

WILLOUGHBY CITY COUNCIL

SUBMISSION TO MP06_0051 MODIFICATION 7 (PART 3A) - ROYAL NORTH SHORE HOSPITAL SITE

1. INTRODUCTION

This submission concerns the exhibition of MP06_0051 Modification 7 application submitted by Health Infrastructure to the Department of Planning and Environment (the Department). This Modification seeks to modify the existing Concept Plan for development on Precinct 4A of the Royal North Shore Hospital site.

Council was first notified of this Modification by the Department on 7 December 2016, with the notification period ending 22 December 2016. Council provided an Interim Response to the Department on 22 December 2016 identifying the following issues:

- Inadequate documentation and plans.
- Impacts on Gore Hill Oval and Park.
- Deletion of Condition M10 Transport Management and Accessibility Plan (TMAP).

Council was then notified on 19 January 2017 that additional information had been received, with any further comments required by 2 February 2017.

Council prefaces this submission by restating its continued support of the improvements and enhancements of health-related facilities at the Royal North Shore Hospital.

The redevelopment of an office building in Precinct 4A which will house administrative and other ancillary functions of NSW Health as detailed in the NSW Health Infrastructure letter dated 6 December 2016 is generally supported. It provides valuable employment in this St Leonards Priority Precinct area adjacent to the Artarmon Industrial Area.

A review of the Modification, including the additional information, has identified issues which are discussed below under Section 4 'Assessment of Issues' of this submission.

2. STATUS ON DEPARTMENT WEBSITE

It is noted that the status of this Modification on the Department website, is listed as 'Assessment' (as of 22 January 2017). The Council submission in response to the additional information is due by 2 February 2017, which it is assumed will be considered in this assessment process despite it being already underway.

3. MINISTERIAL CALL-IN REQUEST

A letter dated 13 January 2017 from the Department was sent to Council advising that the Department had received a call-in request from Health Infrastructure NSW pursuant to Section 89C of the Environmental Planning and Assessment Act 1979 regarding MP 06_0051 Modification 7. The call-in request would allow for the proposal to be declared as State Significant Development (SSD), meaning that the Council would no longer be the consent authority with regard to Precinct 4A.

The call-in request was not listed on the Department website with the other correspondence regarding Modification 7. It is suggested that this should have occurred so that the two matters would be read together rather than being treated as isolated issues. Council requests an open process with regard to this and any Ministerial call-in, particularly considering the minimal notification (being solely Council) and timeframe (being two weeks). Furthermore Council seeks an open and holistic approach to development on Precinct 4A and all other precincts within the RNSH site.

The Council comments in relation to the Modification are outlined below under Section 4 'Assessment of Issues' of this submission. In order to ensure these issues are satisfactorily addressed, Council requests to be the consent authority regarding any development application on this site. Please forward this request to the Planning Assessment Commission for consideration as part of its review of the call-in. Furthermore it is requested that the Council request also be included in the Department's consideration of the call-in.

It is noted from the 13 January 2017 letter from the Department that:

"If the proposal is considered to be SSD, the proposal would be assessed by the Department in accordance with its SSD assessment process and Council would have further opportunity to comment on the proposal throughout this process."

If the Modification is considered State Significant Development, Council would seek to be involved in the process and make further comments throughout, when appropriate.

4. ASSESSMENT OF ISSUES

4.1 Inadequate documentation and plans

The documentation and plans as submitted are considered inadequate.

The following comments are made:

- Figure 28 – Illustrative Master Plan has now been provided, showing the proposed building footprint in Precinct 4A. However Figure 28 should show all previous approved modifications in the updated Master Plan, which have replaced the original concept approval. With this provided, a complete understanding of the updated approach to the redevelopment of the RNSH site can be achieved.

It is understood that the redevelopment of the RNSH site will occur in stages and consideration of each modification of the Concept Plan should have regard to the accurate updated Concept Approval (as Modified).

- Regarding the Concept Approval conditions proposed to be modified, the letter from Health Infrastructure dated 17 January 2017 states:

"The conditions referred to in the modification are available on the DPE website, however for the purposes of clarity, the conditions are repeated below with a suggested modification."

Health Infrastructure have confirmed that the Concept Approval conditions to be Modified are Conditions M2 Approved Plans and Documentation (2), M7 Building Height (1) and M10 Transport Management and Accessibility.

