



Prince of Wales Hospital Expansion Stage 1

State Significant
Development (SSD 9113)
February 2019



February 2019

© Crown Copyright, State of NSW through its Department of Planning and Environment 2019

Cover photo

Perspective (Source: EIS)

Disclaimer

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

Copyright notice

In keeping with the NSW Government's commitment to encourage the availability of information, you are welcome to reproduce the material that appears in Prince of Wales Hospital Expansion Stage 1 Assessment Report. This material is licensed under the Creative Commons Attribution 4.0 International (CC BY 4.0). You are required to comply with the terms of CC BY 4.0 and the requirements of the Department of Planning and Environment. More information can be found at: <http://www.planning.nsw.gov.au/Copyright-and-Disclaimer>.



Glossary

Abbreviation	Definition
ACHAR	Aboriginal Cultural Heritage Assessment Report
AHD	Australian Height Datum
ANEF	Australian Noise Exposure Forecast
ASB	Acute Services Building
BC Act	<i>Biodiversity Conservation Act 2016</i>
BCA	Building Code of Australia
BDAR	Biodiversity Development Assessment Report
CASA	Civil Aviation Safety Authority
CIV	Capital Investment Value
CIP	Community Involvement Plan
Consent	Development Consent
Council	Randwick City Council
CMP	Construction Management Plan
CPTMP	Construction Pedestrian and Traffic Management Plan
CSELR	Central Business District and South East Light Rail
CWTS	Construction Worker Transportation Strategy
DCP	Development Control Plan
Department	Department of Planning and Environment
DITRD	Commonwealth Department of Infrastructure, Transport and Regional Development
DPI	Department of Primary industries
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
EPL	Environment Protection Licence
ESD	Ecologically Sustainable Development
FRNSW	Fire and Rescue NSW
GANSW	Government Architect NSW
GFA	Gross Floor Area
GTP	Green Travel Plan
HAA	Historical Archaeology Assessment
HLS	Helicopter Landing Site

ICNG	Interim Construction Noise Guideline
ISEPP	State Environmental Planning Policy (Infrastructure) 2007
LEP	Local Environmental Plan
LGA	Local Government Area
LOS	Level of Service
Minister	Minister for Planning
NML	Noise Management Level
NPI	Noise Policy for Industry
NVIA	Noise and Vibration Impact Assessment
OEH	Office of Environment and Heritage
OLS	Obstacle Limitation Surface
OSD	Onsite Detention
POS	Private Open Space
POW	Prince of Wales Hospital
RBL	Rating Background Level
RCA	Randwick Collaboration Area
REF	Review of Environmental Factors
RLEP	Randwick Local Environmental Plan 2012
RMS	Roads and Maritime Services
RNP	NSW Road Noise Policy
RtS	Response to Submissions
SEARs	Secretary's Environmental Assessment Requirements
Secretary	Secretary of the Department of Planning and Environment
SEPP	State Environmental Planning Policy
SEPP 55	State Environmental Planning Policy No. 55 – Remediation of Land
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development
TA	Transport Assessment
TCS	Traffic Control Signal
TfNSW	Transport for NSW
WSUD	Water Sensitive Urban Design



Executive Summary

This report provides an assessment of a State significant development (SSD) application for Prince of Wales Hospital Expansion Stage 1 (SSD 9113). The site is known as 27 – 37 and 34 – 66A Eurimbla Avenue, 71 – 101 Botany Street, 2 – 14 Magill Street, Randwick and also includes part of the existing Randwick Hospital campus. The Applicant is Health Infrastructure on behalf of the Health Administration Corporation and the proposal is located within the Randwick local government area (LGA).

The proposal seeks approval for: construction and operation of a 13 storey acute services building; overhead pedestrian links and helipad; excavation and associated site infrastructure and landscaping works; and road upgrade works to Botany Street and Magill Street.

The proposal has a Capital Investment Value (CIV) of \$358,673,682 and would generate 260 operational jobs and 1,213 construction jobs. The proposal is SSD under clause 14 of the State and Environmental Planning Policy (State and Regional Development) 2011, as it is development for the purpose of a hospital with a CIV of more than \$30 million. Therefore, the Minister for Planning is the consent authority.

The application was publicly exhibited between 30 August 2018 and 26 September 2018 (28 days). The Department of Planning and Environment (the Department) received a total of nine submissions, including eight from public authorities including Randwick City Council (Council) and one from the public. An additional seven submissions from public authorities and Council were received in response to the Applicant's Response to Submissions (RtS). The Department met with Council to discuss issues and the Departments approach to conditions in relation to drainage, cycle paths and car parking.

The key issues raised in the submissions include built form, traffic, parking and noise. The one submission received from a member of the public raised objection to the compulsory acquisition of the site, however this is not a material planning consideration for the purposes of this assessment.

The Department has considered the above issues in its assessment, along with other potential impacts. The Department has considered the merits of the proposal in accordance with relevant matters under section 4.15(1), the objects of the *Environmental Planning and Assessment Act 1979*, the principles of Ecologically Sustainable Development, and issues raised in all submissions as well as the Applicant's response to these.

The Department's assessment of the project concludes that:

- subject to conditions of consent requiring articulation of the façade and minor design amendments, the proposed built form and scale of the development is appropriate when considered in the context of the existing development surrounding the site and the establishment of the Randwick Health and Education Precinct.
- overshadowing caused by the development would be offset by the public benefit of the proposal.
- the surrounding road network has adequate capacity to cater for the expected increase in traffic to the site and proposed access arrangements would be acceptable.
- subject to conditions of consent requiring the provision of parking in accordance with a precinct wide strategy or delivery of temporary car parking in its absence, the car parking demands of the development would be met and impacts on the surrounding road network minimised.

- subject to conditions of consent requiring additional noise modelling and the implementation of acoustic treatment to the dwellings located on Magill Street where required, the development would include appropriate mitigation measures to minimise noise and vibration impacts on surrounding residential properties.

The proposed development is also consistent with the State's strategic planning objectives for the site as set out in the Greater Sydney Regional Plan, 'A Metropolis of Three Cities' and the Eastern City District Plan. The proposal would provide increased and improved health services within the identified Randwick Health and Education Precinct and would support economic growth through job creation and infrastructure investment.

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.



Contents

Glossary	ii
Executive Summary	iv
1. Introduction	1
1.1 Site description	1
1.2 Surrounding development	2
2. Project	4
2.1 Physical layout and design	4
2.2 Timing	7
2.3 Related development	7
3. Strategic Context	8
4. Statutory Context	10
4.1 State significant development	10
4.2 Permissibility	10
4.3 Other approvals	10
4.4 Commonwealth approvals	11
4.5 Mandatory matters for consideration	11
5. Engagement	15
5.1 Department's engagement	15
5.2 Summary of submissions	15
5.3 Public authority submissions	15
5.4 Public submissions	19
5.5 Response to Submissions and supplementary information	20
6. Assessment	24
6.1 Built form and urban design	24
6.2 Noise and Vibration	32
6.3 Traffic and Parking	39
6.4 Other Issues	48
7. Evaluation	54
8. Recommendation	55
9. Determination	56
Appendices	57

Appendix A - List of Documents

Appendix B - Statutory Considerations

Appendix C - Recommended Instrument of Consent/Approval



1. Introduction

This report provides an assessment of a State significant development (SSD) application for Stage 1 of the expansion of Prince of Wales Hospital on land comprising multiple lots bound by Hospital Road, Magill Street and Botany Road, Randwick and part of the existing Randwick Hospital campus (SSD 9113).

The proposal seeks approval for a new thirteen storey acute services building to accommodate approximately 49,000sqm of floor space and associated works.

The application has been lodged by Health Infrastructure on behalf of the Health Administration Corporation (the Applicant). The site is located within the Randwick local government area (LGA).

1.1 Site description

The subject site comprises 53 lots (either in whole or part) generally bound by Hospital Road, Magill Street and Botany Street and part of the Eurimbla Avenue roadway in Randwick (see **Figure 1**). The subject lots are as follows:

- Part Lot 1 DP870720 (Randwick Hospital Campus)
- Lot 7 DP13997 (71 Botany Street)
- Lot A DP167106 (73 Botany Street)
- Lot B DP167106 (75 Botany Street)
- Lot C DP167106 (77 Botany Street)
- Lot D DP167106 (79 Botany Street)
- Lot A DP33161 (81 Botany Street)
- Lot B DP33161 (83 Botany Street)
- Lot C DP33161 (85 Botany Street)
- Lot D DP33161 (87 Botany Street)
- Lot E DP33161 (89 Botany Street)
- Lot F DP33161 (91 Botany Street)
- Lot 1 DP741639 (93 Botany Street)
- Lot 2 DP1134643 (95 Botany Street)
- Lot A DP439101 (97 Botany Street)
- Lot B DP439101 (99 Botany Street)
- Lot 3 DP302329 (101 Botany Street)
- Part Lot 2 DP13995 (27 Eurimbla Avenue)
- Lot 3 DP13995 (29 Eurimbla Avenue)
- Lot 4 DP13995 (31 Eurimbla Avenue)
- Lot 5 DP13995 (33 Eurimbla Avenue)
- Lot 6 DP13995 (35 Eurimbla Avenue)
- Lot 7 DP13995 (37 Eurimbla Avenue)
- Lot 8 DP13995 (39 Eurimbla Avenue)
- Lot 9 DP13995 (41 Eurimbla Avenue)
- Lot 10 DP13995 (43 Eurimbla Avenue)
- Lot 11 DP13995 (45 Eurimbla Avenue)
- Lot 12 DP13995 (47 Eurimbla Avenue)
- Lot 13 DP12909 (34 Eurimbla Avenue)
- Lot 14 DP12909 (36 Eurimbla Avenue)
- Lot B DP441943 (38 Eurimbla Avenue)
- Lot A DP441943 (40 Eurimbla Avenue)
- Lot 1 DP1182570 (42 Eurimbla Avenue)
- Lot 2 DP1182570 (44 Eurimbla Avenue)
- Lot 23A DP434935 (46 Eurimbla Avenue)
- Lot 23B DP434935 (48 Eurimbla Avenue)
- Lot 1 DP522596 (50 Eurimbla Avenue)
- Lot 2 DP522596 (52 Eurimbla Avenue)
- Lot 1 DP501682 (54 Eurimbla Avenue)
- Lot 2 DP501682 (56 Eurimbla Avenue)
- Lot 3 DP513339 (58 Eurimbla Avenue)
- Lot 4 DP513339 (60 Eurimbla Avenue)
- Lot 19 DP7745 (62 Eurimbla Avenue)
- Lot 18 DP7745 (64-64A Eurimbla Avenue)
- Lot 52 DP7745 (64R Eurimbla Avenue – pedestrian walkway)
- Lot 1 DP74860 (66 Eurimbla Avenue – also known as 6 Magill Street)
- Lot 11 DP806091 (66A Eurimbla Avenue)

- Lot 1 DP307266 (2 Magill Street)
- Lot 12 DP806091 (4 Magill Street)
- Lot 7 DP975640 (8-8A Magill Street)
- Lot 1 DP11351 (10 Magill Street)
- Lot 2 DP11351 (12 Magill Street)
- Lot 3 DP11351 (14 Magill Street)

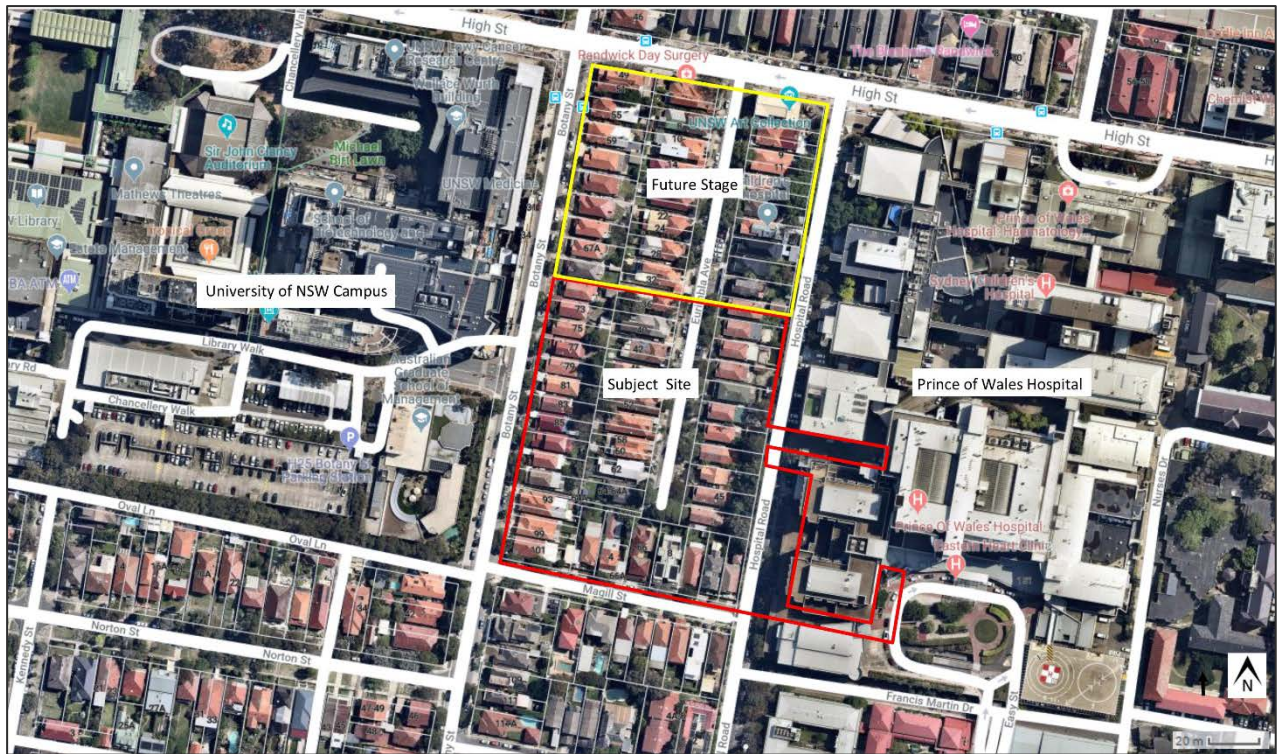


Figure 1 | Subject Site (Base source: nearmap)

The site has a total area of 21,312sqm and falls between 5m and 8m towards Magill Street to the south. The site is also affected by an inconsistent cross slope with the northern half falling approximately 1.5m to Botany Street in the west but then at the southern boundary falling approximately 2m to Hospital Road in the east.

The site was most recently occupied by low density residential dwellings, the Eurimbla Avenue roadway, and part of the Prince of Wales hospital campus. However, demolition and remediation works are currently underway following acquisition of the houses and the roadway by the NSW State Government and the subsequent granting of development consent by Randwick City Council (see **Section 2.3**).

1.2 Surrounding development

The subject site is located approximately 6.5km south west of the Sydney CBD in the Randwick LGA (see **Figure 2**).

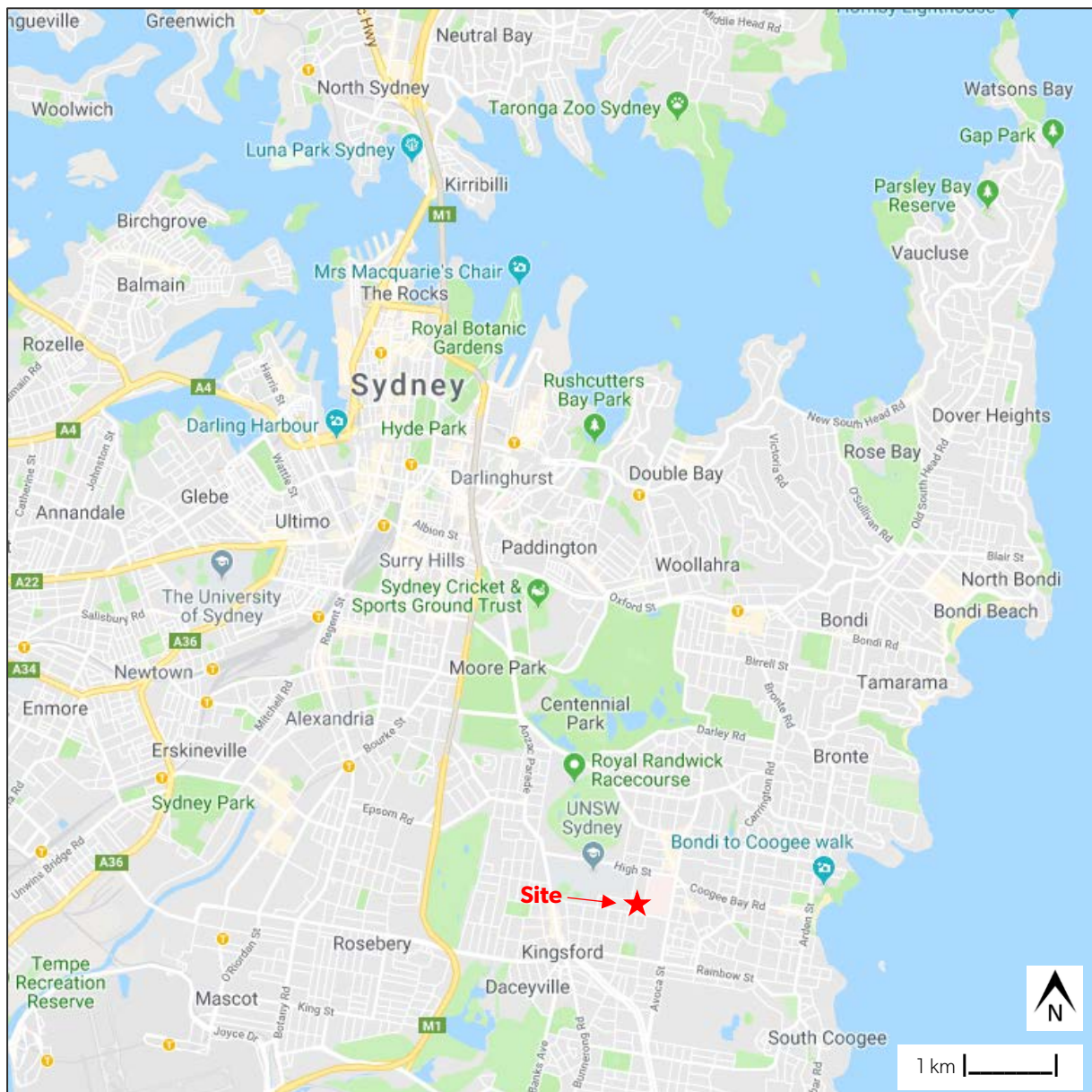


Figure 2 | Local context map (Base source: Google maps)

The site is generally bound by Hospital Road to the east, which is elevated above the residential lots, Botany Road to the west, and Magill Street to the south which is closed to traffic at the eastern end. Adjoining the site to the north were single dwelling houses which are currently being demolished and the land earmarked for the future Stage 2 redevelopment of the hospital within the Randwick Health and Education Precinct. Opposite the site to the east of Hospital Road is the Randwick Health Campus, comprising the existing Prince of Wales Hospital, Prince of Wales Private Hospital, Sydney Children's Hospital and The Royal Hospital for Women. To the south are single storey residential dwelling houses, and to the west is the University of NSW, Kensington campus.

