

21 November 2017

14487

Ms Carolyn McNally  
Secretary  
Department of Planning and Environment  
320 Pitt Street  
SYDNEY NSW 2000

Attention: Natasha Harras - Team Leader, Modification Assessments

Dear Ms McNally,

## **SECTION 96(1A) - MODIFICATION APPLICATION TO SSD 6840 (MOD 5) ST VINCENT'S PRIVATE HOSPITAL SYDNEY**

This application has been prepared by Ethos Urban on behalf of St Vincent's Private Hospital Sydney (SVPHS), pursuant to section 96(1A) of the *Environmental Planning and Assessment Act, 1979* (EP&A Act) to modify SSD 6840 relating to St Vincent's Private Hospital Sydney (the site).

The modification relates to minor façade amendments, the installation of three building identification signs, and minor demolition works.

This application identifies the consent, describes the proposed modifications and provides an assessment of the relevant matters contained in Section 96(1A) of the EP&A Act. This application is accompanied by:

- Amended Architectural Drawings by HASSELL (**Attachment A**).

### **1.0 Consent Proposed to be Modified**

Development consent SSD 6840 was granted by the NSW Department of Planning and Environment on 17 September 2015 for:

*Redevelopment of St Vincent's Private Hospital, including construction of a new 13 level East Wing building and refurbishment works to the existing lowrise and high-rise building wings, including a new Victoria Street façade treatment to the high-rise building wing, associated landscaping works, Building Code of Australia and infrastructure upgrades and installation of a new electrical substation kiosk.*

Following this approval, a number of modification applications have been made and approved. These are outlined in **Table 1** below.

**Table 1 – Summary of Modifications to SSD 6840**

Modification Number	Modification Summary	Approval Date
MOD 1	A range of minor internal and external design modifications to improve building appearance and internal functionality.	8 August 2016
MOD 2	Refurbishment of Level 4 foyer.	13 October 2016
MOD 3	Rectification of errors in MOD 2 development consent.	4 November 2016

Modification Number	Modification Summary	Approval Date
MOD 4	Relocation of operating theatre no. 5, and minor fit-out works for Same Day Centre on Level 5.	27 February 2017

## 2.0 Proposed Modifications to the Consent

The proposed modifications to the development consent comprise:

- Installation of three building identification signs, consisting of:
  - 2 x unilluminated top of building signs, consisting of the SVPHS Crest and the wording 'ST VINCENT'S PRIVATE HOSPITAL' (1 x on North Elevation, 1 x on West Elevation); and
  - 1 x internally illuminated awning fascia sign, consisting of the wording 'St. Vincent's Private Hospital Sydney', to be located on the awning above the hospital forecourt entry to the building.
- A minor amendment to the western (Victoria Street) elevation of the original SVPHS building, being:
  - Retention and cladding of existing concrete upstands with opaque coloured glass.
- Minor demolition works on Level 11 (rooftop of original SVPHS building), consisting of:
  - Partial removal of a section of parapet, to enable construction of an adjoining terrace; and
  - Demolition of disused plant rooms to allow service installation.

The proposed modifications are described in more detail below.

### 2.1 Modifications to the Development

The following modifications are proposed to the approved development.

#### 2.1.1 Signage

As discussed above, three signs are proposed – these are detailed in **Table 2** and the subsequent sections below.

**Table 2 – Details of proposed signage**

Sign No.	Purpose	SDCP2012 Signage Type	Location	Max. Height	Max. Width	Max. Depth	Illumination
1	Building Identification	Top of Building	Level 13, Western Elevation, East Wing Building	1,452 mm	4,075 mm	50 mm	None
2	Building Identification	Top of Building	Level 13, Northern Elevation, East Wing Building	1,620 mm	4,550 mm	50 mm	None
3	Building Identification	Awning Fascia	Level 3, Northern Elevation, East Wing Building	350 mm	7,930 mm	75 mm	Yes, internally

Source: HASSELL

#### Top of Building Signage

It is proposed to install two top of building building identification signs, one each to the north and west elevation of the East Wing tower, which is currently under construction. The proposed signs are of identical design, with slight differences in dimensions, as described above in **Table 2** and as shown in **Figure 1**. They are located below the illuminated cross on each façade (approved under SSD 6840), as shown in **Figure 2** and **Figure 3**.

