parking as an issue and considered that the car parking should be based on the whole development and not the net increase in floor space. In particular, the additional demand for car parking from the increased floor space would potentially exacerbate the existing issues related to staff and visitors using the available on-street parking if an adequate amount of car spaces is not provided on-site. RMS raised no issues with the car parking provisions.

As discussed above, as the proposed floor space supports the consolidation of existing services on the hospital site to this location and the vacated floor space will remain vacant, the Department accepts that it would be unreasonable to require additional parking for staff and visitors that are already catered for in the existing car parking supply beyond the additional new community health floor space. It is also noted that the car parking issue in the local streets can also be attributed to beach users and people accessing the public transport, which is a parking management issue for council. The Department considers the car parking provided acceptable as it meets the requirements in the RMS guidelines for the additional community health floor space and replaces the spaces lost. The car parking also provides an acceptable mix of staff parking (inclusive of fleet car parking spaces) and patient/visitor spaces.

Vehicle Access

The vehicle access for the proposal is via an existing shared vehicle access point, between emergency vehicles and general vehicles requiring access to the campus (see **Figure 15**).



Figure 15: Existing joint vehicle access point to Ambulance Station and the community health centre site from Coronation Street

Council has requested that the vehicle entry for emergency vehicles be separated to be consistent with the requirements in Pittwater 21 DCP. Council also advised that any on-street car parking lost as a result of changed access arrangement should be offset with additional car parking on the hospital site.

The applicant has advised that whilst it is investigating the potential to separate the access for emergency and normal vehicles, the current design has not resulted in any issues and it is therefore not warranted at this stage. Ambulance NSW will be consulted if any changes to the current arrangements progress.

The Department notes that as there would only be 25 additional vehicles utilising car parking on the hospital site from this combined access point, it would be unreasonable to require that the vehicle access arrangements be modified given the scale of the development and the number of additional vehicles entering the site. The Department however considers that it would be appropriate that the applicant continue to liaise with council regarding access arrangements given the site is currently undergoing a master planning exercise. It would also be more appropriate to resolve the access arrangements when a broader plan for the hospital has been identified and the master planning exercise has been progressed.

Transport

The site is currently supported by a number of bus routes that service the hospital at regular intervals, with bus stops located on Coronation Street at the front of the community centre building and on Pittwater Road. These services link the hospital site with the Mona Vale, Manly, Bayview, Ku-ring-gai Chase, Avalon, Newport, Palm Beach, Milsons Point, Chatswood and Sydney. The bus services along Pittwater Road run every five minutes during peak periods and every 30 minutes at Coronation Street. The Department considers that the site is well serviced by public transport. The applicant has also provided bicycle parking for staff and visitors to support active transport to the site.

Accordingly, the Department is satisfied that the development supports the use of active and public transport and adequate public transport is available to support the proposal.

4.2.4. Public interest

The proposal is considered to be in the public interest as it would have significant benefits including:

- delivering improved community facilities which will provide a greater emphasis on wellness and preventative healthcare;
- consolidating the community health care services from the various locations across the hospital site to a prominent and accessible location;
- facilitating major changes in the delivery of health services in the northern Sydney health district; and
- investment within the community health sector as well as supporting the generation of 21 operational jobs and 100 construction jobs.

5. CONCLUSION AND RECOMMENDATION

5.1. Conclusion

The construction of the Mona Vale Community Health Centre would provide community benefit through the co-ordinated delivery of modern community health facilities and investment in social infrastructure located in a prominent location on an existing hospital site. The Mona Vale Community Health Centre will facilitate the rationalisation of delivery of health services for the northern health district, which will consolidate hospital services in the future Northern Beaches Hospital whilst expanding the support services at Mona Vale Hospital which is being converted into a complementary hospital.

The Department has assessed the merits of the proposal and concludes that:

- the applicant has incorporated appropriate design measures to minimise the mass of the building and mitigate view impacts;
- management measures can be implemented to reduce the predicted noise levels and minimise the noise impacts to appropriate levels;

- traffic generated by the proposed additional floor space will not have a significant impact on the operation of the local road network; and
- the car parking to be provided will be acceptable in terms of meeting the demand created by the additional community health floor space.

The proposal is considered to be in the public interest as it would deliver significant social and economic benefits to the wider community by providing additional social infrastructure and supporting the generation of operational and construction jobs.

