



Planning &
Infrastructure

**STATE SIGNIFICANT DEVELOPMENT
ASSESSMENT REPORT:
NORWEST PRIVATE HOSPITAL
(SSD 6074)**



Director-General's Assessment Report
Section 89H of the
Environmental Planning and Assessment Act 1979

April 2014

ABBREVIATIONS

Applicant	Healthscope Limited
CIV	Capital Investment Value
DGRs	Director-General's Requirements
Director-General	Director-General of Planning and Infrastructure, or his delegate/nominee
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPI	Environmental Planning Instrument
LEP	Local Environmental Plan
Minister	Minister for Planning and Infrastructure
P&I	Planning and Infrastructure
PAC	Planning Assessment Commission
RtS	Response to Submissions
SEPP	State Environmental Planning Policy
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development

Cover Photograph: Photomontage of the proposed wing extension viewed from the south-west
(Source: *Health Projects International*)

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EXECUTIVE SUMMARY

This report is an assessment of a State significant development (SSD) application lodged by Healthscope Limited (the applicant) seeking approval for the construction of a three level west wing expansion to the Norwest Private Hospital (NPH) located in the Norwest Business Park (NBP).

The project has a capital investment value (CIV) of approximately \$53.4 million and would generate 170 new operational jobs and 60 construction jobs.

The development is classified as SSD under clause 14 of Schedule 1 of State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP), as it is a development for the purpose of a hospital and has a CIV of more than \$30 million. Consequently, the Minister for Planning and Infrastructure is the consent authority for the application.

The proposal was exhibited from 12 December 2013 until 12 January 2014. Planning and Infrastructure (P&I) received submissions from five public authorities and one submission from the general public. The main issues raised relate to view impacts, construction traffic and parking.

The applicant provided a Response to Submissions (RtS), which responded to the matters raised in the submissions.

P&I has assessed the merits of the proposal and considers the key issues associated with the project include traffic and parking, built form, heritage impacts and acoustic impacts.

P&I is satisfied that the impacts of the proposed development have been addressed in the Environmental Impact Statement (EIS) and the RtS, and can be adequately managed through the recommended conditions.

The proposed development would provide additional health services including operating theatres, in-patient beds and medical suites in response to the demand for private healthcare services in the region.

P&I therefore considers the proposed development would be in the public interest and recommends that the SSD application be approved, subject to conditions.

1. PROPOSED DEVELOPMENT AND SITE DESCRIPTION

1.1 The Proposal

The proposed development involves the construction of a new three level west wing for the NPH above the existing ground level car park. The proposed development would also include internal alterations to the layout of the existing hospital building; a minor external addition above the existing ambulance bay; minor changes to the existing parking layout; and provision of a new parking area and associated landscaping and infrastructure works. The project location is shown in **Figure 1**.

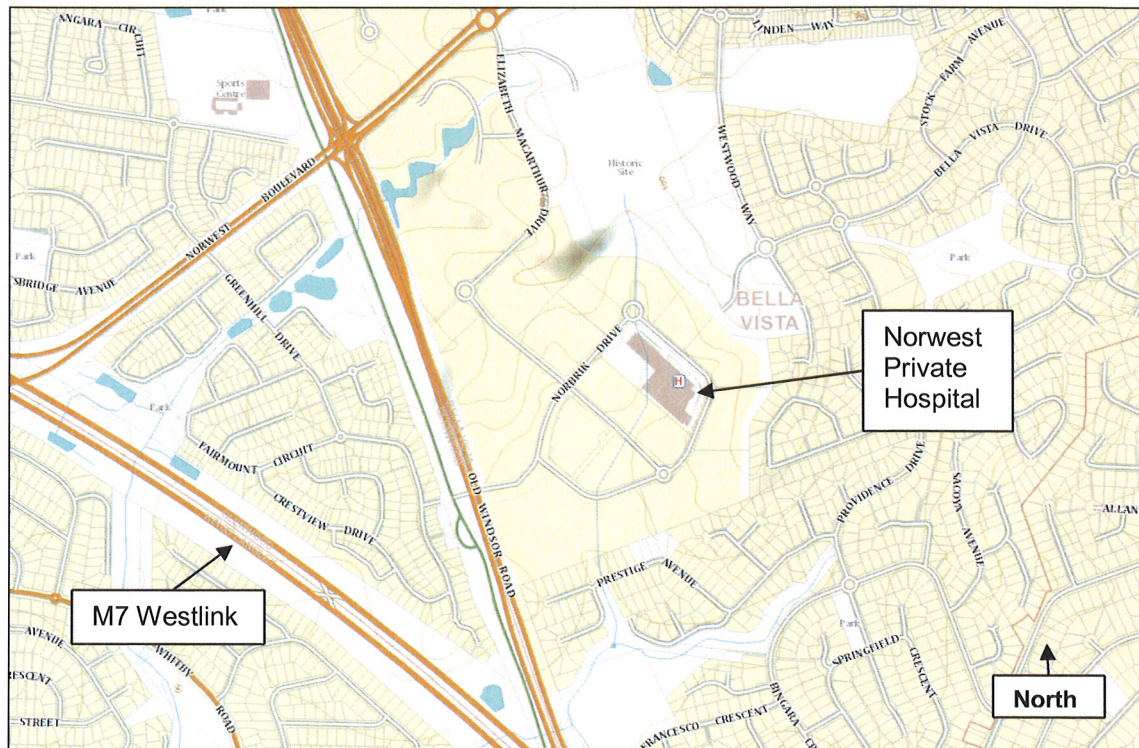


Figure 1: Project Location (source: Six Viewer)

1.2 Site Description and Surrounding Development

The NPH is located at No. 11 Norbrik Drive, Bella Vista within the NBP. The existing hospital was approved by the former Baulkham Hills Shire Council on 25 October 2007 (DA No. 30/08/HA). The NPH is a major surgical and medical facility with 216 inpatient beds, 13 operating theatres and a range of health services and patient care, including an emergency department. The existing hospital building is four levels over basement parking with a central courtyard at Level 2. A medical centre comprising three levels above basement parking is linked to the rear of the hospital. The main entry to the hospital is along the northern boundary. The emergency department is located on the south-eastern side of the building. Vehicular access to the basement and ground level parking area is from the north-western boundary of the site.

The subject site and has a total area of 23,665 sqm and is bounded by Norbrik Drive on three sides. The footprint of the existing buildings cover the majority of the site and the opportunity for expansion to the existing facilities is generally restricted to above the open air carpark in the south-western part of the site (refer to **Figures 2 and 3**).

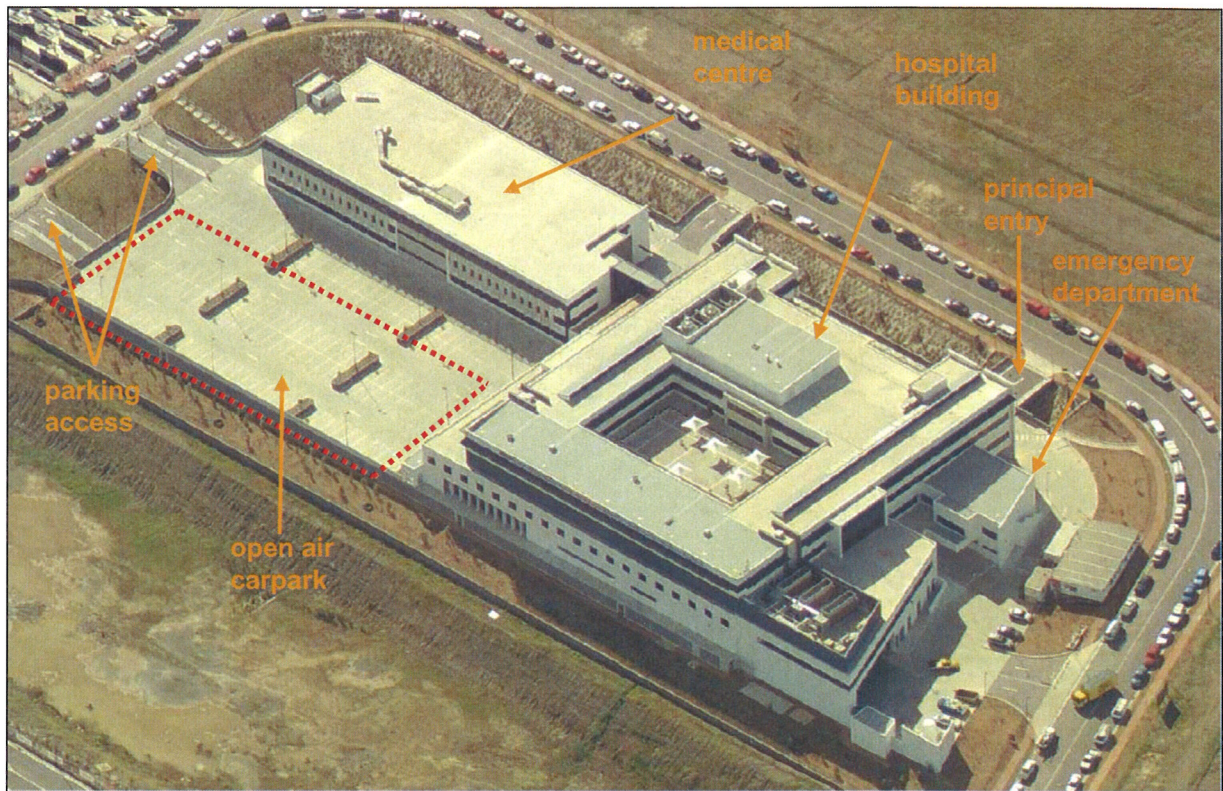


Figure 2: Existing building layout (the red dashed line represents the general location of the proposed west wing expansion) (Source: EIS)



