



NSW GOVERNMENT  
**Department of Planning**

Contact: Emma Hitchens  
Phone: 02 9228 6434  
Fax: 02 9228 6570  
Email: [emma.hitchens@planning.nsw.gov.au](mailto:emma.hitchens@planning.nsw.gov.au)

Mr Robert Chambers  
BBC Consulting Planners  
PO Box 438  
BROADWAY NSW 2007

Our ref: DGC08/1791  
File: S07/02032

Dear Mr Chambers

**Subject: Proposed Hospital, 35 Water Street, Wahroonga (MP 07\_0151)**

I refer to your letter dated 22 October 2008 requesting the Director-General form a new opinion under Clause 6 of the *State Environmental Planning Policy (Major Projects) 2005 (MP SEPP)* and consider minor modifications to the DGRs as a result of the proposal to exclude 64 Billyard Avenue (Lot 1 DP726091), remove the proposed new building at the corner of Young and Water Street and no longer limit the provision of health care services to the aged, infirm and/or disabled.

Please be advised that the Director-General, as a delegate of the Minister for Planning, formed a new opinion under Clause 6 of the MP SEPP that the proposed development continues to be of a kind described in Schedule 1, Clause 7(18) of the MP SEPP and is a project to which Part 3A of the *Environmental Planning and Assessment Act 1979* (the Act) applies.

The Department acknowledges your suggested amendments to the DGRs as issued 30 April 2008, and following further review, has made minor modifications in accordance with Section 75(F) of the *Environmental Planning and Assessment Act 1979* to the *Relevant EPIs, Hospital Land Use and Heritage* sections.

Should you require any clarification or further information please contact Emma Hitchens, Specialist Planner, Strategic Assessments on 9228 6434.

Yours sincerely,

Jason Perica  
**Executive Director, Strategic Sites and Urban Renewal**

03/12/08

# Part 3A – Project Application

## Director-General's Requirements

Section 75F of the *Environmental Planning and Assessment Act 1979*

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| <b>Application No.</b>             | MP 07_0151                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Project</b>                     | The proponent is seeking project application approval for the construction of a hospital in Wahroonga for the provision of health care services to in-patients requiring rehabilitation, psychiatric care, general medical services and post natal care. The project also incorporates the restoration and re-adaptive use of the heritage significant Rippon Grange for ancillary hospital uses, such as administrative offices and a public cafe.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Site</b>                        | 35 Water Street, Wahroonga (Lot 1 DP 375262)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Proponent</b>                   | Murlan Consulting                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Date of Issue</b>               | 9 February 2008, as amended 30 April 2008 and 03 December 2008 <i>(If the environmental assessment is not exhibited within 2 years after this date, the applicant must consult further with the Director-General in relation to the preparation of the environmental assessment.)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Special Provision</b>           | The Director-General as delegate of the Minister for Planning formed the opinion pursuant to clause 6 of <i>State Environmental Planning Policy (Major Projects) 2005</i> (MP SEPP) that the project is a Major Project under Part 3A of the <i>Environmental Planning and Assessment Act 1979</i> on 11 December 2007 as amended on 03 December 2008.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>General Requirements</b>        | <p>The Environmental Assessment must include:</p> <ul style="list-style-type: none"> <li>• an executive summary;</li> <li>• a description of the proposal comprising: <ul style="list-style-type: none"> <li>◦ textual and diagrammatic articulation of the proposal;</li> <li>◦ description of the site, including cadastre and title details;</li> <li>◦ design, construction, operation, maintenance, rehabilitation and staging as applicable;</li> <li>◦ project objectives and need;</li> </ul> </li> <li>• an assessment of the environmental impacts of the project, with particular focus on the key assessment requirements specified below; and</li> <li>• a statement on the validity of the Environmental Assessment, the qualifications of person(s) preparing the assessment and that the information contained in the Environmental Assessment is neither false nor misleading.</li> </ul>                                                                                                                                                                                                                                                                                                                                 |
| <b>Key Assessment Requirements</b> | <p><b>Part A – Heads of Consideration</b></p> <ul style="list-style-type: none"> <li>• Suitability of the site;</li> <li>• Likely environmental, social and economic impacts;</li> <li>• Justification for undertaking the project, including evidence of need for hospital in local area;</li> <li>• Consideration of alternatives; and</li> <li>• Public Interest.</li> </ul> <p><b>Part B – Relevant EPIs, Guidelines and other requirements to be addressed</b></p> <ul style="list-style-type: none"> <li>• Planning provisions applying to the site including permissibility and the provisions of all plans and policies; including the Ku-ring-gai PSO, relevant DCPs, SEPP 11, SEPP 19, SEPP 53, SEPP 55, and SEPP 65.</li> <li>• Nature and extent of compliance with relevant EPIs;</li> </ul> <p><b>Part C – Key Issues to be addressed</b></p> <p>Requirements of the Department are as follows:</p> <p><b>Previous Land and Environment Court Judgements</b></p> <p>Key matters to be addressed include:</p> <ul style="list-style-type: none"> <li>• outline/comparison of proposal with previous Court judgements; and</li> <li>• response to Court findings by proposal (ie how have concerns been addressed).</li> </ul> |

### **Hospital Land Use**

Key matters to be addressed include:

- Type of Health Care Facility proposed (eg. Private Hospital, Public Hospital, Aged Care Facility etc), identification of relevant regulatory jurisdictions and approvals required;
- Comment as to how the proposal differs from 'residential care facilities' such as those defined in the Seniors Housing SEPP;
- General compliance with the 'Health Facilities Guidelines' including:
  - Role delineation and levels of service the facility is designed for;
  - Staff profiles;
  - Health Planning Units (HPU's) and schedule of accommodation; and
  - Functional relationships diagram;
- Evidence the proposed hospital uses can be licensed as a private hospital premise under the *Private Hospitals and Day Procedure Centres Act 1988*.
- Funding arrangements and evidence of any applications/ approvals for funding;
- Confirmation the proposed building complies with Class 9A building requirements under the Building Code of Australia; and
- Staging/ timing of approvals process, building construction and operation of facility.

