

# WILLOWTREE PLANNING



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25 February 2022

REF: WTJ21-314  
Contact: Charbel Ishac

NSW Department of Planning and Environment  
Industry Assessments  
Locked Bag 5022  
Parramatta NSW 2124

**Attention: David Gibson**

**RE: REQUEST FOR INDUSTRY-SPECIFIC SEARS  
PROPOSED EXTENSION TO LAKE MACQUARIE PRIVATE HOSPITAL  
PROPERTY AT 3 SYDNEY STREET, 2 & 4 CASEY STREET, 36 & 38 PACIFIC HIGHWAY, GATESHEAD  
(LOT 90 DP1233497, LOT 7 DP24268, LOT 6 DP24268, LOT 2 DP1223084 AND LOT 8 DP24268)**

Dear David,

We write on behalf of Ramsay Health Care (the Proponent) to the NSW Department of Planning and Environment (DPE) in support of a request for industry-specific Secretary's Environmental Assessment Requirements (SEARs), under the new Rapid Assessment Framework (RAF). The intent of the letter is to demonstrate that the proposal is eligible for industry-specific SEARs.

The proposal involves the extension of Lake Macquarie Private Hospital (LMPH) at 3 Sydney Street, 2 & 4 Casey Street, 36 & 38 Pacific Highway, Gateshead (Lot 90 DP1233497, Lot 7 DP24268, Lot 6 DP24268, Lot 2 DP1223084 and Lot 8 DP24268) (subject site). The proposed extension will be constructed to the north of the existing private hospital which currently comprises low density residential development.

The subject site is located within the Lake Macquarie Local Government Area (LGA) and is zoned R3 Medium Density Residential, pursuant to the *Lake Macquarie Local Environmental Plan 2014* (LMLEP2014). Development for the purpose of health services facility is permissible with consent within the R3 zone as a prescribed zone pursuant to the *State Environmental Planning Policy (Infrastructure) 2007* (SEPP Infrastructure).

The proposal includes the erection of a ten-storey tower located north of the existing LMPH, comprising 114 additional inpatient beds, three (3) additional day surgery theatres, ten (10) additional consulting suites and 120 (75 net) additional car parking spaces, with a Capital Investment Value (CIV) of approximately \$80,000,000.

The proposal constitutes State Significant Development (SSD) pursuant to Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP). Clause 14 of Schedule 1 relates to *Hospitals, medical centres and health research facilities* and provides that the following is SSD:

*Development that has a capital investment value of more than \$30 million for any of the following purposes:*

- (a) hospitals,
- (b) medical centres,



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## REQUEST FOR INDUSTRY-SPECIFIC SEARS

Proposed Extension of Lake Macquarie Private Hospital

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*(c) health, medical or related research facilities (which may also be associated with the facilities or research activities of a NSW local health district board, a University or an independent medical research institute).*

This letter provides an overview of the proposed development and the relevant planning framework that applies to enable the issuance of industry-specific SEARs, which will then guide the preparation of a formal Environmental Impact Statement (EIS) for development of the subject site.

The proposal is considered to meet the criteria for industry-specific SEARs, based on the following:

- It does not constitute Designated Development
- It is wholly permissible pursuant to the SEPP Infrastructure
- It does not involve a concept development application (DA)

The following sections provide an overview of proposal to inform the NSW DPE's decision making for the issuance of industry-specific SEARs.

### 1.0 Site Description

The subject site is identified as 3 Sydney Street, 2 & 4 Casey Street, 36 & 38 Pacific Highway, Gateshead, being legally described as Lot 90 DP1233497, Lot 7 DP24268, Lot 6 DP24268, Lot 2 DP1223084 and Lot 8 DP24268.

The subject site is regular in shape and has a total area of approximately 14,041m<sup>2</sup>. The subject site presently contains the existing LMPH which is operated by Ramsay Health Care. LMPH adjoins low density residential development to the north, east and west of the subject site as well as shop top housing and specialised medical consulting suites to the south. The subject site does not contain any items of Heritage Significance nor is located within a Heritage Conservation Area (HCA).

The subject site benefits from four (4) street frontages of approximately 94m to Sydney Street to the south, 152m to Casey Street to the east, 87m to Casey Street to the north and 152m to O'Brien Street to the west. Vehicular Access is provided via Sydney Street to the south and Casey Street to the north.

The subject site is situated approximately 15km south west of Newcastle Central Business District (CBD). The subject site affords road linkages to Pacific Highway and Newcastle Inner City Bypass. The subject site is also highly accessible via public transport including bus services on Pacific Highway and Oxford Street.

Key land uses in the vicinity of the subject site include:

- North – R3 Medium Density Residential zoned land;
- South – B1 Neighbourhood Centre zoned land;
- East – SP2 Classified Road;
- West – R3 Medium Density Residential zoned land.

The subject site and surrounding context are best illustrated in **Figure 1 - 5** below.



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Figure 1. Aerial Map of Site (Source: Nearmap, 2021)



Figure 2. Cadastral Map of Site (Source: Nearmap, 2021)





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**Figure 3. View of Site from Corner of Sydney Street and Pacific Highway (Source: Google Street View, 2021)**



**Figure 4. View of Site from Corner of Sydney Street and O'Brien Street (Source: Google Street View, 2021)**



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**Figure 5. View of Site from Casey Street (Source: Google Street View, 2021)**

## 2.0 Proponent Details

The Proponent for this proposal is Ramsay Health Care, refer to **TABLE 1**.