Figure 3: View of the site from the existing vehicular access to the basement parking area with the open air car park above

The undeveloped land adjoining to the southwest is identified for future commercial/retail development as part of the Circa Shopping Centre Precinct. The undeveloped land to the north of the site on the opposite side of Norbrik Drive is also identified as suitable for future commercial development. Further north is the heritage listed Bella Vista Farm. The Bella Vista playing fields are located to the east of the site. Land to the northwest accommodates a commercial building known as Q Central (refer to **Figure 4**).



Figure 4: Surrounding land uses (Source: EIS)

1.3 Key Development Components and Features

Table 1 provides a summary of the development proposal's key components and features, and **Figures 5 to 7** illustrate the overall development layout and the floor layouts from Levels 1 to 3.

Table 1: Key Development Components

Development Summary	The proposed development involves: • construction of a new wing comprising three levels above the existing ground level and basement car park in the western part of the site (refer to the development layout in Figure 4); • changes to the internal configuration of the existing hospital building at ground and Level 1; • a minor extension to the building envelope above the ambulance bay of the existing hospital at Level 1; • a revised parking layout in the basement and at ground level to accommodate the new lift and stairs; • a new opening along the south-western elevation of the basement car park for vehicle access to a new external parking area; • landscape works; and • associated infrastructure works.
Internal Access	• The floor levels will match the existing hospital building providing direct access at Level 1 and a pedestrian link at Levels 2 and 3.
Gross Floor Area	• 6,453 sqm of new floor space
Height	RL 98.5 lift shaft roof slab
Capital Investment Value	\$53,400,000.00
Jobs	170 new operational and 60 construction jobs

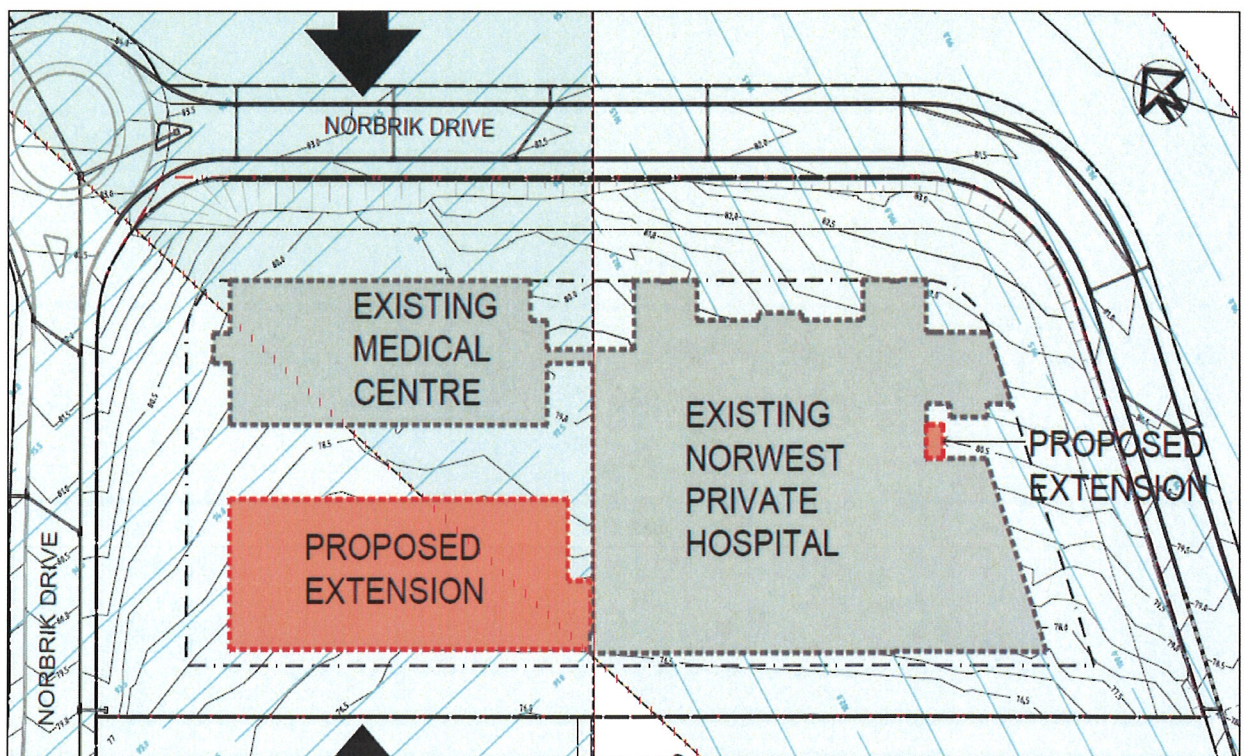


Figure 5: Development Layout

Description by Level

Basement

The existing parking layout will be revised to accommodate the new lift and stairs under the proposed wing expansion. A new opening on the south-western elevation will provide vehicular access to the proposed external parking area.

Ground

The existing parking layout will be revised to accommodate the new lift and stairs under the proposed wing expansion. The proposed changes to the internal configuration of the existing hospital include expansion to the kitchen, linen hold, electricity supply room and relocation of the medical records to the new wing and replacement with a maintenance workshop, administration and kitchen store.

Level 1

The proposed changes to the existing hospital layout involve integration of an admissions area for day surgery, additional peri operative bays and an extension above the ambulance bay to accommodate a sterile stock store. The proposed expansion will be integrated with five new operating theatres, recovery lounges and staff support and amenities. The primary requirement is for the new operating theatres to be located within the same sterile zone and at a floor level which matches the existing hospital. Refer to **Figure 6**.

Level 2

The primary requirement for this level is to locate the mechanical plant directly above the operating theatres below. The balance of the floor area is allocated as medical suites and administration functions, which will be relocated from the ground floor of the existing hospital. A new link corridor will connect to the existing hospital wards and plant room. Refer to **Figure 7**.

Level 3

This level will accommodate the 55 in-patient beds and a corridor link back to the existing hospital wards on Level 3. Two lounges each with a skylight will be provided to improve the amenity for patients and staff. Refer to **Figure 8**.

