

11 August 2017

David Gibson  
Team Leader  
Social Infrastructure Assessments  
NSW Department of Planning & Environment  
GPO Box 39  
SYDNEY NSW 2001

Attention Brent Devine

Dear Sir,

**Re: SSD 7543 Private Hospital and  
SSD 8499 Tower B at 12 Frederick Street, St Leonards**

I refer to your letters and attachments dated 4 April 2017 and 7 July 2017 notifying Council of the above two State Significant Development Applications.

Council considered both applications at the Meeting of 7 August 2017 and resolved to endorse the attached submissions.

For your information, the Planning Proposal to allow a "Hospital" use on the site was considered and supported at the Council Meeting of 10 July 2017. Although I am sure you are aware, it is worth noting that as the Planning Proposal has not yet been made, consent cannot be issued for the State Significant Development Applications.

It is requested that the Department keep Council directly informed of the progress of these applications.

If you have any further enquiries please contact Jane Gibson, on 9777 7672.

Yours faithfully



IAN ARNOTT  
PLANNING MANAGER

## ENGLISH

If you do not understand this document, please visit Council's Administration Building to discuss it with Council staff who will arrange an interpreter service. The Administration Building is located at 31 Victor Street, Chatswood and open from 8.30am to 5pm, Monday to Friday. Alternatively, you may ring the Translating & Interpreting Service on 131 450 to ask for an interpreter to contact Council for you. Council's phone number is (02) 9777 1000.

## ARABIC

إذا كنت لا تفهم هذه الوثيقة يرجى زيارة مبنى إدارة مجلس البلدية لمناقشتها مع موظفي المجلس الذين سيجدون ترتيبات للحصول على خدمة الترجمة التفسيرية. تقع مبنى الإدارة على العنوان 31 Victor Street, Chatswood وهو مفتوح من الساعة 8.30 صباحاً إلى 5 مساءً أيام الاثنين إلى الجمعة. يمكنك بدلاً من ذلك الاتصال بخدمة الترجمة التفسيرية والشعبية على الرقم 131 450 واطلب أن يقوم مترجم شفهي بالاتصال بالمجلس بالنيابة عنك. رقم هاتف المجلس هو: (02) 9777 1000.

## ARMENIAN

Եթե չէք հասկնալու այս փաստաթուղթը՝ խնդրենք այցելելք Քաղաքային Խորհուրդի Վարչարանի Ճեմար և/կամ մարմին խոսակցելու Քաղաքային Խորհուրդի աշխատակիցներու հետ որովոր ձեզի համար քարզման մը կը կարգադրենք: Վարչարանի Ճեմարը կը գտնուի՝ 31 Victor Street, Chatswood-ի բաց է կ.ա. 8.30 – կ.ե. 5.00, Երկուշաբթիէն մինչեւ Խորհուրդ: Կարելի է հասն հեռագային՝ Քարգմանքարան 131450 եւ խնդրել որ քարզման մը կապ հաստատու Քաղաքային Խորհուրդին հետ ձեզի համար: Քաղաքային Խորհուրդի հեռախոսի համարն է՝ (02) 9777 1000:

## CHINESE SIMPLIFIED

如果您不明白本文件，请前往市政府行政大楼，与市政府职员讨论，市政府职员会安排传译员提供服务。行政大楼位于31 Victor Street, Chatswood，上班时间是周一至周五上午8:30至下午5:00。此外，您也可以致电翻译传译服务处，电话131 450，请传译员为您联系市政府，市政府的电话是(02) 9777 1000。

## CHINESE TRADITIONAL

如果您不明白本文件，請前往市政府行政大樓，與市政府職員討論，市政府職員會安排傳譯員提供服務。行政大樓位於31 Victor Street, Chatswood，辦公時間是週一至週五上午8:30至下午5:00。此外，您也可以致電翻譯傳譯服務處，電話131 450，請傳譯員為您聯絡市政府，市政府的電話是(02) 9777 1000。

## CROATIAN

Ako ne razumijete ovaj dokument, molimo vas otiđite u administrativnu zgradu općine i razgovarajte s osobljem općine koje će vam organizirati usluge tumača. Zgrada općine se nalazi na adresi 31 Victor Street, Chatswood i otvorena je od 8.30 izjutra do 5 poslije podne, od ponedjeljka do petka. Druga mogućnost je da nazovete Službu prevoditelja i tumača (Translating and Interpreting Service) na 131 450 i da ih zamolite da vam nazovu općinu. Broj telefona općine je (02) 9777 1000.

## GREEK

Αν δεν καταλαβαίνετε αυτό το έγγραφο, παρακαλούμε επισκεφθείτε το Κτίριο Διοίκησης της Δημαρχίας για να το συζητήσετε με το προσωπικό της Δημαρχίας που θα οργανώσει διερμηνεία για την εξυπηρέτησή σας. Το Κτίριο Διοίκησης βρίσκεται στη διεύθυνση 31 Victor Street, Chatswood και είναι ανοιχτό από τις 08:30 π.μ. έως 5 π.μ., Δευτέρα έως Παρασκευή. Διαφορετικά, μπορείτε να τηλεφωνήσετε στην Υπηρεσία Μεταφράσεων και διερμηνείας στο 131 450 και να ζητήσετε από ένα διερμηνέα να επικοινωνήσει με τη Δημαρχία για λογαριασμό σας. Ο αριθμός τηλεφώνου της Δημαρχίας είναι (02) 9777 1000.

## ITALIAN

Se avete difficoltà nel capire il presente documento, rivolgetevi all'Amministrazione Building del Comune e gli addetti municipali provvederanno a richiedere l'assistenza di un interprete. L'Amministrazione Building è situato al n. 31 di Victor Street, Chatswood ed è aperto dal lunedì al venerdì, dalle 8.30 alle 17. Oppure potete chiamare il Translating and Interpreting Service al 131 450 e chiedere loro di mettersi, per vostro conto, in contatto con il Comune. Il numero telefonico comunale è (02) 9777 1000.

## JAPANESE

本文書が理解できない場合には、カウンスルの事務局にお越しいただければ、カウンスル職員が通訳サービスを手配の上で、ご相談に応じます。事務局の住所は、31 Victor Street, Chatswoodで、窓口受付時間は月曜から金曜の午前8時半から午後5時までです。他にも、電話131 450の翻訳通訳サービスにおかけの上、通訳士にカウンスルにつなぐように依頼することもできます。カウンスルの電話番号は、(02) 9777 1000です。

## KOREAN

이 문서를 이해하지 못하실 경우 시의회 청사를 방문하셔서 시의회 직원과 이에 대해 상의하십시오. 시의회 직원이 통역사 서비스를 주선할 것입니다. 시의회 청사는 31 Victor Street, Chatswood에 위치하고 있으며 월요일에서 금요일, 오전 8시 30분에서 오후 5시까지 오픈합니다. 아니면 여러분이 직접 민역통역서비스에 131 450으로 전화하셔서 통역사에게 시의회에 연락하여 여러분과 연결하도록 요청하십시오. 시의회와 전화번호는 (02) 9777 1000입니다.

## **Attachment 1**

### **WILLOUGHBY CITY COUNCIL**

#### **SUBMISSION TO SSD 7543 APPLICATION NORTH SHORE PRIVATE HOSPITAL - 12 FREDERICK STREET ST LEONARDS**

## **1. INTRODUCTION**

This submission concerns the exhibition of State Significant Development Application 7543 (SSD 7543) submitted by Dexu Property Group Pty Ltd to the Department of Planning and Environment (the Department). The SSD seeks consent for the construction of a new Private Hospital on part of the site known as 12 Frederick Street, St Leonards.

Council prefaces this submission by restating its continued support for the strengthening of the health precinct in St Leonards, centred around the Royal North Shore Hospital.

Specifically, it is understood that the SSD seeks consent for the construction of a new private hospital at the corner of Reserve Road and Westbourne Street, comprising:

- > 128 inpatient beds;
- > 3 Operating theatres;
- > Urgent care facility;
- > Support services including medical records, administration, central stores, linen services, waste management and housekeeping services;
- > Radiology / Diagnostic Imaging Centre;
- > Specialist medical consulting suites;
- > 220 on site car parking spaces (including 9 accessible spaces) and 3 loading/servicing bays within a 3-level basement car park;
- > 4 covered ambulance bays;
- > An elevated, first floor level, pedestrian bridge over Reserve Road linking the proposed hospital to the existing North Shore Private Hospital;
- > 2 retail tenancies;
- > Public domain improvements including planting, paving and streetscape improvements;
- > Tree removal; and
- > Site remediation.

The submitted EIS advises that the project has a Capital Investment Value of \$75,615,048 and will generate an additional 500 construction and 166 operational jobs. The proposed development will have a total FSR of 1.9:1 and 6-storey building with a 2-storey podium and 4-storey tower.

It is stressed that this application is currently prohibited as the site is zoned IN1 General Industrial under the Willoughby LEP 2012, under which hospitals are a prohibited use. A Planning Proposal has been prepared to amend Schedule 1 of the LEP which would make hospitals a permitted use on the

site and increase the maximum permissible FSR from 1.5:1 to 3:1. The Gateway Determination was issued on 19 September 2016.

