

MODIFICATION REQUEST:
Royal North Shore Hospital
Redevelopment, St Leonards
MP 06_0051 MOD 7



Environmental Assessment Report
Section 75W of the *Environmental Planning and
Assessment Act 1979*

June 2017

ABBREVIATIONS

Proponent	NSW Health Infrastructure
CIV	Capital Investment Value
Consent	Development Consent
Council	Willoughby City Council
Department	Department of Planning and Environment
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>
EPI	Environmental Planning Instrument
GCMP	Grounds Conservation Management Plan
HAC	Health Administration Corporation
Minister	Minister for Planning
PAC	Planning Assessment Commission
RNSH	Royal North Shore Hospital
RtS	Response to Submissions
Secretary	Secretary of the Department of Planning and Environment
SEPP	State Environmental Planning Policy
SRD SEPP	<i>State Environmental Planning Policy (State and Regional Development) 2011</i>
SSD	State Significant Development
WLEP	Willoughby Local Environmental Plan 2012

Cover Image: Royal North Shore Hospital Concept Plan Illustrative Master Plan (source: MP 06_0051 MOD 7 Application)

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EXECUTIVE SUMMARY

This report is an assessment of a request to modify the concept approval MP 06_0051 for Royal North Shore Hospital (RNSH) redevelopment, St Leonards, in the Willoughby local government area (LGA). The request has been lodged by Health Infrastructure (the Proponent) pursuant to section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The application seeks approval to consolidate the Site 4a approved building envelopes within Precinct 4 into a single building envelope and increase the southern setback building height from 11 storeys to 13 storeys to be consistent with the maximum building height that applies to the site.

The proposed modification application also seeks approval to delete the requirement for the preparation and submission of a Transport Management and Accessibility Plan (TMAP) and to delete the Statement of Commitments (SoC) requirements relating to the provision of a pocket park in Precinct 7 and the provision of a 180 space child care centre within Precinct 7 (currently proposed to be accommodated within Precinct 4).

The RNSH concept plan was originally approved under Part 3A of the Environmental Planning and Assessment Act 1979 (EP&A Act). Although Part 3A was repealed on 1 October 2011, the project remains a 'transitional Part 3A project' under Schedule 6A of the EP&A Act, and hence any modification to this approval must be made under the former section 75W of the EP&A Act. The Department of Planning and Environment (the Department) is satisfied that the proposed changes are within the scope of section 75W of the EP&A Act, and do not constitute a new application.

The modification application was made publicly available on the Department's website and referred to Willoughby City Council (Council). Given the minor nature of the modification application, it was not advertised or notified to any other agencies.

Council's submissions raised concerns with: the inadequate documentation submitted in support of the modification application; floor space allocations within Precinct 4; inadequate consideration of matters relating to heritage, deep soil planting, soft surfaces and building setbacks; potential impacts on Gore Hill Oval and Park; and transport and accessibility matters.

The modification application was also reported to Council at its meeting held on 13 February 2017. Council resolved to object to the modification application as it will potentially result in: a reduction to temporary residential accommodation; and the reduction and delivery of open space within the RNSH campus. Council also objected to the child care centre having been delivered near the Community Health Facility (Precinct 7).

The Proponent submitted additional information to support the amendments proposed and provided responses to the key issues raised in Council's submissions. It also withdrew its request to delete the pocket park SoC.

The Department has assessed the merits of the modification application and determined the key issues to be floor space allocations, built form and urban design and the proposed amendments to the Concept Plan modifications of approval.

The concerns raised regarding the impact of the modification application on the ability to develop Site 4b within Precinct 4 and the delivery of temporary accommodation have been carefully considered by the Department. It is acknowledged that historical development across the RNSH campus has impacted on a large portion of the identified residential land uses, including temporary accommodation, from being developed, particularly in Precinct 6 and Precinct 7.

While the modification application does not seek to amend the maximum GFA allocated to Precinct 4 under the Concept Plan, the Department however considers it appropriate that the

Concept Plan be amended to be more specific in requiring the delivery of the minimum 15,000 sqm of temporary accommodation in Precinct 4 and Precinct 5.

The Department was also satisfied that the proposed amended Site 4a building envelope has been satisfactorily setback from its surroundings, including Reserve Road and northern heritage Precinct 3, and present no greater heritage impact to nearby heritage significant buildings. Furthermore, the Department notes the Concept Plan already requires matters relating to streetscape activation, articulation and modulation, building separation, and landscaping to be addressed in development applications for future built form.

The Department also considers the proposed deletion of the term of approval requiring the preparation of a TMAP is justified. Previous amendments to the Concept Plan and historical development across the campus has reduced the application of any future TMAP to only Precinct 4 and Precinct 5. In this regard and noting the proximity of St Leonards Station, the Department is of the opinion that the preparation of detailed transport, traffic and accessibility studies and traffic management plans a more appropriate approach to future development under the Concept Plan.

The Department is satisfied the impacts have been addressed by the Proponent's modification application and RtS, and can be adequately managed through the recommended modifications to the Concept Plan terms of approval and conditions of consent.

The Department considers the modification application is consistent with the objects of the *Environment EP&A Act*, *A Plan for Growing Sydney* and *Draft North District Plan*. The Department is satisfied the proposed modifications to Precinct 4 and other related amendments to the Concept Plan approval are acceptable and would not generate any adverse impacts over that already endorsed and approved under the RNSH concept plan. The Department therefore considers the modification application would be in the public interest and recommends it be approved, subject to modifications to the Concept Plan terms of approval.

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1. BACKGROUND AND MODIFICATION APPLICATION

1.1 Introduction

This report is an assessment of a request to modify the approved Royal North Shore Hospital (RNSH) Concept Plan (MP 06_0051), in St Leonards, in the Willoughby Local Government Area (LGA). The request has been lodged by Health Infrastructure (the Proponent) pursuant to section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The Proponent seeks approval to modify the Concept Plan, proposing to: consolidate the indicative Site 4a building envelopes within Precinct 4 into a single building envelope; amend the maximum height restriction applying to future built form in Precinct 4; delete the requirement to prepare a Transport Management and Accessibility Plan (TMAP); and delete the Statement of Commitments (SoC) requiring the delivery of a pocket park (removed from the modification application in the Proponent's Response to Submissions) and child care centre in Precinct 7.

1.2 Site Description and Surrounding Development

RNSH is approximately 12 hectares in area and located in St Leonards on the lower north shore within the Willoughby LGA. RNSH is located approximately 5 km north west of Sydney central business district (CBD) and is situated approximately 70 to 100 metres (m) to the east St Leonards Station, and approximately 600 m north-west of the location of the future Crows Nest Metro Station.

The RNSH precinct is surrounded by varied land uses, including North Shore Private Hospital and Artarmon Industrial Estate to the north, Gore Hill Memorial Cemetery to the west, and the North Sydney Institute of TAFE to the north-west (see **Figure 1**). A number of residential flat buildings occupy the eastern side of Herbert Street opposite the eastern boundary of the precinct. Immediately to the south is an existing commercial development along the Pacific Highway (referred to as 'Space 207') (see **Figure 2**), comprising two commercial buildings ranging in height between nine to 13 storeys.

Site 4a within Precinct 4, under the ownership of the Health Administration Corporation (HAC), is located approximately 50 metres north of the Pacific Highway and Reserve Road intersection (see **Figures 1 and 2**). The site sits opposite Gore Hill Park and has a primary road frontage to Reserve Road. The site is currently occupied by existing RNSH buildings and functions.

