



21 May 2010

**Proposed Rippon Grange Private Hospital
35-45 Water Street, Wahroonga**

On 13 May 2010, the Hon Tony Kelly, MP, Minister for Planning wrote to the Chair of the Planning Assessment Commission (PAC) requesting the PAC to assess the reasonableness of the Department's recommendation on the proposed Rippon Grange Private Hospital at Wahroonga.

The Commission consisted of Mr Garry Payne, AM and Mr Richard Thorp (members of the PAC). Mr Payne chaired the review. The Commission has reviewed the Director General's report (DG report), the recommended conditions of consent and relevant documents. Mr Thorp visited the vicinity of the site on 19 May 2010.

On 20 May 2010, the Commission met with staff from Department of Planning (the Department), Mr Daniel Keary and Mr David Gibson for a briefing and clarification of issues on the Director General's report.

The proposal is to construct a new 5 storey 124 beds private hospital with 2 levels of basement parking for 79 vehicles and 13 at grade parking spaces. The hospital will provide rehabilitation, psychiatric and post-natal services. The proposal will also involve adaptive reuse of the Rippon Grange house (a local heritage item), demolition of buildings with low heritage value, restoration of federation gardens, regeneration and protection of the Blue Gum High Forest (BGHF) area, road upgrading and other servicing works.

The site is zoned 5a Special Use (Hospital) under the Ku-ring-gai Planning Scheme Ordinance (KRGPSO). The proposal is a Major Project under Part 3A of the *Environmental Planning and Assessment Act 1979* as it is a development for a hospital with a capital investment value of over \$15 million.

The Department received a total of 336 submissions when the application was exhibited. Eleven of which were from public authorities and council and 325 were from the public and community organisations. Issues raised in these submissions include:

- Design and amenity
- Traffic, parking and access
- Impact on cultural heritage
- Potential impact on the BGHF
- Design suitability for hospital use
- Overdevelopment of the site given site constraints
- Bulk and scale
- Inconsistency with neighbourhood character
- Set a precedent for large scale development
- Visual impacts
- Privacy impact
- Overshadowing
- Waste management
- Impact on property value
- psychiatric patients in a residential area

- Bushfire risk and need for asset protection zone
- Previous applications were refused by council, KRG Planning Panel and the Land and Environment Court.

The DG's report referred to the following Environmental Planning Instruments, Plans and Policies:

- State Environmental Planning Policy (Major Development) 2005
- State Environmental Planning Policy (Infrastructure) 2007
- Ku-ring-gain Planning Scheme Ordinance
- Conservation Management Plan for Rippon Grange
- KRG Council Biodiversity Strategy 2006
- The State Plan
- Metropolitan Strategy
- Draft North Subregional Strategy

It found the proposal is consistent with the zoning provision and will assist in achieving the key principles/objectives of these plans and policies.

The report canvassed the issues raised in submissions in details and concluded that most of the issues have been satisfactorily addressed through the proponent's preferred project report and amendments to the Statement of Commitments. The Department's recommended reduction to the bulk and scale of the buildings will further reduce the overshadowing impact on adjacent properties. The recommended conditions of approval will ensure that the BGHF will be permanently protected and the proposal can be developed with minimal environmental impacts.

The Commission noted that:

- The KRGPSO contains no height limit or FSR control on the site.
- The proposed development is permissible with consent.
- The new development will be substantially screened by existing vegetation on the site.
- The Department's recommended reduction in bulk and scale will reduce the mass and visual dominance of the buildings as well as shadowing impact on properties adjoining the southwest of the site.
- The Department has engaged an independent traffic consultant to review the traffic and parking issues and the estimated shortfall of 9 parking spaces (RTA guidelines) is minor as the proposed number of parking spaces meets Council's DCP requirements.
- Although the proposal will remove 6 BGHF trees (3 are deemed as unstable), the proposed replanting and regeneration of BGHF will result in an increase in the size of BGHF area with proper maintenance and protection in perpetuity.
- The proposed development would not set a precedent for large scale development in the area given the site is zoned for hospital use.
- Although there is doubt about the financial viability of the proposed development, it is a commercial decision for the proponent.
- In response to the issue of whether the design of the buildings is suitable for a hospital, the Department has recommended a condition that the proponent needs to secure an "approval in principle" to operate the hospital from the NSW Department of Health prior to the issue of construction certificate.
- The Rural Fire Services has no concerns or issues in relation to bush fire as the site is not in bush fire prone area.

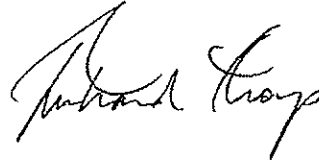
- The proposed development is consistent with the key policies in the Conservation Management Plan, particularly the development footprint, building height and conservation outcomes.
- Proposed use is consistent with previous use of the site as a children's hospital.
- As to the concern that psychiatric patients in residential area, the proposed psychiatric services would only be for private, voluntarily admitted patients.
- Impacts of other issues can be managed with appropriate conditions of consent.

Conclusion

The Commission considers the Department has carried out a thorough assessment of the issues raised in submissions. The issues have been satisfactorily addressed. The recommended reduction in height and bulk, increase in set back and a more articulate façade will improve the overall design of the buildings and further reduce the potential impacts. The assessment report is comprehensive. The conclusion and recommendations are logical and reasonable.



Garry Payne, AM
PAC Member



Richard Thorp
PAC Member