This proposed LEP amendment has been through the Gateway process and is now with Council for finalisation to be forwarded for gazettal.

A review of the detail in the submitted SSD Application documents and the SEAR's issued to the Applicant by the Department has highlighted a number of issues that should be addressed by the Applicant prior to final determination of the Application.

## **2. ASSESSMENT OF ISSUES**

### **2.1 Clarification of land uses actually seeking consent for in the Application**

It is noted that the original Application form included 'accommodation for hospital staff and visitors'. This has since been removed from the current Environmental Impact Statement proposal. The current documents do foreshadow the addition of a tower accommodation block which is now the subject of a separate SSD Application. It is important that determination exclude the tower block from any determination documents.

#### *Recommended Consent Condition:*

"This consent does not consent to the construction of any residential uses on the site, including accommodation for hospital workers and visitors or to any concept building envelope for future buildings on the site."

### **2.2 Economic & Social Impact Assessment**

Council supports the additional employment that will be generated by the proposed hospital consistent with state and regional planning strategies for St Leonards. However, no documentary evidence is supplied in the Application to support the statement of justification in the EIS that "*the proposed development is responding to the need for additional urgent care and health care services for patients and doctors within the Lower North Shore Area.*"

#### *Recommendation:*

Evidence of the social and economic need for and impact on other existing and approved hospitals within the St Leonards precinct is to be provided prior to determination of the Application.

### **2.3 Urban Design built form**

Council is satisfied that the proposed built forms, materials and finishes have been designed to fit with the surrounding context.

### **2.4 Patient amenity**

It is noted that the development covers the majority of the site. No ground level areas of semi-private open space are provided for patients and their visitors to enjoy the open air. As this is to be an acute care facility it is assumed that patients will not be able to move very far from the hospital. It is therefore recommended that a terrace area be provided on the roof of the podium operating rooms for this purpose.

#### *Recommended condition:*

That the submitted plans be amended to include a semi private terrace area on the roof area of the podium for the use of staff, patients and their visitors. This is to be setback a minimum of 3 metres from the podium edge and include 1.8m high balustrading.



## 2.5 Landscape details

From arborist report: *Sydney Blue Gum* and *Sweet Pittosporum* are both representative species of *Blue Gum High Forest* which is a critically endangered plant community protected by the *Threatened Species Conservation Act 1995*. The presence of these species on the site however is of little environmental value due to the isolation from other areas of bushland and the severe disturbance caused by construction and excavation.

It is not accepted that the assertion in the submitted Application reports that conclude that “the proposed landscape plan is sufficient to offset the impact of the proposed vegetation removal on-site.” The Landscape Plan does not replace trees with suitable endemic species – trees chosen are *Agathis robusta* which is a kauri pine, native to Queensland and New Guinea!

### *Recommended condition:*

“In Consultation with Council, the submitted Landscape Plan be amended to include suitable endemic species to compensate for the loss of the *Sydney Blue Gum* and *Sweet Pittosporum* which are both representative species of *Blue Gum High Forest* which is a critically endangered plant community protected by the *Threatened Species Conservation Act 1995*.”

## 2.6 Traffic Impacts and Loading arrangements

The submitted Traffic Impact Assessment (TIA) by GTA is considered deficient as follows:

- > The traffic assessment is purely based on present day traffic volumes. There is no attempt to assess future year traffic conditions, which given the volume of development anticipated in the St Leonards area, is likely to yield very different results. Assessing road and intersection performance at least 10 years post-opening is considered good practice.
- > Given that there is an existing private hospital adjacent to the site, it would be sensible to conduct some surveys of this facility to validate the traffic generation and travel mode assumptions on which the TIAs are based.
- > Evidence shows that peak traffic generation for a private hospital occurs between 3.00-4.00pm during staff shift change. Surveys were undertaken outside of these periods.
- > The TIA modelling is based on 45% private car use. However, no evidence is supplied to support this mode split from local surveys.
- > From swept path analyses the TIA identifies issues with 12.5m HRV vehicles manoeuvring on the site to and from the loading dock. Evidence that these issues have been resolved in the final design is required. GTA recommend that further resolution of the car park access control point and interaction with both the car park and loading dock is required.
- > Does not adequately address the issue of loss of approximately 24 on-street car parking (including disabled car parking) in order to accommodate the new vehicular crossovers at Westbourne Street and Reserve Road. The TIA conclusion that the surplus spaces provided on site will compensate is not supported as the on-site spaces will be for the occupants, patients and visitors to the proposed hospital, not the general public.

### *Recommendation:*

- That the project traffic consultants be requested to amend their TIA to assess potential traffic impacts on the surrounding road network based on traffic volumes for at least the next 10 years prior to determination of the Application.

- That a survey of the existing traffic volumes and transport mode split of the existing North Shore Private Hospital be undertaken to validate the traffic generation and travel mode assumptions on which the TIAs are based prior to determination of the Application.
- That the architectural plans be amended to address the issues identified with the loading vehicles prior to determination of the Application.
- That the architectural plans be reviewed to reduce the number of on street car parking spaces lost by the proposed development, particularly disabled parking spaces.

## 2.7 Proposed pedestrian and bicycle routes & encouragement of sustainable transport

Council supports the range of initiatives in the proposed development to encourage walking, cycling and public transport use. It is noted however that no formal Green travel Plan is supplied, rather just the likely structure is described in the TIA. In the absence of this, it is important that a survey of the existing North shore Private Hospital discussed above is carried out.

### *Recommended condition:*

“A Green Travel Plan that provides measures aimed at promoting sustainable travel and reducing reliance on the private car to support the Application is to be provided and approved by Willoughby Council prior to the issue of the first Construction Certificate to construct the proposed development.”

## 2.8 Acoustic impacts

The EIS is supported by an Acoustic & Vibration Impacts Report which assesses the construction and operational noise and vibration impacts of the project. This report concludes some phases of the construction process may result in exceedances of the EPA's highly noise effected noise criterion. However, it is likely that the potential noise impacts of the project can be managed by implementing reasonable and feasible noise mitigation measures.

It is noted that the Acoustic Impact Report does not appear to refer to the *NSW EPA Industrial Noise Policy Amenity Criterion (To Hospital Wards)* or other relevant standards for *Health Buildings – Office Areas, Consulting Rooms and Surgeries*. The report also does not go into detail about the potential acoustic impacts on the neighbouring hospitals and the Kolling Institute, focusing more on potential impacts on residential areas which are remote from the site.

For hospital wards and operating theatres the AS2107:2000 Internal Noise Criteria recommends that construction noise should not exceed 45dB(A)Leq(15min) within internal areas.

It is of concern that the potential noise level exceeding activities, such as piling, excavation and use of loud construction equipment will result in significant impact on patients in the surrounding medical facilities, particularly during their allocated rest periods. In this regard, a search of the Royal North Shore Hospital website revealed a dedicated patient rest period between 1 and 3pm daily:

From RNSH website:

*“Please note, all wards have a rest period between 1.00pm - 3.00pm daily. Visiting during this time is not permitted in the majority of wards.”*

Accordingly, it is recommended that noise level exceeding activities be prohibited every day for that two hour period to allow patients to rest.

In addition, in conjunction with the Planning Proposal for 12 Frederick St, Council have draft Willoughby DCP acoustic impact requirements that have not been addressed in the SSD Application.

The draft requirements are in relation to external noise impacts on the hospital itself including hospital accommodation.

These draft DCP requirements state:

*"Before granting consent for development for the purposes of a hospital at part 12 Frederick Street, St Leonards (part Lot 1 DP 591747) a comprehensive noise assessment considering both the noise impact of the hospital on surrounding uses and the noise impact of surrounding uses on the hospital must be submitted."*

This new requirement was included due to concerns that the hospital adjoins industrial land and therefore there are potential external (industrial) noise impacts for the hospital and accommodation occupants.

**Recommendation:**

That the Acoustic Impact Assessment be amended to include assessment of the potential acoustic impact of surrounding industrial uses adjacent to the site on hospital patients and occupants of the accommodation tower prior to the determination of the Application.

**Recommended condition:**

That the hours of construction proposed in the submitted Construction Management Plan and any subsequent such plans prepared by the Contractor be amended to read as follows;

Hours of construction work:

Working Day	Working Hours
Monday to Friday	0700 to 1730*
Saturday	0730 to 1500*
Sunday and Public Holidays	Not permitted
* No pile driving or other activity that will result in the exceedance of the NSW EPA Industrial Noise Policy Amenity Criterion (To Hospital Wards) is permitted between the hours of 1.00pm and 3.00pm on any day of the week.	

**2.9 Vibration Impacts on adjacent buildings and contents:**

The careful construction of the development in this sensitive location is important as it has potential to result in significant vibration and potentially structural damage impacts on the nearby hospital and health related buildings and their contents.

