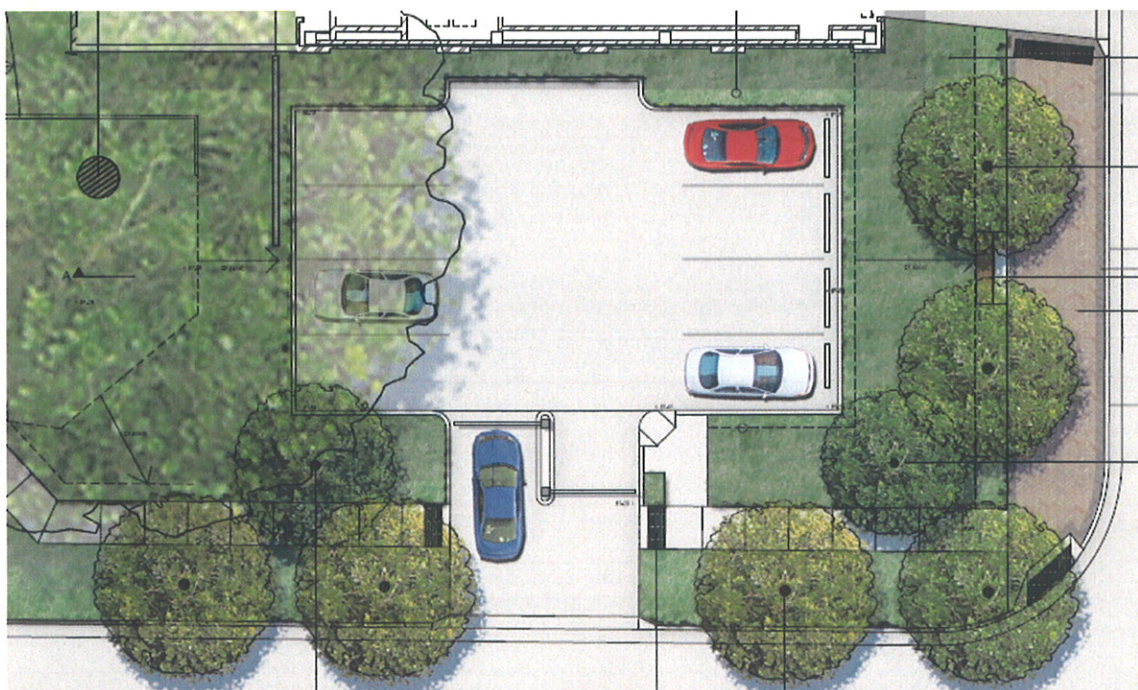


***SECTION 75W MODIFICATION,
Royal North Shore Hospital,
Concept Plan and
Acute Hospital and Community Health Facility***

**MP06_0051 (MOD 4)
and
MP08_0172 (MOD 2)**

Modification of Minister's Approval under section 75W of the
Environmental Planning and Assessment Act 1979

August 2010



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1. INTRODUCTION

NSW Health is seeking to modify the Concept Plan (MP06_0051) and Project Application (MP08_0172) approvals for the Royal North Shore Hospital redevelopment, to allow for the demolition of the Mortuary Building and its replacement with a small car park and landscaping.

This report is the Department's environmental assessment of the modification application.

2. BACKGROUND

On 26 September 2006, the then Minister for Planning declared the Royal North Shore Hospital redevelopment a Critical Infrastructure Project. A Concept Plan was subsequently approved (on 13 April 2007) under MP06_0051, providing for the consolidation of the outdated piecemeal buildings (see Figure 1) into 8 integrated and more efficient buildings, with an increase in the usable hospital floor space.

