

Attachment A

Response to Agency Submissions

A Response to Submissions (RTS) made by government agencies and other bodies to the public exhibition of SSDA 9536 is set out in detail below.

Submissions were received by the following government authorities, agencies and bodies:

1. Air Services Australia (ASA);
2. Sydney Water;
3. Civil Aviation Safety Authority (CASA);
4. Government Architect of NSW (GANSW);
5. Central Coast Council (Council);
6. NSW Office of Environmental and Heritage (OEH) (Flooding and Environmental Matters);
7. NSW OEH (Heritage Division);
8. Transport for NSW (TfNSW);
9. NSW Roads and Maritime Services (RMS);
10. NSW Environment Protection Authority (EPA);
11. NSW Rural Fire Service (RFS); and
12. NSW Department of Planning and Environment (DPE) (Hazards Team).

It is noted that no submissions received objected to the SSDA. Rather, clarification has been sought to certain matters or design refinements suggested.

Please refer to a detailed response to matters in the Table below.

Extract from agency submissions	Response (prepared by Architectus)
1. Air Services Australia	
<i>With respect to procedures designed by Airservices in accordance with ICAO PANS-OPS and Document 9905, at the maximum heights of 45.95m (151ft) AHD and 127m (417ft) AHD, the development and the crane operations, respectively, will not affect any sector or circling altitude, nor any instrument approach or departure procedure at Gosford District Hospital. The development and the crane operations will not affect the Sydney Radar Terrain Clearance Chart (RTCC).</i>	This item is acknowledged.
<i>The development and crane operation will not adversely impact the performance of Precision/Non-Precision Navigational Aids, HF/VHF Communications, A-SMGCS, Radar, PRM, ADS-B, WAM or Satellite/Links.</i>	This item is acknowledged.
2. Sydney Water	
<i>We have reviewed the application and have determined that this development does not require assessment by Sydney Water. The development is located outside of Sydney Water's area of operations and lies within the Central Coast Council's servicing area.</i>	This item is acknowledged.
3. Civil Aviation Safety Authority	
<i>CASA has uncritically reviewed the Avipro 'Aviation Report Wyong Hospital redevelopment V1.6' of 18 January 2019 and the Aviation Section of the EIS. CASA has no issues with the Aviation Report, no comments on the proposal and no recommended conditions of consent.</i> <i>The building or crane(s) will not infringe an Obstacle Limitation Surface for a Federally Leased Airport and the building or crane(s) will not be a controlled activity under the Airports (Protection of Airspace) Regulations 1996. Warnervale Aerodrome is not Registered or Certified and therefore does not fall under CASA's regulatory framework.</i>	This item is acknowledged.
4. Government Architect of NSW	
<i>The proponent has generally responded to the comments made through the SDRP process. In particular we note the following clarifications have successfully addressed matters previously raised:</i> <i>The clarification of wayfinding from the main entry, north carpark and</i>	This item is acknowledged.

existing hospital building; • Signage proposal to support vehicle wayfinding; • The placement of ALL new car parking under the footprint of the building; • The pedestrian priority strategies to the eastern lower ground car park entry; • The incorporation of landscaping to the west, south and north of the building and clear pathways of access including visual connections from public lobbies • The creation of accessible landscaped courtyards for PEGG, ICU and staff; • Improvements to the north entry with double height volume, emphasis through use of materials and landscaping; and • Development of materiality, surface treatments and articulation to formally define parts of the overall massing.	
On the basis of the material submitted the proposal has not yet addressed concerns around amenity and sustainability. We recommend these issues be addressed through the following: • The introduction of a shelter structure or covered way along the path of travel from the north carpark to the entry; this could incorporate the car parking pay station and provide a space in which patients and visitors can seek refuge from inclement weather;	In response to this matter raised by GANSW, a covered car parking pay station has been incorporated into the updated architectural plans, prepared by HDR at Attachment B. It is noted this car park is located beyond the boundary of the proposed development as sought under SSD 9536, however NSW Health Infrastructure and the project team have incorporated this within the proposal.
• Provide details of vertical shading devices to east and west facades; and	Vertical shading devices are provided to the east and west facades to mitigate heat gain. The shading devices consist of rectangular aluminum blades fixed back to the façade. Refer to the updated architectural plans prepared by HDR which provides indicative architectural detail at Attachment B.
• Provide details of heat-gain and glare control for the north facade. Please provide a response and amended plans to address the outstanding issues raised by GANSW.	Heat gain to the north façade will be minimised through glazing, consisting of high-performance Insulated Glazing Units (IGUs) with a low emissivity (low-E) coating. The IGU glass provides an insulated air gap between two layers of glass minimising heat transfer from outside when outdoor temperatures are high during summer. The IGU also prevents heat loss from internal spaces when outdoor temperatures are low during winter, whilst the low-E coating dissipates high energy solar radiation

	entering through the glazing. Internal roller blinds provide glare control as well as privacy for occupants. Please refer to further details within the response to the GANSW and amended plans prepared by HDR at Attachments B and C respectively.
5. Central Coast Council	
Transport/Traffic Engineering	
<i>At the meeting held on 31 October 2018, representatives from Health Infrastructure and the consultants carrying out the preparation of the EIS agreed that Council would be supplied with the electronic Sidra files for the modelling of the Pacific Highway / Craigie Avenue intersection, however to date this has not occurred. The electronic Sidra files are required for Council to assess the impacts of the proposal.</i>	Electronic SIDRA files were provided to Council on 24 April 2019. However, in response to matters raised following exhibition, traffic modelling has been reviewed and the updated SIDRA files will be submitted to Council for review under a separate cover.
<i>There appears to be no record of the Sidra results being referred to RMS for comment.</i>	Electronic SIDRA files were provided to RMS on 24 April 2019. Notwithstanding, in response to matters raised following exhibition, further consultation has been undertaken with RMS, including a meeting held between NSW Health Infrastructure, RMS and the project traffic engineer (TTW) on 22 May 2019. Further to matters discussed at this meeting, traffic modelling for the site has been reviewed and updated SIDRA files will be submitted to RMS for review under a separate cover.
<i>The proposal to install boom gates and establish a paid parking scheme will have a significant impact on the adjoining road network. Patrons of the hospital will dominate the on-street parking in the vicinity to avoid paying for parking. This area is particularly sensitive given the close proximity of Kanwal Public School and the new private hospital. Problems are already occurring at Gosford Hospital due to paid parking as highlighted in the newspaper clipping below.</i> <i>Additionally, the existing and proposed development is generating the demand for the car parking spaces and it is and</i> Architectus note: typographical error above (unfinished sentence).	A detailed response to this matter has been provided in the RTS Cover Letter.
<i>There are currently a significant number of vehicles accessing the hospital parked on Pacific Highway and Craigie Avenue. This issue will be further exacerbated by the introduction of a paid parking scheme.</i>	A detailed response to this matter has been provided in the RTS Cover Letter.

