



**MODIFICATION REQUEST:
Byron Shire Central Hospital, Ewingsdale
(SSD 6573 MOD 1)**

- Minor internal and external modifications;
- relocation of the cooling towers to the rooftop plant area and associated screening and extension to access stair and gantry;
- provision of additional drop-off bay and associated weather protection to the Chemotherapy Service;
- relocation of the secure assessment room and provision of new separated access and drop-off within the Ewingsdale Road setback;
- provision of a bus stop within the site;
- relocation of LPG tanks and extension to associated service road; and
- provision of fire brigade parking area adjacent to sprinkler/hydrant booster.

Secretary's Environmental Assessment Report
Section 96 of the *Environmental Planning and
Assessment Act 1979*

May 2015

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1. BACKGROUND

The subject site is located at 54 Ewingsdale Road, Ewingsdale (Lot 100 DP 1140936) within the Byron Shire Local Government Area (LGA). The site has a total area of six hectares and currently contains an operating NSW Ambulance Station, located within the north eastern portion of the site (see **Figure 1**). Byron Bay central business district is located approximately five kilometres east of the subject site and the Pacific Highway interchange lies approximately 500 metres west.

On 4 December 2014, the Executive Director, Infrastructure and Industry Assessment, under delegation of the Minister for Planning, approved the State significant development (SSD) application for the development of the Byron Shire Central Hospital, Ewingsdale (see **Figure 2** for approved layout). The approved development comprises:

- site earthworks;
- construction of a new part two storey 65 bed hospital, providing:
 - o emergency department, operating 24 hours a day, seven days a week;
 - o 45 overnight beds (incorporating two birthing rooms);
 - o 20 non-acute mental health beds;
 - o 13 emergency care spaces;
 - o delivery suite (co-located with the birthing rooms);
 - o chemotherapy service;
 - o four oral health chairs; and
 - o enhanced and integrated community based services (nursing, allied health, mental health and drug and alcohol services).
- infrastructure works;
- signage; and
- site landscaping.

