

ASSESSMENT REPORT

Sydney Southwest Private Hospital MP 10_0091 MOD 2

1. INTRODUCTION

This report is an assessment of a request to modify the Major Project Approval (MP 10_0091) for the construction of a four-storey extension to the existing Sydney Southwest Private Hospital (SSPH) at 24-40 Bigge Street, Liverpool.

The request has been lodged by JBA Planning pursuant to section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act). It seeks approval for staged construction and minor internal and external design changes to the approved hospital extension.

2. SUBJECT SITE

The SSPH is in the north-eastern sector of Liverpool CBD adjacent to the public hospital complex within the Liverpool Medical Precinct (refer to **Figure 1**). The existing part two and three storey hospital building contains 84 patient beds, 24 recovery beds and 5 theatres with consulting suites and 70 parking spaces.

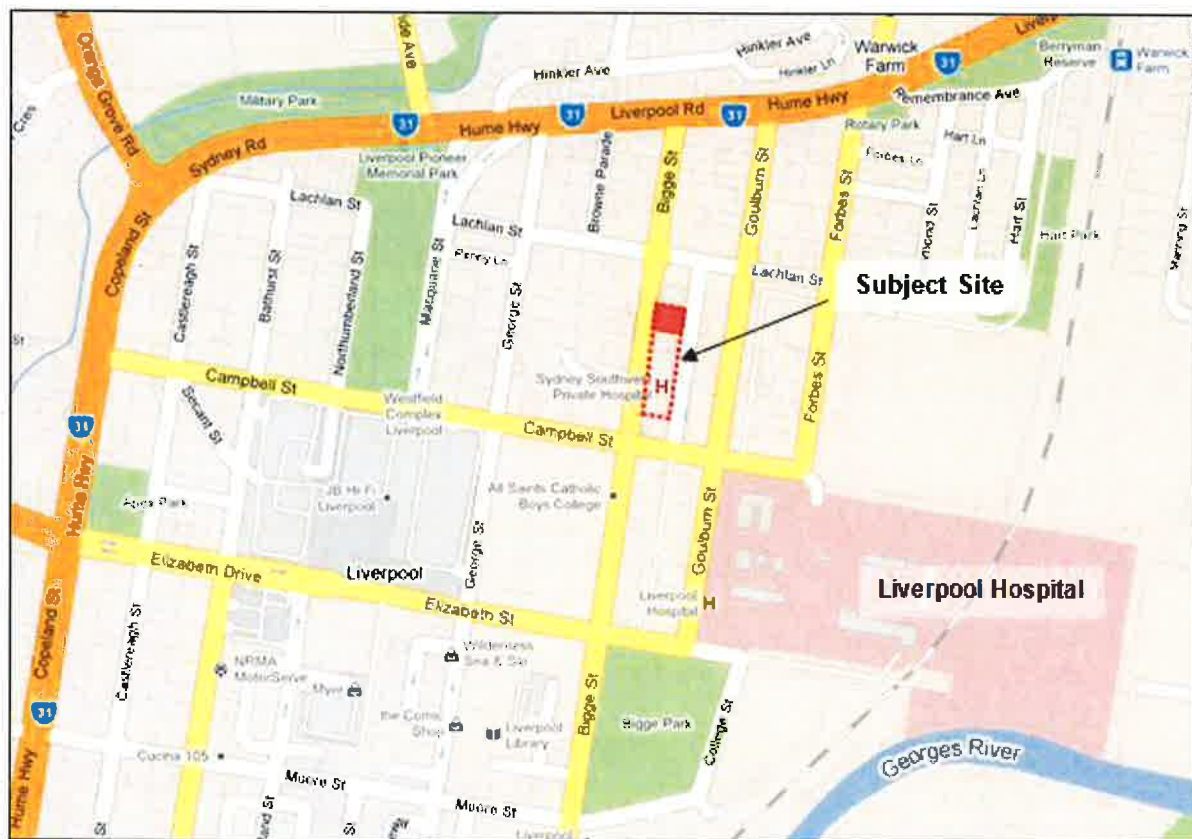


Figure 1: Subject site

3. APPROVAL HISTORY

On 11 July 2011, MP 10_0091 was approved under delegation for an extension to the SSPH, including the construction of a four-storey hospital extension to the north of the existing hospital building above basement parking and associated landscaping and infrastructure.

