

JRPP Item No.	2014SYE088
DA No.	164/2014
PROPOSED DEVELOPMENT	Alterations and additions to existing hospital facility (St George Private Hospital)
APPLICANT:	Buildcorp Group Pty Ltd
REPORT AUTHOR	Ben Latta, Senior Planner, Kogarah City Council

Assessment Report and Recommendation

Date: 11 September 2014

Address: 1A South Street KOGARAH

Applicant: **Buildcorp Group Pty Ltd**

Owner: AME Properties Pty Ltd

Objections: No submissions received

Reasons for Report:

Officer's Recommendation:

Development Approval

That Council as the Consent Authority pursuant to Section 80(1)(a) Environmental Planning & Assessment Act 1979, grant consent to Development Application No 164/2014 for alterations and additions to existing hospital facility at No 1A South Street KOGARAH subject to conditions

Report Summary

Proposal

Council is in receipt of an application for alteration and additions to existing hospital facility on the subject site.

The subject Development Application has a "capital investment value" (CIV) of \$15,202,808 and is referred to the Joint Regional Planning Panel as the determining authority under the provisions of Schedule 4A of the Environmental Planning and Assessment Act 1979 for private infrastructure facilitates with a CIV more than \$5 million.

Site and Locality

The subject site is an irregular shaped parcel of land located on the southern side of South Street on the corner of Princes Highway, Kogarah. The site is approximately 1.1 ha in area. The land falls gradually towards the Princes Highway.

The site is located at the southern edge of the Kogarah Town Centre and is within the St George Hospital Precinct. Adjoining to the south is St Patrick's School & Church. To the west of the site is St George Public Hospital. On the opposite side of the Princes Highway is Moorefield's Girls High School.

Zoning and KLEP 2012 Compliance

The site is zoned SP2 - Health Services Facilities under KLEP 2012 and the proposal is a permissible form of development with Council's consent. The proposed development satisfies all relevant clauses contained within KLEP 2012.

Kogarah Development Control Plan 2013 (KDCP 2013)

The proposed development satisfies the controls for car parking contained within Part B4 of KDCP 2013.

Submissions

No submissions were received.

Conclusion

Having regard to the Heads of Consideration under Section 79C (1) of the Environmental Planning and Assessment Act 1979 and following a detailed assessment of the proposal Development Application No. 164/2014 should be approved subject to conditions.

Report in Full

Proposal

Council is in receipt of an application for alterations and additions to existing hospital facility on the subject site.

The Site and Locality

The subject site is an irregular shaped parcel of land located on the southern side of South Street on the corner of Princes Highway, Kogarah. The site is approximately 1.1 ha in area. The land falls gradually towards the Princes Highway.

The existing private hospital facility occupies the vast majority of the site. The hospital also incorporates two separate allotments for car parking in Hogben Street, north of the site.

The site is located at the southern edge of the Kogarah Town Centre and is within the St George Hospital Precinct. Adjoining to the south is St Patrick's School & Church. To the west of the site is St George Public Hospital. On the opposite side of the Princes Highway is Moorefield's Girls High School.



Background

On 23 May 2014 a pre-lodgement Development Advisory Service (DAS) meeting was held with the applicants to discuss the proposed development. Potential traffic and parking issues were raised and it was recommended that the Development Application be accompanied by a Traffic and Parking Assessment and an Acoustic Assessment (due to proximity of works to a classified road).

On 14 July 2014 the Development Application was lodged with Council.

From 24 July to 7 August 2014 the application was placed on neighbour notification and an advertisement was placed in 'The Leader' local newspaper.

On 19 August 2014 the Sydney East Joint Regional Planning Panel was briefed on the application.

The plans and supporting information lodged with the application are relied upon for assessment in this report.

Section 79C Assessment

The following is an assessment of the application with regard to Section 79C (1) of the Environmental Planning and Assessment Act 1979.

