

# Macquarie International Health Clinic Pty Ltd

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29 July 2016

Ms Carolyn McNally  
Secretary  
Department of Planning and Environment  
GPO Box 39  
Sydney NSW 2001

Dear Ms. McNally

**Re: Application SSD 16 7542 – RPA Hospital Staff Multi-storey Carpark (“the Application”)**

## **1. Executive Summary**

We wish to object to the proposed development of the RPA Hospital Staff Multi-Storey Carpark (“the Proposed MSCP”) as detailed in the Application. The basis of our objection is as follows:

- i. The Application has significant omissions and shortcomings in its traffic analysis that meaningfully understate the traffic impacts and level of congestion that will result from the Proposed MSCP.
- ii. The Application fails to consider the traffic impacts of the following approved developments:
  - a. DA 097-00153: The stage two, 200 space enhancement of the MSCP located on New Hospital Road and Grose St (“the Existing Staff Carpark”);
  - b. DA 097-00154: The private hospital (“the Private Hospital”) currently under construction located on the corner of New Hospital Road and Carillon Ave; and
  - c. DA U99-00551: The 1,000 space car park to be located behind the King George V building.
- iii. As a result of i. above, the Transport Impact Assessment prepared by GTA Consultants (“the TIA”) fails to consider the significant incremental traffic burdens that will result along New Hospital Road, Carillon Ave, Church St, Missenden Rd and Mallet St.
- iv. The Application does not consider the underutilisation and available capacity of the Existing Staff Carpark.
- v. The Application seeks to direct all vehicular traffic entering the Proposed MSCP (996 spaces) via New Hospital Road which will far exceed the purpose for which was designed.
- vi. The Application does not give due consideration to pedestrian safety along New Hospital Road.
- vii. The Application does not consider the impact of congestion on emergency services seeking to use Royal Prince Alfred Hospital, most notably the NSW Ambulance Service.
- viii. The Applicant has not sought the required consent of Macquarie International Health Clinic to direct traffic across New Hospital Road, which it is required to do so.
- ix. The Application falsely suggests there has been a net reduction in staff parking in the Existing Staff Carpark. Over 2,000 RPA staff routinely park in the Existing Staff Carpark, consistent with historical volumes.

# Macquarie International Health Clinic Pty Ltd

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- x. The Application falsely suggests RPA staff parking is limited to 600 spaces in the Existing Staff Carpark when RPA staff have full access at discounted rates to all 1,026 spaces in the Existing Staff Carpark.

Notwithstanding the basis of our objection to the Application as detailed above, we believe the Application could be approved, subject to the following amendments and conditions:

- i. The Proposed MSCP be reduced to a maximum of 300 car spaces, the traffic impact of which would be lower and more sustainable given the existing levels of congestion in the subject area, particularly Carillon Ave, Missenden Rd and Church St;
- ii. The routing of traffic entering the Proposed MSCP be direct from either Church St or Lucas St with egress along those same routes;
- iii. There be no access to the Proposed MSCP utilising New Hospital Road;
- iv. New Hospital Road be closed north of Grose St to prevent thoroughfare from New Hospital Road to Missenden Rd utilising Lucas St;
- v. Grose St be widened and converted to a two-way street to allow improved traffic circulation around the Existing Staff Carpark; and
- vi. DA U99-00551 be terminated in view of the approval of the Application, subject to amendments suggested herein.

## 2. Introduction

We wish to object to this Application SSD\_16\_7542 for four primary reasons.

Firstly, the Application has significant omissions and shortcomings in its analysis that meaningfully understate the level of congestion that will result from the Proposed MSCP. Details of this are included in the traffic assessment reports that have been prepared by Arup and Bitzios and accompany this letter.

Secondly, the Application fails to consider the impact of other significant DA-approved developments that will require the use of New Hospital Road These developments include:

- i. DA 097-00153: The stage two, 200 space enhancement of the Existing Staff Carpark located on New Hospital Road and Grose St;
- ii. DA 097-00154: The Private Hospital currently under construction located on the corner of New Hospital Road and Carillon Ave; and
- iii. DA U99-00551: The 1,000 space car park to be located behind the King George V building.

Thirdly, the Application contains significant misrepresentations with regards to the state and extent to which the Existing Staff Carpark is being utilized.

Finally, the proposed routing of traffic for the proposed MSCP seeks to direct traffic onto New Hospital Road which is beyond the use for which New Hospital Road was designed.

