

Development Consent

Section 4.38 of the Environmental Planning and Assessment Act 1979

The Independent Planning Commission (the Commission), as the declared consent authority under clause 8A of the State Environmental Planning Policy (State and Regional Development) 2011 and section 4.5(a) of the *Environmental Planning and Assessment Act 1979*, determine:

- (a) to grant consent to the development application referred to in Schedule 1, subject to the conditions in Schedule 2; and
- (b) that pursuant to section 4.37 of the *Environmental Planning and Assessment Act 1979*, any subsequent stage of the development not being for the purpose of a hospital with a capital investment value in excess of \$30 million is to be determined by the relevant authority and that stage of the development ceases to be State significant development.

These conditions are required to:

- prevent, minimise, or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.



Peter Duncan
Member of the Commission



Adrian Pilton
Member of the Commission

Sydney

10 November 2020

SCHEDULE 1

Application Number:	SSD-8699
Applicant:	Hammondcare
Consent Authority:	Independent Planning Commission
Land:	97-115 River Road, Greenwich (Lots 3 and 4 DP584287)
Development:	Concept proposal for the redevelopment of Greenwich Hospital including: <ul style="list-style-type: none">• demolition, earthworks and remediation works;• new health care and allied health facilities and residential aged care and seniors housing in an integrated care campus;• building envelopes, comprising:

- main hospital building envelope with an integrated basement;
- two seniors living building envelopes with an integrated basement; and
- respite care building envelope;
- car parking and site access arrangements; and
- landscaping, including tree removal.

DEFINITIONS

Aboriginal object	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i>
Aboriginal place	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i>
Advisory Notes	Advisory information relating to the consent but do not form a part of this consent
Applicant	Hammondcare or any other person carrying out any development to which this consent applies
Conditions of this consent	The conditions contained in Schedule 2 of this document
Construction	<p>All physical work to enable operation including but not limited to the demolition and removal of buildings, the carrying out of works for the purposes of the development, including bulk earthworks, and erection of buildings and other infrastructure permitted by this consent, but excluding the following:</p> <ul style="list-style-type: none"> • building and road dilapidation surveys; • investigative drilling, investigative excavation or Archaeological Salvage; • establishing temporary site offices (in locations identified by the conditions of this consent); • installation of environmental impact mitigation measures, fencing, enabling works; and • minor adjustments to services or utilities.
Council	Lane Cove Council
Design Guidelines	Design Guidelines contained within the document titled <i>Hammondcare Greenwich Hospital Site Redevelopment Design Guidelines in Response to Submissions</i> prepared by Bickerton Masters and dated September 2019
Demolition	The deconstruction and removal of buildings, sheds and other structures on the site
Department	NSW Department of Planning, Industry and Environment
Development	The development described in the EIS and Response to Submissions, including the works and activities as modified by the conditions of this consent
Earthworks	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services, to prepare the site for construction
EESG	The Environment, Energy and Science Group of the Department of Planning, Industry and Environment
EIS	The Environmental Impact Statement titled <i>Environmental Impact Statement Redevelopment of Greenwich Hospital Campus</i> , prepared by Barker Ryan Stewart, dated January 2019, submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application
Environment	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
Heritage	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
Heritage NSW	Heritage, Community Engagement of the Department of Premier and Cabinet

Heritage Item	An item as defined under the <i>Heritage Act 1977</i> , and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i> , the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth), or anything identified as a heritage item under the conditions of this consent
Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
Management and mitigation measures	The management and mitigation measures set out in Section 5 of the Response to Submissions
Minister	NSW Minister for Planning and Public Spaces (or delegate)
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
Operation	The carrying out of the approved purpose of the development upon completion of construction
Planning Secretary	Planning Secretary under the EP&A Act, or nominee
Registered Aboriginal Parties	Means the Aboriginal persons identified in accordance with the document entitled " <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> " (DECCW)
Response to submissions	The Applicant's response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act.
RRFI	The Applicant's further information titled <i>Response to Request for Information 2 Greenwich Hospital Concept Plan (SSD 8699)</i> prepared by Ethos Urban dated 23 June 2020 and <i>Greenwich Hospital Concept Plan (SSD 8699)</i> prepared by Ethos Urban dated 10 July 2020
RtS	The Applicant's response to submissions titled <i>Response to Submissions Report for SSD 8699</i> , prepared by Ethos Urban, dated 18 September 2019
Sensitive receivers	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area
Site	The site as described at Schedule 1
Waste	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
Year	A period of 12 consecutive months

SCHEDULE 2
CONDITIONS OF CONSENT FOR CONCEPT PROPOSAL
PART A ADMINISTRATIVE CONDITIONS

Determination of Future Applications

- A1. In accordance with section 4.22(4) of the EP&A Act all development under the concept proposal must be subject of future development application(s).
- A2. The determination of future development application(s) is to be not inconsistent with the terms of development consent SSD-8699 as described in Schedule 1 and subject to the conditions in Parts A and B, Schedule 2.

