

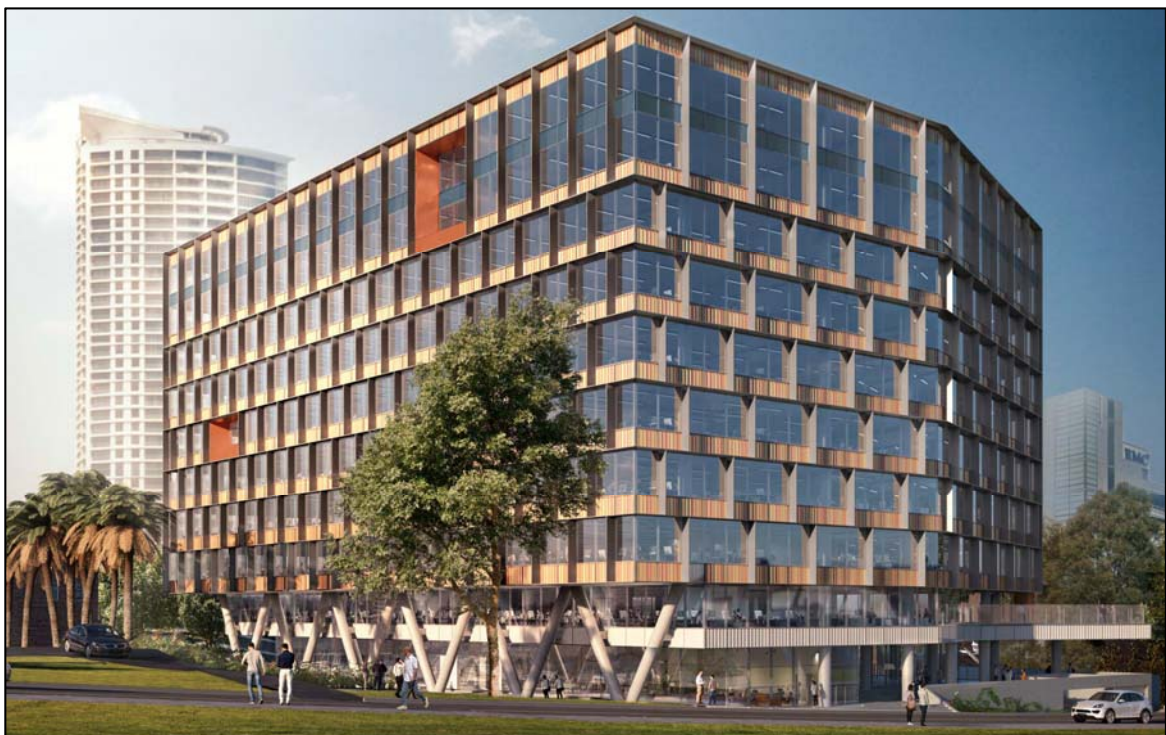


**Planning &
Environment**

***STATE SIGNIFICANT DEVELOPMENT
ASSESSMENT REPORT:***

***Royal North Shore Hospital Health Services
Administration Building***

SSD 8816



Environmental Assessment Report
Section 4.40 of the
Environmental Planning and Assessment Act 1979

August 2018

ABBREVIATIONS

Applicant	Health Infrastructure, or anyone else entitled to act on this consent
AS	Australian Standard
CIV	Capital Investment Value
Concept Plan	Royal North Shore Hospital Concept Plan
Consent	Development Consent
Council	Willoughby City Council
DCP	Development Control Plan
Department	Department of Planning and Environment
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPA	Environment Protection Authority
EPI	Environmental Planning Instrument
ESD	Ecologically Sustainable Development
FSR	Floor space ratio
GANSW	Government Architect of NSW
GFA	Gross floor area
GSC	Greater Sydney Commission
ICNP	Interim Construction Noise Policy
LEP	Local Environmental Plan
LGA	Local Government Area
Minister	Minister for Planning
NCC	National Construction Code
NPI	Noise Policy for Industry
OEH	Office of Environment and Heritage
Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
RMS	Roads and Maritime Services
RNSH	Royal North Shore Hospital
RtS	Response to Submissions
SEARs	Secretary's Environmental Assessment Requirements
Secretary	Secretary of the Department of Planning and Environment
SEPP	State Environmental Planning Policy
SRD SEPP	<i>State Environmental Planning Policy (State and Regional Development) 2011</i>
SSD	State Significant Development
TfNSW	Transport for New South Wales

Cover Photograph: Western Elevation Reserve Road Photomontage (Source: Applicant's EIS)

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EXECUTIVE SUMMARY

This report provides an assessment of a State significant development (SSD) application for the development of a new 10 storey commercial office building and two-level basement car park that will house the administrative and ancillary functions of NSW Health (SSD 8816). The site is located on the campus of the Royal North Shore Hospital (RNSH), St Leonards. The site is identified as Site 4a within Precinct 4 of the approved RNSH Concept Plan (MP 06_0051). The Applicant is Health Infrastructure and the proposal is located within the Willoughby local government area (LGA).

The proposal seeks approval for the construction of a 30,977 sqm, 10 storey building, comprising: office accommodation for staff associated with the administrative and ancillary functions of NSW Health; a child care facility; a café; a two-level basement carpark containing 115 car parking spaces; subdivision of land and creation of an easement for vehicular access; new pedestrian connections to the Herbert Street Pedestrian Bridge; and associated public domain and landscaping works.

The proposal has a Capital Investment Value (CIV) of \$120,130,000 and would generate 413 construction jobs. On 22 September 2017 the Minister for Planning, by order published in the Gazette, declared the development for the purposes of a Health Services Administration Building at RNSH to be State Significant Development pursuant to section 4.36(3) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The application was publicly exhibited for 30 days between Thursday 15 February 2018 and Friday 16 March 2018. The Department of Planning and Environment (the Department) received a total of 15 submissions, including eight from public authorities, two from organisations and five from the public (including three objections and one letter of support). An additional five submissions from public authorities were received in response to the Applicant's Response to Submissions (RtS).

The key issues raised in the submissions include: visual impacts; construction noise impacts; operational noise impacts; Herbert Street Pedestrian Bridge maintenance costs; intensification of RNSH non-clinical uses; impacts on Gore Hill Oval and Park; unreliable background noise monitoring; consideration of energy efficient design measures and consideration of flood risk management measures.

The Department has considered the above issues in its assessment, along with built form and urban design and traffic and transport issues. The Department has considered the merits of the proposal in accordance with relevant matters under section 4.15(1), the objects of the EP&A Act, the principles of Ecologically Sustainable Development, and issues raised in all submissions as well as the Applicant's response to these.

Key recommended conditions of consent to manage residual impacts and issues raised in submissions include the requirement to:

- prepare a construction environmental management plan to manage activities associated with the construction of the proposal, including appropriate management measures to address construction noise and vibration impacts on sensitive receivers surrounding the site and to address potential cumulative traffic impacts generated during the construction of the proposal, upgrade works to Gore Hill Park and Oval associated with the increased frequency of bus movements to account for disruptions to rail services associated with the construction of Stage 2 of the Sydney Metro Northwest (SMNW)
- prepare a Green Travel Plan that identifies clear objectives and mode share targets, including measures, actions and tools to achieve those objectives and the requirements for on-going monitoring and annual review
- prepare an Emergency Evacuation Plan, providing appropriate management measures that would be implemented during periods of heavy rainfall and site inundation.

The proposal would also strongly contribute to the delivery of strategic goals and objectives of State and regional plans, including *A Metropolis of Three Cities - The Greater Sydney Region Plan* and the Greater Sydney Commission's *North District Plan* by progressing the growth and development of the St Leonards Strategic Centre as a health and commercial employment hub

The Department concludes the proposal is in the public interest and recommends that the application be approved subject to conditions.

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1. BACKGROUND

1.1 Introduction

This report provides an assessment of a State significant development (SSD) application for the development of a new 10 storey commercial office building and two-level basement carpark that will house the administrative and ancillary functions of NSW Health (SSD 8816 – Health Services Administration Building). The proposed is located at the southern edge of the Royal North Shore Hospital (RNSH) Campus, St Leonards (see **Figure 1**). The proposed development site is identified as Site 4a within Precinct 4 of the approved RNSH Concept Plan (MP 06_0051) (Concept Plan).

The proposal seeks approval for:

- the construction of a 10 storey building with a total gross floor area (GFA) of 30,977 sqm, comprising office space for health-related uses, building lobby, café, child care facility and basement storage
- construction of two basement levels containing 115 car parking spaces and one car wash bay
- subdivision of land and creation of an easement for vehicle access
- improved east-west pedestrian connectivity across Precinct 4, including new connections to the Herbert Street Pedestrian Bridge
- associated public domain and landscaping works.

The application has been lodged by Health Infrastructure (the Applicant). The site is located within the Willoughby local government area (LGA).

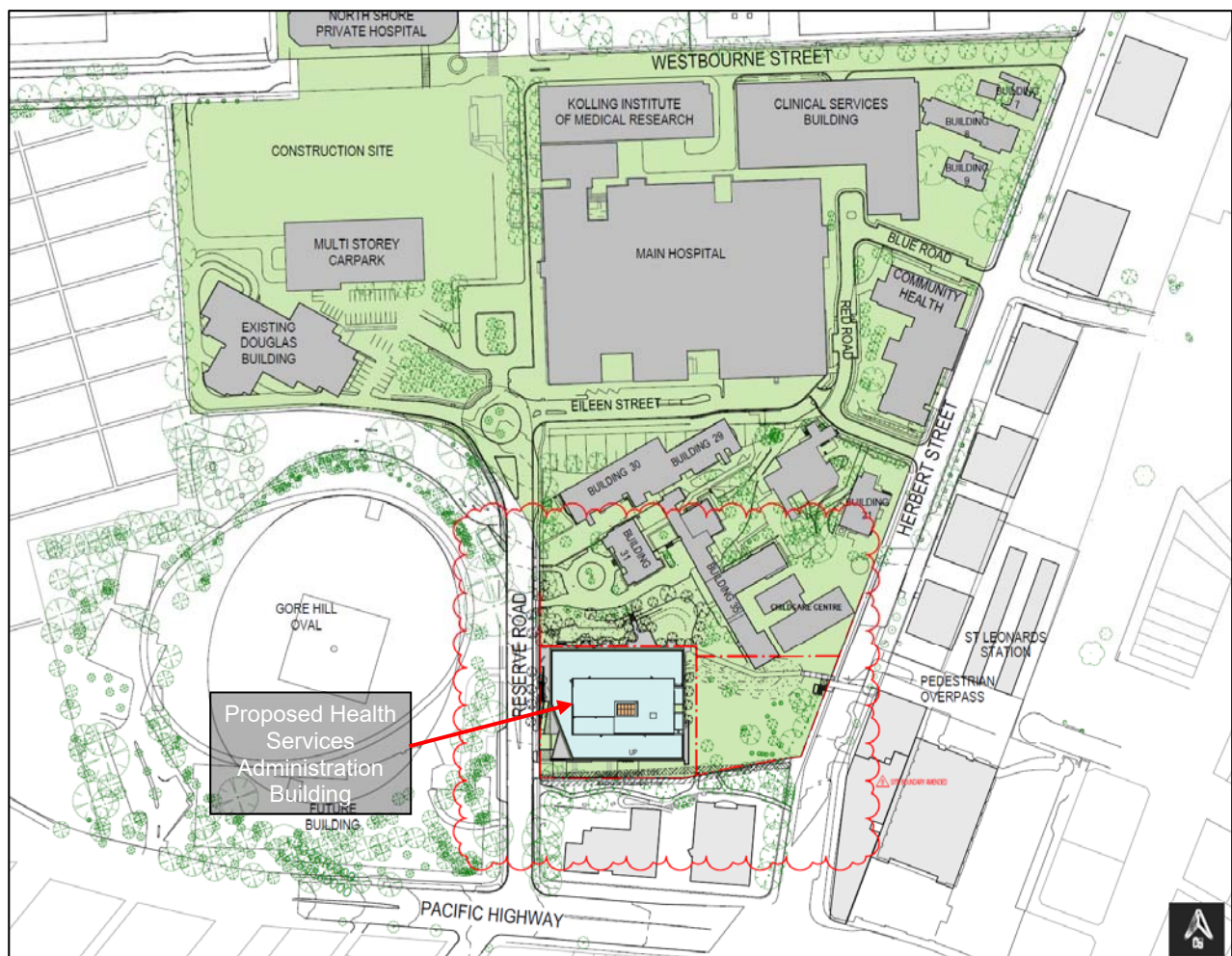


Figure 1: RNSH Campus and site location (source: Applicant's EIS – BVN Architects)

1.2 The site and surroundings

RNSH is 11.38 ha in area and located in St Leonards on the lower north shore within the Willoughby Local Government Area (LGA). RNSH is located approximately 5 km north west of Sydney central business district (CBD) and is situated within close proximity to the main northern rail line corridor and St Leonards Station, approximately 70 to 100 m to the east.

The RNSH campus (see **Figure 2**) is surrounded by varied land uses, including North Shore Private Hospital and Artarmon Industrial Estate to the north of the public health activities, Gore Hill Memorial Cemetery to the west, and the North Sydney Institute of TAFE to the north west. A number of residential flat buildings occupy the eastern side of Herbert Street opposite the eastern boundary of the precinct, while office buildings (known as ‘Space 207’) adjoin to the south, facing the Pacific Highway.

The site (see **Figure 3**), under the ownership of the Health Administration Corporation (HAC), forms part of the large RNSH campus (i.e. Lot 210 DP 1172133) and is identified as Site 4a within Precinct 4 under the approved Concept Plan. The site is located approximately 50 m north of the Pacific Highway and Reserve Road intersection. The site sits opposite Gore Hill Park and has a primary road frontage to Reserve Road. The site is currently occupied by existing RNSH buildings and functions.



Figure 2: Site location (source: www.heatmap.com)

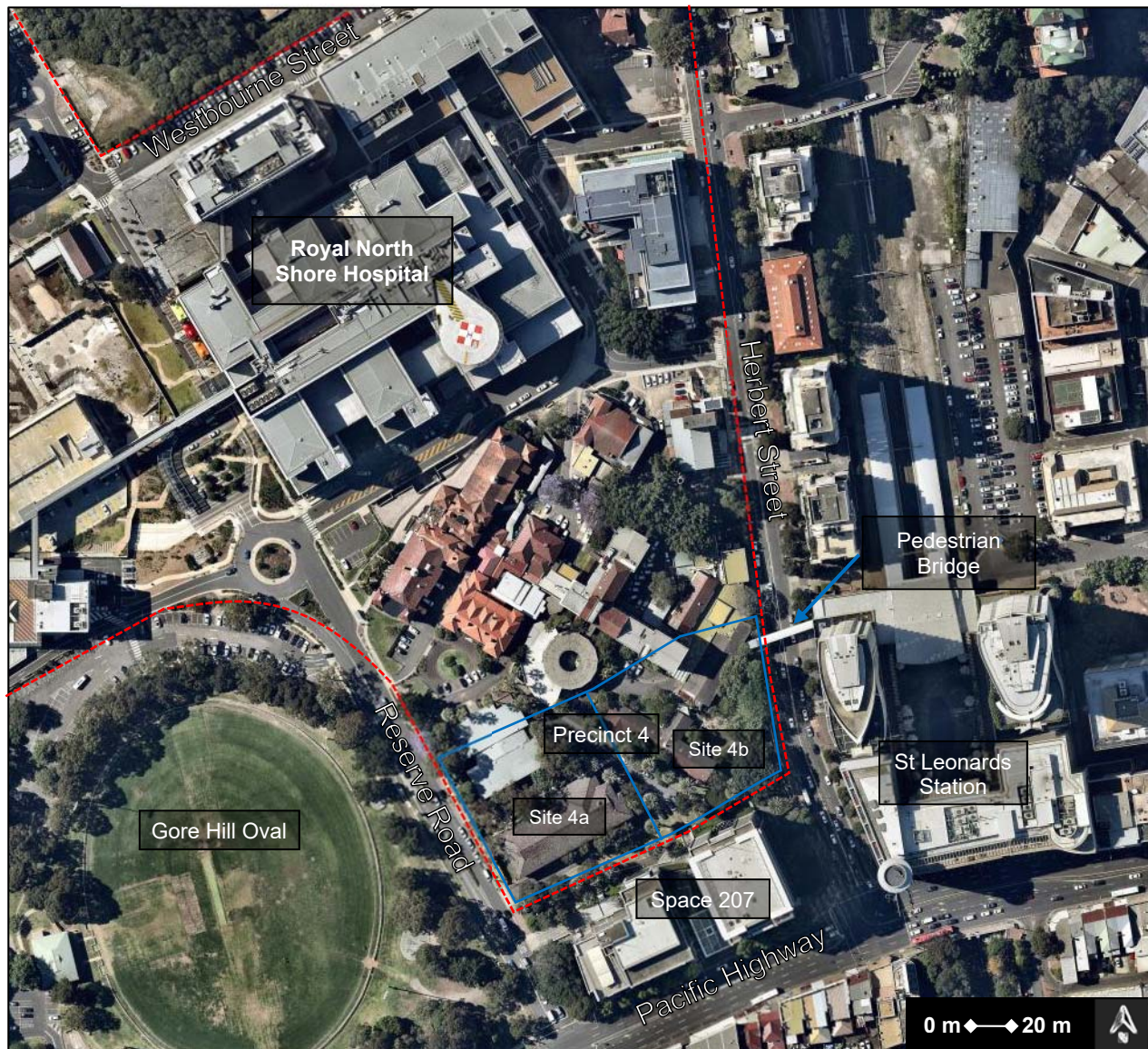


Figure 3: Project location – Precinct 4 (source: www.nearmap.com)

1.3 Previous approvals and other relevant applications

1.3.1 Royal North Shore Hospital Concept Plan (MP 06_0051)

On 13 April 2007, the Concept Plan was approved by the Minister for Planning under Part 3A of the EP&A Act for the redevelopment of the hospital precinct. The approved concept plan (see **Figure 4**) and concurrent demolition and site preparatory works provided for:

- division of the site into hospital and other development precincts
- demolition of buildings (excluding identified heritage items of moderate to higher heritage significance) and preparatory site works to ground level
- consolidated hospital development in Precincts 1, 2 and 8
- a maximum GFA of 178,370 square metres (sqm) in development Precincts 3, 4, 5, 6 and 7 for employment generating land uses, residential and temporary accommodation, short term hotel style accommodation land uses
- conceptual road design, urban design, landscape, open space and heritage design concepts
- maximum building heights and car parking provisions
- improved amenities and services
- staged re-opening of Westbourne Street to through vehicular traffic.



Figure 4: Original RNSH Concept Plan Approval (as at April 2007) source: MP 06_0051 Preferred Project Report)

1.3.2 RNSH Concept Plan Modification

The Concept Plan has been amended on six previous occasions. On 20 July 2017 the Minister for Planning approved the most recent modification application, MP 06_0051 MOD 7, that approved:

- the consolidation of the two Site 4a building envelopes in Precinct 4 into a single building envelope
- an amendment to modification of approval (MOA) M7.1 to delete reference to the southern boundary eight metre setback requirement
- amendments to MOA M2.1 and M2.2 and conditions of consent C1.4 and C1.5 to provide reference to updated amended MP 06_0051 MOD 7 plans and documentation
- an amendment to MOA M10 relating to the requirement to submit a detailed traffic assessment with each development application for new built form
- the deletion of a Statement of Commitment that required the delivery of a 180-place child care facility in Precinct 7.

The approved Precinct 4 building footprint layout (amended by MP 06_0051 MOD 7) is shown at **Figure 5**. A detailed outline of the modifications to MP 06_0051 is provided at **Appendix C** of this report.

