



## Planning Assessment Report

### Application to Modify the Minister's Approval for the Royal North Shore Hospital Concept Plan

#### Major Project 06\_0051 MOD 3 (Tree Removal)

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#### 1. INTRODUCTION

On 26 November 2008, Urbis, on behalf of NSW Health and Thiess Pty Ltd (the proponent) lodged an application to modify MP06\_0051 (**Tag B**) pursuant to Section 75W of the *Environmental Planning and Assessment Act 1979* ("the Act"). The proponent is seeking to modify the Royal North Shore Hospital (RNSH) project approval for site preparatory works to allow for **tree removal** in association with the future construction of the new Acute Hospital and Community Health Facility buildings.

#### 2. ORIGINAL APPLICATION

On 13 April 2007, the Minister for Planning approved the Concept Plan comprising the following:

- Establishment of development precincts;
- Total maximum GFA of 178,370m<sup>2</sup>, and maximum GFA for each precinct;
- Broad land use distribution across the precincts;
- Conceptual road design, urban design, open space and heritage design concepts;
- Maximum height of building envelopes;
- Provision of car parking; and
- Improved amenities and services.

Project approval was issued concurrently with the Concept Plan approval for the following:

- Demolition and preparatory works to ground level on the site.

A copy of the consent is at **Tag C**.

Director General's requirements have been issued for a project application for the new Royal North Shore Hospital and Community Health Facility, to be located in the northern portion of the existing RNSH site. It is the intention of NSW Health to seek amendment of the approved Concept Plan to reflect the hospital development proposed in the project application, which currently differs in layout and design from the Concept Plan.

#### 3. DESCRIPTION OF PROPOSED MODIFICATION

The application seeks to modify the Project Approval for demolition and preparatory works to ground level on the site, to allow for tree removal in association with the future construction of the new Hospital and Community Health Facility buildings in the northern half of the existing RNSH site.

The proposed modification would allow certain trees to be removed where necessary in undertaking the works required to prepare for the construction of new hospital and community health buildings. Whilst tree removal was considered in the assessment of the original concept plan application, approval for the removal of trees did not form part of the consent.

In detail, MOD 3 proposes the removal of 151 trees within the new hospital site, of a total of 326 existing trees and palms across the entire RNSH site, and 4 street trees. It is important to note that approximately 30% of trees proposed for removal are Brush Box (*Lophostemon confertus*).

A copy of the modification submission from Urbis is attached at **Tag B**.

## 4. STATUTORY CONTEXT

### Modification of a Minister's approval

The modification application has been lodged with the Director-General pursuant to Section 75W of the Act. Section 75W provides for the modification of a Minister's approval including *revoking or varying a condition of the approval or imposing an additional condition of the approval*.

The modification requires changes to a condition of the Minister's approval. The power to make such a change therefore lies with the Minister.

### Environmental Assessment requirements

In this instance, it was not considered necessary to notify the Proponent of environmental assessment requirements pursuant to Section 75W(3) with respect to the proposed modification as sufficient information was provided to the Department to consider the application.

## 5. CONSULTATION AND EXHIBITION

Under Section 75W of the Act, a request for a modification of an approval does not require public exhibition. However, under Section 75X(2)(f) of the Act, the Director-General is to make publicly available requests for modifications of approvals given by the Minister. In accordance with Clause 8G of the *Environmental Planning and Assessment Regulation 2000*, the request for the modification was placed on the Department's website. The modification application was also referred to Willoughby City Council for its information and comment on 26 November 2008. At the time of writing this report no submission had been received.

## 6. CONSIDERATION OF PROPOSED MODIFICATIONS

### 6.1 Historical Tree Significance

A tree heritage study for the entire RNSH site was undertaken and submitted with the original Concept Plan proposal (dated 17 April 2005 - reproduced as Appendix C in the MOD 3 application) to supplement the Heritage Impact Statement (HIS), so as to provide an assessment of the existing trees on the site and provide guidelines in the relative significance of these trees in relation to their type, condition and association within the RNSH site. Of the 326 trees and palms on the entire site, 109 are identified as significant to the site on the basis of their aesthetic and historical contribution to the hospital's environment. A total of 43 significant trees are proposed to be removed as a consequence of MOD 3 (refer to **Tag D** for a location plan of these trees – shown hatched).