Further to the north of the site, along High Street, the construction of the Central Business District and South East Light Rail (CSELR) is currently underway. The CSELR will provide a light rail connection to the Sydney CBD to the north west and Kingsford to the south.

The character of the broader area is varied, comprising low and medium density residential developments, Randwick town centre to the north-east, and the Royal Randwick Racecourse to the north-west.



2. Project

2.1 Physical layout and design

The key components and features of the proposal (as refined in the Response to Submissions) are provided in **Table 1** and are shown in **Figure 3** and **Figure 4**.

Table 1 | Main components of the project

Aspect	Description
Project Summary	Stage 1 expansion of Prince of Wales Hospital comprising: construction of a 13 storey acute services building (ASB); overhead pedestrian links and helipad; excavation and associated site infrastructure and landscaping works; and road upgrade works to Botany Street and Magill Street.
Built form	• Construction of a 13 storey ASB comprising: ○ emergency department. ○ operating theatres. ○ intensive care unit. ○ medical assessment unit. ○ inpatient units. ○ central sterilizing department and logistics interchange. ○ plant. ○ helipad. • Associated works including: ○ loading dock and ambulance bays. ○ three level bridge over Hospital Road to provide a connection to the existing hospital campus for clinical and operational purposes. ○ single level bridge over Hospital Road to provide a public connection to the existing hospital campus. ○ internal roads, vehicular access and public drop off areas. ○ landscaping works.
Site Preparation and Civil Works	• Bulk excavation. • Shoring and piling. • Stormwater infrastructure including provision of on-site detention and connection to Council's drainage system. • Road infrastructure works including upgrades to Botany and Magill Street and construction of a signalised intersection on Botany Street.
Public domain and landscaping	• Construction of a 'hospital square' fronting Botany Street comprising: ○ formal main hospital entrance. ○ pedestrian pathways, landscaping and seating areas.

	• Boundary planting along Magill Street. • Seeded revegetation area to provide temporary landscaping along the northern side of the ASB. • Planting of 134 trees across the site.
Additional Beds	• 83 additional beds by 2022. • 156 additional beds by 2027.
Site area	• 21,312sqm.
Gross floor area (GFA)	• 49,000sqm.
Use	• Hospital.
Access	• Public vehicle entrance off Botany Street with drop-off and pick-up areas. • Pedestrian pathways to main entrance off Botany Street. • Vehicular access off Magill Street for ambulance entry to the ambulance bays and public access to the drop off and limited time parking servicing the emergency department. • Loading dock entry off Hospital Road.
Car parking	• 12 time-limited parking spaces (including two accessible spaces) to support emergency department drop-off are proposed off Magill Street. • No additional staff or visitor car parking provided.
Bicycle parking	• 50 spaces for staff. • 20 spaces across campus for visitors.
Hours of operation	• 24 hours per day, seven days per week.
Jobs	• Construction – 1,213 jobs. • Operation – additional 260 jobs.
CIV	• \$358,673,682.
Construction duration	• Building completion and commencement of operation by 2022. • Fit out of remaining shell spaces by 2027.

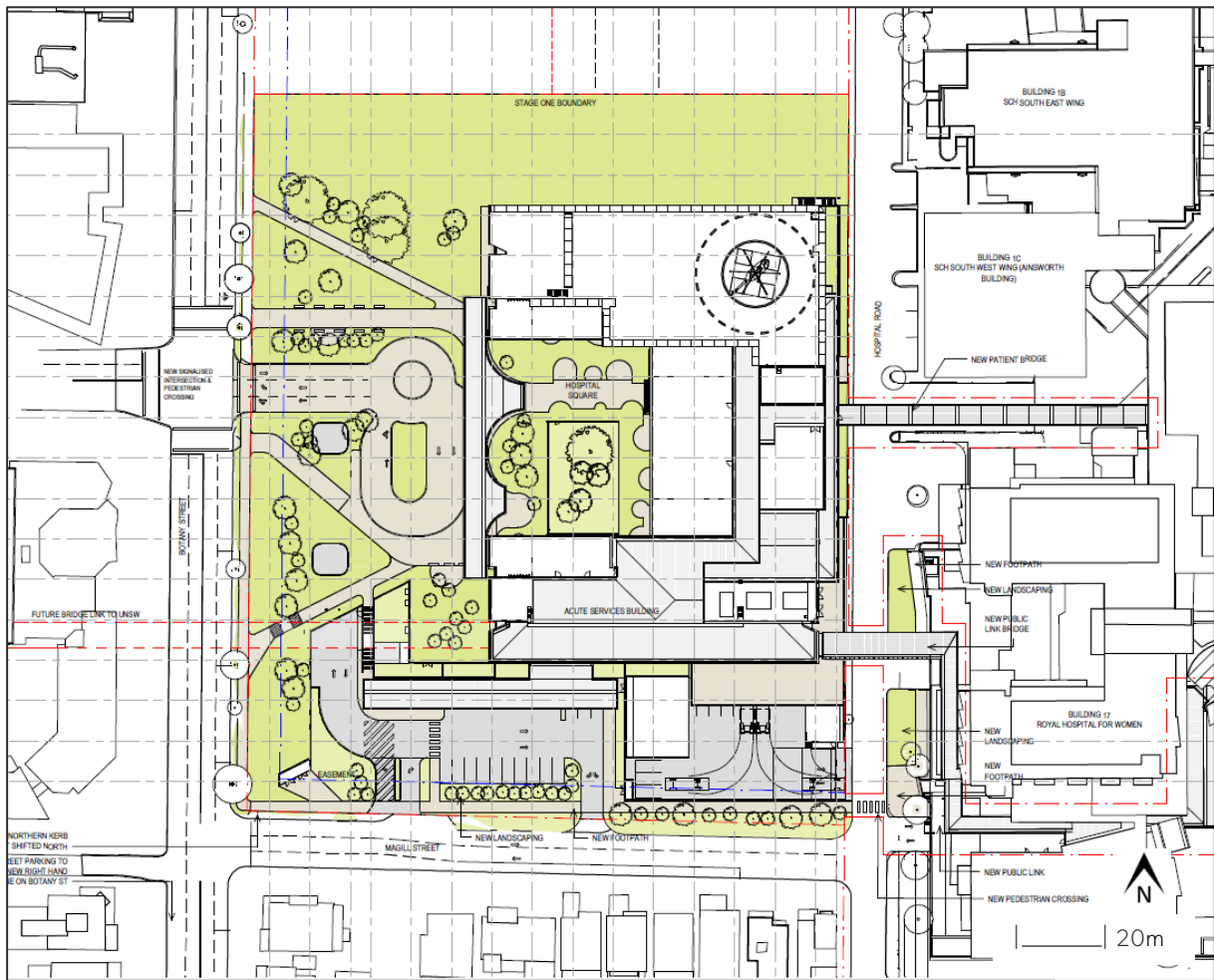


Figure 3 | Site Plan (Source: EIS)



Figure 4 | Western elevation to Botany Street – main entrance (Source: RtS)

2.2 Timing

This application is for Stage 1 of the expansion of Prince of Wales Hospital. Future stages will be subject to separate applications. As provided by the EIS, construction is scheduled to commence in early 2019 and the proposal is anticipated to be operational by 2022.

2.3 Related development

On 4 September 2018, the Sydney Eastern City Planning Panel in conjunction with Randwick City Council granted development consent to DA/208/2018 for the 'demolition of 92 dwellings and ancillary structures, removal of vegetation and site remediation'. The site subject of the development application encompasses the site subject of this SSD and land to the north up to High Street. Demolition works are currently underway on the site.

A separate Review of Environmental Factors (REF) approval via Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) was issued by Health Infrastructure on 19 April 2018, for 'early and enabling works including services diversion'. The works include the closure of Eurimbla Avenue, diversion of an existing overland flow path, realignment of Council's drainage system and tree removal.



3. Strategic Context

Prince of Wales Hospital (POW) and the proposed ASB are located within the South Eastern Sydney Local Health District and are integral in delivering health services to the Sydney metropolitan region. POW is also part of the Randwick Collaboration Area (RCA), which encompasses the subject site, existing Randwick Health Campus, existing UNSW campus' and nearby town centres (see **Figure 5**). The RCA partners include the Greater Sydney Commission, Health Infrastructure, University of NSW, Randwick City Council (Council), the Department, Transport for NSW (TfNSW) and the Australia Turf Club.

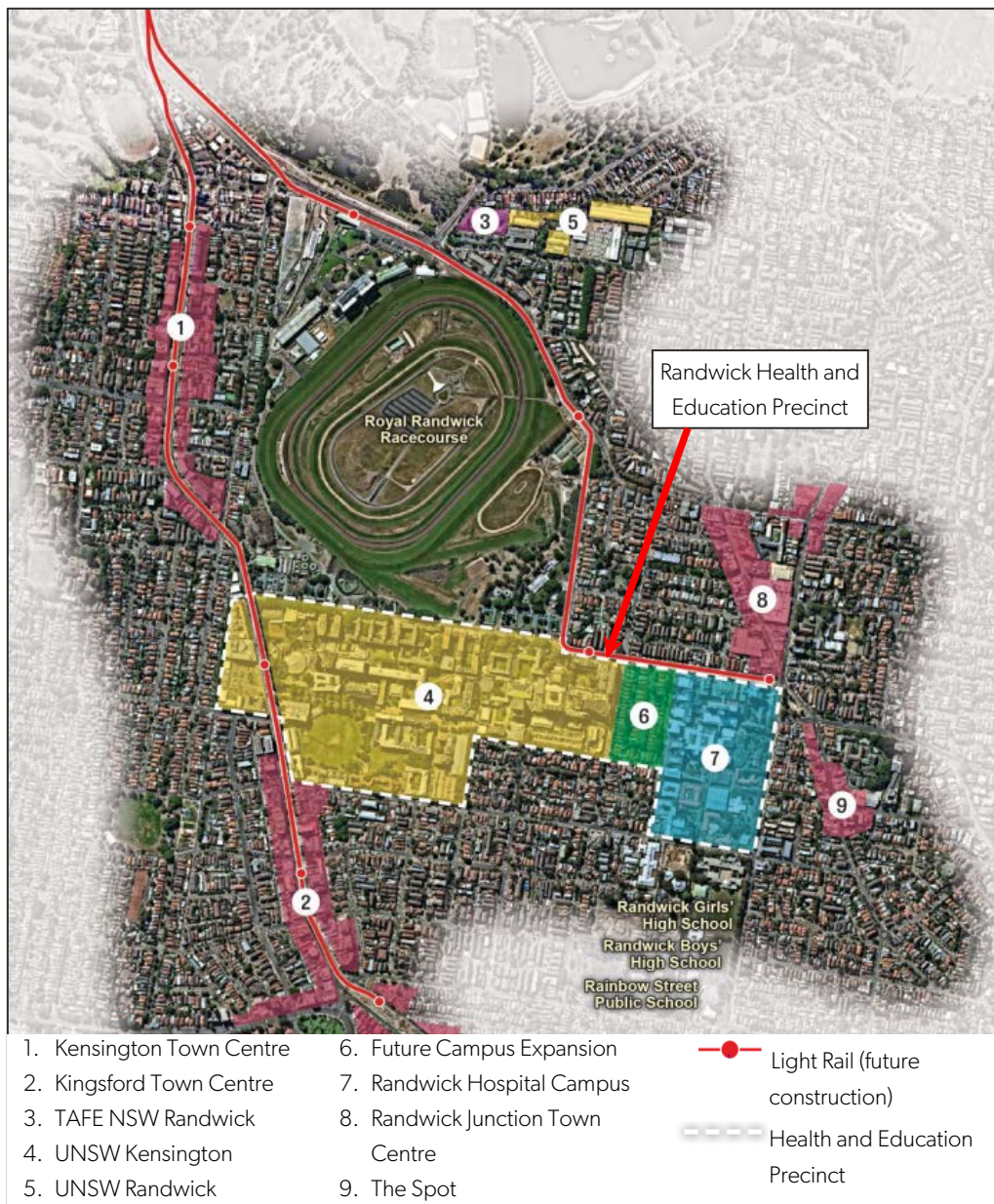


Figure 5 | Randwick Collaboration Area – Key Sites (Source: Randwick Place Strategy)

The Randwick Place Strategy has recently been developed by the Greater Sydney Commission in partnership with the RCA partners for the RCA and includes a number of priorities for the area. Priority 1 is to create an

integrated and connected innovation district and the associated strategy action seeks to complete the Randwick masterplan to progress the Randwick Health and Education Precinct, of which the proposed ASB is a main component.

Demand for public health infrastructure and services in the region is increasing due to a growing and ageing population. The Applicant has advised that population forecasts indicate that POW would have exceeded occupancy by 2018. The proposed ASB is critical to meet projected demand, and to deliver quality health care, health education and research facilities.

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

- it will deliver health infrastructure for a growing and ageing population, improve service levels in hospitals through the construction of new health facilities, and the creation of jobs during both the construction and operation phases of the development.
- it is consistent with the Greater Sydney Commission's Greater Sydney Regional Plan 'A Metropolis of Three Cities', as it will deliver health infrastructure to meet the growing needs of Sydney.
- it is consistent with the Transport for NSW's Future Transport Strategy 2056, as it would provide additional health care facilities in a highly accessible location and provide access to additional new employment opportunities close to public transport.
- it is consistent with the vision outlined in the Greater Sydney Commission's Eastern City District Plan, as it would provide additional, upgraded health care facilities within the recognised Randwick Health and Education Precinct.
- it is consistent with Infrastructure NSW's State Infrastructure Strategy 2018 – 2038 Building the Momentum, as it facilitates investment in health infrastructure to support the growing population.
- it would provide direct investment in the region of approximately \$359 million, which would support 1,213 construction jobs and 260 new operational jobs.



4. Statutory Context

4.1 State significant development

The proposal is SSD under section 4.36 (development declared SSD) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as the development has a CIV in excess of \$30 million (approximately \$359 million) and is for the purpose of a hospital under clause 14 of Schedule 1 of State Environmental Planning Policy (State and Regional Development) 2011.

The Minister is the consent authority under section 4.5 of the EP&A Act.

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.

4.2 Permissibility

The majority of the site is identified as being located within the R2 – Low Density Residential zone by Randwick Local Environmental Plan (LLEP) 2012. Part Lot 1, DP 870720, which is occupied by the existing hospital campus, is located within the SP2 – Infrastructure (Health Services Facilities) zone. Hospitals are prohibited in the R2 – Low Density Residential zone but permissible with consent within the SP2 – Infrastructure (Health Services Facilities) zone.

Part 3, Division 10 of State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) states that

"development for the purpose of health services facilities may be carried out by any person with consent on land in a prescribed zone."

The ISEPP identifies the R2 – Low Density Residential zone as a prescribed zone and as such hospitals are a permissible form of development with consent.

Therefore, the Minister for Planning or a delegate may determine the carrying out of the development.

4.3 Other approvals

Under section 4.41 of the EP&A Act, a number of other approvals are integrated into the State significant development approval process, and consequently are not required to be separately obtained for the proposal.

Under section 4.42 of the EP&A Act, a number of further approvals are required, but must be substantially consistent with any development consent for the proposal (e.g. approvals for any works under the *Roads Act 1993*).

The Department has consulted with the relevant public authorities responsible for integrated and other approvals, considered their advice in its assessment of the project, and included suitable conditions in the recommended conditions of consent (see **Appendix C**).

4.4 Commonwealth approvals

On 11 January 2019, the Commonwealth Department of Infrastructure, Regional Development and Cities provided an approval under the Airports (Protection of Airspace) Regulations 1996 for the intrusion of the proposed building into prescribed airspace for Sydney Airport.

4.5 Mandatory matters for consideration

4.5.1 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 (EPI) that is of relevance to the development the subject of the development application. Therefore, the assessment report must include a copy of, or reference to, the provisions of any EPIs that substantially govern the project and that have been taken into account in the assessment of the project.

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.