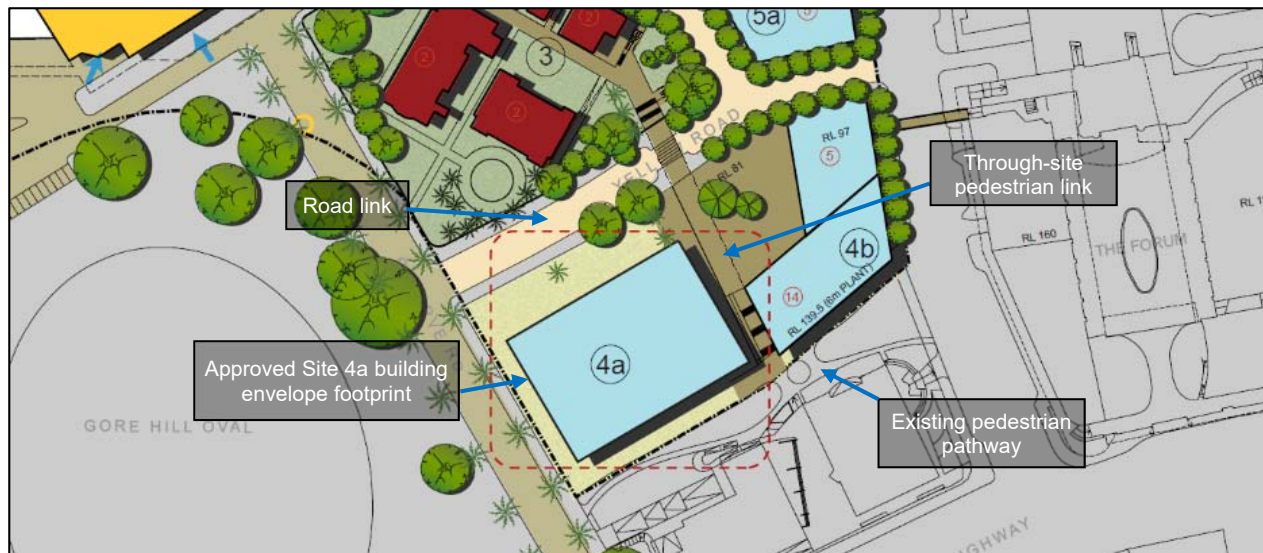


Figure 5: Modified Precinct 4 Concept Plan Layout (source: Modification Application MP 06_0051 MOD 7)

1.3.3 Review of Environmental Factors

In September 2016, the Applicant undertook a Review of Environmental Factors (REF) pursuant to the *State Environmental Planning Policy (Infrastructure) 2007* (infrastructure SEPP) for works to be undertaken as ‘development without consent’ in accordance with Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Works approved under the REF include:

- disconnection of utilities and services to buildings proposed for demolition or relocation
- demolition of seven buildings and associated structures (Building Nos. 7, 9, 34, 37, 38, 51 and 52)
- removal of all trees (63) from within the site area, including relocation of three Palms between Building Nos. 38 and 51 to Reserve Road
- regrading of land for proposed landscaping in place of demolished buildings.

Works associated with the REF are currently underway.

2. DESCRIPTION OF PROPOSAL

2.1 Description of proposal

The proposal will provide for the development of a new 10 storey commercial office building that will house the key administrative support and other health related functions of NSW Health, including: the Ministry of Health; Health Infrastructure; HealthShare; eHealth; Agency for Clinical Innovation; Bureau of Health Information; Clinical Excellence Commission; Health Education and Training Institute; Cancer Institute NSW; and Ambulance NSW.

The proposed Health Services Administration Building will provide: 28,615 sqm of GFA for health-related uses: 902 sqm of GFA for the future establishment of a 100-place child care facility; 241 sqm of retail GFA at the ground level; a 658 sqm lobby; and 561 sqm of basement storage – contributing 30,977 sqm towards the maximum 46,345 sqm of GFA permitted under the Concept Plan for Precinct 4. The application also seeks to facilitate the subdivision of Precinct 4 from the wider RNSH Campus as envisaged under the Concept Plan.

The proposal also seeks to provide a reduced number of car parking spaces (i.e. 115 spaces) within the two-level basement carpark than that allowed under the Concept Plan, and 176 bicycle parking spaces and associated end-of-trip facilities, including 45 male and female lockers.

A new arrival forecourt along the northern elevation of the main entrance to the building is proposed that will include a new public domain area and terraced landscaped area, which are proposed to be

integrated with a new pedestrian link between Reserve Road and the existing Herbert Street Pedestrian Bridge.

As part of its Response to Submissions (RtS) and in response to submissions received during the exhibition of the proposal, the Applicant made minor amendments to the built form to: increase ground levels setbacks; modify the façade design and finish; modify the location of the skylight; and revise the layout of the basement levels.

The key components and features of the proposal (as refined in the RtS) are provided in **Table 1** and are shown in **Figures 6 to 13**.

Table 1: Key components of the SSD application

Aspect	Description
Summary	Construction of a new, 10 storey commercial office building at RNSH, comprising accommodation for staff associated with the administrative and ancillary functions of NSW Health, a child care facility, a café, a two-level basement carpark and associated landscaping, public domain improvements and subdivision
Built form	- Construction of a 10 storey building (plus rooftop mechanical plant) comprising: - maximum height 44 m (RL 126 to top of mechanical plant) - two basement levels consisting of car and bicycle parking, end-of-trip facilities, and loading dock facilities. - ground level consisting of an entrance lobby, café and 100 place child care facility, with northern and southern elevation upper level overhangs - Level 1 consisting an open plan layout and balcony located in the south-western corner of the floorplate and northern elevation upper level overhang - Levels 2 – 9 (excluding level 6) consisting a typical open plan layout - Level 6 consisting of an open plan layout - Level 10 consisting of rooftop mechanical plant, with acoustically treated walls and provision for future solar photovoltaic cell installation - Building setbacks consisting of: 7.5 – 20 m northern setback (incorporating forecourt) 8 – 10 m southern setback 5.9 m western setback 116.8 – 148.75 m eastern setback (Herbert Street)
Site area	11.38 ha (Lot 210 DP 1172133).
Subdivision	- Subdivision of Lot 210 DP 1172133 to create: - proposed Lot 40 (RNSH main campus) – 10.57 ha - proposed Lot 41 – 64 sqm - proposed Lot 42 (i.e. Precinct 4) – 8,049 sqm
Gross floor area (GFA)	- Total GFA of 30,977 sqm comprising: 28,615 sqm of health-related uses 241 sqm café 902 sqm child care facility 561 sqm basement carpark 658 sqm lobby area
Access	- Basement carpark access provided from a new vehicle crossover on Reserve Road - Service vehicle basement loading dock zone access provided from Reserve Road via an existing vehicle crossover
Car parking	115 car parking spaces, comprising: 96 general spaces 19 dedicated child care facility spaces, including nine staff spaces and 10 pick-up/drop-off spaces 5 motorcycle parking spaces
Bicycle parking	176 bicycle parking spaces, contained within 45 bicycle parking racks 45 bicycle lockers and associated male and female change rooms

Public domain and landscaping	• Construction of a northern forecourt terrace fronting the main building entry • Landscape plantings around the building perimeter comprising: - o stepped informal lawn along the proposed northern boundary - o canopy/feature trees along the building's eastern and western alignment - o groundcover stabilisation works to eastern portion of the adjoining site (i.e. Site 4b) • Construction of at-grade east-west pedestrian path along the building's northern elevation • Construction of a suspended pedestrian ramp connecting the east-west pedestrian path to the existing Herbert Street Pedestrian Bridge
Jobs	• 413 construction related jobs
CIV	• \$120.13 million

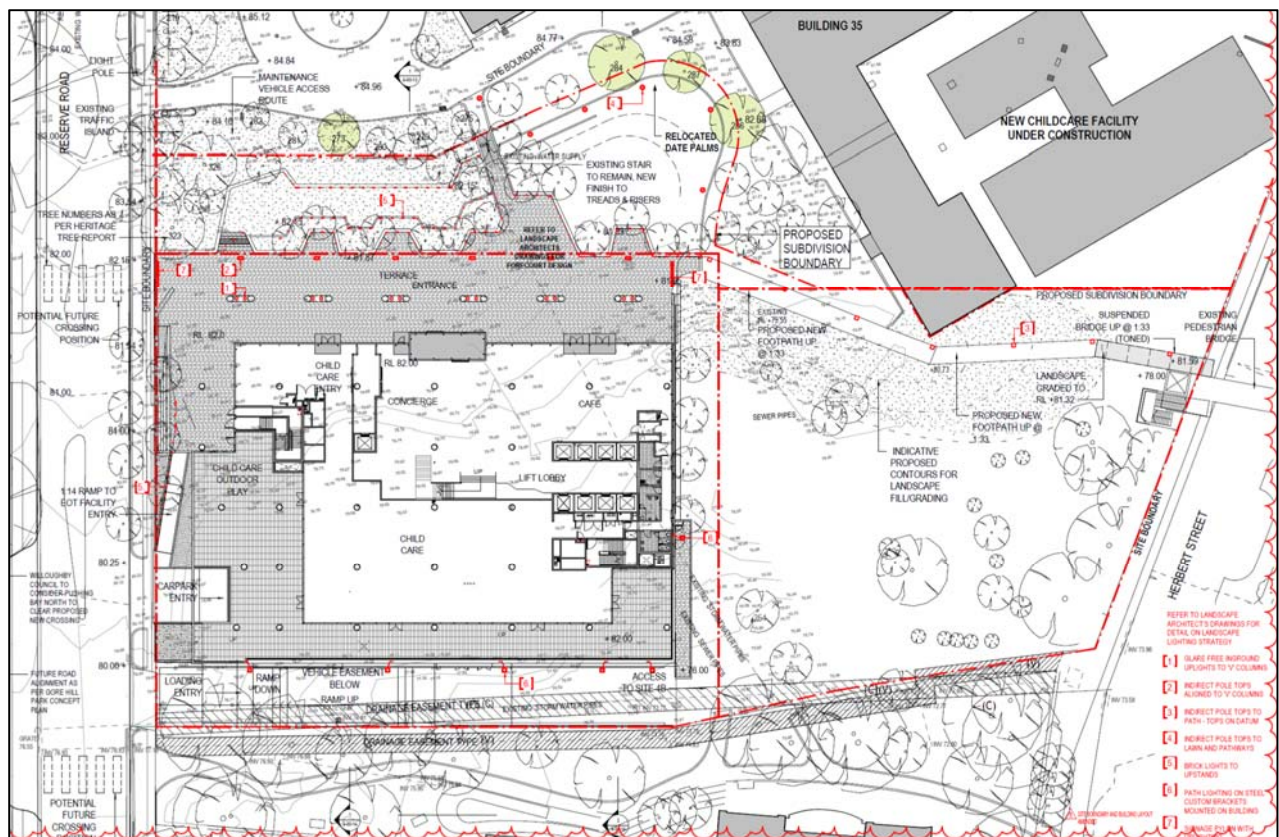


Figure 6: Proposed Site Plan (source: R/S – BVN Architects)

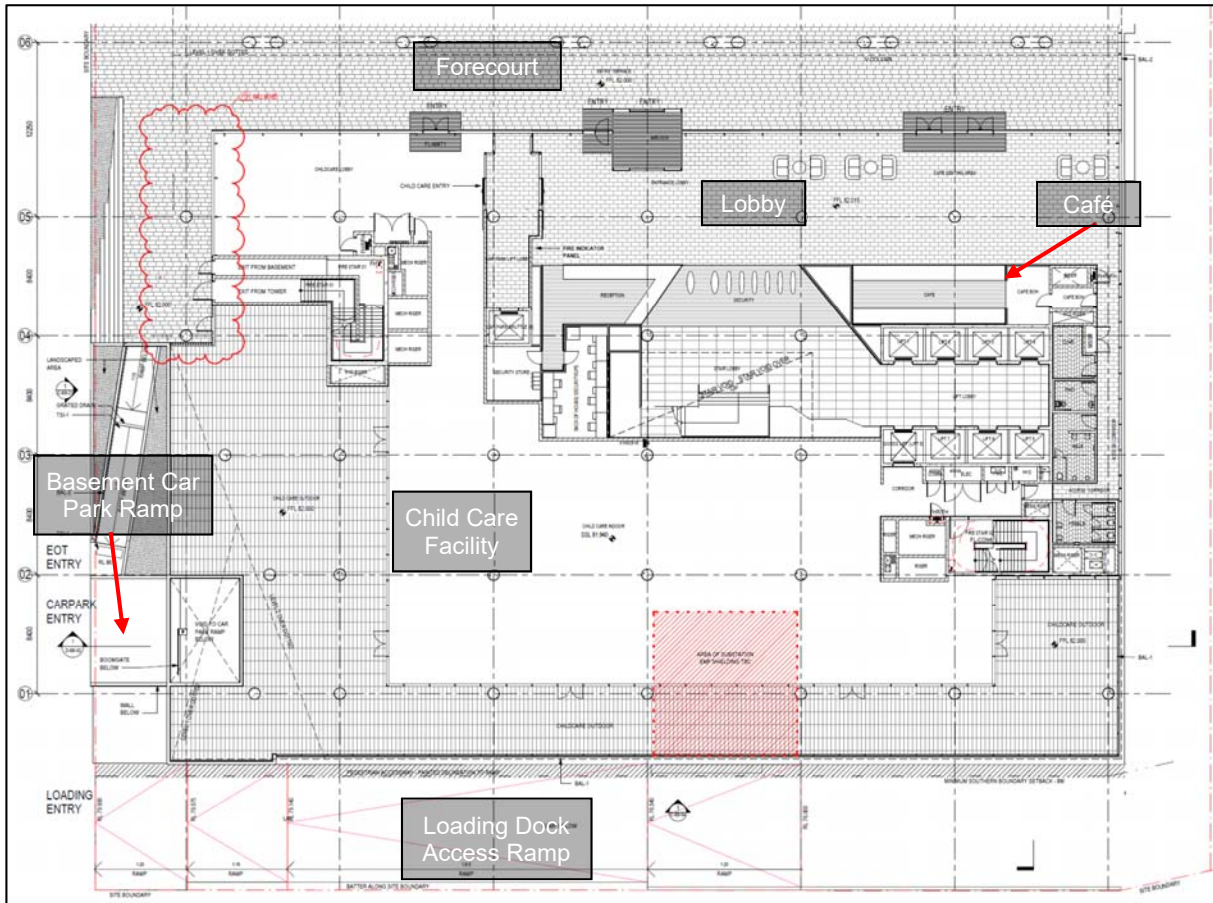


Figure 7: Proposed Ground Level Plan (source: RtS – BVN Architects)

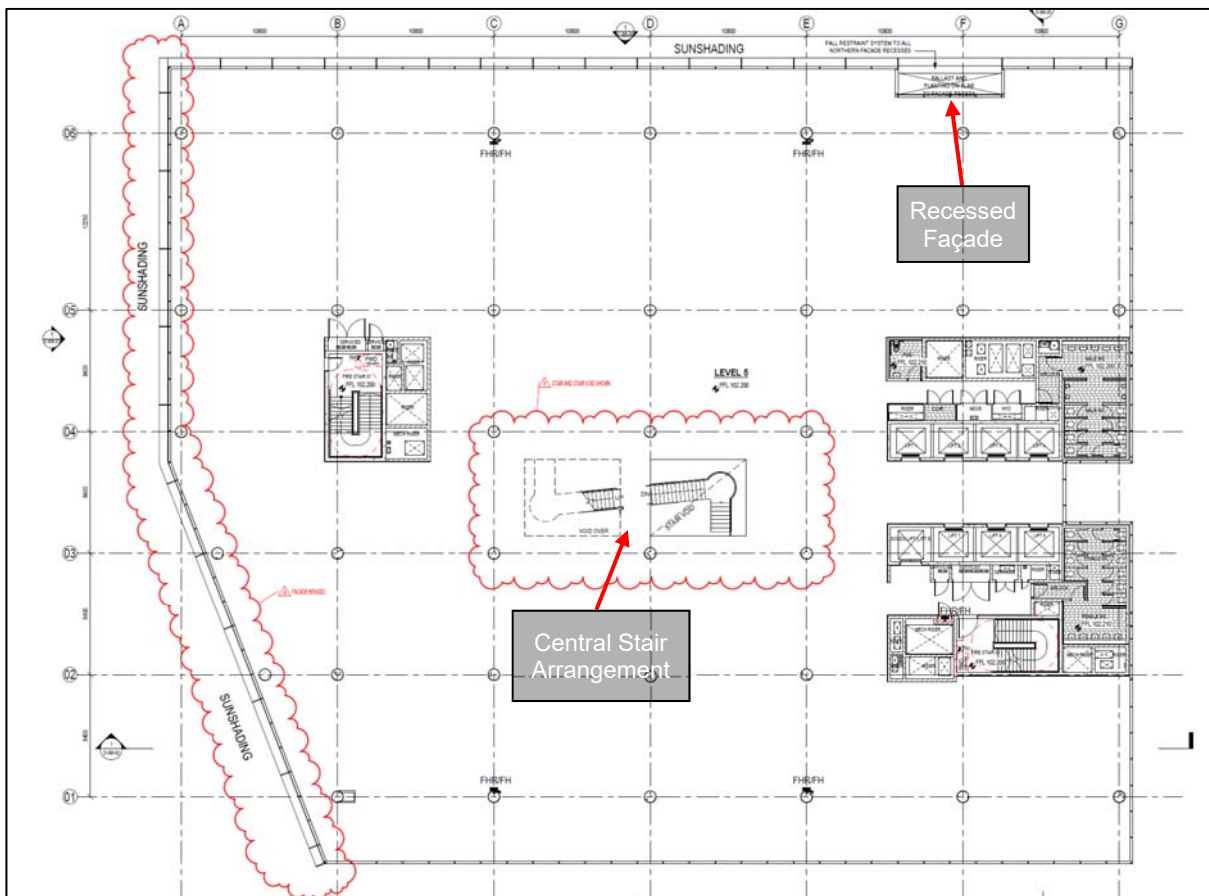


Figure 8: Typical Upper Level Plan (Level Five) (source: RtS – BVN Architects)

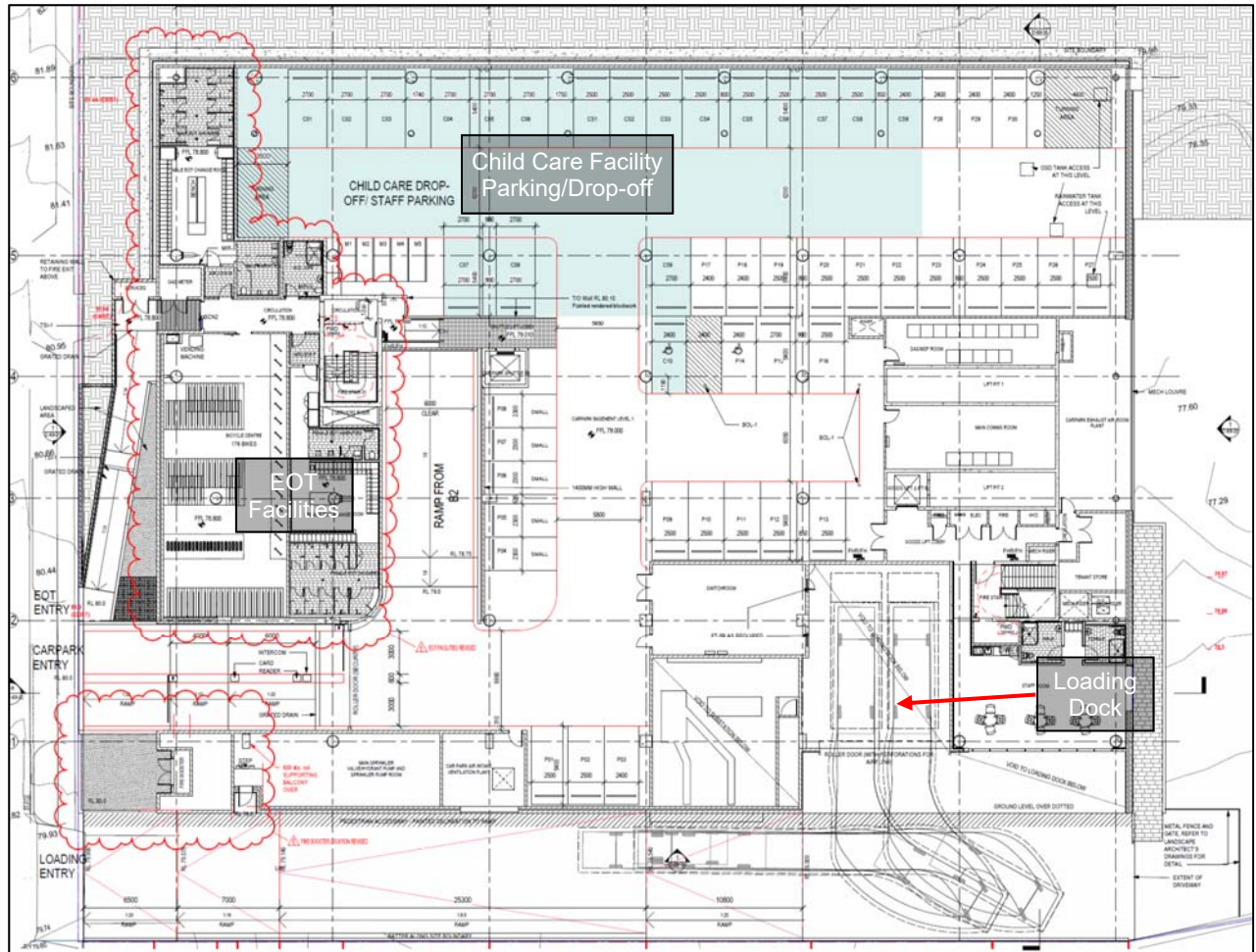


Figure 9: Basement Level One Plan (source: RtS – BVN Architects)

