

31 March 2019

To Whom it may concern

Re: SSD 17_8699 – Greenwich Hospital Redevelopment – 97-115 River Road, Greenwich

We would like to submit our strong objection to the proposed redevelopment of Greenwich Hospital. Whilst we support a redevelopment of the hospital, such should be sympathetic to the existing vegetation, heritage item and surrounding area. This proposal is not.

We would also strongly suggest that the documentation submitted is inconsistent, inadequate and misleading on the proposed development. The application should be withdrawn with the applicant requested to go back to the drawing board including the provision of accurate information.

Summary of Objection

- Seniors Living component reducing availability for future hospital
- Seniors Living component being included as State Significant development
- Secretary's Requirements not met
- Contamination
- Building Envelope & Streetscape Impacts – Excessive height of hospital
- View Impact
- Overshadowing & Solar access
- Accessibility
- Impact to setting & significance of Pallister
- Loss of trees – impact to other vegetation, heritage item, habitat & green corridor
- Increase in traffic
- Inconsistencies in information (ie parking space numbers, removal of trees)
- Minimisation of impacts through conditions

Seniors Living Limiting Future Hospital

The Seniors Living component by virtue of the extent of its building footprint and floor area (in excess of 50% of the total development) will significantly limit /prevent any future expansion of the hospital. This land has been zoned SP2 so that it can provide important infrastructure and the seniors housing component is at odds with the objectives of this zone *"To provide for infrastructure and related uses"*. and *"To prevent development that is not compatible with or that may detract from the provision of infrastructure"*.

Seniors Living not State Significant Development

SEPP (State & Regional Development) Clause 14 of Schedule 1:

Clause 8 of the SEPP (State & Regional Development) sets out the provisions for SSD. It is noted that Health Service Facilities include:

health services facility means a building or place used to provide medical or other services relating to the maintenance or improvement of the health, or the restoration to health, of persons or the prevention of disease in or treatment of injury to persons, and includes any of the following:

- (a) a medical centre,
- (b) community health service facilities,
- (c) health consulting rooms,
- (d) patient transport facilities, including helipads and ambulance facilities,
- (e) hospital.

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

The inclusion of seniors housing as part of this application of SSD is flawed given the objective of the SEPP's and that the seniors housing is not sufficiently related to the SSD as required by clause 8(2) of the State & Regional Development SEPP. In particular that the objective of SEPP (Seniors Living) is

*The objective of this Chapter is to create opportunities for the development of housing that is located and designed in a manner particularly suited to both those seniors who are **independent**, mobile and active as well as those who are frail, and other people with a disability regardless of their age.*

Which is at odds with the proposed development, the health service facilities and the objective of SEPP (State & Regional Development). Clearly the provision of Seniors Living Housing is not SSD.

Furthermore it is unclear how the provision of Seniors living will assist with 'continuum of care' (pg 39 EIS) when "*Hammond Care's vision for the site is to provide an integrated health care facility primary focussed on palliative care*"(pg 40 EIS).

The staging of the proposed development is also an indication of the lack of connection between the hospital development and the seniors living, given the seniors living is proposed to be constructed in stage 1 in the absence of the new hospital (stage 2).

The EIS indicates that the seniors housing are ancillary to the hospital but does not explain how? Is it only patients from the hospital that will move into these units? Given the extensive footprint and floor area of the seniors living it is difficult to anticipate this element is ancillary, but the predominant component of the development.

Given the above, whilst objection is raised to the extent of the seniors living proposed for numerous reasons, notwithstanding, any seniors living on this site should be assessed and determined by Lane Cove Council as it is not related to or in its own right, SSD.

Secretary Requirements

The Secretary Requirements have not been addressed including:

- Compliance with standards not demonstrated ie solar access
- Contamination. – the preliminary site investigation states "*Detailed Site Investigation incorporating intrusive sampling should be undertaken to fully characterise the contamination*

status of the site” and therefore has not demonstrated that the site is suitable for the proposed development and therefore has not meet the requirements of SEPP 55.