The Department recommends that the SSD application for the construction of the MVCHC be approved, subject to conditions. The Department's recommended conditions of consent will ensure that the construction and future operation of the proposed facilities will maintain the environmental and residential amenity of the surrounding environment. The applicant and Council have provided comments on the draft conditions and the Department has made suggested changes where appropriate.

5.2. Recommendation

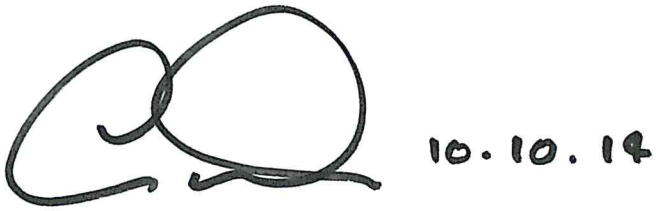
In accordance with section 89E of the *Environmental Planning and Assessment Act 1979*, it is recommended that the Secretary, as delegate of the Minister for Planning:

(a) **considers** the findings and recommendations of this report;
(b) **approves** the State significant development application for the construction and operation of the Mona Vale Community Health Centre (SSD 6160), subject to conditions of consent set out in the attached instrument at **Appendix D**; and
(c) **signs** the attached development consent at **Appendix D**.

Endorsed by:



David Gibson
Team Leader
Key Sites



Chris Wilson
Executive Director
Infrastructure and Industry Assessments

APPENDIX A RELEVANT SUPPORTING INFORMATION

The following supporting documents and supporting information to this assessment report can be found on the Department of Planning's website as follows.

1. Environmental Assessment
   http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6160.

2. Submissions
   http://majorprojects.planning.nsw.gov.au/index.pl?action=list_submissions&job_id=6160.

3. Applicant's Response to Submissions
   http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6160.

APPENDIX B CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENT(S) (INCLUDING DRAFT) AND DCP(S)

State Environmental Planning Policy (State and Regional Development) 2011
The aims of this SEPP are to identify State significant development and State significant infrastructure and confer the necessary functions to joint regional planning panels to determine development applications.

The proposal is for SSD in accordance with s. 89C of the *Environmental Planning and Assessment Act 1979* (EP&A Act) because it is development for the purpose of an medical centre with a capital investment value (CIV) in excess of $30 million, under clause 14 (Hospitals, medical centres and health research facilities) of Schedule 1 of State Environmental Planning Policy (State and Regional Development) 2011.

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
SEPP 33 provides clear definitions of hazardous and offensive industries and aims to facilitate development defined as such and to ensure that in determining developments of this nature, appropriate measures are employed to reduce the impact of the development and require advertisement of applications proposed to carry out such development.

A preliminary hazard analysis assessment is required if the development is identified as a potentially hazardous or potentially offensive development. The applicant has indicated that there would be no dangerous goods that would be handled or stored on the site and therefore a preliminary hazard analysis assessment is not required as the development would not be a hazardous or offensive development.

State Environmental Planning Policy No. 55 – Remediation of Land
SEPP 55 aims to provide a state wide approach to the remediation of contaminated land. In particular, SEPP 55 aims to promote the remediation of contaminated land to reduce the risk of harm to human health and the environment by specifying under what circumstances consent is required, specifying certain considerations for consent to carry out remediation work and requiring that remediation works undertaken meet certain standards.

The preliminary contamination assessment undertaken for the site found that there were no elevated concentrations of contaminants and concluded that the site can be made suitable for the proposed development subject to undertaking

- a Phase 1 Environmental Site Assessment of the site;
- an assessment of groundwater contamination conditions;

- an assessment of data against the ecological guidelines;
- an assessment of soil contamination condition beneath the existing buildings; and
- a Hazardous Materials Assessment of the existing buildings prior to the commencement of demolition.

The applicant has included these mitigation measures will be implemented for the development. The Department is satisfied that, in accordance with clause 7 of the SEPP, the investigations undertaken of the subject site demonstrate that the site can be made suitable for the continued use for the intended purpose.

State Environmental Planning Policy (Infrastructure) 2007
The aim of the Infrastructure SEPP is to facilitate the effective state wide delivery of infrastructure by providing greater flexibility in the location of infrastructure and service facilities, allowing the development of surplus government land, identifying relevant environmental assessment categories for development and relevant matters to be considered and providing for consultation with relevant public authorities.

