

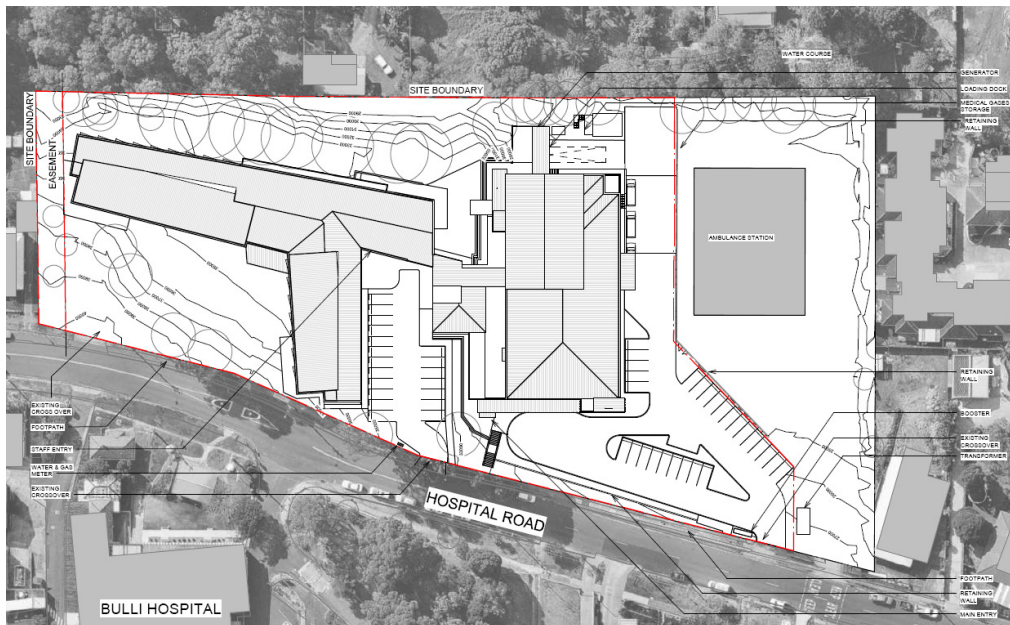
State Significant Development Application

Request for Secretary's Environmental Assessment Requirements

Bulli Aged Care Centre for Excellence

**Proposed Residential Aged Care Facility and Extension of Facilities for Bulli Hospital,
Comprising Aged Care Inpatient Unit and Urgent Care Centre**

Located at 22 Hospital Road, Bulli (Pt Lot 1 DP 165903 and Part of Lot 1 DP 175787)



Extract from Site Plan (Billard Leece Partnership P/L Architects and Urban Planners)

Prepared for Johnstaff
(on behalf of the NSW Department of Health Infrastructure)

6 July 2016

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1 Introduction

TCG Planning has been engaged by Johnstaff (on behalf of the NSW Department of Health Infrastructure and Illawarra Retirement Trust) to request the Secretary's Environmental Assessment Requirements (SEARs) for the proposed extension of facilities for Bulli Public Hospital, comprising aged care inpatient unit and urgent care centre with supporting private residential aged care facility and (henceforth referred to as 'Bulli Aged Care Centre for Excellence' or 'BACCCE').

The proposed development is to be located at 22 Hospital Road, Bulli, identified as Pt Lot 1 DP 165903 and part of Lot 1 DP 175787. The subject site which consists of one allotment and part of another adjoining allotment has an irregular shape and has a total site area of 1.155 hectares (based on the Survey Plan prepared by Bee and Lethbridge lodged in association with this Request – Refer to **Appendix 1**).

The integrated hospital and seniors development comprises State Significant Development in accordance with Schedule 1, Clause 14 of State Environmental Planning Policy (State and Regional Development) 2011, as the hospital component has a capital investment value of more than \$30 million. Although not listed in Schedule 3, the residential aged care housing is an integral and inseparable component of the development, which necessitates consideration in one combined application.

This supporting document, which seeks the issue of the Secretary's Environmental Assessment Requirements (SEARs), provides an initial overview of the development proposal in accordance with the Department of Planning and Environment's requirements for State Significant Development, including site details; development description; permissibility and strategic planning; impact identification and assessment; justification; consultation; and capital investment value. It is requested that the Department of Planning and Environment issue SEARs for the proposal to enable the preparation of an Environmental Impact Statement (EIS) for the project.

2 Site Details

2.1 Local and Regional Context

The subject site is located within the suburb of Bulli, within the northern suburbs of the Illawarra – Shoalhaven Region. The site is located within the Wollongong local government area. **Figure 1** provides a regional map of the location of the site within the Illawarra Region, proximity to the Wollongong CBD and surrounding local suburbs, as well as the broader context of the Sydney Metropolitan Region.

