

PUBLIC SUBMISSION TO THE NSW DEPARTMENT OF PLANNING AND ENVIRONMENT

19 SEPTEMBER 2014

In respect of

**State Significant Development Application
SSD 14-6573**

For the

**Proposed Byron Shire Central Hospital
Lot 100 in DP 1140936
Ewingsdale Road, Ewingsdale**

Prepared by

Urban Concepts

in conjunction with

JPR Architects

S2D Logistics and Engineering Solutions

On behalf of

Belbeck Investments

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1. Introduction

This submission has been prepared by Belbeck Investments in respect to the State Significant Development Application SSD 14-6573 for the proposed Byron Shire Central Hospital which is being advanced by NSW Health Infrastructure and currently on public exhibition by the NSW Department of Planning and Environment.

From our review of the SSD documentation we understand that NSW Health Infrastructure is seeking development consent for a new 65 bed hospital including a new emergency department, medical imaging, facilities for renal services, space for future peri-operative services, mental health facilities, community services and low risk birthing/maternity services. The SSD also seeks consent for infrastructure works (sewerage, water, drainage and bulk earth works), landscape works and signage. The proposed hospital is illustrated on the architectural plan set (dated 24/7/14) that has been prepared by Woods Bagot Architects and which forms part of the SSD documentation.

We further understand that the hospital will be constructed on the land holding that is legally referred to as Lot 100 in DP 1140936 with road frontage to Ewingsdale Road, Ewingsdale. The NSW Ambulance Station is currently located on the land and will remain on the site following the construction of the Hospital. The land is zoned SP2 Health Services Facility under the Byron Local Environmental Plan 2014 and the proposed hospital is permissible development with consent. The relevant planning authority for this application is the NSW Minister for Planning as the development is defined as state significant having a capital investment value of \$64,979,760 pursuant to Schedule 1 of the State Environmental Planning Policy State and Regional Development.

Belbeck Investments is responsible for the land holding which adjoins the eastern and western boundary of the hospital site and which is legally described as Lot 101 in DP 1140936. Lot 101 comprises two separate land parcels that have a combined area of 15 hectares:

- The western parcel with frontage to William Flick Lane measures 8.09 hectares; and
- The eastern land parcel with frontage to McGettigans Lane measures 6.9 hectares and is the site of the heritage listed Higgins Homestead.

The eastern and western parcels of Lot 101 straddle either side of Lot 100 as indicated by Figure 1.1. A 7 metre wide right of way through Lot 100 connects the eastern and western parcels of Lot 101.

Belbeck Investments is advancing the Ewingsdale Seniors Living Proposal (The Planning Proposal) in respect of their landholding to enable the 15 hectare parcel to be developed for seniors living with supporting medical, retail and aged care facilities. The Planning Proposal is significantly advanced through the gateway plan making process and was publicly exhibited by Byron Shire Council between the 15th July and the 12th August 2014. Accordingly, as the Planning Proposal has been the subject of public consultation, conducted by Byron Shire Council in accordance with the Environmental Planning and Assessment Act 1979 the proposal and the amendments that it proposes to the Byron Local Environmental Plan 2014 are a relevant consideration pursuant to Section 79 (C) of the EP&A ACT 1979.

Belbeck Investments supports the development of a regional hospital on Lot 100. The purpose of this submission is to realise an effective and strategic precinct planning approach to the development of both Lot 100 and Lot 101. Through this submission Belbeck Investments seeks to highlight the significant opportunities available by adopting a precinct master planning approach to the development of both sites.

Such an approach is highly desirable given the compatibility of the land use scenarios that each site is advancing, namely health care and seniors living. Further, Belbeck Investments seeks to ensure that due and proper consideration is given to the impact the development of the hospital would have on the development potential of Lot 101 for the intended uses of seniors living, aged care housing, retail services and medical centre. In this regard our concerns relate to amenity, logistics and operational management and infrastructure servicing.

