



22 November 2024

THE DIRECTOR
Industry Assessments, Planning and Assessment
Department of Planning, Industry and Environment

Dear Sir/Madam,

Subject Lake Macquarie Private Hospital Tower

Thank you for the opportunity to comment on the above application.

Council staff have reviewed the application and provide the following comments:

Council is generally supportive of the proposal. Comments below are grouped by support (including recommended conditions or post-consent actions) and matters where additional information or amendments are suggested.

Supporting comments

Strategic direction

The development is considered consistent with Council's strategic direction for the precinct.

Contamination

Findings of the submitted documents were supported. Recommended conditions of consent are included in Appendix A.

Geotechnical

A report on geotechnical investigation by Douglas Partners has been prepared for the proposed development. The report is considered satisfactory.

Cut and Fill

Additional retaining walls are proposed to support the carpark, with a maximum height of 1.2m. There are no objections to these walls from an engineering perspective.

Noise

Findings of the submitted documents were supported. Recommended conditions of consent are included in Appendix A.

Health

Should any warm water systems be included Council would be the regulatory authority for these. Recommended conditions of consent are included in Appendix A.

Accessibility

Emergency evacuation procedures should make reference to evacuation of people with a disability.

The following matters should be addressed at construction certificate stage:

The path of travel from main pedestrian entry points at the site boundary to building entries, connections between buildings and from designated accessible parking bays to building entries in accordance with AS 1428.1

Entrance doors and circulation space around doors in accordance with AS 1428.1

Designated accessible parking bay in accordance with AS 2890.6 In accordance with Council's Non-discriminatory access guidelines medical facilities require 3-4% of parking to be also designated accessible parking bays, therefore an additional bay is required. These bays must comply with AS 2890.6.

Confirmation required if the fire isolated egress stairs are to be used for communication stairs allowing staff to easily communicate with people on others floor levels, I this it the intention stairs would need to comply with AS1428.1

Ramps to comply with AS 1428.1

Lift in accordance with BCA E3D7, E3D8 and E3D9

Details of tactile ground surface indicators, signage and hearing augmentation

Trees

The findings of the submitted arborist report were supported. Trees being retained should be protected during construction work.

Heritage

The findings of the heritage reports are supported and the recommendations contained therein are suggested to be included as conditions of consent.

Additional information and amendments

Development Control Plan

The DCP assessment has referenced Lake Macquarie Development Control Plan 2014 Part 3 Development in Residential Zones, however the site is zoned SP2 Infrastructure and should be assessed against LMDCP 2014 Part 5 Development in Industrial, Business Park and Infrastructure Zones.

Cut and Fill

A retaining wall is proposed to facilitate the service driveway within the road reserve of Casey Street to access substations. The retaining wall has been shown to be a maximum 2.6m high. From the rendered perspective it looks that the wall is extended beyond the

ground level as an above ground wall, however the civil plans indicate monowills handrail will be on top of the wall. The maintenance of the wall should be the responsibility of the Private hospital, and the minimum design surcharge load should be 10kPa. Further consultation with Council is requested in relation to this item.

Height of buildings and visual impact

The shorter tower height compared to the alternative proposal is preferred from a visual impact perspective, however the proposed façade facing the Pacific Highway and roller door rather than undercroft for the loading dock results in greater visual impact.

There is opportunity for articulation of the wall at ground level. This could be achieved through a variation in materials, applied patterning that reflects the proposed landscape surface treatments, the use of colours consistent with hospital branding and overall themes, a mural by a local indigenous artist, greening through vines or green walls, etc.

It is recommended the design and visual impact assessment are amended to address the points above.

Traffic

Sydney Street Access

The provided plans are inconsistent and do not clearly show the proposed entry and exit driveways to Sydney Street and the access road. Information is required outlining the proposed access and how pick up/drop off movements and parking will be managed.

The ambulance route is not clearly outlined, a plan clearly showing all routes is required.

Sydney Street

Due to the increased pedestrian traffic travelling from the Hughes Street car park, the Sydney Street pedestrian refuge should be removed and pedestrian fencing should be installed to direct pedestrians to the pedestrian crossing or traffic signals. Upgrades to the pedestrian crossing are also required to increase the width and accessibility of the crossing. Options to utilise the existing ramp on the northern side of Sydney street for disabled parking should also be investigated.

Highway Service Road

The provided turning paths indicate that the minimum clearance for heavy vehicles from the existing infrastructure (guard rail) is 300mm. This arrangement does not provide for driver error and raises significant safety concern. Further design is recommended to increase the achievable clearance.

Turning paths are required showing how all types of heavy vehicles will negotiate the surrounding road network, not just the driveways.

Ensure the trucks are fully regressed into the loading dock to avoid hindrance to the traffic flow on service road. Please demonstrate the loading bay meets Australian Standard.

