

Panel Reference	2017SSH031
DA Number	DA2017/0340
LGA	Georges River Council
Proposed Development	Demolition of existing structures and construction of new health care facility and elevated walkway over South Street to St George Private Hospital
Street Address	131 Princes Highway and 1A South Street Kogarah
Applicant/Owner	AME Properties Pty Ltd (applicant and owner)
Date of DA lodgement	18 August 2017
Number of Submissions	No submissions received
Recommendation	Approval
Regional Development Criteria (Schedule 4A of the EP&A Act)	Community Facilities over \$5 Million <i>"Health Services Facility"</i> under Part 4A(6)(b) of the EP&A Act 1979 (CIV \$17,690,000)
List of all relevant s79C(1)(a) matters	<ul style="list-style-type: none"> • State Environmental Planning Policy No – 55 Remediation of Land • State Environmental Planning Policy No – 64 Advertising and Signage • State Environmental Planning Policy (Infrastructure) 2007 • Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment • Kogarah Local Environmental Plan 2012 • Kogarah Development Control Plan 2013 • Section 94
List all documents submitted with this report for the Panel's consideration	<ul style="list-style-type: none"> • Amended Plans
Report prepared by	Mark Raymundo Senior Development Assessment Officer
Report date	27 February 17

Summary of s79C matters

Have all recommendations in relation to relevant s79C matters been summarised in the Executive Summary of the assessment report? **Yes**

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report? **Yes**

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report? **Yes**

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S94EF)? **Not Applicable**

Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions

Conditions

Have draft conditions been provided to the applicant for comment? **Yes**

Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report

Executive Summary

Proposal

Council is in receipt of a development application for the demolition of existing commercial building and construction of a six (6) storey health service facility at 131 Princess Highway and elevated pedestrian air bridge across South Street linking to St George Private Hospital at 1A South Street, Kogarah NSW 2217.

Site and Locality

The subject site is described as comprising of two separate land parcels. 131 Princes Highway forms a corner allotment and contains a 13.75m eastern primary frontage to Princes Highway, a 44.12m secondary southern frontage to South Street, a 21.06m western rear boundary and 23.38m and 19.63m along the northern side boundaries with a total site area of 786.6sqm. A two storey commercial building previously occupied by Carpet Court is situated on the allotment. 1A South Street is occupied by St George Private Hospital which comprises of a six (6) storey built form with an approximate site area of 10,645sqm. The proposed elevated pedestrian air bridge is located above South Street which forms a Local Road. Princes Highway is a Classified Road. The immediate surrounding area comprises of medical, schools and commercial uses.

Zoning and KLEP 2012 (Compliance)

131 Princes Highway is zoned B4 Mixed Use and 1A South Street is zoned SP2 Infrastructure Hospital and Health Care Facilities under KLEP 2012. The proposed “health service facility” use forms a permissible use subject to development consent. The proposed development satisfies all relevant clauses contained within KLEP 2012 apart from Clause 4.4 - Floor space ratio where a minor exceedance is proposed. A Clause 4.6 variation to this development standard has been sought and is supported on merit which is detailed in further within this assessment report.



Zone

- B1 Neighbourhood Centre
- B2 Local Centre
- B4 Mixed Use
- B6 Enterprise Corridor
- E2 Environmental Conservation
- IN2 Light Industrial
- R2 Low Density Residential
- R3 Medium Density Residential
- R4 High Density Residential
- RE1 Public Recreation
- SP2 Infrastructure
- W2 Recreational Waterways

Fig. 2 Zoning Extract (Source: New South Wales Planning Portal, Department of Planning 2018)

State Environmental Planning Policy

The proposal adequately satisfies the provisions of State Environmental Planning Policy No – 55 Remediation of Land, State Environmental Planning Policy No 64 – Advertising and Signage, State Environmental Planning Policy (Infrastructure) 2007

and Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment.

Kogarah Development Control Plan 2012 (KDCP 2012 – Amendment No 1)

The proposed development generally satisfies the relevant design provisions and underlying objectives of the DCP.

Submissions

No submissions.

Level of Determination

The application is to be determined by the Sydney South Planning Panel due to the cost of works over \$5 Million for a community facility (health services facility) under Schedule 4A (6)(b) of the EP&A Act 1979.

Conclusion

The proposed health service facility is considered to be appropriate for the subject site and context. The proposal is considered to align with the envisaged strategic objectives and future vision which reinforce Kogarah as a key health and educational precinct under the Revised Draft South Sydney District Plan. The Clause 4.6 Exception to Development Standard for additional floor space (+9.8%) is supported on planning merit and considered appropriate given the “health facility service” use, design and spatial context.

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. DA2017/0340 is recommended for approval subject to conditions of consent.

Report in Full

Proposal

Council is in receipt of a development application for the demolition of an existing commercial building and construction of a six (6) storey health facility on 131 Princess Highway and elevated air bridge across South Street linking to St George Private Hospital at 1A South Street, Kogarah.

In detail the proposal comprises of the following elements;

- Construction of a six (6) storey health service facility at 131 Princes Highway, Kogarah;

Level	Use	Area (m2)
Ground Floor	Consulting suites, storage area, waste management area, loading zone with entry from South Street, foyer, communications room, switch room and substation room	537.33

Level One	Consulting rooms, storage, amenities	671.82
Level Two	Consulting suites, storage, amenities, proposed air bridge linking to St George Private Hospital at 1A South Street	669.91
Level Three	Consulting suites, storage, amenities	669.91
Level Four	Consulting suites, storage, amenities	669.91
Level Five	Consulting suites, storage, amenities	669.91
Level Six	Plant and machinery	-
Total Gross Floor Area	-	3,888.80
Site Area	-	786.60
FSR	-	4.94:1

- Elevated pedestrian air bridge (dimensioned 75m in length and 3.5m in width and 10.81m in height) linking Level 2 of 131 Princess Highway, Kogarah over South Street granting access to 1A South Street, Kogarah. Council has entered into a lease agreement for the use of the air rights for the pedestrian air bridge;
- Associated business identification signage along southern and eastern elevations of 131 Princes Highway and signage on eastern and western elevations on air bridge. No advertising signage is proposed;
- Associated landscaping works along South Street reserve in front of the southern elevation of 131 Princes Highway.
- The proposal relies upon Stage 2 of approval D/2014/307/1 granted on 1 June 2015 for multi storey car parking structure which involves the construction of two additional car parking levels at 6, 6A and 12 Hogben Street, Kogarah which is to provide 128 car parking spaces to cater for the proposed use of health service facility.

Amended Plans received on 6 Dec 17

- Internal storage areas within north-west corner of floor plates of levels 3-5 have been amended to provide communal break out spaces.

Amended Plans received on 23 Feb 18

- Internal storage areas within north-west corner of floor plate of level 2 has been amended to provide communal break out space.