(1) Matters for consideration – general

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

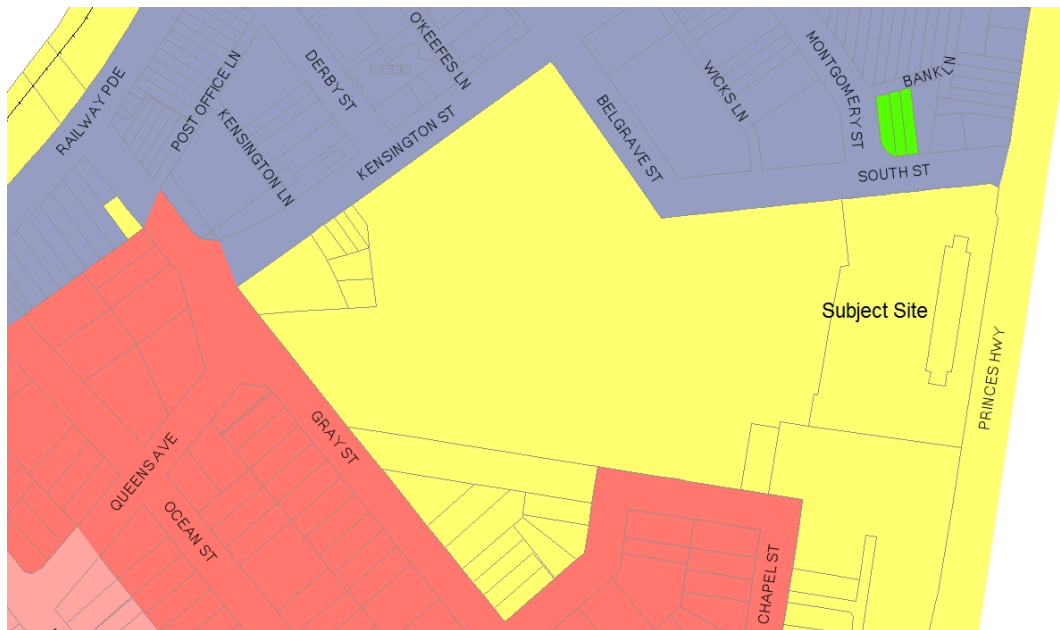
- (a) the provision of:*
- (i) any environmental planning instrument,*

Kogarah Local Environmental Plan 2012 (KLEP 2012)

Part 2 – Permitted or Prohibited Development

Clause 2.1 – Land Use Zones

The subject site is zoned SP2 - Health Services Facilities and the proposal is a permissible form of development with Council's consent. The proposed development satisfies the objectives of the zone.



Part 4 – Principal Development Standards

The provisions of Part 4 of KLEP 2012 are not relevant to the subject application.

Part 5 – Miscellaneous Provisions

Clause 5.9 – Preservation of Trees or Vegetation

The proposed development does not involve the removal of any tree or vegetation subject to the provisions of this clause.

The proposed additions on the first floor extend near to the southern boundary, where mature trees are nearby on the adjoining St Patricks Church property, however, given the 4m setback of the proposed addition from the boundary and minimal overhang of the trees beyond the boundary the likely need for any pruning is minimal.

Consideration has been given to the provisions of Section B2 – Tree Management & Greenweb of KDCP 2013 and the proposed development satisfies the relevant tree & greenweb management provisions.

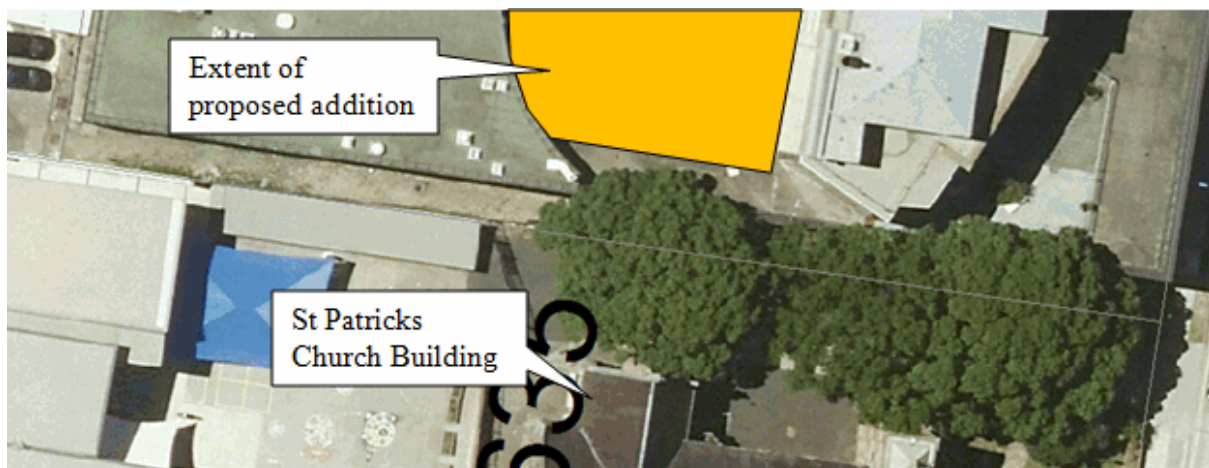
Clause 5.10 – Heritage Conservation

The subject site is not listed as a heritage item in Schedule 5 and is not within a Heritage Conservation Area. However, the site adjoins St Patricks Church, to the south of the site and is therefore subject to the provisions of Clause 5.10 of KLEP 2012.

