

**RESPONSE TO SUBMISSIONS REPORT
NEPEAN HOSPITAL STAGE 2 REDEVELOPMENT
SSD DA 16928008**

PART A – MAIN REPORT



Prepared on behalf of Health Infrastructure



June 2022

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Date: 9 June 2022

RESPONSE TO SUBMISSIONS REPORT PART A – MAIN REPORT

SSD DA 16928008 NEPEAN HOSPITAL STAGE 2 REDEVELOPMENT DERBY STREET, KINGSWOOD

1.0 INTRODUCTION

I act for the applicant (Health Infrastructure) in respect of the current SSD DA for the Nepean Hospital Stage 2 Redevelopment (SSD 16928008) at Derby Street, Kingswood and provide a response to submissions arising from the public exhibition of the DA in January/February 2022.

Agency submissions were received from the following:

- Department of Planning and Environment (Environment, Energy and Science Group - EES)
- Endeavour Energy
- Heritage NSW
- NSW EPA
- Sydney Water
- Transport for NSW
- Penrith City Council
- Civil Aviation Safety Authority (CASA)

The Department has also provided a summary of key issues as per its letter dated 21 February 2022.

One public submission (name and address withheld) was received from an adjacent neighbour of the hospital.

The response to these submissions is set out below in Section 4.0 of this report and is supported by the following documentation for the Department's consideration and assessment:

- **Appendix A** – Submissions Register (as embedded within Part B of this response)
- **Appendix B** – Updated Mitigation Measures
- **Appendix C** – Architectural Design Statement - Response to Submissions (BVN)
- **Appendix D** – Refined Traffic Impact Assessment (ptc)
- **Appendix E** – Civil Engineering drawing set and statement (Acor)
- **Appendix F** – Updated Landscape Plan set and updated Landscape Report (Arcadia)
- **Appendix G** – Revised BDAR (Total Earth Care)
- **Appendix H** – Flooding signage response (Urbanite)
- **Appendix I** – Response to comments (Cattell Cooper)

These documents form part of Part B to this response.

2.0 ANALYSIS OF SUBMISSIONS

The range of issues raised in submissions can be broadly grouped into the following:

- Built form
- Traffic, parking, access and civil engineering design matters
- Landscaping
- Biodiversity and tree removal
- Flooding impacts
- Electrical and water servicing connections
- Aboriginal cultural heritage

- Stormwater management and water reuse

Many of the submissions provided routine commentary, reiterated matters already subject of the assessment in the EIS and its specialist reports, or provided suggested draft conditions of consent.

A submissions register is provided at **Appendix A**.

One of the key issues raised in the Penrith City Council submission relates to the loss of 43 parking spaces on Barber Avenue to cater for the new entry and drop-off area for the Stage 2 Building, along with the design of that roadway and its relationship to Barber Avenue.

In seeking to address and resolve Council's issues and commentary, HI and the project team have twice met with Council's relevant representatives. Meetings were held on 29 March 2022 and 13 April 2022. Following these meetings, HI and the design team progressed a refined design which sought to address the majority of Council's issues. We believe the design issues related to the roadway's relationship to Barber Avenue were resolved, however, the loss of 43 parking spaces was able to be reduced to a net loss of 14 spaces, with 29 spaces able to be retained in a reconfigured and tested arrangement compliant with all relevant requirements and standards. The existing and proposed scenario is set out in the following table.

Location (all 2P – 2 hour parking)	Existing Barber Ave parking	SSD DA as submitted	Now proposed	Net gain / loss
Parker St / Barber Ave	5	0	5	0 – neutral
West of Private Hospital link bridge	10	0	16	+6
East of Private Hospital link bridge	24	0	6	-18
Northern side of Barber Ave near Tresillian / Private Hospital	4	0	2	-2
TOTAL	43	0	29	-14
Motorcycle parking	0	0	3	+3

The updated design is included as part of the Acor drawings at **Appendix E**.

Council was provided with the updated design on 18 May 2022 with the intent to further meet and discuss this design. Council however maintains its lack of support for the design, despite adjustments made to seek to best satisfy Council's concerns whilst balancing these with the project's objectives. Given the level of disagreement, it was not considered fruitful to further meet.

Notwithstanding, HI believes that the revised design of Barber Avenue substantially meets Council's concerns (other than retaining all 43 parking spaces) and is willing to continue working with DPE and Council to find a solution that is acceptable. As it stands, the updated design has been adopted in all other corresponding drawings as HI's preferred (but compromise) position.

3.0 ACTIONS TAKEN SINCE EXHIBITION

As noted above, to seek to resolve Council's key issues meetings were held with Penrith City Council on two occasions - 29 March 2022 and 13 April 2022. We believe the result of these meetings has addressed all of Council's concerns, but for the loss of on-street parking on Barber Avenue, the response to which is set out above and throughout this report.

Additionally, the design and consultant team has worked to address key issues with updated reports and drawings as set out herein and as appended. Further, as a result of design development a range of minor changes to the proposed development also arise. These are set out, and assessed and justified, in Section 5.0 of this part of this report.

4.0 RESPONSE TO DPE KEY ISSUES AND AGENCY AND COUNCIL SUBMISSIONS

4.1 Department of Planning & Environment Key Issues

The following sets out our response to the Department's key issues as included in its letter dated 21 February 2022.

Issue	Response
Built Form	
The southern and eastern elevation plans depict facades that would benefit from the use of colour or material change to create visual articulation of the building bulk similar to the eastern facade. Consideration should be given to integrating colour and altering materials to create visible building articulation and to break up the blank facade.	<p>BVN has provided a detailed response in a revised Architectural Design Statement addressing relevant commentary made in the submissions – see Appendix C.</p> <p>In short, to summarise, following the State Design Review Panel (SDRP) process and commentary for further façade articulation and colour and materials changes, BVN has further developed the design as part of the Design Development phase.</p> <p>BVN advises that for overall design consistency it was important for Tower 2 to tie into the façade language of Tower 1 with the overall intention to create one seamless building especially along the southern and eastern facades.</p> <p>The main focus for façade variation and introducing change in materiality remains the Western façade, clearly marking the new hospital entry.</p> <p>The overall number of façade types for both buildings is minimised for clarity and to suit the required modulation of the clinical planning, and to accommodate internal planning changes that occurred during Design Development.</p> <p>The southern and eastern tower façades are made up of windows and metal cladding panels and seeks to provide textural variability using a mixture of profiled/ribbed metal cladding in combination with a smooth flat panel. To provide depth and visual relief, the façade system is further articulated with the use of recessed “urban markers” which respond to the internal planning. This is depicted in the BVN response at Appendix C.</p>
The plans are to be amended to include screens for the rooftop plant and utilities to minimise the visual impact of these structures.	<p>As above, BVN has advised that refinement has occurred at the Design Development phase. This has resulted in all rooftop plant rooms being fully enclosed with louvres which are generally integrated into the tower façade systems. This provides for a consistency of the facades where large louvre areas are required for plant rooms on Level 4 and the Level 8 roof. These closely tie-in with the plant room screening implemented for Tower 1.</p> <p>Rooftop plant rooms have been set back from the building edges, and employ dark-grey-coloured louvre screens to reduce potential visual impacts.</p>

	BVN has prepared a revised Architectural Design Statement addressing relevant commentary made in the submissions. This and revised drawings as described in the cover letter are included at Appendix C .
Traffic and Parking	
The Department considers traffic and parking management a critical issue for the proposed development. The Department offers the following comments in addition to those provided by Council and Transport for NSW (TfNSW):	Noted. See responses below. ptc has prepared an updated Traffic Impact Assessment (TIA) which addresses the commentary made by DPE, TfNSW, and Council – see Appendix D .
The 43 on-street parking spaces proposed to be removed from the development site should be retained or relocated within the hospital campus.	Option layouts were prepared and considered to assess the extent of parking that can be retained along Barber Avenue. This was completed during and following two meetings with Council where Council set out its key design issues. Whilst Council's position on retaining all 43 spaces remains, the redesign has managed to address all other Council issues but results in a net loss of now only 14 spaces. The priority for HI remains providing an access arrangement to the Stage 2 development that is clear and well defined for users, and which can retain most of the Barber Avenue parking. The redesign as prepared by Acor (the project's civil engineer) and as included in Appendix E , results in 29 car parking spaces and 3 motorcycle spaces being retained within Barber Avenue (ie a net loss of 14 spaces). ptc is of the opinion that the various developments along Barber Avenue including the subject proposal change the role of the road to one of primary access and circulation rather than serving on-street parking. See also Section 7.2 of the updated TIA.
Given that the operating capacity of the hospital is increasing in terms of staff and patients, the Department remains concerned about the significant shortfall in on-site parking across the campus. Describe how the Nepean Hospital masterplan addresses this parking shortfall and whether it contains any measures to meet parking demand associated with the ongoing redevelopment of the hospital campus.	In response to changes in the services provided within the campus through the development of Stage 1 and Stage 2, the multi-storey car park constructed in 2019 was proposed to facilitate this associated parking demand ahead of the projects for the express purpose of accommodating the parking for Stages 1 and 2. The traffic analysis undertaken to support the multi-storey car park included all traffic activity associated with the Stage 1 and Stage 2 projects based on forecast parking demands. It is important to assess the subject proposal in the context of the overall campus plan, which sees a net reduction in staff through the decanting of services off site. This reduces the overall parking demand, while the number of parking spaces is largely retained at approximately 2,000 spaces. Note also the recent approval of the Nepean Hospital Green Travel Plan (GTP) by both TfNSW and DPE which amongst other things seeks to reduce reliance upon car parking on and off site and enhance and increase public transport usage. The GTP will be retained as a live document to address mode share splits under the Stage 2 Redevelopment. See also Section 7.1 of the updated TIA.

Landscaping	
<p>The proposed courtyard located on the south-eastern side of the proposed development (known as "southern courtyard") will be significantly shadowed during the winter solstice.</p> <p>Given the height of the surrounding and proposed buildings, the landscaping documentation should be amended to demonstrate that these solar access conditions have been considered in the selection of plant species and the landscape design.</p>	<p>See the originally submitted design statement. The statement is clear in its objectives for the "southern courtyard" stating the microclimate is likely to be mostly shady and that it mirrors that of the deep shaded valleys of the Blue Mountains as a reference point. See Section 4.5 and Section 7.5.3 of the EIS and pages 8 and 10 of the Landscape Report.</p> <p>Arcadia has further confirmed that the species chosen are suitable and durable for this location and microclimate.</p> <p><i>The planting strategy has been more clearly detailed to illustrate the species and distribution across the space. Species selected are suitable for the various microclimatic zones created by the new building works. In places, the microclimate will reflect that of the deep shaded valleys of the Blue Mountains as a reference point. A range of shade loving ferns, shrubs and groundcovers will provide a lush outlook from the many vantage points around the courtyard.</i></p> <p><i>In the areas of the courtyard that will receive more consistent sunlight, we have placed taller Cumberland Plain Eucalypt canopy trees. These plantings complement and expand the Stage One planting character and strategy already installed. Given their mature heights, the canopies of these specimens will have access to far more sunlight than the understorey plants, particularly during the late morning / early afternoon.</i></p> <p>Refer Arcadia's response letter and drawing LAN_01 as included in that letter.</p> <p>Appendix F also provides for an updated Landscape Report and drawings as addressed by the cover letter to this response.</p>
<p>Provide details on the extent of existing and proposed total 'soft' landscaped area for the development site.</p>	<p>Impervious area was previously shown on the submitted Bonacci plans and report. The proposed 'soft' areas exceed the existing 'soft' areas.</p> <p>Stage Two 'soft' landscape areas on site were previously limited to the residual areas around the buildings, roads and carparks.</p> <p>The areas of significant existing landscaping across the Stage Two area can be seen in an excerpt from the Biodiversity Development Assessment Report (BDAR) Report – as included in Arcadia's response letter.</p> <p>Proposed 'soft' areas will exceed existing 'soft' areas with several large, connected, usable spaces providing not only landscaping, but also amenity for users.</p> <p>Wherever possible the existing landscape areas have been maintained and trees within protected. Canopy cover across the site is also improved through the proposed works.</p>