It is Council's view that any modification application should contain all relevant information within that application, and not rely on other references located on the Department website. It is considered that the detailing of each condition requested to be modified, both original and proposed, is fundamental information to be provided for comparison and understanding. In addition all conditions that specifically refer to Precinct 4 in the Concept Approval or any general condition involving Precinct 4, should be addressed. Examples include Conditions M8.3, M9.1 and M11.1. It is requested that in future all information be provided on lodgement and not when requested by Council, and that all applications contain all relevant fundamental information on lodgement in the interests of clarity.

- The proposed single building is shown on the plans provided (Figure 36, 37, 46, 50, 53, 90 and 91) as a box, with no further architectural detail.

The letter from Health Infrastructure dated 17 January 2017 states:

"Details of the actual building ... will be provided as part of a development application."

Without requiring full architectural drawings at this early stage, Council nonetheless seeks more detailed plans providing evidence of a response to the proposed location in Precinct 4A, and in particular an indication of how the building will relate to neighbouring properties and land uses.

- Relevant information not shown or detailed includes:
 - Existing approved buildings;
 - Main pedestrian entry points;
 - Vehicle access to the Basement car park levels;
 - Vehicle access to the Ground level Child Care Centre;
 - Setback distances to each boundary clearly shown in metres; (It is difficult to check distances based on the plans provided and scale or lack of scale shown).
 - Relative levels are not shown for the building on Precinct 4A;
 - Indicative materials and finishes.

This information is considered fundamental to assessment of the Modification, allowing for a full understanding of what is being proposed.

4.2 Allocation of Floor space in Precinct 4

The approved Concept Plan allowed for 46,345m² Gross Floor Area (GFA) in Precinct 4 (A and B).

The proposed building in Precinct 4A has a GFA of approximately 32,000m². The Health Infrastructure letter dated 17 January 2017 acknowledges that:

"the remaining GFA in Precinct 4 will be reduced to approximately 14,345m²."

Council requests an explanation of the rationale behind the floor space allocation between Precincts 4A and 4B, in order to understand why the majority of approved floor space has been reallocated to the Precinct 4A.

It is important that the allocation of floor space between Precincts 4A and 4B can be properly considered at this stage (and not later) as a coordinated approach across all precincts is vital rather than a precinct by precinct approach. This Modification should clearly establish that

the overall objectives and outcomes proposed in the approved Concept Plan can be achieved with the Modification and revised floor space arrangement.

4.3 Inadequate Heritage Consideration

There is no information on how the building is to be designed with regard to the heritage Precinct 3. The setback area between the proposed 4A building and Yellow Road is discussed further below.

Precinct 4A is adjacent to the heritage Precinct 3 containing four Local Heritage Items under Willoughby Local Environmental Plan 2012. These are the Pavilion Wing Block 1A, Pavilion Wing Block 1B, the Anstro Building and the Vanderfield Building.

The Modification has been referred to Council's Heritage Architect who has advised a Statement of Heritage Impact should be submitted to address the heritage impacts of the proposed building on the adjacent heritage Precinct 3. This Statement should also confirm and outline how the proposed development will be designed to mitigate adverse visual impact on the heritage precinct by means of setback, landscape screening, and a sympathetic material and colours palette.

4.4 Inadequate soft surfaces and deep soil planting

It is noted from Figure 37 – Landscape Plan that the entire Precinct 4A is shown as hard surfaces, with the exception of two street trees and planting located along the eastern side of the proposed building near the 4B boundary. Figure 36 – Deep Soil Planting shows no deep soil planting in Precinct 4A. The existing area is characterized by a number of trees that would all be removed under the Modification.

It is considered that the issues of inadequate soft surfaces and deep soil planting should be considered now and not left to a later stage, and are recommended in the two areas discussed below.

4.5 Setback area between the proposed 4A building and Yellow Road

The setback area between the proposed 4A building and Yellow Road is supported as it will assist in a sympathetic transition from the proposed building on Precinct 4A to the neighbouring heritage Precinct 3.

However it is noted that this setback is shown to be totally paved. This will not result in a true *“enhancement of the interface with the heritage Precinct 3.”*

Condition M8.3 of the Concept Approval states:

“Any subsequent applications for development within Precincts 4, 5, 6 and 7 should achieve the following urban design outcomes and principles:

- (a) Effective transition between public and private space.*
- (b) Activation of the ground level streetscape.*
- (g) Provision of street landscape character (including trees).”*

Condition M12 of the Concept Approval addresses ‘Heritage and Conservation.’ M12.6 addresses the interface between development and heritage areas, stating:

“Appropriate planting should be provided to buffer proposed development from adjacent sites where necessary.”

The Modification should show how these conditions of the Concept Approval, and the objectives behind these conditions, have been satisfactorily addressed.