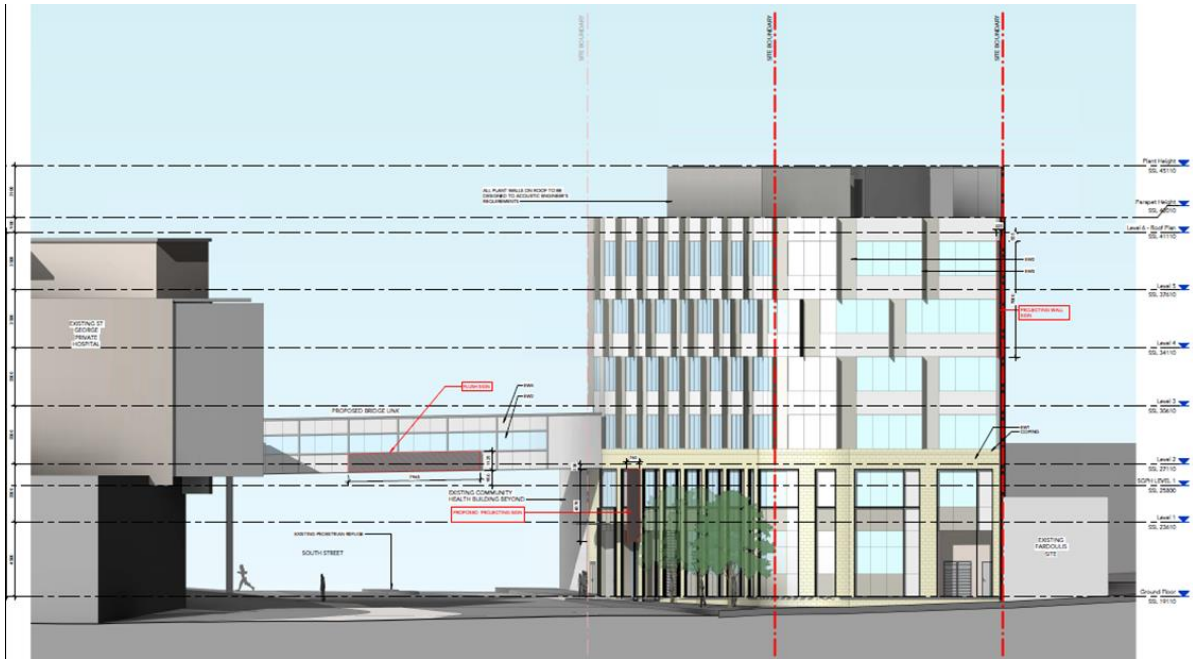


Fig.3 Proposed East Elevation of 131 Princes Highway (Source: Architectural plans prepared by Team 2 Architects, 2017)



Fig.4 Proposed South Elevation of 131 Princes Highway (Source: Architectural plans prepared by Team 2 Architects, 2017)



Fig.5 Montage of proposed Health services facility at 131 Princes Highway, Kogarah (Source: Architectural plans prepared by Team 2 Architects, 2017)

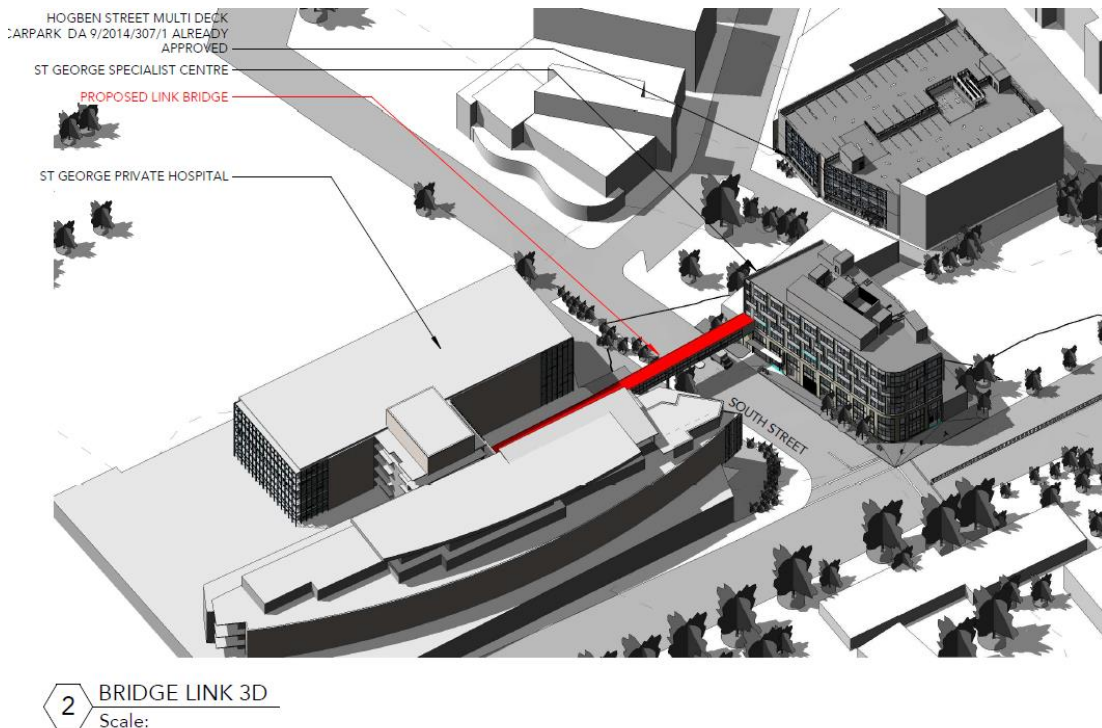


Fig.6 Proposed pedestrian bridge link (Source: Architectural plans prepared by Team 2 Architects, 2017)



Fig.7 Montage of proposed pedestrian bridge linking 131 Princes Highway to 1A South Street which is elevated above South Street (Source: Architectural plans prepared by Team 2 Architects, 2017)

The Site and Locality

The subject site is described as comprising of two separate land parcels. 131 Princes Highway is legally described as Lots C and D in DP418072 and contains a 13.75m eastern primary frontage to Princes Highway, a 44.12m secondary frontage to South Street, a 21.06m western boundary and 23.38m and 19.63m along the northern side boundaries with a total site area of 786.6sqm. A two storey commercial building occupies the site.

1A South Street is legally described as Lot 31 in DP 1147692 and is occupied by St George Private Hospital which comprises of a six (6) storey built form with an approximate site area of 10,645sqm. 2 South Street forms a Local Road and Princes Highway forms a Classified Road.

Adjoining to the north of 131 Princes Highway, a single storey building 129 Princes Highway is currently occupied by a food manufacturing business known as Fardoulis Chocolates. Adjoining to the west of 131 Princes Highway, 2 South Street comprises of a community Outreach centre operated by the South-Eastern Sydney Local Health District.

The surrounding area comprises of a mixture of uses and building typologies which include St George Hospital (Public), St George Hospital/Clinical School St George TAFE, James Cook Boys High School, Moorefield Girls High School, St Patricks Primary School and St Patricks Catholic Church.

The Kogarah Town Centre is currently undergoing transitional higher density urban transformation with maximum heights of building permitted to 39m and maximum floor space ratio of 4.5:1 due to the Kogarah Local Environmental Plan 2012 (Amendment No 5) being Gazetted on 26 May 2017.



Fig.8 Photograph of 131 Princes Highway, Kogarah which was previously occupied by Carpet Court and is currently vacant.

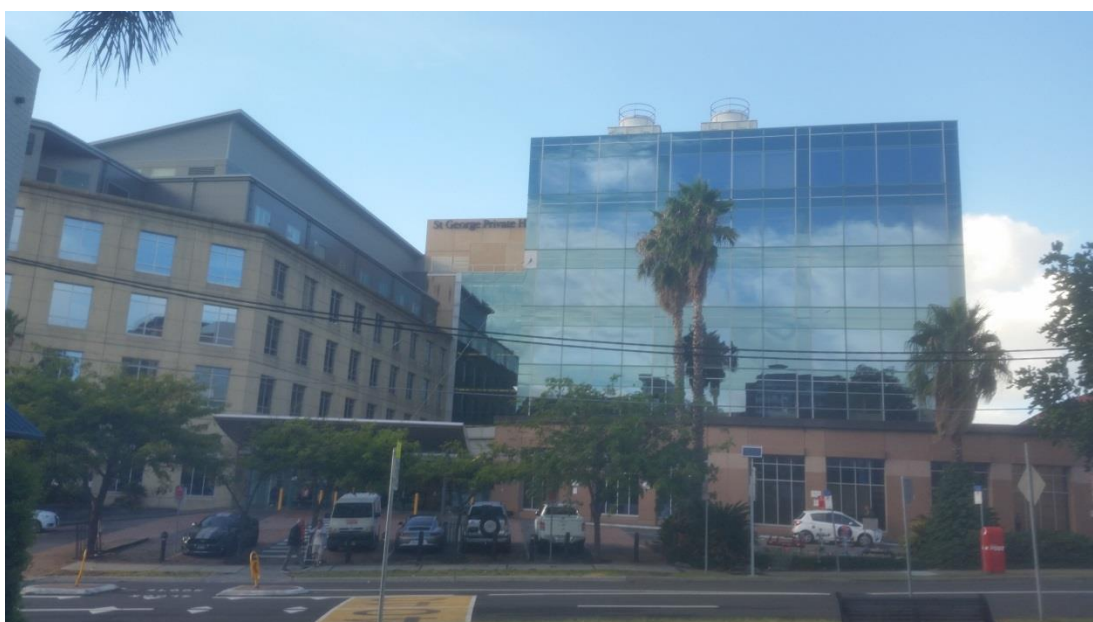


Fig.9 Photograph of 1A South Street, Kogarah which is currently occupied by St George Private Hospital