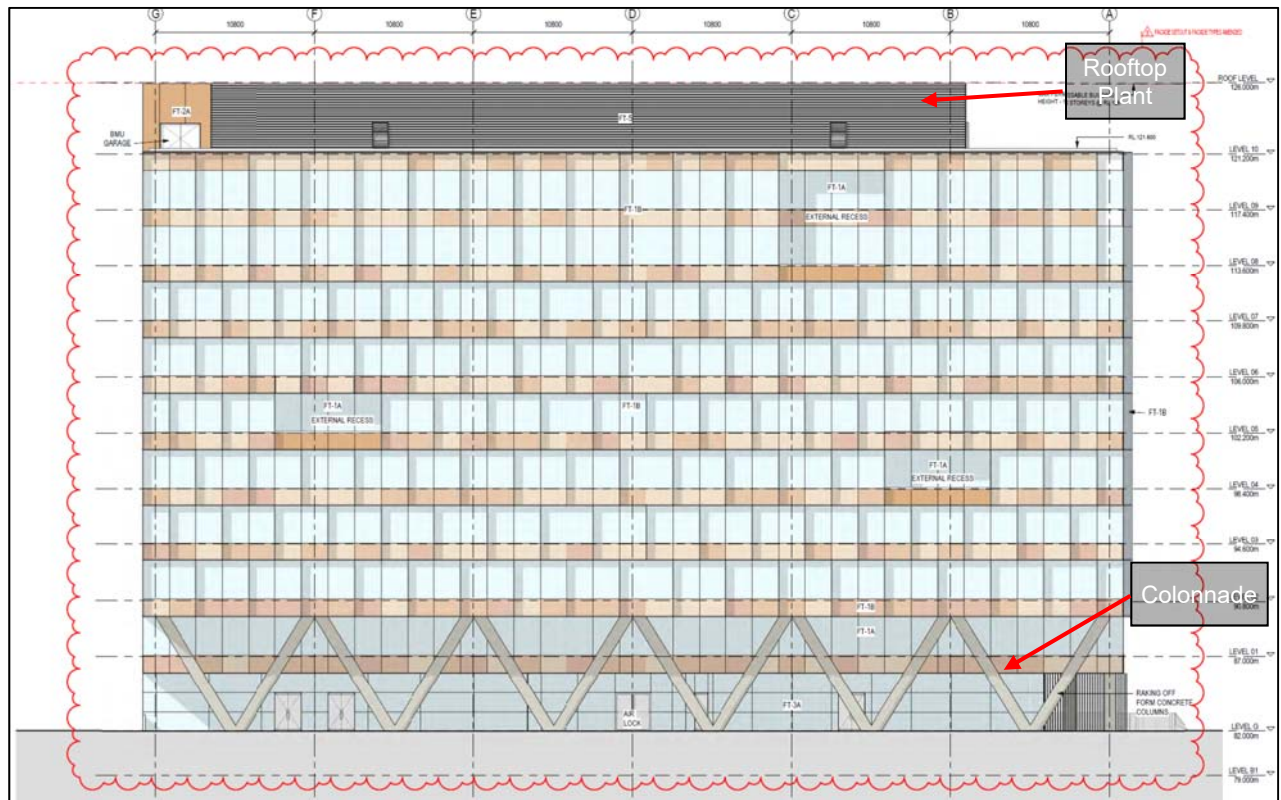


Figure 10: Northern Elevation (source: RtS – BVN Architects)

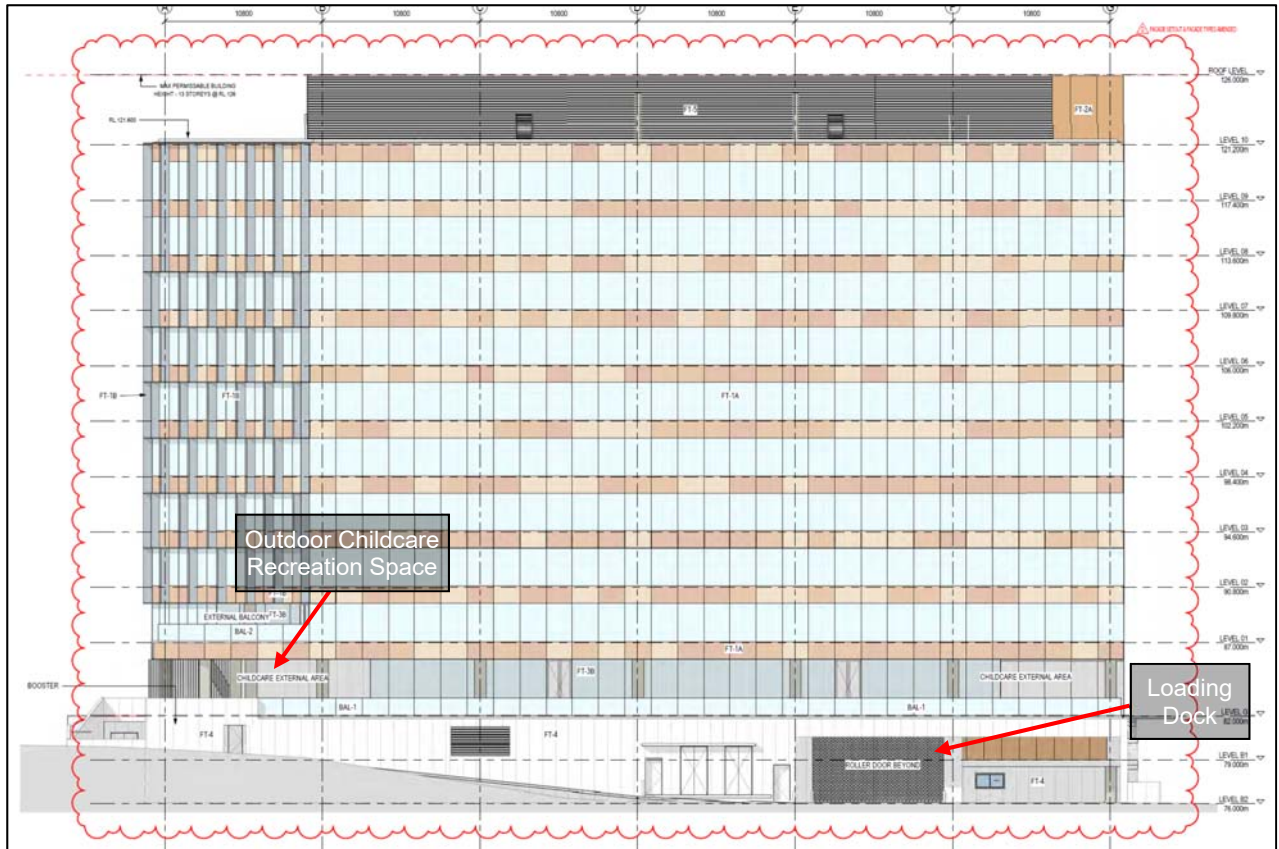


Figure 11: Southern Elevation (source: Rts – BVN Architects)

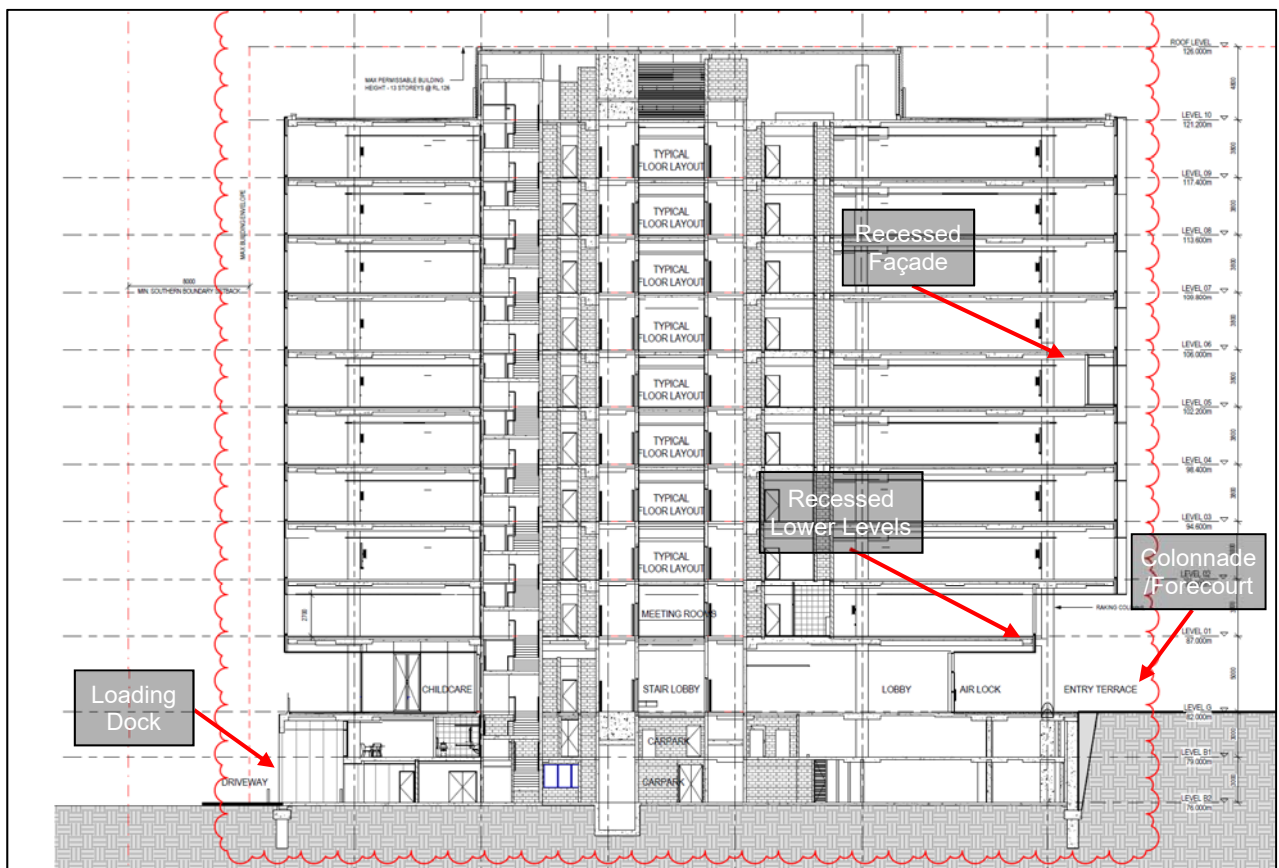


Figure 12: North-south Section (source: Rts – BVN Architects)

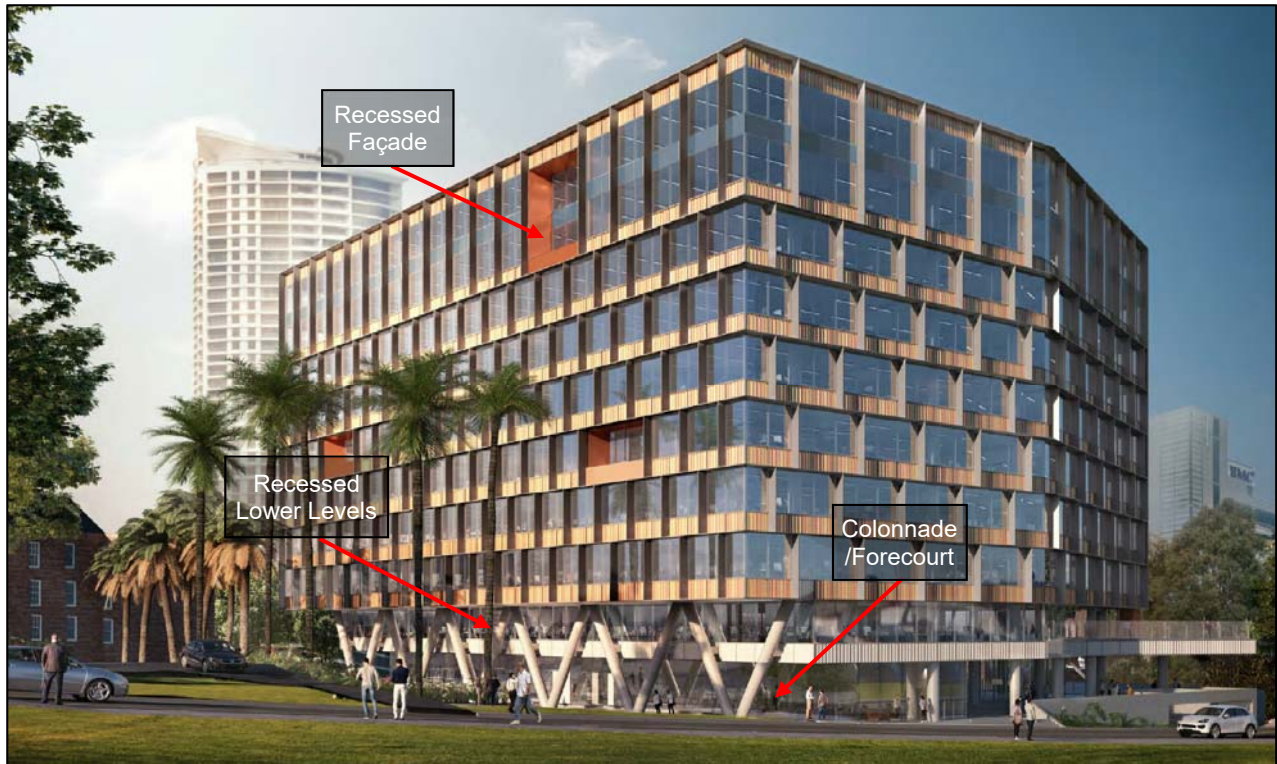


Figure 13: Photomontage looking east from Gore Hill Oval (source: RtS – BVN Architects)

2.2 Project need and justification

The Applicant considers that the development is justified as:

- the proposal is consistent with and promotes the objectives of A Plan for Growing Sydney, which promotes the following priorities for St Leonards:
 - o retain a commercial core for long term employment growth
 - o provide capacity for additional mixed use development including offices, health services and housing
 - o support health related land uses and infrastructure around RNSH
 - o investigate potential future employment and housing opportunities associated with the future Sydney Metro Crows Nest Station at St Leonards/Crows Nest
- the proposal's consistency with A Plan for Growing Sydney is further supported by the Greater Sydney Commission's North District Plan that priorities leveraging investment of major transport investment to encourage economic growth
- the proposal represents significant Government infrastructure investment which will relocate professional, clerical and health related jobs close to major public transport infrastructure and therefore help to fulfil this critical strategic Government objective
- the proposal will offer public benefits and social services to the community through the consolidation of key NSW Health agencies in a single building
- the proposal will generate approximately 413 construction jobs
- the proposed child care centre will provide care for the children of staff employed by the hospital who live both locally and outside of the LGA
- the flow on impacts of the proposal will provide benefits beyond the one LGA, including the encouragement of health related businesses and jobs
- the significant State investment in the proposal and adjacent infrastructure make the proposed development of State importance.

2.3 Strategic Context

The Department considers that the proposal is appropriate for the site as it is consistent with:

- the *Premier's Priorities, A Metropolis of Three Cities - The Greater Sydney Region Plan* and the priorities and actions of the North District Plan, as the proposal will:

- o contribute to the establishment and strength of the Eastern Economic Corridor
- o strengthen the role RNSH has in its contribution to the success of the St Leonards and Crows Nest Growth Area and Urban Renewal Corridor
- o help rebuild the economy by contributing to the growth of jobs within the district and NSW within the existing St Leonards strategic centre
- o contribute to strong economic development within the St Leonards strategic centre and associated transport gateway
- o improve government services through the consolidation of key NSW Health services and functions in one location
- o improve NSW Health services through the improved operational and functional support provided by the proposed development
- o contribute to the ongoing urban renewal of the surrounding RNSH precinct and St Leonards
- o facilitate the growth and diversification of job opportunities in St Leonards, particularly in health, knowledge and professional services jobs
- the objectives of the SP2 Infrastructure – Hospitals zone of the site under Willoughby Local Environmental Plan 2012, as the proposed development would be a use related to that of the primary *Hospital* land use zone and would not be incompatible with or detract from the provision of hospital infrastructure that has been set out in the approved RNSH concept plan
- it would provide direct investment in the region of approximately \$120.13 million, which would support 413 construction jobs.

3. STATUTORY CONTEXT

3.1. State Significant Development

Section 4.36(3) of the EP&A Act provides that the Minister may, by order published in the Gazette, declare specified development on specified land that is not declared under a State Environmental Planning Policy, to be State significant development, but only if the Minister has obtained and made publicly available advice from the Independent Planning Commission (IPC) about the State or regional planning significance of the development. The power to call-in a proposal operates in addition to the *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP).

On 2 June 2017, the IPC (then known as the Planning Assessment Commission) advised the Minister that the proposed project for a new Health Services Administration Building at RNSH met several criteria for SSD, in particular those relating to strategic context and public benefit, concluding that the project is of State and regional importance.

On 22 September 2017, the Minister for Planning, by order published in the Gazette, declared the development for the purposes of a Health Services Administration Building at RNSH to be State significant development pursuant to section 4.36(3) of the EP&A Act.

3.2. Consent Authority

In accordance with the then Minister for Planning's delegation to determine SSD applications, signed on 11 October 2017, the Executive Director, Priority Projects may determine this application as:

- the relevant Council has not made an objection
- there are less than 25 public submissions in the nature of objection
- a political disclosure statement has not been made.

3.3. Permissibility

Site 4a of Precinct 4 is zoned SP2 Infrastructure – Hospitals under Willoughby Local Environmental Plan 2012 (WLEP). Notwithstanding, the Concept Plan prevails over WLEP and permits the development of “*employment generating land uses and may include residential and temporary accommodation*”. The Precinct is also designated “*commercial*” on the approved Illustrative Master

Plan (as amended). The proposed development is considered to be fully consistent with the uses allowed under the Concept Plan.

3.4. Environmental Planning Instruments

Under section 4.15 of the EP&A Act, the consent authority is required to take into consideration any environmental planning instrument that is of relevance to the development the subject of the development application. The following EPI's apply to the site:

- *State Environmental Planning Policy (State & Regional Development) 2011 (SRD SEPP)*
- *State Environmental Planning Policy (Educational Establishment and Child Care Facilities) 2017 (Education SEPP)*
- *State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)*
- *State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)*
- *Willoughby Local Environmental Plan (WLEP) 2012*
- *Draft Remediation of Land State Environmental Planning Policy (Draft Remediation SEPP)*
- *Draft State Environmental Planning Policy (Environment).*

The Department has undertaken a detailed assessment of these EPIs in **Appendix B** and is satisfied the application is consistent with the requirements of the EPIs.

3.5. Objects of the EP&A Act

The objects of the EP&A Act are the underpinning principles upon which the assessment is conducted. The statutory powers in the EP&A Act (such as the power to grant consent/approval) are to be understood as powers to advance the objects of the legislation, and limits on those powers are set by reference to those objects. Therefore in making an assessment the objects should be considered to the extent they are relevant. A response to the Objects of the EP&A Act is provided at **Table 2**.

Table 2: Response to the objects of section 1.3 of the EP&A Act

Objects of the EP&A Act	Consideration
(a) <i>to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,</i>	The proposed new office building will afford the colocation of NSW Health functions that have a pivotal role in supporting the delivery of the NSW public health system, enabling improved sharing of services and resources that benefits the social and economic welfare of the community. The proposal also makes the efficient use of existing Government owned land within a pre-existing medical campus. Potential impacts on amenity and traffic can be appropriately managed and mitigated.
(b) <i>to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</i>	The proposal incorporates measures to ensure the principles of ecologically sustainable development are delivered within the development (Section 3.6).
(c) <i>promote the orderly and economic use and development of land,</i>	The proposal represents the orderly and economic redevelopment of existing Government land, currently occupied by RNSH, consistent with the approved Concept Plan.
(d) <i>to promote the delivery and maintenance of affordable housing,</i>	The proposal affords the redevelopment of Site 4a in Precinct 4 under the RNSH Concept Plan.
(e) <i>to protect the environment, including the conservation of threatened and other species of native animals and plants,</i>	Works approved under a separate REF will clear the site of all existing buildings, structure and vegetation in preparation for its future redevelopment.

<i>ecological communities and their habitats,</i>	The proposal will not result in further disturbances to sensitive ecological communities. Functional passive landscaping proposed as part of the development will provide for compensatory planting that will help offset the loss of vegetation removed under the approved REF.
<i>(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),</i>	The proposed development provides an improved setback to the adjoining RNSH heritage precinct than that envisaged under the original Concept Plan, ensuring that any potential impacts are further minimised. The proposed forecourt design located within the setback to the heritage precinct will ensure that it remains visually prominent within the wider RNSH campus. The proposal is satisfactorily separated from State heritage item Gore Hill Memorial Cemetery by Gore Hill Oval and Park. The proposed scale and form of the proposal is in keeping with the approved Concept Plan and will not detrimentally impact on the landscape heritage significance of the existing State heritage item.
<i>(g) to promote good design and amenity of the built environment,</i>	The proposal has been designed to minimise potential environmental amenity impacts while maximising its internal amenity and to ensure a development with 'good design' is achieved (Section 5.2).
<i>(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,</i>	The proposal will involve the construction of a new, modern commercial building that incorporates energy and water efficient design initiatives that will minimise the consumption and use of natural resources. The proposal will also be constructed in accordance with the relevant Australian Standards and the National Construction Code (NCC).
<i>(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,</i>	The Department publicly exhibited the proposed development as outlined in Section 4 , which included consultation with Council and other public authorities and consideration of their responses.
<i>(j) to provide increased opportunity for community participation in environmental planning and assessment.</i>	The Department publicly exhibited the application and made the Applicant's Response to Submissions publicly available as outlined in Section 4 which included notifying adjoining landowners, placing a notice in the press and displaying the application on the Department's website and at Council's office.