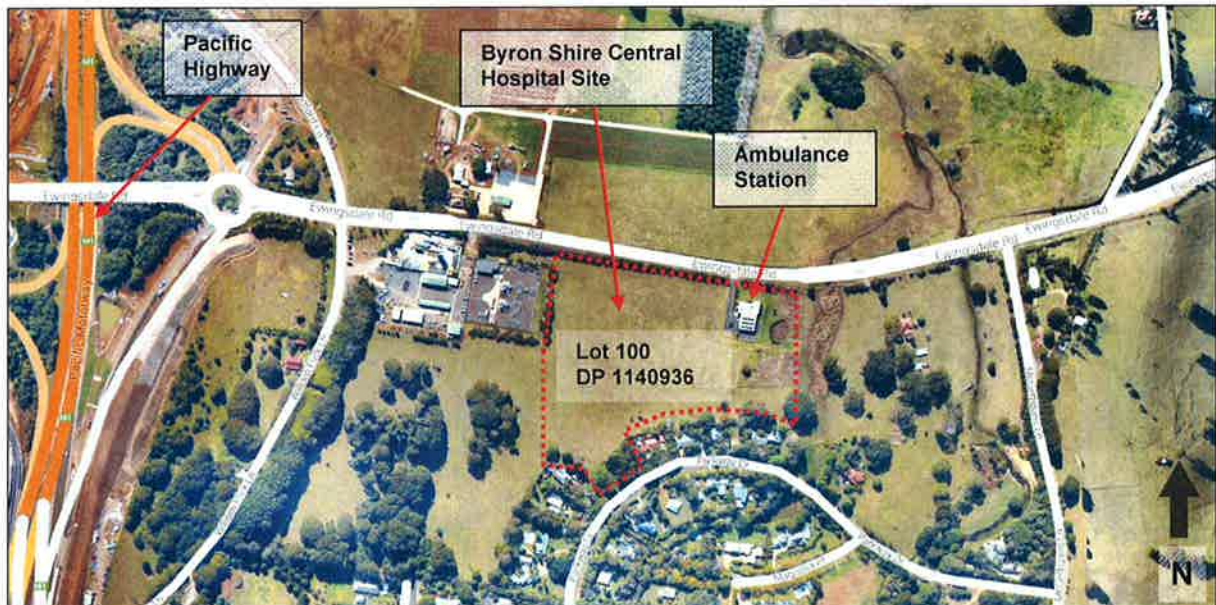


Figure 1: Project Location



Figure 2: Approved Project Layout

2. PROPOSED MODIFICATION

The applicant, Health Infrastructure, is seeking to modify the approved development as follows:

- minor extension of the front of the building (to the western side of the emergency department) and associated revisions to the location of the emergency and main entry drop-off zones;
- relocation of the cooling towers from ground floor to rooftop plant area and revised plant screen enclosure;
- provision of lift access to the rooftop plant area;
- extension to the rooftop plant area access stair and gantry;
- internal relocation of medical imaging as a result of the proposed relocation of the cooling towers;
- provision of additional drop-off bay and associated weather protection to the Chemotherapy Service;
- provision of a bus stop within the site and associated internal road modifications;
- relocation of secure assessment room and provision of new separated access and drop-off within the Ewingsdale Road setback and associated new entry, landscaping and screening;
- provision of an awning to the loading dock area;
- increased size of loading dock scissor lift;
- relocation of LPG tanks further to the rear of the services compound and associated extension to the service road; and
- provision of fire brigade parking area adjacent to sprinkler/hydrant booster.

The applicant also proposes to amend condition *B20 Road and Footpath Infrastructure* to reduce the width of the pedestrian and cyclist shared path from 3.0 metres to 2.5 metres.

3. STATUTORY CONTEXT

3.1 Modification of the Minister's Approval

The modification application has been lodged with the Department of Planning and Environment (the Department) under section 96(1A) of the EP&A Act.

Section 96(1A) of the EP&A Act provides that a consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent.

3.2 Environmental Assessment Requirements

Section 96(1A) of the EP&A Act requires the following matters to be assessed in respect of all applications which seek modifications to approvals:

Table 1: Matters to be considered under section 96(1A) of the EP&A Act

Matter	Consideration
Whether the proposed modification is of minimal environmental impact	The modification application seeks approval for minor alterations to the approved building design. The proposed amendments largely relate to modifications to the rooftop plant area and improvements to patient and bus drop-off areas and would not be readily visible from the surrounding public domain. Accordingly, the proposed amendments are considered to be of minimal environmental impacts.
Whether the development to which the consent as modified relates is substantially the same development	The proposed modifications do not seek to significantly amend the hospital development as they only seek to make minor modifications that would not alter the approved use, function or appearance of the hospital. The approved development, as proposed to be modified, will remain substantially the same.
Whether notification has occurred and any submissions have been considered	In accordance with the EP&A Act and the EP&A Regulations, the modification request does not need to be notified. The application was made publicly available on the Department's website and referred to Council and neighbouring properties. No submissions were received.
Any relevant provisions of section 79C(1) of the EP&A Act	The relevant provisions of section 79C(1) of the EP&A Act are considered in this section and the assessment section of this report. The modifications would not alter the development's existing compliance with the relevant planning instruments.

3.3 Delegated Authority

Under the Minister's Delegation dated 16 February 2015, the Director, Infrastructure, can determine the modification application as: Byron Shire Council has not objected to the proposed modifications; a political disclosure statement has not been made; and no public submissions were received objecting to the proposed changes.

4. CONSULTATION AND SUBMISSIONS

The application was notified in accordance with the Environmental Planning and Assessment Regulation 2000. The application was made publicly available on the Department's website.

Byron Shire Council (Council) and rear neighbouring property owners was also notified of the proposed modifications. At the time of writing this report, no submissions had been received.

5. ASSESSMENT

The key assessment issues for the proposed modification application relate to built form and urban design and access and servicing.