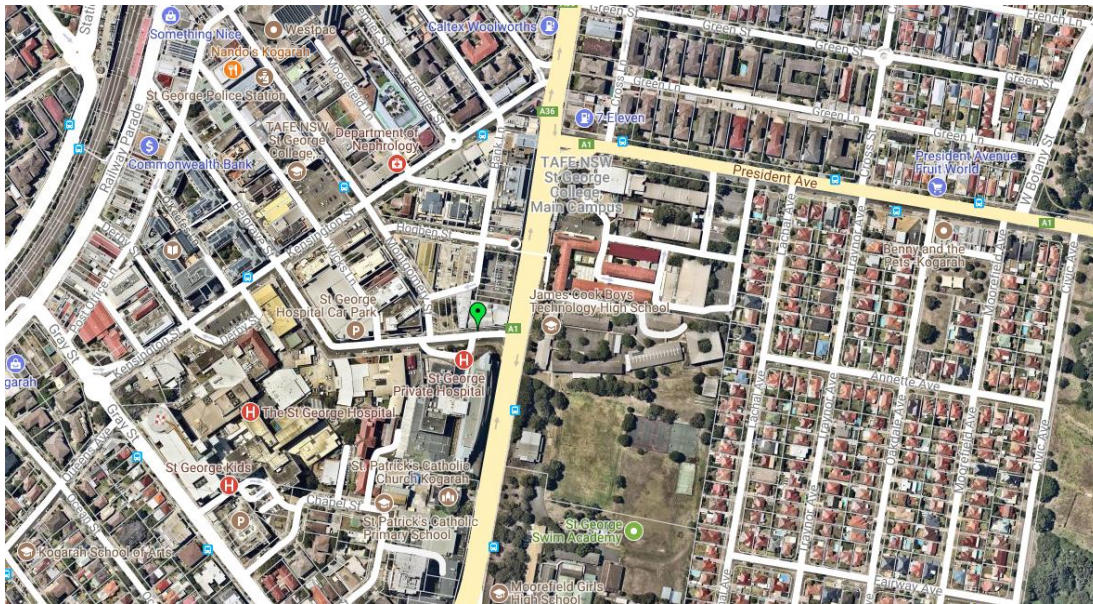


Fig.10. Greater Aerial Extract 19 Jan 18 (Source: Near map, 2018)



Fig.11 Greater Zoning and Aerial Extract (Source: New South Wales Planning Portal, Department of Planning, 2018)



Fig. 12 Aerial Extract of subject site and relevant associated land holdings of St George Private Hospital (Source: Architectural plans prepared by Team 2 Architects, 2017)



Fig.13 Photograph of hardstand car park at 2 Hogben Street and 127 Princes Highway, Kogarah



Fig. 14 Photograph of multi-storey car park at 6,6A and 12 Hogben Street, Kogarah

Background

The following relevant development chronology is detailed as per below;

1 Jun 15 D/2014/307/1 approval granted for multi storey car parking structure comprising of five (5) levels at 6,6A and 12 Hogben Street, Kogarah. Currently the existing car parking (known as stage 1) comprises of three (3) levels with car parking for 126 spaces.

The second stage (stage 2) of the car parking for two additional levels for 96 car spaces will result in a total of 218 car parking spaces within the structure.

The existing hardstand car park at 2 Hogben Street and 127 Princes Highway comprises of 126 spaces.

In total, 344 car parking spaces are to be provided and owned by AME Properties Pty Ltd around the subject site.

17 Jul 17 DA21/2017 pre lodgement meeting was held for development application for the demolition of an existing commercial building and construction of a nine (9) storey health services facility on 131 Princess Highway and elevated pedestrian air bridge across South Street linking to St George Private Hospital at 1A South Street, Kogarah. A floor space ratio of 6.85:1 was sought.

- 18 Aug 17 DA2017/0340 development application for the demolition of an existing commercial building and construction of a six (6) storey health facility on 131 Princess Highway and elevated pedestrian access bridge across South Street linking to St George Private Hospital at 1A South Street, Kogarah. A floor space of 4:94:1 is sought.
- 11 – 25 Sep 17 Notification of application to twenty-four (24) adjoining owners and occupiers
- 4 Oct 17 Sydney South Planning Panel Briefing meeting
- 12 Oct 17 Revised Clause 4.6 Variation for floor space ratio
- 13 Oct 17 Georges River Council Design Review Panel meeting
- 22 Nov 17 Request for additional information
- 6 Dec 17 Additional information provided by applicant, submitted seeking a variation of 9.8% due to recalculation of floor space, amended plans relating to internal changes for levels 3 and 5.
- 11 Dec 17 Council adopted to enter into a lease to AME Properties Pty Ltd (being a wholly owned subsidiary of Ramsay Health Care) for the proposed pedestrian air bridge over South Street for a term of a 50 year lease and further five year option.
- Prior to lodgement of the development application, discussions were undertaken with Council's property department to arrange a lease agreement to permit the ongoing use of Council-owned airspace to facilitate to the air bridge. Under this arrangement, annual rent would be payable by Ramsay to Georges River Council. The proposed Health Services Facility is considered to result in material public benefit and therefore did not require a Voluntary Planning Agreement.
- 23 Feb 18 Amended internal changes to level 2

Section 79C Assessment

10. 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

131 Princes Highway is zoned B4 Mixed Use and 1A South Street is zoned SP2 Infrastructure Hospital and Health Care Facilities under KLEP 2012. The proposal forms a permissible use of subject to development consent. The proposal is considered to adequately satisfy the zone objectives by virtue of the design.



Figure 15. Zoning Map (Extract Department of Planning, 2018)

Part 4 – Principal Development Standards

The proposal has been considered in accordance with the relevant provisions as per below;

Applicable LEP Clause	Development Standards	Development Proposal	Compliance/ Comment
Clause 4.3 Height of Buildings HOB_006	V= 39m	26.9m plant room RL 45.11	Yes

	1A South Street = Silent	Air bridge:10.54m	Yes
		Air bridge: 10.81m above South street	Yes
Clause 4.4 Floor Space Ratio FSR_006	131 Princes Highway Y = 4.5:1 (3,597sqm maximum permitted)	4.94:1 (3,888.8sqm of this floor area, 349sqm is in above the development standard)	No - (Refer discussion under Clause 4.6 below)
	1A South Street = Silent	Part Air bridge element within 1A South Street (32.23sqm)	Yes
Clause 4.6 – Exception to Development	Clause 4.6 Variation required for exceedance to Development Standard	Clause 4.6 Exception to Development Standard provided for variation to Clause 4.4 Floor Space Ratio	Yes

(1) Clause 4.6 – Exception to Development Standard

The following attachment accompanies this report

(i) Revised Clause 4.6 Variation to Clause 4.4 Floor Space Ratio

The proposed development seeks a variation to the development standard relating to Floor Space Ratio. The KLEP 2012 identifies the maximum floor space ratio of 4.5:1 (3,550sqm) at 131 Princes Highway whereas the proposed development seeks a floor space ratio of 4.94:1 (3,888.8sqm). A variation to floor space ratio can be considered under clause 4.6 Exceptions to Development Standards of the KLEP 2012. In assessing the variation, the questions identified in Clause 4.6 have been considered as follows;

Clause 4.6 – Exceptions to development standards

(1) *The objectives of this clause are as follows:*

- (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
- (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

(2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.