# Macquarie International Health Clinic Pty Ltd

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The purpose of this letter is to ensure that the Department of Planning and Environment is fully informed prior to making a decision on the appropriateness of the Application.

Included with this letter are the following expert reports, which should be read in conjunction with this letter:

- i. A Traffic Assessment Review by Arup consultants
- ii. A Traffic Assessment Review by Bitzios Consulting
- iii. A Town Planning Review by Andrew Martin Planning

### **3. Subject Site Discussion**

The site of the Proposed MSCP is on the south-eastern corner of Lucas St and Church St, Camperdown. Access to the MSCP is currently contemplated from an entrance to be located on the southern side of the car park. To enter the MSCP, vehicles are expected to access New Hospital Road (from Carillon Ave) and then Brodie St (from New Hospital Road). It is imperative to consider all approved developments that will utilize New Hospital Road when assessing the impact of the MSCP.

We refer to New Hospital Road as the road running north/south between Carillon Ave and Lucas St. New Hospital Road was built through private funding by Macquarie International Health Clinic Pty Ltd ("Macquarie"). The road was constructed under the terms of a lease agreement between SLHD and Macquarie relating to the construction of the Private Hospital and the Existing Staff Carpark located on New Hospital Road and Grose St. New Hospital Road was therefore, only ever intended to meet the demand of the 1,226 space Existing Staff Carpark and the Private Hospital.

New Hospital Road is erroneously represented as Grose St in the TIA on page 7 and is referred to as the 'key road internal to the RPAH north-west Precinct'.

### **4. Background and Status of the Construction of the Private Hospital**

On 19 June 1997, the Land and Environment Court approved DA U97-00154 for the construction of the Private Hospital. The approved Private Hospital expects to utilise New Hospital Road as the single access road for people visiting the Private Hospital who would park in 400 casual parking spaces located in the Existing Staff Carpark. Therefore, the traffic impact of the Private Hospital must be considered in the context of the Application.

Following is a brief summation and update as to the status of the construction of the Private Hospital and the Existing Staff Carpark:

- i. On 1 December 1996, Macquarie entered into two separate 103 year leases with Sydney Local Health District ("SLHD") to design and construct a 1,225 space multi-storey carpark (the Existing Staff Carpark) and the Private Hospital, respectively.
- ii. Under the terms of agreements, SLHD and Macquarie are joint owners of the Existing Staff Carpark. SLHD has currently subleased its estate in the carpark for 25 years (until 2021) in return for Macquarie bearing 100% of the costs of design and construction of the carpark.

- iii. Construction of the first stage of the Existing Staff Carpark was completed in 1999, with commissioning of 1,026 spaces. The second stage for the commissioning of 199 spaces is contemplated once existing capacity has been reached.
- iv. On 17 March 2000, SLHD sought to terminate the Private Hospital Lease and Existing Staff Carpark Lease with Macquarie and took back possession of both the Private Hospital and Existing Staff Carpark sites.
- v. On October 2015, following a finding that SLHD had breached Macquarie's legal rights, the Court of Appeal ruled that the Private Hospital site and Existing Staff Carpark be handed back to Macquarie.
- vi. On 2 November 2015, Macquarie took back possession of the Existing Staff Carpark and Private Hospital Site, and commenced operations of Existing Staff Carpark.
- vii. At the time of taking back possession of the Existing Staff Carpark, Macquarie observed that there were approximately 1,000 staff parking in the car park each day and approximately 2,000 staff registered to access this carpark.
- viii. On 1 March 2016, the Supreme Court ruled that DA U97-00154 had not lapsed following a submission by Macquarie. This decision validated that Macquarie had achieved physical commencement of the construction of the Private Hospital.

The validation of DA U97-00154 on 1 March 2016 affirms the commencement of construction of the Private Hospital. Therefore, the delay in the completion of the construction should not permit the traffic impact of the Private Hospital to be disregarded. The TIA gives no consideration to the traffic impact of the Private Hospital and therefore understates the potential impact of the Proposed MSCP.

