



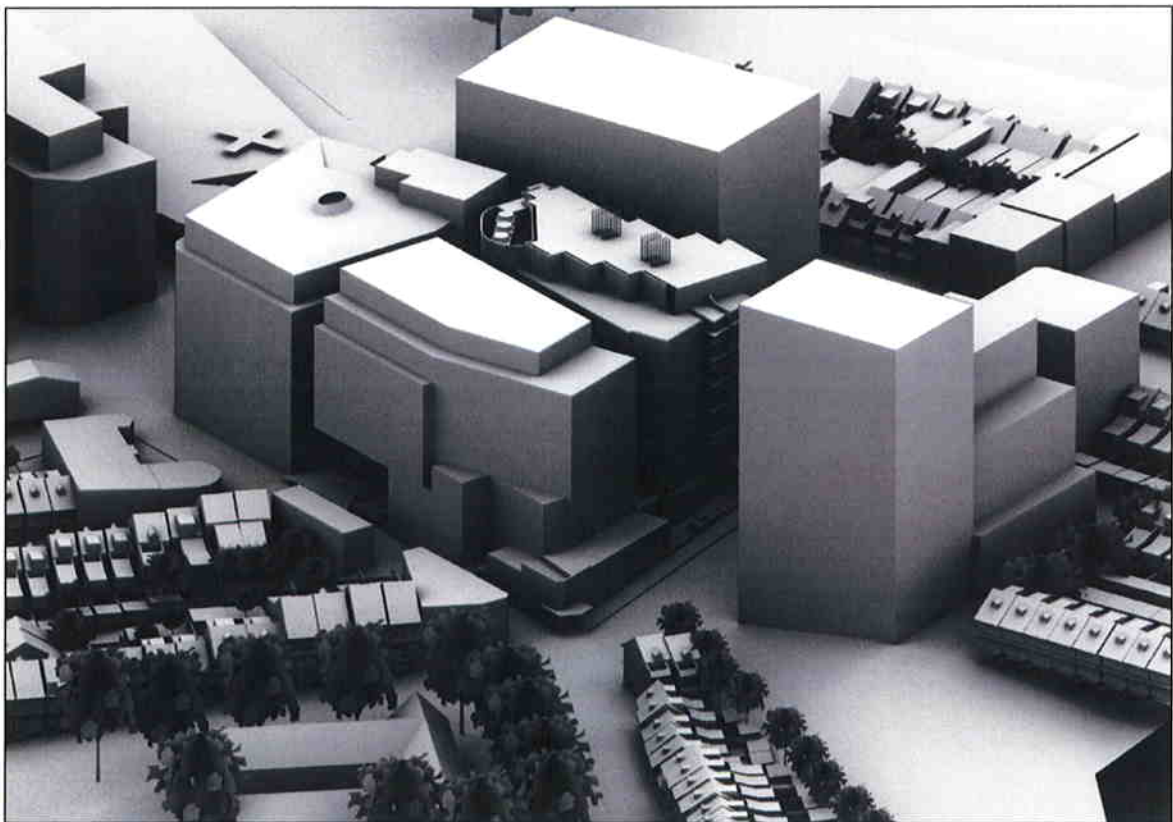
# Planning

## ***MAJOR PROJECT ASSESSMENT St Vincent's Research Precinct, Darlinghurst***

***MP 09\_0010 (Concept Plan)***

Director General's Environmental  
Assessment Report  
Section 75I of the  
Environmental Planning and Assessment  
Act 1979

July 2010



*Aerial view from North-East (Stage 2 building in foreground)*

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## EXECUTIVE SUMMARY

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This report is an assessment of an application by St Vincent's and Mater Health Sydney Ltd, (the Proponent) seeking concept approval for the development of the St Vincent's Research Precinct, pursuant to Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The St Vincent's Research Precinct (SVRP) has an area of 8,150m<sup>2</sup> and comprises most of the street block bounded by Victoria, Liverpool, West and Burton Streets, Darlinghurst, immediately north of the St Vincent's Hospital. The SVRP is owned by The Trustees of St Vincent's and is within the City of Sydney Local Government Area.

The Precinct is already home to the Garvan Institute of Medical Research (GIMR) and the 'Lowy Packer' building which houses St Vincent's Centre for Applied Medical Research and Victor Chang Cardiac Research Institute (VCCRI).

To complete the Precinct two new buildings are proposed. The Concept Plan application for the SVRP (MP 09\_0010) was lodged, seeking approval for these two new buildings, concurrently with a Project Application for one of the two buildings, the Kinghorn Cancer Centre (KCC) (MP 09\_0011).

The KCC, formerly known as the Garvan St Vincents Campus Cancer Centre, will align Garvan's internationally acclaimed cancer research with the best practice cancer care at St Vincent's & Mater Health Sydney, with the aim of developing more effective approaches to the prevention, diagnosis and treatment of cancer. Project approval for the KCC was granted by the Minister for Planning on 12 January 2010.

The second building, known in the Preferred Project Report (PPR) as 'Stage 2', is intended to house a complementary medical research facility, in partnership with the Proponent. It was originally intended that this site would accommodate the University of New South Wales Virology Centre. However, the University decided to locate this facility elsewhere following exhibition of the original SVRP Concept Plan. As a result, the Proponent is now seeking a new medical research partner to occupy the Stage 2 building. The Proponent has stated that the approval of Concept Plan building envelope and floor space for the Stage 2 site would provide the certainty required to obtain a commitment from another suitable research organisation. The detailed design of the building will be subject to subsequent Project Application.

The Concept Plan application seeks approval for: demolition; building envelopes; land uses; floor space; car parking numbers; vehicle access arrangements; street frontage activities; and subdivision/consolidation of titles. The development envisaged by the Concept Plan has a Capital Investment Value (CIV) of approximately **\$136.55 million** and would create approximately **600** full time jobs.

On 17 February 2009, the Director General, as delegate of the Minister, formed an opinion that the project is a Major Project under clause 19 of Schedule 1 to the State Environmental Planning Policy (Major Development) 2005 (MD SEPP), as it is for the purpose of health, medical or related research (which may also be associated with the facilities or research activities of a NSW Government Area Health Service, a University or an independent medical research institute) with a CIV of more than \$15 million (and more than 100 employees). The Minister is the approval authority.

The site is zoned 5 Special Uses (Hospital) under the *South Sydney Local Environmental Plan 1998* (SSLEP). A facility for research purposes is permissible under the definition of 'hospital' in this instrument.

The Concept Plan for the Precinct and Project Application for the KCC building were exhibited concurrently from 8 July 2009 until 7 August 2009. During the public exhibition of both the Concept Plan and Project Application the Department received 4 submissions from public authorities, 21 from the general public and a petition with 357 signatures. The City of Sydney Council objected to the applications on the grounds of height, scale, overshadowing, traffic and

parking. Submissions from the general public objected due to concerns about the potential traffic, access, parking, overshadowing and heritage impacts of the project.

Due to the need to further develop the building envelope for Stage 2 within the Concept Plan application, the KCC building Project Application proceeded while the Concept Plan was being revised to address Stage 2 bulk and scale issues. In order for the KCC building application to be a stand alone project, the Proponent submitted a PPR to incorporate demolition, subdivision and Precinct connection points which were originally included in the Concept Plan application only. The Project Application was subsequently approved by the Minister on 12 January 2010.

On 13 April 2010, the Proponent submitted a PPR for the Concept Plan application to address issues raised by the Department, other Government authorities, including Council and the public.

The Department has assessed the merits of the project, and consider that the key issues associated with the project relate to height, bulk and scale, traffic and heritage. A PPR and revised Statement of Commitments were submitted which aimed to address these concerns by way of a reduction in overall building height and a reduction in the number of car parking spaces which also resulted in the removal of one level of basement car parking for the KCC. These issues have been assessed in detail and the Department is satisfied that they can be adequately mitigated and managed through the recommended modifications to the approval and through Future Environmental Assessment Requirements for the subsequent Project Application(s), which will provide the detailed design for any building on site.

The assessment also found the project would have considerable social and economic benefits for the region, and would assist with the delivery of the Sydney Metropolitan Strategy, as it would:

- build on the recognised cluster of health related infrastructure around St Vincent's Hospital in Darlinghurst;
- create at least 600 new jobs, and
- enable a facility which will result in significant social and health benefits to the broader community.

The Department therefore considers the project is in the public interest and the Concept Plan should be approved, subject to modifications.

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# 1 BACKGROUND

## 1.1 THE SITE

Site inspections were conducted by Departmental officers on 12 August 2009, 19 October 2009, 17 November 2009, 3 December 2009, 8 December 2009, 10 March 2010 and 25 June 2010.

### 1.1.1 Site location and description

The St Vincent's Research Precinct (SVRP) has an area of 8,150m<sup>2</sup> and comprises most of the street block bounded by Victoria, Liverpool, West and Burton Streets, Darlinghurst, and is located immediately to the north of the St Vincent's Hospital. Refer to **Figure 1** below for the Precinct's locational context.

The SVRP is owned by The Trustees of St Vincent's and is within the City of Sydney Local Government Area.



**Figure 1:** St Vincent's Research Precinct (existing)

As can be seen in Figure 1, the Precinct currently accommodates: the Garvan Institute for Medical Research (GIMR) building (384-390 Victoria Street); and the 'Victor Chang Cardiac Research Institute' (VCCRI) building (also known as the Lowy Packer building) (405-427 Liverpool Street) and St Vincent's Ancillary Services Building (SVASB). The VCCRI and SVASB buildings house both the St Vincent's Centre for Applied Medical Research and the VCCRI.

The remainder of the site comprises:

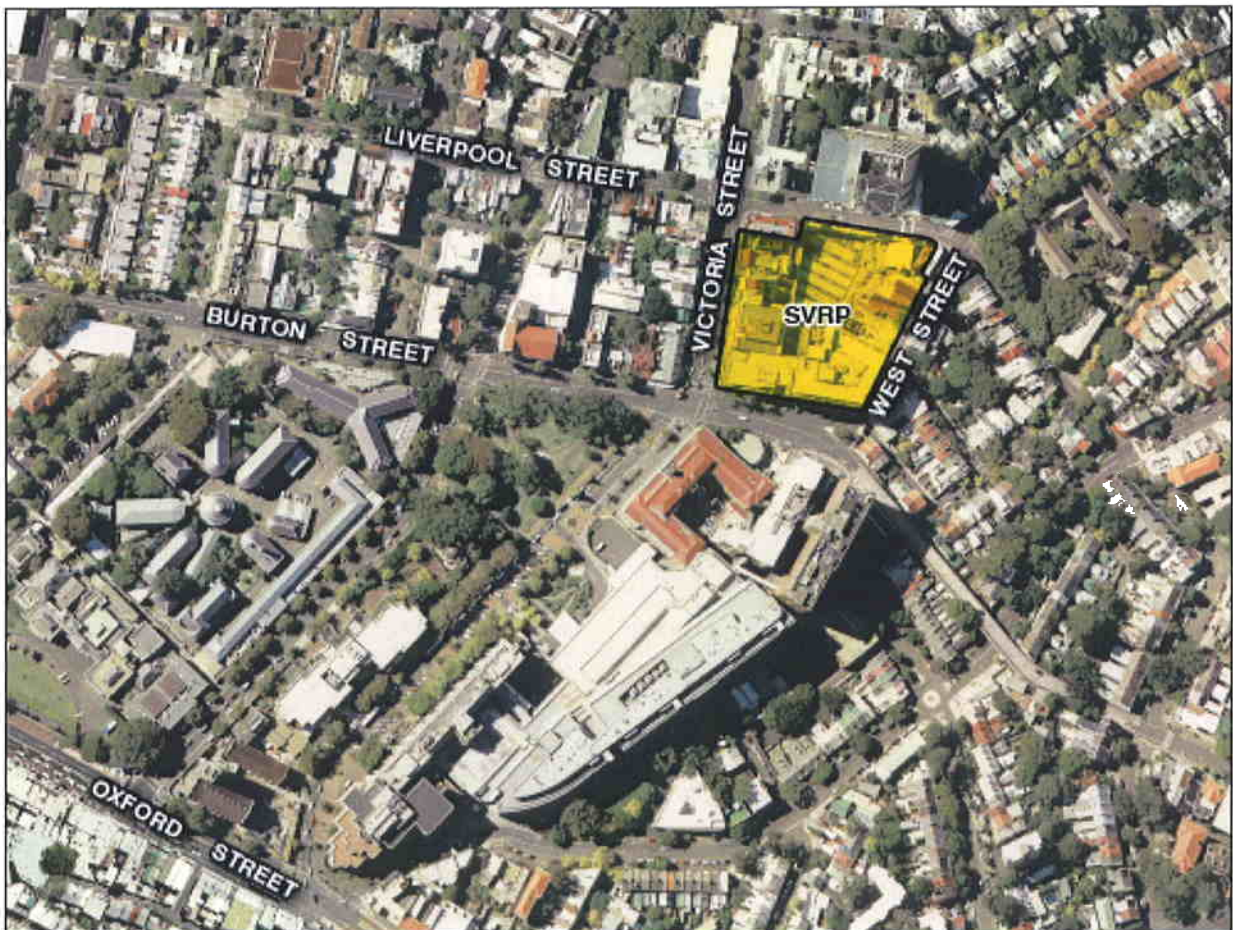
- 362-364 Victoria Street ('beer garden' for the Green Park Hotel);
- 366-368 Victoria Street (terrace house group adapted to offices for St Vincent's Hospital);
- 370 Victoria Street (altered late Victorian terrace house);
- 372 Victoria Street (late Victorian terrace used as offices by St Vincent's – local heritage item);
- 374 Victoria Street (altered late Victorian terrace house);
- 376-382 Victoria Street (Medical Centre);
- 429 Liverpool Street (two storey Victorian terrace house attached to 431 Liverpool St); and
- Chaplin Lane, a private service lane off Liverpool Street, serving the rear of properties to Victoria St.

