

7 May 2024

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Department of Planning, Housing and Infrastructure  
Locked Bay 5022  
**PARRAMATTA NSW 2150**

Submission via Major Project Portal: <https://majorprojects.planningportal.nsw.gov.au/>

Dear Thomas Dales,

**LINGARD PRIVATE HOSPITAL EXPANSION (SSD-60316710) 23 MEREWETHER STREET 8 LINGARD STREET 19 & 27 HOPKINS STREET MEREWETHER**

I refer to the Department of Planning, Housing and Infrastructure's (DPHI's) notification on 3 April 2024, advising it has received an Environmental Impact Statement (EIS) for the Lingard Private Hospital Expansion development on land known as 23 Merewether Street, 8 Lingard Street, 19 and 27 Hopkins Street, Merewether. The State Significant Development Application (SSD-60316710) and EIS is being publicly exhibited from 5 April 2024 to 2 May 2024 and the City of Newcastle (CN) has been invited to provide advice on the development.

In preparing this letter, reference is also made to CN's previous submission dated 31 August 2023 relating to the Secretary's Environmental Assessment Requirements (SEARs) for the EIS.

Following review of the exhibited EIS and accompanying documents, the following comments are offered for consideration by the DPHI.

**1. Newcastle Development Control Plan 2023**

While the provisions of a development control plan do not legally apply to a State Significant Development (SSD), in the absence of other appropriate standards, the Newcastle Development Control Plan (NDCP) 2012 has been used by the DPHI in its assessment of other SSDs in the Newcastle Local Government Area.

Amendments to the NDCP 2012 were adopted by Council on 23 May 2023 and commenced on 3 July 2023. The amendments relate to Section 6.16 - Lingard Hospital Precinct to facilitate the development for health services facilities on land identified as Map 1 'Lingard Hospital Precinct site'.

On 1 March 2024, the NDCP 2023 commenced operation. It is noted that the EIS was formally lodged with DPHI on 28 March 2023. As such, the provisions of the new NDCP 2023 apply to the development. Accordingly, it is recommended that the applicant demonstrate the compliance of the proposed development with the relevant provisions of NDCP 2023.

Section E12-Lingard Hospital Precinct of the NDCP 2023 is applicable to the development. This section provides site specific development controls for the three smaller precincts that make up the whole Precinct being the Lingard Hospital, Kingsland, and Hopkins Street

Precincts. The development controls for these precincts have been customised to guide bulk and scale, high quality urban design elements, materials and finishes sympathetic to the surrounding area and ensure traffic, parking and access are addressed.

Provided below is a review of the proposal against the requirements of Lingard Hospital Precinct.

#### Part 9.0 - Building Envelope

Part 9.0 requires development to be setback a minimum 1.5m from boundaries shared with residential uses. This development control was included to respond to privacy, bulk and scale and overshadowing issues raised by the local community in response to the exhibition of the draft NDCP 2023. The intent is to protect the amenity of the adjoining residential uses.

The proposed Hopkins Street Precinct building is shown to encroach the required setback to the residential uses along the eastern boundary. The applicant states privacy window treatments will prevent overlooking however, this is not shown on the development plans. The building also encroaches on the minimum setback requirements for Tye Road. Setback diagrams for this elevation would be useful to understand the impacts to the adjoining properties.

The proposed Kingsland Precinct building also encroaches on the building envelope. A setback of three metres is required for those portions of the building over 10m. This encroachment is not shown in the architectural plans and justification for this encroachment is also not provided in the EIS. This encroachment results in overshadowing of Mitchell Park as discussed further below.

The bulk and scale of the proposed building create significant compromises to the amenity of the building and of the surrounding local area. The length of the building wall along all boundaries in combination with the boundary setback and lack of articulation and fenestration exacerbates the bulk and scale of the building when viewed from the street and adjoining properties.

As the proposal is likely to negatively impact on the future desired character of the area, it is important that the building form is well-considered. A more considered response to the site's character and context is needed.

#### Part 12.0 - Residential Amenity

Part 12.0 requires the proposed development to be designed considering the surrounding local residential area. These development controls were included in response to overshadowing, noise and privacy issues raised by the local community.

The Hopkins Street Precinct adjoins residential properties to the east and Lingard Precinct adjoins residential properties to the southeast. Section E12 requires habitable rooms and private open spaces of neighbouring residential uses to receive a minimum of three hours of direct solar access between 9am - 3pm on 21st June.