TABLE 1: PROPONENT CONTACT DETAILS	
<b>Company Details</b>	Ramsay Health Care Australia Pty Limited C/- Akalan Projects Pty Ltd
<b>Contact Name</b>	Raphael Pullin
<b>Position</b>	Project Manager
<b>Contact Number</b>	0417 217 331
<b>Email Address</b>	rpullin@akalan.com.au

## 3.0 Capital Investment Value

The CIV of the proposed development in accordance with the CIV definition under the *Environmental Planning & Assessment Regulation 2000* (EP&A Regulation), is estimated to be approximately \$80,000,000.

## 4.0 Project Details

The subject proposal will seek development consent for the extension of LMPH. The current proposal plans, prepared by HPI, are included below.





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Figure 6. LMPH Proposed Site Plan (Source: HPI, 2021)

## Proposed Extension of Lake Macquarie Private Hospital

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The proposal includes the erection of a ten-storey tower located north of the existing LMPH. Specifically, the proposal entails the following:

- Minor earthworks involving cut and fill works;
- Infrastructure comprising civil works and utilities servicing;
- Construction of a ten-storey tower with an approximate height of 37m and operation as a health services facility (hospital), comprising:
  - 114 additional inpatient beds;
  - Three (3) additional day surgery theatres;
  - 10 additional consulting suites
  - 120 (75 net) additional car parking spaces

### 5.0 Statutory Context

This section sets out the statutory planning framework and controls relevant to the proposal.

The following statutes, strategic plans and policies have been considered as part of the development planning phase:

- *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*
- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2000*
- *Protection of Environmental Operations Act 1979*
- *Water Management Act 2000*
- *Biodiversity Conservation Act 2016*
- *State Environmental Planning Policy (State and Regional Development) 2011*
- *State Environmental Planning Policy (Infrastructure) 2007*
- *State Environmental Planning Policy No 55 – Remediation of Land*
- *Lake Macquarie Local Environmental Plan 2014*
- *Lake Macquarie Development Control Plan 2014*

### 5.1 Environment Protection and Biodiversity Conservation Act 1999

Under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), any action (which includes a development, project or activity) that is considered likely to have a significant impact on Matters of National Environmental Significance (MNES) (including nationally threatened ecological communities and species and listed migratory species) must be referred to the Commonwealth Minister for the Environment. The purpose of the referral is to allow a decision to be made about whether an action requires approval at a Commonwealth level. If an action is considered likely to have significant impact on MNES, it is declared a “controlled action” and formal Commonwealth approval is required.

The EPBC Protected Matters report generated for the subject site lists the following EPBC matters within 5km of the subject site:

- 1 Wetlands of International Importance;
- 9 Threatened Ecological Communities;
- 78 Threatened Species; and
- 59 Migratory Species.

The EPBC Protected Matters Report is provided at **Appendix 2**.

### 5.2 Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) is the overarching governing statute for all development in NSW and pursuant to Part 4, the proposal is considered SSD under the SRD SEPP.





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### 5.2.1 Section 4.15(1) of the EP&A Act 1979

Section 4.15(1) of the EP&A Act specifies the matters, that a consent authority must consider when determining a DA. The forthcoming EIS will consider and address all matters outlined in Section 4.15 of the EP&A Act.

### 5.2.2 Section 4.46 of the EP&A Act 1979 – Integrated Development

Section 4.46 of the EP&A Act defines ‘Integrated Development’ as matters which require consent from the consent authority and one or more authorities under related legislation. Pursuant to Section 4.46(1) of the EP&A Act, Integrated Development does not apply to SSD.

## 5.3 Environmental Planning and Assessment Regulation 2000

### 5.3.1 Section 4(1) – Designated Development

Section 4(1) of the EP&A Regulation states that:

*“Development described in Part 1 of Schedule 3 is declared to be designated development for the purposes of the Act unless it is declared not to be designated development by a provision of Part 2 or 3 of that Schedule.”*

The proposal, being a health services facility, does not trigger Designated Development pursuant to Schedule 3 of the EP&A Regulation.

## 5.4 Protection of Environmental Operations Act 1979

Schedule 1 of the *Protection of the Environment Operations Act 1979* (POEO Act) contains a core list of activities that require a licence before they may be undertaken or carried out. The definition of an ‘activity’ for the purposes of the POEO Act is:

*an industrial, agricultural or commercial activity or an activity of any other nature whatever (including the keeping of a substance or an animal).*

The proposal will not involve any activity that would require the issue of an Environmental Protection Licence.

## 5.5 Water Management Act 2000

The subject site does not comprise a watercourse within its boundary. The closest watercourse to the subject site is Johnsons Creek to the south and south west of the subject site. The creek is located approximately 70m from the subject site at its closest point.

Pursuant to Section 91(2) of the *Water Management Act 2000* (WM Act), *a controlled activity approval confers a right on its holder to carry out a specified controlled activity at a specified location in, on or under waterfront land.*

For the purposes of the WM Act, *waterfront land* includes land 40m inland of the highest bank of a river (inclusive of any tributary of a watercourse). A *controlled activity* means:

- (a) the erection of a building or the carrying out of a work (within the meaning of the Environmental Planning and Assessment Act 1979), or*
- (b) the removal of material (whether or not extractive material) or vegetation from land, whether by way of excavation or otherwise, or*



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- (c) *the deposition of material (whether or not extractive material) on land, whether by way of landfill operations or otherwise, or*
- (d) *the carrying out of any other activity that affects the quantity or flow of water in a water source.*

Given that the proposal does not include carrying out of a controlled activity on waterfront land, a controlled activity approval is not required.