3.6. Ecologically Sustainable Development

The EP&A Act adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- the precautionary principle
- inter-generational equity
- conservation of biological diversity and ecological integrity
- improved valuation, pricing and incentive mechanisms.

The development proposes ESD initiatives and sustainable measures, including:

- use of water conservation measures, including the installation of water utility meters and development of a water monitoring system, installation of low-flow utilities and water fixtures and installation of an on-site rainwater tank with the intent of reusing collected rainwater
- energy efficiency in the design of the building façade to improve thermal comfort and reduce energy demands required for cooling and heating
- undertaking a 'future proofing' risk assessment to minimise the building's vulnerability to the potential impacts of climate change

- incorporation of sustainable travel measures, including the provision of end-of-trip facilities and bicycle parking
- targeting 90 per cent waste recycling to minimise waste generation during the demolition and construction phase and future operational phase
- use of low embodied energy products and that are low or zero ozone depleting.

The Department has considered the proposed development 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 proposed development. The proposed development is consistent with ESD principles as described in Section 9.3 of the Applicant's EIS, which has been prepared in accordance with the requirements of Schedule 2 of the Regulation.

The Department has recommended a condition that the details of the final ESD initiatives implemented be submitted to the satisfaction of the Certifying Authority prior to commencement of works.

3.7. Environmental Planning and Assessment Regulation 2000

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

3.8. Secretary's Environmental Assessment Requirements

On 22 November 2017, the Department notified the Applicant of the Secretary's Environmental Assessment Requirements (SEARs) for the SSD application. The Department is satisfied the EIS adequately addresses compliance with the SEARs to enable the assessment and determination of the application.

4. CONSULTATION AND SUBMISSIONS

4.1. Exhibition

In accordance with Schedule 1 of the EP&A Act, the Department publicly exhibited the application from Thursday 15 February 2018 until Friday 16 March 2018 (30 days). The application was exhibited on the Department's website, at the NSW Service Centre and at Council's office.

The Department placed a public exhibition notice in the Sydney Morning Herald, Daily Telegraph and Northern District Times on Wednesday 14 February 2018, and notified adjoining landholders and relevant State and local government authorities in writing.

The Department received a total of 15 submissions, comprising eight submissions from public authorities and seven submissions from the public (three objections), which included two submissions from organisations. A summary of the issues raised in the submissions is provided at **Tables 3** and **4** below and copies of the submissions may be viewed at **Appendix A**.

The Department has considered the comments raised in the public authority, public and organisation submissions during the assessment of the application (**Section 5**) and/or by way of recommended conditions in the instrument of consent at **Appendix C**.

4.1.1. Public Authority submissions

Table 3: Summary of public authority submissions to the EIS exhibition

Willoughby City Council (Council)
Council did not object to the proposal, however it provided comments in relation to: • the suitability of the site for the proposal given the increasing residential and commercial densities within the locality and regional importance of RNSH and strategic importance of RNSH land

- consideration of any impacts on Gore Hill Oval and Park, including: - visual impacts - solar access impacts - whether proposed landscaping positively contributes to the Gore Hill Oval and Park landscaping - the importance of ongoing communication between Council and the Applicant to minimise impacts on Reserve Road and hospital access during planned Council upgrade works to Gore Hill Oval and Park. Council also provided the following comments not directly relevant to the proposal: - concern is raised with the use of RNSH for non-clinical purposes not directly related to the functioning of RNSH and potential long-term implications to meet the future regional health needs - if the Precinct 7 Pocket Park is proposed to be deleted, then strong objection is raised - no objection is raised to the location of temporary accommodation on Site 4b.
Transport for NSW (TfNSW)
TfNSW did not object to the proposal and recommended the Applicant prepare: - a Construction and Pedestrian Traffic Management Plan (CPTMP) for endorsement of TfNSW's Sydney Coordination Office that considers the potential impacts of the proposal on the implementation of the Epping to Chatswood Railway Temporary Transport Plan - a detailed Green Travel Plan (GTP) in accordance with the objectives and strategies in the Applicant's Traffic and Accessibility Report and in consultation with Council.
Roads and Maritime Services (RMS)
RMS did not object to the proposal and requested the Applicant address the following: - trip generation rates should be calculated as per the GFA not the reduced parking provisions - traffic modelling should consider cumulative traffic impact from other proposed developments - SIDRA modelling will be required that includes existing base model, future (with 10 years growth) and future base with the proposal.
Environment Protection Authority (EPA)
EPA did not object to the proposal and provided comments in relation to: - the requirement for the Applicant to undertake further site contamination investigations following the demolition of existing buildings and structures and that an unexpected finds procedure be developed prior to the commencement of work - providing confirmation that the existing on-site diesel fuel tank, and associated supply lines, are not located underground or, where any part is located underground, a validation report is provided following its removal - the requirement for the Applicant to undertake and obtain valid background noise monitoring data not affected by adverse meteorological conditions and measured at the most affected or potentially most affected residence. The EPA also provided recommended conditions in relation to hours of work, the adoption of respite periods from annoying and/or intrusive construction activities, site practices dust and sediment control measures, waste control and management measures and operational noise management, should the application be supported.
Office of Environment and Heritage (OEH)
OEH did not object to the proposal, however it provided comments in relation to: - the impact of blockages of the pipe system should be considered in the detailed design stage and during the preparation of the site's Emergency Response Plan (ERP) in consultation with Council and the State Emergency Service - compliance with Council's flood related planning controls should be addressed taking into consideration pipe blockages and climate change sensitivity analysis.
Heritage Division, OEH (Heritage Division)
The Heritage Division did not object to the proposal. Recommended conditions were provided should the application be supported.
Civil Aviation Safety Authority (CASA)
CASA did not object to the proposal and advised that the building height will be below the Obstacle Limitation Surface (OLS) for Sydney Airport and therefore did not require assessment. CASA advised further that any construction cranes that penetrate the OLS should be referred for assessment.

Airservices Australia
Airservices Australia did not object to the proposal and advised that the proposed height of the new building will not affect approach or departure procedures at Sydney Airport.

4.1.2. Public submissions

Table 4: Summary of issues raised in public submissions

Issue
Construction noise and dust impacts.
Contributing to the ongoing maintenance costs of Herbert Street Pedestrian Bridge, currently the responsibility of members of the Plaza Deed of the Forum West strata plan, due to increased pedestrian movements generated by RNSH.
View loss impacts on Herbert Street residential apartments.
Adoption of standard Saturday hours of work to ensure weekend amenity is maintained for surrounding residents.
Implementation of recommended operational noise mitigation and attenuation measures.
Ensure that the roof structure is sympathetically designed to provide an aesthetic outlook to nearby residential apartments, including the incorporation of acoustic screens on the east and south side of the roof plant area.
Ensure that vehicle access to the development be from Reserve Road.
Upgrade of the existing uncontrolled Herbert Street pedestrian crossing to a signalised intersection or relocated further north towards the intersection of Westbourne Road.
Request that the southern adjoining commercial property owner be consulted in relation to future redevelopment proposals to capitalise on opportunities to improve integration between site, particularly pedestrian links, ground level uses and public domain works.

4.2. Response to Submissions

Following the exhibition of the application the Department placed copies of all submissions received on its website and requested the Applicant provide a response to the issues raised in the submissions.

On 16 May 2018, the Applicant provided a Response to Submissions (RtS) (**Appendix A**) on the issues raised during the exhibition of the proposal. The RtS contained additional information (including revised technical reports) and responses to the matters raised, including built form and urban design, view loss, noise impacts, construction and operational amenity and traffic impacts and flooding. The RtS also proposed the following minor design amendments in response to the issues raised:

- amended subdivision plan, detailing lots clear of existing buildings and structures
- construction of a suspended ramp link to existing Herbert Street Pedestrian Bridge
- amendments to Reserve Road landscape planter to include new steps to provide improved access to northern colonnade
- western end of ground floor lobby setback under Level 1 to provide larger external public space
- amendments to western wall of proposed child care facility terrace
- design and materiality amendments to the building façades
- minor amendments to the design and layout of basement levels, including column design, stair location and alignment, loading dock ramp levels, end-of-trip facilities, and infrastructure/utilities design requirements.

The RtS was made publicly available on the Department website and was referred to the relevant public authorities. An additional five submissions were received from public authorities, including Council, TfNSW, EPA, OEH and RMS. A summary of the issues raised in the submissions is provided at **Table 5** and copies of the submissions may be viewed at **Appendix A**.

Table 5: Summary of public authority submissions to the RtS

Council
Council restated its comments in relation to the use of RNSH for non-clinical health purposes, the potential loss of open space associated with the Precinct 7 Pocket Park and its support for the development of Site 4b for the purpose of temporary residential accommodation. Council raised additional concerns regarding impacts when viewed from and the relationship of the proposal to Gore Hill Oval and Park with respect to limited amount of landscaping proposed along the Reserve Road site boundary of the site.
TfNSW
TfNSW noted that the Applicant has accepted its recommended conditions relating to traffic management and green travel plans and advises that it has no further comments.
EPA
The EPA reaffirmed its previous comments in relation to: - the need for the management of construction phase impacts and implementation of standard construction hours - its operational noise recommendations for mechanical plant and equipment - time restrictions for waste collection and ground maintenance activities - its recommendations for any proposed underground petroleum storage system.
OEH
OEH acknowledged the submission of additional flooding information in the RtS that addresses its original concerns regarding blockage scenarios, however it was recommended that potential flooding impacts be further addressed via the preparation of an Emergency Response Plan in consultation with Council and the State Emergency Service.
RMS
RMS noted the Applicant's response and provided the comments for consideration in relation to: - a work place travel plan should be implemented for the hospital and each major tenant to encourage and promote public transport - modelling shows potential vehicle queuing in Reserve Road and measures should be considered to minimise potential impacts to traffic in Reserve Road and the intersection with the Pacific Highway - all vehicles to enter and leave the site in a forward direction.

In response to submissions to the RtS and the Department's request for further review of potential view loss impacts and clarification of future refurbishment works to the existing Herbert Street Pedestrian Bridge, the Applicant provided an RtS Addendum on 20 June 2018. The RtS Addendum provides further responses to the comments provided in public authority RtS submissions.

5. ASSESSMENT

5.1 Section 4.15(1) matters for consideration

Table 6 identifies the matters for consideration under section 4.15 of the EP&A Act that apply to SSD in accordance with section 4.40 of the EP&A Act. The table represents a summary for which additional information and consideration is provided for in **Section 5** (key and other issues) and relevant appendices or other sections of this report and EIS, referenced in the table.

Table 6: Section 4.15(1) Matters for Consideration

Section 4.15(1) Evaluation	Consideration
(a)(i) any environmental planning instrument	Satisfactorily complies. The Department's consideration of the relevant EPIs is provided in Appendix B of this report.
(a)(ii) any proposed instrument	Not applicable.
(a)(iii) any development control plan	Under clause 11 of the SRD SEPP, development control plans (DCPs) do not apply to SSD. Notwithstanding, consideration has been given to relevant DCPs at Appendix B .

(a)(iia) any planning agreement	Not applicable.
(a)(iv) the regulations <i>Refer Division 8 of the EP&A Regulation</i>	The application satisfactorily meets the relevant requirements of the EP&A Regulation, including the procedures relating to applications (Part 6 of the EP&A Regulation), public participation procedures for SSD and Schedule 2 of the EP&A Regulation relating to EIS.
(a)(v) any coastal zone management plan	Not applicable.
(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,	Appropriately mitigated or conditioned - refer to Section 5 of this report.
(c) the suitability of the site for the development	The site is suitable for the development as discussed in Sections 3 and 5 of this report.
(d) any submissions	Consideration has been given to the submissions received during the exhibition period. See Sections 4 and 5 of this report.
(e) the public interest	Refer to Section 5 of this report.
Biodiversity values impact assessment not required if: (a) On biodiversity certified land (b) Biobanking Statement exists	The proposed development does not involve the removal of any vegetation and will therefore not have an impact on any biodiversity values.
The likely impact of the proposed development on biodiversity values as assessed in the biodiversity development assessment report. (Section 7.14 of the Biodiversity Conservation Act 2016)	A waiver was granted to the Applicant on 19 January 2018 under section 7.9 of the Biodiversity Conservation Act 2016 by the Department and OEH. The waiver confirms that the development is not likely to have any significant impact on biodiversity values and that biodiversity assessment report was not required to accompany the subject application.

5.2 Key assessment issues

The Department has considered the EIS, the issues raised in submissions and the RtS and RtS Addendum in its assessment of the proposal. The Department considers the key issues associated with the proposal are:

- Concept Plan consistency
- built form
- public domain and landscaping
- traffic and transport.

Each of these issues are discussed in the following sections of this report. Other issues were taken into consideration during the assessment of the application and are discussed at **Section 5.3**.

5.2.1 Concept Plan consistency

The proposal seeks development consent for the construction of a new, 10 storey commercial office building with a two-level basement carpark (comprising a total GFA of 30,977 sqm) that will house the administrative and ancillary functions of NSW Health. Ancillary works in Precinct 4 are also proposed, including the construction of a new pedestrian linkage from Reserve Road through to the existing Herbert Street Pedestrian Bridge and ancillary landscaping works.

Consideration of the proposal's consistency with the approved Concept Plan (as amended) is provided below in **Table 7**.

Table 7: Concept Plan Consistency Review

Modifications of Approval	Approval/Requirement	Department Comment
M1 Terms of Approval		
M1.1(a)	Subdivision of the site into hospital precincts and other development precincts.	Precinct 4 is proposed to be subdivided from the existing RNSH campus. Proposed Lot 41 is not inconsistent with the site area of Precinct 4 as shown on the Concept Plan.
M1.1(c)	Maximum GFA of 178,370 sqm in Precincts 3, 4, 5, 6 and 7.	Approval is sought for a total GFA of 30,977 sqm in Precinct 4, which in combination with the other precincts, will not exceed the campus GFA cap in the Concept Plan.
M1.1(d)	Maximum GFA of 46,345 sqm in Precinct 4.	A total GFA of 30,977 sqm is proposed within Site 4a of Precinct 4, which is allowed under the Concept Plan. The Applicant understands that the proposal will reduce the available GFA to the remaining undeveloped portion of the precinct (i.e. Site 4b).
M1.1(e)(v)	Minimum 15,000 sqm of temporary accommodation GFA in Precincts 4 and 5, including a minimum GFA of 7,500 sqm of temporary accommodation GFA in Precinct 4.	No temporary accommodation is proposed as part of the proposal. It is noted that greater than 7,500 sqm of GFA is still allowed under the Concept Plan within Site 4b of Precinct 4, meaning that this element of the Concept Plan can still be satisfactorily accommodated.
M1.1(e)(vi)	A minimum 77,500 sqm of employment generating land uses.	The GFA proposed contributes to the minimum employment generating land use required in accordance with the Concept Plan.
M1.1(f)(ii)	Precinct 4 shall be developed for employment generating land uses and may include residential and temporary accommodation.	The proposed functions identified within the proposed Health Services Administration Building are consistent with the Concept Plan.
M1.1(g)/(h)/(j)/(k)/(l)	Approval for: conceptual road design	No roads are proposed as part of this application; however, an at-grade pedestrian linkage is proposed between Reserve Road and the Herbert Street Pedestrian Bridge, generally along the alignment of Yellow Road. Yellow Road is identified under the Concept Plan as a future shared way that provides 'left-out' vehicle movements onto Herbert Street. The establishment of Yellow Road is reliant on the development of Concept Plan Precincts 3 and 5 to allow for the ultimate connection through to Herbert Street. However, no development is proposed in these precincts as part of this application. The proposed terraced landscaped areas adjacent to the proposed forecourt ensures that the provision of this connection can still be established when required. In addition, the proposed pedestrian connection through to the Herbert Street Pedestrian Bridge ensures that improved pedestrian connections through the precinct are established at this early stage, proceeding any development of Precincts 3 or 5.
	urban design and landscape design concepts	The proposed urban design and landscape scheme is consistent with the approved Concept Plan and will deliver a large, landscaped forecourt area in front of the main building entrance.

Modifications of Approval	Approval/Requirement	Department Comment
	maximum building envelope heights	The footprint and maximum building height of the proposal is consistent with the approved Concept Plan.
	car parking provision	A total of 115 car parking spaces are proposed satisfying the maximum parking requirements outlined in the Concept Plan.
	improved amenities and services	The proposal is not inconsistent with the Concept Plan, noting that the proposal will provide a large public forecourt and provision for a 902 sqm, 100-place child care facility. No open space is identified under the Concept Plan for dedication within Site 4a.
	staged reopening of Westbourne Street.	No reopening of Westbourne Street is proposed as part of this proposal.
M5 Future Applications		
M5.2(a)(ii)/(iii)	Subsequent applications must consider: (ii) electromagnetic radiation impacts on human health and safety (iii) impacts of electromagnetic interference on electrical equipment and goods.	In accordance with the Concept Plan, an Electromagnetic Analysis Report has been submitted as part of this application that considers the impacts of electromagnetic radiation on health and safety. Maximum exposure levels are predicated to be less than five per cent of the public's reference level. The report concludes that as the proposal is the furthest building from the existing transmission tower, minimal exposure to electromagnetic radiation is anticipated.
M6 Planning Agreements		
M6.1/6.2	A legally binding agreement between the Proponent of non-hospital related development and Council/RMS shall be prepared and executed prior to or concurrent with lodgement of any application for development (excluding hospital development) unless otherwise determined by the Secretary. The agreement may include a combination of financial contributions in the order of \$3.5 million, works in kind and dedication of certain public open space and road infrastructure.	The Department notes the Applicant's position that this condition does not apply on grounds that the subject application is related to the existing hospital and health care generally. It is also noted that the Applicant proposes to contribute to the provision of infrastructure and services through the payment of a section 7.12 contribution levy to Council. Council's Section 94A Contribution Plan 2011 requires a 1% contribution for development with a cost value over \$200,000. The proposed development has a total CIV of \$120.13 million, generating a s.94A contribution of approximately \$1.2 million. The Department is satisfied that the proposal is 'hospital-related' and has therefore recommended that a condition of consent be imposed requiring the payment of a section 94A contribution to Council in accordance with the relevant contributions plan.
M7 Building Height		
M7.1	Maximum height of the envelope in Site 4a must be no greater than 13 storeys or RL 126, whichever is the lessor, and setback a minimum eight metres from the southern boundary.	The proposed 10 storey building has a maximum RL of 126, including plant. The proposal incorporates elements within the façade design and materials and finishes to ensure that the articulation and modulation is provided. The proposed building will also be setback between eight to 10 metres from the southern boundary to ensure relief between the adjoining site at 207 Pacific Highway is achieved.