It is unclear whether the principal area of private open space and habitable rooms of adjoining dwellings will receive at least three hours of direct solar access. Likewise, it is evident that a portion of Mitchell Park will be overshadowed in the morning period of the winter solstice. This is considered a result of the non-compliance with the upper-level setback. 9.0(4) requires that:

*'Development does not unreasonably reduce the total area of public open space (such as Mitchell Park) that receives direct sunlight between 9am to 3pm on June 21.'*

The applicant should be required to provide hourly shadow diagrams and elevational shadow diagrams identifying the location of habitable rooms and private open space areas of the residential properties to demonstrate compliance with the provisions of Part 12.0.

It is suggested that the design be amended to reduce the overall bulk and scale and larger setbacks, particularly of upper floor levels, to satisfy these controls.

#### Part 13.0 - Public domain interface

There is no awning proposed at the Hopkins Street Precinct entry. In accordance with Control 7, awnings shall be provided to public access entrances and are to be in accordance with the awning provisions contained separately within C10-Street awnings and balconies of the NDCP 2023.

#### Part 17.0 - Energy Efficient Design

It is unclear what design features have been incorporated in the development to achieve energy efficiency. The report at Appendix O makes recommendations on design features, but the EIS does not advise what design features have been incorporated.

#### Part 18.0 - Building and Workplace Amenity

The Hopkins Street Precinct and Lingard Hospital Precinct do not incorporate accessible communal open space for staff. Part 18 provides that workplaces include accessible open spaces for staff and employees and includes the minimum dimensions and design features for these spaces.

#### Part 19.0 - Heritage

The submitted Statement of Heritage Impact relates to the previous Planning Proposal for the site and does not consider the SSD application as lodged. Part 19.0(2) requires that a Heritage Interpretation Strategy is submitted for all major developments.

The submitted EIS and supporting documentation lack sufficient detail to assess the proposal against Part 19.0. This is also discussed in Section 8 of this submission.

It is recommended the applicant is required to respond to the above concerns.

## **2. Height Non-Compliance**

The application is supported by a clause 4.6 request to enable the development to contravene clause 4.3-Height of Buildings of the NLEP 2012. It is acknowledged that consideration of the request regarding the requirements of clause 4.6 (3) is a matter for the consent authority. To assist such consideration the following comments are provided.

The request seeks to utilise the first *Wehbe* test to demonstrate that compliance with the above development standard is unreasonable or unnecessary because the objectives of clause 4.3(1) are achieved notwithstanding the non-compliance. Condition (b) states '*...to allow reasonable daylight access to all developments and the public domain.*' It is noted the submitted shadow diagrams do not provide clear delineation between where shadow is cast by the existing built form, the proposed development or focus on the aspect of the development that contravenes the development standard.

Further, in response to the requirements of clause 4.6(3)(b) where sufficient environmental planning grounds need to be established, it is noted the request relates to the overall development rather than assessing the aspect of the development that is the subject of the

non-compliance (i.e. the lift/stair overrun, parapet fronting Hopkins Street and acoustic screening).

### **3. Voluntary Planning Agreement**

The submitted EIS states that the application will be undertaken in accordance with the Planning Agreement (VPA) (Appendix +BB) that was entered into by Health Care Lingard Pty Ltd and Newcastle City Council as part of the previous Planning Proposal (PP-2022-395).

The Planning Proposal and the associated VPA clearly outlined the public benefit that was to be gained by the proposed development and the appropriate infrastructure upgrades and works that would be required to connect, service and meet the demand of the community.

The agreement details the monetary contribution to be paid by the developer to Council and works in the public domain to be undertaken by the developer as part of the development approval pathway for the proposal. Details of the nature and extent, timing, manner of delivery and indicative value of the contribution and works are listed in Schedule 1 of the agreement.

Section 6.3(c) of the VPA states:

*'If the Council is not the Consent Authority for any part of the Development, the Developer is to carry out and complete the Works in a good and workmanlike manner having regard for the intended purpose of the Works and otherwise to the satisfaction of the relevant Consent Authority and the requirement of any other government body.'*

The full extent of the agreed works is not reflected in the proposed development plans and supporting technical studies.