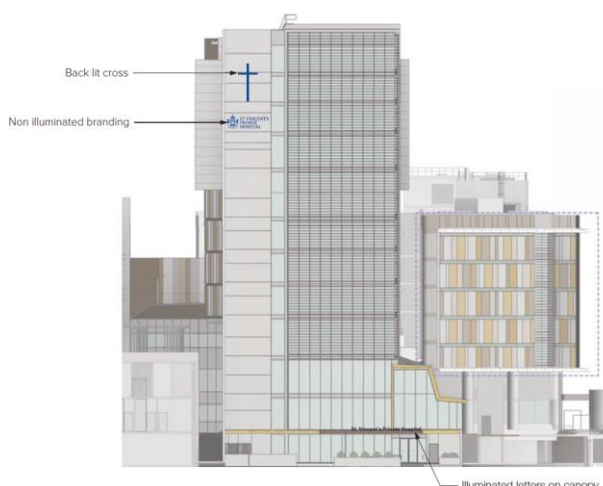
The signs are of slightly different dimensions so to appear proportionate to both the cross above, and the concrete façade element on which the signs are located (which have a slightly different width on the north and west elevations). Both signs consist of individual lettering and the crest element, which is made up of several separate components, as shown on the Architectural Drawings at **Attachment A**. The signs will be made of 3 mm thick aluminium, 'Two Pack' painted in blue,

with 50 mm returns. The crest will have detailing applied using white vinyl. The signs are not illuminated, and are designed to have a visibility range of at maximum 100 m (for the northern elevation sign), and 90 m (for the western elevation sign), to support their wayfinding function.



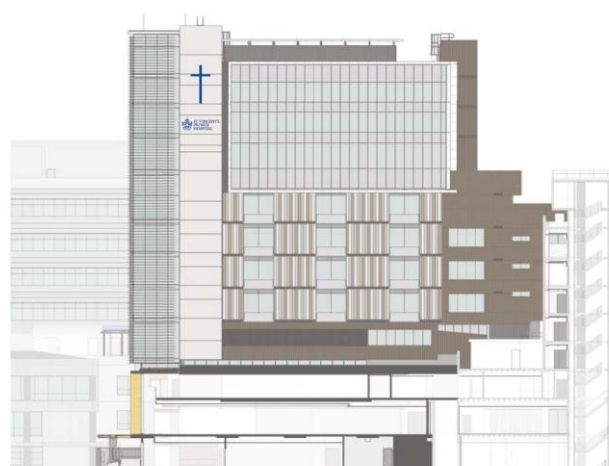
**Figure 1 – Proposed top of building signage**