The properties along Victoria Street have now been demolished as part of the approval for construction of the Kinghorn Cancer Centre (KCC).

The Precinct does not include the Green Park Hotel at 360 Liverpool Street (on the corner of Liverpool and Victoria Streets) or the two storey Victorian terrace house at 431 Liverpool Street (on the corner of Liverpool and West Streets).

## 1.2 SURROUNDING DEVELOPMENT

As shown in **Figure 2**, immediately south of the SVRP is Burton Street followed by the various buildings which make up St Vincent's Hospital.



**Figure 2:** Locational context

Located on the south-western corner of Liverpool and West Streets are two residential terraces. One of the two residential terraces, 431 Liverpool Street, is privately owned and does not form

part of the site. Also, adjoining the Precinct is the local heritage listed Green Park Hotel, which is located on the south-eastern corner of Liverpool and Victoria Streets.

The built form opposite the Precinct on the northern side of Liverpool Street is characterised by two high rise commercial buildings, the Telstra Exchange and a multi-storey mixed use development currently under construction. Further to the north are mostly 2 storey terrace buildings towards Williams Street and the suburb of Kings Cross.

A significant down slope occurs to the east and north-east of West Street where the Barcom Avenue Conservation Area consisting of predominantly single and double storey dwellings is situated and the local heritage listed Darlinghurst Public School to the north-east of the Precinct.

Development to the south of the Precinct is large scale hospital and medical related buildings including the St Vincent's Public and Private Hospitals, St Vincent's Clinic, the Cahill building (formerly nurse quarters) and the recently constructed O'Brien Centre. These buildings are of a similar scale and height as the existing and proposed buildings in the SVRP.

Development opposite the Precinct on the western side of Victoria Street comprises predominantly two storey terraces, with restaurant / café uses on the ground floor and residential uses above. Further to the west is Darlinghurst's residential area generally consisting of a mix of terraces and low rise apartments.

### **1.3 STRATEGIC CONTEXT**

#### **1.3.1 NSW State Plan**

The NSW State Plan seeks to achieve improved urban environments and deliver attractive and sustainable development through reductions in greenhouse gas emissions and development in close proximity to existing centres, services and transport. The State Plan aims to improve the design of cities, centres and suburbs and the proposal will achieve this by assisting in the ongoing renewal and development of the SVRP. The proposal would consolidate health, medical and research facilities in a cluster around the existing St Vincent's Hospital.

The SVRP proposal would contribute to a number of the plan's important priorities and targets, including the following priorities:

- S2 – Improved survival rates and quality of life for people with potentially fatal or chronic illness through improvements in health care;
- F5 – Reduced avoidable hospital admission;
- P1 – Increased business investment; and
- P4 – More people participating in education and training throughout their life.

#### **1.3.2 Sydney Metropolitan Strategy "City of Cities"**

The Sydney Metropolitan Strategy, developed to support the continuing economic growth of Sydney and enhance its standing as a global city, recognises the SVRP as part of a cluster of health related infrastructure in Darlinghurst, and identifies St Vincent's as one of ten major hospitals in the Sydney Metropolitan area. The proposed development of the SVRP will satisfy the Metropolitan Strategy objectives to: promote City learning initiatives by facilitating development around research hubs; build Sydney's knowledge infrastructure; and provide fair access to jobs, services and educational opportunities.

#### **1.3.3 Draft Sydney City Subregional Strategy**

The Precinct falls within the area covered by the Draft Sydney City Subregional Strategy. One of the key directions for the City of Sydney, as outlined in the strategy, is for the NSW Government and the City of Sydney to continue to promote existing and emerging 'clusters', including health and medical research hubs around major Hospitals. The SVRP project directly supports this goal.

Further, the SVRP project is considered to be wholly consistent with the strategy's specific targets and actions, in particular:

- Action A2.1.3 – *“Within the subregion, world class health, medical and biotechnology research activities are located in a cluster around the St Vincents Hospital in Darlinghurst...”*.
- Action A2.2 – *“For the Department of Health, Department of State and Regional Development and Department of Planning to promote the City East and Sydney Education and Health precincts as centres of excellence in biomedical research and development”*.
- Action A2.3 – *“Magnet infrastructure is generally an asset in the built environment that attracts activities to co-locate with it to form an industry cluster”*.

The subregional strategy recognises the cluster of hospital related uses along Victoria Street as key features of “Economy and Employment” within the subregion.

## 1.4 PREVIOUS APPROVALS

### 1.4.1 Lowy Packer Building

In March 2006, the Minister for Planning approved a Project Application for the Victor Chang Cardiac Research Institute (also known as the Lowy Packer building), located between the Stage 2 site and the approved the KCC. This facility has now been constructed. The Project Application for the cardiac research institute was accompanied by a non-statutory Masterplan that did not form part of either the application or the approval. The Masterplan (referred to in this report as the 2005 Masterplan) was prepared by the Proponent, with the purpose of guiding the future redevelopment of the Darlinghurst Medical Research Precinct, although without any statutory status.

### 1.4.2 The Kinghorn Cancer Centre (KCC)

The Concept Plan application for the SVRP (MP 09\_0010) was lodged concurrently with a Project Application for the KCC (MP 09\_0011). The Concept Plan covered both the proposed KCC and Stage 2 and sought concept approval for demolition, uses, building envelopes, car parking numbers and access arrangements across the entire Precinct. The Concept Plan and Project Application were exhibited concurrently and submissions received were generally joint submissions for both applications.

Due to the need to enable further refinement of the building envelope for Stage 2 to address community concerns, the Department continued to assess the Project Application for the KCC, while the bulk and scale of Stage 2 was being reconsidered. In order for the KCC application to be a stand alone document, the Proponent submitted a PPR which incorporated demolition, subdivision and Precinct connection points which were originally included in the Concept Plan. The Project Application was subsequently approved by the Minister on 12 January 2010.

The table below provides a summary of the KCC approval.

<b>KCC</b>	
<b>Height (RL)</b>	RL 80.40
<b>No. Storeys (above ground)</b>	9
<b>GFA (m<sup>2</sup>)</b>	11,486
<b>FSR</b>	5.7:1
<b>Car parking spaces (basement)</b>	150

## 2 PROPOSED DEVELOPMENT

### 2.1 THE PROPOSED DEVELOPMENT

Two new buildings are proposed to be constructed in the SVRP to accommodate the Kinghorn Cancer Centre (KCC) and a future medical research facility on the Stage 2 site, which is illustrated in **Figure 3** below.



**Figure 3:** St Vincent's Research Precinct (proposed)

As detailed earlier in this report, a Project Application has already been approved for the construction of the KCC building. However, the Proponent has included the KCC site in the Concept Plan to provide an overarching framework for the coordination of the two new development sites with the rest of the Precinct. In this regard, the final design of the Stage 2 site building is yet to be resolved, and would need to be subject to a future Project Application.

The Concept Plan defines the following key parameters of the proposed SVRP:

- medical research land use;
- maximum of 11,486m<sup>2</sup> gross floor area for the KCC
- maximum RL 80.4 for the KCC (9 storeys above Victoria Street);
- maximum of 8,000m<sup>2</sup> gross floor area for Stage 2;
- maximum RL 72.0 for Stage 2 (8 storeys above Liverpool Street);
- demolition/tree removal;
- earthworks;
- building envelopes;
- vehicle access arrangements; and
- subdivision and landscaping.

A copy of the Building Envelope Plans is at **Appendix A**, while the Environmental Assessment is included at **Appendix C**.

A summary of the proposed SVRP Concept Plan, with a comparison of the original proposal against the proposal as amended by the PPR, is provided in the table below:

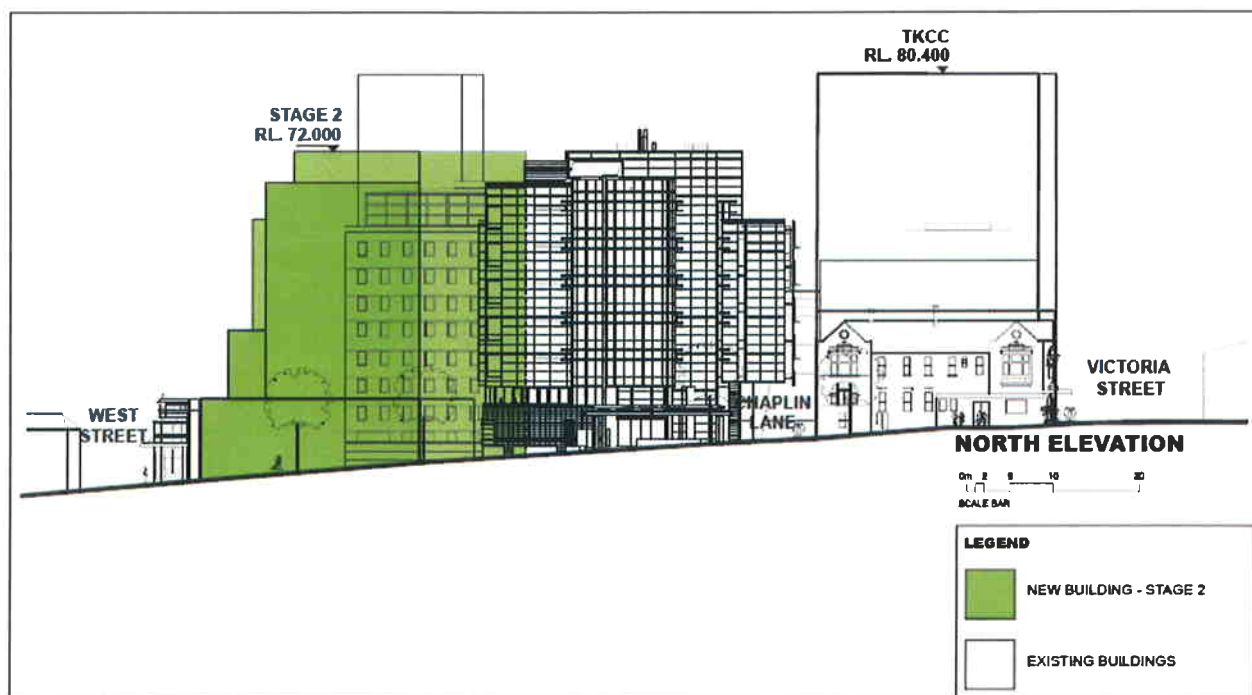
**Table 1: Summary of SVRP**

	GIMR	Lowy Packer Building	The Kinghorn Cancer Centre (Approved)		Stage 2 Site (Proposed)	
	Existing	Existing	Originally Proposed	Approved	Originally Proposed	Currently Proposed (PPR)
Site Area	2,525m <sup>2</sup>	1,587m <sup>2</sup>	2,153m <sup>2</sup>	2,153m <sup>2</sup>	1,885m <sup>2</sup>	1,885m <sup>2</sup>
GFA	17,157m <sup>2</sup>	9,354m <sup>2</sup>	14,000m <sup>2</sup>	11,486m <sup>2</sup>	8,500m <sup>2</sup>	7,500-8000m <sup>2</sup>
Building Height (max)	RL 72.62	RL 72.00	RL 93.5	RL 80.4	RL 76.00	RL 72.00
Number of Storeys	9	8	11	9	9	8
Building Footprint	2,345m <sup>2</sup>	1,165m <sup>2</sup>	1,750m <sup>2</sup>	1,750m <sup>2</sup>	1,520m <sup>2</sup>	1,520m <sup>2</sup>
Car Parking Spaces (max)	Nil	20	218	150	162	132
CIV	n/a	n/a	\$58.86m	\$82.65m	\$75m	\$53.9m