## 5. Existing Lease Conditions Relevant to New Hospital Road

New Hospital Road was only ever intended as a private road that was borne out of an agreement between SLHD and Macquarie. The extract below has been lifted from the Construction Deed dated 2 December 1996 between SLHD (Landlord) and Macquarie (Tenant):

*"The following provisions relate to access and New Hospital Road:*

- (a) *The Landlord has warranted in the Car Park Lease and Hospital Lease that the Land will have pedestrian and vehicular access to and egress from land and roadways held by it.*
- (b) *The parties agree that if the Tenant wishes to construct a road along the boundary of Lot 2 in DP 805666 where that Lot 2 is contiguous with Lots 11 and 12 in DP 809663 between Carillon Avenue and Grose Street, it may do so to a standard agreed between the parties.*
- (c) *The cost of constructing New Hospital Road and, subject to sub-clause (e), the maintenance costs associated with the New Hospital Road, are to be borne by the Tenant.*
- (d) *The Landlord agrees to grant a right of way over that part of Lot 2 in DP 805666 upon which the New Hospital Road is constructed in favor of Lots 11 and 12 in DP 809663. The terms of*

*the right of way may include such provisions as the Landlord may reasonably require to maintain the integrity of the campus of the Royal Prince Alfred Hospital and otherwise give effect to the principles relating to the development of the campus of Royal Prince Alfred Hospital set out in clause 3.5 of this deed and in the Landlord's site masterplan as published before the date of this deed. All reasonable costs incurred in relation to the creation of that right of way must be borne by the Tenant.*

- (e) *The Tenant agrees, if requested by the Landlord, to allow the Landlord access to and use of the New Hospital Road but only for loads for which it has been designed to carry. The Landlord agrees to contribute towards, in proportion to its usage (including having regard to weight loadings of traffic) of the New Hospital Road (but in any event not exceeding 50% provided the Landlord complies with loading limits), the maintenance costs of the New Hospital Road. If the parties can not agree on the proportion to be paid by the Landlord the dispute will be determined by an independent traffic consultant selected by the Landlord who will act as an expert and not as an arbitrator.*

Clause (b) describes Macquarie's right to construct New Hospital Road and Clause (e) requires the Landlord ("SLHD") to obtain the Tenant's ("Macquarie") consent for access to and use of New Hospital Road. To date, SLHD has sought no such consent.

## **6. Overuse of New Hospital Road and Congestion of Key Intersections**

Following our review of the Application, we believe that there will be excess use of New Hospital Road beyond its contemplated design and significant congestion at key intersections. New Hospital Road was only ever intended to serve the Existing Staff Carpark and Private Hospital. The Existing Staff Carpark is approved for 1,225 spaces. Therefore, the addition of 996 spaces from the Proposed MSCP is a significant burden to the existing load.

As a result of the increased traffic due to the Proposed MSCP, there are numerous major intersections that will experience significant increases in traffic volumes and congestion. These include:

- i. Carillon Ave/New Hospital Road
- ii. Carillon Ave/Missenden Rd
- iii. Carillon Ave/Church St
- iv. Carillon Ave/Mallet St
- v. Missenden Rd/King St
- vi. Missenden Rd/Parramatta Rd

## **7. Underutilisation of the Existing Staff Carpark**

The Existing Staff Carpark's latent capacity comprises both unused existing capacity and approved but unbuilt capacity. Neither of these has been considered in the Application.

As noted above, Macquarie took back possession of the Existing Staff Carpark on 2 November 2015. At the time of handover of the carpark, records indicate that there were 1,000 car parking events per day with a register of approximately 2,000 users. As at the date of writing this submission, the Existing Staff Carpark continues to experience no significant change to the utilisation and demand ratio based on car parking events

of 1,000 per day and 2,000 access cards issued to RPA staff. This level of utilisation represents only 60%-70% of the capacity of the Existing Staff Carpark and incorporates the peak volumes during shift changeovers. Therefore, 30%-40% of the Existing Staff Carpark's capacity, equivalent to approximately 300-400 spaces, remains available for use.

In addition, the incremental approved but unbuilt 199 parking spaces of the Existing Staff Carpark, DA 097-00153, also needs to be considered. Activating the construction of these parking spaces would provide sufficient capacity on the Royal Prince Alfred Campus for the required parking demands that include the peak 'shift change over' scenario.

## 8. Affected Local Street Network

The addition of a further 996 car parking spaces in the Application is predicted to cause unwarranted congestion on New Hospital Road which will have a flow on effect on to the local street network. This network includes Carillon Ave, Church St, Missenden Road, Mallet St and possibly Parramatta Rd and King St all of which have an impact on the access to and from the Royal Prince Alfred Campus for patients, visitors and staff. The traffic flow data is evidence of existing congested conditions that are experienced during an extended peak period that lasts, on average through the week, from 7:30am to 6:30pm. This encompasses all of the typical AM and PM peak times as well as early commuter peak, school peaks, shopping peak and general commuter peak periods which occur throughout the entire day. This is evidenced in Figure 1.