Source: HASSELL



**Figure 2 – The proposed sign below the approved cross on the northern elevation**

Source: HASSELL



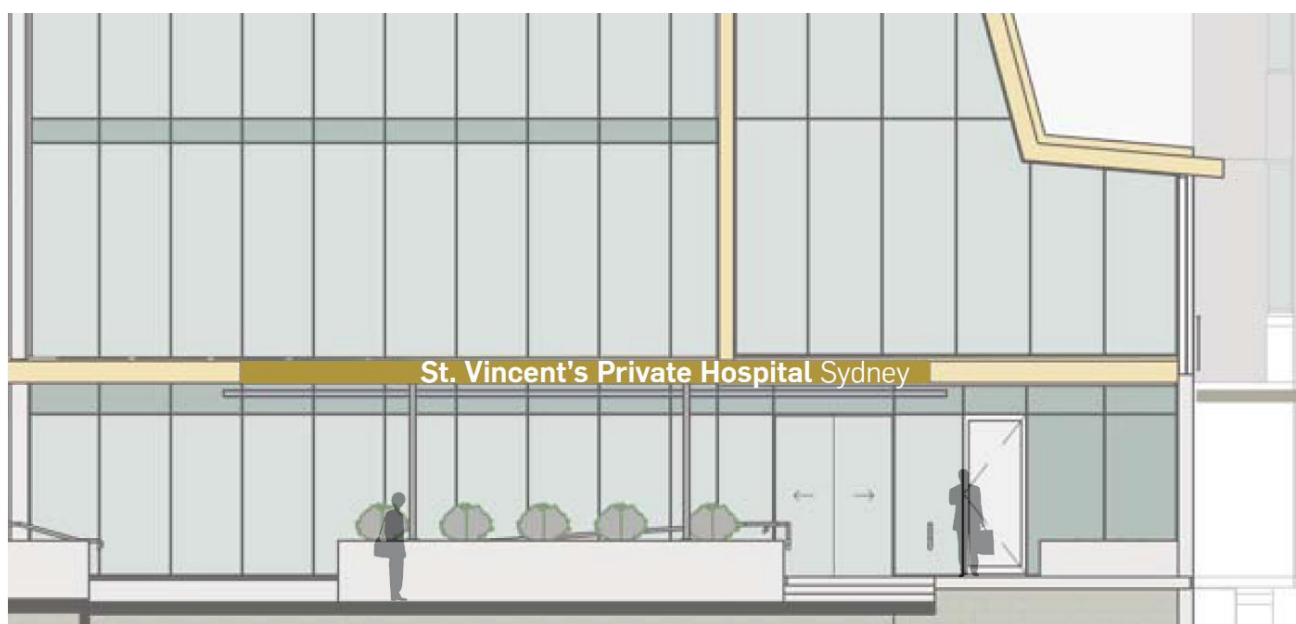
**Figure 3 – The proposed sign below the approved cross on the western elevation**

Source: HASSELL

## Awning Fascia Sign

The third sign proposed is an awning fascia-type sign, to be fixed to the canopy which protrudes from the northern elevation, over the hospital forecourt entry to the building. It is noted that this level is referred to as Level 3, however due to the geography of the site and design of the building, this level appears as being ground level, and is accessed as such.

The sign consists of individual lettering, made of Perspex. The lettering will be an opal (white) colour, while the returns will be painted the same gold colour as will be used on the canopy. The sign is internally illuminated using white LED lighting, and is designed to have a visibility range of at maximum approximately 100 m. The proposed sign is shown in **Figure 4** below.



**Figure 4 – The proposed awning fascia sign**

Source: HASSELL

### 2.1.2 Façade Amendment

This application also proposes to make a minor amendment to the design of the western façade of the original SVPHS building. This façade, which faces Victoria Street, currently features horizontal concrete spandrels at each floor. These spandrels have concrete upstands on the external face, which are shown painted blue in **Figure 5**. The original intent (as approved under SSD 6840) was to remove these upstands and put opaque glass panels in front of the remaining horizontal concrete spandrels. However, recent investigations have discovered that the joins between the spandrel and the upstand contain asbestos, and so removing the upstands is now unviable.

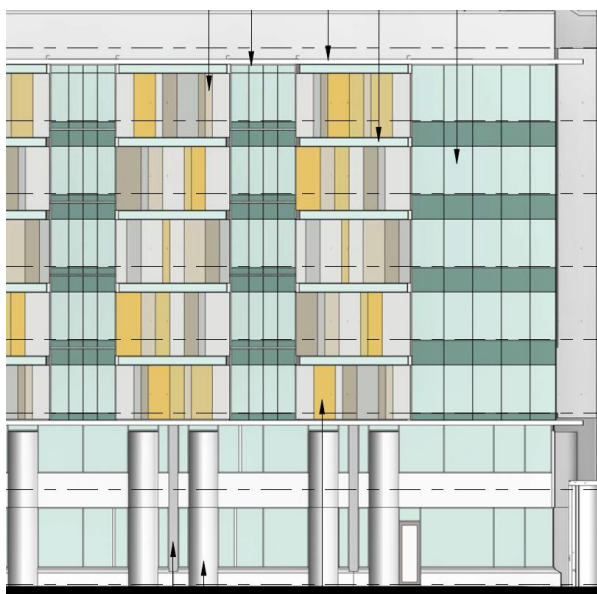
Accordingly, it is now proposed to retain these upstands, and clad them in opaque coloured glass. This approach has the impact of increasing the height of the solid element (as the upstands are deeper than the spandrels) and reducing the height of the clear glass windows above. Extracts of the western elevation showing the glass elements as approved and as proposed are shown at **Figure 6** and **Figure 7**, respectively.