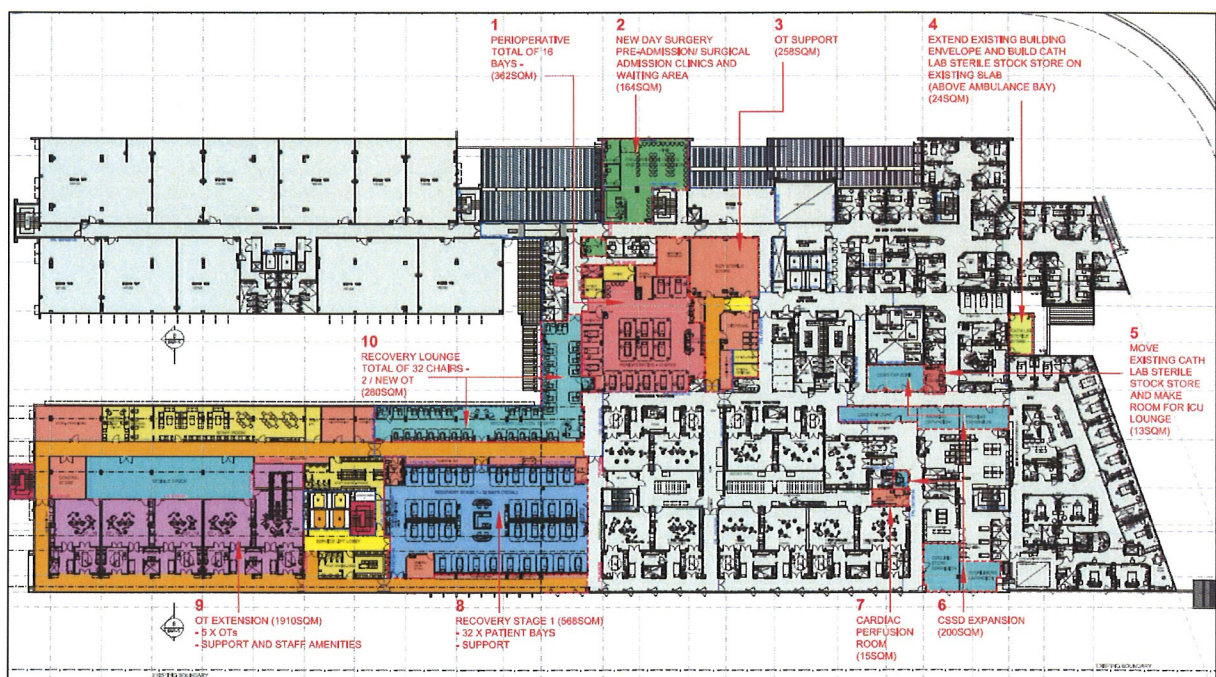


Figure 6: Level 1

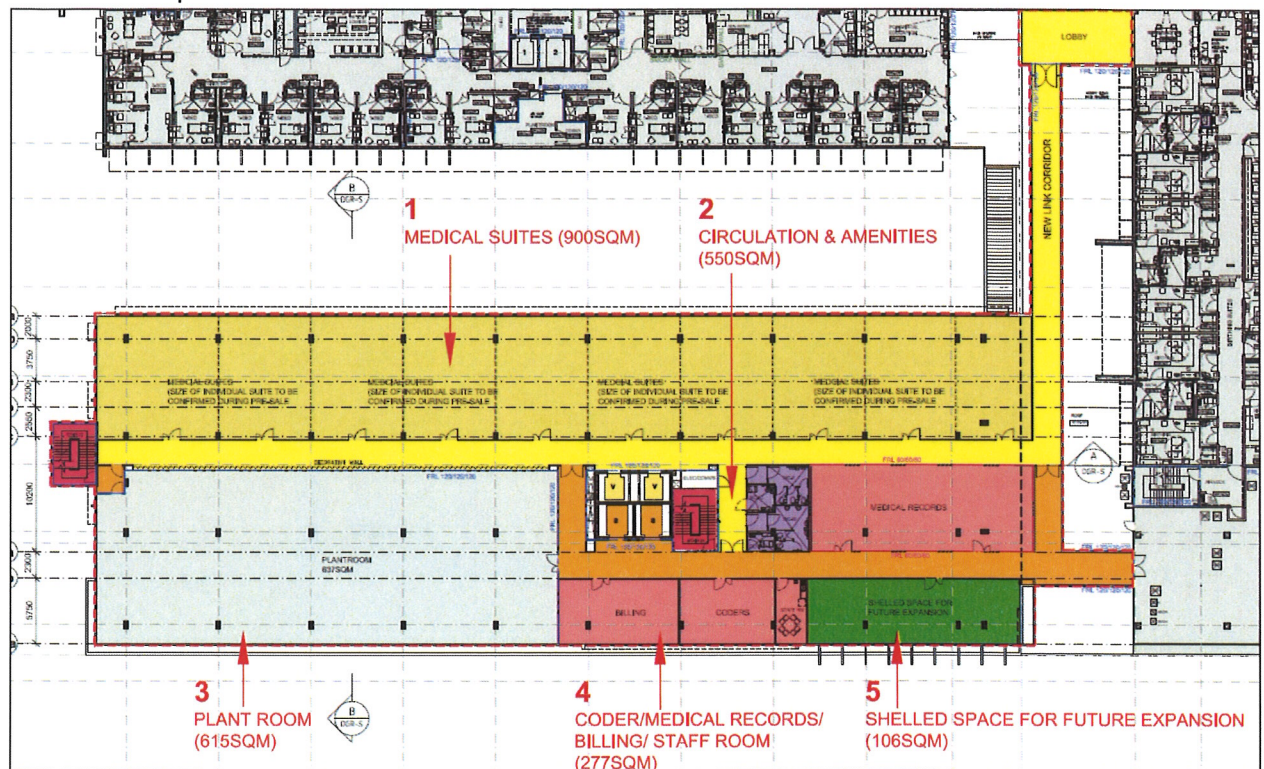


Figure 7: Level 2

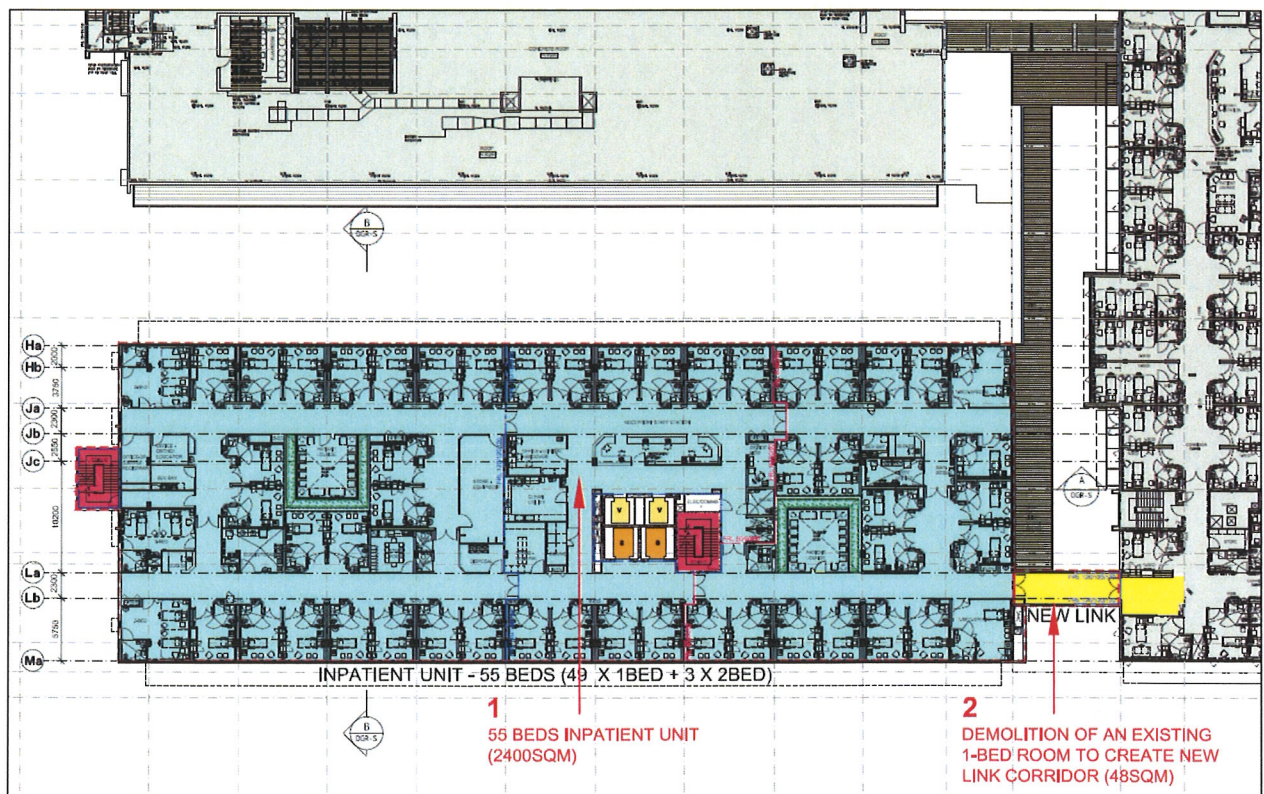


Figure 8: Level 3

2. STATUTORY AND STRATEGIC CONTEXT

2.1. SEPP (State and Regional Development) 2011

The proposal is classified as State significant development because it is development for the purpose of a hospital with a capital investment value (CIV) in excess of \$30 million under clause 14 (Hospitals, medical centres and health research facilities) of Schedule 1 of State Environmental Planning Policy (State and Regional Development) 2011. Therefore the Minister for Planning and Infrastructure is the consent authority.

2.2. Delegated Authority

On 27 February 2013, the Minister for Planning and Infrastructure delegated responsibility for the determination of State significant development under Division 4.1 of Part 4 of the EP&A Act to the Executive Director, Development Assessment Systems and Approvals. The proposal complies with the terms of that delegation as council has not objected to the proposal, no political disclosure statement has been made and less than 25 public submissions objecting to the proposal were received.

2.3. Permissibility and Zoning

The site is zoned B7 Business Park under The Hills Local Environmental Plan 2012 (HLEP 2012) and the development is permissible in the zone.

2.4. Environmental Planning Instruments

P&I's consideration of relevant EPIs (including SEPPs) is provided in **Appendix B**. The proposal is consistent with the relevant requirements of the EPIs.

