



North Shore Health Hub Modification 2

*State Significant
Development
Modification
Assessment
(SSD 7543 MOD 2)*

November 2019

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Glossary

Abbreviation	Definition
AHD	Australian Height Datum
BCA	Building Code of Australia
CIV	Capital Investment Value
Consent	Development Consent
Council	Willoughby City Council
Department	Department of Planning, Industry and Environment
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
ESD	Ecologically Sustainable Development
LEP	Local Environmental Plan
Minister	Minister for Planning and Public Spaces
Planning Secretary	Secretary of the Department of Planning, Industry and Environment
SEARs	Secretary's Environmental Assessment Requirements
SEPP	State Environmental Planning Policy
SRD SEPP	<i>State Environmental Planning Policy (State and Regional Development) 2011</i>
SSD	State Significant Development



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1. Introduction

This report provides an assessment of an application to modify the State significant development consent (SSD 7543) for the North Shore Health Hub (NSHH).

The modification application seeks approval for a minor increase in height and changes to the materiality and design of the approved pedestrian bridge, linking the NSHH to the adjacent North Shore Private Hospital (NSPH).

The application has been lodged by Keylan on behalf of Dexu (the Applicant) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*.

1.1 Background

The site is located approximately six kilometres north of Sydney central business district on the corner of Reserve Road and Westbourne Street, St Leonards. The development site has an area of approximately 6,194sqm, which forms the southern portion of a larger 2.6ha portion of land known as 12 Frederick Street, and is located within the Willoughby Local Government Area (LGA) (see **Figure 1**).

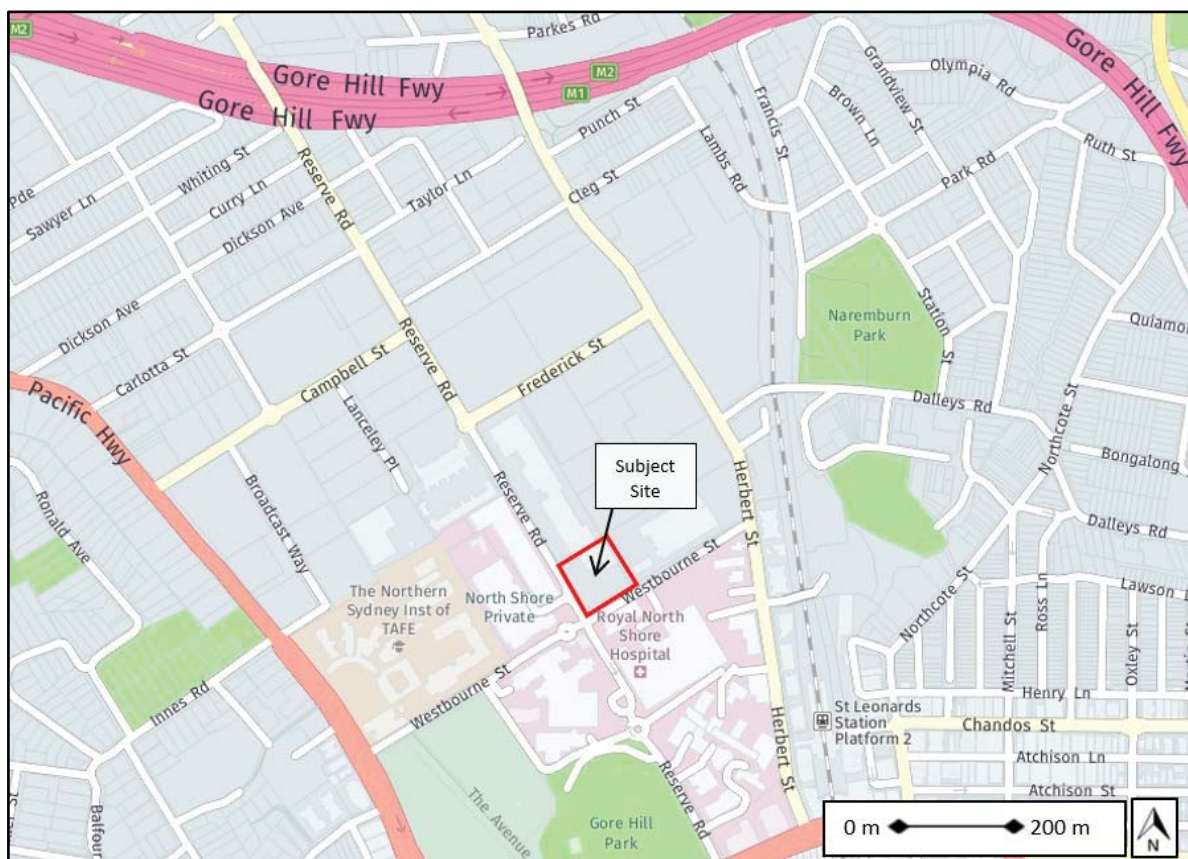


Figure 1 | Site Location (Source: nearmaps 2019)

