

JRPP No:	2009HCC0116
DA No:	DA 37907/2009
PROPOSED DEVELOPMENT	Proposed: Medical Centre (Health Services Facility) on LOT: 10 DP: 612457, 12 Jarrett Street NORTH GOSFORD
APPLICANT:	Doug Sneddon Planning Pty Ltd
REPORT BY:	D Spithill - Gosford City Council

Assessment Report and Recommendation

The following item is defined as a planning matter pursuant to the Local Government Act, 1993 & Environmental Planning & Assessment Act, 1979.

EXECUTIVE SUMMARY

Reason for Referral to Joint Regional Planning Panel

The proposal comprises health services facilities which has a capital investment value of more than \$5M and is classified as regional development under Part 3, Clause 13B(B)(2) of State Environmental Planning Policy (Major Developments) 2005.

Application Received

18.12.2009 Amended Plans received 30.3.2010 and 8.4.2010

Proposal

Medical Centre (Health Services Facility)

Zone

Residential 2(c)-GPSO

Area

1748m²

City Vision 2025

Although not a statutory Plan, the proposal is consistent with the City Vision.

Public Submissions

Four (4)

Pre-DA Meeting

A Pre-DA Meeting was held on 10 April 2008

Political Donations

None Declared

Relevant Statutory Provisions

- 1 Environmental Planning & Assessment Act, 1979 – Sections 79C and 79BA
- 2 Local Government Act 1993 – Section 89
- 3 Gosford Planning Scheme Ordinance - Clauses 10, 29B
- 4 State Environmental Planning Policy No 1- Development Standards
- 5 State Environmental Planning Policy No. 71 - Coastal Protection
- 6 State Environmental Planning Policy (Major Developments) 2005
- 7 Development Control Plan 106 - Site Waste
- 8 Development Control Plan 111 - Car Parking
- 9 Development Control Plan 165 - Water Cycle Management
- 10 Development Control Plan 128 - Public Notification of Development Applications
- 11 Development Control Plan 59 - Character

Key Issues

- 1 Gosford Planning Scheme Ordinance: Permissibility/Zoning, Clause 29B Floor Space Ratio
- 2 SEPP 1 Objection - Maximum Floor Space Ratio
- 3 Objectives of Zone
- 4 Character/ Council Architect's Assessment
- 5 Car Parking
- 6 Traffic Impact/ Comments RTA
- 7 Tree Removal and Landscaping
- 8 NSW Rural Fire Service -Integrated Approval (Bush Fire Safety Authority)
- 9 Draft Gosford LEP 2009
- 10 Climate change and sea level rise
- 11 SEPP 71 - Coastal Protection
- 12 Public Submissions

Recommendation

Refusal

REPORT

Background

Pre DA Meeting

The pre DA proposal was to erect a multi storey medical centre comprising two levels of car parking (58 spaces) and two levels of commercial floor space for specialist medical services inclusive of radiology, pathology, ultrasounds, hyperbaric medicine, as well as 4 operating theatres for day surgery.

The proposal was discussed at a Pre DA meeting held on 10 April 2008 and the applicant was advised that Council would not support a SEPP 1 objection to the maximum FSR development standard to the extent proposed.

Previous Application - DA 35952/08

Despite, advice provided at the pre DA meeting, the applicant lodged Development Application 35952/08 on 13 November 2008 for a medical centre comprising a building with a gross floor area as defined under the GPSO of approximately 2546m² and a site area of 1748m². This represented a floor space ratio of 1.46:1 or variation to the required development standard (i.e. 0.75:1) of 94% - an excess of 1235m².

In the assessment of the proposal, Council's assessment staff considered that the use of SEPP 1 - Development Standards to vary the minimum site area requirement prescribed by the GPSO was inappropriate and the application was recommended for refusal.

Prior to determination of the application, the applicant was provided with the opportunity to address the grounds for refusal and amended plans were submitted on 11 May 2009. The changes to the design of the proposed medical centre included the reduction of the floor area by the deletion of the top floor level. The lower car park level was also deleted. The proposed medical centre as amended comprised a ground floor car park level containing 27 car parking spaces (including 2 disabled spaces), ambulance bay and a plant room. The first floor level contained the health care facilities (hyperbaric medicine, ultrasound room, pathology laboratory, radiology department and tenancy), having a gross floor area (excluding external walls) of 1204m². This represented a floor space ratio of 0.69:1 which complied with the maximum FSR requirement under Clause 29B of the GPSO.

Council approved DA 35952/08 for a "Day Surgery - Medical Centre" at No 12 Jarrett Street, North Gosford on 18 May, 2009, subject to conditions.

The Proposal

The applicant has advised that the approved development (Development Consent 35952/2008) proved to be economically unviable and failed to provide sufficient floor area to meet the needs of the specialist medical practitioners and hospital's floor area requirements. As a result, the applicant has essentially resubmitted the original proposal which was previously recommended for refusal by Council. The proposal will have a total gross floor area of 2,546m².

Clause 29B of the GPSO provides that any non-residential building erected within the 2(c) residential zone shall not exceed a floor space ratio of 0.75 while this application proposes almost double this at 1.46:1.

The proposed medical centre will comprise a four storey building including two levels of car parking (52 car parking spaces). Parking areas will include a number of plant and store rooms and will be situated partly below and partly above natural ground level and will be accessed from Jarrett Street. The third level (ground floor) will contain a hyperbaric medicine area, ultrasound room, pathology laboratory, radiology department and amenities. The fourth level (first floor) will contain a day surgery. Details of the fit out and number of beds for the day surgery have not been provided. No overnight or inpatient accommodation is proposed.

The applicant has indicated that: *"The proposed development will provide specialist medical services not currently available to the residents of the Central Coast and expanded private hospital facilities for the community. For example, the Hyperbaric Medical Chamber which will be principally for the treatment of cancer patients will be only the second such facility in NSW, The medical centre will be physically linked via its upper level to the North Gosford Private Hospital by a walkway, which will be the subject of a separate development application as part of the Hospital's current refurbishment plan"*. The submitted plans do not show this link and such link does not form part of the current application.

The proposal will require the demolition of existing buildings and the removal of all trees on the site to accommodate the development with replacement tree planting and landscaping proposed.

The proposed development has been submitted as an integrated development requiring separate approval from the NSW Rural Fire Service and assessment under Section 79BA of the Environmental Planning and Assessment Act 1979.

The Locality

The subject site comprises Lot 10 DP 612457 and is located at 12 Jarett Street, North Gosford. The site has an area of 1,748m², with a frontage of 38 metres and a depth of 46 metres and is currently occupied by a single storey fibro dwelling and detached garage with large garden surrounds and mature trees present on the site. A sewer line crosses the western side of the property.

Immediately adjoining the site is a one to two storey medical centre to the north, a medium density residential development known as "Ashwood Grove" to the south, low density detached housing to the east and North Gosford Private Hospital to the west.



Aerial Photograph showing subject site and surrounding development pattern.

Assessment

This application has been assessed using the heads of consideration specified under Section 79C of the Environmental Planning & Assessment Act 1979, Council policies and adopted Management Plans. The assessment supports refusal of the application and has identified the following key issues which are elaborated upon for Council's information.

Gosford Planning Scheme Ordinance

Permissibility/Zoning

The current zoning of the subject land together with the adjoining hospital site is 2(c) Residential under the Gosford Planning Scheme Ordinance. A medical centre is permissible with consent in the 2(c) residential zone.



Zoning Map

Floor Space Ratio:

Clause 29B of the GPSO stipulates that the maximum floor space ratio (FSR) permitted in the 2(c) zone is 0.75:1 (i.e. 1311m² maximum floor area for the subject site area of 1748m²). The proposed building has a gross floor area of 2546m² and a site area of 1748m². This represents a floor space ratio of 1.46:1 or variation to the development standard of 94% - an excess of 1235m².

Applicant's SEPP 1 Objection

The applicant has submitted a SEPP 1 objection to vary the maximum floor space ratio development standard, with the following reasons in support of such request as summarised:

"This SEPP 1 objection establishes that in respect to the proposed development of a Medical Centre/hospital on Lot 10 DP 612457, No. 12 Jarrett Street North Gosford, the need for strict compliance with the 0.75:1 floor space ratio development standard of clause 29B of the Gosford Planning Scheme Ordinance is both unreasonable and unnecessary for the following reasons:

- the objectives of the 2(c) Residential zone are achieved by the proposed development;*
- the proposed development of a Medical Centre/Hospital on the subject land will be compatible with the established mixed health services institutional and residential character of the locality and will result in the use of the subject land for specialist medical and hospital purposes, which will provide the greatest public benefit to residents of the Central Coast.*
- The proposed development will not have adverse impacts upon the natural environment or unreasonable impacts on neighbours: the existing 2(c) Residential zone is inappropriate to the subject land as it does not recognise/reflect the unique location of the subject land relative to the adjoining hospital medical precinct and that the land offers the only opportunity for expansion of the hospital precinct and consequently any*

requirement for strict compliance with the 0.75:1 floor space ratio development standard in this case would be unreasonable or unnecessary : Wehbe at (48);

- *Gosford City Council recognises that the existing 2(c) Residential zoning and the accompanying 0.75:1 floor space ratio are inappropriate to the subject land and has consequently resolved to include the rezoning of the subject land to SP2 Infrastructure (hospital) in the public exhibition of draft Gosford LEP 2009 within which a maximum floor space ratio of 2:1 is to be permitted:*
- *the proposed development is consistent with State, regional and local planning strategies for the provision of social infrastructure to accommodate a regional population increase off 100,000: and*
- *having regard to the above factors, there is no purpose or public benefit to be derived in this case by strictly applying the development standard: Wehbe at (43)."*

A detailed SEPP 1 Objection prepared by the applicant is attached to this report as Attachment A.

Assessment Comment

State Environmental Planning Policy No 1 - Development Standards provides that a development standard contained within an environmental planning instrument may be varied where objection is well founded and where strict compliance with those standards would in a particular case be unreasonable or unnecessary or tend to hinder the attainment of the objects specified in section 5(a)(i) and (ii) of the Environmental Planning and Assessment Act 1979.

In deciding whether to consent to the variation of development standards in a particular case, the consent authority should examine whether the proposed development is consistent with the State, regional or local planning objectives for the locality, and in particular whether the underlying purpose of the development standard will be achieved despite the proposed variation.

"Is the planning control in question a development standard"?

Clause 29B of the GPSO is a numerical development standard for the purposes of SEPP 1- Development Standards, and may be varied by the consent authority pursuant to the provisions of the Policy.

"What is the underlying objective or purpose of the development standard"?

The Gosford Planning Scheme Ordinance does not contain stated objectives for the development standard. Nevertheless, it is considered that the underlying intent of the maximum FSR requirement is to control density and resulting building bulk, size and scale of development so as to achieve a consistent character of detached buildings with appropriate landscaped areas, setback and site coverage. The character and zone objectives for the immediate locality are also relevant in the assessment of the SEPP 1.

In this instance, the building is considered to be visually bulky, particularly the northern elevation, which presents as a three storey development with the upper basement car park level elevated above natural ground level. The north east corner of the building has a maximum (parapet - RL 34.55m) height of 12.55m and topmost floor height of 6.7 metres above natural ground level (RL 22m), exceeding the building envelope requirements generally applicable to multi unit residential buildings in the 2(c) zone (i.e. 12m ridge height, building envelope and 6m NGL to topmost floor height limits). While there are currently no maximum height requirement applicable to non residential development in the 2(c) zone under the GPSO, such height limits act as a guide for the likely character of adjoining future residential development in Jarrett Street.

The overall height of the proposed building is not considered excessive by itself. However when the proposed height of the building is considered in conjunction with the excessive floor space ratio and site coverage of the building, the resulting building form presents as a visually bulky development which is considered inconsistent with the leafy character of the existing streetscape and pattern and form of existing development.

