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14487
26 November 2014

Ms Carolyn McNally
Secretary
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Ms McNally

ST VINCENT'S PRIVATE HOSPITAL SYDNEY REDEVELOPMENT REQUEST FOR SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS

We are writing on behalf of St Vincent's Private Hospital Sydney (SVPHS), the proponent for the SVPHS Redevelopment.

As the proposed development comprises a hospital and has a Capital Investment Value (CIV) in excess of \$30 million it would be State Significant Development (SSD) for the purposes of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

In accordance with Clause 3 of Schedule 2 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) and Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP) the purpose of this letter is therefore to request the Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the proposed development. To support the request for the SEARs this letter provides an overview of the proposed development, sets out the statutory context, and identifies the key likely environmental and planning issues associated with the proposal.

1.0 BACKGROUND

As background to this request, a brief overview of proposed development and its relationship to the broader St Vincent's Hospital Darlinghurst campus is provided below.

As the Department would be aware, Director-General's Environmental Assessment Requirements (DGRs) for the site were originally requested in July 2011, with revised DGRs requested in January 2013 (SSD 5384-2012). Subsequent to this, and as a result of staging of future works and changes to the Hospital's management structure, the originally proposed Masterplan is no longer endorsed and the extent of the stage 1 development has been modified.

1.1 The Darlinghurst Campus

St Vincent's & Mater Health Sydney (SV&MHS) has a long and proud tradition of health care delivery and has occupied the Darlinghurst site since 1857. Today, the Darlinghurst campus is arguably the largest integrated public and private health care campus in NSW and comprises:

- St Vincent's Hospital Sydney (SVHS);
- The Sacred Heart Health Service (SHHS);
- St Vincent's Private Hospital Sydney (SVPHS); and
- The separately governed St Vincent's Clinic (SVC).

The campus also encompasses a number of research institutions as part of the St Vincent's Research Precinct (amongst others, the Garvan Institute of Medical Research, the Victor Chang Cardiac Research Institute, and the Kinghorn Cancer Centre).

St Vincent's Hospital Sydney (public) is a major tertiary referral hospital within the St Vincent's Health Network Sydney serving a large proportion of the population in Sydney's eastern suburbs. The Hospital is also an under- and post-graduate teaching hospital for a number of universities / medical schools and other educational institutions. Together with all of the other entities on the St Vincent's Darlinghurst campus, it is an acknowledged centre of excellence in heart, lung and vascular medicine serving the whole state.

2.0 THE SITE

The St Vincent's Darlinghurst campus is located in the inner city suburb of Darlinghurst entirely within the Sydney local government area (LGA). It adjoins the Woollahra LGA to the east of Boundary Street. The St Vincent's Darlinghurst campus covers a large number of buildings, in an area broadly bounded by Burton Street to the north, Barcom Avenue to the east, Oxford Street to the south and Darlinghurst Road to the west (see **Figure 1**). Victoria Street bisects the campus.

This request for SEARs relates only to that part of the campus (the site) fronting Victoria Street, on land managed by SVPHS (see **Figure 2**).