Engineering	
<i>The EIS is unclear as to whether the access from Louisiana Road into the subject site is for emergency vehicles or the intent is for this access to be upgraded to cater for general public access. Table 10 refers to “suitable measures will be installed...to prevent public access” however further discussion with Health Infrastructure have indicated that public access from Louisiana Road into the subject site is still an option they are considering.</i>	As detailed at Section 3 of the submitted EIS, the proposed works include formalisation of the existing temporary east-west construction driveway from Louisiana Road. This secondary access point will be restricted to emergency and service vehicles only, with all remaining hospital traffic utilising the existing main entry from the Pacific Highway. No public vehicle access will be available from Louisiana Road.
<i>Any access from Louisiana Road into the subject site should remain restricted to emergency vehicles only. No public access shall be permitted from Louisiana Road. If the Department seeks to recommend approval of this access for use by the public then appropriate conditions regarding appropriate upgrade works on Louisiana Road and the intersection of Louisiana Road and the Pacific Highway (to cater for both capacity and safety) should be imposed.</i>	As noted above, access from Louisiana Road into the subject site will be restricted to emergency and service vehicles only. No public or staff vehicle access shall be permitted from Louisiana Road.
<i>Additionally, appropriate ‘way finding signage’ is to include restricted access signage on Louisiana Rd, rather than providing signage where there is no provision for vehicles to turn and exit when they have incorrectly accessed the site.</i>	As noted at Section 7 of this EIS, a range of measures are anticipated to be implemented to prevent public access along this emergency and service vehicle access road, including, however not limited to: • Clearly visible “Emergency and Service Vehicle Only” signage (with signage to be located along Louisiana Road to be clearly visible to vehicles on approach to the site); and • Line marking or coloured pavement to differentiate from the public roadway. It is noted the final details and specifications of these measures will be determined as part of further detailed design processes.

Road Safety	
<i>With the increased car parking, upgraded Emergency Department, increased ambulance accesses, delivery and loading provisions etc. a review of the safety of road and road related areas of the complex, not only external to the development and not only during the construction phase, but for the long-term operation of the facility is warranted.</i> <i>The site is a mix of traffic environments & road users, consisting of visitors, staff, delivers, emergency vehicles, pedestrians etc. Although it is recognised that fundamentally the site will hopefully be a low speed environment, you do not need a high-speed environment to cause serious injury. The figure below, contained in a number of Austroads guides, is based on actual crash occurrences and demonstrates that a vehicle /pedestrian conflict at 30km/h has a greater probability of 1 in 4 of resulting in a serious injury or fatality.</i> Architectus note: refer submission for figure diagram.	This item is acknowledged, and the proposed development has been carefully designed to manage the relationship and integration of different user groups and vehicle movements through the site and wider Hospital campus. As detailed in the response to traffic matters prepared by TTW at Attachment K, a number of traffic calming, and pedestrian management facilities proposed within the internal road system has been provided, including, however not limited to, signage, line marking, speed humps and boom gates in order to ensure a low speed environment. NSW Health Infrastructure, the Central Coast Local Health District (CCLHD) and the project team are committed to ensuring the highest standard of safety for all users of the site and will continue to ensure to review the design and operations at the site to mitigate traffic risk.
<i>It is noted within the Transport and Accessibility Impact Assessment there is a number of references to road safety and CPTED however this assessment does not address the ongoing and long-term operation of the Hospital.</i>	Safety has been considered through Safety in Design reviews undertaken by the design team and the CCLHD as part of preparing the application. The CCLHD has great knowledge of how the Hospital operates and what is required to address safety concerns.
<i>It is noted that a number of documents referenced in the Transport and Accessibility Impact Assessment, such as The RMS (RTA) Guide to Traffic Generating Developments and the Austroads Guide to Traffic Management-Part 12 Traffic Impacts of Development contain significant sections and references to road safety, road safety auditing, independent road safety assessment, internal roads and circulation, conflicting traffic activity, pedestrian safety and amenity and the like. Additionally, Council's Civil Design Guide specifically references "Hospitals" as requiring a road safety audit. However, the Transport and Accessibility Impact Assessment has not comprehensively considered the requirements of these documents and carried out the appropriate analysis.</i>	Given the adequate provision of pedestrian crossings, boom gates, traffic signage, and line marking within the campus roads, and following an assessment of sight lines, it is determined that a road safety audit is not required. Refer to a response to traffic issues prepared by TTW at Attachment K. The ambulance movements would be largely separated from general public access and traffic movements. This will minimise interaction of pedestrians with vehicles, thus improving road safety for pedestrians. The updated Transport and Accessibility Impact Assessment (TAIA) at Attachment L has been prepared in the context of and with knowledge of relevant documents, standards, and guidelines, including: • <i>The RMS (RTA) Guide to Traffic Generating Developments</i> • <i>Austroads Guide to Traffic Management-Part 12 Traffic Impacts of Development;</i> • <i>The Central Coast Regional Transport Plan; and</i>