	Refer the proposed Stage Two 'soft' landscape area diagram included in the Arcadia response letter which illustrates the deep-soil landscape planting areas.
Provide justification for the species of vegetation selected to serve as a suitable replacement for the removed Cumberland Plain Woodland on the site.	<p>Arcadia has reviewed the Total Earth Care BDAR and has aligned the revised SSD DA proposal with the findings and directions of this report.</p> <p>Arcadia confirms that the species chosen are suitable and aligned with the BDAR. Arcadia has marked-up a table in its response letter at Appendix F showing species which are indigenous and identified as key species in the Upper to Mid-Canopy of the Cumberland Plain Woodland Vegetation Community, as captured in the BDAR.</p> <p>Further, a list of recommendations in the BDAR is included in Table 6-1. Mitigation and management measures. Of specific consideration for the landscape documentation are B1 and B11.</p> <p>Mitigation measure B1 identifies the need for Offsetting the loss of PCT 849 (Cumberland Plain Woodland) across the site. This has been achieved with a large increase in CPW canopy and groundcover proposed. Removal of non-indigenous planting has also contributed to this and will provide a more consistent habitat and character across the campus.</p> <p>Mitigation measure B11 seeks that landscape planning includes the use of local provenance species consistent with PCT 849 and in accordance with the Master Plan. This has been proposed and goes one step further to identify species that are currently propagated by local Indigenous Plant / Seed Collection and Nursery provider – Muru Mittigar (www.murumittigar.com.au). Please refer to the attached planting schedule – LAN_02 within the Arcadia letter at Appendix F.</p>

4.2 Agency, Council and Public Submissions

The following sets out our response to the Agency and Council submissions received by the Department, as well as the single public submission.

Department of Planning and Environment (Environment, Energy and Science Group - EES)	
Issue	Response
Biodiversity Considerations	
EES notes that this review was undertaken without access to the assessment in the BAM calculator as the case has not been submitted. The assessor must 'submit to consent authority' where the consent authority is 'Greater Sydney – Compliance & Regulation'.	This was submitted by Total Earth Care to the consent authority on 13/04/22 as case 00028078.
EES also notes that this review has been undertaken without access to GIS files, as these have not been provided to EES. While a photo of BAM Plot 1 has been provided, the location should be plotted on a map. No map of plot locations has been provided.	Total Earth Care has prepared a revised BDAR for the development. Amended Figure 3-4 in the final BDAR addresses this matter. See Appendix G to this Response to Submissions.

<p>Table 4-1 includes candidate ecosystem credits species and table 4-2 candidate species credit species. The tables do not include the results of background searches, namely BioNet Atlas searches. In this regard, from a 10km BioNet Atlas search the following species were absent from the lists of Predicted Ecosystem Credit Species and Species Credit Species for assessment. The following species are to be included in table 4-1 and 4-2.</p> <ul style="list-style-type: none"> • Freckled Duck (<i>Stictonetta naevosa</i>) • Black-necked Stork (<i>Ephippiorhynchus asiaticus</i>) • Australasian Bittern (<i>Botaurus poiciloptilus</i>) • Black Bittern (<i>Ixobrychus flavicollis</i>) • Little Eagle (<i>Hieraaetus morphnoides</i>) • Square-tailed Kite (<i>Lophoictinia isura</i>) • Bush Stone-curlew (<i>Burhinus grallarius</i>) • Glossy Black-Cockatoo (<i>Calyptorhynchus lathamii</i>) • Powerful Owl (<i>Ninox strenua</i>) • Masked Owl (<i>Tyto novaehollandiae</i>) • Sooty Owl (<i>Tyto tenebricosa</i>) • Varied Sittella (<i>Daphoenositta chrysoptera</i>) • Yellow-bellied Sheath-tail-bat (<i>Saccolaimus flaviventris</i>) • Large-eared Pied Bat (<i>Chalinolobus dwyeri</i>) • Eastern False Pipistrelle (<i>Falsistrellus tasmaniensis</i>) • Greater Broad-nosed Bat (<i>Scoteanax rueppellii</i>) • <i>Pultenaea parviflora</i> • <i>Syzygium paniculatum</i> • <i>Pterostylis saxicola</i> • <i>Persoonia nutans</i> 	<p>The internal BioNet search process conducted by Total Earth Care includes utilising mapping software such as ArcGIS or QGIS to clip the 10km BioNet Atlas species searches to a 5km buffer of the site to increase the accuracy of the database search and therefore robustness of the species searches. The BAM methodology associates ecosystem and species credits with an identified PCT on site not with BioNet searches.</p>
<p>There is some potential for microbats to be using the buildings that are present, but no surveys for microbat roosting have been undertaken. As stated in DPIE's BDAR waiver guidance (https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Biodiversity/apply-biodiversity-development-assessment-report-waiver-190593.pdf), human-made structures may provide habitat for threatened species, particularly microbats.</p>	<p>Microbat surveys were not conducted due to the lack of suitable habitat identified on site. There is potential for species such as the Eastern Coastal Free-tailed Bat to utilise the habitat periodically throughout the year, however there were no species records and upon further site inspection the nature of the buildings on site was deemed to be highly disruptive and unlikely to offer roosting habitat for this species.</p>
<p>Therefore, if the proposed development includes demolition of buildings and/or impacts to other human-made structures, the BDAR should include the details of potential habitat in human-made structures and demonstrate how surveys have been conducted for the presence of threatened species. There is no description in the BDAR of any surveys being undertaken of human-made structures to determine the presence of microbats.</p>	<p>The general fauna survey included the assessment of all suitable habitat for threatened species. This includes habitat such as human-made structures the assessment of the condition of the habitat led to the conclusion that the habitat on site was not suitable.</p>
<p>Therefore, further surveys should be conducted to determine their presence or otherwise, i.e. daytime roost searches should be carried out. A search is to be undertaken by looking for bats or signs of bats in suitable roost habitat during the daytime. All roost</p>	<p>As above.</p>

searches should use a torch to shine in holes, cracks and crevices, and carry a handheld bat detector to locate bats that may call. If bats are detected, observers must confirm the identity of the species and determine if the roost is a maternity roost. The BDAR should then be updated which includes a description of the searches undertaken and any results included in the impact assessment and offset requirement.	
Table 6-1 of the BDAR outlines mitigation and management measures required to be undertaken. We support the mitigation measures from the BDAR and if the application is approved, we recommend these measures are written into the conditions of consent.	Noted. No further response is required.
Given the potential for the presence of protected fauna utilising trees for habitat, the following preclearance survey condition could be included in the consent.	See response below.
Tree Removal and Fauna Protection	
Pre-clearance survey: Within one week prior to any removal of vegetation a pre-clearance survey is required to be undertaken by a qualified ecologist to identify, number and flag hollow-bearing trees and other habitat features such as nests or hollow logs proposed to be removed.	These pre-clearance conditions are reasonable and are consistent with the standard approach to clearing vegetation (unless outlined otherwise in a clearing and grubbing plan). No objection in-principle regarding the imposition of these matters as draft conditions for further review.
The results of the pre-clearance survey shall be submitted to the project manager to inform tree clearance protocols.	These pre-clearance conditions are reasonable and are consistent with the standard approach to clearing vegetation including the provision of a pre-clearing report or letter style report upon completion of the survey (unless outlined otherwise in a clearing and grubbing plan). No objection in-principle regarding the imposition of these matters as draft conditions for further review.
Tree Removal: During any tree removal, an experienced and qualified ecologist is to be present to re-locate any displaced fauna that may be disturbed during this activity.	These 'clearing supervision' conditions are reasonable and are consistent with the standard approach to clearing vegetation. No objection in-principle regarding the imposition of these matters as draft conditions for further review.
All non-habitat vegetation should be cleared first to allow appropriate space for the felling of habitat trees and retrieval of any fauna that may be present within habitat trees.	These conditions are reasonable and are consistent with the standard approach to clearing vegetation unless stipulated that an ecologist is required on site to supervise the clearing of non-habitat vegetation. No objection in-principle regarding the imposition of these matters as draft conditions for further review.
Trees with hollows shall be lopped in such a way that the risk of injury or mortality to fauna is minimised, such as top-down lopping, with lopped sections gently lowered to the ground, or by lowering whole trees to the ground with the "grab" attachment of a machine.	These conditions are reasonable and are consistent with the standard approach to clearing vegetation. No objection in-principle regarding the imposition of these matters as draft conditions for further review.
Any injured fauna is to be appropriately cared for and released on site when re-habilitated. Injured fauna is to be placed into the hands of a wildlife carer (please note only appropriately vaccinated personnel are to handle bats).	These conditions are reasonable and are consistent with the standard response to the incursion of injured fauna and WHS practices when handling bats.

	No objection in-principle regarding the imposition of these matters as draft conditions for further review.
Flooding Considerations	
EES raises concerns around the flood modelling and information provided and has identified that some details require clarification to ensure flood risks are properly managed.	Noted – see commentary / responses below.
EES has reviewed the flood assessment, Stormwater and Flooding Assessment for Nepean Hospital Development Stage 2 (Meinhardt-Bonacci, November 2022) provided as part of the EIS. This assessment concludes that the site of stage 2 is not affected by flooding. This is confirmed by the College, Orth and Werrington Creeks Flood Study, which shows that the proposed Stage 2 facility is not impacted by flooding.	Noted and accepted. See further commentary in response to Penrith City Council below.
EES noticed that, the draft College, Orth and Werrington Creeks Floodplain Risk Management Study and Plan (FRMSP) updated mapping 2021 represents the hospital site during the construction of Stage 1 which includes isolated ponding at excavated areas within the site.	Yes, that is correct.
From an emergency response perspective, EES notes that, the College, Orth and Werrington Creeks Catchment Overland Flow Flood Study (June 2017) and the draft College, Orth and Werrington Creeks FRMSP 2021 classify the hospital site as a 'flood exit route rising road'. However, it is prudent to consider that the access through the Great Western Highway at the north eastern corner at the hospital will be cut in major events for a short duration. Safety signs may be required to guide the community and health services to avoid this route in major flood events.	<p>This appears to be a matter best resolved by Council and/or TfNSW with appropriate signage for all road users who are likely to be impacted.</p> <p>Notwithstanding, Urbanite has prepared a drawing package for information only to show how pedestrians and motorists leaving the hospital would be advised of flood risk at or around the hospital. This includes signage on existing and proposed wayfinding signs and advisory panel at the various pay stations at the carparks on the campus.</p> <p>Urbanite drawing package is include for information at Appendix H.</p>
Endeavor Energy	
Issue	Response
Network Capacity / Connection: Endeavour Energy has noted the Electrical Services SSDA SEARs Report dated 11 November 2021 (Rev C) identifies the electricity infrastructure upgrades required to facilitate the proposed development and is progressing with the Level 3 Accredited Service Provider (ASP) design.	Noted.
The applicant and their ASP should continue to complete the application for connection of load process with Endeavour Energy's Customer Network Solutions Branch who are responsible for managing the conditions of supply and can be via Head Office enquiries on business days from 9am - 4:30pm on telephone: 133 718 or (02) 9853 6666.	The process has now been completed with the issue of an approved certified design at Level 3, with the subsequent steps to be completed during construction.
<p>The applicant will also need to contact Endeavour Energy's Customer Network Solutions Branch if this Development Application:</p> <ul style="list-style-type: none"> Includes any contestable works projects that are outside of any existing approved / certified works. Results in an electricity load that is outside of any existing Supply / Connection Offer 	There is no objection in-principle regarding the imposition of this matter as a draft condition for further review.