In this regard, the building footprint and driveways occupy a significant portion of the site with a site coverage of over 80%, well in excess of normal requirements. As a result, available landscaped areas are limited and do not provide adequate landscaped setback transition to the adjoining residential development to the immediate south.

The proposal will also involve the removal of a number of existing trees on site with limited compensatory plantings proposed in lieu of the trees to be removed. While landscape provision is considered acceptable at the frontage to the site following recent amendment to the design, broadside planting remain limited and does not provide effective screening to adjoining residential development or assist in offsetting the visual bulk of the development from side boundaries.

"Is compliance with the development standard consistent with the aims of the Policy and in particular does compliance with the development standard tend to hinder the obtainment of the objectives specified in Section 5(a)(i)(ii) of the Environmental Planning and Assessment Act?"

Clause 9 of the Department of Planning's Circular B1 states:

"It is necessary to assess the likelihood of similar applications being made to vary the standard in the locality. Councils should consider whether the cumulative effect of similar approvals will undermine the objective of the standard or the planning objectives for the locality. If the council considers that it will do so, the application should be refused or a decision should be made not to approve others like it."

In this instance, the cumulative impact of approving similar proposals with excessive floor area has potential to undermine the zone objectives by facilitating or creating pressure for development at a higher density or more intensive developments than that anticipated by strategic and character objectives for the locality and undermines certainty in relation to development outcomes. Accordingly, approval of the proposed development would be likely to hinder the attainment of Section 5(a)(i) and (ii) of the EP&A Act 1979.

The use of SEPP 1 in this instance could be construed as a de facto rezoning or policy change, which is inappropriate and is contrary to the directions issued by the Department of Planning regarding the use of SEPP 1 in Circular B1 (i.e. SEPP 1 should be used as an **administrative** tool not a **policy** tool).

In this regard, the Director-General due to concerns over certain developments revoked the 'delegation for assumed concurrence' of Gosford City Council for the use of SEPP 1 on 10 April 2006 subject to certain circumstances. After due deliberation and the provision of assumed concurrence returns for the periods 2004-2006 the Director-General determined that the Council's 'delegation for assumed concurrence' under SEPP 1 should be reinstated and it became effective on 24 August 2006.

In reinstating the delegation the Director-General reminded Council "to be cautious with its use of SEPP 1, and to ensure that each assumed concurrence fully meets the requirements of both the SEPP and the Department's Circular B1". The letter also advised that "any variation needs to be consistent with the purpose of the standard, which in some cases may be to limit building bulk and scale". According to the Director-General the use of SEPP 1 is not appropriate where Council feels that development standards are outdated, or where a council believes there is some other extraneous reason for supporting a non conforming proposal.

The proposed development site is located in an area to be rezoned under the Draft LEP 2009 to Special Infrastructure (Hospital). As a consequence, the draft LEP becomes a valid head of consideration in assessing this application under Section 79C (1)(a)(ii) of the Environmental Planning and Assessment Act 1979. However the draft plan has only been recently placed on exhibition and the subject site was included in SP2 zone in December 2009 following representations made by the applicant. Accordingly, the draft LEP is neither certain nor imminent and should not be given any weight.

In a recent court case *Bespoke Properties v Gosford City Council [2009] NSWLEC 108*, the Court held (8 March 2010) that: "there was agreement that the draft local environmental plan could not be seen as imminent or certain and as such no weight is given to this document."

While Council wishes to support the provision of much needed medical and diagnostic facilities in the locality, the application is considered to be premature. Approval of the proposal is reliant on the adoption of the development standards proposed under the Draft LEP to facilitate the development. Such standards are neither imminent nor certain. Such approval would create an undesirable precedence and encourage other developers to pre-empt the application of draft development controls.

"Is compliance unreasonable and unnecessary in the circumstances?"

It is considered that the use of SEPP 1 - Development Standards to vary the minimum site area requirement prescribed by the Gosford Planning Scheme Ordinance, is inappropriate for the following reasons:

- i The proposal is inconsistent with and contrary to the maximum floor space ratio development standard prescribed by the Ordinance.
- ii The variation amounting to 94% to the maximum floor space ratio standard is considered to be excessive.
- iii The use of SEPP No. 1 - Development Standards is inappropriate in this instance as the variation is not in keeping with the aims and objectives of SEPP No.1 and Circular B1.
- iv The proposal will create an undesirable precedence and will undermine the planning objectives of the locality.
- v The proposal is inconsistent with the requirements of DCP No. 159 - Character.
- vi The applicable development standard is accordingly not considered to be unreasonable and unnecessary, for reasons outlined in points (i) to (v) above.

Accordingly, the objection under SEPP No. 1 - Development Standards is not well founded and adherence to the standard is reasonable. **(Refer Reasons for Refusal Nos 1, 2, 3, & 7)**

Objectives of Zone

Clause 10(3) of the Gosford Planning Scheme Ordinance stipulates that consent must not be granted for development of land within the prescribed zone, unless the objectives of the zone have been taken into consideration in conjunction with the objectives of the Local Government Act 1993, pertaining to Ecologically Sustainable Development.

An objective of the 2(c) zone is to ensure non-residential uses should be compatible with a medium to high density residential environment and afford services to residents at a local level and are unlikely to adversely affect residential amenity or place demands on services beyond the level reasonably required for high density residential uses.

In this instance, it is considered that the proposal is excessive in size and does not provide a satisfactory level of articulation and landscaping treatment to assist in offsetting the visual bulk of the development and is thereby inconsistent with the stated objectives of the Residential 2(c)-zone.

In addition, the cumulative impact of approving similar proposals with excessive floor area has potential to undermine the zone objectives by facilitating or creating pressure for development at a higher density or more intensive developments than that anticipated by strategic and character objectives for the locality and undermines certainty in relation to development outcomes.

(Refer Reason for Refusal No 4)

Character

Clause 10(4) of the Gosford Planning Scheme Ordinance stipulates that the Council must not grant consent for development unless it has taken into consideration the character of the development site and the surrounding area, where, for the purpose of this provision, character means the qualities that distinguish each area and the individual properties located within that area.

The application is subject to DCP 159 Character and is located in the North Gosford 3 Open Woodland Hillside area, but adjoins the North Gosford 9. Community Centres and Schools area.

The character objectives for Places in North Gosford 3: Open Woodland Hillsides is summarised as follows:

These should remain low-density residential areas where the existing scenic quality and amenity of prominent hillsides are enhanced substantially by further “greening” Maintain the semi-natural character of hillsides. Complement the established canopy by planting trees and shrubs that are predominantly indigenous throughout all garden areas and along street verges. Facing all boundaries, emphasise a leafy garden character by avoiding tall retaining walls, elevated structures

In areas that are defined as bushfire prone, hazard must not be increased by inappropriate new plantings or structures..

Avoid disturbing natural slopes and trees by appropriate siting of structures plus low impact construction such as suspended floors and decks, rather than extensive cut and fill. Avoid the appearance of a continuous wall of development along any street or hillside by locating buildings behind front and rear setbacks similar to their surrounding properties, and providing at least one wide side setback or stepping the shape of front and rear facades.

Minimise the scale and bulk of buildings by stepping floor-levels to follow natural slopes and by using irregular floor plans to create well-articulated forms. Front or rear facades that are taller than neighbouring dwellings should be screened by balconies, verandahs, stepped forms or extra setbacks. Roofs should be gently-pitched to minimise the height of ridges, and flanked by wide eaves to disguise the scale of exterior walls.

Minimise the scale of prominent facades by using extensive windows and verandahs plus a variety of materials and finishes rather than expanses of plain masonry.

Given the characteristics of the land, the nature of the proposed non-residential landuse and the site's proximity to North Gosford Private Hospital, it is also appropriate to have regard to the desired character statement for immediately adjoining land - *North Gosford No 9: Community Centres and Schools*.

The following character objectives are of relevance to the proposal:

These properties should continue to provide community, educational and recreation services according to the needs of their surrounding residential population. The scenic

and civic qualities of prominent vegetated backdrops should be protected as well as enhanced.

Protect the habitat and scenic values of remnant bushland by retaining natural slopes and by avoiding further fragmentation of the tree canopy.

Ensure that new developments do not dominate their natural or landscaped settings, or their predominantly low-rise residential surroundings. Surround buildings with landscaped settings that maintain the scenic quality of prominent bushland backdrops or existing corridors of planted trees. Ensure that the height and siting of new structures also preserve levels of privacy, sunlight and visual amenity that are enjoyed by neighbouring dwellings and their private open spaces. Complement the bushland canopy by planting all setbacks, courtyards and parking areas with shrubs and trees that are predominantly indigenous. Along front boundaries, provide for surveillance and safety by planting hedges or using fences that are low or see-through. Promote high levels of visible activity around buildings by adopting elements of traditional "mainstreet" shopping villages, including extensive windows and building entrances that are located to reveal indoor activity. Incorporate footpaths, verandahs or colonnades to concentrate pedestrian access between clearly identified building entrances and surrounding streets or carparks.

Minimise the scale and bulk of new buildings and avoid the appearance of uniform building heights along any street by well-articulated forms. Divide floor space into separate pavilion structures that are surrounded by landscaped courtyards, and vary the shape and height of facades, particularly to identify major entrances. For visually-prominent facades, incorporate extensive windows that are shaded by framed verandahs or exterior sunscreens, and display some variety of materials or finishes rather than expanses of plain masonry or metal cladding. Roofs should be gently-pitched to minimise the height of ridges, and flanked by wide eaves or verandahs that disguise the scale of exterior walls.

It is considered that the proposal is inconsistent with the desired character for the locality as advised by Council's Architect for the following reasons:

Council Architect's Assessment

" 1. Relevant Character Objective:

Ensure that new developments (including alterations to existing buildings and infrastructure works) do not dominate their natural or landscaped settings, or their predominantly low-rise residential surroundings..... Ensure that the height and siting of new structures also preserve levels of privacy, sunlight and visual amenity that are enjoyed by neighbouring dwellings and their private open spaces.

There is excessive site coverage with the building and driveways covering 80% of the site and with setbacks of only 1.6 metres wide. The site is zoned residential and a side setback of 6 metres would be recommended for a residential building on this site.

The site coverage necessitates the removal of all existing trees on the site and results in inadequate area to plant any replacements. Mature trees have important character and environmental benefits and must be retained.

2. Relevant Character Objective:

Surround buildings with landscaped settings that maintain the scenic quality of prominent bushland backdrops or existing corridors of planted trees... Complement the bushland canopy by planting all setbacks, courtyards and parking areas with shrubs and trees that are predominantly indigenous.

The amended landscape plan addresses the concerns about the Jarrett Street setback but still proposes low shrubs and ground covers on the southern setback. These are too small to provide the necessary screening to the adjoining residential property.

3. *The permitted FSR is .75:1 while this application proposes almost double this at 1.47:1. The non-complying FSR by itself is not considered an insurmountable problem, but combined with the inadequate setbacks, lack of landscaping and bulky appearance creates a building that has a detrimental impact and is out of character with surrounding residential buildings.*

A design that is setback from the southern boundary to retain landscaping and reduce the impact on the adjoining residential buildings but adds space by a partial third floor that is within the height plain could be an acceptable alternative."

(Refer reasons for refusal No.5)

Car Parking Provision

The amended plans provide a total of 52 off-street car parking spaces comprising 30 car parking spaces (including 1 disabled space) within the lower level car park and 22 car parking spaces (including 2 disabled spaces) and ambulance bay within the upper level car park. A six metre driveway from Jarrett Street provides access to basement car parks.

Council's DCP 111- Car parking stipulates the following car parking requirement for "professional consulting rooms and medical practices":

3 spaces per surgery or consulting rooms, plus 1 space for each professional practitioner and other staff present at any one time.