The site has a frontage of approximately 77.5m to Westbourne Street and 80m to Reserve Road. The site is situated in a light industrial precinct that is dominated by warehouse and retail uses, including an Australia Post facility, which is located immediately to the north-east of the site, and Home HQ (mixed retail), which is located to the north-west of the site on the opposite side of Frederick Street. The existing North Shore Health precinct is also situated adjacent to the site, including the Royal North Shore Hospital (RNSH), which is located to the south of the site on the opposite side of Westbourne Street, and the North Shore Private Hospital (NSPH) and RNSH multi-storey carpark, which are located to the west of the site on the opposite side of Reserve Road. St Leonards railway station is located approximately 500 metres to the south-east.

Historically, the site comprised part of a former brick quarry. A steeply sloped quarry embankment running from east to west bisects the site, resulting in an approximate 16 m reduction in level from the south to north across the site. The site context is shown in **Figure 2**.



Figure 2 | Site Location (Source: nearmaps 2019)

1.2 Approval History

On 29 June 2018, development consent was granted by the Executive Director, Priority Projects Assessments, as delegate of the Minister for Planning and Public Spaces, for the development of the first stage of a new private hospital/health services facility (known as 'Tower A' – SSD 7543). The development consent permits the construction and operation of a new seven storey building, known as 'Tower A', and includes:

- site preparation works, including remediation and bulk excavation works.

- construction and operation of a new seven storey building with 11,301 sqm 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.
- landscaping and public domain works (See **Figure 3**).



Figure 3 | Approved Tower A perspective (Source: Modification Application)

The development consent has been modified on one occasion (see **Table 1**).

Table 1 | Summary of Modifications

Mod No.	Summary of Modifications	Approval Authority	Type	Approval Date
MOD 1	<ul style="list-style-type: none"> • minor external design refinements. • increase in the approved building height (excluding plant) from RL 126.35 to 127.25 to accommodate necessary service zones throughout the tower. • increase in the gross floor area (GFA) from 11,031sqm to 11,702sqm. 	Director	4.55(1A)	25 July 2019



2. Proposed Modification

The modification application seeks to modify the development consent (SSD 7543) as follows:

- changes to the design of the bridge to include individual windows rather than long continuous slot windows running along the southern and northern elevations, and realignment so that the bridge connects to the NSPH further north than originally approved.
- increase in height of the pedestrian bridge from RL 106.154 to RL 106.765 and minor modification to the pedestrian bridge structure and its connection to Tower A.



3. Strategic Context

The development, as modified, continues to be consistent with:

- A Metropolis of Three Cities – The Greater Sydney Plan.
- State Infrastructure Strategy.
- Future Transport Strategy 2056.
- Greater Sydney Commission's revised North District Plan.



4. Statutory Context

4.1 Scope of Modifications

The Department has reviewed the scope of the modification application and considers that the application can be characterised as a modification involving minimal environmental impacts as the proposal:

- would not increase the environmental impacts of the project as approved.
- is substantially the same development as originally approved.
- would not involve any further disturbance outside the already approved disturbance areas for the project.

Therefore, the Department is satisfied the proposed modification is within the scope of section 4.55(1A) of the EP&A Act and does not constitute a new development application. Accordingly, the Department considers that the application should be assessed and determined under section 4.55(1A) of the EP&A Act rather than requiring a new development application to be lodged.

4.2 Mandatory matters for consideration

The following environmental planning instruments (EPIs) apply to the site:

- State Environmental Planning Policy (State and Regional Development) 2011
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy No. 64 – Advertising and Signage
- Draft State Environmental Planning Policy (Remediation of Land)
- Draft Environmental Planning Policy (Environment)
- Willoughby Local Environmental Plan (WLEP) 2011.