Of particular concern are the closest tall buildings, the Kolling Institute and multi storey hospital car park, both directly opposite the site. Concern is raised that these buildings were not specifically mentioned in the Acoustic and Vibration report as being 'sensitive receivers'. In the case of the Kolling Institute, this is a facility that houses world leading medical researchers and teachers. Their website advises:

*"The Kolling Institute is the longest-running medical research institute in New South Wales. Established in 1920 by Act of Parliament as the Institute of Pathological Research of NSW, the Institute has held a central position in the research activities of Royal North Shore Hospital in St*

*Leonards, Sydney, for almost 90 years. Today the institute oversees research across the Northern Sydney Local Health District and is able to meet the demands for world-class research into the 21st Century."*

The Institute carry out vital medical research into: Healthy Start to Life; Acute and Critical Care; Combating Chronic Disease and Healthy Ageing. Accordingly that facility contains many sensitive medical instruments and machinery that could potentially be impacted by excessive vibration from the proposed construction works in addition to the building structure itself.

Proposed activities that have the potential to produce significant ground vibration include:

- > Excavation and anchoring;
- > Soil compaction; and
- > Hydraulic hammering.

The submitted Acoustic & Vibration report indicated that the nearest vibration sensitive receivers are other Hospital buildings within the Royal North Shore Hospital Precinct. It did not talk about specific buildings. It is therefore important that any consent conditions require the use of augured pilings as other methods of piling are likely to result in the vibration levels exceeding criteria specified levels as recommended in the report. It is also important that the Construction Contractor be required to be in close consultation with the Kolling Institute, North Shore Private and Royal North Shore Hospital to reach agreement on preferred piling times etc.

The submitted Construction Management Plan recommends that an Acoustic Consultant undertake monitoring of initial excavation /construction works when conducted near potentially affected receivers to ensure that vibration criteria set out in their report are not exceeded.

Also that in the event that complaints are made from the nearest receivers regarding vibration impacts from the subject site, vibration monitors will be installed at the property boundary of the neighbouring building nearest to the subject site to monitor vibration levels, with fortnightly reports of any exceedances in the vibration criteria provided. Where other methods/ activities such as bulk excavation in rock, driven/vibrated piles or soil compaction works cannot be avoided, then the contractor is to consult with Council and the surrounding building owners/ operators to reach agreement on suitable times for these activities to take place to minimise disturbance to the surrounding hospital precinct occupants..

In the event that sheet/vibratory piling or vibratory rollers are used, there is a risk that residential amenity vibration criteria will be exceeded (particularly at the North Shore Hospital building).

If these methods/activities are proposed it is agreed with the consultant recommendations that:

- > Where practicable, excavation in rock should be done using rock saws as opposed to pneumatic hammers.
- > For at least the initial stages of excavation, piling or compaction, vibration monitoring should be conducted to ensure excessive levels of vibration are not achieved
- > Any vibration monitoring system should allow for rapid feedback to the contractor (for example, SMS notification) in the event that excessive levels are reached.
- > Presentation of Vibration Logger Results

To these recommendations Council adds:



Section 5.6 Safety and Environment and Project Management Plan/Construction Management Plan are to be amended to include the following:

- > Prior to any works commencing the Contractor is to establish a working group with representatives of the Kolling Institute, North Shore Private Hospital and the Royal North Shore Hospital to reach agreement on preferred times for piling and other potentially vibration criteria exceeding activities and an early warning system to enable the adjacent facilities to take precautionary actions such as switching off sensitive medical instruments or machinery.
- > Vibration monitors with alarms are to be set up to monitor vibrations at all locations identified as 'sensitive receivers', including particularly the Kolling Institute and North Shore Private Hospital and Multi Storey Hospital Carpark.
- > A fortnightly report will be submitted to the project manager via email summarising the vibration events. Any incidence of exceedance of the vibration limit is to be recorded and a report shall be submitted within 24 hours. Complete results of the continuous vibration logging is to be recorded and presented in fortnight reports including graphs of collected data.

CMP is to require compliance with vibration standards and mitigation procedures mentioned above.

It is noted the CMP also includes:

- > Close consultation with all stakeholders to inform of timing of any works that may impact on their operations and amenity
- > Install vibration monitors and alarms

*Recommended condition:*

#### Vibration Mitigation

- In order to minimise potential vibration impacts from the excavation and construction works all piling is to be done using augured pilings;
- Prior to any works commencing the Contractor is to establish a working group with representatives of the Kolling Institute, North Shore Private Hospital and the Royal North Shore Hospital to reach agreement on preferred times for piling and other potentially vibration criteria exceeding activities and an early warning system to enable the adjacent facilities to take precautionary actions such as switching off sensitive medical instruments or machinery;
- Vibration monitors with alarms are to be set up to monitor vibrations at all locations identified as 'sensitive receivers', including particularly the Kolling Institute and North Shore Private Hospital and Multi Storey Hospital Carpark;
- A fortnightly report will be submitted to the project manager via email summarising the vibration events. Any incidence of exceedance of the vibration limit is to be recorded and a report shall be submitted within 24 hours. Complete results of the continuous vibration logging is to be recorded and presented in fortnight reports including graphs of collected data;
- Where practicable, excavation in rock should be done using rock saws as opposed to pneumatic hammers;

- For at least the initial stages of excavation, piling or compaction, vibration monitoring should be conducted to ensure excessive levels of vibration are not achieved; and
- Any vibration monitoring system should allow for rapid feedback to the contractor (for example, SMS notification) in the event that excessive levels are reached.

#### 2.10 Lighting

Although mentioned in the Architectural Design Statement, no details or plan of proposed lighting of the facility are provided in the Application.

Lighting has the potential to impact on the amenity of surrounding developments. It is therefore requested that details in the form of a plan and details together with an assessment of the proposed lighting against relevant standards for hospitals be provided for example:

- > AS/NZS 1428.2-1992 Design For Access And Mobility;
- > AS/NZS 1158 External Lighting – Roads and Public Spaces;
- > AS/NZS 4485.1-1997 Security for Health Care Facilities;
- > AS/NZS 2293-2005 Emergency Lighting & Exit Signage; and
- > The Building Code of Australia - Section J.

#### *Recommendation:*

Lighting plan, details and assessment against relevant standards be provided for review prior to determination of the application.

#### 2.11 Fire Services

The submitted Fire Services report is actually just a record of non-compliances only.

#### *Recommendation:*

That a full report be provided together with amended plans indicating consistency with relevant standards.

#### 2.12 Signage details

Although mentioned in the Architectural Design Statement, no details or plan of proposed signage for the facility are provided in the Application. It is noted that the EIS does not contain an assessment of signs against the provisions of SEPP 64 Advertising & Signage.

#### *Recommendation:*

Signage plan, details and assessment against relevant provisions of SEPP 64 Advertising & Signage be provided for review prior to determination of the application.

#### 2.13 Section 94A Contributions

Under Willoughby City Council's Section 94A Development Contributions Plan 2011, the applicable contribution levy for development with a cost of more than \$200,000 is 1% of the cost of works. DEXUS has entered into negotiations with Council on a Voluntary Planning Agreement (VPA) relating to the current Planning Proposal for a private hospital on the site, which details that any Section 94A contributions are still payable in addition to the VPA agreement.

This application seeks to pay monetary contributions in accordance with the terms of the Draft VPA when it is finalised.

### **3. CONCLUSION**

This submission supports the proposed construction of a private hospital on the subject site.

The concerns identified in this submission relate to addressing the potential impacts on the impacts on the surrounding locality. It is considered reasonable to require the information required in this submission at this stage, in order to address the identified issues of concern consolidated in Schedule 1 prior to the determination of the SSD Application. Council staff seek to discuss any of the issues raised above in order to expedite a successful outcome. Schedule 2 contains matters that should be addressed by condition of consent. Schedule 3 contains Standard Conditions.

It is also requested that prior to finalisation, Council be provided with the opportunity to review a full set of draft conditions prior to approval.

# Schedule 1 – Additional information required prior to approval

## Economic & Social Impact Assessment

Evidence of the social and economic need for and impact on other existing and approved hospitals within the St Leonards precinct is to be provided prior to determination of the Application.

## Traffic and Loading Arrangements

- That the project traffic consultants be requested to amend their TIA to assess potential traffic impacts on the surrounding road network based on traffic volumes for at least the next 10 years prior to determination of the Application.
- That a survey of the existing traffic volumes and transport mode split of the existing North Shore Private Hospital be undertaken to validate the traffic generation and travel mode assumptions on which the TIAs are based prior to determination of the Application.
- That the architectural plans be amended to address the issues identified with the loading vehicles prior to determination of the Application.
- That the architectural plans be reviewed to reduce the number of on street car parking spaces lost by the proposed development, particularly disabled parking spaces.

## Acoustic impacts

That the Acoustic Impact Assessment be amended to include assessment of the potential acoustic impact of surrounding industrial uses adjacent to the site on hospital patients and occupants of the accommodation tower prior to the determination of the Application.