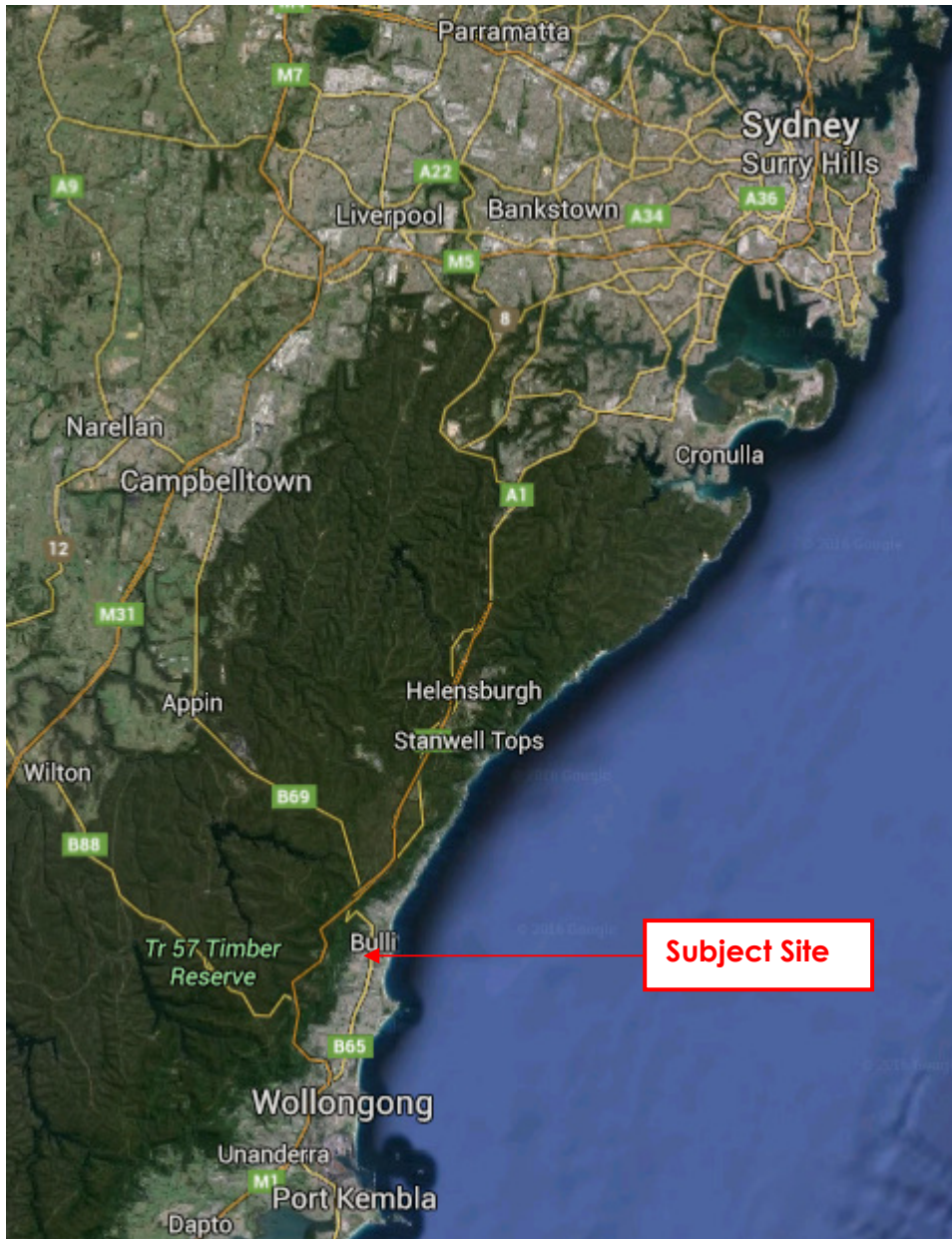


Figure 1: Aerial view of location of subject site within the context of Sydney CBD, Metro Wollongong and surrounding suburbs (Source: www.google.com.au/maps, June 2016)

According to the Illawarra-Shoalhaven Regional Plan 2015, within the regional context, the site is located approximately 12 kilometres north of Metro Wollongong (Wollongong City Centre). It is also located approximately 30 kilometres north of the Major Regional Centre of Shellharbour, as well as approximately 20 kilometres and 24 kilometres respectively to the north of the Major Urban Centres of Warrawong and Dapto.

On a Greater Sydney Metropolitan regional level, the site is located approximately 40 kilometres from the Major Regional Centres of Sutherland to the north and Campbelltown to the north-west and approximately 70 kilometres from the Sydney CBD.

The site forms part of the lands contained within the ownership of Bulli Hospital (NSW Health) associated with the Bulli Public Hospital. Bulli Hospital provides a combination of inpatient, outpatient and community health services, specialising in multidisciplinary geriatric care. The hospital provides day only elective surgical services for ear, nose and throat and has an Urgent Primary Care Centre that operates between 7am-10pm every day for minor injuries and illnesses.

2.2 Subject Site

The subject site as illustrated in **Figure 2** is located at 22 Hospital Road in the northern Wollongong suburb of Bulli and incorporates two adjacent allotments, identified as Pt Lot 1 DP 165903 and part of Lot 1 DP 175787, totalling 1.155 hectares. Both allotments are currently owned by the Bulli Hospital (NSW Health).



Figure 2: Aerial view of subject site boundaries in relation to surrounding land uses (Source: www.google.com.au/maps)



Figure 3: View of Subject Site looking south east towards Bulli Hospital, Hospital Road, Bulli (Source: TCG Planning, June 2016)



Figure 5: View of existing driveway exit (central access) looking west across subject site from Hospital Road (Source: TCG Planning, June 2016)



Figure 4: View of Subject Site looking north east towards the ocean (Source: TCG Planning, June 2016)



Figure 6: View of Subject Site looking west towards Illawarra Escarpment (Source: TCG Planning, June 2016)

2.3 Surrounding Development

The subject site is located within a low density residential and medical locality. Development to the north and west of the site is generally in the form of low density single one and two storey dwelling houses. Directly opposite the site, on the southern side of Hospital Road, is the existing Bulli Hospital complex (refer to **Figures 7 and 8**). A pedestrian access path is currently provided linking the subject site to the Bulli Hospital. The existing Hospital currently includes X-ray services (Palmer House), surgical ward (Roper), medical ward (Sid Aitkens), medical imaging, breast screening services, conference and education centre, workshops and storerooms and ancillary administration facilities, as well as the former nurses quarters and associated swimming pool and a number of associated single dwelling houses.



Figure 7: View south west of Bulli Hospital directly opposite the Subject Site on Hospital Road (Source: TCG Planning, June 2016)



Figure 8: View south of Bulli Hospital directly opposite the Subject Site on Hospital Road (Source: TCG Planning, June 2016)



Figure 9: View to the west towards the site and Illawarra Escarpment to the rear, from Hospital Road (Source: TCG Planning, June 2016)



Figure 10: Development in the vicinity of the subject site to the west along Hospital Road (Source: TCG Planning, June 2016)



Figure 11: Existing ambulance station proposed for future excision from Lot 1 DP 175787 (Source: TCG Planning, June 2016)



Figure 12: Development in the vicinity of the subject site opposite to the south on Hospital Road (Source: TCG Planning, June 2016)



Figure 13: Development in the vicinity of the subject site directly to the east on Hospital Road (Source: TCG Planning, June 2016)



Figure 14: Development in the vicinity of the subject site directly to the west on Hospital Road (Source: TCG Planning, June 2016)

Figures 7, 8 and 12 illustrate the single to two storey residential development form current in the vicinity of the subject site in Hospital Road, Bulli. **Figure 9** provides a view to the west towards the site and Illawarra Escarpment to the rear, from Hospital Road.

Figure 11 provides a view of the existing ambulance station located on part of the subject allotment of Lot 1 DP 175878, although proposed for excision from this allotment as it does not form part of the subject site. Development directly adjoining the subject site to the east (**Figure 13**) and west (**Figure 14**) are both single storey dwelling houses.

2.4 Environmental Constraints

A Section 149(2) certificate has been provided by the landowner for the subject site being Part Lot 1 DP 165903 and Lot 1 DP 175787 (Certificate No. 201504907 and Certificate No. 201504908, respectively) and Wollongong City Council's online mapping indicate the following constraints as applying to the land:

Table 1: Listing of Site Constraints (from Section 149(2) Certificates and Online Mapping)	
Heritage	The land is not in a conservation area and does not contain an item of environmental heritage.
Mine Subsidence	The land is not proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.
Road Widening and Road Realignment	Council has no record that the land is affected by any Road Widening or Road Realignment.
Bushfire Prone Information	The Section 149(2) Certificates confirm the land is recorded in Council's records as bushfire prone land. However, Travers Ecology, were engaged to prepare a Bushfire Assessment (dated 05.01.16) of the subject site, and concluded that the site is not affected by bushfire prone land and therefore does not require compliance with <i>Planning for Bushfire Protection 2006</i> .
Land Stability	The Section 149(2) Certificates confirm the land is recorded in Council's records as located in an area where landslip and/or subsidence have occurred, or land stability is suspected. A geotechnical report prepared by Douglas Partners Pty Ltd (August 2003) indicates that the site has a subsurface profile of uncontrolled filling. Hence, due to the variable conditions encountered and the anticipated difficulties that can be expected during construction, in line with the report's recommendation on-going geotechnical input will be sought with additional investigations of the site as overall site planning proceeds.
Flooding	Council's mapping and the Section 149(2) Certificates confirm that the site is located within a Low, Medium, and High Flood Risk precinct. A detailed Flood Assessment Report prepared by Jones Nicholson Consulting Engineers (dated 18.01.16) concludes that the subject site is predominantly flood free with a small area of flood risk along the Northern Boundary, corresponding with a water course, <i>'which is clearly below the developable area of the subject site. The proposed development does not impact the flood water levels on the site or the surrounding properties'</i> .
Riparian Corridor	The land is shown on Council's online mapping as being immediately adjacent to a riparian corridor. The riparian land forms part of a natural water course which is identified as an Objective 3 corridor. A Site Plan (based on a site survey), shows that the watercourse is sited on the adjacent properties to the north. The site is located within 40 metres from the top of the bank of this watercourse. (refer to Appendix 1).
Contamination	Douglas Partners Pty Ltd prepared a preliminary site investigation and contamination report (dated 13.11.15) finding potential for contamination exists at the site primarily through the filling of the site through its development as a car park and demolition of previous structures. The presence of asbestos was confirmed in analysis of the filling and there is potential for further asbestos associated with the filling. To determine the extent and degree of asbestos contamination impact, a Report on Detailed Asbestos Investigation and a Remediation Action Plan has been prepared. Douglas Partners Pty Ltd concluded that, subject to the results of the above, it is considered likely that the site can be made suitable to accommodate the proposed development and land use. (Refer to Appendix 5)

Table 1: Listing of Site Constraints (from Section 149(2) Certificates and Online Mapping)

Natural Resource Sensitivity	As the development does not seek to encroach into this area dispensation from the requirement to prepare a Flora and Fauna assessment is sought. An Arborist Report, prepared by Moore Trees (dated 30.11.15) recommends a number of substantial tree protection zones and setbacks, which has been considered in the development of the site masterplan (refer to Appendix 2)
Acid Sulfate Soils	The Section 149(2) Certificate for Lot 1 DP 175787 indicates that Class 5 Acid Sulphate Soils have been mapped on the site. According to Wollongong Council's online mapping, the portion of Lot 1 DP 175787 that contains Class 5 Acid Sulphate Soils, is not part of the allotment included within the boundaries of the subject site as illustrated below.  Figure 15: Extract from Acid Sulfate Soils Map pursuant to WLEP 2009 showing proximity of subject site to Class 5 ASS land, identifiable by yellow shading to the east of the subject site. (Source: Wollongong City Council online maps) Note: Diagram not to scale

3 Development Description

3.1 Project Overview

Table 2: Project overview	
Property Address	22 Hospital Road, Bulli
Property Description	- PT Lot 1 DP 165903 - Part of Lot 1 DP 175787
Ownership	NSW Department of Health Infrastructure (Bulli Hospital Site)
LGA	Wollongong City Council
Zoning	R2 Low Density Residential
Permissibility	Pursuant to the Wollongong Local Environmental Plan 2009: - The private and public aged care beds and ancillary services are permissible with consent. - The ambulatory care services, urgent care services and mortuary are permissible under the definition of 'hospital' and ancillary to the primary use of the site, as they provide for people to be admitted as in-patients (whether or not out-patients are also cared for or treated there). - The front-of-house services (eg: reception area, kitchen, hairdresser) are ancillary to the development, proposed for general use by residents, employees and visitors.
Proposed Development	- Construction of residential aged care facility and extension of facilities for Bulli Hospital, encompassing an aged care inpatient unit and urgent care centre. - The services within this proposed facility and adjacent Bulli Hospital will be linked as an integrated facility (refer to Section 3.3 of this Report for further detail).
Capital Investment Value	Approximately combined facility cost of \$59.3 Million which includes: (Total End Cost Hospital and Ancillary – approx. \$38.6M; and - Total End Cost Residential Care Facility – approx. \$20.6 M)
Employment Estimates	14 medical practitioners, 82 staff at peak times. Average of approximately 30 workers during construction
Hours of Operation	24 hours, 7 days per week for in-patient units. Access from 7am - 10pm available to the general public

3.2 Summary of Development Proposal

Overview:

The proposed development comprises the removal of the existing open bitumen car park and tree removal on the site. The site also currently contains a single storey building constructed of brick and timber with metal roof which will be demolished.

The development proposes the construction of a residential aged care facility and extension of facilities for Bulli Hospital, encompassing an aged care inpatient unit and urgent care centre. It is intended that the services within this facility and Bulli Hospital will be linked as an integrated facility.

The proposed development will contain the following facilities:

- Sixty bed private residential aged care facility (within Residential Aged Care Facility), linked to the following;
- Sixty bed public aged care in-patient unit (IPU), including secure bed compound;;
- Outpatients clinic, including X-ray;
- Urgent Care Centre (4 bays for minor illness and injuries) to be available to all age groups;
- Ancillary main entry/front of house support facilities including reception area kitchen and loading dock;
- Open car-parking for approximately 60 vehicles at ground floor.
- Clinical and non-clinical support services.
- Ambulatory care services allowing for ambulance transfer out of Bulli. There will be an option for patients to be transferred from the Urgent Care Centre to the Inpatient Unit.
- Mortuary - Public service for the IPUs. Occasionally it may be used by the residential aged care facility, but this expected to be rare.

Carparking and Access:

There are currently three vehicle access driveways to the site from Hospital Road. Two access with existing crossovers are proposed to be utilised as part of the development proposal. The western entrance (existing central crossover currently used as an egress point for the existing western allotment) will be utilised only for the residential care facility component of the development. The eastern entrance will be used as the primary entrance for the main component of the proposed development.

The proposed development incorporates onsite parking in the form of at-grade parking and a drop-off/emergency vehicle area at the building entrance. The proposal includes parking spaces for a total of 60 vehicles. Further consideration will be given to the design of the car parking area and the impact of traffic movements within the Environmental Impact Statement.

Gross Floor Area:

The proposed development will have a total gross floor area (GFA) of approximately 9297m². There is currently no maximum permissible FSR for the subject site, however it is noted that residential zoned land adjoining the subject site has a maximum permissible FSR of 0.5:1 under Wollongong Local Environmental Plan (WLEP) 2009.

Building Height:

The proposed construction comprises a four (4) storey medical facility which will be approximately 16.5m high. The subject site has a maximum permissible building height of 9m under Wollongong Local Environmental Plan (WLEP) 2009.

A Proposed Site Plan and Sections of the proposed development (**Appendix 2 and Appendix 3** respectively) illustrate the project. Refer also **Figure 16** below for the site layout and key components of the development.

3.3 Staging of the Development

There is no staging of works proposed as part of the development. The provisions of clause 89D (2) of the EP&A Act relating to staged applications therefore does not apply.