Comment: Flexibility in applying the development standard is considered appropriate in this instance as a positive design outcome and the built form has been achieved in relation additional floor space. It noted that the design layout, aesthetics and additional floor space was supported by the Design Review Panel.

(2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.

Comment: The development standard relating to floor space is not excluded from the provisions of Clause 4.6 and a variation to the development standard can be considered.

- (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*
- (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
 - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.*

Applicant's comment: The assessment above and that shown throughout this Clause 4.6 Variation demonstrates that compliance with the standard for floor space ratio is unreasonable or unnecessary and there are sufficient environmental planning grounds to justify the variation. Key extracts of these grounds are as follows:

- *The density of the proposed development would also be in keeping with the surrounding built form elements of this health and education precinct, including the collocated St George Hospital (public) and St George Private Hospital and the approved St George Private Hospital Multi-Level Carpark which is being progressively constructed on Hogben Street.*

- An alternative, hypothetical, Clause 4.4 compliant design for the proposed development was prepared (diagram below), so as to understand how such a design would respond to the site's existing context and proposed future character. A south elevation for this hypothetical, compliant design is provided. As can be seen in above, this design would result in a an inefficient, stepped elevation built form, with the final floor a 'half-floor' and rooftop plant split over two storeys.



Fig 16. The applicant has explored alternative design options in relation to full strict numerical compliance. It is considered that a design with a compliant 4.5:1 floor space ratio results in minimal environmental impact, in relation to solar access, overshadowing and visual bulk and scale would not result in a significant material benefit compared that of the design proposed which seeks a floor space of 4.94:1.

- It is noted that the Clause 4.4 FSR control already prevents the site from meeting its permitted building height potential under Clause 4.3 of the KLEP2012, as the proposed development, with a building height of 26.9m, would already fall short of the maximum allowable 39m under Clause 4.3.

Consistency with the objectives of the B4 Mixed Use Zone

Objectives of zone:

- To provide a mixture of compatible land uses.

Applicant's response: "The proposed development would facilitate a land use which is compatible with those existing in the near vicinity of the site, ensuring the site remains compatible with its surrounding local context and character as part of the Kogarah's health and education super precinct"

- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*

Applicant's response: *"The proposed development would provide specialist medical services close to existing public and private transport and healthcare infrastructure"*

- *To encourage development that contributes to economic growth and employment opportunities.*

Applicant's response: *"The proposed development would capitalise on existing public and private infrastructure, make efficient use of a brownfields site, and stimulate employment within the health care services sector. Indeed, the location of the site was chosen due to its immediate proximity to a range of existing health care services, as well as its high accessibility by both public and private modes of transport. Insisting on a reduced building footprint at this site would lessen the ability of the site to attract a broad range of medical specialist into the Kogarah health and education precinct, potentially reducing the collaboration potential of the precinct"*

- *To encourage development that contributes to an active, vibrant and sustainable town centre.*

Applicant's response: *"The proposed development would improve the access of medical specialists to Kogarah's health and education super precinct as identified in the Draft South District Plan, further strengthening the health and education super precinct by encouraging long-term surgical and medical practices based out of the collocated St George Hospital (public) and St George Private Hospital. Additional, leasable GFA at the site would allow the site to contribute to the growth of Kogarah as a potentially internationally competitive health, education, research and innovation precinct"*

Comment: In addition to the above, the extent of the variation is supported for the following reasons;

- The proposed exceedance in floor space is considered not to detract from the amenity of the surrounding properties in relation to solar access, privacy, visual bulk or the like. As demonstrated by alternative design solutions which would comply strictly with a floor space ratio of 4.5:1 and yet would have similar impact and built form presentation than that proposed with an floor space of 0.494:1. A compliant FSR can be achieved by splitting the top floor and not altering the majority street fronting elevations or building bulk. In this instance the additional 349sqm does not attribute any significant material bulk and given the reduction of level 5 by approximately 1/3rd of the floor plate does not result in any substantial benefit other than strict numerical compliance. In this instance, the impact is considered to be acceptable and minor.

- The proposed built form maximum height of 26.9m is well under the maximum building height of 39m despite the numerical floor space ratio departure results in an appropriate design with good built form. The proposal was referred to Georges River Design Review Panel of which has been subsequently supported.
- The proposed development is consistent with the objectives of the zone and aligns with the strategic direction of the Draft South Sydney District Plan which is to form a health and educational precinct. The extent of the variation is of minimal environmental impact given the proposed use as a health service facility, the context and scale of nearby development. The proposed built form is considered appropriate given the proposed “community use (health services facility)” which is likely to result in a general public benefit by servicing the locality and beyond.

(4) Development consent must not be granted for development that contravenes a development standard unless:

(a) the consent authority is satisfied that:

(i) the applicant’s written request has adequately addressed the matters required to be demonstrated by subclause (3), and

(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and

(b) the concurrence of the Secretary has been obtained

Comment: The variation to the floor space ratio does not raise any matters of significance for State or regional environmental planning. In this instance there is no public benefit in maintaining the development standard given the proposed community facility use as a “health Service Facility” as the variation proposed is considered to be minor and inconsequential. The development results in a good design outcome and does not detract from the streetscape or locality. It is also noted that the proposal seeks a variation of 9.8% whereby Director-General Concurrence is assumed.

For the above reasons, the Clause 4.6 Variation to floor space ratio is supported as this is considered overall reasonable, inconsequential and does not undermine the planning intent of the controls. The proposed variation allows for the intensification of the proposed health service facility which is considered to be in the public interest.

Part 5 – Miscellaneous Provisions

Clause 5.9 Preservation of Trees or Vegetation

The proposal does not seek to adversely affect any trees on site. No concerns were raised by Council’s Tree Management Officer. Council’s Consulting arborist has conditioned two (2) replacement trees along the southern elevation of 131 Princes Highway on the Council reserve to enhance the streetscape character. It is also noted that the application was lodged on 18 Aug 17 and prior to State Environmental

Planning Policy (Vegetation in Non-Rural Area) 2017 which came into effect on 25 Aug 2017.

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. Local Heritage Item I98 known as St Patricks Catholic Church Kogarah located at 34 Princes Highway adjoins the southern boundary of 1A South Street which is occupied by St George Private Hospital. The heritage item is located approximately 84m from the proposed southern end of the proposed pedestrian air bridge and is unlikely to be adversely affected by the proposal given the spatial separation. The subject site is not within the immediate vicinity of any State Listed Heritage Items.

Part 6 – Additional Local Provisions

Clause 6.1 – Acid Sulfate Soils

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

Clause 6.2 – Earthworks

The proposed development seeks earthworks for minor levelling and services which are considered commensurate of that of similar built forms within the locality which is acceptable. It is noted that the proposal does not seek a basement car park as car parking is utilised as part of the approved multi storey car park at Hogben Street which was approved under D/2014/307/1.