## Vibration impacts

Section 5.6 Safety and Environment and Project Management Plan/Construction Management Plan are to be amended to include the following:

- > Prior to any works commencing the Contractor is to establish a working group with representatives of the Kolling Institute, North Shore Private Hospital and the Royal North Shore Hospital to reach agreement on preferred times for piling and other potentially vibration criteria exceeding activities and an early warning system to enable the adjacent facilities to take precautionary actions such as switching off sensitive medical instruments or machinery.
- > Vibration monitors with alarms are to be set up to monitor vibrations at all locations identified as 'sensitive receivers', including particularly the Kolling Institute and North Shore Private Hospital and Multi Storey Hospital Carpark.
- > A fortnightly report will be submitted to the project manager via email summarising the vibration events. Any incidence of exceedance of the vibration limit is to be recorded and a report shall be submitted within 24 hours. Complete results of the continuous vibration logging is to be recorded and presented in fortnight reports including graphs of collected data.

CMP is to require compliance with vibration standards and mitigation procedures mentioned above

## Lighting



Lighting plan, details and assessment against relevant standards be provided for review prior to determination of the application.

#### **Fire Services**

That a full report be provided together with amended plans indicating consistency with relevant standards.

#### **Signage details**

Signage plan, details and assessment against relevant provisions of SEPP 64 Advertising & Signage be provided for review prior to determination of the application.

## Schedule 2 recommended conditions of consent

### Use of the Site

This consent does not consent to the construction of any residential uses on the site, including accommodation for hospital workers and visitors or to any concept building envelope for future buildings on the site.

### Patient Amenity

That the submitted plans be amended to include a semi private terrace area on the roof area of the podium for the use of staff, patients and their visitors. This is to be setback a minimum of 3 metres from the podium edge and include 1.8m high balustrading.

### Landscaping

In Consultation with Council, the submitted Landscape Plan be amended to include suitable endemic species to compensate for the loss of the Sydney Blue Gum and Sweet Pittosporum which are both representative species of *Blue Gum High Forest* which is a critically endangered plant community protected by the Threatened Species Conservation Act 1995.

### Pedestrian and Bicycle routes

A Green Travel Plan that provides measures aimed at promoting sustainable travel and reducing reliance on the private car to support the Application is to be provided and approved by Willoughby Council prior to the issue of the first Construction Certificate to construct the proposed development. "

### Acoustic impacts

That the hours of construction proposed in the submitted Construction Management Plan and any subsequent such plans prepared by the Contractor be amended to read as follows;

Hours of construction work:

Working Day	Working Hours
Monday to Friday	0700 to 1730*
Saturday	0730 to 1500*
Sunday and Public Holidays	Not permitted
* No pile driving or other activity that will result in the exceedance of the NSW EPA Industrial Noise Policy Amenity Criterion (To Hospital Wards) is permitted between the hours of 1.00pm and 3.00pm on any day of the week.	

### Vibration impacts

- In order to minimise potential vibration impacts from the excavation and construction works all piling is to be done using augured pilings;

- Prior to any works commencing the Contractor is to establish a working group with representatives of the Kolling Institute, North Shore Private Hospital and the Royal North Shore Hospital to reach agreement on preferred times for piling and other potentially vibration criteria exceeding activities and an early warning system to enable the adjacent facilities to take precautionary actions such as switching off sensitive medical instruments or machinery;
- Vibration monitors with alarms are to be set up to monitor vibrations at all locations identified as 'sensitive receivers', including particularly the Kolling Institute and North Shore Private Hospital and Multi Storey Hospital Carpark;
- A fortnightly report will be submitted to the project manager via email summarising the vibration events. Any incidence of exceedance of the vibration limit is to be recorded and a report shall be submitted within 24 hours. Complete results of the continuous vibration logging is to be recorded and presented in fortnight reports including graphs of collected data;
- Where practicable, excavation in rock should be done using rock saws as opposed to pneumatic hammers;
- For at least the initial stages of excavation, piling or compaction, vibration monitoring should be conducted to ensure excessive levels of vibration are not achieved; and
- Any vibration monitoring system should allow for rapid feedback to the contractor (for example, SMS notification) in the event that excessive levels are reached.

## Schedule 3 – Standard conditions of consent

### Section 94A Contributions

Prior to the issue of the Construction Certificate, a monetary contribution of \$(XXXINSERT CONTRIBUTIONXXXX) (subject to indexing as outlined below) is to be paid in accordance with Section 94A of the Environmental Planning and Assessment Act, 1979.

To calculate the monetary contribution that is payable, the proposed cost of development is to be indexed to reflect quantity variations in the Consumer Price Index, All Groups, Sydney, as published by the Australian Bureau of Statistics (ABS) between the date the proposed cost of development was agreed by the Council and the date the levy is to be paid as required by this Plan.

To calculate the indexed levy, the formula used to determine the cash contribution is set out below.

$$IDC = ODC \times CP2/CP1$$

Where:

IDC = the indexed development contribution payable

ODC = the original development contribution determined by the Council as a percentage of the cost as set down in this contributions plan

CP2 = the quarterly Consumer Price Index, All Groups, Sydney, as published by the Australian Bureau of Statistics (ABS) immediately prior to the date of payment

CP1 = the quarterly Consumer Price Index, All Groups, Sydney as published by the ABS immediately prior to the date of imposition of the condition requiring payment of the contribution.

Prior to payment Council can provide the value of the indexed levy.

Copies of the S94A Contributions Plan are available for inspection online at [www.willoughby.nsw.gov.au](http://www.willoughby.nsw.gov.au)

(Reason: Statutory requirement)



## **Site Contamination**

A site validation report be supplied to Council for its records and concurrence on completion of all remediation works.

## **Engineering conditions:**

### **PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE:**

#### **Damage Deposit**

The applicant shall lodge a Damage Deposit of \$100,000 (GST Exempt) as cash, cheque or an unconditional bank guarantee, to Council against possible damage to Council's asset during the course of the building works. The deposit will be refundable subject to inspection by Council after the completion of all works relating to the proposed development. For the purpose of inspections carried out by Council Engineers, an inspection fee of \$640 (GST Exempt) is payable to Council. Any damages identified by Council shall be restored by the applicant prior to release of the Damage Deposit.

(Reason: Protection of public asset)

#### **Temporary Ground Anchors**

The applicant shall obtain written permission from all property owners affected by any encroachment either below ground or the air space above as a result of the above works. Design engineering drawings for the temporary ground anchors and written permission from all affected property owners shall be submitted for approval by the Accredited Certifier prior to issue of the Construction Certificate. All works associated with the drilling and stressing of the ground anchors shall be installed in accordance with approved drawings.

(Reason: Encroachment of works)

#### **Design of New Interallotment Drainage System**

Prior to issue of any Construction Certificate, the applicant shall submit, for approval by the Accredited Certifier, design documentation for a new interallotment drainage system from the subject property to the public drainage system. Plans are to be prepared by a suitably qualified and experienced civil engineer in accordance with Part C5 of Council's DCP, Technical Standards and AS3500.3 Plumbing and Drainage Code. The proposed interallotment drainage system shall be designed to the following requirements:

- The pipeline shall have adequate capacity to convey the 1 in 100yr ARI uncontrolled runoff from the development site(s) which benefit from the easement;
- Plan view of interallotment system to scale (1:100) showing dimensions, location and reduced/inverted levels of all pits, grates, pipe inverts, flushing facilities and exact point of discharge;
- Longitudinal section showing existing ground levels, proposed pipe invert levels, grades, flow capacities and the HGL;
- The contributing catchment calculations and supporting pipe sizing information;

- Surrounding survey details including all trees within seven (7) metres of the proposed interallotment drainage system;
- A drainage pit (min. 900x900) must be provided within the easement at prior to connecting to Council's street drainage system;

(Reason: Stormwater control)

### **Stormwater Conveyed to Street Drainage**

Stormwater runoff from the site shall be collected and conveyed to the interallotment Drainage system in accordance with Council's specifications. A grated drainage pit (min. 900mm x 900mm) shall be provided within the property and adjacent to the boundary prior to discharging to the Council's drainage system. All drainage works shall comply with the requirements described in Part C.5 of Council's DCP and Technical Standards. In this regard, full design and construction details showing the method of disposal of surface and roof water from the site shall be shown on the Construction Certificate plans.

(Reason: Stormwater control)

### **Creation of Drainage Easement**

A drainage easement benefiting proposed development over downstream lot shall be created with this development.

(Reason: Drainage maintenance)

### **Detailed Stormwater Management Plan (SWMP)**

Submit for approval by the Accredited Certifier, detailed stormwater management plans in relation to the on-site stormwater management and disposal system for the development. The proposed on site detention (OSD) system shall have a minimum storage volume of 235m<sup>3</sup>. Stormwater runoff from all hard surface areas shall be collected and directed to the proposed OSD system.

All drawings shall comply with Part C.5 of Council's Development Control Plan and Technical Standards, AS3500.3 – *Plumbing and Drainage Code* and BCA.

(Reason: Ensure Compliance)

### **Basement Pumpout Drainage System**

The applicant shall submit, for approval by the Accredited Certifier, detailed stormwater management plans in relation to the pump-out drainage system. The construction drawings and specifications, shall be generally in accordance with the approved stormwater management plans with the following requirements:

- The pumpout drainage system shall comprise with two (2) submersible type pumps. The two pumps shall be designed to work on an alternative basis to ensure both pumps receive equal use and neither remains continuously idle.