5.1 Built form and urban design

The main building modifications proposed to the Byron Shire Central Hospital include:

- a minor extension to the front of the hospital building entry (emergency department);
- relocation of the cooling towers from the ground floor to the rooftop plant area allowing the relocation of the medical imaging department;
- relocation of the secure assessment room and provision of new canopy and separate entrance; and
- provision of new awnings and canopies for weather protection to the loading dock and chemotherapy service entrance.

The proposed modifications are a result of continued consultation between the applicant and hospital stakeholders, where it was identified that the clinical functionality of the hospital was compromised due to the approved ground floor location of the cooling towers. It was also suggested that the secure assessment room entry be relocated away from the view of main hospital entry points due to the likelihood of these patients being highly agitated when admitted.

The proposed modifications do not amend key design features of the hospital building, including the three distinct building wings and predominant one to two storey building height (see **Figures 3 to 6**). The Department raises no objections to the proposed minor building modifications, noting that the proposed new awning and canopy structures would provide for improved weather protection to both patients staff and would not impact negatively on the external appearance of the approved building. Similarly, the minor extension to the emergency department entry would not compromise the building's design quality or its accessibility.

However, the proposed modifications, specifically the relocation of the cooling towers from the ground floor to the rooftop plant area (see **Figures 4 to 6**), increase the approved building's areas of non-compliance with the maximum nine metre height control stipulated under Byron Local Environmental Plan 2014 (BLEP).

The proposed amendments to the rooftop plant area to accommodate the relocation of the cooling towers would result in greater visibility of the towers and a proposed finished height of the lift over-run and plant area screening (which completely screens the cooling towers) of between 10.65 m to 11.3 m, or 1.65 m to 2.3 m above the nine metre building height control.

The Department's original assessment raised no significant issues with the proposed bulk and scale of the new hospital and concluded that the hospital would be generally consistent with the one and two storey scale of the rural residential locality. In order to maintain this low profile built form, the rooftop plant area has been centrally located behind the main northern building that fronts Ewingsdale Road and is setback approximately 45 metres from the front boundary of the site. Whilst the amendments would result in further non-compliances to the maximum nine metre building height control, the areas of non-compliance are limited to a small portion of the development and sufficiently setback and integrated into the building roof design to mitigate any potential impacts.

The Department also acknowledges the strategic vision and identification of the subject site for a health services facility and supports the proposed amendments to the new hospital, noting that its development would provide contemporary health services and improved accessibility for local community to the year 2021 and beyond.

