

Notice of decision

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State significant development
Application number and project name	SSD 8816 Health Services Administration Building – Royal North Shore
Applicant	Health Infrastructure
Consent Authority	Minister for Planning

Decision

The Executive Director under delegation from the Minister for Planning under has, under s.4.38 of the *Environmental Planning and Assessment Act 1979 (the Act)* granted consent to the development application subject to the recommended conditions.

A copy of the development consent and conditions is available at
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8816

A copy of the Department of Planning and Environment's assessment report is available at
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8816

Date of decision

7 August 2018

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's Assessment Report;
- the prescribed matters under the *Environmental Planning and Assessment Regulation 2000*;
- the objects of the Act;
- all information submitted with the development application and during the assessment and information considered in the Department's Assessment Report;
- the findings and recommendations in the Department's Assessment Report; and
- the views of the community about the project (see Attachment 1).

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision.

The key reasons for granting consent to the development application are as follows:

- the project would provide a range of benefits for the region and the State as a whole, including \$120 million of capital investment, approximately \$1.2 million of local infrastructure contributions and creation of 413 construction jobs;
- the project is permissible with development consent, and is consistent with NSW Government policies including *A Metropolis of Three Cities – the Greater Sydney Region Plan* and the *North District Plan*;
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards. Conditions of consent are recommended to address key impacts associated with the built form design and its relationship to the adjoining heritage significant Precinct 3, pedestrian linkages through the site and to encourage a shift in transport modes through the preparation and implementation of a Green Travel Plan;
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through the recommended conditions of consent; and
- weighing all relevant considerations, the project is in the public interest.

Attachment 1 – Consideration of Community Views

The Department exhibited the Environmental Impact Statement for the project from 15 February 2018 until Friday 16 March 2018 (30 days) and received eight submissions expressing community views, including a submission from Willoughby City Council.

The key issues raised by the community (including in submissions) and considered in the Department's Assessment Report and by the decision maker include built form and scale, view impacts and traffic and transport impacts. Other issues are addressed in detail in the Department's Assessment Report.

Issue	Consideration
<p>Built form and scale</p> <ul style="list-style-type: none"> Concerns regarding the scale of the proposal Visual impacts on Gore Hill Oval and Park Quality of the public domain and pedestrian access. 	<p>Assessment</p> <ul style="list-style-type: none"> The proposal includes the development of a 10 storey commercial office building, plus two level basement car park, with a maximum height of RL 126. Concerns were raised by Council regarding the scale of the proposal and its potential impacts on Gore Hill Oval and Park. Façade design revisions and amendments to public domain pedestrian linkages were also recommended by the NSW Government Architect (GA) to minimise the potential impacts of scale on the surrounding locality and improve its connectivity to the surrounding precinct. The Applicant's Response to Submissions (RtS) proposed revisions to the facade design of the building to improve the level of articulation in building elevations that were noted by the GA as providing a clear improvement to the overall building design. The Applicant responded to Council's concerns over the scale of the building noting that its height and footprint are consistent with the approved Concept Plan building envelope. The Department considered the scale of the proposal is in keeping with that envisaged under the Concept Plan. The built form orientation and its outlook to Gore Hill Oval and Park was not significantly altered under a recently approved modification to the Concept Plan (MOD 7), such that potential impacts of the proposal are considered to be no greater than that which would have been anticipated as part of the original Concept Plan. Details submitted by the Applicant in its RtS further demonstrate that the scale of the proposal when viewed from the western side of Gore Hill Oval sits within the overall scale and bulk of the built environment and would not generate adverse impacts. The Applicant also noted in its RtS that pedestrian linkages through the site and adjoining precincts would be considered in greater in any future proposal to redevelop Site 4b adjacent. The Department concluded in its assessment that proposed north-south and east-west pedestrian connections should be maintained and improved under this proposal in accordance with the Concept Plan. It was also considered appropriate that the proposed east-west pedestrian linkage be realigned with the new building colonnade to improve design integration and sight lines through to the Herbert Street Pedestrian Bridge. the design responds to the future context of the campus, creating a well-defined street edge along Reserve Road and providing an appropriate setback and building separation to the adjoining heritage significant Precinct 3 the proposal will not result in an adverse impact on the environment or amenity of the surrounding area and will not overshadow significant areas of open space or public domain. <p>Conditions</p> <ul style="list-style-type: none"> Recommended conditions of consent include the requirement that the existing north-south pedestrian linkage through Precinct 4 be retained and integrated into the public domain and landscape design of the proposal.
<p>View Impacts</p> <ul style="list-style-type: none"> View impacts on nearby residential apartment buildings. 	<p>Assessment</p> <ul style="list-style-type: none"> Public submissions received raised concerns regarding the potential view loss impacts associated with the proposal. The Applicant's RtS provided further assessment on potential view loss, which demonstrates that the scale of the proposal below approximately RL 126 would not have a significant impact on views and that residential units located above this height would remain unobstructed.