- Each pump shall have a minimum capacity of 10L/s or shall be based on the flow rate generated from the 1 in 100 year ARI 5-minutes duration storm event of the area draining into the system, whichever is greater.
- An alarm warning device (including signage and flashing strobe light) shall be provided for the pump-out system to advise the occupant of pump failure. The location of the signage and flashing strobe light shall be shown on the stormwater management plans.
- The volume of the pump-out tank shall be designed with a minimum storage capacity equivalent to the runoff volume generated from of the area draining into the tank for the 1 in 100 year ARI 2-hours duration storm event plus the seepage inflow rate determined by a geotechnical engineer.

All drawings shall be prepared by a suitably qualified and experienced civil engineer and shall comply with Part C.5 of Council's Development Control Plan, AS3500.3 – *Plumbing and Drainage Code* and the BCA.

(Reason: Prevent nuisance flooding)

#### **Construction of New Interallotment Drainage System**

Prior to issue of the construction Certificate, the required interallotment drainage system must be installed, surveyed and certified. The designing engineer or equivalent professional engineer must supervise the works. At the completion of the interallotment works the following documentations must be submitted to the Accredited Certifier for approval:

- i. Certification from the supervising engineer that the as-constructed works comply with the approved interallotment design documentation; and
- ii. A full works-as-executed drawing highlighting in red of the as-built interallotment drainage line (dimensions, grades, materials, invert levels) prepared by a registered surveyor; and
- iii. Certification from the registered surveyor that all drainage structures are wholly contained within the drainage easement which is to be created with this development.

(Reason: Ensure compliance and prevent nuisance flooding)

#### **Construction Management Plan (CMP)**

Submit, for approval by the Accredited Certifier and Council, detailed Construction Management Plan (CMP). The CMP shall address:

- (a) Construction vehicles access to and egress from the site including consideration of impact on the cycle-way, major traffic routes and bus stops
- (b) Parking for construction vehicles.
- (c) Locations of site office, accommodation and the storage of major materials related to the project.

- (d) Protection of adjoining properties, pedestrians, vehicles and public assets
- (e) Location and extent of proposed builder's hoarding and Work Zones.
- (f) Tree protection management measures for all protected and retained trees.
- (g) Scheduling of construction on work and deliveries having regard to ensuring noise generating activity does not coincide with existing shopping centre.
- (h) Relocation temporarily of any school zone bus stops during construction work if impacted by the construction activity or pose any issue of safety for public at the nearby shopping centre.
- (i) Methods for management of dust and noise generally on the site during construction.

(Reason: Compliance)

#### **Vehicle Access – Engineer's Certification**

Prior to issue of any Construction Certificate, the Applicant shall submit, for approval by the Accredited Certifier, certification from a suitably qualified and experienced traffic engineer. This certification must be based on the architectural drawings and the structural drawings, and must make specific reference to the following:

- a) That driveways and vehicular access ramps have been designed to provide adequate ground clearance to the underside of B99, SMV, MRV and HRV vehicles.
- b) That all driveway gradients and transitions will not result in the scraping of the underside of vehicles.
- c) That a maximum gradient of 5% is provided for the first 6.5 metres for the driveway from the property boundary to the loading docks.
- d) That the proposed vehicular path and parking arrangements comply in full with AS2890 in terms of minimum dimensions provided,
- e) That the headroom clearance of minimum 4.5 metres between the car parking floor and any overhead obstruction is provided which complies with AS2890.2
- f) That the headroom clearance of minimum 2.5 metres is provided to all parking spaces for people with disabilities which complies with Section 2.4 of AS2890.6.

(Reason: Ensure Compliance)

#### **Overland Flow/Flood Level**

Prior to issue of any Construction Certificate, a suitably qualified and experienced civil engineer shall certify that the finished floor levels of the habitable areas and at the internal driveway as shown in the Construction Certificate drawings have a minimum freeboard of 500mm and 300mm respectively above the 1:100 year ARI flood event as determined in the submitted Flood Study.

The engineer must also undertake an assessment of the adjoining properties to ensure that the critical flows after the development do not cause any worse off effect to these properties.



(Reason: Reduce incidence of water damage to properties)

#### **PRIOR TO COMMENCEMENT:**

##### **Dilapidation Report of Council's Property**

Submit a dilapidation report including photographic record of Council's property extending to a distance of 50m from the development, detailing the physical condition of items such as, but not exclusively to, the footpath, roadway, nature strip, and any retaining walls.

The developer may be held liable to any recent damage to public infrastructure in the vicinity of the site, where such damage is not accurately recorded under the requirements of this condition prior to the commencement of works. In this regard, the damage deposit lodged by the applicant may be used by Council to repair such damage on Council's property.

This dilapidation report shall be submitted to Council and the Principal Certifying Authority.

(Reason: Protection of Council's infrastructure)

##### **Permits and Approvals Required**

Application is to be made to Council's Infrastructure Services Division for the following approvals and permits as appropriate:-

- a) Permit to erect Builder's hoarding where buildings are to be erected or demolished within 3.50m of the street alignment. Applications are to include current fees and are to be received at least 21 days before commencement of the construction.
- b) Permit to stand mobile cranes and/or other major plant on public roads. Applications are to include current fees and security deposits and are to be received at least seven days before the proposed use. It should be noted that the issue of such permits may also involve approval from the NSW Police Force and the RTA. A separate written application to work outside normal hours must be submitted for approval.

It should also be noted that, in some cases, the above Permits may be refused and temporary road closures required instead which may lead to longer delays due to statutory advertisement requirements.

- c) Permit to open public roads, including footpaths, nature strip, vehicular crossing or for any purpose whatsoever. All applications are to include current fees.
- d) Permit to place skip/waste bin on footpath and/or nature strip. (Maximum three (3)

days).

- e) Permit to work and/or place building materials on footpath and/or nature strip. (Maximum two (2) weeks).
- f) Permit to establish Works Zone on Public Roads adjacent to the Development including use of footpath area. Applications must be received by Council at least twenty-one days prior to the zone being required. The application will then be referred to the Council's Local Traffic Committee for approval, which may include special conditions.
- g) Permit to construct vehicular crossings over Council's footpath, road or nature strip.

(Reason: Legal requirements)

#### **Spoil Route Plan**

Submit a "to and from" spoil removal route plan to Council prior to the commencement of excavation on the site. Such a route plan should show entry and exit locations of all truck movements.

(Reason: Public amenity)

#### **DURING DEMOLITION, EXCAVATION AND CONSTRUCTION:**

##### **Temporary Ground Anchors – Supervision**

A professional Geotechnical Engineer shall be on site to supervise the piling, excavation and finally the installation and stressing of the ground anchors. On completion of these works, a report from the Geotechnical Engineer shall be submitted the Accredited Certifier and Council for record purposes.

A Chartered Professional Engineer shall monitor adjoining public infrastructures to detect any ground heaving or settlement during and after the installation of the piling and ground anchors. A rectification report shall be submitted to the Accredited Certifier should unacceptable displacements occur within the zone of influence.

(Reason: Protection of public assets)

##### **Sweep & Clean Pavement**

Sweep and clean pavement surface adjacent to the ingress and egress points of earth, mud and other materials at all times and in particular at the end of each working day or as directed by Council.

(Reason: Legal requirement)

### **Street Signs**

The applicant is responsible for the protection of all regulatory / parking / street signs fronting the property. Any damaged or missing street signs as a consequence of the development and associated construction works are to be replaced at full cost to the applicant.

(Reason: Protection of Public Assets)

### **PRIOR TO OCCUPATION OF THE DEVELOPMENT:**

#### **Temporary Ground Anchors – Destressing**

All damages to Council's infrastructures/private properties due to the works associated with the piling and installation of the ground anchors shall be restored at no cost to Council. All ground anchors shall be de-stressed by the removal of the anchor heads and protruding tendons on completion of the works. A certificate issued by a professional Geotechnical Engineer verifying that all ground anchors have been decommissioned shall be submitted to the Accredited Certifier.

(Reason: Destressing of ground anchors)

#### **On-site Water Management System**

The stormwater runoff from the site shall be collected and disposed of via an approved 235m<sup>3</sup> on site detention system in accordance with Sydney Water's requirements, the NSW Code of Practice – Plumbing and Drainage, Council's DCP and Technical Standards. The construction of the stormwater drainage system of the proposed development shall be generally in accordance with the approved design stormwater management plans and Council's specification (AUS-SPEC).

(Reason: Prevent nuisance flooding)

#### **Certification of OSD**

A suitably qualified and experienced civil engineer (generally CP Eng. Qualification) shall certify on Council's standard certification form that the as-built OSD system is in accordance with the approved plans and complies with Council's DCP and Technical Standards. Council's standard certification form is available in the appendix of Council's Technical Standard No.1.

(Reason: Legal requirement)

#### **Certification of the Basement Pumpout Drainage System**

Upon completion of the pump-out system, the following shall be submitted to the Principal Certifying Authority.