Review the ambulance drop off area to ensure it can accommodate 3 ambulances at once with ample room. Please refer to www.ambulance.nsw.gov.au

Council is supportive of TfNSW requirement to implement a high pedestrian activity area. The area should include Hughes Street, Obrien Street, Casey Street and Sydney Street between the pacific highway and Jamieson Street.

Hughes Street

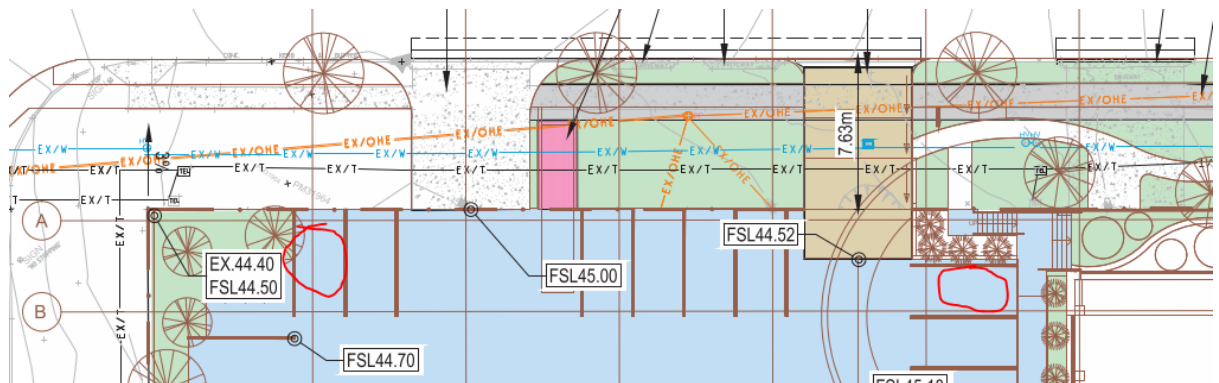
Upgrade footpath to 2.5m, in line with the upgrade on O'Brien Street to provide comfortable walkway for the high pedestrian traffic from the car park.

Council is supportive of the TfNSW requirement to undertake a road safety audit, however clarification of the above design elements is required prior to the audit being undertaken.

A parking management plan is required outlining how parking will be managed to ensure the car parks are used efficiently by visitors and staff of the hospital. The plan should outline measures to mitigate the current issues of spill over on-street parking and all day parking. The plan should also outline the split of staff and visitor parking.

Provide an updated parking assessment demonstrating sufficient staff parking is available.

The parking spaces circled below do not comply with AS2890.1



Servicing

A service vehicle is shown within proposed carpark (presumably to service the oxygen vessel). The swept paths of the required service vehicle within the carpark have not been shown. Grades within the carpark have also not been shown to be assess suitable changes of grade for the service vehicles.

The swept paths off the Pacific Highway service road are very tight to the guardrail and require mounting of the kerb into the verge area which is not supported. The swept paths also require on-street parking to be removed which is currently used by hospital staff. It is considered that there is insufficient space within the service lane for the loading dock without widening.

There is the potential for conflict between the service vehicles reversing into the loading dock and ambulances leaving the hospital.

No swept path of the service vehicle accessing and exiting the service driveway for the substations have been provided.

Swept paths for the largest service vehicle turning from Sydney Street on to the Pacific Highway service lane is required.

Stormwater Management

The stormwater strategy has been amended to run down the Pacific Highway service lane before connecting into an existing pit. There may be additional flows directed into the existing stormwater line under the Pacific Highway. This will require detailed analysis to confirm. The response states that further assessment of the existing Council stormwater drainage system will be required during detailed design/construction certificate stage. The s138 roads act approval for the stormwater drainage system should be conditioned to occur prior to the issue of the construction certificate. This will give opportunity for the detention system to be designed to account for the existing stormwater network, if required.

Regarding the stormwater draining to O'Brien Street, the strategy proposes direct outlet from the detention tank to the kerb. Based on the outlet flows and pipe diameters, the velocity at the kerb will exceed 1.5m/s specified in Council's drainage design guidelines. Direct connection to the kerb in this case is not supported.

Landscape

The EIS notes that *"The design of the setbacks and massing of the proposed development, include façade treatment, articulation and colour selection, will significantly increase the visual amenity for the relevant receptors. Planting will be most effective, in screening the proposed development, when it reaches maturity at approximately year 10 of the development."* This does not appear to be reflected in the drawings regarding façade treatments and proposed tree planting.

Trees along Casey Street are proposed to be *Lagerstroemia indica* 'Natchez'. These are a relatively small tree, unlikely to reach more than 6-8m in this location. Given the building height of 22.3m and the availability of landscape area, it would be appropriate for taller trees to be used, located to avoid CPTED issues, which would assist with softening the building.