The subsequent *Traffic Assessment Report*, prepared by TPK & Associates Pty. Ltd advises that the proposal comprises essentially 5 medical sections with a total of 42 staff (including 9 professionals) who will attend the centre. On this basis, the proposal would generate a requirement for 57 car spaces, representing a shortfall of five spaces if applying the rate applicable to medical practices.

However, in this instance, the rooms provided within the medical centre are not consulting rooms typical of professional consulting rooms and medical practices, but rather are rooms used for health and diagnosis services similar to those services offered by a hospital (i.e. hyperbaric chamber, ultra sound room, radiology department and pathology lab and day surgery), to people admitted as out patients.

To enable assessment of car parking requirements for the day surgery component of the medical centre, the applicant was requested to provide details of the day surgery including detailed floor plan and to indicate number of beds, medical practitioners and staff employed at any one time. In response the applicant has advised that there is no detailed floor plan available for this space until the hospital's specific requirements are known. DCP 111 car parking stipulates a rate of 1 space per 3 beds and 1 space for three employees for a hospital for comparison purposes.

The application is accompanied by a traffic assessment report, prepared by TPK & Associates Pty. Ltd which provides assessment of parking requirements for the centre having regard to the following characteristics for the proposal:

"

- *There are essentially 5 medical sections housing 9 professionals and 33 staff when benchmarking against the DCP.*
- *Two of these sections (Hyperbaric and day surgery) do not generate a patient parking demand as patients are essentially dropped off and picked up later.*

- *The centre will have fixed time of day shifts which at the core middle of the day period will not generate a parking demand of a space per staff member. Influences to this position include staff absence due to illness or rostered days off, off site training of staff and management, promotion of car pooling by staff due to fixed rosters.*

The report advises that "given these factors are acknowledged the requirement for car parking are assessed as follows:

Based on a landuse footprint applied to the DCP rates

- *3 spaces for 5 sections*
- *1 space for 9 professionals*
- *1 space for 33 staff*

This equates to 57 spaces required

- *less 3 spaces x 2 sections on DCP rates (6 spaces) where patients are dropped off*

This then equates to 51 spaces. "

In summary, the report concludes that:" *the proposed development will not have an adverse impact on the capacity or level of service of the surrounding road network and the proposed development provides an acceptable level of off street parking, having particular regard to the circumstances relating to the drop off and pick up of patients having day surgery and hyperbaric chamber treatment (i.e. these procedures are such that patients are treated in accordance with a strict timetable and are not allowed to drive following their procedures. Consequently, they do not generate a demand for on-site car parking as such).*"

Assessment Comment

The porte cohere/drop off and circular driveway arrangement at the frontage of the site has been removed to accommodate landscaping at the frontage. The traffic report suggests Council consider approval of a 15 metre length "No parking during business hours" restriction from the southern boundary of the site northwards to provide an additional, viable pick up/set down space at a location closest to the main foyer. The applicant advises that "*this is not recommended by the consultant as a requirement to correct a site deficiency, but is rather suggested as a traffic management option in order to provide an additional pick up and set down location closest to the main foyer entry, this is a matter that can be considered by the Council Traffic Committee after the issue of development consent. It need not further delay the determination of the application.*"

Without adequate resolution of this issue, the applicant has failed to:

- demonstrate that on site parking would not be required for those transporting and accompanying patients requiring treatment at the day surgery or hyperbaric chamber,
- provide details of the day surgery; or
- suggest an alternative car parking standard appropriate for this type of development.

RTA guidelines for Traffic Generating Developments, suggest the minimum number of car parking spaces required by medical centres is 4 spaces per 100m² gross floor area, based on the RTA survey conducted in 1991. The proposal has a gross floor area of 2546m² which would equate to 102 spaces. Fifty-two spaces have been provided.

Accordingly, it is not agreed that the proposal provides a satisfactory level of off street parking on the basis of information submitted to date. **(Refer Reason for Refusal No.6)**

Traffic Impacts / RTA Comments

The application was referred to the RTA having regard to the site's close proximity to North Gosford Private Hospital and other traffic generating developments including a school.

The RTA has raised **no objections** to the proposal, subject to conditions and submission of a traffic report to address a number of issues relating to the Impact of traffic generation on

surrounding network, including cumulative impact of proposed / recently approved developments associated with North Gosford Private Hospital that have not yet been constructed, vehicle access, car parking, minimum sight-distance requirements and minimum sight lines for pedestrian safety and provision for service delivery and garbage collection.

The traffic report prepared by TPK and Associates, dated March 2010 addresses the issues raised in the RTA submission. The report concludes that the development will not have an adverse impact on the capacity of the surrounding road network in terms of intersection capacity, route capacity and local environmental traffic capacity. However the issues relating to car parking and waste collection have not been addressed.

Tree Removal and Landscaping

The proposal will require the removal of all trees on the site to accommodate the development and the application was referred to Council's Tree Management Officer who raised no objection to their removal. Trees to be removed mostly consist of ornamental species such as Jacaranda and Camphor laurel. A few native trees were present consisting of Cheese trees.

The applicant has submitted a landscape plan on 8.4.2010 which provides four trees (rainforest varieties) along the frontage of the site comprising two Cudgerie with a h@m of 15 metres within the site boundaries and two street trees Eumundie Quandong 10m h@m. Lomandra grass plantings, dwarf lilly pilly and small shrubs are provided to side and rear boundaries within setback areas ranging in width from 0.8metres 1.8 metres. Amendments have also been made to the landscaped area at the frontage of the site which has been altered following changes made to the driveway arrangements. (Amended plan set Revision E dated 16.03.2010). Council's Tree Management Officer has raised **no objections** to replacement tree planting.

While landscape provision is considered acceptable at the frontage to the site following these changes, broadside planting remain limited and does not provide effective screening to adjoining residential development or assist in offsetting the visual bulk of the development from side boundaries.

NSW Rural Fire Service

The site together with the adjoining land containing North Gosford Private Hospital is identified as bush fire prone land. The application has been submitted as an integrated development and is accompanied by a *Bush Fire Assessment Report*, prepared by Conacher Environmental Group which advises that: "*proposed development is classified as a special fire protection purpose under Planning for Bush Fire Protection (RFS 2006) as the proposed medical centre may include a day surgery facility and will therefore contain anaesthetised patients*". The RFS have previously advised that medical centres involving day surgery for out patients only (i.e. no persons staying overnight on the premises) do not fall within this definition of a "special fire protection purpose" and as such the application has been assessed under section 79BA of the *Environmental Planning and Assessment Act 1979*.

The NSW Rural Fire Service has assessed the proposal and has raised **no objections** to the proposal subject to compliance with conditions relating to required asset protection zones, water and utilities and landscaping.

Draft Gosford Local Environmental Plan 2009

The application has been assessed under the provisions of Draft Gosford Local Environmental Plan 2009 in respect to zoning, development standards and special provisions. The assessment concluded the proposal is consistent with the Draft Plan.

The draft Gosford LEP 2009, has been placed on public exhibition from 10 February 2010 to 5 May 2010. It is proposed under the draft LEP to rezone the site to SP2 Infrastructure (Health Services Facility) as indicated below:

Council has been advised by the Department of Planning that it and the Department of Health wish to support the process for establishment of the facility. The commencement of the process has begun with Council resolving, at its meeting of 1 December 2009 to include within the draft Gosford LEP 2009, the necessary zoning and other planning controls that would permit the facility.

The draft Gosford LEP 2009, has recently been placed on public exhibition from 10 February 2010, to 5 May 2010. It is proposed under the draft LEP to rezone the site to SP2 Infrastructure (Hospital) as indicated below:



Draft LEP Zoning Map (placed on public exhibition 10.2.2010)

Under the draft plan, the maximum permissible FSR is 2:1 for the zone and is increased to 3:1 under Clause 4.4 2C for hospital/medical centre. A maximum building height of 11.5 metres (NGL to topmost point including lift over run). The proposal is non compliant with the corner parapet of the building extending beyond 11.5m height representing a minor encroachment).

As the Draft LEP has recently been placed on exhibition 10/2/2010 it is now a matter for consideration under Section 79C of the EP&A Act 1979. However, amendments to the FSR development standard and zoning under the "Draft" LEP are not imminent or certain. Accordingly the application is considered premature.

Climate change and sea level rise

Climate change and sea level rise have been considered in the assessment of this application.

Climate change and sea level rise will be felt through:

- increases in intensity and frequency of storms, storm surges and coastal flooding;

- increased salinity of rivers, bays and coastal aquifers resulting from saline intrusion;
- increased coastal erosion;
- inundation of low-lying coastal communities and critical infrastructure;
- loss of important mangroves and other wetlands (the exact response will depend on the balance between sedimentation and sea level change); and
- impacts on marine ecosystems.

Internationally there is a lack of knowledge on the specifics of climate change and the likely impact it will have on the subject development. Government action may mitigate the impact of climate change and the question of sea-level rise may be able to be addressed through the construction of containment works or through Council's policies that may be developed over time.

In the absence of any detailed information at the present however, refusal of this application is not warranted.

SEPP 71

The provisions of State Environmental Planning Policy (SEPP) No 71- Coastal Protection requires Council consider the Aims and Objectives of the SEPP together with the matters for consideration listed in Clause 8 of the SEPP when determining an application within the Coastal Zone. The Coastal Zone is an area defined on maps issued by the Department of Planning NSW. The subject property falls within the Coastal Zone.

The Aims and Objectives and the matters listed under Clause 8 have been considered and the application complies with the provisions of the SEPP.

Public Submissions

A number of public submissions were received in relation to the application. Those issues associated with the key issues have been addressed in the above report. The remaining issues pertaining to various concerns were addressed in the assessment of the application pursuant to the heads of consideration contained within Section 79C of the Environmental Planning and Assessment Act 1979.

A summary of the submission is detailed hereunder.

- 1. Overdevelopment of the site with 84% of the site to be built upon, exceeds permissible floor space ratio.**

Comment

Agreed. The proposal is well in excess of the maximum floor space ratio requirement applicable to the development on 2(c) zoned land under Clause 29B of the GPSO.

- 2. The removal of all trees from the site, the lack of any outdoor areas for staff or patients.**

Comment

The applicant has submitted amended plans and landscape plan on 8.4.2010 which have increase landscaping provision particularly across the frontage of the site to include replacement tree plantings. However it is considered that rear and side boundary setbacks are insufficient to permit landscaping other than low shrubs and ground covers to provide the necessary screening to the adjoining residential property.

3. **Lack of parking.** The area already suffers a severe lack of parking for the private hospital. the traffic has increased dramatically, including truck deliveries to the hospital and medical centre, doctors, workers and patient's vehicles, as well as local residents vehicles, their visitor's, and deliveries.

Comment

Available on street parking in the vicinity of the hospital and school is limited during peak periods. Insufficient information accompanies the application to demonstrate sufficient on site parking is provided to service the development without impacting further on available parking within Jarrett Street. (**Refer previous section of report - Car parking**)

4 Calculation of car parking requirements.

The applicant has calculated car parking requirements based on 3 car spaces per surgery or consulting rooms and 1 car space for each professional practitioner and other staff present. This is not appropriate for the development. The upper floor is a day surgery/Hospital and will have substantial numbers of nursing and paramedical staff. In addition anaesthetists, surgeons and associated medical staff will be working there and parking will be required for patients and their carers. I believe this formula is not applicable to this day hospital. The lower floor is dedicated to diagnostic procedures and not consulting rooms and hence the formula does not apply to this either. Both radiology, including ultra sound and pathology comprise over 800m². These types of diagnostic facilities have a high volume of patients and carers visiting and the formula for consulting rooms is not applicable. The application does not mention how many beds the proposed day surgery will have.

