

Submission to the Office of Independent Planning Commission of NSW (IPC)

Re: Objection to Greenwich Hospital Stage 2 (Concept proposal SSD-8699-Mod-1 and Detailed Design SSD13610238)

This submission is to be counted as a separate submission for each of the above exhibited items.

Please register my objections and address my concerns regarding both of the above proposals.

It is requested that if the IPC comes to a view of supporting these proposals, then

- consider this submission's suggested amendments to recommended Consent Conditions,
- in addition, make amendments to and/or provide additional Consent Conditions to address shortcomings or overlooked matters which are set out in this submission.

1. Not addressed: Light Spill on Bushland, Downward light spill, 'escape' light from within Seniors Living, SW corner has Low District Brightness A2 not Medium District Brightness A3

Amend recommended Consent Conditions:

Outdoor Lighting E32 for a revised External Lighting Report:

- To include as sensitive receivers:- the biota of Gore Creek Valley, and the bushland, both within the hospital site including south west slope, and the adjoining bushland Reserve
- To include and assess escape light emanating from within buildings, and in particular from within Southern Seniors Living including balconies and rooms
- To include, assess and put limits on downwards light from all lighting sources including new path behind Pallister House and new on-grade carpark on south side of new south Seniors Living
- To use A2 Low2 District Brightness in the assessment for SW portion of site and bushland part of site because of the darkness of the valley and bushland

Outdoor Lighting D38 and F17

- To include bushlands and valley as sensitive receivers, and LCC as an adjoining landowner
- To reflect fact that AS 4282-2019 does not deal with bushland which requires separate light controls

Construction Environmental Management Plan C13 (a)

- To include compliance with, and addresses, best practice lighting design identified in the *National -- Light Pollution Guidelines for Wildlife* (DCCEEW, 2023)

Reasons: The F External Lighting Report and the appendix II Lighting Statement by JHA focuses on Obtrusive Lighting which is light falling on a vertical surface e.g. a building, and does not consider bushland.

The report defines its scope as : " *exterior lighting within the site, rooftop terrace lighting and the obtrusive effects of lighting to its neighbouring dwellings*[page 4 of JHA]

It does not cover all the lights from all the rooms and balconies which can make a wall of lights shining downwards on the bush. It does not address bushland. The southwest site area should be considered and assessed separately as A2, Low district brightness. The valley and bushland receivers have a much darker ambient light levels, more like semi-rural levels than suburban levels of brightness. The landowners adjoining the valley and bushland are very conscious of the need for minimising light spill to bushland, hence the area is usually very dark at night, as shown in the attached photograph of the hospital as viewed across the valley from Northwood during this week.



Above: Low level of district brightness shows in photo across Gore Creek Reserve and valley, showing low level of district brightness equivalent to A2. The main lighting seen is external lights of Greenwich Hospital in the centre, and ridge of Pacific Hwy to left horizon.

2. Not addressed: Noise to receivers in Northwood, across the valley.

Location and design of the operational waste storage area where waste removal will be undertaken by Council or a third party

Noise from the existing hospital has been repeatedly raised in submissions as a concern for Northwood residents, but has not been addressed. No noise monitors were installed in a position to monitor such noise. The noise from garbage trucks at around 3 – 5.30 am has been particularly disturbing to sleep: the banging from collection of, emptying of skips and bins, and the travelling and gear change noises from these trucks.

The Northwood residents should be regarded as Sensitive receivers because many homes have a direct line of sight to the current and proposed much higher redevelopment.

P36 of appendix B Noise and Vibration Assessment by ALC, discussing noise mitigation measures, states:-

“ Where no line of sight is obstructed by the barrier, generally no noise reduction will occur.”

Amend recommended Consent Conditions:-

Construction and Operational Noise B6; and Operational Waste Storage and Management B7

- To provide location of such operational waste collection points
- To provide noise mitigation measures to address Northwood
- To include Northwood residents as sensitive receivers

Landscaping B10 and B11

- For revised Landscaping plans to include additional planting and dense-foliaged trees (placed outside the APZ) selected from species consistent with the species in adjacent Gore Creek Reserve
- For such planting to be selected to provide dense and high screening to significantly reduce impact of light and sound waves traversing the valley to Northwood and other residences

3. Inadequately addressed: Privacy; adjoining land users to south and southwest

The Response to Submissions Report lists a response on P11 re provision of

“ additional treatments to western-facing seniors housing balconies to minimise visual privacy impacts on residential properties to the west”

However these additional treatments have not been provided to southern-facing balconies of the seniors housing balconies. The diagrams included in Figure 3, p13, in the Response to Submissions Report, and the Architectural Drawings themselves, clearly show that the additional treatments barely extend to the southern and south-western balconies of all levels on the southern seniors living building.

