



## **Community Environment Network Inc.**

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*An alliance of community and environment groups from Lake Macquarie and the Central Coast.*

25<sup>th</sup> March 2020

Mr Anthony Witherdin  
Director, Regional Assessments  
Department of Planning and Environment  
GPO Box 39  
Sydney, NSW 2001

### **Re. Northside Private Hospital, West Gosford (SSD 10159)**

Dear Mr Witherdin

This is a submission from the Community Environment Network regarding the development application for the Northside Hospital, West Gosford development. In particular, this submission concerns the application for approval of a State Significant Development in accordance with State Environmental Planning Policy (State and Regional Development) 2011 and State Environmental Planning Policy (Gosford City Centre) 2018.

The Community Environment Network is an alliance of community and environment groups from the Central Coast and Lake Macquarie LGAs. We are a not-for-profit, community based organisation that works for ecologically sustainable development and against threats to it. Our membership is approximately 400 including 90 groups with an affiliated membership of approximately 5,000.

CEN is a non-political organisation and has not made any donation to a political party in the last two years.

### **Reasons for CEN's Objection**

#### **Non-compliance with height and floor space ratio limits**

The Community Environment Network objects to the proposed development because it would not comply with the height of building limits specified under clause 4.3 of SEPP (Gosford City Centre); furthermore, the development would not comply with the floor space ratio limits specified under clause 4.4 of SEPP (Gosford City Centre).

The applicant has argued in their EIS that development consent may be granted, notwithstanding clauses 4.3 and 4.4, because the proposed development would comply with the requirements of clause 8.4(4) of SEPP (Gosford City Centre). Under clause 8.3 of the SEPP, however, any variation to those controls must be evaluated through the design review process and satisfy the design excellence criteria of State Environmental Planning Policy (Gosford City Centre) 2018.

## Lack of design excellence

Clause 8.3 requires that development consent must not be granted to development involving the erection of a new building unless the consent authority considers that the development exhibits design excellence (cl. 8.3(2) and 8.3(3)). CEN considers, however, that the proposed development fails to achieve design excellence in relation to the following issues (under cl.8.3(4)):

*(b) whether the form and external appearance of the development will improve the quality and amenity of the public domain;*

*(c) whether the development is consistent with the objectives of clause 8.11 – to protect and enhance key vistas and view corridors in Gosford City Centre;*

The proposed hospital building will present two continuous walls along the streets on each of the site and these will completely block the views of President's Hill for people travelling along Racecourse Road. This is confirmed by the artist's impressions included in the Design Excellence appendix.

*(d) relevant requirements of Gosford City Centre DCP :*

The applicant has submitted a Masterplan for the precinct containing the proposed development (see discussion below). The Masterplan attempts to justify the proposed development by extending the City North character area about a kilometre westward to include the former Ausgrid site. This would be a major revision of the DCP and would subvert the aim of the DCP regarding development around Gosford Hospital: *The hospital is a major investment in the future of Gosford. Connecting the hospital back into the city, with new connections over the rail corridor, is critical to promote the co-location of uses, enhance activation and revitalise the area.*

The area along Racecourse Road (the B6 zone) is designated in the DCP as an "Enterprise Corridor", a different character area which is included in the section:

### **3.5 Other areas**

#### **Objectives**

*Provide a mix of lower scale employment uses in the enterprise corridor zone to encourage employment generating opportunities that complement the commercial core.*

#### **Character**

*The enterprise corridor allows a mix of employment generating uses to complement those in the commercial core. Located to the west of Presidents Hill, built form is to remain relatively low to maintain the prominence of Presidents Hill and views to Brisbane Water.*

*(e) (v)bulk and massing of buildings; (vi)street frontage heights; (x)the impact on the public domain*

Racecourse Road is not the main corridor through the centre of Gosford CBD; it is not appropriate to permit development of massive walls of buildings along a road that forms the urban edge. The section of Racecourse Road between Faunce Street and Gosford Hospital has a semi-rural character with mature trees along the nature strips and around the golf course. This character is enhanced by the views of President's Hill to the south-east and the valley of Narara Creek to the west and north, as recognised in the DCP.

The SEPP recognised this by adopting a height limit of 12 metres for development along Racecourse Road. Even without the tower development for inpatients, the proposed hospital podium of 4 – 5 storeys will have a height of 23 metres, nearly double the height limit. It would be a gross abuse of the "design excellence" provision to allow another doubling of the building height to provide better views for the inpatients!

*(e) (ix) pedestrian, cycle, vehicular and service access, circulation and requirements*

One of the most contentious issues in the Gosford City Centre Revitalisation studies has been the improvement of access across the railway line and the constraints of the three road bridges. These issues are discussed in detail in the context of the Traffic Impact Assessment, which has completely ignored this issue.

## Northside Hospital Concept Masterplan

The Concept Masterplan and Urban Design Justification Appendix (Roberts Day) seeks to justify the overdevelopment of the Ausgrid site by proposing that the whole precinct should be redeveloped for medical purposes. It proposes the whole area between the Ausgrid site and Gosford Hospital can be used for health and allied services, medical research and mixed use medical/residential. It even has the gall to rename the precinct as “Gosford City North Precinct”, the same name as the Gosford DCP’s precinct which contains Gosford Hospital and the northern end of the CBD.