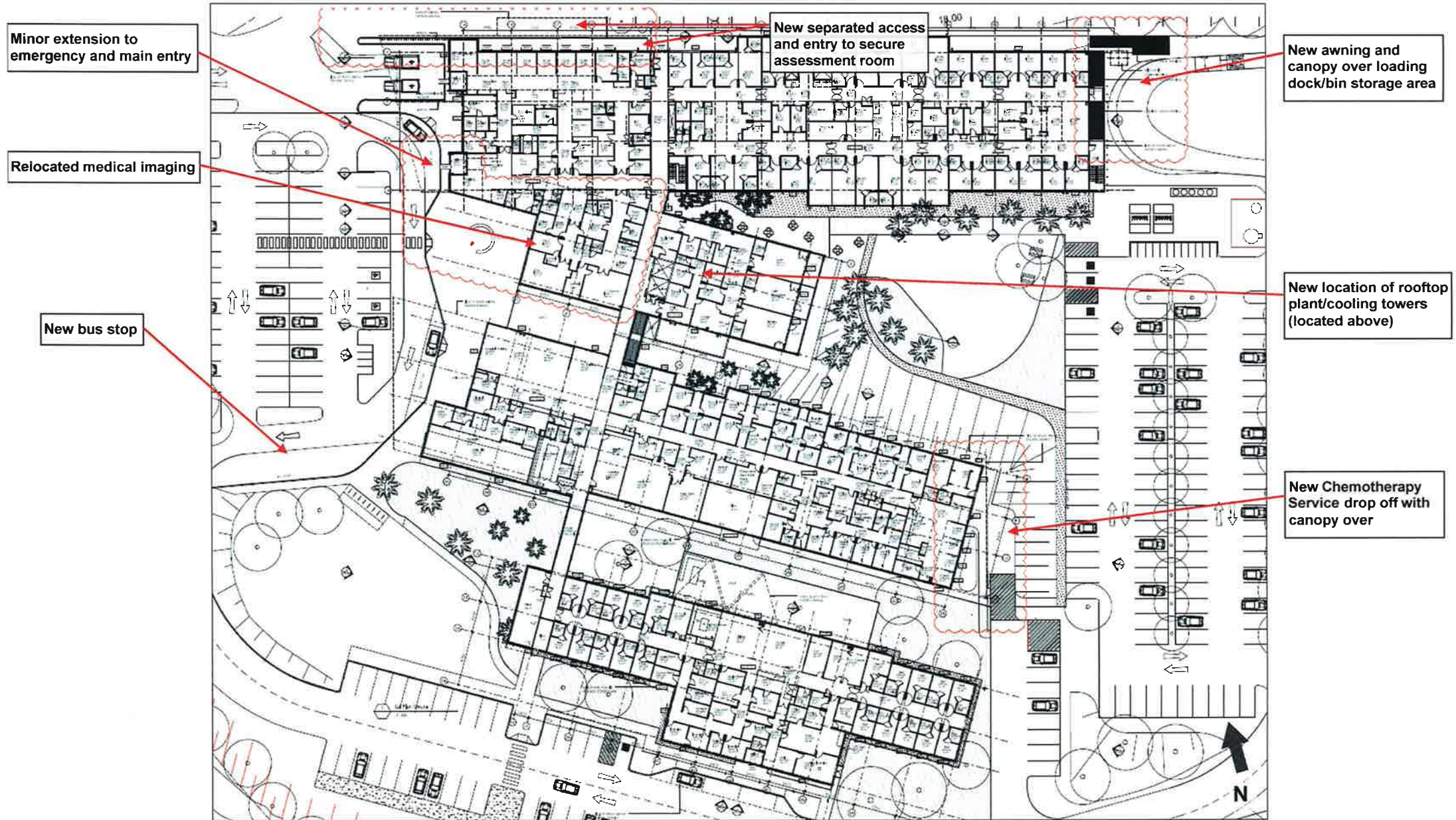


Figure 3: Proposed Ground Floor Plan (changes outlined in red)