- Building Envelope study not provided (massing model does not provide information on building envelope). No information has been provided on the heights of the existing development on the eastern side of St Vincents (opposite the proposed seniors living), on River Road, or the eastern portion of Gore Street.
- Visual impact assessment from surrounding properties has not been carried out (ie properties in Gore Street, Kingslangley, Wisdom, Bob Campbell Oval etc)
- View impacts have not been clearly outlined or demonstrated
- The Bushfire report does not make reference to the tree removal plan or landscape plan nor does it identify if any other trees would need to be removed.

Further information is required on all existing development (including Pallister) v proposed development including a comparison table with:

- Breakdown of beds for different uses (Existing & Proposed)
- Number of consulting rooms (Existing & Proposed)
- Breakdown of FSR for different uses (Existing & Proposed)
- Hours of operation for different uses / areas (Existing & Proposed)
- staff numbers (Existing & Proposed)
- Parking (residents, staff, visitors) (Existing & Proposed)

This information is paramount to understanding the likely impacts of the proposed development.

Contamination.

The preliminary site investigation states “*Detailed Site Investigation incorporating intrusive sampling should be undertaken to fully characterise the contamination status of the site*” and therefore has not demonstrated that the site is suitable for the proposed development and therefore has not meet the requirements of SEPP 55. As outlined in Clause 7 of the SEPP:

Contamination and remediation to be considered in determining development application

(1) A consent authority must not consent to the carrying out of any development on land unless:

(a) it has considered whether the land is contaminated, and

(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and

(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

Building Envelopes & Streetscape Impacts

There is limited information provided on the proposed building envelopes. The massing model does not indicate the extent of the height of the proposal in comparison to the surrounding development but by virtue of the angle provided is almost a plan view and somewhat useless for understanding how the massing of the proposal would sit in the context. Further documentation indicating the massing model in the context (elevation view) should be provided to enable an assessment of the proposal.

- Building envelope profiles indicating the outline of the existing and proposed development through the whole site including surrounding development to enable surrounding residents to understand the extent of the proposal should be provided.
- The documentation does not support a 'building envelope study' to justify the proposed built form. The only documentation is a 'massing model' which does not give a comparison of the building envelopes or elevations or any other existing development other than that on the southern side of the site.
- No photomontages have been provided showing the development from Gore Street
- The proposed scale is excessive in comparison to the predominant 2 storey scale of the surrounding development particularly the proposed seniors living on the eastern side of the site (adjacent to St Vincents) which will not sit within the scale of the surrounding due to the elevation of these structures above ground level.
- The proposed hospital, located on the highest point of the site and being the largest building within the proposal is significantly above the scale of the immediate surrounding development at 9+ storeys in comparison to the predominantly two storey scale
- The excessive height of the proposed hospital will also dominate the tree lined ridge of River road having significant impact on the character of the area.
- The Architectural Design statement indicates the Senior villas should be generally 2 levels, no higher than the ground floor of Pallister and retain trees. The indicative envelopes achieves none of these with heights of 17.4 metres and RL of 55 (in comparison to RL 49 for the ground floor of Pallister) and removal of significant trees. Furthermore sections show a small, but third level to these.
- (Clause 48) of the Seniors Living SEPP refers to building height. The EIS gives no information on height in metres (above NGL) but at a max height of RL 55 this will be up to 17.4 metres (villas) and 27 metres (apartments) and is therefore considerably above the 8 metres envisaged by the SEPP. The Seniors Living component is at odds with the objective of the SEPP in "*setting out design principles that should be followed to achieve built form that responds to the characteristics of its site and form*". In particular, the proposal is contrary to Clause 33, which relates to neighbourhood amenity and streetscape in ignoring the heights of the adjacent buildings and not retaining major trees.

View Loss/View impact

View loss of green corridor from properties in Gore Street due to the significant loss of vegetation and extent of proposed development (particularly height)

The EIS does not acknowledge or assess the potential view impacts:

- in a north western aspect from the properties in Gore Street.
- From Bob Campbell Oval

The EIS falsely states that surrounding properties do not have substantial views over the hospital site. In particular, 19 Gore Street has substantial views over the site and the proposal is likely to have significant impacts on this view. A view loss assessment is requested.