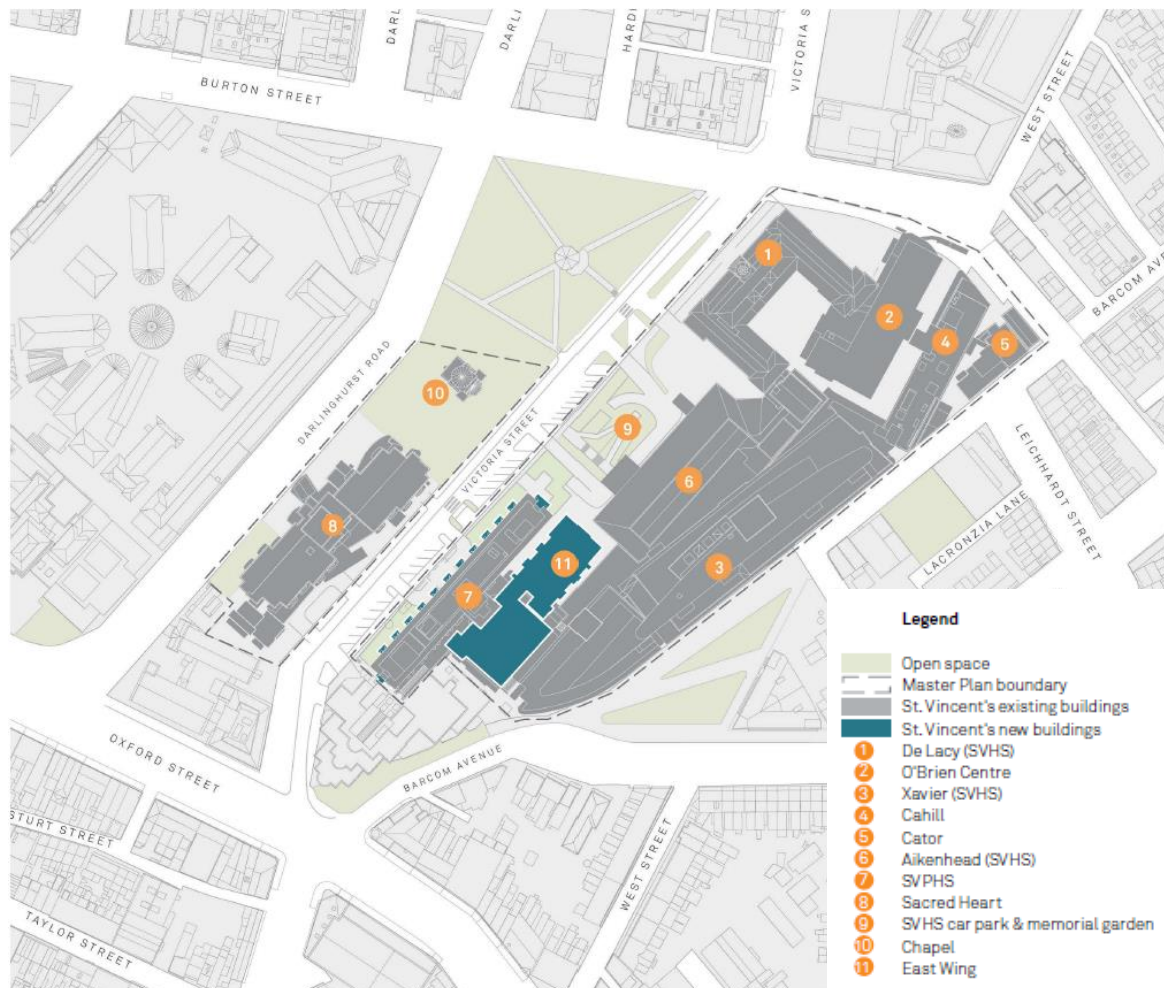


Figure 1 – Campus plan
Source: Hassell

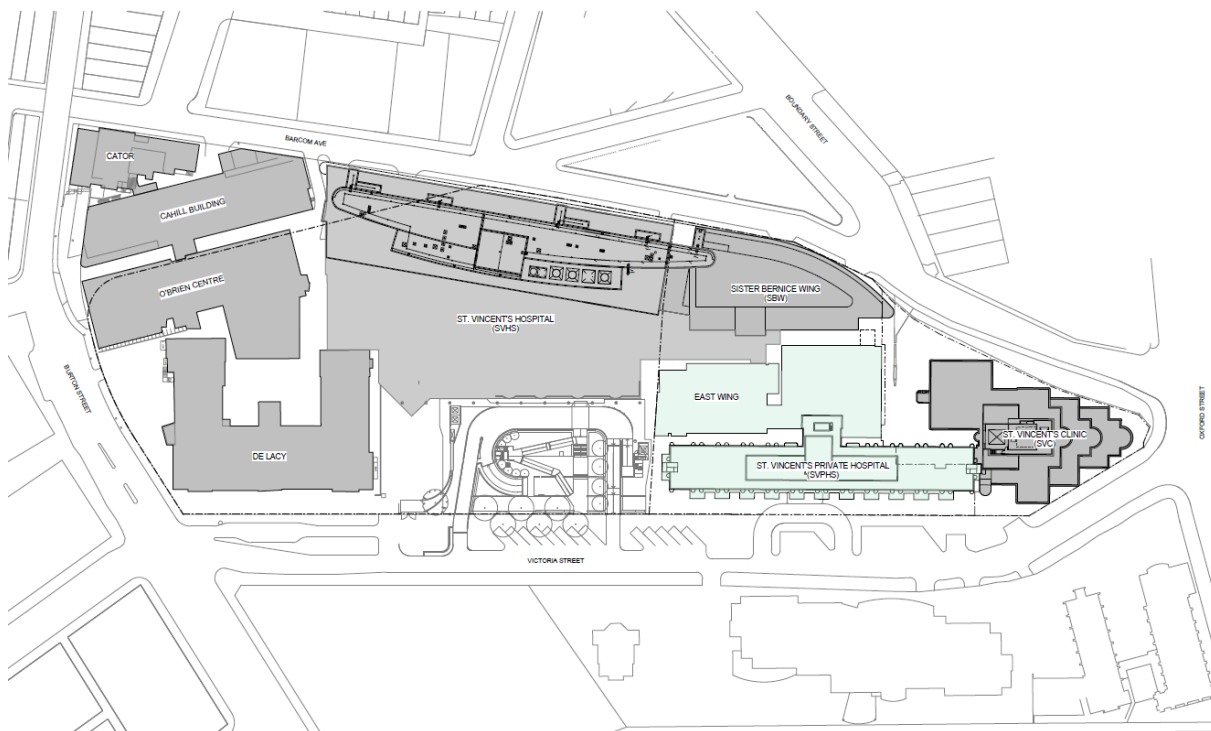


Figure 2 – Main hospital campus and the site of the proposed development (identified in green)
 Source: Hassell

The land the subject of this application is legally described as Lots 20 and 21 in DP 854670. Lot 21 is owned by St Vincent's Healthcare Limited. Lot 20 forms part of the SVC land and is Strata Titled / under separate ownership.

The following are the significant buildings on the campus, some of which are heritage items (refer to **Figure 1** and Section 5.2):

- DeLacy Building, dating back to 1867 and a local heritage item, on the corner of Victoria and Burton Streets;
- The Sacred Heart Chapel, dating back to 1887 and a local heritage item;
- The SHHS between Victoria Street and Darlinghurst Road;
- The Aikenhead Building fronting Victoria Street and the Xavier Building both occupied by SVHS; and
- SVPHS on Victoria Street.

Most of the main buildings are accessed from Victoria Street. Underground parking is provided beneath the SVPHS, the SVC and the O'Brien Building, and under and in front of the Aikenhead Building, with access variously from Victoria Street, Barcom Avenue and Burton Street.

3.0 DESCRIPTION OF THE PROPOSED DEVELOPMENT

An overview of the proposed development is provided below, and on the attached plans prepared by HASSELL.

3.1 New East Wing and Associated Refurbishment

The proposed works involve the construction of a 13 level hospital building (including plant) located between the existing SVPHS high and low-rise buildings and the Sister Bernice Wing of SVHS. Due to the slope of the site from west to east, the new building starts at Level 2, comprising Levels 2-15.

The new East Wing will provide nearly 11,000 square metres of additional floor space including two new operating theatres, 48 inpatient beds, consulting suites, a rehabilitation gym, hydrotherapy pool, a

cafeteria and staff facilities. It is noted that Levels 13 and 14 will be developed as 'cold shell' space with the fitout to be designed and constructed on behalf of the tenants of the consulting suites. The maximum height of the new building will be approximately 45 metres from Victoria Street (measured in accordance with the Standard Template).