Modifications of Approval	Approval/Requirement	Department Comment
	Future built form must also comprise articulation and modulation that provides a satisfactory urban design response.	These matters are considered in further detail below. The Department therefore considers that the proposal is consistent with the approved Concept Plan.
M8 Setbacks, Streetscape and Building Separation		
M8.3	Development must achieve the following urban design outcomes and principles: - transition between public and private space - activation of the ground level streetscape - articulation and modulation of building façades - increase building separation in proportion to building height - creation of secondary upper levels setbacks - minimisation of overshadowing into the streetscape - provision of street landscape character - any matters required by the Secretary.	The proposal provides for a large public forecourt area along its northern elevation to ensure that appropriate setbacks are provided to the heritage Precinct 3 to the north. The ground level of the building has been recessed beneath the upper levels, creating a colonnade along the associated forecourt area. Ground level retail/café uses are proposed that will help activate the space. As noted above, the design of the built form incorporates articulation and modulation in the façade through the use of varied building materials and colours. The south-western corner of the building is chamfered and recessed balconies within the northern elevation add interest and modulation. Additional overshadowing would be generated by the proposal primarily during the September Equinox and Winter Solstice, with impacts limited to the south-eastern corner of Gore Hill Oval and the northern elevations of 207 Pacific Highway. The impacts are considered acceptable in the context of the proposal, noting it complies with the maximum height and GFA permitted under the Concept Plan. Further, no additional overshadowing to the Gore Hill Oval playing surface is predicted. The design of the entry to the northern forecourt was amended as part of the RtS to improve accessibility from Reserve Road. The amendments have reduced the ability for a street landscaped character to be established as originally proposed. While some landscaping is proposed, the Department recommends a condition of consent requiring a modification of the design to allow for two more mature street trees to be established.
M9 Public Transportation Provisions		
M9.1	The Proponent shall seek to enter into an agreement with RMS and TfNSW to facilitate the provision of adequate transport services and public transport improvements.	The Applicant's EIS and supporting Traffic Accessibility Report and RtS responses advise that adequate public transport capacity exists in the existing network to cater for the demand generated. Comments received from TfNSW and RMS raised no objections regarding the ability of existing transport infrastructure accommodating the demand generated by the proposal. The Department is satisfied the intent of this requirement has been met and therefore considers the proposal is not inconsistent with the Concept Plan.
M10 Traffic and Transport		
M10.1	Transport, traffic and accessibility study and traffic management plan to be	The Applicant's EIS was supported by a Traffic Accessibility Report and further technical responses

Modifications of Approval	Approval/Requirement	Department Comment
	submitted with each application for built form.	within the submitted RtS. Further consideration of traffic and transport is provided in Section 5.2.4 below.
M11 Pedestrian and Cycling Strategy		
M11.1	The Proponent shall prepare an implement a site-wide pedestrian and cycling strategy.	The proposal is to be developed in isolation of the wider precinct, noting that the majority of RNSH's development scope has been completed. Notwithstanding, the forecourt and associated pedestrian linkage between Reserve Road and the Herbert Street Pedestrian Bridge align with the public linkages identified as part the Concept Plan. The undeveloped nature of adjoining Precincts 3 and 5 restrict the ability for the Concept Plan site-wide strategy from being implemented in full. The Department acknowledges the proposal will provide a significant amount of bicycle parking as well as high quality end-of-trip facilities. The Applicant has also prepared a Framework Travel Plan that provides the framework for the establishment of a future Green Travel Plan. The provision of this infrastructure as part of the development and the establishment of the proposed pedestrian linkage will encourage increased sustainable journeys to work and reduced reliance on private vehicle trips. Comments provided by TfNSW have recommended the implementation of conditions of consent requiring the preparation and implementation of a Green Travel Plan, that would seek to integrate the sustainable transport measures proposed as part of this application. The Department is satisfied that the measures proposed to encourage sustainable transport measures satisfy the intent of the Statement of Commitment given the proposed development of the site in isolation of the wider RNSH campus.
M12 Heritage and Conservation		
M12.5	All subsequent applications for development shall be accompanied by a landscape plan identifying significant landscaping features and future management arrangements.	The proposal is supported by the submission of a landscape plan in accordance with the Concept Plan.
M12.6	Appropriate planting should be provided to buffer proposed development from adjacent sites where necessary and appropriate (e.g. Gore Hill Memorial Cemetery).	Appropriate landscape planting is proposed to establish a green buffer to adjoining areas. As noted above, the Department has recommended a condition of consent that requires an amendment to the design of the forecourt/Reserve Road interface to enable the establishment of additional street tree planting.
M12.7	Applications for development in Precinct 4 must be accompanied by a Heritage Impact Statement that addresses the significance	The proposal is supported by a Heritage Impact Statement which concludes the proposal will not have a detrimental impact on the significance of the adjoining heritage precinct (Precinct 3).

Modifications of Approval	Approval/Requirement	Department Comment
	of, and provides and assessment of the impact on the heritage significant of heritage items on the site and in the vicinity.	The Department notes no concerns were raised by Council or the Heritage Office on heritage grounds. The Department is satisfied the proposal is consistent with the Concept Plan.
M13 Development Staging		
M13.1	A development staging programme outlining the implementation of the Concept Plan must be submitted and approved by the Secretary.	The Concept Plan identifies Site 4a as being the third stage (being Stage C) after the development of the hospital. The Department notes the indicative staging provided in the Concept Plan has not been followed and the proposal effectively constitutes the second last stage. The final stage is identified as constituting Precinct 3 (Heritage Precinct), Precinct 5 and Site 4b of Precinct 4. The Applicant has not indicated its intentions regarding the development of the remaining precincts. However, any development would be subject to a separate development application and thorough assessment process.
M15 Herbert Street Pedestrian Overbridge		
M15.1	The visual appearance of Herbert Street Pedestrian Bridge shall be improved to achieve a desirable urban design outcome as part of the proposal to realign and refurbish the bridge.	The proposal includes a pedestrian link from Reserve Road through to the Herbert Street Pedestrian Bridge. Some works are also proposed to ensure a suitable connection between the path and pedestrian bridge are made. The Applicant argues that the intent of its original Statement of Commitment made under the Concept Plan to realign and refurbish the pedestrian bridge as part of any development within Precinct 4 has been satisfied by the proposed new pedestrian linkage on the basis that the Concept Plan intended the future development of Site 4b adjacent to accommodate the new pedestrian bridge alignment. Noting that no development is proposed on Site 4b, the Department agrees that any substantial works to the pedestrian bridge under this proposal would be made redundant at the time that Site 4b is developed. This would also be the appropriate time where matters concerning the use and maintenance of the pedestrian bridge should be resolved. The Department is therefore satisfied that the proposal is not inconsistent with the intent of the Concept Plan.

In view of the above, the Department is satisfied the proposal is consistent with the Concept Plan.

5.2.2 Built form

The proposed Health Services Administration Building will be 10 storeys in height (plus one level of rooftop plant) with a maximum building height of 44 metres to the top the plant (RL 126), complying with the maximum building height permitted under the Concept Plan (RL 126). The new building will have a total GFA of 30,997 sqm, comprising:

- 28,615 sqm of health-related uses
- 241 sqm café
- 902 sqm child care facility
- 561 sqm basement carpark

- 658 sqm lobby area.

Built form and scale

Concerns were raised by Council regarding the visual impact of any building on Site 4a on Gore Hill Oval and Park and associated overshadowing impacts. The Government Architect NSW (GA) also commented that the proposal was over-scaled, that setbacks should be provided and the floor plates reduced above Level 3, and that the façade articulation and detailing should be reviewed to minimise the impact of scale.

The Department notes that the proposed distribution and scale of built form is consistent with the building footprint and envelope approved under MOD 7 to the Concept Plan. Further, the visual bulk and scale of the proposal on its western elevation is also consistent with the original Concept Plan (pre-MOD 7 amendments), as illustrated in **Figure 14**. The relationship of the proposal when viewed from this elevation has not been amended.

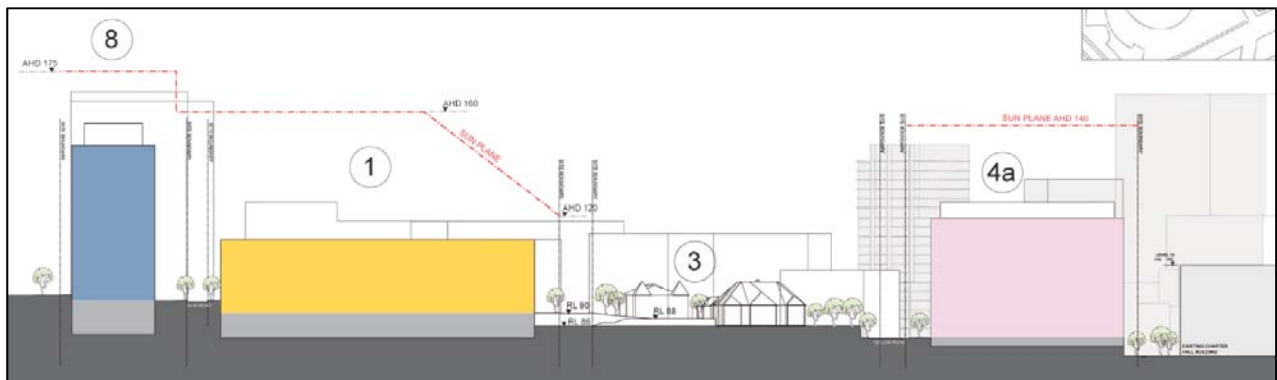


Figure 14: Western Elevation Hospital Campus Cross-section (source: MP 06_0051 Preferred Project Report)

The Applicant advises that the proposed pentagonal shaped building has been designed to incorporate:

- a two storey colonnade, designed with a 'V' column structure to provide sculptural qualities, which relates to the scale of the colonnade of the adjoining heritage significant Vanderfield Building
- deep sun-shade elements to add depth and articulation to the northern and western façades
- a public domain forecourt and northern landscaped garden forecourt to create a public interface between the main building entry and adjoining heritage precinct
- an open western interface to Reserve Road from footpath to colonnade
- reuse of the existing Reserve Road vehicle access point and site access road for the proposed loading dock access
- large floor plates to facilitate opportunities for a modern flexible workplace, which can be divided up into multiple tenancies.

The façade design and treatment revisions presented by the Applicant in its RtS proposes the use of vertical and horizontal cladding and shading elements to create additional articulation within the building façades, with the materials selection having regard to the surrounding environment to create a sympathetic design response. The GA responded that these proposed façade changes provided clear improvements to the design. The roof top mechanical plant will also be surrounded by acoustic screening (see **Figures 10 and 11**), as requested in public submissions.

The Department is satisfied that the proposed massing and scale of the proposal is consistent with the Concept Plan and is considered to respond positively to the existing environment and site constraints. The siting of the proposal has minimised its impacts on the existing natural and built environment as practically as possible, while also creating a well-defined street edge along Reserve Road that defines the entrance to the RNSH precinct. The use of the double height

colonnade and recessed north-western corner of the ground level and Level 1 provides an improved view corridor to the adjoining Precinct 3 heritage precinct.

Overshadowing

The change in character and scale of the built form on Site 4a will result in the proposal generating additional overshadowing impacts on adjoining sites (see **Figure 15**). Consistent with the requirements of the Concept Plan, the proposal will not result in any additional overshadowing of the Gore Hill Oval playing surface between 10 am and 2 pm, however some additional shadowing would be generated in the morning throughout the year, with the greatest impacts at 9 am during the winter solstice.

Works currently being undertaken by Council to realign the existing playing surface from its current north–south alignment to a north-eastern–south-western alignment. The realignment will further setback the playing surface from the south–eastern corner of the existing Gore Hill Oval site, further minimising potential overshadowing impacts on the playing surface.

The proposal will also generate overshadowing impacts on 207 Pacific Highway adjacent to the south, with the western building affected the greatest from noon in the winter solstice and in the afternoon during the September equinox. No additional overshadowing impacts outside of these identified periods are predicted.

As noted above, the siting and proposed bulk and scale of the new Health Services Administration Building is consistent with building footprint and envelope endorsed under the Concept Plan and remains consistent with the Gore Hill Sun Access Plane proposed under the original Concept Plan.

Due to the proximity of the two existing commercial buildings at 207 Pacific Highway to Precinct 4, some overshadowing impacts would be inevitable (particularly to the western-most building). The predicted impacts are limited to the rear (northern) facades and surrounds of the commercial buildings, including the existing pedestrian pathway from Herbert Street to Reserve Road. This area of passive open space will still receive sunlight, however, during lunch hours (12-2 pm) at all times of the year, when it is likely to be used the most. The existing arcade between the two commercial buildings will also continue to receive sunlight during lunch hours. In its letter of support for the proposed development, the owners of 207 Pacific Highway did not raise any overshadowing concerns. No impacts will occur on any habitable rooms within dwellings in the surrounding locality.

In view of the above, the Department is satisfied that the overshadowing impacts generated by the proposal are acceptable and will not adversely impact on the amenity of surrounding land uses.



Figure 15: Shadow Diagrams – Summer and Winter Solstice and September Equinox (source: Applicants EIS – BVN Architects)

View Impacts

View impact concerns were raised in three public submissions from residents living in nearby residential flat buildings on Herbert Street (No.9 Herbert Street, No.13 Herbert Street and the Forum West Apartment Complex) (see **Figure 16**), stating that the proposal would block/impact on views currently enjoyed of the harbour. It was also requested that any roof structures be sympathetically designed to provide an aesthetic outlook. Council also requested that consideration be given to potential visual impacts from Gore Hill Oval and Park.

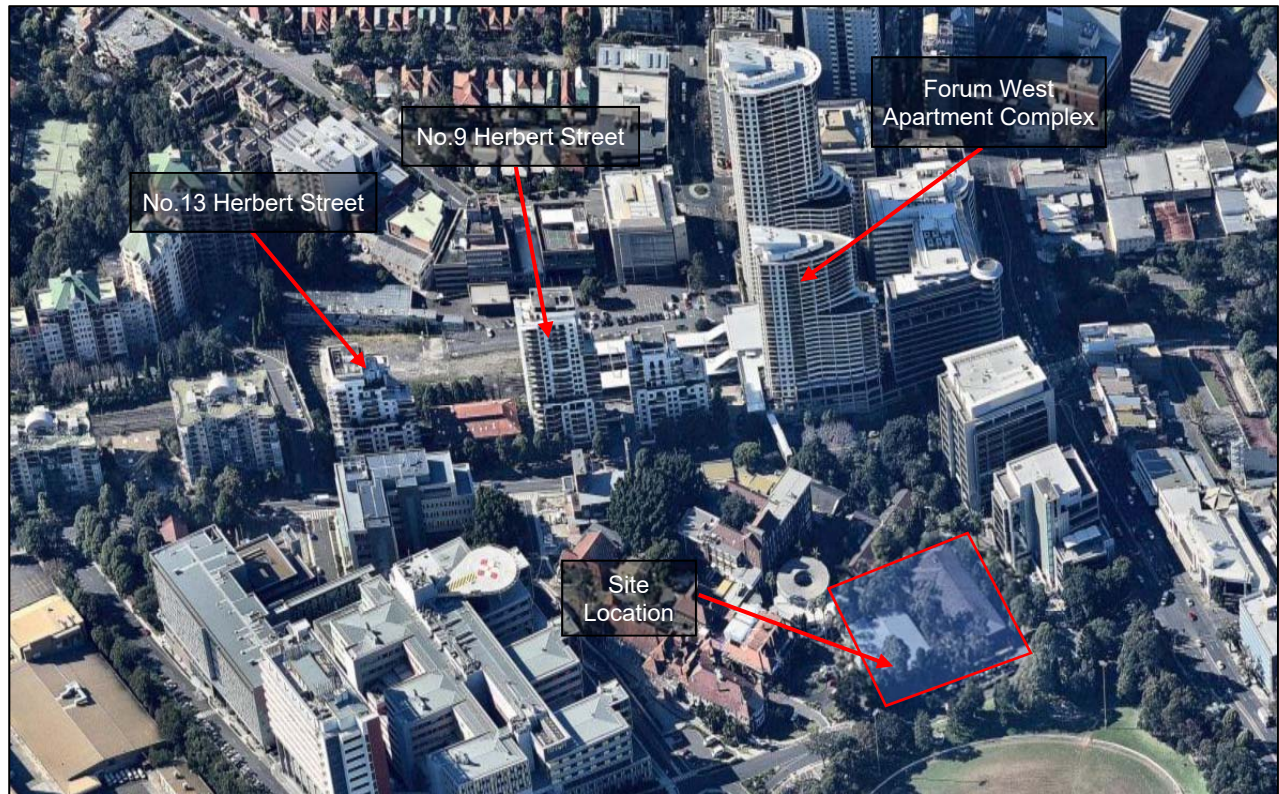


Figure 16: Western Elevation Cross-section (source: www.nearmap.com)

Views potentially impacted by the proposal are orientated to the west and south-west across the site and classified as district views, with glimpses of Lane Cove River water views around Longueville and Hunters Hill. No iconic landmarks are located within these areas. Views would be experienced from balconies and rooms off these balconies (i.e. bedrooms or living rooms), located on the front, western elevation of these residential flat buildings.

As detailed in the Applicant's view analysis submitted with its Addendum RtS, the severity of potential impact is relative to the residential unit's height above existing ground level, with water views improving above approximately RL 126. Views from levels beneath this height are already restricted, particularly water views to the south-west, due to existing built form within the immediate precinct (i.e. 207 Pacific Highway). Lower level views are orientated more to the west and dominated by existing tree canopies and distant skyline (see **Figures 17 and 18**).

The extent of potential view impact is minimal for existing residential units located at or below RL 126. The existing glimpse of Lane Cove River water views from the Forum Residential Apartment Complex would be generally maintained, though the existing district tree canopy/skyline views would be obscured. The latter is not considered to be a landmark view and existing tree canopy/skyline views would still be enjoyed.

Views from residential units in Nos. 9 and 13 Herbert Street may be partially impacted, however this would be limited to more acute angled views to the south-southwest and these units would still enjoy south-westerly views along the northern elevation of the proposal.



EXISTING VIEW FROM LEVEL 11, 3 HERBERT STREET (NORTHERN APARTMENT) PROPOSED VIEW FROM LEVEL 11, 3 HERBERT STREET (NORTHERN APARTMENT)

Figure 17: View Impact Analysis – Before (left) and after view (right) from Level 11, 3 Herbert Street (source: Applicant's Addendum RtS)



EXISTING VIEW FROM LEVEL 21, 3 HERBERT STREET (SOUTHERN APARTMENT) PROPOSED VIEW FROM LEVEL 21, 3 HERBERT STREET (SOUTHERN APARTMENT)

Figure 18: View Impact Analysis – Before (left) and after (right) view from Level 21, 3 Herbert Street (source: Applicant's Addendum RtS)

Above this height, the proposal is no longer an obstruction to the existing district views or distant Lane Cover River water views. The external cladding design on the eastern elevation continues through to the rooftop plant level, ensuring the mechanical plant and equipment is integrated into the design of the built form. This will ensure that potential visual impacts associated with the rooftop plant when viewed from surrounding localities is minimised.

Potential visual impacts of the proposal on Gore Hill Oval and Park were also considered further by the Applicant in its RtS, acknowledging that the proposal's western elevation would be visible from various points around the existing open space precinct. The Applicant further advises in its Addendum RtS (see **Figure 19**) that the proposed scale and form of the Health Services Administration Building will sit within the existing built environment established by 207 Pacific Highway and 3 Herbert Street residential apartment complex.



Figure 19: View Impact Analysis – Before (left) and after (right) view from Gore Hill Oval (easterly view) (source: Applicant's Addendum RtS)

The Applicant further details that the proposed revised façade treatments to improve the materiality and finish of the building's western elevation to the park provides greater articulation and adds variation and interest improving the proposal's outlook.

The Department notes that the height, mass and GFA of the proposal is compliant with the relevant controls under the Concept Plan and that the north–south orientation of the building envelopes originally approved under the Concept Plan (pre-MOD 7 amendments) would have resulted in a similar impact to that currently proposed.

The Department is therefore satisfied that the proposed siting and mass of the new Health Services Administration Building does not adversely impact on any existing high value views and continues to allow local district views.

It should also be noted that the Site 4b building envelope endorsed under the Concept Plan, and located opposite the existing residential flat building, has a much higher potential built form to that permitted on Site 4a (i.e. up to RL 140). Realisation of the development potential of this site would have far greater impacts on views.

The Department considers the proposed built form and massing is acceptable and appropriate for the following reasons:

- the proposed building is consistent in scale and form approved under the Concept Plan
- the design and layout provides large, flexible building floorplates
- the design has regard for best practice ESD as outlined in **Section 3.6** of this report
- the design responds to the future context of the campus, creating a well-defined street edge along Reserve Road and providing an appropriate setback and building separation to the adjoining heritage significant Precinct 3
- the proposal will not result in an adverse impact on the environment or amenity of the surrounding area and will not overshadow significant areas of open space or public domain.

5.2.3 Public domain and landscaping

The proposal includes a large public domain and terraced landscaped area along the northern elevation of the new Health Services Administration Building to create a new landscaped court between the proposal and heritage significant Precinct 3 to the north. The landscaped terrace is proposed to be embellished with turf, dense tree and shrub plantings, with pedestrian connections through to Precinct 3 to the north (see **Figures 20** and **21**). Pedestrian access for building occupants is also proposed directly from Reserve Road for active transport users (i.e. cyclists, walkers and runners), that links with the end-of-trip facilities within Basement Level 1.