Schedule 3 of the Infrastructure SEPP requires traffic generating development to be referred to the RMS. The proposal was referred to the RMS who raised no objection to the development.

A program of early works was also approved under Part 5 of the EP&A Act for the subject site and the adjoining areas, relying on clause 58 of the Infrastructure SEPP, to facilitate redevelopment of the site, including the following works:

- demolition of the existing community health centre and surrounding hardstand areas;
- installation of demountable buildings on existing tennis court;
- tree removal; and
- associated utilities infrastructure works.

Pittwater Local Environmental Plan 1993
The development is consistent with the aim of the special uses zoning in the PLEP 1993 as it is incidental and subsidiary to the hospital uses identified for the 5(a) special use zone. Consideration of the relevant clauses of the LEP is provided in **Table 1**.

Table 1: Consideration of PLEP 1993

PLEP 1993	Criteria	Complies	Department Comment / Assessment
Clause 33	Preservation of trees or vegetation	Complies	Development consent is required for the removal of trees. Tree removal will be undertaken as development permitted without consent as part of the early works package approved by the applicant.
Clause 46	Provision of adequate water and sewerage services	Complies	Sydney Water has indicated that there is capacity for connection to its water and sewerage infrastructure. Accordingly, adequate services can be provided and the development can be approved.

Draft Pittwater Local Environmental Plan 2013 (PLEP 2013)
The development is consistent with the aims of the draft PLEP 2013 to support development that is consistent with the desired character of Pittwater's localities, promote sustainable development and retain and enhance land used for employment purposes. The development is also consistent with the aim of the SP2 Infrastructure zoning as the proposal comprises social infrastructure. Consideration of the relevant clauses of the LEP is provided in **Table 2**.

Table 2: Consideration of Draft PLEP 2013

Draft PLEP 2013	Criteria	Complies	Department Comment / Assessment
Clause 4.3	Height of buildings	No	The height control is not considered to be reasonable given the institutional character of the site and the existing development already significantly exceeds the height limit. The proposal would not overshadow neighbouring properties and maintains view sharing in accordance with view sharing principles as discussed in section 4 of the report. The visual impacts are considered acceptable as the proposal is consistent with character of development within the campus and responds to the topography of the site.
Clause 4.6	Exceptions to development standards	Complies	The applicant has provided justification demonstrating that the development standard for the height of buildings is unreasonable and that there are sufficient planning grounds for waiving compliance. The Department considers that compliance with the control for this proposal is not required as the delivery of the social infrastructure on the existing hospital campus is appropriate and meets the objectives of the zone. The amenity impacts are acceptable and adherence of the control would adversely impact on the delivery of social infrastructure and only result in a marginal improvement in relation to mitigating amenity impacts.
Clause 5.9	Preservation of trees or vegetation	Complies	Tree removal will be undertaken as development permitted without consent as part of the early works package approved by the applicant.
Clause 7.1	Essential services	Complies	Sydney Water has indicated that there is capacity for connection to its water and sewerage infrastructure. The applicant has submitted a building services plan that proposes to augment the electricity supply with a new substation. Accordingly, adequate services can be provided and the development can be approved.
Clause 7.2	Earthworks	Complies	The applicant has considered the impacts of the earthworks and has designed the building to align with the site contours and minimise cut and fill whilst still ensuring one level is located below Coronation Street level to minimise visual and view impacts. The site is already disturbed and is unlikely to contain relics. The stormwater concept design ensures that pre-development flows can be maintained and the geotechnical recommendations have been adopted in the mitigation measures for the proposal. Accordingly, the earthworks for the proposal will not have detrimental impacts on environmental functions and processes or neighbouring uses.
Clause 7.3	Acid sulphate soils	Complies	The proposed is located in class 5 but the works do not trigger the requirement for an acid sulphate soils management plan as the proposed works are not anticipated to have any impact on the water table.
Clause 7.4	Biodiversity protection	Complies	The proposal is located on a previously disturbed part of the campus, which does not have any significant biodiversity values. Accordingly, the proposal will not result in adverse environmental impact.

The Pittwater Local Environmental Plan 2014 has now been gazetted and the provisions relevant to the site are generally consistent with provisions in the Draft PLEP 2013. Therefore, whilst the PLEP 2014 does not strictly apply to the site due the savings provisions, the development generally complies with the relevant provisions in the current LEP regardless.