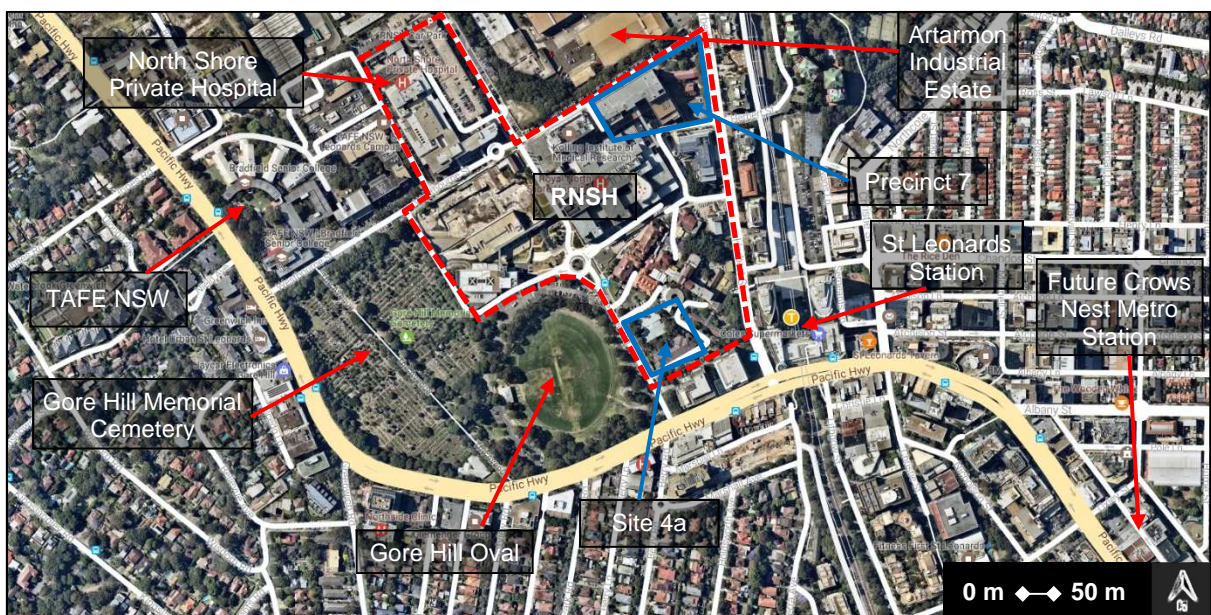


Figure 1: Site location (source: www.nearmap.com, last accessed 10 February 2017)

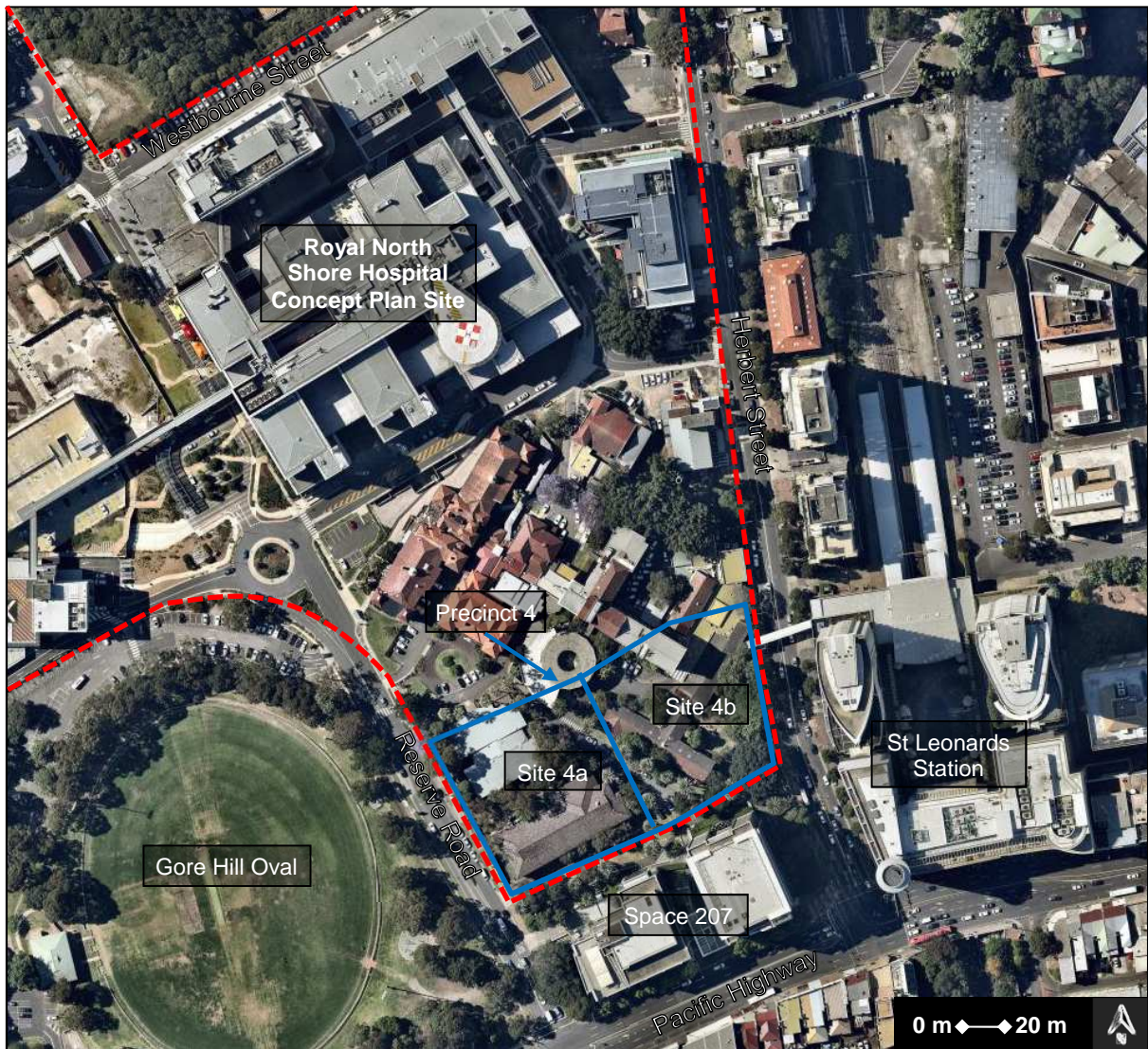


Figure 2: Project location – Precinct 4 (source: www.nearmap.com, lasted accessed 10 February 2017)

1.3 Background

On 13 April 2007, the then Minister for Planning approved the Royal North Shore Hospital (RNSH) Concept Plan (MP 06_0051) under the former Part 3A of the EP&A Act for the redevelopment of the hospital precinct. The approved Concept Plan (see **Figure 3**) provides for:

- subdivision of the site into hospital and other development precincts;
- consolidated hospital development in Precincts 1, 2 and 8;
- a maximum gross floor area (GFA) of 178,370 sqm in development Precincts 3, 4, 5, 6 and 7 for non-hospital uses including, residential, temporary accommodation, short term hotel style accommodation land uses;
- conceptual road design, urban design, landscape, open space and heritage design concepts;
- maximum building heights, car parking provisions;
- improved amenities and services; and
- staged re-opening of Westbourne Street to through vehicular traffic.

Concurrent project approval was also granted for the demolition of buildings (excluding identified heritage items of moderate to higher heritage significance) and preparatory site works to ground level.



Figure 3: RNSH Concept Plan Illustrative Master Plan (source: MP 06_0051 Preferred Project Report)