Comment

The car parking rate under DCP 111- Car parking, applicable to professional consulting rooms and medical practices is considered inappropriate for the type of health care services provided by the proposed medical centre. Details of the day surgery (number of beds and rooms) have not been provided or an alternative standard suggested to enable assessment of car parking requirements. RTA Guide to Traffic Generating Development lines suggest a parking rate for a extended hours medical centre on the basis of four spaces per 100m² of gross floor area which equates to over 100 spaces required. Accordingly, the likely demand for on-site parking to be generated by the development has not been adequately addressed /resolved by the Traffic Assessment Report.

4. **Traffic.** The proposal will create a lot of extra traffic in the current peak times. Jarrett street, North Gosford is about 400m long and has approximately 67 houses/units, a Private Hospital, a large Specialists Medical Centre, a Kindergarten, a School, as well as a Red Bus route, add to that (after your approval), a day Surgery, and all the other departments on that new development application above.

This will increase the traffic, and parking space required by the new Doctors, technicians, workers and new patients, even with the limited car spaces provided by the developer.

The traffic situation near the school gets very dangerous and frustrating just before and after school.

Comment

The Traffic Assessment Report, prepared by TPK & Assoc., dated March 2010 advises the proposal will not have an adverse impact on the capacity or level of service of the surrounding road network.

- 5. Jarrett Street does not have kerb and guttering along its entire length any approval of this development should include funding for road improvements.**

Comment

There is no existing kerb and gutter or concrete footpath across the frontage of the site. The adjoining properties (residential units on the southern side and North Gosford Private Hospital on the northern side) have existing kerb and gutter and concrete footpath across their street frontage in Jarrett Street. This site therefore forms a missing link for kerb and gutter and footpath in this section of Jarrett Street.

This development would be required to construct half road works, footway formation, and a concrete footpath across the full frontage of the site in Jarrett Street.

- 6. External appearance badly designed building, impact on property values
Unsympathetic to existing and surrounding development**

Comment

Refer Comments Council's Architect. It is considered the building is visually bulky and has a detrimental impact and is out of character with surrounding residential development.

8 Relocation of the Sewer

Comment

The proposed development is located over a sewer main. The sewer main will require relocation and suitable access provision to manholes, etc. The applicant has submitted details for the diversion of the sewer main plan, prepared by Ryan Consulting Group (Job No 08127 drawing SK01 Rev A dated 25.03.09) and amended plans on 30.3.2010 in response to sewer design issues. The amended plans provide for a step in the alignment of the south western corner of the building and a cantilevered ground floor slab in the north western corner of the building in order to provide the required 1.5m radial clearances to proposed sewer manholes.

The applicant advises the proposal allows 24 hour unobstructed/unrestricted pedestrian access to the proposed sewer manholes from the street front and the realignment of the sewer main is now wholly contained within the subject property. The land owner will be required to meet the costs of creating the new sewer easement and extinguishing the redundant easement which will be subject to conditions of consent.

- 9. Unsafe location of vehicle access
Locating the entrance into Jarrett Street directly adjacent to the existing access
(North Gosford Private Hospital/Jarrett Street Medical centre) is particularly
hazardous.**

Comment

The traffic report advises that the traffic access off Jarrett Street will have adequate sight distance that is in accordance with AS2890.1 requirements.

Conclusion

The application has been assessed in accordance with the relevant matters for consideration under Section 79C of the Environmental Planning and Assessment Act 1979, relevant provisions under the Gosford Planning Scheme Ordinance, and DCP159 and DCP 111. The proposal is considered to be visually bulky, excessive in size and density and is inconsistent with the desired character and zone objectives for the locality.

The SEPP 1 objection to the floor space ratio development standard as prescribed under Clause 28B of the GPSO is not considered to be well founded and is not supported. The variation amounting to 94% to the maximum floor space ratio control is considered to be excessive. Amendments to the FSR development standard and zoning under the "Draft" LEP are not imminent or certain. Accordingly approval of the application would create an undesirable precedence and encourage other developers to pre-empt the application of draft LEP.

Insufficient information has been submitted to enable assessment of the car parking requirement for the development having regard to the nature of health care facilities provided at the medical centre.

Accordingly, the proposal is recommended for refusal

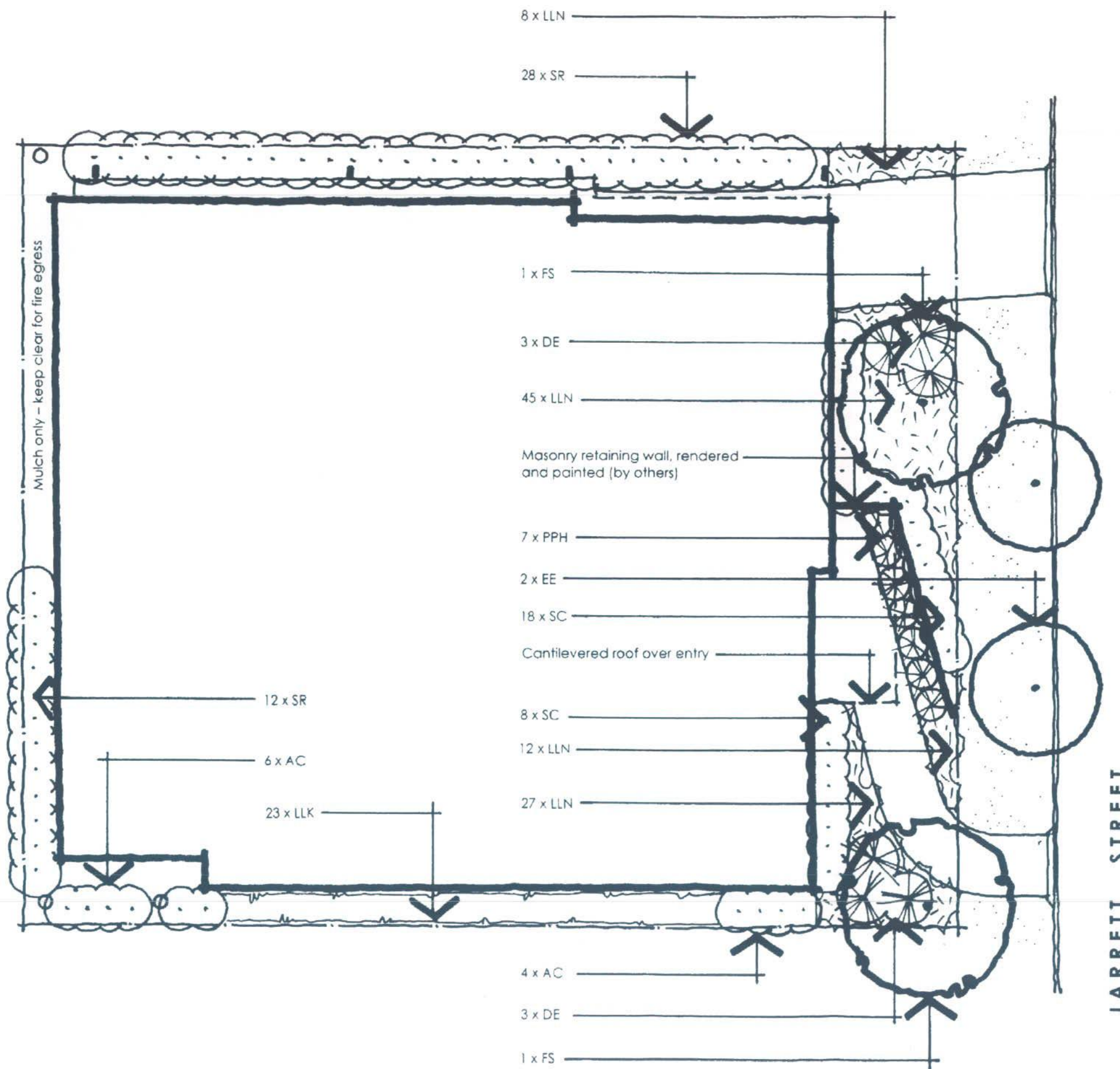
RECOMMENDATION

A The Joint Regional Planning Panel as consent authority refuse consent to Development Application No. 37907 for Medical Centre (Health Services Facility) on LOT: 10 DP: 612457, No 12 Jarrett Street NORTH GOSFORD for the following reasons:

- 1 *The proposal does not comply with the maximum floor space ratio applicable to development on 2(c) zoned land under Clause 29B of the Gosford Planning Scheme Ordinance. The extent of variation proposed is excessive.*
- 2 *The proposal is not in keeping with the aims and objectives of State Environmental Planning Policy No 1 - Development Standards and Circular B1 and would create an undesirable precedence. In this regard, the cumulative impact of approving similar proposals with excessive floor area has potential to undermine the zone objectives by facilitating or creating pressure for development at a higher density or more intensive developments than that anticipated by strategic and character objectives for the locality and undermines certainty in relation to development outcomes.*
- 3 *The SEPP 1 objection to the maximum FSR development standard is not considered to be well founded and does not provide adequate justification to vary the standard to the extent proposed. The floor space ratio control is considered to be both reasonable and necessary in the circumstances of the case.*
- 4 *Pursuant to Section 79C(a)(i) of the Environmental Planning and Assessment Act 1979, the proposal is inconsistent with the objectives of the Residential 2(c) Zone, as specified by Clause 10(3) of the Gosford Planning Scheme Ordinance.*
- 5 *Pursuant to Section 79C(a)(i) of the Environmental Planning and Assessment Act 1979, is considered to be inconsistent with desired future character objectives for locality under DCP 159 - Character, as required to be considered under Clause 10(4) of the Gosford Planning Scheme Ordinance.*
- 6 *Insufficient information accompanies the application to assess the suitability of the proposal in accordance with the relevant matters for consideration under Section 79C of the Environmental Planning and Assessment Act 1979, particularly in relation to car parking provision.*
- 7 *The proposal is contrary to the objects of the Environmental Planning and Assessment Act 1979, as specified in Section 5(a) therein, which requires development to provide for the orderly and proper development of land.*

B The applicant be advised of the JRPP's Councils decision and of their right to appeal to the Land and Environment Court within 12 months after the date of determination.

- C The objector(s) be notified of JRPP's decision.
- D The Rural Fire Service be notified of the JRPP's decision.



plant schedule

symbol	botanic name	common name	height	size	spacing	no.
trees						
EE	Elaeocarpus eumundi	Eumundi Quandong	10m	45L	as shown	2
FS	Flindersia schottiana	Cudgerie	15m	45L	as shown	2
shrubs & accent plants						
AC	Alpinia caerulea	Native Ginger	1.6m	200mm	1m c/s	10
DE	Doryanthes excelsa	Gymea Lilly	2.5m	300mm	1.5m c/s	8
PPH	Phormium 'Purple Haze'	Dwarf NZ Flax	1.2m	200mm	1m c/s	7
SAR	Syzygium 'Resilience'	Dwarf Lilly Pilly	4m	200mm	1m c/s	56
SC	Syzygium 'Cascade'	Dwarf Lilly Pilly	3m	200mm	1m c/s	26
groundcovers						
LLK	Lomandra longifolia 'Katrinus'	Mattrush Grass	1m	tube	1m c/s	23
LLN	Lomandra longifolia 'Nyalla'	Fine-leaved Mattrush Grass	0.8m	150mm	0.7m c/s	94

specification notes

- All planting areas (street trees and garden beds) to have compost mixed into site soil at ratio of 3:1. Ensure no rocks or building debris. Subgrade to be machine ripped.
- Turfed area on nature strip to be *Pennisetum clandestinum* (Kikuyu) laid on 100mm depth top - dress with lawn fertiliser to manufacturer's instructions.
- Each plant to contain a combination water crystal and fertiliser product to manufacturer's instructions.
- Street trees to be planted in a 1000 x 1000mm hardwood timber edging.
- All trees to be staked with 18000 x 50 x 50mm hardwood timber stake with 2 x hessian ties stapled to stakes.
- Garden beds in between the building and eastern boundary to contain white decorative pebble mulch (20mm diameter).
- All other garden beds in addition to 2 x street trees to contain 80mm depth native hard-wood chip mulch, keeping free of stem.
- All garden beds including street trees to be drained by a flexible slotted ag pipe connected to stormwater.
- Trees to exhibit strong central leader.

