



St Vincent's Private Hospital Modification 6

Design refinements
State Significant Development Modification Assessment
(SSD 6840 MOD 6)

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Glossary

Abbreviation	Definition
AHD	Australian Height Datum
BCA	Building Code of Australia
CIV	Capital Investment Value
Council	City of Sydney Council
Department	Department of Planning, Industry and Environment
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
ESD	Ecologically Sustainable Development
LEP	Local Environmental Plan
Minister	Minister for Planning and Public Spaces
SEARs	Planning Secretary's Environmental Assessment Requirements
Planning Secretary	Secretary of the Department of Planning, Industry and Environment
SEPP	State Environmental Planning Policy
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development

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1 Introduction

This report provides the NSW Department of Planning, Industry and Environment's (the Department's) assessment of an application to modify the State significant development (SSD) consent for St Vincent's Private Hospital (the hospital).

The modification application seeks approval for minor design changes including the extension of the external awning at the Victoria Street entrance, changes to the approved plant on Level 11 and a reconfiguration of the existing storerooms on Level 5.

The application has been lodged on 29 September 2020 by Urbis on behalf of St Vincent's Private Hospital (the Applicant) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*.

1.1 Background

The Applicant is redeveloping the St Vincent's Private Hospital at 406 Victoria Street, Darlinghurst in the City of Sydney Local Government Area (LGA). The hospital is currently operational and comprises operating theatres, inpatient beds, consulting suites, a rehabilitation gym, hydrotherapy pool, a cafeteria and staff facilities. The hospital is divided into three sections including a 13-storey east wing, a high-rise building and low-rise building. **Figure 2** shows the layout of the hospital in the local context.

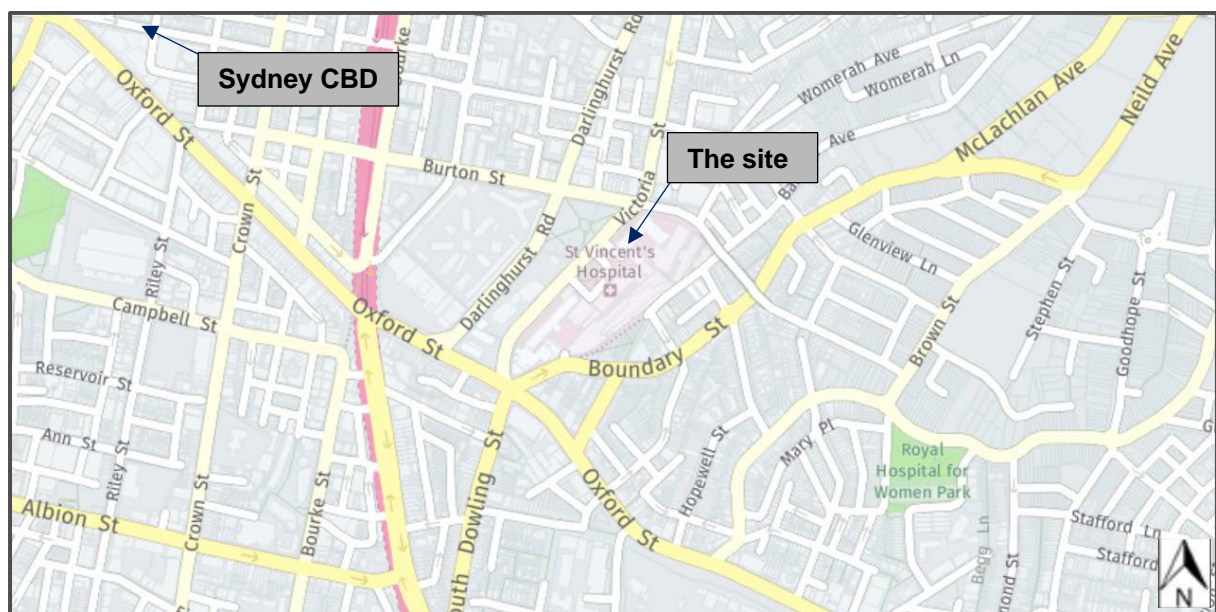


Figure 1 | Wider Context Map (Source: Nearthmaps)



Figure 2 | Local Context Map (Source: Modification Report)

The surrounding streets around the hospital include a number of public and private health care services and residential development. The hospital has direct street frontage to Victoria Street and sits within the broader St Vincent’s Hospital Darlinghurst Campus. To the north-west of the hospital campus is the National Art school and Darlinghurst Court House. To the south-east is a mix of-low density residential dwellings which form part of the Paddington Heritage Conservation Area. To the south-west is Oxford street which includes a variety of ground floor retail, commercial and residential uses.

