

Department of Planning & Environment
GPO Box 39
Sydney NSW 2001

Attn. David Gibson/Brent Devine
(Social Infrastructure Assessment)

29 August 2016

Dear Sir,

**Re: No 4 Frederick Street, St Leonards - Northside Mental Health Facility
(your ref: SSD – 7588) (10 Herbert Street St Leonards - Lot 2 DP 12112720)**

I refer to the Department of Planning & Environment's invitation for Willoughby City Council to comment on the subject State Significant Development dated 12 July 2016.

Please find attached a submission prepared by our planning officer containing comments on the application and advice on recommended conditions of consent.

Should you have any questions please contact Annie Leung on 9777 7643 or annie.leung@willoughby.nsw.gov.au

Thank you for providing Council with the opportunity to comment.

Regards,



Ian Arnott
Manager Planning

SUBMISSION - PROPOSAL FOR NORTHSIDE MENTAL HEALTH FACILITY (YOUR REF: SSD – 7588)

The site and the proposal

The development site at No 10 Herbert Street St Leonard, Lot 2 DP 12112720 is also known as No 4 Frederick Street, St Leonards. The development site was subdivided from Lot C, DP 401303 (Former No 10 Herbert Street) and now has no frontage to Herbert Street.

The proposal as exhibited is for:

- The demolition of existing structures and remediation of the site;
- Construction of an eight storey mental health services facility including: 112 beds; 25 consulting suites; associated offices, treatment rooms, kitchen, dining rooms and lounge rooms;
- 139 car parking spaces (being 81 spaces at ground level and 58 spaces at first floor level);
- Building identification signage; and
- Landscaping works and augmentation of infrastructure services as required.

Background

The proposal relates to Amendment No 4 to the Willoughby Local Environmental Plan 2012 made on 4 March 2016. The amendment permits "hospital" as an additional permitted use in Schedule 1 of WLEP 2012 and increased the Floor Space Ratio of the site from 1.5:1 to 2.5:1. The current proposal is consistent with this amendment to the WLEP 2012, which was proposed primarily to facilitate the development of a mental health hospital in order to relieve the shortage of psychiatric beds in northern Sydney.

Council has had previous opportunities to review the proposal as well as consultation with the proponent during the consideration of the WLEP Amendment. A Development Application 2016/79 was lodged with Council and registered with the Joint Regional Planning Panel (Sydney East) ("JRPP") for the development currently being assessed by the Department. It was subsequently determined that the Development was classified as State Significant Development (SSD) and as such the application was withdrawn and lodged with the Department for assessment.

During the planning proposal and development assessment processes, a number of meetings were held between Council staff and the proponent to discuss various aspects of the proposal, more specifically:

- Built forms and Urban design
- Traffic and Accessibility
- Site remediation
- Noise & Vibration
- Stormwater (Drainage)

These discussions are still relevant to the current proposal lodged with the Department for an SSD application, and more details are provided under the relevant headings below.

Discussion/ Response

1. Statutory and Strategic Context

The proposal's Secretary's Environmental Assessment Requirements ("SEAR") and Environmental Impact Statement ("EIS") specifically refer to the following planning instruments:

- State Environmental Planning Policy (State & Regional Development) 2011;
- State Environmental Planning Policy (Infrastructure) 2007;
- State Environmental Planning Policy No.55 – Remediation of Land; and
- Willoughby Local Environmental Plan 2012.

Council would like to draw your attention to the specific local provisions contained in WLEP 2012 that applies to the site as follows:

- The site has no height of building limit.
- A maximum Floor Space Ratio of 2.5:1 applies to the site if the development is for the purposes of a hospital. (Clause 4.4A (19))
- A hospital is permitted on the site despite its IN2 – Light Industrial Zoning and is listed as an additional permitted use on Schedule 1. (Schedule 1 – 72).

The proposal is consistent with the site specific local provisions of WLEP 2012. It is recommended that a condition of consent be imposed that any medical and health services provided from the site should operate in conjunction with and/or ancillary to the hospital use of the site. This is to ensure the proposal will not be providing health services of a general commercial nature that should be located in a business centre.