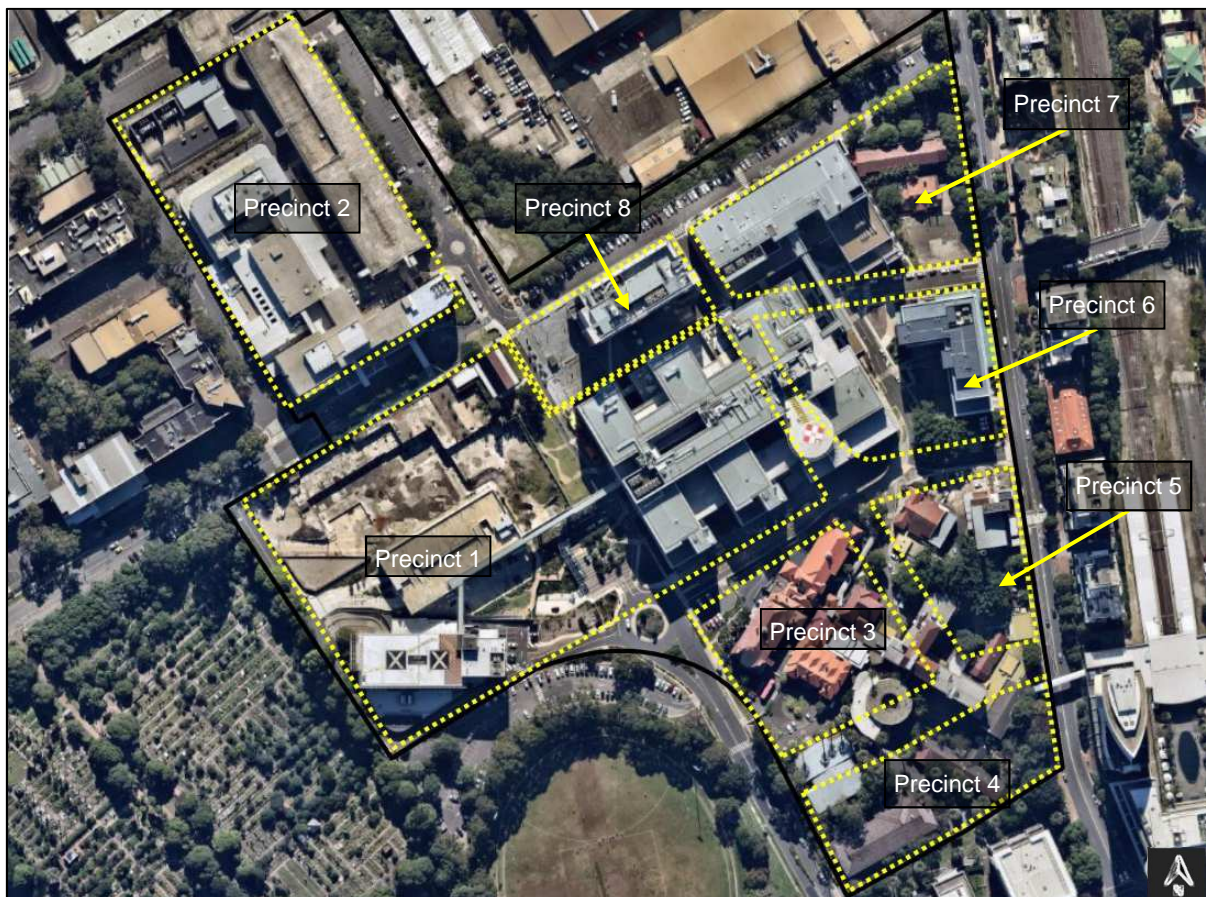


Figure 4: Aerial map overlay of RNSH Concept Plan precincts (base source: www.nearmap.com)

The RNSH Concept Plan was arranged into eight precincts (see **Figure 4**), with Precinct 4 located at the southern extremity of the RNSH campus boundary.

Precinct 4 was approved with an indicative building envelope and land use layout, with Site 4a identified to comprise a commercial building and residential building and public domain space provided between the two built forms. The Concept Plan restricts Precinct 4 to a maximum of 46,345 sqm of GFA, with the precinct identified as being for employment generating land uses, with the ability to provide residential and temporary accommodation land uses.

1.4 Approval History

1.4.1 Concept Plan Modifications

The Concept Plan has been amended on five previous occasions including: amendments to the transport management and accessibility future assessment requirements; the use of temporary demountable buildings; tree removal; and the demolition of heritage significant buildings from Precinct 6 and Precinct 7. It is noted a sixth Concept Plan modification application (MP 06_0051 MOD 5) proposing to modify the Concept Plan layout was withdrawn by the Proponent.

A detailed outline of the modifications to the Concept Plan is provided at **Appendix A** of this report.

1.4.2 Related Project Applications

On 29 January 2007, and prior to the determination of the RNSH Concept Plan, the then Minister approved a Project Application (MP 06_0192) for a new 11 storey research and education facility. While the approval preceded the determination of the Concept Plan, the approval was still consistent with the approved building envelope layout and land use identified in Precinct 8.

Two project applications have been determined under the approved Concept Plan, including: MP 07_0168 for a zone substation, determined 11 May 2019 by the then Minister for Planning; and MP08_0172 for the Acute Hospital and Community Health Facility (AHCHF) (see **Figure 5**), determined 17 June 2009 by the then Minister for Planning.

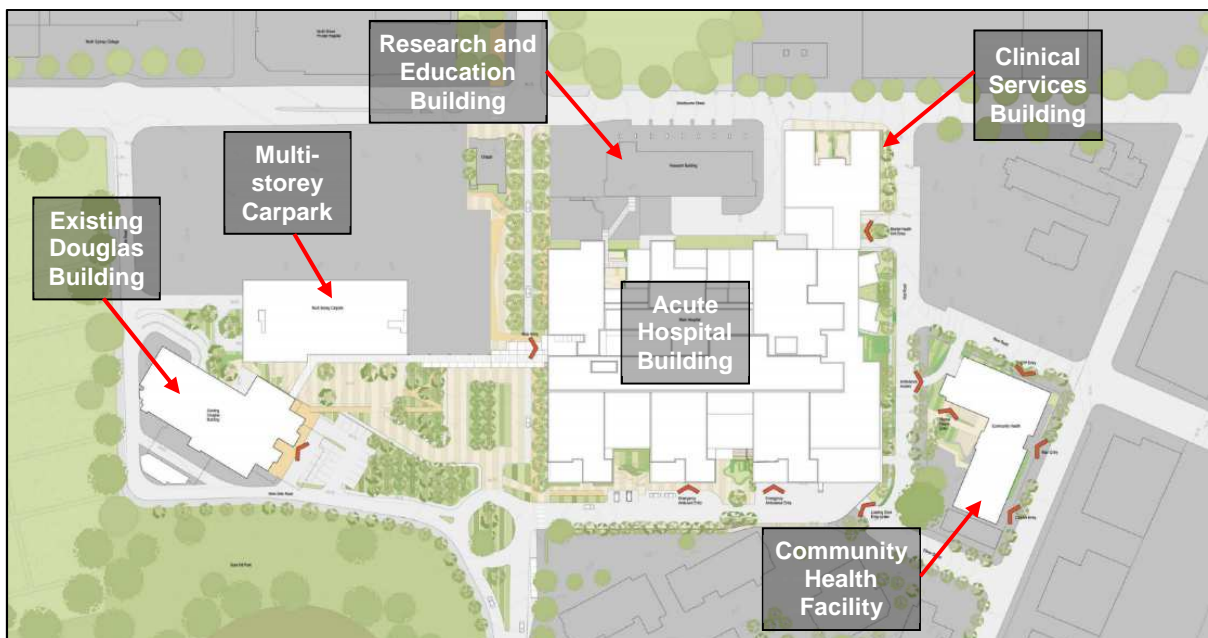


Figure 5: Approved Acute Hospital and Community Health Facility Layout (Concept Plan Precinct Layout Overlay) (source: MP 08_0172 Environmental Assessment)

The AHCHF project approval has been amended on seven previous occasions, including a major modification to the project under MP 08_0172 MOD 5 that granted approval for the construction of a new Clinical Services Building (CSB) (see **Figure 5**). The CSB project was

approved in place of the originally approved Mental Health Unit.

A detailed outline of the modifications to MP 08_0172 is provided at **Appendix A** of this report.

1.5 Health Services Building Ministerial Call-in Request

On 6 October 2016, the Proponent submitted a request to the Department of Planning and Environment (the Department) for Secretary's Environmental Assessment Requirements for a proposed State significant development (SSD) comprising a Health Services Building at RNSH, St Leonards. The proposed development site was identified as Site 4a within Precinct 4 of the approved RNSH Concept Plan.

It was found that the proposed development, which would house the administrative and other ancillary functions of NSW Health, did not satisfy the definition of a hospital, medical centre, or health medical or related research facility and was therefore not SSD.

On 23 December 2016, the Proponent subsequently submitted a call-in request under Section 89C of the EP&A Act to the Minister to declare the project SSD.

The Minister may, by order published in the Gazette, declare specified development on specified land that is not declared under a State Environmental Planning Policy to be SSD, but only if the Minister has obtained and made publicly available advice from the independent Planning Assessment Commission (PAC) about the State or regional planning significance of the development. The power to call-in a proposal operates in addition to the *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP).