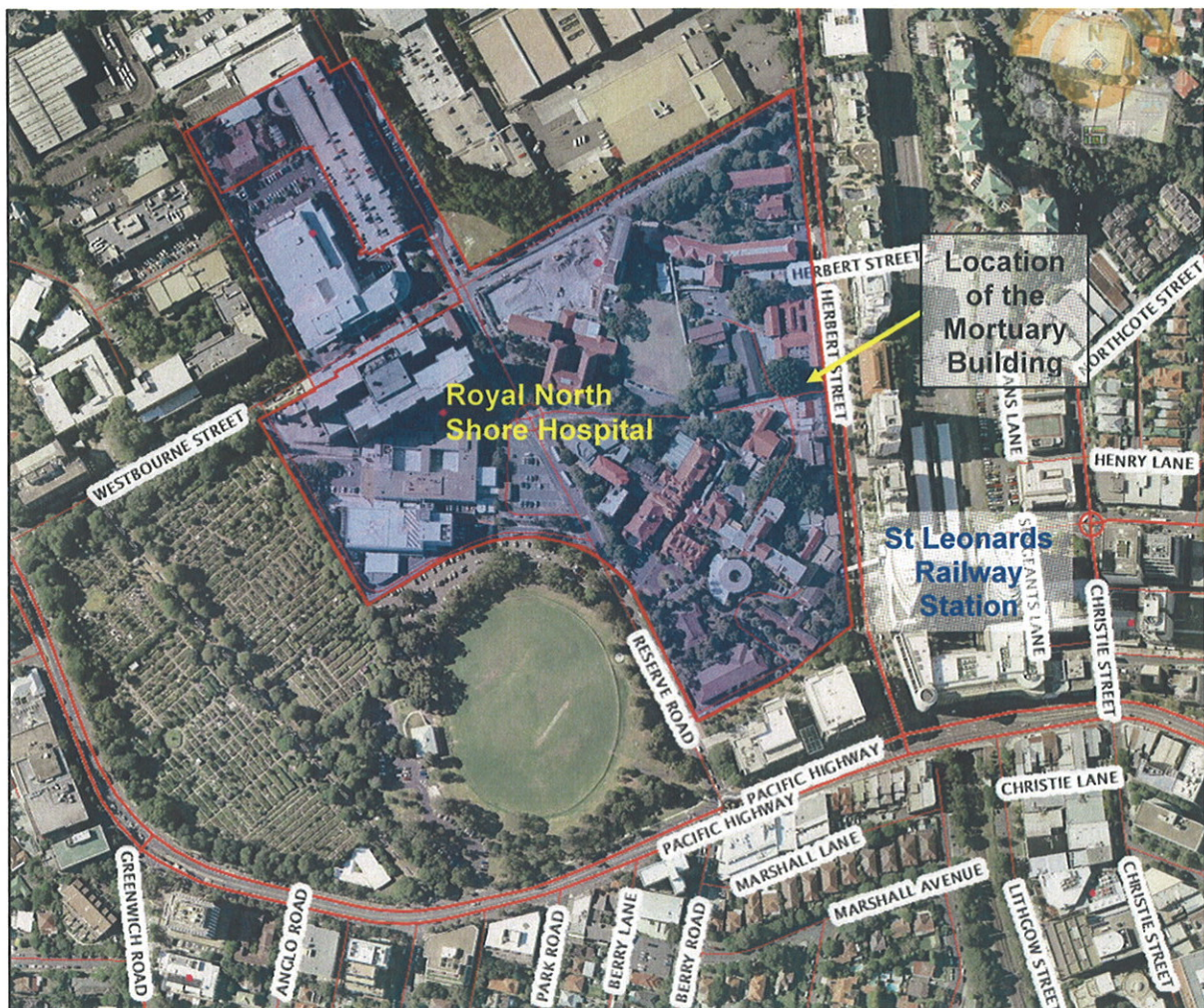


Figure 1 – Hospital and surrounds

The Acute Hospital and Community Health Facility (AHCA) (MP08_0172) is the third project to be approved onsite under the Concept Plan and was approved by the then Minister on 19 June 2009. It provides for the staged demolition of buildings onsite and construction of an Acute Hospital building, community health building and a multistorey car park, including the partial demolition of Building 19 and retention of the part of the building containing the former Mortuary.