The Applicant has identified that the elevation plans approved under SSD 6840 showed a parapet and plant room on Level 11, but did not include sufficient detail as to how this would be constructed and so is the subject of this modification.

1.2 Approval history

On 17 September 2015, development consent was granted by then Executive Director, Infrastructure and Industry Assessments for the refurbishment of St Vincent’s Private Hospital. The development consent permitted the following works:

- construction of a new 13 level East wing building.
- refurbishment works to the existing low-rise and high-rise building wings.
- a new Victoria Street façade treatment linked to the high-rise building wing.
- associated landscaping works and infrastructure upgrades.
- installation of a new electrical substation kiosk.

The development consent has been modified on five occasions (see **Table 1**).

Table 1 | Summary of Modifications

Mod No.	Summary of Modifications	Approval Authority	Type	Approval Date
MOD 1	Internal and external modifications to the design	Department	Section 96(1A)	8 August 2016
MOD 2	Amendment to the main entry foyer and associated internal spaces and a new café use	Department	Section 96(1A)	13 October 2016
MOD 3	Minor corrections to plan reference in development consent	Department	Section 96(1A)	4 November 2016
MOD 4	Relocation of operating theatre no.5, and minor fit-out works for Same Day Centre on Level 5	Department	Section 96(1A)	27 February 2017
MOD 5	Minor changes to building materials and demolition works	Department	Section 96(1A)	19 December 2017

2 Proposed modification

On 29 September 2020, the Applicant lodged a sixth modification application (SSD 6840 MOD 6) to amend the approved project under section 4.55(1A) of the EP&A Act. The proposed modification seeks to amend condition A2 (approved plans) to show details of the mechanical plant area on Level 11, reconfiguration of the existing storerooms on Level 5 and extension of the street awning on the Victoria Street frontage.

The Applicant has identified that the design modifications are a direct result of further design development and refinement.

3 Statutory context

3.1 Scope of modifications

The Department has reviewed the scope of the modification application and considers that the application can be characterised as a modification involving minimal environmental impacts as the proposal:

- would not significantly increase the environmental impacts of the project as approved.
- is substantially the same development as originally approved.
- would not involve any further disturbance outside the already approved disturbance areas for the project.

Therefore, the Department is satisfied the proposed modification is within the scope of section 4.55(1A) of the EP&A Act and does not constitute a new development application. Accordingly, the Department considers that the application should be assessed and determined under section 4.55(1A) of the EP&A Act rather than requiring a new development application to be lodged.

3.2 Consent authority

The Minister for Planning and Public Spaces is the consent authority for the application under section 4.5(a) of the EP&A Act. However, under the Minister's delegation dated 9 March 2020, the Director, Social and Infrastructure Assessments may determine the application as:

- the relevant local council has not made an objection.
- a political disclosure statement has not been made.
- public exhibition of the application was not required and therefore no public submissions objecting to the proposal were received.

3.3 Mandatory matters for consideration

The Department conducted a comprehensive assessment of the project against the mandatory matters for consideration as part of the original assessment of SSD 6840. The Department considers this modification application does not result in significant changes that would alter the mandatory matters for consideration under section 4.15 of the EP&A Act and conclusions made as part of the original assessment.

4 Engagement

4.1 Department's engagement

Clause 117(3B) of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation) specifies that the notification requirements of the EP&A Regulation do not apply to section 4.55(1A) modifications with minimal environmental impact applications. Accordingly, the application was not notified or advertised. However, it was made publicly available on the Department's website and was referred to the City of Sydney (Council) for review. Council responded with no comments or concerns in regard to the modification.

5 Assessment

The proposal seeks to provide further detail on the design and layout of the Level 11 mechanical plant, amend the internal layout of the Level 5 storage rooms and extend the street awning on the Victoria Street frontage.