State Environmental Planning Policy No 64 – Advertising and Signage

The proposal seeks consent for business identification signage for the following;

- Projecting sign dimensioned 4.37m x 760mm along the southern elevation of 131 Princes Highway;
- Projecting wall sign dimensioned 7m x 325mm along eastern elevation of 131 Princes Highway;
- Projecting sign dimensioned 3005m x 680mm above southern elevation ground floor entry;
- Flush sign dimensioned 7.96m x 1.12m along proposed elevated pedestrian air bridge above South Street;

Assessment Criteria	Objective	Assessment	Compliance
1: Character of the area	<ul style="list-style-type: none"> • Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located? • Is the proposal consistent with a 	The proposed signage is considered to be compatible generally consistent with signage within the locality	Yes

	particular theme for outdoor advertising in the area or locality?		
2: Special areas	<ul style="list-style-type: none"> • the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas? 	The proposed signage does not detract from the amenity from the area.	Yes
3: Views and Vistas	<ul style="list-style-type: none"> • Does the proposal obscure or compromise important views? • Does the proposal dominate the skyline and reduce the quality of vistas? • Does the proposal respect the viewing rights of other advertisers? 	The proposed signage does not adversely affect views or detract from the skyline or character of the area given the appropriate design and siting.	Yes
4: Streetscape, setting or landscape	<ul style="list-style-type: none"> • Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape? • Does the proposal contribute to the visual interest of the streetscape, setting or landscape? • Does the proposal reduce clutter by rationalising and simplifying existing advertising? • Does the proposal screen unsightliness? 	<p>The proposed signage is considered to be an appropriate scale and design and which is considered to be to compatible with surrounding area</p> <p>The proposal is does not protrude above buildings, or structures and</p>	Yes

	<ul style="list-style-type: none"> • Does the proposal protrude above buildings, structures or tree canopies in the area or locality? • Does the proposal require ongoing vegetation management? 	does not require ongoing vegetation management.	
5: Site and building	<ul style="list-style-type: none"> • Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located? • Does the proposal respect important features of the site or building, or both? • Does the proposal show innovation and imagination in its relationship to the site or building, or both? 	<p>The proposed signage is compatible to the proposed scale of the building at 131 Princes Highway and pedestrian air bridge.</p> <p>The proposed signage is considered to be conservative in relation to the extent of the remainder of the building works proposed.</p>	Yes
6: Associated devices logos and advertisements with advertising structures	<ul style="list-style-type: none"> • Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed? 	The proposed signage includes the Ramsay Health Care Logo.	Yes
7: Illumination	<ul style="list-style-type: none"> • Would illumination result in unacceptable glare? • Would illumination affect safety for pedestrians, vehicles or aircraft? 	The proposed signage does not involve illumination	Yes

	<ul style="list-style-type: none"> • Would illumination detract from the amenity of any residence or other form of accommodation? • Can the intensity of the illumination be adjusted, if necessary? • Is the illumination subject to a curfew? 		
8: Safety	<ul style="list-style-type: none"> • Would the proposal reduce the safety for any public road? • Would the proposal reduce the safety for pedestrians or bicyclists? • Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas? 	The proposed signage does not generate any adverse material safety impacts given that the signage is appropriately sited and elevated from the streetscape and are well located away from traffic signals.	Yes

In relation to the above, the proposal is considered to adequately satisfy the considerations and underlying objectives under State Environmental Planning Policy No 64 – Advertising and Signage.

State Environmental Planning Policy No 55 – Remediation of Land

SEPP 55 applies to the land and pursuant to Section 79C is a relevant consideration. A phase one preliminary contamination assessment prepared by Coffey dated 16 August 17 accompanied the development application which concluded that the site is suitable for a medical use and is supported by Council’s Environmental Health Officer. Given the above, the underlying objectives outlined within SEPP55 are considered to have been adequately satisfied.

State Environmental Planning Policy (Infrastructure) 2007

The proposal is considered to adequately satisfy the requirements of the SEPP. Furthermore, the proposal was referred in accordance with the relevant provisions of the SEPP to the external referral bodies such as; Urban Growth, Roads and Maritime Service and Ausgrid for consideration. The referral bodies have

subsequently supported the proposal and are further addressed within this report under the subheading of external referrals.

Greater Metropolitan Regional Environmental Plan No 2 – 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

There are no other draft planning instruments that are applicable to this site.

(iii) any development control plan,

Kogarah Development Control Plan 2013 (KDCP 2013)

The Kogarah Local Environmental Plan 2012 (Amendment No 2) was gazetted on 26 May 2017. Where there has been an inconsistency with the KLEP 2012 in relation to height and the KDCP 2013, the KLEP shall prevail, therefore those controls relating to KDCP 2013 have been omitted from this assessment.

Given the proposed use as a health service facility, "best fit applicable controls" have been applied. The proposal has been considered in accordance with the relevant controls as per below;

Part B – General Controls

B1 Heritage and Conservation Areas

Previously addressed under KLEP 2012 Clause 5.10 – Heritage Conservation.

B3 – Developments Near Busy Roads and Rail Corridors

An acoustic report prepared by Acoustics and Air dated Aug 17 accompanied the development application. The application is supported by Council's Environmental Health Officer. In this regard, the intent and considerations of this subsection have been reasonably satisfied.

B4 - Parking and Traffic

The application does not propose any car parking on site and relies upon the approval granted under D/2014/307/1 for a Multi storey car parking structure comprising of five (5) levels at 6, 6A and 12 Hogben Street dated 1 June 15. Currently the existing car parking (stage one) comprises of three (3) levels with car parking for 126 spaces. DA2014/307/1 was lodged and approved on the basis of providing additional car parking to cater for the future expansion of the medical precinct..

After completion, the second stage of the car parking will result in an additional 92 car spaces. This would result in a total of 218 car parking spaces within the car parking structure. The existing hardstand car park with frontages to both Hogben Street and Princes Highway comprises of 126 spaces. In total 344 car parking spaces are to be provided.

Under the KDCP 2013 a total of 81 car spaces are required to accommodate the proposed “health service facility”. Given the above, the approved additional car parking spaces proposed as part of D/2014/307/1 is sufficient to cater for the additional use. A traffic report was prepared by Transport and Traffic Planning Associates dated Aug 17. No concerns were raised by Council’s Traffic Engineer furthermore the pedestrian refuge on South Street is to be upgraded.

The granting of development consent for this application will require the construction of phase 2 of the multi storey car park as approved as part of D/2014/307/1 to accommodate the additional car parking demand generated by the proposed health services facility at 131 Princes Highway.

B5 - Waste Management

A waste management plan accompanied the development application which was considered to be satisfactory in relation to the re-use, recycling and disposal of materials regarding demolition, construction and on-going use. The Statement of Environmental Effects has made reference to ongoing waste collection to be handled by a licensed management waste contractor. Council’s Co-Ordinator of Environmental Sustainability and Waste and Environmental Services raised no concerns with the proposal.

B6 - Water Management

The proposal is to drain into Council’s existing infrastructure on South Street. The proposal is to development engineer supports the proposal subject to conditions of consent. In this regard, the intention of this subsection has been reasonably satisfied.

B7 - Environmental Management

The proposal has been considered in accordance with the relevant considerations as tabled below;

Control	Requirement	Proposed	Complies
1.Orientation: Building, Siting and Design	(1) Orient the building, as far as possible, so that the longest side is on the east-west axis.	The proposed building at 131 Princes Highway is orientated along an east-west axis	Yes
	(5) If development is of a commercial or industrial nature, design buildings to ensure that as	The design of the rooms have been orientated	Yes