On 2 June 2017, and following consideration of a report prepared by the Department to assist the PAC in forming its opinion, the PAC advised the Minister that the proposed project for a new Health Services Building at RNSH met several criteria for SSD, in particular those relating to strategic context and public benefit, concluding that the project is of State and regional importance.

The Minister's consideration of the call-in request has no bearing on the determination of this modification application. The proposed development sought to be called in as SSD requires an amendment to the Concept Plan building envelope regardless of the future planning pathway.

The call-in request and PAC's advice is included in **Appendix B** of this report.

1.6 Royal North Shore Hospital Master Plan

In 2012, the NSW Health Northern Sydney Local Health District finalised the Royal North Shore Hospital Master Plan (Master Plan). The Master Plan, developed in line with the 2012 Clinical Services Plan, brings together the future scope and vision of RNSH (see **Figure 6**).

Zone 8 'Support Zone', which is generally consistent with the location of RNSH Concept Plan Precinct 4, was identified for the purposes of staff accommodation, carer accommodation, respite care, medi-hotel, childcare, health administration (including Ministry of Health), family services, commercial/retail and car parking.

The Department notes the Master Plan has no statutory approval, and for the purposes of this modification application, has no relationship to the approved Concept Plan.

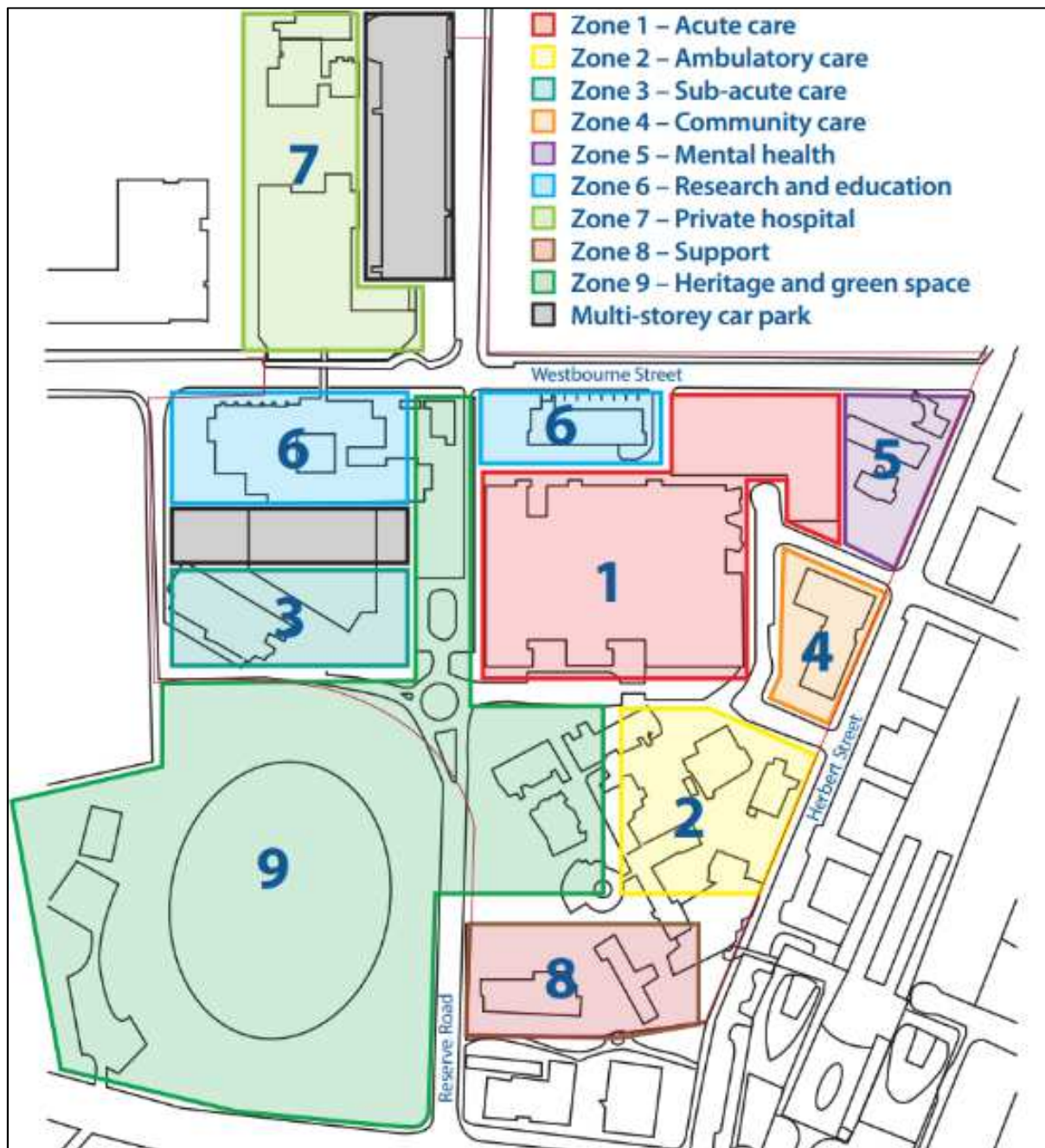


Figure 6: Royal North Shore Hospital Master Plan (source: <http://www.nslhd.health.nsw.gov.au/>)

1.7 Project Description

On 6 December 2016, the Proponent submitted a section 75W modification application seeking approval to modify the Concept Plan (MP 06_0051 MOD 6) as follows:

- consolidate Site 4a building envelopes in Precinct 4 into a single building envelope;
- delete term of approval M7.1 'Building Height' and replace with a new term of approval that restricts the maximum height of Precinct 4a built form to 13 storeys (RL 126) with a southern boundary setback of eight metres, as follows:

Original

M7.1 *The maximum height of envelopes in Precinct 4a at their southern extremity shall be to 11 storeys with a setback of 8 metres (RL116). Beyond the 11th storey and 8 metres setback the envelopes are to be as proposed (i.e. 13 storeys (RL126)).*

Proposed

M7.1 The maximum height of envelopes in Precinct 4a at the southern extremity shall be to 13 storeys (RL126) with a setback of 8 metres from the property boundary.

- amend term of approval M2.1 and M2.2 'Approved Plans and Documentation' and conditions C1.4 and C1.5 'Terms of Approval', to provide reference to details amended by the modification application;
- delete term of approval M10 *Transport Management and Accessibility Plan*, removing the requirement to prepare and implement a TMAP; and
- delete SoCs requiring the delivery of:
 - a 2,900 sqm pocket park, located on the corner of Westbourne Street and Herbert Street in Precinct 7, including the integration of the 'North Sydney Brick and Tile Co Building' and 'Lanceley Cottage'; and
 - a 180 space child care centre in Precinct 7.

2. STATUTORY AND STRATEGIC CONTEXT

2.1. Modification of the Minister's Approval

In accordance with clause 3 of Schedule 6A of the EP&A Act, section 75W of the Act as in force immediately before its repeal on 1 October 2011 and as modified by Schedule 6A, continues to apply to transitional Part 3A projects. Approved projects are transitional Part 3A projects.

Section 75W(2) of the EP&A Act provides that a proponent may request the Minister to modify the Minister's approval of a project. The Minister's approval of a modification is not required if the approval of the project as modified would be consistent with the original approval. As the proposed modification seeks to amend the indicative future built form in Precinct 4 and delete/amend modifications of approval and conditions of consent of the approved Concept Plan, the modifications will require the Minister's approval.

2.2. Permissibility and Zoning

The site is zoned SP2 Infrastructure – Hospital under Willoughby Local Environmental Plan 2012 (WLEP). Notwithstanding, the Concept Plan prevails over WLEP. The proposed modifications do not propose a change in land uses permitted by the Concept Plan approval.

Clause 5.10 of the WLEP specifies provisions for heritage conservation consideration, which has been considered in Section 5 of this report. No other specific development controls apply to the RNSH site under the WLEP.

2.3. Environmental Planning Instruments

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

- State Environmental Planning Policy (Infrastructure) 2007; and
- State Environmental Planning Policy No.55 – Remediation of Land.