Solar Access & Overshadowing

- Lack of solar access to seniors living due to location in vicinity to significant canopy trees & topography of the site. Ie the embankments and existing trees will overshadow the new development. .
- Survey does not depict the topography of the southern adjoining properties and as such the shadow diagrams are unlikely to be accurate. Survey data (ie RL's) along the southern boundary of the site are required to enable an assessment of the overall height of the proposal above the

natural ground level at the boundary. The shadow diagrams should depict all structures within these adjoining properties and the shadow cast by these to enable a thorough assessment of the solar access available. Shadow diagrams indicating both the existing and proposed (on one diagram) with the increase in shadows cast clearly delineated should be provided.

- The shadow cast by the hospital on Pallister is likely to have an adverse impact on the garden setting of the heritage item.
- The EIS uses the overshadowing cast by existing vegetation as justification for the proposal. As outlined in **The Benevolent Society v Waverley Council [2010] NSWLEC 1082** "*Overshadowing by vegetation should be ignored, except that vegetation may be taken into account in a qualitative way, in particular dense hedges that appear like a solid fence.*"
- Given the above revised shadow diagrams should be provided.

SEPP (Seniors Living) Clause 50 sets standards which cannot be used to refuse development consent. In particular "*(e) **solar access:** if living rooms and private open spaces for a minimum of 70% of the dwellings of the development receive a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter,...*" Given the location of the eastern seniors living adjacent to St Vincent Road and the density of vegetation and the topography, it is unlikely that units in these buildings would comply. Demonstration of this should not be left until a future DA as compliance would likely result in the loss of more vegetation on the site. This is yet another reason that the villas should be deleted from the scheme.

Accessibility

The location of the proposal and given the topography of the site and surrounding area is such that the proximity of appropriate services and facilities (ie supermarket (650metres), public transport etc) are not easily accessed by seniors. The EIS has not demonstrated compliance with Clause 26(3) in terms of the gradient of the pathways, particularly for the seniors housing on the eastern side of the site (adjacent to St Vincents Road).

Impact on Pallister (State Heritage Item) & Archaeological Potential

Objection is raised that the proposal will have significant impacts on the setting of Pallister in terms of the loss of trees and the significant scale of the proposed hospital.

With regard to the loss of trees, the history of Pallister set out in the HIS clearly indicates that:

- *It looked back across the bushland in the direction of Greenwich Road..*
- *....on the eastern side the land dropped away and contained caves & grottoes¹*

Both the loss of trees and the seniors living villa development will significantly impact this setting.

Page 12 of the HIS clearly indicates Pallister is "*....on the highest portion of the site.....*". So why would you propose a building on an even higher ground level and propose a height some 20 metres above the ridge of Pallister. Clearly this excessively scaled development will tower over Pallister casting shadow and having a significant visual impact from the front garden and verandah & balcony, particularly on the northern side of the building.

¹ Page 5 Heritage Impact Statement



Image: Watercolour painting of Standish by John Campbell c1895. Source: Conservation Management Plan 2004

The proposed development does not enable the retention and restoration of the 'bridle path' from Pallister to River Road which is clearly visible in the 1943 six maps aerial photo (see below) which is likely to have significant impacts on the setting of Pallister. The retention of this is identified as critical in the 2004 CMP

The section of garden immediately to the east (between St Vincents Road and *Pallister*) and that to the north and south of the house **form** the reduced garden setting of the building. The remnant driveway and carriage loop are critical to maintaining the "gardenesque" character of the setting.

Section 5.2 of 2004 CMP

This CMP also describes the remanent garden (which is proposed to be significantly removed & constructed over by the proposal) to be 'rare' (page 73 of CMP).

The extent of the proposed development and the significance of the item and setting should warrant the removal of hard stand parking to the north of Pallister and the reinstatement of this garden area. All parking for Pallister should be within the basement of the hospital building.

The same CMP indicates that the following views are of 'exceptional significance':

Views and vistas in this category include:

☐ Views to and from Pallister from both access roads connecting to St Vincents Road.