### **Urban Form and Design**

Key matters to be addressed include:

- urban design, height, density, bulk and scale of the proposal in relation to the surrounding development, landscape and topography;
- impact on streetscape/landscape; and
- details of proposed areas of and nature of landscaping and open space.

### **Amenity Impacts on Neighbours**

- visual impact, privacy and overshadowing.

### **Transport, Traffic & Access**

Key matters to be addressed include:

- demonstrate compliance with the *RTA Guidelines for Traffic Generating Development*;
- existing traffic conditions, road network and road capacity on and in the vicinity of the site;
- proposed internal road and access arrangements;
- measures to promote public transport usage and modal share including bus & train networks and connections;
- pedestrian and bicycle linkages;
- proposed car parking arrangements; and
- proposed emergency evacuation and public access.

### **Heritage**

Key matters to be addressed include:

- a conservation management plan for the site;
- a Heritage Impact Study (HIS) prepared in accordance with NSW Heritage Council guidelines. The HIS should address:
  - the relationship between the proposed new hospital and the heritage components of the site and the visual impact of the new buildings;
  - measures to minimise and mitigate potential adverse heritage impacts; and
  - impacts on the curtilage and any significant landscape elements of the heritage item itself and heritage items within the precinct.
- any archaeological impacts.

### **Bushfire Risk Assessment**

- demonstrate compliance with the NSW Rural Fire Services *Planning for Bushfire Protection*.

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|                                  | <p><b>Biodiversity</b><br/>Key matters to be addressed include:</p> <ul style="list-style-type: none"> <li>• impact of the development on existing native flora and fauna and their habitats, including identified threatened species, having regard to the <i>Threatened Species Assessment Guidelines</i>;</li> <li>• a Species Impact Statement addressing the endangered ecological community of Blue Gum High Forest;</li> <li>• a Vegetation Management Plan providing for the on-going care, retention and improvement of the Blue Gum High Forest community; and</li> <li>• assessment of the significance of trees on the site and their condition if/when proposed to be removed.</li> </ul> <p><b>Planning Agreements and/or Developer Contributions</b></p> <ul style="list-style-type: none"> <li>• address and provide the likely scope of a planning agreement and/or developer contributions between the proponent and the local council.</li> </ul> <p><b>Construction and operational impacts</b><br/>Key matters to be addressed include:</p> <ul style="list-style-type: none"> <li>• any likely geotechnical impacts for the development on the site;</li> <li>• flooding, drainage and stormwater management issues, including: on-site detention of stormwater, WSUD, and drainage infrastructure;</li> <li>• noise and vibration; and</li> <li>• air pollution.</li> </ul> <p><b>ESD measures</b><br/>Key matters to be addressed include:</p> <ul style="list-style-type: none"> <li>• details of the development's proposed ESD measures including NatHERS ratings, BASIX water sensitive urban design measures, energy efficiency, recycling and waste disposal; recycling and waste disposal;</li> <li>• details of any cut and fill and whether any fill is proposed to be imported or exported to/from the site.</li> </ul> <p><b>Services</b><br/>Key matters to be addressed include:</p> <ul style="list-style-type: none"> <li>• capacity of water, sewer, stormwater, gas, power and telecommunications infrastructure which will serve the project; and</li> <li>• any upgrading works to infrastructure necessary to service the development and contributions applicable under any adopted contributions plans.</li> </ul> <p><b>Part D – Draft Statement of Commitments</b></p> <ul style="list-style-type: none"> <li>• Proposed mitigation and management of residual impacts; and</li> <li>• A Statement of Commitments detailing measures for environmental management and mitigation measures and monitoring for the project.</li> </ul> |
| <b>Consultation Requirements</b> | <p>During the preparation of the Environmental Assessment, you should undertake an appropriate level of consultation with the relevant Local or State government authorities, service providers, community groups and other stakeholders. In particular, you should consult with:</p> <p><b>Agencies, other authorities and groups:</b></p> <ul style="list-style-type: none"> <li>▪ Ku-ring-gai Council;</li> <li>▪ NSW Health (including Private Health Care Branch);</li> <li>▪ NSW Heritage Office;</li> <li>▪ NSW Roads and Traffic Authority;</li> <li>▪ NSW Department of Environment and Climate Change; and</li> <li>▪ All utility providers.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Deemed refusal</b>            | 120 days                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

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| <b>period</b>                      |                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Application Fee Information</b> | The application fee is based on Capital Investment Value of the project as defined in the Major Projects SEPP and as set out in Clause 8H of the <i>Environmental Planning and Assessment Regulation 2000</i> . To verify the cost of works for this project you are requested to submit a <b>Quantity Surveyor's</b> report for the project.                      |
| <b>Landowners Consent</b>          | Landowner's consent is to be provided in accordance with the <i>Environmental Planning and Assessment Regulation 2000</i> .                                                                                                                                                                                                                                        |
| <b>Documents to be submitted</b>   | Once the draft EA has been submitted and determined to be adequate by the Department the applicant should submit: <ul style="list-style-type: none"> <li>• 12 hard copies of the environmental assessment report; and</li> <li>• 5 copies of the environmental assessment report on CD-ROM (in PDF – please ensure all files are less than 5Mb in size)</li> </ul> |