The Health Infrastructure letter dated 17 January 2017 states:

“The details of the landscaping will be provided at the development application stage.”

It is considered that a suitably sized soft landscaping area should be indicated within part of this setback, to truly be sympathetic to the neighbouring heritage Precinct 3 as well as showing adherence to Conditions M8.3 and M12.6 of the Concept Approval. Opportunities should be examined and amendments considered to Basement car parking where necessary to allow for a reasonable amount of deep soil planting.

4.6 Setback area between the proposed building and Reserve Road

The setback area between the proposed 4A building and Reserve Road is shown as a reduced setback from existing and hard paved. The existing setback in this area is approximately 7 metres and is characterized by trees, which relate well to the adjacent trees on the western side of Reserve Road and the important regional open space area of Gore Hill Park and Oval. The eastern side of Reserve Road, north of Precinct 4A, is also characterized by landscaping and wide setbacks to low level buildings in heritage Precinct 3.

Attention is drawn to the abovementioned Condition M8.3, in particular (a) and (g), as well as Condition 12.6 of the Concept Approval.

It is considered that a greater setback should be provided in Precinct 4A, with a minimum of 7 metres. Reserve Road is a major entry point for traffic to the RNSH site and Gore Hill Park and Oval plays a fundamental open space and amenity role for the overall RNSH site as well as the immediate locality and greater region. The relationship between the western side of Reserve Road and any development of the eastern side must be managed carefully.

A minimum setback of 7 metres is suggested in order to provide satisfactory building transition to Gore Hill Park and Oval, and be consistent with the setback provided in heritage Precinct 3. Opportunities should be examined and amendments considered to Basement car parking where necessary to allow for a reasonable amount of deep soil planting.

4.7 Upper Level setbacks

In regards the presentation of the 11 storey building (including plant) to Gore Hill Oval and the heritage Precinct 3, the building is shown as having a straight wall from Ground level to the highest point.

Condition M8.3 of the Concept Approval states:

“Any subsequent applications for development within Precincts 4, 5, 6 and 7 should achieve the following urban design outcomes and principles:

- (c) Articulation and modulation of building facades.*
- (d) Increased building separation in proportion to building height.*
- (e) Creation of secondary upper level setbacks.”*

It is considered that upper level setbacks, as well as articulation and modulation, should be provided to Gore Hill Oval and Park, and heritage Precinct 3, to soften the scale and impact of the proposed building.

4.8 Deletion of Condition M10 Transport Management and Accessibility Plan (TMAP)

The Modification proposes the deletion of Condition M10 Transport Management and Accessibility Plan (TMAP). It is contended that a TMAP was premature considering the major strategic planning work underway by the Department with surrounding Councils including Willoughby.

Council responded in its letter of 22 December 2016 by stating that the responsibility of providing a Transport Management and Accessibility Plan (TMAP), as detailed in Conditions M10.1 and M10.2 of the Concept Approval, should continue to be a requirement of the hospital redevelopment and any Precinct within.

Health Infrastructure have responded in the letter dated 17 January 2017 that it:

“notes Council’s comments about the proposed deletion of this condition. However HI hold the view that the proposed development of Precinct 4A is relatively minor in the context of what was originally proposed in the approved Concept Plan. Given the location of the precinct to St Leonards Station and public transport generally, it would be more appropriate for transport management and access to be considered as part of the development application for this site ...

HI will contribute to the overall strategic transport study, however it is not considered that a TMAP at this stage is warranted until the future of the larger area is determined.”

Council does not believe this position is consistent with Concept Approval Condition M10 which says:

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|--------------|--|
| <i>M10.1</i> | <i>A Transport Management and Accessibility Plan (TMAP) shall be submitted to and approved by the Director-General prior to or concurrent with lodgement of any subsequent application for development ...</i> |
| <i>M10.2</i> | <i>The TMAP shall be prepared and implemented in consultation with the RTA, State Transit Authority (STA) and Ministry for Transport (MOT) and will be subject to periodic review at appropriate times (as set out within the approved TMAP).”</i> |

It is Council’s opinion that Condition M10 acknowledges the importance of transport management and accessibility as an existing and ongoing issue on the overall RNSH site, as well as any section that is individually planned for redevelopment at a particular chosen time. A TMAP is required to be approved prior to or concurrent with any subsequent development application, and is to be subject to periodic review.

Transport management and accessibility issues are closely linked to Precinct 4A. Traffic access from the Pacific Highway to Reserve Road and the hospital, including emergency vehicles, directly passes Precinct 4A, as does traffic using Gore Hill Oval and related facilities.