requiring the incorporation of the additional load for consideration.	
<p>Endeavour Energy's Asset Planning & Performance (AP&P) Branch has provided the following advice.</p> <p>AP&P have reviewed and can confirm we have been actively working and supporting Level 3 (L3) Accredited Service Provider (ASP) to connect the Stage 2 development of Nepean Hospital. We have this work registered under customer application number ULL3036. Additionally, AP&P have reviewed the attachments forwarded, including the Electrical Services report. The infrastructure proposed by L3 ASP is as per the reports and includes the establishment of a new 11 kV feeder from Endeavour Energy's Kingswood Zone Substation, and new switching station at the boundary of Nepean Hospital (adjacent the Stage 1 electrical works).</p>	Noted.
Subject to the foregoing Endeavour Energy has no objection to the Development Application.	Noted.
Heritage NSW	
Issue	Response
Heritage NSW understands that Comber Consultants was engaged by Health Infrastructure NSW to undertake an Aboriginal archaeological assessment, which included background research and a site inspection. Due to the disturbed nature of the site, it was concluded that the site does not contain Aboriginal archaeological potential and that it was unlikely that Aboriginal objects would be disturbed by the proposal. That report is appended to this Aboriginal Cultural Heritage Assessment Report (ACHAR). Heritage NSW concurs with this assessment.	Noted and accepted.
Heritage NSW notes that the ACHAR details the Aboriginal consultation undertaken for the project and was written in accordance with the Aboriginal Cultural Heritage Consultation Requirements for Proponents (2010), and makes the following recommendations:	Noted – see also below.
1. There are no constraints to the proposed Nepean Hospital Stage 2 redevelopment in respect of Aboriginal archaeology.	Noted and accepted.
<p>2. The Kamilaroi-Yankuntjatjara Working Group (KYWG) and Aragung are concerned that previously undetected or unrecorded Aboriginal objects may be harmed during ground disturbance and have requested that monitoring of excavations be undertaken by the Registered Aboriginal Parties. Please contact:</p> <ul style="list-style-type: none"> The Kamilaroi-Yankuntjatjara Working Group at: philipkhan.acn@live.com.au to arrange monitoring by the KYWG. Jamie Eastwood at: james.eastwood@y7mail.com to arrange monitoring by of Aragung. An archaeologist is not required for this monitoring. 	<p>This appears to repeat the ACHAR's conclusions. Accordingly, this is noted and accepted.</p> <p>There is no objection in-principle regarding the imposition of this matter as a draft condition for further review.</p>

3. The RAPs requested that an interpretation strategy and plan be developed and implemented that details the Aboriginal history of the site and the Penrith area. The history and data contained in this report could underpin the interpretation. The interpretation should be undertaken in a range of innovative ways including artworks, landscaping, and digital displays.	This is already underway. See Aboriginal Consultation Report, particularly Sections 7, 8 and 9 of that Report (Appendix X of EIS) and Landscape Report and Plans at Appendix O.
4. A Landscape Design Report by Arcadia which includes plantings that respond to Connecting to Country and includes interpretative opportunities such as "Healing Landscapes" and "The Story of the Mulgoa People".	Noted. As set out above.
5. If any previously unrecorded or undetected Aboriginal objects are unexpectedly uncovered, all work must cease in the vicinity of that object, the area secured, and further advice sought from the consultant and the Aboriginal monitor.	This standard condition would be accepted, subject to further review of the drafted condition.
6. An induction should be provided by an archaeologist to all employees, contractors or sub-contractors engaged on this project, detailing their responsibilities under the National Parks & Wildlife Act 1974 in respect of Aboriginal archaeology and heritage and should include advice: <ul style="list-style-type: none"> • That it is an offence to harm an Aboriginal object without a permit. • How to identify an Aboriginal object. • If an Aboriginal object(s) is unexpectedly uncovered, all work must cease in the vicinity of that object, the area secured, and the consultant contacted immediately. 	As above.
Heritage NSW concurs with all the recommendations documented in the ACHAR with respect to the management and mitigation of the Aboriginal cultural heritage values associated with the proposal.	Noted.
NSW EPA	
Issue	Response
Based on the information provided, the proposal does not appear to require an Environment Protection Licence under the <i>Protection of the Environment Operations Act 1997</i> . The EPA does not require any follow-up consultation. Penrith City Council should be consulted in relation to the proposal.	Noted.
Sydney Water	
Issue	Response
Water Servicing It is understood that no new connection to the Sydney Water network will be needed to service Stage 2 of the redevelopment as it will utilise the Stage 1 connection.	This is correct. The Stage 2 building water supply will connect into the 200mm capped connection installed during the Stage 1 works.
Wastewater Servicing The proposed redevelopment will drain east to the amplified 300mm wastewater main constructed under CN 177642WW.	As above, correct. The Stage 2 building's sanitary drainage service will connect into the 300mm capped connection installed during the Stage 1 works. This is located adjacent to the north-western corner of the Stage 1 Tower under the Emergency driveway. This

	300mm service connects into the 300mm vitrified clay Sydney Water town main in Somerset Street, and was sized during the Stage 1 design to accommodate the demands of both Stage 1 & 2 buildings.
Attachment 1 Details related to: <ul style="list-style-type: none"> Section 73 Compliance Certificate Building Approval Plan Out of Scope Building Plan Approval Tree Planting 	There is no objection in-principle regarding the imposition of these matters as draft conditions for further review.
Attachment 2 <ul style="list-style-type: none"> Trade Wastewater Requirements Backflow Prevention Requirements Water Efficiency Recommendations Contingency Plan Recommendations 	There is no objection in-principle regarding the imposition of these matters as draft conditions for further review.
Transport for NSW	
Issue	Response
Traffic Impact Assessment (TIA) – Swept Paths	
<u>Comment</u> i. Drawing #04T_0004 – HRV reversing swept path indicates that truck will encroach into adjacent parking spot of hatched area. A parked vehicle would obstruct trucks ability to reverse into loading bay; ii. Drawing #04T_0003 – <ul style="list-style-type: none"> Linen truck swept path appears to track over parking spaces – how will these spaces be kept empty to ensure that truck has clear swept path? Truck appears to turn from lane 2 on Parker St, truck should be straddling lanes 1 and 2 to ensure no vehicles can occupy lane 1 as vehicle turns left into Barber St Truck appears to use opposing traffic lane on Barber St upon entry – how is this safely being managed? 	(i) The swept path has been adjusted to remain within the hatched area – see the refined drawing at Attachment 1 of the updated TIA – see Appendix D . (ii) The layout has been designed to accommodate an articulated linen truck in the case that this type of vehicle is used in lieu of the Heavy Rigid Vehicle typically used. Noting that the current linen supplier (Healthshare) does not use articulated vehicles, but have requested that the design allow for these vehicle in case of operational changes. In this situation, these parking spaces will be closed for use on days when the articulated linen truck is planned to access the loading dock. The swept paths have been revised to demonstrate the articulated vehicle straddling lanes 1 and 2. It is proposed to retain the existing Parker Street carriageway, which has provided access to the loading dock without incident as there are passing opportunities and clear sight lines along the route. Again, see the refined drawing at Attachment 1 of the updated TIA.
<u>Recommendation</u> TfNSW requests the abovementioned information to be addressed/provided for further assessment prior to the determination of the application. TfNSW will further review and provide response upon receipt of the additional information. Swept path plans should be in accordance with Austroads Standards and consider the following: <ul style="list-style-type: none"> All vehicles are to enter and leave the site in a forward direction; Simultaneous entry/exit to the site for the longest vehicles is to be achieved; 	The swept paths comply with each of these requirements, and this would be confirmed based on the final design prior to the CC or Crown certification.

<ul style="list-style-type: none"> • All vehicles are to be wholly contained on site before being required to stop; • The swept path of the longest vehicle (including garbage trucks, building maintenance vehicles and removalists) entering and exiting the subject sites, as well as manoeuvrability through the site, shall be in accordance with AUSTROADS; • Swept path diagrams should show linemarking and kerbs etc to see if the turning movements encroach the opposing direction of traffic / other parts of the shoulder/verge (i.e powerpole etc). 	
Traffic Impact Assessment (TIA) – Traffic Modelling	
<p><u>Comment</u></p> <p>i. SIDRA reports to be provided for all state road intersections and scenarios (i.e. movement summary, phase timings). Further comments will be made once these can be reviewed;</p> <p>ii. Great Western Highway & Parker St – showing a LOS of F in Scenario 6 where all other scenarios are LOS D or better;</p> <p>iii. Have the road upgrades detailed in section 8.3.3 been captured in the revised modelling?</p>	<p>The SIDRA file will be separately provided to TfNSW for its consideration. Since the initial submission all intersections and scenarios have been collated into a single SIDRA 9.0 file.</p> <p>The modelling has been rerun using the 2.0% annual background growth increase requested by Penrith City Council, which provides updated results – see Section 8.3 of the updated TIA.</p> <p>ptc confirms that the proposed lengthening of the right turn lanes on the north and south approaches to Somerset Street have been included within the 2031 scenarios.</p>
<p><u>Recommendation</u></p> <p>TfNSW requests the abovementioned information to be addressed/provided for further assessment prior to the determination of the application. TfNSW will further review and provide response upon receipt of the additional information.</p>	<p>As above.</p>
<p><u>Comment</u></p> <p>Section 8.3.2 (Great Western Highway / Somerset Street Intersection) states:</p> <p><i>Based on the modelling suggestions, the intersection needs to be signalised by the year 2021 to sustain the LOS well below the LOS D. The model output for this intersection after the signalisation for the ultimate scenario (S5) is turned out as LOS A, with a delay of 8 sec and the cycle time of 30 sec.</i></p> <p>The signalisation of Great Western Highway/Somerset Street is not supported as it would likely have negative impacts for network efficiency along Great Western Highway with it's close proximity to other signalised intersection at Parker Street and Bringelly Road.</p>	<p>This application does not rely on this intersection being upgraded, but an upgrade to traffic signals would assist distribute the hospital and background traffic from the west and provide improved pedestrian connectivity to Kingswood railway station.</p>
Traffic Impact Assessment (TIA) – Active Transport	
<p><u>Comment</u></p> <p>i. The application does not offer support to upgrade active transport infrastructure to accommodate the increase of bicycle mode usage from current 1.5% to 8% target.</p> <p>ii. Consideration should be given to widening the path on Barber Avenue to accommodate future increase target for both pedestrian and cyclist.</p>	<p>(i) The End-of-Trip facility proposed within Stage 2 provides for approximately 140 parking spaces with associated showers, change rooms and lockers, while the Stage 1 and 2 projects improve the pedestrian and cyclist facilities through the northern part of the campus.</p>

<p>iii. Consideration should be given to providing sharing path along the frontages of the Nepean Hospital site (Parker St, Great Western Highway, Somerset St, Derby Street) to accommodate the future increase of active transport mode share to the site.</p>	<p>(ii) Footpaths of a suitable width are provided on both sides of Barber Avenue. Further, the hospital recently completed a new access ramp from Parker Street to the southern side of the multi-storey car park to improve DDA access – see page 34 of the updated TIA.</p> <p>(iii) The project does not propose to undertake any works on the surrounding footpaths as the existing footpaths provide suitable access.</p>
<p><u>Recommendation</u> TfNSW requests the abovementioned information to be addressed/provided for further assessment prior to the determination of the application. TfNSW will further review and provide response upon receipt of the additional information.</p>	<p>As above.</p>
<p>Traffic Impact Assessment (TIA) – Coach Parking and Passenger Pick-Up and Set-Down Management</p>	
<p><u>Comment</u> It is noted that Section 5.2 of the Traffic Impact Assessment states: <i>A new drop-off area comprising set-down/short-stay parking is proposed along the northern side of the Stage 2 building, connecting with Barber Avenue.</i></p> <p>The Traffic Impact Assessment does not identify how many drop-off or pick-up spaces are proposed as part of this development nor what the signposted parking restrictions would be in these locations. It is also unclear how the number of spaces and selected signposting will meet the demand of the precinct.</p> <p>It is also noted that Section 5.3 of the Traffic Impact Assessment states: <i>The drop-off area has also been designed to accommodate shuttle / minibuses.</i></p> <p>The Traffic Impact Assessment does not identify coaches within the report. It is currently unclear if coaches are expected to service the development, and if so, how the site will accommodate these movements.</p>	<p>The drop-off area accommodates 12 parking spaces (including 2 accessible spaces) and a space for a community shuttle bus– see Section 7.3 of the TIA.</p> <p>These spaces are intended for short-term use only with medium/longer-term parking being provided within the MSCP, therefore these spaces are not considered as part of the overall parking strategy. In this regard the provision is able to accommodate upwards of 48 vehicles per hour based on a robust average of 15 minutes per vehicle.</p> <p>The drop-off area provides parking for community shuttle buses and the area has not been designed to accommodate larger vehicles such as full-size buses or NSW fire vehicles. Discussions with TfNSW bus team resulted in a preference for off-campus services including the proposed rapid bus services connecting with the Metro stations, rather than the additional time required to enter the campus. This provides further enhancements in meeting the objectives of the recently approved GTP.</p>
<p><u>Recommendation</u> It is requested that the applicant be conditioned to prepare a Coach Parking and Passenger Pick-Up and Set-Down Management Plan.</p>	<p>There is no proposal to accommodate coaches within the campus as there has been no demand for this type of vehicle in the history of the Nepean Hospital.</p>
<p><u>Recommended Condition of Consent</u> Prepare a Coach Parking and Passenger Pick-Up and Set-Down Management Plan, in consultation with the Customer Journey Planning within TfNSW, prior to the issue of any occupation certificate.</p> <p>The applicant shall submit a copy of the final plan to the Executive Director Customer Journey Planning for endorsement. Please send all documentation to development.sydney@transport.nsw.gov.au.</p>	<p>As above, there is no proposal to accommodate coaches within the campus as there has been no demand for this type of vehicle in the history of the Nepean Hospital.</p>

