

# DEPARTMENT OF PLANNING & INFRASTRUCTURE

*Development Assessment and Systems Performance*

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## **SUBJECT: MODIFICATION TO PORT MACQUARIE BASE HOSPITAL EXPANSION (MP 11 0012 MOD 1)**

### **PURPOSE**

To determine a modification request (MP 11\_0012 MOD 1) to delete conditions B3 Reflectivity and A10 Biodiversity Offset of the project approval and amend the pedestrian circulation paths for the construction of the Port Macquarie Base Hospital Expansion.

### **BACKGROUND**

On 26 July 2012, the Deputy Director-General, Development Assessment and Systems Performance, approved the major project for the construction of a new, part two and part four storey addition to the Port Macquarie Base Hospital building and refurbishment works to the existing Port Macquarie Base Hospital building at Wrights Road, Port Macquarie.

The approval consists of the construction of the building addition to accommodate seven operating theatres, 69 beds, 61 treatment bays and two procedure rooms. The approved works also included demolition works, bulk earthworks, refurbishment works to the existing hospital building, construction of a new loading area, new emergency access, reconfiguration of at-grade car parking areas, landscaping works, utility works and tree removal. The project is located on the western part of the Port Macquarie Base Hospital Campus and to the west of the main hospital building (see **TAG B**).

The project is currently under construction.

### **PROPOSED MODIFICATION**

The proponent seeks to delete conditions B3 Reflectivity and A10 Biodiversity Offset of the project approval for the construction of the Port Macquarie Base Hospital Expansion and amend the pedestrian circulation paths. Deletion of condition B3 is sought as the condition cannot be achieved for the approved design, which utilises high levels of glazing. Deletion of condition A10 is sought as the requirement to identify a biodiversity offsets approach has been resolved and accepted by the Office of Environment and Heritage (OEH). The amendments proposed to the pedestrian circulation paths are necessary to meet access requirements.

### **CONSULTATION**

In accordance with section 75X of the EP&A Act and clause 8G of the EP&A Regulation, the modification request was made available on the department's website. Due to the minor nature of the proposed modification, the modification request was not exhibited by any other means. No public submissions were received on the modification request. The request was referred to Port Macquarie-Hastings Council, who raised no objection to the proposed modifications.

### **DELEGATED AUTHORITY**

The Minister has delegated his functions to determine Part 3A applications to the department where:

- the council has not made an objection, and
- there are less than 10 public submissions objecting to the proposal, and
- a political disclosure statement has not been made in relation to the application.

No submissions were received from the public regarding the proposed modification and council has not made an objection to the proposed modification. There has also been no political disclosure statement made for this application or for any previous related applications or by any of the persons who lodged a submission.

Accordingly, the application is able to be determined by the Director, Metropolitan and Regional Projects North under delegation.

## **KEY ISSUES**

### ***Biodiversity Offsets***

The proposal included the removal of 89 eucalypt trees, which were capable of supporting a Koala population. At the time of approval, the proponent was still evaluating which would be the most feasible approach in terms of either undertaking compensatory planting of 2:1, revegetation and management of bushland or the establishment/acquisition of biodiversity credits to offset the biodiversity impacts of the vegetation removal. Accordingly, the department imposed a condition requiring the following:

#### ***Biodiversity Offset***

*A10. Within three months of the date of this approval the proponent is to:*

- (a) demonstrate to the satisfaction of the Director-General that an appropriate site for compensatory planting or vegetation conservation has been identified and an agreement with the land owner to undertake the planting and its ongoing management or manage the vegetation in accordance with a vegetation management plan has been entered into, to the satisfaction of the Office of Environment and Heritage; or*
- (b) enter into a Biobanking Agreement with the Office of Environment and Heritage or obtain a Biobanking Statement that identifies the necessary credits that will need to be acquired to offset the tree removal on the site and a copy submitted to Director-General.*

*Note: If the proponent proceeds with (a), a vegetation management plan must be registered on title to ensure the conservation of the compensatory planting or identified vegetation in perpetuity in accordance with Condition E1. If the proponent proceeds with (b), a Biobanking statement must be acquired and relevant credits retired in accordance with Condition E1.*

The proponent undertook further investigations to determine the biodiversity credits that would be required to offset the vegetation removal using BioBanking Assessment Methodology. The proponent submitted a Biodiversity Impacts and Offsets Report, prepared by ERM, dated September 2012, to OEH which concluded that 57 ecosystem credits would be required to offset the approved vegetation removal. The offset requirements were calculated in accordance with the 'NSW OEH interim policy on assessing and offsetting biodiversity impacts of Part 3A, State significant development (SSD) and State significant infrastructure (SSI) projects' requirements, which allow greater flexibility in selecting offset credits where matching vegetation formations within the same bioregion cannot be obtained. In this instance, it allowed for ecosystem credits within a broader region, the Great Lakes/Port Stephens local government areas, to be selected as an offset.