Pittwater 21 Development Control Plan

It is noted that clause 11 of the State Environmental Planning Policy (State and Regional Development) 2011 provides that development control plans do not apply to SSD. Notwithstanding, consideration of relevant controls has been given in **Table 3**.

Table 3: Consideration of the Pittwater 21 DCP

DCP Provisions	Department Comment / Assessment
B3.5 Acid Sulphate Soils • Consider whether acid sulphate soils are present and whether the proposal would result in discharge of acid water	The proposed is located in class 5 but the works are not anticipated to have any impact on the water table and therefore would not result in discharge of acid water.
B3.6 Contaminated Land and Potentially Contaminated Land • Consider whether the land is contaminated, whether it requires remediation and whether the land can be made suitable for the use	A preliminary contamination assessment undertaken for the site found that there were no elevated concentrations of contaminants and concluded that the site can be made suitable for the proposed development subject to undertaking further investigations prior to commencement of construction works. The applicant has adopted these measures as mitigation measure for the proposal.
B4.3 Flora and Fauna Habitat Enhancement Category 2 Land • Development shall retain and enhance habitat for threatened species, endangered populations, endangered ecological communities and other locally native species.	The proposal is located on a previously disturbed part of the campus, which does not have any significant biodiversity values. The landscaping proposed will include native species. Accordingly, the proposal will not result in adverse environmental impact.
B5.1 Water Management Plan • Effective water management of all water on the site, including water management plan	Stormwater concept plan has been prepared and final plan will be required prior to the commencement of works.
B5.2 Wastewater Disposal • All premises must be connected to the Sydney Water centralised sewerage waste disposal system where available.	Sydney Water has indicated that there is capacity for connection to its sewerage infrastructure. A recommended condition requires the applicant to obtain a section 73 certificate prior to occupation of the building, which will verify that the sewerage services will have been connected for the proposal.
B5.3 Greywater Reuse • Greywater reuse must comply with relevant regulatory requirements and demonstrate scheme feasibility	Not appropriate for the site due to proposed health uses for the site. Disposal to Sydney Water system will be maintained in accordance with Sydney Water requirements.
B5.5 Rainwater Tanks - Business, Light Industrial and Other Development • A rainwater tank for non-potable uses should be provided for the purpose of landscape watering and a functional water reuse system including, water supply for toilet flushing and other uses	Not proposed as other water conserving initiatives have been will be adopted. Rainwater detention is only proposed to manage flow as there would be limited reuse potential given the infection control concerns in the community health centre. The Department accepts that given the limited potential for reuse, rainwater tanks are not necessary and the on-site detention tank would regulate flow to pre-development rates.

B5.10 Stormwater Discharge into Public Drainage System • Stormwater drainage is to be connected to a public drainage system by gravity means to which it would naturally flow.	Proposed connection are identified in the stormwater management plan and the proposed on-site detention tank would regulate flow to pre-development rates.
B5.14 Stormwater Drainage Easements (Public Stormwater Drainage System) • Easements shall be provided over council's stormwater infrastructure	Not required for council and Crown land where access will be provided.
B6.2 Access Driveways and Works on the Public Road Reserve- All Development other than Dwelling Houses, Secondary Dwelling and Dual Occupancy • Access Driveways to meet Australian Standards and various controls	Not relevant as the development will be supported by an existing driveway.
B6.4 Internal Driveways - All Development other than Dwelling Houses, Secondary Dwelling and Dual Occupancy • Internal driveway and off-street parking should be designed to meet Australian Standards, support vehicles moving in a forward direction, minimise impervious areas, maximum gradient of 1:5, maximise stormwater flow to landscaped areas and comprise materials with earthy tones.	The Department has included appropriate conditions requiring the design of roads and parking areas to meet Australian Standards.
B6.6 Off-Street Vehicle Parking Requirements - All Development other than Dwelling Houses, Secondary Dwelling and Dual Occupancy • The design of all parking areas shall be in accordance Australian Standards	The Department has included appropriate conditions requiring the design of roads and parking areas to meet Australian Standards.
B6.9 On-Street Parking Facilities - All Development other than Dwelling Houses, Secondary Dwellings and Dual Occupancy • An assessment of the impact of traffic generated by the proposed development on the local street system must be undertaken.	A Transport Statement was submitted with the EIS and concluded that no adverse traffic impacts would result and therefore no road upgrade works are required.
B8.1 Construction and Demolition - Excavation and Landfill • Excavated and landfill areas must not have adverse environmental impact on the site or adjoining lands.	The applicant has considered the impacts of the earthworks and has designed the building to align with the site contours and minimise cut and fill whilst still ensuring one level is located below Coronation Street level to minimise visual and view impacts. The site is already disturbed and is unlikely to contain relics. The stormwater concept design ensures that pre-development flows can be maintained and the geotechnical recommendations have been adopted in the mitigation measures for the proposal. Accordingly, the earthworks for the proposal will not have detrimental impacts on environmental functions and processes or neighbouring uses.