Preliminary Construction Traffic Management Plan	
<p><u>Comment</u></p> <p>It is advised that several construction projects are likely to occur at the same time as this development within the precinct. The cumulative increase in construction vehicle movements from these projects could have the potential to impact on general traffic and bus operations in the precinct, as well as the safety of pedestrians and cyclists particularly during commuter peak periods</p>	<p>Noted. As set out in the EIS, HI has planned the procurement and construction of Stages 1 and 2 to assist with the ongoing efficient operation of the hospital, construction timing, and ingress and egress which will enhance the safety and experience of pedestrians and cyclists. Note also the majority of construction activity near the hospital is to the east near the completed Stage 1 Redevelopment. The Stage 2 Redevelopment will be remote from those construction activities and site access will only be from the west avoiding conflicts in the east.</p>
<p><u>Recommendation</u></p> <p>It is requested that the applicant be conditioned to prepare a Construction Pedestrian and Traffic Management Plan (CPTMP) in consultation with TfNSW and submit a copy of the final CPTMP to TfNSW via development.CTMP.CJP@transport.nsw.gov.au for endorsement.</p>	<p>HI is willing to accept a condition as described above and a CTMP will be prepared, although it should be noted that the Stage 2 project will be undertaken in isolation to any other project within the precinct as Stage 1 will be complete.</p>
<p><u>Recommended Condition of Consent</u></p> <p>Prior to the issue of any construction certificate or any preparatory, demolition or excavation works, whichever is the earlier, the applicant shall:</p> <ul style="list-style-type: none"> • Prepare a Construction Pedestrian and Traffic Management Plan (CPTMP) in consultation with TfNSW. The CPTMP needs to specify matters including, but not limited to, the following: <ul style="list-style-type: none"> ○ A description of the development; ○ Location of any proposed work zone(s); ○ Details of crane arrangements including location of any crane(s) and crane movement plan; ○ Haulage routes; ○ Proposed construction hours; ○ Predicted number of construction vehicle movements, detail of vehicle types and demonstrate that proposed construction vehicle movements can work within the context of road changes in the surrounding area, noting that construction vehicle movements are to be minimised during peak periods; ○ Construction vehicle access arrangements; ○ Construction program and construction methodology, including any construction staging; ○ A detailed plan of any proposed hoarding and/or scaffolding; ○ Measures to avoid construction worker vehicle movements within the Parramatta Precinct; ○ Consultation strategy for liaison with surrounding stakeholders, 	<p>Based on the above, this standard condition would be accepted, subject to further review of the drafted condition.</p>

<p>including other developments under construction;</p> <ul style="list-style-type: none"> ○ Identify any potential impacts to general traffic, cyclists, pedestrians or public transport within the vicinity of the site from construction vehicles during the construction of the proposed works. Proposed mitigation measures should be clearly identified and included in the CPTMP; and ○ Identify the cumulative construction activities of the development and other projects within or around the development site. Proposed measures to minimise the cumulative impacts on the surrounding road network should be clearly identified and included in the CPTMP; <ul style="list-style-type: none"> • Submit a copy of the final plan to TfNSW for endorsement via development.CTMP.CJP@transport.nsw.gov.au; and • Provide the builder's direct contact number to small businesses adjoining or impacted by the construction work and TfNSW via development.CTMP.CJP@transport.nsw.gov.au to resolve issues relating to traffic, public transport, freight, servicing and pedestrian access during construction in real time. The applicant is responsible for ensuring the builder's direct contact number is current during any stage of construction. 	
Green Travel Plan	
<p><u>Comment</u></p> <p>TfNSW appreciate the applicant's effort to provide a TIA document for Stage 2 of the development (SSD 1692 8008) but notes that in Item 5 of the SEARs the applicant is required to develop "travel demand management programs to increase sustainable transport (such as a Green Travel Plan)". It is also noted that Section 6 of the Traffic Impact Statement states: As part of the transport management strategy for the campus and to satisfy the consent conditions relating to Stage 1, ptc. has prepared a campus-wide Green Travel Plan (GTP) for the hospital, which has established the existing and target mode share, and a working group within the hospital has been created to manage the GTP process.</p>	<p>A Green Travel Plan (GTP) has been prepared and now approved to satisfy the conditions of consent for the Stage 1 Redevelopment's occupation certificate. It is also confirmed that the GTP applies to the entire campus including Stage 2. ptc has recently concluded consultation with TfNSW regarding the content of the GTP, which has been endorsed. On 17 May 2022 DPE issued approval of the Nepean Hospital Green Travel Plan in satisfying condition D9 of the Stage 1 Redevelopment consent.</p>
<p><u>Recommendation</u></p> <p>TfNSW recommends the applicant responds to the SEARs in SSD 1692 8008 relating to the Green Travel Plan as updated changes within the original GTP document for SSD 8766 which has also been included in SSD 1692 8008 as Appendix L – TIA Attachment).</p>	<p>The lodged GTP addresses Stage 2 in a campus-wide manner.</p> <p>See above.</p>

<p><u>Recommended Condition of Consent</u> Prior to the commencement of first occupation, a Green Travel Plan (GTP), must be submitted to the satisfaction of the Certifier to promote the use of active and sustainable transport modes. The GTP must:</p> <ul style="list-style-type: none"> i. be prepared by a suitably qualified traffic consultant; ii. include objectives and modes share targets (i.e. site and land use specific, measurable and achievable and timeframes for implementation) to define the direction and purpose of the GTP; iii. include specific tools and actions to help achieve the objectives and mode share targets; iv. include measures to promote and support the implementation of the plan; v. identification of a responsible party (or Committee) for the ongoing implementation of the Travel Plan and its initiatives; vi. confirmation of extent and nature of end of trip facilities and bike parking and how they will be promoted to residents; vii. consideration of car parking management strategies that may be required to encourage sustainable transport use / mode share targets; viii. Include a Transport Access Guide that provides information to residents about the range of travel modes, access arrangements and supporting facilities that service the site; and ix. identification of a communications strategy for conveying Travel Plan information to residents, including for the Travel Access Guide. <p>To ensure only one Green Travel Plan is used (Appendix L, TIA SSD 16928008) that covers every cumulative stage of the development, TfNSW request a further meeting with the applicant to discuss the process for review of these documents and other modifications to Stage 1 of the development, SSD 8766.</p>	<p>This standard condition would be accepted, subject to further review of the drafted condition.</p>
<p><u>Recommendation</u> In addition to the above it is requested that the applicant be conditioned to update the original Green Travel Plan developed for Stage 1 of this project (last developed December 2021) for Stage 2 and continues to update the same Green Travel Plan for all cumulative stages of the development including modifications in Stage 1.</p>	<p>This standard condition would be accepted, subject to further review of the drafted condition.</p>
<p><u>Recommended Condition of Consent</u> The applicant is to update the original Green Travel Plan developed for Stage 1 of this project (last developed December 2021) for Stage 2 and continue to update the same Green Travel Plan for all cumulative stages of the development including modifications in Stage 1.</p> <p>The applicant must submit the updated Green Travel Plan for both SSD 16928008 and SSD 8766 to TfNSW for review and endorsement prior to first</p>	<p>This standard condition would be accepted, subject to further review of the drafted condition.</p>

<p>occupation. Please send all documentation to development.sydney@transport.nsw.gov.au.</p>	
<p>Penrith City Council</p>	
<p>Issue</p>	<p>Response</p>
<p>Planning and Cultural Considerations</p>	
<p>Council has maintained emphasis and importance on the need for any proposed development on this site to ensure that all car parking demands are provided on the site without reliance on the local road network as the local road network is already heavily congested. It is again requested that the Department ensure that the modelling, the parking projections and the proposed on site car parking provision is compliant without reliance within the local road network to supplement any existing or proposed parking deficit. Further comments in this letter raised concerns with the suggested loss of parking.</p>	<p>See detailed commentary in the relevant section of this table below.</p> <p>The multi-storey car park was approved by Council and subsequently built to serve Stages 1 and 2. The parking demand analysis presented in this document demonstrates that the overall hospital is reducing its parking demand compared to the increase in parking provided – see also Section 7.1 of the updated TIA.</p> <p>Note also the recent approval of the Nepean Hospital Green Travel Plan (GTP) by both TfNSW and DPE which amongst other things seeks to reduce reliance upon car parking on and off site and enhance and increase public transport usage. The GTP will be retained as a live document to address mode share splits under the Stage 2 Redevelopment and operates across the whole of the campus.</p>
<p>It is noted that the proposal has been the subject of engagement with the State Design Review Panel and it is requested that the assessment and resulting determination ensure that the outcomes and recommendations sought by the Panel are reflected within the proposed development. This is of particular importance given the visual prominence of the resulting built form in combination with the approved form within Stage 1.</p>	<p>Noted. See response to DPE matters above.</p>
<p>It is requested that specific regard is given to the visual presentation and screening of roof top plant and ancillary infrastructure via suitable screening measures. This is requested due to the prominence of the built form in the round.</p>	<p>Noted and addressed as per the response to DPE's commentary – see Built Form.</p> <p>Additionally, the matter was clarified in a meeting with Council's representatives on 29 March 2022 who agreed that an appropriate design response had resulted.</p> <p>See BVN's refined Architectural Design Statement Response to Submissions at Appendix C.</p>
<p>To improve amenity, it is recommended that the waste management area be relocated, possibly further to the west and closer to the car park. Currently, it is in the middle of a green space that could be better used for staff, patients and families seeking outdoor and fresh air breakout and leisure space. In addition the view from the new Stage 2 built form looking west will be improved if it does not look directly onto the waste management area, improving the view for staff, patients and families.</p>	<p>The matter was clarified in a meeting with Council's representatives where the proposed screening for the Back of House / Waste Management area was presented. It was noted that the waste area would be screened by a blockwork wall and would be further screened by appropriate landscaping. Council advised that there was no objection to the proposed screening and landscaping.</p> <p>BVN's refined Architectural Design Statement Response to Submissions (Appendix C) further states that the Waste Management area is an existing facility and is to remain in its current location. Due to specific constraints with truck and tug movement it is not possible to reduce the area any further.</p> <p>It is proposed to provide a rendered 3m high block wall with dense landscaping to the outer</p>