4.5.2 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) 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	The proposed development would ensure the proper management and development of land for the provision of in demand health infrastructure. The improved health care facilities will provide significant social and economic benefits to the community.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	The proposal includes measures to deliver ecologically sustainable development (ESD). ESD is discussed in detail under Section 4.5.3 .
(c) to promote the orderly and economic use and development of land,	The proposal to deliver health services is consistent with the objectives of the ISEPP and overarching strategic policies for the locality. The expansion would also be of economic benefit through job creation and infrastructure investment.
(d) to promote the delivery and maintenance of affordable housing,	N/A

(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	The proposal would not result in the loss of any threatened or vulnerable species, populations, communities or significant habitats.
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	The proposed development is not anticipated to result in any significant impacts upon building and cultural heritage including Aboriginal cultural heritage. See Section 6.4 .
(g) to promote good design and amenity of the built environment,	The proposed development has been reviewed by the Government Architect NSW throughout the assessment of the development. It is acknowledged that the proposal would result in unavoidable amenity impacts on the residential properties to the south. Subject to conditions requiring the implementation of mitigation measures, it is considered that an acceptable level of amenity would be preserved. The Department considers the overall built form of the development to be complimentary to existing development within the health and education precinct. See Section 6 .
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	The Department has considered the proposed development and has recommended a number of conditions of consent to ensure the construction and maintenance is undertaken in accordance with legislation, guidelines, policies and procedures (refer to Appendix C).
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	The Department publicly exhibited the proposal (Section 5.1), which included consultation with Council and other public authorities and consideration of their responses (Sections 5.1 and 6).
(j) to provide increased opportunity for community participation in environmental planning and assessment.	The Department publicly exhibited the proposal as outlined in Section 5.1 , which included notifying adjoining landowners, placing a notice in newspapers and displaying the proposal on the Department's website and at Council during the exhibition period.

4.5.3 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 EIS provides that the building has been designed to target a 4 Star Green Star rating and a 5 per cent improvement over the National Construction Code Section energy requirements. The development proposes ESD initiatives and sustainability measures, including:

- LED lighting.
- centralised lighting system.
- external lighting to be controlled via sensors.
- energy monitoring.
- energy efficient air conditioning systems.
- passive heating and cooling design.
- Building Management System to optimise plant efficiency.
- efficient water fixtures and fittings.

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. To ensure a 4 Star Green Star Rating is achieved, it is recommended a condition requiring the development be designed and certified to this standard is imposed. Further, the Department notes that the application makes no provision for the harvesting of rainwater for on-site reuse. As such, a condition is recommended for rainwater harvesting to be incorporated into the development for the irrigation of landscaped areas.

Subject to conditions, the proposed development is consistent with ESD principles as described in sections 4 and 6 of the Applicant's EIS, which has been prepared in accordance with the requirements of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation).

Overall, the proposal is consistent with ESD principles and the Department is satisfied that subject to conditions, the proposed sustainability initiatives will encourage ESD, in accordance with the objects of the EP&A Act.

4.5.4 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.

4.5.5 Planning Secretary's Environmental Assessment Requirements

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

4.5.6 Section 4.15(1) matters for consideration

Table 3 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 6** (Assessment) and relevant appendices or other sections of this report and EIS, referenced in the table.

Table 3 | 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	The Department's consideration of the draft EPIs is provided in Appendix B of this report.
(a)(iii) any development control plan (DCP)	Under clause 11 of the SRD SEPP, DCPs do not apply to SSD.
(a)(iiia) 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 6 of this report.
(c) the suitability of the site for the development	The site is suitable for the development as discussed in Sections 3, 4 and 6 of this report.
(d) any submissions	Consideration has been given to the submissions received during the exhibition period. See Sections 5 and 6 of this report.
(e) the public interest	Refer to Sections 6 and 7 of this report.

4.5.7 Biodiversity Conservation Act 2016

Under section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act), SSD applications are "to be accompanied by a biodiversity development assessment report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values".

The impact of the Prince of Wales hospital expansion on biodiversity values has been assessed in the BDAR accompanying the EIS and considered in **Section 6** of this report.

5. Engagement

5.1 Department's engagement

In accordance with Schedule 1 of the EP&A Act, the Department publicly exhibited the application from Thursday 30 August 2018 until Wednesday 26 September 2018 (28 days). The application was exhibited at the Department and on its website, at the NSW Service Centre and at Randwick City Council's office.

The Department placed a public exhibition notice in the Sydney Morning Herald, The Daily Telegraph and Wentworth Courier on Wednesday 29 August 2018, and notified adjoining landholders and relevant State and local government authorities in writing. The Department representatives visited the site to provide an informed assessment of the development.

The Department has considered the comments raised in the public authority and public submissions during the assessment of the application (**Section 6**) and/or by way of recommended conditions in the instrument of consent at **Appendix C**.

5.2 Summary of submissions

The Department received a total of nine submissions, comprising eight submissions from public authorities and Council, and one submission from the general public. A summary of the issues raised in the submissions is provided in **Sections 5.3** and **5.4** below. Copies of the submissions may be viewed at **Appendix A**.

5.3 Public authority submissions

A summary of the issues raised in the public authority submissions is provided at **Table 4** below and copies of the submissions may be viewed at **Appendix A**.

Table 4 | Summary of public authority submissions to the EIS exhibition

Council

Council does not object to the proposal, however, provided comments relating to the following:

Bulk and scale

- the appropriateness of the bulk and scale of the development and the associated impacts on the Magill Street low density residential area to the south of the site.
- inclusion of additional deep soil planting along the southern boundary opposite the Magill Street dwelling houses.
- additional information to be provided including elevations and sections that show the relationship of the proposed development with the adjoining properties.

Airport height restriction

- the proposal exceeds the Obstacle Limitation Surface and no details of compliance were provided.

Solar access and overshadowing

- the shadow analysis shows the properties at 7-15 Magill Street would receive less than three hours of solar access to living areas and private open spaces.

Transport, parking and accessibility

- Council notes that no parking is proposed on the basis that parking demand would be accommodated by a modal shift to public transport (including the CSELR) and the implementation of a Green Travel Plan (GTP).
- additional information is requested including details of the GTP to justify if the predicted increase in public and active transport would be sufficient to offset the forecast parking demand and if any additional parking demand could be managed without additional pressure on the existing road network.
- Council notes previous parking surveys identified off campus parking demand exceeded on-street parking available and that on-street parking is to be reduced as a result of the proposal.
- further information is requested to identify the need for on-site parking and a parking strategy for management of the existing parking on campus is to be investigated.
- the GTP should include incentives to promote public and active transport, monitoring of performance and ongoing methods for improvement.

Bicycle networks and infrastructure

- Council notes that the development does not provide for dedicated bicycle lanes, shared paths, or bicycle parking and end of trip facilities within the ASB site.
- the proposed reliance on surrounding campus parking areas for bicycle parking is a poor outcome given the reliance on sustainable travel modes.
- the proposal should incorporate a network of cycling routes throughout the hospital campus.
- Council recommends the inclusion of a separated cycleway along the north edge of the ASB site, construction of a bicycle lane and wider footpath along hospital road, a separated cycleway on Magill Street and Francis Martin Drive, and the provision of parking facilities in multiple locations along the ASB site.

Construction traffic

- travel routes for construction vehicles are recommended.

Operation traffic

- the loss of on-street car parking associated with the road upgrades is not addressed by the EIS.
- the proposed signalled intersection is recommended to be installed prior to demolition.
- Council recommends that Magill Street be retained as a no through road.

Drainage and flooding

- Council notes that pipe diversion works are required and are being undertaken as part of the Review of Environmental Factors.

-
- the pipe system should be constructed separately to the on-site detention (OSD) system to simplify ownership of the assets.
 - the OSD system should be owned and maintained by the applicant.
 - concerns are raised in relation to sediment accumulation in the detention system.
 - inlet structures should consider public safety and urban design.

Biodiversity

- Council seeks to enter into an agreement with the applicant for replacement public tree plantings.

Landscaping and public domain

- the landscape design should incorporate an interpretive use of an old culvert.
- a planting plan and plant schedule is required.
- location of existing street trees to be retained to be provided.
- lighting strategy should be provided.

Heritage

- the recommendations of the historic and aboriginal archaeological assessments should be incorporated as conditions of consent.
- photographic cataloguing of residences for demolition is requested.

Noise and vibration

- Council opposes extended construction hours.
- the noise and vibration impact assessment should be updated to reflect individual properties.
- car park access off Magill Street should be relocated.
- the loading dock off Hospital Road should be located further away from Magill Street.
- night time traffic on Magill Street is likely to awaken residents from sleep.
- noise from helicopter movements are likely to increase for residents north of High Street and no mitigation measures are provided.

Sustainability

- Council requested a number of additional measures be included in the development including photovoltaic systems, openable windows/louvres, cyclist facilities and increased permeable areas.

Council also provided recommended conditions, should the application be supported.

Roads and Maritime Service (RMS)

RMS provided the following comments:

- the proposal does not yet meet the warrants for approval of a traffic control light and therefore RMS consent is not provided.

-
- a Construction Pedestrian and Traffic Management Plan (CPTMP) detailing construction must be submitted prior to construction.
 - construction vehicles shall not use High Street without prior approval of the Sydney Coordination Office.
 - all works/signposting associated with the development shall be at no cost to RMS.

TfNSW

TfNSW provided comments in relation to the following:

- the proposal may have the potential to impact surrounding land including the Sydney Light Rail by contributing to flooding.
- the applicant is required to demonstrate the proposal would not adversely impact the completion of the Sydney Light Rail Project's program of works and would not result in additional flooding or changes to overland flow paths during construction and operation.
- a Construction Pedestrian and Traffic Management Plan (CPTMP) is to be developed in consultation with TfNSW and RMS.
- consultation is to occur at monthly Traffic and Transport Construction Coordination meetings with TfNSW and RMS.
- a Travel Demand Management Strategy and Green Travel Plan is to be prepared.
- the bus route information provided in the Transport Assessment Report is to be updated.

Environment Protection Authority (EPA)

EPA provided the following comments:

Site Contamination

- an unexpected finds procedure is to be prepared and implemented prior to commencement.
- works are to comply with relevant guidelines and legislation relating to contamination and waste.

Noise and Vibration

- construction is to be limited to standard hours.
- recommendations are provided for management of noise during construction including intra-day respite periods and management of vehicles.
- the proponent be required to review the location and orientation of the development which have direct noise impacts on Magill Street residences and review necessitating vehicle movements along Magill Street.
- a comparative noise impact assessment be undertaken of design options that provide alternative locations for ambulance access, the emergency department including drop off and entrances, and loading dock.
- waste collection services and deliveries to the loading dock be limited to between 7.30am and 6pm Monday to Friday.

-
- a quantitative noise assessment of mechanical plant and equipment be provided.

Construction management

- recommendations are provided for management of dust, sediment control and waste during construction.

Operations

- underground petroleum storage system is to be in accordance with the relevant regulation.
- waste management is to be in accordance with the relevant guidelines.
- the application is to clarify if nuclear medicine or radio-therapy facilities are to be located in the acute services building.

Office of Environment and Heritage (OEH)

OEH provided the following comments:

- an Aboriginal Cultural Heritage Assessment Report is required.
- the Biodiversity Assessment Report (BDAR) does not adequately assess the vegetation on the site and impacts on biodiversity values cannot be determined.
- the BDAR is to be amended to address shortfalls in the assessment of biodiversity and impact assessment requirements.
- additional sustainability measures should be incorporated including water sensitive urban design (WSUD), urban tree canopy, green walls and cool roofs

Commonwealth Department of Infrastructure, Regional Development and Cities (DIRDC)

DIRDC provided approval for intrusion of the proposed development into Sydney Airport airspace.

Airservices Australia

Airservices Australia advised the proposal would not impact on airspace procedures.

Civil Aviation Safety Authority (CASA)

CASA advised the development is acceptable and provided recommendations for obstacle lighting.

5.4 Public submissions

One public submission was received providing comments on the application. The issues raised in the submission are as follows:

- objects to the policy of compulsory acquisition and the subsequent impacts on aged residents.
- compulsory acquisition conflicts with the Government's 'Ageing in Place' policy.
- the application makes no mention of affordable housing provision for the staff required to support the hospital expansion.

5.5 Response to Submissions and supplementary information

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 6 November 2018, the Applicant provided a Response to Submissions (RtS) (**Appendix A**) on the issues raised during the exhibition of the proposal. No significant changes were proposed to the development, however the following additional information was provided:

- Aboriginal Cultural Heritage Assessment Report.
- Green Travel Plan.
- detail site investigation and remediation action plan as approved by a separate development consent.
- indicative tree retention and removal plans.
- revised architectural plans providing additional details of levels, heights and context.
- revised foundation plans.
- massing studies.
- arboricultural impact assessment.
- revised BDAR.
- construction communications plan.
- tower crane operation approvals.

The RtS was made publicly available on the Department website and was referred to the relevant public authorities. An additional seven submissions were received from public authorities including Council. A summary of the issues raised in the submissions is provided at **Table 5**.

Table 5 | Summary of public authority submissions to the RtS

Council

Council does not object to the proposal however provided further comments on the proposal. Its comments are summarised as follows:

Magill Street amenity impacts

- no significant changes have been made to the development, and therefore Council reiterates its concerns in relation to the amenity impacts for the residences along Magill Street from overshadowing, traffic and the emergency access.

Green Travel Plan (GTP)

- the GTP should place the hospital at the centre of the bicycle network.

Parking

- the response regarding parking management does not adequately detail the need for onsite parking on the development site.
- a parking strategy on the existing parking provision is required.

Bicycle networks and infrastructure

- Council reaffirms the need to provide cycling networks within the development site to connect with the surrounding network.

- a high quality east-west link should be provided through the site from the proposed intersection through to Cuthill Street in the east.
- bicycle parking and end of trip facilities should be provided on the ASB site.
- Council reaffirms the need for dedication of land along the Botany Street frontage for construction of a suitable shared pedestrian/bicycle path.

Biodiversity

- there should be no 'net loss' of vegetation and/or an adequate compensation scheme provided.

Heritage and Archaeology

- additional conditions recommended in relation to the ACHAR.

Sustainability

- the development should achieve a 5 Star Green Star rating.

Council also disagreed with the Applicant's response opposing their recommended conditions of consent.

RMS

RMS advised they raise no further concerns with the development subject to the following:

- the Traffic Control Signals (TCS) at the intersection of Botany Street and the ASB be designed to meet RMS requirements.
- the Applicant be required to dedicate land as public road for the maintenance of the TCS.
- a Construction Pedestrian and Traffic Management Plan (CPTMP) must be submitted prior to construction.

RMS also noted:

- due to the TCS, consideration should be given to the implementation of a 'no stopping' zone between Botany Street/High Street and Botany Street/Magill Street with the only exception for a dedicated bus zone.
- swept paths for the longest vehicle entering and exiting the site shall be in accordance with Austroads.

TfNSW

TfNSW requested conditions requiring the following:

- the Applicant consult with and seek approval from the Sydney Light Rail project team in relation to:
 - the development's construction activities to ensure the proposal would not adversely impact the completion of the Sydney Light Rail Project's program of works.
 - mitigation measures to ensure there is no flooding impact on the Sydney Light Rail.
- a Construction Worker Transportation Strategy is to be developed in consultation with TfNSW and RMS.
- a CPTMP is to be developed in consultation with TfNSW and RMS.

- consultation is to occur at monthly Traffic and Transport Construction Coordination meetings with TfNSW and RMS.
- a Travel Demand Management Strategy and Green Travel Plan is to be prepared.

EPA

EPA provided the following comments:

Site Contamination

- the number of samples taken as part of the Detailed Site investigation (DSI) is unlikely to be sufficient to properly characterise the extent of site contamination.
- the (DSI) and Remedial Action Plan (RAP) submitted with the RtS identifies areas with trace contamination and identified metal contamination in groundwater.
- EPA reaffirms its previous comments in relation to contamination.

Noise and Vibration

- EPA reaffirms its previous comments in relation to noise and vibration.

Office of Environment and Heritage (OEH)

OEH provided the following comments:

- the recommendations of the ACHAR are to be included as conditions of consent.
- the revised BDAR is adequate.
- site landscaping is to comprise plants of native provenance from the relevant native vegetation community.
- replacement trees are to have a minimum height of 2-2.5m and/or a pot size of 50-75 litres or greater.
- to enhance native habitat at the site, artificial nest boxes and salvaging of native trees is recommended.
- the development incorporates green roofs, green facades and/or cool roofs.

Heritage Council of NSW

Heritage Council of NSW provided the following recommendations:

- the mitigation strategies provided in the submitted Historical Archaeological Assessment be implemented.
- all affected archaeological 'relics' and or deposits are to be subject to professional archaeological excavation and/or recording.
- a Research Design including an Archaeological Excavation Methodology be submitted for approval.
- final excavation reports should be lodged with the Heritage Council of NSW, Council and the Department.

DIRDC provided approval for the increased 0.2 metre intrusion of the proposed development into Sydney Airport airspace.

In response to submissions on the RtS and the Department's request for information, the Applicant provided additional information, which provided further clarifications and included the following information:

- agreement to maintaining the eastern end of Magill Street closed to traffic.
- letters from both the acoustic and traffic engineers in support of Magill Street remaining closed.
- updated ACHAR and historical archaeology assessment.
- updated GTP.
- survey plans.
- detailed landscape plans.



6. Assessment

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

- built form and urban design.
- noise and vibration impacts.
- traffic and parking.

Each of these issues is 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 6.4**.

6.1 Built form and urban design

6.1.1 Built form, bulk and scale

The proposed development comprises construction of a new thirteen storey ASB and overhead pedestrian links to the existing hospital.

Ancillary works include provision of a rooftop helipad, construction of a 'hospital square' fronting Botany Street, and landscaping works.

The proposed ASB is designed with the main entrance and 'hospital square' fronting Botany Street to the west. The emergency department and associated drop-off, and ambulance entry is located to the south of the building fronting Magill Street. To the east are the loading dock, and overhead pedestrian links crossing Hospital Road, and the northern elevation presents as a typical hospital development to the future Stage 2 site (see **Figure 6** to **Figure 11**).



