



Ms Carolyn McNally
Secretary
Department of Planning and Environment
Level 21, 320 Pitt Street
SYDNEY NSW 2001

22 May 2017

Dear Ms McNally

**Determination of Modification Request
Miranda Dental Hospital MOD 3 (MP 11_0009 MOD 3)**

Thank you for your Department's letter received on 26 April 2017 referring the above modification request to the Planning Assessment Commission (the Commission) for determination because the Department received an objection from Sutherland Shire Council (Council). Ms Lynelle Briggs AO, Chair of the Commission, nominated Mr Paul Forward (as Chair) and Emeritus Professor Zada Lipman to constitute the Commission to determine the modification request.

The Russo Family Trust (the proponent) seeks to modify the project approval (MP 11_0009) for the Miranda Dental Hospital at 84-86 Kiora Road, Miranda. The proposed modifications would:

- reduce the number of on-site car parking spaces from 40 to 38;
- increase the overall building height by 2.18 metres to the main roof line and by 1.74 metres to the top of the lift overrun and plant room;
- amend the internal layout by increasing the number of surgery rooms, reconfiguring amenities, reducing the size of the retail tenancy, removing the operating theatre and relocation of the recovery room; and
- change external design elements by increasing the number of building identification signs from two to six, amending construction and finishing materials and replacing the fifth floor water feature with a skylight.

As part of the consideration of this modification, on 17 May 2017 the Commission met with Council and the Proponent, and conducted a site inspection. Minutes of these meetings and site inspection are attached at **Appendix A**.

The Commission has considered carefully the Department's assessment report, the information provided by the proponent, the two public submissions, Council's objection, and section 75W of *Environmental Planning and Assessment Act 1979* (EP&A Act). The Commission is of the view that the proposed modifications are within the scope of section 75W of the EP&A Act, as these changes do not make the modified development substantially different to what is currently approved.

The key matters for this modification request include the reduction of car parking on the site, the sharing of disabled parking and drop off points with loading zones, compliance with height restrictions in the *Sutherland Shire Local Environmental Plan 2015* (SLEP 2015) and flooding.

The Commission considers that the removal of two car parking spaces will not result in an unacceptable change in parking availability at or near the site. The Commission notes that proposed site is close to public transport, including the Miranda train station, bus stops and a taxi rank. The Commission also notes that the implementation of the operational traffic management plan will reduce the potential for traffic queuing while retaining enough flexibility to manage unexpected arrivals. This includes the use of parking valets, pre-arranged access to the building's car park and after hours scheduling of deliveries. The Commission endorses the recommendation made by the Department to ensure access to disabled individuals is available at all times during normal patient hours, and for staff members with a disability to be able to work at the site and access the car park.

The Commission notes that the development slightly exceeds the 25m height control in the *Sutherland Shire Local Environmental Plan 2015* by 470mm at the north-western corner of the plant room but accepts the Proponent's justification that the modified building height is the result of engineering requirements to ensure the safe functioning of the dental hospital. The Commission considers that the modified building height would be of a similar scale to surrounding development. The Commission also considers that the modified building height is unlikely to overshadow residential development to the south and would have a negligible visual impact on the Kiora Road, Urunga Parade and Urunga Lane streetscapes.

In its meeting with the Commission, Council raised concern that the engineering solutions to manage flooding impacts to Urunga Lane could increase storm water flow down Urunga Parade towards Kiora Road. This concern was discussed with the proponent, who identified increasing the size of an existing storm water pit, pit opening and lintel on Urunga Parade as an effective way to manage any increase in storm water flow. Council raised no objection to this approach. The Commission has amended condition B4 accordingly.

The Commission has considered the proposed additional building identification signs in conjunction with *State Environmental Planning Policy No 64—Advertising and Signage* (SEPP 64). The Commission is of the view that the proposed signage is consistent with the objectives set out in SEPP 64 as the signage is in keeping the visual character of the area, provides effective communication and is of a high-quality design and finish.

For the reasons set out above, the Commission has determined to grant approval to the modification request subject to the conditions set out in the instrument of approval.