The original SSD application included plans that did not clearly provide details in relation to the mechanical roof plant on Level 11. The approved Level 11 floor plan denoted broad areas of plant, predominantly relating to the existing plant, however, did not specify the type of plant, maximum RL's or what was located within the confines of the plant room, and therefore the modification seeks to update the plans accordingly (see **Figures 3** and **4**). The design of the new rooftop plant will integrate into the building as it is offset from the edge of the building (see **Figure 5**). The plant will not exceed the existing height of the roof as the lift overrun still exceeds the height of the plant.

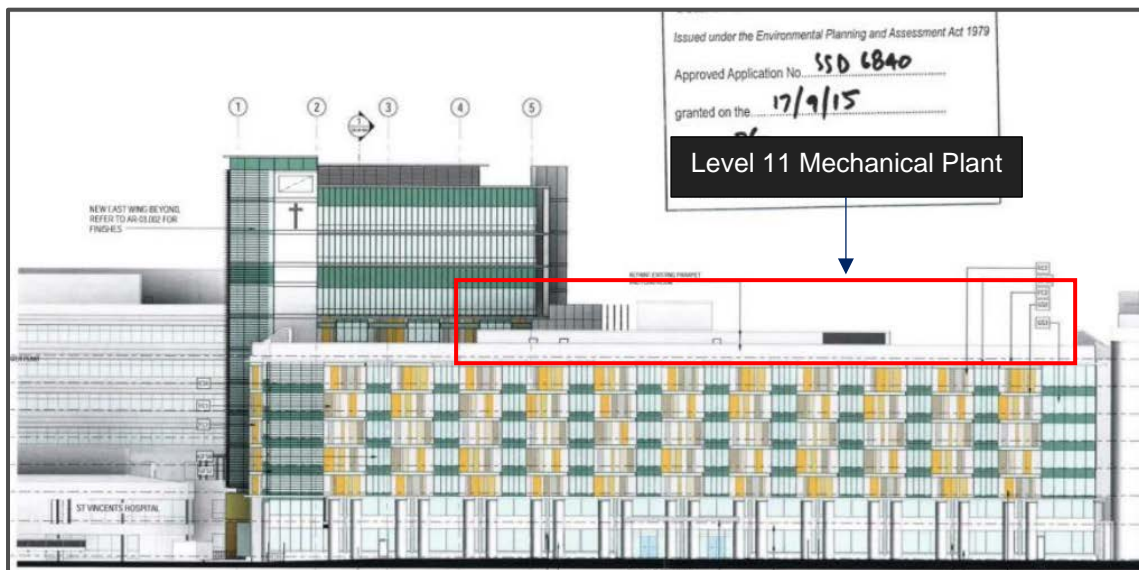


Figure 3 | Approved Northern Elevation (Source: Modification Report)