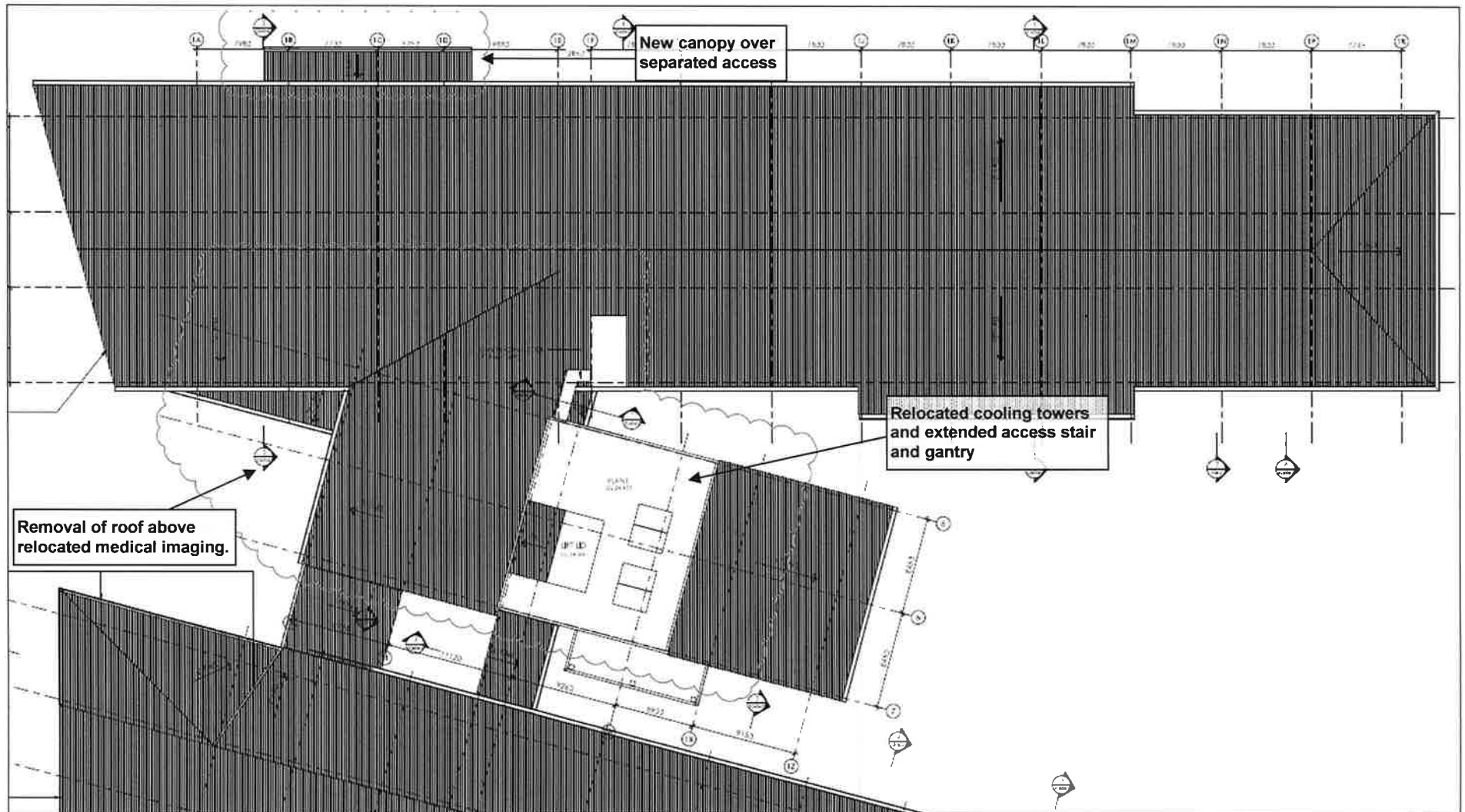


Figure 4: Proposed Roof Plan (changes outlined in red)

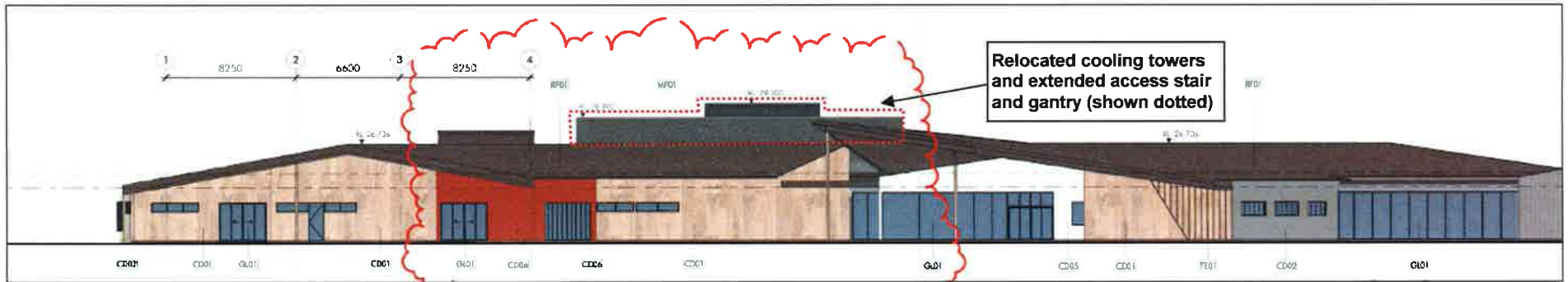


Figure 5: Proposed Western Elevation (changes outlined in red)