1.1. Consultation with NSW Health Infrastructure

On the 17th September 2014, Belbeck Investments met with representatives of NSW Health Infrastructure to discuss the proposed plans for the Byron Shire Central Hospital and its relationship to the Planning Proposal being advanced by Belbeck Investments for Lot 101. The meeting was attended by:

NSW HEALTH INFRASTRUCTURE REPRESENTATIVES

Jeffrey Arthur	Project Director
Matt Vizard	Senior Project Director
Leone McEntee	Planning Consultant

BELBECK INVESTMENTS REPRESENTATIVES

Leigh Belbeck	Director, Belbeck Investments
John Belbeck	Director, Belbeck Investments
Dennis Rabonowitz	Director, JPR Architects
Peter Verbyla	Director, S2D Logistics and Engineering Solutions
Belinda Barnett	Director, Urban Concepts

The meeting marked the commencement of a robust dialogue between the two proponents and a number of opportunities were identified for realising a campus or precinct planning approach to the development of Lot 100 and Lot 101. These opportunities are presented in Section 3 of this submission.

The meeting also enabled Belbeck Investments to express their concern that the SSD documentation as exhibited for the Byron Shire Central Hospital had not given due consideration to the development of Lot 101 for seniors living, notwithstanding that the Planning Proposal had been publicly exhibited by Byron Shire Council and was a relevant consideration pursuant to Section 79(C) of the Environmental Planning and Assessment Act 1979. In this regard, the concerns that are detailed in Section 4 of this submission were relayed to NSW Health Infrastructure.

2. Overview of Belbeck Investments Seniors Living Planning Proposal

2.1. What does the planning proposal involve?

The Ewingsdale Seniors Living Planning Proposal seeks to realise a new land use vision for the 15 hectare parcel of land that is legally described as Lot 101 in Deposited Plan 1140936. Belbeck Investments commenced work on the planning proposal in 2010. Since that time a multi-disciplinary project team has undertaken comprehensive site investigations to understand the land and its development potential. These investigations culminated in the lodgement of a Planning Proposal with Byron Shire Council in April 2013.

Under the Byron Local Environmental Plan 2014 (Byron LEP 2014) there are three land use zones that apply to Lot 101. These zones are RU2 Rural Landscape, R5 Large Lot Residential and SP2 Infrastructure. The Planning Proposal seeks an amendment to the Byron LEP 2014 to expand the range of land uses that would be permissible on the site under the existing land use zonings.

These additional uses are seniors housing, medical centre, shops and business premises, restaurants or cafes. The land uses are defined in the Dictionary at the end of the Byron LEP 2014. The definitions are reproduced below:

BUSINESS PREMISES

Business premises means a building or place at or on which:

- a. an occupation, profession or trade (other than an industry) is carried on for the provision of services directly to members of the public on a regular basis, or
- b. a service is provided directly to members of the public on a regular basis,

and includes a funeral home and, without limitation, premises such as banks, post offices, hairdressers, dry cleaners, travel agencies, internet access facilities, betting agencies and the like, but does not include an entertainment facility, home business, home occupation, home occupation (sex services), medical centre, restricted premises, sex services premises or veterinary hospital.

MEDICAL CENTRE

Medical centre means premises that are used for the purpose of providing health services (including preventative care, diagnosis, medical or surgical treatment, counselling or alternative therapies) to out-patients only, where such services are principally provided by health care professionals. It may include the ancillary provision of other health services.

RESTAURANT OR CAFE

Restaurant or cafe means a building or place the principal purpose of which is the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided.

SHOP

Shop means premises that sell merchandise such as groceries, personal care products, clothing, music, homewares, stationery, electrical goods or the like or that hire any such merchandise, and includes a neighbourhood shop, but does not include food and drink premises or restricted premises.

SENIORS HOUSING

Seniors housing means a building or place that is:

- a. a residential care facility, or
- b. a hostel within the meaning of clause 12 of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004, or
- c. a group of self-contained dwellings, or
- d. a combination of any of the buildings or places referred to in paragraphs (a)–(c),

and that is, or is intended to be, used permanently for:

- seniors or people who have a disability, or
- people who live in the same household with seniors or people who have a disability, or
- staff employed to assist in the administration of the building or place or in the provision of services to persons living in the building or place,

but does not include a hospital.

2.2. How would Lot 101 be developed for Seniors Housing

The advancement of the Planning Proposal is the first step in realising a retirement living and ageing in place development on Lot 101. The Planning Proposal does not seek approval for a specific development, it is not a development application.