### 5.6 Biodiversity Conservation Act 2016

The *Biodiversity Conservation Act 2016* (BC Act) and *Biodiversity Conservation Regulation 2017* (BC Regulation) seeks to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development.

Part 7 of the BC Act sets out requirements for biodiversity assessments and approvals under the Planning Act (meaning the EP&A Act).

Pursuant to Section 7.2(1), development or an activity is likely to significantly affect threatened species if:

- (a) *it is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3, or*
- (b) *the development exceeds the biodiversity offsets scheme threshold if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values, or*
- (c) *it is carried out in a declared area of outstanding biodiversity value.*

Pursuant to Section 7.9, a SSD is to be accompanied by a biodiversity development assessment report unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values.

It is considered that the development would not compromise the integrity of the ecological and biodiversity value of the subject site.

### 5.7 State Environmental Planning Policy (State and Regional Development) 2011

Proposed developments involving activities that are listed in Schedule 1 of the SRD SEPP are identified as being SSD. Clause 14 of Schedule 1 of the SRD SEPP includes provisions for developments comprising hospitals, medical centres and health research facilities to be undertaken as SSD.

Clause 14 of Schedule 1 states:

#### *14 Hospitals, medical centres and health research facilities*

*Development that has a capital investment value of more than \$30 million for any of the following purposes:*

- (a) hospitals,*
- (b) medical centres,*
- (c) health, medical or related research facilities (which may also be associated with the facilities or research activities of a NSW local health district board, a University or an independent medical research institute).*

In accordance with Schedule 1, Clause 14(a), given that the CIV of the project is in excess of \$30 million, the proposed development for the purpose of a hospital constitutes SSD.

### 5.8 State Environmental Planning Policy (Infrastructure) 2007

The SEPP Infrastructure aims to facilitate the effective delivery of infrastructure across the State by providing a consistent planning regime for infrastructure and the provision of services, and applies to the subject site and proposed development.



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Part 3 Division 10 Clause 57(l) of SEPP Infrastructure states that “development for the purpose of health services facilities may be carried out by any person with consent on land in a prescribed zone”.

Pursuant to the *Standard Instrument – Principal Local Environmental Plan*, a ‘health services facility’ is defined as follows:

**health services facility** means a building or place used to provide medical or other services relating to the maintenance or improvement of the health, or the restoration to health, of persons or the prevention of disease in or treatment of injury to persons, and includes any of the following:

- (a) a medical centre,
- (b) community health service facilities,
- (c) health consulting rooms,
- (d) patient transport facilities, including helipads and ambulance facilities,
- (e) **hospital**.

**hospital** means a building or place used for the purpose of providing professional health care services (such as preventative or convalescent care, diagnosis, medical or surgical treatment, psychiatric care or care for people with disabilities, or counselling services provided by health care professionals) to people admitted as in-patients (whether or not out-patients are also cared for or treated there), and includes ancillary facilities for (or that consist of) any of the following:

- (a) day surgery, day procedures or health consulting rooms,
- (b) accommodation for nurses or other health care workers,
- (c) accommodation for persons receiving health care or for their visitors,
- (d) shops, kiosks, restaurants or cafes or take away food and drink premises,
- (e) patient transport facilities, including helipads, ambulance facilities and car parking,
- (f) educational purposes or any other health-related use,
- (g) research purposes (whether or not carried out by hospital staff or health care workers or for commercial purposes),
- (h) chapels,
- (i) hospices,
- (j) mortuaries.

The proposed redevelopment of the existing LMPH, being a ‘hospital’ is consistent with the above *Standard Instrument – Principal Local Environmental Plan* definition.

As shown in **Figure 8** below, the LMLEP2014 zones the subject site as R3 Medium Density Residential, which is a prescribed zone under Clause 56 of the SEPP Infrastructure. As the proposed development is for the purpose of a health services facility, the proposal is thereby permissible with consent.

SEPP Infrastructure also provides for certain proposals, known as Traffic Generating Development, to be referred to Transport for NSW (TfNSW) for concurrence.

The referral thresholds for ‘hospitals’ development are as follows:

- 200 or more beds (site with access to a road (generally))
- 100 or more beds site with access to classified road or to road that connects to classified road (if access within 90m of connection, measured along alignment of connecting road)

The proposed development seeks consent for an additional 114 inpatient beds which would result in a total of 243 beds in the hospital. As such, referral to TfNSW is required pursuant to SEPP Infrastructure.

### 5.9 State Environmental Planning Policy No. 55 – Remediation of Land

Under the provisions of *State Environmental Planning Policy No 55 – Remediation of Land* (SEPP 55), where a DA is made, the consent authority must not grant consent unless:

- (a) it has considered whether the land is contaminated, and
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and





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*(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

According to the Environmental Protection Authority (EPA) website, the subject site is not identified as a notified contaminated site. In addition and given the extent of excavation required, the future EIS will be supported by Geotechnical Study and Preliminary Site Investigations.

### 5.10 Lake Macquarie Local Environmental Plan 2014

LMLEP2014 is the primary Environmental Planning Instrument (EPI) applicable to the subject site.

#### 5.10.1 Land zoning

The subject site is located within the R3 Medium Density Residential zone pursuant to LMLEP2014 which is illustrated in **Figure 8** below.