OEH reviewed the report and concluded that the 57 ecosystem credits proposed to be retired from either of the two selected biobank agreement sites within the Great Lakes/Port Stephens local government areas would be suitable to offset the proposed vegetation removal (see **TAG C**). As a result of this further work, the department considers that the intent of the condition to determine an appropriate offsets strategy has been satisfied and endorsed by the Office of Environment and Heritage (OEH). Therefore, the strict compliance with the condition, which requires a Biobanking Statement, is not necessary in this instance as the Biobanking Statement would be replicating the process of identifying the number of ecosystem credits required to offset the vegetation removal and the identification of suitable and availability of credits.

Accordingly, the department considers that condition A10 can be deleted. The department recommends that Condition E1 should be replaced with a condition that reflects the approach identified in the endorsed Biodiversity Impacts and Offsets Report as follows:

#### ***Vegetation Management Plan/Biodiversity Offset***

*E1. Prior to the operation of the facilities the subject of this approval, the proponent shall provide evidence to the Director-General that they have purchased 57*

*ecosystem credits from an approved biobank agreement site in accordance with the Port Macquarie Base Hospital Redevelopment MP 11\_0012 Biodiversity Impacts and Offsets Report prepared by ERM, dated September 2012, and these ecosystem credits have been retired.*

### **Pedestrian Paths**

The proponent has amended the pedestrian circulation paths within the campus and relocated the bus stop to meet *Disability Discrimination Act 1992* requirements. The department notes that the relocated bus stop would provide direct access to the main entrance, which would minimise potential pedestrian and vehicular conflict. The department supports the revised pedestrian circulation paths.

### **Solar Reflectivity**

The proponent has indicated that as the proposal has been designed to complement the design of the existing hospital building, which is heavily glazed along the northern elevation, and to improve natural light infiltration, the proposal cannot comply with condition B3 Reflectivity:

#### **Reflectivity**

- B3. *The visible light reflectivity from building materials used on the facades of the buildings shall not exceed 20% and shall be designed so as not to result in glare that causes any nuisance or interference to any person or place.*

The proponent has argued that it would still meet the objective of the condition given the 'bushland setting' of the hospital will provide vegetated buffers and appropriate setbacks to residential areas to ensure that the proposal would not result in adverse reflectivity, or cause any nuisance or interference to any person or place.

The department accepts that due to the distance to residential areas and vegetative screening provided, glare from the glazed facades would not cause discomfort or threaten the safety of pedestrians or drivers or any interference to residents. Accordingly, the condition can be deleted.

### **Other Issue**

The project approval included references to superseded plans. The department recommends that these be corrected to reflect the most recent documents to provide greater clarity. Accordingly, the department recommends condition A2 Development in Accordance with Plans and Documents should be amended to delete reference to Drawing Nos. AR 0104, AR 0700 and 1000 and replace with the following plan references:


| <b>Architectural (or Design) Drawings prepared by HASSELL</b> |                 |                                     |             |
|---------------------------------------------------------------|-----------------|-------------------------------------|-------------|
| <b>Drawing No.</b>                                            | <b>Revision</b> | <b>Name of Plan</b>                 | <b>Date</b> |
| AR 0104                                                       | 04              | GENERAL ARRANGEMENT PLAN – LEVEL RF |             |
| AR 0125                                                       | 03              | FAÇADE TYPES – REFERENCE PLAN       | 14.06.2012  |
| <b>Landscape Drawings prepared by HASSELL</b>                 |                 |                                     |             |
| <b>Drawing No.</b>                                            | <b>Revision</b> | <b>Name of Plan</b>                 | <b>Date</b> |
| 1000                                                          | 05              | LANDSCAPE SITE PLAN                 | 14-06-12    |

**RECOMMENDATION**

It is RECOMMENDED that the A/Director, Metropolitan and Regional Projects North:

- note the information provided in this briefing;
- approve the modification request, subject to amending the conditions of approval; and
- sign the attached modifying instrument (**TAG A**).

Prepared by:

 8/11/12

Megan Fu  
Senior Planner  
Metropolitan and Regional Projects North

Endorsed by:

 8/11/12.

Peter McManus  
A/Team Leader  
Metropolitan and Regional Projects North