	• Relevant Council guidelines In this regard the TAIA has comprehensively considered these relevant documents and carried out the appropriate analysis.
<i>Many of the referenced policies and guidelines are nominated in isolation; however, need to be considered in respect of many other guidelines. If considered in isolation there is the likelihood that certain requirements can be taken out of context. The Central Coast Transport Plan is not nominated within the References or Policies, although this document references Wyong Hospital numerous times for varying purposes.</i>	As outlined above, the TAIA has been prepared in the context of and with knowledge of relevant documents, standards, and guidelines, including The Central Coast Regional Transport Plan.
<i>The Austroads Guide to Traffic Management-Part 12 Traffic Impacts of Development states that a road safety assessment should be undertaken as part of the Traffic Impact Assessment (TIA) and an independent road safety audit should be undertaken for a development (including all internal works) for a development of this scale and type.</i> <i>Moreover, both Austroads Road Safety Audit Guides recommend that land uses that generate parking facilities greater than 50 spaces should have road safety audits undertaken. In this regard, road safety audits should be undertaken for this development due to the number of car park spaces and the conflicting and different road users within the site.</i> <i>In consideration of the above, it would be remiss of NSW Health & Health Infrastructure NSW not to use appropriate industry tools (road safety audits - pre and post construction etc.) to assess the safety performance of the Hospital Expansion (including all internal works) and ensure or risks are managed appropriately.</i>	This item is acknowledged; however, it is noted that the undertaking of a Road Safety Audit (RSA) within a development site is not a mandatory requirement, nor is this common practice within a development site. Further, RSAs have not previously been deemed as required for other hospital developments. Notwithstanding, NSW Health Infrastructure, the CCLHD and the project team are committed to ensuring the highest standard of safety for all users of the site and will continue to assess traffic performance during construction and operation phases to mitigate traffic risk.

Ecology	
<i>Travers Bushfire & Ecology (Travers) Report states that the proposal would result in impacts to two plant community types (PCT's):</i> • <i>Removal/modification of 0.686 ha of Scribbly Gum – Red Bloodwood – Angophora inopina heathy woodland on lowlands of the Central Coast (PCT1636); and</i> • <i>Removal/modification of 0.106 ha of Swamp Oak – Prickly – Tall Sedge swamp forest on coastal lowlands of the Central Coast and Lower North Coast (PCT 1728).</i> <i>Swamp Oak – Prickly – Tall Sedge swamp forest on coastal lowlands of the Central Coast and Lower North Coast (PCT 1728) is commensurate to Swamp Oak Floodplain Forest of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions listed as Endangered under the NSW Biodiversity Conservation Act 2016 (BC Act) and the Federal Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).</i>	This item is acknowledged.
<i>Four threatened fauna species Eastern Freetail-bat (Mormopterus norfolkensis), Greater Broad-nosed Bat (Scoteanax rueppellii), Eastern Bentwing-bat (Miniopterus orianae oceanensis), Little Bentwing-bat (Miniopterus australis), and one threatened flora species Camfield's Stringybark (Eucalyptus camfieldii) were found.</i> <i>Credit calculations were performed by Travers in accordance with the Biodiversity Assessment Method (BAM) using the credit calculator. Travers have identified that credits required to be secured and retired to offset the impacts of the proposal include:</i> • <i>11 ecosystem credits for impacts on Scribbly Gum – Red Bloodwood – Angophora inopina heathy woodland on lowlands of the Central Coast (PCT 1636);</i> • <i>One ecosystem credit for impact on Swamp Oak – Prickly – Tall Sedge swamp forest on coastal lowlands of the Central Coast and Lower North Coast (PCT 1728);</i> • <i>13 species credits for impacts to Camfield's Stringybark (Eucalyptus camfieldii);</i>	This item is acknowledged. As outlined below at the response to OEH comments, the breeding habitat of the Little Bentwing-bat is not impacted and has therefore has been removed from the BDAR as requiring species credits. Refer to the amended BDAR at Attachment G.

• 20 species credits for impacts to Little Bentwing-bat; • 14 species credits for impacts to Southern Myotis; and • 14 species credits for impacts to Pale-headed Snake.	
Concerns raised by Council in relation to Ecology report:	The BDAR has been amended in response to the review from OEH and Council. Refer to the updated BDAR at Attachment G .
The BDAR has not been certified as BAM compliant having regard for the specified timeframes contained in Section 6.15 of the BC Act.	The BDAR has been amended and certification has been included with the report to satisfy Section 6.15 of the BC Act. Refer to Section 1.1.1 of the BDAR for Certification of BAM compliance.
PCT selection and justification is not adequate and does not comply with Section 5.2.1.12 of the BAM. There was no list provided of likely PCT's on the site and no logical steps provided in how the final PCT was selected. The applicant should provide a list of potential PCT's based on the Bionet vegetation classification system and provide logical steps and justifications (based on reference to the site data and diagnostic species for each PCT) as to how the final PCT was selected i.e. what other PCT's were considered and why were they discounted or rejected.	The BDAR has been amended to include an appropriate level of detail on Plant Community Type (PCT) selection. Justification for inclusion or exclusion of each shortlisted PCT is provided in Table 3.2 of the amended BDAR.
Council is unable to verify if the patch size for each vegetation type has been determined and entered correctly into the calculator as this information is missing from the vegetation integrity assessment (refer to Section 5.3.2 of the BAM).	The vegetation integrity assessment has been updated within the BDAR report to include a description of the patch size classes and which category it falls into (refer to Section 3.1.5 of the BDAR). Patch size is identified within the landscape plan and found in Table 1.2 and Figure 1.4, for the 1,500m assessment circle. The assessment circle has been added to the updated BDAR at Attachment G. Refer to detailed discussion within the response to Council's BDAR comments in Traver's bushfire and ecology letter at Attachment H.
The summarised table of plot data used to determine the current vegetation integrity scores for each vegetation zone is missing (refer to Section 5.4.1.2 of the BAM).	Table 3.3 and Table 3.4 have been amended in the BDAR to include the breakdown of each composition, structure and function for all vegetation integrity scores.
Inadequate justification has been provided for the exclusion of any predicted species and credit species generated by the BAM calculator (refer to Section 6 and Appendix 10 of the BAM).	The BDAR has been amended (Attachment G) with additional explanation provided at Table 4.1 and Table 4.11 to clarify the exclusion of any predicted species and credit species generated by the BAM calculator.