- A suitably qualified and experienced civil engineer (generally CP Eng. Qualification) shall certify that the as-built pumpout system complies with Part C5 of Council's DCP, all relevant codes and standards and the approved stormwater management plans.
- Work-as-executed plans based on the approved pump-out system plans from a registered surveyor to verify that the volume of storage and pump capacity are in accordance with design requirements. Any minor changes or variations to the approved plans should be highlighted in red on the approved pump-out system plans.
- Certification from a licensed plumber to ensure that the constructed pump-out system complies with the current plumbing requirements of Sydney Water and Committee on Uniformity of Plumbing and Drainage Regulations of NSW.

(Reason: Ensure Compliance)

#### **Works-As-Executed Plans - OSD**

Upon completion of the OSD System, the following shall be submitted to the Principal Certifying Authority:

- Work-as-Executed plans based on the approved stormwater management plans from a registered surveyor to verify that the volume of storage, PSD, water and floor levels are constructed in accordance with design requirements. Any minor changes or variations to the approved plans should be highlighted in red on the approved stormwater plans.
- Engineer's certification of the OSD system together with the completed Council's standard form for On-Site Detention Record of Installation.

(Reason: Record of works)

#### **S88B/S88E(3) Instrument**

Create Positive Covenant and Restriction on the Use of Land on the Title in favour of Council as the benefiting authority for the as-built stormwater management system. The standard wording of the terms of the Positive Covenant and Restriction on the Use of Land are available in Council's Technical Standards.

The above instruments shall be created either under Section 88B of the Conveyancing Act 1919 or under Section 88E(3) of the Conveyancing Act 1919 using Form 13PC and 13RPA respectively. The relative location of the on-site detention tank in relation to the building footprint, must be shown on the final plan of subdivision/strata plan or must be shown on the scale sketch, attached as an annexure to the request 13PC and 13RPA forms. The S88B instrument or 13PC/13RPA forms shall be lodged with Council's Standard S88B/S88E Lodgement Form with all supporting documentations listed in the Form. Council's Standard Form is available from Council upon requested.



Documentary evidence of registration of these instruments with the Land and Property Information shall be submitted to the Principal Certifying Authority and Council prior to issue of any Occupation Certificate.

(Reason: Maintenance requirement)

#### **Documentary Evidence of Positive Covenant, Engineers Certificate**

The following documentary evidence of the completed drainage works shall be submitted to Principal Certifying Authority and Council: -

- Registered Positive Covenant and Restriction on the Use of Land by way of the Title Deed.
- Certification from a suitably qualified and experienced civil engineer (generally CP Eng. Qualification) for the as-built OSD system and/or plumber's certification of the as-built rainwater reuse system.
- Work-as-Executed plans highlighting in red based on the approved stormwater management plans from a registered surveyor for the as-built OSD system and/or rainwater reuse system.

(Reason: Public record)

#### **Sight Lines**

In order to ensure adequate sight distances for pedestrians and traffic in the frontage road, a 2m x 2.5m splay shall be provided to all new driveway exists/enters of the development in order to comply with Fig 3.3 of AS2890.1

(Reason: Pedestrian safety)

#### **Vehicle Access - Construction & Certification**

Prior to issue of any Occupation Certificate, the Applicant shall submit, for approval by the Principal Certifying Authority, certification from a suitably qualified and experienced traffic engineer. This certification must be based on a site inspection of the constructed vehicle access and accommodation areas, with dimensions measurements as necessary, and must make specific reference to the following:

- a) That the as-constructed carpark complies with the approved Construction Certificate plans,
- b) That a maximum gradient of 5% has been provided for the first 6.5 metres from the property boundary to the loading docks.
- c) That finished driveway gradients and transitions will not result in the scraping of the underside of vehicles.

- d) That the as-constructed vehicular path and parking arrangements comply in full with AS2890.1 – 2004 in terms of minimum dimensions provided,
  - e) That the headroom clearance of minimum 4.5 metres has been provided between the basement floor and any overhead obstruction to comply with AS 2890.2 and Section 2.4 of AS2890.6.
  - f) That the headroom clearance of minimum 2.5 metres has been provided to all parking spaces for people with disabilities to comply with Section 2.4 of AS2890.6.
- (Reason: Ensure Compliance)

#### **Certification of Stormwater Works**

Prior to issue of any Occupation Certificate, a suitably qualified and experienced civil engineer (CP Eng. Qualification) shall certify that the as-built stormwater drainage system for this development has been constructed in accordance with the approved plans and complies with Council's DCP and Technical Standards.

(Reason: Ensure compliance)

#### **Grated Box Drain**

For stormwater control a 350 mm wide grated trench drain with a heavy duty removable galvanised grate is to be provided in front of the basement parking slab to collect driveway runoff. The trench drain shall be connected to the main drainage system and must have an outlet of minimum diameter 150mm to prevent blockage by silt and debris.

(Reason: Proper disposal of stormwater)

#### **Sign for OSD system**

An aluminium plaque measuring no less than 400mm x 200mm is to be permanently attached and displayed within the immediate vicinity of the On Site Detention System.

The wording for the plaque shall state *"This is the On Site Detention System required by Willoughby City Council. It is an offence to alter any part of the system without written consent from Council. The registered proprietor shall keep the system in good working order by regular maintenance including removal of debris".*

(Reason: Prevent unlawful alteration)

#### **Confined Space Sign**

Securely install a standard confined space danger sign in a prominent location within the immediate vicinity of access grate of the On Site Detention System and the basement pumpout tank.

(Reason: Safe access to tank)

#### **ADDITIONAL ENGINEERING CONDITIONS**

### **Vehicular Access and Garaging**

Driveways and vehicular access ramps shall be designed to provide adequate ground clearance to the underside of B99,SRV,MRV and HRV vehicles. In all respects, the proposed vehicle access and/or parking spaces shall be designed and constructed to comply with the minimum requirements of AS/NZS 2890.1 and Council's standard specification.

(Reason: Vehicular access)

### **Underground Utility Services**

Locate and establish the size and levels of all utility services in the footpath and road reserve. Contact "Dial Before You Dig" Service" prior to commencement of any works.

All adjustments to public utilities' mains and services as a consequence of the development and associated construction works shall be at the full cost to the applicant.

(Reason: Protection of utilities)

### **Public Infrastructure Restoration**

Prior to the release of the Damage Deposit, any damaged public infrastructure caused as a result of the construction works on the subject site (including damage caused by, but not limited to , delivery vehicles, waste collection, contractors, sub-contractors, concrete delivery vehicles) must be fully repaired in accordance with Council's specification and AUS-SPEC at no cost to Council.

(Reason: Protection of Public Assets)

### **Analysis of Outlet Condition**

All storage outlet pipes from the OSD tank shall be above the 1 in 100 year ARI level.

(Reason: Maintain designed discharge)



## Attachment 2

### WILLOUGHBY CITY COUNCIL

#### SUBMISSION TO SSD 8499 APPLICATION - TOWER B: HOSPITAL, ACCOMMODATION AND ANCILLARY USES (CONCEPT PROPOSAL) - 12 FREDERICK STREET ST LEONARDS

## **1. INTRODUCTION**

This submission concerns the exhibition of State Significant Development Application 7543 (SSD 7543) submitted by Dexus Property Group Pty Ltd to the Department of Planning and Environment (the Department). The SSD seeks consent for the construction of a new tower (Tower B) at 12 Frederick Street, St. Leonards. Tower B is located on the northern and eastern sides of a 2 storey podium of the proposed private hospital (Tower A and Podium).

Specifically, it is understood that the SSD seeks consent for the following:

- > A Tower with the height of the building envelope at RL112.950 on the eastern side of the podium and RL144.150 (RL 146.150 including lift overrun) on the northern side of podium.
- > A Tower with a Gross Floor Area of 7,655m<sup>2</sup>
- > Uses associated with the proposed Tower, include (but not necessarily limited to):
  - o medical consulting rooms
  - o operating and procedure rooms
  - o approximately 185 accommodation rooms consisting of post-natal suites, health care worker, patient and visitor accommodation
  - o education and conference meeting rooms
  - o gymnasium
- > additional car parking (123 spaces) and bicycle facilities (approximately 13 bicycle lockers and 7 bicycle rails/racks) to be accommodated in the basement car park.

Council prefaces this submission by restating its continued support for the strengthening of the health precinct in St Leonards, centred around the Royal North Shore Hospital and in particular the provision of supporting patient relatives and health worker accommodation proposed.

The submitted EIS advises that the project has a Capital Investment Value of \$36,855,000 and will generate an additional 330 construction and 110 fulltime operational jobs. The proposed development will have a total GFA of 7655m<sup>2</sup> and an 8-9-storey tower with a 2-storey podium.

It is stressed that this application is currently prohibited as the site is zoned IN1 General Industrial under the Willoughby LEP 2012, under which hospitals are a prohibited use. A Planning Proposal has been prepared to amend Schedule 1 of the LEP which would make hospitals a permitted use on the site and increase the maximum permissible FSR from 1.5:1 to 3:1. The Gateway Determination was issued on 19 September 2016.