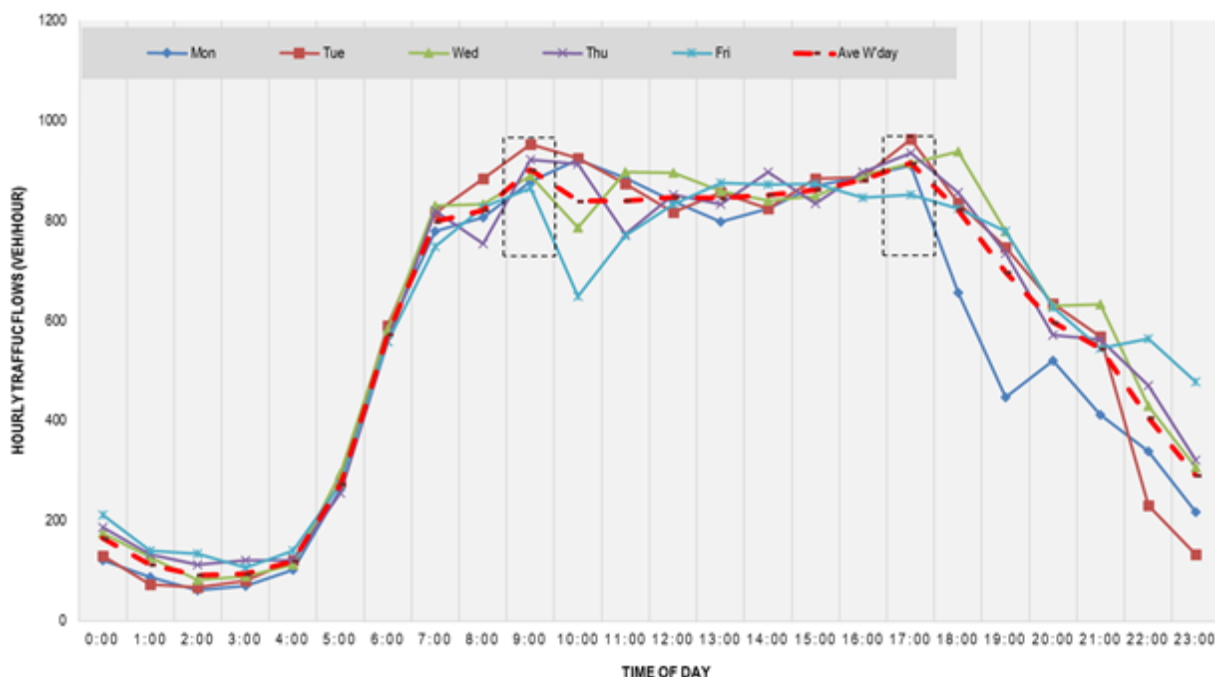


Figure 1. Traffic Flow Profile on Missenden Road - Briggs Street to Dunblane Street

## 9. NSW Ambulance Service

The increased congestion may also cause undue pressure on ambulance access to the Emergency Department of Royal Prince Alfred Hospital located off Missenden Rd. There must exist the presumption that any ambulance approaching Royal Prince Alfred Hospital from the South will be slowed and may be critically delayed by the congestion during the AM and PM peak times. We query why GTA Consultants, in compiling the TIA, has not addressed this critical aspect of what is one of the Australia's busiest Emergency

Departments and why, New South Wales Ambulance Service has seemingly not been approached as one of the key stakeholders.

## **10. Pedestrian Safety**

We also believe the incremental traffic intended to be directed onto New Hospital Road poses a major safety concern for pedestrians. For instance, the 800 bed student accommodation in the Queen Mary building, located across from the Existing Staff Carpark, generates significant pedestrian flows to and from the University of Sydney. The increase in traffic will create an almost impassable barrier that will require the installation of a mechanical pedestrian management system to ensure the safe passage of staff, patients, students and the general public. The installation of the required pedestrian management system will further burden traffic flows along New Hospital Road and Carillon Ave, amongst others.

## **11. Division of the RPAH Campus**

Missenden Rd currently bisects the Royal Prince Alfred Hospital campus, separating the main hospital from the vast majority of other services offered on the campus. It is clear that the direction and egress of traffic in the Proposed MSCP will create a second major division on the campus. This will result in similar problems to those currently experienced with Missenden Rd in yet another area of the RPAH campus. It does not make sense to unnecessarily introduce another line of division on a major health campus when other traffic routes are available.

