



Wyong Hospital Expansion

*State Significant
Development
Assessment
(SSD 9536)*



August 2019

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Cover photo

[Photomontage of the proposal as viewed from the south-east (Source: Response to Submissions 2019)]

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Glossary

Abbreviation	Definition
AHD	Australian Height Datum
BCA	Building Code of Australia
CIV	Capital Investment Value
CIP	Community Involvement Plan
Consent	Development Consent
Council	Central Coast Council
Department	Department of Planning, Industry and Environment
EESG	Environment, Energy and Science Group of the Department of Planning, Industry and Environment (former NSW Office of Environment and Heritage)
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
EPL	Environment Protection Licence
ESD	Ecologically Sustainable Development
FRNSW	Fire and Rescue NSW
LEP	Local Environmental Plan
Minister	Minister for Planning and Public Spaces
RtS	Response to Submissions
SEARs	Secretary's Environmental Assessment Requirements
Secretary	Secretary of the Department of Planning, Industry and Environment
SEPP	State Environmental Planning Policy
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development
SSI	State Significant Infrastructure
TfNSW	Transport for NSW
TfNSW(RMS)	Transport for NSW(Roads and Maritime Services)



Executive Summary

This report provides an assessment of a State significant development (SSD) application for the expansion of Wyong Hospital (SSD 9536), located at 664 Pacific Highway, Hamlyn Terrace. The Applicant is Health Infrastructure NSW and the proposal is located within the Central Coast local government area. The proposed new Clinical Services Building (CSB) will provide new and improved health services to the Central Coast Local Health District (CCLHD). The proposal will provide increased access to health services in the Central Coast area.

The Department of Planning, Industry and Environment (the Department) identified built form, urban design, traffic, road safety, parking, biodiversity and tree removal and noise and vibration as the key issues for assessment. The Department has considered the merits of the proposal in accordance with relevant matters under section 4.15(1), the objects of the *Environmental Planning and Assessment Act 1979*, the principles of ecologically sustainable development, and issues raised in submissions as well as the Applicant's response to these.

The impacts of the proposal have been addressed in the Environmental Impact Statement (EIS), the Response to Submissions (RtS) and supplementary information. Conditions of consent are recommended to ensure that the impacts are managed appropriately.

The proposal, as amended by the RtS, will have no significant amenity impacts upon surrounding land uses, will provide adequate parking onsite and will not have an adverse environmental impact. Therefore, the Department recommends the proposed development be approved.

Project Summary

The proposal seeks approval for:

- construction of a six storey CSB.
- minor alterations to existing Block A to accommodate a pedestrian bridge link.
- associated works including landscaping, earthworks, and servicing upgrades.

The proposal has a capital investment value (CIV) of \$144,898,125 and would generate up to 900 construction jobs and 218 operational jobs.

Engagement

The application was publicly exhibited for 28 days between 1 March 2019 until 28 March 2019 (inclusive). The Department received eleven submissions, including ten from public authorities (including Council), and one from the public. No objections were received. An additional six submissions from public authorities (including Council) were received in response to the Applicant's RtS.

The key issues raised in submissions include traffic, road safety, parking, biodiversity and tree removal.

The RtS included further information and addressed the majority of the key issues raised in the submissions. The RtS modified the building services plant arrangement on Level 3, amended the fire trail layout, added a cover to the carpark pay station and walkway to address concerns raised by the Government Architect NSW, clarified the proposed degree of tree removal, expanded the proposed landscaping, provided an amended Transport and Accessibility Impact Assessment, revised Biodiversity Development Assessment Report, revised architectural

plans and provided additional information on contamination matters, ecological concerns and civil and site investigation details.

Subsequent additional information addressed intersection concerns, a road safety audit and site details.

Assessment

The Department considered the key issues for assessment include built form, urban design, traffic, road safety, parking, biodiversity and tree removal.

The assessment of the key issues found:

- the proposed built form will not result in unreasonable amenity impacts upon surrounding land uses as the building is located a significant distance from residences and an adjoining aged care facility, and it is considered an appropriate design response to the site context.
- conditions are recommended to manage the impacts of construction traffic, noise and vibration.
- the surrounding road network has adequate capacity to cater for the expected increase in traffic and proposed changes to the site's access arrangements.
- the road safety within the site can be managed by ensuring an audit is undertaken to identify any significant safety threats with the proposed development.
- sufficient car parking would be provided on site to accommodate staff, patients and visitors
- the proposal will not result in serious or irreversible impacts on threatened biodiversity.
- the overall removal of trees from the site will not have a significant environmental impact and is considered necessary to meet bushfire protection measures.