Figure 6 | West Elevation (Source: RtS)

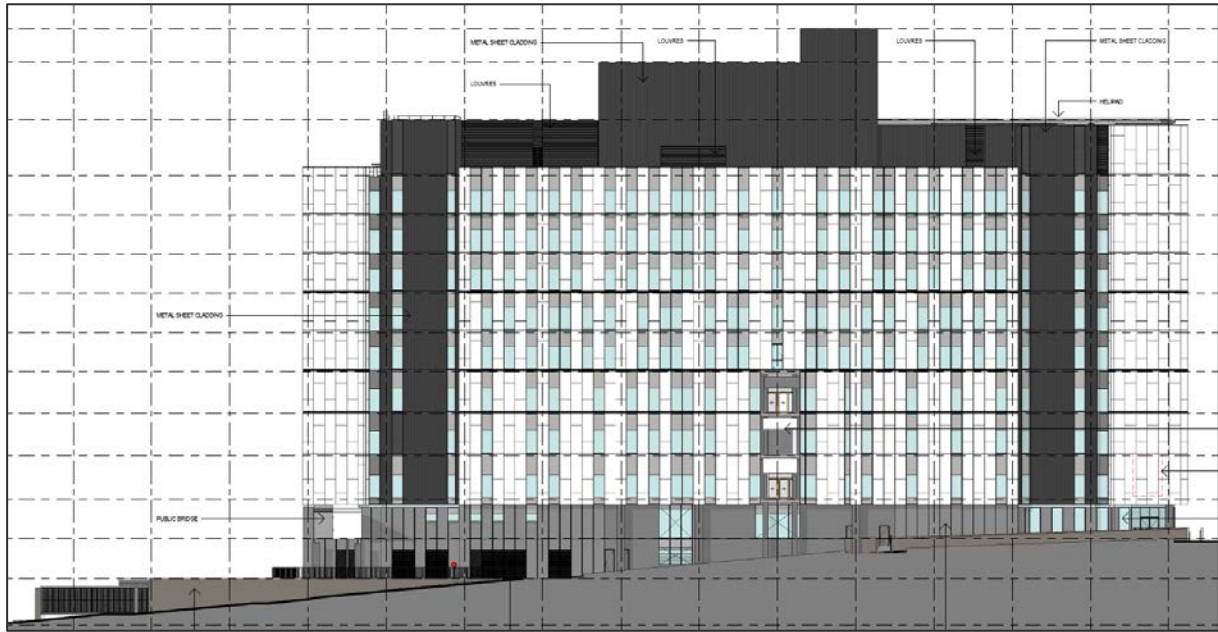


Figure 7 | East Elevation (Source: RtS)



Figure 8 | South Elevation (Source: Applicant's Additional Information)

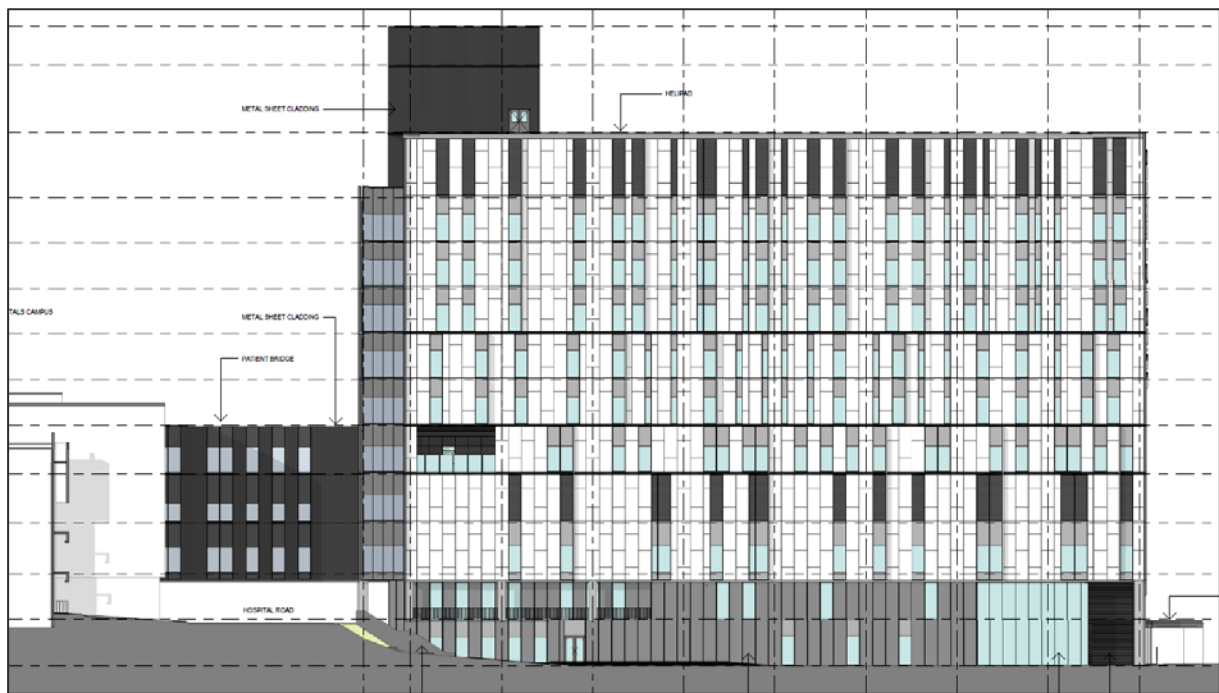


Figure 9 | North Elevation (Source: Applicant's Additional Information)



Figure 10 | South-East Perspective (Source: EIS)



Figure 11 | South-West Perspective (Source: EIS)

The proposed building will have a maximum building height of 64m and a total GFA of 49,000sqm. From Botany Street the building is proposed to be setback over 40m to accommodate the 'hospital square', main entrance and drop off areas. From Magill Street the bulk of the building is setback approximately 25m, with only the loading dock wall and emergency entrance canopy encroaching into this space. A variable setback is proposed along Hospital Road of between 0m and 4m.

The proposed materials and finishes primarily comprise solid fibre cement panels in three colours. For detail and textural variance, off form concrete is proposed to the core structures, longline cladding is to be used for the louvre structures to the upper storey plant levels, and brick is proposed for the semi-basement emergency floor level and entrance. The main entrance is defined by curtain glass walling.

Following exhibition of the EIS, Council raised concerns in relation to the bulk and scale of the development and its relationship with the low density, residential uses to the south. The Government Architect of NSW (GANSW) raised similar concerns and identified issues in relation to building orientation, façade composition, circulation and internal amenity of the emergency department, and overshadowing of Magill Street residences. The Department requested the Applicant reconsider the layout and orientation of the development, particularly due to the impacts on the Magill Street residents.

As part of the RtS, the Applicant provided a response to the concerns raised. No design changes were made to the development, however additional justification and supporting documentation was provided. The Applicant advised that the building design including its siting, orientation and massing was largely defined by the need to maintain important clinical connections with the existing buildings on the eastern side of Hospital Road, and for this reason no amendments were made.

GANSW and the Department in reviewing the RtS, reiterated previous concerns. In response, the Applicant provided further justification, and made no changes to the design of the development.

Concerns have been raised by Council and GANSW that the proposed ASB would have a significant overshadowing impact on the residential properties to the south. The Department, in its consideration of the application has undertaken a detailed, hour by hour analysis of solar access to these properties. **Table 6** below provides a summary of solar access impacts on private open space (POS) and living rooms between the hours of 9am and 3pm mid-winter. It is noted that for the purposes of this assessment and in the absence of any information to demonstrate otherwise, north facing windows are taken to serve living rooms.

Table 6 | Assessment of solar access impacts (mid-winter)

Address	Existing solar access to at least 50% of POS	Proposed solar access to at least 50% of POS	Existing solar access to living rooms	Proposed solar access to living room
1 Magill Street	5 hours	4 hours	6 hours	4.5 hours
3 Magill Street	5 hours	3 hours	6 hours	4 hours
5 Magill Street	2 hours	2 hours	6 hours	3 hours
7 Magill Street	6 hours	3 hours	6 hours	1.5 hours
9 Magill Street	< 1 hour	< 1 hour	6 hours	2 hours
11 Magill Street	Nil	Nil	6 hours	1 hours
13 Magill Street	< 1 hour	< 1 hour	6 hours	1 hours
15 Magill Street	< 1 hour	< 1 hour	6 hours	2 hours

It is evident from **Table 6**, the proposal would result in overshadowing of the residences fronting Magill Street mid-winter. In considering the impacts, as a guide it is noted the Randwick Comprehensive Development Control Plan 2013 (DCP) that applies to development to the south, requires dwellings receive at least 3 hours of sunlight to their living rooms and 50% of their private open space mid-winter.

Due to the southern orientation of the private open space associated with each residence, solar access is already limited to these areas. Whilst there are impacts, the dwellings that currently receive more than 3 hours would continue to retain 3 hours of solar access as a minimum. Where solar access to private open space is already reduced, the impacts are only slight with no significant change to the amount of sunlight received.

As a result of the location of the ASB being directly to the north of the Magill Street residences, overshadowing of the north facing windows and associated living rooms is inevitable. Due to the height and siting of the building, the overshadowing of the living spaces would be significant. The Applicant has advised that the bulk of the building was relocated 25m north from the southern boundary in an attempt to minimise the impact on the affected properties, however further design amendments would not meet the clinical needs of the development.

In considering the appropriateness of the development and the associated impacts, the Department notes that under RLEP the site is primarily zoned R2 Low Density Residential with a maximum building height of 9.5m and a maximum floor space ratio of 0.5:1. However in accordance with clause 5.12 of the RLEP, these development standards cannot restrict development undertaken by a public authority.

Contextually, it is noted that while development to the south of the site is characterised by low density one and two storey residential dwellings, the existing hospital to the east and UNSW to the west comprises buildings of varying heights and increased density. In particular, the UNSW library extends to a height of 15 storeys, and the UNSW Engineering building is 18 storeys high. More recently, UNSW has completed construction of a nine-storey building directly opposite the site on Hospital Road. The existing buildings on the Randwick Health Campus also vary in height from four to eight storeys.

The Department notes that at 13 storeys, the proposed ASB would be one of the taller and more prominent buildings in the immediate locality. However, the Department also recognises the changing nature of the area with the establishment of the Randwick Health and Education precinct and accepts the increased scale and density of the proposal to be reflective of modern institutional development in a metropolitan context.

The Department considers that the built form of the development including its location on the site and orientation could be better resolved. However, it is accepted that the design of the development was driven by the need to locate the core of the ASB adjacent to the western boundary in order to provide essential connections to the existing buildings located on the Randwick Health Campus.

The design of the building as it would present to Botany Street is supported, with the 'U' shaped footprint providing an articulated façade and welcoming central courtyard. The north, west and southern elevations comprise expansive, unarticulated facades driven by the building form which conforms to the clinical model adopted by NSW Health for the design of inpatient units. The Applicant provides that variations in the location of glazed and solid elements can be varied from floor to floor to avoid an 'institutional' appearance and that the composition of the façade is grouped into bands of two or three storeys to improve the perceived scale of the building. The Department, noting that the materiality of solid elements is also limited to one colour, is concerned that the variation in glazed and solid elements is insufficient to break down the scale of the building and minimise visual bulk. As such, the Department, in consultation with GANSW, has recommended a condition of consent requiring the façade be further articulated and refined, and where possible shade glazing and reduce thermal gain.

The Department also raised concerns in relation to the loading dock wall on the southern elevation. The loading dock wall is proposed to extend across the southern boundary for a length of approximately 45m, with an average height of 5m and is to be a blockwork finish in a grey colour. The Department is concerned that from a pedestrian perspective, the wall would be overbearing, and would present poorly to Magill Street. Consequently, the Department has recommended a condition of consent, requiring the wall be articulated and refined to improve amenity for pedestrians, and the residents located on the southern side of Magill Street.

The impact of the proposal on the dwellings along Magill Street is acknowledged. The overshadowing impacts on the living spaces would be significant and the overall height, bulk and scale of the development when viewed from the front of these properties would be visually dominant. Even so, the Department again notes that the establishment of the Randwick Health and Education Precinct, as supported by the NSW Government, Greater Sydney Commission and the Eastern City District Plan, requires development of an institutional form and density to service the growing needs of the community. Further, the Department recognises the development is constrained by the location of existing clinical facilities and the need to provide connections across Hospital Road, and the subsequent limitations in applying flexibility to the building design to mitigate the impacts on the Magill Street dwellings. On this basis, the Department considers that the public benefit of the proposal to deliver much needed hospital beds to meet increased demand for quality healthcare would offset any negative outcomes of the development on the Magill Street dwellings.

The recommended conditions of consent requiring façade amendments would alleviate the perceived bulk and scale of the development, and modifications to the loading dock wall would provide improved pedestrian

amenity and minimise visual impacts on the Magill Street residents located opposite. Having regard to the formation of the Randwick Health and Education Precinct, and constraints presented as a result of the existing campus and required clinical connections, the Department considers that subject to conditions, the development would deliver a satisfactory urban design outcome in keeping with its context.

6.1.2 Landscaping and public domain

The following spaces are proposed as part of the landscape strategy for the development (see **Figure 12** and **Figure 13**):

- Level -02 – internal lower level courtyard at the semi-basement level to provide light and amenity to the ED.
- Level -01 – central courtyard within the 'U' of the ASB fronting Botany Street.
- Level -01 – Botany Street Park which is to provide a landscape edge to Botany Street.
- Level -01 – internal lower level courtyard to the northwestern corner of the building.
- Level -04 – rooftop gardens.

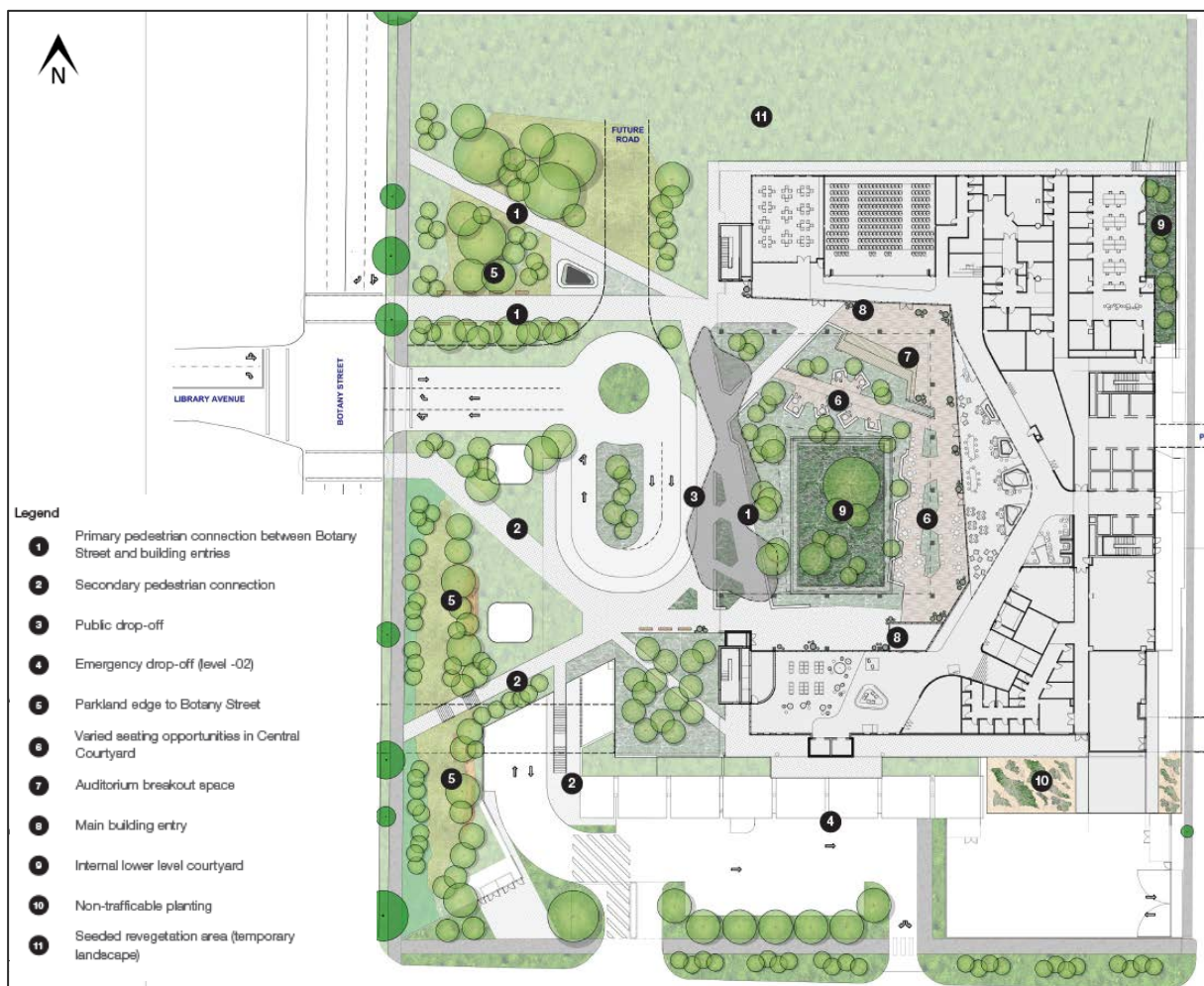


Figure 12 | Landscape concept - Levels -02 and -01 (Source: EIS)



Figure 13 | Landscape concept - Level 04 (Source: EIS)

With the EIS, the Applicant submitted conceptual landscape drawings for assessment. Following exhibition of the EIS, GANSW raised concerns in relation to: the quality of the drawings being diagrammatic and not coordinated with the architectural; feasibility of cascading roof gardens and sun lit courtyards given the building overshadows itself; clarity of the landscape strategy and integration of the northern and southern parts of the site; forfeiting opportunities for activation of Hospital Road; the visual dominance of the drop-off zone on the western forecourt; the long term strategy for the 'temporary landscape' to the north of the ASB; and insufficient provision of areas to sit in sun and shade. The Department requested detailed design drawings to adequately assess the proposal.