The provisions of the above EPIs that would (except for the application of Part 3A) substantially govern the carrying out of the project, have been taken into consideration in the assessment of the project.

An assessment of compliance with the EPIs was considered in the determination of the MP 06_0051. The Department has considered the modification proposal against the objectives and aims of all relevant EPIs, and is satisfied that the modified proposal remains consistent with the provisions of the relevant State policies.

2.4. Strategic Context

The Department has considered the modification application against the provisions of several key strategic planning documents and considers it is consistent with:

- the *Premier's Priorities, A Plan for Growing Sydney* and the priorities and actions of the *draft North District Plan*, as the proposal will:
 - help rebuild the economy by contributing to the growth of jobs within the district and NSW within the existing St Leonards strategic centre;
 - contribute to strong economic development within the St Leonards strategic centre and associated transport gateway;
 - improve government services facilitating the consolidation of key NSW Health services and functions in one location;
 - improve NSW Health services through facilitating improved operational and functional support provided by the envisaged future use of the site;
 - contribute to the ongoing urban renewal of the surrounding RNSH precinct and St Leonards; and
 - facilitate the growth and diversification of job opportunities in St Leonards, particularly in health, knowledge and professional services jobs;
- the objectives of the SP2 Infrastructure – Hospitals zone of the site under the WLEP as the modifications will facilitate a development that would not be incompatible with or detract from the provision of hospital infrastructure that has been set out in the approved RNSH concept plan.

2.5. Environmental Planning Instruments

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

- State Environmental Planning Policy (Infrastructure) 2007; and
- State Environmental Planning Policy No.55 – Remediation of Land.

The provisions of the above EPIs that would (except for the application of Part 3A) substantially govern the carrying out of the project, have been taken into consideration in the assessment of the project.

An assessment of compliance with the EPIs was considered in the determination of the MP 06_0051. The Department has considered the modification proposal against the objectives and aims of all relevant EPIs, and is satisfied that the modified proposal remains consistent with the provisions of the relevant State policies.

3. EXHIBITION CONSULTATION AND SUBMISSIONS

3.1. Exhibition

In accordance with section 75X of the EP&A Act and clause 8G of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation), the modification application was made publicly available on the Department's website on 15 January 2017 and referred to Willoughby City Council. Given the nature of the modification application, it was not advertised or notified to any other agencies in accordance with the Department's requirements.

3.2. Willoughby City Council

The Department received an initial submission from Council, dated 22 December 2016, and a subsequent submission, dated 2 February 2017, following the Proponent's submission of detailed concept plan drawings and a more detailed explanation regarding the proposed amendments.

Council's submissions raised concerns about the modification application regarding inadequate documentation, floor space allocations, heritage impacts, public domain and landscaping, building setbacks, impacts on Gore Hill Oval and Park, and transport and accessibility matters. A summary of the key concerns raised by Council are as follows:

- the plans and documentation are considered inadequate for a full understanding of the amendments proposed;

- an updated illustrative master plan of RNSH should be prepared detailing all previous Concept Plan modifications to provide a complete understanding of the precinct;
- more detailed plans providing evidence of a response to the Site 4a location are required that provide an indication of how the building will relate to neighbouring properties and land uses, including details of:
 - existing approved buildings;
 - pedestrian and bicycle access;
 - vehicle access to basement car park levels and the child care centre;
 - setback distances and relative levels; and
 - indicative materials and finishes;
- the modification application should consider impacts on Gore Hill Oval and Park, including:
 - visual impacts, including architectural details how the building has been designed;
 - an analysis of mid-winter solar access;
 - whether landscaping on Site 4a positively contributes to the landscaping on Gore Hill Oval and Park;
 - construction impacts on Gore Hill Oval and Park, noting Council proposes significant upgrades to the locality during 2017/2018;
- Council is preparing to undertake works to Gore Hill Oval and Park and any approval of the modification application should include a requirement that a construction management plan be prepared to ensure any works on both sites occur without interrupting hospital operations;
- it is important the allocation of floor space between Sites 4a and 4b is considered at this stage and that an explanation of the rationale behind the floor space allocation between each site is provided;
- no information is provided regarding the building design and how it has had regard to the heritage significance of the locality, particularly the adjacent heritage significant Precinct 3;
- amended Figure 36 – Deep Soil Planting and Figure 37 – Landscape Plan indicate inadequate landscaping and no deep soil planting in Site 4a, with extensive paved areas proposed in building setback areas, contrary to the Concept Plan;
- a greater setback from Reserve Road to Site 4a future built form should be provided to allow for the adequate provision of deep soil planting zones and provide a satisfactory building transition to Gore Hill Oval and Park;
- upper level setbacks, as well as articulation and modulation, should be provided to soften the scale and impact of the proposed building to Gore Hill Oval and Park and Precinct 3; and
- deletion of MOA M10 TMAP is not supported, as transport management and accessibility is an important and continuing issue on the site.

The modification application was also reported to Council at its meeting held 13 February 2017, where it was resolved that Council object to the modification application on the following grounds:

- the location of childcare facilities (whether temporary or not) near the Community Health Facility (Precinct 7) being unsuitable;
- any reduction to temporary residential accommodation required by MOA M1.1;
- any redevelopment on Site 4b that does not include retail and short term accommodation, serviced apartments, medi-hotel or the like; and
- deletion of the SoC removing the requirement to create a pocket park in Precinct 7 and any further reduction to open space from the hospital site.

3.3. Public Submissions

A total of 25 submissions were made against Council's RNSH agenda item for its meeting held on 13 February 2017, at which Council considered the proposed modification application. Key concerns raised included:

- the application is contrary to the Master Plan that identifies Precinct 4 for carer and staff accommodation, medi-hotel, respite care and health administration; and
- the development of Precinct 4 as SSD will restrict RNSH's ability to:

- develop and expand to cater for the hospital's likely future demand created by population growth; and
- provide necessary hospital campus green space.

The Department has given considered to the concerns raised in the context of the amendments sought under the modification application. It is noted the concerns raised do not relate to matters proposed to be amended under this modification application. In this regard, the modification application only seeks to amend the building envelopes in Site 4a of Precinct 4 and does not seek to amend the land use mix approved across the precinct (i.e. developed for employment generating land uses and may include residential and temporary accommodation). Nor will the modification application result in a loss of hospital campus green space.

3.4. Response to Submissions (RtS)

On 13 February 2017 and 10 April 2017, the Proponent provided correspondence that responds to and addresses the concerns raised by Council in its submission, dated 2 February 2017, and its resolution to object to the modification application.

The Proponent responded that the level of detail in the documentation submitted is consistent with that approved as part of the original Concept Plan and considered it to be acceptable for the amendments proposed. It also noted that for the following matters, the level of detail requested by Council was not considered necessary at this stage or that the modification application was not proposing to amend the Concept Plan and therefore did not require further consideration, including:

- the detailed design of any future built form, including modulation and articulation (considered in future SSD);
- building setbacks (no change proposed);
- the design and provision of soft landscaping and deep soil planting zones (considered in future SSD);
- pedestrian and cycle strategy (considered in future SSD and no change proposed);
- MOA 8.3 'Setbacks, Streetscapes and Building Separation' and MOA 12 'Heritage and Conservation' (considered in future SSD and no change proposed).

The Proponent also advised that it had no current plans to develop Site 4b and that temporary accommodation had been provided in the Douglas Building and was meeting current demands. It also noted that the proposed amendments to Site 4a would not reduce the temporary accommodation across the RNSH site.

The proposed deletion of the pocket park in Precinct 7 was also withdrawn from the modification application and the Proponent noted that the child care centre facility will now be located in Precinct 5.

The Department has given further consideration of these matters in Section 4 of this report.

4. ASSESSMENT

4.1. Key and Other Issues

The Department has considered the Proponent's section 75W application, supporting information, the issues raised by Council and the Proponent's response to these issues in its assessment of the modification application. The Department considers the key issues to be:

- Concept Plan gross floor area allocations;
- built form and urban design; and
- Concept Plan and Statement of Commitment amendments.