On 26 May 2016, the Director Modification Assessments, as delegate of the then Minister for Planning, approved a modification application (MOD 1) for minor changes to the building envelope, an increase in floorspace and internal and external design amendments.

The approved building layout is illustrated in **Figure 2**.

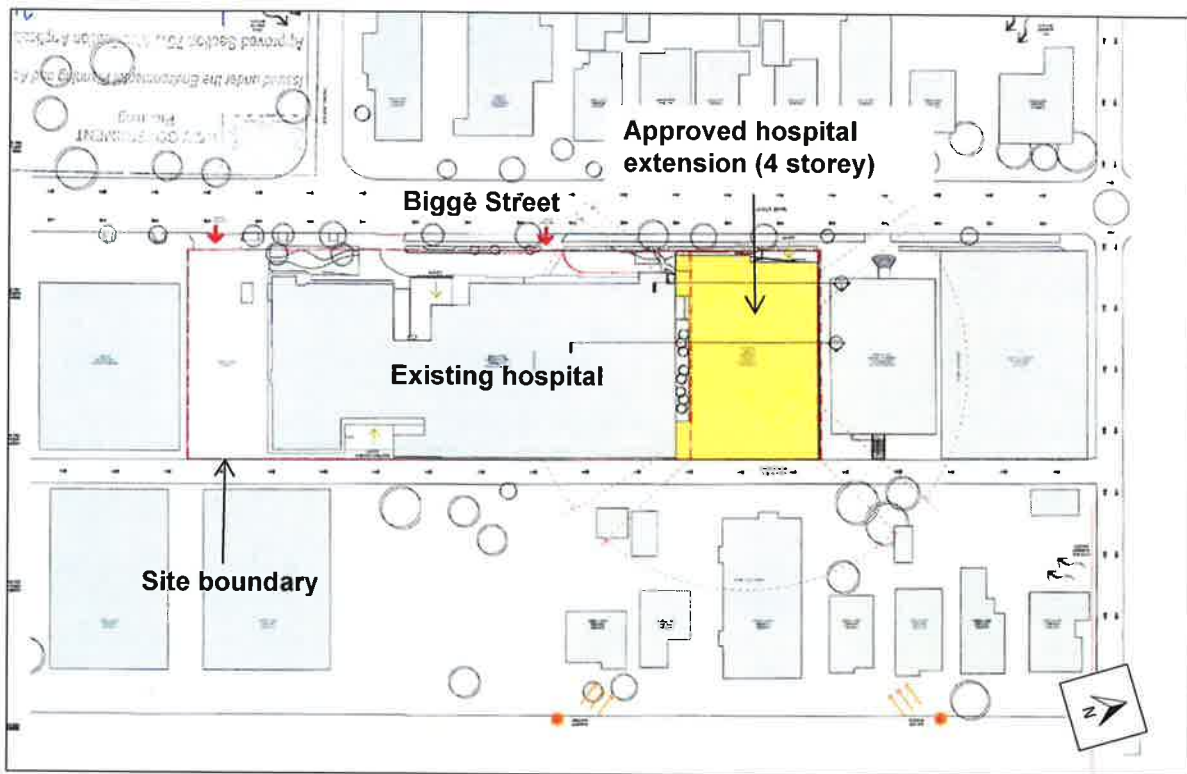


Figure 2: Approved Site Plan (MOD 1)

4. PROPOSED MODIFICATION

The Proponent lodged a section 75W modification application (MP 10_0091 MOD 2) seeking approval for staged construction and minor internal and external design changes to the approved hospital extension. The proposed modifications are outlined in **Table 1**.