	<p>much of the floor area as possible is within 4 to 6 metres of an external window. Office areas should, as a minimum be within 10 metres of an external window to provide access to natural lighting.</p>	<p>to the south and east elevations to maximise natural light. Corridors and services have been located along the northern boundary where there are no windows.</p>	
2.Energy Efficiency in Non-Residential Developments	<p>(1) Development is to be designed and constructed to reduce the need for active heating and cooling by incorporating passive design measures including design, location and thermal properties of glazing, natural ventilation, and appropriate use of thermal mass and external shading, including vegetation.</p>	<p>The proposal is capable of satisfying requirements</p>	<p>Yes</p>
	<p>(2) Lighting provided as part of a development should be energy efficient, such as LED lighting.</p>	<p>The proposal is capable of satisfying requirements</p>	<p>Yes</p>
	<p>(3) Car parking areas are to be designed and constructed so that electric vehicle charging points can be installed at a later time.</p>	<p>Car parking existing and approved under D/2014/307/1.</p>	<p>Yes</p>
3.Water Efficiency in Non-Residential Developments	<p>(1) All new water fittings and fixtures such as showerheads, water tap outlets, urinals and toilet cisterns, in all non-residential development, the public domain, and public and private parks are to be the highest Water Efficiency Labelling Scheme (WELS) star rating available at the time of development.</p>	<p>The proposal is capable of satisfying energy efficiency requirements</p>	<p>Yes</p>
	<p>(2) Generally, rainwater tanks are to be installed for all non-residential developments, including major alterations and additions that have access to a roof from which rainwater can be feasibly</p>	<p>As above</p>	<p>Yes</p>

	collected and plumbed to appropriate end uses.		
	(3) Generally, water used for irrigation of public and private open space is to be drawn from reclaimed water or harvested rainwater sources. Possible sources include harvested stormwater, treated grey-water and wastewater and water from a decentralised local network.	As above	Yes
4.Materials and Building Components	(1) Construction materials are to be durable and low maintenance.	Contemporary low maintenance materials used	Yes
	(2) Building materials are to be non-polluting, manufactured from abundant or renewable resources.	Common building materials proposed to be used	Yes
	(4) Use of materials produced from native or imported rainforest timbers or harvested from old growth forests is discouraged.	Not sourced from old growth forests or rain forests.	Yes
	(5) Select materials that do not contribute to poor indoor air quality, that minimise impacts on biodiversity and that have a recycled content (or can be recycled at the end of its life).	Materials do not contribute to adverse poor air quality. Materials can be sourced from recycled materials	Yes

E1 - Kogarah Town Centre Controls

The subject site is located within the Princes Highway Precinct. The following applicable controls have been considered as per below;

Control	Requirement	Proposed	Complies
2.Local Precinct Character Statements	Character precinct: Princes Highway	The proposal is considered to satisfy the intention and built form of the desired character precinct	Yes
3.3 Consolidation of Lots	(1) In considering an application for redevelopment of a site, Council will consider the impact of the proposed	The applicant has provided justification in	Yes (1) – refer to discussion

	development on adjoining allotments of land that will be left as isolated sites and the impact on their future development capacity.	relation to this clause.	
3.6 Building Alignment	(1) Buildings must be built to the alignments specified in Figure 3.4 below, for the majority of the facade length. This control requires the building to be built predominantly to the specified building alignment; however buildings are not to have straight, flat facades.	The proposal incorporates appropriate visual massing and articulation which is contextually appropriate as the site forms a corner site and is a visual gateway to the Kogarah Medical Precinct	Yes
	(2) Buildings require highly articulated facades with many projections such as stepped facades, entry porches, bay windows and balconies to provide vertical subdivisions and visual interest in the streetscape.	The proposed facades to the street incorporate architectural elements which positively contribute to the streetscape	Yes
3.7 Building Depth	(1) New buildings are to provide operable windows to all living and working environments.	The proposal incorporates operable windows to consulting rooms and offices	Yes
3.8 Floor to Ceiling Heights	(1) Floor to ceiling heights should be a minimum of 3m at ground floor level, to allow for a range of uses including retail, commercial offices and home offices.	4.3m ground floor	Yes
	(3) Where the development is fully commercial, floor to floor heights at upper storeys must be a minimum 3.6m to facilitate flexibility in uses and provide useable commercial floor plates.	3.2m for a health service facility is considered to be adequate to accommodate the proposed use as this forms a purpose built building and is unlikely for the proposed use to change	Yes
	(4) Where the development is fully commercial, the maximum overall height of the building (inclusive of	The proposal seeks a maximum	Yes

	slabs between the floors) is not to exceed the maximum height controls.	building height of 26.9m which complies with the maximum KLEP 2012 height of 39m	
3.9 Parking Provision in Kogarah Town Centre	(4) For commercial/retail development and other land uses parking is to be provided at the following rate: (i) 1 space per 40m ² for any floor space at ground floor level. (ii) 1 space per 50m ² for all other floorspace above ground floor level.	Car parking approved under D/2014/307/1	Yes
	(5) 1% of all car parking spaces are to be designated "accessible" spaces for people with mobility impairments, with a minimum of 1 space for facilities such as medical suites.	As above	Yes
	(6) For car parks between 10 to 99 spaces at least one "accessible" space must be provided.	As above	Yes
	(7) Designated "accessible" car spaces are to be treated as resident car spaces in the calculation of the parking requirement.	As above	Yes
3.9.2 Bicycle Parking	(1) Bicycle storage is to be provided at the rate of: (i) 1 secure bicycle storage facility per 2 residential units (ii) 1 bike space per 10 car spaces for the first 200 spaces then 1 space per 20 car spaces thereafter, for commercial and retail land uses. (iii) 1 bike space per 10 car spaces for community, health and recreational land uses.	As above	Yes
	(2) Bicycle parking and facilities should be designed in accordance with the relevant Australian Standards.	As above	Yes
3.9.3 Loading Bay Facilities	(1) Loading bay facilities are to be provided at the following rates: Commercial floor area 1000m ² to 5000m ² - 1 bay required	Best fit, one loading bay has been proposed on the ground floor with access via South Street	Yes
	(2) Loading bay facilities are to be	Supported by	Yes

	designed as follows minimum bay width - 3.5 metres minimum bay length for Bay 1 - 9.5 metres minimum bay length for Bay 2 - 6.5 metres	Council's Traffic Engineer	
4. Urban Design	(1) Buildings on the street frontage are to provide pedestrian amenity in the form of active street frontages, building entrances and awnings.	The proposal provides good pedestrian amenity with active street frontages to both Princes Highway and South Street	Yes
	(2) Buildings setback from the street frontage, are to address the street with major facades, entrances, stairs, low fences, substantial planting and other streetscapes.	As above	Yes
4.3 Architectural Articulation	(1) Large areas of flat facade are to be avoided. Facades should be articulated into separate sections, using steps in the facade, expressed entries, panels, bay windows, balconies, pergolas and other architectural elements.	The proposal has been adequately treated along the horizontal; and vertical planes.	Yes
	(2) Articulation elements must be integral with the building design and should consider the whole building - not just the street facade.	As above	Yes
	(3) Changes of texture and colour should complement facade articulation.	Contemporary textures and materials used	Yes
	(5) Provide solar protection elements as integral with the building design and massing.	The proposal incorporates fin walls along the south and east elevations which are well integrated into the design	Yes
4.4 Façade Composition	(1) Provide a balance of horizontal and vertical facade elements to relate to adjacent facades in the streetscape. Avoid simple facade designs containing only horizontal or vertical elements.	The proposal comprises of a good blend of horizontal and vertical design elements which are considered to positively contribute to the	Yes

		streetscape	
	(2) Subdivide long facades with columns, windows and other vertical elements to provide a vertical emphasis.	As above	Yes
	(3) Provide substantial cornices, balconies and other horizontal elements to subdivide the facade into a base, middle and top.	The proposal has been designed incorporating a base podium level (levels G-1) and upper element (Levels 2-5)	Yes
4.6 Awnings	(1) Step awnings and other weather protection devices in relation to street level changes and building entrances. (2) Avoid steeply pitched awnings which break the general alignment of awnings in the street. (3) Provide architectural detail in the form of: (i) Posts (ii) exposed structures and joints (iii) fascia motifs, patterns (4) Provide under-awning lighting to enhance safety. (5) Awnings are to be built to the street frontage where indicated in Figure 4.9	Minor awing Proposed along south Street elevation	Yes
4.7 Roof Designs	(3) Conceal lift over-runs and plant equipment (incl. satellite dishes) within well designed roof forms.	The plant rooms and lift overruns are setback from the outer parapets	Yes
	(3) Overlooking should be minimised by: (i) building on the perimeter of the block and building to the side boundaries of sites, with blank walls, to avoid overlooking; (ii) locating habitable rooms within buildings away from privacy sensitive areas.	No material adverse overlooking impacts due to design and siting of building	Yes
	(5) Development is to meet or exceed the sound insulation requirements for separating walls and floors of adjoining dwellings of the Building Code of Australia.	Proposal meets BCA requirements	Yes
	(7) Submit an acoustic report	An acoustic	Yes