**Figure 5 – Aerial image of the original SVPHS, prior to construction works commencing. The horizontal concrete upstand façade elements are shown painted blue.**

Source: SKYview Aerial Photography



**Figure 6 – The western elevation façade, as approved under SSD 6840.**

Source: HASSELL



**Figure 7 – The western elevation façade, as proposed under this application.**

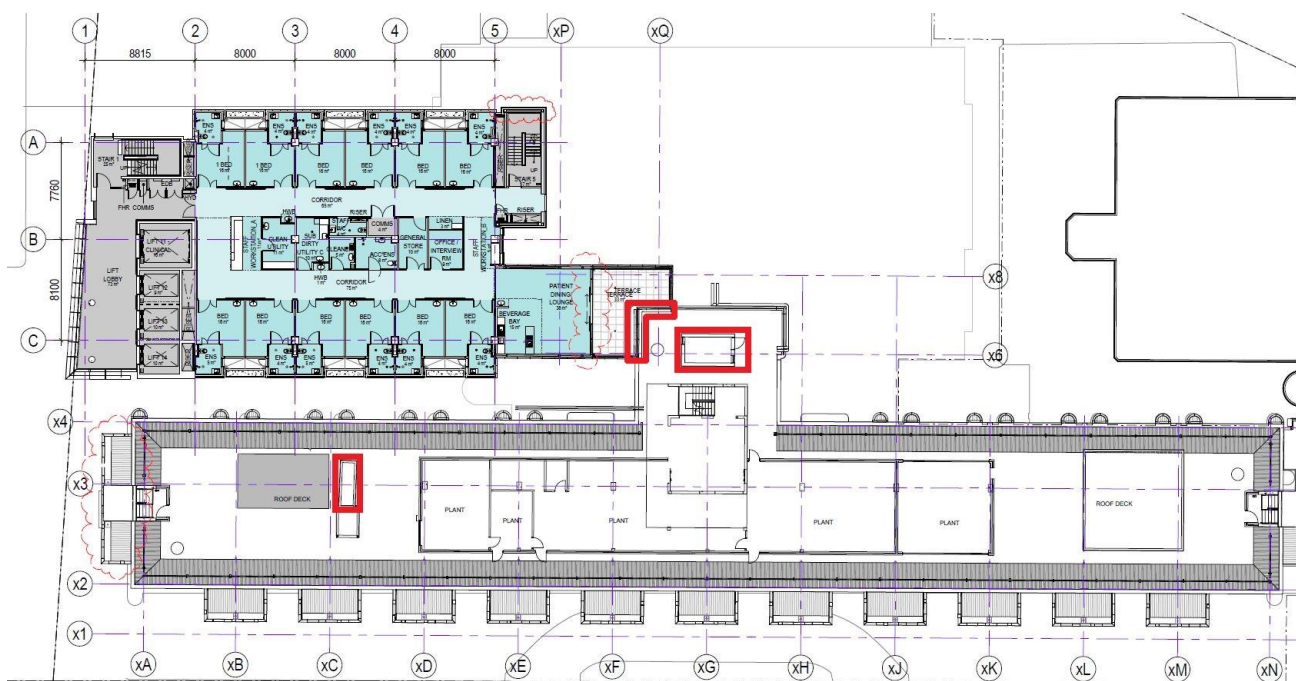
Source: HASSELL

### 2.1.3 Demolition

Also proposed is some minor demolition works on the rooftop level (Level 11) of the original SVPHS building, specifically:

- Partial removal of a section of parapet at the rear eastern corner of the building, to enable construction of an adjoining terrace;
- Removal of a disused lift motor room at the rear of the building of disused plant rooms to allow service installation; and
- Removal of a store room for the building maintenance access hoist, which is being decommissioned. Removal of this store room is also to allow service installation.

