

Tower A, North Shore Health Hub

Statement of Environmental Effects

Section 4.55(1A) Modification



Prepared for Dexus Projects Pty Ltd
Submitted to the Department of Planning, Industry and Environment

SSD 7543
Modification No. 2
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Cover image: Indicative Image of the Approved Development (Source: Billard Leece Partnership)

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1 Introduction

This Statement of Environmental Effects (Statement) has been prepared by *Keylan Consulting Pty Ltd* (Keylan) to accompany a section 4.55(1A) application to modify the State significant development (SSD) consent for SSD 7543 (Tower A) (the Development Consent) for the North Shore Health Hub.

The application has been prepared on behalf of *Dexus Projects Pty Ltd* (Dexus) and is submitted to the Department of Planning, Industry and Environment (DPIE) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

This application is the second modification sought to SSD 7543 which was approved by the then Department of Planning and Environment (DP&E) (now DPIE) on 29 June. A copy of the original Development Consent is provided in Appendix 1.

This Statement should be read in conjunction with the architectural plans prepared by *Billard Leece Partnership* (Appendix 2).

The proposal seeks approval to modify the Development Consent to enable minor increases in height and changes to the design and materiality of the pedestrian bridge which links the North Shore Health Hub to the North Shore Private Hospital (NSPH), as described in Section 5.

The pedestrian link bridge is an essential element to the North Shore Health Hub as patients will be transferred between the new facility and the existing NSPH for diagnostic services or further treatment as required.

This Statement concludes that:

- the proposed modifications are minor in nature and will result in substantially the same development as the development for which consent was originally granted,
- the proposed modifications will not result in any significant environmental impacts, and
- development of the site is complementary to the St Leonards Health and Education Precinct and will reinforce the role of the precinct as identified in the North District Plan.

Accordingly, we recommend that the proposed modification be supported by DPIE and approved.

2 The site and locality

The proposed development is located on the corner of Reserve Road and Westbourne Street, St Leonards, in the Willoughby Local Government Area (LGA).

This site is part of a larger 2.6 hectare site, known as 12 Frederick Street, St Leonards. The site is legally described as Lots 1 and 2 in DP 1239553 and is bounded by Frederick Street to the north, Reserve Road to the west, Westbourne Street to the south and mixed warehousing and related development to the east (Figure 1).

The proposed North Shore Health Hub (NSHH) is located on a lot (the 'site') that is regular in shape and has an area of 6,194 m² (Lot 1 in DP 1239553). It fronts Westbourne Street and Reserve Road and is located opposite the existing NSPH to the west and the Royal North Shore Public Hospital to the south.