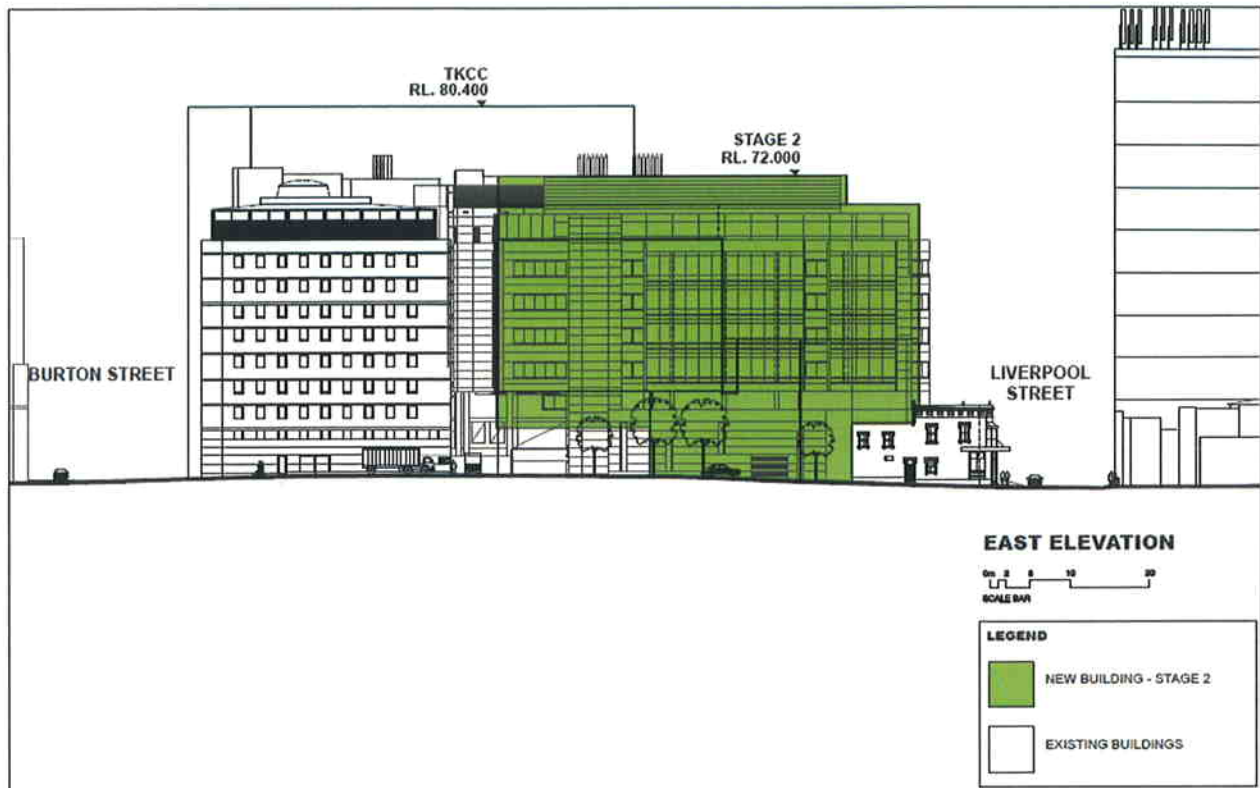
As the issues regarding the construction and operation of the KCC were considered in the assessment and subsequent approval of Major Project MP 09\_0011, this report focuses on the Stage 2 site.

### Building Envelopes

The GIMR and Lowy Packer buildings have already been developed and are not subject to any existing or proposed height or floor space controls. The building envelopes of the approved Cancer Centre and proposed Stage 2 site are illustrated below.

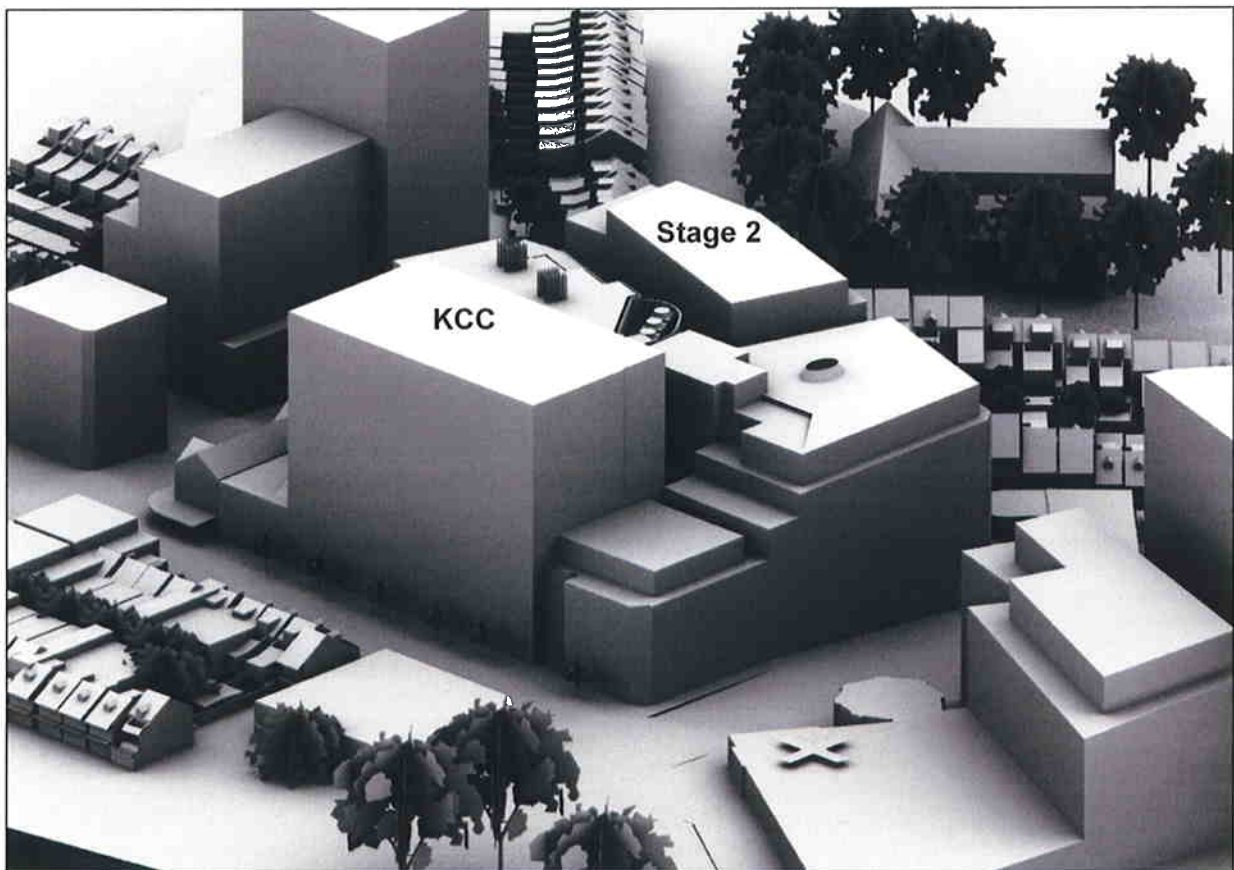


**Figure 4: Proposed Building Envelopes - North Elevation**

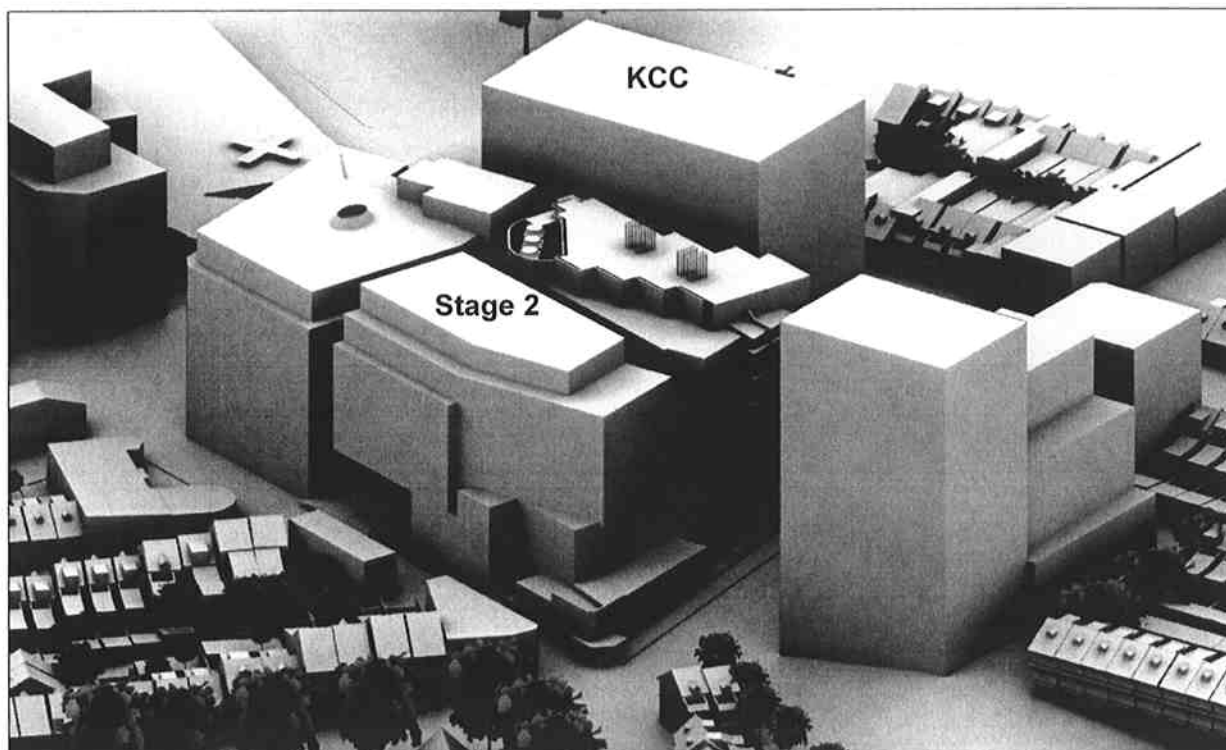


**Figure 5:** Proposed Building Envelopes - East Elevation

Three dimensional modelling of the Concept Plan envelopes has also been included in the SVRP documentation. **Figures 6 and 7** below show the site from the south-west and the north-east.



**Figure 6:** Aerial view of the SVRP from the South-West (KCC in foreground)



**Figure 7:** Aerial view of the SVRP from the North-East (Stage 2 in foreground)

The building envelope has been reduced in height and modulated through setback of upper levels to West Street, Liverpool Street and in the vicinity of 431 Liverpool Street from the EA to the PPR in response to issues raised in submissions and by the Department (as illustrated in Figure 4).

#### **Car Parking**

The Concept Plan provides a total maximum of 302 basement car parking spaces, comprising the following maximums for each building within the Precinct:

- 148 spaces (plus 2 small car spaces) in a basement below the approved Cancer Centre building;
- 132 spaces in a basement below the proposed Stage 2 site building; and
- 20 spaces (a reduction of 6 spaces) in the basement below the existing Lowy Packer building.

Bicycle parking is proposed to be provided at a rate of 1 space per 20 employees in accordance with South Sydney Development Control Plan 11 - Transport Guidelines for Development 1996 (DCP 11). Details will be provided at Project Application stage.

#### **Vehicular Access and Loading**

The existing two-way basement driveway to West Street is proposed as the sole access into the SVRP for cars, motorcycles and bicycles. New basement car parks below both the Cancer Centre and Stage 2 site buildings would have individual pedestrian access via lifts into the buildings above, but would share vehicular access via the existing Lowy Packer building basement car park. While this would result in more vehicles using the existing driveway, the driveway was originally designed to accommodate this volume in accordance with relevant Australian Standards.

The existing Precinct loading dock is served by a single driveway to West Street, between the GIMR building and the West Street basement car park driveway. As the KCC and Stage 2 would increase the frequency of use of the dock, a second loading dock driveway and additional loading bays are proposed to permit more than one vehicle to access the dock at a time. The new driveway would be provided to the immediate north of the West Street basement car park driveway. The increased loading movements of the KCC alone do not warrant the provision of a new access. However, the cumulative impacts from the development of the KCC and Stage 2

would require the additional access and loading bays to cater for increased servicing times and minor increases to frequency of service deliveries. The new access will also rectify an existing deficiency with the loading dock access which has resulted in heavy vehicles reversing into the site.

While the northern end of Chaplin Lane and its intersection with Liverpool Street will be maintained, the capacity of this intersection is constrained by its proximity to the signalised intersection of Liverpool and Victoria Streets. It will therefore only be maintained for service vehicles and rear loading to the Green Park Hotel.

In view of the high pedestrian flows and heritage significance of the Victoria Street frontage, and the narrow frontage of the Stage 2 site to Liverpool Street, no vehicular access is proposed to these frontages.