The application was referred to Council’s Heritage Consultant who made the following comments:

- 1) The proposed second storey addition to the South Elevation located adjacent to St Patrick’s Church will have minimal impact on the setting of the heritage item and is considered acceptable. I have not seen shadow diagrams, but would assume there would be minimal overshadowing impacts on the Church. This should be confirmed.*
- 2) A mature tree located along the northern boundary of the heritage item will most likely require pruning to accommodate the addition noted above. Has an arborist’s report been provided? If not one should be prepared.*

Based on a site inspection and interpolation of the extent of the proposed addition against the aerial photo (taken 2014) of the tree in question, it is unlikely that the proposal will result in any impact on the tree or its canopy. The proposed addition is setback 4m from the edge of the building below (southern boundary). In any case, it is recommended that a condition be imposed requiring that, should pruning be necessary, a separate application be made to Council and be accompanied by a report from a qualified arborist.



The proposed development satisfies the provisions of Clause 5.10 of KLEP 2012.

Part 6 – Additional Local Provisions

Clause 6.1 – Acid Sulfate Soils

The subject site is not shown as being affected by acid sulfate soils as identified on the Acid Sulfate Soil Map.

Clause 6.2 – Earthworks

The proposed earthworks are considered acceptable having regard to the provisions of this clause as the works are not likely to have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

Clause 6.3 – Flood Planning

The subject site has not been identified as a flood planning area on the Flood Planning Maps.

In addition, consideration has been given to the provisions of Section B6 – Water Management of KDCP 2013 and the proposed development satisfies the relevant controls related to flooding and drainage.

Clause 6.5 – Airspace Operations

The proposed development will not penetrate the Limitation or Operations Surface for both Sydney and Bankstown Airports and therefore provisions of this clause are not applicable.

State Environmental Planning Policy (Infrastructure) 2007

The site adjoins a classified road and is therefore subject to the provisions of Clauses 101 and 102 of the ISEPP 2007.

Clause 101 of the ISEPP 2007 applies to development with frontage to a classified road. The hospital has frontage to a classified road (Princes Highway) though provides existing vehicular access off South Street. The proposed additions are removed from the classified road frontage and are buffered by the existing development. No new access is proposed to Princes Highway. The proposed development satisfies the provisions of Clause 101 of the ISEPP 2007.

The application is accompanied by a Traffic and Parking Assessment (Transport and Traffic Planning Associates, July 2014). The report assessed that the potential additional traffic generation resulting from the proposal will be less than 2-3 vehicle trips per hour. These vehicles will arrive and depart a number of routes and have minimal impact on the road network. The conclusions of the report are concurred with by Council's Traffic Engineer.

Schedule 3 of the ISEPP 2007 requires hospitals with more than 100 beds proposed where it has a frontage to a classified road or to a road that connects to classified road (if access is within 90m of connection, measured along alignment of connecting road) to be referred to RMS. The proposed increase of 34 beds does not meet the minimum threshold for referral to RMS.

Clause 102 of the ISEPP applies to development for a hospital that is on land in or adjacent to the road corridor for a freeway, a tollway or a transitway or any other road with an annual average daily traffic volume of more than 40,000 vehicles (based on the traffic volume data published on the website of the RTA) and that the consent authority considers is likely to be adversely affected by road noise or vibration.

Clause 102(3) states that “if the development is for the purposes of a building for residential use, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded:

- (a) in any bedroom in the building—35 dB(A) at any time between 10 pm and 7 am,
- (b) anywhere else in the building (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.”

The proposed new areas are isolated to the western wing of the hospital and are protected by the existing eastern wing from road noise.

Given the location and extent of proposed works, an acoustic assessment is not required for the proposal.

Deemed State Environmental Planning Policy – Georges River Catchment

All stormwater from the proposed development can be treated in accordance with Council’s Water Management Policy and would satisfy the relevant provisions of the Deemed State Environmental Planning Policy – Georges River Catchment

- (ii) *any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority, and*

No draft environmental planning instruments are applicable to the proposed development.

- (iii) *any development control plan,*

Kogarah Development Control Plan 2013 (KDCP 2013)

The proposed development is subject to the provisions of the Kogarah Development Control Plan 2013 (KDCP2013). The following comments are made with respect to the proposal satisfying the objectives and controls contained within the DCP.