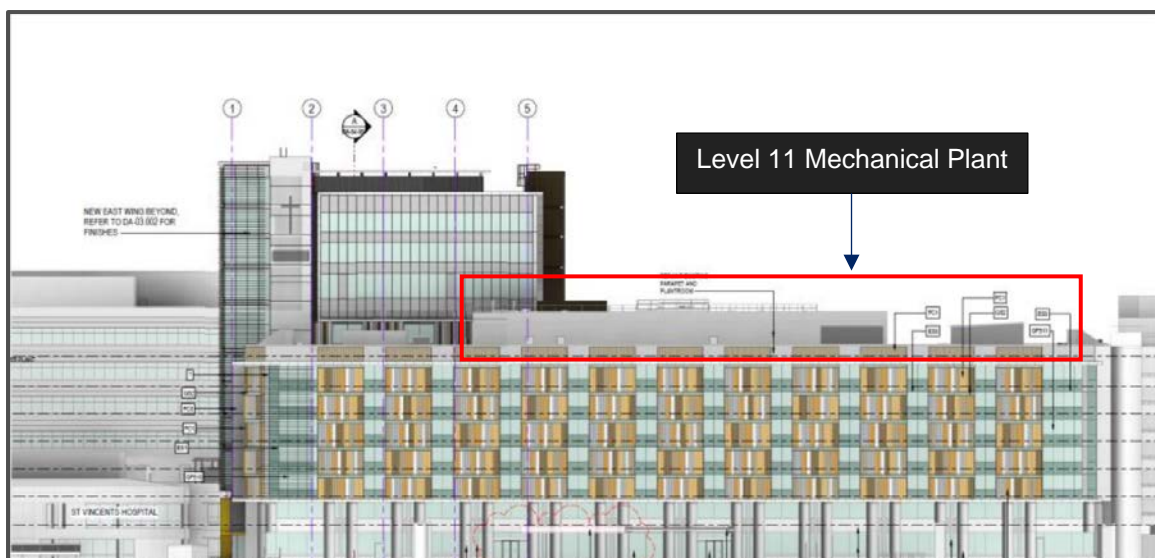


Figure 4 | Proposed Northern Elevation (Source: Modification Report)

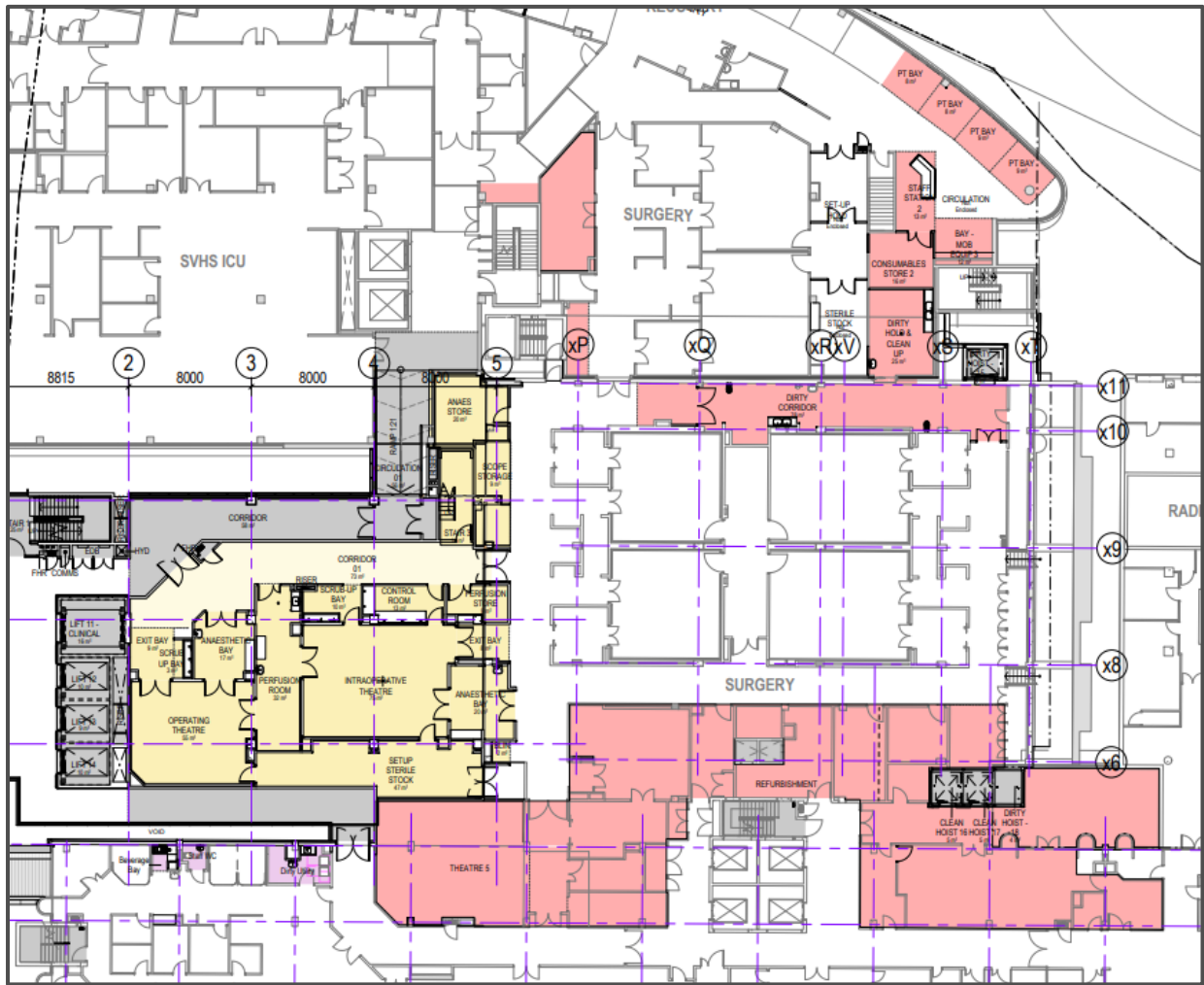


Figure 7 | Proposed GA Plan Level 5 (Source: Modification Report)