As mentioned, the partial removal of a section of the parapet is to allow for the construction of the new terrace slab. This terrace is for the adjoining East Wing Building, approved under SSD 6840. This, and the other areas to be demolished are shown in **Figure 8** below.



**Figure 8 – Level 11 plan, as approved under SSD6840 MOD 1. The approximate areas of demolition works proposed in this modification are noted by the red squares.**

## 2.2 Modifications to Conditions

The proposed modifications described above necessitate amendments to the consent conditions which are identified below. Words proposed to be deleted are shown in **~~bold strike through~~** and words to be inserted are shown in ***bold italics***.

### Terms of Consent

A2 The Applicant shall carry out the development generally in accordance with the:

- Environmental Impact Statement St Vincent's Private Hospital Redevelopment, prepared by JBA Urban Planning Consultants and dated March 2015',
- Response to Submissions prepared by JBA Urban Planning Consultants and dated 7 August 2015;
- Section 96(1A) - Modification Application to SSD 6840, prepared by JBA Urban Planning Consultants dated 17 June 2016

- d) Section 96(1A) - Modification Application to SSD 6840, prepared by JBA Urban Planning Consultants dated 23 August 2016
- e) Section 96(1A) - Modification Application to SSD 6840, prepared by JBA Urban Planning Consultants dated 8 December 2016
- f) Section 96(1A) - Modification Application to SSD 6840, prepared by Ethos Urban dated 21 November 2017**
- g) The conditions of this consent; and
- h) The following drawings, except for:
  - i) any modifications which are Exempt or Complying Development;
  - ii) otherwise provided by the conditions of this consent.

Architectural and Landscape Drawings prepared by Hassell			
Drawing No.	Revision	Name of Plan	Date
DA-00-801	E	Demolition Layout – Level 3	17/12/15
DA-00-802	G	Demolition Layout – Level 4	22/09/16
DA-00-803	F	Demolition Layout – Level 5	29/11/16
DA-00-804	F	Demolition Layout – Level 6	29/11/16
DA-00-805	D	Demolition Layout – Level 7	13/02/15
DA-00-806	D	Demolition Layout – Level 8, 9 & 10	13/02/15
<b>DA-00-807</b>	<b>A</b>	<b>Demolition Layout – Level 11</b>	<b>23/10/17</b>
DA-01-002	E	GA Plan. Level 02	17/12/15
DA-01-003	D	GA Plan. Level 03	13/02/15
DA-01-004	G	GA Plan. Level 04	22/09/16
DA-01-005	G	GA Plan. Level 05	29/11/16
DA-01-006	F	GA Plan. Level 06	29/11/16
DA-01-007	E	GA Plan. Level 07	17/12/15
DA-01-008	F	GA Plan. Level 08	22/04/16
DA-01-009	F	GA Plan. Level 09	22/04/16
DA-01-010	F	GA Plan. Level 10	22/04/16
DA-01-011	F	GA Plan. Level 11	22/04/16
DA-01-012	F	GA Plan. Level 12	22/04/16
DA-01-013	E	GA Plan. Level 13	22/04/16
DA-01-014	E	GA Plan. Level 14	22/04/16
DA-01-015	F	GA Plan. Level 15	22/04/16
DA-02-901	D	Level 3 – Landscape Plan	20/02/15
DA-02-902	D	Level 4 – Landscape Plan	20/02/15
DA-02-903	C	Level 4 – Remediation Strategy	12/02/15
DA-02-904	C	Level 8 - 12 – Landscape Plan	12/02/15
DA-02-905	C	Level 4 – Existing Tree Plan	12/02/15
DA-03-001	<b>G H</b>	Victoria Street Elevation	<del>08/06/16</del> 08/11/17
DA-03-002	<b>F G</b>	East Wing – West Elevation	<del>08/06/16</del> 23/10/17
DA-03-003	<b>F G</b>	East Wing – North Elevation	<del>08/06/16</del> 23/10/17
DA-03-004	E	East Wing – South Elevation	22/04/16
DA-03-005	F	East Wing – East Elevation	08/06/16
DA-04-001	E	GA Section. East-West	17/12/15