The deletion of this condition would remove the requirement for a TMAP at any stage in the Concept Approval, and for the required periodic review by relevant parties, not only for Precinct 4A or any other precinct, but for the overall RNSH site. The importance of Reserve Road as an access to the hospital from the Pacific Highway, in particular for emergency vehicles, is emphasized.

Council therefore strongly objects to the proposed deletion of Condition M10.

4.9 Pedestrian and Bicycle access

Condition M11.1 of the Concept Approval states:

“the Proponent shall prepare and implement a site-wide pedestrian and cycling strategy”

Council seeks to understand how Precinct 4A fits into the Pedestrian and Cycling Strategy and whether any changes are proposed as a result of the requested Modification. Considering the important location of Precinct 4A within the RNSH site, the proponent should address this issue by providing an updated Pedestrian and Cycle Strategy.

4.10 Impact on current hospital

Any approval of this Modification should contain a condition requiring a construction management plan, including details on truck movements, and outlining how impacts will be controlled and minimised.

Council seeks to understand the impact of any development on the functioning of the hospital. Council is also preparing to undertake substantial works on Gore Hill Park and Oval in 2017 and wants to ensure that any works on both sites (either side of each other on Reserve Road) may occur without interrupting the functioning of the hospital and its essential services.

5. CONCLUSION

This submission supports the proposed use identified in this Modification for the proposed building in Precinct 4A, being administrative and ancillary functions of NSW Health.

The concerns identified in this submission have regard to the siting and form of the proposed building, and how it relates to Gore Hill Park and Oval and heritage Precinct 3. It is considered reasonable to require the information identified in this submission at this stage of the process, prior to any approval of this Modification, in order to address the identified concerns.

In addition Council does not support the deletion of Condition M10 Transport Management and Accessibility Plan (TMAP). This is considered an important condition in the Concept Approval.

If a decision is to be made without amended plans or documentation being provided, then the concerns identified should be addressed as conditions in any determination as follows:

- 1) Any development application is to include plans that show:
 - a) An Illustrative Master Plan showing the subject land as well as all previous approved modifications in the updated Master Plan.

- b) Plans to accurate scale.
 - c) Main pedestrian entry points.
 - d) Vehicle access to the Basement car park levels.
 - e) Vehicle access to the Ground level Child Care Centre.
 - f) Setback distances to each boundary clearly shown in metres.
 - g) Relative levels for the building on Precinct 4A.
 - h) Indicative materials and finishes.
- 2) A Rationale behind the floor space allocation between Precincts 4A and 4B be provided, in order to understand why the majority of approved floor space has been reallocated to the Precinct 4A.
- 3) A Statement of Heritage Impact be provided to address the heritage impacts of the proposed building on the adjacent heritage Precinct 3. This Statement should also confirm and outline how the proposed development will be designed to mitigate adverse visual impact on the above heritage precinct by means of setback, landscape screening, and a sympathetic material and colours palette.
- 4) The following amendments are to be made:
- a) A suitably sized soft landscaping area should be indicated within the setback area between the proposed 4A building and Yellow Road, to truly be sympathetic to the neighbouring heritage Precinct 3 as well as showing consistency with Condition M8.3 and M12.6 of the Concept Approval. Where necessary amendments are to be made to Basement car parking to allow for a reasonable amount of deep soil planting.
 - b) A minimum setback of 7 metres to be provided between the proposed building and Reserve Road, to provide a satisfactory building transition to Gore Hill Park and Oval, and be consistent with the setback provided in heritage Precinct 3, as well as showing consistency with Condition M8.3 and M12.6 of the Concept Approval. Where necessary amendments are to be made to Basement car parking to allow for a reasonable amount of deep soil planting.
 - c) Upper level setbacks to be provided to Gore Hill Oval and Park, and heritage Precinct 3, to soften the scale and impact of the building in Precinct 4A as well as showing consistency with Condition M8.3 and M12.6 of the Concept Approval.
 - d) An updated Pedestrian and Cycle Strategy to be provided showing how Precinct 4A fits into the Pedestrian and Cycling Strategy, is consistent with Condition M11.1 of the Concept Approval, and whether any changes are proposed as a result of the requested Modification.
- 5) A construction management plan be provided, including details on truck movements, and outlining how impacts will be controlled and minimised. This plan should have regard to the substantial works on Gore Hill Park and Oval proposed by Council in 2017.

In regards the Ministerial call-in of MP 06_0051 Modification 7, Council requests to be the consent authority regarding any development application on this site. If the Modification is considered State Significant Development, Council requests to be involved in the process and make further comments when appropriate.