The primary point of access into the East Wing will be from Victoria Street via new connections from within the SVPHS high-rise building. The two buildings will be connected at Level 8, 9 and 10 via ramps which include infill rooms for lounge, beverage, disposal and accessible ensuites. Linkages between the new East Wing and Sister Bernice Wing will be achieved via direct connections at Levels 2 through 6.

Due to the proximity of the new works to adjacent buildings, careful consideration has been given to ensure the privacy and amenity of patients in the existing SVHS and SVPHS high-rise buildings. At the interface between the East Wing and SVPHS high-rise building a two-level void with roof lighting (and with the potential for landscaping and planting) will be provided. To the east, at the interface with SVHS, full height glass with frit patterning will maximise daylight whilst providing privacy and visual separation.

Finally, in order to activate the northern facade of the building, which will be prominent when viewed from Victoria Street, the scheme incorporates an inboard vertical circulation and services core so that lift lobbies can activate this part of the building. This lift lobby has been considered as an exterior landmark, which will be memorable and recognisable. Internal lighting finishes and colours will all contribute to the visual presence of the lift core, particularly at night when seen through the glazed façade.

Additional works associated with the new East Wing include:

- Provision of new hoists within the existing low-rise wing serving Levels 3, 5 and 8;
- Refurbishment of the existing SVPHS low-rise wing where it adjoins the East Wing at Level 6;
- Refurbishment of current Theatre Sterile Supply Unit (TSSU) on Level 5;
- Refurbishment of current Sterile Services Department (SSD) on Level 3;
- Refurbishment works on Level 3 to accommodate new theatre and adjacent procedure room; and
- Refurbishment of laundry support areas on Level 2.

3.2 SVPHS Refurbishment

The proposed development also comprises significant refurbishments to the existing SVPHS building, primarily to the high-rise wing which fronts Victoria Street. The refurbishment works comprise upgrades to the existing inpatient units on Levels 6 – 10 (noting that the Victoria Street entry is on Level 4), including the provision of new outboard, modular ensuite bathrooms. The new ensuite bathrooms are required to ensure compliance with contemporary standards and will result in an addition to the Victoria Street façade and a new façade treatment.

Additional refurbishment works include:

- BCA and infrastructure upgrades; and
- Integral upgrades to the main theatre suite on Level 5, including areas within the Sister Bernice Wing.

The works will also comprise a range of minor landscaping works within the site's Victoria Street boundary. This will be primarily comprise 'make-good' works to reinstate landscape elements impacted by the construction works and includes new plantings and refurbishment of the porte cochere.

4.0 PERMISSABILITY AND STRATEGIC PLANNING

The following strategic plans are relevant to the proposal:

- NSW 2021;
- Draft Metropolitan Strategy for Sydney to 2031
- Draft Sydney Subregional Strategy; and
- Sustainable Sydney 2030.

The following legislation and environmental planning instruments are relevant to the proposed development:

- *Environmental Planning and Assessment Act 1979*;
- *State Environmental Planning Policy (State and Regional Development) 2011*;
- *State Environmental Planning Policy Infrastructure 2007*;
- *State Environmental Planning Policy No. 33 – Hazardous and Offensive Development*;
- *State Environmental Planning Policy No. 55 – Remediation of Land*; and
- Sydney Local Environmental Plan 2012.

4.1 Environmental Planning and Assessment Act 1979

The EP&A Act establishes the assessment framework for SSD. Under Section 89D of the EP&A Act the Minister for Planning and Environment is the consent authority for SSD. Section 78A(8A) requires that a development application for SSD is to be accompanied by an Environmental Impact Statement (EIS) in the form prescribed by the Regulations.