The Department conducted a comprehensive assessment of the project against the abovementioned EPIs under section 4.15 of the EP&A Act as part of the original assessment of SSD 7543.

The Department considers this modification application does not result in significant changes that would alter the mandatory matters for consideration under section 4.15 of the EP&A Act and is satisfied that the modification is generally consistent with the EPIs.

4.3 Consent Authority

The Minister for Planning and Public Spaces is the consent authority for the application under section 4.5(a) of the EP&A Act. However, under the Minister's delegation dated 11 October 2017, the Director, Social and Infrastructure Assessments, may determine the application as:

- the relevant local council has not made an objection.
- a political disclosure statement has not been made.
- Clause 117(3B) of the Environmental Planning and Assessment Regulation 2000 does not require the application to be exhibited, therefore resulting in no public submissions by way of objection.



5. Engagement

5.1 Department's Engagement

Clause 117(3B) of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation) specifies that the notification requirements of the EP&A Regulation do not apply to State significant development. Accordingly, the application was not notified or advertised. However, it was made publicly available on the Department's website on 5 November 2019, and was referred to Willoughby Council for comment.

5.2 Summary of Submissions

The Department received a submission on the proposal from Willoughby City Council, who raised no objection to the proposed modification.



The overall pedestrian bridge height increases from RL106.154 to RL 106.765, allowing for the underneath of the bridge to be raised from 4.5m to 4.88m above road level, providing increased clearance for vehicles passing below (see **Figures 5 and 6**). The height has been amended to meet the new floor levels in Tower A approved as part of Modification 1. In addition, height clearance gantries are proposed either side of the pedestrian bridge providing visual information of the total height clearance for road users.