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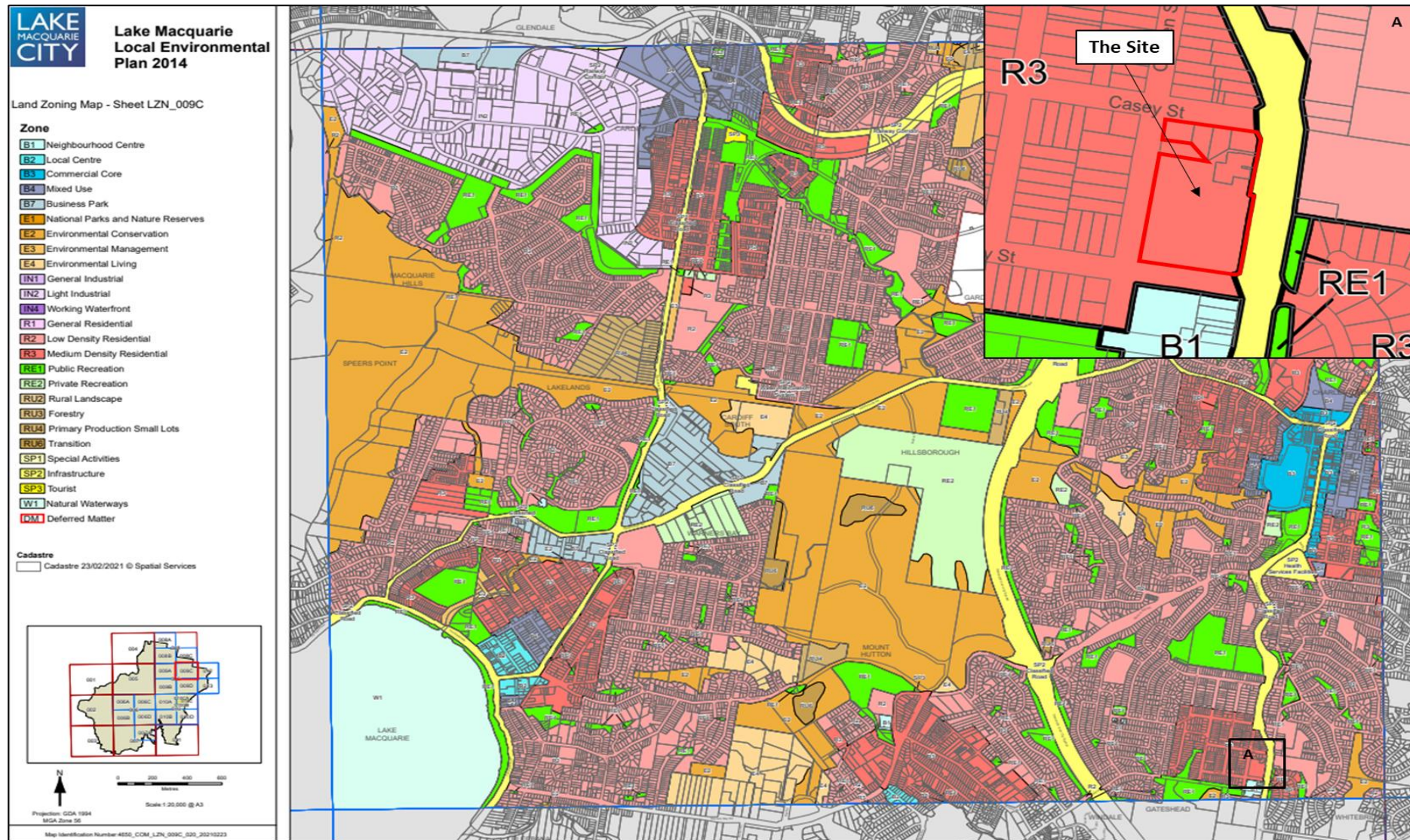


Figure 8. LMLEP2014 Land Zoning Map - LZN\_009C (Source: Legislation NSW, 2022)

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### 5.10.2 Land use and permissibility

The objectives of the R3 Medium Density Residential zone are as follows:

- *To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To maintain and enhance the residential amenity and character of the surrounding area.*

The subject site has been established for a health services facility which provides health care services to meet the day to day needs of residents. The proposed redevelopment of LMPH would increase the operational capacity of the existing health services facility and would continue to provide health services for the local community as well as the wider Lake Macquarie LGA. As such, it is considered that the proposed development is align with the objectives of the zone.

Within the R3 Medium Density Residential zone the following are permissible without consent:

- *Home occupations.*

Within the R3 Medium Density Residential zone the following are permissible with consent:

- *Attached dwellings; Bed and breakfast accommodation; Boarding houses; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Flood mitigation works; Group homes; Home-based child care; Home businesses; Home industries; Hostels; Hotel or motel accommodation; Kiosks; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Recreation areas; Registered clubs; Residential flat buildings; Respite day care centres; Roads; Secondary dwellings; Seniors housing; Sewage reticulation systems; Sewage treatment plants; Shop top housing; Tank-based aquaculture; Water recreation structures; Water recycling facilities; Water supply systems*

Within the R3 Medium Density Residential zone the following are prohibited:

- *Pond-based aquaculture* **Any other development not specified in item 2 or 3**

Pursuant to LMLEP2014, the development of a 'health services facility' is prohibited within the R3 zone. Notwithstanding, as demonstrated in **Section 5.8**, given that the subject site is located within the R3 zone as a prescribed zone, permissibility of the proposed development for the purpose of a health services facility is established under SEPP Infrastructure. Accordingly, the proposal is permissible with consent, pursuant to SEPP Infrastructure, being for a health services facility on land zoned R3 Medium Density Residential.