The result is that residential properties to the south and south-west will be overlooked, overlit, and lose visual privacy. This is especially so given the significant height to which the building extends relative to the surrounding R2 homes and bushland zones.

Additional treatments would also assist to mitigate adverse impacts from the lights from all the rooms and balconies which could be shining out and downwards on the neighbouring residential areas and bushland.

Amend recommended Consent Condition:-

Design Amendments B1 (c)

- To provide additional treatments to south and south-west -facing southern seniors housing balconies to minimise visual privacy impacts on residential properties to the south and south-west
- To provide measures to ensure that the vegetation used in such treatments will be managed in perpetuity in such a way that they will not spread invasive or weedy species.

4. Not adequately addressed: Bushland to south-west of site (both on redevelopment site and on Council reserve) .

Unclear: Landscape on-site- which is the planting to create Visual Screening on Plant maturity as shown p59 of P Visual Impact Assessment? ; what is the timeline for any on-site bushland restoration?

Bushland exists on the subject Hammondcare site and in the adjoining Gore Creek Reserve. This is despite some report stating that there is no bushland on the site.

This significant area of bushland on the site to the south west, adjoins a long wildlife corridor of bushland in the Gore Creek Valley and the associated Reserves. Together they form a valuable environmental asset.

This on-site and off-site bushland has been poorly considered by this Applicant throughout the whole redevelopment process. Based on the documents presented and in the Landscape plans, it is still poorly considered and understood.

In the initial Concept application, the Applicant proposed ‘nature’ patient pathways traversing downhill in the south-western bushland slope and cliffs. The application and plans were misleading, stating that this area had not been surveyed. This was despite a Civil Engineering Plan dated 3/2/2018 bearing contours and features essentially matching those which have now appeared on most of the plan drawings.

While there are apparently bushland regeneration proposals, it is difficult to ascertain what these are, and what plantings are proposed, especially from the Landscape documents.

There is a confusion created in the Response to Submissions on p17 which states that

“The Amended Landscape Plans by Taylor Brammer Landscape Architects (Appendix D) now show the details of tree planting to be provided within the bushland restoration areas at the southwest and western edges”

The confusion is that the bushland regeneration areas referred to do not cover all the bushland areas on the subject site. They appear to cover only the upper part. Further, it is not sufficient just to detail tree planting; regeneration needs to include understorey planting.

The Assessment Report at 109 mentions that 12 trees were included for bushland regeneration on the Landscape Plans but were then removed. Unsure why?

This has added to the confusion – it is suggested these trees be shown on drawings and updated if any planting position is modified in any consultation with landowners – which should include Lane Cove Council.

There is a risk that deletion of these 12 trees will result in them being forgotten.

Furthermore, the Landscape plans should clearly identify which planting corresponds to that which at maturity will reach the heights and provide the screening anticipated in the image on p 59 of the Landscape Character and Visual Impact Assessment, an image re-produced without its caption in Fig. 37 “Proposed view from Northwood to the Southwest”, p68 of DPIE Assessment Report.

The extract from Visual Impact Assessment p59, below, includes a caption note that this additional planting shown will be further developed in detail design but has not been.

It is considered misleading and disingenuous to prepare, provide and reproduce such images, such as this from viewpoint 6 in Northwood, as evidence that the view of the future very bulky buildings would “*only form part of the outlook*” without :

- a) showing what the 60degree cone of vision of the human eye would see from the property, and
- b) to not follow through in the detail design to identify which species are being planted and where, to produce such screening as that anticipated by the Visual Impact Assessment, and
- c) to not have an intention nor a plan to maintain such additional planting until maturity.



Images intended to give an **indicative impression of the size and scale** (massing only) of the Proposal within the view frame and are not intended to accurately reflect materiality or final landscape design. Anticipated planting maturity is based on landscape design intent information currently available (to be further developed in detailed design).

Anticipated View Upon Planting Maturity.