2.5. Objects of the EP&A Act

Decisions made under the EP&A Act must have regard to the objects of the Act, as set out in section 5 of the Act. The proposal would promote the orderly development of the existing hospital site and deliver additional health facilities for the region and therefore generally complies with the objects of the Act.

2.6. Ecologically Sustainable Development

The EP&A Act adopts the definition of Ecologically Sustainable Development (ESD) found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes.

P&I has considered the project in relation to the ESD principles. The Precautionary and Inter-generational Equity Principles have been applied in the decision making process via a thorough and rigorous assessment of the environmental impacts of the project.

The proposed development involves the construction of a new wing over an existing car park and as a result there is not likely to be any significant risk to the natural environment. The subject site does not contain any significant environmental or cultural heritage features requiring protection for future generations.

The proposal is considered to be consistent with ESD principles as described in Section 4.2 and Appendix 3 of the EIS, which has been prepared in accordance with the requirements of Schedule 2 of the Regulation.

P&I considers that the proposed sustainability initiatives would encourage ESD, in accordance with the objects of the EP&A Act.

2.7. Environmental Planning and Assessment Regulation 2000

Subject to any other references to compliance with the Regulation cited in this report, the requirements for Notification (Part 6, Division 6) and Fees (Part 15, Division 1AA) have been complied with.

2.8. Strategic Context

P&I considers that the proposal is consistent with the priorities of NSW 2021, the State's 10 year plan to increase investment in health infrastructure to support economic growth of the health and community services industry in Western Sydney.

The proposed expansion would provide a direct investment in the region of \$53,400,000 and support 60 new construction jobs and 170 operational jobs. The proposal is therefore consistent with the current Metropolitan Plan for Sydney 2036 which identifies Norwest as a growing employment centre.

2.9. Director-General's Requirements

The EIS is compliant with the Director-General's Requirements and is sufficient to enable an adequate consideration and assessment of the proposal for determination purposes.

3. EXHIBITION CONSULTATION AND SUBMISSIONS

3.1. Exhibition

In accordance with section 89F of the EP&A Act and clause 83 of the EP&A Regulation, the Director-General has made the application and accompanying information publicly available for at least 30 days following the date of first publication, in accordance with the Regulation. P&I publicly exhibited it:

- on the P&I website from 12 December 2013 until 31 January 2013; and
- at the P&I Bridge Street Sydney Information Centre and The Hills Shire Council Administration Building from 12 December 2013 until 31 January 2013.

P&I notified adjoining landholders, and relevant State and local government authorities in writing.

There were four submissions received from public authorities and one submission received from the general public during the public exhibition period. A summary of the comments/issues raised in all the submissions is provided in the following section.

3.2. Public Authority Consultation and Submissions

A summary of the comments/key issues raised by public authorities is provided below.

The Hills Shire Council supports the expansion of the existing hospital. However, council recommended the current fee structure for the car park be amended to incorporate free or discounted rates for staff to relieve on-street parking congestion. This matter is discussed in Section 4.2 of this report. Council also recommended a number of conditions in relation to Section 94A contributions, environmental protection, stormwater and drainage, vehicular access and parking and public asset protection.

Transport for NSW (including **Roads and Maritime Services**) raised no objection to the development and provided the following comments for consideration:

- a Traffic Management Plan (TMP) for Construction Activities should be prepared to address safety and measures to minimise impacts on bus services prior to commencement of works on the site;

- way finding directional signage should be provided within the hospital grounds to notify staff and visitors of the location of bus stops in Norbrik Drive and bus services on the north-west T-Way; and
- a Workplace Travel Plan (WTP) for staff should be required as a condition of the approval.

P&I considers that any potential conflicts between construction traffic and public buses surrounding the site, provision of directional signage and a WTP can be addressed as recommended conditions on the consent.

NSW Environment Protection Authority raised no objection to the proposed development. The EPA also advised that as the proposed development involves matters in relation to the Radiation Control Act 1990 it was referred to the EPA's radiation regulation unit. However, no further response was provided by the EPA in relation to this aspect.

Office of Environment and Heritage (OEH) Heritage Division raised no objection to the proposed development and consider that it will not have an adverse impact on the heritage significance of Bella Vista Farm. OEH also recommended an archaeological condition on the consent.

Sydney Water identified existing water and wastewater assets in the vicinity the site and raised no objection to the proposed expansion of the hospital.

P&I has fully considered the comments raised in the submissions in its assessment and has recommended the imposition of appropriate conditions where required.

3.3. Public Submission

The public submission supports the proposed expansion to the existing hospital noting the economic and health benefits to the surrounding area, however, minor concerns were raised in relation to the impact on sight lines from the Bella Vista Farm BVP and the lack of on-site parking. These issues are discussed in section 4.2.

3.4. Applicant's Response to Submissions

The applicant has provided a response to the comments raised in submissions. The relevant comments have been discussed in section 4.2.

4. ASSESSMENT

4.1. Section 79C Evaluation

Table 2 identifies the matters for consideration under section 79C that apply to State significant development, in accordance with section 89H of the EP&A Act. The table represents a summary for which additional information and consideration is provided for in Section 4 (Key and Other Issues) and relevant appendices or other sections of this report and the EIS, referenced in the table.

The EIS has been prepared by the applicant to consider these matters and those required to be considered in the DGRs and in accordance with the requirements of section 78(8A) of the EP&A Act and Schedule 2 of the EP&A Regulation.

Table 2: Section 79C(1) Matters for Consideration

Section 79C(1) Evaluation	Consideration
(a)(i) any environmental planning instrument	Complies - see Appendix B
(a)(ii) any proposed instrument	Not Applicable
(a)(iii) any development control plan	See Appendix B*
(a)(iia) any planning agreement	Not applicable

(a)(iv) the regulations	The development application satisfactorily meets the relevant requirements of the Regulation, including the procedures relating to development applications (Part 6 of the Regulations), public participation procedures for SSD's and schedule 2 of the Regulation relating to environmental impact statements.
(a)(v) any coastal zone management plan	Not applicable
(b) the likely impacts of that development	Appropriately mitigated or conditioned - refer to Section 4.2 and the recommended conditions of consent at Tag B.
(c) the suitability of the site for the development	The site is suitable for the development as it contains an existing hospital with sufficient on-site parking and good road access.
(d) any submissions	Refer to Sections 3.2 and 3.3
(e) the public interest	Refer to Section 4.3
Biodiversity values exempt if: (a) On biodiversity certified land (b) Biobanking Statement exists	Not applicable

* Under clause 11 of the SRD SEPP, development control plans do not apply to state significant development. Notwithstanding, consideration has been given to relevant Development Control Plans at Appendix B.

4.2. Key Issues

P&I has considered the EIS, the issues raised in submissions and the applicant's response to these issues in its assessment of the development. P&I considers the key issues to be:

- Traffic and Parking;
- Built Form and Urban Design;
- Heritage Impacts; and
- Acoustic Impacts.

These issues are addressed in sections 4.2.1 to 4.2.4.

4.2.1. Traffic and Parking

Traffic

The proposed expansion will generate additional vehicular traffic to and from the hospital due to the increase in the number of patient beds and staff. The cumulative traffic impacts on the surrounding road network have been considered in the traffic and parking assessment, prepared by TEF Consulting, submitted with the application.

The traffic assessment notes that the NBP is not yet fully developed and the existing traffic volumes at key intersections are not at levels predicted for the entire development of the NBP. Therefore the analysis of intersection operation under a combination of existing traffic flows and additional traffic generated by the proposed expansion to the hospital may not adequately assess the cumulative impacts of the NPH and other development on the surrounding road network. In light of this the traffic assessment adopted a trip generation based on the original NPH development application approval. The intersection layouts and phasing for traffic signals were designed to accommodate the total traffic from the NBP when it was fully developed. P&I notes that the actual existing traffic generated by the NPH is less than predicted at the development application stage which was used for the original NBP Masterplan approval.

The total traffic generated as a result of the full development of the NPH was compared with that used for the analysis of the proposed NPH for the original DA as part of the NBP Masterplan approval. The results indicate that the estimated traffic generation will be within

levels approved for the NPH in the original development application and for the Masterplan for the NBP. P&I therefore accepts that there is no need to model the operation of key intersections given the future estimated trips numbers are less than those identified in the previous approvals for the site.

Notwithstanding, the traffic assessment estimated the distribution of additional traffic at key intersections based on a survey of staff and visitors at NPH in May 2013. The additional turning traffic volumes at the key intersections surrounding the site are described as being very low and within hourly fluctuations of existing traffic.

P&I considers the traffic impacts on the surrounding road network to be acceptable.

Parking

The proposed expansion will generate additional demand for parking due to the increased number of patients, staff and visitors to the hospital. Council's Development Control Plan (DCP) 2012 contains the parking rates for hospitals, medical centres and health consulting rooms.