Table 1: Summary of Proposed Modifications

Proposed Modification	
External Design Changes	<p>The key changes to the external design include:</p> <ul style="list-style-type: none">• an increased building setback to Bigge Street by 83 mm;• an increased building height by 2.35 m to accommodate the lift overrun, lift motor and roof structure;• amendments to the plant layout and screening and metal roof deck;• revised materials and finishes; and• installation of an oxygen tank in the outdoor car park.
Internal Design Changes	<p>The key internal changes include:</p> <ul style="list-style-type: none">• reconfiguration of the fire stairs and risers at each level;• provision of a new power supply and main switch room in basement;• a new store room, showers and plant room at ground level;• replacement of five consulting suites with three operating theatres and support spaces at Level 1; and• reduce the total GFA from 12,245sqm to 12,215sqm.

<i>Car Parking</i>	<ul style="list-style-type: none"> The proposal will result in the removal of five car spaces, including: <ul style="list-style-type: none"> three car spaces in the basement; one car space at Level 00; and one car space in the outdoor parking area.
<i>Staging of Construction</i>	<p>The proposal seeks to construct the hospital extension in three stages, as follows:</p> <p><i>Stage 1</i></p> <ul style="list-style-type: none"> construction of the basement to Level 4; installation of temporary roof and plant; fit-out at Levels 1 and 3; <p><i>Stage 2</i></p> <ul style="list-style-type: none"> fit-out at Level 2 <p><i>Stage 3</i></p> <ul style="list-style-type: none"> construction of Level 5 and 6 roof structures; amend layout at Level 1; fit-out at Level 4; roof plant at Level 5; lift overrun and roof structure at Level 6;

5. STATUTORY CONSIDERATION

5.1 Section 75W

The project was originally approved under Part 3A of the EP&A Act. Although Part 3A was repealed on 1 October 2011, the project remains a 'transitional Part 3A project' under Schedule 6A of the EP&A Act, and hence any modification to this approval must be made under the former Section 75W of the Act.

The Department is satisfied that the proposed changes are within the scope of section 75W of the EP&A Act, and the proposal does not constitute a new application.

5.2 Approval Authority

The Minister for Planning is the approval authority for the request. However, the Director, Modification Assessments may determine the application under delegation as:

- the relevant local Council has not made an objection; and
- a political disclosure statement has not been made; and
- there are no public submissions in the nature of objections.

6. CONSULTATION

The Department made the modification request publicly available on its website and consulted with Liverpool City Council (Council). The proposal was not notified by any other means given the minor nature of the proposed changes.

Council raised no objection to the proposal. But raised concern regarding the loss of onsite car parking. Council recommended payment of contributions in lieu of providing the car parking spaces.

No **public** submissions were received on the proposal.

6.1 Response to Submissions

In response to concerns raised by Council and the Department, the proponent:

- submitted a Preliminary Hazard Assessments to assess the potential impacts associated with the storage of oxygen on the site; and
- confirmed the proposal seeks approval to reduce car parking on the site by three spaces from 140 to 137.