Terms of Consent

- A3. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
 - (b) in accordance with all written directions of the Planning Secretary;
 - (c) generally in accordance with the EIS, RtS and RRFI2;
 - (d) in accordance with the approved plans in the table below:

Architectural drawings prepared by <i>Bickerton Masters</i>			
Dwg No.	Rev	Name of Plan	Date
S.02	P7	SITE PLAN – OVERALL	08.07.2020
S.03	P6	SITE ELEVATION & SECTIONS	08.07.2020
S.04	P6	SITE SECTIONS	08.07.2020
S.04a	P6	SITE SECTIONS	08.07.2020
S.04b	P6	SITE SECTIONS	08.07.2020
S.10	P5	EXISTING TREES	06.09.2019
S.11	P5	STAGING DIAGRAMS 1	30.08.2019
S.12	P6	STAGING DIAGRAMS 2	17.02.2020
S.50	P2	OVERALL FLOOR PLAN - SITE LEVEL 1	08.07.2020
S.51	P2	OVERALL FLOOR PLAN - SITE LEVEL 2	08.07.2020
S.52	P2	OVERALL FLOOR PLAN - SITE LEVEL 3	08.07.2020
S.53	P2	OVERALL FLOOR PLAN - SITE LEVEL 4	08.07.2020
S.54	P2	OVERALL FLOOR PLAN - SITE LEVEL 5	08.07.2020
S.55	P2	OVERALL FLOOR PLAN - SITE LEVEL 6	08.07.2020
S.56	P2	OVERALL FLOOR PLAN - SITE LEVEL 7	08.07.2020
S.57	P2	OVERALL FLOOR PLAN - SITE LEVEL 8	08.07.2020
S.58	P2	OVERALL FLOOR PLAN - SITE LEVEL 9 & ABOVE	08.07.2020

- A4. The building envelopes identified in condition A3 are modified as follows:
- (a) the northern seniors living building envelope is reduced to a maximum height of RL56.36.
 - (b) the southern seniors living building envelope is reduced to a maximum height of RL60.65.
 - (c) the northern seniors living building envelope must be relocated so that the minimum front setback of the building envelope is equal to, or greater than, the front setback of the dwelling on the adjoining 117 River Road. The dimensions of the building envelope in relation to the depth of the envelope remain unchanged.
- A5. The maximum gross floor area for the future buildings are:
- (a) main hospital building – 12,750 square metres.
 - (b) respite care building – 700 square metres.

- (c) seniors living buildings – 10,990 square metres.
- A6. A minimum of 86 new trees must be provided as part of the redevelopment and Tree 167, as identified in the Arboricultural Impact Assessment and Tree Management Plan submitted with the RtS, must be retained.
- A7. Seniors housing at the Site must not be occupied, unless exclusively occupied by:
- (a) seniors or people who have a disability as defined by the provisions of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004;
 - (b) people who live within the same household with seniors or people who have a disability; and/or
 - (c) staff employed to assist in the administration of and provision of services to housing provided in this development.
- A8. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:
- (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary;
 - (b) any reports, reviews or audits commissioned by the Department regarding compliance with this approval; and
 - (c) the implementation of any actions or measures contained in any such document referred to in (a) above.
- A9. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A3. In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A3, the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

Limits of Consent

- A10. This consent does not allow any components of the concept proposal to be carried out without further approval or consent being obtained.
- A11. This consent lapses five years from the date of this approval unless works the subject of any related application are physically commenced, on or before that lapse date.

Planning Secretary as Moderator

- A12. In the event of a dispute between the Applicant and a public authority, in relation to an applicable requirement in this approval or relevant matter relating to the Development, either party may refer the matter to the Planning Secretary for resolution. The Planning Secretary's resolution of the matter must be binding on the parties.

Legal Notices

- A13. Any advice or notice to the consent authority must be served on the Planning Secretary.

ADVISORY NOTES

- AN1. All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.

