



File Ref: DN20/0063

29 January 2021

Department of Planning Industry & Environment
Locked Bag 5022
PARRAMATTA NSW 2124

Attn: Director Social and Infrastructure Assessment

Dear Sir/Madam

Development Referral No. DN20/0063

Proposal: Environmental Impact Statement (EIS) for alterations and additions to President Private Hospital (SSD-10320).

Property: 369-381 President Avenue, Kirrawee

I refer to the exhibition notice of state significant development application for alterations and additions to President Private Hospital.

Council has several serious concerns with the application as currently proposed, most of which are detailed below. However, Council's Planning Division received your letter on 22 December 2020 and, given Christmas closure and staff leave over this period, there is further detail we have not been able to include and Councillors have not had an opportunity to comment.

For these reasons, an extension of time to **12 February 2021** is requested to allow adequate time to provide additional information likely to arise from a thorough evaluation of the proposal.

Key Issues

Heritage

The site contains a dwelling known as Hotham House (65 Hotham Road) that is listed as a heritage item under Schedule 5 of the Sutherland Shire Local Environment Plan 2015 (SSLEP2016)

The findings of the GBA Heritage Impact Statement that the house at Hotham Road lacks significance is opposed. The house was found to be of local heritage significance, supported by Heritage NSW, and listed after a Heritage Order was imposed to the house to allow time to research its heritage value.

The Statement of significance concludes that,

"The house and garden at 65 Hotham Road have aesthetic significance at a local level as a fine and substantial local example of a late Federation period house constructed in the Federation Bungalow style, in a garden setting. The Norfolk Island Pine and circular path contribute to the setting."

The research showed aesthetical rarity and its relationship with the typology of a farm – now an urban environment. It has social and historical significance related to the development of the Sutherland Shire and its beginnings as rural land, as well as associations with important people and places of Sutherland as Hotham Farm.

The dwelling is proposed to be demolished as part of the new development. Furthermore, it is being demolished to make way for a driveway. The cottage has local heritage significance and contributes to the streetscape. Given its domestic scale, conserving the cottage can be a strategy to ameliorate the impacts of the hospital scale, creating an interface between the hospital and the residential character of Hotham Road, and can be sympathetically integrated to create a unique and functional entry feature. While the tree fronting Hotham Road is from the 1970's, its location provides a setting to the cottage/farm.

Given the heritage value of this dwelling to the local community, Council strongly opposes the demolition of the cottage. The cottage can and should be conserved and integrated into the proposal. Clause 5.10 of SSLEP2015 supports and encourages the conservation of Sutherland's heritage. The proposed demolition contravenes the objectives of the Clause.

Urban Design

The case to remove the heritage building is not well founded. In fact, the inclusion of Hotham House into the design would not only provide a more welcoming address into the complex but also provide a strong connection with the local community's history. The cottage could be the focal point of the hospital, with the through driveway extending around the back of this building, possibly under built form. The cottage and the foreground garden would make an ideal space as the cafeteria, with the rear modified and integrated to form a functional reception area, all with no loss of floor space.

The proposals modernity and loss of the cottages' almost humble character, will make it even more visually apparent in addition to the significant growth in its size in comparison to the existing facility. This includes the expansion to the north in place of existing residential properties. While this section is of a lower scale, the setback to Bigural Ave should have a greater regard to the setbacks of the remaining residential properties to both the east and west. The privacy impact of multiple elevated windows overlooking these residential neighbouring properties is also of significant concern regardless of any screening devices or 'hopeful' plant screening. In addition, the privacy impacts to neighbouring properties are likely to be further compounded by the noise generated from the proposed roof top plant areas.

How the redevelopment is handled architecturally is important as not only does the development have to operate efficiently and rationally as a high level medical facility, its relationship externally needs to recognise the interface with the community and importantly, the neighbours. The proposed external presentation and character of the design is very defensive and overpoweringly dominant. Particularly to the corner of President Ave and Hotham Rd where a solid wall some 3m high addresses the corner and extends along President Ave. This is highly visible and defensive on such a prominent corner, and leaves little ability for passive surveillance of the public way.

While there is some visual interest being expressed with building articulation and quality materials, the simple geometric block form projects a sense of intimidation. If any design development process is to be undertaken, a softer, more welcoming and engaging building façade is recommended that better addresses the community and the neighbours, perhaps through external balcony spaces or the like. Some design consideration should also be given to the top level of the taller building portions to provide a visual termination to the building height of those parts.

The President Private Hospital is not in a medical precinct, inner city or commercial area, it is in a low density residential area. The design, including the loss of the heritage cottage, shows little regard to its context within the community. The extent of the proposed development appears to be excessive for the available site area and results in a dominant building form unsympathetic to virtually all its neighbours and the streetscape character of the locality.

Flood Risk Management

Under Sutherland Shire Development Control Plan 2015 (SSDCP2015) hospitals are classified as essential community facilities, which are unsuitable for development on land identified as flood affected. However, the DCP does not cover redevelopment of an existing essential community facility which is flood affected. On this basis, the development needs to comply with the objectives of the DCP along with some controls that may or may not be included in the prescriptive controls.