## 6.0 Other Approvals/Comments

No other approvals are sought for this proposal.

## 7.0 Industry-specific SEARs

This section reviews the relevant industry-specific SEARs and includes commentary on how the Applicant intends to respond to each item, where applicable. Refer to **TABLE 2** for further details.





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TABLE 2: INDUSTRY-SPECIFIC SEARS		
Issue and Assessment Requirements	Documentation	Applicant Comments
<b>1. Statutory Context</b> <ul style="list-style-type: none"><li>Address all relevant legislation, environmental planning instruments (EPIs) (including drafts), plans, policies and guidelines.</li><li>Identify compliance with applicable development standards and provide a detailed justification for any non-compliances.</li><li>If the development is only partly State significant development (SSD) declared under clause 8(1) of the State and Regional Development SEPP, provide an explanation of how the remainder of the development is sufficiently related to the component that is SSD.</li><li>Address the requirements of any approvals applying to the site, including any concept approval or recommendation from any Gateway determination.</li></ul>	Address in EIS.	Noted – the proposal will address the requirement of this item.
<b>2. Capital Investment Value and Employment</b> <ul style="list-style-type: none"><li>Provide a detailed calculation of the capital investment value (CIV) of the development, prepared by a qualified quantity surveyor.</li><li>Provide an estimate of the retained and new jobs that would be created during the construction and operational phases of the development, including details of the methodology to determine the figures provided.</li></ul>	Cost Summary Report.	Noted – a Cost Summary Report will support the proposal.
<b>3. Design Quality</b> <ul style="list-style-type: none"><li>Demonstrate how the development will achieve:<ul style="list-style-type: none"><li>design excellence in accordance with any applicable EPI provisions.</li><li>good design in accordance with the seven objectives for good design in <i>Better Placed</i>.</li></ul></li><li>Where required by an EPI or concept approval, or where proposed, demonstrate how the development has been subject to a competitive design process, carried out in accordance with an endorsed brief and Design Excellence Strategy. Recommendations (from the jury and Design Integrity Panel) are to be addressed prior to lodgement.</li></ul>	<ul style="list-style-type: none"><li>Design Excellence Strategy (where design excellence is required by an EPI)</li><li>Competition Report (where a competitive design process has been held)</li><li>Design Review Report (where the project has been reviewed by the SDRP)</li></ul>	Design quality will be addressed in the EIS. A SDRP meeting will be held on 30 March 2022 therefore, the proposal will include a Design Review Report



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<ul style="list-style-type: none"> <li>In all other instances, demonstrate that the development has been reviewed by the State Design Review Panel (SDRP). Recommendations are to be addressed prior to lodgement.</li> </ul>		
<b>4. Built Form and Urban Design</b> <ul style="list-style-type: none"> <li>Explain and illustrate the proposed built form, including a detailed site and context analysis to justify the proposed site planning and design approach.</li> <li>Demonstrate how the proposed built form (layout, height, bulk, scale, separation, setbacks, interface and articulation) addresses and responds to the context, site characteristics, streetscape and existing and future character of the locality.</li> <li>Demonstrate how the building design will deliver a high-quality development, including consideration of façade design, articulation, roof design, materials, finishes, colours, any signage and integration of services.</li> <li>Assess how the development complies with the relevant accessibility requirements.</li> </ul>	<ul style="list-style-type: none"> <li>Design Architectural drawings</li> <li>Design Report</li> <li>Survey Plan</li> <li>Building Code of Australia Compliance Report</li> <li>Accessibility Report</li> </ul>	Noted – the proposal will address the requirements of this item through the listed reports.
<b>5. Environmental Amenity</b> <ul style="list-style-type: none"> <li>Address how good internal and external environmental amenity is achieved, including access to natural daylight and ventilation, pedestrian movement throughout the site, access to landscape and outdoor spaces.</li> <li>Assess amenity impacts on the surrounding locality, including lighting impacts, solar access, visual privacy, visual amenity, view loss and view sharing, overshadowing and wind impacts. A high level of environmental amenity for any surrounding residential or other sensitive land uses must be demonstrated.</li> <li>Provide a solar access analysis of the overshadowing impacts of the development within the site, on surrounding properties and public spaces (during summer and winter) at hourly intervals between 9am and 3pm, when compared to the existing situation and a compliant development (if relevant).</li> </ul>	<ul style="list-style-type: none"> <li>Shadow Diagrams</li> <li>View Analysis</li> <li>Pedestrian Wind Environment Assessment</li> </ul>	Noted – the proposal will address the requirements of this item through the listed plans and reports.
<b>6. Visual Impact</b> <ul style="list-style-type: none"> <li>Provide a visual analysis of the development from key viewpoints, including photomontages or perspectives showing the proposed and likely future development.</li> </ul>	<ul style="list-style-type: none"> <li>Visual Analysis.</li> <li>Visual Impact Assessment.</li> </ul>	Noted – the proposal will be informed by photomontages and perspective drawings, where necessary, and include a Visual Impact Assessment.