PART B CONDITIONS TO BE SATISFIED IN FUTURE DEVELOPMENT APPLICATIONS

Building Design

- B1. The proposed new built form must be contained generally within the approved building envelopes illustrated in the approved plans referenced at Schedule 2, condition A3 except where amended by condition A4.
- B2. The detailed design of the new buildings must ensure a sympathetic interface be provided to “Pallister’s” north and north-west boundary. The detailed design must be informed by a suitably qualified and experienced heritage consultant nominated for the development, including matters relating to the form, detailing and materiality of the buildings.
- B3. The development application(s) for future hospital buildings must address:
- (a) how materials and detailing responds to the heritage context;
 - (b) articulation and modulation to minimise bulk and massing, especially when viewed from the north and at the “Pallister” interface;
 - (c) visual and acoustic privacy, noise and reflectivity, particularly in relation to River Road residents to the north;
 - (d) environmental amenity including access to natural daylight and ventilation, acoustic separation, access to landscape and outdoor spaces and future flexibility; and
 - (e) access and circulation across the Site including pedestrian, cycle, vehicular and service movements.
- B4. The development application(s) for future seniors living buildings must address:
- (a) the Design Principles in State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004;
 - (b) State Environmental Planning Policy No 65-Design Quality of Residential Apartment Development and the Apartment Design Guide;
 - (c) safe pedestrian circulation;
 - (d) how the natural setting has been incorporated in the design;
 - (e) connectivity between seniors living and hospital buildings and landscaped areas for residents, patients, staff and visitors;
 - (f) potential adjustments to the orientation of and modulation of the southern seniors living envelope to minimise bulk and massing and improve relationship at the “Pallister” interface;
 - (g) measures to minimise privacy impacts on residents to the west and south, including the appropriate treatment of any balconies or habitable rooms facing the west or south; and
 - (h) relocation of the carpark entry under the seniors living away from adjacent properties to the west unless it can be demonstrated that noise impacts from the operation on the carpark entry/exit would not result in adverse noise impacts.
- B5. All future development applications for new built form must include:
- (a) detailed plans, elevations and sections;
 - (b) artist’s perspectives and photomontages;
 - (c) a design statement demonstrating the design quality of the proposed development having regard to the existing buildings on Site and the character of surrounding development;
 - (d) consideration of the Design Guidelines in the RtS; and
 - (e) consideration of Crime Prevention Through Environmental Design (CPTED) Principles.

Landscaping

B6. All future development applications for new built form must include:

- (a) detailed landscape plans identifying the vegetation to be removed or relocated, and the location of replacement and additional landscaping. The plans must:
 - (i) be generally in accordance with the Landscape Concept Proposal submitted with the RtS;
 - (ii) demonstrate that replacement tree planting of a minimum 1:1 is provided for all trees to be removed as part of the application;
 - (iii) include sufficient planting to create a landscaped area buffer zone around "Pallister" and screen the new buildings from "Pallister";
 - (iv) provide specific details on how the parking areas and the landscaped setting of the area surrounding "Pallister" would respect and reintroduce the historical landscaped setting and character of "Pallister";
 - (v) include additional planting in the front setback to the northern seniors living building envelope;
 - (vi) include relevant details of the species to be planted (preferably species of local provenance), pot size of plantings (including larger pot sizes to support quicker maturity to restore the canopy cover for the Site), growth area and the landscape treatments, including any pavement and seating areas;
 - (vii) consider opportunities for additional tree planting where this can be managed in relationship to bushfire risks; and
 - (viii) consider opportunities for the inclusion of green roofs above new buildings.
- (b) an Arboricultural Impact Assessment, including detailed root mapping, which demonstrates that the proposed works would not be detrimental to the long term health of the existing trees retained on-site, along River Road and adjoining properties.

Amenity

B7. All future development applications for new built form must include an assessment of amenity impacts and demonstrate that consideration has been given to the protection and minimisation of potential amenity impacts, including:

- (a) solar access to residential properties impacted by overshadowing from the development (including detailed overshadowing diagrams);
- (b) visual privacy (including identifying measures to minimise impacts on residents to the south and west such as facing non-habitable areas to adjacent residential areas, the use of devices such as fixed louvres, high and/or deep sills and planter boxes);
- (c) view impacts (including to Northwood private properties to the west and Lane Cove River); and
- (d) light spill (including a lighting plan identifying measures to reduce light spill into the surrounding sensitive receivers).

Noise and Vibration

B8. All future development applications for new built form must identify and provide a quantitative assessment of the main noise and vibration generating sources during demolition, site preparation, bulk excavation, and construction, and outline measures to minimise and mitigate the potential noise impacts on surrounding occupiers of land.