	demonstrating the method and acoustic rating achieved for the development with the Development Application. Issues to address include, but are not limited to, party walls, storeys, different uses and traffic noise.	report was submitted application and is supported by Council's Environmental Health Officer	
	(8) Site buildings and design internal layouts of rooms, courtyards, terraces, to minimise acoustic problems. The use of openings, screens and blade walls can reduce acoustic problems.	The proposal comprises of a logical practical layout to reduce acoustic issues	Yes
	(10) Blank walls are not desirable however blank walls may be built on the property boundary in certain circumstances. They should be articulated, patterned or contain appropriate public art.	No blank walls are proposed. Furthermore the aesthetics of the proposal has been supported by the St George Design Review Panel	
	(11) For development adjacent to the railway line or with frontage to a classified road, the requirements of the ISEPP apply. Developments are to be designed to take into account the requirements of the ISEPP and any other applicable policies or guidelines.	The proposal has been designed to adequately satisfy the requirements of the SEPP. An acoustic report was submitted with the DA and was supported by Council's Environmental Health Officer	Yes
4.9 Landscaping and Deep Soil Planting	(2) Landscaping should be of native species and should include species that are drought resistant and require minimal watering once established, or plants that match the rainfall and drainage conditions.	Native landscaping and tree replacement proposed along verge of South Street	Yes

(1) Consolidation

Clause 3.3(1) states *"in considering an application for redevelopment of a site, Council will consider the impact of the proposed development on adjoining allotments of land that will be left as isolated sites and the impact on their future development capacity"*

Applicant's response: *"The subject property is bound by the following lots:*

- 129 Princes Highway, Kogarah (Lot 5 DP8864) to the north, which supports Fardoulis Chocolates; and
- 2 South Street, Kogarah (Lot 10 DP1749) to the west, which supports a Community Outreach centre run by the South Eastern Sydney Local Health District (i.e. the Langton Centre related to Drug and Alcohol, and the South Street Centre South Zone related to specialised sexual health).

Ramsay has consulted with the owners of these two lots.



Fig 17. Aerial extract of 129 Prince Highway, Kogarah which adjoins 131 Princes Highway along the northern side boundary.

Lot 5 currently exists as a narrow lot envelope of around 6m in width along its street frontage to the Princes Highway, and around 42m in length along its frontage to the adjoining at-grade car park to the north, which is also owned by Ramsay (It currently supports a single storey food manufacturing business, with the building constructed circa 1950).



Fig 18. Aerial extract of 2 South Street, Kogarah which adjoins 131 Princes Highway along the western rear boundary.

The western boundary of Lot 5 (9m in width) and the southern boundary of Lot 5 (around 42m in length) front onto existing built form development (as well as the site of the proposed development). Therefore, while around 51m of Lot 5's site boundary directly abuts existing and future built form development, around 48m of Lot 5's boundary fronts either the Princes Highway or an at grade car park. As such, Lot 5 is not considered to be impeded or isolated in any way, either under the current site configuration, nor with the proposed Ramsay health facility in place.

The proposed development would therefore not prevent Lot 5 from being developed at a future date.

Lot 10 currently exists as a triangular shaped lot around 6m and 17m in width at its narrowest and widest boundaries, from south to north. Along its western boundary it is around 37m long, along its eastern boundary around 41m long. It has frontage to South Street and Bank Lane along the entirety of its southern and northern boundaries respectively. The entirety of its western boundary fronts onto an existing landscaped at-grade car park. Around 9m of its eastern boundary fronts onto the Fardoulis Chocolate building in Lot 5. Another 22m of its eastern boundary fronts onto the site of the proposed development, leaving around 10 of its eastern boundary fronting onto an existing at-grade car park.

Therefore, while around 31m of Lot 10's site boundary directly abuts existing and future built form development, around 70m of Lot 10's boundary fronts either a local road or an at grade car park. As such, Lot 10 is not considered to be impeded or isolated in any way, either with either under the current site configuration, nor with the proposed Ramsay health facility in place.

The proposed development would therefore not prevent Lot 10 from being developed at a future date”.

Council comment: Given the above intention of the clause, the applicant has adequately demonstrated that the each adjoining allotment being 129 Princes Highway and 2 South Street, Kogarah are able to be reasonably redeveloped given the extent of the proposed works on the subject site and adjoining AME Properties Pty Ltd land holdings.

F1 – Advertising and Signage

The proposed business identification signage has been previously addressed within this report under State Environmental Planning Policy No 64 – Advertising and Signage. Furthermore, the proposed business identification signage is considered to adequately satisfy the intent of this subsection. The proposed signage is compatible with the character of the area and will not detract from local amenity.

Roads and Maritime Service

The proposal was referred to the Roads and Maritime Service in accordance with the provisions under Clause 104 Schedule 3 of Environmental Planning Policy (Infrastructure) 2007 on 7 Sep 17. In response, comments were received from Roads and Maritime Service on 3 Oct 17 which supported the proposal subject to conditions of consent.

Urban Growth

The proposal was referred to Urban Growth on 7 Sep 17. In response, comments were received from Urban Growth on 6 Nov 17 which supported the proposal subject to conditions of consent.

Ausgrid

The proposal was referred to Ausgrid in accordance under Clause 45(2) of State Environmental Planning Policy (Infrastructure) 2007 on 17 Nov 17. In response, comments were received from Ausgrid on 1 Dec 17 which supported the proposal subject to conditions of consent.

Internal Referrals:

Design Review Panel

To achieve good design outcomes and given the nature of the proposal and key gateway location in relation to the Kogarah Town Centre. The proposal was referred to the Georges River Design Review Panel for comment on 13 Oct 17. Whilst the proposal does not form a residential flat building and State Environmental Planning Policy No 65 – Quality Design of Residential Flat Buildings, design expertise was sought from the Georges River Design Review Panel in relation to the nine (9) design principles within the SEPP. The Panel reviewed the original design and supported the application subject to satisfactory resolution of minor issues and suggestions raised.

Principle 1: Context and neighbouring character

GRC DRP Comment: *“This is a relatively small site in the context of a large private hospital development. The narrow end of the site faces the noisy Princes Highway to the east. The main part of the frontage faces South Street to the south. The site adjoins two (2) separately owned narrow sites both to the north and west. The one to the south is currently a public health drug and alcohol clinic, that to the north is a wholesale food outlet. The applicant advised that they have been negotiating to acquire both sites, so far without success, although it would appear likely acquisition will take place in the future. The subject application has been designed to allow for incorporation of both sites in due course.*

The private hospital intends to also develop the large site to the north adjoining Hooben Street as well as the open, at grade parking site fronting Hooben Street and Bank Lane. There is an existing, well used Council public park to the west which is an important open space contributing to the amenity of the immediate area.

To the south the large existing private hospital is in the same ownership and it is intended to provide a bridge connection to this site.

There is an absence of any overall masterplan for all the hospital sites which provides challenges in relation to assessing applications for individual sites such as the current proposal. The applicant advised that they intend to present a masterplan in the future. The Panel considers that this is essential in order to allow informed assessment of future development”.

Applicant response: *“It is noted that the proposed development does not seek staged development consent for the site under a masterplan. However, Ramsay’s future development plans for the locality would respond to the existing built form environment. This may incorporate nearby lots under third party public and private ownership. It would not be appropriate to make such a future masterplan available in the public domain at this point in time, as the masterplan is likely to evolve over the coming years in consultation with various stakeholders.*

Any such future masterplan would be provided to Georges River Council for review once it is adequately developed in consultation with the relevant stakeholders”.