☐ Views to and from Pallister and the carriage loop

☐ Views to and from Pallister from the garden areas located to the north, east and south of Pallister. ²

As such, it is unclear how a HIS which is supposedly based on this CMP seems to ignore the recommendations? In particular conservation policies 6.1 & 6.4 .

² Pg 78 CMP 2004

It is of concern that the hospital is proposed on the area identified in the design statement as '*on least developed part of the site*' without any acknowledgement that this area is likely to be the least developed as it is within immediate vicinity and key outlook from Pallister.



<https://maps.six.nsw.gov.au/>

The HIS does not explore or make an assessment of the impacts of the views from the northern side of the building or the overshadowing of the item by the proposed hospital.

The documentation submitted is limited in terms of demonstrating the scale (with RL's) of the development (particularly the hospital & southern senior living apartments) in comparison to Pallister with regard to the views to Pallister from the east and north.

The HIS clearly states that the villas '*as such do have an adverse heritage impact on the curtilage of the heritage item*'³. The then justification for mitigating the impact is irrelevant. Given the 'adverse heritage impact', these villas should be deleted from the proposal.

The removal of significant trees from the curtilage of Pallister is also likely to have detrimental impacts and is 'washed over' in the HIS by the fact that some trees will be retained. All of the trees on the eastern & north eastern side of Pallister should be retained to minimise impacts to the curtilage. This is consistent with the recommendations in the CMP.

Impact on trees & tree canopy

- The survey is inaccurate as it does not depict the site as it currently exists particularly with regard to the vegetation and the 'missing' trees. A new survey should be provided.

In response to the *Arboricultural Impact Assessment (AIA)* and *Biodiversity Development Assessment Report (BDAR)*, the following points are made:

³ Pg 37 of HIS 2018

- Removal of a number of significant trees is justified in the report due to their conflict with the proposed building footprint. This is inadequate justification and these trees should be retained.
- The AIA states reason for removal as conflict with the proposed building footprint however, no comment has been made with regard to impact of location of underground services (nor landscape improvements) on trees to be retained. The report goes on to state that *setbacks for the new works and associated infrastructure should provide sufficient space to protect the existing growing environments both above and below ground for trees to be retained, and so that trees within the property and on adjoining properties will not be adversely affected.*
 - Other than providing standard setbacks (with a 10% incursion allowance) to the *Tree Protection Zone* (TPZ as defined under AS4970—*Protection of trees on development sites*), the report's author has provided no evidence (such as root mapping) to verify any claims.
 - Removal of trees because they conflict with a proposed building footprint is not a valid reason nor is removal of vegetation because it is young (young trees turn into old trees).
 - Whilst removal of trees with significant defects would generally be supported, given these trees are located with the existing stand (eastern frontage—St Vincents Rd of a state significant heritage item), this would generally be considered unnecessary given that the hazard could be isolated (such as cordoning off the area). In addition, some of those trees with defects will eventually turn into trees worthy of being habitat trees (creation of nesting hollows). It is a well-documented fact that since the introduction of the *10/50 Vegetation Clearing Entitlement Area* regulation in 2014, a large percentage of mature trees have been removed from the Lane Cove LGA (and surrounding LGA's). This has had a significant impact on the surrounding vegetation within the LGA. A quick perusal of aerial mapping imagery (such as *Nearmap*) would verify such claims.
- The proposal will require the removal of 0.44 of 0.77ha (or 57%) of *Coastal Enriched Sandstone Dry Forest* (refer BDAR) from the site. It is unclear whether the remainder will survive?
 - Change in water course and increase in impermeable surfaces will most likely have a detrimental impact on remaining vegetation.
 - Whilst it is noted that tree protection measures will be applied, a *Project Arborist* will not be on site 100% of time and construction impacts will have big impact.
 - Soil compaction, stripping, excavation etc. will all lead to eventual decline in existing vegetation. It appears that the soil has been largely unaltered.
 - A large proportion of existing trees (eastern frontage—St Vincents Rd) have been there for some time (pre-1943 aerial) and have grown up together. It is suggested that selected removal will alter the wind loading and general dynamics of the area which may in turn lead to a decline in health of the trees to be retained.
 - There is a strong chance that pathogens such as *Phytophthora* will be brought in. This will have a significant impact to vegetation on site and downstream of site.
 - A large percentage of the vegetation proposed for removal is within the curtilage of *Pallister House* which will significantly detract from the setting of the state heritage listed item.