The Gateway Determination Requirements that were issued by the NSW DPE specified that the Planning Proposal is to include a master plan that establishes:

- Pedestrian, vehicular and buggy connections between the eastern and western parcels; and a
- Buffer area between the concrete batching plant and the electricity substation that adjoins the northern boundary.

Belbeck Investments has engaged the award winning architectural firm JPR Architects to prepare a detailed master plan for Lot 101. JPRA are recognised as seniors living and aged care specialists. JPRA are currently undertaking detailed site planning to understand the most appropriate dwelling mix for the site having regard to the lands scenic rural character, its undulating topography, heritage context, current seniors housing trends and the Seniors Living State Environmental Planning Policy. The JPRA plans that have been prepared to support the Planning Proposal are detailed at Figures 2.1 to 2.3.

The concept plan provides for the following distribution of land uses across the site:

- On the western portion:
 - Seniors housing incorporating a residential care facility such as a nursing home
 - Shops and business premises
 - Medical centre
- On the eastern portion:
 - Seniors housing

The Planning Proposal incorporates safeguards to ensure that the land cannot be developed for a speculative retail project or regional shopping centre. These safeguards are:

- The restriction of the retail and business floor space to a combined maximum total floor space of 3000 square metres.
- The location of the medical centre, retail and commercial uses within a specified area (Area A) of the western parcel, adjacent to the concrete batching plant and electricity substation. Refer to Figure 1.1 Area A is not to exceed a total site area of 1.65 hectares.
- A requirement that the development of the land for seniors housing occurs prior to or concurrently with any commercial or retail development on the site.

FIGURE 2.1 – CONCEPT PLAN EAST SIDE DETAIL



FIGURE 2.2 – CONCEPT PLAN WEST SIDE DETAIL



FIGURE 2.3 – CONCEPT PLAN



2.3. The Status of the Planning Proposal

The Planning Proposal is being advanced in accordance with the 'gateway' plan-making process that was introduced by the NSW Government in 2009. The gateway process provides the framework that is followed when an amendment to a Local Environmental Plan is being considered. The gateway process involves a number of specific steps. The flow chart at Figure 2.4 details the progress of the planning proposal through each of the statutory steps.

In terms of its current status, the planning proposal was placed on public exhibition by Byron Shire Council from the 15th July 2014 through to the 12th August 2014. We are advised that 65 public submissions have been received by Council. The Council has engaged an independent planning consultant to review the public submissions and prepare a report to Council. We understand that a report will go to Council for consideration at its 9th October 2014 meeting.

FIGURE 2.4 THE PLANNING PROCESS

STEP 1 THE PLANNING PROPOSAL

In April 2013 the proponent lodges the planning proposal with Byron Shire Council detailing the proposed amendment and the justification for making an amendment to the Byron Local Environmental Plan 1988 and or the Draft Byron Local Environmental Plan 2012.



STEP 2 COUNCIL SUPPORTS THE PLANNING PROPOSAL

On the 13 June 2013, Byron Shire Council resolves to support the Planning Proposal.



STEP 3 THE PLANNING PROPOSAL IS SUBMITTED FOR GATEWAY DETERMINATION

The Planning Proposal is forwarded to the NSW Department of Planning and Environment (NSW DPE) as delegate for the NSW Minister for Planning for a Gateway Determination. The NSW DPE requests additional technical information.



STEP 4 REVISION OF PLANNING PROPOSAL

The Planning Proposal is revised by the proponent and resubmitted to Byron Shire Council.

On the 19 September 2013 Byron Shire Council again resolve to forward the Planning Proposal to the NSW DPE for Gateway Determination.



STEP 5 GATEWAY DETERMINATION

On the 21st November 2013 the NSW DPE, as delegate of the Minister for Planning, issues the Gateway Determination PP_2013_Byron_002_00. The Determination details the additional information and consultation requirements that must be fulfilled before the LEP can be finalised.



STEP 6 PUBLIC EXHIBITION

The Planning Proposal is revised in accordance with the Determination Requirements. Council exhibits the Proposal for 28 days from 15 July to the 12 August 2014. Consultation is also undertaken with State Agencies at this time. The proponent implements a Community information process to promote community understanding of the proposal while it is on public exhibition. The process includes the establishment of a project website, the distribution of a community newsletter, media display advertisement and three two hour community information four community information sessions held on Monday 28th and Tuesday 29th July 2014 in the Ewingsdale Community Hall.