The modification also sought to extend the existing street awning on the northern elevation fronting Victoria Street (see **Figure 8**). The extension will cover an additional 56sqm and will enhance pedestrian amenity, especially in adverse weather conditions, and create a transition zone between the external environment and internal lobby. Material selection will complement the approved awning and will use a continuous gold metallic vitradual panel.



Figure 8 | Proposed Victoria Street Frontage Awning (Source: Modification Report)

The Department is satisfied that the proposed design modifications are minor in nature and will have no adverse visual or amenity impacts. The proposed plant room is located at a mid-level in the

hospital and will not extend the overall height of the approved development. The changes to the layout of the storage rooms is entirely internal and won't result in any external changes to the appearance of the hospital. The extended street entrance awning will provide additional shelter for pedestrians and be sympathetic in design and materials as the approved awning and building behind.

An acoustic assessment was also undertaken for the proposed Level 11 plant room, which identified that maximum noise levels would be less than 40db(A) $L_{eq, 15 \text{ minute}}$ at the night-time period for the nearest sensitive residential receiver. The assessment confirmed that this is within the requirements of the NSW EPA Noise Policy for Industry (i.e. 43db(A) $L_{eq, 15 \text{ minute}}$). The proposal will also remain compliant with the relevant acoustic conditions of consent (specifically condition E4).

The Department has reviewed the noise and amenity impacts associated with the modification and is satisfied the amendments will not have any adverse noise and amenity impacts to the surrounding sensitive receivers. The maximum load of the plant on Level 11 will stay within the relevant noise regulations.

The Department therefore concludes that the proposed design changes to the site are acceptable.

6 Evaluation

Department has reviewed the proposed modification, assessed the merits of the modified proposal, and all environmental issues associated with the proposal have been thoroughly addressed.

The Department's assessment concludes that the proposed amendments are minor and will not result in any additional adverse impacts on hospital users or within the locality.

The Department considers that the application is consistent with the objects of the EP&A Act and State Priorities. The development as modified would be substantially the same as that originally approved.

The Department concludes the impacts of the proposed modification are acceptable. Consequently, the Department considers the development is in the public interest, the modification application should be approved.

7 Recommendation

It is recommended that the Director, Social and Infrastructure Assessments, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report.
- **determines** that the application SSD 6840 MOD 6 falls within the scope of section 4.55(1A) of the EP&A Act.
- **forms the opinion** under section 7.17(2)(c) of the *Biodiversity Conservation Act 2016* that a biodiversity assessment report is not required to be submitted with this application as the modification will not increase the impact on biodiversity values of the site.
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to approve the modification.
- **modify** the consent SSD 6840.
- **signs** the attached approval of the modification (**Appendix B**).

Recommended by:



Caleb Ball
Planning Officer
Social Infrastructure

Recommended by:



David Gibson
Team Leader
Social Infrastructure

8 Determination

The recommendation is **adopted** by:

A handwritten signature in black ink, appearing to read 'KH', with a long horizontal flourish extending to the right.

30 November 2020

Karen Harragon

Director

Social and Infrastructure Assessments

as delegate of the Minister for Planning and Public Spaces

Appendices

Appendix A – List of referenced documents

List of all the key documents relied on by the Department in its assessment

1. Modification Report and Appendices
<https://www.planningportal.nsw.gov.au/major-projects/project/40081>
2. Further Information
<https://www.planningportal.nsw.gov.au/major-projects/project/40081>

Appendix B – Instrument of Modification

<https://www.planningportal.nsw.gov.au/major-projects/project/40081>

Appendix C – Consolidated Consent

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