	<p>edges of the Waste Management area.</p> <p>See also Architectural Drawings Plans A0-200 series and the Landscape Documentation for planting & screening.</p>
<p>Whilst the local community are diverse in their cultural identities the Aboriginal and Torres Strait community are significant in this area particularly. The Environmental Impact Statement mentions inclusion of an Indigenous courtyard which is important and needs to be informed by and designed with local traditional owners and community.</p>	<p>This is the case and is already well underway. See the Aboriginal Consultation Report, particularly Sections 7, 8 and 9 of that Report (Appendix X of EIS) and Landscape Report and Plans at Appendix O.</p>
<p>Traffic Management and Road Design Considerations</p>	
<p>The civil design report and concept design plans indicates that engagement is yet to occur with Council however no engagement appears to have undertaken to inform the current proposal. The suggested works to Barber Avenue are to a public road where Council is the responsible road authority and only Council can approve such works. It is imperative that any works to Barber Avenue and the surrounding local road network are informed by agreements with Council and detailed civil design drawings are provided for assessment. As a result of this, the proposal cannot be supported until such time as this is addressed.</p>	<p>Consultation was undertaken with Council (and the two private hospital landowners who rely on Barber Avenue for access) early in the redevelopment's design process, however it has since transpired that the Council personnel that attended were not the relevant technical staff. Since this submission, meetings have been held to seek to resolve the Barber Avenue design and loss of parking on that roadway. These meetings occurred on 29 March 2022 and 13 April 2022, with Council provided with the updated design on 18 May 2022. The Response to Submissions covering letter sets out the actions related to these meetings, and remaining areas of disagreement. Whilst a third meeting with Council was proposed, given the level of disagreement, it was not considered fruitful to further meet.</p> <p>With respect to the approval of the design, as DPE would be aware, it has power to do so via section 4.42 as well as section 4.17 of the EP&A Act where conditions that may be imposed upon a consent.</p> <p>Notwithstanding, HI believes that the revised design of Barber Avenue substantively meets Council's concerns and is willing to continue consulting with DPE and Council. As it stands, the updated design is included in the Acor drawing set at Appendix E and has been adopted in all other corresponding drawings as HI's preferred (but compromise) position.</p>
<p>The following matters are also identified as warranting further consideration and address:-</p> <ul style="list-style-type: none"> • The proposed layout results in a large number of on-street public parking spaces being removed without being replaced which is not a suitable outcome without supplement. • The proposed layout geometry involves Y shaped intersections however intersections should be perpendicular for increased safety • Insufficient detail is provided on how the proposed on street parking will be managed. • It is yet to be demonstrated that the resulting carriageway width and design 	<p>The design has been revised to comprise two separate driveways which will intersect with the Barber Avenue carriageway at 90 degrees. As part of the redesign, the on-street parking arrangement has been largely retained and formalised with a loss of 14 spaces– see also Section 7.2 of the TIA.</p> <p>The design proposes the removal of some on-street parking from Barber Avenue in line with the changing character and use of this section of roadway. The increased parking provision along with the reduced demand within the hospital provides the opportunity for parking.</p> <p>The design of Barber Avenue will be subject to a detailed civil design post approval to confirm that the design complies with Council's road design</p>

complies with Councils road design requirements.	requirements and the consent could be conditioned as such.
Section 8.3 of the TIA report indicates an annual background growth of 1.5% is assumed which is not supported. The growth rate of 2% has been applied to all developments within the Penrith City Centre. This growth assessment is based on Council's Penrith Core Centre Transport Management Study and Plan (PCCTMSP) for Future traffic growth of 2% is required by Council (attached an extract the section 5.2). This requires remodelling.	We note the request to apply a 2% annual growth rate to the back ground traffic volumes and ptc has undertaken revised SIDRA analysis which is presented in the updated TIA at Section 8.3. Note ptc adopted 1.5% based on the agreed growth rate for both the MSCP and Stage 1 applications.
Section 8.3 and Table 8 indicates that Great Western Highway / Parker Street intersection is operating with satisfactory or operating near capacity Level of Service (LOS) up to Scenario S5 (2026 - existing + Hospital Development (Stage 2). However, Council's (PCCTMP) report Section 2.6.1.2 indicates the capacity level of the intersection operates at LOS E during the AM peak period and LOS F during the PM peak period (attached an extract the section 2.6.1.2) which is contrary to Section 8.3 and Table 8. This requires further address. Please note, the PCCTMSP model was sign of by TfNSW (former RMS) and DPIE.	ptc advises that the new Scenario 6, which includes a 2% growth rate aligns with Councils model.
In addition, the Section 8.3 and the Table 8 indicate that Parker Street / Derby Street intersection and Great Western Highway/ Somerset Street intersection are operating at capacity LOS E and F. The report has failed to identify and recommended any mitigation measures on each arm of the intersection. This needs to be addressed.	<p>The hospital is located in an area of concentrated regional traffic which contributes to the capacity issues experienced at the major intersections. The SIDRA modelling highlights that the difference between the 'without development' and 'with development' results are quite minor, however the intersection performances are impacted under the growth scenarios.</p> <p>Also noting that the MSCP was approved for 729 parking spaces, and that 100 of these have not been used and will be opened to support the Stage 2 project. In this regard the project involves a slight increase in traffic associated with drop-off and pick-up activity.</p>
Council Officers are aware that the hospital currently provides a number of 'No Parking' areas that facilitates 2-minute patient drop off and pick up zones (or other short stay parking zones). It is understood that the proposal retains these zones. However a plan/map showing the locations of these zones is requested.	All parking proposals associated with the Stage 2 project have been documented in the application and relate to the proposed pick-up and drop-off area – see also Section 7.3 of the updated TIA.
The submitted traffic report identifies a shortfall of 726 on-site parking spaces in 2021/22 which changes to a shortfall of 635 on-site parking in 2031/32. The development should include additional car parking facilities to make up for the shortfall of on-site parking.	The parking associated with the Stage 1 and 2 projects is provided within the MSCP, which was constructed ahead of the projects in anticipation of the parking demand. The roof top will be reconfigured for parking to provide an additional 100 spaces once the temporary helipad is relocated to the Stage 1 Tower rooftop. Further, the decanting of services from other parts of the campus will reduce the overall parking demand so that the impact on on-street parking will be less compared to the period prior to the MSCP, Stage 1 and Stage 2 projects.
The removal of 43 on-street parking spaces along Barber Avenue is not supported and the proposal	This comment is addressed above – see also Section 7.2 of the updated TIA. As noted, the previous loss of

should not reduce existing parking provision noting comments raised within the planning details within this correspondence.	43 spaces has been reduced to the net loss of 14 spaces. 29 spaces are retained in a tested reconfigured arrangement on Barber Avenue.
The report indicates that the Great Western Highway / Somerset Street & Parker Street / Derby Street Intersections are reaching capacity and the proposed development worsens their performance. The intersections must be upgraded to support the development if there is any suggestion that they adversely impacted as a consequence of this development which is detailed to be the case. This should be included in the scope of works to the satisfaction of Council and Transport for NSW.	This comment is addressed above – see also Section 8.3 of the updated TIA.
The swept paths for the proposed loading dock servicing arrangements show heavy vehicles reversing over car spaces and crossing into oncoming lanes which is not supported. This requires revision and address.	As above, as addressed in the TfNSW submission response and as shown in Attachment 1 of the updated TIA.
The submitted transport strategy indicates 'a program of short, medium and long-term transport actions to be embarked on now so that Nepean Hospital is well-positioned, when the time comes, to maintain its customers' equitable access to health services while continuing to attract a qualified workforce'. However, this transport strategy has failed to identify implementation of these actions as part of Nepean Hospital –Stage 2 development lodged. There has been media articles over time that have questioned accessibility and equitable parking options for customers with accessibility needs and visitors. Further concerns have been received in recent years regarding affordable car parking options and safety concerns with employees having to walk to their cars at night times that are parked on-street at surrounding street locations. The Report doesn't provide specific actions, timeframes and funding for implementation of the foreshadowed measures as part of Stage 2 development which should be addressed now as part of this application.	<p>The actions identified in the strategy beyond the Nepean Hospital Campus site boundaries are aligned to Council's proposals for the locality or are directly related to Council's traffic and road management responsibilities. These responsibilities include the provision of road crossings, street lighting and footpaths.</p> <p>Parking for staff, patients and visitors is provided on campus in line with NSW Health's Hospital Car Parking Fees Policy. The updated (for Stage 2) and now endorsed and approved Nepean Hospital Green Travel Plan insofar as it relates to the Nepean campus (6 April 2022) identifies strategies to support public transport use, walking and cycling, providing alternatives to the private car for accessing the hospital.</p> <p>See Cattell Copper's letter of response to this and subsequent comments from Council herein – see Appendix I.</p>
Section 6.3, Table 14 of the Transport Strategy has identified a number of walking actions. One of the actions is for Council to provide a midblock pedestrian crossing along Somerset Street. If this treatment is identified as part of this study, then further PV warrant assessment, design and approvals must be undertaken by the applicant as part of Stage 2 development. The funding for the construction of the facility must also be undertaken by the Stage development with no reference or suggestion that Council is responsible for works necessary to the support the development.	Cattell Cooper advises that the possible mid-block pedestrian crossing on Somerset Street, as noted, is only relevant if the Transport for NSW proposed rapid bus service is routed via Somerset Street (not Parker Street). If Somerset Street were selected as the preferred route a safe road crossing would be required. The design and location of the crossing would be dependent on the location of the bus stops. The number of people crossing Somerset Street would likely increase, and this would likely meet the warrants for a pedestrian crossing. An assessment of future need is not possible. Pedestrian crossings associated with the rapid bus service are expected to be included in the rapid bus project scope.
The Study has not adequately assessed the road safety risks for the installation of a new rapid bus stop (shelter) at Parker Street and the impact this may have for pedestrians accessing the hospital. A Road Safety Audit should be considered to understand pedestrian desire lines, behavioural	<p>The rapid bus investigation is a Transport for NSW project.</p> <p>The location and installation of new bus stops and associated infrastructure forms part of the rapid bus</p>

<p>issues between the public domain and access to and from the Hospital (including pedestrians walking between footpaths, hospital driveways etc.).</p>	<p>project scope. It is expected this would also include any necessary road safety audits.</p> <p>Transport for NSW has consulted with Health Infrastructure and through this process, Health Infrastructure has made Transport for NSW aware of the constraints along the western side of the Nepean Hospital Campus.</p> <p>Note however that HI has recently completed a DDA compliant access ramp in the vicinity of the likely location of the bus stop to improve pedestrian access from Parker Street into the hospital.</p>
<p>Stormwater Management</p>	
<p>It is acknowledged an upgrade and relocation of the stormwater drainage system is proposed from the eastern end of Barber Avenue through to the existing drainage system in Stage 1, ultimately discharging into the stormwater system in Somerset Street. No objections / concerns are raised by Council if ownership of the downstream drainage system from Barber Avenue remains with Nepean Hospital, however as the drainage system drains a public road, a drainage easement will be required to be created / dedicated over the pipeline in favour of Council (as per the Stage 1 development). If the pipeline is proposed to be owned and maintained by Council, then a Section 68 Local Government Act approval will also be required to be issued by Council for construction approval of the pipeline. The Department is requested to ensure that conditions of consent are imposed to this effect if the application is favourably determined.</p>	<p>There is no proposal to change the current formally executed arrangements between the LHD and Council as implemented under the Stage 1 Redevelopment (see Condition D36). This includes an easement to drain water 4m wide running from the eastern end of Barber Avenue to Somerset Street to the east. Penrith City Council is benefitted whilst the LHD as owner of Lot 4 in DP 1238301 is burdened.</p> <p>In summary, it is understood that the land is owned by the Sydney West Area Health Service (AKA the NBMLHD) with the pipe owned by Council. The Council has a right of access over the pipe (2m either side of the pipe), and is able to undertake maintenance, upgrades, inspections, repairs etc as required. As the pipe is owned by the Council, it is Council's responsibility/cost to undertake any work on the pipe (maintenance, repairs etc). Any work to connect into that pipe, or to build over the pipe would need prior approval by Council.</p>
<p>Engineering Design Works</p>	
<p>Inadequate information is submitted for assessment. Detailed engineering plans for the works in Barber Avenue are requested to be provided and submitted to Council for review. The detailed plans shall include:</p> <ul style="list-style-type: none"> • Details of all proposed road works, drainage works and landscape works within the road reserve area of Barber Avenue. • Dimensions of lane widths, median widths, verge widths and footpath widths. • Pipe sizes, pipe grades and invert levels. • Details of overland flow paths • Location and dimensions of all existing and proposed road reserve boundaries. • Pavement details • For future maintenance responsibilities, proposed physical delineation of where the public road becomes a private road is required. • Proposed regulatory signs and linemarking details • Vehicular turn paths for a 12.5m Heavy Rigid Vehicle for all turn movements at the 	<p>Acor has confirmed the revised Barber Avenue layout has been designed to address for and comply with these requirements. See the Acor letter and civil engineering drawing set at Appendix E.</p>