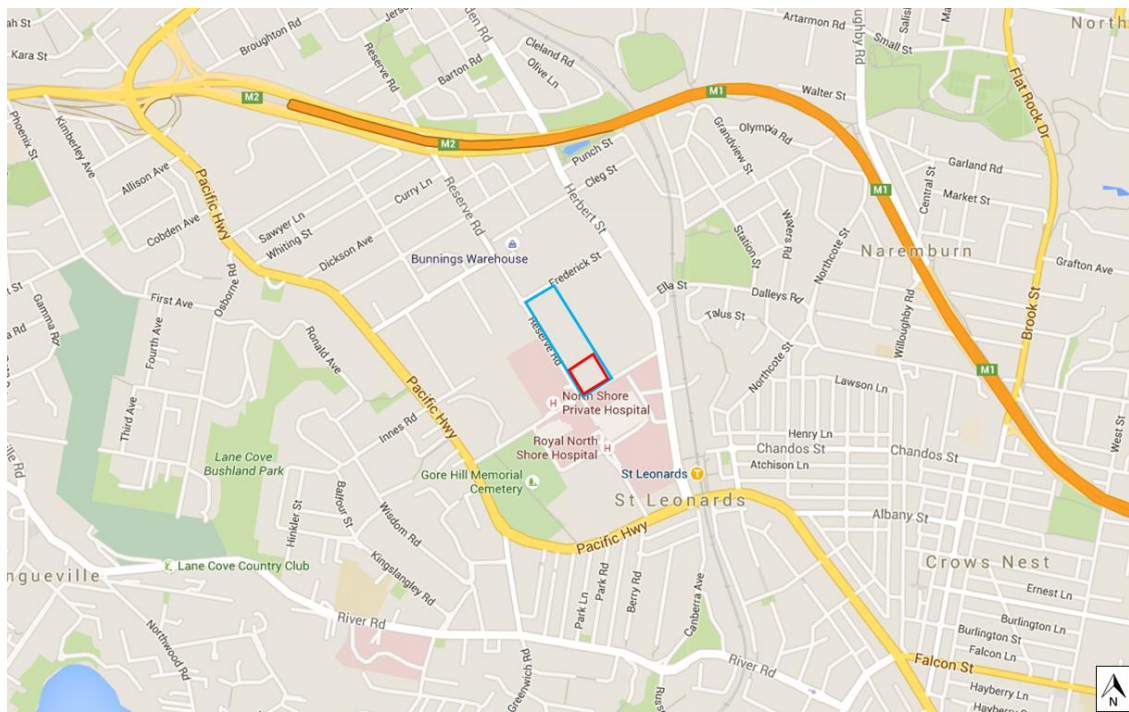


Figure 1: Hospital site (outlined in red) and the remainder of 12 Frederick Street (outlined in blue) (Source: Google Maps)

3 Application history

DEXUS has lodged a number of planning applications for the development of the site, as outlined in the table below.

Applications	Description	Status
Planning Proposal PP_2016_WILLO_001_00	Allow <i>hospital</i> as a permissible use and amend the floor space ratio of up to 3:1	<ul style="list-style-type: none"> Gateway Determination issued on 19 September 2016 Planning Proposal publicly exhibited from 11 May – 8 June 2017 Referred to DP&E for Finalisation on 7 November 2017 Gazetted on 23 March 2018
DA 2016/211	Demolition of existing warehouse structures and subdivision to create 2 lots: <ul style="list-style-type: none"> Proposed Lot 1: area of 6,194 m² and site of the NSHH Proposed Lot 2: area of 1.859 ha, containing the retained warehousing buildings on the broader 12 Frederick Street site 	<ul style="list-style-type: none"> DA refused on 28 December 2016 Section 82A review lodged with Council on 22 February 2017 Consent granted on 29 June 2017 The subdivision to create the 2 lots was registered on 26 July 2019 DA 2016/211/A – Section 4.55 lodged 1 November 2017 with Council and approved 11 January 2018 to remove reference to units 6 and 7 DA 2016/211/B – Section 4.55 lodged 24 April 2018 with Council and approved 4 June 2018 for the alteration to construction hours DA 2016/211/C – Section 4.55 modification lodged with Council on 19 June 2018 and approved 3 July 2018 for the alteration to construction hours DA 2016/211/D – Section 4.55 modification lodged with Council on 17 September 2018 and approved 25 September 2018 for the alteration to construction hours
SSD 7543 – Tower A		
SSD 7543	Construction of a new private hospital (Tower A and Podium)	<ul style="list-style-type: none"> Publicly exhibited from 6 April – 22 May 2017 Response to Submissions lodged 1 December 2017 Consent granted on 29 June 2018

Applications	Description	Status
SSD 7543 Mod 1	Modification of SSD 7543 for amendments to the maximum height and total GFA	<ul style="list-style-type: none"> Lodged with DP&E on 14 May 2019 Consent granted on 27 July 2019
SSD 8499 – Tower B Concept		
SSD 8499	Concept proposal for the building envelope and indicative uses associated with the proposed health hub (Tower B)	<ul style="list-style-type: none"> Publicly exhibited from 20 July – 18 August 2017 Response to Submissions lodged 1 December 2017 Consent granted on 29 June 2018
SSD 8499 Mod 1	Modification of SSD 8499 for amendments to the maximum height, setbacks and total GFA	<ul style="list-style-type: none"> Lodged with DP&E on 14 May 2019 Consent granted on 27 July 2019
SSD 8894 – Tower B Stage 2 Works		
SSD 8894	Detailed design and construction of Tower B	<ul style="list-style-type: none"> Publicly exhibited from 1 March 2018 – 3 April 2018 Response to Submissions lodged 5 July 2018 Consent granted on 10 August 2018
SSD 8894 Mod 1	Modification of SSD 8894 for amendments to the maximum height, setbacks and total GFA	<ul style="list-style-type: none"> Lodged with DP&E on 14 May 2019 Consent granted on 27 July 2019

Table 1: Relevant Planning History

A copy of the original Development Consent for SSD 7543 is provided in Appendix 1.