### Landscaping and Public Domain

The Concept Plan involves a built form with buildings to the street edge (refer **Figure 8** below). The landscape external to the SVRP would be defined by existing public domain works and street trees. Works in the public domain would involve the retention of existing street trees and rectification of any footpath damage in accordance with the standard requirements of the City of Sydney. Internally, the Precinct would accommodate two setback areas to either side of the existing Lowy Packer building. Both areas would be formally landscaped to provide courtyard spaces linking the Lowy Packer building to the proposed Stage 2 site and Cancer Centre buildings respectively. The landscape within these spaces would be defined by decoratively paved surfaces and low planting set amongst seating.

The courtyard spaces would have secured access at the front building line of the existing Lowy Packer building to prevent anti-social use of the spaces. Security would be provided by way of visually permeable fencing, with swipe card or similar secured access to permit staff entry. The public domain would extend into Chaplin Lane to the southern boundary of the Green Park Hotel to maintain rear access to this property.

The existing security roller door to the Lowy Packer building basement car parking would remain. Given its height and width, the ground level loading dock to West Street is not intended to be secured, other than by CCTV surveillance.



**Figure 8:** Landscape Concept Plan

Detailed landscape plans for each proposed building would be provided at Project Application stage.

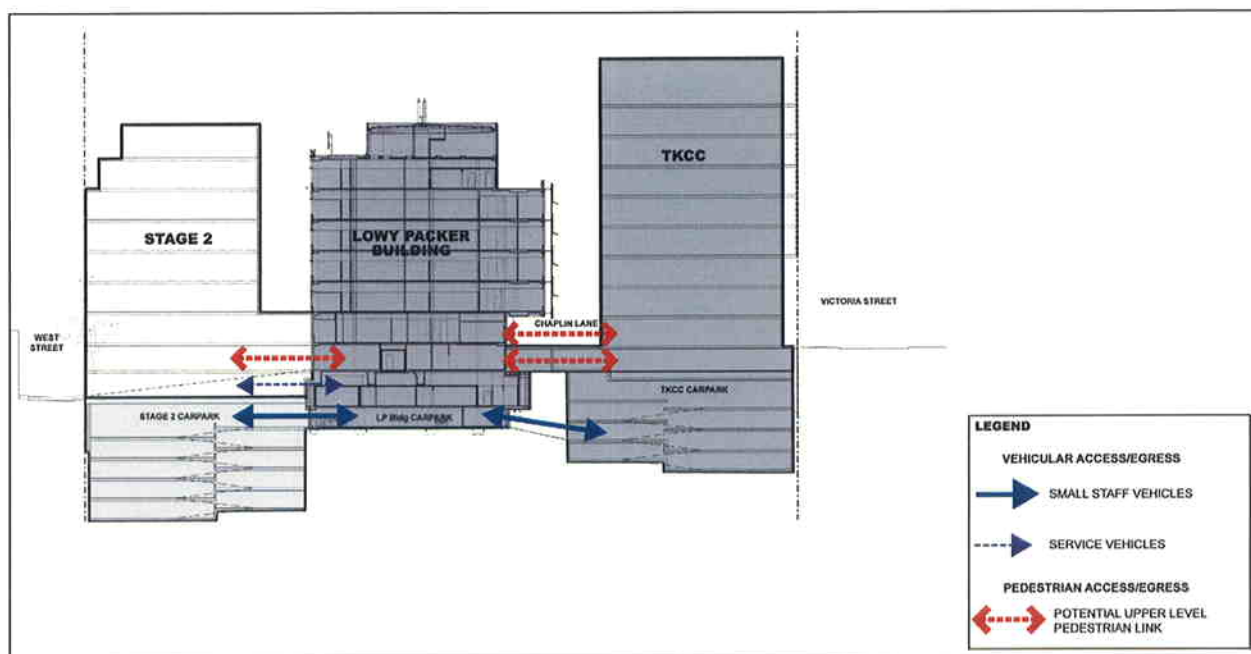
### Internal Connectivity

A fundamental principle of the SVRP is the optimisation of opportunities for translational medical outcomes arising through the collocating of researchers and clinicians from various medical fields. This would be assisted by optimising the ease of access between, and the likelihood of incidental meetings of different practitioners/researchers.

To this end, the spaces on either side of the existing Lowy Packer building are proposed as secure courtyards that connect the ground level of each of the four facilities within the Precinct. In addition, upper level bridge links may provide secure, private connections between various laboratory and office facilities and convenient access to facilities such as the café on the top floor of the existing GIMR building.

At lower ground level, 'back of house' functions of the new buildings would extend across and connect into the adjacent buildings, optimising opportunities for the co-ordination and sharing of support infrastructure.

**Figure 9** below demonstrates the potential linkages.



**Figure 9:** Internal Connectivity between buildings in the SVRP

### Subdivision

With the exception of 431 Liverpool Street and the Green Park Hotel, which do not form part of the Precinct, the entire street block is owned by the Trustees of St Vincent's. All parts of the site and buildings thereon are intended to remain the property of the Trustees of St Vincent's.

However, to rationalise the existing plan of subdivision, the Concept Plan involves the consolidation of the site into four titles, reflecting the four occupants of the SVRP as illustrated in **Figure 10**. The subdivision plan was approved as part of the Project Application for the KCC.

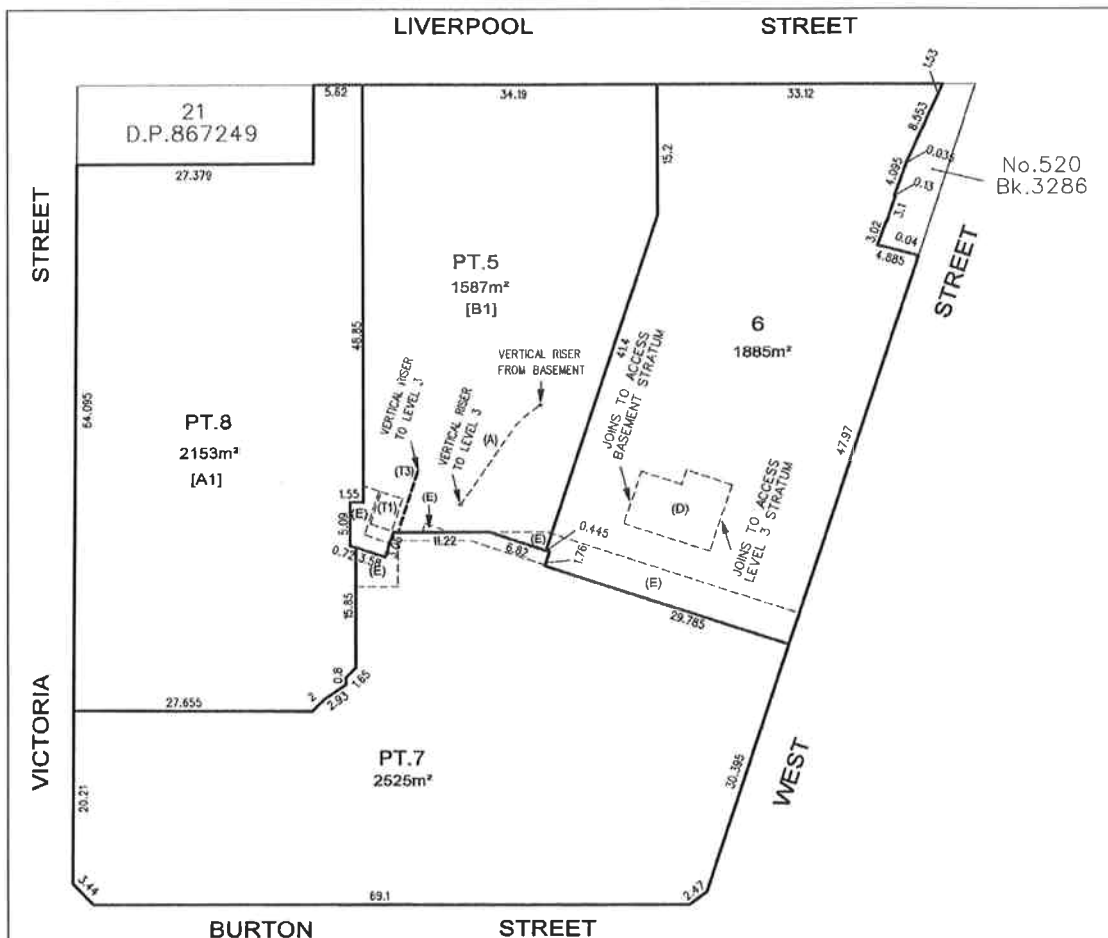


Figure 10: Approved Subdivision Plan

## 2.2 PREFERRED PROJECT REPORT

On 13 April 2010, the Proponent submitted a PPR which responded to issues raised in submissions by Government agencies and the public, and included reductions to the proposed building envelope, a reduction in car parking numbers and additional information to clarify outstanding issues. The amendments did not warrant re-notification of the application, however, it was referred to Council and RTA for comment (see Section 4.3 for details of submissions received on PPR).

As previously detailed in section 2.1 of this report, the PPR incorporates the following key amendments:

- Reduction in overall height of the Stage 2 site building by 1 storey (4 metres) from 9 to 8 storeys;
- Reduction in basement car parking spaces for the SVRP from 400 to 302 and consequently, the removal of a basement level;
- Reduction in Stage 2 site floor space from 8,500m<sup>2</sup> to 7,500-8,000m<sup>2</sup>;
- Increased Stage 2 site building envelope setback to Liverpool and West Streets.

It was originally intended that the Stage 2 site would accommodate the University of New South Wales Virology Centre. As a result of the University deciding to locate this facility elsewhere, following exhibition of the original SVRP Concept Plan, the PPR was amended to state that the site (now known as 'Stage 2') would be used for medical research purposes. The occupant of the site will be determined at a later stage and subject to a future project application. The PPR was also amended to illustrate the approved building envelope of the KCC, which was identified as the Garvan St Vincents Cancer Centre C in the original Environmental Assessment, and was not yet approved when the Concept Plan was originally exhibited.

The EA as amended by the PPR forms the basis of the assessment of this report. A copy of the PPR is at **Appendix D**.

### 3 STATUTORY CONTEXT

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#### 3.1 MAJOR PROJECT DECLARATION

The proposal is classified as a Major Project under Part 3A of Environmental Planning and Assessment Act 1979 (EP&A Act) as it is development for the purpose of a medical research facility, with a Capital Investment Value (CIV) of over \$15 million and therefore meets the criteria in Clause 19 of Schedule 1 of MD SEPP. Consequently, the Minister for Planning is the approval authority for the project.

On 20 January 2009, the Director General, as delegate for the Minister for Planning, formed the opinion that the proposal was a project to which Part 3A of the EP&A Act applies. On 29 January 2009 the Minister for Planning authorised the submission of a Concept Plan for the proposal.

On 17 February 2009, the Director General as delegate for the Minister for Planning amended the Part 3A declaration to correct an anomaly in the description of the site.

#### 3.2 PERMISSIBILITY

The site is zoned 5 Special Uses (Hospital) under the *South Sydney Local Environmental Plan 1998* (SSLEP). A facility for research purposes is permissible under the definition of 'hospital' in this instrument.

#### 3.3 DIRECTOR GENERAL'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS (DGRS)

On 11 March 2009, the DGRs were issued pursuant to Section 75F of the EP&A Act. The DGRs are provided in **Appendix B**.

#### 3.4 OBJECTS OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The Minister's consideration and determination of a Project Application under Part 3A must be consistent with the relevant provisions of the EP&A Act, including the objects set out in Section 5 of the EP&A Act.

The objects of the EP&A Act in section 5 are as follows:

- (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.*

The Department has considered the Objects of the EP&A Act and considers that the application is consistent with the relevant objects. The assessment of the application in relation to these relevant objects is provided in Section 3.5 and Section 5 of this report.