This proposed LEP amendment has been through the Gateway process and is now with Council for finalisation to be forwarded for gazettal.

A review of the detail in the submitted SSD Application documents and the SEAR's issued to the Applicant by the Department has highlighted a number of issues that should be addressed by the Applicant prior to final determination of the Application.

## 2. ASSESSMENT OF ISSUES

### 2.1 Clarification of land uses seeking consent for in the Application

It is noted that the Application includes ‘*approximately 185 accommodation rooms consisting of post-natal suites, health care worker, patient and visitor accommodation*’.

It is important to note that these uses will be permitted within the use of “Hospital” within the IN General Industrial Zone when the Planning Proposal is approved. “Hospital” is defined within the Willoughby Local Environmental Plan (WLEP), 2012 as follows:

*“Hospital means a building or place used for the purpose of providing professional health care services (such as preventative or convalescent care, diagnosis, medical or surgical treatment, psychiatric care or care for people with disabilities, or counselling services provided by health care professionals) to people admitted as in-patients (whether or not out-patients are also cared for or treated there), and includes ancillary facilities for (or that consist of) any of the following:*

- (a) day surgery, day procedures or health consulting rooms,*
- (b) accommodation for nurses or other health care workers,*
- (c) accommodation for persons receiving health care or for their visitors,*
- (d) shops, kiosks, restaurants or cafes or take away food and drink premises,*
- (e) patient transport facilities, including helipads, ambulance facilities and car parking,*
- (f) educational purposes or any other health-related use,*
- (g) research purposes (whether or not carried out by hospital staff or health care workers or for commercial purposes)*
- (h) chapel,*
- (i) hospices,*
- (j) mortuaries”*

b) and c) are not specifically defined. Therefore the following Consent Condition should be imposed.

#### **Recommended Consent Condition:**

1. “Accommodation for nurses or other health care workers and accommodation for persons receiving health care or for their visitors” is defined as follows:
  - > Short term accommodation for (that is a maximum 3 months) available only to patients and visitors of patients of the hospital and other hospitals in the precinct;
  - > Permanent accommodation available only to staff of the hospital and other medical facilities in the St Leonards Health Precinct;

*“Accommodation for nurses or other health care workers and accommodation for persons receiving health care or for their visitors” on the site:*

- > is restricted to the above via a Condition on the Title Deeds -88B Instrument and Accommodation Plan of Management for the facility to be submitted to Council for approval prior to the occupation of the development; and
- > unable to be subject to strata subdivision, (in perpetuity).
- > is to be designed with reference to SEPP 65 and the Apartment design guidelines.
- > Is to be managed via an “Accommodation Plan of Management” to ensure that the intent of the use is upheld.



- > The Accommodation Plan of Management is to stipulate that maximum rental rates charged for the accommodation units for long term rental to health workers is set at 20% below the median market rentals for similar properties in the surrounding area (*NSW Centre for Affordable Housing benchmark*).

## 2.2 Need for Accommodation for Health workers and Visitors

Council fully supports the additional accommodation for health related workers and patient visitors. However, no documentary evidence is supplied in the EIS Application to support or justify the demand for such.

### ***Recommended Consent Condition:***

Evidence be provided of the need for accommodation for health workers and visitors prior to determination of the Application.

## 2.3 Amount of Accommodation provided

The proposal is for the provision of 185 rooms, which includes visitor accommodation. No detail is provided in the Application regarding the form of visitor accommodation, are they single bed rooms, or one and two bedroom apartments? The number of future occupants in the accommodation is undisclosed. In addition there may be ancillary uses that are required for 'rooms' for example communal kitchens, lounges etc. Alternatively, the visitor accommodation may require gym and other recreational facilities. There needs to be a clear delineation between permanent / long term visitor uses. This information will also impact on carparking spaces required and traffic generation. In addition, the ratio of staff to patient/visitor accommodation needs to be established prior to determination of the Application.

### ***Recommendation:***

Details of the maximum number of occupants within the accommodation and proposed ratio (or percentage) of patient visitors (short term accommodation) to permanent health worker accommodation in Tower B is to be provided prior to determination of the application. In this regard, the proposed permanent health care worker accommodation is to be available for health workers within the broader St Leonards Health Precinct as well as workers within the proposed hospital on the site.

## 2.4 Gross Floor Area

The GFA proposed is 7,655m<sup>2</sup> for the proposed development. It is unclear whether this GFA pertains to Tower B only, or whether it includes the podium and whether for example, the restaurant use is included as part of the GFA. The report states that Tower B will use the remainder of the GFA available of the 3:1 FSR that will become permissible when the Planning Proposal is finalised. It is acknowledged that this has been represented in the Architectural Plans, and that the total GFA of the adjacent hospital and the subject tower and hospital facilities marginally exceeds the 3:1 FSR. Specifically, the combined projects total GFA is quoted at 19,241sqm which on the site area of 6,194sqm equates to a FSR of 3.1:1.

### ***Recommendation:***

Prior to determination of the Application a breakdown of the GFA per component of the project should be provided and the submitted plans be amended to comply with the proposed maximum FSR of 3:1 on the site, including the FSR already taken up by the proposed hospital building on the site which is the subject of a separate SSD Application.

## 2.5 Building Envelope Setbacks

The proposed building envelope setbacks provided are considered to be appropriate and should be ensured as part of the Concept Plan Approval.

### ***Recommended Consent Condition:***

The proposed building envelope setbacks should be dimensioned on the Envelope Plan prepared by DC8, DA0060 Revision F and form part of the Approval.

## 2.6 Traffic, Parking and Loading Impacts

The submitted Traffic Impact Assessment (TIA) by GTA is considered deficient as follows:

- > The traffic assessment is purely based on present day traffic volumes. There is no attempt to assess future year traffic conditions, which given the volume of development anticipated in the St Leonards area, is likely to yield very different results. Assessing road and intersection performance at least 10 years post-opening is considered good practice.
- > The TIA modelling is based on 45% private car use. However, no evidence is supplied to support this mode split from local surveys.

More accurate figures for hospital accommodation is required to be provided, so as to determine car parking demand. It is inappropriate to rely on standard figures for a hospital, as that traditionally ignores the fact that there will be 'permanent' occupants living on the site. Further justification for the 220 car parking spaces currently proposed should be provided. Having regard to the proximity to public transport and the intended use, ie for hospital patients and workers

### ***Recommendations:***

- That the project traffic consultants be requested to amend their TIA to assess potential traffic impacts on the surrounding road network based on traffic volumes for at least the next 10 years prior to determination of the Application.
- That car parking rates be revised to appropriately reflect the proximity to public transport and the nature of the proposed use (hospital worker, patient and visitor accommodation),

## Proposed pedestrian and bicycle routes & encouragement of sustainable transport

Council supports the range of initiatives in the proposed development to encourage walking, cycling and public transport use. It is noted that no formal Green travel Plan is supplied, rather just the likely structure is described in the TIA. In the absence of this it is therefore important that a survey of the existing North Shore Private Hospital discussed above is carried out.

### ***Recommended Consent condition:***

"A Green Travel Plan that provides measures aimed at promoting sustainable travel and reducing reliance on the private car to support the Application is to be provided and approved by Willoughby Council prior to the issue of the first Construction Certificate to construct the proposed development.

## 2.7 Acoustic impacts

The EIS is supported by an Acoustic & Vibration Impacts Report which assesses the construction and operational noise and vibration impacts of the project. This report concludes some phases of the construction process may result in exceedances of the EPA's highly noise effected noise criterion. However, it is likely that the potential noise impacts of the project can be managed by implementing reasonable and feasible noise mitigation measures.

It is noted that the Acoustic Impact Report does not appear to refer to the *NSW EPA Industrial Noise Policy Amenity Criterion (To Hospital Wards)* or other relevant standards for *Health Buildings – Office Areas, Consulting Rooms and Surgeries*. The report also does not go into detail about the potential acoustic impacts on the neighbouring hospitals and the Kolling Institute, focusing more on potential impacts on residential areas which are remote from the site.

For hospital wards and operating theatres the AS2107:2000 Internal Noise Criteria recommends that construction noise should not exceed 45dB(A)Leq(15min) within internal areas.

Concerns are raised that the potential noise level exceeding activities, such as use of loud construction equipment will result in significant impact on patients in the surrounding medical facilities, particularly during their allocated rest periods. In this regard, a search of the Royal North Shore Hospital website revealed a dedicated patient rest period between 1 and 3pm daily:

From RNSH website:

*"Please note, all wards have a rest period between 1.00pm - 3.00pm daily. Visiting during this time is not permitted in the majority of wards."*

Accordingly, it is recommended that noise level exceeding activities be prohibited every day for that two hour period to allow patients to rest.

In addition, in conjunction with the Planning Proposal for 12 Frederick St, Council have draft Willoughby DCP acoustic impact requirements that have not been addressed in the SSD Application. The draft requirements are in relation to external noise impacts on the hospital itself including hospital accommodation.