4 Approved Development

4.1 Summary of Approved Development

The approved NSHH comprises of Tower A (SSD 7543) and Tower B (SSD 8499 and 8894). Tower A comprises a 4 storey building above a 2 storey podium, with a pedestrian bridge over Reserve Road providing a connection to the NSPH.

Tower B involves the construction of a 6 storey building on the northern part of the Tower A podium (Figure 2).



Figure 2: Integration of towers south-west perspective (Indicative image of currently approved development under SSDs 7543, 8499 and 8894) (Source: Billard Leece Partnership)

The NSHH has a total GFA of approximately 18,000 m² and comprises health and medical purposes ancillary to the Royal North Shore Hospital and NSPH. Construction of the NSHH commenced in February 2019.

Sections 4.2-4.4 provide a summary of the approved SSD applications.

4.2 SSD 7543 – Tower A

SSD 7543 was approved by DP&E on 29 June 2018 for the following works:

- *Construction and operation of a new 4 storey building above a 2 storey podium, known as 'Tower A', comprising:*
 - *site preparation works, including remediation and bulk excavation works;*
 - *construction and operation of a new 4 storey building above a 2 storey podium with 11,031 m² of gross floor area supporting a surgery facility, a cancer care facility, specialist operating rooms, specialist medical suites, a medical centre, medical imaging, pathology, pharmacy, and convenience retail uses;*
 - *construction of a basement carpark to accommodate 340 car parking spaces;*
 - *construction of an elevated pedestrian bridge to the adjacent NSPH; and*
 - *landscaping and public domain works.*

4.3 SSD 8499 – Tower B Concept

SSD 8499 was approved by DP&E on 29 June 2018 for the following works:

- *Concept development application for the future development of 'Tower B' on the development site for health and medical purposes, comprising:*
 - *indicative future uses, including medical specialist suites and associated allied health uses;*
 - *future building footprints, envelopes and heights; and*
 - *car parking provision.*

The Tower B concept involved a building envelope for a new tower situated on the northern and eastern sides of the 2 storey podium of Tower A as proposed in SSD 7543.

4.4 SSD 8894 – Tower B Stage 2

SSD 8894 was approved by DP&E on 10 August 2018 for the following works:

- *Construction and operation of a new 6 storey building, known as 'Tower B', for health and medical purposes as part of the NSHH, including medical specialist suites and associated allied health uses.*

SSD 8894 is a further refinement of the Tower B concept proposal. It involves the construction of a 6 storey building on the Tower A podium.

5 Proposed modification

The proposal seeks approval to modify the Development Consent for Tower A (SSD 7543) to enable minor increases in height and changes to the design and materiality of the pedestrian bridge which links the North Shore Health Hub to the NSPH.

The modifications are minor in nature and are described below:

- **Increase the height of the pedestrian bridge from RL106.154 to RL106.765:** Further detailed design has resulted in minor modifications to the Link Bridge structure and the interface with Tower A. The configuration of the Link Bridge structure has been amended to meet minimum clear height requirements from the road to the underside of the structure.
- **Changes to the design of the bridge:** The windows proposed along the Link Bridge structure are proposed to change from continuous slot windows along the southern and northern elevations to individual punch windows. The alignment of the Link Bridge structure is proposed to change to maintain a 6m clear distance to the existing NSPH.

The proposed modifications described above necessitate minor amendments to the Development Consent.

The words proposed to be inserted are shown in **bold underline** and words proposed to be deleted are shown in **~~bold strikethrough~~**.

Schedule 2 Condition A2

It is recommended that Schedule 2 Condition A2 of SSD 7543 be amended as follows:

Architectural (or Design) Drawings prepared by Billard Leece Partnerships Pty Ltd			
<i>Drawing No.</i>	<i>Issue</i>	<i>Name of Plan</i>	<i>Date</i>
A-E-LB	<u>1 5</u>	Elevations – Link Bridge	<u>28/03/2018</u> <u>30/05/2019</u>
A-P-LB	<u>1 3</u>	Link Bridge Plan	<u>28/03/2018</u> <u>30/05/2019</u>
A-P-LBR	<u>1 3</u>	Link Bridge Roof	<u>28/03/2018</u> <u>30/05/2019</u>

6 Section 4.55 Assessment

6.1 Section 4.55(1A) of the EP&A Act

Section 4.55(1A) of the EP&A Act states:

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

Section 4.55(1A) Provision	Response
(a) <i>it is satisfied that the proposed modification is of minimal environmental impact, and</i>	<p>The proposed modification is substantially the same development as the development for which consent was originally granted (SSD 7543). The modification seeks minor amendments to the approved DA plans which have arisen from detailed design.</p> <p>On this basis, the proposal would result in development that is substantially the same as the originally approved development under the Development Consent.</p>
(b) <i>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), and</i>	<p>The development, as proposed to be modified, is considered substantially the same development as the developments for which consent was originally granted. The modification seeks minor amendments to the height and design of the pedestrian link bridge.</p>
(c) <i>it has notified the application in accordance with:</i> <ul style="list-style-type: none"> i. <i>the regulations, if the regulations so require, or</i> ii. <i>a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and</i> 	<p>DPIE will notify the modification application in accordance with the regulations, as required.</p>
(d) <i>it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.</i>	<p>Consideration will be given to any submissions (if required) to the application should DPIE deem it necessary to advertise and/or notify the proposal in accordance with its notification requirements.</p>

Table 2: Response to section 4.55(1A) Provisions

6.2 Section 4.55(3) of the EP&A Act

Section 4.55(3) of the EP&A Act states:

In determining an application for modification of a consent under this section, the consent authority must take into consideration of the matters referred to in section 4.15(1) as are of relevance to the development the subject of the application. The consent authority must also take into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified.

The planning assessment of the proposed development remains generally consistent with the matters considered in the Environmental Impact Statement (EIS) submitted with the SSD application.

The following assessment considers the relevant matters under section 4.15(1) and demonstrates that the development, as proposed to be modified, will be of minimal environmental impact.

The proposal is consistent with the objects of the EP&A Act as it is considered to promote the orderly and economic use and development of land without resulting in an adverse impact on the environment.

The following section of the report provides the planning assessment against the key statutory environmental planning instruments relevant to the development. The section also includes discussion and assessment of the key issues and matters for consideration pursuant to section 4.15 of the EP&A Act.

6.3 Section 4.15(1)(a) Planning Instruments

The original application addressed the development's level of compliance against relevant planning instruments, including:

- *State Environmental Planning Policy (State and Regional Development) 2011*
- *State Environmental Planning Policy (Infrastructure) 2007*
- *State Environmental Planning Policy No. 55 Remediation of Land*
- *Willoughby Local Environmental Plan 2012*

The proposed modification will not affect the consistency of the proposed development with the relevant planning instruments.

6.4 Environmental Planning and Assessment Regulation

There are no known matters prescribed by the *Environmental Planning and Assessment Regulation 2000* that are relevant to the consideration of this application.

7 Likely impacts of the development

The development, as proposed to be modified, remains generally consistent with the conclusions of the assessments submitted with the original application.

Notwithstanding, section 4.15(1)(b) of the EP&A Act requires an assessment of the impact of development on environmental impacts (natural and built), and social and economic impacts. These are discussed in detail below.

7.1 Built form and urban design

7.1.1 Height of Pedestrian Link Bridge

Further detailed design has resulted in minor modifications to the Link Bridge structure and the interface with Tower A. The approved maximum height of the pedestrian link bridge is RL 106.154. The modification seeks an increase of 611mm to the roof level (max RL of 106.765) (Figures 3 and 4).

The configuration of the Link Bridge structure has been amended to meet minimum clear height requirements from the road to the underside of the structure.

The modification to the approved height is considered minimal and is not expected to have a negative impact on overshadowing or amenity to the streetscape.

Architectural drawings have been prepared by Billard Leece Partnership and are provided in Appendix 2.

7.1.2 Design amendments

The windows proposed along the Link Bridge structure are proposed to change from continuous slot windows along the southern and northern elevations to individual punch windows (Figures 3 and 4).

Additionally, the alignment of the Link Bridge structure has been amended (Figure 5). The Link Bridge structure has been realigned to connect to the NSPH further north than originally approved. The proposed realignment is the result of further detailed design and is considered minor. The proposal maintains a 6m clear distance to the NSPH will not adversely impact the functionality of the NSPH.

The Link Bridge will remain an enclosed bridge over Reserve Road and will continue to be finished with lightweight cladding and tinted glazing to compliment adjoining buildings.

The proposed changes are minor design variations that are aimed at improving access to the NSPH and to improve the relationship with the architectural expression of the NSHH. The proposal ensures that both the Link Bridge structure and the NSHH are visually integrated.