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<ul style="list-style-type: none"> <li>Where the visual analysis has identified potential for significant visual impact, provide a visual impact assessment that addresses the impacts of the development on the existing catchment.</li> </ul>		
<p><b>7. Public Spaces</b></p> <ul style="list-style-type: none"> <li>Demonstrate how the development maximises the amount, access to and quality of public spaces (including open space, public facilities and streets/plazas within and surrounding the site), reflecting relevant design guidelines and advice from the local council and the Department.</li> <li>Demonstrate how the development: <ul style="list-style-type: none"> <li>ensures that public space is welcoming, attractive and accessible for all.</li> <li>maximises permeability and connectivity. o maximises the amenity of public spaces in line with their intended use, such as through adequate facilities, solar access, shade and wind protection.</li> <li>minimises potential vehicle, bicycle and pedestrian conflicts.</li> </ul> </li> <li>Address how Crime Prevention through Environmental Design (CPTED) principles are to be integrated into the development, in accordance with Crime Prevention and the Assessment of Development Applications Guidelines.</li> </ul>	<ul style="list-style-type: none"> <li>Public Space Plan (as part of the Design Report)</li> <li>CPTED Report</li> </ul>	<p>Noted – CPTED will be addressed in the EIS. Further, the proposal will be supported by a Public Space Plan and CPTED Report</p>
<p><b>8. Trees and landscaping</b></p> <ul style="list-style-type: none"> <li>Assess the number, location, condition and significance of trees to be removed and retained and note any existing canopy coverage to be retained on-site.</li> <li>Provide a detailed site-wide landscape plan, that: <ul style="list-style-type: none"> <li>details the proposed site planting, including location, number and species of plantings, heights of trees at maturity and proposed canopy coverage.</li> <li>provides evidence that opportunities to retain significant trees have been explored and/or informs the plan.</li> <li>demonstrates how the proposed development would: <ul style="list-style-type: none"> <li>contribute to long term landscape setting in respect of the site and streetscape.</li> </ul> </li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Arboricultural Impact Assessment</li> <li>Landscape Plan</li> </ul>	<p>Noted – the proposal will include an Arboricultural Impact Assessment and a Landscape Plan.</p>





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<ul style="list-style-type: none"> <li>mitigate the urban heat island effect and ensure appropriate comfort levels on-site.</li> <li>contribute to the objective of increased urban tree canopy cover.</li> <li>maximise opportunities for green infrastructure, consistent with Greener Places.</li> </ul>		
<p><b>9. Ecologically Sustainable Development (ESD)</b></p> <ul style="list-style-type: none"> <li>Identify how ESD principles (as defined in clause 7(4) of Schedule 2 of the EP&amp;A Regulation) are incorporated in the design and ongoing operation of the development.</li> <li>Demonstrate how the development will meet or exceed the relevant industry recognised building sustainability and environmental performance standards.</li> <li>Demonstrate how the development minimises greenhouse gas emissions (reflecting the Government's goal of net zero emissions by 2050) and consumption of energy, water (including water sensitive urban design) and material resources.</li> </ul>	<ul style="list-style-type: none"> <li>ESD Report</li> </ul>	<p>Noted – the proposal will be supported by an ESD Report.</p>
<p><b>10. Traffic, Transport and Accessibility</b></p> <ul style="list-style-type: none"> <li>Provide a transport and accessibility impact assessment, which includes: <ul style="list-style-type: none"> <li>an analysis of the existing transport network, including the road hierarchy and any pedestrian, bicycle or public transport infrastructure, current daily and peak hour vehicle movements, and existing performance levels of nearby intersections.</li> <li>details of the proposed development, including pedestrian and vehicular access arrangements (including swept path analysis of the largest vehicle and height clearances), parking arrangements and rates (including bicycle and end-of-trip facilities), drop-off/pick-up-zone(s) and bus bays (if applicable), and provisions for servicing and loading/unloading.</li> <li>analysis of the impacts of the proposed development (including justification for the methodology used), including predicted modal split, a forecast of additional daily and peak hour multimodal network flows as a</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Transport and Accessibility Impact Assessment</li> <li>Construction Traffic Management Plan</li> <li>Green Travel Plan or equivalent</li> </ul>	<p>Noted – the proposal will address the requirements of this item through the listed reports.</p>



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<p>result of the development (using industry standard modelling), identification of potential traffic impacts on road capacity, intersection performance and road safety (including pedestrian and cyclist conflict) and any cumulative impact from surrounding approved developments.</p> <ul style="list-style-type: none"><li>○ measures to mitigate any traffic impacts, including details of any new or upgraded infrastructure to achieve acceptable performance and safety, and the timing, viability and mechanisms of delivery (including proposed arrangements with local councils or government agencies) of any infrastructure improvements in accordance with the relevant standards.</li><li>○ measures to promote sustainable travel choices for employees and visitors, such as connections into existing walking and cycling networks, minimising car parking provision, encouraging car share and public transport, providing adequate bicycle parking and high quality end-of-trip facilities, and implementing a Green Travel Plan.</li></ul> <ul style="list-style-type: none"><li>▪ Provide a Construction Traffic Management Plan detailing construction vehicle movements, routes, access and parking arrangements, coordination with other construction occurring in the area, and how impacts on existing traffic, pedestrian and bicycle networks would be managed and mitigated.</li></ul>		
<p><b>11. Biodiversity</b></p> <ul style="list-style-type: none"><li>▪ Assess any biodiversity impacts associated with the development in accordance with the Biodiversity Conservation Act 2016 and the Biodiversity Assessment Method 2020, including the preparation of a Biodiversity Development Assessment Report (BDAR), unless a waiver is granted, or the development is on biodiversity certified land.</li><li>▪ If the development is on biodiversity certified land, provide information to identify the site (using associated mapping) and demonstrate the proposed development is consistent with the relevant biodiversity measure</li></ul>	<ul style="list-style-type: none"><li>▪ Biodiversity Development Assessment Report or BDAR Waiver.</li></ul>	<p>Noted – the Applicant intends to seek BDAR waiver for this proposal.</p>