It is recommended the applicant is required to demonstrate a commitment to deliver the agreed works in the documentation. The EIS fails to demonstrate how the SSD will deliver the full extent of the works for the Precinct. CN is committed to working with the applicant to ensure consistency between the works committed to in the VPA and the SSD. It is requested that a condition of consent be imposed requiring the applicant's compliance with the terms of the VPA. Further, to ensure certainty and give effect to the VPA a condition of consent be imposed ensuring that the terms of the VPA are executed to the satisfaction of CN prior to the issue of any Occupation Certificate.

#### Intersection upgrades

The applicant's commitment to meeting the requirements of the VPA in the form of a monetary contribution is unclear. On page 39 of the Traffic Impact Assessment (TIA), the report indicates that intersection control and/or modification works were explored to reduce vehicle speeds and improve pedestrian safety. While several options are suggested, no commitment to any option is reflected in the EIS or supporting documentation.

The TIA (Appendix Z) recommends a signalised intersection at Glebe Road/Lingard Street. No objections are raised to the recommendation of this upgrade; however, the specific details of the proposed changes must be consulted with CN's Traffic and Transport team. This matter can be addressed by the imposition of an appropriate condition of consent. A recommended condition will be provided following the applicant's response to the matters raised in this letter.

Further, while some aspects of the impacts to the surrounding street network including Lingard Street/Hopkins Street intersection, Hopkins Street/Union Street and Hopkins Street/Tye Road relating to proposed changes to the traffic flows have been considered in

the TIA; the overall dependency on the SIDRA results and indication that "no capacity works is necessary" does not reflect potential future issues such as safe pedestrian and cyclist movements and local area traffic management (LATM) aspects of the nearby intersections.

Similar concerns are raised for the Merewether Street/Union Street intersection. The cumulation of traffic, pedestrian and cyclist movements and provision of safe and accessible infrastructure to the immediate vicinity of the Hospital Precinct must be provided. It is recommended that a LATM Strategy is prepared to identify the necessary traffic and pedestrian calming measures and management of traffic flows in the immediate area. It is noted that the majority of the LATM works have been agreed to in the VPA and therefore, it is critical that these works be adopted in the LATM Strategy for the site.

The other alternative is that such works be conceptually devised by CN as conditions of consent, which can then be resolved at the first stage. It is noted that these conditions will require in-depth consultation and coordination with CN to enable detailed design schemes to be prepared.

It is recommended that the applicant is required to respond to the above comments and reaffirm their commitment to the planning and monetary contribution for the upgrade of the above intersections and streetscape works.

#### Public domain upgrades

The EIS and supporting documentation do not show the full extent of streetscape and public domain works required to be delivered through the VPA as part of any development application. These works are required to support greater amenity and connectivity around the hospital precinct.

Section 6.16.4 of the EIS outlines a commitment to delivering pedestrian footpath upgrades throughout the Lingard Hospital Precinct, however, the full extent of these works are not shown on the submitted architectural plans. Further, there are inconsistencies between what is indicated in the EIS and what is shown in the architectural plans and supporting documentation. For example, the plans show the footpath and public domain upgrades do not extend beyond the boundaries of Lingard and Kingsland Precinct sites while the Design Report (Appendix B) indicates footpath upgrade works are proposed to extend beyond the boundaries of Lingard and Kingsland Precinct sites but not to the extent stated in the EIS or agreed to in the VPA.

It is recommended the applicant is required to provide updated architectural plans and design report indicating the full extent of pedestrian footpath, traffic management and other upgrade works proposed on the site and beyond the site. The upgrade works are to reflect the commitments made in the VPA.

CN can provide detailed conditions regarding the works. Such will form part of a detailed construction certificate submission as part of the Section 138 Roads Act Application.

#### Landscaping

The landscape treatments and embellishments to the Lingard, Kingsland and Hopkins Street Precincts are supported as they will improve and contribute to the character of the surrounding streetscape. However, there are inconsistencies between the submitted landscape plans (Appendix T) and the Design Report (Appendix B). For example, the Design Report shows new street trees on Merewether Street and public seating and bike parking along Tye Road, but the Landscape plans does not include details of the street trees on Merewether Street or space allocated for public seating and bike parking along Tye Road. The Design Report also does not reflect the applicant's commitment to public

domain upgrades at Townson Oval. This contribution is to support the amenity of the area surrounding the Precinct that will be used by staff and the local community.