STEP 7 COMMUNITY CONSULTATION ASSESSMENT- CURRENT STATUS

Byron Shire Council considers any public submissions made during the exhibition period. We are advised that 65 public submissions have been received by Byron Shire Council. The Council has appointed a planning consultant to review the submissions and prepare a report to Council for consideration at its 9th October 2014 meeting. At this meeting, the Council will determine whether to proceed with making the new LEP. The LEP is varied as necessary. Parliamentary Counsel then prepares a draft Local Environmental Plan - the legal instrument.



STEP 8 THE PLAN IS NOTIFIED AND TAKES EFFECT

With the approval of the Minister for Planning the plan becomes law and is published on the NSW legislation website.

3. Opportunities For Realising An Integrated Health And Seniors Living Precinct

While the Ewingsdale Seniors Living Planning Proposal is not at detailed design, Belbeck Investments contends that there is merit in identifying opportunities that will foster connectivity and functionality between Lot 100 and Lot 101. To better understand the relationship between the two sites, Belbeck Investments superimposed the development application plan for the hospital as prepared by Woods Bagot Architects into the JPRA Concept Plan detailed at Figure 2.3. The resulting precinct plan is reproduced at Figure 3.1.

From our review of the precinct plan, Belbeck Investments has identified 7 key opportunities that would improve the physical, social and economic relationship between the two projects. These opportunities were discussed with representatives of NSW Health Infrastructure at the meeting held on 17th September 2014. The opportunities are detailed below. Whilst we understand that these opportunities are not direct considerations in the assessment of the SSD for the hospital under Section 79 (C) of the EP&A Act 1979 they will promote the orderly and economic development of both Lot 100 and Lot 101 and as such are a relevant consideration having regard to the objects that underpin the Environmental Planning and Assessment Act 1979.

3.1. Realising the Opportunity For An Integrated Health Care And Seniors Living Precinct

OPPORTUNITY 1 - ADOPTION OF A CAMPUS OR PRECINCT APPROACH TO THE PLANNING AND DEVELOPMENT OF LOT 100 AND LOT 101

The location of Lot 100 between the eastern and western parcels of Lot 101 creates a unique and strategic opportunity to achieve a highly effective and integrated seniors living and health care precinct. Fundamental to the success of the precinct is the treatment of the interface between the two developments.

The design of the hospital has occurred to date in isolation and without consideration being given to the development of Lot 101 as a seniors living precinct based on the ageing in place care model and supported by retail and medical facilities. It was agreed with NSW Health Infrastructure that there was merit in advancing discussions that promoted a campus planning approach to the schematic design of the hospital and the seniors living development.

Whilst the construction of the hospital will occur ahead of the seniors living development it is important to achieve 'in principle support' for advancing an integrated approach to the schematic design and development of Lot 100 and Lot 101. As both proposals are still in design, there is merit in identifying opportunities to create connectivity between the two developments.

OPPORTUNITY 2 - A SHARED WESTERN DRIVEWAY

There is the opportunity to realise a shared western driveway entry off Ewingsdale Road that would service the hospital and the proposed retail and medical centre planned for Area A in the western parcel of Lot 101. A shared entry driveway at this location would enable service and delivery vehicles associated with the retail centre and the medical centre to enter the site off Ewingsdale Road without need to burden the intersection of William Flick Lane and Ewingsdale Road.

As the entry road to the hospital will incorporate a roundabout and be designed to take larger vehicles minimal changes would be required to the design of the egress point or the entry roundabout off Ewingsdale Road. Whilst the development of Area A is likely to commence post construction of the hospital there is the opportunity to ensure that the design of the hospital internal roadway can be configured and extended to service the Area A medical centre and retail shops proposed for the western parcel of Lot 101.

FIGURE 3.1 – LOT 100 AND 101 PRECINCT PLAN



OPPORTUNITY 3 - A PEDESTRIAN SPINE LINKING THE HOSPITAL TO THE PROPOSED RETAIL CENTRE AND MEDICAL CENTRE IN AREA A

Area A of Lot 101 will incorporate both a retail centre and medical centre. The combined retail/medical centre will accommodate approximately 3000 square metres of retail and medical floor space and support a range of neighbourhood style shops and cafes. It is reasonable to assume that these types of retail services will be used by hospital visitors, patients and staff.