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client:
jarrett st holdings p/l
project & address:
**proposed medical centre,
lot 10 in dp 612457, no. 12
jarrett st, north gosford nsw**
drawing title:
landscape plan
purpose:
construction certificate (gosford city council)

scale: 1:200	date: 05.04.10	job no. 17.10	designed by cjc	dwg no. LCC.01
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scale 1:200 @ A3

Diane Spithill
Town Planner
Gosford City Council
49 Mann Street
GOSFORD NSW 2250

Dear Diane,

**RE: DA 37907/2009 - PROPOSED MEDICAL CENTRE ON LOT 10 DP 612457,
NO. 12 JARRETT STREET, NORTH GOSFORD.**

I refer to your emails of 18th February 2010 and 9th March 2010 advising that additional information is required in response to issues raised by Council's Development Engineer and yourself. I provide the following information in relation to the issues raised.

1. Submission of Amended Plans.

In response to a number of traffic management and sewer design issues the following amended plans are now submitted to Council:

- Amended Ground Floor Plan (DA.05 Issue E, dated March 2010):
 - provides for a step in the alignment of the south-western corner of the building and a cantilevered ground floor slab in the north-western corner of the building in order to provide the required 1.5m radial clearances to proposed sewer manholes;
 - shows the proposed realignment of the sewer main and offset distances to the property boundary and proposed building footprint;
 - allows 24 hour unobstructed/unrestricted pedestrian access to the proposed sewer manholes from the street front of the property;
 - provides for a 6m wide driveway access to the basement car parks; and
 - provides for pedestrian and vehicular access to the entry foyer in the same manner approved by Development Consent No. 35952/2008.
- Amended Upper Level Car Parking Floor Plan (DA.03 Issue C, dated March 2010):
 - shows a 6m wide entry driveway and a reconfigured parking layout providing for 22 car spaces; one ambulance bay; and relocation of the two proposed disabled spaces and the storage spaces;

- Amended Lower Level Parking Floor Plan (DA.04 Issue C, dated March 2010):
 - shows a reconfigured parking layout providing for 30 car spaces, including one disabled space;
- Please note that DA.06 – First Floor Plan remains unchanged. There is no detailed floor plan available for this space (including bed numbers) until the hospital's specific requirements for this area are known.

2. Traffic Assessment Report.

As requested by the RTA and Council's Development Engineer, a Traffic Assessment Report has been prepared by TPK & Associates Pty Ltd and is enclosed for Council's consideration.

In summary, the report concludes that the proposed development will not have an adverse impact on the capacity or level of service of the surrounding road network and the proposed development provides an acceptable level of off street parking, having particular regard to the circumstances relating to the drop off and pick up of patients having day surgery and hyperbaric chamber treatment (i.e. these procedures are such that patients are treated in accordance with a strict timetable and are not allowed to drive following their procedures. Consequently, they do not generate a demand for on-site car parking as such).

The report also suggests that the efficiency and safety of the site could be enhanced through the provision of a 15m "No Parking During Business Hours Zone" along the southern frontage of the site, as indicated in the ground floor figure accompanying the report. As this is not recommended by the consultant as a requirement to correct a site deficiency, but is rather suggested as a traffic management option in order to provide an additional pick up and set down location closest to the main foyer entry, this is a matter that can be considered by the Council's Traffic Management Committee after the issue of development consent. It need not further delay the determination of this application by the Joint Regional Planning Panel.

It is considered that the submitted Traffic Assessment Report demonstrates that the concerns expressed in community submissions regarding traffic safety and adequate car parking arrangements are without foundation and do not arise.

I also note that the subject development application was not an application required to be referred by Council to the RTA pursuant to the provisions of SEPP (Infrastructure) 2007 as the proposed development does not trigger any of the thresholds contained in Column 2 of the Policy and is not a site referred to in Column 3 of the Policy. There is therefore no statutory basis for the advice provided by the RTA in its letter to council dated 2nd February 2010. Council is clearly the roads authority in relation to the subject land and the proposed development.

3. Proposed Sewer Realignment.

The amended ground floor plan (DA.05) and Upper Level Parking Floor Plan (DA.03) shows the proposed realignment of the existing sewer main. This is now wholly contained within the

subject property and is only marginally different from the alignment shown on the drawings approved by the Council under Consent No. 35952/2008. The landowner is prepared to meet the costs of creating the new sewer easement and extinguishing the redundant easement.

The proposed realignment shown on the amended ground floor plan allows 24 hour unobstructed and unrestricted pedestrian access to the proposed sewer manholes from the street front of the property as required by council.

A fee proposal of \$3,500 was obtained from a qualified consultant to prepare a long section of the proposed realignment. Given that the proposed realignment does not significantly differ from the previously approved alignment, or a similar alignment for which a long section was prepared by the Ryan Consulting Group (Drawing SK01 dated 25th March 2009 – previously lodged with council), it is considered unreasonable and unnecessary for the council to insist on the preparation of another long section, when it is clearly evident that there is a suitable falling gradient over the alignment of the proposed sewer main.

4. Landscaping Plan.

A Landscape Plan is enclosed. This is an adaption of the landscape plan previously approved by the Council under Development Consent No. 35952/2008.

I trust that this supplementary information now enables council to complete its assessment of DA 37907/2009 for determination by the Joint Regional Planning Panel.

Yours Sincerely



Doug Sneddon
30th March 2010.

TRAFFIC ASSESSMENT REPORT

PROPOSED COMMUNITY CENTRE

12 JARRETT STREET

NORTH GOSFORD



March 2010

Doug Sneddon Planning Pty Ltd
(For The Applicant)

Gosford City Council Local Government Area

Prepared by
Terry Keating
Director
TPK & Associates Pty Ltd

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2. EXISTING CONDITIONS
3. GUIDELINES
4. PARKING & SITE AMENITY
5. ROAD NETWORK
6. SUMMATION

PROPOSED MEDICAL CENTRE

TRAFFIC ASSESSMENT

SECTION 1 - INTRODUCTION

1.1. – The Project

TPK & Associates Pty Ltd (TPK) was invited by Doug Sneddon Planning Pty Ltd (For The Applicant) to join their project team to provide traffic assessment services for the subject project; the project is a proposed Medical Centre at:

12 Jarrett Street, North Gosford

The general site location is highlighted on the cover page map. (Map sourced from Whereis)

1.2. – Task Description

The assessment and report focuses on the following objectives: -

- Establish that the surrounding road network will service all user needs in terms of road safety and traffic management.
- Establish that the appropriate road safety and traffic management guidelines and standards are to be addressed by the proposal.
- Evaluate the potential impact of the project on the road network capacity.

This assessment report is a supplement to the Development Application documentation submitted for the project.

1.3. – Project Representative

Mr. Terry Keating, Director TPK, undertook the evaluation and preparation of the report. He has over 40 years experience in the road safety and traffic management profession, including the assessment of traffic generating developments.

1.4. - References

The assessment and report have been provided as an outcome of reference to:

- Gosford City Council DCP 111
- AS 2890.1 & 2
- RTA Guide to Traffic Generating Developments
- Austroads Part 5 Intersections at Grade
- Project Plans as provided by Greg Murphy/Doug Sneddon – See Appendix A

SECTION 2 – EXISTING CONDITIONS

2.1. - Locality

The site is located on the western side of Jarrett Street south of Burrabil Avenue; the site is not vacant, old buildings currently on the site will be removed.

2.2. – Road Network

Jarrett Street is a local road and provides connectivity to the broader road network via:

- A north connection on Dwyer Street onto Henry Parry Drive
- A south connection on Etna Street onto Henry Parry Drive

Movement restrictions exist at the intersection of Henry Parry Drive and Etna Street; Henry Parry Drive is a main arterial route within the Gosford LGA road network.

2.3. – Traffic Management

The features of the surrounding road environments are:

- Central median on Henry Parry Drive at Etna Street restricting side street traffic to left in/left out
- Roundabout control at Henry Parry Drive and Jarrett Street.
- Central median in Jarrett Street at Dwyer Street
- No stopping in Burrabil Avenue west of Jarrett Street to facilitate sight distance, traffic flow and access to school drop off bay.
- There is no significant roadmarking or signposting facilities on Jarrett Street aside from a signposted bus stop and shelter shed adjoining the subject site.

SECTION 3 – GUIDELINES and REQUIREMENTS

The potential traffic generation and parking requirements for this project are provided in this section of the report and assessed in more detail in Sections 4 and 5.

Table 1 set's out the relevant land use details for the medical centre; TPK have been advised the centre is a self contained business operation.

TABLE 1 – PROJECT LAND USE DETAILS

LAND USE TYPE	DETAILS
Hyperbaric Chamber	5 Staff (includes 1 Professional)
Obstetric	5 Staff (includes 1 Professional)
Radiology	8 Staff (includes 2 Professionals)
Pathology	8 Staff (includes 2 Professionals)
Day Surgical	16 Staff (includes 3 Professionals)

3.1. – Road Network Traffic Generation

The RTA Guide to Traffic Generating Developments suggests traffic generating rates for a range of land use activities; the guideline has no typical rates for this type of Medical Centre and interpretation of the business footprint provided to TPK has been used to assess traffic generation.

The centre is to operate between 8am and 6pm Monday to Friday hence staff (42 in total) will arrive in the 7am to 9am window and depart in the evening spread over the 4pm to 6pm window, dependant on centre needs at the time. TPK have adopted 80% of the trips occurring in the peak hour; 34 trips. Trip generation during the day will be related to patient bookings but is not expected to exceed 10 trips per hour.

Of significance for traffic generation and parking demand is the fact that patients to the Hyperbaric and Day Surgery sections will be dropped off in the Porte Cochere area and picked up some 4 – 6 hours later; additionally some patients to other centre sections will also arrive or depart in the peak hour. TPK has adopted 10 patient trips for the typical peak hour with some 5 alternate direction patient trips also in the reverse flow within the peak hour; Table 2 sets out the rates adopted for this project.

TABLE 2 – POTENTIAL TRAFFIC GENERATION

USE (See Table 1)	ADOPTED PEAK HOUR TRIPS
Typical Staff and Patient Peak Hour demands	<u>AM Peak</u> 44 inward trips and 5 outward trips. <u>PM Peak</u> 44 outward trips and 5 inward trips.

3.1.2 – Distribution & Modal Split

The majority of these trips will be to/from Henry Parry Drive via Jarrett Street & Dwyer Street; TPK has adopted:

- 90% to/from the north on Jarrett Street.

Section 5 discusses the impact of the traffic on the road network.

3.2 – Parking Requirements

Table 3 sets out the parking spaces requirements relevant to Council's DCP111. Section 4 of this report discusses the provisions for parking proposed.

TABLE 3 – POTENTIAL PARKING REQUIREMENTS

LAND USE CATEGORY IN DCP	COUNCIL DCP RATE
Professional Consulting Rooms & Medical Practices	3 spaces per surgery or consulting room plus 1 space for each professional practitioner and any other staff present at any one time.
TOTAL REQUIREMENTS FOR DA	57 spaces – See Section 4

3.3 – Project Overview

A project summation of key site elements is provided in Table 4.