Based on council's current parking rates for hospitals, the demand generated by the existing development equates to 539 car spaces. The existing hospital currently provides 674 long term off-street parking spaces resulting in a surplus of 135 spaces. The proposed expansion would generate a demand for 132 additional car spaces, resulting in a surplus of three car spaces. However, the proposed development would result in the loss of 33 car park spaces at the basement and ground level parking areas to accommodate the new lift and stairwells. To address this an additional 39 car spaces would be provided at the basement level external to the building resulting in an additional six car spaces and a total surplus of nine spaces on the site. The traffic assessment also refers to surveys of the existing car park usage conducted in May 2013. The surveys indicate that the parking rates in DCP 2012 are generally consistent with the parking survey. The quantum of off-street parking is therefore considered to be acceptable to satisfy the additional demand generated by the proposed development.

Council has recommended a condition on the approval requiring an amendment to the current parking fee structure to incorporate free or discounted rates for staff. Council is of the view that such a measure will assist in reducing the demand for on-street parking. The car park is a commercial venture which operates independently from the hospital. P&I considers the parking fee structure is a matter between the hospital and the operators of the car park, and is not a relevant planning consideration for this application. Also, it is not warranted because the availability of parking on the site exceeds Council's parking requirements. P&I therefore does not support council's recommended condition requiring changes to the parking fee structure.

4.2.2. Built Form and Urban Design

The proposed western wing expansion comprises three levels above the ground level parking area at the rear of the existing hospital building. The new building volume is raised above the existing car park deck to retain the existing parking provision at ground level. For operational reasons each of the new storeys is aligned to the existing levels of the hospital.

A maximum height requirement of RL 116 applies to the subject site under HLEP 2012. The height of the proposed new wing expansion equates to RL 98.5 (lift shaft roof slab), which complies with council's height requirement. P&I considers that the height of the proposed development is consistent with the existing context of the locality which is characterised by a mix of large scale commercial and office buildings, and the desired future character of the NBP.

A maximum Floor Space Ratio (FSR) of 1:1 applies to the site under HLEP 2012. The existing FSR equates to 0.97:1. The FSR as a result of the proposed expansion equates to 1.19:1 which exceeds council's maximum FSR requirement. The application was accompanied by an 'Exception to a Development Standard' in accordance with Clause 4.6 of HLEP 2012. The objectives of the control seek to ensure development is compatible with the bulk, scale and character of existing and future development and the role of the centre. P&I accepts the proposed development is consistent with the existing and desired future character of NBP. P&I also considers the proposed expansion is similar to the existing hospital building in terms of scale, massing, form and materials. The proposed development would provide a more defined edge along the south-western boundary of the site and suitable visual and structural integration with the existing hospital (refer to **Figure 9**). Council considers the proposed bulk, scale and design of the new building is consistent with the envisaged character of the area. Accordingly, P&I considers that the FSR non-compliance is acceptable and recommends that the Executive Director, as delegate of the Director-General, issue a statement of concurrence to this effect (see **Tag A** of this report).



Figure 9: Photomontage view along the western elevation showing the proposed wing expansion and existing hospital building.

The potential for future integration with the Circa Shopping Centre precinct to the southwest has been considered in the architectural concept design report submitted with the application. A conceptual design layout indicates that an opportunity exists for the construction of a link bridge to possible future public space on the adjoining development site. P&I is of the view that future integration with the adjoining site would not be compromised by the proposed expansion.

The proposed expansion would result in some additional overshadowing of the adjoining vacant commercial property to the southwest during the morning period at the winter solstice, however, given the orientation of the site, the shadow cast moves further east in the afternoon and affects the subject site. The proposal is acceptable in regard to overshadowing.

Currently there is a dense vegetated landscape strip along the western boundary which assists in screening the western wall of the basement car park. The proposed development involves replacement of the vegetated landscape strip with a parking area exposing the western wall of the building. The front of each parking bay abutting the boundary would contain a landscape zone planted with a single tree and shrubs. P&I considers that the new landscape regime along the western interface would assist in screening the western

elevation of the car park and the external parking area. In any event the vacant land adjoining is part of a future expansion of the Circa Shopping Centre Precinct area and upon completion it would obscure the views of the western elevation of the subject site from nearby streets. The landscape treatment along the western boundary is therefore considered to be acceptable.

4.2.3. Heritage Impacts

The subject site is located in the vicinity of Bella Vista Farm, which is listed as a heritage item on the State Heritage Register and as a Heritage Conservation Area and as being of State Significance in HLEP 2012.

An assessment of the heritage impacts for new development in the vicinity of a heritage item is required in accordance with HLEP 2012. A Heritage Impact Assessment (HIA), prepared by Worley Parsons, was submitted with the application. The HIA concludes there would be no adverse impact on the heritage significance of the Bella Vista Farm.

The heritage controls in DCP 2012 require development within the vicinity of a heritage site to not adversely impact the heritage significance or obstruct important views to and from the site. DCP 2012 also contains specific development controls for land in NBP which seek to protect views to and from Bella Vista Farm. The views required to be retained from Bella Vista Farm are indicated above a dotted line shown in a series of photomontages appended to DCP 2012. A photomontage study, prepared by HPI, indicates that the proposed development does not adversely impact views from the Bella Vista Farm to distant ridgelines and key points such as Old Windsor Road and the Pearce Family Cemetery to the south.

The views to Bella Vista Farm from a specified location on Old Windsor Road are affected by a view cone which generates a height plane between Old Windsor Road and the Bella Vista Farm Park. The proposed expansion intersects the height plane. The intent of the controls is to protect the views of the homestead and the prominent ridgeline to the south of Bella Vista Farm from specific locations along Old Windsor Road and the Pearce Family Cemetery (also listed on the State Heritage Register) to the south.

When viewed down the view cone from the Bella Vista Farm to the nominated point on Old Windsor Road the view impact varies depending on the location within the Bella Vista Farm. There is no change to the view from the homestead to Old Windsor Road at the higher northern end of the Bella Vista Farm. The proposed expansion would impact the views from the lower southern end the Bella Vista Farm. However, the proposed development generally sits behind the existing medical centre minimising its visual impact. P&I considers the additional view impact at the centre of the view cone is minor in the context of views retained of the surrounding area. A photomontage view with and without the proposed development is provided in **Figures 10 and 11**.

When viewed up the view cone from the nominated point on Old Windsor Road to Bella Vista Farm, the top level of the development would interrupt the lower half of the Bunya Pines along the ridgeline in the southern part of the Bella Vista Farm. The photomontage study shows that existing views to the Bella Vista Farm from Old Windsor Road are also impacted by existing vegetation, intervening development and public infrastructure (refer to **Figures 12 and 13**). An Architectural Concept Design Report, submitted with the application, outlines a several development options considered in the evolution of the design in relation to the height plane set by the view cone controls. P&I accepts there are critical design constraints affecting the site including the need to match floor levels with the existing hospital building and retain the operating theatres in a single sterile zone.

The Heritage Division of the Office of Environment and Heritage has also noted the proposed development would be located behind the existing medical centre when viewed from Bella

Vista Farm and the distant views between Bella Vista Farm (the Homestead and ridgeline) and the Pearce Family Cemetery are retained. The Heritage Division is of the opinion that the proposed development will not have an adverse impact on the heritage significance of the Bella Vista Farm.

The Heritage Division recommended an archaeological condition on any future approval as a potential safeguard. However, the proposed works are confined to the existing building footprint and would not involve excavation of the subject site. The recommended archaeological condition is therefore not warranted in this circumstance.

The proposal is considered to be acceptable in terms of the heritage impacts.