The AHCA Facility Project Approval was previously modified by MP08_0172 (MOD1) on 23 March 2010, involving minor modifications to the design and layout of the Community Health Building to provide a more usable space for the proposed use.

Both the Concept Plan and the AHCA Building sought to retain the Mortuary building as an item with some (moderate) heritage significance, with the Concept Plan determination including the Condition C2.2, that made provision for the demolition of buildings identified within Condition C2.1, subject to the provision of supporting information.

3. PROPOSED MODIFICATION

NSW Health now proposes to demolish the Mortuary Building (building 19) (illustrated in Figure 2, Figure 3, Figure 4 and Figure 6) and make provision for an 8 space staff car park and associated landscaping in its place (see Figure 5). Access to the proposed car park is to be provided from Eileen Street and will have separate entry/exit access points, controlled by boom gates.

The proposal seeks to modify Condition C2.1 of MP06_0051 Concept Plan Approval, by deleting reference to 'Building 19 (Mortuary)' and Conditions A1 and A2 of MP08_0172 Project Approval by making reference to the complete demolition of Building 19 (not 'part') and the inclusion of the amended plans and documentation. The proposed modification also includes the request to insert a new condition 'B5 – Archival recording' into MP08_0172, to ensure that photographic recording of the existing Mortuary is undertaken in accordance with the NSW Heritage Office guidelines.



Figure 2 – South elevation of mortuary building



Figure 3 – North elevation of mortuary building



Figure 4 – Existing mortuary building and surrounds



Figure 5 – Proposed landscaping and car park to replace the mortuary building

As part of the Concept Plan application a heritage assessment was undertaken, which identified a number of buildings with various levels of heritage significance. This report identified the Mortuary building to be of moderate heritage significance. Consequently, the Concept Plan required the Proponent to retain the building (along with the other significant heritage buildings) for as long as possible, whilst Condition C2.2 was imposed requiring the Proponent to demonstrate why it could not be retained and integrated into the hospital redevelopment.



Figure 6 – East elevation of mortuary building

The Mortuary Building, which adjoins the site of the approved Community Health Facility currently under construction (see Figure 6), is presently vacant and in a poor state of repair (with missing and damaged roof tiles and window panes). Large quantities of asbestos have also been identified in the building. The reopening of Eileen Street and lack of adequate space to provide disabled access has also restricted options for adaptive reuse of the building. Consequently, the Proponent is now seeking to demolish the building.

4. STATUTORY CONTEXT

Section 75W(2) of the *Environmental Planning and Assessment Act 1979* (the EP&A Act) provides that a proponent may request the Minister to modify the Minister's approval of a project. The Minister's approval of a modification is not required if the project as modified would be consistent with the original approval. As the proposed modification seeks to demolish a building that was to be retained in the Concept Plan and Project Approval, the modification will require the Minister's approval.

Section 75(3) of the EP&A Act provides the Director-General with scope to issue environmental assessment requirements (DGRs) that must be complied with before the matter will be considered by the Minister. Environmental Assessment requirements were not issued for this modification as the Proponent had addressed the key issues in the request for the Minister's approval of the modification.

5. CONSULTATION

Section 75X(2)(f) of the EP&A Act requires requests for modifications and modifications made by the Minister to be made publicly available. The request for modification was made publicly available on the Department's website, in accordance with Clause 8G of the *Environmental Planning and Assessment Regulation 2000*.

The Department notified Willoughby City Council and the NSW Heritage Branch of the proposed modification.

Willoughby City Council (Council) raised a number of concerns regarding the demolition of the Mortuary Building. Council:

- agreed with the original heritage assessment, provided in the Concept Plan, which identified the building as a good exterior remnant of an early interwar hospital 'services' building;
- suggested that additional options for adaptive reuse should be explored, noting that re-use by the private sector may also be possible; and
- confirmed it supports the reuse of the building by the public or private sectors.