TABLE 4 – PARKING & ACCESS ASSESSMENT

Ref. AS/NZS 2890.1-2004 (AS), AS2890.2 (AS2)-2002 and/or DCP 2007

CRITERIA	CLAUSE	ASSESSMENT or REQUIRED	PROVIDED	COMPLIES
Classification of Use	(AS) Table 1.1	Class 3	NA	NA
Road Frontage type	(AS) Table 3.1	Local	NA	NA
Number of Off Street Parking spaces	(AS) Table 3.1	25 – 100 spaces	58 spaces	See Section 4
Parking Bays	(AS) Figure 2.2	5.4m x 2.6m	5.5m x 2.6m	Yes
Parking Aisle	(AS) Figure 2.2	5.8m	6m	Yes
Driveway Category & Design	(AS) Table 3.1 and 3.2	6.0m to 9.0m combined	6m	Yes
Driveway location	(AS) Clause 3.2.3	Figure 3.1	Not at an intersection	NA
Blind Aisle	(AS) Figure 2.3	6 spaces depth & 1m end offset	5 spaces depth & 1m offset.	Yes
Sight distances	(AS) Figure 3.2	69m	+ 69m	Yes

SECTION 4 – PARKING & SITE AMENITY

4.1 – Parking

The development proposes provision of 52 off street parking spaces (plus 1 Ambulance space) which include 2 disabled spaces appropriately located on the upper level.

In considering the requirements of the DCP for parking this project has certain characteristics that need to be acknowledged:

- There are essentially 5 medical sections housing 9 professionals and 33 staff when benchmarking against the DCP.
- Two of those sections (Hyperbaric & Day Surgery) do not generate a patient parking demand as patients are typically dropped off and picked up later.
- The centre will have fixed time of day shifts which at the core middle of the day period will not generate a parking demand of a space per staff member. Influences to this position include staff absence due to illness or rostered days off, off site upgrade training of staff and management promotion of car pooling by staff due to fixed rosters.

Given these factors are acknowledged the requirements for parking are assessed as follows:

- Based on basic land use footprint (Table 1) applied to the DCP rates
 - 3 spaces for 5 Sections 15 spaces
 - 1 space for 9 Professionals 9 spaces
 - 1 space for 33 staff 33 spaces

This equates to 57 spaces required.

- Less 3 spaces x 2 Sections on DCP rates (6 spaces) where patients are dropped off.

This then equates to 51 spaces to manage the higher end of the demand scale without acknowledgment of dot point 3 in characteristics submitted above.

The site proposes to provide 52 off street parking spaces.

TPK has assessed that the business footprint, as presented to TPK for this assessment can cater for potential parking demand off street. Management have the option to utilise space allocation to optimise both car park levels and encourage reduced demand by initiatives such as staff car pooling.

TPK also suggest that Gosford Council (Traffic Committee) be requested to consider approval of a 15m length No Parking Business Hours kerbside restriction from the southern boundary of the site northwards. This restriction is not recommended due to a specific site deficiency rather it would an additional, viable pick up/set down space at a location closest to the main foyer rather than having the patient transport private vehicles circulating the off street car parks as part of the pick up or set down trip.

4.2 – Site Amenity, Traffic Flow

The site access off Jarrett Street will have sight distance that is acceptable in terms of AS2890.1 requirements.

TPK noted during am & pm peak period observations that the existing driveway that will adjoin this access is not subjected to significant hourly traffic demands; furthermore it was noted that the main movements were right in and left out.

The new access itself is not anticipated to generate large traffic demands and would reflect similar trip movement bias to that observed at the adjoining driveway.

Jarrett Street presented extensive gaps in through traffic flow (less than 150vph in either peak, combined directional flow) allowing site turn movements to complete their turn without pause on most occasions. It was apparent that much of the nearby school parent traffic utilise the drop off bay in Burrabil Avenue as minimal school children activity occurred at this sites frontage in either peak.

TPK submits that the driveway and generated activity will not contribute to Jarrett Street traffic congestion or create additional risk for existing road users given acceptable driver behaviour from all users.

Internally the car park layouts have been adjusted to comply with the requirements of AS2890.1 (confirmation in Table 4) and the layout presents acceptable movement and manoeuvre conditions for potential traffic demands.

4.3 – Site Amenity, Pedestrian


The site layout provides a ramp access from the street frontage to the Main Foyer.

Within the car park stairs/lift are located within acceptable distance to all parking spaces; TPK assessed that provision of defined pedestrian pathways within the car park was not required as most pedestrian elect to take the shortest route in car parks, regardless of amenity provided.

4.4 – Site Amenity, Public Transport

Red Bus Services provides regular service along Jarrett Street past the subject site during business hours; a copy of the timetable is provided below. Bus Stops are located within acceptable walking distance of the site; this bus route provides timed connection to Gosford rail services.

Monday to Friday

		Route 40 	Route 40	Route 40 	Route 40	Route 40	Route 40
Train Arrives Gosford from Sydney		5:17 AM	5:51 AM	6:14 AM	6:36 AM	7:35 AM	8:12 AM
Corner Erina Street and Mann Street		5:19 AM	5:50 AM	6:22 AM	6:48 AM	7:49 AM	
Gosford Station		5:25 AM	6:00 AM	6:27 AM	7:00 AM	7:53 AM	8:25 AM
Wyoming Medical Centre							
Jarrett Street Private Hospital		5:31 AM	6:07 AM	6:33 AM	7:06 AM	7:59 AM	8:32 AM
Brady's Gully Road and Blanche Street		5:36 AM	6:11 AM	6:38 AM	7:11 AM	8:09 AM	8:37 AM
Wyoming Medical Centre							
Gosford Station		5:44 AM	6:20 AM	6:47 AM	7:18 AM	8:19 AM	8:45 AM
Train Departs Gosford to Sydney		5:57 AM	6:32 AM	6:57 AM /	7:33 AM	8:58 AM	8:58 AM

Monday to Friday (continued...)

		Route 40	Route 40	Route 40	Route 40	Route 40 	Route 40 
Train Arrives Gosford from Sydney		9:13 AM	10:12 AM	11:12 AM	12:12 PM	1:12 PM	2:12 PM
Corner Erina Street and Mann Street		9:19 AM	10:04 AM			1:23 PM	2:23 PM
Gosford Station		9:22 AM	10:17 AM	11:23 AM	12:17 PM	1:27 PM	2:27 PM
Wyoming Medical Centre				11:31 AM		1:35 PM	
Jarrett Street Private Hospital		9:29 AM	10:24 AM	11:37 AM	12:24 PM	1:41 PM	2:34 PM
Brady's Gully Road and Blanche Street		9:34 AM	10:28 AM	11:42 AM	12:29 PM	1:46 PM	2:39 PM
Wyoming Medical Centre			10:33 AM		12:34 PM		2:44 PM
Gosford Station		9:42 AM	10:43 AM	11:50 AM	12:44 PM	1:54 PM	▲ 2:54 PM
Train Departs Gosford to Sydney		10:06 AM	11:06 AM	12:06 PM	1:06 PM	2:06 PM	

Monday to Friday (continued...)

		Route 40 	Route 40	Route 40	Route 40	Route 40 
Train Arrives Gosford from Sydney		3:12 PM	4:13 PM	4:58 PM	5:25 PM	5:58 PM
Corner Erina Street and Mann Street		3:25 PM	4:27 PM	5:00 PM		6:00 PM
Gosford Station		3:30 PM	4:30 PM	5:05 PM	5:32 PM	6:05 PM
Wyoming Medical Centre			4:38 PM		5:40 PM	
Jarrett Street Private Hospital		3:38 PM	4:44 PM	5:11 PM	5:46 PM	6:12 PM
Brady's Gully Road and Blanche Street		3:42 PM	4:49 PM	5:15 PM	5:51 PM	6:16 PM
Wyoming Medical Centre				5:20 PM		
Gosford Station		3:52 PM	4:55 PM	5:30 PM	5:59 PM	6:24 PM
Train Departs Gosford to Sydney		3:57 PM	5:06 PM	5:43 PM	6:06 PM	6:43 PM

TPK suggested in Section 4.1 that Gosford Council (Traffic Committee) be requested to consider approval of a 15m length No Parking Business Hours kerbside restriction from the southern boundary of the site northwards. This restriction is not recommended due to a site deficiency rather it would provide a viable pick up/set down space for Gosford taxi services.

4.5 – Site Amenity, Service and Delivery

The business is to commission private waste collection for the site.

TPK suggested in Section 4.1 & 4.4 that Gosford Council (Traffic Committee) be requested to consider approval of a 15m length No Parking Business Hours kerbside restriction from the southern boundary of the site northwards. The business is expected to receive service and delivery from small vehicle classifications; this restriction is not recommended due to a site deficiency rather it would provide a viable pick up/set down space at a location closest to the main foyer/administration precinct.

The penetration of waste, service & delivery vehicles into the site would be minimum given the above is approved.

SECTION 5 – ROAD NETWORK

The typical am and pm peak hours were surveyed in March 2010; Figures 2 & 3 provide the results of those surveys

FIGURE 2 – EXISTING AM PEAK HOUR 2010

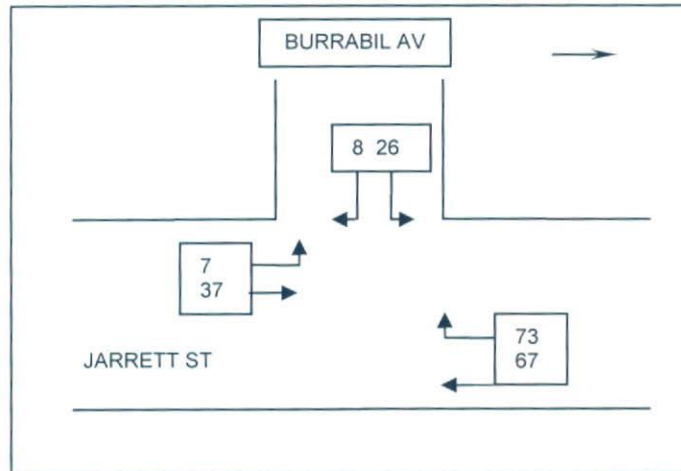
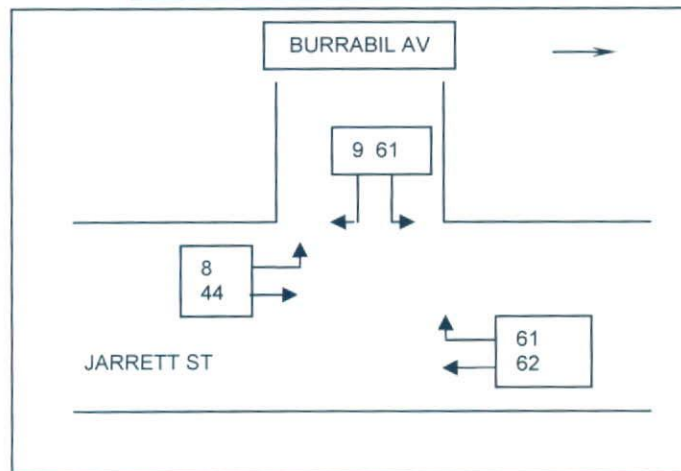


FIGURE 3 – EXISTING PM PEAK HOUR 2010



The traffic volumes disclose traffic flow that does not begin to approach saturation levels and the potential increase of less than 50vph will not impact on the regular gaps presented in the Jarrett Street traffic flow; furthermore the potential volumes in this section of Jarrett Street will not exceed the level of traffic flows (300vph) deemed acceptable relative to environmental traffic capacity.

Jarrett Street links to the broader road network and a potential increase in traffic flow of less than 50vph does not warrant extensive SIDRA modelling to confirm no adverse impact on intersection or route capacity wider afield in the road network.