As part of the RtS, the Applicant provided a written response to the comments raised by GANSW. No detailed landscape plans were provided. The written response advised that the orientation of the building and therefore, the gardens, was defined by the clinical needs of the development. The response also provides that the activation of Hospital Road would be considered in future applications, and that the temporary landscape to the north of the proposal ASB will be replaced as part of a future Stage 2 proposal.

In response to requests from the Department for further landscape detail, the Applicant submitted detailed landscape plans and a tree retention/removal plan as supplementary information.

The tree retention and removal plan provides that all trees on site are to be removed, however approval has been granted for this activity under separate approval pathways. No tree removal is proposed as part of this application.

In considering the landscape plans, the Department notes that 134 trees are proposed to be planted across the site with a concentration of trees located throughout the 'hospital square' and along the Botany Street frontage. It is also noted that the 16m wide 'parkland edge' to Botany Street would slope up from the street to 'hospital square'. The Department considers the topography and proposed vegetation in this zone would provide a suitable landscaped buffer which, would alleviate the concerns raised by GANSW in relation to the visual dominance of the drop-off zone on the western side of the ASB. The Department considers the landscaping proposed along the Botany Street frontage and throughout the western forecourt of the ASB would result in a positive public domain which provides intuitive wayfinding to main entrances and encourages activation of the space.

The proposed landscaping to screen the functional spaces along Magill Street is considered satisfactory for its purpose. The Department accepts the site is constrained by the necessary relationship with the existing campus to the east which determines the building orientation and limits opportunities for landscaping and public domain improvements along the eastern boundary but, supports future consideration to activate Hospital Road as part of a wider precinct strategy. The Department also understands the purpose of the temporary landscape to the north of the ASB and that this will be redesigned to operate in conjunction with the future redevelopment of the adjoining site.

The Department supports the internal courtyard at level -02 and the rooftop gardens at level -04 as regardless of orientation, they would provide improved light, outlook and amenity to the ED and inpatient units.

Conditions of consent are recommended requiring tree species to be indigenous to the area, as requested by OEH, and the preparation of a street tree strategy in consultation with Council for the planting and initial maintenance of street trees around the site. Subject to the recommended conditions, the Department considers that overall, having regard to the constraints of the site, the proposed landscaping and public domain works would deliver a satisfactory outcome within the constraints of the site.

6.2 Noise and Vibration

The proposed development has the potential to cause adverse noise and vibration impacts on surrounding properties during both the construction and operational phases. Key noise generators include construction activities, the location of emergency department and ambulance access, operational plant and equipment and increased traffic in the area.

The EIS included a Noise and Vibration Impact Assessment (NVIA) which considered the potential impacts of on-site noise and vibration sources on the closest residential, health care and education receivers. These included the existing Prince of Wales Hospital campus to the east, the UNSW to the west and the residential properties along the southern side of Magill Street and the northern side of High Street.

Attended and unattended noise monitoring was undertaken to quantify the existing acoustic environment at the site and near to the sensitive receiver locations. Noise monitoring locations are shown in **Figure 14**.

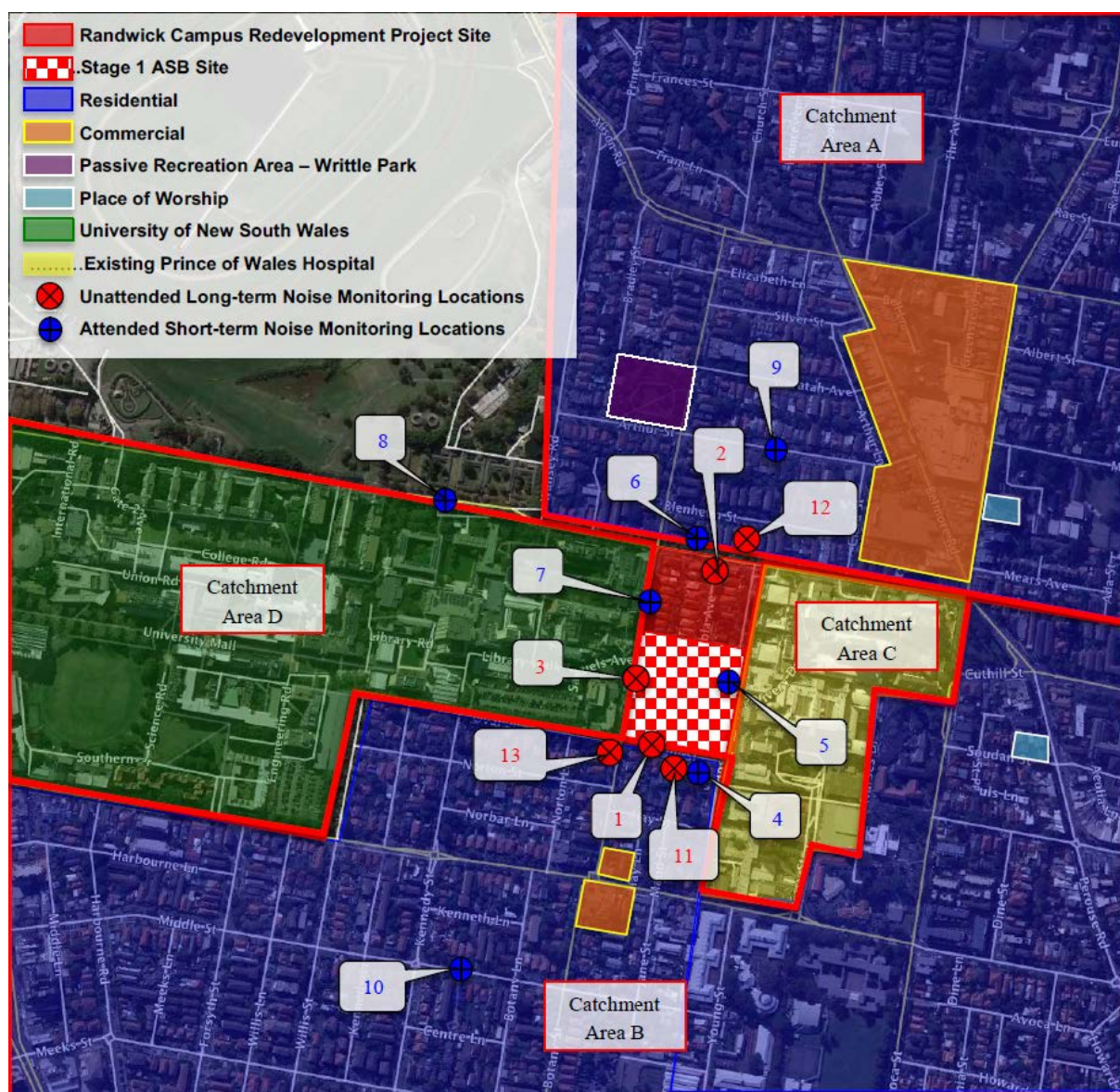


Figure 14 | Location of noise monitoring locations (Source: Applicant's RtS)

A summary of the rating background levels (RBLs) for the most sensitive receivers established as a result of the noise monitoring is provided **Table 7** below.

Table 7 | Summary of Background Noise Levels

Location	Period	Background Noise Levels (RBL), dB(A)	Leq Ambient Noise Levels, dB(A)
Catchment A	Day	47	59
12 Blenheim Street	Evening	45	53
Logger Location 12	Night	43	55
Catchment B	Day	46	55

7 Magill Street	Evening	44	51
Logger Location 11	Night	43	51
Catchment B	Day	49	65
40 Botany Street	Evening	46	64
Logger Location 13	Night	43	59
Catchment D	Day	47	60
79 Botany Street	Evening	41	58
Logger Location 3	Night	39	55

The NVIA also established sleep disturbance and sleep awakening criteria for residential receivers in catchments A and B. A summary is provided in **Table 8** below.

Table 8 | Sleep disturbance and sleep awakening criteria

Location	Period	Sleep Disturbance Criteria $L_{Aeq, 15min}$ dBA	Sleep Disturbance Criteria L_{AFmax} dBA	Sleep Awakening Criteria L_{AFmax} dB(A)
Catchment A	Night (10pm to 7am)	48	58	60
Catchment B	Night (10pm to 7am)	48	58	65

6.2.1 Construction impacts

The Interim Construction Noise Guideline (ICNG) establishes construction noise management levels (NMLs) for surrounding sensitive residential receivers and for surrounding non-residential sensitive land uses. Construction activities associated with the proposal that have the potential to impact on the surrounding sensitive receivers would include earthworks, above ground works, traffic, plant and machinery. The Applicant proposes the following construction hours:

- Monday to Friday inclusive: 6am to 6pm.
- Saturday: 8am to 5pm.
- no work on Sundays and public holidays.

These times include additional hours beyond the standard hours provided in the ICNG, including an extra one hour on weekday mornings, and four extra hours on Saturday afternoons.

The NVIA determined the NMLs for the residential receivers in each catchment based on the measured background noise levels as provided in **Table 9**. For the non-residential receivers, the NVIA adopts the management levels provided by the ICNG. As the ICNG does not include specific criteria for hospitals, the NVIA adopts an internal management level of 45 dB(A) and external management level of 65 dB(A) for the existing POW hospital campus.

Table 9 | Construction Noise Management Levels for Residential Receivers

Receiver	Hours	Noise Affected Level - dB(A)Leq(15min)
Residential Catchment A	Standard hours	57
	Outside standard hours	
	Monday - Friday 6am - 7am	48
	Saturday 1pm – 5pm	52
Residential Catchment B	Standard hours	56
	Outside standard hours	
	Monday - Friday 6am - 7am	48
	Saturday 1pm – 5pm	51

The assessment modelled the predicted noise levels having regard to the equipment and plant likely to be used during construction. The modelling determined that at the residential receivers, construction noise would exceed the relevant criteria by up to 29 dB(A) during standard hours and up to 37 dB(A) outside standard hours. The construction works would also exceed noise criteria for the both UNSW and the existing POW campus by up to 28 dB(A) and 22dB(A) respectively. Works between 6am and 7am Monday to Friday would also exceed sleep disturbance criteria and sleep awakening levels at residential receivers in both Catchment A and Catchment B and receivers within the existing POW hospital. Exceedances would be most prominent when equipment such as jackhammers, piling rigs and circular saws are in use.

The assessment determined that sensitive receivers would not be affected by construction traffic during standard hours, however between 6am and 7am Monday to Friday, construction traffic on Magill Street and Hospital Road would exceed sleep disturbance criteria at the Magill Street residences.

The NVIA suggests that mitigation measures would be required for construction works, particularly outside of standard hours, such as scheduling the use of specific noisy equipment outside of sensitive hours and the use of acoustic screens and shields. The report also recommends that construction vehicles do not use Hospital Road or Magill Street outside of standard hours.

The NVIA also examined the potential impacts of the construction works on sensitive receivers due to vibration, having reference to relevant NSW and international guidelines. The NVIA noted that vibration impacts are expected, however the extent of impacts and associated mitigation measures cannot be determined at this stage. The NVIA recommends that prior to the commencement of construction, vibration surveys be carried out of each vibration generating activity.

In its submission on the EIS, the EPA made the following recommendations:

- the extended construction hours are not supported and should be limited to the standard hours provided in the ICNG.
- intra-day respite periods should be implemented for works identified in the ICNG as particularly annoying and intrusive.
- construction vehicles should not arrive outside of the approved construction hours.

- a safety risk assessment should be undertaken to determine whether it is practicable to use audible movement alarms of a type that would minimise the noise impact on surrounding noise sensitive receivers, without compromising safety.

Council also provided comments in response to the EIS opposing construction between 6am and 7am weekdays. No comments were provided in relation to the extended construction hours on Saturdays.

With the RtS, the Applicant provided a response to the concerns raised by EPA and Council advising that construction vehicles are required to enter the area prior to the 7:30am peak hour, and also that noisy works would be scheduled for after 7am.

In response to the RtS, EPA maintained their position against the extended construction hours.

The Department has considered the NVIA provided with the EIS, additional justification provided by the Applicant, and the responses received from both EPA and Council. It is noted that at the residential receivers and within the existing POW hospital campus, the NVIA modelling demonstrates that outside of standard hours, all equipment/activities tested would exceed the allocated management level. Also, between 6am and 7am weekdays, all equipment/activities would exceed sleep disturbance and sleep awakening levels. It is therefore considered that the extended hours proposed by the Applicant would result in unreasonable impacts on the adjoining residents in Catchments A and B and occupiers of the existing hospital.

On this basis, the Department does not support the proposed construction hours, and instead recommends the following:

- Monday to Friday inclusive: 7am to 6pm.
- Saturday: 8am to 5pm (noisy activities such as excavating or sawing of rock, use of jack-hammers, pile-drivers, vibratory rollers/compactors or the like are not permitted after 12pm).
- no work on Sundays and public holidays.

Construction vehicles accessing the site are also to be limited to the recommended hours. The Department recommends conditions requiring the implementation of mitigation measures outlined in the NVIA, and the preparation of a Construction Noise and Vibration Management Plan prior to the commencement of works.

6.2.2 Operational impacts

The NVIA considered operational noise against the relevant provisions of the Noise Policy for Industry (EPA, 2017) (NPI) and the NSW Road Noise Policy (RNP). It identified operation noise emissions will likely include: traffic noise from increased traffic volumes; the operation of the ambulance bays and emergency access; loading dock operations; helicopter noise; and plant and equipment.

The application proposes to locate the vehicular access to the emergency department and the ambulance bay off Magill Street to the south of the site. The application also sought to open Magill Street to through traffic connecting to Hospital Road in the east.

The NVIA considered the impacts of the increased traffic on Magill Street, Botany Street, High Street and Hospital Road against the RNP criteria for traffic noise levels at noise sensitive receivers. Existing traffic on both Botany Street and High Street already exceeds the day and night noise criteria for traffic noise however, the proposed development would generally maintain the status quo in these locations with only a 1dB(A) increase to Botany Street. Traffic noise levels on Hospital Road would also remain unchanged maintain the existing night time exceedance. Magill Street which currently operates within traffic noise criteria would be the most impacted with an increase of 11dB(A) during both the day and night time periods exceeding the traffic noise criteria.

The RNP allows for an increase of less than 2dB(A) when compared to the existing situation. On this basis, the NVIA provides that ASB would not have any adverse impacts on High Street, Botany Street and Hospital Road.

However, traffic noise levels on Magill Street would exceed day criteria by 3 dB(A), night criteria by 6dB(A) and result in an overall increase of 11dB(A) beyond existing noise levels.

The NVIA also considered night time traffic noise levels against the sleep disturbance criteria and the sleep awakening level for the nearest residential receivers at Magill Street. The findings are provided in **Table 10** below.

Table 10 | General traffic noise levels against sleep disturbance criteria and sleep awakening levels.

Location	Sleep Disturbance Criteria 48 dB(A) L _{Aeq} , 15min dBA	Sleep Disturbance Criteria 58 dB(A) L _{AFmax} , dBA	Sleep Awakening Criteria 65 dB(A) L _{AFmax} , dB(A)
Predicted noise levels at nearest residential receiver at Magill Street	51	67-77	67-77

The NVIA found that night time traffic noise levels on Magill Street would exceed the sleep disturbance screening level by up to 19dB(A) and the sleep awakening level by up to 12dB(A). The NVIA concludes that the proposal has the potential to affect the health and well-being of Magill Street residential receivers in worst case conditions, however does not provide any recommended mitigation measures to address these impacts. Rather, the NVIA states that mitigation measures will be implemented at the design and development phase.

The NVIA also considered noise generated by the ambulance bay against NPI criteria for the Magill Street residential receiver. The assessment found the ambulance bay would operate well within the criteria for the day, evening and night time periods and would not cause sleep disturbance. The NVIA notes that noise impacts from ambulance sirens is not addressed in relevant noise guidelines. The report notes that the NSW Ambulance Service has a policy to only use sirens when necessary and that lights can be used in isolation of sirens.

Access to the emergency department is also proposed off Magill Street. The NVIA has considered noise impacts from the emergency department vehicular access and short term car park through the composition of noise data from other similar projects. It concluded that the nearest residential receiver in Magill Street, operational noise from the emergency department would be within day, evening and night NPI criteria and would not result in sleep disturbance.

A loading dock is also proposed on the southern boundary of the site, however it is to be accessed from Hospital Road. To minimise impacts, the loading dock is proposed to be shielded by a wall to be constructed along the Magill Street frontage however is to be unroofed. The loading dock is proposed to operate 24 hours a day, 7 days a week.

The NVIA considered noise impacts from the loading dock, and found that noise generated would satisfy day, evening and night NPI criteria at the Magill Street residential receivers. It was however found that the maximum predicted noise level for the night time period would exceed sleep disturbance criteria. This worst-case noise event would be caused by truck reversing alarms and it is suggested these could be managed through administrative controls.

The application also proposes to relocate the existing helicopter landing site (HLS) to the roof of the ASB. It is noted that currently, there are 303 helicopter movements over a two year period, and this is likely to increase by 25 per cent. The NVIA considered noise impacts from the HLS and identified that due to modifications to the flight paths, residential receivers in Catchment A would experience noise levels of between 10 and 15dB above existing conditions. The NVIA also anticipates increases of 10 to 15dB along the western façade of the existing hospital campus and recommends glazing upgrades in this location.

Mechanical plant and equipment was also considered in the NVIA and recommendations provided for external noise controls to ensure the project noise trigger levels are not breached. Recommended measures include attenuation/acoustic louvres, fibre cement screening, masonry walls, silencers to mufflers and lined ducts.