Council also raised concerns about the visual amenity impacts of the proposed car park. Council suggested that should the building be demolished alternative uses for the site would be more appropriate, namely:

- as the Community Health Facility would provide mental health services and the like, the space could be designed to provide open space for patients and visitors to the Community Health Facility; and
- as the site is on the corner of Herbert and Eileen Streets it will be a major access point for the hospital facilities and represents an opportunity to create a unique and exciting gateway.

Council also noted that the small number of parking spaces proposed could be accommodated elsewhere, such as by expanding the basement parking for the Community Health Facility. Council concluded that they do not support the demolition of the mortuary building, however should this occur, they request the site is appropriately landscaped, rather than used for parking.

The NSW Heritage Branch raised no objections to the demolition of Building 19, stating that the moderate heritage significance of the structure, as noted within the Heritage Impact Statement, has suffered over time from a lack of maintenance, diminishing its significance. It was recommended that a condition requiring the preparation of an interpretation strategy and archival recording be undertaken and placed in the Heritage Branch Library.

6. RESPONSE TO SUBMISSIONS

The general feedback and concerns raised by both the Department and Council were forwarded to the Proponent for consideration, wherein a detailed response was prepared and submitted to the Department for further review. Within the response prepared, the Proponent considered a number of alternative uses with respect to the adaptive re-use of the existing Mortuary Building, including:- leaving the premises vacant, use for a NSW Health function, a café or as retail/commercial use.

During this process, the Proponent, as well as having direct input from Health Infrastructure NSW, reviewed both the operational and planning issues, where it was considered that the re-use of the building for an alternative function would itself raise concerns with respect to the associated parking requirements, disabled access, lack of floor space and expansion opportunity, the building's isolation, lack of amenities, visual impacts and the associated security concerns from the proposed alternative uses.

Further consideration was given to the use of the space should the Mortuary be demolished, exploring the operational and planning issues associated with its use as public open space or as a landscaped area. Operationally, security concerns were raised with respect to the risk of outpatients from the methadone clinic congregating in the area. It was further noted that the site would offer poor amenity to users, being overshadowed for extended periods of time during the day. Additionally, it is intended that Eileen Street will serve as a direct vehicular route to the Acute Hospital and CHB, which, should the site be used for open space or landscaping purposes, will give rise to conflicts with users and vehicles and a reduction to the pedestrian amenity of the space.

The Proponent similarly provided further comments regarding the heritage significance of the existing Mortuary Building, noting that the structure is not listed as a heritage item on any statutory or non-statutory list, but only referred to as having 'moderate' significance when considered within the context of all the heritage buildings across the RNS Hospital site. The Proponent noted that when considered in isolation and given its physical separation from the main core group of buildings of high heritage significance, the existing Mortuary Building makes little contribution to the site's heritage significance and that its demolition would not be detrimental to this.

In response to the concerns raised with respect to the visual amenity impacts of the proposed car park, the Proponent proposed that the existing run down state of the existing Mortuary Building was of a greater visual impact than the proposed car park. The proposed design of the car park elevates its position above the existing ground level of the adjacent street (Herbert Street) and makes provision for suitable landscaping to soften the edge and corner. When considering an alternative location for the proposed car parking spaces, as suggested by Council, the Proponent noted that construction of the underground car parking facilities for the CBH are nearing completion, to which further excavation and works is not reasonable.

7. ASSESSMENT

The Department has assessed the proposed Section 75W Modification of MP 08_0172, to facilitate the demolition of Building 19 (Mortuary Building) and construction of an 8 x space staff car park and associated landscaping, the submission of Willoughby City Council and Proponent's response. The key issues identified are considered in more detail below.

Adaptive Re-use

The details provided by the Proponent have shown that due consideration has been given to the adaptive re-use of the existing building and also to the alternative uses of the space should the building be approved for demolition. The re-use of the Mortuary Building as a new health function, café, retail or commercial space, gives rise to further considerations regarding the provision of parking, suitable disabled access from both Eileen and Herbert Streets, provision of sanitary facilities and the lack of floor space, all of which are issues faced with the subject site, particularly parking.