SECTION 6 – SUMMATION

The assessment by TPK & Associates has concluded that:

1. The development will not have an adverse impact on the capacity of the surrounding road network in terms of:
 - a. Intersection capacity
 - b. Route capacity
 - c. Local environmental traffic capacity
2. The development will provide acceptable levels of off street parking to manage potential demand and minimise the necessity for staff or patients to park on-street.
3. The efficiency and safety of the site could be enhanced by provision of a 15m No Parking business Hours zone on the southern frontage of the site.
4. The development has acceptable access to public transport.

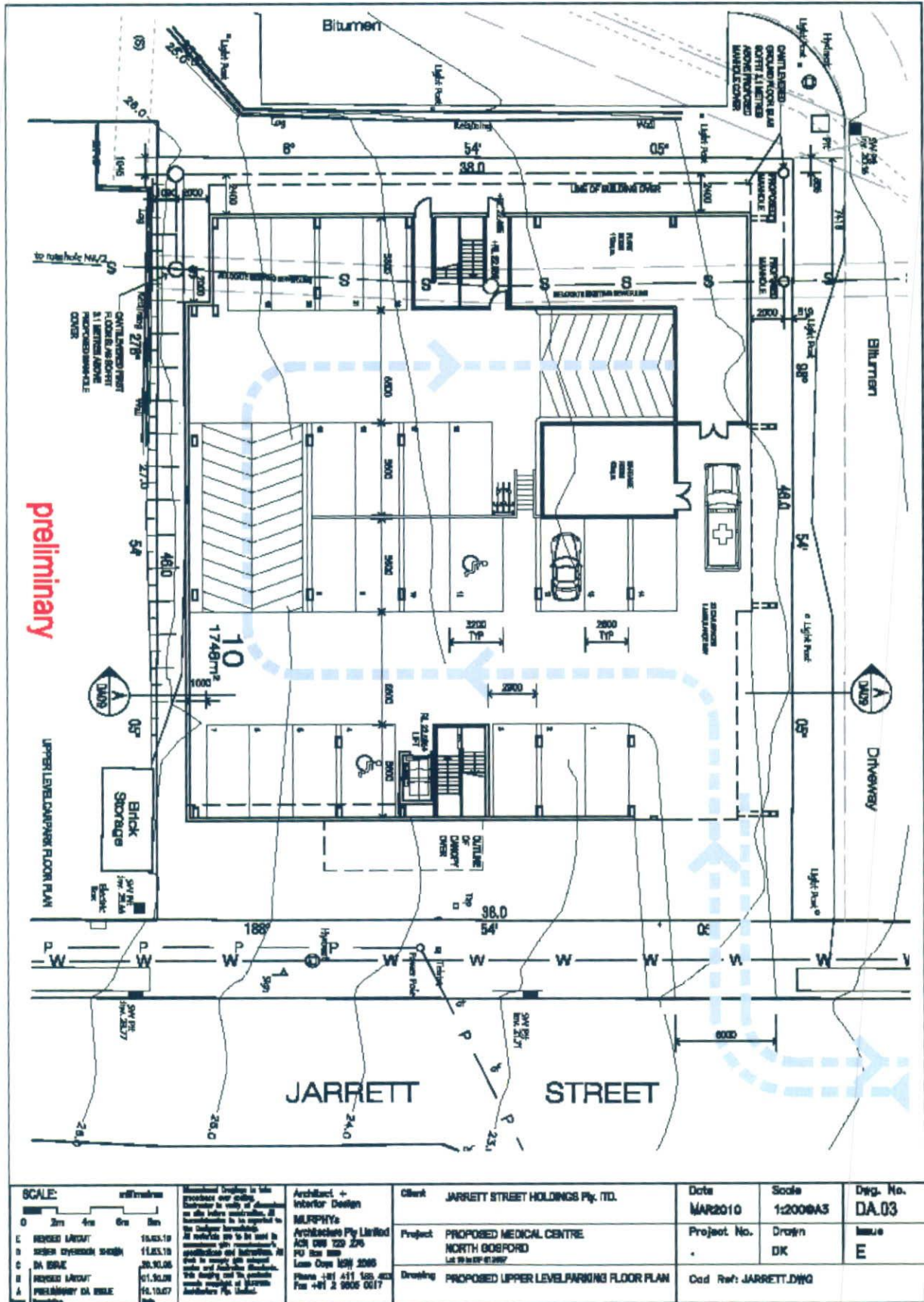
Prepared by

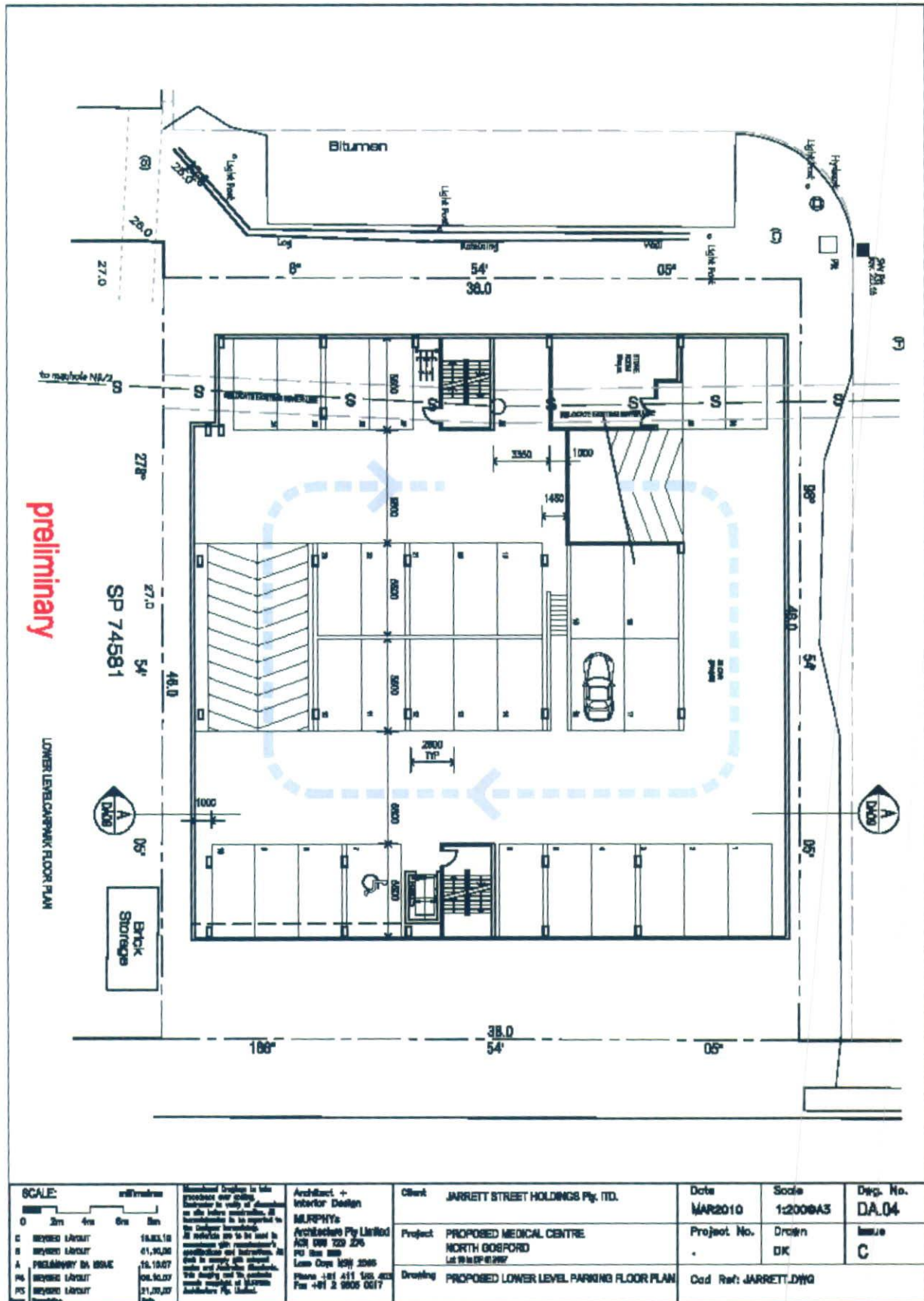
T Keating

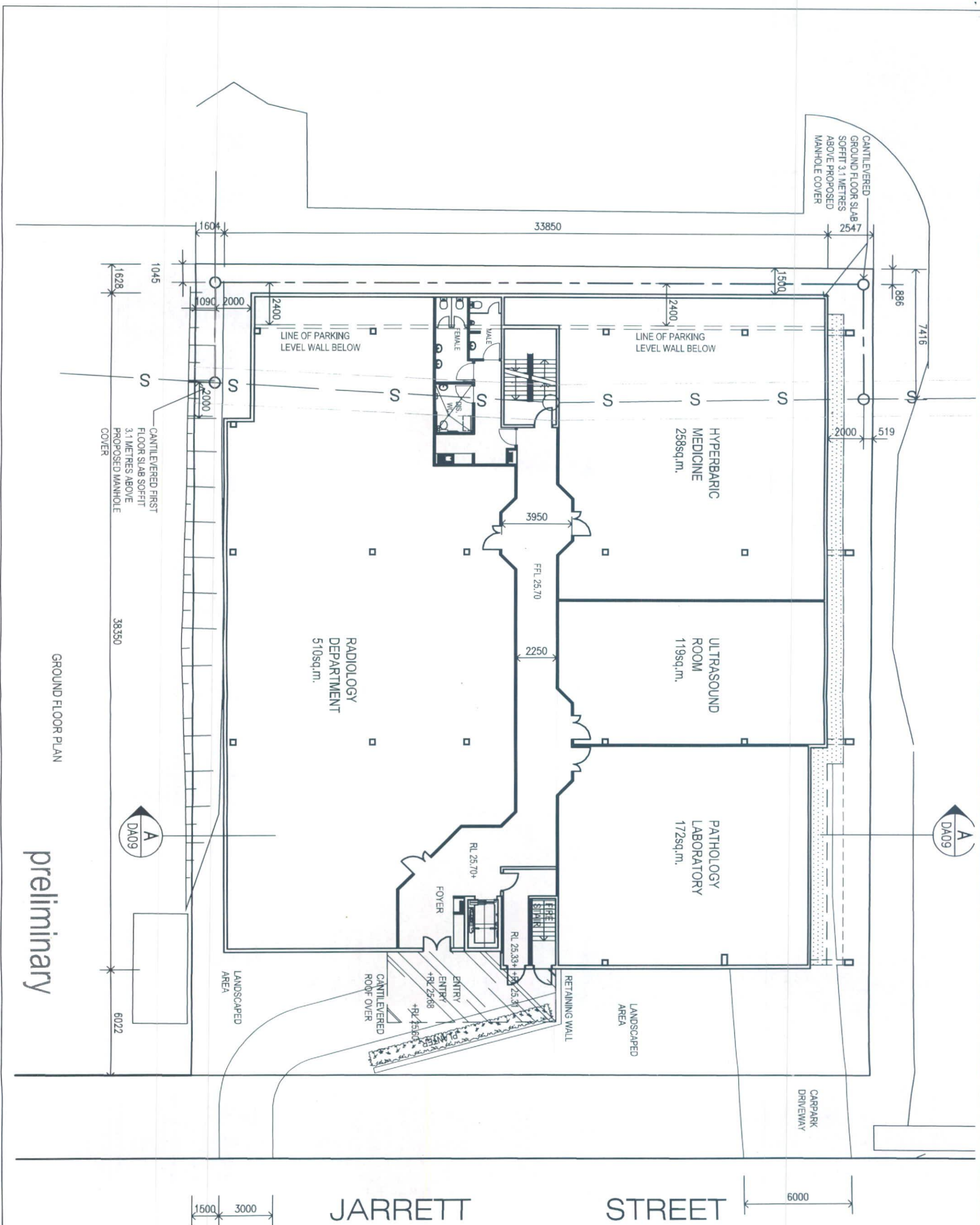
Mr. T Keating
Director, TPK & Associates