It is recommended that the applicant be required to submit a revised Design Report and submitted Landscape Plans which are consistent with the applicant's commitment to delivering public domain upgrades across the Lingard Hospital Precinct.

Please note the planting of the street trees will be at the applicant's expense and will require the submission to CN of a Tree Work on Public Land application for approval. CN staff will oversee the process (numbers, species and placement) with a fee paid by the applicant. Recommended conditions regarding the provision of the street trees and other works in the public domain will be provided following satisfactory responses from the applicant to the various matters raised in this letter.

#### **4. Development Contributions**

As indicated in the EIS, CN's Section 7.12 Local Infrastructure Contribution Plan (updated January 2022) (the Plan) applies to the subject land. Under the plan the applicable levy is 1% for development having an estimated cost of more than \$200,000. The application is not supported by a cost summary report as required by the Plan. Accordingly, it is recommended that the applicant be required to prepare a cost summary report for the development so that the contribution can be calculated, and an appropriate condition can be imposed on any development consent issued.

#### **5. Stormwater Management**

##### **Stormwater discharge connections and impact on CN's Drainage Infrastructure**

The proposed stormwater arrangement is to be connected to the CN drainage system along Hopkins Street and Merewether Street, with some existing connections to be retained.

The local road drainage infrastructure will be required to be upgraded to accommodate the additional discharge connections. In this regard, the following matters are raised which directly impact on CN's drainage infrastructure:

- a) The majority of the new Hopkins Street Precinct is proposed to be discharged to the existing kerb inlet pit (KIP) located on the Hopkins Street / Tye Road intersection at the north-western corner of site. The existing road drainage (300mm diameter pipe) will be compromised and will be required to be upgraded.
- b) Similarly, the use of the existing connection on the mid-section of Hopkins Street may be required to be upgraded. The final design for the proposed discharge to the road drainage network of Hopkins Street must meet CN's design guidelines including the hydraulic grade line design requirements.
- c) The proposed new driveway on Merewether Street will impact the existing drainage KIP. For maintenance risk and long-term asset management purposes, CN does not support drainage structures being located within heavy use and commercial driveways. The stormwater design proposes to convert an existing KIP to a junction which will be located on the path of travel for entering vehicles. Major drainage modifications may be required to modify the drainage system. This is not supported.

Further to this, the majority of the new Lingard Street Precinct and part of Hopkins Street Precinct is proposed to be discharged to an existing KIP located on



Merewether Street. The existing road drainage (300mm diameter pipe) will be compromised and will be required to be upgraded.

The above impacts on CN's drainage infrastructure may be managed as part of a Section 138 application under the *Roads Act 1993*, subject to the applicant satisfactorily addressing CN's concerns. Appropriate conditions will be provided once other aspects of the proposal referred to in this letter have been addressed.

#### Development Stormwater Design

The submitted stormwater design has been reviewed and the following comments are provided:

- a) No information has been provided for the existing stormwater and drainage located in the western end of the Lingard Street Precinct.

Part of the road pavement extension adjoining Tye Road is proposed to be connected to the existing western stormwater line which is located within the existing Lingard Street building footprint. It is important that such stormwater infrastructure, which may be difficult to upgrade is not compromised.

- b) There are no wash bays proposed within the site. Such wash bays are essential to ensure that operational elements such as bin washing and cleaning can be appropriately managed. It is recommended that wash bays be considered for this development and any such areas be appropriately designed to be bunded and drainage to be designed to be connected to the building sewer system.

It is recommended the applicant be required to respond to the above matters.

### **6. Vehicular Access, Driveway Design and Crossing Location**

#### Tye Road and Merewether Street Impact Assessment

The submitted documents indicate that Tye Road will be extended as a through link leading to Merewether Street. The EIS states that the proposed through link extension between the southern end of Tye Road (at the end of formal road reserve) to Merewether Street driveway will be a private property.

The following comments are based on the submitted concept design principle and noting that the through link access will be a private property:

- a) The EIS and supporting written studies have stated that Tye Road is proposed to be widened to manage the traffic flows. However, none of the submitted plans have indicated this.

The majority of the proposed on-site car parking, loading, and servicing facilities for both Lingard Street and Hopkins Street Precincts will use Tye Road as the primary and main vehicular access road. Concern is raised regarding the resultant traffic movements along Tye Road and its capacity to ensure safe and practical movements can be achieved, if Tye Road is not appropriately widened.