B9. All future development applications for new built form must identify and provide a quantitative assessment of the potential noise and vibration impacts on the identified sensitive receivers due to the operations of the hospital and occupation of the seniors living, particularly impacts from the carpark access located under the seniors living buildings orientated to the west.

Heritage

B10. All future development applications for new built form must include a statement of significance and an assessment of the impact on the heritage significance of the heritage items on the Site in accordance with the guidelines in the NSW Heritage Manual.

- B11. The first development application for new built form must include a schedule of conservation works for “Pallister”, prepared by a suitably qualified and experienced heritage consultant nominated for the development. The schedule is to specifically address urgent, medium and long-term conservation works, which support the conservation of the building.
- B12. The first development application for new built form must include a heritage interpretation plan, prepared in accordance with the NSW Heritage Division publication *Interpreting Heritage Places and Items Guidelines*. The interpretation plan must:
- (a) detail how information on the history and significance of “Pallister” will be provided for the public and make recommendations regarding signage and lighting;
 - (b) identify the types, locations, materials, colours, dimensions, fixings and text of interpretive devices that would be installed as part of the development;
 - (c) provide a timeline for implementation of the interpretation.
 - (d) incorporate the results of any archaeological investigative program undertaken for the Site.
- B13. All future development applications for new built form must demonstrate how the archaeological significance on the Site has been avoided and the impacts the development may have on this significance. This assessment must consider both Aboriginal and non-Aboriginal archaeological impacts.
- B14. A historical archaeological program must be prepared for the Site and it must:
- (a) be managed by a suitably qualified and experienced historical archaeologist, including fulfil the Heritage Council’s Excavation Director Criteria (2019) for the excavation of locally significant archaeological sites;
 - (b) be guided by an Archaeological Research Design and Excavation Methodology, prepared in accordance with Heritage Council of NSW guidelines, in consultation with the Heritage Council of NSW.
 - (c) document the results of the archaeological program in a final excavation report, which must:
 - (i) outline opportunities for conservation in situ (as a preference) according to significance, development and interpretation;
 - (ii) be prepared within 12 months of the completion of archaeological excavation;
 - (iii) include details of any significant artefacts recovered, where they are located and details of their ongoing management, conservation and protection in perpetuity by the landowner; and
 - (iv) be provided to the Planning Secretary, the Heritage Council of NSW and to the local Council’s local studies unit.
- B15. An Aboriginal Heritage Management Plan, prepared in consultation with Registered Aboriginal Parties and EESG, that has been informed by sub-surface testing as per the recommendations of the ACHAR, must be submitted with future applications for new built form within areas with moderate potential for archaeological resources.

Ecologically Sustainable Development

- B16. All future development applications for new built form must demonstrate how the principles of Ecologically Sustainable Development have been incorporated into the design, construction and on-going operation of the new buildings.
- B17. All future development applications for new built form must consider opportunities for the incorporation of green roofs.
- B18. The development application(s) for future seniors living buildings must be accompanied by a BASIX assessment.
- B19. The development application(s) for future hospital buildings must:
- (a) include a framework for how the future development will be designed to consider and reflect national best practice sustainable building principles to improve environmental performance and reduce ecological impact. This should be based on a materiality

- assessment and include waste reduction design measures, future proofing, use of sustainable and low-carbon materials, energy and water efficient design (including water sensitive urban design) and technology and use of renewable energy;
- (b) include preliminary consideration of building performance and mitigation of climate change, including consideration of Green Star Performance and where certification cannot be achieved, specific details on where compliance cannot be achieved. In such instances, an assessment against an accredited ESD rating system or an equivalent program of ESD performance must be provided. This should include a minimum rating scheme target level; and
 - (c) provide a statement regarding how the design of the future development is responsive to the CSIRO projected impacts of climate change, specifically:
 - (i) hotter days and more frequent heatwave events
 - (ii) extended drought periods
 - (iii) more extreme rainfall events
 - (iv) gustier wind conditions
 - (v) how these will inform landscape design, material selection and social equity aspects (respite/shelter areas).

Disability Access

B20. All future development applications for new built form must include a Disability Access Review to demonstrate an appropriate degree of accessibility in accordance with State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 and the *Disability (Access to Premises - Buildings) Standards 2010 (the Premises Standards)*.