APPENDIX A

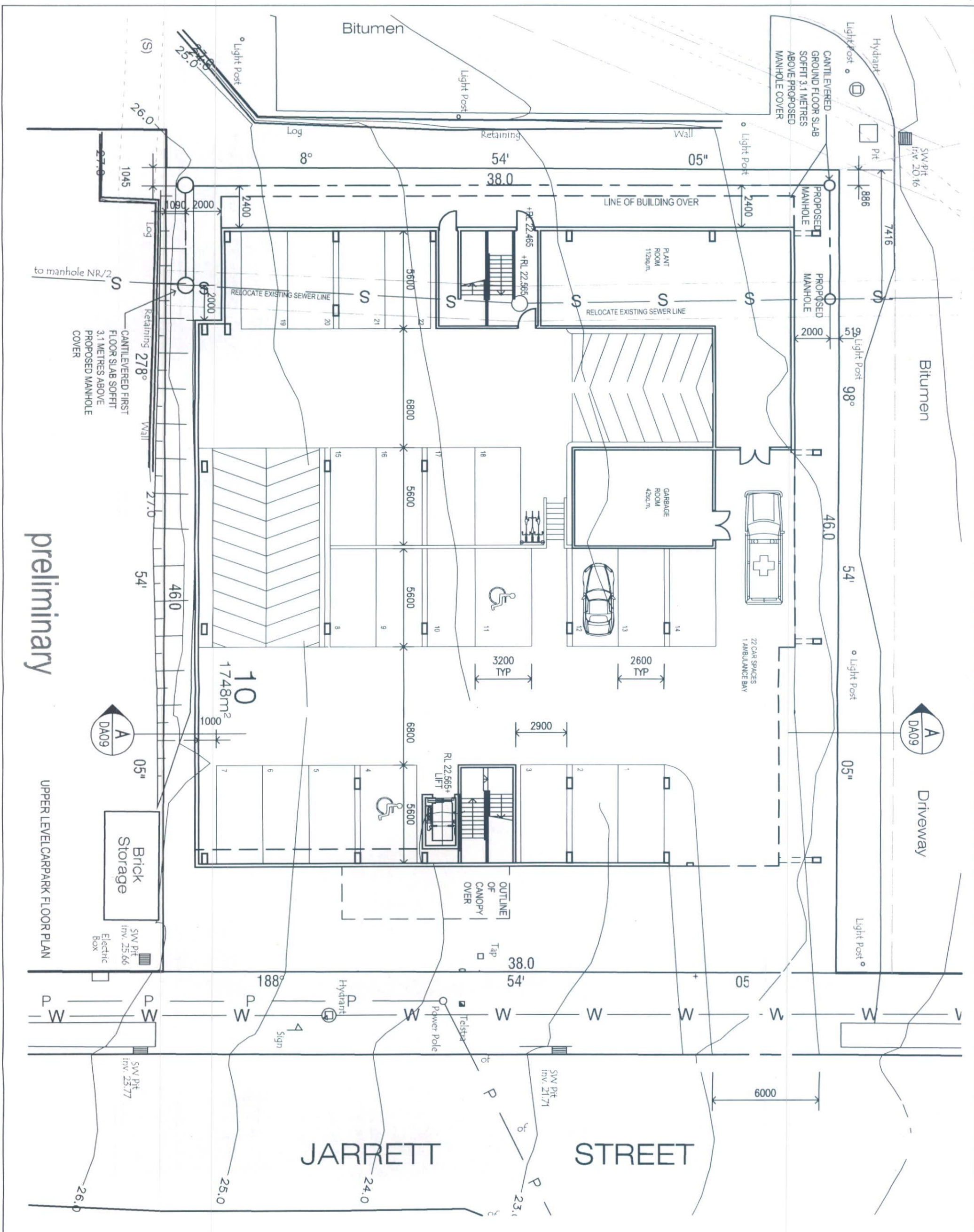
SITE LAYOUT PLANS







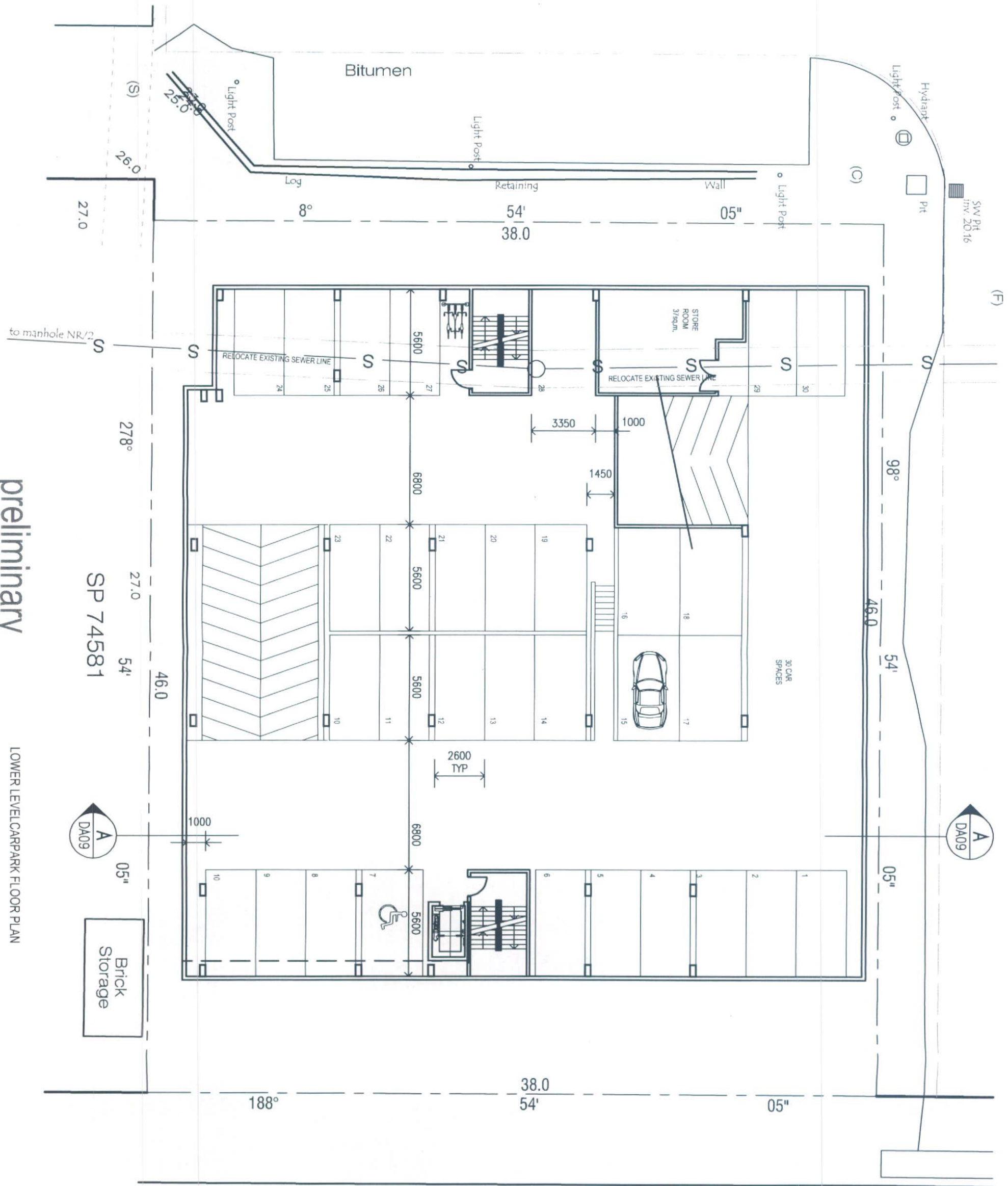
SCALE: millimetres 0 2m 4m 6m 8m E ADD. SEWER DIMS ADDED 11.03.10 D SEWER DIVERSION SHOWN 01.03.10 C DA ISSUE 20.10.08 B REVISED LAYOUT 01.10.09 A PRELIMINARY DA ISSUE 19.10.07 Issue Description Date	Dimensioned Drawings to take precedence over scaling. Contractor to verify all dimensions on site before construction. All inconsistencies to be reported to the Designer immediately. All materials are to be used in accordance with manufacturer's specifications and instructions. All work to comply with relevant codes and Australian Standards. This drawing and its contents remain copyright of MURPHY'S Architecture Pty. Limited.	Architect + Interior Design MURPHY'S Architecture Pty Limited ACN 090 729 276 PO Box 669 Lane Cove NSW 2066 Phone +61 411 188 403 Fax +61 2 9803 0017	Client JARRETT STREET HOLDINGS Pty. LTD. Project PROPOSED MEDICAL CENTRE NORTH GOSFORD Lot 10 in DP 612457 Drawing PROPOSED GROUND FLOOR PLAN	Date MAR2010 Project No.	Scale 1:200 A3 Drawn DK	Dwg. No. DA.05 Issue E Cad Ref: JARRETT.DWG
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SCALE: millimetres 0 2m 4m 6m 8m		Architect + Interior Design MURPHY'S Architecture Pty Limited ACN 090 729 276 PO Box 669 Lane Cove NSW 2066 Phone +61 411 888 403 Fax +61 2 9803 0017		Client JARRETT STREET HOLDINGS Pty. LTD.	Date MAR2010	Scale 1:2000A3	Dwg. No. DA.03
E REVISED LAYOUT 16.03.10 D SEWER DIVERSION SHOWN 11.03.10 C DA ISSUE 20.10.08 B REVISED LAYOUT 01.10.09 A PRELIMINARY DA ISSUE 19.10.07		Dimensioned Drawings to take precedence over scaling. Contractor to verify all dimensions on site before construction. All inconsistencies to be reported to the Designer immediately. All materials are to be used in accordance with manufacturer's specifications and instructions. All work to comply with relevant codes and Australian Standards. This drawing and its contents remain copyright of MURPHY'S Architecture Pty. Limited.		Project PROPOSED MEDICAL CENTRE NORTH GOSFORD Lot 10 in DP 612457	Project No. .	Drawn DK	Issue E
Issue Description		Date		Drawing PROPOSED UPPER LEVEL CARPARK FLOOR PLAN	Cad Ref: JARRETT.DWG		

preliminary

LOWER LEVEL CARPARK FLOOR PLAN



SCALE: millimetres			Dimensioned Drawings to take precedence over scaling. Contractor to verify all dimensions on site before construction. All inconsistencies to be reported to the Designer immediately. All materials are to be used in accordance with manufacturer's specifications and instructions. All work to comply with relevant codes and Australian Standards. This drawing and its contents remain copyright of MURPHY's Architecture Pty. Limited.	Architect + Interior Design MURPHY's Architecture Pty Limited ACN 090 729 276 PO Box 669 Lane Cove NSW 2066 Phone +61 411 188 403 Fax +61 2 9803 0017	Client JARRETT STREET HOLDINGS Pty. LTD.		Date MAR2010		Scale 1:200 A3		Dwg. No. DA.04		
					Project PROPOSED MEDICAL CENTRE NORTH GOSFORD Lot 10 in DP 612457		Project No. -		Drawn DK		Issue C		
C	REVISED LAYOUT	16.03.10			Drawing PROPOSED LOWER LEVEL PARKING FLOOR PLAN		Cad Ref: JARRETT.DWG						
B	REVISED LAYOUT	01.10.09											
A	PRELIMINARY DA ISSUE	19.10.07											
P4	REVISED LAYOUT	06.10.07											
P3	REVISED LAYOUT	21.07.07											
Issue	Description	Date											