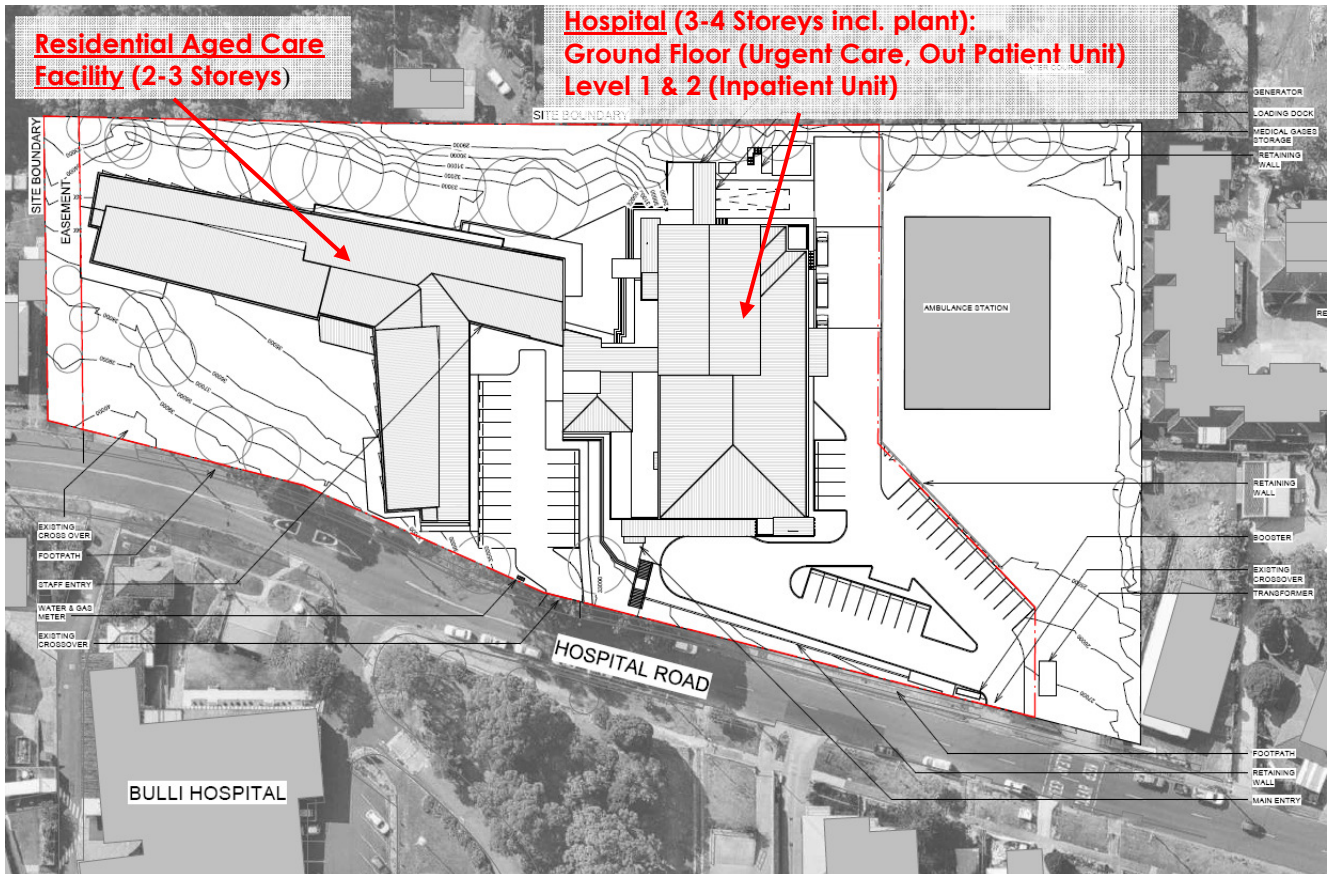


Figure 16: Site Plan and Key Components of Proposed Bulli Aged Care Centre for Excellence (Annotated Extract from Site Plan Dwg AA01.0301 Rev 2 drawn by Billard Leece Partnership P/L Architects and Urban Planners, dated 4/7/2016). Refer also **Appendix 2** of this Statement

4 Permissibility and Strategic Planning Frameworks

4.1 Environmental Planning and Assessment Act 1979 & State Environmental Planning Policy (State and Regional Development) 2011

Section 89C (2) of the *Environmental Planning and Assessment Act* enables a State Environmental Planning Policy to declare any development, or any class or description of development, to be State Significant Development. Under Section 89D of the Act, the Minister is the consent authority for State significant development, although Section 23 enables the Minister to delegate the consent authority function to the Planning Assessment Commission, the Secretary or to any other public authority.

State Environmental Planning Policy (State and Regional Development) 2011 declares a hospital to be state significant development if, pursuant to Schedule 1 Clause 14, it is development that has a capital investment value of more than \$30 million. Therefore, under the EPA Act, the subject development is State Significant Development, and the Minister for Planning is the consent authority. The relevant clause states:

14 Hospitals, medical centres and health research facilities

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

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

The total end cost of the combined project will be in the vicinity of **\$59,295,130M**. The 'hospital or 'public' component of the development is estimated at \$38,620,376M (excluding shared areas) and the residential care facility, being the private sector component of works are estimated to have a total end cost of approximately \$20,674,754.

There is no reference in the SEPP to Seniors housing being captured as state significant development. However, this forms part of the overall development of the project and the building will be constructed and will operate as one combined healthcare facility. It is not possible to completely separate the components of the building for the purpose of valuation or construction as there is a significant portion of the building that is shared (e.g. front entry and front of house, waiting areas, storage areas, loading dock, back of house, lifts, services etc). On this basis, and having regard to the hospital component of the development exceeding \$30m, it is considered that the total development is a State Significant project, captured by Clause 14 of Schedule 1.

4.2 Environmental Planning and Assessment Act 1979 & Water Management Act 2000

The proposal would ordinarily be considered as '*Integrated Development*' in accordance with Section 91 of the *Environmental Planning and Assessment Act 1979* as:

- The site is located within 40 metres of a watercourse being development that requires a water use approval, water management work approval or activity approval (Controlled Activity Approval) under *Part 3 of Chapter 3 of the Water Management Act 2000*.

- The development would require a bushfire safety authority (BSA) from the NSW Rural Fire Service under section 100B of the Rural Fires Act 1997, as it comprises development of land for a special fire protection purpose.

However, Section 91 of the EPA Act, 1979 confirms that State Significant Development is not defined as integrated and hence a controlled activity approval is not required. This clause states:

"91(1) Integrated development is development (not being State significant development or complying development) that, in order for it to be carried out, requires development consent and one or more of the following approvals...."

4.3 State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 ('SEPP Seniors') applies to land within New South Wales that is land zoned primarily for urban purposes or land that adjoins land zoned primarily for urban purposes, but only if:

- (a) development for the purpose of any of the following is permitted on the land:
 - (i) dwelling-houses,
 - (ii) residential flat buildings,
 - (iii) hospitals,
 - (iv) development of a kind identified in respect of land zoned as special uses, including (but not limited to) churches, convents, educational establishments, schools and seminaries, or
- (b) the land is being used for the purposes of an existing registered club.