In addition to the groupings referred to above, a number of individual significant trees from across the site will ultimately be removed. Together, these trees reflect the layered history of the site, often following former paths and drives and they enhance the sense of established landscape at the hospital. Their removal as a consequence of the approved Concept Plan layout would result in some adverse heritage impact but this will be mitigated by the reinforcement of existing heritage landscaping as proposed within the landscape masterplan that forms part of RNSH Concept Plan. This landscaping will provide a tree hierarchy, incorporate flowering trees continuing the horticultural traditions of the hospital and retain established signature trees where possible and relocates others that cannot be retained in situ.

### 6.2 Building Footprint

Plans have been prepared to illustrate the tree locations relative to building footprint of:

- the proposed hospital (**Tag D**).
- the proposed early works, including temporary car park (**Tag E**).
- the already approved concept plan (**Tag F**).

As can be seen in the plans below, many of the trees proposed to be removed are located within the proposed building footprint or road alignment of both the approved Concept Plan layout and the proposed hospital and community health facility layout.

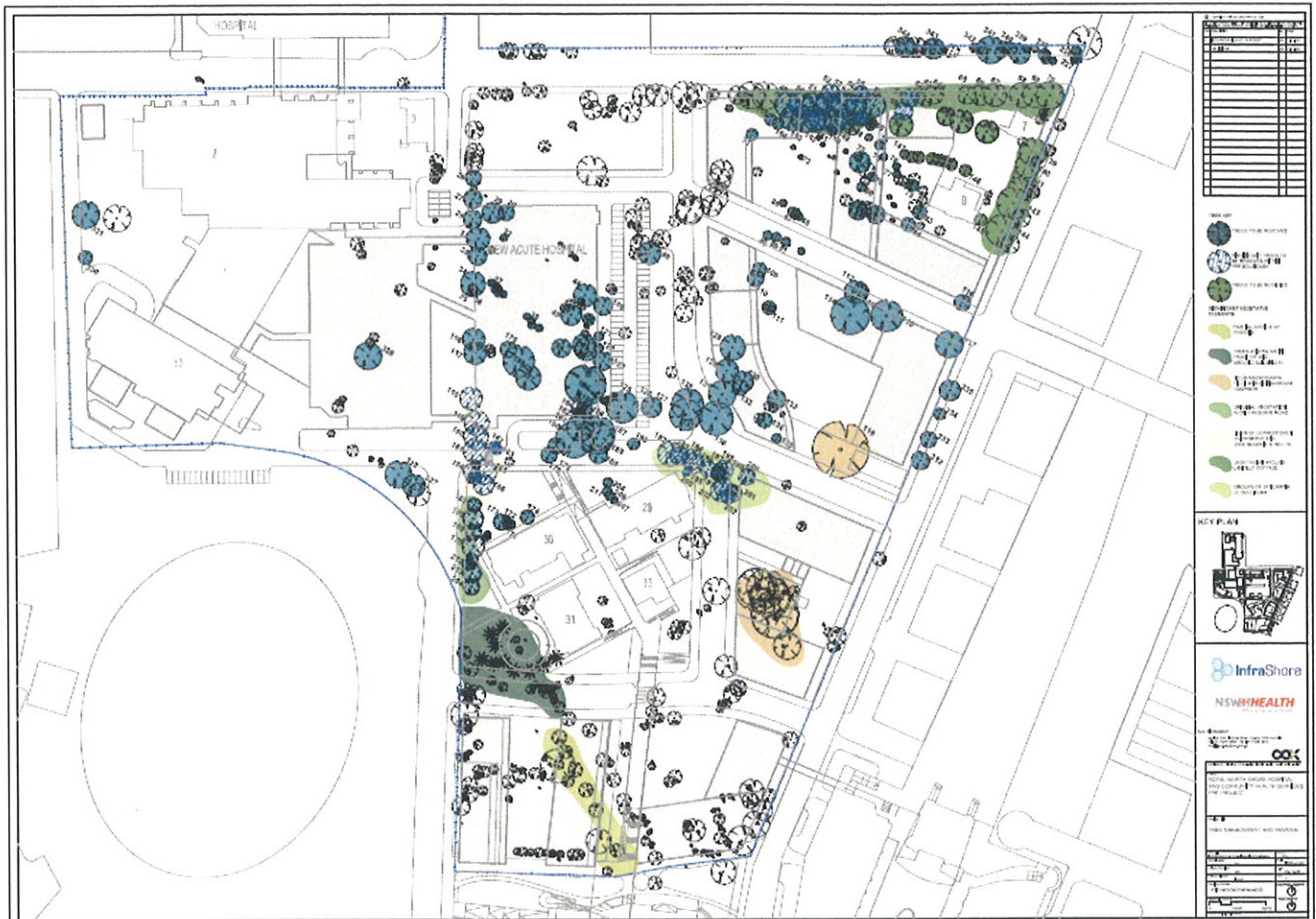
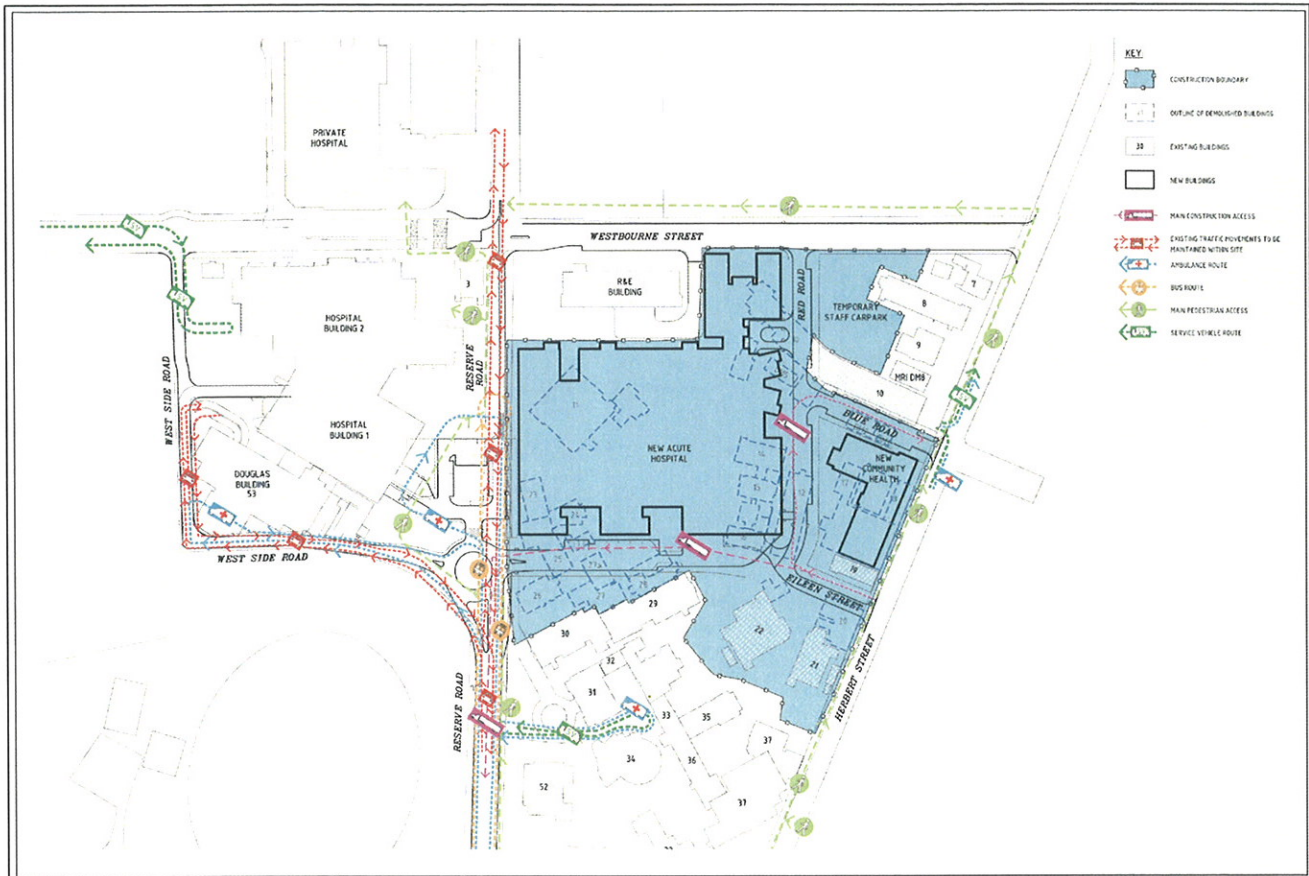