Following exhibition of the EIS, Council and EPA raised concerns in relation to noise arising from the development as outlined in **Section 5** of this report. GANSW also raised concerns in relation to noise impacts arising from the design and layout of the development. The Applicant provided a response to these concerns in the RtS but did not provide additional acoustic information.

EPA, Council and GANSW reiterated their concerns following consultation on the RtS and the Department also requested consideration of design options to relocate the noise generating component of the development away from the residential receivers and additional acoustic justification.

In response, the Applicant provided the following amendments to the proposal:

- Magill Street remain closed at the eastern end to the public.
- bollards be installed at the eastern end of Magill Street to allow emergency ambulance access in the event access is not available from the western end of Magill Street from Botany Road.
- use of the loading dock be limited to daytime hours only between 7am and 6pm.

The Applicant also provided a supplementary letter from an acoustic consultant in support of the closure of Magill Street to the public. The letter advised that the worst-case maximum traffic noise levels arise from vehicles accelerating from Botany Street into Magill Street, and ambulances or private vehicles accelerating out of the ED exit into Magill Street. Magill Street remaining closed is expected to reduce the risk of expected maximum noise levels being reached. The letter concludes that *'Acoustic Studio supports the closing of Magill Street and confirms that we expect this will result in a significant reduction in noise impacts and improvement in acoustic amenity for the existing Magill Street residences.'*

The Department has considered the information provided with the application and responses received from EPA, Council and GANSW. However, the Department accepts that the layout is constrained by the need to maintain clinical connections with the existing POW campus and the difficulties provided by level changes along Hospital Road.

The Department supports Magill Street remaining closed to through traffic at the eastern end as this will significantly reduce vehicle movements and therefore minimise noise impacts on the residential properties. Even so, it is evident that the worst case noise scenario arises from vehicles entering Magill Street from Botany Road and accelerating out of the ED driveway. As these movements will still occur, there remains potential for exceedance of the sleep disturbance criteria and sleep awakening levels to occur. Consequently, the Department recommends a condition of consent requiring additional modelling of traffic noise impacts on residential properties along Magill Street, and where sleep disturbance criteria is likely to be exceeded, acoustic attenuation measures are to be offered to the affected residents and installed at the cost of the Applicant. Following installation of acoustic attenuation, it is recommended that further monitoring be undertaken to test the adequacy of the measures.

The Department accepts that the ambulance bay and the ED entrance and parking area would not exceed noise criteria. It is also acknowledged that the reduction in loading dock hours would also ensure its use would not exceed noise levels.

In relation to helicopter noise, the Department notes that as advised by the EPA, it is not controlled by NSW legislation. It is recognised that the noise impacts on Catchment A and also on the existing hospital buildings would increase as a result of the proposed HLS by an estimated 10 to 15 dB(A). However, based on the number of existing movements and the expected increase in activity, there would be less than one movement every two days spread across three separate flight paths. On this basis, the Department considers the impact to be acceptable.

The NVIA states that helicopter noise would also increase at existing POW buildings fronting Hospital Road by approximately 10 to 15dB above the current noise exposure from the existing HLS. The NVIA recommends noise mitigation measures comprising upgrading of glazing along the western façade of the existing buildings. As the existing buildings are owned and operated by the Applicant, the Department considers that the upgrade of these buildings to preserve internal amenity is at their discretion.

It is acknowledged that the establishment of the Randwick Health and Education Precinct will significantly change the character of the area and affect the existing noise environment currently enjoyed by the adjoining residential properties. Subject to the recommended conditions of consent, the Department is satisfied that the noise impacts arising from the development would be adequately managed and an acceptable level of amenity would be maintained.

6.3 Traffic and Parking

A Transport Assessment (TA) of the proposed development documented the existing roads and accessibility of the site and the impact of the proposed development. An addendum letter to the TA was also provided following an increase in the numbers of beds to be accommodated within the ASB. A preliminary Green Travel Plan (GTP) was also submitted.

The Department considers traffic and parking impacts relate to:

- construction traffic.
- operational traffic.
- parking and alternative transport.

Each of these issues is considered below.

6.3.1 Construction traffic

The Applicant submitted a preliminary Construction Management Plan (CMP) with the EIS which also included a preliminary Construction Pedestrian and Traffic Management Plan (CPTMP). The preliminary CMP anticipates the primary travel routes for construction vehicles will be along Avoca Street, High Street, Botany Street and Barker Street, with some vehicles also using Hospital Road. Access routes and the number of vehicles will vary throughout the various stages of construction.

The preliminary CMP encourages construction workers to use public transport to access the site and therefore minimise traffic and parking impacts. However, it also provides options for construction worker parking including provision for approximately 100 parking spaces on the adjoining land to the north of the ASB site, and the establishment of a 'park and ride' strategy based out of Royal Randwick Racecourse to the northwest with a shuttle bus service provided to and from the site.

TfNSW advised that a CPTMP and a Construction Worker Transportation Strategy (CWTS) should be developed in consultation with the Sydney Coordination Office and RMS, to ensure that construction traffic impacts are minimised and appropriately managed, including any cumulative construction impacts, and access arrangements. RMS also requested a CPTMP be provided and advised that construction vehicles should not use High Street without prior approval of the Sydney Coordination Office of TfNSW and RMS. Council requested that all construction trucks entering the site turn left into the site from Botany Street and all trucks exiting the site turn right into Botany Street and travel north to Alison Road, unless prior approval is provided in writing by Council.

The Department has recommended conditions of consent requiring the Applicant to prepare and implement a CPTMP and CWTS, in consultation with Council, RMS and TfNSW (Sydney Coordination Office). Subject to approval and implementation of the CPTMP and CWTS, the Department is satisfied that construction traffic impacts will be appropriately managed.

6.3.2 Operational traffic

The existing campus is currently bound by High Street to the north, Avoca Street to the east, Barker Street to the south and Hospital Road to the west. The proposed development would expand the campus to Botany Street in the west and also affect Magill Street which sits to the south of the ASB site (see **Figure 15**).

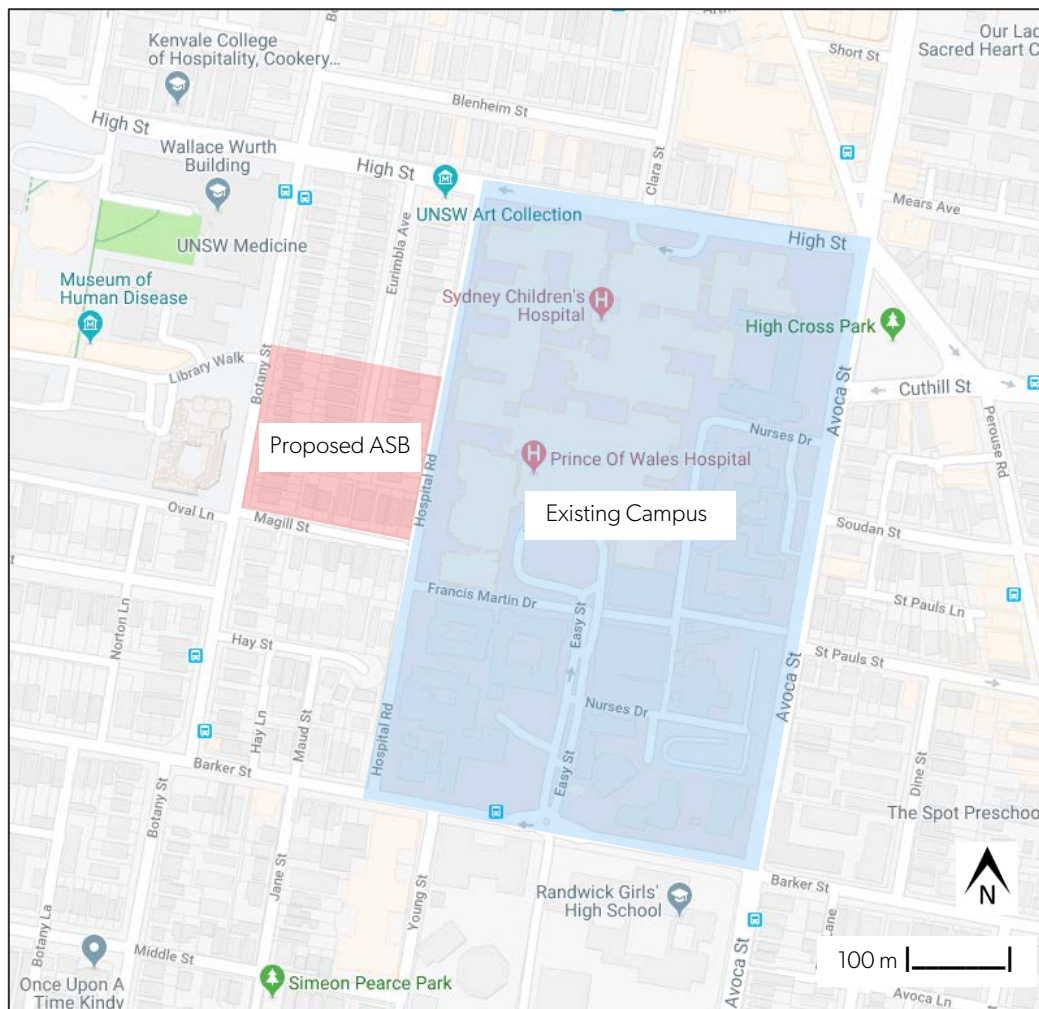


Figure 15 | Road layout (Source: Nearmap)

Avoca Street is a State road controlled by RMS that carries the highest volume of traffic in the area. Barker Street, High Street, Botany Street and Magill Street are all local roads controlled by Council. Barker Street provides access to the main entry road known as Easy Street which connects to the main entrance, drop-off area, car park and ED of the existing hospital campus. The Central Business District and South East Light Rail (CSELR) is currently under construction along High Street. Magill Street is a cul-de-sac accessed from Botany street in the west. Hospital Road is a private road which is primarily used for ambulance access, loading dock access and staff access to car parking.

The application proposes to locate the main vehicular entrance/drop-off to the ASB off Botany Street, directly opposite the eastern vehicular entrance (Gate 11) to UNSW. Ambulance access and the ED drop-off area is proposed to be located off Magill Street to the south of the site (see **Figure 16**). The application, in the EIS, originally proposed to open Magill Street to through traffic which would connect Botany Road and Hospital Road.

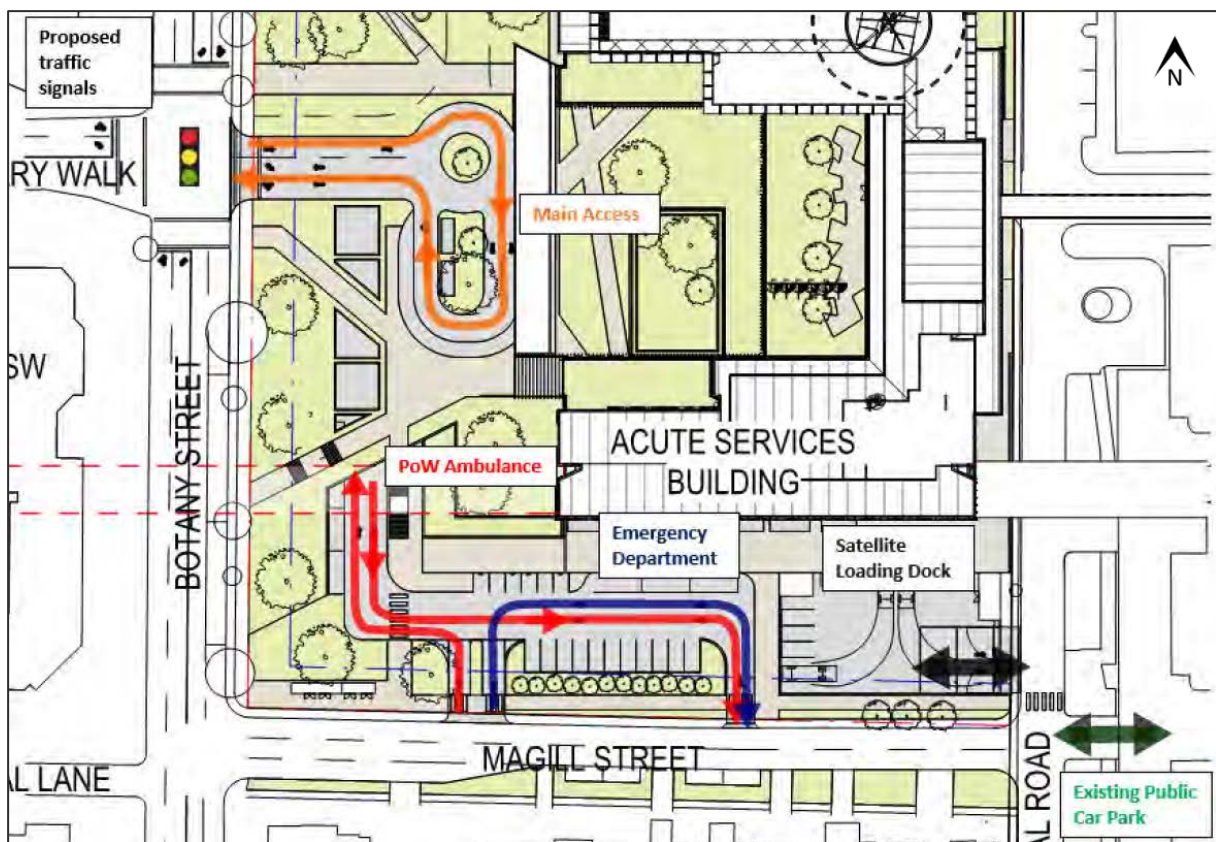


Figure 16 | Proposed site entrances (Source: Applicant's EIS)

To facilitate the main entrance, a four-way signalised intersection is proposed to align with UNSW Gate 11 (see **Figure 17**). The intersection is proposed to provide right turn capability from Botany Street into both the ASB main entrance road and the UNSW campus and would also provide pedestrian crossing facilities.

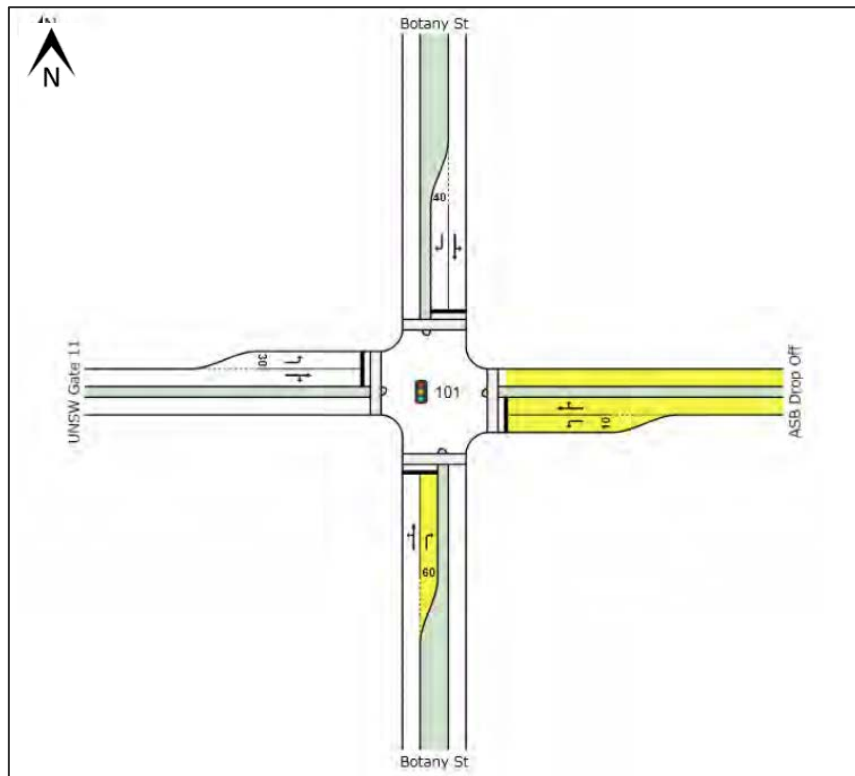


Figure 17 | Botany Street / UNSW / ASB intersection (Source: Applicant's EIS)

Modification to the Botany Street/Magill Street intersection is also proposed to include a right turn lane from Botany Street into Magill Street (see **Figure 18**). Due to its proximity to the ASB entrance, the right turn lane is required to prevent right turning movements blocking through movements along Botany Street.

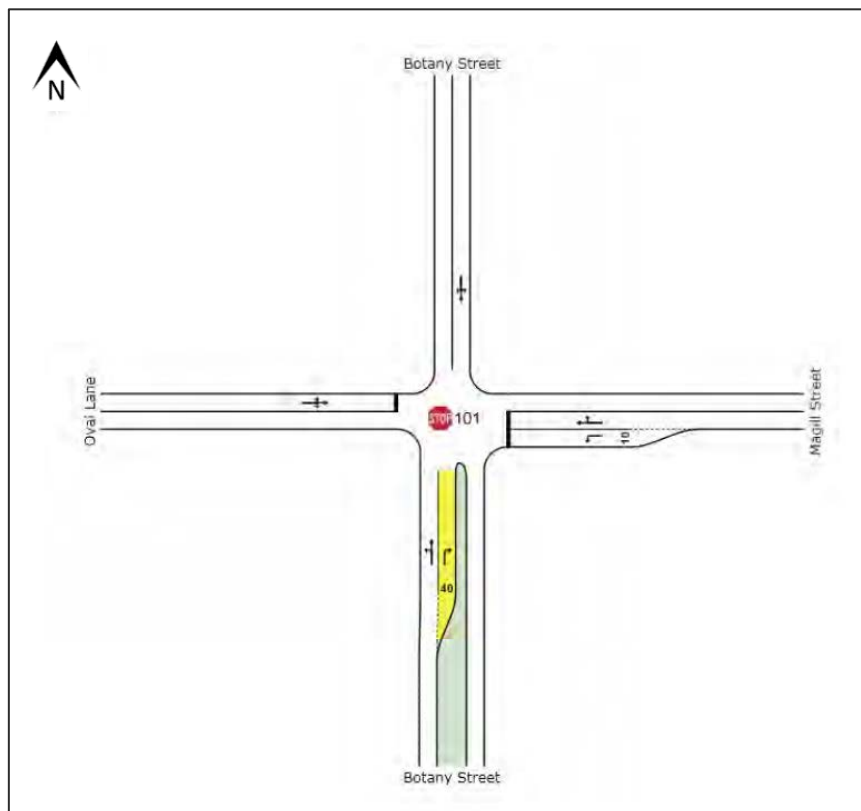


Figure 18 | Botany Street / Magill Street intersection (Source: Applicant's EIS)

A SIDRA analysis of the surrounding intersections was undertaken to assess the existing capacity and level of service (LOS). A summary of the results provided by the TA are outlined in **Table 11** below.