This is an obvious subversion of the NSW Government’s investment in the area for public assets which include the two High Schools and the relocation of Gosford Public School. The Masterplan proposes that the Henry Kendall High school campus should be used for Medical Research – one wonders what science fiction plot this is based on!

The Masterplan does, however, raise a serious question about the future of the rest of the Ausgrid site. Since the current development proposal would only occupy 1.018 ha. of the 3.14 ha. site, what is proposed for the remaining 2.12 ha. of the site?

Several of the maps and diagrams in the studies indicate similar health related developments on the rest of the Ausgrid site and even possible relocation of the electricity sub-station. This raises the question of whether the Masterplan should have considered the transport impacts of such developments?

If the Government approves the proposed overdevelopment of one-third of the Ausgrid site, it would be an implicit rezoning of the whole site to allow a total development at that height and density. The Environmental Impact Study should have examined the impacts of 70,000 square metres of development on the Ausgrid site, with 1200 parking spaces, generating 3 times as much traffic on Racecourse Road. The Government needs to investigate this scenario in much greater depth before it considers approving the Northside Hospital.

## The Traffic Impact Study

When government agencies were consulted on this proposal, both the RMS and Central Coast Council identified the crucial issue of the traffic problems caused by the limited capacity of the Racecourse Road/Showground Road intersection and the Etna Road railway bridge. The SEARs directed that the EIS consider the impacts of the development on nearby major intersections.

The Traffic Impact Study did include estimates of the traffic generation of the development and even included estimates of how much of that traffic would use the Racecourse Road/Showground Road intersection (31%). The consultant decided, however, that it was too hard to calculate the impact that the extra 72 vehicles per hour would have on congestion at that intersection.

This raises the question of what the current delays are at that intersection and what needs to be done about it. Will the proposed hospital be the last straw that breaks the camel's back for traffic delays around Gosford Hospital and Gosford High School? Should the NSW Government consider duplication of the railway bridge using the infrastructure contributions which all these State Significant Developments are supposed to make?

#### Technical issues in the Traffic Impact Study

The traffic consultant used a few "professional" tricks in the Traffic Impact Study. The EIS was supposed to produce an estimate of the operational employment of the proposed hospital. Various parts of the EIS suggest 460 jobs and the Social/Economic Study suggests 660 jobs (based on dodgy numbers from the Northern Beaches Hospital, which is three times as large and has twice as many beds).

So the traffic consultant resorted to using a traffic generation model based only on the number of beds. Furthermore, the RMS Guide to the model notes that it was calibrated on hospitals of 30 – 99 beds, so it is not reliable for a hospital of the size proposed.

The consultant should be required to undertake a survey of some similar sized hospitals and revise the traffic generation modelling, before undertaking some modelling of the increase in congestion around Gosford Hospital and the Etna Road Bridge.

The mode split analysis also needs to be closely reviewed. It appears to be based on Census Journey to Work data for one traffic zone for West Gosford. Judging by the high proportion of train trips (18%), it is likely that the traffic zone included people who work at Gosford Hospital and Gosford High School, the closest workplaces to Gosford Railway Station and the bus interchange.

Previous studies have found that use of trains reduces considerably for destinations more than 800 metres from a station. The Traffic Impact Study is being very optimistic, therefore, in assuming that a mode split of over 20% by public transport is easily achievable for the Northside Hospital, which is about 1100 metres from the railway station.

#### State and Regional Development SEPP

The most controversial issue in the Gosford City Centre Revitalisation report was the proposal to include the City Centre in the State and Regional Development SEPP. This proposal is most objectionable because it has removed the Central Coast Council's role in the assessment and determination of development applications over \$10 million in capital value.

The State and Regional Development SEPP retains most of the features of Part 3A of the EP & A Act and SEPP (Major Development) 2005 which were criticised by ICAC (December 2010). Although the NSW Government repealed Part 3A soon after being elected in 2011, the Government did not adopt the key ICAC recommendations concerning projects that are prohibited and projects that exceed the development standards in existing planning instruments, when the State and Regional Development SEPP was made.

The proposal in the Gosford City Centre Revitalisation report to introduce a SEPP that declares any development over \$75 million as State Significant Development specifically targets development applications for major retail/commercial developments and residential developments. Furthermore, SEPP (Gosford City Centre) 2018 allows the consent authority to approve on large sites development proposals that exceed the development standards for the height of buildings and floor space ratios.

Not only will these development applications be removed from Council's assessment process and from determination by the Joint Regional Planning Panel, but the SEPP will also override the development

standards in the Gosford LEP. The introduction of clauses 8.3 and 8.4 has not only introduced flexible development standards for the Gosford City Centre, it has provided a process where the goal posts can be moved, i.e. the development controls can be changed, as a development progresses from the masterplan stage to the detailed development application stage.

The corruption risk that could arise from the State and Regional Development SEPP has been exacerbated because of these clauses in SEPP (Gosford City Centre). ICAC identified the application of “flexible” development standards with no objective reference points as potentially providing the opportunity for massive windfall gains for developers.

The ICAC report shows, therefore, that the inclusion of Gosford City Centre in the State and Regional Development SEPP and the introduction of SEPP (Gosford City Centre) have increased the risk of corruption in the assessment and determination of major development applications in the City Centre.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M. Conroy', is centered on a light beige rectangular background.

Michael Conroy  
Executive Member  
Community Environment Network