B8.2 Construction and Demolition - Erosion and Sediment Management • Erosion and sedimentation prevention measures must be installed on all sites to prevent the migration of sediment off the site	An erosion and sediment control plan has been provided. The conditions require that erosion and sediment control measures be implemented during construction.
B8.3 Construction and Demolition - Waste Minimisation • Waste materials generated through demolition, excavation and construction works is to be minimised by reuse on-site, recycling, or disposal at an appropriate waste facility.	The applicant has identified in the preliminary construction management plan that a formal Construction Waste Management Plan will be prepared prior to the commencement of works and that reuse and recycling will be undertaken where possible
B8.4 Construction and Demolition - Site Fencing and Security • All sites are to be protected by site fencing for the duration of the works.	The applicant has identified in the preliminary construction management plan that fencing and hoarding would be installed for all work areas.
B8.6 Construction and Demolition - Traffic Management Plan • A Construction Traffic Management Plan is required if spoil or fill is 100 cubic metre or greater	The Department has included appropriate conditions requiring the preparation of a Traffic and Pedestrian Management Plan.
C5.1 Landscaping • Landscaping shall: reflect the scale and form of development; shall be incorporated into the building design through setback and modulation; be locally native species; not obstruct driver and pedestrian visibility; provide appropriate soil depths.	The proposed landscaping is considered appropriate for the site as it utilises native species and complements the design of the building. The existing street tree planting will also soften the building and minimise the visual impacts of the proposal.
C5.2 Safety and Security • Adopt Crime Prevention through Environmental Design (CPTED) principles in the design.	The CPTED principles were incorporated into the design of the building, including ensuring that the main entrance will be clearly visible from the street and ensuring clear sightlines from public areas to parking areas are provided to maximise passive surveillance. Operational measures, including CCTV surveillance and security patrols, will also complement the design measures.
C5.4 View Sharing • All new development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties.	As discussed in section 4 of the report, view sharing can be achieved.
C5.5 Accessibility • Convenient and safe access should be provided for all people.	The EIS included an Accessibility Report that confirmed that accessibility requirements could be achieved based on the exhibited design but would need to be confirmed at the detailed design stage.
C5.7 Energy and Water Conservation • Buildings shall be designed to be energy and water efficient.	The development incorporates sustainability initiatives, including: • maximising natural light whilst incorporating façade design measures to manage solar heat loads; • adopting a building management system that conserves energy; • reduce potable water use through use of water efficient fixtures.

C5.8 Waste and Recycling Facilities • All waste and recycling materials shall be contained within an approved enclosure.	Designated waste facilities will be provided and waste management will be undertaken in accordance with measures adopted across the hospital campus.
C5.10 Protection of Residential Amenity • Development should not have adverse solar access and privacy impacts.	The development does not overshadow or overlook and any residential properties.
C5.15 Undergrounding of Utility Services • All existing and proposed utility services to the site are to be placed underground or encapsulated within the building.	All utility services will be located underground or within the building.
C5.16 Building Facades • Building facades to any public place must not contain any pipes or conduits that would be visible from the public place.	The design of the facades is consistent with this requirement.
C5.17 Pollution control • Developments must be designed, constructed, maintained, and operated in a proper and efficient manner to prevent air, water, noise or land pollution.	The construction and operation of the proposal incorporates appropriate mitigation measures to minimise any air, water, noise or land pollution.
C5.18 Public Road Reserve - Landscaping and Infrastructure • Landscaping in the public road reserve is to include street trees planted to the road reserve frontage of the development placed at 6m centres	The existing street tree planting would be retained as part of the proposal.
C5.21 Plant, Equipment Boxes and Lift Over-Run • Plant and equipment and lift over-runs are to be integrated internally into the design fabric of the built form of the building and located to minimise noise.	The plant and lift overruns have been integrated in the design and relocated on the lower ground to minimise visual and noise impacts.
D9.1 Character as viewed from a public place • Buildings which front the street must have a street presence and incorporate design elements that are compatible with any design themes for the locality. • Blank facades should not exceed 8 metres to any street frontage. • Building façade facing a public place should incorporate design features. • Parking structures should not be greater than 50 per cent of the frontage or greater than 7.5 metres wide. • Service facilities should be located underground and conduits and pipes should be concealed.	The proposed development is compatible with the form and character of buildings within the hospital campus. The building incorporates modulation, varied materials, articulation and landscaping to minimise the massing of the building. Whilst parking areas do exceed more than 50 per cent of the site, they would not for the whole campus site and have been setback and broken up either side of the main entrance/southern wing.