The hospital will also generate demand for a range of localised private medical services, surgical theatres and suites which are also likely to be located in the proposed Area A medical centre.

Given the potential utilisation of the proposed retail and medical centres planned for Area A there is the opportunity to realise a safe pedestrian thoroughfare between the Area A and the hospital at the western boundary interface. The pedestrian thoroughfare should be designed to accommodate pedestrians and motorised buggies and provide a safe path of travel across the internal hospital driveway. From our review of the Woods Bagot plans there appears to be the potential for a pedestrian thoroughfare to connect into the southern hospital wing.

OPPORTUNITY 4 - PEDESTRIAN/MOTORISED BUGGY ENTRY TO THE HOSPITAL FROM THE LOT 101 RIGHT OF WAY

It is reasonable to assume that the hospital will generate a high number of daily interactions with residents of the proposed seniors living development. We believe it would be desirable to provide greater connectivity for pedestrians and motorised buggies between the hospital and the proposed eastern and western seniors living development. In this regard the 7 metre wide right of way that connects the eastern and western parcels of Lot 101 through the hospital site provides an appropriate entry point into the hospital grounds. We believe that this can be achieved through the incorporation of appropriate traffic management devices.

OPPORTUNITY 5 - AREA A RETAIL FACILITIES TO CATER FOR THE HOSPITAL

The indicative JPRA Concept Plan for Area A makes provision for a retail centre at the William Flick Lane frontage of Lot 101. There is the opportunity for the retail centre to be relocated to adjoin the western boundary of the hospital. This would enhance the interface between the two uses improving their functionality and utilisation. It would also mean that floor space dedicated to cafes and retail services in the hospital could be re-allocated to a medical use should additional floor space be required by the hospital in the future.

OPPORTUNITY 6 - AREA A MEDICAL CENTRE TO ACCOMMODATE SURGERY AND CLINICAL USES

The current hospital design does not incorporate surgical operating theatre facilities. The proposed Area A medical centre in Lot 101 presents an effective location where these facilities could be located in close proximity to the hospital.

OPPORTUNITY 7 - SHARED KITCHEN FACILITIES

Belbeck Investments understands that all meals to the Byron Shire Hospital will be delivered from a commercial kitchen facility located off site and then heated and placed on service trays at the Hospital. The opportunity for the aged care facility within the seniors living development to provide the meals to the hospital was discussed with NSW Health Infrastructure at the meeting of the 17th September 2014. The sharing of the kitchen facilities between the hospital site and the aged care facility located in Area A of Lot 101 would reduce the number of delivery vehicles having to access the hospital on a daily basis, provide local employment opportunities and improve the quality and freshness of the meals provided to hospital patients. The proposed aged care facility will be around 60-70 beds, a commercial kitchen catering for that scale of aged care facility would also be able to service the meal demands for a 65 bed hospital.

3.2. Concluision

The development of Lot 101 has the potential to be a great asset to the Byron Shire Central Hospital as it will be in a position to support, both clinical (being surgical, dental and medical facilities) and non-clinical services (being meal preparation and ancillary retail). Going forward, Belbeck Investments will continue to explore the range of opportunities that have been detailed in this section with NSW Health Infrastructure and the Local Health District. Belbeck Investments would like NSW Heath Infrastructure to be conscious of these opportunities in their master planning and schematic design for the hospital. If a coordinated and strategic approach is adopted to the development of Lot 100 and Lot 101 it will deliver a well-planned and viable health and seniors living precinct for the Byron Shire community and the broader Northern Rivers Region.

4. Considerations and Concerns

Belbeck Investments wants to ensure that due and proper consideration is given to the impact the development of the hospital would have on Lot 101. From our review of the specialist reports and architectural plans that have been prepared to support SSD 14-6573 it is apparent that the SSD documentation has failed to consider the development potential of Lot 101 for its intended use as seniors living, aged care, medical centre, shops and cafes. The SSD documentation is based on the agricultural use of Lot 101.