4.2.1. Concept Plan Gross Floor Area Allocations

RNSH Concept Plan established eight precincts (see **Figure 4**), with Precinct 4 restricted to a

maximum of 46,345 sqm of GFA and for the purposes of employment generating land uses, with the ability to also provide residential and temporary accommodation land uses. Precincts 6 and 7 are also identified for the purposes of residential development (see **Figure 3**).

Residential development GFA is restricted to a maximum 76,200 sqm (including a minimum of 42,500 sqm), of which a minimum 15,000 sqm of 'temporary accommodation' is required to be delivered. The RNSH Concept Plan requires temporary accommodation, defined as "any form of accommodation other than permanent dwellings, and including hotels, serviced apartments, student accommodated and staff (i.e. nurses) accommodation", to be delivered as follows:

- a minimum 10,000 sqm for the purposes of nursing and student accommodation; and
- a minimum 5,000 sqm for the purposes of short term, hotel style accommodation.

The Proponent has indicated its intention to develop Site 4a for the purposes of a health administration and other ancillary functions building. This project would be subject to the lodgement of a subsequent development application.

The project is proposed to comprise a ten storey, 32,000 sqm office building, including ground floor child care centre (including internal and external space), retail café, entry lobby and two basement car parking levels providing approximately 115 spaces, accessed via Reserve Road.

Such a project would reduce the amount of GFA available for the development within the remainder of Precinct 4 (i.e. Site 4b) to approximately 14,345 sqm. The Department notes that GFA is allocated on a precinct by precinct basis, and not by site. To this extent, the Proponent does not propose to amend the Precinct 4 GFA allocations.

Council raised concerns regarding the impact of the GFA proposed as part of the envisaged future Site 4a development on the ability to develop the remainder of Precinct 4 and with it, the ability to deliver temporary accommodation GFA. Council formally objected to any reduction in temporary accommodation required by term of approval M1.1 and any development of Site 4b that doesn't include retail and short term accommodation, serviced apartments, medi-hotel or the like.

The Proponent responded by noting that the proposed GFA for the future Site 4a development was below the Precinct 4 maximum and therefore did not compromise the maximum allocated GFA. It also stated that NSW Health have no plans for the long-term development of Site 4b and that temporary accommodation was permitted in other undeveloped precincts and that it has already been provided for carers in the Douglas Building and was meeting the current demand.

The Department notes that the separate Project Approval for the AHCHF endorsed a number of departures to the approved Concept Plan, particularly precinct layouts, associated indicative land use and road layouts. This has resulted in residential development previously proposed under the Concept Plan not being delivered in Precincts 6 or Precinct 7 as originally intended.

The Department acknowledges the proposed future development of part of Precinct 4 for an administration building is consistent with the Concept Plan and term of approval M1.1(f)(ii), which states that it be developed for employment generating land uses, and may also include residential and temporary accommodation.

However, due to the reduced ability to deliver the 42,500 sqm of residential land use or the 15,000 sqm of temporary accommodation GFA across the RNSH campus due to historical development, the Department considers it appropriate that term of approval M1.1(e) be amended to ensure that the minimum 15,000 sqm of temporary accommodation is delivered between Precincts 4 and 5, of which a minimum must be delivered in Precinct 4, as follows:

M1.1(e). The following minimum and maximum GFA for each broad land use:

- (i) A maximum of 76,200 m² shall be developed for residential use ~~(and a minimum of 42,5000 m²).~~
- (ii) A minimum of 15,000 m² shall be developed for the purpose of temporary accommodation **in Precinct 4 and Precinct 5**, of which:
 - A minimum of 10,000 m² shall be developed for the purposes of nursing and student accommodation; ~~and~~
 - A minimum of 5,000 m² shall be developed for the purpose of short term, hotel style accommodation; **and**
 - **A minimum of 7,500 m² of temporary accommodation shall be developed in Precinct 4.**

Note: if it can be successfully demonstrated to the Secretary that arrangements are in place for provision of temporary accommodation within the total GFA identified for residential use, as referred at Modification M1.1(e)(i), this can be subtracted from the minimum total GFA identified for temporary accommodated, as referred to at Modification M1.1(e)(ii).

- (iii) A minimum of 77,500 m² shall be developed for employment generating uses.

Despite the above, the total maximum GFA shall not exceed 178,370 m²

The proposed amended term of approval requirements will ensure the Proponent is still capable of delivering its envisaged administration building, but will also ensure that affordable housing requirements for the precinct are delivered. Further, the colocation of the temporary residential accommodation land uses in Precincts 4 and 5 will ensure better integration within the surrounding campus and existing residential flat building developments on the eastern side of Herbert Street.

4.2.2. Built form and urban design

Site 4a Building Envelope

The Proponent proposes to consolidate the two approved building envelopes into a single building envelope form to accommodate a future building that would be occupied by key health related NSW government agencies (see **Figure 7**).



Figure 7: Proposed Precinct 4 Layout vs Approved Precinct 4 Layout (source: MP 06_0051 MOD 7 Application and MP 06_0051 Preferred Project Report)

Concerns were raised by Council that the proposed consolidation of the building footprints would result in inadequate provision of soft surfaces and deep soil planting, and that a greater (seven metre) setback should be provided to Reserve Road and Gore Hill Oval and Park beyond. Council also requested the Proponent demonstrate how terms of approval relating to urban design, landscaping, setback, streetscape and building separation would be addressed (i.e. terms of approval M8.3 and M12.6).

The Proponent responded that the setbacks shown in the approved Concept Plan were not proposed to be amended by the modification application, and that building setbacks would be appropriately treated, details of which would be submitted as part of any future development application for Site 4a.

The Department notes the terms of approval referred to by Council require these matters to be addressed in subsequent development applications and agrees with the Proponent that it is better placed to consider them at that future detailed design stage. Specifically, this will require consideration of matters relating to:

- activation of ground level streetscape;
- articulation and modulation;
- building separation in proportion to building height;
- creation of secondary upper level setbacks; and
- provision of street landscape character (including tree planting).

The Department also notes the proposed indicative building envelope provides an increased northern setback to Yellow Road that will assist in reducing potential bulk and scale impacts of future development on Site 4a and also provide an improved curtilage to the adjoining heritage Precinct 3 to the north.

Amendment to Term of Approval M7.1

The Proponent proposes to delete term of approval M7.1, which reads as follows:

“M7.1 The maximum height of envelopes in Precinct 4a at their southern extremity shall be to 11 storeys with a setback of 8 metres (RL 116). Beyond the 11 storey and 8 metres setback the envelopes are to be as proposed (i.e. 13 storeys (RL 126)).”

It is proposed to replace term of approval M7.1 with the following new wording:

“M7.1 The maximum height of envelopes in Precinct 4a at their southern extremity shall be 13 storeys (RL 126) with a setback of 8 metres from the property boundary.”

No objection was raised by Council regarding the proposed amendments to the building height modification of approval, however it commented that upper level setbacks, articulation and modulation should be provided in elevations fronting Gore Hill Oval and Park and Precinct 3 to soften the scale and impact of the proposed building.

The Proponent responded by stating that details of the future building design would be provided as part of a future development application and that the level of detail provided was consistent with the detail provided as part of the original Concept Plan.

The Department is satisfied with the Proponent's response in relation to Council's comments, noting it had previously determined detailed built form issues would be subject to separate development applications. The potential overshadowing impacts from the proposed consolidated building envelope layout would also be consistent with the building envelopes originally approved under the Concept Plan.

However, the Department had originally imposed the above term of approval to ensure a better built form response to the development south of Site 4a at 207 Pacific Highway. In this regard, the Department does not support the Proponent's revised term of approval wording as it removes any stipulated requirement for built form modulation.

Noting that the proposed consolidated building envelope would present as a larger building mass to 207 Pacific Highway, the Department still considers it important that a positive built form response is provided to 207 Pacific Highway. Accordingly, the Department recommends the following amended wording for term of approval M7.1:

M7.1 The maximum height of the envelope in Site 4a of Precinct 4 must be no greater than 13 storeys or RL 126, whichever is the lessor, and setback a minimum eight metres at its southern extremity. The design of future built form within Site 4a of Precinct 4 must also comprise articulation and

modulation that provides a satisfactory contextual urban design response to the adjoining development to the south and its surroundings.