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The hospital provides a range of secondary and tertiary services including: medical, surgical and procedural services in the form of a new Emergency Department; Paediatric Assessment Unit; Medical Unit; Intensive Care Unit; and increased surgical services across the Central Coast Local Health District (CCLHD).

The hospital site contains several interconnected main buildings known as Blocks A, B, C, D, E and F, along with small associated buildings scattered throughout. The main hospital building and main entrance is Block A, the emergency department and current emergency drop off is Block B, the cancer care centre is Block C, the mental health facility is Block F with the helipad is located just to the east of Block F. Block D and E consist of asset and health services situated on the north eastern edge of the hospital campus.

An aerial view of the site and surrounds is shown in **Figure 2** and a plan showing the existing buildings and uses on site is shown in **Figure 3**.



Figure 2 | Aerial view of site and surrounds (Source: Nearmap 2019)

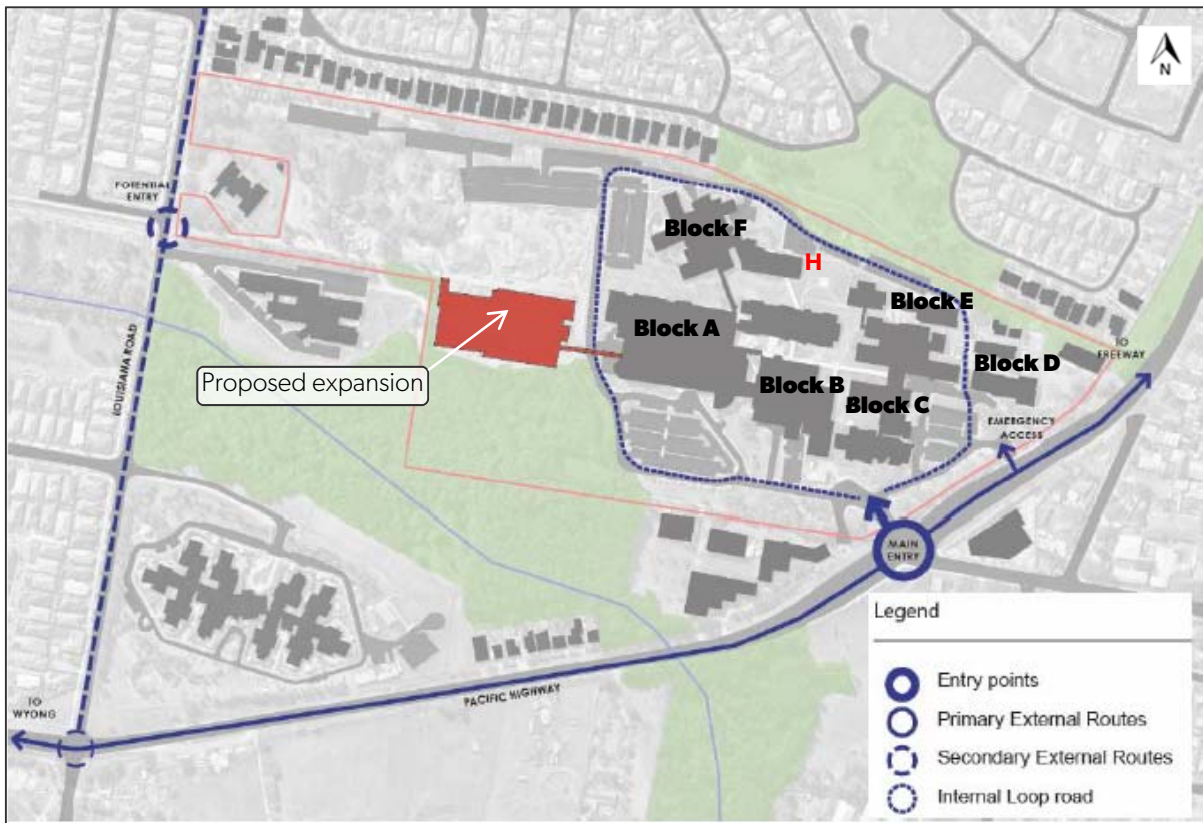


Figure 3 | Existing buildings and uses on site (Source: Applicant’s EIS)

The main vehicular access to the site is via the Pacific Highway which leads onto Henry Moore Drive the internal ring road which services the onsite car parks and hospital. The redevelopment proposes an additional access road off Louisiana Road, located on the western boundary. The site itself contains an access road network which connects a series of carparks across the site and the loading dock on the southwest corner of Block A.