The Hospital Precinct

Land Uses

- (a) *Provide active street frontages at ground level.*

The above provision is not relevant to the proposed additions.

Street Frontage

- (a) *Address the street with active frontages, awnings and street trees to provide a high standard of pedestrian amenity, between Kensington Street and the proposed new entry to the St George Hospital at the corner of South Street.*

The proposed development satisfies the above requirement where relevant to the works on South Street.

Built Form

- (b) Create a prominent new landmark entry to the St George Hospital, having a high standard of pedestrian amenity and landscape design.*
- (c) Provide high quality public art works associated with landscape design and pedestrian amenity in any new built work associated with, or adjacent to, the proposed hospital entry.*

The above requirements are not relevant to the proposed development.

Princes Highway

- (a) Retain the existing monumental character of the St George Private Hospital and the Roman Catholic Church.*

The proposal satisfies the above requirement. No change to the presentation of the existing Private Hospital is proposed to the eastern wing facing Princes Highway.

Traffic and Parking

The proposed development is subject to the provisions for car parking in Part B4 of KDCP 2013.

Hospitals require parking to be provided at a rate of 0.5 spaces per bed. Based on the proposed provision of 36 additional beds, eighteen (18) additional spaces are required to be provided.

The application was referred to Council's Traffic Engineer who made the following comments

- On page 12 of the "Assessment of Traffic and Parking Implications" by Transport and Traffic Planning Associates written in July 2014, it states that the existing loading dock will be modified to provide for additional storage. Any additional service vehicle requirements will be absorbed into the existing servicing activities. In Appendix D of the report, the applicant has satisfactorily shown using a swept path analysis that service vehicles can enter and exit the site in a forward direction and can be approved.*
- The consent in 2008 (DA 302/08) for additions to the hospital required the provision of a total of 386 spaces. From calculations, using the RMS "Guide to Traffic Generating Development", the proposed alterations and additions would require an additional parking allocation of 17 spaces. Therefore the total parking requirement is 403 spaces (386 + 17). Please note that the applicant has calculated this value to be 406 spaces (386 + 20) which is incorrect. The proposal will provide for 411 spaces and is in excess of the parking requirement by 8 spaces.*
- As stated in the report on page 14, there is currently a total of 406 spaces on the site and the actual additional traffic will be generated by the 5 additional spaces.*

However the additional traffic generated by the 25 additional spaces (386 existing to 411 proposed) is more appropriate to use as the report has mentioned. Using the RMS "Guide to Traffic Generating Development", the Peak Traffic Generation resulting from the additional parking spaces would be 17 vehicle trips in the peak period. This volume of traffic can be absorbed into the existing road network and there should be no unacceptable impacts on traffic flow as a result of the proposed alterations and additions.

The proposed development satisfies parking requirements contained in part B4 of KDCP 2013 and is not considered to significantly impact the existing road network.

Views and View Sharing

No issues are raised with respect to view sharing.

Section 94 Contributions

The proposed development requires payment of \$240,745.73 in Section 94 contributions based on the provisions of Section 94 Contributions Plan No.8 – Kogarah Town Centre.

The contribution amount is based on an additional 462m² of 'medical' floor space on the ground floor and 1327m² on the first floor (1789m² in total).

(iv) any matters prescribed by the regulations, that apply to the land to which the development application relates,

Not applicable.

(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

The proposed development is of a scale and character that is in keeping with other dwellings being constructed in the locality. Accordingly, the proposal is not considered to have a significant impact on the natural and built environment of the locality.

(c) the suitability of the site for the development,

It is considered that the proposed development is of a scale and design that is suitable for the site having regard to its size and shape, its topography, vegetation and relationship to adjoining developments.

(d) any submissions made in accordance with this Act or the regulations,

In accordance with the provisions of Section A2 – Public Notification of KDCP 2013 application was placed on neighbour notification for a period of fourteen (14) days adjoining property owners were notified in writing of the proposal and invited to comment. No submissions were received.

(e) *the public interest.*

The proposed development is in the public interest as it enables the effective delivery of regionally significant medical services.

Conclusion

The application has been assessed having regard to the Heads of Consideration under Section 79C of the Environmental Planning and Assessment Act 1979, the provisions of KLEP 2012 and KDCP 2013.

Following detailed assessment it is considered that Development Application No 164/2014 should be approved subject to conditions

Mr B J Latta
Senior Planner

Rod Logan
Director of Planning & Environmental Services