The Department considers the amended wording will achieve a outcome consistent to that originally sought, i.e. a better design response to 207 Pacific Highway, but importantly retains the maximum building height control. Greater emphasis is now placed on the requirement for future built form to deliver articulation and modulation in its design to not only 207 Pacific Highway, but also its surroundings (i.e. Gore Hill Oval and Park and Precinct 3)

Heritage Impacts

Council raised concerns that the Proponent has not adequately considered the potential heritage impacts of the proposed Precinct 4 amendments on the adjoining heritage buildings in Precinct 3.

The Proponent responded that the proposed modifications did not amend the maximum building height or its overall relationship to the adjoining precinct and that potential heritage impact considerations would be undertaken in any future development application for Site 4a.

The Department does not consider the proposed amendments to the Site 4a building envelope are significant such that they warrant any further detailed consideration of heritage impacts beyond that which was previously assessed as part of the original Concept Plan.

It is acknowledged the potential future built form on Site 4a will differ from that shown in the original Concept Plan layout. However, this representation was indicative only and the primary function of the site (i.e. commercial) and maximum building height will remain consistent.

In addition, the amended building envelope layout provides an increased setback to Yellow Road, increasing the forecourt area and setback to the adjoining heritage precinct. These proposed changes are considered satisfactory to offset the proposed building envelope amendments.

It is also noted that the Proponent raised no objection to Council's recommended condition requiring the preparation of a Heritage Impact Statement (HIS), which the Proponent also proposed to submit with any future development application on Site 4a. Accordingly, the Department recommends a new term of approval requiring the submission of a HIS with any subsequent development application for Precinct 4.

4.2.3. Concept Plan and Statement of Commitment Amendments

Deletion of Term of Approval M10

The Proponent proposes to delete term of approval M10, which requires a TMAP be submitted and approved by the Secretary prior to, or concurrently with any subsequent application for development.

The Proponent believes the preparation of a TMAP at this stage is premature given the major strategic planning work being undertaken by the Department and Councils surrounding the RNSH precinct. It also states that the future redevelopment of Site 4a is not of a scale to warrant a full TMAP.

Council objected to the deletion of this term of approval, believing the preparation of a TMAP should continue to be a requirement of the RNSH redevelopment and any other precinct. In its RtS, the Proponent reiterated its belief that the proposed development of Site 4a is minor in the context of what was originally proposed and that it would be more appropriate to consider transport management and access as part of the development application for the site given its close proximity to St Leonards Station and associated public transport. The Proponent also stated preparing a TMAP would be premature now due to planned strategic work to be undertaken in the surrounding St Leonards precinct.

Term of approval M10 was previously amended to remove the requirement for a TMAP to be prepared for the acute hospital development approved under the Concept Plan, deferring the requirement to any subsequent development application for non-hospital related development (i.e. Precincts 4, 5, 6 and 7).

The Department acknowledges Council's objection to the removal of term of approval M10, however notes that approved hospital related development has rendered Precincts 6 and 7 undevelopable for the intended development envisaged under the Concept Plan and were unlikely to be pursued. This has reduced the application of a potential TMAP to Precincts 4 and 5.

In this regard, the Department now considers it more appropriate that site specific transport, traffic and accessibility assessments and traffic management plans be prepared for future developments under the Concept Plan, including the requirement for work place travel plans.

Accordingly, the deletion of term of approval M10 is supported. In its place, the Department recommends a new term of approval M10 be imposed requiring a site specific transport, traffic and accessibility assessment and traffic management plan be submitted with any future development application, as follows:

M10.1 A detailed transport, traffic and accessibility study and traffic management plan, inclusive of a work place travel plan, must be submitted with each subsequent development application for new built form.

Deletion of Statement of Commitments

The Proponent seeks to delete the SoC that requires the delivery of a 180 space child care centre within Precinct 7. The Department also notes the Proponent withdrew its request to delete the SoC requiring the delivery of a pocket park in Precinct 7 in its RtS.

Development of the AHCHF project approval and associated modifications has resulted in previously approved developed identified in Precinct 7 from being delivered, including a permanent child care centre that was originally committed to. The Proponent has indicated it is proposed that the future development of Site 4a will accommodate a permanent child care centre facility that would address the original commitment. This would be subject to future consideration under a subsequent development application.

Following Council's objection to the location of the temporary child care centre (temporary or not) in Precinct 7 adjacent to the Community Health Facility, the Proponent advised that the temporary facility would be relocated to Precinct 5, through a Part 5 Review of Environmental Factors.

The Department raises no objection to the deletion of the SoC and notes that its permanent location in Precinct 4 will satisfy Council's key concern regarding the current location of the temporary child care centre. The Proponent's interim solution to relocate the facility to Precinct 5 will also satisfy Council's concerns.

4.2.4. Other Matters

Construction Impact

Council sought further information regarding potential construction impacts and the associated management of those impacts in connection with the operations of the existing hospital and future planned redevelopment works on Gore Hill Oval and Park.

The Proponent responded that there was no construction proposed by this application and that these matters would be addressed as part of any future development application, including the preparation of a construction management plan.

The Department is satisfied with the Proponent's response, noting the consideration of construction traffic and its management as being standard considerations for major development.

Pedestrian and Bicycle Access

Council raised concerns that no details were provided regarding the impact of the proposed Site 4a amendments on the site-wide pedestrian and bicycle strategy.

The Proponent responded stating that an updated pedestrian and cycle strategy would be submitted as part of the transport and traffic report submitted with the future development application for Site 4a.

The Department considers the Proponent's response to be satisfactory, and notes that the proposed amendments to the building envelope layout on Site 4a would not adversely impact on any planned pedestrian or cyclist connections.

Amendments to Approval Documents

The Proponent seeks to amend terms of approval M2.1 and M2.2 '*Approved Plans and Documentation*' and conditions C1.4 and C1.5 '*Terms of Approval*', to update the Concept Plan approval with the relevant amended documentation under the subject modification application.

The proposed amendments seek only to include reference to the updated plans and documents and these proposed amendments are considered standard practice. In this regard, the Department raises no objection to the proposed amendments.

5. CONCLUSION

The Department has assessed the section s.75W modification application and supporting information in accordance with the relevant requirements of the EP&A Act. The Department's assessment concludes that the proposed modification is acceptable as it:

- will continue the development of the RNSH campus, and with it, support the creation of construction and operational jobs; and
- is subject to suitable modifications of approval that will appropriately manage and mitigate the future development of Precinct 4 and potential associated impacts.

Consequently, it is recommended that the modification application be approved subject to the recommended modifications to the terms of approval.


6. RECOMMENDATION


In accordance with section 75W of the *Environmental Planning and Assessment Act 1979*, it is recommended the Minister for Planning:

- (a) **consider** all relevant matters prescribed under section 75W of the EP&A Act, as contained in the findings and recommendations of this assessment report and appended documentation;
- (b) **approve** the modification application under section 75W of the EP&A Act, subject to modification of approval set out in the attached modification instrument **Appendix D**; and
- (c) **sign** the attached modification instrument at **Appendix D**.

Prepared by: Peter McManus, Specialist Planning Officer

Endorsed by:


Karen Harragon 27/6/17
Director
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Executive Director
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APPENDIX A APPROVAL HISTORY

Concept Plan

MP 06_0051 MOD 1 – Public Transport

On 31 January 2008, the then Minister for Planning (the Minister) approved a modification application (MOD) to the Concept Plan to amend term of approval M9.1 *Public Transport Provision* and M10.1 *Transport Management and Accessibility Plan (TMAP)*. The Concept Plan was amended by deleting and replacing terms of approval M9.1 and M10.1 as follows:

Original

M9.1 The proponent for development within Precincts 3, 4, 5, 6 and 7 shall seek to enter into an agreement with the RTA, State Transit Authority (STA) and Ministry of Transport (MOT) to facilitate provision of additional bus services and other public transport improvements within and surrounding the site. The final outcome shall accompany the first subsequent application for development within Precincts 3, 4, 5, 6 and 7.