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conferred by the biodiversity certification.		
<b>12. Noise and Vibration</b> <ul style="list-style-type: none"> <li>Provide a noise and vibration assessment prepared in accordance with the relevant NSW Environment Protection Authority (EPA) guidelines. The assessment must detail construction and operational noise and vibration impacts on nearby sensitive receivers and structures and outline the proposed management and mitigation measures that would be implemented.</li> </ul>	<ul style="list-style-type: none"> <li>Noise and Vibration Impact Assessment</li> </ul>	<p>Noted – the proposal will be supported by a Noise and Vibration Impact Assessment.</p>
<b>13. Ground and Water Conditions</b> <ul style="list-style-type: none"> <li>Provide an assessment of the potential impacts on soil resources, including related infrastructure and riparian lands on and near the site.</li> <li>Provide an assessment of the potential impacts on surface and groundwater resources (quality and quantity), including related infrastructure, hydrology, aquatic and groundwater dependent ecosystems, drainage lines, downstream assets and watercourses.</li> <li>Provide an assessment of salinity and acid sulfate soil impacts.</li> </ul>	<ul style="list-style-type: none"> <li>Geotechnical Assessment</li> <li>Surface and Groundwater Impact Assessment</li> <li>Salinity Management Plan and/or Acid Sulfate Soils Management Plan</li> </ul>	<p>Noted – the proposal will address the requirements of this item through the listed reports.</p>
<b>14. Stormwater and Wastewater</b> <ul style="list-style-type: none"> <li>Provide an Integrated Water Management Plan for the development that:               <ul style="list-style-type: none"> <li>is prepared in consultation with the local council and any other relevant drainage or water authority.</li> <li>details the proposed drainage design for the site including any on-site treatment, reuse and detention facilities, water quality management measures, and the nominated discharge points.</li> <li>demonstrates compliance with the local council or other drainage or water authority requirements and avoids adverse impacts on any downstream properties.</li> </ul> </li> <li>Where drainage infrastructure works are required that would be handed over to the local council, or other drainage or water authority, provide full hydraulic details and detailed plans and specification of proposed works that have been prepared in consultation with, and comply with the</li> </ul>	<ul style="list-style-type: none"> <li>Integrated Water Management Plan.</li> </ul>	<p>Noted – the proposal will be supported by an Integrated Water Management Plan.</p>





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relevant standards of, the local council or other drainage or water authority.		
<b>15. Flooding Risk</b> <ul style="list-style-type: none"> <li>lands Identify any flood risk on-site having regard to adopted flood studies, the potential effects of climate change, and any relevant provisions of the NSW Floodplain Development Manual.</li> <li>Assess the impacts of the development, including any changes to flood risk on-site or off-site, and detail design solutions and operational procedures to mitigate flood risk where required.</li> </ul>	<ul style="list-style-type: none"> <li>Flood Risk Assessment.</li> </ul>	Noted – the proposal will be supported by a Flood Risk Assessment.
<b>16. Hazards and Risk</b> <ul style="list-style-type: none"> <li>Where there are dangerous goods and hazardous materials associated with the development provide a preliminary risk screening in accordance with SEPP 33.</li> <li>Where required by SEPP 33, provide a Preliminary Hazard Analysis prepared in accordance with Hazardous Industry Planning Advisory Paper No.6 – Guidelines for Hazard Analysis.</li> <li>If the development is adjacent to or on land in a pipeline corridor, report on consultation outcomes with the operator of the pipeline, and prepare a hazard analysis.</li> </ul>	<ul style="list-style-type: none"> <li>Preliminary Hazard Analysis.</li> </ul>	Noted – the proposal will be supported by a preliminary risk screening assessment, and if required a Preliminary Hazard Analysis.
<b>17. Contamination and Remediation</b> <ul style="list-style-type: none"> <li>In accordance with SEPP 55, assess and quantify any soil and groundwater contamination and demonstrate that the site is suitable (or will be suitable, after remediation) for the development.</li> </ul>	<ul style="list-style-type: none"> <li>Preliminary Site Investigation.</li> </ul> <p>If required:</p> <ul style="list-style-type: none"> <li>Detailed Site Investigation.</li> <li>Remedial Action Plan.</li> <li>Preliminary Long-term Environmental Management Plan.</li> </ul>	Noted – the proposal will be supported by a Preliminary Site Investigation (as a minimum).
<b>18. Waste Management</b> <ul style="list-style-type: none"> <li>Identify, quantify and classify the likely waste streams to be generated during construction and operation.</li> <li>Provide the measures to be implemented to manage, reuse, recycle and safely dispose of this waste.</li> <li>Identify appropriate servicing arrangements for the site.</li> <li>If buildings are proposed to be demolished or altered, provide a hazardous material survey.</li> </ul>	<ul style="list-style-type: none"> <li>Waste Management Plan.</li> <li>Hazardous Material Survey.</li> </ul>	Noted – the proposal will be supported by a Waste Management Plan, noting the proposal is located on a portion of the subject site with residential dwellings, therefore a Hazardous Material Survey is not required.
<b>19. Aboriginal Cultural</b> <ul style="list-style-type: none"> <li>Provide an Aboriginal Cultural Heritage Assessment Report prepared in accordance with relevant guidelines,</li> </ul>	<ul style="list-style-type: none"> <li>Aboriginal Cultural Heritage Assessment Report</li> </ul>	Noted – the proposal will be supported by an Aboriginal Cultural Heritage Assessment