### 3.5 SECTION 75I(2) OF THE EP&A ACT

Section 75I(2) of the Act and Clause 8B of the Environmental Planning and Assessment Regulation 2000 provides that the Director General's report is to address a number of requirements. These matters and the Department's response are set out as follows:

<b>Section 75I(2) criteria</b>	<b>Response</b>
Copy of the Proponent's environmental assessment and any preferred project report	The Proponent's EA and PPR are located on the assessment file and in a CD-Rom in <b>Appendix C and D</b> .
Any advice provided by public authorities on the project	All advice provided by public authorities on the project for consideration is set out at <b>Appendix E</b> of this report.
Copy of any report of the Planning Assessment Commission in respect of the project	The project was not referred to the Planning Assessment Commission.
Copy of or reference to the provisions of any State Environmental Planning Policy that substantially govern the carrying out of the project	Each relevant SEPP that substantially governs the carrying out of the project is identified and assessed in <b>Section 3.6</b> of this report.
Except in the case of a critical infrastructure project – a copy of or reference to the provisions of any environmental planning instrument that would (but for this Part) substantially govern the carrying out of the project and that have been taken into consideration in the environmental assessment of the project under this Division	An assessment of the development relative to all environmental planning instruments is provided in <b>Section 3.6</b> of this report.
Any environmental assessment undertaken by the Director General or other matter the Director General considers appropriate.	The environmental assessment of the Project Application is this report in its entirety.
A statement relating to compliance with the environmental assessment requirements under this Division with respect to the project.	The Proponent's EA addressed the DGR requirements and is considered to have satisfied those requirements as addressed in this report. Refer to the Conclusion in <b>Section 6</b> of this report for a statement relating to this requirement.
<b>Clause 8B criteria</b>	<b>Response</b>
An assessment of the environmental impact of the project	An assessment of the environmental impact of the proposal is discussed in <b>Section 5</b> of this report.
Any aspect of the public interest that the Director General considers relevant to the project	The public interest is discussed in <b>Section 5</b> of this report.
The suitability of the site for the project	The suitability of the site for the project is discussed in <b>Section 5</b> of this report
Copies of submissions received by the Director General in connection with public consultation under section 75H or a summary of the issues raised in those submissions.	A summary of the issues raised in the submissions is provided in <b>Section 4</b> of this report and <b>Appendix E</b> .

### 3.6 ENVIRONMENTAL PLANNING INSTRUMENTS (EPIS)

#### 3.6.1 Application of EPIs to Part 3A projects

To satisfy the requirements of section 75I(2)(d) and (e) of the EP&A Act, this report includes references to the provisions of the EPIs that govern the carrying out of the project and have been taken into consideration in the environmental assessment of the Project Application.

The primary controls guiding the assessment of the proposal are:

- State Environmental Planning Policy (Major Development) 2005;
- State Environmental Planning Policy (Infrastructure) 2007; and
- South Sydney Local Environmental Plan 1998.

The Department has considered the proposal against the objectives and aims of these instruments, and is satisfied that the proposed project, subject to the implementation of the recommended conditions of approval, is generally consistent with the provisions of these instruments.

### **3.6.2 State Environmental Planning Policy (Major Development) 2005**

As discussed in section 3.1 of this report, the Major Development SEPP applies to the site as it specifies that development for the purpose of health, medical or related research (which may also be associated with the facilities or research activities of a NSW Government Area Health Service, a University or an independent medical research institute) with a Capital Investment Value of more than \$15 million (and more than 100 employees) is a Part 3A project. The Capital Investment Value for the Concept Plan is estimated at \$136.55 million.

### **3.6.3 State Environmental Planning Policy (Infrastructure) 2007**

The Infrastructure SEPP aims to facilitate the effective delivery of infrastructure across the State. Division 10 – Health Services Facilities applies to this proposal, however, as it is being assessed under Part 3A, the exempt development provisions under the Infrastructure SEPP are not applicable.

Division 17 – Traffic Generating Development also applies to this proposal and therefore the Project Application was referred to the RTA for review and comment.

### **3.6.4 South Sydney Local Environmental Plan 1998**

*South Sydney Local Environmental Plan 1998* (SSLEP) is the principal statutory planning instrument applying to the site. Under the provisions of SSLEP the site is zoned 5 Special Uses (Hospital). The proposal is consistent with the land use zone objectives and is permissible with consent in the zone.

The SSLEP does not contain any development standards for this zone.

### **3.6.5 South Sydney Development Control Plan 1997**

The Precinct is located on the natural ridgeline which runs from Darlinghurst to Potts Point and is known as the 'Kings Cross ridge'. South Sydney DCP includes in its urban design principles that it is important to "*reinforce the land form and dominant topography of the City, with low rise buildings in low-lying areas, clusters of buildings on the slopes, culminating with taller buildings on the ridgelines*".

Further, the DCP's built form objectives include to "*Ensure highly visible sites, such as those located along the Kings Cross ridge, King Street and Riley Street are carefully designed to be in scale with the City's setting, reinforcing skyline characteristics as shaped by buildings of uniform height, variable height, cluster groups, and tower forms*".

In this respect, the height and scale of the proposed built form within the SVRP is consistent with reinforcing the importance of the skyline characteristics by providing a consistent height in a clustered group and by positioning these taller buildings on the ridgeline.

## 4 CONSULTATION

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### 4.1 PUBLIC EXHIBITION

Under Section 75H(3) of the EP&A Act, the Director General is required to make the Environmental Assessment (EA) of a project publicly available for at least 30 days.

After accepting the EA for the Concept Plan and Project Application, the Department:

- made the EA publicly available from 8 July 2009 until 7 August 2009:
  - on the Department's website; and
  - at the Department's Information Centre, City of Sydney Council offices and Kings Cross Library;
- notified landowners in the vicinity of the site about the exhibition period by letter;
- notified relevant State government authorities and City of Sydney Council by letter; and
- advertised the exhibition in the Wentworth Courier and the Sydney Morning Herald.

This satisfies the requirements in Section 75H(3) of the EP&A Act.

The PPR for the SVRP Concept Plan was accepted on 13 April 2010. This was placed on the Department's website and sent to the City of Sydney Council and the RTA for comment (see Section 4.3 for submissions received regarding the PPR).

During the assessment process the Department also made a number of documents available for download on the Department's website. These documents included the:

- Project Application;
- Director General's environmental assessment requirements;
- Environmental Assessment; and
- PPRs.

### 4.2 SUBMISSIONS RECEIVED ON ENVIRONMENTAL ASSESSMENT

During the exhibition period, the Department received a total of 26 submissions relating to both the KCC and Stage 2 site proposals, comprising 21 submissions from the public and 4 submissions from public authorities being:

- City of Sydney Council;
- NSW Transport and Infrastructure;
- Roads and Traffic Authority; and
- Sydney Water Corporation.

A petition signed by 357 residents was also received. All public submissions raised objections.

A summary of the issues raised in the submissions as they relate to the Stage 2 site is provided below as the issues relating to the KCC were considered and addressed in the Director General's Environmental Assessment Report for the KCC (MP09\_0011) and a copy of submissions are included in **Appendix E**.

#### 4.2.1 City of Sydney Council

The City of Sydney Council raised the following issues:

##### *Design and amenity*

- The Concept Plan envelopes have not been justified on planning grounds; rather they are solely determined by the projected 'needs' of the institute. Comparisons with other large buildings in the vicinity are unacceptable justifications for the proposed height.
- Insufficient consideration has been given to alternative locations for the proposed institutes, including possible co-location.
- The overshadowing and overlooking analysis lack credibility, particularly given that impacts will likely be substantial. Overshadowing of residential properties east of West Street will be significant in the afternoon throughout most of the year.

- Inconsistent with the 2005 Masterplan, which recommends a maximum height of RL 54 for the Stage 2 site building, with a maximum wall height to West Street of RL 43.

#### *Heritage*

- The heritage assessment fails to provide adequate information in relation to the affected Liverpool Street terraces and is deficient in its assessment of the impacts on the heritage listed school at 350 Liverpool Street.

#### *Traffic, parking and access*

- Limited information regarding additional truck access/egress and the impact on residential streets.
- Car parking should be reduced to comply with the maximum car parking controls which apply to the site.
- Providing additional parking on the site to address the shortfall elsewhere in the St Vincent's Campus is not supported.
- Any new vehicular entry points from West Street are unsupported. Driveway access should be from Liverpool Street via Chaplin Lane with egress via the existing exit to West Street.

#### **4.2.2 NSW Transport and Infrastructure (NSWTI)**

NSWTI had no objections to the proposal. However, it recommended a greater incorporation of measures to maximise the use of existing public and active transport options considering the site proximity to public transport. It also recommended the preparation of a Transport Management and Accessibility Plan (TMAP).

#### **4.2.3 Roads and Traffic Authority (RTA)**

The RTA requested an analysis of traffic impacts using the SCATES program, further details of car parking and service vehicle areas at future project application stage and a Demolition and Construction Traffic Management Plan prior to the issue of a construction certificate for future Project Applications and a plan showing compliance with AUSTROADS. It also recommended conditions relating to access, car parking provisions and layout and the provision of bicycle facilities.

#### **4.2.4 Sydney Water**

Sydney Water advised that a Section 73 Certificate is required to enable them to specify any works that may be required as a result of the development. They note that the site currently has a trade waste permit and that any new commercial trade wastewater processes should be included on this permit as a variation.

#### **4.2.5 Community submissions**

The primary issues raised in the public submissions comprised:

- Height, bulk and scale: the building envelopes proposed are inconsistent with the 2005 Masterplan. Height and scale is excessive and out of character with the locality and existing Darlinghurst streetscape. Proposed building envelopes will result in unacceptable amenity impacts on adjacent residential properties.
- Overshadowing: overshadowing will have a detrimental impact on surrounding public and private land.
- Traffic, access and parking: parking numbers have significantly increased from that noted in the 2005 Masterplan. No approval should be granted until the traffic management measures relating to the prevention of ingress to the site from West Avenue are resolved. Access should be via Liverpool Street as more traffic will mean more people using West Avenue.
- Construction impacts: significant noise and dust pollution during construction.
- Heritage: the bulk and scale of the proposal is out of keeping with the heritage character of the area and the character of existing heritage streetscapes.

These issues are addressed in Section 5 of this report.

#### **4.3 SUBMISSIONS RECEIVED ON PREFERRED PROJECT REPORT (PPR)**

The Department forwarded the PPR to Council and RTA for comment, both of which made submissions. 30 public submissions, 45 of the first pro-forma letter and 53 of a second pro-

forma letter were also received in response to the amended Concept Plan. All public submissions raised objections.

A summary of the issues raised in the submissions is provided below and a copy of submissions included in **Appendix F**. These issues are addressed in Section 5 of this report.

#### **4.3.1 City of Sydney Council**

The City of Sydney Council raised the following issues:

- Maintained that the Stage 2 bulk and height is excessive and would have a significant and potentially detrimental environmental and aesthetic impact on the surrounding neighbourhood. Council's preferred maximum height still remains RL 54 for the Stage 2 site building, with a maximum wall height to West Street of RL 43;
- Seeking a building envelope for an unknown use;
- Deficient provision of bicycle parking facilities and end of trip facilities;
- Inadequate consideration of alternatives to West Street for vehicle egress and ingress; and
- Traffic modelling is based on current trip generation during peak periods with limited car parking, which would be significantly altered with the increased provision of car parking and therefore a greater percentage of staff arriving and departing during peak hours should be incorporated into the traffic modelling for the proposal.

#### **4.3.2 Roads and Traffic Authority (RTA)**

The RTA requested full sized scaled plans to undertake an assessment of the proposal and also recommended a number conditions regarding access, compliance with Australian Standards and AUSTROADS.

The issues raised by the RTA are issues that should be addressed at detailed design stage, as the information is not currently available and will be subject to a future project application.

#### **4.3.3 Community submissions**

The primary issues raised in the public submissions regarding the PPR comprised:

- Height, bulk and scale: the building envelopes proposed are inconsistent with the 2005 Masterplan. Height and scale is excessive and out of character with the locality and existing Darlinghurst streetscape, particularly given that the floor space is sought with no tenant;
- Amenity impacts: overshadowing will have a detrimental impact on surrounding residential areas, noise pollution from plant; and view loss;
- Increased traffic, access arrangements and increased car parking: parking numbers have significantly increased from that noted in the 2005 Masterplan. No approval should be granted until the traffic management measures relating to the prevention of ingress to the site from West Avenue are resolved. Access should be via Liverpool Street as more traffic will mean more people using West Avenue;
- Landscaping: minimal open space and landscaping in the Precinct;
- Community consultation: minimal level of community consultation;
- Impacts on Darlinghurst Primary School: the proposal would impact the safety for children attending Darlinghurst Primary School due to increased vehicle and human traffic; and
- Heritage: the bulk, scale and design of the project is out of keeping with the heritage character of the area and the character of existing heritage streetscapes.

In addition, a number of issues raised related to the detailed design of the building and subsequent impacts from the construction and operation of the building, including stormwater management, noise and dust pollution from construction, structural impacts from construction, and management of operational waste and noise. As these details are still subject to building design and a future project application, these issues would need to be addressed in the assessment of the future project application.