	<ul style="list-style-type: none"> The Department's assessment identified that views below RL 126 would be generally categorised as district views, with water glimpses. These views are already partially impacted by the scale of existing built form within the immediate locality and that existing tree canopy and skyline views would continue to be enjoyed. Views above this height would continue to be unobstructed. The scale and form of the proposal is consistent with that allowed under the Concept Plan. <p><i>Conditions</i></p> <ul style="list-style-type: none"> No conditions of consent are recommended.
<p><i>Traffic and Transport Impacts</i></p> <ul style="list-style-type: none"> Management of construction traffic impacts Cumulative operational traffic impacts. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> Potential construction traffic impacts are predicted over the proposed 25-month construction period, with approximately 70 daily vehicle movements estimated during this timeframe. Concerns were raised regarding the potential cumulative traffic impacts associated with the construction of the proposal and nearby proposals, including Sydney Metro North West. An assessment of likely traffic impacts during this time under a worst-case scenario predicted that surrounding intersections would continue to perform at satisfactory levels of service. The Applicant has also proposed to prepare and implement a Construction Traffic Management Plan to ensure that construction traffic is appropriately managed. Concerns were raised by the Roads and Maritime Services (RMS) regarding the trip generation rates presented in the Traffic Impact Assessment. In its RtS, the Applicant advised that using GFA to calculate these rates would present an unrealistic estimation and that use of the number of on-site parking spaces would be more accurate. RMS were satisfied with this response. The proposal was predicated to generate 306 daily vehicle movements and traffic modelling suggested that it would not impact on the operational performance of surrounding intersections. Further cumulative traffic impacts assessment was undertaken by the Applicant and presented in its RtS confirming that the proposal would not generate an adverse traffic impact. RMS also recommended that turning agreements into the site be designed to limit potential queuing on Reserve Road. The Applicant has also proposed the preparation of a Green Travel Plan to promote and encourage sustainable transport options and reduce reliance on private vehicle trips to the site. <p><i>Conditions</i></p> <ul style="list-style-type: none"> Recommended conditions of consent include the requirement for a right hand turning bay in Reserve Road for vehicles entering the basement car park, the requirement to prepare and implement a Green Travel Plan and Construction Traffic Management Plan.
<p><i>Construction Noise</i></p> <ul style="list-style-type: none"> Management of construction noise impacts 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The application considered the likely noise impact on residential receivers in the nearby apartment buildings on Herbert Street. It was noted their elevated position above Herbert Street and the nearby Pacific Highway would result in exposure to higher background noise levels. Review against predicted construction noise levels demonstrated that noise impacts associated with construction activities would generally comply with the EPA's guidelines for after-hours works (i.e. background + 5dB(A)). The Department therefore considers that construction hours of work marginally different to the EPA's standard hours of works are acceptable. While the Department does not support hours of work on Saturday until 5pm, it considers restricting construction activities until 3 pm provides a balanced outcome for the Applicant and surrounding sensitive receivers. This is also consistent with a recent SSD approval issued for construction of a health facility in St Leonards. <p><i>Conditions</i></p> <ul style="list-style-type: none"> Recommended conditions of consent include: the requirement for the implementation of the submitted Construction Noise and Vibration Management Plan for the duration of construction activities; requiring noise monitoring of the mechanical plant be undertaken within 60 days of the commencement of use to verify the predicted noise levels do not exceed the noise criteria; a limitation on the hours of construction to between 7 am and 5:30 pm Mondays to Fridays and between 7:30 am to 3 pm Saturdays. A condition of consent is also recommended providing for a respite period between 12 pm and 3 pm from all rock breaking, rock hammering, sheet piling, pile driving and similar activities.