As the R2 Low Density Residential zone permits dwelling-houses and hospitals, the proposed residential aged care facility is also permitted under SEPP Housing for Seniors or People with a Disability.

4.4 State Environmental Planning Policy (Infrastructure) 2007

Clause 104 and Schedule 3 (RMS Referral):

State Environmental Planning Policy (Infrastructure) 2007 aims to ensure the effective delivery of infrastructure across the State and that appropriate agencies are made aware of and are given an opportunity to make representations in respect of certain development, including traffic generating developments.

Clause 104 of the State Environmental Planning Policy [Infrastructure] 2007 [SEPP] requires that development applications for certain traffic generating development, as set out in Schedule 3 of the policy, be referred to the Roads and Maritime Services [RMS] and that any submission from the RMS be considered prior to the determination of the application.

The proposed development comprises a 'hospital'. For referral to the RMS, a hospital must comprise '200 or more beds', when the site has access to any road, or '100 or more beds', when the site has access to a classified road or to road that connects to a classified road (if access within 90m of connection, measured along alignment of connecting road). The proposed development comprises 120 beds in total. The nearest classified road is the Princes Highway, which intersects Hospital Road at a point in excess of 175m to the east of the subject site. Therefore referral to the RMS is not required.

However, although the proposal does not meet the criteria for hospitals outlined in Schedule 3 of the ISEPP in terms of number of beds and access to a classified road, it is anticipated that the Department of Planning and Environment will still refer the proposal to the Roads and Maritime Service for comment prior to issuing the SEARs.

Division 10 (Approval Requirements Health Services Facility):

The land is situated within the R2 Low Density Residential zone pursuant to the Wollongong Local Environmental Plan 2009 (WLEP 2009), as shown on the zoning map in **Figure 16**.

Under Division 10 (Health Services Facilities) of State Environmental Planning Policy (Infrastructure) 2007, a 'health services facility' (which is the 'group term' within which the public component of the proposed development falls) is defined as:

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

- (a) day surgeries and medical centres,*
- (b) community health service facilities,*
- (c) health consulting rooms,*
- (d) facilities for the transport of patients, including helipads and ambulance facilities,*
- (e) hospitals.*

Under this Division, a 'health services facility' may be permitted with or without development consent where carried out by or on behalf of a public authority but only within certain prescribed zones. The prescribed zone list does not include the R2 Low Density Residential Zone, and therefore the provisions of WLEP 2009 or SEPP (Housing for Seniors or People with a Disability) 2004 must be relied upon for permissibility.

4.5 State Environmental Planning Policy No. 55 - Remediation of Land

The object of SEPP 55 is to provide for a state-wide planning approach to the remediation of contaminated land. Clause 7 of SEPP 55 outlines the considerations for the consent authority in determining development applications on land that is potentially contaminated. Clause 7 of SEPP 55 requires the following:

- (1) A consent authority must not consent to the carrying out of any development on land unless:*
 - (a) it has considered whether the land is contaminated, and*
 - (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
 - (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*
- (2) Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subclause (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.*

This Policy applies to the subject land. As previously discussed (see **Table 1**) Douglas Partners Pty Ltd prepared a preliminary site investigation and contamination report (dated 13.11.15) finding potential for contamination

exists at the site primarily through the filling of the site for its development as a car park and demolition of previous structures. The presence of asbestos was confirmed in analysis of the filling and Douglas Partners note that "the potential for further asbestos associated with anthropogenic material in the filling". Douglas Partners recommend that *"to determine the extent and degree of asbestos contamination impact a detailed site investigation for asbestos would be required to determine the suitability of the site for the proposed development or to allow for the preparation of a Remediation Action Plan"*. Douglas Partners conclude that subject to the results of this further testing *"it is considered likely that the site can be made suitable for its proposed aged care facility development"*. A copy of the 'Report on Preliminary Site Investigation with Limited Sampling' which was conducted by Douglas Partners is contained in **Appendix 5**.

4.6 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (SEPP) (BASIX) 2004 applies to buildings that are defined as 'BASIX affected development'. In terms of the subject development, BASIX affected development means

"(a) development that involves the erection (but not the relocation) of a BASIX affected building...."

The Environmental Planning and Assessment Regulation 2000, defines a *BASIX affected building* as 'any building that contains one or more dwellings, but does not include a hotel or motel'. A *dwelling*, in relation to a BASIX affected building, means 'a room or a suite of rooms occupied or used, or so constructed or adapted as to be capable of being occupied or used as a separate domicile'.

As stated previously, although a 'residential care facility' is captured by the group definition of 'residential accommodation' the provisions of the SEPP do not apply to the proposed development, as it does not contain separate self-contained dwellings.

4.7 State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development

The Environmental Planning and Assessment Amendment (SEPP 65) Regulation 2002 and State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development were gazetted on 26 July 2002. The SEPP applies to residential flat buildings, being developments comprising three or more storeys and having four or more self-contained dwellings. Although a 'residential care facility' is captured by the group definition of 'residential accommodation' the provisions of the SEPP do not apply to the proposed development, as it does not contain separate self-contained dwellings.

4.8 A Plan for Growing Sydney

A Plan for Growing Sydney, released in December 2014, is the NSW Government's plan for the future of the Sydney Metropolitan Area over the next 20 years. The Plan provides key directions and actions to guide Sydney's productivity, environmental management, and liveability – including the delivery of housing, employment, infrastructure and open space. The Plan recognises the need to enhance linkages to Regional NSW, with the Wollongong CBD having regional connections from Campbelltown-Macarthur, Liverpool and south to Bowral/Moss Vale, however, Wollongong Local Government Area is not specifically identified as a

sub-region of Sydney under this Metropolitan Plan. The subject proposal is not inconsistent with the provisions of the Strategy.

4.9 Illawarra-Shoalhaven Regional Plan 2015

The Illawarra-Shoalhaven Regional Plan applies to the Local Government Areas of Kiama, Shellharbour, Shoalhaven and Wollongong, including the subject site. The Plan provides the strategic policy, planning and decision-making framework for growth and development over the next 20 years to 2036. According to the Regional Plan, by 2036, the population of the Illawarra-Shoalhaven is forecast to grow to 463,150, an increase of 60,400 from 2016. The Plan specifically recognises that population growth will be moderate in all age groups apart from the 65 years and over group with natural population growth as well as the migration of young families and retirees looking for a change in lifestyle. The Vision for the Plan includes access to high-quality health facilities in order to provide a region with communities that are strong, healthy and well-connected.

The proposed development of the Bulli Aged Care Centre of Excellence will be a local and regional community asset which will support the community and is consistent with the provisions of the Illawarra-Shoalhaven Regional Plan.

4.10 Wollongong Local Environmental Plan 2009

Land Zoning and Permissibility

The proposed development is located on land zoned R2 Low Density Residential as illustrated in **Figure 17**.