The concerns identified in this section are relevant considerations having regard to the Secretary's Environmental Assessment Requirements that have been issued for the SSD and pursuant to Section 79(C) of the EP&A Act 1979. It is requested that the NSW Department of Planning and Environment in its assessment of the SSD application ensure that these concerns are addressed by NSW Health Infrastructure either at schematic design or through conditions of development consent. The concerns relate to environmental and residential amenity, hospital logistics and operational management and infrastructure servicing.

4.1. Amenity Concerns

4.1.1. Secretary's Environmental Assessment Requirements for Environmental Amenity

Requirement 4 of the SEARs issued for the Byron Shire Central Hospital project stipulates:

'Detail amenity impacts including solar access, acoustic impacts, visual privacy, view loss, overshadowing, lighting impacts and wind impacts. A high level of environmental amenity for immediately adjacent residential land uses must be demonstrated.'

Belbeck Investments is concerned that the assessment of environmental amenity that has been undertaken in the Environmental Impact Statement (EIS) prepared by Newton Denny Chapelle and the supporting technical investigations has not taken into consideration the impact the hospital development will have on the future residential amenity of the eastern and western parcels of Lot 101. The assessment of environmental amenity has focused on the large lot residential subdivision located to the south of the hospital site but no consideration or assessment has been given to the proposed residential development of Lot 101 for seniors living. Belbeck Investments requests that amenity impacts including solar access, acoustic impacts, visual privacy, view loss, overshadowing, lighting impacts and wind impacts be undertaken to address the consequences the hospital development will have on the future residential amenity of Lot 101.

4.1.2. Design of External Lighting and Light Spill

The EIS indicates that lighting will be provided for the access driveways, outdoor car parking areas and perimeter internal ring road. Belbeck Investments is concerned that the lighting of these areas at night has the potential to generate light spill into the proposed seniors living precinct. While the SSD documentation indicates that lighting will comply with AS 4282 Control of the Obtrusive Effects of Outdoor Lighting, it is noted that the lighting impact report does not reference the development of the eastern and western parcels of Lot 101 for seniors living and assesses the impact for light spillage into these areas as if they were rural agricultural lands. Accordingly, it is requested that the potential for light spillage into the proposed seniors living estates be duly considered and that adequate design treatments be incorporated to mitigate any potential for adverse impact.

4.1.3. Service Area

The hospital plans detail a 'service area' located in the south eastern corner of Lot 100. The topography of the land at this location is significantly lower than eastern land parcel of Lot 101. Belbeck Investments is concerned about the potential for adverse view and acoustic amenity impacts from the service area on the seniors housing in the eastern precinct. From our meeting on the 17th September we understand that waste compactors will also be stored in this location.

As illustrated on the JPRA concept plan at Figure 2.2, a significant number of the seniors living dwellings will be designed with a north eastern aspect and will have views across to the services area. It is requested that consideration be given to relocating the service area adjacent to the central hospital wing and in close proximity to the main hospital loading dock. The relocation of the services area would significantly improve the local views enjoyed from the eastern precinct. It would also alleviate the number of heavy vehicles that would need to travel into the southern part of the site. Relocation of the services would also significantly enhance the amenity of the large lot residential dwellings located with frontage to Parkway Drive to the south of the hospital site.

4.1.4.Landscape and View impact Analysis

The site analysis plan prepared by Woods Bagot being plan number 120433 A1001 recognises a view corridor that aligns with the southern boundary of the hospital site and existing large lot residential dwellings with frontage to Parkway Drive. No consideration has been given to the visual context of the eastern and western parcels of lot 101 and their development for seniors living.

The view impact analysis also assumes the retention of existing vegetation on Lot 101. The development of Lot 101 would see the removal of the existing Camphor Laurel forest from the western parcel. It is imperative that any assessment of visual impact or light spillage have regard to the removal of the Camphor Laurel forest.

4.2. Hospital Logistics and Operation

4.2.1.The Lot 101 Right of Way

There is an existing 7 metre wide right of way that traverses the southern portion of Lot 100. The right of way provides a physical connection between the eastern and western parcels of Lot 101. The right of way is intended to provide a safe path of travel for pedestrians and motorised buggies once the seniors living development is operational.

Belbeck Investments is concerned about the alignment of the internal perimeter road and the right of way. There is a potential safety hazard given the minimal separation that is provided between the roadway and the right of way. The roadway is a two way road with a substantial carriageway. It will carry a significant number of daily traffic movements. The hospital plans show the perimeter road requiring underpinning to accommodate the fall of the land. Belbeck Investments requests that the design of the internal road system be revised to provide a greater degree of separation with the right of way for reasons of safety.