## 5 ASSESSMENT

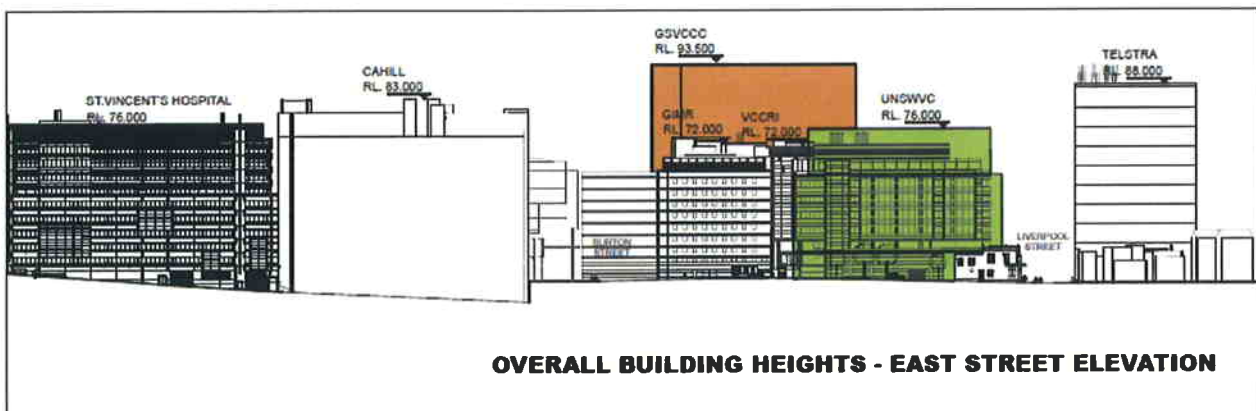
Key issues considered in the Department's assessment of the Environmental Assessment include:

- height;
- built form and urban design;
- overshadowing;
- traffic, car parking and access;
- development contributions;
- heritage; and
- ecologically sustainable development.

This assessment focuses on the Stage 2 site as the key issues regarding the KCC were addressed in the Director General's Environmental Assessment Report for Major Project MP 09\_0011. Key issues that need to be considered on a Precinct wide basis are traffic and car parking issues, which are discussed in Section 5.4.

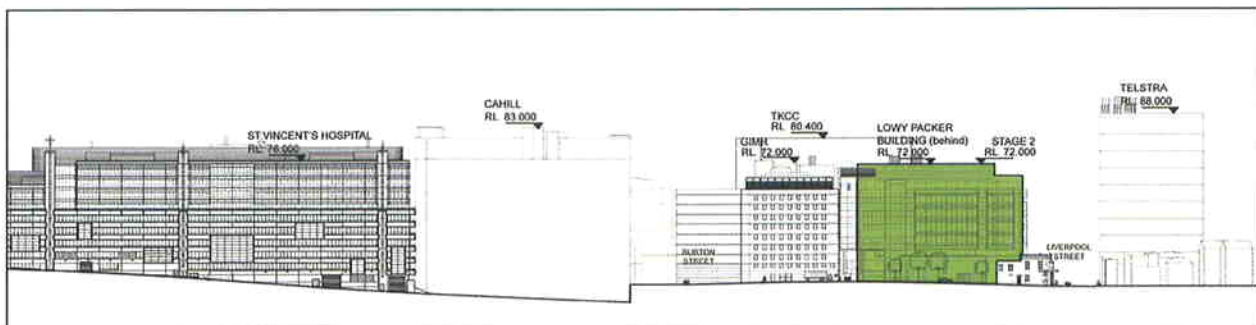
### 5.1 HEIGHT

The exhibited Concept Plan proposal consisted of a 9 storey building envelope for the Stage 2 site - to a maximum height of RL 76, as illustrated in **Figure 11**. The proposed height and scale was identified as an issue by the Department, Council and residents as it resulted in an envelope that was considered to be excessive given the interface with the residential development immediately to the east.



**Figure 11:** Exhibited Building Heights – East Elevation

Following discussions between officers of the Department and the Proponent regarding the scale of the proposal, the height of the Stage 2 building envelope was reduced in the PPR by approximately 1 storey or 4 metres, and is now identical in height to the adjoining Lowy Packer building (RL 72), as illustrated in **Figure 12**.



**Figure 12:** Amended Building Heights (PPR) – East Elevation

The proposed height and scale of Stage 2 as proposed in the PPR was still identified as an issue by Council and local residents. Submissions have pointed to the inconsistency of the proposal with the height for the site identified in the *2005 Masterplan*. The Masterplan identifies

a maximum height of RL 64 for the Stage 2 site, with a maximum height of RL 43 fronting West Street and RL 54 fronting the majority of Liverpool Street.

The Department recognises however, that the Masterplan is a non-statutory document, and also notes the Proponent's position that the operational requirements of the Precinct have evolved since the formulation of the Masterplan in 2005, with dramatic changes in how medical research is undertaken, which requires the co-locating of researchers and clinicians, rather than developing isolated facilities. The Proponent has stated that by providing planning certainty for the Stage 2 site, the Proponent would then be able to attract another medical research entity to the Precinct. Accordingly, an increased building envelope in comparison to the Masterplan is considered reasonable given the potential benefits of supporting another medical research entity in the Precinct, which would be able to capitalise on any benefits from co-locating with other medical research entities within the Precinct.

Furthermore, the *South Sydney Development Control Plan 1997 (SSDCP)* seeks to ensure that sites on the Kings Cross Ridge are carefully designed to be in scale with the City's setting. This includes the reinforcement of the landform via taller buildings or "tower forms" on the ridgelines. This is evident in the surrounding built form, including the St Vincent's hospital precinct to the south which accommodates taller buildings up to RL 83, the Telstra building to the north (RL 88), and existing and approved building within the Precinct (VCCRI - RL 72, GIMR - RL 72 and the KCC - RL 80.4).

The Department therefore considers that the reduced height of the Stage 2 building envelope to RL 72 is acceptable in terms of its compatibility with the scale of surrounding development, and is considered to be consistent with the provisions of the SSDCP. In this regard, the Department considers the proposed departure from the 2005 Masterplan to be acceptable. The Department considers the height of the proposal would not result in any detrimental visual impacts when viewed from a distance given the heights of buildings within the Precinct and location within the Precinct, and its proximity to other buildings of similar height and scale. Furthermore, no additional obstructions or significant view loss is expected from the Darlinghurst Primary School given its location and the existing built form within the Precinct.

Accordingly, the Department considers the height of Stage 2 site is acceptable provided setbacks of the upper levels are provided on the eastern boundary to address the Precinct interface with the low-scale residential development located immediately to the east of the site. The Department has recommended that setbacks of a minimum 2 metres and up to 10 metres on the plant level be applied to the eastern boundary.

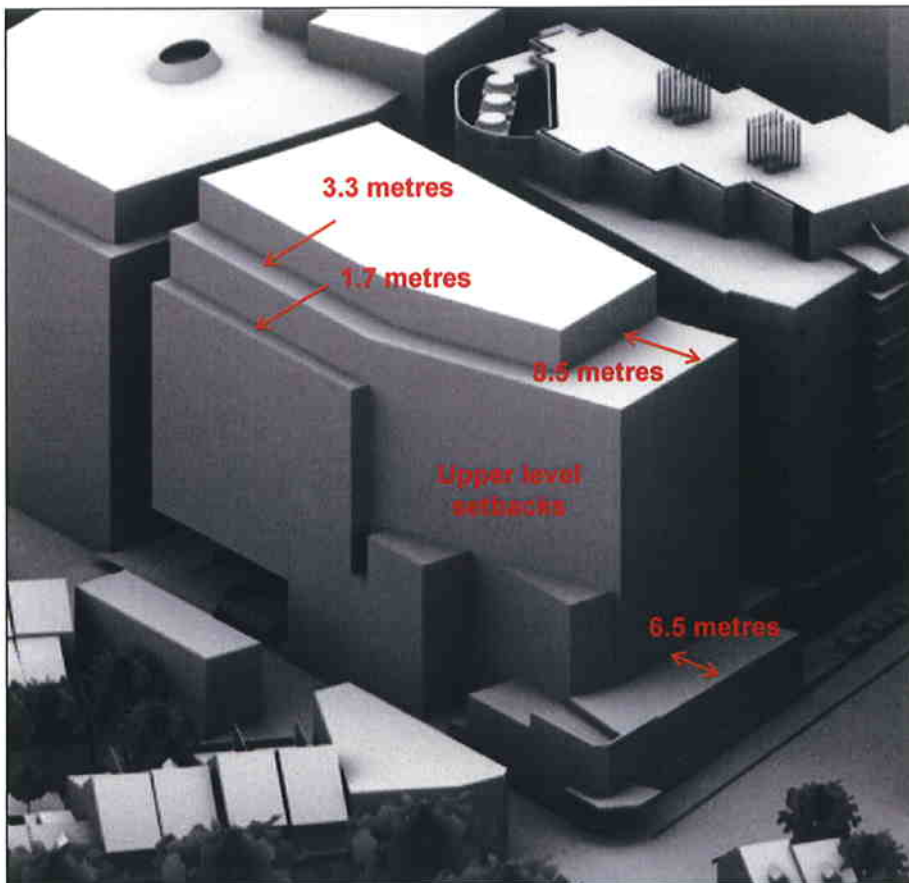
## **5.2 BUILT FORM AND URBAN DESIGN**

The Stage 2 proposal, originally comprising a 9 storey building envelope to Liverpool and West Streets, occupied the bulk of the site with uniform massing of nearly all facades and minimal setbacks to 431 Liverpool Street. The proposed built form and urban design was identified as an issue by the Department, Council and residents as it was considered excessive given its interface with the residential development immediately to the east.

In response to issues raised, the proponent revised the proposed building envelope for Stage 2 by reducing it by one storey (4 metres) and introducing setbacks on the upper levels to West and Liverpool Streets, including provision of a podium element. The proponent has indicated that the depth of the southern proportion of the building is required for laboratory floor space and aligns with the GIMR building and therefore has not been setback.

The northern podium element is equivalent to two levels and is setback approximately 6.5 metres to Liverpool Street, which results in the tower element aligning with the VCCRI façade. The plant level has also been setback by 15 metres to Liverpool Street. Minor setbacks and articulation of the eastern building envelope have also been provided to West Street, including setback of the plant level by 3.3 metres, setback of the uppermost habitable floor by 5 metres

and setback of the upper levels of the corner section adjacent to 431 Liverpool Street (see **Figure 13**).



**Figure 13:** Amended Stage 2 Building Envelope (PPR)

The revised building envelope would provide an improved built form relationship with the adjoining buildings, particularly the VCCRI and 431 Liverpool Street. However, given that the Stage 2 building forms the eastern edge of the Precinct that is adjacent to the low-scale residential areas immediately to the east, the Department considers there should be further reductions in the bulk and scale to provide an improved transition between the building forms of the Precinct and the residential development immediately to the east (including 431 Liverpool Street), which will improve the interface with the surrounding residential development and reduce potential impacts on residential amenity.

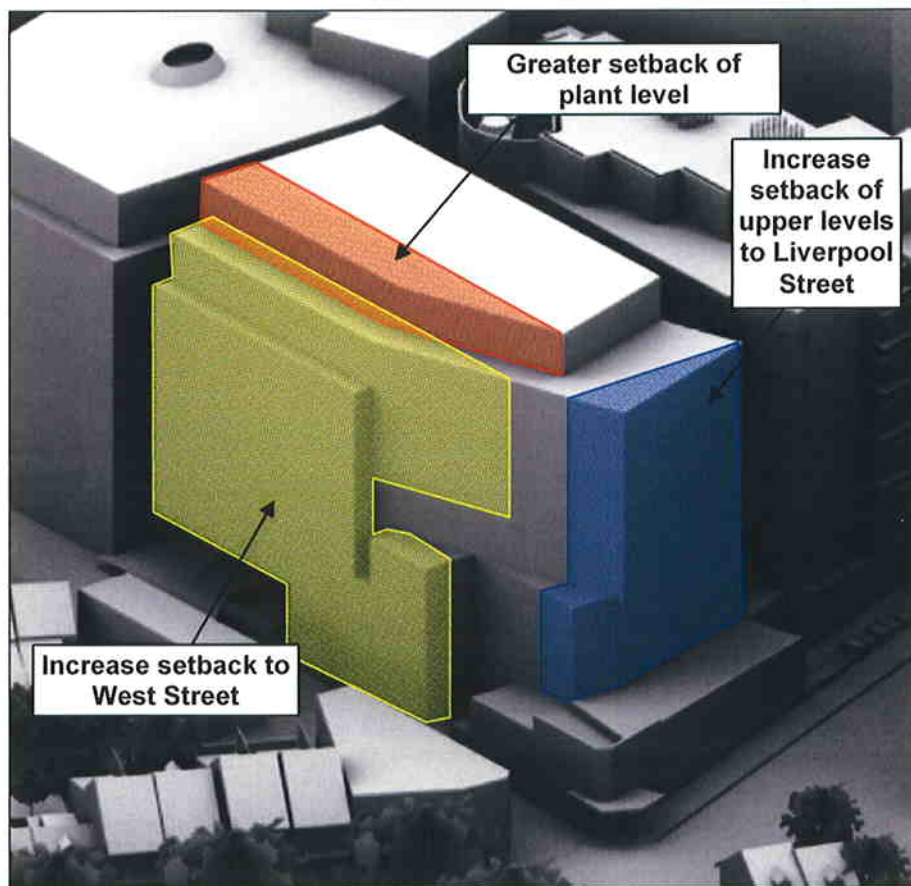
The Department has therefore recommended design modifications to the building envelope (see **Figure 14**) along Liverpool Street and West Street. This includes increased setbacks to Liverpool Street to reduce the bulk and scale of the building from the east and improve the interface with 431 Liverpool Street, while maintaining its relationship with the form of the VCCRI. The recommended modification will require the Proponent to provide a revised building envelope that:

- locates the north western corner of Levels 4 to 8 of the building envelope a minimum 6.5 metres from the Liverpool Street boundary, which is consistent with the setback of VCCRI (Note: Level 4 is the immediate level above the parapet height of 431 Liverpool Street);
- locates the north eastern corner of Levels 4 to 8 of the building envelope a minimum 12.5 metres from the Liverpool Street boundary, which provides an additional setback of 6 metres at the point where the site interfaces with 431 Liverpool Street;
- reduces the building envelope from Levels 4 to 8 by stipulating that the building envelope must not extend beyond the straight line between the north western and north eastern corners of the building envelope, as described above; and

- provides a minimum 15 metre setback of the plant level (Level 9) from the Liverpool Street boundary, to reduce the bulk and scale of the building from the east.