D9.3 Building colours and materials • External colours and materials shall be dark and earthy tones and finished must be have a low reflectivity.	The proposal achieves these requirements.
D9.4 Height – General • The maximum height of a building or structure shall be 8.5 metres.	The variation to the height control is discussed in section 4 of the report.
D9.13 Fences - Flora and Fauna Conservation Areas • Fences should be located and designed to define boundaries and no hinder travel for native animals.	These controls are not relevant for this proposal as it is located within the boundaries of the hospital campus and movement within the campus and access to the site by the public does not need to be restricted.

APPENDIX C GLOSSARY

Delegated Authority
On 27 February 2013, the then Minister for Planning and Infrastructure delegated his functions under section 89E of the *Environmental Planning and Assessment Act 1979* to Executive Director, Development Assessment Systems and Approvals to determine applications where:
(a) the relevant council has not made an objection, and
(b) a political disclosure statement has not been made, and
(c) there are less than 25 public submissions in the nature of objections.

Ecologically Sustainable Development can be achieved through the implementation of:
(a) the precautionary principle - namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In the application of the precautionary principle, public and private decisions should be guided by:
(i) careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and
(ii) an assessment of the risk-weighted consequences of various options,
(b) inter-generational equity—namely, that the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations,
(c) conservation of biological diversity and ecological integrity—namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration,
(d) improved valuation, pricing and incentive mechanisms—namely, that environmental factors should be included in the valuation of assets and services, such as:
(i) polluter pays—that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement,
(ii) the users of goods and services should pay prices based on the full life cycle of costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste,
(iii) environmental goals, having been established, should be pursued in the most cost effective way, by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.(Cl.7(4) Schedule 2 of the Regulation)

Objects of the Act
(a) to encourage:
(i) the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,
(ii) the promotion and co-ordination of the orderly and economic use and development of land,
(iii) the protection, provision and co-ordination of communication and utility services,
(iv) the provision of land for public purposes,
(v) the provision and co-ordination of community services and facilities, and
(vi) the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and
(vii) ecologically sustainable development, and
(viii) the provision and maintenance of affordable housing, and

(b) to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and

(c) to provide increased opportunity for public involvement and participation in environmental planning and assessment.

Relevant Environmental Planning Instruments

These are EPIs that are required to be taken into consideration in the assessment of the project under s. 79C. A detailed evaluation of each is provided at Appendix B.

Section 79C Evaluation

*(1) **Matters for consideration—general***

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:

(i) any environmental planning instrument, and

(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

(iii) any development control plan, and

(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and

(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979),

that apply to the land to which the development application relates,

(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

(c) the suitability of the site for the development,

(d) any submissions made in accordance with this Act or the regulations,

(e) the public interest.

***Note.** See section 75P (2) (a) for circumstances in which determination of development application to be generally consistent with approved concept plan for a project under Part 3A.*

***Note.** The consent authority is not required to take into consideration the likely impact of the development on biodiversity values if:*

(a) the development is to be carried out on biodiversity certified land (within the meaning of Part 7AA of the Threatened Species Conservation Act 1995), or

(b) a biobanking statement has been issued in respect of the development under Part 7A of the Threatened Species Conservation Act 1995.

APPENDIX D RECOMMENDED CONDITIONS OF CONSENT