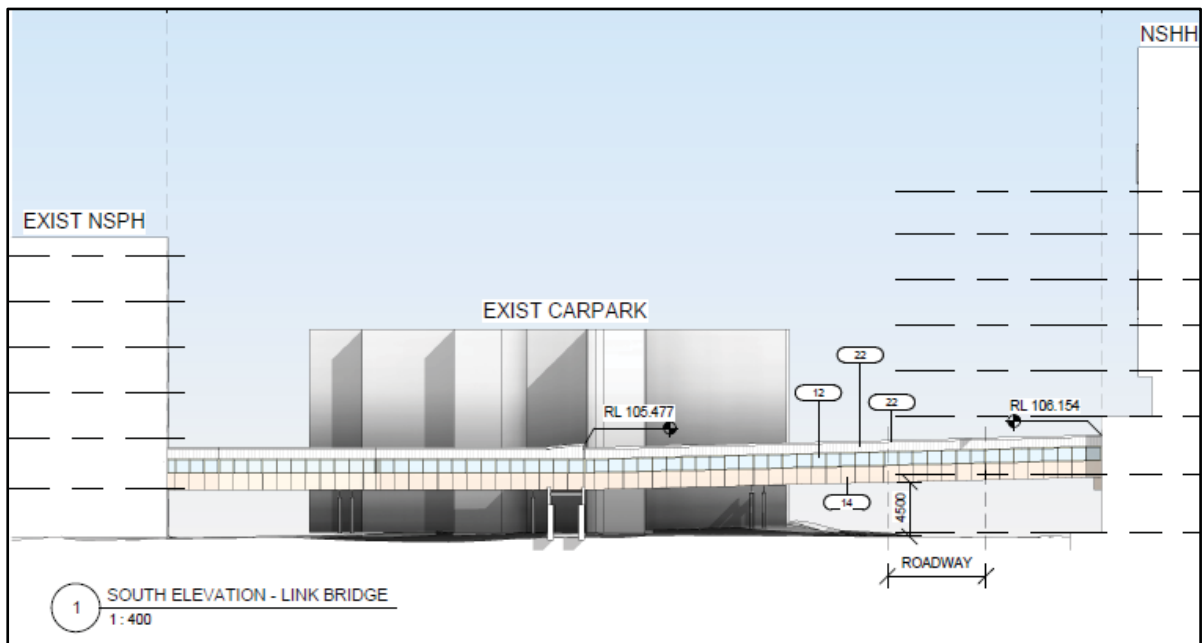


Figure 5 | Approved pedestrian bridge elevations

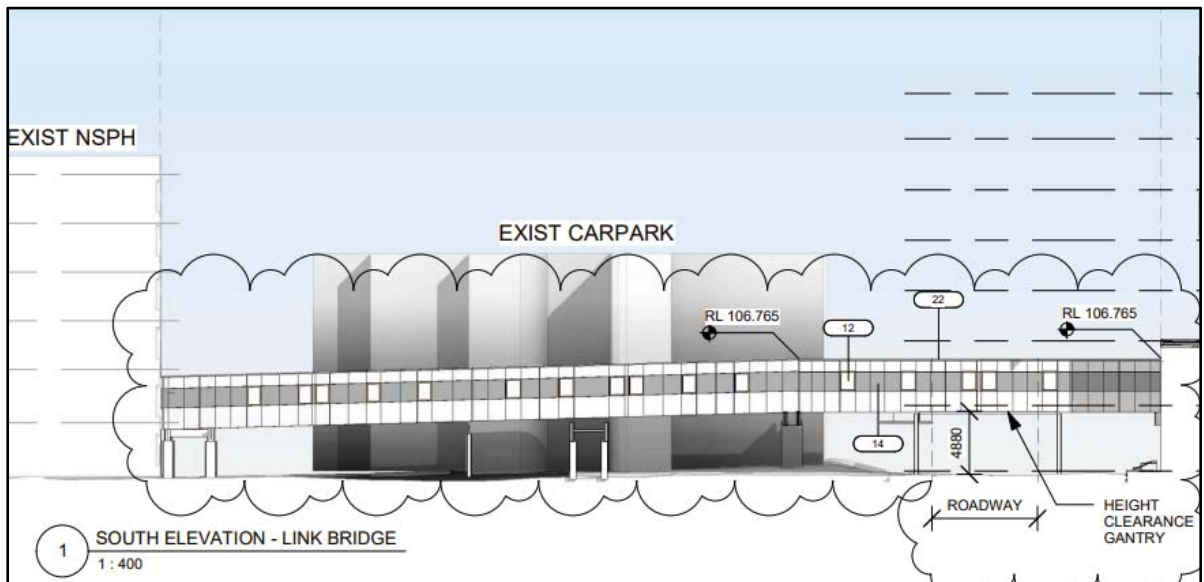


Figure 6 | Proposed pedestrian bridge elevations

The Department has reviewed the proposed amendments and considers that they will have no adverse impacts on the amenity of the locality and will provide increased safety for vehicles passing below the bridge. The proposed changes to the window configuration will not significantly change the appearance of the bridge, nor its function. The minor design changes are therefore supported by the Department.



7. Evaluation

The Department has reviewed the proposed modification and assessed the merits of the modified proposal, and all environmental issues associated with the proposal have been thoroughly addressed.

The proposed changes to the approved pedestrian bridge design are considered minor and will have no adverse impacts on the surrounding locality.

The Department considers that the application is consistent with the objects of the EP&A Act, State priorities and A metropolis of Three Cities – The Greater Sydney Plan. The Department is also satisfied that the proposal would provide a significant public benefit through the provision of a new health facility for the people of NSW.

The Department concludes the impacts of the proposed modification are acceptable. Consequently, the Department considers the development is in the public interest and the modification application should be approved.



8. Recommendation

It is recommended that the Director, Social and Infrastructure Assessments, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report.
- **determines** that the application SSD 7543 MOD 2 falls within the scope of section 4.55(1A) of the EP&A Act.
- **forms the opinion** under section 7.17(c) of the *Biodiversity Conservation Act 2016* that a biodiversity development assessment report is not required to be submitted with this application as the modification will not increase the impact on biodiversity values of the site.
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant consent to the application.
- **modify** the consent SSD 7543.
- **signs** the attached approval of the modification (Attachment D).

Recommended by:

Ingrid Berzins

Planning Officer

Social and Infrastructure Assessments

Recommended by:

David Gibson

Team Leader

Social Infrastructure



9. Determination

The recommendation is **Adopted** by:

Karen Harragon

Director

Social and Infrastructure Assessments

1 December 2019



Appendices

Appendix A – List of Documents

<https://www.planningportal.nsw.gov.au/major-projects/project/25816>

Appendix B – Submissions

<https://www.planningportal.nsw.gov.au/major-projects/project/25816>

Appendix C – Consolidated Consent

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Appendix D – Instrument of Approval

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