Architectural and Landscape Drawings prepared by Hassell			
DA-04-002	F	GA Section. North-South	08/06/16
<b>DA-06-001</b>	<b>02</b>	<b>Sign Type Drawing High Level Building Identification Sign</b>	<b>20/10/17</b>
<b>DA-06-002</b>	<b>03</b>	<b>Sign Type Drawing Building Identification (Canopy)</b>	<b>20/10/17</b>

### 3.0 Substantially the Same Development

Section 96(1A) of the EP&A Act states that a consent authority may modify a development consent if “it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all)”.

The development, as proposed to be modified, is substantially the same development as that originally approved in that it:

- Retains the use of the site and its buildings for the purposes of a private hospital;
- Does not alter, change, or interfere with the functionality of the buildings;
- Does not impact on the building’s compliance with any relevant legislation;
- Only seeks consent for:
  - The addition of signage to assist with wayfinding and building identification;
  - The removal of small, defunct plant rooms and a small section of parapet at the rear of the building, to enable service installation; and
  - Minor design changes to the façade, which does not alter the design intent, materiality, or overall impression of the building.

### 4.0 Environmental Assessment

Section 96(1A) of the EP&A Act states that a consent authority may modify a development consent if “it is satisfied that the proposed modification is of minimal environmental impact”. Under Section 96(4) the consent Authority must also take into consideration the relevant matters to the application referred to in Section 79C(1) of the EP&A Act.

The following assessment considers the relevant matters under Section 79C(1) and demonstrates that the development, as proposed to be modified, will be of minimal environmental impact.

#### 4.1 Environmental Planning Instruments

The following legislation, strategies and planning instruments, which are relevant to the proposed development, are to be addressed:

- State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP 64); and
- Sydney Development Control Plan 2012.

##### 4.1.1 State Environmental Planning Policy No 64 – Advertising and Signage (SEPP 64)

SEPP 64 applies to all signage that, under another environmental planning instrument, can be displayed with or without development consent. It is also relevant to signage visible from any public place or public reserve.

As per Clause 4 of SEPP 64, these proposed signs are classified as ‘building identification signs’. Accordingly, the controls under Part 3 (which is for advertisements) do not apply, with the objectives and criteria listed under Schedule 1 instead required for consideration.



**Table 3 – Assessment of the Proposal Against the Assessment Criteria under Schedule 1 of SEPP 64**

SEPP 64 Criteria	Comment	Compliant?
<b>1 Character of the area</b>		
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The proposed signage is suitable for the existing character of the area, as they are high-quality, highly legible signs which clearly indicate the presence and location of SVPHS within the broader health precinct.	✓
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	While there is no particular theme for signage in the area, the proposed signs are consistent with the objectives for signage (as set out in Cl 3 of SEPP 64). Further, the proposed signs are of high quality, and compatible with the architectural design of the building and surrounds.	✓
<b>2 Special areas</b>		
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The signs would not have a detrimental effect on the heritage items or open space in the surrounding area, as they are well integrated with the architecture of the building, and are not overbearing or obtrusive. The proposed signs do not detract from the visual quality of the area and are not within any environmentally sensitive, natural conservation, waterway, or rural landscape areas, nor are they in direct proximity to residential development. Further, the signage design and low-level illumination is such that it will not detract from the amenity of the nearby hospital and rehabilitation rooms where people may reside.	✓
<b>3 Views and vistas</b>		
Does the proposal obscure or compromise important views?	The signs will be placed on existing components of the approved building (currently under construction), and are designed to be installed flush to the façade. Accordingly, there will be no impact on any important views.	✓
Does the proposal dominate the skyline and reduce the quality of vistas?	The signs are located below the parapet of the building, and are designed and scaled to sit comfortably in their context. Accordingly, the proposed signs do not dominate the skyline, nor do they reduce the quality of any vistas.	✓
Does the proposal respect the viewing rights of other advertisers?	The signage is for the subject building and will not impact on any of the surrounding signage.	✓
<b>4 Streetscape, setting or landscape</b>		
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The scale, form, and proportion of the proposed signage is appropriate for the setting, and is sensitive to, and respectful of, the heritage significance of surrounding buildings and the surrounding conservation area. The proposed design and materials are of high quality, and are compatible with both the building's design and the character of the streetscape.	✓
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed signage represents a high quality, aesthetically pleasing addition to the building, which will improve the visual interest of the area.	✓
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposed signage is of a refined design and careful placement so as to not cause clutter in the area. Further, these signs represent an important wayfinding tool for patients and visitors seeking to locate SVPHS and its main entrances.	✓
Does the proposal screen unsightliness?	The signs are placed onto and integrated with elements of the architectural design of the building – they do not screen unsightliness.	N/A
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The signage is wholly contained within the building envelope and therefore does not protrude above the building.	✓
Does the proposal require ongoing vegetation management?	No.	N/A
<b>5 Site and building</b>		
Is the proposal compatible with the scale,	The signage is designed to be compatible in scale and proportion to the	✓