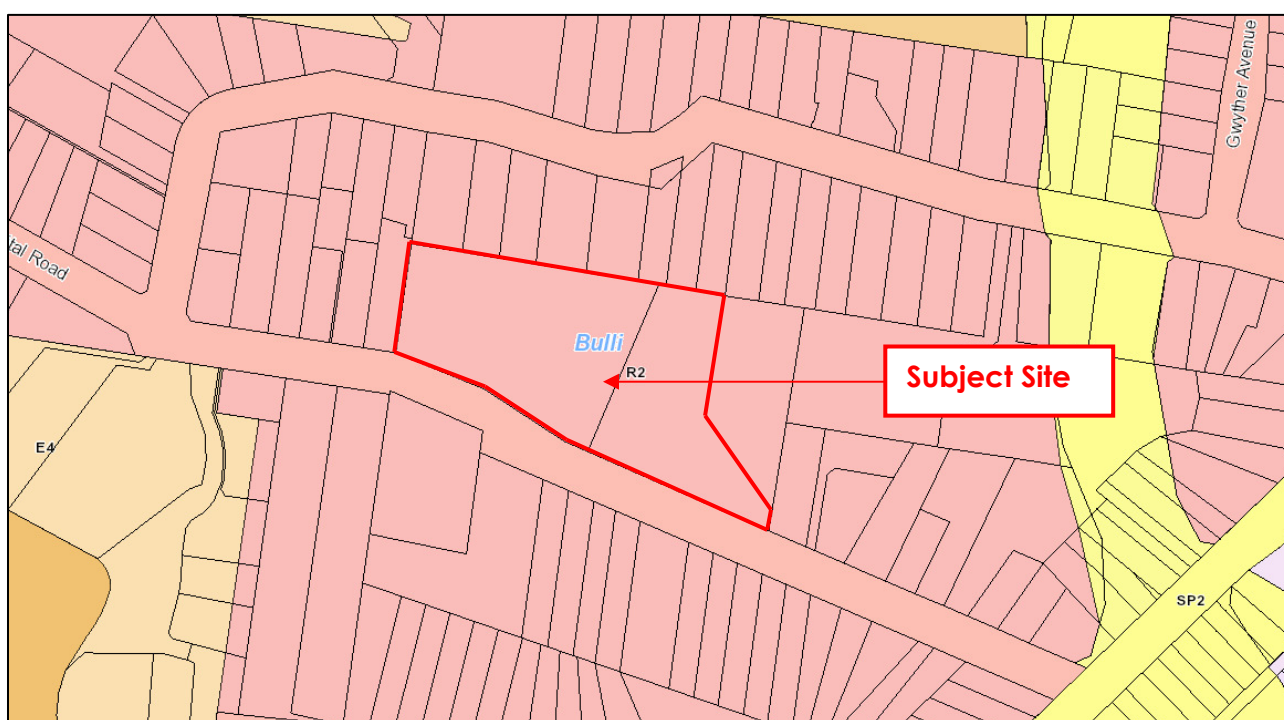


Figure 17 – Extract from Wollongong LEP 2009 indicating subject site within Zone R2 Low Density Residential (Source: Wollongong City Council online mapping, 2016)

The objectives of the zone are:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

The proposed development will provide land uses which will provide additional health facilities and services to residents and will also provide aged care facilities for the elderly.

The following land uses are **permissible with development consent** in the R2 zone:

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Boat launching ramps; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Environmental facilities; Exhibition homes; Exhibition villages; Group homes; Health consulting rooms; Home-based child care; Hospitals; Hostels; Information and education facilities; Jetties; Multi dwelling housing; Neighbourhood shops; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Shop top housing; Signage; Veterinary hospitals

Clause 4.3 Height of Buildings

This clause stipulates a maximum building height of 9 metres as applying to the subject land. A maximum overall building height of approximately 16.2 metres is proposed. A detailed Clause 4.6 Exceptions to Development Standards Variation Statement will be provided for non-compliance with the required control. Refer to **Section 5** of this Report for further discussion.

Clause 4.4 Floor Space Ratio

There is currently no maximum permissible floor space ratio (FSR) for the subject site. The proposed development provides a total GFA of approximately 9297m² calculated by architects for the proposal Billard Leece, in accordance with the definition of Gross Floor Area pursuant to Wollongong LEP 2009). Therefore the total FSR proposed on the subject site (using the subject site area as described in this report, being 1.155 hectares (11547m²) is approximately **1.24:1**. Refer to **Section 5** of this Report for further discussion.

Environmental Constraints

As previously discussed in Section 2.3 of this report, the site is subject to a range of environmental constraints, specifically natural resource sensitivity (biodiversity), flood planning, riparian land, contamination and acid sulphate soils for which specific provisions are provided for under the Wollongong LEP 2009 are applicable to the proposal and are discussed in Section 5 of this Report and will be considered in the preparation of EIS.

4.11 Wollongong Development Control Plan 2009

Development Control Plans (DCPs) provide more detailed design guidelines to support the planning controls of LEPs and SEPPs and are set out by local governments. The Wollongong Development Control Plan (DCP) 2009 applies to all land within the Wollongong LGA. However, pursuant to clause 11a of the State Environmental Planning Policy (State and Regional Development) 2011, DCPs do not apply to State Significant Development.

5 Potential Impact Identification and Assessment

There are a number of key issues which will be considered within the Environmental Assessment including:

5.1 Flooding Issues

Council's mapping and the Section 149 (5) Certificates (as discussed previously in this Report) confirm that the site is located within a Low, Medium, and High Flood Risk precinct. A detailed Flood Assessment Report prepared by Jones Nicholson Consulting Engineers (dated 18.01.16) concludes that the subject site is predominantly flood free with a small area of flood risk along the Northern Boundary, corresponding with a water course, *'which is clearly below the developable area of the subject site. The proposed development does not impact the flood water levels on the site or the surrounding properties'*.

5.2 Bushfire Issues

The Section 149(2) Certificates confirm the land is recorded in Council's records as bushfire prone land. However, Travers Ecology, were engaged to prepare a Bushfire Assessment (dated 05.01.16) of the subject site, and concluded that the site is not affected by bushfire prone land and therefore does not require compliance with Planning for Bushfire Protection 2006.

5.3 Land Stability and Geotechnical Issues

The Section 149(2) Certificates confirm the land is recorded in Council's records as located in an area where landslip and/or subsidence have occurred, or land stability is suspected. A geotechnical report prepared by Douglas Partners Pty Ltd (August 2003) indicates that the site has a subsurface profile of uncontrolled filling. Hence, due to the variable conditions encountered and the anticipated difficulties that can be expected during construction, in line with the report's recommendation on-going geotechnical input will be sought with additional investigations of the site once overall site planning is well advanced.

5.4 Land Contamination Issues

Douglas Partners Pty Ltd prepared a preliminary site investigation and contamination report (dated 13.11.15) finding potential for contamination exists at the site primarily through the filling of the site through its development as a car park and demolition of previous structures.

The presence of asbestos was confirmed in analysis of the filling and there is potential for further asbestos associated with the filling. To determine the extent and degree of asbestos contamination impact, a detailed site investigation will be undertaken and a Remediation Action Plan prepared. Douglas Partners Pty Ltd concluded that, subject to the results of the above, it is considered likely that the site can be made suitable to accommodate the proposed development and land use.