- 4 habitat trees (with natural hollows) will require removal. The loss will be offset with nest boxes but, it is not the same. Trees take many years to develop hollows. In addition, 4 large *Ficus rubignosa* (Port Jackson Fig) will require removal. Some of these trees appear in the 1943 aerial (tree numbers 189 and 190). These trees appear to be already large suggesting that they may have been planted at the time of original build (or shortly thereafter) and therefore contribute to the setting of the item. Removal of these trees could have an adverse heritage impact.
- Whilst it is noted that the landscape plan proposes additional plantings of advanced stock, it will be many years (if any) before there is a return of amenity.
 - The included *Bushfire Hazard Assessment Report* (p17 *Recommendations*) requires the following: *...restricting any shrub gardens to no more than 20% of the area and maintaining 2 – 5 metre separation from any tree limb to a shrub garden...* This is concerning given that it is considered that this will have a significant bearing on the amount and type of vegetation (not to mention setbacks) that may be planted.

There is no discussion in the report about the proposed regrading of the St Vincent Road vehicle access point and how this may impact remaining vegetation.

Whilst it is acknowledged that some people may have some knowledge of trees and vegetation, it is considered that a reasonable person may not. In this regard, it is recommended that all trees proposed for removal are identified (ie red tape around trunk) to assist interested parties in making an informed opinion.

It appears that given the building footprints and likely services required that more trees will need to be removed. In addition to the proposed removal, which is likely to have an adverse impact on the heritage significance, remaining vegetation and habitat, any further removal would be devastating.

As such, the seniors living on St Vincents should be deleted from the scheme.

Traffic & Parking

The existing access to the site from St Vincents road currently has limited access controlled by a gate (7am to 7pm). The proposed development is likely to increase traffic down this access road and onto Gore Street which is limited in width for through traffic due to on-street parking and road width (particularly at the intersection with Carlotta). This limitation of Gore Street has not been addressed in the Traffic report.

It is unclear if the access point to St Vincents is proposed to remain with 'controlled access' as depicted in the 'access and connection' image in the design statement and which is not identified in the Traffic report as being retained as 'controlled'. It is unclear if the traffic assessment has been flawed by the neglect to identify this. Opening the access driveway on St Vincents Road to be 24 hours is likely to significantly increase the traffic movements on this road and Gore Street. The T&PIA makes no assessment of this impact but limits its assessment to River Road and St Vincents. As the Bushfire report indicates that the through road to St Vincent's will be available and as such would indicate that this road would not have restricted hours of access (as is currently the case) an assessment of this potential impact is paramount.

The access point on St Vincents road should be closed permanently to ensure traffic from the proposed development is not directed into Gore Street. Alternatively, the controlled access (7am-7pm only) at

minimum should be maintained with a left out only with the provision of a median barrier to prevent right hand turns out of this access point, but allow left or right hand turns into

Furthermore, the traffic report fails to identify traffic counts during the day, which is of particular concern with school children from Greenwich using this road to travel between the two Greenwich school sites. It also fails to do counts from 6pm until 7pm.

The traffic counts were taken on **one day** only 12 October 2017 which appears to be within school term for public schools (term 4 only commenced the same week the counts were done) but potentially when private schools and many people were on holidays. Updated traffic counts should be done over a range of days.

Concern is raised that the access road on St Vincents does not comply with the AS/NSZ 2890.1 with regard to gradient and there is no information on how this will be regraded to comply.

The proposed development traffic increase has been based on the number of beds, not the proposed parking spaces which appear to be up to up to 329 which is more than double that exists (ie greater increase than the 92% identified).

The traffic report fails to identify the rat run up Gore Street, Carlotta, Oscar Street, Greenwich road to the signalised intersection with River Road and the impacts on this.

The application fails to identify the impacts of the development on pedestrian access in the vicinity of the site and the lack of safe crossing at the intersection of Gore Street and St Vincents, which is used by school children traveling between the two school sites.