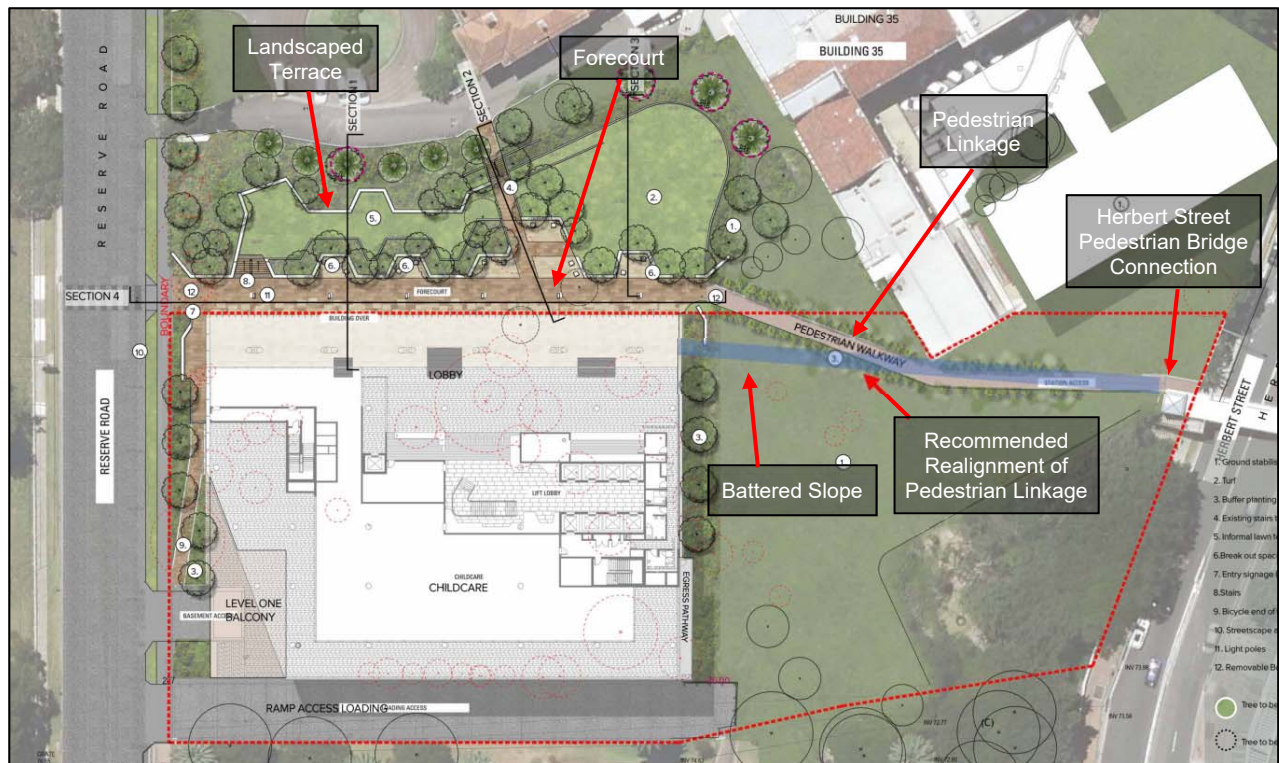


Figure 20: Proposed Landscape Plan (source: Applicant's EIS – Arcadia)



Figure 21: Proposed Landscape Plan – Landscaped Terrace Elevation (source: Applicant's EIS – Arcadia)

Concerns were raised by the GA during the exhibition of the proposal, recommending:

- the Herbert Street bridge pedestrian linkage be realigned (straightened) to integrate with the building colonnade
- the north-south pedestrian connection through the site from 207 Pacific Highway (as shown in the Concept Plan) be integrated into the design
- establishment of an at-grade connection to Herbert Street.

In response to the GA's comments, the Applicant detailed that the Herbert Street bridge linkage is not completely straight due to the exiting footprint of Building 35, and that its location is necessary until the development of Site 4b progresses, wherein the linkage would be considered in greater detail. Also, the land adjacent to the south of the path has a natural fall (to the south) and will contain detention swales to manage overland flow. The path is routed to enable it to be level.

Further, pedestrians coming from Herbert Street are able to enter the precinct at-grade via an existing pedestrian path along the northern boundary of 207 Pacific Highway that currently connects through to Reserve Road (see **Figures 5 and 22**).



Figure 22: Pedestrian pathway between Precinct 4 and 207 Pacific Highway (source: DPE)

The Applicant also advised that the existing southern campus access through Precinct 4 from 207 Pacific Highway is proposed to be removed in the subject application. The RtS also revised the landscape planting along the Reserve Road site frontage to provide a larger interface between the proposed new forecourt and footpath to improve accessibility to the new building. As a result, previously proposed street tree planting was unable to be accommodated. In lieu of this, the Applicant details that the proposed landscaped terrace will be embellished with large trees that will be highly visible within the Reserve Road streetscape.

The Department notes that the grade transition from the 207 Pacific Highway pathway through Site 4a (from south to north) is gentle until approximately mid-way into the site, wherein the slope increases closer to Precinct 3. The argument to remove the existing connection, which is a connection that is required by the Concept Plan, due to the required number of stairs and steeply sloping paths is not accepted by the Department. The only set of stairs present along this alignment are located at the northern edge of Site 4a, which are proposed to be retained and integrated into the new landscaped terrace.

Further, the Department does not concur with the Applicant's comment in response to the concerns raised by the GA regarding prior consideration of site link legibility and pedestrian access under MOD 7 to the Concept Plan. The Applicant previously responded under MOD 7 that matters concerning pedestrian and cycling linkages would be considered in future applications and that no change to the approved Concept Plan was proposed. In this regard, it is noted the Concept Plan originally envisaged a new shared way road (i.e. Yellow Road) linking Reserve Road and Herbert Street together. Pedestrian linkages were identified as being through development sites to ensure connectivity was established, even where road connections weren't proposed.

The Department agrees with the Applicant's position that realignment of the Herbert Street pedestrian bridge link is unnecessary as the proposed link will connect with the new building's forecourt area at a level grade, which itself connects directly to Reserve Road. It is also highly likely that the link will be reconsidered when Site 4b is development, noting that the pedestrian bridge itself is required to be realigned and refurbished under the terms of the approved Concept Plan, which is also likely to occur will during the development of Site 4b.

The Department considers it essential that appropriate pedestrian connections to, and through, the site are established as part of this proposal. Accordingly, the Department has recommended a condition of consent requiring the existing north-south pedestrian linkage between 207 Pacific Highway and Precinct 4 be retained, and where necessary, revised to integrate with the public domain proposed under this application.

Approval for the removal of 63 trees and 3 palms and retention of only eight trees was previously obtained under a Review of Environmental Factors (REF) Part 5 approval under the EP&A Act. The Applicant's RtS notes however, that anomalies have been identified regarding trees nominated for retention and removal. A revised arborist report accompanying the RtS details that 66 trees are proposed to be removed, but that 20 trees would now be retained on-site, including existing mature trees along both the Reserve Road and Herbert Street frontages and proposed landscaped terrace.

The retention of these trees, above that which were previously identified for removal under the REF, will allow for the retention of mature vegetation within the site and assist in softening the proposed development.

Concerns were also raised by Council in relation to the loss of the Precinct 7 Pocket Park. While these concerns do not directly relate to the proposal, the Department notes that the proposed deletion of the Statement of Commitment requiring the delivery of the pocket park was withdrawn from the Applicant's previous Modification Application to the Concept Plan (i.e. MOD 7).

5.2.4 Traffic and transport

The proposal will include a two basement levels containing of a total of 115 car parking spaces, 5 motorcycle parking spaces, 176 bicycle parking spaces and associated end-of-trip facilities and loading dock. The proposed car and bicycle parking provisions will service the future commercial occupants and operations associated with the future child care facility, with access provided via a two-way, access-controlled point from Reserve Road. The loading dock has been designed to accommodate two medium rigid vehicles (MRV), with sufficient space provided to enable vehicles to enter and leave the site in a forward direction (see **Figure 23**). Access to the loading dock is provided via the existing vehicle access point from Reserve Road.

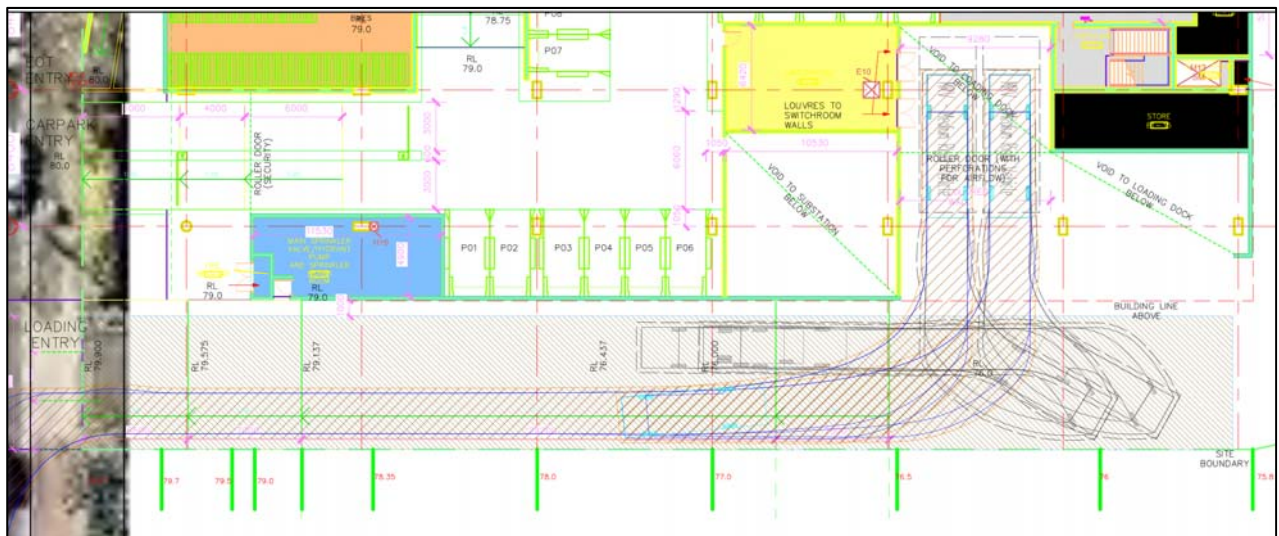


Figure 23: MRV Swept Path Analysis (source: Applicant's EIS – TAR)

The subject SSD application was supported by a Transport and Accessibility Report (TAR) and a Construction and Environmental Management Plan (CEMP) that considers the potential impacts the proposal may have on traffic and parking in the surrounding locality.

Responses to concerns raised by TfNSW and RMS were also provided with the Applicant's RtS and Addendum RtS, addressing matters regarding construction traffic and pedestrian management measures, a green travel plan, traffic modelling and trip generation rates generated by the proposal.

The Department considers the key transport issues relating to the proposal to be traffic impacts, parking and sustainable transport and construction traffic which are addressed in further detail below.

Traffic Impacts

The TAR details that previous uses located on the development site generated 33 AM peak period trips and 40 PM peak period trips. Trip generation from the proposal has been estimated based on the total car parking provisions (i.e. 96 commercial parking spaces and 19 child care facility spaces), generating a total of 306 daily vehicle movements, including of 111 vehicle trips per hour during the AM peak period and 93 vehicle trips per hour during the PM peak period. Considering the existing peak hour period trip generation of existing site uses, the proposal is predicted to generate a net increase of 78 vehicle trips per hour during the AM peak period and 53 vehicle trips per hour during the PM peak period.

Whilst the RMS initially questioned the use of the reduced parking provisions to calculate the proposal's trip generation rates, noting the high pick-up and drop-off trip generation rates. The Applicant's TAR and RtS responded that utilising the GFA to determine the trip generation rates would produce an unrealistic estimation given the site's proximity to public transport (particularly St Leonards railway station). Constrained on-street parking provisions would also encourage a reduced reliance on the private motor vehicle, supported through the preparation and implementation of a Green Travel Plan (GTP). The RMS was satisfied with the Applicant's response and recommended that a work place travel plan be implemented to ensure that appropriate measures are implemented to minimise potential traffic generation from the future operation of the proposal.

Based on the estimated trip generation of the proposal and likely trip distribution, approximately 80 per cent of trips generated are predicted to pass through the Pacific Highway/Reserve Road intersection. The proposal was not likely to generate a significant number of trips along Herbert Street such that it warranted any form of road or intersection/crossing upgrades, as requested in a public submission.

Traffic modelling demonstrates that the traffic generated by the proposal would not impact on the intersection performance on the surrounding network, with a satisfactory level of service at the Pacific Highway/Reserve Road/Berry Road ('B') and Pacific Highway/Westbourne Street ('A') intersections to be maintained.

In response to the RMS's cumulative assessment request, the Applicant noted that consideration of the cumulative impacts was undertaken in its assessment of the Gore Hill Oval and Park redevelopment and part of the North Shore Health Hub development. The Applicant's TAR concluded that the traffic predicted to be generated by this proposal could be accommodated within the existing road network in conjunction with the proposal. Notwithstanding, further consideration of cumulative traffic impacts was undertaken in the RtS, concluding that the Pacific Highway/Reserve Road/Berry Road (level of service 'B') and Pacific Highway/Westbourne Street (level of service 'A') intersections would still maintain a satisfactory level of service.

Further SIDRA traffic modelling was also undertaken that considered the existing situation and the addition of 10 years growth in accordance with the RMS's recommendation. Like the conclusions previously made, modelling of the 10 years growth (2027) plus the proposal and North Shore Private Hospital scenario again demonstrates that the Pacific Highway/Reserve Road/Berry Road (level of service 'B') and Pacific Highway/Westbourne Street (level of service 'A') intersections would continue to operate at a satisfactory level of service.

In response to the concerns of RMS regarding potential queuing in Reserve Road for vehicles seeking to enter the subject site, the Department has recommended a condition of consent that,

prior to final occupation of the building and subject to the agreement of the relevant road authority, a right-turn bay is to be provided on Reserve Road adjacent to the site entrance for vehicles entering the Subject Site to provide clear separation of vehicle movements so that one unimpeded northbound through lane (towards the hospital) is provided at all times.

Further, the Department does not consider that the operation of the loading dock off Reserve Road would generate significant traffic movements such that adverse traffic impacts would be generated. However, the Department has recommended a condition of consent requiring the preparation of a loading dock management plan to ensure operations are undertaken in a satisfactory manner.

Whilst one of the public submissions expressed a desire to have the existing uncontrolled pedestrian crossing in Herbert Street, north of the existing pedestrian bridge, either signalised or moved further north, neither Council nor the RMS indicated a need or desire to make this change to existing road conditions.

The Department is satisfied that the Applicant has demonstrated that the proposal, including the cumulative traffic generated by surrounding developments, can be satisfactorily accommodated within the existing road network. The proposed reduced parking provision and associated trip generation rates leverage positively off the site's high accessibility to nearby public transport and regional network improvements currently under construction (i.e. Sydney Metro Northwest) (SMNW).

Parking and sustainable transport

MOA 1.1(j) of the Concept Plan requires car parking to be provided in accordance with the Willoughby Development Control Plan 2012 (WDCP), which requires a total of 289 car parking spaces. Under the Concept Plan, proposed car parking rates were stated as being a "maximum", however, the controls under the WDCP are neither a minimum or maximum.

The proposed reduced amount of car parking (i.e. 115 spaces) provided as part of the proposal responds to the location's high train and bus public transport accessibility. Notwithstanding this, the required 19 child care facility parking spaces will be provided in accordance with the WDCP to meet the operational demands of staff and parents. The Applicant has also prepared a Framework Travel Plan (FTP) that provides the framework for the establishment of a future GTP. The FTP objectives seek to:

- reduce the environmental footprint of the development
- promote active transport modes
- reduce reliance on private motor vehicle journeys
- encourage healthier and more active social culture.

Proposed FTP strategies include car sharing/carpooling, public transport travel pass loans, provision of end-of-trip facilities, flexible working hours and a workplace travel plan. The Applicant notes it anticipates a condition of consent would be imposed requiring the preparation of a final GTP prior to the final occupation of the proposed building.

Comments provided by TfNSW recommended that the Applicant be required to prepare and implement a GTP that incorporates the sustainable transport objectives and actions proposed in the Applicant's TAR.

The Department acknowledges the Applicant's objectives and strategies proposed that are intended to be developed into a comprehensive GTP for the proposal. The proposed reduced provision of on-site car parking is supported by the Department, as are the significant amount of bicycle parking and ancillary end-of-trip facilities proposed to encourage active transport modes.

The Department also notes the dual function of the proposed child care facility parking spaces, with 10 of the 19 car parking spaces functioning as drop-off/pick-up parking spaces and as such, has

recommended a condition of consent requiring a minimum 19 car parking spaces be dedicated to the child care facility at all times. It is also noted that the Applicant proposes to prepare a loading dock management plan to ensure the operation and function of the back-of-house of the proposal operates in an acceptable manner.

A condition of consent requiring the preparation and implementation of a GTP prior to the final occupation of the Health Services Administration Building is also recommended.

Construction Traffic Impacts

The TAR and RtS responses provide consideration of construction traffic generated by the proposal and the associated cumulative traffic impacts in the context of likely nearby construction activities associated with the SMNW, Gore Hill Oval and Park redevelopment and approved development at 12 Frederick Street (North Shore Health Hub), states that a detailed Construction Traffic Management Plan (CTMP) will be prepared during detailed construction planning for the proposal. The CTMP will be prepared to address the estimated 25-month construction period, consisting of:

- excavation – 4 months
- structure construction works – 12 months
- fit-out – 9 months.

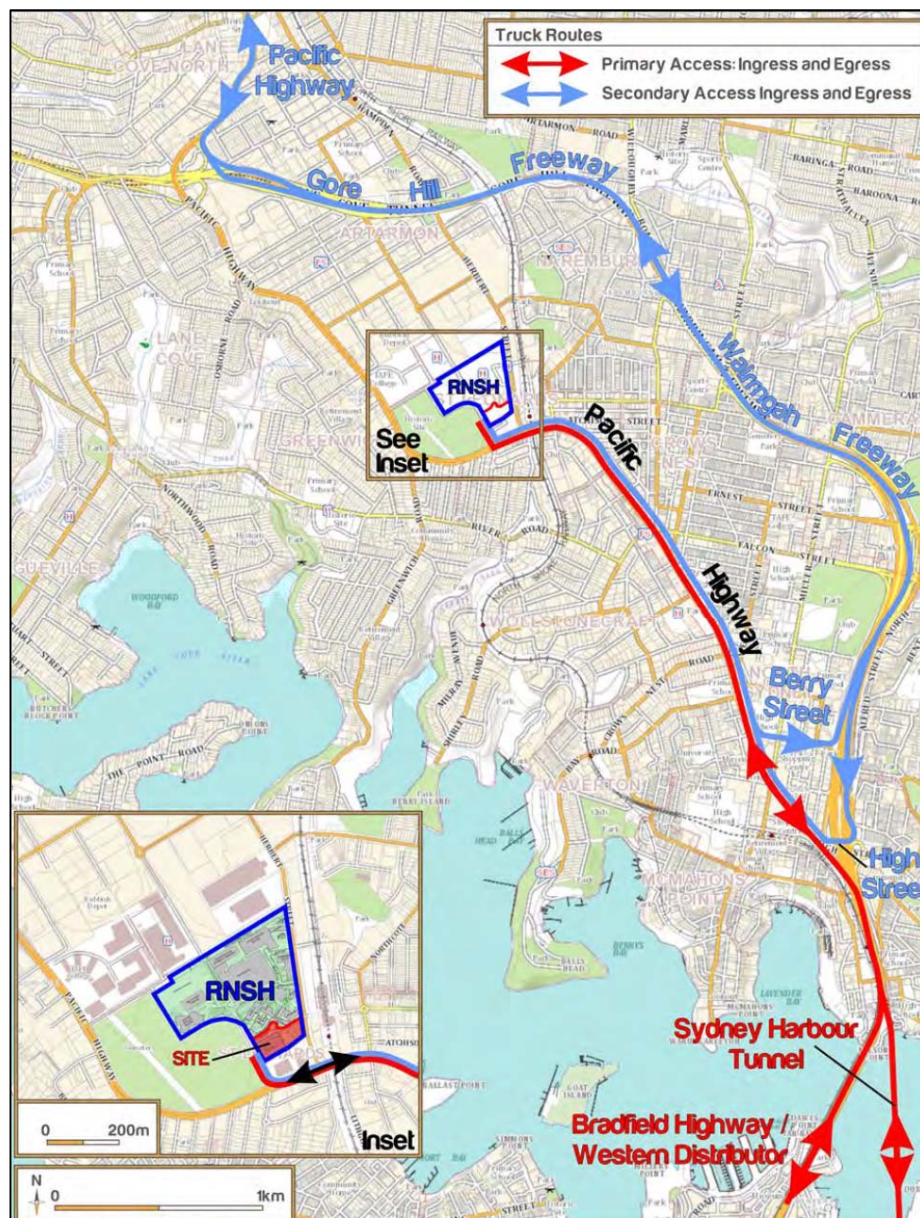


Figure 24: Proposed Construction Haulage Route (source: Applicant's EIS - TAR)

The TAR nominates the Pacific Highway as the main construction haulage route, with construction vehicles proposed to enter the site from its Reserve Road frontage (see **Figure 24**). Approximately 70 vehicles per day are expected to be generated by construction activities and would be limited to 19 m articulated vehicles under 50 tonnes.

As detailed above, the existing site uses generate 33 AM peak period trips and 40 PM peak period trips, while the traffic generated by the proposal was estimated to contribute up to only two per cent of additional traffic within the network. In this regard, the Department is satisfied the predicted 70 daily construction vehicle movements would be satisfactorily accommodated within the existing road network and that the performance of key intersections surrounding the development site (i.e. Pacific Highway/Reserve Road/Berry Road and Pacific Highway/Westbourne Street) would not be adversely impacted on.

In considering the cumulative impacts of (potentially) three other developments (SMNW, Gore Hill Oval and North Shore Health Hub), it is estimated by the TAR that construction traffic could generate up to 42 vehicle movements during the AM peak period (and similarly assumed for the PM peak period) through the Pacific Highway/Reserve Road intersection. Based on these estimated worst-case scenario vehicle movements, the intersection was calculated to operated satisfactorily at a level of service 'B'.