5.5 Riparian land

The land is shown on Council's online mapping as being immediately adjacent to a riparian corridor. The riparian land forms part of a natural water course which is identified as an Objective 3 corridor. A Site Plan (incorporating details from a site survey), shows that the watercourse is sited on the adjacent properties to the north (refer to **Appendix 1**). As the site is located within 40 metres from the top of the bank of this

watercourse, formal concurrence (i.e. general terms of a Controlled Activity Approval) would normally be required from the NSW Office of Water pursuant to section 91(2) of the Water Management Act 2000, however, the provisions of integrated development do not apply to State Significant Development, however it is anticipated that consultation with relevant government departments and authorities will occur prior to issuing of the SEARs.

5.6 Natural Resource Sensitivity and Biodiversity

The land is also shown on Council's online mapping as being affected by an area of Natural Resource Sensitivity which extends along the northern boundary of the site. A Flora and Fauna Report is therefore generally required to confirm the presence of any threatened species. However as the development does not seek to encroach into this area dispensation from this requirement is sought. An Arborist Report, prepared by Moore Trees (dated 30.11.15) recommends a number of substantial tree protection zones and setbacks, which will be considered in the preparation of the EIS.

5.7 Acid Sulphate Soils

The Section 149(2) Certificate for Lot 1 DP 175787 indicates that Class 5 Acid Sulphate Soils have been mapped on the site. According to Wollongong Council's online mapping, the portion of Lot 1 DP 175787 that contains Class 5 Acid Sulphate Soils, is not part of the allotment included within the boundaries of the developable area.

5.8 Key Development Standards

The following relevant Principal Development Standards apply to the land pursuant to Wollongong Local Environmental Plan 2009.

Height of Buildings

The proposed building incorporates a mix of heights across the site, with a maximum overall height for part of the building being approximately 16.5 metres. The building also proposes a maximum of (4) four storeys including ground floor plus three (3) levels. The buildings are substantially set back from the rear and western side boundaries to minimise impacts on adjoining residences.

Wollongong Local Environmental Plan 2009 specifies a maximum height of all buildings as 9 metres. A variation will therefore be sought to this standard as required under clause 4.6 of WLEP 2009.

Floor Space Ratio

Wollongong LEP 2009 does not provide a minimum floor space ratio for the subject site. The proposed development provides a total GFA of approximately 9297m² calculated by architects for the proposal Billard Leece, in accordance with the definition of Gross Floor Area pursuant to Wollongong LEP 2009). Therefore the total FSR proposed on the subject site (using the subject site area as described in this report, being 1.155 hectares (11547m²) is approximately **1.24:1**. The proposed FSR of the building has been provided having regard to the proximity to surrounding land uses, with the siting of the building specifically addressing this issue, and to provide for adequate expansion to ensure the continuation of hospital and medical service availability in the northern suburbs of Wollongong.

SEPP (*State Environmental Planning Policy (Seniors Living)*) provides specific matters for consideration in determining a development application for the purposes of 'residential care facilities', which will be considered during development of detailed plans and during the preparation of the EIS.

5.9 Built Form and Streetscape Integration

The Environmental Impact Statement will address the proposed built form and scale of the development to ensure that it will not have a significant adverse impact on the streetscape of the area, but will be a focal point for the area once constructed. The proposed development is located within a R2 Low Density Residential zone, in an area of the northern suburbs of Wollongong where the increased demand for residential living is likely. Further, the modern architectural form of the building and the selection of materials and colours will provide a building form and finish which will encourage renewal and regeneration of existing old housing stock in the area.

5.10 Residential Amenity

The proposed building has been located in a central position on the site, having regard to the proximity to surrounding low density residential land uses, and to provide for adequate setbacks from nearby dwellings. The retention of the existing emergency services building located on Lot 1 DP 175878 also provides additional setbacks from properties to the north-east and east of the proposed development.

The proposed buildings on the site are anticipated to be setback as follows:

South (primary frontage): Minimum of 12 metres on all levels within the hospital and ancillary care facilities and a minimum of 5 metres on all levels within the residential care facility.

North (rear boundary): Minimum of 15 metres on all levels within the hospital/ancillary care facilities and a minimum of 9 metres on all levels within the residential care facility and

East: Minimum of 54 metres on all levels (hospital/ancillary care facilities)

West: Minimum of 7 metres on all levels (residential care facility).

The Environmental Impact Statement will also consider the hours of operation of various functions with the development, together with the potential impact of traffic movements on residential amenity.

5.11 Parking, Traffic and Access

There are currently three vehicle access driveways to the site from Hospital Road. Two access with existing crossovers are proposed to be utilised as part of the development proposal. The western entrance (existing central crossover currently used as an egress point for the existing western allotment) will be utilised only for the residential care facility component of the development. The eastern entrance will be used as the primary entrance for the main component of the proposed development.

The proposed development incorporates onsite parking in the form of at-grade parking and a drop-off/emergency vehicle area at the building entrance. The proposal includes on-site parking spaces for the facility (in the order of 60 vehicles). Further consideration will be given to the design of the car parking area and the impact of traffic movements within the Environmental Impact Statement.

5.12 Landscaping

Landscaping of the development will be a key issue if the development is to effectively integrate with the surrounding low density residential development. The site already contains significant trees and landscaping particularly to the rear (north) of the site, the majority of which is proposed to be retained as part of the proposal.

A Landscape Concept Plan and Landscape Sections will be submitted in association with the EIS. The Plan will provide for a significant landscape and riparian setback area to the rear of the site near the adjacent creek, as well as a significant area of deep soil zone also to the rear of the site.

5.13 Solar Access and Overshadowing

Overshadowing diagrams will be prepared by Billard Leece Architects and will accompany the EIS. The diagrams will demonstrate the extent of overshadowing of the adjacent residential properties particularly to the north and west on June 21 as a result of the proposed development. Given the nearest residential dwellings to the east and south are located approximately 40-50 metres from the proposed buildings, there is not anticipated to be any significant or unreasonable overshadowing.

5.14 Infrastructure and Servicing

Confirmation of water, sewer and electricity availability will be provided at the EIS stage to address this clause.

6 Justification

The subject site is within the public ownership of the NSW Department of Health Infrastructure and has been earmarked for future expansion of the existing Bulli Hospital directly opposite the site for many years. The site is currently used for excess car parking overflow for the Bulli Hospital employees and is underutilised.

The proposed use is considered an appropriate use of the site for the following reasons:

- The proposed uses are permissible forms of development on the site.
- The existing Bulli Hospital requires major upgrading in order to ensure its continuation to serve the medical needs of the northern Illawarra and surrounding suburbs.
- The proposal will provide local and regional medical and health support for the Wollongong central hospital located within the Wollongong CBD.
- The proposal will provide for additional residential care facilities which are in demand in an ever increasing older population in the eastern suburbs of the south coast of NSW.