Table 11 | Existing LOS

Intersection	AM Peak LOS	PM Peak LOS
Belmore Rd / Avoca St / High St	B	C
Belmore Rd / Arthur St	B	C
Alison Rd / Belmore Rd	B	C
Alison Rd / Avoca St	C	D
High St / Botany St	B	C
High St / Hospital Rd	A	A
Avoca St / Nurses Dr	A	A
Avoca St / Barker St	D	D
Barker St / Easy St	A	A
Barker St / Hospital Rd	A	A
Barker St / Botany Rd	C	C
Botany St / UNSW Gate 11 access	A	B
Botany Street/ Magill Street	B	C

The SIDRA analysis demonstrated the surrounding intersections are generally operating within capacity with some queuing identified at the Avoca Street intersections.

The TA does not anticipate an increase in traffic throughout the network, particularly as no parking is proposed. Rather, a redistribution of vehicular movements is expected arising from the relocation of facilities from the existing campus to the ASB, in particular noting the relocation of the emergency department and associated drop-off facilities. The TA estimates approximately 32 per cent of traffic currently accessing the existing campus via Easy Street would relocate to the ASB.

It is also anticipated a significant shift in travel mode will occur as a result of the CSELR and the preparation and implementation of a GTP (see discussion in **Section 6.3.3**). The TA, as updated by the addendum letter, estimates that an eight per cent shift away from driving would occur, further reducing traffic impacts of the development.

The TA outlines the expected increase in traffic along Magill Street as a result of opening it to Hospital Road at the eastern end. Currently, there are 300 vehicle trips per day along Magill Street, with the opening of the road this

would increase to 2,500 vehicle trips per day. The TA advises this is under the maximum daily volume of a local road.

Modelling of the most affected intersections at Barker Street / Botany Street and Botany Street / Magill Street was undertaken to determine the impacts of the development. The proposed signalised intersection at the ASB main entrance was also modelled. The future LOS as assessed in the TA is provided in **Table 12** below.

Table 12 | Proposed LOS

Intersection	AM Peak LOS	PM Peak LOS
Barker St / Botany Rd	C	C
Botany Street / UNSW Gate 11 / ASB Access	B	B
Botany Street / Magill Street	C	C

The modelling identified that subject to the proposed intersection upgrades, the LOS at the key affected intersections would remain satisfactory.

In response to the EIS, RMS advised the proposed signalised intersection is not supported as the proposal does not meet the general warrants for a traffic control light in accordance with RMS Traffic Signal Design – Section 2 Warrants. TfNSW recommended conditions of consent requiring the submission of a GTP and Travel Demand Management Strategy to be prepared in consultation with the Sydney Coordination Office of TfNSW and RMS, and in conjunction with the stakeholders of the Randwick Health and Education Precinct. Council raised concerns in relation to the opening of Magill Street and the associated increase in traffic movements. Council noted that the SIDRA analysis indicated that the proposed opening of Magill Street would not result in any significant benefits on intersection performance and that its closure may negate the need to upgrade the Magill Street / Botany Street intersection.

Following an assessment of the EIS and consideration of agencies and Council comments, the Department also raised concerns in relation to the opening of Magill Street. The Department noted that the SIDRA analysis provided in the TA included a comparison of the future LOS at the Botany Street / Barker Street intersection with Magill Street opened and closed, and the intersection would achieve a LOS C in both scenarios. On this basis, the Department requested the design be reconsidered.

The Applicant in its RtS and supplementary information addressed comments provided by agencies and Council, and provided information directly to RMS to demonstrate the general warrants for the traffic control light were met. RMS responded in support of the intersection and provided recommended conditions of consent. RMS also noted that consideration should be given to implementing a 'no stopping' zone on Botany Street between High Street and Magill Street, with the exception of a bus stop, to support the proposed intersection.

The Applicant also agreed to leave Magill Street as a closed road. The Applicant did however, request that the eastern end be fitted with removable bollards to provide emergency ambulance access should access not be available via Botany Street. A supporting letter was provided which advised that the closure of Magill Street would result in an additional 1,400 daily two-way vehicles re-routing via the Barker Street / Botany street intersection, however this intersection would continue to operate satisfactorily.

The TA also provides that the future Stage 2 expansion to the north of the development site is likely to accommodate car parking for 500 vehicles, and concludes that with the associated increase in traffic, the intersection at Botany Street and the ASB entrance would continue to operate at LOS C. On this basis, should the

Department recommend conditions requiring the temporary provision of car parking within the vicinity of the site until permanent parking in the precinct can be provided (see **Section 6.3.3**), the associated traffic impacts would be acceptable.

The Department is satisfied that as assessed in the TA, the proposed ASB would not result in a significant traffic impact on the surrounding road network and all intersections would continue to operate satisfactorily. The most affected intersection at Botany Street / Barker Street would continue to operate at a LOS C, indicating capacity for future expansion of the precinct. The Department is also satisfied that Magill Street is to remain closed, which will reduce impacts on residents. The Department accepts the installation of removable bollards at the eastern end of Magill Street to allow for emergency ambulance access in the event that access from the west is unavailable. However, a condition is recommended requiring the submission of details of the bollards for the approval of the Planning Secretary including how they would be implemented operationally. Conditions of consent are also recommended in line with agency and Council comments relating to the delivery of the intersection upgrades, preparation of a final GTP and a Travel Demand Strategy.

6.3.3 Parking and alternative transport

With the exception of 12 short term drop off spaces to be located at the proposed emergency department entrance, no parking is proposed as part of the Stage 1 development to support the ASB.

Currently, there are 2,302 car parking spaces (1483 staff and 819 visitor) located across the existing hospital campus. The TA also found that 222 on street parking spaces are available in the vicinity of the site. An assessment of car park availability found that the staff car parking is almost at capacity between 9am and 3pm weekdays, and that both staff and visitor car parking is at capacity between 11am and 2pm weekdays. Surveys also found that approximately 550 vehicles are accommodated off campus, predominantly in surrounding streets. From these surveys, the TA considered there is an existing shortfall of 440 parking spaces on site at peak times. On this basis, the TA calculated the parking demand generated by the hospital to equal 2.6 spaces per bed.

In assessing the car parking demand of the development, the TA submitted with the EIS was based on a forecast of an additional 58 beds by 2022 and 111 beds by 2027. The TA found that the increase would generate an additional parking demand of 151 car parking spaces by 2022 and 289 car parking spaces by 2027. To offset the need to provide the car parking, the TA relies on achieving a travel mode shift of 6 per cent across all staff within the existing campus and on the ASB site, away from private vehicle use to alternative means of transport.

To support the potential of a travel mode shift, the TA provides an analysis of available public transport to and from the site. There are 19 bus routes that access the vicinity of the site, and the future CSELR under construction along High Street will also provide an alternative service to and from the Sydney CBD. A summary of bus routes is provided in **Figure 19** below. It is anticipated that the operation of the CSELR will result in changes to the existing bus routes which would improve travel times and the provision of services across the network. These improvements would encourage an increase in the use of public transport services to and from the site.

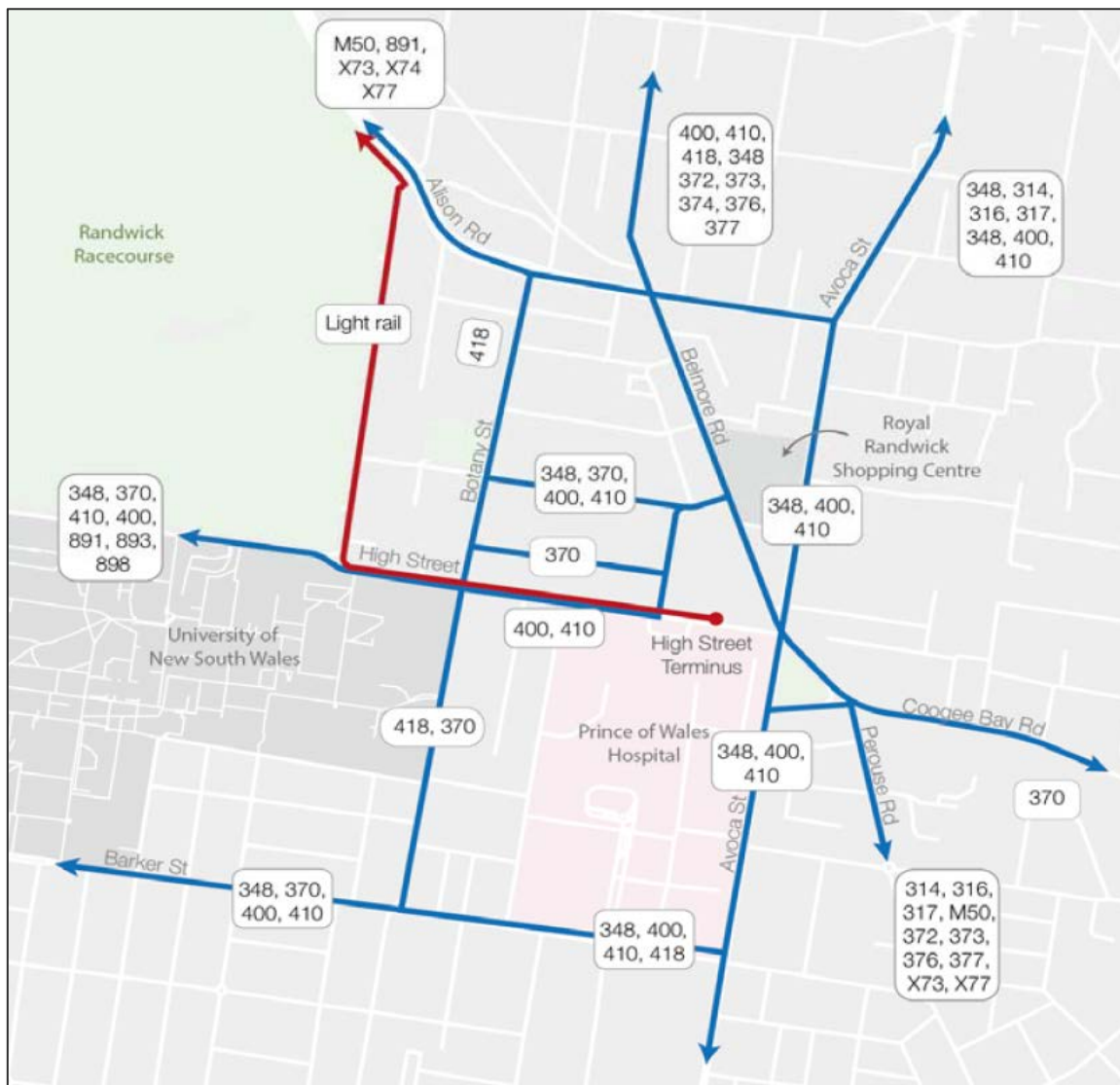


Figure 19 | Summary of bus routes (Source: Applicant's RtS)

The TA considers the mode share shift to be feasible through the following changes/initiatives:

- introduction of car pool programs with incentives for car pool registered vehicles parking on the existing campus.
- the introduction of light rail (currently under construction) and potential improvements to bus services.
- promotion of cycling as an alternative mode of transport.
- implementation of a GTP which is to include details of public transport options, key local walking and cycling routes, provision of transport information packs to new staff, and development of a travel plan booklet for staff and visitors.

Following exhibition of the EIS, Council requested further investigation into the provision of parking on site be undertaken, particularly noting that on street parking would be reduced by the development, there is an existing shortfall of spaces, and no GTP was provided. Council also requested the Applicant consider a parking strategy for the existing parking provision available on campus to manage the parking demand of staff shift rotations. Further, to encourage the uptake of alternative transport, Council requested the construction of a shared path along the Botany Street frontage of the site, a separated cycle way along the north edge of the ASB site, a bicycle lane along Hospital Road, a separated cycleway o Magill Street and Frances Martin Drive to connect to UNSW to

the west and St Pauls Street and the Spot to the east, and bicycle parking facilities and end of trip facilities across the ASB site.

In the RtS, the Applicant provided a draft GTP which reflected the recommendations of the TA and a bus plan. The Applicant advised that bicycle parking and end of trip facilities will be considered across the broader campus rather than on the ASB site. The Applicant also disagreed that there would be benefit in the provision of cycleways as suggested by Council on the basis that their functionality would be limited given that seamless connections to other cycleways would not be available.

Following consultation on the RtS, Council noted that the Applicant's analysis on parking demand focussed only on staff demand and did not consider visitor or patient demand. Council also requested a parking strategy be investigated for the parking on the existing campus to manage parking demands of visitor and staff changeover. Council also reiterated the need for bicycle parking and end of trip facilities within the ASB site, and the need for cycle paths, as they would connect to Council's bicycle network which is currently in the design phase.

Supplementary information submitted by the Applicant advised the number of proposed additional beds has increased to 83 beds by 2022 and 156 beds by 2027. The addendum letter to the TA provides that by 2027, the parking demand would subsequently increase to 406 parking spaces (272 for staff, 134 for visitors). To offset the parking demand, the addendum letter to the TA indicates that a staff mode share shift of 8 per cent from private vehicles to alternative transport must be achieved across the entire campus. This shift in mode share would also allow for 134 existing car parking spaces to be reallocated from staff to visitor parking.

The Department has considered the Applicant's TA and supplementary information, and the submissions provided by Council. The Department recognises that the site benefits from good public transport connections and that further improvements to public transport are currently under construction in the vicinity of the site. The Department also acknowledges comments received from RMS and TfNSW did not raise concerns in relation to car parking and encouraged the implementation of a GTP.

Even so, the reliance on an 8 per cent travel mode shift to offset the additional parking demand for 406 parking spaces is significant. The Department is not convinced that the implementation of a GTP and the operation of the CSELR would be sufficient to achieve this offset. It is acknowledged that by limiting the availability of car parking on site, particularly for staff, there would be a natural shift to alternative means of transport. However, the Department considers that additional facilities should be provided to further encourage change. At a minimum, end of trip facilities and bicycle parking should be provided within the ASB site and as such, a condition is recommended requiring the inclusion of these facilities within the development.

The Department also supports the provision of bicycle paths around the site but notes the Applicant's comments in relation to connectivity and that bicycle routes should be developed on a precinct wide basis. The Department considers that as the main entrance to the hospital is located along Botany Street, the delivery of a shared path along this site frontage would be beneficial unless a precinct wide strategy is developed prior to operation that demonstrates alternative paths. On this basis, the Department has recommended a condition of consent requiring that prior to operation, the Applicant construct a shared path along the Botany Street frontage, unless a precinct wide strategy for bicycle routes is developed in collaboration with the RCA partners, in which case those pathways on, or adjoining the site, are to be delivered in accordance with the strategy.

As the effectiveness of the GTP, improved public transport, and provision of bicycle facilities to achieve the required travel mode shift across the entire hospital campus cannot be definitively determined at this time, the Department considers that some additional parking would be required to meet the demand of the ASB. In discussions with Council and the Applicant, it is evident that a precinct wide strategy for the delivery of car

parking would be preferred, however the RCA partners are only in the early stages of preparing a masterplan for the area. As such, the Department has recommended a condition of consent requiring that prior to operation:

- a) a parking strategy for the entire Randwick Health and Education Precinct be developed in collaboration with the RCA partners which includes measures to meet the parking demand for the ASB.
- b) if a precinct wide strategy as set out above is not delivered, the Applicant may demonstrate that parking demand has reduced following the opening of the CSELR and implementation of a GTP across the existing campus, thus negating the need for on-site car parking.
- c) should the requirements of neither a) or b) be delivered, temporary car parking is to be provided in the vicinity of the site for 216 vehicles to satisfy the parking demand of the ASB as calculated for 83 additional beds in 2022. The temporary car parking would be required to operate until such time as a permanent provision of car parking to meet the parking demand can be provided across the precinct in accordance with a precinct wide strategy.

The Department has also recommended conditions of consent requiring:

- the preparation of a final GTP with the objective to achieve a travel mode shift of 8 per cent across the campus in consultation with RMS, TfNSW and Council and inclusion of provision for regular updating and monitoring.
- the preparation of a parking strategy to manage the existing car park on campus to increase efficiency particularly during shift changeover.
- allocation 134 existing staff parking spaces to visitor parking.

Subject to the above conditions, the Department is satisfied that the development would encourage the use of alternative transport modes, and parking demand would be appropriately managed.

6.4 Other Issues

The Department's consideration of other issues is provided at **Table 13**.

