



Mr Sam Haddad  
Department of Planning and Infrastructure  
GPO Box 39  
SYDNEY NSW 2001

18 June 2013

Dear Mr Haddad

**Determination of the Wahroonga Estate Concept Plan Modification 3, Ku-ring-gai LGA**

I refer to your Department's letter received on 11 June 2013 referring the above project to the Planning Assessment Commission for determination under Ministerial delegation of 14 September 2011.

Ms Gabrielle Kibble AO, nominated me to constitute the Commission for the modification.

I have carefully considered the application; the Department's Assessment Report, modification instrument and associated documents, including Ku-ring-gai Council's submission.

The Commission offered to meet with Ku-ring-gai Council as it had objected to the application. Council declined to meet due to a shortage of available staff, but instead provided correspondence outlining a number of concerns, including:

- The modification being the result of an error on the part of the Proponent with regard to the quantum of existing floorspace of the current hospital building.
- Parking requirements, in particular the impacts of above ground parking on the hospital's historical garden setting, and traffic impact of the proposed modification.
- Discrepancies in the Gross Floor Area (GFA) figures quoted by the Proponent in its modification application compared to those detailed in the Department's Assessment Report and modification instrument.
- Removal of some of the urban design standards established in the concept plan, noting that these proposed changes are unrelated to the floorspace allocations, have not been justified and would allow for erosion of the site's urban design and efficiency standards.
- The cumulative effect of a series of modifications relating to the site.

While the Commission finds it regrettable that an error was made in the Proponent's original calculation of the existing hospital's GFA, it notes that the Concept Plan (approved by the Minister in 2010), provided for a maximum GFA of 115,000m<sup>2</sup> for the precinct under consideration, "Precinct C: Central Hospital". The modification seeks a redistribution of 7,552m<sup>2</sup> of floorspace within this maxima, as well as within prescribed height limits and design requirements for the precinct.

The Department has not accepted the Proponent's argument for redistribution of the floorspace that is the subject of the error. Instead the Department has considered the floorspace on its merits. The Commission agrees with this approach, noting that the floorspace is proposed to be applied to health education and hospital uses consistent with the precinct intent. The

Commission also acknowledges Council's concern regarding the error and recommends that a Quantity Surveyors Report be required should further modifications of this nature be submitted.

With regard to parking, Council's concerns are recognised but the Commission notes that details in this regard have not been provided. For traffic, the Department has assessed the matter and indicated that any additional traffic generated by the 7,552m<sup>2</sup> of floorspace is likely to be able to be accommodated on the surrounding road network. As such, the Commission notes that both traffic and parking requirements will need to be considered in further detail at the project application stage.

Concerning discrepancies in the GFA, the Commission has confirmed with Departmental Officers that the Proponent provided correspondence further to the modification application, apparently not transmitted to Council, which seeks the GFA allocations set out in your Department's Assessment Report and modification instrument.

In further considering the potential impacts of the application, the Commission notes that the floorspace which is the subject of this modification, is proposed to be sited internal to the precinct, limiting the potential for visual and overshadowing impacts on neighbouring sites and uses. Supplementary detail will nevertheless need to be considered at the project application stage, when built form and urban design controls set out in the concept plan will also need to be taken into account.

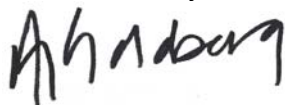
In its original application the Proponent also sought to remove certain design standards and environmental controls from the Concept Plan. Council objected to these changes requested by the Proponent – such as the removal of reference to *State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development* and the requirements in relation to remediation of land. The Department subsequently advised the Proponent that the removal of urban design standards would not be supported. These changes sought by the Proponent have not been included in the instrument of modification. The Commission supports both Council and the Department in this action and confirms that the design standards and environmental controls have not been modified.

Overall, the Commission notes that the 3,550m<sup>2</sup> of floorspace proposed to be allocated to the Faculty of Nursing (or Education Facility as it is now know) and the 4,002 m<sup>2</sup> to be allocated to the Shannon hospital building, can be accommodated within the precinct maxima and will also be subject to further assessment at the project application stage.

The Commission is also satisfied with the allocation to education and hospital land uses.

Consequently the Commission has determined that the modification should be approved, as set out in the Department's recommended modification instrument. The signed instrument of approval and file (12/18944-1) are returned herewith.

Yours sincerely



Abigail Goldberg  
Member  
Planning Assessment Commission

cc. The Hon. Brad Hazzard MP  
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