## **12. Misrepresentation of Available Existing Staff Carpark**

This submission has already addressed the latent capacity of the Existing Staff Carpark. The Existing Staff Carpark offers 1,026 available spaces to RPA staff. This includes a guaranteed minimum 600 staff spaces and access to the remaining 426 spaces. This has been misrepresented in the TIA in section 2.6.2 on page 14 where it notes:

*"It is understood that this car park was once heavily utilised by RPAH staff though recent modifications by an adjacent landowner has effectively resulted in a reduction in the availability of parking supply for use by staff. This has resulted in an even greater shortfall in staff parking within the precinct."*

As noted in section 7 above, Macquarie has not observed any noticeable reduction in staff parking volumes at the Existing MSCP. Therefore, the above statement is not correct.

## **13. Existing DA for the Construction of a 1,000 Space Carpark Behind King George V Building**

On 11 July 2002, South Sydney Council approved DA U99-00551, which relates to the construction of a 1,000 space car park on the parcel of land located immediately west of the KGV Building. The combination of the car spaces contemplated in the Application plus DA U99-00551 would result in an additional 1,996 parking spaces. The traffic impact of an additional 1,996 spaces in an already congested area will be significant. There has been no assessment of the impact of this combined incremental volume of parking spaces in the Application. Given the scale of the proposed developments, the Application should consider DA U99-00551 in the TIA assessment.

## **14. Planning Controls**



# Macquarie International Health Clinic Pty Ltd

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A review of the current planning controls along with current state and city planning objectives must be completed when reviewing the application. Andrew Martin Planning has completed a report that addresses key factors of the application that contradict many current planning regulations and objectives.

We draw attention to the following issues rising from the Application:

- i. The lack of any provision for bicycles or end of trip facilities for staff and lack of any public car parking in the structure;
- ii. A lack of attention to Council's local controls which are centred on the provision of active and dynamic permeable street frontages with less reliance on vehicle travel;
- iii. A lack of any provision for traffic management measures including key intersection upgrades;
- iv. Erroneous justification for additional parking in the area;
- v. A failing of the development to activate street edges and create safe permeable usable spaces;
- vi. A failure to recognise the key goals detailed in the 2014 initiative by NSW Government "A Plan for Growing Sydney";
- vii. A failure to recognise the key goals from City of Sydney's 2014 "The Sustainable Sydney 2030 plan";
- viii. A failure to address key aspects of the City of Sydney's LEP and DCP for the area;
- ix. A lack of attention to key social impacts of the area; and,
- x. A lack of attention to key public interest initiatives.

## **15. Attached and Referenced Documents**

As noted above, included with this letter are the following expert reports, which should be read in conjunction with this letter:

- i. A Traffic Assessment Review by Arup consultants;
- ii. A Traffic Assessment Review by Bitzios Consulting; and,
- iii. A Town Planning Review by Andrew Martin Planning.

The reports by Arup and Bitzios Consulting address numerous inaccuracies and shortcomings in the TIA completed by GTA Consultants and provide additional information and data from independent studies.

The report by Andrew Martin Planning raises many issues related to planning controls that have not been addressed by the application. This report also supports points made by Arup and Bitzios with a focus on the



City of Sydney's and the NSW Governments strategic plans for the future of urban planning in and around Sydney.

## **16. Proposed Amendments to the Application**

Macquarie recognises the challenges of limited parking on the RPAH Campus. However, any additional parking must consider all current and planned developments and be sympathetic to the local traffic and pedestrian flows. We therefore believe an acceptable proposal could be realized if the Application was amended as follows:

- i. The Proposed MSCP be reduced to a maximum of 300 car spaces, the traffic impact of which would be lower and more sustainable given the existing levels of congestion in the subject area, particularly Carillon Ave, Missenden Rd and Church St;
- ii. The routing of traffic entering the Proposed MSCP be direct from either Church St or Lucas St with egress along those same routes;
- iii. There be no access to the Proposed MSCP utilising New Hospital Road;
- iv. New Hospital Road be closed north of Grose St to prevent thoroughfare from New Hospital Road to Missenden Rd utilising Lucas St;
- v. Grose St be widened and converted to a two-way street to allow improved traffic circulation around the Existing Staff Carpark; and
- vi. DA U99-00551 be terminated in view of the approval of the Application, subject to amendments suggested herein.

Yours sincerely,



David Wenkart  
**Director**