It is recommended that the applicant consider widening Tye Road in accordance with Part 15.0 - Transport and Movement of Section E12.

The road design must ensure that the vehicular and pedestrian access and on-street parking amenity for the residents along west of Tye Road is not compromised and the proposed development is suitably serviced.

- b) The submitted swept path drawings have been reviewed and these generally indicate that larger vehicles, small rigid vehicle (SRV) including ambulances, medium rigid vehicle (MRV) and heavy rigid vehicle (HRV)) will enter the site via Tye Road and exit on Merewether Street. The following concerns are raised in relation to the traffic movement between Tye Road and Merewether Street:

- i. The swept path drawings have not clearly demonstrated the impacts on the existing on-street parking on Merewether Street due to the left-out movements from MRV and HRV.

The plans must clearly include the current on-street parking scenario and hence clearly demonstrate that the truck movements will not impact the on-street parking.

- ii. Swept path drawings clearly show that the entire width of the intersection of Hopkins Street and Tye Road will be taken over by heavy vehicles. Noting that Tye Road has two-way traffic movement, concern is raised that safety aspects in managing traffic entering/exiting Tye Road and through to the site has not been appropriately considered.

Similarly, the internal access through road must also consider safety aspects. The development must therefore demonstrate how the road safety matters dealing with different users of road and access links will be addressed.

- c) Off-street car parking is proposed to be managed as a commercial type paid parking operation (similar to the Kingsland Precinct). A paid parking arrangement is not supported as it will only be utilised by certain hospital staff (specifically doctors and medical specialists), resulting in increased demand for kerbside car parking and associated traffic congestion on the surrounding street network. It is recommended that a condition of consent be imposed to ensure onsite car parking is open to all staff and visitors to the hospital.

The following matters are also raised with regard to the proposed parking arrangement:

- i. Concern is raised that such controls will directly impact the publicly accessible section of Tye Road. Generally, a formal turning area should be provided to ensure that vehicles can safely and appropriately turn, with a formalised turning area being provided.

There is a direct public/private interface on the southern end of Tye Road. Such matters raise ownership matters such as dedication of road, legal rights of access and long-term asset maintenance matters. Such elements must be considered in the early planning phase and the proposal must demonstrate how these matters will be resolved.

It is recommended the applicant is required to demonstrate how access and car parking will be managed in the area of the through-site link that is privately managed and indicate any locations of physical restrictions/control.



- d) Provision for safe and connected pedestrian movements and footway access between Tye Road (public road section) to Merewether Street via the Lingard Street Precinct site must be appropriately designed as detailed in Section E12 of the NDCP 2023.
- e) Traffic management and speed controls associated with the development will be required within the private vehicular access areas including the porte cohere along Merewether Street and along Tye Road. Notably, the proposed additional length of the porte cohere will also be required to be appropriately managed to ensure access by essential services such as ambulances is not obstructed. Detailed information in this regard is to be provided.

It is recommended that the applicant be required to respond to the above matters and demonstrate that objectives and controls in Part 15.0-Transport and movement of Section E12 have been satisfactorily addressed, and the design be amended appropriately to consider vehicular, pedestrian and cycle access for the Hopkins Street and Lingard Street Precincts.

### Parking

Off-street car parking is proposed to be managed as a commercial type paid parking operation (similar to the Kingsland Precinct). With the current arrangement at the Kingsland Precinct, this has resulted in parking congestion in the surrounding street network as staff and visitors have sought to avoid paid parking. Part 16.0-Parking of Section E12 provides clear objectives and controls to manage off-street parking for the development.

The development has not demonstrated why the Hopkins Street Precinct car parking design has not considered underground car parking provision. It being noted the Hopkins Street Precinct is not heavily impacted by flooding and flood risks appear to be manageable.

It is recommended that the applicant be required to demonstrate that the objectives and controls of Part 16 have been satisfactorily addressed.

### Off- Street Car Parking Calculations

The submitted TIA (Appendix Z) has calculated car parking based on the assumption that the additional consulting rooms will be occupied at the rate of 75%. However, it has not justified or provided any evidence on the proposed 75% occupancy rate, nor has the report specified where the variation figure of 75% has been adopted from. It is noted that a previous development application (DA2017/01546) for the Kingsland Precinct had made similar parking assumptions, and the application was ultimately refused consent by Joint Regional Planning Panel as the justification of the 75% consulting room occupancy was not established.