SEPP 64 Criteria	Comment	Compliant?
proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	building on which they are being placed. The two top of building signs have been scaled slightly differently to each other, in order to fit appropriately with the section of exposed concrete façade on which they are placed. The awning sign has been scaled to match the dimensions of the awning on which it is to be located, with the lettering returns painted the same colour as the awning, to ensure seamless integration between the two elements. The signs in their entirety, including letters, logo, and colours, represent the building owner, operator, and purpose.	
Does the proposal respect important features of the site or building, or both?	The signs are of high quality design, and are appropriately scaled and placed to ensure that they respect and respond to the architectural design of the building – as discussed above, each of the signs are scaled to fit appropriately with the architectural detail (either the concrete façade element, or the awning) on which they are placed.	✓
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The signs have been specifically designed to reflect the use of the building and branding of the site.	✓
<b>6 Associated devices and logos with advertisements and advertising structures</b>		
Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	The signage does not require any safety devices or platforms. Lighting for the illuminated sign is fully integrated with the signage structure.	✓
<b>7 Illumination</b>		
Would illumination result in unacceptable glare?	The internal illumination of the awning sign is of a low scale, and, if required, the signage can be ensured to be compliant with AS4282-1997 Control of Obtrusive Effects of Outdoor Lighting. Accordingly, the illumination will not result in unacceptable glare	✓
Would illumination affect safety for pedestrians, vehicles or aircraft?	Due to the low intensity and scale of illumination, the safety of pedestrians, vehicles or aircraft will not be compromised by the proposed sign.	✓
Would illumination detract from the amenity of any residence or other form of accommodation?	Due to the location, scale, design, and low-level illumination of the illuminated sign, it will not detract from the amenity of any residence or other form of accommodation. This includes the nearby hospital and rehabilitation rooms, as the sign is located and pointed away from these rooms. Further, as mentioned above, if required the sign can be ensured to be compliant with AS4282-1997.	✓
Can the intensity of the illumination be adjusted, if necessary?	Based on the assessment presented in this SEE, and given the minor scale and nature of the illumination, it is not considered that it will be required for the illumination to be adjustable. Further, as mentioned above, the sign can be ensured to be compliant with AS4282-1997, if required.	✓
Is the illumination subject to a curfew?	As established above, the level of illumination proposed for the awning sign is minor, will not have any adverse impact on the surrounding area, and can be designed to be in accordance with AS4282-1997, if required. Accordingly, it is not considered that a curfew would be required.  Further, as a major private hospital facility, the site has a range of people, including patients and visitors, needing to access the building at all times of the day and night. The illuminated sign provides invaluable wayfinding to those coming to the hospital in identifying both the building and its major entrances. Accordingly, it is important that no curfew is imposed.	✓
<b>8 Safety</b>		
Would the proposal reduce the safety for any public road?	Due to the design, placement, scale, and intensity of the proposed signage, the signs will not reduce safety for any public road.	✓