Figure 1 – Approved RNSH Concept Plan



Figure 2 – Proposed Hospital Layout and Tree Removal Plan





**Figure 3 – Proposed Hospital Construction Boundary and Temporary Staff Parking Area**

As illustrated in Figure 3, a temporary staff car park is also proposed to be located in the north-east corner of the site, which will necessitate tree removal. This car park is necessary to account for the displacement of car parking currently associated with the hospital which is due for demolition. It is important to provide this temporary car parking to ensure minimal disruption to the existing operation throughout construction.

Besides the necessity to remove certain trees due to their proximity to proposed works, the removal of most trees has already been contemplated in the existing concept approval. As demonstrated in Figure 1 above, the majority of trees proposed to be removed in MOD 3 would have to be removed anyway due to their location within the approved building envelope/road layout.

### 6.3 Street trees

The four street trees proposed to be removed (numbered 332, 333, 334 and 335) are two *Eucalyptus melanophia* (Silver leaved ironbark), one *Eucalyptus cinerea* (Argyle apple) and one *Eucalyptus leucoxylon* (Yellow gum). The street trees are in good condition and their location does not impede the demolition and early site works already approved. Whilst one or two of the trees may need to be removed in the future to provide vehicle access for the new community health facility, this could be considered as part of the assessment of that application.

### 6.4 Tree Replacement

Despite the necessary removal of certain significant trees, all these trees will be replaced in the construction of the new hospital. A landscape plan (refer **Tag G**) will be included with the hospital project application. This landscape plan includes the comprehensive and coordinated landscaping of the site, with the final landscaped public domain improved from that existing.

## 7. MODIFICATION TO CONDITIONS OF APPROVAL

The Department recommends that conditions of approval apply to the proposed modifications. These are included at **Tag A**.

## 8. CONCLUSION

It is considered that the proposal, as modified, still achieves the same objectives as the originally approved Major Project 06\_0051 and does not alter the overall nature, need or justification of the Concept Plan.

With the exception of the four street trees (which should be reassessed as part of the future application for the community health facility), the proposed tree removals are necessary for the construction program and delivery of new hospital facilities at Royal North Shore and is considered reasonable as:

- some of the trees are in poor condition and are not of a significant native species;
- some of the trees are within the footprint and road layout of the already approved Concept Plan, meaning that it was always intended that they would be removed;
- the removal of trees will be compensated by the replanting program proposed in the project application (and concept plan) landscape plan.

## 9. DELEGATION

Under the instrument of delegation dated 7 June 2007, the Minister has delegated his functions under Section 75W of the Act relating to modifying Part 3A approvals to the Executive Director Strategic Sites and Urban Renewal.

Having regard to the Urban Assessments Guidelines for Delegates, it is considered appropriate that the application be determined under delegation.

## 10. RECOMMENDATION

It is recommended that the Executive Director, Strategic Sites and Urban Renewal (as delegate of the Minister for Planning), under Section 75W of the Act:

- (A) consider the findings and recommendations of this report;
- (B) approve the modification, subject to conditions, under Section 75W of the *Environmental Planning and Assessment Act, 1979*; and
- (C) sign the attached Instrument of Modification (**Tag A**).

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