Concern is raised regarding the over-reliance on on-street car parking as discussed below.

It is recommended the applicant is required to calculate the off-street car parking requirements for all precincts and demonstrate how the overall car parking will be distributed for staff and visitors for each precinct.

### On-Street Parking Impacts

The Community Engagement Table (Appendix D) clearly demonstrates the traffic impacts of the existing hospital operations on the amenity of the surrounding residential community and other surrounding commercial premises. It is evident that the high demand for on-street parking around the Lingard Hospital Precinct has been creating localised pedestrian management and parking issues in the area.

Given the existing demand for on street parking (which is operating at near failure), any development of Lingard Hospital must provide adequate on-site parking for staff and visitors. Given the current commercial operations of the Kingsland Precinct and having regard to the extent of the proposed development, it is expected that there will be an increased demand for on street car parking.

Further, it is noted that the proposed changes to the traffic movements along Tye Road and changes to the driveway on Merewether Street will directly impact on the available on-street kerb side parking. These changes to on-street car parking will require the prior approval of Council under the *Roads Act 1993* and the approval of the Newcastle City Traffic Committee.

Therefore, it is recommended that the applicant be required to address the existing and future demand for on-street car parking and ensure the proposed development provides appropriate off-street parking for staff and visitors.

#### Traffic Generation, Safety and Planning Proposal VPA works

No objection is raised to the recommendation of the TIA (Appendix Z) relating to the upgrade of the Glebe Road/Lingard Street signalised intersection. However, consultation with CN's Traffic and Transport team is required to discuss the details of the proposed changes. Appropriate conditions will be provided once other aspects of the proposal referred to in this letter have been addressed.

The objectives of the planning proposal and subsequent VPA between Health Care and Council have set the required public domain and traffic impact works as a precinct-based objective. The majority of these works relates directly to managing conflicts between the different road users inclusive of pedestrian/cyclist/traffic, with safety and streetscape in mind. It is recommended that schedule of works agreed to in the VPA are addressed as part of the SSD.

#### Kiosk Substation - (Appendix V)

The location of the Ausgrid Kiosk substation for the Hopkins Street Precinct has not been confirmed except for noting that the potential location may be along the street frontage. Similarly, no information has been provided for the Lingard Street Precinct (existing Lingard Hospital).

Concern is raised that such critical infrastructure has not been properly planned and embedded with the building and landscape designs. CN is not supportive of new development related infrastructure being located with the public road reserve and publicly accessible landscape areas. It is recommended that the applicant be required to provide further details of the location of the substation.

### **7. Staging**

Section E12 6.0 - Preamble of the NDCP 2023 refers to the staging of development as follows:

- Stage 1: Development to add an additional storey to Kingsland Precinct.
- Stage 2: Development of Hopkins Street.
- Stage 3: Refurbishment of existing Lingard Precinct Hospital.

The proposed development seeks approval for staging as follows:

- Stage 1a - Hopkins Precinct
- Stage 1b - Lingard Precinct
- Stage 2 - Kingsland Precinct

The progression of Hopkins Precinct as part of Stage 1 is supported, subject to the applicant providing details of the interim arrangements should the through site link connection not be delivered.

The proposed staging does not indicate when the public domain works associated with as required by the VPA will be constructed. It is recommended the applicant is required to provide details when these works will be constructed under the staging plan.

## **8. Heritage**

### Aboriginal cultural heritage

The Aboriginal Cultural Heritage Assessment Report (Appendix HH) has been reviewed having regard to the Hopkins Street Precinct Area and the potential archaeological deposit (PAD) (HN581-PAD01) as it contains a historical creek line which was likely an important resource to Aboriginal people. This PAD will be impacted by the proposed works including a lower ground carpark.

It is recommended that conditions of consent be included on any determination to manage excavation prior to building works commencing and during works.

### Non-Aboriginal heritage

The Statement of Heritage Impact (SOHI) (Appendix S) relates to the previous Planning Proposal for the site and not the current SSD application. This report specifically refers to the pedestrian footbridge over Merewether Street which formed part of a previously withdrawn development application.