Above: Extract from p59 of Landscape Character and Visual Impact Assessment

Add new consent conditions :-

Landscaping and Bushland B12 A :-

- Prior to any demolition and any construction works, provide a survey of the south west bushland areas, including trees, which have not yet been surveyed (as stated by LTS Surveyors)

Landscaping and Bushland B12 B

- Add the 12 bushland regeneration trees [which were removed] to the Landscape plans

Amend recommended Consent Conditions:-

Landscaping B10 –

- revised Landscaping plan to include additional planting and dense-foliaged trees (beyond perimeter of the APZ) in addition to the 12 trees in B12B
- such additional regeneration planting and trees to be selected to provide dense and high screening to significantly reduce impact of light and sound waves traversing valley to Northwood and other residences from the new through road, the southwest carpark and the south seniors living building
- identify which of the proposed trees (with numbers and yearly growth rates), and planting positions of proposed trees, will form the “Additional Planting from Landscape Design” as depicted on Fig. 37 “Proposed view from Northwood to the Southwest, p68 of DPIE Assessment Report, and shown p 59 of Visual Impact Assessment to create the “Anticipated View Upon Planting Maturity”

Vegetation Management Plan E33

- add an ongoing bush care maintenance program
- add timelines and recommend maintenance until planting reaches maturity

Landscaping E43 additions

- Add (d) : OLMP must include all bushland in the south-west corner and slope of the site
- Add (e) copies to be provided to LCC of the bushland regeneration works to provide planting and management details

5. Likely inadequate: Stormwater management and sediment control

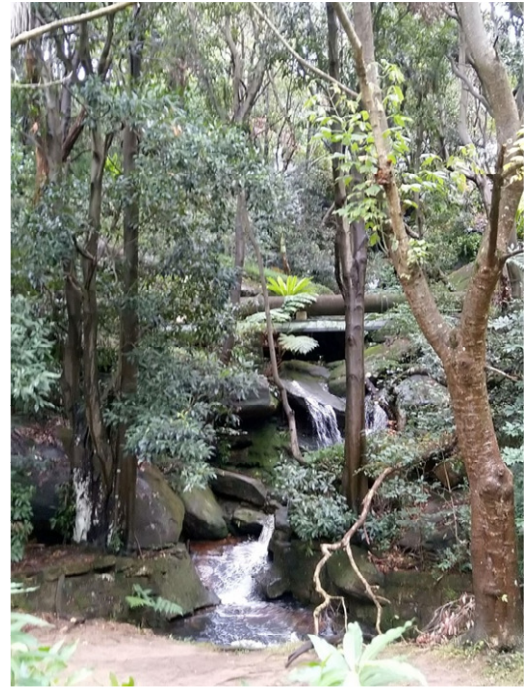
West side: It seems from BB stormwater management report that most of the stormwater from site, (except for that part of site falling to St Vincents Road) is collected in a 675 diameter pipe running below the through-road, then piped steeply down to join the 750 diameter pipe from River Rd. It then falls over a rock waterfall on the Hammondcare site, on the west side, at about contour 26.

Given the increase in impervious areas on the site, during heavy downpours there would be a significant increase in volume of water falling into the rock waterfall and pool at its base, on site. It is considered that some measures should be incorporated to modify or slow this flow. The new hospital large rainwater tanks will not assist during heavy downpours, because the surrounding land will become saturated and the tanks will simply overflow.

The splashing onto rocks at the end of the 750 diameter pipe will exacerbate further the moist weedy nature of the area, and it is highly likely that downstream damage to rock pools and erosion to Gore Creek may result.

Amend recommended Consent Conditions:-

- To plan for collection and pumping of sediment laden water /excavation material so as not to cause sediment escape
- To incorporate measures to modify or slow the flow of stormwater to reduce downstream damage and adverse environmental impacts



Above Left: photo of waterfall and rocks above which the 750 diameter pipe will discharge stormwater; it falls to Gore Creek. More volume Splashing will exacerbate weedy conditions. Above Right: photo downstream where most Greenwich hospital west-side stormwater joins Gore Creek

6. Object to increase in GFA

The maximum GFA of the Seniors Living Building and Hospital under the Concept Design previously approved by the IPC should be maintained.

The additional GFA adds to the perceived bulk. It intensifies the extent of the seniors living which is not permitted in the SP2 zone under Lane Cove LEP. It is not proved – although it has been stated - that the increased GFA does not result in any additional detriment to the environmental amenity.