Council comment: The current proposal is considered to be appropriate given the immediate context and character of which the site forms a gateway to the Kogarah Town Centre.

Principle 2: Built form and scale

GRC DRP Comment: *“In the absence of any masterplan for the wider hospital site and in consideration of the two (2) adjacent and constraining existing buildings which have not been amalgamated, the proposal appears to be reasonable and acceptable. It is well below the LEP control for height – 26.9m – as against 39m permissible and is slightly above the LEP density control with an FSR of 4.94:1 as against 4.5:1 LEP control. It is considered that in this context the 9.8% (as assessed) excess FSR is acceptable because the site is relatively small and is unlikely to set an undesirable precedent.*

The general form of the building and configuration are acceptable. There is a bridge link proposed and although the justification for this is questioned, it also could be accepted in this context”

Applicant response: *“The overall form and aesthetic of the proposed St George Private Hospital Specialist Centre (SGPH SC) has been arrived at as a response to the site and context: in essence this completes the new ‘Gateway’ to the St George Health Precinct on South Street. This sense of arrival is completed by the new bridge link between the new Specialist Centre and the existing Private Hospital. In order to provide a suitable streetscape appearance, the accommodation at Level 5 extends to the full extent of the floor plate which provides the dual benefits of providing a unified façade presentation, and providing a useful, leasable floorplate proposition. This does however result in an FSR of 4.94:1 against a maximum permissible”.*

Council comment: The proposed built form results in an appropriate built form which responds well to the intersection of South Street and Princes Highway. The built form complies with building height and seeks a minor variation in relation to floor space ratio which does not result in any adverse solar access, amenity, privacy or built form character impacts. As previously discussed earlier within the report, the additional floor space is supported on planning merit, given the proposed use as a health service facility, proposed connection of St George Private Hospital and immediate spatial context of similar scale built forms.

Principle 3: Density

GRC DRP Comment: *“See above.”*

Council comment: No further comment.

Principle 4: Sustainability

GRC DRP Comment: *“There are opportunities for environmental initiatives such as solar collection, rainwater recycling, etc, which should be fully explored. The Panel would support a green roof space which would contribute to sustainability objectives and could also be utilised for passive recreation by tenants”.*

Applicant’s comment: *“No landscaping is proposed for the roof area rather the proposed area will be designated for building plant and a water tank to provide sufficient storage capacity for the sprinkler system”.*

Comment: Satisfactory. It is acknowledged that plant rooms are located on the roof top and are bound by requirements given the proposed use as a health services facility.

Principle 5: Landscape

GRC DRP Comment: *“The resolution of the streetscape and interface with the building must be more fully resolved including levels, grading, materials, street furniture and planting. Any streetscape design must be suitable to continue past the current development site and connecting to proposed future development beyond the site (eg the adjoining public health clinic and park).*

The undergrounding of the overhead power lines presents the opportunity to select a larger street tree which will better compliment the scale and presentation of the proposed development. As mentioned in 'Sustainability' above the roof space could be utilised as a landscaped area. The green wall in the entrance foyer is supported".

Applicant's comment: *"The applicant agrees to select a larger alternative tree as the powerlines are be placed underground. Additionally, the applicant is happy to have alternative species nominated by Council's Landscape department and conditioned within the consent. As noted above landscaping will not be provided on the roof as this space will be used for the building plant and a water tank to support the proposed development".*

Council comment: Satisfactory. Council's Consultant arborist has recommended two (2) replacement plantings within the Council reserve fronting the southern elevation of 131 Princes Highway.

Principle 6: Amenity

GRC DRP Comment: *"Satisfactory The applicant could consider providing communal waiting/breakout areas that are separate to individual tenancies to allow for flexibility in patient circumstances (patients waiting with children, children's area or quite space). A café at the ground level entrance would also be considered appropriate".*

Applicant's comment: *"Revised plans have been prepared by Team 2 (refer to Appendix 2). The amended plans provide breakout areas to each level which will be located adjacent to the lift lobby. Additionally, within the suburb of Kogarah there are numerous cafes, with several cafes located within a 500m radius of the site. Therefore, it is not considered appropriate or commercially viable position to provide a café within the building".*

Council comment: The amended plans which provide break out communal spaces within the north-west corners of levels 3 to 5 are considered to result in an improvement to the original design which comprised as storage and therefore is considered to be acceptable.

Principle: Safety

GRC DRP Comment: *"Satisfactory. A pedestrian crossing connection with the hospital would be desirable".*

Applicant's comment: *"Ramsey Health Care supports the opportunity to provide a pedestrian crossing connection with the Hospital. However, it is noted that this is an issue to be addressed by the RMS and/or Council".*

Council comment: The existing pedestrian crossing at the intersection of South Street and Princes Highway is considered to be satisfactory. A condition has been imposed in relation to upgrading of the existing pedestrian island on South Street.

Principle: Housing Diversity and social interaction

GRC DRP Comment: *"Not applicable".*

Council comment: Not applicable.

Principle: Aesthetics

GRC DRP Comment: *“Generally acceptable. Pedestrian bridge signage should be for identification purposes and not advertising purposes”.*

Applicant’s comment: *“The proposed pedestrian bridge signage is intended to be for business identification purposes, and not for advertising purposes”*

Council comment: The design of the proposed built form and signage are considered to be appropriate and is compatible with the immediate visual catchment. The design treatment, articulation and modulation respond to the corner of South Street and Princes Highway. The pedestrian air bridge adopts a contemporary architectural style which complements the proposed building at 131 Princes Highway and existing St George Private Hospital at 1A South Street.

Conclusion

Given the above, the applicant is considered to have adequately addressed the concerns of the Georges River Council Design Review Panel and is therefore considered satisfactory in relation to design.

Waste Services

Council’s Co-Ordinator of Environmental Sustainability and Waste and Environmental Services supports the proposal.

Traffic

Council’s Traffic Engineer has supported the proposal subject to conditions of consent.

Engineering

Council’s Drainage Engineer has supported the proposal subject to conditions of consent.

Building

Council’s Co-ordinator of Building Compliance raised no concerns with proposal subject to conditions of consent.

Environmental Health

Council’s Environmental Health Officer has supported the proposal subject to conditions of consent.

Trees

Council’s Tree Management Officer has raised no objections to the proposal. Furthermore, Council’s consulting arborist has supported the proposal subject to two (2) tree plantings along South Street to contribute to the landscape of the streetscape.

Section 94 Contributions

The proposed development requires payment of \$386,346.86 of Section 94 contributions based on the provisions of Council’s Section 94 Plan applicable to Precinct 1 Kogarah.

(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 built forms 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) Site suitability,

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

(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, in response no submissions were received. The amended plans did not require re-notification as they related to internal changes.

(e) the public interest.

The proposed development is of a use, scale and character that does not conflict with the public interest.

Conclusion

As detailed within the assessment report, the proposal generally conforms to most planning controls in relation; SEPP's, LEP and DCP. The Clause 4.6 Exception to Development Standard for additional floor space is supported on planning merit and appropriate given the "health service facility" use, design and immediate spatial context. The application is supported by all external referral bodies and internal Council departments. Furthermore, no submissions were received.

The proposed health service facility is considered to be appropriate for the subject site and context. The proposal is considered to align with the envisaged strategic objectives and future vision which reinforce Kogarah as a key health and education precinct under the Draft South Sydney District Plan.

Therefore, 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 for demolition of existing commercial building and construction of a six (6) storey health service facility at 131 Princess Highway and elevated pedestrian air bridge across South Street linking to St George Private Hospital at 1A South Street, Kogarah, Development Application No. DA2017/0340 is recommended for approval subject to conditions of consent.