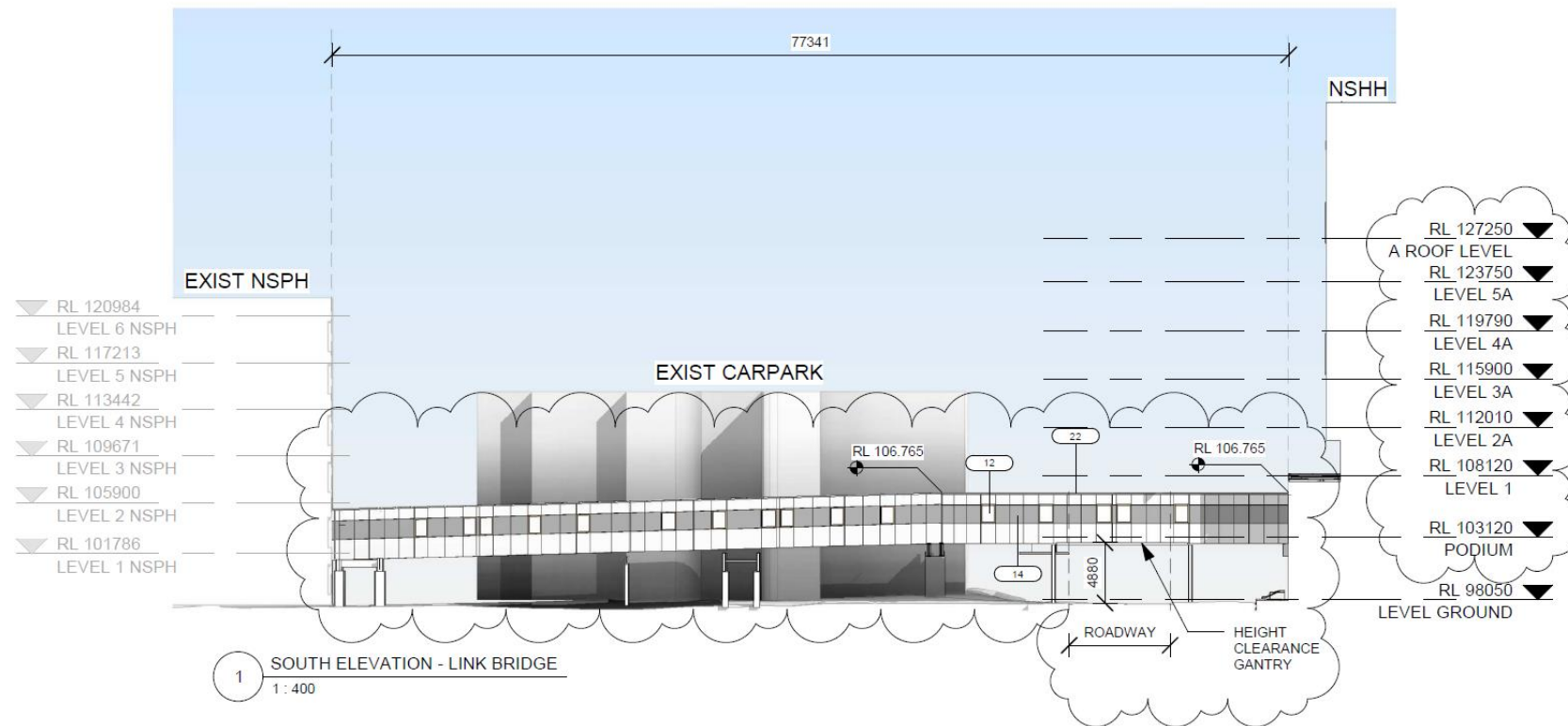


Figure 3: Proposed south elevation (Source: Billard Leece Partnership)