4.2 State and Regional Development SEPP 2011

The State and Regional Development SEPP identifies development which is declared to be State Significant. Clause 14 of Schedule 1 of the policy provides that the proposed development as described herein is SSD, as follows:

Development that has a capital investment value of more than \$30 million for any of the following purposes:

- (a) hospitals,*
- (b) medical centres,*
- (c) health, medical or related research facilities (which may also be associated with the facilities or research activities of a NSW local health district board, a University or an independent medical research institute).*

As the proposal is for the purposes of a hospital and has a total estimated Capital Investment Value (CIV) well in excess of \$30 million, it would be considered SSD. More specifically, the CIV for the proposed development is approximately \$95,374,000 (refer to attached CIV statement prepared by Sweett).

4.3 Current zoning

Sydney Local Environmental Plan 2012

Sydney Local Environmental Plan 2012 (LEP 2012) applies to the site. Under the provisions of the LEP the site is zoned Special Uses 2–Health Services Facility (SP2). The objective of this zone is 'to provide for infrastructure and related uses', and 'to prevent development that is not compatible with or that may detract from the provision of infrastructure'. Under the LEP development for the purpose shown on the Land Zoning Map (i.e. health services facility) and any development that is ordinarily incidental or ancillary to that purpose, is permissible with consent. Accordingly, the proposed development is permissible.

No maximum height or FSR controls apply to the land under the LEP.

Other elements of LEP 2012 relevant to the site include the following:

- **Clause 5.10 Heritage conservation**

Clause 5.10 sets out requirements in relation to heritage conservation, including the preparation of heritage impacts statements and conservation management plans. There are a number of local and State heritage items on, and in the immediate vicinity of the site (see Section 5.2 of this letter for further discussion). A heritage impact statement will be submitted with the EIS.

■ **Clause 6.21 Design excellence**

Clause 6.21 applies to the site. The SSD application will demonstrate that the proposed development achieves design excellence, in accordance with the alternative design excellence process established by Hassell (refer to attached process flowchart). However, the proponent will show that a competition in accordance with the City of Sydney's Competitive Design Policy is unnecessary and unreasonable in the circumstances for a number of reasons, including:

- The proposal represents an important piece of social infrastructure and will provide significant public benefit. The proposed new operating theatres are the most critical component of the new hospital. The time and expense associated with conducting a competitive design process as set out in the Competitive Design Policy would delay the delivery of the facility.
- The best hospital designs arise from the architect and users working in a creative partnership and this develops over time through collaboration and through building trust - a design competition would not facilitate this.
- The design is highly specialised and is largely informed by the Hospital's existing infrastructure and operational management. The building is not of a use or function that lends itself to alternative design solutions.
- The specialist nature of hospital design. The proposed building envelope responds to the very specific functional, resource, spatial and connectivity needs of the proposed use and the Darlinghurst campus and that, in effect, there are no other options.
- SVPHS has chosen Hassell from a field of hospital-specialist architects with superior design capability (note that architects with superior design capability but that are not hospital-specialist could not do this project).
- Hassell's credentials are demonstrably equal to any other high calibre Australian architect that Council would be seeking to attract through a design competition.
- In responding to the Hospital's brief, Hassell has continued to explore a range of design options in order to achieve the best outcome from both a functional and aesthetic perspective.
- The site of the new East Building does not have a direct interface with Victoria Street. Further, the building will largely be obscured from view by future planned development.
- It is possible to achieve a high level of design, equal to the Council standards achieved through design competitions, by proceeding with Hassell and through a consultative process including Council and Departmental officers.

Based on the above, it is not necessary to include the requirement for a design excellence process in the SEARs.

■ **Clause 7.20 Development requiring preparation of a development control plan**

Clause 7.20(2)(b) requires the preparation of a DCP for land that will result in buildings greater than 25 metres in height. This would apply to the building the subject of this application.

The requirement for a DCP is often replaced by a two-stage DA process comprising a Stage 1 (envelope) DA and a Stage 2 (detailed design) DA.