The provision of additional medical services in this location, particularly for the aged, will enhance and is complementary to the existing use of the Hospital site in its entirety, on Hospital Road. Further, the proposed development will provide a number of additional economic, social and environmental benefits including:

- The development has been identified as a key infrastructure project in the Illawarra, evident in the \$14.46 million funding which was granted for the project under the Restart NSW Illawarra Infrastructure Fund, established by the NSW government to facilitate economic growth in the region.
- The development will provide much needed medical care for residents of the Illawarra.
- The expansion of the existing Bulli Hospital will enable upgrading of the existing facilities to occur in a timely manner.
- The committed government and private sector funding provided for the development will ensure a continuation of existing hospital service in the northern Wollongong suburbs.
- Access to the existing hospital facilities on the opposite side of Hospital Road will not be hindered.
- The riparian and flora/fauna corridor to the rear of the site will be retained and enhanced.
- The subject site has not been used for residential purposes for a number of years. The residential character can continue to be maintained on adjacent properties.

7 Consultation

The NSW Government in partnership with the Illawarra Retirement Trust are joint funding the project, with Bulli Hospital (NSW Health Infrastructure) being the owners of the land. Health Infrastructure have advised the following consultations have occurred since the project's inception:

- Donnelly Simpson Cleary (consultants employed as part of the project) have made enquiries with Jemena regarding the connection of gas and an application will be lodged in early July 2016.
- Donnelly Simpson Cleary have discussed the project with a water services coordinator and are in the process of lodging an application for a feasibility study with Sydney Water.
- Arup (consultants employed as part of the project) have lodged an application with Endeavour Energy for a new kiosk substation.
- Arup have registered the project with NBN Company and have discussed the project with Telstra.

With respect to an application for State significant development, the Department of Planning and Infrastructure must consult relevant public authorities and have regard to the need for the requirements to assess any key issues raised by those public authorities. It is anticipated that further consultation will also occur during preparation of the Environmental Impact Statement as required by the SEARs.

8 Capital Investment Value

The applicant has provided detailed evidence (see summary in Table 3 of this section) that the proposal meets the capital investment value of more than \$30 Million, for that portion of the development which is considered to fall within the definition of a 'hospital' as detailed in this Assessment.

The definition of 'capital investment value' provided in the Environmental Planning and Assessment Regulation 2000 states:

capital investment value of a development or project includes all costs necessary to establish and operate the project, including the design and construction of buildings, structures, associated infrastructure and fixed or mobile plant and equipment, other than the following costs:

- (a) amounts payable, or the cost of land dedicated or any other benefit provided, under a condition imposed under Division 6 or 6A of Part 4 of the Act or a planning agreement under that Division,
- (b) costs relating to any part of the development or project that is the subject of a separate development consent or project approval,
- (c) land costs (including any costs of marketing and selling land),
- (d) GST (within the meaning of A New Tax System (Goods and Services Tax) Act 1999 of the Commonwealth).

Details of the cost of carrying out the proposed development are provided in the Quantity Surveyor's Report provided in **Appendix 4** to this Report. A summary of the associated costs (general major costs only) for the proposed development is provided in **Table 3** below.

Table 3: Elemental Cost Summary (reproduced from original Elemental Summary prepared by Altus Group Consulting Pty Ltd for NSW Health Infrastructure)	
Element – NSW Health Infrastructure	\$ Million
BUILDING COST (BC) including construction, services, transportation systems, finishes, fitments	19,184,855
NETT CONSTRUCTION COST (NCC) including site preparation, boundary walls, fences, gates, roads, footpaths, paved areas, landscaping and improvements, services	21,507,717
GROSS CONSTRUCTION COST (GCC)	26,037,724
PROJECT COSTS including consultant fees, authority fees, LHD costs, Transition/commissioning, Furniture fitting and equipment	
TOTAL PROJECT COST (TPC / BASE COST) estimated June 2016	31,596,506
ESCALATION (ON TPC / BASE COST)	
NET END TOTAL COST (NETC) including management costs	37,957,745
END TOTAL COST (ETC)	38,620,376

As the 'hospital or 'public' component (NSW Health Infrastructure) of the development is estimated at being greater than \$30M (ie: **\$38,620,376M**), which excludes the 'shared areas', the proposed development falls within the SSD category provided by State Environmental Planning Policy (State and Regional Development) 2011.

The remaining portion of the development which falls within the private sector component of works, being the residential care facility proposed, is estimated by Altus Group Consulting Pty Ltd to have an estimated Total Project Cost (TPC/Base Cost) of **\$18,362,780** and an End Total Cost (ETC) of **\$20,674,754**.

The overall END TOTAL COST of the project in its entirety is therefore calculated to be in the vicinity of **\$59,295,130M**.

9 Conclusion

TCG Planning formally requests that the Department of Planning and Environment issue the SEARs to facilitate the preparation of an Environmental Impact Statement for the proposed Bulli Aged Care Centre for Excellence. This request for SEARs provides a description of the proposed development, being an extension of facilities for Bulli Hospital comprising aged care inpatient unit and urgent care centre and also the establishment of a residential aged care facility. The request includes an overview of relevant strategic and statutory planning provisions and an outline of potential environmental constraints and issues.

All potential environmental impacts of the proposal at both the construction and operational stage will be comprehensively addressed in the supporting studies and EIS in accordance with the SEARs and relevant legislation.

The proposed development is permissible as a '*Hospital*' and related ancillary land uses, as well as a *Seniors Housing*' under the provisions of Wollongong Local Environmental Plan 2009 and State Environmental Planning Policy (Housing for Seniors or People with a Disability). The proposed development also meets the criteria for State Significant Development in accordance with Schedule 2 of Clause 5 of State Environmental Planning Policy (State and Regional Development), 2011.

It is considered that the proposed development will provide much needed expansion of health facilities for the local and regional population, in association with providing much needed aged care facilities. The site itself has a high level of accessibility to services such as public transport, retail and commercial services. While the site does contain some constraints, the proposed design of the development will have regard to such constraints with likely impacts and recommended mitigation strategies to be detailed within the Environmental Impact Statement.

Accordingly, the Secretary is requested to issue the Environmental Assessment Requirements to allow for the undertaking of more detailed investigations, which will inform the development outcome.

.Appendix 1

Existing Site Plan (incorporating site survey) Dwg AA01.0001 Rev 3
drawn by Billard Leece Partnership P/L Architects and Urban Planners, dated 4/7/2016

Appendix 2

Proposed Site Plan Dwg AA01.0001 Rev 2

drawn by Billard Leece Partnership P/L Architects and Urban Planners, dated 4/7/2016

Appendix 3

Proposed Sections Dwgs AA30.0001, 0101 and 0201 Rev 4
drawn by Billard Leece Partnership P/L Architects and Urban Planners, dated 5/7/2016

Appendix 4

Quantity Surveyors Report

Altus Group Consulting Pty Ltd, dated 8/6/2016

Appendix 5

Report on Preliminary Site Investigation with Limited Sampling
prepared by Douglas Partners (Ref: 38227.01, dated 13/11/2015)