Approved Amendment

M9.1 The proponent for non-hospital or non-health related development within Precincts 3, 4, 5, 6 and 7 to enter into an agreement with RTA, STA, and MoT to facilitate provision of additional bus services and other public transport improvements within and surrounding the site. The final outcome shall accompany the first subsequent application for non-hospital or non-health related development within Precincts 3, 4, 5, 6 and 7.

M9.1a Any application for health related development shall detail arrangements to facilitate public transport use.

Original

M10.1 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 (excluding demolition and preparatory site works to ground level).

Approved Amendment

M10.1 A detailed transport, traffic and accessibility study shall be submitted to and approved by the Director-General prior to or concurrent with the lodgement of any project application for development of the acute hospital and/or community health building. This study shall contain sufficient detail to allow it to be used as part of the TMAP for the site.

M10.1a A TMAP shall be submitted to and approved by the Director-General prior to or concurrent with lodgement of any subsequent application for development (excluding demolition and preparatory site works to ground level, the development referred to in 10.1 above and minor work ancillary to the development in 10.1 above).

The approved amendments allowed for health-related development to progress, some of which was proposed to traverse adjoining non-health related precincts, but ensured sufficient traffic and transport details were submitted with each respective health related application.

MP 06_0051 MOD 2 – Temporary Demountable Buildings

On 7 April 2008, the then Executive Director, Strategic Sites and Urban Renewal, approved a modification to the Concept Plan to include approval for the erection of temporary demountable buildings without further environment assessment. Erection of the demountable buildings were required by the Proponent to provide temporary accommodation for staff and equipment during the redevelopment of the hospital.

MP 06_0051 MOD 3 – Tree Removal

On 22 December 2008, the then Executive Director, Strategic Sites and Urban Renewal, approved a modification to the Concept Plan to allow for the removal of 151 trees associated with the future construction of the new Hospital and Community Health Facility buildings.

MP 06_0051 MOD 4 – Deletion of Building 19

On 3 August 2008, the then Acting Director, Government Land and Social Projects, approved a modification to the Concept Plan to amend condition C2.1 Significant Heritage Buildings to allow for the demolition of the Mortuary Building (Building 19 within Precinct 6).

MP 06_0051 MOD 5

MOD 5 to the Concept Plan was withdrawn.

MP 06_0051 MOD 6 – Demolition of Buildings 7 and 9

On 11 May 2016, the then Acting Director, Modification Assessments, approved a modification to the Concept Plan to amend condition C2.1 Significant Heritage Buildings to allow for the demolition of the Building 7 (Diabetic Unit) and Building 9 (Lanceley Cottage) within Precinct 7 (listed on NSW Health's s.170 heritage register). At the time of writing, Buildings 7 and 9 had not been demolished.

Project Applications

MP 06_0192 – Research and Education Building

On 29 January 2007, the then Minister approved a Project Application for the construction of an 11 storey building for use as a medical research and education facility, ancillary laboratory space, and associated administration, comprising 24,000 sqm of GFA, landscaping, pedestrian access arrangements and utility services and associated infrastructure and plant (see **Figure 4**).

Approval of the Research and Education Building was granted prior to the Concept Plan approval, however the approved development and land use was consistent with Precinct 8.

MP 07_0168 – Substation

On 11 May 2009, the then Minister approved a Project Application for the construction of a zone substation in Precinct 2 of the Concept Plan. The zone substation was required to provide the energy needs of the redeveloped hospital.

MP 08_0172 – Acute Hospital and Community Health Facility

On 17 June 2009, the then Minister approved a Project Application for the staged demolition of existing buildings (including the existing hospital building) and construction of a new nine level (including basement level) Acute Hospital building, new seven level (including basement level) Community Health Facility, new two level Mental Health Unit, three to five level multi-storey car park, two new pedestrian bridge linkages, public domain and civil infrastructure works. The development is generally located within Precinct 1, and partly within Precinct's 6 and 7.

The project approval was subsequently modified on seven occasions for the following:

- MP 08_0172 MOD 1 – approved on 23 March 2010, involving minor changes to the design and layout of the Community Health Building, including a building height increase by 1.6 m and GFA increase from 9,955 sqm to 10,332 sqm;
- MP 08_0172 MOD 2 – approved on 3 August 2010, involving the demolition of Building 19 'Mortuary' and construction of a car park;
- MP 08_0172 MOD 3 – approved on 19 January 2011 for the inclusion of a helipad on the Acute Hospital Building and associated building height increase by 900 mm;
- MP 08_0172 MOD 4 – approved on 11 August 2011 to modify Level 9 of the Acute Hospital Building to replace administration functions with in-patient unit bedding and provide an additional 120 sqm of floor space;
- MP 08_0172 MOD 5 – approved on 25 May 2012 to include approval of a new eight level (including plant level) Clinical Services Building (CSB) in place of the approved Mental Health Unit;
- MP 08_0172 MOD 6 – approved on 26 October 2012 to delete conditions B6 (required

- pedestrian path and landscaping along the eastern boundary of the CSB) and B8 (required installation of 1 hour parking along Westbourne Street); and
- MP 08_0172 MOD 7 – approved on 22 June 2013, involving amendments to design and layout of the CSB, including an increase to the size of the building footprint, a building height increase by 180 mm and GFA increase of 2,880 sqm to 21,283 sqm, relocation of the mental health unit location and reduction in bed numbers.

APPENDIX B RELEVANT SUPPORTING INFORMATION

The following supporting documents and supporting information to this assessment report can be found on the Department of Planning's website as follows.

1. Section 75W Modification Application
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8136
2. Submissions
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8136
3. Proponent's Response to Submissions
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8136
4. NSW Health Infrastructure SSD Call-in Request
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8199
5. PAC Advice on Call-in Request
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8199

APPENDIX C GLOSSARY

Ecologically Sustainable Development can be achieved through the implementation of:

- (a) *the precautionary principle - namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In the application of the precautionary principle, public and private decisions should be guided by:*
 - (i) *careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and*
 - (ii) *an assessment of the risk-weighted consequences of various options,*
- (b) *inter-generational equity—namely, that the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations,*
- (c) *conservation of biological diversity and ecological integrity—namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration,*
- (d) *improved valuation, pricing and incentive mechanisms—namely, that environmental factors should be included in the valuation of assets and services, such as:*
 - (i) *polluter pays—that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement,*
 - (ii) *the users of goods and services should pay prices based on the full life cycle of costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste,*
 - (iii) *environmental goals, having been established, should be pursued in the most cost effective way, by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.(Cl.7(4) Schedule 2 of the Regulation)*

Objects of the Act

- (a) *to encourage:*
 - (i) *the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*
 - (ii) *the promotion and co-ordination of the orderly and economic use and development of land,*
 - (iii) *the protection, provision and co-ordination of communication and utility services,*
 - (iv) *the provision of land for public purposes,*
 - (v) *the provision and co-ordination of community services and facilities, and*
 - (vi) *the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and*
 - (vii) *ecologically sustainable development, and*
 - (viii) *the provision and maintenance of affordable housing, and*
- (b) *to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and*
- (c) *to provide increased opportunity for public involvement and participation in environmental planning and assessment.*

Section 79C Evaluation

(1) Matters for consideration—general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

- (a) *the provisions of:*
 - (i) *any environmental planning instrument, and*
 - (ii) *any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
 - (iii) *any development control plan, and*

- (iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and
- (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and
- (v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,
- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,
- (c) the suitability of the site for the development,
- (d) any submissions made in accordance with this Act or the regulations,
- (e) the public interest.

Note. See section 75P(2)(a) for circumstances in which determination of development application to be generally consistent with approved concept plan for a project under Part 3A.

Note. The consent authority is not required to take into consideration the likely impact of the development on biodiversity values if:

- (a) the development is to be carried out on biodiversity certified land (within the meaning of Part 7AA of the Threatened Species Conservation Act 1995), or
- (b) a biobanking statement has been issued in respect of the development under Part 7A of the Threatened Species Conservation Act 1995.