The EIS will demonstrate that the preparation of a DCP (or a staged DA process) in accordance with LEP 2012 is unnecessary and unreasonable in these circumstances. The reasons for this are generally consistent with those outlined above, and relate to: the constrained nature of the site, the specialist nature and functional requirements of hospital design, the absence of any new buildings on the street frontage, the largely internalised nature of the development and absence of significant impacts on surrounding properties, and the need to provide this important piece of social infrastructure without being delayed by time consuming planning processes.

5.0 PRELIMINARY IMPACT IDENTIFICATION AND RISK ASSESSMENT

The following impacts and risks associated with the proposal are summarised below and will be addressed in detail in the EIS. Overall, the risks from the proposal are minimal as development is concentrated within the existing campus, and there are none that cannot be managed.

5.1 Urban design and built form

The proposal has the potential to impact on the public domain and existing buildings on the campus. Accordingly, the EIS will address and provide an urban design solution for:

- The interfaces with, and relationships to, existing buildings on and off the campus;
- The Victoria Street streetscape;
- Potential impacts on the heritage values of the site, the heritage conservation areas, heritage streetscapes, and the local and State heritage items surrounding the campus;
- The management of views and vistas to and from the campus;
- The potential impacts of the heights of the proposed new building;
- Potential overshadowing of the public domain and neighbouring properties; and
- Impacts on streetscapes and the public domain.

The EIS will demonstrate how the new built form integrates with existing buildings and the heritage values of the campus. Specifically:

- The building is located towards the middle of the campus, between existing buildings to reduce the potential impact of overshadowing on neighbouring properties to the east and south;
- To maintain the scale and integrity of the streetscape, the additions to the SVPHS high-rise building will be setback approximately 5 metres from Victoria Street (the existing setback is approximately 7.5m); and
- The existing forecourt open space will be maintained.

5.2 Heritage

There is a complex layering of heritage listings associated with the St Vincent's Darlinghurst campus and its surrounding precincts. Under Sydney LEP 2012 the 'St Vincent's Hospital Group', which includes the DeLacy Building, is identified as a local heritage item requiring consent for alteration, demolition, erecting new buildings and disturbing archaeological relics. Victoria Street is also identified as a heritage streetscape. Several other heritage items are listed in the immediate vicinity of the campus, including the State Heritage Register listed Darlinghurst Courthouse, residence and grounds.

The following are the heritage items within the campus:

- Victoria Street Heritage Streetscape - listed in Sydney LEP 2012 including the campus properties facing onto that street;
- 'St Vincent's Hospital Group' - listed in Sydney LEP 2012, including the 1868 DeLacy Building; and
- The Sacred Heart Hospice site which shown as a contributory building in Sydney DCP 2010.

The following are the key heritage items and the conservation areas around the campus.

- The Barcom Avenue Heritage Conservation Area which includes various SV&MHS properties located on the blocks bounded by Barcom Avenue, Burton Street and Boundary Street. This land is not the subject of the master plan or this application;
- The Darlinghurst Court House, residence and grounds - listed on the State Heritage Register (SHR); also listed in Sydney LEP 2012 as the 'Darlinghurst Courthouse Group';
- The Green Park Group - in Sydney LEP 2012 (including bandstand pavilion, perimeter fence and site with landscaping). Green Park is included in the City of Sydney Register of Significant Trees;

- Victoria Street, Darlinghurst (Craigend Street to Oxford Street) - identified as a heritage streetscape area in SSLEP and the LEP;
- East Sydney Technical College Group - in Sydney LEP 2012 (formerly Darlinghurst Gaol);
- Green Park Hotel at 360 Victoria Street - in Sydney LEP 2012;
- Sacred Heart Church and School, adjacent to the site - in Sydney LEP 2012; and
- The East Sydney and Darlinghurst Heritage Conservation Area, listed in Sydney LEP 2012, extends east to Darlinghurst Road, to the west of SV&MHS Darlinghurst campus and includes East Sydney Technical College.