Traffic, Access, Car and Bicycle Parking

- B21. All future development applications for new built form must be accompanied by:
- (a) a Road Safety evaluation of all access points, pedestrian and vehicle movement along River Road and St Vincents Road within the vicinity of the Site.
 - (b) a Traffic Impact Assessment that considers the traffic and transport impacts associated with the construction and operation of the proposed development, including details of:
 - (i) current daily and peak hour vehicle movements (using current traffic flow surveys);
 - (ii) estimated total daily and peak hour trips generated by the proposal, including vehicle, public transport, pedestrian and bicycle trips;
 - (iii) the adequacy of existing public transport or any future public transport infrastructure within the vicinity of the Site, pedestrian and bicycle networks and associated infrastructure to meet the likely future demand of the proposed development;
 - (iv) the impact of trips generated by the development on nearby intersections using a realistic distribution of traffic based on Site characteristics, with consideration of the cumulative impacts from other approved developments in the vicinity using SIDRA traffic modelling;
 - (v) any upgrades or road improvement works required to ameliorate any impacts on traffic efficiency or road safety impacts associated with the proposed development and funding arrangements;
 - (vi) walking and cycling access arrangements and connections to public transport services, including assessment of road and pedestrian safety in line with CPTED and provision of adequate way-finding signage and strategy;
 - (vii) access arrangements, including pick-up/drop-off facilities and the design of the left-in and left-out River Road eastern access, and measures to mitigate any associated traffic impacts and impacts on public transport, pedestrian and bicycle networks, including pedestrian crossings and refuges and speed control devices and zones;

- (viii) bicycle parking provision, including end of trip facilities, in secure, convenient, accessible areas close to main entries incorporating lighting and passive surveillance;
 - (ix) the number of on-site car parking spaces for staff and visitors and compliance with existing parking codes, including requirements of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004, and justification for the level of car parking provided on-site;
 - (x) an assessment of the cumulative on-street parking impacts of cars, staff parking and any other parking demands associated with the development; and
 - (xi) emergency vehicle access, service vehicle access, delivery and loading arrangements and estimated service vehicle movements (including vehicle type and the likely arrival and departure times).
- (c) a Green Travel Plan outlining the measures to reduce private vehicle usage, including provision of a free shuttle bus service to local retail centres and public transport nodes.
- (d) a preliminary Construction Traffic and Pedestrian Management Plan to demonstrate the proposed management of the impact in relation to construction traffic addressing the following:
- (i) assessment of cumulative impacts associated with other construction activities (if any).
 - (ii) an assessment of road safety at key intersections and locations subject to heavy vehicle construction traffic movements and high pedestrian activity.
 - (iii) details of construction program detailing the anticipated construction duration and highlighting significant and milestone stages and events during the construction process.
 - (iv) details of anticipated peak hour and daily construction vehicle movements to and from the Site.
 - (v) details of on-site car parking and access arrangements of construction vehicles, construction workers to and from the Site, emergency vehicles and service vehicles.
 - (vi) details of temporary cycling and pedestrian access during construction.

Biodiversity

B22. All future development applications for works that would impact biodiversity values must demonstrate that the development is consistent with the Biodiversity Development Assessment Report (BDAR), prepared by Eco Logical Australia, dated 23 September 2019, submitted with the RtS. Where impact on biodiversity values of the development vary from those identified in the BDAR, a revised BDAR must be submitted with all future applications that are State significant development.

Bushfire Protection

B23. All future development applications for new built form must demonstrate satisfactory compliance with the relevant provisions of Planning for Bush Fire Protection 2019.

Contamination

B24. All future development applications for new built form must be accompanied by a Remedial Action Plan.

Stormwater and Flooding

B25. All future development applications for new built form must be accompanied by a Stormwater Management Plan detailing an assessment of any flood risk on Site and consideration of any relevant provisions of the NSW Floodplain Development Manual 2005, stormwater and drainage infrastructure, and details demonstrating that water sensitive urban design measures have been incorporated into the development.

B26. All future development applications for new built form must detail measures to minimise operational water quality impacts on surface waters and groundwater.

B27. All future development applications for new built form must include stormwater plans detailing the proposed methods of drainage without impacting on the downstream properties, in particular properties adjoining the Site to the west and south and the bushland to the south-west.

Utilities

B28. All future development applications for new built form must address the existing capacity and any augmentation requirements of the development for the provision of utilities including staging of infrastructure through the preparation of an Infrastructure Management Plan in consultation with relevant agencies and service providers.

Waste

B29. All future development applications for new built form must include Waste Management Plan(s) to address storage, collection, vermin-control, hygiene and management of waste and recycling within the development and during construction and demolition works.