

12 November 2013

Director General  
Department of Planning & Infrastructure  
GPO Box 39  
Sydney, NSW 2001

**Attention:**

Dear Mr Haddad,

**Re: Variation to Development Standard (Floor Space Ratio) – The Hills LEP 2012**

This letter seeks a variation to a development standard affecting the floor space ratio (FSR) applicable to land at 11 Norbrik Drive under *Clause 4.4 Floor Space Ratio* of *The Hills Local Environmental Plan 2012*. The request arises from a State Significant Development (SSD 6074) application for the expansion of Norwest Private Hospital into a new wing over the airspace of an existing ground level car park. A variation is sought to allow for a minor increase in the FSR development standard, indicated on the LEP FSR Map, which is set at maximum of 1:1.

The current FSR of Norwest Private Hospital is 0.9166:1 and this will increase to 1.1893 resulting in a 0.84% variation from the FSR development standard.

The need for a minor variation arises from a minimum amount of floor space being required to accommodate the demand for operating theatres, wards and associated support and storages spaces. The new hospital wing also requires ample vertical circulation and corridors to transport patients and medical equipment. A total of five alternative options for floor space and height configurations was considered and is detailed in the Environmental Impact Statement (EIS) and Architectural Design Statement, to accompany the SSD application.

The new expansion is still in accordance with the height of building and set back controls and will not present any adverse environmental planning effects to adjoining properties or the wider Norwest Business Park area. In addition, a full heritage impact statement has considered the proposed bulk and scale in relation to potential impacts on the State Heritage listed item at Bella Vista Farm. All documents demonstrate there will be no impacts and that the development is compatible with the bulk, scale and character of existing and future development.

The development is a permissible land use and will achieve objectives to encourage employment opportunities on land zoned *B7 Business Park* under The Hills LEP. Being a significant expansion to an existing *health services facility*, which will meet the demands of the growing population of Western Sydney, the proposed development will be in the public interest.

The development is consistent with the objectives of *Clause 4.4 Floor space ratio*:

- (a) *to ensure development is compatible with the bulk, scale and character of existing and future surrounding development,*
- (b) *to provide for a built form that is compatible with the role of town and major centres.*

Therefore, the development of expansion to a hospital to increase capacity for the care of patients is still consistent with the objectives for development within the zone and the objectives of the relevant particular standard. The FSR applicable under the LEP is 1:1. The proposed development will result in an FSR of 1.1893, increased from the previous 0.9166 FSR. This results in a nominal 0.8408% variation from the development standard.

Strict compliance of the development standard would hinder the attainment of the objects specified in S5 (a) (i) & (ii) of the Act, to encourage:

- i) the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment*
- ii) (ii) the promotion and co-ordination of the orderly and economic use and development of land,*

In consultation with The Hills Shire Council, the concurrence of the Director General is hereby sought in order to allow flexibility in these particular circumstances.

We trust this information is sufficient. Please do not hesitate to contact our office on 9221 5211 should you require any further information.

Yours sincerely,



Patricia Docherty  
**Senior Consultant Planner**