It is recommended the applicant is required to prepare and submit an updated SOHI which confirms that the works proposed as part of this SSD will not materially affect any listed heritage items or sites.

The SOHI is to be prepared by a suitably experienced heritage practitioner and in accordance with the NSW Department of Planning and Environment's "Guidelines for preparing a statement of heritage impact" (2023). A SOHI is prepared to the level of detail required to assess the potential impact of the proposed development on the heritage significance of the place and nearby heritage items, and how any impact arising from the changes will be mitigated.

In preparing the updated SOHI, a Heritage Interpretation Plan is to be provided. The Interpretation Plan is to be prepared by an experienced heritage interpretation practitioner and in accordance with the Heritage Council's "Interpreting Heritage Places and Items Guidelines" (2005). The plan must interpret the former uses and history of the site in a way that is engaging, informative and readily accessible to the majority of visitors.

## **9. Waste Management**

It is understood that Lingard Private Hospital and the Hopkins Street extension will operate waste management as one site. The Kingsland Precinct is a separate building and will operate its waste management as its own strategy as detailed in the Operational Waste Management Plan (OWMP) (Appendix CC)).

The new components of the Lingard Hospital (including the Hopkins Precinct) will utilise the existing bin storage area and collection points. The new component of the site will share the bin room and collection services with the existing parts of the building. The new

components will also follow the existing waste, recycling and medical waste procedures within the greater Lingard Hospital.

Having regard to the above operational arrangements, the submitted OWMP, including the estimated waste generation rates, the collection of waste onsite and other relevant matters included in Revision C of the submitted OWMP are acceptable.

However, CN is aware of the associated noise impacts from the collection of waste in the early hours of the morning to adjoining residential properties. It is recommended the applicant is required to review the current/proposed access arrangements to ensure service vehicles can enter and leave the site in a forward direction and at a time that does not adversely impact the amenity of the adjoining residents. The current reversing movements result in early hours with associated reversing signals/noise is unacceptable.

## **10. Social Impact Assessment**

It is recommended the applicant is required to address the relevant provisions of the NDCP 2023, including but not limited to Section C7 - Safety and Security and Section C8 Social Impact. Also the following points are raised for consideration by DPHI:

### C7 Safety and Security:

It is recommended that appropriate conditions be imposed on any consent granted which address the following:

- A Construction Management Plan is to be prepared prior to the issue of the first Construction Certificate. This plan is to include safety and security management measures including out-of-hours and trade vehicle motor theft and construction theft and include management measures not limited to the following:
  - A public poster board for ways to register complaints including contact name and phone number.
  - Disability parking access management.
  - On-street parking management.
- An Operational Plan of Management is to be included prior to the issue of the first Occupation Certificate. The operational plan of management is to include:
  - Security management measures in high-risk areas (i.e. basement car parks, after hours areas, back of house areas, staff rooms, ATM, courtyards).
  - Complaints management.
  - Routine maintenance including landscaping; and
  - Emergency response.

### C8 Social Impact:

Page xiv of the EIS and the findings of the SIA states that overall, the level of impacts associated with the proposed development have been assessed to range from low to high.

Specifically, the SIA has identified the negative social impacts as those relating to:

- Temporary impacts on the surrounding area and the amenity of the Primary Study Area (PSA) associated with the proposed construction phase.
- Temporary negative impacts on way of life, associated with changes to pedestrian and vehicle access routes as a result of construction activities.
- Parking congestion in the area.
- Amenity impacts to nearby residence, emergency management and visual considerations.

However, the SIA and EIS have not addressed the following potential impacts:

- The net loss of 16 x residential units at 27 Hopkins Street, Merewether, and the effect of this in a 'tight' housing market, in an inner suburb location.
- Intensification of the area through additional bulk, changed composition in a residential locality and further exacerbation of parking and traffic issues.
- Two plus year construction period and associated impacts on nearby properties.

It is recommended the applicant is required to provide further information responding to the potential negative impacts identified above.

If you have any questions in relation to the various matters considered in this letter, please contact Eliza Arnott, Senior Development Officer (Planning) on 4974 1343 or by email on [earnott@ncc.nsw.gov.au](mailto:earnott@ncc.nsw.gov.au).

Yours faithfully,



Amy Ryan

**CITY SIGNIFICANT & STRATEGIC PLANNING MANAGER**