



NSW GOVERNMENT
Department of Planning

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Our ref: S07/02032
Your ref:

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

Dear Mr Chambers,

Subject: Proposed Hospital - Nield Avenue, Greenwich (Project Application MP 07_0167)

I refer to the above Major Project Application and the Director-General's environmental assessment requirements issued on 14 February 2008. Since issuing the requirements, the Department has continued to consult external agencies and Council on key issues raised by the proposed development.

The Department of Health and Ageing has advised that to date no application appears to have been made for federal funding of 50 aged care beds and NSW Health has advised the proposal does not appear to be a 'hospital' but an aged care facility. We have also received representations from several residents concerned that the development is not a hospital and that Part 3A is being used to bypass Council as the consent authority.

The Department shares concerns regarding the use of Part 3A to disguise proposals that would otherwise be assessed by the relevant Council. On this basis the Director-General's requirements have been reviewed and modified in accordance with Section 75(F) of the *Environmental Planning and Assessment Act 1979*. The modifications include a new section called 'Hospital Land Use'. The provision of this information will allow the Department to rigorously test validity of the proposed hospital use.

Should you require any clarification or further information please contact Emma Hitchens, Senior Planning Officer, Strategic Assessments on 9228 6434.

Yours sincerely

Jason Perica
Executive Director
Strategic Sites and Urban Renewal

23/4/08

Part 3A – Project Application

Director-General's Requirements

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

Application No.	MP 07_0167
Project	The proponent is seeking project application approval for the construction of a hospital in Greenwich for the purpose of caring for the aged, infirm and/or disabled.
Site	1-8 Neild Avenue, Greenwich (Lots 1-3 and 5-7 DP26707, Lots 41 and 42 DP555753, Lot 1 DP535088 and Lot 8 DP397302) and part of the Neild Ave road reserve and a pedestrian pathway leading to Morven Gardens
Proponent	Murlan Consulting Pty Ltd
Date of Issue	14 February 2008, as reviewed 23 April 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>)
Special Provision	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 12 January 2008.
General Requirements	The Environmental Assessment must include: • an executive summary; • a description of the proposal comprising: ◦ textual and diagrammatic articulation of the proposal; ◦ description of the site, including cadastre and title details; ◦ design, construction, operation, maintenance, rehabilitation and staging as applicable; ◦ project objectives and need; • an assessment of the environmental impacts of the project, with particular focus on the Key Assessment Requirements specified below; and • 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.
Key Assessment Requirements	Part A – Heads of Consideration • Suitability of the site; • Likely environmental, social and economic impacts; • Previous DA's lodged on the site; • Justification for undertaking the project; • Consideration of alternatives; and • Public Interest. Part B – Relevant EPIs, Guidelines and other requirements to be addressed • Planning provisions applying to the site including permissibility and the provisions of all plans and policies (including the Lane Cove LEP 1987, Lane Cove Draft Comprehensive LEP, relevant DCPs, SEPP 11, SEPP 55, SEPP 65, draft SEPP 66 and Sydney Harbour Catchment 2005 SREP). • Nature and extent of compliance with relevant EPIs; and • Evidence of application for a license for the premises as a private hospital under the <i>Private Hospitals and Day Procedure Centres Act 1988</i> Part C – Key Issues to be addressed Requirements of the Department are as follows: 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 'Healthy 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;
- 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;
- Any evidence of private bed allocation from NSW Health; 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, scale and character of the proposal in relation to the surrounding development, landscape and topography (particularly to the rear of the site);
- impact upon the local streetscape, landscape and existing views; and
- details of proposed landscaping and open space.

Amenity impacts on neighbours

Key matters to be addressed

- visual impact, privacy and overshadowing; and
- public access around the site.

Transport, Traffic & Access

Key matters to be addressed include:

- the RTA *Guidelines for Traffic Generating Development*;
- existing traffic conditions, road network and road capacity in vicinity of the site
- proposed internal road and access arrangements;
- measures to promote public transport usage;
- pedestrian and bicycle linkages;
- proposed means to manage construction traffic and parking;
- proposed employee, visiting doctors and visitor car parking arrangements; and
- proposed emergency and service vehicle arrangements

Biodiversity / Tree Loss

Key matters to be addressed include:

- impact of the development on existing native flora and fauna and their habitats;
- means to mitigate the loss of existing flora and its contribution to the visual character of the area; and
- assessment of the significance of the trees to be removed.

Planning Agreements and/or Developer Contributions

Key matters to be addressed include:

- the scope of any planning agreement and/or developer contributions between the proponent and the Lane Cove Council.

Construction and Operational Impacts

Key matters to be addressed include:

- impacts upon or created by contamination, geotechnical issues, noise and vibration, stormwater and surface water, air quality, waste management and air pollution; and
- details of any cut/fill proposed and whether it is to be imported/exported from the site.

ESD Measures

- details of the development's proposed ESD measures including, NatHERS ratings, BASIX, water sensitive urban design measures, energy efficiency, and recycling

	and waste disposal. Services Key matters to be addressed include: • capacity of water, sewer, stormwater, gas, power and telecommunications infrastructure to service the project; and • any upgrading works to infrastructure necessary to service the development and contributions applicable under any adopted contributions plans. Land to be acquired from Lane Cove Council Key matters to be addressed include: • confirmation that Lane Cove Council has sold or is finalising the sale of the Nield Avenue road reserve and the pedestrian pathway leading to Morven Gardens to form part of the development site and any conditions associated with the sale. Part D – Draft Statement of Commitments • Proposed mitigation and management of residual impacts; and • A Statement of Commitments detailing measures for environmental management and mitigation measures and monitoring for the project.
Consultation Requirements	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: Agencies, other authorities and groups: ▪ Lane Cove Council; ▪ NSW Health (including Private Health Care Branch); ▪ NSW Roads and Traffic Authority; ▪ NSW Department of Environment and Climate Change; and ▪ all utility providers.
Deemed refusal period	120 days
Application Fee Information	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 Quantity Surveyor's report for the project.
Landowners Consent	Landowner's consent is to be provided in accordance with the <i>Environmental Planning and Assessment Regulation 2000</i> .
Documents to be submitted	Once the draft EA has been submitted and determined to be adequate by the Department the applicant should submit: • 10 hard copies of the environmental assessment report and plans; and • 5 copies of the environmental assessment report and plans on CD-ROM (in PDF – please ensure all files are less than 2Mb in size)