The traffic & parking report hasn't even identified the number of existing parking spaces (page 9) '*more than 150 spaces*' which questions the reliability of the report in accessing the impacts. The application is inconsistent with regard to the proposed parking spaces (EIS – 181-200 spaces, T&PIA – 329 spaces).

The proposal to provide 45 car parking spaces for the seniors living (based on them being 1 bedroom) is considered inappropriate given it is unlikely that these apartments and villas will only be one bedroom (Clause 50(h) SEPP (Seniors Living). As such, the parking is likely to increase and therefore the traffic will increase.

Given the above inconsistencies and neglect of assessment of a number of significant elements (including poor data), a revised Traffic report is requested addressing the above.

Capital Investment Value

Hospital and Health - \$72,465

Seniors Living \$69,035

Given the significant CIV of the seniors living (almost 50% of the development) this component could not be seen as 'ancillary' and should not form part of the SSD. Any Seniors Living component should be lodged under a DA to be assessed by Lane Cove Council.

Consolidation of lots

If approval is granted, the allotments that make up the site (hospital and western villas) should be consolidated, with the exception of Pallister, to ensure the development is maintained in the same ownership given the seniors living is supposedly 'ancillary'.

Inconsistency of information

As noted within this submission, in particular the Arborist Report and Traffic Report include inconsistencies, which need to be addressed.

Requested conditions

Whilst the proposal is not supported and the application should be refused. Notwithstanding, if approval is granted the following conditions should be imposed:

1. The proposed hospital shall be limited to a maximum of 4 storeys in height to enable it to be sympathetic with the character of the area.
2. The Seniors Living Villas on the eastern side of the site should be deleted.
3. If the Seniors Living Villas are approved they should be amended to:
 - a. Maximum building envelope height of two storey above natural ground level to ensure the existing built form character is maintained.
 - b. Reduced & amended footprints to ensure all significant trees (medium significance and above) are retained & acceptable amenity can be obtained for the future residents.
4. The footpath along River Road adjacent to the northern boundary of the site shall be redesigned and reconstructed with no or minimal steps to provide a safe pedestrian pathway.
5. A new footpath along the eastern portion of Carlotta Street from Gore Street to Oscar street shall be provided to enable safe pedestrian access & contribute to the economic development of the area and the local business strip (Greenwich local shops).
6. The access point from the site to St Vincents Road should either be closed or at minimum limited access from 7am to 7pm and a median strip barrier provided to prevent right hand turns from the site.
7. A Plan of Management shall be submitted with future Development Applications which clearly indicate how the operation of the hospital & seniors living will be managed to minimise impacts on the surrounding residents including (but not limited to):
 - a. Acoustic impacts particularly after 7pm to 7am, Saturdays and Sundays;
 - b. Traffic including deliveries and patient transport
 - c. Light spill
8. Construction shall only occur as follows:

Unless otherwise approved by Council, excavation, demolition, construction or subdivision work shall only be permitted during the following hours:

 - a) 7:00 am to 5:30 pm, Mondays to Fridays, inclusive (with demolition works finishing at 5pm);
 - b) 8:00 am to 1:00 pm on Saturdays with no demolition or excavation works occurring during this time; and
 - c) at no time on Sundays or public holidays.

Activities generating noise levels greater than 75dB(A) such as rock breaking, rock hammering, sheet piling and pile driving shall be limited to:

8:00 am to 12:00 pm, Monday to Saturday; and
2:00 pm to 5:00 pm Monday to Friday.

The Proponent shall not undertake such activities for more than three continuous hours and shall provide a minimum of one 2 hour respite period between any two periods of such works.

“Continuous” means any period during which there is less than an uninterrupted 60 minute respite period between temporarily halting and recommencing any of that intrusively noisy work.

As discussed above, it is requested that the applicant withdraw the current application and address the above concerns in further studies and revised scheme. If this application is pursued, it is requested that the Department meet with residents of Greenwich to discuss the proposed assessment.

Your consideration of the above is appreciated.

Rachel & Ben Waller
19 Gore Street, Greenwich NSW 2065