<p>intersection of Barber Avenue and Parker Street.</p> <ul style="list-style-type: none"> • Vehicular turn paths for all existing and proposed driveways off Barber Avenue to accommodate the largest truck that services the existing developments. • All roadworks shall be designed in accordance with Austroads Guidelines and TfNSW requirements. 	
<p>Penrith City Council, as the Roads Authority under the Roads Act, is required to approve of any works within the road reserve of Barber Avenue. Prior to the commencement of any road, drainage or landscape works within the public road reserve area of Barber Avenue, a Roads Act application, including detailed construction plans for the works within the road reserve, shall be made to Penrith City Council seeking formal approval of any such works. Plan approval fees and inspection fees are payable with any such application</p>	<p>Yes, this is correct, however approval will still be needed via section 4.42 EP&A Act, with Council unable to refuse the application nor require changes to the plans which are not substantially consistent with the SSD consent.</p> <p>This standard condition would be accepted, subject to further review of the drafted condition.</p>
<p>The development will be required to upgrade the verge area (public domain) for the frontage in Barber Avenue in accordance with Council's 'Kingswood Public Domain Manual'.</p>	<p>This standard condition would be accepted, subject to further review of the drafted condition, noting that Acor has designed the updates to Barber Avenue in accordance with Council's 'Kingswood Public Domain Manual' – See Appendix E.</p>
<p>Any driveway crossover shall be at a minimum of 1m clearance from any public utility service lid, power / light pole or stormwater kerb inlet pit and lintel.</p> <p>The driveway shall also be located a minimum of 1.5m from any street tree. Utility services may be required to be relocated to accommodate the crossover. The applicant is to contact the utility service provider to obtain requirements.</p>	<p>This requirement is noted and can form a condition within the consent.</p> <p>This is acknowledged and will be resolved with detailed design development as is usual/typical.</p>
<p>Street lighting of Barber Avenue is to be undertaken in accordance with AS1158.3.1</p>	<p>Noted and accepted.</p>
<p>For any basement car parking or areas of excavation within the zone of influence of adjoining properties, including Council's road reserve, the application shall address the Design and Building Practitioners - Particulars for Regulated Designs Order 2021. The application shall address the requirements of Schedule 1 (Particulars for regulated designs – shoring and underpinning) and Schedule 2 (Particulars for regulated designs – ground anchors).</p>	<p>This standard condition would be accepted, subject to further review of the drafted condition.</p>
<p>Water Quality Management Considerations</p>	
<p>It is noted that the treatment of stormwater will be done so with the use of Ocean Protect pit inserts and 60 * 690mm Stormfilters, and a 20kL rainwater tank is proposed for the irrigation of landscaping. Based on the report it generally complies with Council's WSUD Policy in terms of treatment, although there is no demonstration that it complies with Council's water conservation requirements (i.e. meeting a minimum of 80% non-potable demand with harvested rainwater). This requires further address by the applicant.</p>	<p>Rainwater harvesting commentary is as per the lodged and exhibited EIS. Rainwater harvesting cannot be undertaken internally within the hospital building itself due to infection control and health quality and standards reasons. Accordingly, rainwater harvesting in this sense does not form part of HI's standard design guidelines.</p> <p>However, external usage is possible and Bonacci advised in its reporting with the EIS that the rainwater tank is proposed to drain the western half of the new building roof. This rainwater is to be reused for 100%</p>

	<p>irrigation purposes only in order to reduce potential risk of contaminated water within the hospital building (in accordance with Health Infrastructure practice).</p> <p>The tank has also been resized to 100kl to better and proportionately support rainwater harvesting. All rainwater will be for external irrigation purposes and the tank is sized to efficiently take the rooftop water run-off service irrigation.</p> <p>To that end, all rainwater collected (and when available) will be used at the site for irrigation and watering of landscaping. This is the only non-portable water reuse possible at the site, and provisionally Arup has advised that this will cater for up to 70% of the non-potable irrigation demand. We note the Council guideline only serves as guidance with HI fully committed to ESD principles and water saving and reuse where this is possible in a hospital context.</p>
<p>In addition the following is raised for address in the assessment of the application:-</p> <ul style="list-style-type: none"> Water conservation measures and rainwater tanks are proposed, but the applicant should seek to provide a minimum of 80% non-potable water use with harvested rainwater, in line with Council's WSUD Policy. During construction, erosion and sediment control measures are to be provided in accordance with the requirements of "Managing Urban Stormwater Soils and Construction, 4th Edition (Blue Book)". Conditions will also need to be applied to ensure that the proposed stormwater treatment measures are maintained by the property owner in perpetuity. 	<ul style="list-style-type: none"> As above. This was provided / addressed throughout the EIS package. A suitably worded condition would be accepted, subject to final review. A condition would be accepted, subject to further review of the drafted condition.
Civil Aviation Safety Authority (CASA)	
Issue	Response
<p>The Civil Aviation Safety Authority (CASA) has reviewed the Aviation Impact Statement by Avipro, developed on 15 August 2021, and has no issues with the Aviation Impact Statement and no objections to the proposed development.</p> <p>CASA notes the Aviation Impact Statement advises that the Stage 2 buildings will not impact the Stage 1 Acute Services Building Helicopter Landing Site. The Aviation Impact Statement also provides advice on construction cranes. As described in the EIS and Appendix GG Mitigation Measures Table, Avipro should assess the construction cranes for possible impacts on the HLS operations and advise on marking and lighting of the cranes when the operational parameters for the cranes have been finalised.</p> <p>CASA does not comment on aircraft noise issues. All noise related enquiries should be directed to Airservices Australia. Further information is available at the following link: Aircraft noise -</p>	<p>The comments are noted and no further action is required.</p>

Airservices (airservicesaustralia.com).	
Public Submission 1	
Issue	Response
<p>From the noise and vibration impact assessment report, it does not state Barber Avenue residential area is directly affected in the text (Table 2.1) although our townhouses here are neighbouring Onyx building on Barber Ave. Our townhouses are highlighted in blue in Figure 2.2. I believe my comments will have relevancy to noise and impact of the new redevelopment as it will impact my residence.</p> <p>I am submitting a comment due to the excessive heavy machinery noise at unreasonable hours in the Nepean Private development. In this circumstance, they initiated work at 8pm and went well after midnight. The company (not the same construction company) did not reply to emails sent about the noise. This noise was found to be around 60-70 decibels which makes it excessive of World Health Organisation standards for night time noise (https://www.euro.who.int/en/health-topics/environment-and-health/noise/policy/who-night-noise-guidelines-for-europe#:~:text=According%20to%20these%20guidelines%2C%20annual,as%20sleep%20disturbance%20and%20insomnia). This site highlights the effects of noise creating sleep disturbance which can impact health workers in the residing area.</p> <p>Therefore, my comment is to please only approve limited construction times to 7am till 6pm at the latest following the recommendation in section 4.1 of same noise and vibration impact assessment report.</p>	<p>The proposed construction hours are set out in the EIS, the preliminary Construction Management Plan, and in the Noise and Vibration Impact Assessment.</p> <p>These are the standard EPA hours of:</p> <ul style="list-style-type: none"> Monday to Friday 7.00 am to 6.00 pm - works preparation activities permitted from 6:30am; Saturday 8.00 am to 1.00 pm; and no construction work is to take place on Sundays or public holidays. <p>Some out of hours work between 1.00 pm and 5.00 pm on Saturdays is also proposed as per the Stage 1 Redevelopment's approved construction hours.</p> <p>No work is proposed overnight or past 6.00pm on weekdays or 5.00pm on Saturdays.</p> <p>A condition would be accepted, subject to further review of the drafted condition.</p>

5.0 UPDATED DRAWINGS AND ASSESSMENT

5.1 Architectural design refinements

In addition to the Response to Submissions and the Department's summary of key issues, BVN has also adjusted minor aspects of the development as a result of design development. These are submitted as part of this response for assessment and approval in the interest of avoiding a potential later modification of the consent.

The minor changes to the Stage 2 building include:

- Refinements to the western, northern, eastern and southern facades of the building.
- Refinement of the façade materials.
- Refinements to external plant rooms and enclosures facing north.
- Internal planning refinements to all levels.

Minor changes are also proposed to the areas of North Block subject of this DA, including the façade and internal planning.

These changes and their reasons are set out in detail in the BVN Architectural Design Statement - Response to Submissions (at **Appendix C**) and are summarised as follows.

Stage 2 Building

Façade changes	The western and northern façades and the eastern and southern courtyard façades have had minor adjustments to window and louvre locations throughout to accommodate changes in internal Clinical Planning and services provisions as set out below.
	The sunshade framing has been adjusted to suit final window locations.
	The Paediatric balcony on Level 6 has been relocated to the eastern façade as part of internal Clinical Planning.
	The Level 7 terrace was removed to accommodate changes in internal Clinical Planning and facilitate better plant provision on the L8 roof.
	The proposed Terracotta finish to the façade and sunshade has changed from a profiled and natural finish to a flat tile in a red flamed and varying finish for all Tower 2 Terracotta facades.
External Plant Rooms and Enclosures	Changes in services provisions have required minor changes to the external plant room located adjacent to the Patient Transport Service (PTS) drop off at the northern façade's ground level.
	The development of the main kitchen fit out has required provision of an external plant enclosure to be co-located to the kitchen loading dock. The enclosure will be screened by planting as part of the landscape documentation – see further below in relation to material provided by Arcadia.
Internal Planning – Level 00	Lift Core – Lift 7 is no longer required and was removed. The additional space has provided further room for a more generous circulation stair and service risers.
	Changes in services provisions required minor changes to the external plant room and truck parking unloading bay.
	The development of the main kitchen fit out has required the provision of an external plant enclosure co-located to the kitchen loading dock (as described above). The enclosure will be screened by planting as part of the landscape documentation – see further below in relation to material provided by Arcadia.
	Minor layout changes to Back of House facilities have resulted to accommodate a shared End of Trip and kitchen staff change facility as part of Design Development with users and services coordination.
	Minor changes to the kitchen layout.
Internal Planning – Level 01	Lift Core – Lift 7 is no longer required and was removed. The additional space has provided further room for a more generous circulation stair and service risers.
	Minor layout changes to the Front of House, Clinical Support, Transit Lounge & Education spaces has resulted as part of Design Development with users and services coordination.
	Further development to landscape areas including the northern terrace have resulted as part of Design Development – see further below in relation to material provided by Arcadia.
	Further development to the civil works as part of overall Design Development – see further below in relation to material provided by Acor.
Internal Planning – Level 02	Lift Core – Lift 7 is no longer required and was removed. The additional space has provided further room for a more generous circulation stair and service risers.
	Minor layout changes have resulted to Medical Imaging, Nuclear Medicine, Clinical Support, and Education as part of Design Development with users and services coordination.
Internal Planning – Level 03	Lift Core – Lift 7 is no longer required and was removed. The additional space has provided further room for a more generous circulation stair and service risers.
	Minor layout changes have resulted to Interventional Radiology as part of Design Development with users and services coordination.