Targeted threatened flora species surveys were not conducted in accordance with OEH guidelines.	As detailed within the response to Council's ecology comments at Attachment F, the flora survey was undertaken over one day on 10 September 2018, a suitable time for detecting <i>Tetratheca juncea</i>, <i>Genoplesium insigne</i>, <i>Microtis angusii</i> and <i>Caladenia tessellate</i>. The Travers survey conducted in September 2018, the RPS survey conducted in September 2014, and the Abel Ecology survey on 18 August 2017 all find marginal potential habitat for <i>Cryptostylis hunteriana</i>. Notwithstanding, the presence of <i>Cryptostylis hunteriana</i> has been assumed and as such habitat and species credits for this species have been incorporated for offsetting purposes. Further justification has been provided within Section 2 of the amended BDAR (Attachment G) to clarify why additional survey for cryptic species is not required based upon unsuitable habitat features.
Threatened nocturnal bird surveys were conducted over a single night only and do not comply with OEH guidelines	Multiple fauna and flora studies have been undertaken over the last four years, including: • Abel Ecology fauna and flora surveys undertaken during September 2017; • RPS fauna survey undertaken during August 2014; • RPS flora survey undertaken during September 2014; and • Traver's bushfire and ecology surveys undertaken throughout 2018 (multiple surveys, refer Attachment G). The cumulative findings of all surveys have informed the assessment undertaking in the amended BDAR. Refer to the updated Table 2.1 and 2.2 in the amended BDAR (Attachment G) for clarification on the field survey effort by Abel Ecology and RPS.
Threatened amphibian surveys were not conducted in accordance with OEH guidelines.	Traver's bushfire and ecology have reviewed the potential for the Wallum Froglet, considering previous reports and their survey effort. The habitat features in the survey area are found to provide marginal habitat for the Wallum Froglet, and too far from areas with suitable habitat. Refer to Table 4.11 in the amended BDAR (Attachment G) for detailed justification why the site is not suitable for the Wallum Froglet.
For remaining candidate species that require further assessment the applicant should either complete targeted surveys in accordance with OEH guidelines, provide an expert report to confirm species absence, or assume presence and offset under the requirements of the BAM.	Traver's bushfire and ecology have updated Table 4.3 in the amended BDAR, to provide additional justification why certain candidate species have been excluded. Refer to the updated BDAR report at (Attachment G). Assumed presence has been adopted for those species with suitable habitat where there is a deficiency in the survey or it has not been completed in an appropriate month.
Serious and Irreversible Impacts have been correctly identified and assessed and	This item is acknowledged.

<i>additional information has been provided to support the decision maker.</i>	
<i>Council's preference is to have offsets secured within the Central Coast Local Government Area rather than offset 'somewhere' in NSW.</i>	As detailed in Attachment F ecosystem and species credits will be secured in the LGA where practicable.
Tree Removal	
<i>Concern is raised that the proposed tree removal, being a total of 287 trees, is excessive. Moreover, it was understood that the REF issued in late 2017 related to vegetation removal and site preparation to create the building pad on which the proposed development is to be located. Consideration should be given to a reduction in the number of trees to be removed.</i>	A detailed response to this matter has been provided in the RTS Cover Letter.
<i>Consideration has not been given to the provisions of Chapter 3.6-Preservation of Trees or vegetation.</i>	
Contamination	
<i>Council has previously raised concerns with Health Infrastructure NSW (letter dated 3 May 2018) regarding the encapsulation of Asbestos Contaminated Material (ACM) on the subject site.</i> <i>The onsite disposal of hazardous waste is not in keeping with the intent of SEPP 55. The handling, placement and management of hazardous substance increase the “risk of harm to human health or any other aspect of the environment”. The encapsulation of ACM on site is not considered a Category 2 Remediation work as it is creating an inherent risk, where the applicant is opting not to appropriately dispose of the ACM at a licensed waste management facility. It is our understanding the EPA formed the same view.</i> <i>The onsite disposal of ACM is not considered to be ancillary to any proposed expansion of the hospital, but is considered to be more properly characterised as a “Waste Management Facility” and thus may fall into designated development criteria outlined in Part 1 of Schedule 3 of the Environmental Planning and Assessment Regulation 2000. A waste management facility is a separate and independent use that requires consideration of designated development provisions and consideration of the relevant legislation associated with this type of facility.</i> <i>Accordingly, Council strongly objects to any further encapsulation of ACM on site. Any ACM found during construction works should be disposed of off-site at a licensed waste management facility.</i>	A detailed response to contamination submissions has been prepared by Coffey at Attachment M and Attachment N. This response clarifies that the encapsulation work was undertaken during the construction of the at grade car park in line with the Remediation Action Plan. No further remediation work for asbestos is envisaged by this development. During the initial stages of the construction of the at-grade car park (approved under Part 5 of the EP&A Act), non-friable (bonded) asbestos containing material (ACM) was identified by contractors at three separate locations. The mitigation measures included in the Part 5 approval an unexpected finds protocol. In response to the unexpected finds protocol, Greencap Pty Ltd were engaged to assess the finds and subsequently prepare a Remediation Action Plan (RAP, Greencap 2018d) for the site. The RAP proposed the on-site encapsulation of the ACM impacted material within designated containment areas located to the west of the proposed on-grade carparks. Following this, JBS&G were also engaged by NSW Health Infrastructure to review the environmental assessment works at the site and comment on the appropriateness of the RAP (Greencap 2018d), including the proposed encapsulation remedial strategy. JBS&G subsequently advised that: • “The proposed remedial strategy is considered to be: technically feasible; environmentally justifiable given the nature and extent of contamination at the