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identifying, describing and assessing any impacts for any Aboriginal cultural heritage values on the site.		Report
<b>20. Environmental Heritage</b> <ul style="list-style-type: none"> <li>Where there is potential for direct or indirect impacts on the heritage significance of environmental heritage, provide a Statement of Heritage Impact and Archaeological Assessment (if potential impacts to archaeological resources are identified), prepared in accordance with the relevant guidelines, which assesses any impacts and outlines measures to ensure they are minimised and mitigated.</li> </ul>	<ul style="list-style-type: none"> <li>Statement of Heritage Impact.</li> <li>Archaeological Assessment.</li> </ul>	N/A – the subject site does not contain, nor is it within the vicinity of an item of heritage significance.
<b>21. Social Impact</b> <ul style="list-style-type: none"> <li>Provide a Social Impact Assessment prepared in accordance with the Social Impact Assessment Guidelines for State Significant Projects.</li> </ul>	<ul style="list-style-type: none"> <li>Social Impact Assessment.</li> </ul>	Noted – the proposal will be supported by a Social Impact Assessment.
<b>22. Infrastructure Requirements and Utilities</b> <ul style="list-style-type: none"> <li>In consultation with relevant service providers: <ul style="list-style-type: none"> <li>assess the impacts of the development on existing utility infrastructure and service provider assets surrounding the site.</li> <li>identify any infrastructure upgrades required on-site and off-site to facilitate the development and any arrangements to ensure that the upgrades will be implemented on time and be maintained.</li> <li>provide an infrastructure delivery and staging plan, including a description of how infrastructure requirements would be co-ordinated, funded and delivered to facilitate the development.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Infrastructure Delivery, Management and Staging Plan.</li> </ul>	Noted – the proposal will be supported by an Infrastructure Delivery, Management and Staging Plan.
<b>23. Bush Fire Risk</b> <ul style="list-style-type: none"> <li>If the development is on bush fire prone land, provide a bush fire assessment that details proposed bush fire protection measures and demonstrates compliance with Planning for Bush Fire Protection.</li> </ul>	<ul style="list-style-type: none"> <li>Bush Fire Assessment.</li> </ul>	N/A – the proposal is not located on bush fire prone land.
<b>24. Aviation</b> <ul style="list-style-type: none"> <li>If the development proposes a helicopter landing site (HLS), assess its potential impacts on the flight paths of any nearby airport, airfield or HLS. · If the site contains or is adjacent to a</li> </ul>	<ul style="list-style-type: none"> <li>Aviation Report</li> </ul>	N/A – the proposal does not seek consent for a HLS.



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HLS, assess the impacts of the development on that HLS.		
<b>25. Construction, Operation and Staging</b> <ul style="list-style-type: none"> <li>If staging is proposed, provide details of how construction and operation would be managed and any impacts mitigated.</li> </ul>	<ul style="list-style-type: none"> <li>Address in EIS.</li> </ul>	Noted – the proposal will address the requirement of this item.
<b>26. Contributions and Public Benefit</b> <ul style="list-style-type: none"> <li>Address the requirements of any relevant contribution plan(s), planning agreement or EPI requiring a monetary contribution, dedication of land and/or works-in-kind and include details of any proposal for further material public benefit.</li> <li>Where the development proposes alternative public benefits or a departure from an existing contributions framework, the local council, the Department and relevant State agencies are to be consulted prior to lodgement and details, including how comments have been addressed, are to be provided.</li> </ul>	<ul style="list-style-type: none"> <li>Address in EIS.</li> </ul>	Noted – the proposal will address the requirement of this item.
<b>27. Engagement</b> <ul style="list-style-type: none"> <li>Detail engagement undertaken and demonstrate how it was consistent with the Undertaking Engagement Guidelines for State Significant Projects. Detail how issues raised and feedback provided have been considered and responded to in the project. In particular, applicants must consult with:               <ul style="list-style-type: none"> <li>the relevant Department assessment team.</li> <li>any relevant local councils.</li> <li>any relevant agencies (including the Western Parkland City Authority for development within the Western Parkland City).</li> <li>the community.</li> <li>if the development would have required an approval or authorisation under another Act but for the application of s 4.41 of the EP&amp;A Act or requires an approval or authorisation under another Act to be applied consistently by s 4.42 of the EP&amp;A Act, the agency relevant to that approval or authorisation.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Engagement report.</li> </ul>	Noted – the proposal will be supported by an Engagement Plan, in accordance with the <i>Undertaking Engagement Guidelines for State Significant Projects</i> .



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The proposal is considered to meet the eligibility criteria for industry-specific SEARs. As such, it is requested that NSW DPE issue formal SEARs for the preparation of an EIS for this proposal as SSD. Should you require any further information to do so, please do not hesitate to contact Andrew Cowan on 0413 555 638 or via email at [acowan@willowtp.com.au](mailto:acowan@willowtp.com.au).

Your sincerely,



Andrew Cowan  
Director  
Willowtree Planning Pty Ltd

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<b>Appendix 1</b>	Preliminary Architectural Plans
<b>Appendix 2</b>	EPBC Protected Matters Report





## **APPENDIX 1**



## **REQUEST FOR INDUSTRY-SPECIFIC SEARS**

Proposed Extension of Lake Macquarie Private Hospital  
Eastern Creek Drive, Eastern Creek (Lot 1 DP1274322)

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## **APPENDIX 2**