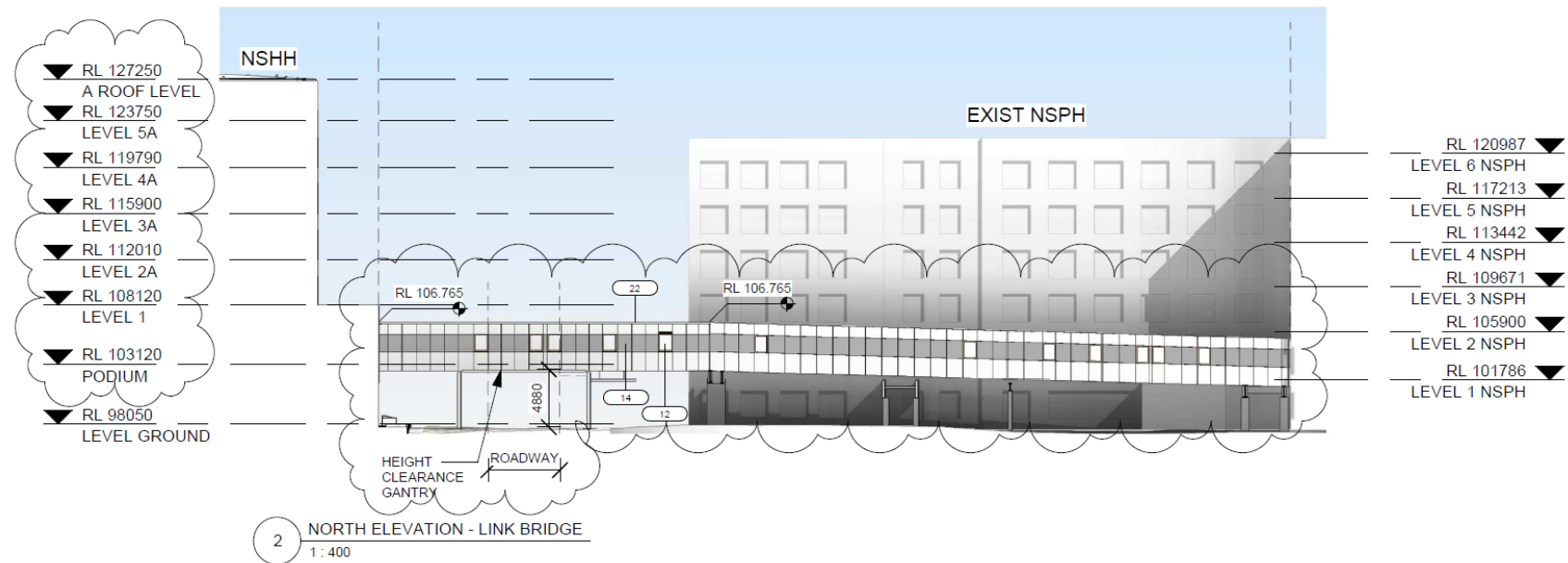


Figure 4: Proposed north elevation (Source: Billard Leece Partnership)