The modifications to the West Street building envelope would provide relief in the massing of any future building as it would ensure the building façade would be stepped in relation to the GIMR building and therefore remove the appearance of a solid wall along West Street. This setback would also allow for a landscape zone to be provided along West Street to provide a soft edge to the Precinct. The setback of the upper levels (Levels 6 to 8) and increased setback of the plant level would reduce the bulk and scale of the building. The detailed design, including further modulation and articulation, would also be considered through a future Project Application for the site. The recommended modifications to West Street to achieve an improved transition between the Precinct and the residential areas to the east include:

- a minimum setback of 2 metres from the West Street boundary for Levels 2 to 5, which would allow a landscape zone to be provided and reduce the appearance of a solid wall;
- a minimum setback of 5.5 metres from the West Street boundary for Levels 6 to 8, which would reduce the bulk and scale of the building envelope; and
- a minimum setback of 10 metres from the West Street boundary for Level 9 (plant), to further minimise the bulk and scale of the Stage 2 building envelope.



**Figure 14:** Indicative recommended modifications to Stage 2 Building Envelope

The proposed modifications to the building envelope would also result in an approximately 20-25% reduction of GFA. The Department has recommended that the Concept Plan be modified so a maximum GFA of 6,000m<sup>2</sup> is permissible for the site.

### 5.3 OVERSHADOWING

The Stage 2 building would create additional overshadowing compared with the existing buildings. However, the PPR has reduced the level of overshadowing when compared to the proposal in the Environmental Assessment as a result of a reduction in building height and this

may be further minimised as a result of the design modifications recommended by the Department.

The additional overshadowing impacts would be primarily experienced by residents in West Street and West Avenue to the east of the site, however, the Department notes that some of these residents already experience overshadowing from the Telstra building and the existing GIMR from approximately midday. The Stage 2 building envelope would have the following additional overshadowing impacts:

- Liverpool Street residents would not be affected by overshadowing from the Stage 2 building envelope except for overshadowing to rear courtyards from approximately 2:40pm during the winter solstice;
- residents between West Avenue and Cow Lane would receive additional overshadowing from the Stage 2 building envelope from approximately 12 midday to 3.00pm during the winter solstice, however, a number of these properties already experience overshadowing from the existing Telstra building from approximately 12:30pm and the existing GIMR from approximately 2:15pm;
- residents between West Avenue and West Lane would receive additional overshadowing from the Stage 2 building envelope from approximately 12 midday to 3.00pm during the winter solstice, however, a number of these properties already experience overshadowing from the existing GIMR building from approximately 12 midday.
- residents along Barcom Avenue would experience additional overshadowing from approximately 1:45pm during the winter solstice, however, a number of these properties already experience overshadowing from properties along West Avenue, the northern properties on Barcom Avenue and the existing GIMR from approximately 2:00pm; and
- potential additional overshadowing of the properties between West Lane and Cow Lane would only be experienced from 2 pm during the summer period and would be limited to the 5 westernmost properties.

The additional overshadowing is now generally considered to be acceptable by the Department for the following reasons:

- the proposal would have no overshadowing impacts on Darlinghurst Public School between 9am and 3pm throughout the year; and
- the majority of residential areas to the east of the site (including residences in Liverpool Street, West Street, West Avenue and Barcom Avenue) would still retain 3 hours of solar access between 9am and 3pm throughout the year with a minimum of 2 hours of solar access during the winter solstice (refer to **Figures 15 - 17**).

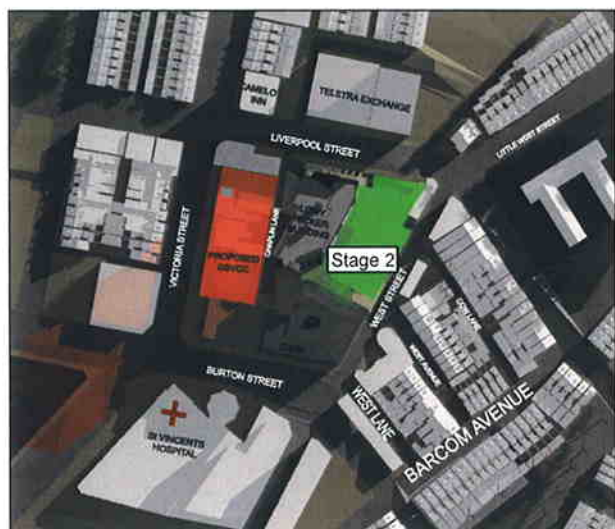


Figure 15: Winter Solstice 9 am

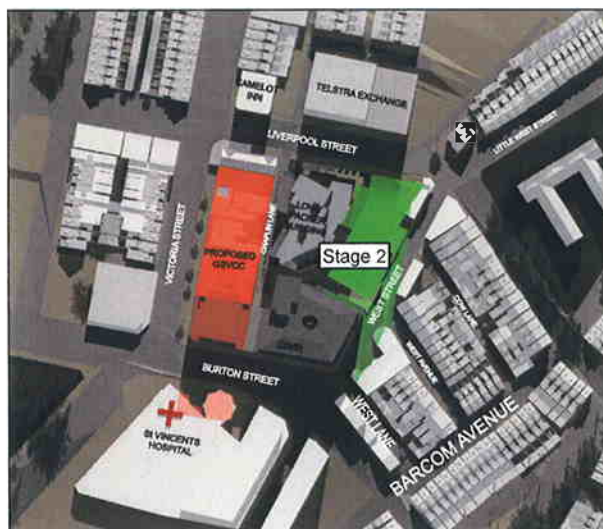


Figure 16: Winter Solstice 12 midday



Figure 17: Winter Solstice 3 pm

## 5.4 TRAFFIC, CAR PARKING AND ACCESS

### 5.4.1 Traffic and Access

All passenger vehicle traffic associated with the Precinct is proposed to use the entry and exit driveway on West Street to the basement car park under the Lowy Packer building. New access points would be formed from this car park into the new basement car park of the KCC development and Stage 2 site building.

Council and residents raised concern regarding the use of West Street as the only access point to the new development, with the main concern being the traffic impact on West Avenue. West Avenue is a narrow and steep one-way road which links Barcom Avenue to West Street. It has on-street parking on one side and a very narrow footpath, forcing pedestrians to walk on the road. This concern was first raised during the assessment of the Lowy Packer building, and the subsequent KCC development, which proposed access to both the loading dock and car parking via two new driveways directly opposite West Avenue. As West Street is also a one-way street, residents expressed concern that users of the new building would use West Avenue as a 'rat run' to enter the SVRP site, increasing safety concerns for pedestrians using this road.

This concern was addressed by a condition of approval in the Lowy Packer building consent, which required measures to be imposed to prevent vehicles entering the site from West Avenue. This condition was then implemented through the construction of a traffic control structure approved by the Department. A sign at the top of West Avenue stating that there is no access to the site has also been erected. However, residents have reported that despite the traffic control measures, some vehicles now undertake an illegal turn to enter the existing car park and loading area. Therefore, both Council and residents' submissions for the KCC Project Application and St Vincent's Research Precinct Concept Plan proposed the use of Chaplin Lane off Victoria Street as an alternate entry point to ease traffic on West Street and stop vehicles trying to enter the site from West Avenue. A condition imposed on the approval for the KCC requires an Operational Traffic Management Plan to be prepared, including providing additional measures to prevent vehicles entering the site from West Avenue.

The traffic report submitted with the PPR acknowledges that the peak traffic flows in West Street will rise from 40-50 vehicles/hour to 100-110 vehicles/hour. However, this is well below the RTA guidelines of 200-300 vehicles/hour for local streets. These guidelines also recommend the use of the lowest order street frontage for new vehicle access points. In this case, West Street is considered the lowest order street. The potential Victoria Street option was not considered appropriate by the Proponent as it has a greater traffic volume and it is therefore considered that any additional access points to this street would create a greater impact on

existing traffic and could also cause conflicts with the operation of the signalised intersection of Liverpool and Victoria Streets and potential queuing.

Access off Liverpool Street via Chaplin Lane was also considered as an unacceptable solution in the PPR as a vehicular access point to the SVRP for the following reasons:

- Right hand turns into Chaplin Lane would create significant conflicts with the operation of the signalised intersection of Liverpool and Victoria Streets and are unlikely to be prevented. Even if they could be prevented, the majority of vehicles arriving from the north, south or west would have to circle the block via West Street to arrive in any event.
- Given the proximity of Chaplin Street to the signalised intersection of Victoria and Liverpool Streets, queuing back from this intersection could obstruct egress from the site in peak periods.
- Chaplin Lane is private land (i.e. it is not currently a public road) and it is proposed to be pedestrianised to form an important linkage between research activity within the Lowy Packer building and the proposed KCC. Noting the need to traverse a subterranean substation required at the northern end of Chaplin Street, vehicle access via Chaplin Street would require a significant ramp structure that would effectively preclude any meaningful pedestrian interface across Chaplin Street.

In response to issues raised by Council and residents, the Department commissioned independent reviews of the traffic and access issues relating to the KCC and then the revised Concept Plan (refer to **Appendix G**). These reviews concluded that the methodology used in the traffic report and the proposed access arrangements were sound and agreed that the traffic generated by the SVRP will have negligible impact on the local road network, including minimal impacts on Darlinghurst Primary School as the majority of vehicles would turn left from West Street and away from the school. The review undertaken in relation to the revised Concept Plan also considered that the topography and traffic control measures at the West Street / West Avenue intersection sufficiently deters the majority of vehicles entering the site from West Avenue.

The Department is therefore satisfied that the location of the access point at West Street is suitable for this development. Issues regarding the use of West Avenue, will be further addressed through the condition of approval for the KCC which required the Proponent to prepare an Operational Traffic Management Plan and provide further measures to prevent vehicles entering the site from West Avenue such as additional signage at the eastern end of West Avenue, line markings, physical barriers or the like. The Department has also recommended that the satisfactory performance of these traffic measures be demonstrated in the future Project Application for the Stage 2 site.

#### **5.4.2 Loading Dock and Access**

It is proposed that all delivery and service vehicles for the new Cancer Centre and Stage 2 facility would utilise the existing loading dock approved for the Lowy Packer building. Considering the similar nature of the activities undertaken in the buildings, the Proponent has stated that the majority of deliveries would be carried out by the same number of vehicles, carrying increased loads.