The following are some of the proposed actions to manage the heritage values of the campus and its surrounds:

- The scale and facade treatments of the new building will be in keeping with the heritage values of the campus; and
- The impacts of the scale, proximity, height, bulk and character of new building and additions to SVPHS will be considered in relation to heritage items, the Victoria Street Heritage streetscape and surrounding heritage conservation areas.

Given all of the above, the risks to the heritage values of the existing St Vincent's buildings and the surrounding area are considered to be low. The EIS will be accompanied by a heritage impact statement for the development site.

5.3 Traffic, access and connectivity

Pedestrian access and connectivity

The legibility of, and way finding through, the Darlinghurst campus can be enhanced. Pedestrian connectivity and visual permeability are affected by grade changes (north-south and west-east) and physical site barriers (such as buildings and heritage walls).

There are no pedestrian access and connectivity risks as a result of the proposed development, rather the proposed development will seek to rationalise access into and between the existing SVPHS high-rise and low-rise buildings, and will provide new linkages into the proposed East Wing.

Traffic and parking

Many of the existing buildings on the campus provide underground parking for staff, patients and visitors. No additional parking is proposed as part of the development, and so there will be no additional traffic impacts.

A traffic and parking study will accompany the EIS. Amongst other issues, it will assess the parking requirements for the new use and provide justification for the decision to provide no additional parking.

5.4 Water cycle management

The EIS will be accompanied by a water cycle management report setting out how stormwater is to be managed and initiatives for rainwater harvesting and reuse.

5.5 Geotechnical conditions

The geotechnical and hydrogeological conditions of the site will be assessed as part of the EIS, as will potential contamination. Given the presence of a number of other underground car parks in the immediate vicinity of the proposed works, no unanticipated conditions are expected.

5.6 Construction impacts

The proximity of the works to an operating hospital will have a temporary impact on the amenity of patients and staff and on local traffic and pedestrian movements - particularly in relation to SVPHS and SVHS. However, the works will affect a relatively small area of the site and the impacts, potential disruption and any risks are likely to be isolated to the St Vincent's campus itself.

Inevitably, the construction of the new hospital building will have some impact on the Hospital and the immediate locality in the short term and will be managed in accordance with statutory requirements and standard practice. The risk of disruption from the proposed works is relatively small and impacts will be managed and mitigated through measures detailed in a Construction Management Plan and through careful programming of works.

6.0 JUSTIFICATION AND CONCLUSION

The purpose of this letter is to request the SEARs for the preparation of an EIS for the new East Wing and refurbishment to the existing SVPHS buildings at one of Sydney's most important hospital campuses.

The proposed development represents a significant upgrade of a dated medical facility to better address demand in general, and major changes in health care delivery in particular. It will deliver a modern hospital facility including operating theatres, inpatient beds, consulting suites, a rehabilitation gym and staff facilities. At the same time, pedestrian access to the private Hospital will be upgraded and the public domain interface with Victoria Street enhanced.

The proposed development can be justified on several social, economic and environmental grounds:

- It makes sound economic use of scarce inner city land and adaptively reuses existing assets for the long-term delivery of health-care services and medical education at this historically important hospital; and
- It supports the strategic objectives of various state strategic plans and documents such as the NSW 2021, draft Metropolitan Strategy for Sydney to 2031, the draft Sydney Subregional Strategy, and Sydney 2030.

We trust that the information detailed in this letter is sufficient to enable the Secretary to issue the SEARs for the preparation of the EIS.

Should you have any queries about this matter, please do not hesitate to contact me on 9956 6962 or gkirkby@jbaurban.com.au.

Yours faithfully,



Gordon Kirkby
Director

Enc:

- QS Certificate prepared by Sweett
- Architectural Drawings and alternative design excellence process prepared by HASSELL