Internal Planning – Level 04	Lift Core – Lift 7 is no longer required and was removed. The additional space has provided further room for a more generous circulation stair and service risers.
	Minor layout changes to ICU Clinical Support and the Plant Room have resulted as part of Design Development with users and services coordination.
Internal Planning – Level 05	Lift Core – Lift 7 is no longer required and was removed. The additional space has provided further room for a more generous circulation stair and service risers.
	Minor layout changes to ICU have resulted as part of Design Development with users and services coordination.
Internal Planning – Level 06	Lift Core – Lift 7 is no longer required and was removed. The additional space has provided further room for a more generous circulation stair and service risers.
	Minor layout changes to the Paediatric Unit, and the Renal IPU and In-centre Dialysis have resulted as part of Design Development with users and services coordination.
	As set out earlier, the Paediatric balcony has been relocated from the western façade to the eastern façade as part of internal Clinical Planning.
Internal Planning – Level 07	Lift Core – Lift 7 is no longer required and was removed. The additional space has provided further room for a more generous circulation stair and service risers.
	The removal of the L7 terrace has increased the roof area to accommodate additional plant equipment on the Level 8 roof.
Internal Planning – Level 08	Lift Core – Lift 7 is no longer required and was removed. The additional space has provided further room for a more generous circulation stair and service risers.
	Detailed services coordination as part of Design Development required an increase of rooftop plant and equipment. All plant will be either fully enclosed or will have louvred plant room screening. See further acoustic and noise impact commentary in the assessment of these changes.
	The inclusion of a PV array on the drawing set.
Level 08 and 09 Roofs	Lift Core – Lift 7 is no longer required and was removed. The additional space has provided further room for a more generous circulation stair and service risers.
	Detailed services coordination as part of Design Development required an increase of rooftop plant and equipment. All plant will be either fully enclosed or will have louvred plant room screening. As above, see further acoustic and noise impact commentary in the assessment of these changes.

North Block

Internal Planning and Facades - Minor Back-of-House and loading dock layout changes have resulted due to services coordination and user consultation. Internal refurbishment works to the Mortuary was slightly modified through user consultation during design development. These minor refinements have resulted in corresponding minor façade adjustments.

A clouded/marked-up set and clean updated set of relevant plans and drawings (subject of changes only) is also provided for assessment and approval purposes, respectively.

5.2 Civil Engineering design refinements

The primary civil engineering works changes relate to the aforementioned Barber Avenue and entry / drop-off roadway adjustments made to address Council's design and on-street parking supply concerns.

These drawings, amongst other things, show the reinstatement of public parking within the Barber Avenue road reserve including a continuous footpath along the southern alignment from Parker Street into the campus where Barber Avenue ends. Where originally 43 parking spaces were lost, now only 14 spaces are proposed to be removed in order to cater for the entry / drop-off roadway. A total of

29 parking spaces is provided along Barber Avenue in a new tested and standards-compliant configuration.

Additionally, the previous swept and angled road intersection alignment has been adjusted to a perpendicular arrangement as requested by Council. This operates more as a 'driveway' crossing relationship to Barber Avenue and was requested by Council to enhance safety, visibility, legibility, and allow for reinstatement of more on-street parking and a footpath along the southern edge of the road reserve for access and permeability.

Overall, the revised design achieves all of these matters, other than full reinstatement of 43 spaces, which is unable to be completely achieved with a concurrent new accessway, Front of House, and address to the Stage 2 building.

5.3 Landscape design refinements

The main landscaping changes related to the architectural and civil engineering adjustments are the introduction of the external plant enclosure co-located with the kitchen loading dock which includes new screen planting, and the reconfigured Barber Avenue entry / drop-off roadway with its consequential refinements.

Based on Arcadia's plans, three (3) additional existing trees are lost as a result of the Barber Avenue changes to reinstate parking. These occur as shown in the figure below and are within the hospital's boundary towards the existing entry/exit to the multi-storey car park. These trees were not previously identified by Moore Trees in the Arboricultural Development Assessment Report as lodged, however relevantly, these are not remnant nor significant trees, being part of the landscaping works associated with the new multi-storey car park and since removed for other works in 2021 and replaced with two (2) trees in 2021/2022 – see figures over the page from May 2021 and 24 May 2022.

To cater for the reinstatement of parking and the realigned footpath, these two trees will need to be removed or transplanted.

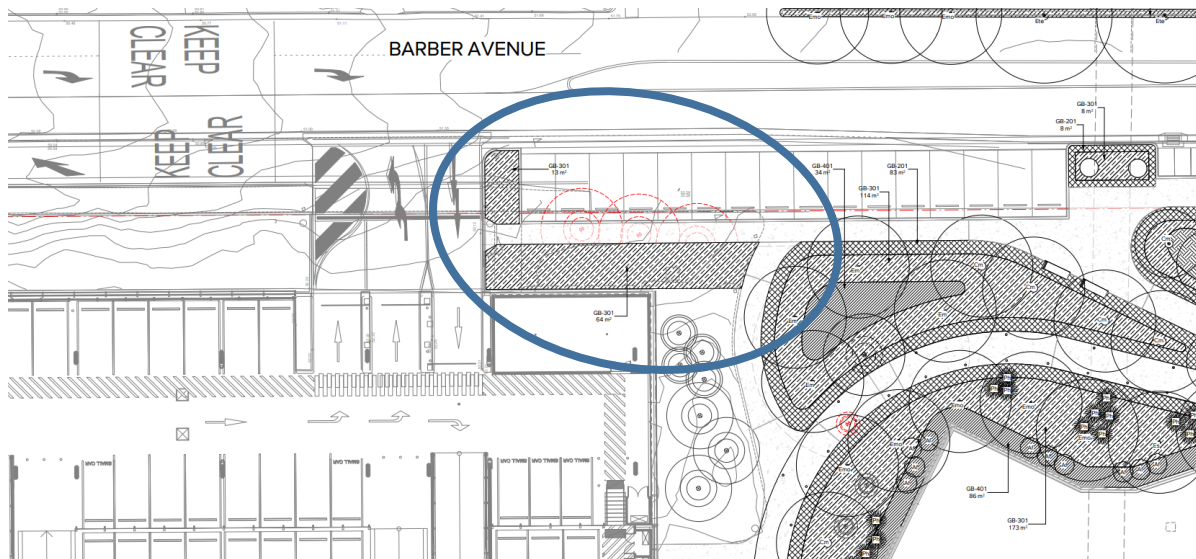


Figure 1 - Extract of Softworks Plan – PLN-0000401 Issue B – relevant trees circled in blue (Arcadia)

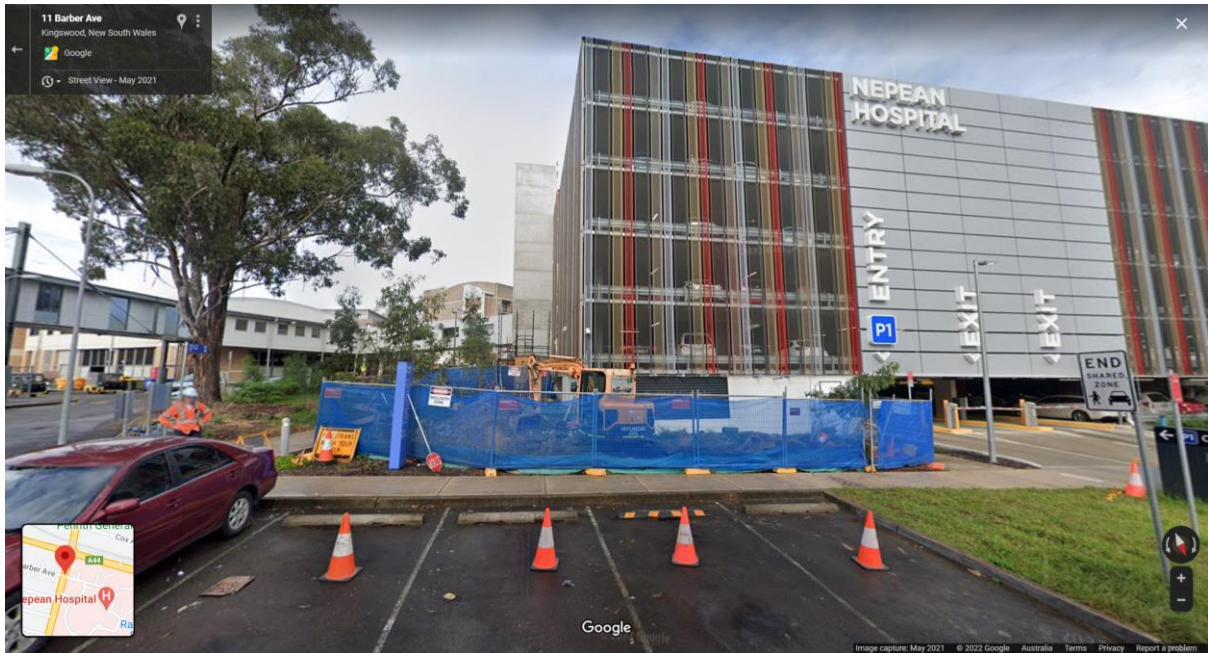


Figure 2 - Area of subject additional tree removal in May 2021 (google)



Figure 3 - Area of subject additional tree removal on 24 May 2022

6.0 NEW DRAWINGS FOR APPROVAL

The new or revised architectural drawings for approval to replace those originally lodged are:

- Architectural Drawings for Tower 2 – A0-200 series, A0-300 and 310 series for site plan, floor plans, elevations and sections:
 - NHR-BVN-DRW-ARC-TB2-A0-200[D] GENERAL ARRANGEMENT PLAN - LEVEL 00
 - NHR-BVN-DRW-ARC-TB2-A0-201[D] GENERAL ARRANGEMENT PLAN - LEVEL 01
 - NHR-BVN-DRW-ARC-TB2-A0-202[D] GENERAL ARRANGEMENT PLAN - LEVEL 02
 - NHR-BVN-DRW-ARC-TB2-A0-203[D] GENERAL ARRANGEMENT PLAN - LEVEL 03
 - NHR-BVN-DRW-ARC-TB2-A0-204[D] GENERAL ARRANGEMENT PLAN - LEVEL 04
 - NHR-BVN-DRW-ARC-TB2-A0-205[D] GENERAL ARRANGEMENT PLAN - LEVEL 05
 - NHR-BVN-DRW-ARC-TB2-A0-206[D] GENERAL ARRANGEMENT PLAN - LEVEL 06
 - NHR-BVN-DRW-ARC-TB2-A0-207[D] GENERAL ARRANGEMENT PLAN - LEVEL 07
 - NHR-BVN-DRW-ARC-TB2-A0-208[D] GENERAL ARRANGEMENT PLAN - LEVEL 08
 - NHR-BVN-DRW-ARC-TB2-A0-209[D] GENERAL ARRANGEMENT PLAN - LEVEL 09
 - NHR-BVN-DRW-ARC-TB2-A0-301[C] FACADE ELEVATION - NORTH ELEVATION
 - NHR-BVN-DRW-ARC-TB2-A0-302[C] FACADE ELEVATION - SOUTH ELEVATION
 - NHR-BVN-DRW-ARC-TB2-A0-303[C] FACADE ELEVATION - WEST ELEVATION
 - NHR-BVN-DRW-ARC-TB2-A0-304[C] FACADE ELEVATION - EAST ELEVATION
 - NHR-BVN-DRW-ARC-TB2-A0-311[C] SECTION A
 - NHR-BVN-DRW-ARC-TB2-A0-312[C] SECTION B
 - NHR-BVN-DRW-ARC-TB2-A0-313[C] SECTION C
 - NHR-BVN-DRW-ARC-TB2-A0-314[C] SECTION D
 - NHR-BVN-DRW-ARC-TB2-A0-315[C] SECTION E
 - NHR-BVN-DRW-ARC-TB2-A0-316[C] SECTION F
 - NHR-BVN-DRW-ARC-TB2-A0-317[C] SECTION G
- Architectural Drawings for Refurbishment Works – A0-500 series for floor plans, elevations and sections:
 - NHR-BVN-DRW-ARC-TB2-A0-502[C] NORTH BLOCK LV 01 - BOH DEMOLITION
 - NHR-BVN-DRW-ARC-TB2-A0-503[C] NORTH BLOCK LV 01 - BOH PROPOSED
 - NHR-BVN-DRW-ARC-TB2-A0-505[B] LINK ELEVATIONS