The strategic goals and objectives of the applicable policies to the proposal were considered in the making of the site specific amendment to WLEP2012 to permit a hospital development at the site. The proposal's response to the relevant transport and alternative transport strategy are further discussed under the heading *Transport and Accessibility*.

2. Built Form and Urban Design

The IN2 Light Industrial zone of WLEP 2012 does not have a height limit and the objectives of the zone do not contain explicit reference to urban design. However, given the FSR applicable to the site is higher than surrounding lands, the proposed built forms are up to 8 storeys in height being substantially greater in scale than surrounding developments.

In this regard, the proposed built forms must be well designed to ensure they do not become visually overwhelming, particularly when viewed over lower rise buildings along Herbert Street. The built form should be complementary to the character of the high-tech and light industrial, and hospital precinct of St Leonards. A high standard of urban design outcome is anticipated for the subject precinct as described in *Part F.3.9 of the Willoughby Development Control Plan - Planning Principles for Certain IN2 Land in Artarmon and St Leonards*.

The proposed L-shaped built forms provide a visually interesting forecourt addressing Frederick Street. However, the proposed building has limited setbacks and building modulation along its south-eastern and western elevations. Considerations should be given to a podium – tower treatment to the proposed built forms to allow for a better transition of scale between the proposed building and surrounding developments. A podium level will also provide additional outdoor spaces and improved outlooks and amenity for rooms facing the side and rear elevations over adjoining industrial developments.

3. Transport and Accessibility

The proposal has not been identified to have significant impacts on the existing traffic network. Council notes that the current proposal accommodating 112 beds is lower than the previous proposal of 170 beds presented during the planning proposal process.

Based on the car parking rate contained in Part C.4 of the Willoughby Development Control Plan, a total of 140 car spaces is required to be provided. Council recommends this provision of car spaces be met by the proposal, particularly car parking for staff. In this respect the distance of the site from the closest train station at St Leonards is over 1km walk, and the free Artarmon Loop bus that connects the station to the site operates between limited hours.

A preliminary review of the submitted plans also notes that the submitted driveway, car parking layout and loading area present non-compliances with AS2890.1 and AS 2890.2. It is recommended that the proposal be amended to comply with these relevant Australian Standards.

Council also recommends the proponent and the Department consult with Transport for NSW to consider the improvement of bus and transport services due to several major projects happening at the locality, including developments at the Royal North Shore Hospital, the subject development and a North Shore Private Hospital proposed at 12 Frederick Street.

4. Noise and Vibration

Amendment No 4 of WLEP 2012 specific to the site, was accompanied by an addition to *Part F.3.9 of the Willoughby Development Control Plan - Planning Principles for Certain IN2 Land in Artarmon and St Leonards*, which states:

(f) Development for the purposes of a hospital at 10 Herbert Street, St Leonards (part Lot C DP 401303) must provide a comprehensive noise assessment considering both the noise impact of the hospital on surrounding uses and the noise impact of surrounding uses on the hospital.

It is noted that the submitted EIS includes a noise impact assessment report addressing the above provision in the WDCP.

5. Contamination

The applicant has submitted Phase 1 and Phase 2 Contamination Reports as part of the Planning Proposal for the site. The Phase 2 Environmental Site Investigation Report recommended that all underground Storage Tanks (USTs) be removed and associated work be completed prior to site redevelopment. It is noted that a Phase 3 – Remediation Action Plan is contained in the submitted EIS.

6. Stormwater (Drainage)

The stormwater management plans submitted with the SSD are considered inadequate and inaccurate in their current form. The stormwater drainage management plan should be redesigned in order to allow the overflow of the proposed on site detention system to be discharged to Frederick Street without causing any extra runoff to downstream properties as there is no underground pipe system fronting the proposed development.

A separate Development Application 2016/276 was submitted with Council for the augmentation of an existing stormwater pipe that benefits the adjoining property upstream of the site. This application has been determined by way of approval with conditions.

Plans and documents of this application can be found on Council's website using the DA reference number.

<https://eplanning.willoughby.nsw.gov.au/Common/Common/terms.aspx>