To ensure construction traffic impacts are minimised, the Applicant advises that the CTMP will be prepared in consultation with Council and TfNSW and will outline a range of management measures that will consist of:

- site traffic controls
- scheduling of intensive delivery activities outside of peak hours
- restriction of construction and delivery vehicles to Reserve Road/Pacific Highway and during non-peak periods
- all vehicles to enter and exit the site in a forward direction with reserve movements only occurring where necessary.

The CTMP will also be required to consider the increase in bus services surrounding the site associated with the implementation of the Temporary Transport Plan (TTP) to account for the disruption of train services associated with the construction of the SMNW.

5.3 Other issues

The Department's consideration of other issues is provided at **Table 8**.

Table 8: Department's assessment of other issues

Issue	Consideration	Recommendation
Noise and Vibration Impacts	The proposal includes an Operational Noise and Vibration Assessment (ONVR) and Construction Noise and Vibration Management Plan (CNVMP) that addresses the potential acoustic impacts associated with the construction and operation of the development. Operation The main potential sources of operational noise are identified as being mechanical plant and the child care facility outdoor play space. Excavation and construction activities were identified as the main source of potential construction noise. The Department and the EPA raised concerns with background noise monitoring not being undertaken in accordance with the Noise Policy for Industry. The RtS included an updated ONVR and CNVMP, which included additional background noise monitoring, inclusive of monitoring at adjoining residential receivers at 3 Herbert	The Department has recommended conditions: • requiring implementation of the submitted CNVMP for the duration of construction activities • requiring noise monitoring of the mechanical plant be undertaken within 60 days of the commencement of use to verify the

Issue	Consideration	Recommendation
	Street, St Leonards (The Forum Residential Apartment Complex), which provided further justification for the proposed project specific noise criteria and operational noise management levels. The Applicant's ONVR concludes that the operational plant noise levels and noise generated from the child care facility outdoor play area would comply with the established project specific noise criteria, subject to the installation of appropriate noise mitigation measures and acoustic screening around the rooftop mechanical plant. To ensure that the measures proposed to be implemented mitigate potential noise impacts as calculated, the Department has recommended a condition of consent requiring the Applicant to undertake a noise monitoring program of the mechanical plant within 60 days of the commencement of use to verify the predicted noise levels do not exceed the noise criteria. Where measures noise levels are shown to exceed the project specific noise criteria, it will be essential that further mitigation measures are implemented by the Applicant. Construction Noise and vibration impacts from construction activities were predicted to exceed the established noise management levels at surrounding commercial noise receivers. Potential also exists for noise generated during construction works to become 'highly noise effected' (i.e. above 75dB(A)) where three or more of the noisiest plant is operated concurrently. Mitigation measures are proposed to minimise construction noise impacts, including: • appropriate construction plant selection and associated maintenance • strategic positioning of construction plant • erection of acoustic screening around construction plant equipment and/or installation of noise silencing • implementation of time restrictions/respice periods • implantation of a complaints management procedure • preparation of a pre and post dilapidation report • regular noise and vibration monitoring. Further details submitted with the RtS considered the likely noise impact on residential receivers in the nearby apartment buildings on Herbert Street. It was noted their elevated position above Herbert Street and the nearby Pacific Highway would result in exposure to higher background noise levels. Review against predicted construction noise levels demonstrated that noise impacts associated with construction activities would generally comply with the EPA's guidelines for after-hours works (i.e. background + 5dB(A)). The Department therefore considers that construction hours of work marginally different to the EPA's standard hours of works are acceptable. While the Department does not support hours of work on Saturday until 5pm, it considers restricting construction activities until 3 pm provides a balanced outcome for the Applicant and surrounding sensitive receivers and has recommended a condition of consent accordingly. This is also consistent with a recent SSD approval issued for construction of a health facility in St Leonards. The Department is satisfied that, subject to recommended conditions, noise and vibration impacts associated with the	predicted noise levels do not exceed the noise criteria • limiting the hours of construction to between 7 am and 5:30 pm Mondays to Fridays and between 7:30 am to 3 pm Saturdays. A condition of consent is also recommended providing for a respice period between 12 pm and 3 pm from all rock breaking, rock hammering, sheet piling, pile driving and similar activities.

Issue	Consideration	Recommendation
	construction and operation of the proposal can be adequately mitigated and managed.	
Heritage Impacts	A Heritage Impact Statement (HIS) prepared for the proposal assesses the potential impacts on the heritage significant buildings located in Precinct 3 to the north of Site 4a. The HIS concludes that: - the scale of the proposal is consistent with the Concept Plan - the proposal is consistent with the conservation policies of the Conservation Management Plan - the proposed forecourt and recessed lower level building elements retain views to the heritage buildings - the cluster of heritage buildings in Precinct 3 will remain visually prominent - the contemporary building design complements the heritage buildings through materiality and architectural elements - the proposal is satisfactorily separated from Gore Hill Cemetery. The Department notes that the provision of the HIS as part of the proposal is consistent with the MOA of the Concept Plan and that the form and scale of the proposal is consistent with that approved. The recent modification to the Concept Plan (i.e. MOD 7) increased the separation between future built form on Site 4a and Precinct 3, assisting to minimise potential heritage impacts from the proposal. The subject site has been heavily disturbed in the past and as such no Aboriginal cultural heritage issues have been raised by relevant agencies.	The Department is satisfied that the proposal will have acceptable heritage impacts. No conditions are recommended in this regard.
Construction impacts	The SSD application is accompanied by a Preliminary Construction and Environmental Management Plan (CEMP) and CNVMP. These Plans include a high-level consideration of construction impacts including noise and vibration, air and dust, stormwater, waste and traffic management.	The Department has recommended conditions of consent requiring: - the implementation of the CEMP and CNVMP - the preparation and implementation of a construction traffic management plan.
Contamination	The proposal includes a Detailed Site Investigation Report that concludes the site will be suitable for the proposed commercial land use and recommended the preparation and implementation of an unexpected finds protocol. Refer to Appendix B of this report. In response to the EPA's query re. whether any part existing on-site diesel fuel tank, and associated supply lines, are located underground, the RtS confirmed that no part of the tank or lead-in lines were located underground and therefore did not constitute an Underground Petroleum Storage System. In addition, the Department has recommended a condition of consent requiring that it be notified, and for any construction works to cease, should any new information be discovered which has the potential to alter previous conclusions about site contamination. The Department considers that the Applicant has adequately addressed clause 7 of SEPP 55 and that the site can be made suitable for its intended use.	The Department has recommended conditions of consent requiring: - the preparation and implementation of an unexpected finds protocol - the Department be notified where any new information is discovered that could potentially alter the previous conclusions on site contamination.

Issue	Consideration	Recommendation
Stormwater and Flooding	New stormwater infrastructure, including two on-site detention basins 180 and 208 cubic metre in capacity and low retaining walls, is proposed to augment the existing network to accommodate the proposal and to minimise potential overland flooding. Flooding modelling demonstrates that flooding impacts would be generally improved post development due to the proposed stormwater infrastructure upgrades, though predicts a minor increase in flood levels at existing low points between Site 4b and 207 Pacific Highway. OEH's pipe blockage flooding concerns were noted as having been satisfactorily addressed by the Applicant in its RtS, which included details of further analysis of pipe blockage scenarios. The further analysis concluded that indicated overland flows would not surcharge in Reserve Road onto the access driveway and basement inundation from a trapped low point in Herbert Street would result in flooding levels between 60 mm and 300 mm. The Applicant also notes that safe emergency evacuation paths of travel are available via the ground level which are proposed above the 1% Average Exceedance Probability level. The Department is satisfied that the proposal has been satisfactorily designed to minimise potential impacts from overland flows and minimise any potential off-site flooding impacts. The construction of the 4,000 cubic metre flood storage basin associated with upgrades to Gore Hill Oval being undertaken by Council will further improve the management of regional flooding. The Department recommends the Applicant prepare an Emergency Response Plan prior to the occupation of the proposal to ensure that safe and appropriate procedures are developed and implemented.	The Department has recommended a condition of consent requiring the Applicant to prepare and implement an Emergency Response Plan in consultation with Council and State Emergency Services prior to the occupation of the building.
Section 7.12 Contribution	Section 7.12 of the EP&A Act provides for the consent authority to impose a condition requiring the Applicant to pay a contributions levy, as authorised under a contributions plan. MOA 6.1 of the approved Concept Plan states an agreement between the Applicant of non-hospital related development, RMS, Council and other agencies be prepared and executed prior to the lodgement of any subsequent application for development, excluding hospital development and approved demolition. The Applicant argues that this requirement does not apply due to the proposal constituting health/hospital related development. In addition, and in lieu of entering into an agreement, the Applicant proposes to pay an approximate \$1.2 million section 7.12 contribution (i.e. 1% contribution for development with a cost value over \$200,000). The Department is satisfied that the proposal is 'hospital-related' and has therefore recommended that a condition of consent be imposed requiring the payment of a development contribution to Council in accordance with the relevant contributions plan.	The Department has recommended conditions of consent requiring the payment of a section 7.12 contribution in full in accordance with Council's contribution plan.

5.4 Public Interest

The proposal is considered to be in the public interest as it would provide the following public benefits:

- support new employment opportunities within the St Leonards Strategic Centre
- positively contribute to the delivery of major public benefits and social services through the co-location of health administration services
- facilitate the delivery of a future 100-place child care facility
- deliver a development that incorporates ESD principles to improve inter-generational equity and satisfy the precautionary principle
- provide a direct investment of approximately \$120.13 million and support 413 construction jobs.

The proposal would also address State priorities in the following manner:

- contribute to the growth of jobs within the district and NSW within the existing St Leonards strategic centre
- contribute to strong economic development within the St Leonards strategic centre and associated transport gateway
- improve government services by consolidating key NSW Health services and functions that will improve associated operational and functional support
- contribute to the urban renewal of the surrounding RNSH precinct.

6. CONCLUSION

The Department has reviewed the EIS, RtS and assessed the merits of the proposal, taking into consideration advice from the public authorities, including Council. Issues raised in public submissions have been considered and all environmental issues associated with the proposal have been thoroughly addressed.

The proposal will provide for the development of a new 10 storey commercial office building that will house the key administrative support and other health related functions of NSW Health, and include a 100-place child care facility and ground level café. The proposed subdivision of Precinct 4 will also facilitate the excising of this precinct from the broader RNSH Campus as envisaged by the Concept Plan.

The Department considers the proposal is consistent with the objects of the EP&A Act (including ecological sustainable development), State priorities, *A Metropolis of Three Cities – The Greater Sydney Plan*, and Greater Sydney Commission's *North District Plan*. The proposal has been designed to be consistent with the Concept Plan and the Department is satisfied the site is suitable for the proposed new Health Services Administration Building.

The proposal will generate \$120.13 million of investment and support 413 construction jobs and allow for the consolidation of NSW Health's administrative functions that will improve operational efficiencies of health services delivery across the State. The proposal will also facilitate the future delivery of a 100-place child care facility within an existing employment generating precinct.

The Department concludes the impacts of the development are acceptable and can be appropriately mitigated through the implementation of the recommended conditions of consent. Consequently, the Department considers the development is in the public interest and should be approved subject to conditions.

7. RECOMMENDATION

In accordance with section 4.38 of the *Environmental Planning and Assessment Act 1979*, it is recommended that the Executive Director, Priority Projects, as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant consent to the application
- **agrees** with the key reasons for approval listed in the notice of decision
- **grants consent** to the application in respect of the construction of the Health Services Administration Building at RNSH (SSD 8816)
- **signs** the attached development consent and recommended conditions of consent (**Appendix E**).

Recommended by:



David Gibson
Team Leader
Social Infrastructure Assessments

Recommended by:



Karen Harragon
Director
Social and Other Infrastructure Assessments

Decision

The recommendation is Adopted by:



7/8/18.

David Gainsford
Executive Director
Priority Projects Assessments
as delegate of the Minister for Planning

I agree that the key reasons set out in the Notice of Decision (which will be made public) accurately reflects the key reasons for my decision.

APPENDIX A RELEVANT SUPPORTING INFORMATION

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

1. Environmental Impact Statement

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8816

2. Submissions: Government, Agency and Organisation

http://majorprojects.planning.nsw.gov.au/?action=list_submissions&job_id=8816&title=EIS%20-%20Website%20Submissions&type=6

3. Submissions: Public

http://majorprojects.planning.nsw.gov.au/?action=list_submissions&job_id=8816&title=EIS%20-%20Website%20Submissions&type=2

4. Applicant's Response to Submissions

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8816

APPENDIX B CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENT(S)

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)

To satisfy the requirements of section 4.15(a)(i) of the EP&A Act, this report includes references to the provisions of the EPIs that govern the carrying out of the project and have been taken into consideration in the Department's environmental assessment.

Controls considered as part of the assessment of the proposal are:

- *State Environmental Planning Policy (State & Regional Development) 2011 (SRD SEPP)*
- *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP)*
- *State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)*
- *State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)*
- *Willoughby Local Environmental Plan (WLEP) 2012*
- *Draft Remediation of Land State Environmental Planning Policy (Draft Remediation SEPP)*
- *Draft State Environmental Planning Policy (Environment).*

COMPLIANCE WITH CONTROLS

State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)

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.

Section 4.36 of the EP&A Act provides that the Minister may, by order published in the Gazette, declare specified development on specified land that is not declared under a State Environmental Planning Policy, to be State significant development, but only if the Minister has obtained and made publicly available advice from the Independent Planning Commission (IPC) about the State or regional planning significance of the development. The power to call-in a proposal operates in addition to the SRD SEPP.

On 2 June 2017, the IPC (formally Planning Assessment Commission) advised the Minister that the proposed project for a new Health Services Administration Building at RNSH met several criteria for SSD, in particular those relating to strategic context and public benefit, concluding that the project is of State and regional importance.

On 22 September 2017 the Minister for Planning, by order published in the Gazette, declared the development for the purposes of a Health Services Administration Building at RNSH to be State Significant Development pursuant to section 4.36(3) of the EP&A Act.

The Applicant seeks development consent for a commercial office building located on land identified as Site 4a that will accommodate the administrative functions of NSW Health. The Department is satisfied that the proposal meets the terms of the Minister's order dated 22 September 2017 and is therefore State significant development. Consideration of the SRD SEPP provisions is provided in **Table 1**.

Table 1: SRD SEPP Consideration

Relevant Sections	Consideration and Comments	Complies?
3 Aims of Policy The aims of this Policy are as follows: (a) to identify development that is State significant development,	The proposed development is identified as SSD.	Yes
8 Declaration of State significant development: section 4.36 (1) Development is declared to be State significant development for the purposes of the Act if: (a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and (b) the development is specified in Schedule 1 or 2.	Pursuant to section 4.36(3) of the EP&A Act, development for the purposes of a Health Services Administration Building at Site 4a of Precinct 4 of RNSH was declared by the Minister for Planning to be State significant development, by order published in the Gazette on 22 September 2017, to be State Significant Development.	Yes

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP)

The aim of the Education SEPP is to facilitate the effective delivery of educational establishments and early education and care facilities across the state by improving regulatory certainty and efficacy, simplifying and standardising approval pathways, establishing consistent state-wide assessment requirements and design considerations, aligning the NSW planning framework and ensuring compliance with the early education and care services National Quality Framework.

The proposal includes a 100-space child care centre, the fit out and operation of which will be subject to a separate approval process, including 896 sqm of internal floor area and 727 sqm of external area.

Clause 23 of the Education SEPP requires the consent authority to consider the relevant provision of the Child Care Planning Guideline 2017 (CCPG) before determining an application. Consideration of the CCPG is provided in **Table 2**.

Table 2: Child Care Planning Guideline Consideration

Relevant Sections	Consideration and Comments
Part 2 – Design quality principles	
Principle 1 – Context	The colocation of the child care facility within the proposed Health Services Administration Building responds to the high service demand generated by the health and employment precinct. The site also benefits from its close proximity to St Leonards train station and future Crows Nest SMNW station. The incorporation of an external play space on the balcony which wraps around to the Reserve Road elevation of the building helps to activate the façade.
Principle 2 – Built form	The child care facility is proposed to be integrated at the ground level of the proposal and does not adversely impact on the scale or bulk of the proposed Health Services Administration Building.

	The bulk and scale of the proposed built form is consistent with the Concept Plan and commitments originally made to deliver a new childcare facility within the RNSH precinct.
Principle 3 – Adaptive learning spaces	The proposed child care facility will be delivered as a shell space as part of the proposal. It fit out, including the detailed design and layout, will be subject to a separate DA. The internal and external spaces achieve the minimum areas to enable adaptive learning spaces to be created in the future.
Principle 4 – Sustainability	The building has been designed to achieve a 5 Star Green Star Rating. Any future child care facility would be required to further demonstrate consistency with this principle.
Principle 5 – Landscape	The proposed child care facility has been designed as part of the overall development and integrated at the ground level of the building. The proposal incorporates a landscape scheme that aims to create a new landscape terrace, buffering the proposed new built form to the heritage significant Precinct 3 to the north.
Principle 6 – Amenity	The shell design of the child care facility space satisfies the minimum indoor and outdoor areas to ensure that satisfactory amenity levels can be delivered. A future DA for the fitout of the centre will include the detailed design and layout.
Principle 7 – Safety	The location of the child care facility at ground level ensures appropriate accessibility from the main lobby entrance, eliminating the need for parents to change levels. The building design also caters for a separate entrance into the centre reducing the need to mix with other building activities. The location of the proposed cantilevered balcony along the Reserve Road elevation will ensure passive surveillance measures are incorporated.
Part 3 – Matters for consideration	
3.1 Site selection and location	The site is suitably zoned SP2 Infrastructure and permits the establishment of a child care facility. Further, the Concept Plan and Applicants Statement of Commitments made at the time identified the proposed delivery of a new child care facility within the RNSH Campus. The location of the child care facility within the RNSH Campus will cater to existing and future demand generated by staff of the precinct and benefit from its close proximity to existing and developing transport infrastructure.
3.2 Local character, streetscape and the public domain interface	The child care facility is proposed to be delivered as part of the proposed new Health Services Administration Building, with its design and location integrated within the overall building design. The detailed design and fit out of the centre will be subject to a separate DA.
3.3 Building design and orientation	As noted above, the centre is proposed to be delivered as part of the proposed new Health Services Administration Building and is integrated into the ground level layout of the new building.

	The bulk and scale of the proposal has been assessed as being satisfactory in the context of its surrounds and the approved Concept Plan.
3.4 Landscaping	As noted above, the centre is proposed to be delivered as part of the proposed new Health Services Administration Building and is integrated into the ground level layout of the new building. The proposal incorporates a landscape scheme that aims to integrate the proposed new public forecourt and landscape terrace with the adjoining sites, while inviting activation of the space. The entrance of the proposed child care facility fronts directly onto the proposed forecourt area to create an inviting and engaging entrance.
3.5 Visual and acoustic privacy	The shell layout design also accommodates a building entrance separate to the main commercial component of the building to ensure that the future operations are appropriately access controlled. The elevated nature of the proposed external area minimises opportunities for overlooking from the public domain. Detailed design of security and privacy measures associated with the child care facility will be further evolved within a future DA. The shell space is considered to provide satisfactorily opportunities to ensure this is achieved. The Applicant's ONVR demonstrates that noise levels expected to be generated by the future operation of the child care facility will not result in adverse noise impacts to surrounding sensitive commercial and residential receivers.
3.6 Noise and air pollution	Detailed design of noise and air pollution measures associated with the child care facility will be further evolved within a future DA. The location of the proposal is setback from the Pacific Highway, ensuring that noise and odour impacts from vehicle traffic is minimised. The site location also benefits from being located opposite Gore Hill Oval and Park, minimising any significant exposure to noise and air pollution generating sources.
3.7 Hours of operation	Matters relating to the child care facility hours of operation will be subject to a separate DA for the detailed design, fit out and operation. The proposal satisfactorily accommodates the required car parking provision on-site to ensure that future operations can be developed without being overly restricted by site conditions.
3.8 Traffic, parking and pedestrian circulation	Dedicated car parking provisions are proposed in the basement carpark, with direct lift access to the entry lobby of the child care facility. The proposal also seeks consent for the construction of a new pedestrian link between Reserve Road and the Herbert Street Pedestrian Bridge that provides direct access to St Leonards train station.

	Pick-up and drop-off vehicle movements associated with the proposal have been assessed as not adversely impacting on the surrounding road network or intersection performance.
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The Applicant will be required to demonstrate compliance with the detailed design matters outlined in Part 4 – Compliance with the National Regulations of the CCPG. Notwithstanding, the proposed shell space provides 896 sqm and 727 sqm of internal and external area, respectively, ensuring that provision has been made to allow compliance with the minimum 3.25 sqm of indoor and 7 sqm of external area per child is achieved in accordance with the *Education and Care Services National Law Act 2010* and *Education and Care Services National Regulations 2011*.

The proposal is considered to satisfy the objectives under the CCPG in accordance with the requirements under the ED SEPP.