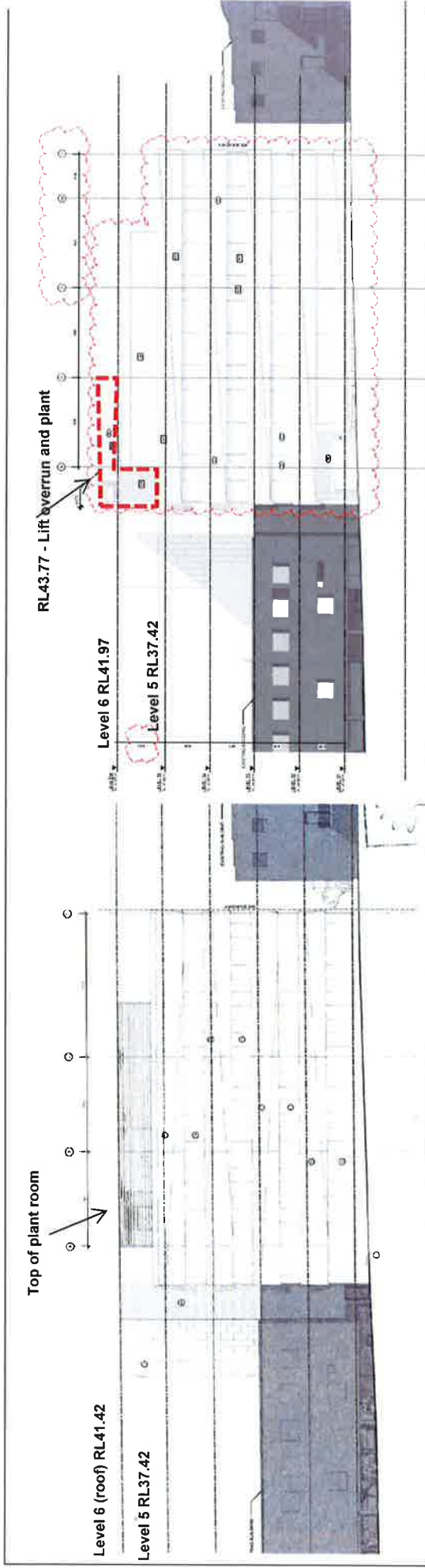


Figure 6: Eastern elevation – approved (left) and proposed (right) (additional building height outlined in red dash)

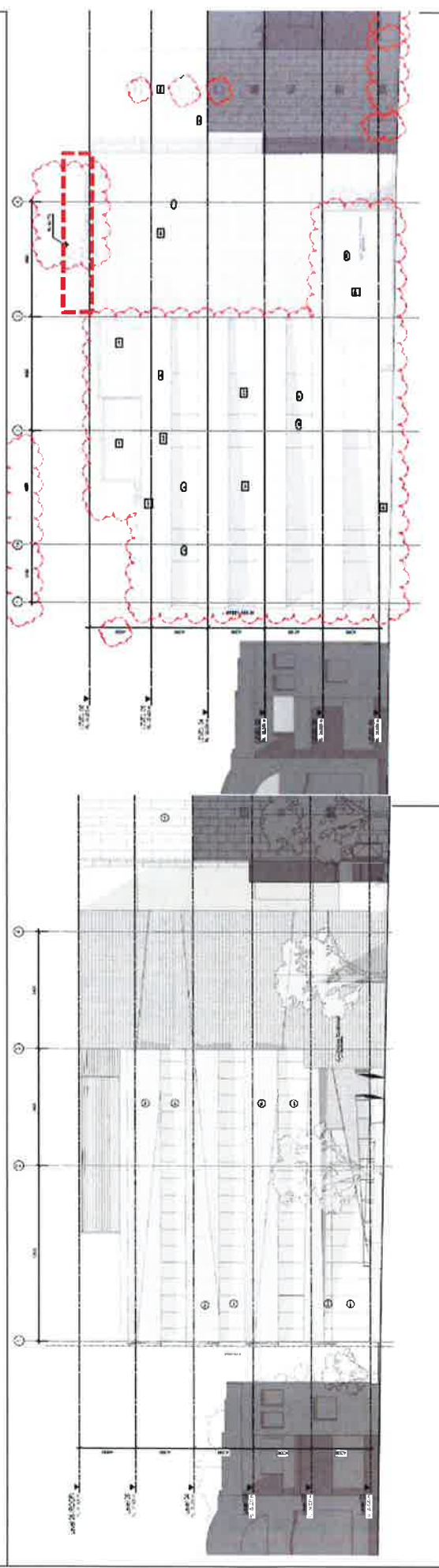


Figure 7: Western elevation – approved (left) and proposed (right) (additional building height outlined in red dash)