The applicant has submitted a preliminary flood risk assessment report and associated plans prepared by Martens Consulting Engineers and dated September 2020. The report documents flood modelling, a flood impact assessment, mitigations measures and a flood emergency response plan.

Several errors were identified in the report that may change the outcome of the flood assessment. Specifically, these are:

1. The catchment area measured used for the hydrological assessment has failed to include the catchment from the brick pit precinct. Flows from this catchment are conveyed toward the site via stormwater pipes crossing the train line at Bath Road. Therefore the assessment has underestimated flows arriving at the site and possibly underestimated flood levels.
2. The assessment has assumed a 1050 mm diameter stormwater pipe within the site whereas Council records show a 1200 mm diameter pipe. Further information on this should be provided.
3. The critical storm duration estimated for the hydrology model is too low. A rough calculation using the length of the catchment indicates that the critical duration would be >10 minutes. It should be noted that the critical duration used for the PMF is 15 minutes. It's expected that the duration for all storms should be the same.
4. The hydraulic model does not account for Council's requirement for all inlet pits to be assumed 50% blocked.
5. The flood maps show flooding of the proposed car park in the PMF. Given the proposed development is an essential facility, greater protection from flooding is required. Hence, the basement driveway crest must be raised to the PMF level.
6. The flood difference map does not definitively show that the development does not result in offsite flood impacts. The flood difference maps should be provided with levels in 0.01 m increments. Council considers any offsite flood impacts greater than 10 mm to be unacceptable.
7. For the preliminary flood emergency response plan (section 5) the report incorrectly states that the northern car park and Hotham Road are unaffected by flood waters, and recommend evacuation to the north during a flood event. However, in a PMF event there will almost certainly be flows down Hotham Road, possibly overtopping the kerb to be hazardous to pedestrians. Given that the report does not cover potential flooding down Hotham Road, the emergency response plan should consider alternative and safe methods of evacuation/refuge. Consideration should be made to the expected duration of flooding and risks of evacuation versus refuge on site.
8. The report should include a map showing flood levels that correspond with each proposed building element. The finished floor level should be determined based on the flood level most representative of the building location.
9. The existing conditions versus the proposed conditions do not appear consistent. It is unclear how the wide floodway shown in the existing conditions is contained within the proposed swale/channel. It would be expected that diverting flows to the south at such a sharp angle would cause afflux onto properties to the west. The report should include more information about the assessment including P.O. lines from the model at critical locations, particularly at the south western corner of the site.

10. The flood maps show high hazard flooding of the proposed open car park in the PMF. Given the nature of the development, the open car park should be elevated so that it is not exposed to hazard causing damage to vehicles, hence should not fall within a hazard category higher than H2.
11. The crest of the driveway providing access to the basement should be elevated to the PMF level to provide additional protection.
12. Details of the proposed channel/swale should be provided and must be consistent with what has been modelled. Additionally consideration should be made to continuing the channel to the east toward the intersection at Hotham Rd and President Ave. In doing so, the channel should contain high hazard flooding within the property for an extended length before discharging onto the carriageway. This would reduce the risk to life and property damage within President Avenue. The applicant should consult with the SES and NSW Police to confirm that this would assist during a flood emergency.
13. The report has not referenced the permissibility of essential community facilities on flood affected land or the objectives of the DCP which should be used to assess the proposed development. The report must provide comment on this aspect.

Given the use of the site, it is imperative that the applicant address all above comments and update the flood model, flood report and architectural drawings accordingly and submit for further review prior to determination of the application.

Trunk Stormwater Design

The submitted civil engineering plans show the Council drainage easement to be redirected over the pipeline. However, there is no information provided to support the easement relocation. The proposal to relocate the easement must be supported by empirical evidence of the location of the existing stormwater pipe including CCTV, site survey, and photographs.

The developer must submit an application for 'access and realignment' to Council's Property Services for relocation of the easement. The application must be approved and all easement registered prior to CC being issued.

Additionally, the plans show numerous structures over the proposed easement and existing stormwater line. The structures include retaining walls, private stormwater lines and other minor structure. Council will not accept any private structures over its easement.

Traffic, Access and Car Parking

As part of original DA (DA02/1859) and subsequent DA (DA09/0929), a slip lane was considered necessary at the President Ave entry to the car park and a separate exit was proposed east of the car park. However, without a slip lane, an informal car park (without consent) has been operating since 2009 at this location with a capacity of around 10 parking spaces.

For above alterations and additions to President Private Hospital, it is estimated that traffic volume at the proposed combined entry/exit driveway off President Ave will be increased significantly to 37 vehicle trips (30 inbound and 7 outbound) during morning peak and 25 vehicle trips (5 inbound and 20 outbound) during afternoon peak. As the hospital will operate 24/7, there will be continuous traffic volume using the proposed driveway off President Ave which will create potential risk not only during peak hours also outside peak periods.