Table 13 | Department's assessment of other issues

Issue	Findings	Departments Consideration and Recommended Conditions
Contamination	• Remediation of the site was approved under a separate development consent issued by Randwick City Council. • Following exhibition of the EIS, EPA identified inadequacies in the Preliminary Site Investigation and recommended the Applicant demonstrate the suitability of the site in accordance with SEPP 55 and the associated guidelines. • With the RtS, the Applicant provided a copy of the Detailed Site Investigation and the Remediation Action Plan that formed part of the consent. • Following consultation, the EPA raised further concerns with the documentation,	• The Department has considered the revised Detailed Site Investigation, verification from the EPA accredited site auditor, and the associated RAP. • The Department is satisfied that the Detailed Site Investigation has been undertaken in accordance with the relevant guidelines, and consistent with SEPP 55, the site is suitable for the proposed hospital subject to remediation. • The Department understands the remediation of the site would be undertaken concurrently with the works for construction of the ASB. As

in particular noting that insufficient testing was undertaken as part of the Detailed Site Investigation to adequately determine the extent of contamination on the site.

- Although, the remediation forms part of a separate consent, as that consent did not consider the change of use to a hospital, in accordance with SEPP 55, the Department must consider a Preliminary Site Investigation and where necessary, a Detailed Site Investigation, both prepared in accordance with the relevant guidelines, to be satisfied the site is suitable for the proposed use.
- Following concerns raised by the Department, the Applicant submitted a revised Detailed Site Investigation with verification from an EPA accredited site auditor confirming it has been prepared in accordance with the relevant guidelines.
- The Detailed Site Investigation concluded that the site is suitable for the proposed hospital subject to the implementation of a RAP, which is to address the management of asbestos, a soil management plan for placement of fill on site, remediation of impacted (asbestos) soils if required, and an unexpected finds protocol.
- A RAP was also provided.

such, a condition is recommended requiring the preparation of a Contamination Management Protocol to the satisfaction of an EPA accredited site auditor for the management of concurrent remediation and construction activities on site.

- The Department has also recommended a condition requiring a Site Audit Report and Section A Site Audit Statement to be issued prior to the commencement of construction in order to verify the suitability of the site.
- The Department has also considered the EPA's advice and accepts the recommendations in relation to procedures for unexpected finds. The Department has recommended conditions to give effect to these requirements.

Aboriginal heritage

- A preliminary Aboriginal archaeological assessment report was submitted with the EIS and a final Aboriginal cultural heritage assessment report (ACHAR) was submitted with the RtS.
- The ACHAR included consultation with Aboriginal parties and an assessment of potential significance. The ACHAR considered the land to retain Aboriginal archaeological sensitivity and recommends a methodology for test excavations, monitoring of soil removal
- The Department notes the comments provided by OEH and has recommended conditions of consent requiring implementation of the recommendations of the ACHAR.
- Subject to conditions, the Department is satisfied that impacts on Aboriginal heritage would be appropriately managed.

and management of any retrieved archaeological remains and/or deposits.

- OEH reviewed the ACHAR and requested the recommendations of the report be included as conditions of consent.

Heritage	• A Heritage Impact Statement was submitted with the application. The site does not contain any local or state heritage listed items and is not within an identified conservation area. • The HIA identifies that two heritage items, the 'Prince of Wales Group' and 'Cotswold' house, are located in the vicinity of the site. As is the part of the High Cross conservation area. • The HIA concludes that due to the distance from these sites and the development in between, the proposed ASB would not have any detrimental impact on the significance of these items. • A Historical Archaeology Assessment (HAA) was also submitted with the application. • The HAA identified that the site has low to moderate potential for archaeological remains likely to be local significance. • The HAA provides a number of recommendations for further assessment and management of the development site. • Heritage Council of NSW reviewed the application and requested the recommendations of the HAA be included as conditions of consent.	• The Department notes the advice of the Heritage Council of NSW and has recommended conditions of consent consistent with their comments. • Subject to conditions of consent, the Department is satisfied there would be no significant, detrimental impacts on historic heritage and archaeology.
----------	---	--

Sydney Airport
airspace
protection /
Helicopter
operations

- An aviation report was submitted with the application to consider the impacts of the development on airspace protection and to outline helicopter operations.
- The proposed ASB at a height of 111m AHD would penetrate prescribed airspace as the conical surface of Obstacle Limitation Surface (OLS) above the site is at 90m.
- The Commonwealth Department of Infrastructure, Regional Development and Cities issued a controlled activity approval for the penetration of the prescribed airspace in accordance with the *Airports Act 1996* subject to conditions pertaining to obstacle lighting.
- The proposal includes the installation and operation of a new helipad on the roof of the proposed building. This will replace the existing helipad located on the roof of the single storey car park on the existing campus.
- The aviation report indicates the new helipad will likely adopt altered helicopter flights from the existing helipad as illustrated by the blue and orange arrows below.
- The Department is satisfied that the height of the building would not obstruct flight paths associated with Sydney Airport.
- A review of the Sydney Airport Australian Noise Exposure Forecast (ANEF) contours demonstrate the site is not affected.
- The Department has recommended conditions requiring the existing and future helicopter operations to be reviewed and revised during construction works, and following the completion of the proposed building.
- The Department has also recommended a condition requiring the Applicant to provide details of the proposed helicopter flight paths to Council. This would allow Council to consider the need for appropriate airspace protections to facilitate ongoing helicopter operations at the site.



- CASA advised that it has reviewed the aviation report and advised they have no concerns with the assessment.

Drainage

- The development requires the closure of Eurimbla Avenue and as a consequence, the diversion of the existing drainage system and overland flow path around the site.
- The Department met with Council and the Applicant to resolve outstanding issues around drainage.
- The Department understands that all drainage works associated with the

- The drainage works associated with the diversion of the existing drainage system and overland flow path form part of a separate approval obtained under Part 5 of the EP&A Act.
 - The application does seek approval for the internal drainage works associated with the construction of the ASB, including the construction of on-site detention and associated drainage lines to connect to the public system.
 - In response to the EIS and the RtS, Council raised a number of concerns about the diversion of the existing drainage system and overland flow path, and requested conditions of consent in relation to those works.
- diversion of the existing system and overland flow path that currently runs through the site, were approved under a separate planning pathway. Accordingly, outstanding issues in relation to the design of the system are to be resolved with Council under that approval.
- The Department must be satisfied that overland flow will be managed during construction, and that the drainage diversion works are completed prior to the operation of the development to ensure the proposed system would operate satisfactorily.
 - In this regard, the Department has recommended conditions requiring the following:
 - prior to the commencement of above ground works, a strategy for the management of drainage and overland flow through and/or around the site during construction, is to be prepared in consultation with Council.
 - prior to operation, all drainage works associated with the diversion of the existing system and overland flow path be completed to the satisfaction of Council.

Biodiversity

- A Biodiversity Development Assessment Report (BDAR) was submitted with the application.
 - The BDAR found no remnant vegetation, threatened flora or fauna were found to occur within the development site.
 - All native vegetation on site was found to be planted and best aligned with Plant Community Type 1793 – *Smooth-barked Apple - Bangalay / Tuckeroo - Cheese Tree open forest on coastal sands of the Sydney basin*.
 - All vegetation is to be removed under separate approvals, however the BDAR concluded that due to the low quality of
- The Department notes the comments received from OEH and is satisfied the development would not result in any significant impacts on biodiversity.
- The Department has recommended conditions requiring all trees to be native species, and that artificial nest boxes be installed on site.

the planted vegetation, no offset is required.

- Following exhibition of the EIS, OEH raised a number of issues with the submitted BDAR.
- A revised BDAR was submitted with the RtS that reached the same conclusions as the original version.
- OEH reviewed the revised BDAR and advised it was adequate. However, conditions were recommended requiring landscaping comprise native species, and the inclusion of nest boxes on site to enhance habitat.



7. Evaluation

The Department has reviewed the EIS, RtS and supplementary information and assessed the merits of the proposal, taking into consideration advice from the public authorities, including Council. Issues raised in the public submission have been considered and all environmental issues associated with the proposal have been thoroughly addressed. Conditions are recommended to satisfactorily address any outstanding issues.

The proposed development is consistent with the objects of the EP&A Act (including ecologically sustainable development) and is consistent with the State's strategic planning objectives for the site as set out in the Greater Sydney Regional Plan, 'A Metropolis of Three Cities' and the Eastern City District Plan. The proposal would provide increased and improved health services within the identified Randwick Health and Education Precinct.

The Department acknowledges the development would result in reduced solar access to dwellings on Magill Street opposite the site to the south, however recognises that the typology of buildings associated with the establishment of the Randwick Health and Education Precinct would unavoidably result in impacts due to the orientation and topography of the land. Notwithstanding, the reduced solar access resulting from the development is considered acceptable and the Department considers the overall public benefit associated with the delivery of health services to offset the impacts.

The Department is satisfied that subject to conditions of consent requiring articulation of the façade and minor design amendments, the proposed built form and scale of the development is appropriate when considered in the context of the existing development surrounding the site and the establishment of the Randwick Health and Education Precinct.

The Department concluded that the surrounding road network has adequate capacity to cater for the expected increase in traffic to the site and proposed access arrangements would be acceptable. Further, subject to conditions of consent requiring the provision of parking in accordance with a precinct wide strategy or delivery of temporary car parking in its absence, the car parking demands of the development would be met and impacts on the surrounding road network minimised.

The Department notes that the residences to the south of the site would be most affected by noise generated by the development. However, subject to conditions of consent requiring additional noise modelling and the implementation of acoustic treatment to the dwellings located on Magill Street where required, the development would include appropriate mitigation measures to minimise noise and vibration impacts on surrounding residential properties.

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

- the provision of health infrastructure to meet the demands of the growing population.
- improve service levels in hospitals through the construction of new health facilities in an accessible location.
- provide economic benefits, generating approximately 1,213 construction jobs, 260 operational jobs and a \$358 million investment in health infrastructure.

The Department concludes the impacts of the development are acceptable and generally, 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.



8. Recommendation

It is recommended that the Executive Director, Priority Projects Assessments, 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** for the application in respect of Prince of Wales Hospital Expansion Stage 1 (SSD 9113).
- **signs** the attached development consent and recommended conditions of consent (see Appendix 3).

Teresa Gizzi

Senior Planner, Social and Other Infrastructure Assessments

Recommended by:

David Gibson

Team Leader

Social and Other Infrastructure Assessments

Recommended by:

Karen Harragon

Director

Social and Other Infrastructure Assessments



9. Determination

The recommendation is: **Adopted / Not adopted by:**

David Gainsford

Executive Director

Priority Project Assessments

27/2/19



Appendices

Appendix A - List of Documents

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=9113
2. Submissions
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9113
3. Applicant's Response to Submissions
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9113
4. Applicant's Response to Submissions Supplementary information
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9113

Appendix B - Statutory Considerations

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 (Infrastructure) 2007 (Infrastructure SEPP)
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)
- Draft State Environmental Planning Policy (Remediation of Land) (Draft Remediation SEPP)
- Draft State Environmental Planning Policy (Environment) (Draft Environment SEPP)
- Randwick Local Environmental Plan (RLEP) 2012.

COMPLIANCE WITH CONTROLS

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

Table B1 | SRD SEPP compliance table

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.	The proposed development is permissible with development consent. The development is a type specified in Schedule 1.	Yes
Schedule 1 State significant development —general (Clause 8 (1)) 14 Hospitals, medical centres and health research facilities Development that has a capital investment value of more than \$30 million for any of the following purposes: (a) hospitals, (b) medical centres,	The proposed development comprises development is for the purpose of a hospital and has a CIV in excess of \$30 million.	Yes

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

State Environmental Planning Policy (Infrastructure) 2007

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 proposed development is made permissible by Part 3, Division 10 of the ISEPP (refer to **Section 4.2**).

The development also constitutes traffic generating development in accordance with clause 104 of the Infrastructure SEPP as it is for a hospital containing more than 200 beds. The Infrastructure SEPP requires traffic generating development to be referred to RMS for comment.

The application was referred to RMS in accordance with the Infrastructure SEPP. RMS raised no objections to the development subject to recommended conditions of consent (see **Section 5**).

The proposal is therefore consistent with the Infrastructure SEPP given the consultation and consideration of the comments from the relevant public authorities. The Department has included suitable conditions in the recommended conditions of consent (see **Appendix C**).

State Environmental Planning Policy No. 55 - Remediation of Land

SEPP 55 aims to ensure that potential contamination issues are considered in the determination of a development application. Contamination is considered in **Section 6.4** of this report.

The Department is satisfied that consistent with Clause 7 of SEPP 55, the submitted preliminary and detailed site investigations have been carried out in accordance with the contaminated land planning guidelines, and that subject to remediation, the site is suitable for the proposed hospital use.

Draft State Environmental Planning Policy (Remediation of Land)

The Draft Remediation SEPP will retain the overarching objective of SEPP 55 promoting the remediation of contaminated land to reduce the risk of potential harm to human health or the environment.

Additionally, the provisions of the Draft Remediation SEPP will require all remediation work that is to be carried out without development consent, to be reviewed and certified by a certified contaminated land consultant, categorise remediation work based on the scale, risk and complexity of the work and require environmental management plans relating to post-remediation management of sites or ongoing operation, maintenance and management of on-site remediation measures (such as a containment cell) to be provided to council.

The Department is satisfied that the proposal will be consistent with the objectives of the Draft Remediation SEPP.

Draft State Environmental Planning Policy (Environment)

The Draft 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 Environment 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, the Department concludes that the proposed development will generally be consistent with the provisions of the Draft Environment SEPP.

Randwick Local Environmental Plan (RLEP) 2012

The RLEP 2012 aims to encourage the development of housing, employment, infrastructure and community services to meet the needs of the existing and future residents of the Randwick LGA. The RLEP 2012 also aims to conserve and protect natural resources and foster economic, environmental and social well-being.

The Department has consulted with Council throughout the assessment process and has considered all relevant provisions of the RLEP 2012 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 RLEP 2012. Consideration of the relevant clauses of the RLEP 2012 is provided in **Table B2**.

Table B2 | Consideration of the RLEP 2012

RLEP 2012	Department Comment
Clause 4.3 Building height	The site is subject to a height limit of 9.5m and an FSR of 0.5:1. At a height of 13 storeys and an FSR of 2.3, the proposed ASB significantly exceeds the development standards. Even so, the Department considers that given the context of the site within the Randwick Health and Education Precinct, and the building typology associated with this type of development, the proposal is consistent with the desired future character of the area (see Section 6.1.1).
Clause 4.4 Floor Space Ratio (FSR)	
Clause 5.10 Heritage conservation	See Section 6.4 .
Clause 5.12 Infrastructure development and use of existing buildings of the Crown	The proposed ASB would exceed both the maximum building height and FSR development standards. However, as noted above, the Department's assessment of the proposal concludes that the built form, is satisfactory under the circumstances. Further, clause 5.12(1) of RLEP 2012 provides that the carrying out of any development, by or on behalf of a public authority, that is permitted to be carried out with development consent, is not restricted by the RLEP 2012.
Clause 6.2 Earthworks	The development requires bulk excavation of the site. The Department has recommended conditions of consent to ensure drainage is managed through construction.
6.4 Stormwater management	The Department is satisfied that stormwater would be managed appropriately in accordance with this clause.
6.8 Airspace operations	The proposed ASB would penetrate the Obstacle Limitation Surface by 21m. As such, the Department has consulted with the Commonwealth Department of

Infrastructure, Regional Development and Cities who issued a controlled activity approval for the development.

6.9 Development in areas subject to aircraft noise

The site is not located within an ANEF contour of 20 or greater.

6.11 Design excellence

The Department has considered the application against the matters of design excellence and concludes the following:

- subject to conditions requiring modifications to the façade and loading dock wall, the proposed development would exhibit a high standard of architectural design that is appropriate for a hospital building within the context of the Randwick Health and Education Precinct.
- the form and external appearance of the development, particularly the 'hospital square' fronting Botany Street, would improve the quality and amenity of the public domain.
- the proposal responds to the characteristics of the site and would have a positive relationship with the existing buildings to the east and west, and provides opportunities for a positive connection with the site to the north.
- the Department acknowledges the impacts on the dwellings to the south, however notes that due to the orientation and typography of the site, overshadowing impacts cannot be avoided. The Department considers the public benefit of the hospital and provision of health services to the community would offset the solar access impacts of the development.
- subject to conditions requiring the development to meet the provisions of 4 Star Green star or an equivalent as agreed to by the Planning Secretary, the proposal would meet the principles of sustainable design.
- the proposal would not result in any significant detrimental impacts on view corridors and landmarks.

Based on the above, the Department is satisfied that subject to the recommended conditions of consent, the development exhibits design excellence consistent with Clause 6.11.

6.12 Development requiring the preparation of a development control plan

The Department notes that Clause 4.15(1) of the EP&A Act provides that '*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...*'

It is also noted that the objective of clause 6.12 of RLEP is to ensure that on sites with an area of at least 10,000 square metres, development occurs in accordance with a site-specific DCP. However, Clause 11 of the SRD SEPP provides that DCPs do not apply to State significant development.

As provided by Preston CJ in *The Uniting Church in Australia Property Trust (NSW) v Parramatta City Council* [2018] NSWLEC 158, the obligation to consider the listed mandatory relevant factors is to be construed as requiring

consideration of the various stated matters only to the extent of relevance to the particular development the subject of the development application.

The Department considers that as Clause 6.12 of the RLEP requires the preparation of a site specific DCP, which would have no statutory weight in the assessment of the State significant development application, the requirements of the clause are not relevant to this development.

Further, the Department notes that the proposed ASB would be developed in a single stage, and due to its footprint provides minimal opportunity for further development of the site to which consideration of a site specific DCP would be given. It is also noted that the matters required to be addressed in the development control plan, are generally provided in the documentation for this application.

On this basis, the Department considers that the preparation of a DCP is not required in this instance.

Other policies

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

Appendix C - Recommended Instrument of Consent/Approval