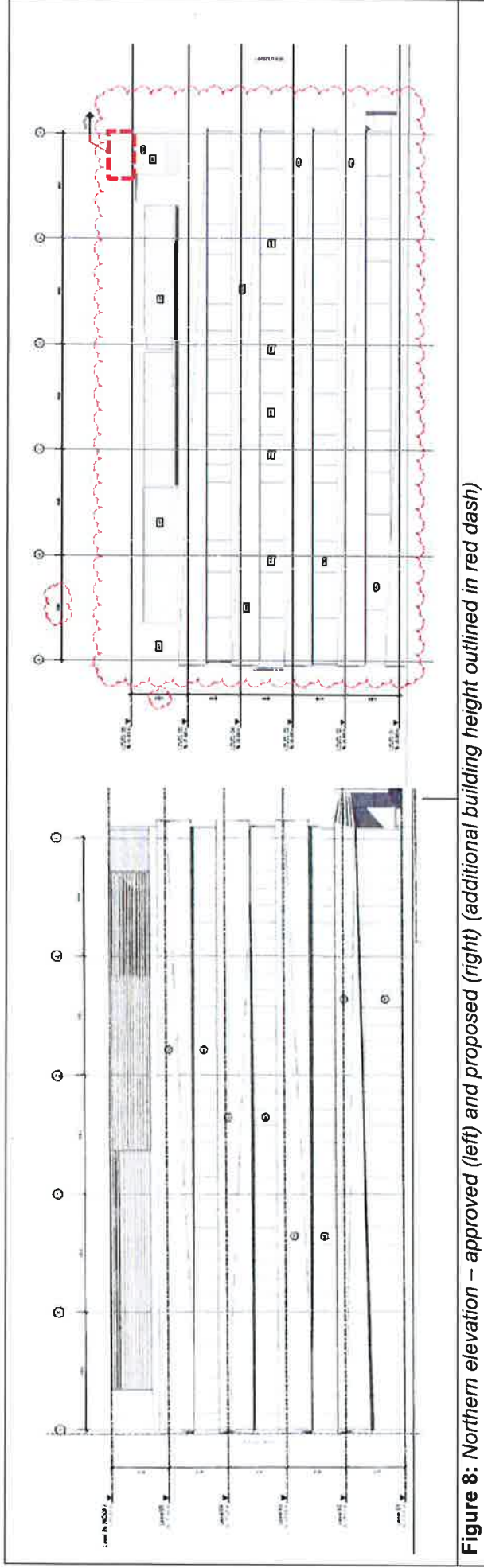


Figure 8: Northern elevation – approved (left) and proposed (right) (additional building height outlined in red dash)

7. ASSESSMENT

The key assessment issues are considered in **Table 1** below.

Table 1: Assessment of key issues

Issue	Consideration	Recommendation
<i>Built Form changes</i>	<ul style="list-style-type: none"> The proposal seeks approval to increase the height of the building by 2.35 m to accommodate a lift overrun and associated plant. This would increase the overall height of the building to 25.35 m (refer to Figure 6). The Department considers the increase in building height is acceptable as it: <ul style="list-style-type: none"> relates only to a small element of the building incorporating lift overrun and plant; is well below the 35 m height limit under Liverpool Local Environmental Plan 2008; is compatible with the built form of the surrounding area, which includes buildings up to 6-7 storeys; and would not result in any significant additional overshadowing impacts as the shadows cast from the proposal would fall predominantly on existing and approved shadows. The Department also notes the proposal seeks to increase the building setback to Bigge Street by 83 mm. The Department considers this is a minor change and it would not result in any additional visual or amenity impacts. The proposal also includes minor changes to the materials and finishes of the façade, which adopt a generally lighter colour palette. The Department is satisfied the proposed changes to the façade are acceptable and would make a positive contribution to the streetscape. Overall, the Department is satisfied the proposed changes to the built form are acceptable and would not result in any significant impacts beyond those already assessed and approved. 	No additional conditions or amendments necessary.
<i>Parking and Traffic</i>	<ul style="list-style-type: none"> The Department noted a discrepancy between the number of car parking spaces approved in Modification 1 and proposed in Modification 2 and requested the Proponent to clarify car parking provision on the site. The Proponent confirmed: <ul style="list-style-type: none"> The traffic report accompanying Modification 1 stated that 122 car spaces were provided. However, a review of this application indicates 140 spaces were shown on the plans. The current modification would reduce car parking by three spaces from 140 to 137. Council raised concern about the loss of car parking on the site and recommended a condition be imposed requiring payment of contributions for any shortfall in car parking. The Liverpool Development Control Plan 2008 (DCP 2008), requires one car space per 100 sqm of floor area for hospitals. The SWPH has a total floor area of 12,215 sqm and would therefore require 122 spaces. The development proposes a total of 137 car parking spaces, which is 15 spaces more than required under DCP 2008. The Department is therefore satisfied the proposal would continue to comply with Council's car parking controls and as such, there is no need to pay contributions for car parking. 	No additional conditions or amendments necessary.