These draft DCP requirements state:

*"Before granting consent for development for the purposes of a hospital at part 12 Frederick Street, St Leonards (part Lot 1 DP 591747) a comprehensive noise assessment considering both the noise impact of the hospital on surrounding uses and the noise impact of surrounding uses on the hospital must be submitted."*

This new requirement was included due to concerns that the hospital adjoins industrial land and therefore there are potential external (industrial) noise impacts for the hospital **and accommodation occupants**.

***Recommendation:***

That the Acoustic Impact Assessment be amended to include assessment of the potential acoustic impact of surrounding industrial uses adjacent to the site on hospital patients and occupants of the accommodation tower prior to the determination of the Application.

***Recommended condition:***

That the hours of construction proposed in the submitted Construction Management Plan and any subsequent such plans prepared by the Contractor be amended to read as follows:

Hours of construction work:

Working Day	Working Hours
Monday to Friday	0700 to 1730*
Saturday	0730 to 1500*
Sunday and Public Holidays	Not permitted
* No pile driving or other activity that will result in the exceedance of the NSW EPA Industrial Noise Policy Amenity Criterion (To Hospital Wards) is permitted between the hours of 1.00pm and 3.00pm on any day of	

## **2.8 Lighting**

Although mentioned in the Architectural Design Statement, no details or plan of proposed lighting of the facility are provided in the Application.

Lighting has the potential to impact on the amenity of surrounding developments. It is therefore requested that details in the form of a plan and details together with an assessment of the proposed lighting against relevant standards for hospitals be provided for example:

- > AS/NZS 1428.2-1992 Design For Access And Mobility;
- > AS/NZS 1158 External Lighting – Roads and Public Spaces;
- > AS/NZS 4485.1-1997 Security for Health Care Facilities;
- > AS/NZS 2293-2005 Emergency Lighting & Exit Signage; and
- > The Building Code of Australia - Section J.

### **Recommendation:**

Lighting plan, details and assessment against relevant standards be provided for review prior to determination of the application.

## **2.9 Fire Services**

The submitted Fire Services report is actually just a record of non-compliances only.

### **Recommendation:**

That a full report be provided together with amended plans indicating consistency with relevant standards.

## **2.10 Signage details**

Although mentioned in the Architectural Design Statement, no details or plan of proposed signage for the facility are provided in the Application. It is noted that the EIS does not contain an assessment of signs against the provisions of SEPP 64 Advertising & Signage.

### **Recommendation:**

Signage plan, details and assessment against relevant provisions of SEPP 64 Advertising & Signage be provided for review prior to determination of the application.

## **2.11 Section 94A Contributions**

Under Willoughby City Council's Section 94A Development Contributions Plan 2011, the applicable contribution levy for development with a cost of more than \$200,000 is 1% of the cost of works.

DEXUS has entered into negotiations with Council on a Voluntary Planning Agreement (VPA) relating to the current Planning Proposal for a private hospital on the site, which details that any Section 94A contributions are still payable in addition to the VPA agreement.

### **3. CONCLUSION**

Council fully supports the proposed construction of 'key health worker and patient visitor accommodation' and additional medical facilities on the subject site.

The concerns identified in this submission relate to addressing the potential impacts on the surrounding locality, clarifying the details of the project and ensuring the accommodation is made available to the identified patient visitors and health care workers rather than the general public. It is common knowledge that many health care workers in the St Leonards Health Precinct have to commute long distances to work as accommodation nearby is unaffordable.

It is considered reasonable to require the information required in this submission at this stage, in order to address the identified issues of concern prior to the determination of the SSD Application. Council staff seek to discuss any of the issues raised above in order to expedite a successful outcome.

It is also requested that prior to finalisation, Council be provided with the opportunity to review a full set of draft conditions prior to approval.

# **Schedule 1 – Additional information required prior to consent**

## **Land use**

Evidence be provided of the need for accommodation for health workers and visitors prior to determination of the Application.

## **Amount of Accommodation provided**

Details of the maximum number of occupants within the accommodation and proposed ratio (or percentage) of patient visitors (short term accommodation) to permanent health worker accommodation in Tower B is to be provided prior to determination of the application. In this regard, the proposed permanent health care worker accommodation is to be available for health workers within the broader St Leonards Health Precinct as well as workers within the proposed hospital on the site.

## **Gross Floor Area**

Prior to determination of the Application a breakdown of the GFA per component of the project should be provided and the submitted plans be amended to comply with the proposed maximum FSR of 3:1 on the site, including the FSR already taken up by the proposed hospital building on the site which is the subject of a separate SSD Application.

## **Traffic, Parking and Loading Impacts**

- That the project traffic consultants be requested to amend their TIA to assess potential traffic impacts on the surrounding road network based on traffic volumes for at least the next 10 years prior to determination of the Application.
- That car parking rates be revised to appropriately reflect the proximity to public transport and the nature of the proposed use (hospital worker, patient and visitor accommodation),

## **Acoustic Impact**

That the Acoustic Impact Assessment be amended to include assessment of the potential acoustic impact of surrounding industrial uses adjacent to the site on hospital patients and occupants of the accommodation tower prior to the determination of the Application.

## **Lighting**

Lighting plan, details and assessment against relevant standards be provided for review prior to determination of the application.

## **Fire Services**

That a full report be provided together with amended plans indicating consistency with relevant standards.



## **Signage**

Signage plan, details and assessment against relevant provisions of SEPP 64 Advertising & Signage be provided for review prior to determination of the application.

## Schedule 2 recommended conditions of consent

### Land Use

*“Accommodation for nurses or other health care workers and accommodation for persons receiving health care or for their visitors” is defined as follows:*

- > Short term accommodation for (that is a maximum 3 months) available only to patients and visitors of patients of the hospital and other hospitals in the precinct;
- > Permanent accommodation available only to staff of the hospital and other medical facilities in the St Leonards Health Precinct;

*“Accommodation for nurses or other health care workers and accommodation for persons receiving health care or for their visitors” on the site:*

- > is restricted to the above via a Condition on the Title Deeds -88B Instrument and Accommodation Plan of Management for the facility to be submitted to Council for approval prior to the occupation of the development; and
- > unable to be subject to strata subdivision, (in perpetuity).
- > is to be designed with reference to SEPP 65 and the Apartment design guidelines.
- > Is to be managed via an “Accommodation Plan of Management” to ensure that the intent of the use is upheld.
- > The Accommodation Plan of Management is to stipulate that maximum rental rates charged for the accommodation units for long term rental to health workers is set at 20% below the median market rentals for similar properties in the surrounding area (NSW Centre for Affordable Housing benchmark).

### Building Envelope Setbacks

The proposed building envelope setbacks should be dimensioned on the Envelope Plan prepared by DC8, DA0060 Revision F and form part of the Approval.

### Pedestrian and Bicycle routes

A Green Travel Plan that provides measures aimed at promoting sustainable travel and reducing reliance on the private car to support the Application is to be provided and approved by Willoughby Council prior to the issue of the first Construction Certificate to construct the proposed development. “

### Acoustic Impact

That the hours of construction proposed in the submitted Construction Management Plan and any subsequent such plans prepared by the Contractor be amended to read as follows:

Hours of construction work:

Working Day	Working Hours
Monday to Friday	0700 to 1730*
Saturday	0730 to 1500*

Sunday and Public Holidays	Not permitted
<p>* No pile driving or other activity that will result in the exceedance of the NSW EPA Industrial Noise Policy Amenity Criterion (To Hospital Wards) is permitted between the hours of 1.00pm and 3.00pm on any day of</p>	

## Schedule 3 Standard conditions of consent

### Section 94A Contributions

Prior to the issue of the Construction Certificate, a monetary contribution of \$(XXXXINSERT CONTRIBUTIONXXXXX) (subject to indexing as outlined below) is to be paid in accordance with Section 94A of the Environmental Planning and Assessment Act, 1979.

This contribution is based on

(INSERT PERCENTAGE )% of the estimated development cost of \$ (INSERT AMOUNT) at (INSERT DATE) and the adopted Section 94A Contributions Plan.

To calculate the monetary contribution that is payable, the proposed cost of development is to be indexed to reflect quantity variations in the Consumer Price Index, All Groups, Sydney, as published by the Australian Bureau of Statistics (ABS) between the date the proposed cost of development was agreed by the Council and the date the levy is to be paid as required by this Plan.

To calculate the indexed levy, the formula used to determine the cash contribution is set out below.

$$IDC = ODC \times CP2/CP1$$

Where:

IDC = the indexed development contribution payable

ODC = the original development contribution determined by the Council as a percentage of the cost as set down in this contributions plan

CP2 = the quarterly Consumer Price Index, All Groups, Sydney, as published by the Australian Bureau of Statistics (ABS) immediately prior to the date of payment

CP1 = the quarterly Consumer Price Index, All Groups, Sydney as published by the ABS immediately prior to the date of imposition of the condition requiring payment of the contribution.

Prior to payment Council can provide the value of the indexed levy.

Copies of the S94A Contributions Plan are available for inspection online at [www.willoughby.nsw.gov.au](http://www.willoughby.nsw.gov.au)

(Reason: Statutory requirement)