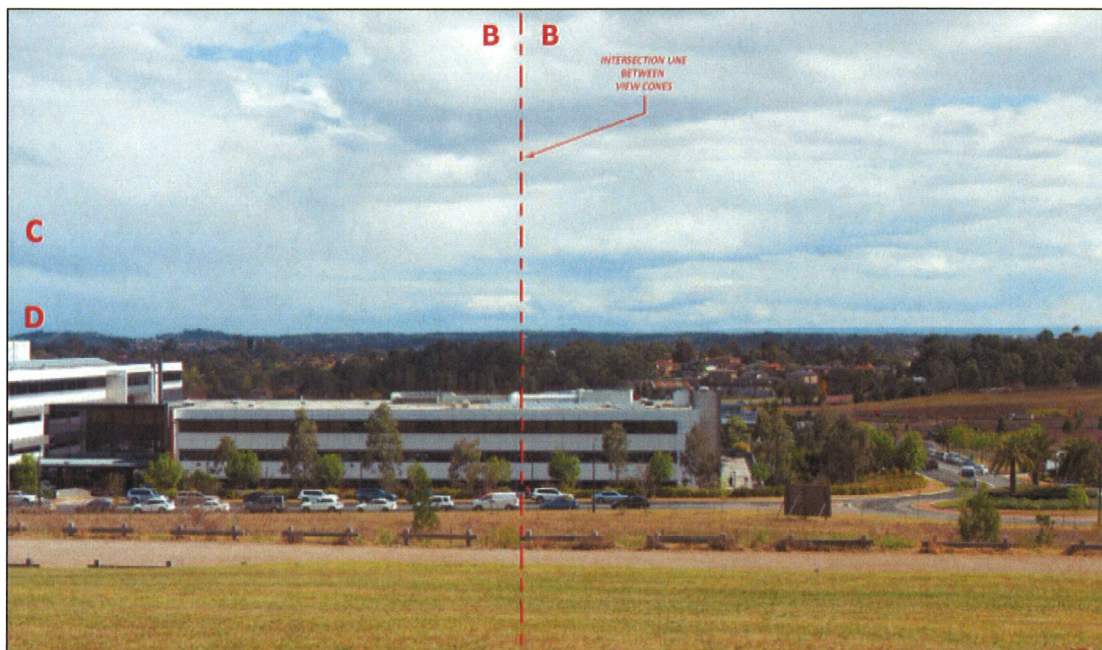


Figure 10 – Existing view from the ridgeline at the centre of the view cone from Bella Vista Farm (source: HPI Photomontage Study)

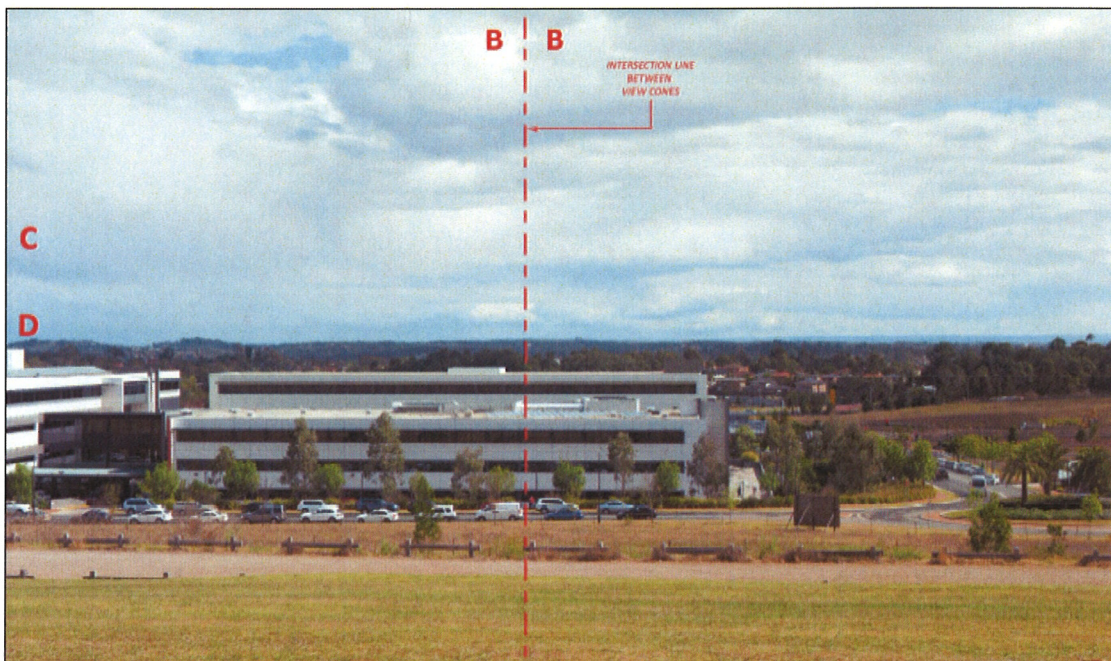


Figure 11 – Proposed view from the ridgeline at the centre of the view cone from Bella Vista Farm (source: HPI Photomontage Study)

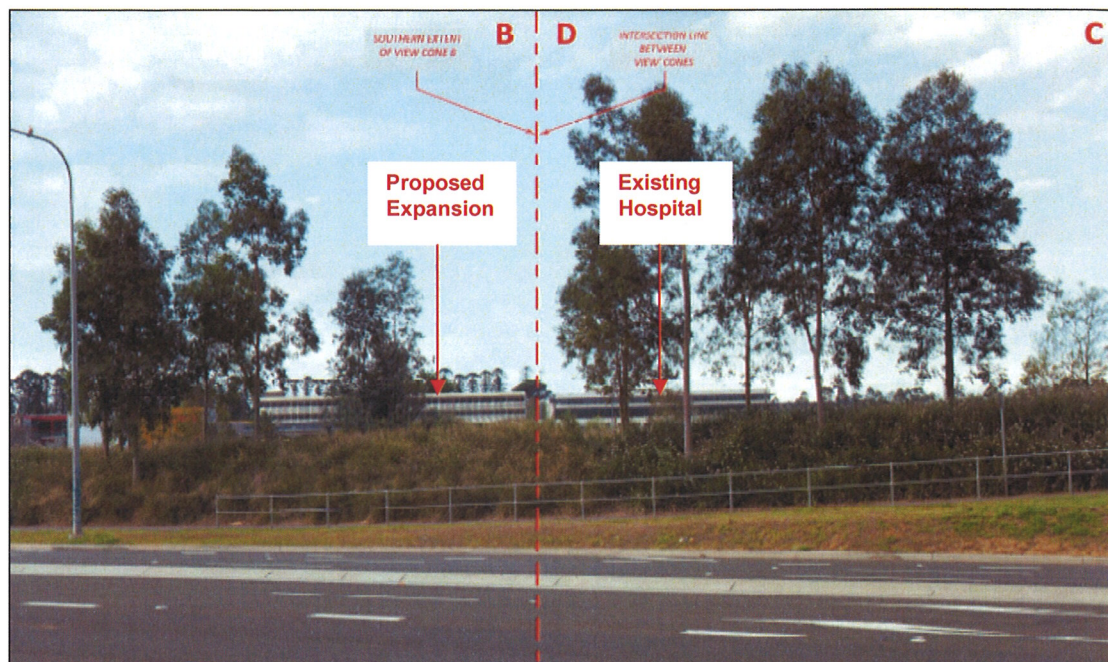


Figure 12 – View from Old Windsor Road to the Bella Vista Farm (source: HPI Photomontage Study)

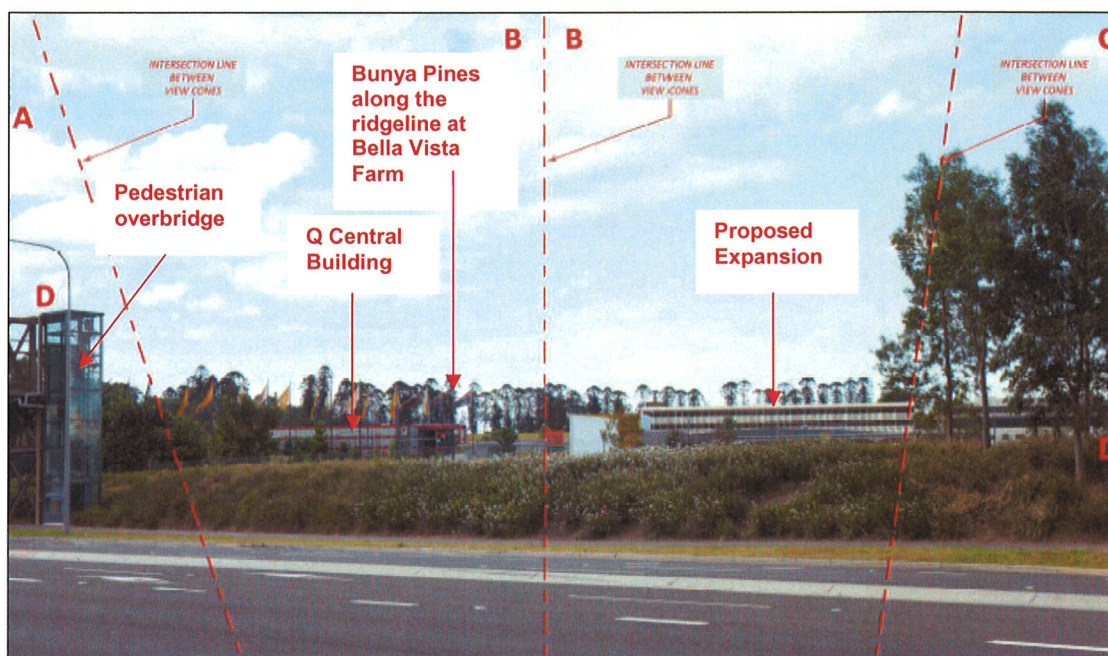


Figure 13 – View from Old Windsor Road to the Bella Vista Farm (source: HPI Photomontage Study)

4.2.4. Acoustic Impacts

An acoustic assessment, prepared by Acoustic Logic, was submitted with the application. The proposed expansion to the existing hospital has the potential to generate additional noise particularly from external mechanical plant. Ambient noise levels in the vicinity of the site were measured to quantify the existing acoustic environment. The assessment notes that noise associated with an increase in vehicle movements or delivery/service vehicles are not likely to result in any significant increase in noise compared to the existing hospital. The proposed expansion will involve new external plant including roof top cooling towers which have potential to generate additional noise to the surrounding area. P&I notes the adjoining land is zoned for commercial purposes and the existing hospital building will act as a sound barrier to the nearest residential receiver located 120m to the east. The acoustic assessment recommends acoustic treatment of external mechanical plant to satisfy the noise emission

requirements. Subject to the imposition of standard noise conditions the proposal is acceptable in terms of acoustic impacts.