As part of proposed Hospital site expansion, for safety related to increase traffic volume at the President Ave driveway, it is recommended that a slip lane be provided at the President Ave entry to the car park with a separate exit to President Avenue for the proposed site. Without a slip lane, access to any significant parking from President Ave is a significant safety concern and will impact traffic on this very busy road. Alternatively, access should be provided off Hotham Road only.

The existing hospital site has provision of 52 parking spaces on-site (this calculation includes the 10 informal spaces for visitors in the West car park off President Ave, 22 spaces for visitors in the East Carpark off Hotham St and 20 for staff in the North Staff Carpark). Due to the lack of on-site parking, staff and visitor also occupy adjacent Council on-street parking during busy hours.

The proposed hospital site has provision of 158 on-site parking spaces. In accordance with RTA guide, hospital sites require at least 163 spaces on-site. The RTA (2002) survey was based on 30-99 beds, whereas the proposed President Hospital has a provision of 182 beds. Ideally, the applicant needs to undertake a parking survey for similar sized facilities to adopt a parking rate for the proposed hospital site.

As the proposed site is not located in close proximity of a train station, a proposed green travel plan may not be effective. Based on existing site parking experience, staff and visitors also likely to rely on on-street parking due to the proposed parking shortfall and high parking demand.

The proposed parking shortfall of 5 spaces is likely to be greater and is therefore not considered acceptable.

In order to determine the parking rate for the proposed site, it is recommended that a parking survey be undertaken with a similar size private hospital development with more than 180 beds and 100 staff. In order to minimise the parking impact on adjacent local streets, no parking shortfall is considered acceptable for the site.

Landscaping and Tree Protection

The site has 32 trees described in the arborists report supplied. The majority of these trees (25x) are proposed to be removed as part of the expansion of the hospital facilities. Of the 25 tree proposed for removal, 4 of these would be considered significant to the current site's amenity and layout.

1. These trees are: Tree 10, a *Corymbia maculata* – Spotted Gum (located between retained Trees 7 and 12 on Hotham Road), Trees 16 and 17 (which are *Melaleuca quinquinervia* – Broad Leaved Paperbarks located next to retained Tree 18 on the President Avenue frontage), and Tree 25 a *Quercus robur* – English Oak (located adjacent to the north western boundary of the site in the rear yard of 4 Bidurgal Ave, to be amalgamated into the hospital site). Of these 4, the most significant one is Tree 25.
2. Tree 25 was discussed at the original meeting with Council back in September 2019 as a tree that was proposed to be removed, however, following reasons put forward by the applicant at the time, its retention was to be looked at. The reasons for possible retention were:
 - a) that the tree was significant in size and was already existing;
 - b) that the tree was sited adjacent to the boundary (providing opportunity to work with its space requirements);
 - c) that the tree would provide a planting of appropriate scale prior to the building being constructed;
 - d) that the tree would screen the neighbours private open spaces, helping with the amenity for the adjacent neighbours, and,
 - e) that the tree would provide summer shade to the western façade of the building and winter sun during the winter.

These factors should be reconsidered and the tree integrated into an amended design.

3. Tree 23 is shown to be retained adjacent to the President Ave frontage of the site. This tree has had its canopy heavily modified by Ausgrid's service contractors who have pruned its canopy away from the wires in order to obtain required clearances. The tree's natural growth habit will continue to require that this tree be pruned. Its misshapen canopy will not get better over time and could be prone to failure over time. It is suggested that it not be retained and an alternate suitable tree planting be considered for this location.
4. Tree 12 is shown to be pruned back to a trunk and retained for its current habitat hollow only. It is recommended that it be retained with more of its canopy intact as removal of all of it will cause the tree to die prematurely. The tree is a significant endemic remnant of this area and retaining even half of its current canopy will promote its longevity whilst providing enough space for the building to be constructed in behind it. The presence of canopy above the hollow will promote the use of the hollow by making it more inviting to the local wildlife while at the same time allowing its canopy to screen the proposed bulkier structure behind it.
5. Tree 7 Araucaria columnaris – Cook Island Pine is shown to be retained. It is not believed that the levels shown on the architectural plans will allow this to occur. Section 02 shows the original ground line south of the tree's location lowered significantly. The sketch Perspective 2 – The Main Drop Off, shows retaining walls criss-crossing the tree protection zone. This zone requires 7.2 metres of existing ground levels to be retained right around this tree. If this doesn't happen, the tree will not survive the construction works around it. Driveway levels will need to be sympathetic to this trees root plate if it is to survive.

As stated above, the tree issues need to be further refined to retain the best trees on the site. These changes should be integrated into the latest landscape design.

The above issues are not an exhausted list of issues at this stage and as stated on page 1 of this letter, an extension of time is sought in order for all of councils concerns to be forwarded to you for consideration.

If you need any clarification of the above comments, please contact myself or Council's Development Assessment Officer Damon Kenny on 9710 0674 or email dkenny@ssc.nsw.gov.au and quote the application number in the subject.

Yours faithfully



Andrew Carfield
Director, Shire Planning