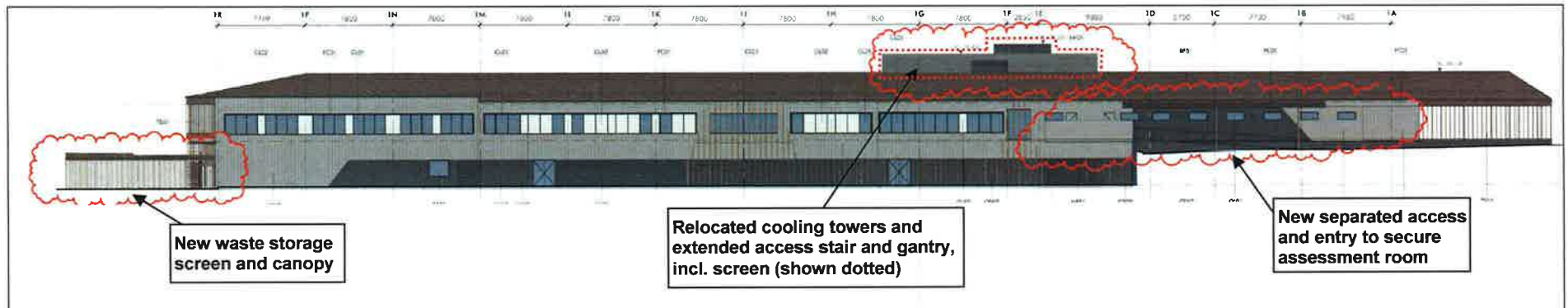


Figure 6: Proposed Ewingsdale Road (Northern) Elevation (changes outlined in red)

5.2 Access and servicing

The applicant seeks minor amendments to the alignment of the internal hospital entry road and proposes the provision of a new bus stop within the site and additional drop off bay for the Chemotherapy Service. The applicant also proposes a new separated drop off point within the front Ewingsdale Road setback in conjunction with the new secure assessment room entrance (see **Figure 3**).

The applicant also proposes to relocate the LPG re-fill bay (and LPG tanks and associated service road) approximately 50 metres east of the approved location and away from the fire hydrant and sprinkler pump assembly. New NSW Fire Brigade Parking is also proposed in lieu of the approved location of the LPG tanks and re-fill bay (see **Figure 7**).