	<i>site; and consistent with relevant laws, policies and guidelines. Furthermore, the proposed remedial strategy is in accordance with WA DoH (20091) guiding principles on the management of asbestos in soils as it is minimises the potential for public risk, minimises the disturbance of contaminated soils and minimises the volume of contaminated material disposed to landfill. On this basis, the proposed remedial strategy of on-site containment of ACM impacted material is considered to be appropriate and aligns with national guidance on the remediation of asbestos impacted soils, including documents written or endorsed by NSW EPA.</i> <i>The containment area will be able to managed by standard asbestos controls including documentation of the area on the sites asbestos register and inclusion of the EMP within the existing Asbestos Management Plan (AMP) and asbestos management framework at the site.”</i> ‘Waste’ is defined under the Protection of the Environment Act 1997 (POEO Act) and the Protection of the Environment Operations (Waste) Regulations 2014 (POEO Waste Regs). The encapsulation of ACM is not “waste” as defined under POEO Act 1997 or the POEO (Waste) Regulations. The material was not surplus and was not being discharged, emitted or deposited to the site. The material was already at the site and was moved around the site as a part of the approved redevelopment works. This is analogous to movement of other soils originating from the site around the project during the redevelopment. However, any material (including natural material and ACM impacted soils) that is to be disposed off-site would be considered “waste”, and then must be classified in accordance with the Waste Classification Guidelines and must be managed in accordance with the POEO (Waste) Regulations. This is consistent with the EPA's submission to the Wyong Hospital Redevelopment dated 28 March 2019. Any requirement for unexpected contamination to be disposed offsite, without any ability to assess other remediation options, is inconsistent with the hierarchy of remediation options in National Environment Protection (Assessment of Site Contamination) Measure (NEPM) 2013.
REF Approval	
<i>It is still unclear what works were approved and carried out in accordance with the</i>	<i>Car park approved to support ‘Southern Option’ redevelopment</i>

REF approval issued in late 2017. It was understood that the scope of the REF involved the preparation of a building pad for the proposed new hospital site. In this regard, the extent of tree removal is considered excessive.

As detailed at Sections 1.9 and 1.10 of the submitted EIS, a Review of Environmental Factors (REF) was approved by NSW Health Infrastructure in September 2017 under Part 5 of the Environmental Planning and Assessment Act 1979, which provided approval for the construction of an at grade car park with capacity for 566 spaces at the site. As a result of topography at the site, this car park was split into two sections (north and south). Construction then commenced in early 2018 for both sections of this car park and that construction of the northern portion of this car park has been recently completed and is operational.

At the time of the REF approval, the masterplan for site redevelopment provided for the proposed CSB at an alternate location, being the 'southern' option as detailed at Section 1.9 of the EIS. This 'southern option' redevelopment is generally located directly south of the existing main hospital building. Refer to **Figure 1** below.

As a result of the discovery of contamination at this locality, additional geotechnical testing was undertaken for the 'southern option' redevelopment. The results of the additional testing subsequently found that a risk of contamination for the 'southern option', being classified as high, and therefore not suitable as a location for the proposed redevelopment. Accordingly, due to a number of factors including the contamination risk, this 'southern option' redevelopment was subsequently abandoned.

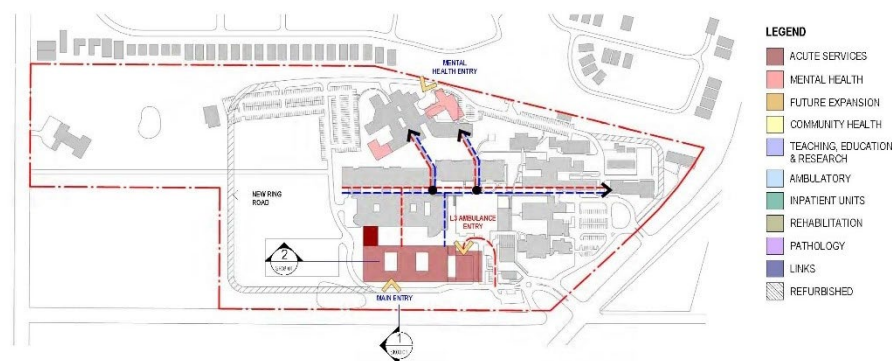
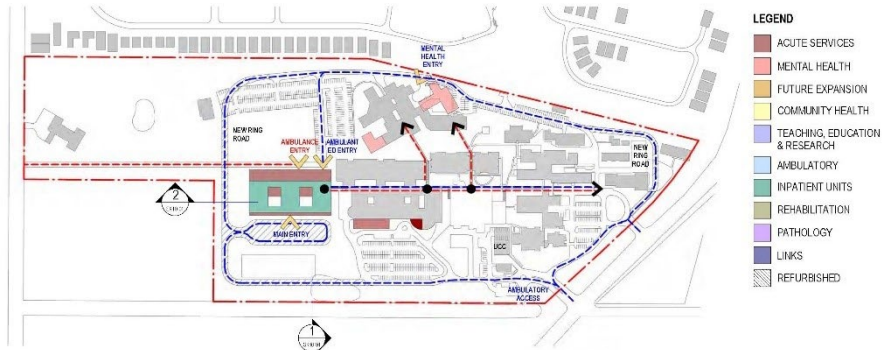


Figure 1 Master Plan – Southern Option
This image illustrates the proposed Southern redevelopment option.
Source: NSW Health Infrastructure

In this regard, a review of the redevelopment options was undertaken, resulting in an alternate location being investigated. This alternate location is known as the 'Western-Link' option, being generally located within the southern portion of the REF approved at

	grade car park. It was determined that this was the preferred alternate location for the proposed redevelopment. This is the area subject of the proposal.  Figure 2 Master Plan – Western Link Option (Preferred Option) This image illustrates the proposed Western Link redevelopment option. Source: NSW Health Infrastructure For clarity, the site location of the proposed development was originally intended (with construction commenced) for the purposes of an at grade car park, not for the purposes of the proposed CSB. Having regard to the above, the proposed tree removal as sought under SSD 9536 is required in part to support the proposed building envelope, and in part to fulfil bushfire/APZ requirements. As detailed above, the location of the proposed CSB ('western-link' option) and required tree removal was not envisaged at the time of the REF approval.
Other Matters <i>Section 7.11 Contributions are applicable and should be levied accordingly (refer to attached schedule).</i> Architectus note: No schedule attached to submission.	As detailed at Section 4.3 of the EIS, Sections 7.11 and 7.12 of the EP&A Act allow Councils to require development contributions for the infrastructure that is needed to support new development. The site is applicable to the provisions of the Warnervale District Contributions Plan (WDC Plan) (adopted 25 March 2015), being a contributions plan prepared in accordance with 7.11 of the EP&A Act. Section 7.11 of the EP&A Act provides that the requirement for Section 7.11 development contributions “<i>may be imposed only to require a reasonable dedication or contribution for the provision, extension or augmentation of the public amenities and public services concerned</i>”.