<i>Acoustic Impacts (mechanical plant)</i>	<ul style="list-style-type: none"> • The Proponent submitted an Acoustic Report to assess the potential noise impacts associated with the roof top plant. • The Applicant's Acoustic Report advises the mechanical plant can be treated to mitigate any potential noise impacts. • The Department notes the existing conditions of approval include strict noise conditions which require: <ul style="list-style-type: none"> – an acoustic engineer to confirm the mechanical systems comply with the relevant Council requirements and Australian Standards; and – noise associated with the operation of any plant, to comply with relevant noise criteria and not to be audible in residential properties between 12.00 midnight and 7.00am. • The Department is therefore satisfied there are appropriate safeguards in place to mitigate any potential noise emanating from the mechanical plant. 	No additional conditions or amendments necessary.
<i>Hazardous Goods</i>	<ul style="list-style-type: none"> • The proposed modification includes the installation of a 7,000-litre oxygen tank within the outdoor car park at the southern end of the site. The proposal is classified as "potentially hazardous" under State Environmental Planning Policy 33. • To assess the potential risks associated with the proposal the Applicant submitted a Preliminary Hazard Analysis (PHA). • The Department's hazards specialist reviewed the PHA and concluded the potential risks associated with the proposal on surrounding land uses are acceptable subject to recommended conditions of approval, to ensure the safe operation of the facility. 	Additional conditions are recommended to ensure the safe operation of the facility.

8. CONCLUSION

The Department has assessed the modification application and supporting information in accordance with the relevant requirements of the EP&A Act. The Department's assessment concludes that the proposed modification is appropriate on the basis that:

- the additional building height would not result in any adverse visual or amenity impacts on the surrounding area;
- the revised external materials and finishes would make a positive contribution to the streetscape;
- parking would continue to comply with Council's DCP controls for the site;
- the proposal would not result in any unacceptable hazard risks subject to the recommended conditions
- the staging program would allow for the operation of the hospital during the construction phase; and
- the internal changes would satisfy the hospital's specific operational requirements.

Consequently, it is recommended that the modification be approved subject to the recommended conditions.

9. RECOMMENDATION

It is RECOMMENDED that the Director, Modification Assessments, as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report;
- **approves** the application under section 75W, subject to conditions; and
- **signs** the notice of modification (**Appendix A**).

Prepared by:
Thomas Mithen
Consultant Planner



Natasha Harras
Team Leader
Modification Assessments

 18/7/17

Anthony Witherdin
Director
Modification Assessments

APPENDIX A: NOTICE OF MODIFICATION

A copy of the notice of modification can be found on the Department's website at:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8132

APPENDIX B: SUPPORTING INFORMATION

The following supporting documents and supporting information to this assessment report can be found on the Department of Planning and Environment's website as follows:

1. Modification request

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8132

2. Submissions

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8132