The revised landscape plans and landscape report are:

- PLN – 0000401 – SOFTWORKS PLAN
- PLN – 0000402 – SOFTWORKS PLAN
- PLN – 0000403 – SOFTWORKS PLAN
- PLN – 0000404 – SOFTWORKS PLAN – L00
- PLN – 0000405 – SOFTWORKS PLAN – L01
- PLN – 0000406 – SOFTWORKS PLAN
- PLN – 0000407 – SOFTWORKS PLAN
- PLN – 0000408 – SOFTWORKS PLAN
- PLN – 0000409 – SOFTWORKS PLAN – L06
- PLN – 0000410 – SOFTWORKS PLAN – L07
- SCH – 0000400 – PLANTING SCHEDULE
- Nepean Hospital Masterplan – Stage 2 Landscape SSDA Report – May 2022

The Civil Engineering Plans included in this package as prepared by Acor replace those previously provided by Bonacci at lodgement of this DA. These in full are:

- ALL-00010001 BARBER AVENUE - COVER SHEET AND DRAWING INDEX
- ALL-00010002 BARBER AVENUE - LEGENDS SHEET
- ALL-00010003 BARBER AVENUE - CONSTRUCTION NOTES
- ALL-00010004 BARBER AVENUE - GENERAL ARRANGEMENT PLAN
- ALL-00010005 BARBER AVENUE - DETAILS PLAN SHEET 1
- ALL-00010101 BARBER AVENUE - SITEWORKS AND GRADING SHEET 1
- ALL-00010102 BARBER AVENUE - SITEWORKS AND GRADING SHEET 2
- ALL-00010103 BARBER AVENUE - SITEWORKS AND GRADING SHEET 3
- ALL-00010111 BARBER AVENUE - PAVEMENT PLAN SHEET 1
- ALL-00010112 BARBER AVENUE - PAVEMENT PLAN SHEET 2

- ALL-00010113 BARBER AVENUE - PAVEMENT PLAN SHEET 3
- ALL-00010121 BARBER AVENUE - SOIL EROSION AND SEDIMENT CONTROL SHEET 1
- ALL-00010122 BARBER AVENUE - SOIL EROSION AND SEDIMENT CONTROL SHEET 2
- ALL-00010123 BARBER AVENUE - SOIL EROSION AND SEDIMENT CONTROL SHEET 3
- ALL-00010131 BARBER AVENUE - STORMWATER PIT SCHEDULE
- ALL-00010201 BARBER AVENUE - PAVEMENT MARKING & SIGNAGE SHEET 1
- ALL-00010202 BARBER AVENUE - PAVEMENT MARKING & SIGNAGE SHEET 2
- ALL-00010203 BARBER AVENUE - PAVEMENT MARKING & SIGNAGE SHEET 3
- ALL-00010501 BARBER AVENUE - ALIGNMENT CONTROL PLAN
- ALL-00010510 BARBER AVENUE - LONGSECTION SHEET 1
- ALL-00010512 BARBER AVENUE - LONGSECTION SHEET 2
- ALL-00010520 BARBER AVENUE - CROSS SECTIONS SHEET 1
- ALL-00010521 BARBER AVENUE - CROSS SECTIONS SHEET 1
- ALL-00010522 BARBER AVENUE - CROSS SECTIONS SHEET 3
- ALL-00010523 BARBER AVENUE - CROSS SECTIONS SHEET 4
- ALL-00010601 BARBER AVENUE - UTILITIES PLAN

7.0 CONSIDERATION OF NEW OR DIFFERENT IMPACTS

In addition to the minor planted tree removal set out above, the following sets out consideration of new or different impacts arising from these minor and modest changes to the design. The consideration relates to façade, floorplan and layout, and building envelope changes. The impacts of overshadowing and noise are further addressed.

Facade

In terms of any change to already assessed impacts in relation to the Stage 2 building, the façade changes are minor and in response to end user requests for improved spatial layout and efficiencies arising from changes to the internal clinical layouts.

The kitchen loading dock plant area is the only change to the building footprint. It will be screened by new landscaping, noting that this location serves as the Back-of-House and the placement of this new ground level plant is appropriate from a functional and visual impact perspective. Any new noise impacts arising are addressed below.

These changes do not diminish any design attributes addressed in responding to the DPE and/or Council requests for review of the appearance of the building.

Floorplans / layout

The changes to the floorplans and location of the balconies are minor changes only within the same building envelope. They are in response to end user requests for improved spatial layout and efficiencies in the delivery of health services.

Building envelope and overshadowing

The only changes to the building envelope relate to the increased height of areas of rooftop plant, noting however that the maximum height of the building does not change. Areas of plant have increased in height marginally by 1.3m in the peripheral plant locations to the north and south of the building's rooftop. The previous plant room height of 3.00m is increased to 4.30m. The centrally located plant is unaffected. See the submitted west elevations (north and south) compared to the new west elevations (north and south) below.

The height increase again has arisen through design development and plant selection now having been made.

The shadow impacts of the increased height will be marginal in the winter solstice. With reference to the originally submitted shadow diagrams (included over) at 9am the additional shadowing from the northern plant area will likely fall within the proposed extent of shadowing in the forecourt area of the Stage 2 building with the southern area of plant shading within proposed shadows over North Block.

At noon shadowing from both areas of plant will fall within overshadowing of the Stage 2 building and existing East Block, as well as the southern courtyard as presently proposed.

By 3pm, the additional shadowing would again fall within the proposed extents of shadowing over the Stage 1 and Stage 2 buildings, southern courtyard, and East Block.

Generally, the additionally shadowing falls within the extent of the proposed shadowing due to the setbacks of the plant from the building parapet. No shadow impacts occur outside of the hospital campus in relation to the originally proposed envelope, or the now refined building envelope.



Figure 4 - West Elevation (North) proposed and as submitted (BVN)



Figure 5 - West Elevation (South) proposed and as submitted (BVN)



1 WINTER SOLSTICE 08:00



3 WINTER SOLSTICE 12:00



5 WINTER SOLSTICE 15:00

Figure 6 - Submitted shadow diagrams (BVN)

Noise impacts

EMM has further assessed the potential noise impacts arising from the resized and reconfigured plant (including that at the ground level near the kitchen loading dock). EMM advises as follows (see also the EMM letter at **Appendix J**).

Amendments to the design which are relevant to this review include:

- *kitchen condensers located on the ground floor of the Stage 2 tower structure. The plant is located on the northern façade in proximity to Tresillian; and*
- *marginal increase in project height and subsequent potential impacts from rooftop plant.*

Noise predictions at the nearest noise sensitive receiver (Tresillian) from the operation of kitchen condensers is in the order of 52dB LAeq. The noise objective for Tresillian is in the order of 48dB LAeq. Accordingly, additional noise mitigation will be required to meet project noise objectives which could include the following:

- *speed control of the kitchen condenser units to achieve a 4dB reduction; and/or*
- *line of sight acoustic screen between the condenser units and Tresillian.*

Finalised acoustic treatments or management (ie speed control) are to be determined upon final selections of plant and required capacities.

Rooftop plant equipment has been addressed to the most potentially impacted receiver, that being the Onyx residential apartment building located at 5 Lethbridge Street, Penrith. The multi-storey nature of the apartment building provides the most unobstructed view to the rooftop plant and thus the loudest predicted noise levels.

Based on the equipment selections included with the design development package, no additional acoustic treatment to the rooftop plant will be required to meet the project noise emission requirements.

It is noted that the rooftop plant will be subject to ongoing review to ensure that any reselections or additions of plant continue to meet the project noise emission requirements.

Redesigned Barber Avenue and entry road and drop-off area

The redesigned Barber Avenue has satisfied a number of Council-raised design concerns, notwithstanding Council's ongoing objection. The retention of 29 of 43 parking spaces (a net loss of 14 spaces) and new inclusion of 3 motorcycle spaces is self-evidently an improvement upon that initially proposed and lodged. Relevantly, the various developments along Barber Avenue, including the subject development, change the role of the carriageway to one of primary access and circulation rather than serving on-street parking spaces, unlike other streets around the hospital or this health precinct.

Note also the recent approval of the Nepean Hospital Green Travel Plan (GTP) by both TfNSW and DPE which amongst other things seeks to reduce reliance upon car parking on and off site and enhance and increase public transport usage. The GTP will be retained as a live document to address mode share splits under the Stage 2 Redevelopment.

The redesigned entry / drop-off road now includes 12 short-term parking and drop-off spaces (including two disabled spaces), as well as a space for a community shuttle bus. This is a reduction from the lodged 17 short-term parking and drop-off spaces (including one disabled space), due to the Council-requested reconfiguration for perpendicular 'driveways' to Barber Street, rather than the swept and angled arrangement proposed.

8.0 UPDATED PROJECT JUSTIFICATION

This Response to Submissions package has addressed all comments made in submissions as well as the Department's letter of key issues. The package provides a detailed and comprehensive response to these matters as supported by further specialist advice or information. A suite of minor design changes are also included to bring the DA drawings up to date with ongoing design development and allow for the assessment of the development as now proposed and seek to avoid unnecessary later modification processes.

As noted, considerable effort has been undertaken to suitably address Council's Barber Avenue concerns in liaison with Council, however this process has now stalled. It is HI's view that the refined Barber Avenue design as included in this package provides for a balanced outcome to meet Council's, TfNSW's and HI's objectives in the context of the role and evolution of Barber Avenue within this health precinct.

Appendix B provides an update of the originally submitted Mitigation Measures having considered and assessed the matters raised in submissions, the response to those matters, and refined reports, drawings and the like arising from the submission or design refinements from design development.

As evidenced by the small number of submissions and the limited range of key issues raised, this Stage 2 Redevelopment project remains justified as it will have significant positive social and economic impacts for the locality, the Penrith Health and Education Precinct, the region and NBMLHD, and Western Sydney generally. The environmental impacts are broadly likely to be low to medium only across both the construction and operational phases of the development. Any more significant impacts identified, such as construction noise and traffic, are able to be suitably managed and mitigated to reduce impacts and environmental risks.

The refined design of Barber Avenue seeks to balance the project's objectives with that of Council's to maintain or maximise on-street parking at this part of the hospital's frontage.

The continued redevelopment of the campus to future proof capacity at the hospital to cater for population growth, future demand for services, and changed clinical and health needs whilst also providing a modern fit-for-purpose health facility is suitable and justified in the context.

The development satisfies and supports all relevant strategic planning objectives and aims as they relate to the provision of health services, the Penrith LGA and the Penrith Health and Education Precinct, and Western Sydney generally. There are no planning controls, legislative and prerequisite requirements and environmental risks or impediments that would limit or prevent the development as proposed.

The findings of the EIS and its supporting studies and reports (as supported by the Response to Submissions Report) is that the development will generally be of a low impact and with environmental risks relative to the project's scale and complexity. Suitable measures have been proposed throughout to address a range of environmental and operationally-related impacts that would arise from the construction and operation of the development. Ongoing communication with the immediately-affected community is proposed (as was the case with the recent preceding Stage 1 Redevelopment) in relation to a number of construction-related impacts, chiefly from noise, vibration, and traffic management. Monitoring for previously undetected or unrecorded Aboriginal objects and other heritage or archaeology is also planned in dialogue with, and involvement of, the community.

The design and siting of the development has sought to not only meet the immediate clinical and health services needs of the hospital and NBMLHD, but also sought to avoid or minimise the impacts of the project, applying mitigation measures where needed or required under legislation.

We maintain the recommendation that the Stage 2 Redevelopment at Nepean Hospital be approved.

9.0 REFERENCES

References referred to in this Response to Submissions Report are set out and included as Appendices within Part B of this response documentation.