	Under Section 2.8 of the WDC Plan, contributions payable under this plan are calculated on a per hospital bed basis, however it is understood this relates to development for the purposes of a private hospital development. Accordingly, Section 2.21 of the WDC Plan provides a number of exemptions as follows (emphasis added by Architectus in bold): <i>“2.21. Exemptions</i> <i>The following developments or components of developments are exempt from the requirement to make a contribution under this Plan:</i> • <i>development for drainage, utility, open space or community facilities or transport infrastructure purposes to be provided by State Government or the Council; and</i> • <i>any development that in the opinion of Council does not increase the demand for the categories of public facilities and services addressed by this Plan.”</i> Additionally, pursuant to Section 7.11(5)(b) the consent authority may accept: <i>“(b) the provision of a material public benefit (other than the dedication of land or the payment of a monetary contribution) in part or full satisfaction of a condition imposed in accordance with subsection (1) or (3).”</i> On the basis that the proposed development includes additional community facilities to be provided by the State Government, as well as significant public benefit by providing an important public health service to the community, it is requested that the Minister for Planning waive the requirement for the payment of any development contributions in this instance, consistent with Section 2.8 of the WDC Plan and in accordance with Section 7.11(5) of the EP&A Act. The payment of contributions to upgrade infrastructure elsewhere in the LGA would reduce funding available to make essential upgrades to Wyong Hospital.
6. NSW Office of Environmental and Heritage (Flooding and Environmental Matters)	
Biodiversity	
<i>Targeted surveys should be undertaken for candidate flora species in accordance with OEH 'NSW Guide to Surveying Threatened Plants' (OEH 2016) and at their appropriate seasonal survey times. If surveys are not undertaken, an expert report should be prepared in accordance with Section 6.5.2 of the BAM guidelines (OEH 2017) or the species should be assumed to be present.</i>	For the species listed by OEH, Travers have conducted surveys at the appropriate seasonal times. Please refer to specific dates for each species within the amended BDAR at Attachment G. It is noted by Travers that for some species, a survey has not been conducted during the appropriate seasonal period as the study area is not considered to have a suitable habitat.

<i>OEH recommends the removal of Little Bent-wing Bat entered as species credit species from the biodiversity assessment report and the credit calculator.</i>	This item is acknowledged. The breeding habitat of the Little Bentwing-bat is not impacted and has therefore been removed from the BDAR as requiring species credits.
<i>OEH recommend that the BDAR assess whether the proposal will impact on the pale-headed snake and provided suitable justification if it is determined that there is no suitable habitat present.</i>	The BDAR has been amended to justify the exclusion of the Pale-headed Snake from species credits. The amended BDAR (Attachment G) prepared by Travers, and the Ecological Assessment prepared by RPS in 2014 both identify that the study area does not support the preferred habitat for the species, and as a result, the species is unlikely to be impacted by the Proposal. Further, while the Pale-headed Snake is known to various dry forest and woodland types, the species has never been recorded in coastal areas east of the M1 Motorway between Sydney and Newcastle, hence the species is not likely to occur within the study area.
<i>Table 6.2 (Requirement for species credits) be corrected with the correct area of 0.1 hectares for PCT 1728 'Swamp Oak - Prickly Paperbark - Tall Sedge swamp forest on coastal lowlands of the Central Coast and Lower North Coast'.</i>	The amended BDAR incorporates the correct area of 0.1 hectares of PCT 1728 'Swamp Oak – Prickly Paperbark – Tall Sedge swamp forest on coastal lowlands of the Central Coast and Lower North Coast'. Refer to the report at Attachment G .
Flooding and Flood Risk	
<i>Changes to flood extent caused by any adjoining development that has been built since the Porters Creek Floodplain Management Study should be considered for the development site.</i>	As detailed in the response to flooding matters in the TTW report at Attachment I , Council advised that then Porters Creek Floodplain Management Study is based on the full development of the catchment, therefore the flood extent nominated in the Porters Creek Floodplain management study should include the effects of recent approved development. Refer to TTW Flood Management Response at Attachment I .
<i>The proponent should demonstrate how it has been concluded that that the proposed roadworks will not result in changes to flood behavior.</i>	TTW demonstrate in the response letter that the area of proposed filling associated with the roadworks is located outside the Flood extent, refer Figure 5 of Attachment I . The proposed roadwork has been assessed and is compliant with the Flood Plain Management Manual principle of not filling in flood storage areas. A minor area of fill located near the connection of Louisiana Road with the proposed access road, is at the fringe of the flood prone land, however will not impact on the flood regime.
<i>The proponent should provide the model assumptions, inputs and outputs associated with the proposed on-site detention and water quality facilities for OEHL to review.</i>	The on-site detention and dispersion basin has been designed, approved and constructed under a Review of Environmental Factors (REF) pursuant to Part 5 of the EP&A Act in late 2017. The proposed development is generally located within the proposed footprint of the southern section of the western carpark (the subject site), approved by the REF. There is no significant change to the stormwater catchment conditions for the detention basin that has been approved, and therefore the proposed stormwater management under this SSDA is considered sufficient.
<i>Consideration should be given to the impact of flooding on access to the hospital.</i>	As detailed in the response to flooding matters in the TTW report at Attachment I ,