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)

The ISEPP aims to facilitate the effective delivery of infrastructure across the State by improving regulatory certainty and efficiency, identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and providing for consultation with relevant public authorities about certain development during the assessment process.

The development constitutes traffic generating development in accordance with clause 104 of the ISEPP as it is for the purpose of a 'commercial premises' that has a gross floor area (GFA) greater than 10,000sqm. The ISEPP requires traffic generating development to be referred to RMS for comment.

The application was referred to RMS and TfNSW in accordance with the ISEPP. Their comments are summarised in **Section 4** of the assessment report.

The proposal is therefore considered to be consistent with the ISEPP given the consultation and consideration of the comments raised has been undertaken in the Department's assessment in **Section 5** of this report.

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)

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 Applicant's EIS was accompanied by a Detailed Site Investigation (DSI) report. Investigations undertaken during the preparation of the DSI report, including the collection of soil samples from 13 collection points, were carried out in the vicinity of Buildings 51 and 52 (i.e. Site 4a of Precinct 4) that identified the presence of historical fill across the site that may contain chemicals of concern.

Analysis of the soil samples collected revealed:

- identified contaminants of potential concern (COPC) were below the adopted health investigation levels
- asbestos was not observed or detected
- some COPC and minor heavy metal exceedances were reported above the adopted groundwater investigation levels, though were either considered to be non-volatile and were shown not pose an unacceptable health risk following an exposure pathway risk assessment

- no volatile hydrocarbons were detected in groundwater samples and vapour intrusion is unlikely.

The Applicant's DSI report concludes that the site is suitable for the proposed commercial development based on the reported levels from the soil samples collected. The Applicant's DSI report recommended the implementation of an unexpected finds protocol to address any unknown contaminants during construction activities.

The Applicant responded to the EPAs comments raised during the exhibition of the proposal regarding the existing diesel fuel tank in its RtS, confirming that no part of the tank or lead-in lines were located underground and therefore did not constitute an Underground Petroleum Storage System.

The Department is satisfied that the site is suitable for the proposed commercial development and that the implementation of an unexpected finds protocol will ensure appropriate safeguards are in place. Accordingly, the Department recommends a condition of consent to ensure measures are in place should any unanticipated contamination be found during works.

Willoughby Local Environmental Plan 2012 (WLEP)

The proposed development is consistent with the aims of the SP2 Infrastructure – Hospital zoning under WLEP aims to: ensure developments embrace quality urban design and high-quality architecture; provide for a range of employment opportunities and to strengthen the role of the city centres of Willoughby; and to conserve items of environmental heritage and retain the character of conservation areas.

Consideration of the relevant controls contained within WLEP is provided below in **Table 3**.

Table 3: Consideration of WLEP

Relevant Sections	Consideration and Comments	Complies?
Clause 2.3 Zone Objectives and Land use table	Site 4a of Precinct 4 is zoned SP2 Infrastructure – Hospitals under Willoughby Local Environmental Plan 2012 (WLEP). Notwithstanding, the Concept Plan prevails over WLEP and permits the development of " <i>employment generating land uses and may include residential and temporary accommodation</i> ". The Precinct is also designated " <i>commercial</i> " on the approved Illustrative Master Plan (as amended). The proposed development is considered to be fully consistent with the uses allowed under the Concept Plan.	Yes
Clause 2.6 Subdivision – consent requirements	The proposal seeks development consent for the subdivision of the site.	Yes
Clause 5.10 Heritage conservation	The development site does not contain any items of heritage significance or is it located within a conservation area. The proposal is located within proximity of five existing local heritage items (Item Nos.1240 – 1244), the closes of which being Item No.1242 (Vanderfield Building). A Heritage Impact Statement (HIS) was prepared for the proposal which assessed the potential impacts on the nearby heritage items. The HIS concluded • the proposal is consistent with the form and scale approved under the Concept Plan • the setback proposed as part of the development will enhance the visual setting and appreciation of the Vanderfield Building • the proposal is visually and physically separate from the Gore Hill Memorial Cemetery, listed as a State heritage item.	Yes

	The Department is satisfied that the proposal would not generate adverse impacts on the existing heritage items within the vicinity of the development site. The form and scale of the proposal is consistent with that envisaged under the original Concept Plan, prior to its amendment, and has been designed with regard to the setting and significance of the adjoining RNSH heritage Precinct 3.	
Clause 6.1 Acid sulphate soils	The development site is identified as being impacted by Class 5 Acid Sulphate soils. Notwithstanding, the development site is not located within 500 m of class 1, 2, 3 or 4 type Acid Sulphate Soil and therefore a management plan is not required.	Yes
Clause 6.2 Earthworks	The proposal will involve the excavation of the proposed two-level basement carpark, with works extending up to 5.5 metres below the existing ground level. The Department is satisfied that appropriate measures will be in place to ensure that no adverse impacts arise from the development or have an impact on the existing drainage patterns of the locality.	Yes
Clause 6.3 Flood planning	A Flood Assessment report submitted with the SSD application details that all habitable floor levels are proposed to be above the flood planning level, while the proposed finished levels of the basement carpark will be 210 mm above flood levels during the 1% AEP flood event. The Department is satisfied that the proposal would not generate any unacceptable increase in the risk to life or property and would not adversely impact on the flood behaviour during a flood event.	Yes
Clause 6.6 Airspace operations	Correspondence received from Airservices Australia and the Civil Aviation Safety Authority confirms that the height of the proposal would not penetrate the operational limitation surface level.	Yes

The Department has consulted with Council throughout the assessment process and has considered all relevant provisions of the WLEP and those matters raised by Council in its assessment of the development (refer to **Section 5**). The Department concludes the development is consistent with the relevant provisions of the WLEP.

Willoughby Development Control Plan 2006 (WDCP)

In accordance with Clause 11 of the SRD SEPP, Development Control Plans do not apply to State significant development.

Notwithstanding, the objectives of relevant controls of WDCP 2006 have been considered against the proposed development in accordance with the SEARs and is provided below in **Table 4**.

Table 4: Consideration of WDCP

Relevant Sections	Consideration and Comments	Complies?
Control C.2 Subdivision	Subdivision of the development site is proposed under this application. The existing RNSH lands are not subject to a minimum lot size control under WLEP. The proposed subdivision layout is generally consistent with the layout of the indicative 'Precincts' and 'Sites', namely Site 4a of Precinct 4.	Yes

Control C.3 Sustainable Development	The proposal has been designed to include a range of sustainable measures, including: • installation of water utility meters and development of a water monitoring system • installation of low-flow utilities and water fixtures • installation of an on-site rainwater tank with the intent of reusing collected rainwater • integration of energy efficiency in the design of the building façade to improve thermal comfort and reduce energy demands required for cooling and heating • undertaking a 'future proofing' risk assessment to minimise the building's vulnerability to the potential impacts of climate change • incorporation of sustainable travel measures, including the provision of end-of-trip facilities and bicycle parking • targeting 90% waste recycling to minimise waste generation during the demolition and construction phase and future operational phase • use of low embodied energy products and that are low or zero ozone depleting.	Yes
Control C.4 Transport Requirements for Development	The SSD application is accompanied by a Transport and Accessibility Report that provides an assessment of the potential traffic impacts from the proposed development. A total of 115 car parking spaces are proposed, consisting of 19 childcare spaces and 96 commercial spaces. In addition, 5 motorcycle parking spaces, 176 bicycle parking spaces and end-of-trip facilities will be provided. The report concludes that the parking provisions proposed are satisfactory and that the intersection performance of surrounding road network will operate at a level of service 'B' or better after the completion of the proposal. The report also includes a draft framework for a future Green Travel Plan and Workplace Travel Plan (travel access guide) to ensure sustainable travel measures are encouraged and supported within the development. The Department is satisfied that the potential transport and traffic impacts of the proposal are satisfactory and can be accommodated within the existing local road network. Refer to Section 5.2.2 of this report.	Yes
Control C.5 Water Management	The SSD application is accompanied by a Stormwater Management Report, Stormwater Management Strategy and Flood Assessment Report. The proposal has been designed to ensure that existing overland flows are not impeded and to ensure that potential pooling from stormwater during a Probable Maximum Flood (PMF) or a 1% AEP flood event are minimised. All habitable floor levels have been designed well above the flood planning level.	Yes
Control C.8 Waste Management	The SSD application is accompanied by a Waste Management Plan that provides strategies to minimise and manage waste generated during the construction and operation of the proposal.	Yes
Control C.11 Safety by Design	The proposal has been designed to ensure that the principles of Crime Prevention through Environmental Design (CPTED) are incorporated. Surveillance opportunities will be established through effective lighting, environmental maintenance and through the installation of CCTV infrastructure.	Yes

	Territorial reinforcement and environmental maintenance measures are proposed through wayfinding signage and appropriate landscaping to minimise opportunities for the potential or likelihood for damage. Access to the development is proposed to be appropriately managed, with access managed and/or restricted at entrances/exits where required by future tenants.	
Control C.13 Contaminated Land	The SSD application is accompanied by a comprehensive DSI report that assessed the suitability of the site for the proposed future commercial use. The report concluded that based on an analysis of soil samples and the site's history, the site is suitable for the proposed commercial development and recommended that an unexpected finds protocol also be implemented on site during construction.	Yes

Draft Remediation of Land State Environmental Planning Policy (Draft Remediation SEPP)

An Explanation of Intended Effect for the Draft SEPP and Draft Contaminated Land Planning Guidelines were on exhibition until 13 April 2018.

The Explanation of Intended Effect sets out the key changes proposed to SEPP 55 which largely relate to:

- categorisation of remediation works based on scale, risk and complexity
- more clearly specifying remediation works requiring development consent
- introducing certification and operational requirements for remediation works that can be undertaken without development consent
- requiring environmental management plans relating to post remediation management of sites or ongoing operation, maintenance and management of on-site remediation measures (such as containment cell) to be provided to Council.

The key operational framework of SEPP 55 is to be maintained and new provisions are unlikely to significantly affect the subject applications. As such, the Department is satisfied that the proposal would be consistent with the intent of the Draft SEPP.

Draft State Environmental Planning Policy (Environment)

The draft State Environmental Planning Policy (Environment) (Environment SEPP) is a consolidated SEPP which proposes to simplify the planning rules for a number of water catchments, waterways, urban bushland, and Willandra Lakes World Heritage Property. Once adopted, the draft SEPP will replace seven existing SEPPs. The proposed SEPP will provide a consistent level of environmental protection to that which is currently delivered under the existing SEPPs. Where existing provisions are outdated, no longer relevant or duplicated by other parts of the planning system, they will be repealed.

Given that the proposal is consistent with the provisions of the existing SEPPs that are applicable, it is concluded that the proposed development will generally be consistent with the provisions of the draft Environment SEPP.

APPENDIX C ROYAL NORTH SHORE HOSPITAL APPROVAL HISTORY

Concept Plan

MP 06_0051 MOD 1 – Public Transport

On 31 January 2008, the then Minister for Planning (the Minister) approved a modification application (MOD) to the Concept Plan to amend term of approval M9.1 *Public Transport Provision* and M10.1 *Transport Management and Accessibility Plan (TMAP)*. The Concept Plan was amended by deleting and replacing terms of approval M9.1 and M10.1 as follows:

Original

M9.1 *The proponent for development within Precincts 3, 4, 5, 6 and 7 shall seek to enter into an agreement with the RTA, State Transit Authority (STA) and Ministry of Transport (MOT) to facilitate provision of additional bus services and other public transport improvements within and surrounding the site. The final outcome shall accompany the first subsequent application for development within Precincts 3, 4, 5, 6 and 7.*

Approved Amendment

M9.1 *The proponent for non-hospital or non-health related development within Precincts 3, 4, 5, 6 and 7 to enter into an agreement with RTA, STA, and MoT to facilitate provision of additional bus services and other public transport improvements within and surrounding the site. The final outcome shall accompany the first subsequent application for non-hospital or non-health related development within Precincts 3, 4, 5, 6 and 7.*

M9.1a Any application for health related development shall detail arrangements to facilitate public transport use.

Original

M10.1 *A Transport Management and Accessibility Plan (TMAP) shall be submitted to and approved by the Director-General prior to or concurrent with lodgement of any subsequent application for development (excluding demolition and preparatory site works to ground level).*

Approved Amendment

M10.1 *A detailed transport, traffic and accessibility study shall be submitted to and approved by the Director-General prior to or concurrent with the lodgement of any project application for development of the acute hospital and/or community health building. This study shall contain sufficient detail to allow it to be used as part of the TMAP for the site.*

M10.1a A TMAP shall be submitted to and approved by the Director-General prior to or concurrent with lodgement of any subsequent application for development (excluding demolition and preparatory site works to ground level, the development referred to in 10.1 above and minor work ancillary to the development in 10.1 above).

The approved amendments allowed for health-related development to progress, some of which was proposed to traverse adjoining non-health related precincts, but ensured sufficient traffic and transport details were submitted with each respective health related application.

MP 06_0051 MOD 2 – Temporary Demountable Buildings

On 7 April 2008, the then Executive Director, Strategic Sites and Urban Renewal, approved a modification to the Concept Plan to include approval for the erection of temporary demountable buildings without further environment assessment. Erection of the demountable buildings were required by the Proponent to provide temporary accommodation for staff and equipment during the redevelopment of the hospital.

MP 06_0051 MOD 3 – Tree Removal

On 22 December 2008, the then Executive Director, Strategic Sites and Urban Renewal, approved a modification to the Concept Plan to allow for the removal of 151 trees associated with the future construction of the new Hospital and Community Health Facility buildings.

MP 06_0051 MOD 4 – Deletion of Building 19

On 3 August 2008, the then Acting Director, Government Land and Social Projects, approved a modification to the Concept Plan to amend condition C2.1 Significant Heritage Buildings to allow for the demolition of the Mortuary Building (Building 19 within Precinct 6).

MP 06_0051 MOD 5

MOD 5 to the Concept Plan was withdrawn.

MP 06_0051 MOD 6 – Demolition of Buildings 7 and 9

On 11 May 2016, the then Acting Director, Modification Assessments, approved a modification to the Concept Plan to amend condition C2.1 Significant Heritage Buildings to allow for the demolition of the Building 7 (Diabetic Unit) and Building 9 (Lanceley Cottage) within Precinct 7 (listed on NSW Health's s.170 heritage register). At the time of writing, Buildings 7 and 9 had not been demolished.

MP 06_0051 MOD 7 – Various Amendments

On 20 July 2017, the Minister for Planning approved a modification to the Concept Plan as follows:

- the consolidation of Site 4a building envelopes in Precinct 4 into a single building envelope
- modification to the minimum and maximum gross floor area (GFA) permitted for each land use by amending modification of approval (MOA) 1.1(e) as follows:

Original

M1.1(e). The following minimum and maximum GFA for each broad land use:

- A maximum of 76,200 m² shall be developed for residential use ~~(and a minimum of 42,5000 m²).~~*
- A minimum of 15,000 m² shall be developed for the purpose of temporary accommodation, of which:*
 - A minimum of 10,000 m² shall be developed for the purposes of nursing and student accommodation; and*
 - A minimum of 5,000 m² shall be developed for the purpose of short term, hotel style accommodation-*

Note: if it can be successfully demonstrated to the Secretary that arrangements are in place for provision of temporary accommodation within the total GFA identified for residential use, as referred at Modification M1.1(e)(i), this can be subtracted from the minimum total GFA identified for temporary accommodated, as referred to at Modification M1.1(e)(ii).

- A minimum of 77,500 m² shall be developed for employment generating uses.*

Despite the above, the total maximum GFA shall not exceed 178,370 m²

Approved Amendment

M1.1(e). The following minimum and maximum GFA for each broad land use:

- A maximum of 76,200 m² shall be developed for residential use;*
- A minimum of 15,000 m² shall be developed for the purpose of temporary accommodation in Precinct 4 and Precinct 5, of which:*
 - A minimum of 10,000 m² shall be developed for the purposes of nursing and student accommodation;*

- A minimum of 5,000 m² shall be developed for the purpose of short term, hotel style accommodation; **and**
- **A minimum of 7,500 m² of temporary accommodation shall be developed in Precinct 4.**

Note: if it can be successfully demonstrated to the Secretary that arrangements are in place for provision of temporary accommodation within the total GFA identified for residential use, as referred at Modification M1.1(e)(i), this can be subtracted from the minimum total GFA identified for temporary accommodation, as referred to at Modification M1.1(e)(ii).

(iii) A minimum of 77,500 m² shall be developed for employment generating uses.

Despite the above, the total maximum GFA shall not exceed 178,370 m²

- modification to the permitted land uses within Precinct 5 by amending MOA M1.1(f) as follows:

Original

M1.1(f). The following broad land use distribution across the development precincts:

(iii) Precinct 5 shall be development for employment generating land uses ~~only~~.

Approved Amendment

M1.1(f). The following broad land use distribution across the development precincts:

(iv) Precinct 5 shall be development for employment generating land uses **and may include residential and temporary accommodation.**

- amendment to the approved plans and documentation
- amendment to the southern boundary setback requirement of Site 4a of Precinct 4 by deleting MOA M7.1 and its replacement with the following MOA:

New Modification of Approval

M7.1 **The maximum height of the envelope in Site 4a of Precinct 4 must be no greater than 13 storeys or RL 126, whichever is the lessor, and setback a minimum eight metres at its southern extremity. The design of future built form within Site 4a of Precinct 4 must also comprise articulation and modulation that provides a satisfactory contextual urban design response to the adjoining development to the south and its surroundings.**

- amendment to delete the requirement for the submission of a transport and accessibility plan (TMAP) by deletion of MOAs M10.1 to M10.3, and their replacement with the following MOA:

New Modification of Approval

M10.1 A detailed transport, traffic and accessibility study and traffic management plan, inclusive of a work place travel plan, must be submitted with each subsequent development application for new built form.

- amendment to the Instrument of Approval to insert new heritage impact assessment requirements for future development proposed in Precinct 4 as follows:

New Modification of Approval

Heritage Impact Statement

M12.7 Future applications for development in Precinct 4 must be accompanied by a Heritage Impact Statement that addresses the significance of, and provides and

assessment of the impact on the heritage significance of heritage items on the site and in the vicinity, in accordance with the guidelines in the NSW Heritage Manual.

- the deletion of a Statement of Commitment that requiring the delivery of a 180-place child care facility in Precinct 7.

Project Applications

MP 06_0192 – Research and Education Building

On 29 January 2007, the then Minister approved a Project Application for the construction of an 11 storey building for use as a medical research and education facility, ancillary laboratory space, and associated administration, comprising 24,000 sqm of GFA, landscaping, pedestrian access arrangements and utility services and associated infrastructure and plant (see **Figure 4**). Approval of the Research and Education Building was granted prior to the Concept Plan approval, however the approved development and land use was consistent with Precinct 8.

MP 07_0168 – Substation

On 11 May 2009, the then Minister approved a Project Application for the construction of a zone substation in Precinct 2 of the Concept Plan. The zone substation was required to provide the energy needs of the redeveloped hospital.

MP 08_0172 – Acute Hospital and Community Health Facility

On 17 June 2009, the then Minister approved a Project Application for the staged demolition of existing buildings (including the existing hospital building) and construction of a new nine level (including basement level) Acute Hospital building, new seven level (including basement level) Community Health Facility, new two level Mental Health Unit, three to five level multi-storey carpark, two new pedestrian bridge linkages, public domain and civil infrastructure works. The development is generally located within Precinct 1, and partly within Precinct's 6 and 7.

The project approval was subsequently modified on seven occasions for the following:

- MP 08_0172 MOD 1 – approved on 23 March 2010, involving minor changes to the design and layout of the Community Health Building, including a building height increase by 1.6 m and GFA increase from 9,955 sqm to 10,332 sqm
- MP 08_0172 MOD 2 – approved on 3 August 2010, involving the demolition of Building 19 'Mortuary' and construction of a carpark
- MP 08_0172 MOD 3 – approved on 19 January 2011 for the inclusion of a helipad on the Acute Hospital Building and associated building height increase by 900 mm
- MP 08_0172 MOD 4 – approved on 11 August 2011 to modify Level 9 of the Acute Hospital Building to replace administration functions with in-patient unit bedding and provide an additional 120 sqm of floor space
- MP 08_0172 MOD 5 – approved on 25 May 2012 to include approval of a new eight level (including plant level) Clinical Services Building (CSB) in place of the approved Mental Health Unit
- MP 08_0172 MOD 6 – approved on 26 October 2012 to delete conditions B6 (required pedestrian path and landscaping along the eastern boundary of the CSB) and B8 (required installation of 1 hour parking along Westbourne Street)
- MP 08_0172 MOD 7 – approved on 22 June 2013, involving amendments to design and layout of the CSB, including an increase to the size of the building footprint, a building height increase by 180 mm and GFA increase of 2,880 sqm to 21,283 sqm, relocation of the mental health unit location and reduction in bed numbers.

APPENDIX D GLOSSARY

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(CI.7(4) Schedule 2 of the Regulation)*

Section 4.15(1) 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 Secretary 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 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, 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.*

APPENDIX E RECOMMENDED CONDITIONS OF CONSENT