Trees to O'Brian Street and the carpark are proposed as *Cupaniopsis anacardioides*. This is positive to provide shade to the carpark, however a variety of species would be beneficial for

diversity and resilience as well as height variation and increased screening. There appears to be room within the carpark for a larger landscape area with additional shade trees. There may be opportunity here for larger species to assist with shade.

Council welcomes further engagement on this matter/these matters.

Should you require further information, please contact the undersigned on 4921 0025 or by e-mail on gkeech@lakemac.nsw.gov.au.

Yours faithfully

A handwritten signature in black ink, appearing to read 'G Keech', written in a cursive style.

Geoffrey Keech
Senior Development Planner
Development Assessment and Certification

Appendix A – Suggested Conditions of Consent

Prior to Construction Certificate

Contaminated Land Remediation Action Plan Review

The Remediation Action Plan (RAP) shall be reviewed by a NSW Environment Protection Authority Accredited Site Auditor and prior to issue of each construction certificate a statement shall be provided to Council from the Site Auditor which clearly indicates the RAP is practical and proposed remediation works shall render the site suitable for the intended use.

Condition reason: to ensure contamination is appropriately managed.

Acoustic Certification – Internal Comfort Noise Levels

The proposed development is to be designed and constructed to comply with AS2107.2000 Acoustics – Recommended design sounds levels and reverberation times for building interiors.

A suitably qualified acoustic consultant shall be engaged to assist with the preparation of the final building plans and specifications to ensure the proposed development will comply with AS2107.2016 as amended.

Condition reason: To ensure internal noise comfort in developments.

Noise – Internal Comfort Levels

The development is identified as potentially being impacted by road or rail noise.

Certification by a suitably qualified acoustic consultant certifying the development can achieve compliance with AS 2107-2016 Acoustics - Recommended design sound levels and reverberation times for building interiors. The construction plans shall include details and specifications of any specific works required to achieve compliance.

Condition reason: To ensure compliance with internal noise goals through appropriate mitigation of rail and road noise.

Bunded Spillage Areas

Chemicals stored in bulk form, or work areas where spillages are likely to occur, shall be bunded in accordance with the NSW Environment Protection Authority manual Bunding and Spill Management.

Condition reason: To ensure materials at risk of causing environmental harm are contained in the event of a spill

During Demolition and Construction

Noise and Vibration – an approved document of this consent

While site work is being carried out, noise generated from the site must be controlled in accordance with the requirements of the approved noise and vibration management plan.

Condition reason: To protect the amenity of the neighbourhood during construction

Construction Site Vibration

Vibration on surrounding land from construction site operations shall comply with the Office of Environment and Heritage publication *Assessing Vibration: a technical guideline February 2006*.

Condition reason: To manage the impacts of noise and vibration during construction.

Prior to Occupation Certificate

Contaminated Land Remediation and Site Audit Statement

Prior to the issue of an Occupation Certificate, a Site Audit Statement prepared by a NSW Environmental Protection Authority Accredited Site Auditor shall be provided to Council clearly stating the site is suitable for the approved use.

Condition reason: to ensure the site has been decontaminated.

Certification of acoustic measures

Before the issue of an occupation certificate, a suitably qualified person must provide details demonstrating compliance to the principal certifier that the acoustic measures have been installed in accordance with the acoustic report approved under this consent

Condition reason: To protect the amenity of the local area

Notification of regulated system

Prior to occupation of the site notification is to be provided to Council of any Warm Water system or other regulated system as per NSW Public Health Act & Regulations.

Condition reason: to ensure the regulatory authority is able to perform its functions.

Ongoing Operations and Use

Managing noise

During ongoing use of the premises, the premises must be operated in accordance with the acoustic report approved under this consent.

Condition reason: To protect the amenity of the local area

Managing noise with ongoing acoustic treatment

During ongoing use of the premises, the premises must be operated in accordance with any approved acoustic report.

Where the approved acoustic report recommends ongoing acoustic treatments, an acoustic implementation report from a suitably qualified person must be submitted to council within 90 days of the date of the issue of the occupation certificate.

The report must confirm the implementation of acoustic treatment and demonstrate the external and internal noise levels satisfy the criteria nominated in accordance with the approved acoustic report.

Condition reason: To ensure operational noise levels comply with the approved acoustic report and do not unreasonably impact on the amenity of adjoining and nearby premises.

Liquid Gaseous Wastes, Emissions and Odour Control

Emissions shall be responsibly managed at all times, so as not to cause a danger to public health or loss of amenity or damage to the environment.

Any liquid gaseous wastes, emissions or odours shall be controlled and disposed of in accordance with the *NSW Protection of the Environment Operations Act 1997* and *Regulations 1997*, as amended.

Where it is proposed to treat and discharge waters to the Hunter Water Corporations Sewer, formal approval from the Corporation shall be obtained.

Condition reason: to ensure the ongoing safety and amenity of the area.