SEPP 64 Criteria	Comment	Compliant?
Would the proposal reduce the safety for pedestrians or bicyclists?	Due to the design, scale and location of the signs, the proposal will not reduce pedestrian or cyclist safety.	✓
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The signs are located flush to the façade and awning, and are within the building envelope. Accordingly, they will not obscure sight lines from public areas.	✓

#### 4.1.2 Sydney Development Control Plan 2012 (SDCP 2012)

The Sydney Development Control Plan (DCP) contains a number of guidelines for signage, which are intended to *“encourage signs and advertisements (signage) that contribute positively to the public domain by achieving high design quality. The provisions promote signage that is appropriately located and will protect the significant characteristics of buildings, streetscapes, vistas and the city skyline. They also protect the amenity of residents, workers and visitors, and ensure the safety of all road users.”*

The proposed top of building and awning fascia building identification signs are consistent with the sign types that are permitted, as per Section 3.16 of the SDCP.

The proposed signage is also consistent with the requirements for signs of this manner, as they are:

- Building identification signs relating to the building's owner and operator;
- Only for two top of building signs, one each on the north and west elevation, and one awning sign located above a major pedestrian entry to the building;
- Consist of individual raised letters and symbols, designed to be affixed directly to the building;
- Compatible with the architecture and materiality of the building, as the signs are integrated into compatible architectural elements of the facade and do not conceal architectural features;
- Of high quality design and materiality;
- Maintain the high quality of the public domain, and do not impact on the amenity of residents, workers, and visitors;
- Assist in wayfinding and building identification, and accordingly are in the public interest;
- Located and scaled so as to not create visual clutter (either on the site or cumulatively within the area);
- Located, scaled, and designed so as to not obstruct or otherwise pose a risk for road or footpath users;
- Designed with a low level of illumination that will not cause glare, and will be static; and
- Designed to ensure all cabling associated with the illumination will be concealed within the sign.

The proposed façade change does not impact on the proposal's compliance with any of the relevant provisions of the SDCP 2012.

## 4.2 Visual Impact

The signs have been carefully designed to integrate with the architectural design of the building. They are made of high-quality materials, are of modest scale and design, and the one illuminated sign features low-intensity lighting.

The façade change represents a minor variation from the existing approved scheme, and maintains the design intent of the original scheme.

Accordingly, it is not anticipated that these elements will have any adverse visual impact on the surrounding area.

#### 4.3 Social and Economic Impacts

The proposed demolition works will assist in the progression of construction works (by enabling services to be installed), and are minor in extent. Accordingly, they are expected to have negligible economic and social impacts, beyond those gained from enabling the construction to progress.

The proposed signage will have a negligible economic impact, and a positive social impact, by virtue of improving wayfinding and legibility of the site and surrounding areas.

#### 4.4 Site Suitability and Public Interest

The demolition work is in the public interest as it is of negligible impact, and will enable construction work on the building to progress, minimising the ongoing impacts of construction works on the area (as previously assessed).

The façade amendments are in the public interest as they are minor in nature, and will enable the construction to continue in an orderly manner.

The subject site is considered suitable for the proposed signage, and they are in the public interest as the signage is commensurate with the health precinct character of the locality, and will assist patients and visitors to the area with building identification and wayfinding. Furthermore, the signs are responsive to, respectful of, and integrated with the architectural design of the building.

### 5.0 Conclusion

The proposed modification seeks consent for minor demolition work, a minor façade design amendment and the installation of building identification signage.

These modifications are of negligible impact, and will have notable benefits in terms of allowing construction to progress, and improving building identification, wayfinding, and site legibility by providing high-quality, well designed signage which is appropriately scaled and located.

In accordance with section 96(1A) of the EP&A Act, the Department may modify the consent as:

- the proposed modification is of minimal environmental impact; and
- substantially the same development as development for which the consent was granted.

We trust that this information is sufficient to enable a prompt assessment of the proposed modification request.

Yours sincerely,



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