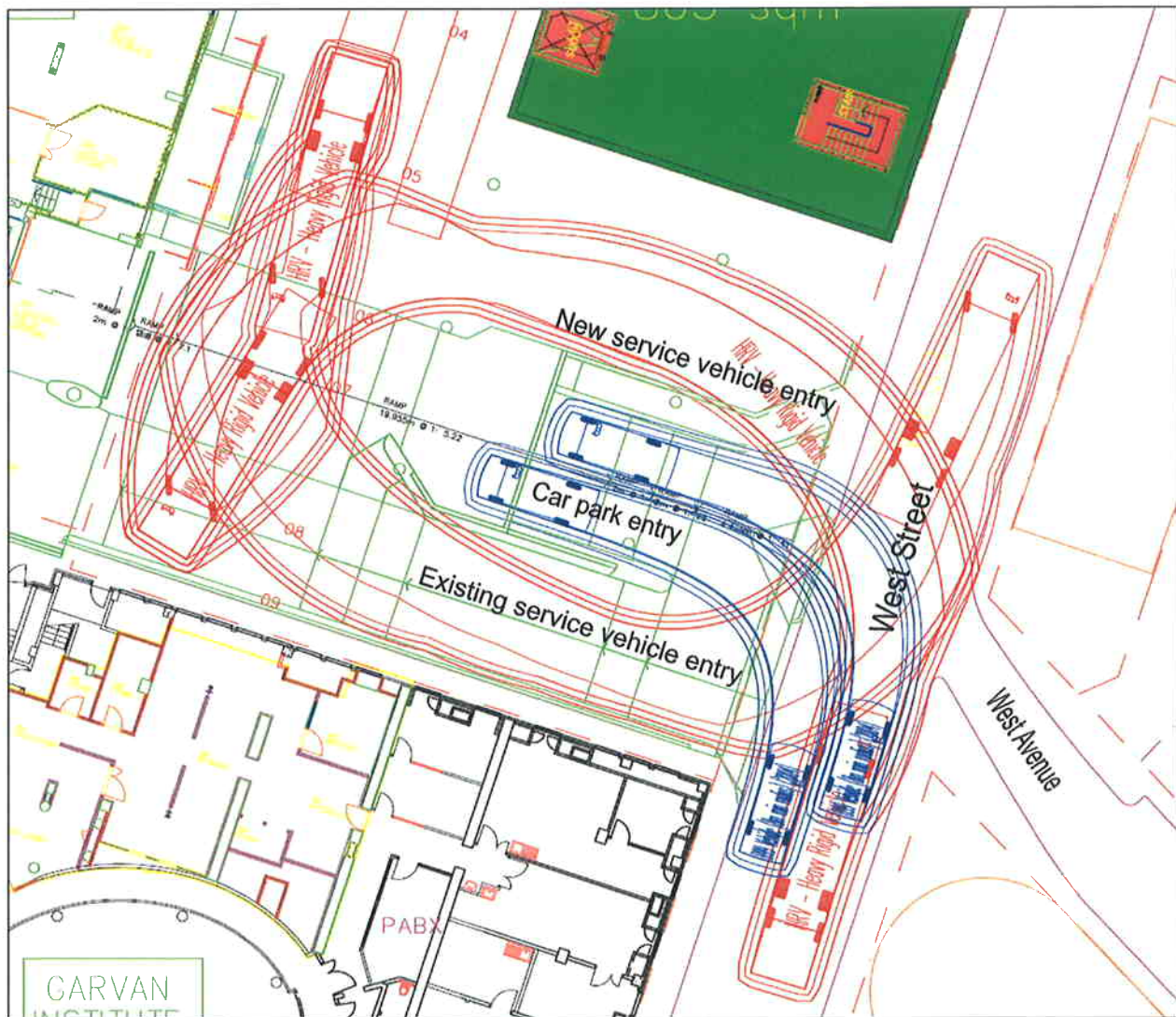
Council has raised concern over the effectiveness of the loading dock to manage the movement of large vehicles. This concern is shared by residents who have reported that large vehicles reverse into the site which results in traffic safety issues.

The existing Precinct loading dock has two bays suitable for large trucks (however, one of which is now occupied by a recently acquired waste compactor) and two spaces for vans and cars. The Proponent has indicated that this arrangement operates satisfactorily for the current uses. While some suppliers are requested to deliver at certain times to avoid congestion, this is a normal arrangement, and all loading and unloading activities are performed in less than 2 hours and between the hours of 6am and 5pm. The proposal includes provision of one additional heavy vehicle loading bay and two additional spaces for vans and cars. Most of the deliveries to

the stores are made by Medium Rigid Vehicles (i.e. MRV - size of a typical garbage truck) or smaller (i.e. Small Rigid Vehicles, vans and cars). Heavy Rigid Vehicles (i.e. HRVs, 12m long) are used only for collection of contaminated waste (once daily on weekdays) and when large equipment is delivered.

Some HRVs currently reverse into the loading dock from West Street. This situation can be tolerated with the existing very low traffic volumes in West Street. However, as a consequence of the KCC and Stage 2 developments it will be necessary to ensure HRVs enter and exit in a forward direction. This is proposed by providing separate entry and exit driveways.

A number of designs have been considered by the Proponent and an entry driveway on the northern side of the existing basement car park entry is proposed. The existing two-way driveway to the loading dock is proposed to become an exit only driveway. In terms of the number of bays, one additional truck bay suitable for an HRV and two additional spaces for vans/cars are proposed to cater for the proposed development. The operating of the loading dock is demonstrated in **Figure 18**.



**Figure 18:** New Loading Dock

Concern by residents that the new loading dock access will counteract the traffic measures required to limit traffic movement from West Avenue onto West Street was also considered in the Department's independent review of the traffic report. The review found that the new access is unlikely to result in additional impacts on West Avenue given the adequate deterrents of a 2 tonne limit for vehicles, uphill gradient, deflection to the right caused by the kerb blister, and

limited sight distance to the left on the West Avenue. The Proponent has also stated that given the narrow width and steep grade of West Avenue, and the geometry of the intersection of West Avenue and West Street, it is understood only small vehicles are utilising West Avenue.

The Department therefore considers that the new access point for service vehicles would not result in adverse traffic impacts on West Avenue.

#### **5.4.3 Car Parking**

The Environmental Assessment originally proposed the addition of 218 car parking spaces for the KCC and 162 spaces for the Stage 2 facility over 5 basement levels. It was acknowledged by the Proponent that some of these were to make up for a shortfall within the adjacent hospital. Both Council and the Department were unsupportive of this approach due to the proximity to and accessibility to public transport and State objectives to reduce the mode share of private vehicle trips to work.

The PPR addressed this concern by reducing basement car parking numbers for the KCC by 68 spaces to 150 car spaces (as approved under the KCC Project Application) and reducing basement car parking numbers for the Stage 2 facility by 30 spaces to 132 spaces - also resulting in a reduction of basement car parking levels to four. Therefore, the total number of parking spaces proposed for the entire SVRP is 302, which is inclusive of the 20 existing spaces for the Lowy Packer building (refer to **Table 2**).

There are no specific requirements for medical research facilities in South Sydney Development Control Plan 11 - Transport Guidelines for Development 1996 (DCP 11). The generic DCP rate of 1 car parking space per 125m<sup>2</sup> of Gross Floor Area (GFA) applicable to office buildings is the most comparable to the proposed uses. There is also a rate of two spaces per effective full time doctor for medical centres and one space per 50m<sup>2</sup> for retail (small shops). By applying these parking rates from DCP 11, the Proponent has stated in the PPR that the SVRP would generate a maximum number of parking spaces of 301.

Considering the close proximity of the development to several bus routes as well as Kings Cross train station (approximately 500 metres from the site) and the Proponent's commitment to implementing a Transport Management and Accessibility Plan (TMAP) in their Statement of Commitments, the Department recommends that the maximum number of car parking spaces to be provided within the SVRP should be modified to be equivalent to the sum of:

- 150 spaces (approved for the KCC, including the provision of 80 car spaces previously approved for the GIMR);
- 75 car spaces (for the Lowy Packer building based on a GFA of 9,354m<sup>2</sup> and calculated in accordance with the DCP 11 car parking rate); and
- the maximum number of car spaces for Stage 2 shall be revised and calculated in accordance with the DCP 11 car parking rate for office buildings based on the GFA for Stage 2 building.

The Department has recommended a modification to the Concept Plan that requires the total car parking spaces for the SVRP to be revised to account for reductions in GFA that would result from recommended modifications regarding bulk and scale of the building envelope, and to comply with DCP 11. The maximum number of car parking spaces for the SVRP, as modified, would be appropriate for the scale of development envisaged for the SVRP and would be generally compliant with DCP 11.

#### **5.5 DEVELOPER CONTRIBUTIONS**

The proposal does not trigger the requirement for any State or regional contributions.

With regard to local contributions under Section 94 of the *Environmental Planning and Assessment Act (1997)*, the development is located within the Eastern Precinct as detailed in the City of Sydney's Development Contributions Plan 2006. However, Section 2.14 of this plan provides for the exemption of development that provides a clear community benefit on a not-for-

profit basis. The new Stage 2 facility is intended to be for a not-for-profit purpose and the proposed medical research activities and outcomes will provide a clear public benefit. Council has not requested any local contributions. However, given the tenant of Stage 2 is currently unknown, the issue will need to be revisited at any future project application for the construction of the building.

## 5.6 HERITAGE

The Stage 2 site does not contain or directly adjoin any heritage items. The Heritage Impact Statement (HIS) submitted by the Proponent identified that while a remnant pair of the late Victorian terraces, 431 Liverpool Street (adjoining the Stage 2 site) and 429 Liverpool Street (located on the Stage 2 site) contribute to the character of the area, they have already lost their streetscape context and are not considered to have any individual significance.

The Stage 2 site is located opposite the Darlinghurst Primary School, which is listed as an *individual heritage item* under the provisions of the SSLEP for its historical and social significance. It is significant for being a good example of a Victorian Romanesque style School and as an example of a school designed by Charles Mayes. The Proponent's heritage assessment found that as the Darlinghurst Public School is recessed, it has its own integrity without relying on the terrace relationship of the other three corners and it would not be adversely impacted by the development.

The site is located to the west and south of the Barcom Avenue Conservation Area. This conservation area is considered to be of local significance under the provisions of the SSLEP due to its historical significance for its rows of highly intact terrace housing overlaid on sloping topography creating coherent and picturesque streetscapes.

The Department has recommended design modifications to bulk and scale of the envelope to ensure that the proposal provides a more sympathetic transition between the SVRP and the Barcom Avenue Conservation Area to the immediate east and the Darlinghurst Primary School. The relationship to and potential impacts on areas and items of heritage significance will be further assessed through the future Project Application for the Stage 2 site. The Department has also recommended that the proponent consider retention of the façade of 429 Liverpool Street and incorporate it into the design of the Stage 2 building.

## 5.7 ECOLOGICALLY SUSTAINABLE DEVELOPMENT

The proposal is located within an urban footprint on a previously developed and disturbed site and will not result in loss of any threatened or vulnerable species, populations, communities or significant habitats. The site is not subject to any known effects of flooding and is not subject to bushfires. The site is also unlikely to be impacted by changes in sea level rising resulting from climate change.

While the following guidelines and ESD rating schemes variously apply to different components of each project within the SVRP, none apply universally across the Precinct:

- Green Star Health Care Pilot;
- NABERS Energy; and
- TS-II.

The Proponent therefore has committed in their Statement of Commitments that each Project Application for development within the SVRP will be accompanied by an ESD Performance Report that investigates the above guidelines and rating schemes (together with other international guidelines such as LEED for Health Care, Green Guide to Health Care, Labs 21) and adopts from each the most appropriate targets. This will become the basis against which the design, construction and ongoing operation phases of each building will be assessed. Each report will identify specific strategies in relation to:

- energy efficient design;
- indoor environmental quality;
- water-sensitive urban design measures;

- commissioning;
- materials, recycling and waste disposal;
- landscape and site ecology; and
- transport.

The Department is satisfied that any future application would adequately incorporate ESD principles into the design of the facility.

#### **5.8 OTHER MATTERS**

All other matters have been satisfactorily addressed through the EA as amended by the PPR and Statement of Commitments. Other matters relating to the construction and operation of the facility will need to be addressed in the assessment of any future project application.

## 6 CONCLUSION

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The Department has reviewed the environmental assessment and duly considered advice from public authorities as well as issues raised in public submissions in accordance with Section 75I(2) of the Act. All the relevant environmental issues associated with the proposal have been extensively assessed.

The development is consistent with the strategic objectives for the area, being consistent with the Sydney Metropolitan Strategy, the draft Sydney City Subregional Strategy and the Major Development SEPP.

The Department is of the view that the Proponent has adequately addressed the DGRs and satisfactorily mitigated the potential environmental impacts associated with the proposal. The recommended conditions and implementation of the measures detailed in the Proponent's EA and appendices, PPR and appendices and Statement of Commitments seek to maintain the amenity of the local area, and adequately mitigate the environmental impacts of the proposal.

The project would also attract over \$136.55 million worth of capital investment and will create almost 600 full time jobs.

On balance, therefore, the Department considers the site to be suitable for the proposed development and that the Project Application is in the public interest. Consequently, the Department recommends that the project be approved, subject to conditions.

## 7 RECOMMENDATION

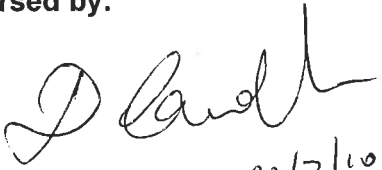
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It is recommended that the Minister for Planning:


- a) **Consider** the findings and recommendations of this report;
- b) **Approve** the Concept Plan (MP 09\_0010), subject to modifications, under section 75O(1) of the EP&A Act, having considered all relevant matters in accordance with (a) above; and
- c) **Sign** the attached Instrument of Approval (**TAG A**).

**Prepared by:** Megan Fu, Acting Senior Planner, Government Land and Social Projects

**Endorsed by:**

  
22/7/10  
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