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7 June 2018

Ms Karen Harragon
Director
Social and Other Infrastructure Assessments
Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Dear Karen

ST LEONARDS NORTH SHORE HEALTH HUB - "TOWER A" (SSD 7543) AND "TOWER B" (SSD 8499) - SUPPLEMENTARY INFORMATION

We write on behalf of Dexus Projects Pty Limited in response to your emails of 23 and 24 April 2018 and our meeting with David Gainsford and yourself on 28 May 2018 regarding the characterisation of the development subject to the above SSD applications.

As outlined in the Responses to Submissions (RtS) for each application, submitted to the Department of Planning and Environment (DP&E) on 1 December 2017, Towers A and B (collectively known as the North Shore Health Hub) comprise a range of hospital and medical uses associated with the existing St Leonards health precinct.

You have requested further information demonstrating that the proposed development meets the definition of "hospital" in the *Willoughby Local Environmental Plan 2012* (WLEP 2012) and is therefore permissible with consent on the site.

As discussed at the meeting, the information outlined below clearly supports the characterisation of the development as a hospital:

1. The proposed uses within the development are specifically intended to both expand and complement the hospital services provided by the Royal North Shore Hospital (RNSH) and North Shore Private Hospital (NSPH):

Dexus selected the subject site for the development of the North Shore Health Hub in recognition of the enormous investment by the NSW Government and the private sector in health infrastructure in the St Leonards Health Precinct and the site's immediate proximity to Royal North Shore Hospital (RNSH), North Shore Private Hospital (NSPH) and other adjoining health and medical uses.

As outlined in the relevant Environmental Impact Statements (EISs) and RtSs, the site's location enables the development to include an expansion of the existing NSPH, through a Private Surgical Facility within Tower A.

The Private Surgical Facility will be constructed as a class 9a building, for hospital use, under the Building Code of Australia. This building classification is required as the space will be a licenced surgical facility (via NSW Health) and patients will receive general anaesthetic during their admission.

Furthermore, an essential element of the proposed development is its connection with NSPH by an enclosed bridge over Reserve Road. Patients will be transferred between the new facility and the existing NSPH via the bridge, for diagnostic services or further treatment as required. The new facility will include additional operating theatres, patient beds, and recovery bays which comprise an expansion of existing facilities in the NSPH.

In addition to the above, the proposal also includes the following medical services:

- Diagnostic and radiology services – an expansion of services currently provided in NSPH to increase the capacity to provide imaging services for both patients of NSPH and others using these services from external referral
- A comprehensive cancer care facility - requiring spaces in both the basement to provide radiation oncology services and a level of Tower A for medical oncology services
- Specialist medical practices in both Towers A and B – we understand this includes accommodation for practitioners who presently provide their services at either RNSH or NSPH

The range of uses outlined above are clearly “professional health care services” as described in the WLEP 2012 definition of “hospital” and are being developed on this site given their locational and operational integration with existing hospital facilities in the precinct.

2. The proposed development will provide facilities for the treatment of in-patients:

The WLEP 2012 definition of “hospital” also requires that it be a building or place in which professional health care services are provided *to people admitted as in-patient (whether or not out-patients are also cared for or treated there.)*

The health care facilities outlined above will all provide services for both in-patients accommodated within the facility itself as well as in-patients brought from either NSPH or from RNSH for diagnostic or specialist treatment including surgical procedures.

Whilst the terms “in-patient” and “out-patient” are not defined in the LEP, they are defined in health-related legislation and related documents, as outlined below:

- The Medicare Schedule, published under the *Health Insurance Act 1973* (Cth), defines an in-patient as a patient who has been formally admitted to a hospital whether for overnight stay or for a day procedure.
- The glossary to the Australian Government Private Health Insurance Ombudsman’s website defines in-patient to mean a patient who has been admitted to a hospital or day facility.

- Section 68 of the *Health Services Act 1997* includes “Medicare Principles and Commitments” that are adopted as guidelines for the provision of public hospital services in NSW. An explanatory note under Principle 1 states:

Hospital services include in-patient, out-patient, emergency services (including primary care where appropriate) and day patient services consistent with currently acceptable medical and health service standards.

These definitions reflect the fact that many surgical procedures and treatments carried out by medical practitioners do not require an overnight stay at that facility. Patients admitted for a procedure are still clearly regarded as an in-patient regardless of the length of stay.

Accordingly, the North Shore Health Hub will include a range of professional health services (including the private surgical facility, radiology, cancer care facility and other specialist medical practices) that will service in-patients.

As also outlined in the EISs and RtSs and discussed at our meeting, the development will include some ancillary medical services that may not service in-patients and other ancillary uses including convenience retail and a pharmacy. The inclusion of these uses remains entirely consistent with the WLEP 2012 definition of “hospital.”

Conclusion:

The subject DAs have been progressed concurrently with an amendment to WLEP 2012 to enable “hospitals” as an additional permitted use on the site. During this process, Dexus has at all times been conscious to ensure that the proposed development meets the hospital definition.

As described above, the proposed development is being undertaken in order to provide a range of professional health care services of the kind identified in the definition of “hospital.” Furthermore, these services will be used by people admitted as in-patients, whether the stay of those patients are for day surgery or longer periods.

It will include a private surgical facility being developed as an expansion of the existing NSPH and interconnected with the existing hospital by an enclosed bridge over Reserve Road. Furthermore, the facility will be constructed as a class 9a building, for hospital use, under the Building Code of Australia, and will be licenced under the *Private Health Facilities Act 2007*.

Other proposed uses to be used by in-patients include diagnostic and radiology services (also an expansion of existing services in NSPH), a comprehensive cancer facility and specialist medical practices. The development will also include other ancillary uses, consistent with the hospital definition.

On this basis, proposal meets the WLEP 2012 definition of “hospital” and is therefore permissible with consent on the site.

We trust that the above information is satisfactory and look forward to a timely determination of both applications.



Please do not hesitate to contact Dan Keary on 8459 7511/0429 565 291 or dan@keylan.com.au if you wish to discuss any aspect of this submission.

Yours sincerely

A handwritten signature in blue ink, appearing to read "d k e a r y".

Dan Keary BSc MURP MPIA
Director

A handwritten signature in black ink, appearing to read "m woodland".

Michael Woodland BTP
Director

Cc David Gainsford, Executive Director, Executive Director Priority Projects
Assessments – Planning Services, Department of Planning and Environment
Brenton McKewan, Colin Rockliff - Dexus