4.3. Public interest

The proposal is considered to be in the public interest as it would:

- help satisfy the demand for health care in the region;
- provide additional high standard medical and surgical facilities;
- provide sufficient on-site parking to assist in reducing parking congestion in the surrounding streets;
- integrate with future development adjoining the site; and
- provide employment opportunities through the construction and operational stages of the development.

5. CONCLUSION AND RECOMMENDATION

5.1. Conclusion

The proposed expansion of the existing hospital is required to service the demand for private healthcare services within the region. The expansion is in response to the steady occupancy increases since the hospital was commissioned in 2009, and is consistent with the company's strategy to increase available operating theatres, beds and consulting suites at the site.

The design and layout of the proposed development provides a suitable visual and structural integration with the existing hospital building. The height, bulk and scale of the proposed expansion is considered to be generally consistent with the existing built form context and future development envisaged for NBP.

The additional traffic generated by the proposed expansion is generally within the level of traffic anticipated for the full development the site. There is sufficient parking provided on the site to satisfy the additional demand generated by the proposal.

The proposed expansion is generally located behind the existing medical centre on the site which reduces its visual impact when viewed from Bella Vista Farm.

The proposal is considered to be in the public interest as it would deliver significant social and economic benefits to the wider community by providing additional health and medical facilities resulting in more jobs in NBP and a further boost to the medical and health services sector.

Accordingly, P&I recommends that the application be approved, subject to conditions.

5.2. Recommendation

In accordance with Section 89E of the Environmental Planning and Assessment Act, 1979, it is recommended that the Executive Director, Development Assessment Systems and Approvals:

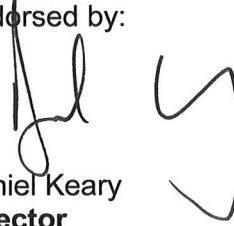
- (a) **consider** the findings and recommendations of this report;
- (b) **approve** the State significant development application, as outlined in the Environmental Impact Statement titled Norwest Private Hospital Expansion, dated December 2013, and subject to conditions of approval set out in the attached instrument at **TAG B**, under section 89E of the Environmental Planning and Assessment Act 1979;
- (c) **sign** the attached statement of concurrence under Clause 4.6 of The Hills Local Environmental Plan 2012 at **TAG A**; and
- (d) **sign** the attached development consent at **TAG B**.

Prepared by:



Thomas Mithen
Planner
Industry, Key Sites and Social Projects

Endorsed by:



Daniel Keary
Director
Industry, Key Sites and Social Projects

Approved by:



8.9.14

Chris Wilson
Executive Director
Development Assessment Systems and Approvals

APPENDIX A RELEVANT SUPPORTING INFORMATION

The following supporting documents and supporting information to this assessment report can be found on Planning and Infrastructure's website as follows.

1. Environmental Assessment
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6074.
2. Submissions
http://majorprojects.planning.nsw.gov.au/index.pl?action=list_submissions&job_id=6074.
3. Applicant's Response to Submissions
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6074.

APPENDIX B CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENT(S) (INCLUDING DRAFT) AND DCP(S)

State Environmental Planning Policy (State and Regional Development) 2011

The aims of this SEPP are to identify State significant development and State significant infrastructure and confer the necessary functions to joint regional planning panels to determine development applications.

The proposal is classified as State significant development because it is development for the purpose of a hospital with a capital investment value (CIV) in excess of \$30 million under clause 14 (Hospitals, medical centres and health research facilities) of Schedule 1 of State Environmental Planning Policy (State and Regional Development) 2011. Therefore the Minister for Planning and Infrastructure is the consent authority.

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

SEPP 33 provides clear definitions of hazardous and offensive industries and aims to facilitate development defined as such and to ensure that in determining developments of this nature, appropriate measures are employed to reduce the impact of the development and require advertisement of applications proposed to carry out such development.

A risk screening method for hazardous materials in accordance with SEPP 33 was applied to the existing and proposed expansion of the NPH. The evidence collated found the current management systems are effective in managing the existing hazardous chemicals and the proposed increased volumes. The increase in 5 operating theatres equates to an increase in chemical handling by about 10-15 percent. The current management procedures are considered to be effective to meet the required standard and ensure safety of all personnel as a result of the increased demand and handling requirements.

An analysis of the types and usage of medical gases was also undertaken to predict the changes in volume and type required by the proposed expansion. The existing Medical Gases Management System is designed to protect against any risk resulting from exposure or handling through the application of risk assessment methods. It has been estimated that the proposed expansion will require the installation of a new run of pipes work to deliver the gases to the new operating theatres. The application of a the risk screening methodology in accordance with SEPP 33 was conducted and it was concluded the current gas management system will continue to provide an effective platform to monitor the requirements of the proposed development. The proposed development has been adequately considered in terms of the requirements under SEPP 33.

State Environmental Planning Policy No. 55 – Remediation of Land

SEPP 55 aims to provide a state wide approach to the remediation of contaminated land. In particular, SEPP 55 aims to promote the remediation of contaminated land to reduce the risk of harm to human health and the environment by specifying under what circumstances consent is required, specifying certain considerations for consent to carry out remediation work and requiring that remediation works undertaken meet certain standards.

The existing site is currently used for hospital purposes and potential contamination has been assessed for the entire site as part of the approved hospital. The proposed development will be constructed above the existing open air car park structure. P&I therefore accepts no further investigation is required and the requirements in SEPP 55 are have been satisfied.

State Environmental Planning Policy (Infrastructure) 2007

The aim of the Infrastructure SEPP is to facilitate the effective state wide delivery of infrastructure by providing greater flexibility in the location of infrastructure and service facilities, allowing the development of surplus government land, identifying relevant environmental assessment categories for development and relevant matters to be considered and providing for consultation with relevant public authorities.

Schedule 3 of the Infrastructure SEPP requires traffic generating development to be referred to the RMS. The additional 55 beds proposed in this development does not trigger referral to the RMS. Notwithstanding, the proposal was referred to the RMS and no objection was raised in relation to the development.

The Hills Local Environmental Plan 2012

The site is zoned Business Park B7 under The Hills Local Environmental Plan 2012 (HLEP 2012). The proposed development will provide additional employment opportunities and is therefore consistent with the relevant employment objective of the B7 zone. Consideration of the relevant clauses of the HLEP 2012 is provided in **Table 1**.

Table 1: Consideration of HLEP 2012

HLEP 2012	Criteria	Complies	P&I Comment / Assessment
Clause 4.3	Maximum Height of RL 116	Yes	The proposed development will have a maximum RL 98.5
Clause 4.4	Maximum Floor Space Ratio 1:1	No	The existing FSR is 0.92:1. As a result of the proposed development the FSR will increase to 1.19:1 which exceeds the maximum FSR control. The applicant submitted an 'Exception to a Development Standard' in accordance with Clause 4.6 of the LEP 2012. Refer to discussion in Section 4.2.2.
Clause 5.10	Heritage Conservation The site is located in the vicinity of a heritage item – Bella Vista Farm	Yes	Refer to discussion in Section 4.2.3 .

Development Control Plans

Clause 11 of the State Environmental Planning Policy (State and Regional Development) 2011 provides that development control plans do not apply to SSD. Notwithstanding, consideration of the key relevant controls in Development Control Plan 2012 (DCP 2012) are addressed in **Table 3**.