The use of the existing Mortuary Building as a café or refreshment room raises questions as to the permissibility of such a use, wherein, under SEPP (Major Development) 2005, approval of any such use would need to demonstrate its ancillary function to the overall RNS Hospital. In this respect, the site location of the existing Mortuary is somewhat fragmented from the main areas of the overall Hospital site, while the recently approved Community Health Building adjacent, was designed exclusively separate to this structure and included a new café.

Direct input was also received from NSW Health, wherein they raised concerns with respect to the possible alternative uses, having the potential to result in the congregation of out patients from the Methadone Clinic, particularly as a café/retail space or as public open space. This possibility is of concern to NSW Health due to the past concerns raised by residents of Herbert Street.



Figure 7 – Building 20 Adaptation Works

The Mortuary Building's re-use would have been better considered during the design phase of the CHB (currently under construction) and under Project Application MP08_0172. Examples of re-use and integration have been carried out within proximity to the site, including the development of Building 20 (not given heritage significance) on the opposite side of Eileen Street (see Figure 7), wherein the structure was partially demolished and modern alterations and additions integrated into the existing structure.

The various development works that have taken place prior to consideration being given to the integration or re-use of the Mortuary Building have resulted in the existing structure becoming disconnected and almost 'out of character' with its developing surroundings. This aspect will be further evident upon completion of the CHB and establishment of a new and modern street wall along Herbert Street.

The Department is satisfied that the Proponent has satisfactorily considered the options available for alternative uses of the existing Mortuary Building and that its demolition is not considered to be detrimental to the overall heritage significance of the RNS Hospital site. The Proponent has satisfactorily demonstrated that the use of the space for the purposes of staff parking is considered to be an acceptable alternative and appropriate response to the logistical car parking needs for CHB practitioners, particularly for the Community Mental Health crisis team. In this regard, the Department is satisfied that the Proponent has clearly demonstrated that why Building 19 (Mortuary Building) can not be retained in accordance with the requirements of condition C2.2 of MP06_0051 Concept Plan Approval.

Heritage

Condition C2.2 of MP06_0051 required that every effort be made to retain a number of buildings for as long as possible, including Building 19. However, the condition also made provision for the demolition of these buildings at a later stage, subject to the submission of details to satisfactorily justify demolition. In this respect, the condition imposed on the Concept Plan approval provided the future opportunity for these buildings identified within the condition, to be demolished at some stage.

As detailed below, thorough consideration has been given to the adaptive re-use of the structure and to the space should demolition occur. The submitted Heritage Impact Statement prepared for Building 19 notes the options explored for the buildings retention and adaptive re-use as being unsuitable due to safety and access issues associated with its location and built form. Under MP06_0051, the character of the building was considered to be of 'moderate heritage' significance, meaning:-

Includes building fabric and relationships which were originally of higher significance, but have been compromised by later, less significant modifications.

In this respect, the existing Mortuary Building has remained vacant and has been poorly maintained, falling into a poor state of repair. Internally, the structure has been extensively altered, which in conjunction with its poor state has only had a negative impact on its integrity and heritage significance.

The previous demolition approvals of adjoining buildings under MP06_0051 and recent approval of the CHB adjacent, which approved the 'part' demolition of Building 19, have only further segregated the existing Mortuary Building from the hospital site and core of heritage buildings. The retention of the Mortuary Building's moderate heritage significance would only occur successfully should the building be adapted to an alternative function. However, the alternatives proposed by Council and those explored by the Proponent have been shown to be unsatisfactory for the existing building, to which the Proponent concludes that demolition of the structure should therefore be permitted. As noted above, NSW Heritage has raised no

objection to the demolition of Building 19, subject to the imposition of a condition requiring the preparation of a preliminary interpretation strategy and for archival photographic recording to be undertaken prior to the demolition.