<i>Future road upgrades may be required to improve reliability of access</i>	following consultation with Central Coast Council, it is understood that Council has a drainage amplification planned for Louisiana Road which will improve the flood access for the Wyong Hospital site. The Louisiana Road drainage upgrade is planned for 100-year ARI capacity for the floodway. This is considered an acceptable outcome for the road network adjacent to the site. Notwithstanding, there are other flood affected parts of RMS roads and Council roads outside the site that are beyond the scope of the hospital expansion project to address.
Aboriginal Cultural Heritage	
OEH recommends that an ACHMP be prepared in consultation with the registered Aboriginal parties and OEH to ensure that any potential or newly identified Aboriginal sites are appropriately managed and mitigated as required. The ACHMP must be completed and approved prior to any ground surface disturbance works being undertaken.	As detailed in the response to comments on the ACHA in the McCardle letter at Attachment O, consultation with the registered Aboriginal parties during the ACHA resulted in the production of agreed recommendations listed in the ACHA. An ACHMP was not completed due to a lack of visibility of the site from vegetation. In lieu of an ACHMP the following recommendation is provided by the ACHA to ensure any potential or newly identified Aboriginal sites are appropriately managed and mitigated as required. <i>Recommendation 2: Should any Aboriginal objects be uncovered during works; all work will cease in that location immediately and the Environmental Line contacted. This is a shortened version of an unexpected finds procedure in an ACHMP.</i> This recommendation is supported and it is anticipated this will be addressed as a condition of consent.
<i>OEH recommends that a re-survey of the project area with the RAPs should occur following surface removal of vegetation. Any Aboriginal objects or sites identified during the re-survey should be managed in accordance with the protocols for newly identified sites in the ACHMP.</i>	This recommendation is addressed in the ACHA: <i>Recommendation 3: A re-survey of the project area with the Registered Aboriginal Parties (RAPs) will occur following the vegetation removal and the Aboriginal Cultural Heritage Assessment report (ACHA) updated.</i> This recommendation is supported and it is anticipated this will be addressed as a condition of consent.
7. NSW Office of Environmental and Heritage (Heritage Division)	
<i>There are no State Heritage concerns in relation to the proposed development. DPE does not need to refer this project, including any future modifications, to the Heritage Council (i.e Heritage Division of OEH), however other Divisions of OEH may respond separately in relation to Aboriginal Cultural Heritage or biodiversity.</i>	This item is acknowledged.

8. Transport for NSW	
<i>The Applicant should consider the provision of an additional space at the bus terminus to accommodate additional bus services in future.</i>	HDR have incorporated TfNSW review comments, and a future bus bay location has been incorporated into the precinct. Its location is noted on drawing 55372-HDR-AR-DWG-SSD1003[C] at Attachment C .
<i>The Applicant is requested to provide clarification on whether the potential hospital on road cycle link is part of the existing link, or if new works will be potentially undertaken to create an on-road cycling path.</i>	As detailed in the response to traffic matters in the TTW report at Attachment K , no new works to create additional on-road cycling paths are proposed.
<i>The Applicant should consider areas for future expansion of bicycle lockers if the demand for end of trip facilities increases.</i> <i>Appropriate wayfinding and signage should be developed to assist staff in locating the bicycle parking and end of trip facilities.</i>	HDR have incorporated TfNSW review comments, and a location for future end of trip facilities have been allocated on the Level 1 plan. It has been located close to the level 1 entry. The location of the future end of trip facilities is noted on drawing 55372-HDR-AR-DWG-SSD1201[C] at Attachment C .
9. NSW Roads and Maritime Services	
<i>Section 7.4 of the TAIA indicates that with the development scenario, the TCS intersection of Pacific Highway, Craigie Avenue and the Hospital main entrance operates poorly in the AM peak. Without the development, the intersection operates satisfactorily. The main impact of the development is to the Pacific Highway north leg.</i> <i>Section 7.5 proposes adjustments to the phasing to improve the operation of the TCS. Roads and Maritime cannot support the proposed amendments to Phase E & F as the changes will result in reduced safety at the intersection for the following reasons:</i> <i>Phase E - Pacific Highway northbound conflicting with the southern leg Pacific Highway pedestrian phase, and also conflicting with the right and through movements from Craigie Avenue,</i> <i>Phase F - Pacific Highway southbound conflicting with Craigie Avenue left turn movement, and a filtered right turn from Pacific Highway into Craigie Avenue would not be supported.</i> <i>It is considered that the existing phasing at the intersection is optimal for the safety and efficiency of the intersection.</i> <i>Roads and Maritime consider that the lane utilisation should be checked, with SCATs showing 20% of southbound motorists using the kerbside lane, and 80%</i>	As detailed in the response to traffic matters prepared by TTW at Attachment K, a meeting was held between NSW Health Infrastructure and RMS on 22 May 2019. During this meeting, and following detailed review of updated traffic modelling, it was agreed between the parties that no intersection improvements would be required for the year 2021 (at the completion of CSB), however further modelling and assessment would be required of the Pacific Highway intersection ahead of any further development at the hospital (beyond that sought under SSD 9536). A potential mitigation measure was also discussed, being the extension of the Pacific Highway north approach right turn lane to cater future traffic demands at the intersection. However, following the meeting with RMS on 22 May 2019, it was agreed that the Pacific Highway intersection still maintains an acceptable level of service at opening of the CSB in 2021 and that no further modelling analysis or upgrade works to this intersection are required as a result of the proposed development as sought under SSD 9536. Additionally, it was agreed that further modelling and assessment would be required of the Pacific Highway intersection ahead of any future additional development at the hospital (beyond that provided for under SSD 9536) to meet the 2027 Clinical Services Plan (CSP) growth requirements. The results any further assessment would then be referred to RMS for further consultation on any potential intersection improvements that may be required to meet the

<i>using the middle lane.</i> <i>Capacity improvements required to mitigate the impact of this development should be further investigated and resubmitted to Roads and Maritime for further analysis. Please also include the Sidra files for review.</i>	future demand of the hospital, and with consideration to any broader network improvements under consideration by RMS. It is anticipated this will be implemented as a suitable condition of consent (post occupation) to ensure the optimal safety and efficiency of this intersection and access to the hospital site into the future.
<i>On 8 August 2018, a meeting was held at Central Coast Council between representatives from Council, Roads and Maritime, Health Infrastructure, Colliers and TTW. The minutes of the meeting state that 'access for emergency vehicles and service vehicles (no general access) is planned via a new hospital access point from Louisiana Road, which is currently being used for construction access.'</i> <i>The proposed civil plans, by TTW dated 24 January 2019, show a formed access road between Louisiana Road and the existing internal access road. The TAIA also refers to 'formalisation of east-west road connection to Louisiana Road, and comments that 'the Louisiana Road access point will be signposted with "Emergency Department Access" signage or similar. Due to the good operation of the main Pacific Highway intersection and the majority of local areas serviced by this main road, it is expected that there would be minimal public vehicle movements in the vicinity of the Louisiana Road access.'</i> <i>This indicates that the access will not be restricted to emergency vehicles, and local residents / staff could use the access. The intersection currently operates poorly, and Roads and Maritime have placed restrictions on development that would use Louisiana Road until the intersection is upgraded.</i>	As noted within this RTS, access from Louisiana Road into the subject site will be restricted to emergency and service vehicles only. No public access shall be permitted from Louisiana Road.
10. NSW Environment Protection Authority	
<i>Appropriate sediment and erosion controls must be implemented to ensure that the construction activities do not result in the pollution of any waters, in contravention of Section 120 of the Protection of the Environment Operations Act 1997.</i>	This item is noted and supported. It is anticipated this will be addressed as a condition of consent.
<i>Any waste materials exposed or created associated with the construction works and proposed to be disposed of to an offsite location, must be classified in accordance with the EPA's Waste Classification Guidelines.</i>	This item is noted and supported. It is anticipated this will be addressed as a condition of consent.
<i>All works must be carried out in accordance with the "Interim Construction Noise Guidelines" published by the Department of Environment and Climate Change</i>	This item is noted and supported. It is anticipated this will be addressed as a condition of consent.