4.2.2.Fire and Hazard Analysis

It is requested that specialist investigations into fire and hazard be revised and based on a residential seniors living land use for Lot 101 and not agricultural or rural land. It is imperative to ensure that hazard plans and operational management plans prepared for the hospital recognise a seniors living development on Lot 101.

4.2.3.Secondary Ambulance Driveway and Helipad

At the meeting of the 17th September, NSW Health Infrastructure indicated that a helipad would be located in the south western corner of Lot 100 together with a secondary ambulance driveway through to Parkway Drive. Belbeck Investments is concerned about the management of the emergency interface between the helipad, the ambulance driveway and the right of way. It is requested that NSW Health Infrastructure give consideration to the management of this interface to ensure that pedestrians and motorised buggies have a safe path of travel at all times.

4.2.4. Secretary's Environmental Assessment Requirements for Traffic and Transport Analysis

Requirement 5 of the SEARs issued for the Byron Shire Central Hospital project stipulates:

Include a transport and accessibility assessment which details...

'The daily and peak vehicle movements impact on Ewingsdale Road and nearby intersections, with considerations of the cumulative impacts from other approved developments in the vicinity, and the need/associated funding for upgrading or road improvements if required...'

As detailed in Section 3 there is the opportunity for the retail and medical centre that is proposed for Area A of Lot 101 to share the western driveway off Ewingsdale Road that will service the hospital. This driveway will be configured as a roundabout intersection. The sharing of the driveway by the two developments would have significant benefits for the regional road network.

4.3. Infrastructure Servicing

Requirement 11 Utilities of the SEARs issued for the Byron Shire Central Hospital project stipulates:

'In consultation with relevant agencies, the EIS shall address the existing capacity and any augmentation requirements of the development for the provisions of utilities including staging of infrastructure through the preparation of an Infrastructure Management Plan.'

'Prepare an Integrated Water Management plan detailing any proposed alternative water supply, proposed end users of potable and non-potable water, demonstration of water sensitive urban design and water conservation measures.'

Requirement 12 Contributions of the SEARs issued for the Byron Shire Central Hospital project stipulates

'Address any Section 94 Contributions Plan and Section 64 water and sewer developer service charges and /or provide details of any Voluntary Planning Agreement.'

The delivery of essential water, sewer and stormwater infrastructure for the hospital should have consideration to the future land use requirements of Lot 101. We note that NSW Health Infrastructure, as a public agency, is exempt from Section 94 contributions, Section 64 contributions, water and sewer developer charges and Voluntary Planning Agreements. As such no monetary contribution or works in kind will be realised for the augmentation of essential water and sewer services.

Belbeck Investments is concerned that the modelling of hydraulic services for water and sewer and the civil engineering assessment of storm water management has not considered the cumulative impact of development occurring on Lot 101. The failure of the EIS to consider the cumulative impact of development on water, sewer and drainage utilities has the potential to place an unreasonable burden on the development of Lot 101 to fund the augmentation of utilities. Given the exempt provisions that apply to NSW Health Infrastructure as a public agency in respect to the levying of developer contributions, water and sewer developer charges and works in-kind, the burden for augmentation will fall solely on the developer of Lot 101.

To this end, the development of Lot 101 for seniors housing will also deliver substantial community benefits for the Byron Shire and remove the need for State and Local Government to fund essential seniors living and aged care accommodation. It would seem only reasonable that given the shared community benefits that both developments will deliver, that the responsibility and cost of augmenting water and sewer utilities be met by both proponents notwithstanding their public agency or private sector status.

4.4. Conclusion

Belbeck Investments wants to ensure that due and proper consideration is given to the impact the development of the hospital would have on Lot 101. The concerns addressed in this Section are relevant considerations in the assessment of the SSD application by the NSW Department of Planning and Environment under the SEARs issued for the SSD and pursuant to Section 79(C) of the EP&A Act 1979. Going forward, Belbeck Investments would like NSW Heath Infrastructure to be conscious of these concerns and ensure they are addressed in the Byron Shire Central Hospital master plan and at schematic design.