It has always been an option for the Applicant to reduce the number of units provided in the Seniors Living Buildings in order to maintain a GFA within the already-approved limit, while still achieving the functionality and required facilities. They have not chosen that option but instead opted to increase the GFA to maintain or improve the financial outcome for themselves.

It was the Applicant's decision to make a case that it was providing a "continuum of care" in the Seniors Living units, in order to claim there was a relatedness between Seniors Living and the Hospital, and have them deemed elements of a single SSD. That the Applicant was required to design Seniors Living to the standard of BCA Class 9c – an aged care building – was a result of their making, so it is not reasonable to use the Class 9c as a scapegoat for increasing the floor area of the Seniors Living by including more nooks, wider corridors, better wayfinding, and more nurse stations, wheel chair stores and the like, needed for Class 9c.

7. Object to Seniors Living and its assessment with this SSD: it does not meet the objectives of the LC LEP 2009 for SP2 Zone.

It is noted that the seniors living is not approved for hospital purposes (BCA Class 9a) in this consent. I support the retention of this condition A37:

A37. This consent does not permit the seniors housing to be used for hospital purposes.

The Concept DA was supported by the IPC in 2020 when it reported at published Reasons : Commissions Findings 48, that there was a sufficient degree of relatedness between the two uses, ie Seniors Living, and Hospital and Respite, for them to be assessed as a single SSD. To achieve this relatedness at the time, the Applicant amended its carpark design to connect, underground, the previously discreet, completely separate two carparks, as well as listing some facilities such as a therapy pool which were available for occupants of both Seniors Living and Hospital buildings to use.

The situation now is that the DPE Assessment report states that the Seniors Living element is permissible in its own right under the Seniors Housing SEPP, and that it may be assessed under the Seniors Housing SEPP.

Given the situation where the two elements are permissible under different instruments, LEP for the Hospital, and Seniors Housing SEPP for the Seniors Living, the determination of the Seniors Living component should be separately carried out by either the Lane Cove Council, or the Sydney North Planning Panel if the value is above the necessary \$ threshold.

8. Object to HammondCare not providing affordable housing

9. Support the requirement of Lane Cove Council to be paid s7.11 contributions

HammondCare should be obligated to contribute to community facilities, open space/ recreation and roads. It is adversely impacting amenity of surrounding areas, utilising the local council facilities, and ought to be giving back in return.

10. Objection to any conclusions drawn from use of misleading fish-eye lens photo images (Base source: Ethos Urban) allegedly taken from 17 Upper Cliff Rd Northwood and used in QQ Supplementary Visual Impact Assessment

The DPE has attempted an objective assessment of the visual impact of the enlarged Mod 1 Concept based on Tenacity principles, however the basis of the image in QQ Supplementary Visual Impact assessment is flawed. Hence the second step of “considering from what part of the property the view is obtained” is falsely presented - the view has not been obtained from this property, but from the air, above it.

A fish-eye type image is reproduced as the “view” from no. 17 (see DPHI Report,p154). Such an image is not possible for the human eye to obtain from **17 Upper Cliff Rd Northwood** as the human eye can focus on a visual cone of up to about maximum 60 degrees at one time. It is possible an Elevated drone has been used to obtain the distorted base source image. There is not a corresponding view available from this property. This image implies that a human visual cone can spanning about 150 degrees. Eyes don't see like that.



Above left: a portion of Fig 14 App. QQ. Above right: a portion of Fig 16 App. QQ. This cropped, it shows how highly the view is impacted by the redevelopment. The cropped images represent more closely a 60 degree cone view than that included in the QQ Supplementary Visual Impact assessment.



Above: the distortion of reality as shown in Fig 14 Appendix QQ. It is not possible to see the towers in St Leonards, while with the eyes looking in the same direction, see the Sydney Tower 'Eye' in CBD.

To use such a distorted visual cone image spanning about 150 degrees misrepresents that the human eye can see 'around corners' in a 150 degree way. The camera image is misleading so the outcome is misleading.

Any conclusions made, such as "Greenwich Hospital only forms a small part of the outlook" utilising the distorted base- images Fig 14, 15 and 16, should be disregarded by the IPC.

Disappointingly, while the recommended Conditions of Consent do contain many protections and procedures, there is a reliance on further reports, redesigns and actions which are yet to take place. These will be made available only to the Certifier and the Planning Secretary. It is requested that a better way is found to make some of this information available beyond that narrow audience.

Yours sincerely,
A Resident, Northwood.
1 February 2024