Paul Forward
Member of the Commission (Chair)



Emeritus Professor Zada Lipman
Member of the Commission

cc. The Hon. Anthony Roberts, MP
Minister for Planning
GPO Box 5341
SYDNEY NSW 2001

Meeting Notes: Sutherland Shire Council

This meeting is part of the determination process.		
Meeting Notes taken by David Way	Date: 17 May 2017	Time: 1:00 pm
PROJECT: MP 11_009 MOD 3 – Miranda Dental Hospital		
Meeting place: Sutherland Shire Council Chambers, Eton Street, Sutherland		
<p>Attendees:</p> <p>Commission Members: Mr Paul Forward (Chair) and Emeritus Professor Zada Lipman.</p> <p>Commission Secretariat: Ms Jade Hoskins (Senior Planning Officer) and Mr David Way (Planning Officer).</p> <p>Sutherland Shire Council (council): Mr Mark Adamson (Manager Major Projects), Ms Carine Elias (Team Leader - Major Development Assessment (Coastal Team)); Kieran Woodall (Public Assets Engineer, Asset Management Group), and Mr Grant Rayner (Development Engineer).</p>		
The purpose of the meeting: To discuss Sutherland Shire Council's submission regarding the proposed modification of the Miranda Dental Hospital.		
<p>Topics discussed included Council submissions in relation to:</p> <ol style="list-style-type: none"> 1. Parking and traffic <ul style="list-style-type: none"> - current parking and transport availability near the project site; - reasonableness and likelihood of patients using public transport; and - current use of mechanical stackers in the Sutherland Shire area. 2. Height considerations <ul style="list-style-type: none"> - changes in height requirements from the lodgment of the concept plan to the current modification; - the increase in building height beyond Council controls and the potential to increase some overshadowing impacts; and - potential to introduce height creep into the council area. 3. Flooding impacts <ul style="list-style-type: none"> - principally resolved through changes to the building frontage design and increases in the curb height; - potential for increased storm water flow from Urunga Parade towards Kiora Street and possible engineering solutions; and - council to provide a draft amendment to the proposed modification instrument to address changes in flooding impacts. 		
Meeting anticipated to be closed by 1:45 pm		

Meeting Notes and Site Visit: Russo Family Trust

This meeting is part of the determination process.		
Meeting Notes taken by David Way	Date: 17 May 2017	Time: 2:00 pm
PROJECT: MP 11_009 MOD 3 – Miranda Dental Hospital		
Meeting place: Miranda Dental Hospital, 84-86 Kiora Road, Miranda		
Attendees: Commission Members: Mr Paul Forward (Chair) and Emeritus Professor Zada Lipman. Commission Secretariat: Ms Jade Hoskins (Senior Planning Officer) and Mr David Way (Planning Officer). Russo Family Trust (the proponent): Mr Tony Polvere (Director, PPD Consultants), Mr Charles Koh (Geoform Architects), Mr John Dimopoulos (Director, Geoform Architects), Ms Raja Syazwina (Graduate Architect, Geoform Architects), Mr Eddie Lucas (Consulting Engineer, EFWF Consulting Engineers), Mr Graham Pindar (Director, Traffix), Mr Geoff Higgins (Executive Engineer, Traffix) and Mr John Scip (Owners representative).		
The purpose of the meeting: To discuss the modification to the Miranda Dental Hospital		
Topics discussed included: 1. Modification description <ul style="list-style-type: none">- project background and current operations;- proposed modifications and justifications, including changes to substation access, parking requirements and height increases; and- current and likely operational hours for the dental hospital. 2. Traffic management <ul style="list-style-type: none">- function and operation of the car stacking system, including the role of the transfer bay (resulting in the loss of 2 car spots;- minimizing traffic queuing impacts through arranged and staggered arrival times for patients and staff;- use of parking valets to manage parking pressures and availability; and- managing deliveries and limiting deliveries to after hours, noting low delivery frequency and generally short delivery timeframes. 3. Flood impacts <ul style="list-style-type: none">- current up and downstream storm water flows;- impacts on the project and current engineering solutions, including considerations for building access;- downstream impacts on Urunga Parade and feasible engineering solutions and the expansion of existing storm water pits; and- supporting documentation for the proposed expansion of the storm water pits to be provided to the Planning Assessment Commission Secretariat.		
Meeting close 3:15 pm		