The Department is satisfied that the proponent has considered other possible uses, to which none are considered appropriate given the size of the building, its location and associated site access and safety issues. The significance of the structure was further reduced through the part demolition of Building 19 under MP08_0172, to which the design of the CHB excluded the opportunity for integration with the existing Mortuary Building structure (see Figure 8). The heritage impacts associated with the demolition of the existing Mortuary Building will be mitigated by the preparation of a 'Preliminary Interpretation Strategy and Archival Photographic Recording of the structure, as has been included as a condition in the terms of approval.

Streetscape and Amenity

The proposed car park is to be appropriately landscaped along both the Herbert and Eileen Street frontages (plants to be minimum 25L pot in size), while similarly retaining the existing mature fig tree adjacent to the western façade of the existing Mortuary Building (See Figure 4 and 8). The landscaping scheme provides for a suitable level of screen planting and will allow the car park to be better integrated into the redeveloped streetscape. The changes in topography from Herbert Street to the ground level of the car park and proposed landscaping will assist in reducing the impact of the new works, particularly on the streetscape of Herbert Street.



Figure 8 – Herbert Street Streetscape

Retention of the existing Mortuary Building in its current state would not be considered a positive outcome to the Herbert Street streetscape. The structure, as alluded to above, has become out of character and disconnected to its surroundings, given the development of the new CHB and well designed redevelopment of Building 20 (see Figures 7 and 8).

Whilst it is not intended or proposed to create a new gateway to the RNS Hospital precinct, the combination of the proposed demolition of Building 19 and demolition of Building 20 on the opposite side of Eileen Street (previously approved for demolition under MP06_0051

Concept Plan) will assist in redefining Eileen Street as a vehicular entry point. Further, the development of the CHB (currently under construction as show above in Figure 8) will assist in establishing a new street wall along Herbert Street, giving greater definition to the Eileen Street entrance. The proposed landscaped setback area of Eileen and Herbert Streets will offer a softening element to the streetscape, to which the proposed car park will not detrimentally detract from.

The Department considers that the proposed car park design and associated landscaping scheme will satisfactorily address the streetscape of Herbert Street and similarly reduce any visual amenity impacts. The demolition of the Mortuary Building will be in tune with the adjacent developments along Herbert Street, in revitalising the streetscape, whilst the provision of the proposed landscaping scheme will soften the approach to Eileen Street and better compliment the design of the adjacent Community Health Building.

8. CONCLUSION

The Department considers the proposed modifications to MP06_0051 and MP08_0172, involving the demolition of Building 19 (Mortuary) and construction of a small car park and landscaped area, acceptable and recommends that the modification be supported.

9. DELEGATION

Under the Instrument of Delegation dated 25 January 2010, the Minister has delegated his functions under Section 75W of the EP&A Act relating to modification requests where there are less than 10 public submissions objecting to the modification, to the Directors in the Major Projects Assessments Division (which includes the Government Land and Social Projects Branch).

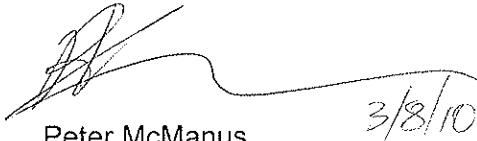
No public submissions were received and consequently the A/Director, Government Land and Social Project may determine the modification request under delegation.

10. RECOMMENDATION

It is recommended that the A/Director, as delegate for the Minister for Planning:

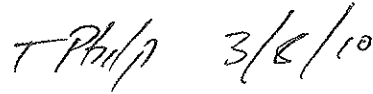
- considers the findings and recommendations of this report;
- approves the modification request under section 75W of the EP&A Act; and
- signs the attached instrument of modification (TAG A).

Prepared by:

Handwritten signature of Peter McManus in black ink, with the date 3/8/10 written below it.

Peter McManus
Senior Planner
Government Land and Social Projects

Endorsed by:

Handwritten signature of Toby Philp in black ink, with the date 3/8/10 written next to it.

Toby Philp
A/Team Leader
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Handwritten signature of Daniel Cavallo in black ink, with the date 3/8/10 written below it.

Daniel Cavallo
A/Director
Government Land and Social Projects