Table 3: Consideration of DCP 2012

Clause	DCP Provisions	Complies	P&I Comment / Assessment
Section 2.1 Precinct Plans	The site is located in the Bella Vista precinct and subject to height controls to minimise visual impact on the Bella Vista Farm	Partial	Refer to discussion in Section 4.2.3
Section 2.3 Development Sites	A maximum 50% site coverage applies to the site.	—	The footprint of the proposed expansion is above the existing ground level open air parking deck. Therefore the site coverage will not change as a result of the proposed expansion
Section 2.5 setbacks	Minimum 20m setback to principal frontage and 50% of the depth of other road frontages Building setback on corner sites to be splayed 10m setback to side and rear boundaries		The proposed expansion would include a 10 m setback to the south-western boundary which is consistent with the existing parking deck and hospital building.
2.6 Building Height	Refer to maximum height control in LEP 2012 Views from Bella Vista Farm Park - Views and vistas available from Bella Vista Farm Park as shown above the dotted line on the photomontages in Appendix D 4 shall be retained in any redevelopment of lands surrounding Bella Vista Farm Park. Views to Bella Vista Farm Park - No structure is to be erected within the hatched area marked A on the Development Control Plan map in Appendix C of this DCP Section. - The height of any built structure within the view corridors marked B and C shall not intersect a plane generated by a straight line drawn from the survey points noted on Old Windsor Road and the survey points noted within the Bella Vista Farm Park as shown in Appendices C and D of this Section of the DCP.	Partial	Refer to discussion in Section 4.2.3

Clause	DCP Provisions	Complies	P&I Comment / Assessment
2.7 Building Design and Materials	- Material selection to consider suitability for purpose; durability, long term appearance, environmental impacts and life cycle assessment - High standard visual and environmental amenity - Facades along street frontages compatible with surrounding developments and landscape features - Natural surveillance of pathways and open space - Appropriate lighting and signage	Yes	The proposed materials and finishes will match the existing hospital building and provide a consistent corporate identity and visual integration with the existing facility.
2.9 Hours of Operation	Construction development restricted to 7.00am to 6.00pm Monday to Saturday with no work or activity on Sundays or Public Holidays hours of operation not to adversely affect adjoining properties or business	Yes	Recommended as a condition of consent.
2.10 Energy Efficiency	Consider using large areas of roof space for generating electricity via solar panels depending on orientation and capability of the roof	Yes	The proposed development will incorporate a range of ESD initiatives and explore the inclusion of mechanical systems that allow zoned occupation and environmental control, mixed mode ventilation systems, electronic smart meters, high performance glazing, insulation and a Building Management System to optimise energy usage.
2.13 Fencing, Landscaping and Tree Preservation	- Landscape elements to harmonise with building designs - Native species to be used - Understanding of the cultural landscape - Avoid obscuring views from Bella Vista farm Park - Utilise planting endemic to the area to screen the proposed building and associated hard paved areas such as car parks and driveways	Yes	The 10 m wide landscape strip along the western boundary will be replaced by an external parking area. Refer to discussion in Section 4.2.2.
2.15 vehicular access	Access to the site is via an internal road	Yes	The existing vehicle access arrangements will not change as a result of the proposed expansion.
2.16 Car Parking	Refer to Part C of the DCP	Yes	See discussion below.

Clause	DCP Provisions	Complies	P&I Comment / Assessment
2.19 Pedestrian Access and Movement	- Car parking to be designed to accommodate mobility needs of visitors - Pathways and ramps to comply with AS1428.1 2001 Design for Access and Mobility - Provide clearly designed pathways between proposed developments	Yes	Recommended as a condition of consent.
2.21 Stormwater Management	Utilise WSUD principles and implement measures	Yes	The management of stormwater will integrate with existing development.
2.22 Waste Management – Storage and Facilities	Adequate storage of waste materials on site All waste to be removed at regular intervals All waste storage areas to be screened from the street	Yes	The proposed development will utilise and integrate with the hospitals existing waste management system
2.24 Heritage	A Heritage Impact Assessment is required for properties adjacent to the Bella Vista farm conservation area	Yes	Refer to discussion in Section 4.2.3.
Part C Parking			
2 Objectives and development controls	1 space per 2 beds for visitors plus 1 space per 1.5 employees plus 1 space per 2.5 visiting medical officers	Yes	Refer to discussion in Section 4.2.2.
2.2 Parking for Disabled	4% of parking to be provided for disabled persons	Yes	Recommended as a condition of consent.
2.7 Car park design and layout	The layout of the car park should facilitate ease of access and egress of vehicles through the parking area at all times without congestion.	Partial	Council has identified a non-compliance with the AS 2890.1 in relation to the proposed external parking area. A condition is recommended on the consent requiring compliance with relevant design standards prior to commencement of works.
Part C Section 4 Heritage	Development on land within the vicinity of a heritage site is not to detract from the identified significance of the place, its setting, nor obstruct important views to and from the site.		Refer to discussion in Section 4.2.3.

APPENDIX C GLOSSARY

Delegated Authority

On 27 February 2013, the Minister for Planning and Infrastructure delegated his functions under section 89E of the *Environmental Planning and Assessment Act 1979* to Executive Director, Development Assessment Systems and Approvals to determine applications where:

- (a) the relevant council has not made an objection, and
- (b) a political disclosure statement has not been made, and
- (c) there are less than 25 public submissions in the nature of objections.

Ecologically Sustainable Development can be achieved through the implementation of:

- (a) *the precautionary principle - namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In the application of the precautionary principle, public and private decisions should be guided by:*
 - (i) *careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and*
 - (ii) *an assessment of the risk-weighted consequences of various options,*
- (b) *inter-generational equity—namely, that the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations,*
- (c) *conservation of biological diversity and ecological integrity—namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration,*
- (d) *improved valuation, pricing and incentive mechanisms—namely, that environmental factors should be included in the valuation of assets and services, such as:*
 - (i) *polluter pays—that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement,*
 - (ii) *the users of goods and services should pay prices based on the full life cycle of costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste,*
 - (iii) *environmental goals, having been established, should be pursued in the most cost effective way, by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.(Cl.7(4) Schedule 2 of the Regulation)*

Objects of the Act

- (a) *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) *the promotion and co-ordination of the orderly and economic use and development of land,*
 - (iii) *the protection, provision and co-ordination of communication and utility services,*
 - (iv) *the provision of land for public purposes,*
 - (v) *the provision and co-ordination of community services and facilities, and*
 - (vi) *the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and*
 - (vii) *ecologically sustainable development, and*
 - (viii) *the provision and maintenance of affordable housing, and*

- (b) to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and
- (c) to provide increased opportunity for public involvement and participation in environmental planning and assessment.

Relevant Environmental Planning Instruments

These are EPIs that are required to be taken into consideration in the assessment of the project under s. 79C. A detailed evaluation of each is provided at Appendix B.

Section 79C Evaluation

(1) Matters for consideration—general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:

- (i) any environmental planning instrument, and*
- (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
- (iii) any development control plan, and*
- (iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and*
- (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*
- (v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979),*
that apply to the land to which the development application relates,
- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (c) the suitability of the site for the development,*
- (d) any submissions made in accordance with this Act or the regulations,*
- (e) the public interest.*

Note. See section 75P (2) (a) for circumstances in which determination of development application to be generally consistent with approved concept plan for a project under Part 3A.

Note. The consent authority is not required to take into consideration the likely impact of the development on biodiversity values if:

- (a) the development is to be carried out on biodiversity certified land (within the meaning of Part 7AA of the Threatened Species Conservation Act 1995), or*
 - (b) a biobanking statement has been issued in respect of the development under Part 7A of the Threatened Species Conservation Act 1995.*
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TAG A

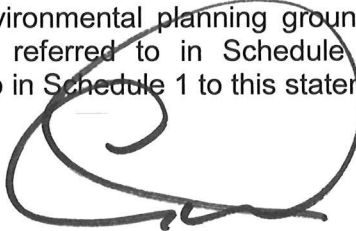
CONCURRENCE OF DIRECTOR-GENERAL

Concurrence of the Director-General

The Hills Local Environmental Plan 2012

I, the Executive Director, Development Assessment Systems and Approvals, as delegate of the Director-General, under Clause 4.6 of *The Hills Local Environmental Plan 2012* (HLEP 2012), am satisfied that:

- a) compliance with the development standard referred to in Schedule 2 to this Certificate is unreasonable or unnecessary in the circumstances of the development referred to in Schedule 1 to this statement, and
- b) there are sufficient environmental planning grounds to justify contravening the development standard referred to in Schedule 2 to this statement for the development referred to in Schedule 1 to this statement.



Chris Wilson
Executive Director
Development Assessment Systems and Approvals

Sydney,

9 APRIL

2014

SCHEDULE 1

Application No.:	SSD 6074
Applicant:	Healthscope Limited
Consent Authority:	Minister for Planning and Infrastructure
Land:	11 Norbrik Drive, Bella Vista (Lot 102 DP 1139109)
Development:	Construction of a new three level west wing for the Norwest Private Hospital above the existing ground level car park.

SCHEDULE 2

Development standard:	Clause 4.4 of HLEP 2012 – The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for land on the <u>Floor Space Ratio Map</u> .
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