NSW in 2009.	
11. NSW Rural Fire Service	
<i>At the commencement of building works and in perpetuity, the area around the proposed building shall be managed as outlined within Section 4.1.3 and Appendix 5 of Planning for Bushfire Protection 2006 and the NSW Rural Fire Service document Standards for Asset Protection Zones as follows:</i> • <i>South: Inner Protection Area (IPA) for a distance of 55 metres; and</i> • <i>All other directions: IPA to the property boundaries.</i>	For background, NSW Health Infrastructure and the projects bushfire consultant, Travers, have consulted with the RFS to discuss matters raised relating to bushfire protection at the site. Refer to a summary of matters discussed at Attachment H. With regard to comments made relating to Asset Protection Zones (APZs), these items are acknowledged, and it is anticipated these will be addressed as a suitable condition of consent.
<i>Water, electricity and gas are to comply with Sections 4.1.3 and 4.2. 7 of Planning for Bush Fire Protection 2006.</i>	This item is acknowledged. It is anticipated this will be addressed as a condition of consent.
<i>Internal roads shall comply with section 4.2. 7 of Planning for Bush Fire Protection 2006.</i>	This item is acknowledged. It is anticipated this will be addressed as a condition of consent.
<i>Fire trails shall comply with section 4.1.3 (3) of Planning for Bush Fire Protection 2006.</i>	This item is acknowledged. It is anticipated this will be addressed as a condition of consent.
<i>A Bush Fire Emergency Management and Evacuation Plan shall be prepared consistent with Development Planning- A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan December 2014 and Australian Standard AS 3745 2010 Planning for Emergencies in Facilities.</i>	This item is acknowledged. It is anticipated this will be addressed as a condition of consent.
<i>Construction of the roof, southern, eastern and western elevation(s) of the proposed works shall comply with section 3 and section 7 (BAL 29) Australian Standard AS3959-2009 Construction of buildings in bush fire-prone areas or NASH Standard (1.7.14 updated) National Standard Steel Framed Construction in Bushfire Areas - 2014 as appropriate and section A3.7 Addendum Appendix 3 of Planning for Bush Fire Protection 2006.</i>	This item is acknowledged. It is anticipated this will be addressed as a condition of consent.
<i>Construction of the northern elevation(s) of the proposed works shall comply with section 3 and section 6 (BAL 19) Australian Standard AS3959-2009 Construction of buildings in bush fire-prone areas or NASH Standard (1.7.14 updated) National Standard Steel Framed Construction in Bushfire Areas - 2014 as appropriate and section A3. 7 Addendum Appendix 3 of Planning for Bush Fire Protection 2006.</i>	This item is acknowledged. It is anticipated this will be addressed as a condition of consent.
<i>A minimum 1.8 metre high radiant heat shield made of non-combustible materials shall be constructed adjacent to the hazard to the south and west. All posts and</i>	The proposed development initially provided for a radiant heat shield, to provide for additional redundancy in the design and to support a lower BAL rating (BAL 19) at the

<i>rails shall be constructed of steel. The bottom of the fence is to be in direct contact with the finished ground level or plinth. The location of the radiant heat shield shall be as generally shown in Schedule 1 - Bushfire Protection Measures of the submitted bushfire report prepared by Travers Bushfire and Ecology (Dated November 2018, Reference 18COLL02).</i>	site. However, as detailed in the response to bushfire matters prepared by Travers at Attachment H , following consultation with RFS, on the basis that a higher BAL rating (BAL 29) is to be applied, this redundancy is no longer required and therefore the radiant heat shield is considered not required and has been removed from the proposed development.
<i>The above conditions relating to design and construction have been based upon a performance-based solution detailed in the submitted bush fire report prepared by Travers Bushfire and Ecology (Dated November 2018, Reference 18COLL02).</i>	This item is acknowledged. It is anticipated this will be addressed as a condition of consent.
12. NSW Department of Planning and Environment (Hazards Team)	
<i>Although the preliminary risk screening in Appendix Y (Hazardous Chemicals Review, HCR) considered the maximum dangerous goods (DG) storage quantities for the entire Wyong hospital site and indicated that only the storage of bulk liquid oxygen in existing tanks (DG Class 2.2 sub- risk 5.1) exceeds the threshold in the Department's Applying SEPP 33 guideline, it is also noted from the HCR that:</i> <i>The SSD does not include any significant storage and handling of DG, or increase DG quantities for the overall Wyong hospital site [page 8]; and</i> <i>The CSB is not in close proximity to the existing bulk liquid oxygen tanks [Appendix I].</i>	This item is acknowledged.
<i>As such, it is considered that the SSD is not potentially hazardous under SEPP 33 and a preliminary hazard analysis is not required to be submitted as part of the application.</i>	This item is acknowledged.
<i>Notwithstanding, to ensure continual safety of the SSD, it is recommended that the following conditions be included in the consent:</i> <i>The Applicant must ensure that the quantities of dangerous goods present within the development or transported to and from the development remain below the screening threshold quantities listed in Department's Hazardous and Offensive Development Guidelines Applying SEPP 33 (January 2011) at all times.</i>	This item is acknowledged. It is anticipated this will be addressed as a condition of consent.
<i>The Applicant must store and handle all chemicals, fuels and oils in accordance with all relevant Australian Standards.</i>	This item is acknowledged. It is anticipated this will be addressed as a condition of consent.