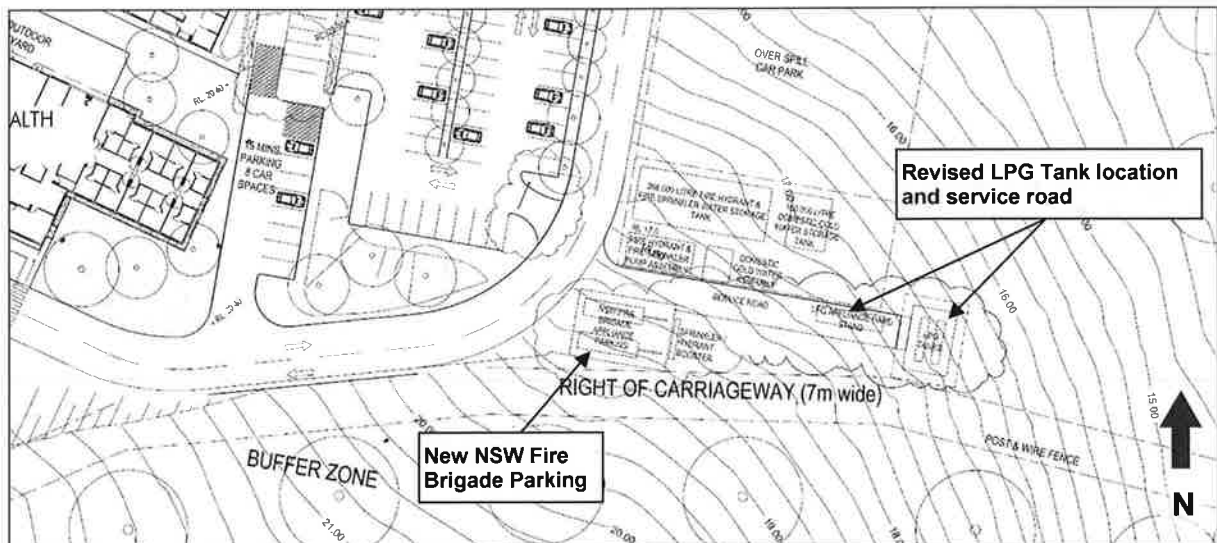


Figure 7: Proposed Services Compound Amendments

The proposed amendments to accommodate the minor changes to the internal hospital entry road and new bus stop bay will improve vehicle and pedestrian circulation within the hospital campus. Equally, the provision of a new bus stop within the hospital site will improve patient and staff accessibility and safety, with direct, separated access provided to hospital entry points. Further, the provision of a new drop-off bay for the Chemotherapy Services department will provide improved patient conditions.

The Department does not consider the proposed access amendments to the services compound will impact on the operations and functions of the future hospital. The separated location of the services compound away from the hospital and main visitor and patient car parks will mean that activities associated with its operation would have minimal impacts on the operation of the hospital. The proposed amendments remain clear from the existing right-of-carriageway that traverses the southern boundary of the property, and future buffer planting between the hospital site and rear adjoining residential dwellings will help in screening the future development.

The Department raises no objections to the proposed amendments to the internal circulation and associated new bus stop and drop-off/re-fill bays, noting that these proposed changes would improve the operational functionality of the hospital and similarly provide improvements to access and pedestrian safety.

Regarding the proposed amended wording of condition *B20 Road and Footpath Infrastructure* (as outlined below), no objections are raised by the Department, noting that the intent of the condition is maintained in the proposed amended wording. In this respect,

satisfactory access and connections to the site would still be provided from the provision of a 2.5 metre wide path.

*B20. To ensure satisfactory shared pedestrian and cyclist access is provided to the hospital, a ~~3.0 m-wide~~ **2.5 m wide** shared path from McGettigans Lane and for the full frontage of the site at a crossfall of 1 % or 1:100 (maximum 2.5% or 1 in 40) shall be provided. ~~Any encroachments onto private property are to be dedicated as "Road Widening" at no cost to Council.~~*

The design of the ~~shared pedestrian and cyclist access~~ is to address the connectivity with the existing shared path on Ewingsdale Road at McGettigans Lane, signage, line marking, handrails, batters & fencing, and night-time visibility. ~~and lighting in accordance with AS/NZ 1158.3.~~

6. CONCLUSION

The Department has reviewed the modification request and consulted with Council. All the relevant environmental issues associated with the modifications have been assessed.

The proposed minor building modifications and amendments to access and servicing are considered acceptable and no objections are raised by the Department. Further, no objections were raised by Council. The proposed amendments to the rooftop plant area to accommodate the relocated cooling towers, while resulting in a building height non-compliance, are centrally located and integrated into the building design and satisfactorily setback from Ewingsdale Road to assist in mitigating any potential bulk and scale impacts.


The Department is of the opinion that the modifications to the Byron Shire Central Hospital is in the public interest as it would not give rise to adverse built form or environmental impacts. The proposed amendments would result in improved accessibility and patient/visitor comfort through the provision of improved drop-off/pick-up facilities and associated weather protection. Consequently, the Department recommends that the modification be approved.

7. RECOMMENDATION

It is recommended that the Director, Infrastructure:

- note the information provided in this report;
- approve the modification request; and
- sign the attached modifying instrument (**Appendix B**).

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12/5/15

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APPENDIX A MODIFICATION REQUEST

See the Department's website at:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7011

APPENDIX B RECOMMENDED MODIFYING INSTRUMENT