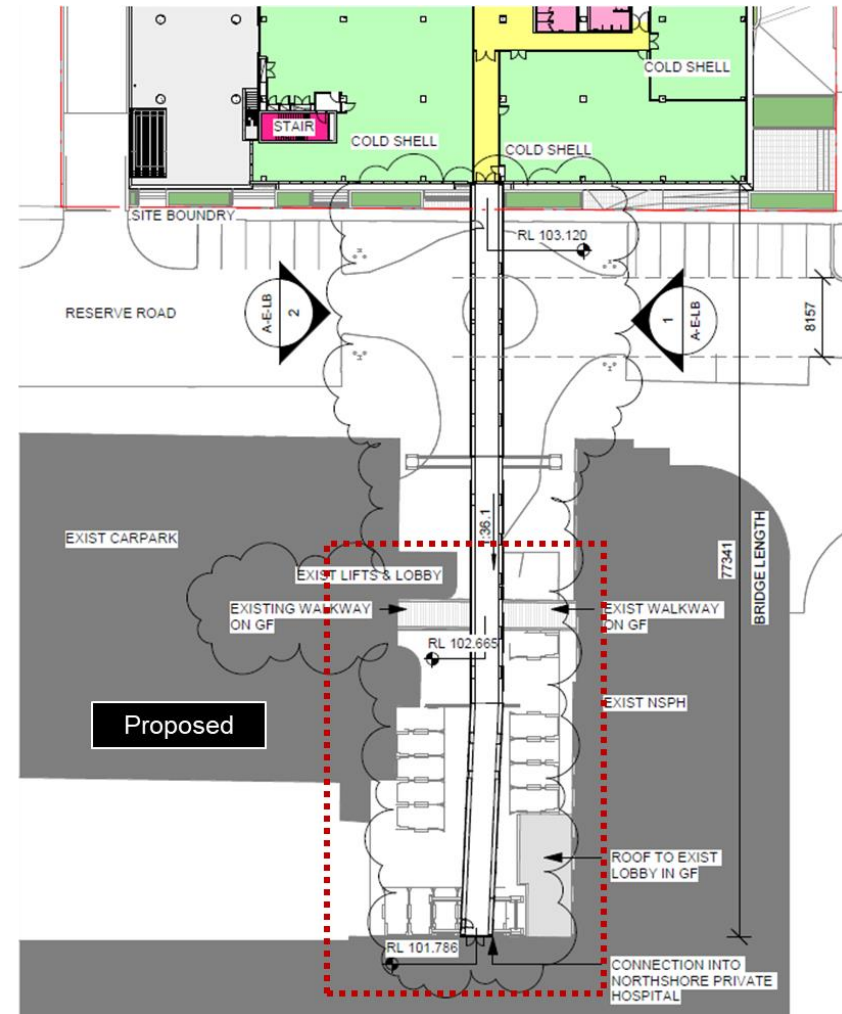
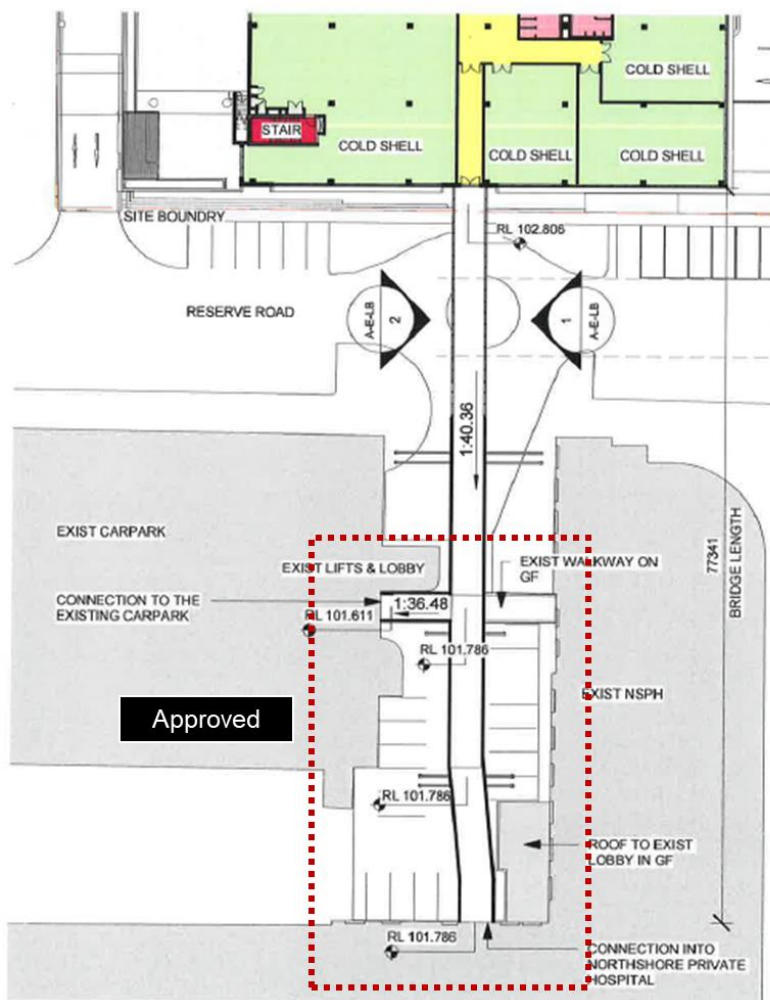


Figure 5: Amendment to alignment of Link Bridge at NSPH connection (Base source: Billard Leece Partnership)

7.2 Suitability of the site for the development

The site remains suitable for the proposed development for the reasons outlined in the EIS lodged in support of the original application, and the proposed modification does not alter these conditions.

7.3 Public interest

The development, as proposed to be modified, continues to be in the public interest as it will improve accessibility within the St Leonards Health and Education Precinct, without adversely impacting the surrounding environment.

8 Conclusion

It is concluded that the proposed modifications are in the public interest and warrant approval for the following key reasons:

- the proposal seeks minor modifications to approved DA plans and will result in development substantially the same as originally approved;
- the proposed built form, scale and design is considered appropriate and articulated to fit within the surrounding precinct;
- the modification will result in minimal environmental impacts and will have no impact on wind, overshadowing and visual amenity;
- development of the site is complementary to the St Leonards Health and Education Precinct and will reinforce the role of the precinct as identified in the North District Plan;
- the development will improve accessibility throughout the St Leonards Health and Education Precinct; and
- the proposal remains consistent with the conclusion of the original application.