The site generally slopes from the north to the south resulting in an approximate fall of 20m ending in the existing unnamed creek on the south boundary. The proposed CSB building will be located on land already cleared under a separate planning approval (Part 5 REF), while to the south of the cleared land is a large portion of remnant vegetation.

1.2 Surrounding Development

The development surrounding the subject site consists of low density residential (R2 zone) immediately to the north and to the south-west and west. Directly to the south is Environmental Conservation land (E2) and immediately to the west is Environmental Management land (E3) with a small section located south of the site. To the east of the site there is land zoned Enterprise corridor (B6) consisting of the private hospital and general residential (R1).



2. Project

2.1 Key components and features

The key components and features of the proposal, as refined in the Response to Submissions (RtS), are provided in **Table 1** and are shown in **Figures 4** to **10**.

Table 1 | Main Components of the Project

Aspect	Description
Project summary	Construction of a new six storey Clinical Services Building (CSB), including: an undercroft carpark; podium; Emergency Department; Psychiatric Emergency Centre; Intensive Care Unit; Paediatrics; In Patient Units and an Acute Medical Unit. Minor alterations to existing Block A to accommodate the proposed bridge link and associated works including landscaping, earthworks, and servicing upgrades are also proposed.
Built Form	<ul style="list-style-type: none">• New 6 storey building consisting of:<ul style="list-style-type: none">○ 1 storey of undercroft parking (Level 1)○ 1 storey podium (Level 2)○ 4 levels of healthcare uses.• Minor additions and alterations to the existing Block A (proposed pedestrian bridge link).
Site area	<ul style="list-style-type: none">• 19.7ha (hospital campus)
Gross floor area (GFA)	<ul style="list-style-type: none">• 16,980sqm
Uses	<ul style="list-style-type: none">• CSB containing:<ul style="list-style-type: none">○ Emergency Department○ Medical Imaging○ Psychiatric Emergency Centre○ Intensive Care Unit○ Paediatrics○ In-Patient Units○ Acute Medical Unit.
Vehicular access	<ul style="list-style-type: none">• Formalisation of the east-west road connection to Louisiana Road, which will act as a secondary access point restricted to emergency vehicles only.• Primary access from the Pacific Highway from the existing Henry Moore Drive will continue to provide access to the hospital and car parking.
Car parking	<ul style="list-style-type: none">• 108 spaces in the undercroft parking.

	<ul style="list-style-type: none"> • Introduction of a paid parking scheme across the Wyong hospital campus. • Total of 1,218 spaces expected at completion of works. • 150 temporary/informal spaces proposed to be used for construction vehicle parking.
Bicycle parking	<ul style="list-style-type: none"> • 12 secure and covered bicycle parking spaces to be provided.
Tree removal and landscaping	<ul style="list-style-type: none"> • 287 trees to be removed (143 within the proposed building footprint and 144 due to poor health). • Landscaping to be undertaken along the new secondary entrance for emergency vehicles, staff roof terrace, ICU patients roof terrace and within the bushfire asset protection zone. • 46 new trees to be planted.
Hours of operation	<ul style="list-style-type: none"> • 24 hours per day, 7 days per week.
Jobs	<ul style="list-style-type: none"> • 218 operational jobs and 900 construction jobs. • Overall total of 1,643 full time staff at completion.
CIV	<ul style="list-style-type: none"> • \$144,898,125

2.2 Physical Layout and Design

The proposed new building would be located immediately west of the existing hospital building Block A. The proposed CSB will be connected to the existing hospital via a new pedestrian bridge. The pedestrian bridge consists of a public link from level 2 and a clinical link from level 3 of the CSB to the existing hospital Block A (this connection will run from the eastern side of the proposed CSB to the western side of Block A approximately 44m with a height clearance of 4.5m).

The main entrance to the CSB is positioned facing north towards the at-grade carpark and the proposed new access road for emergency vehicles connecting to Louisiana Road. The CSB will provide undercroft parking, which is accessed from the ring road.

A new emergency access road is proposed along the northern side of the building, connecting Louisiana Road to the existing ring road within the hospital campus. The new access road will provide for an emergency public drop-off area. The existing access from the Pacific Highway will continue to be the entry point for the public.

The proposed site layout is shown in **Figure 4** and plans and elevations of the proposed building are shown in **Figures 5 to 10**.

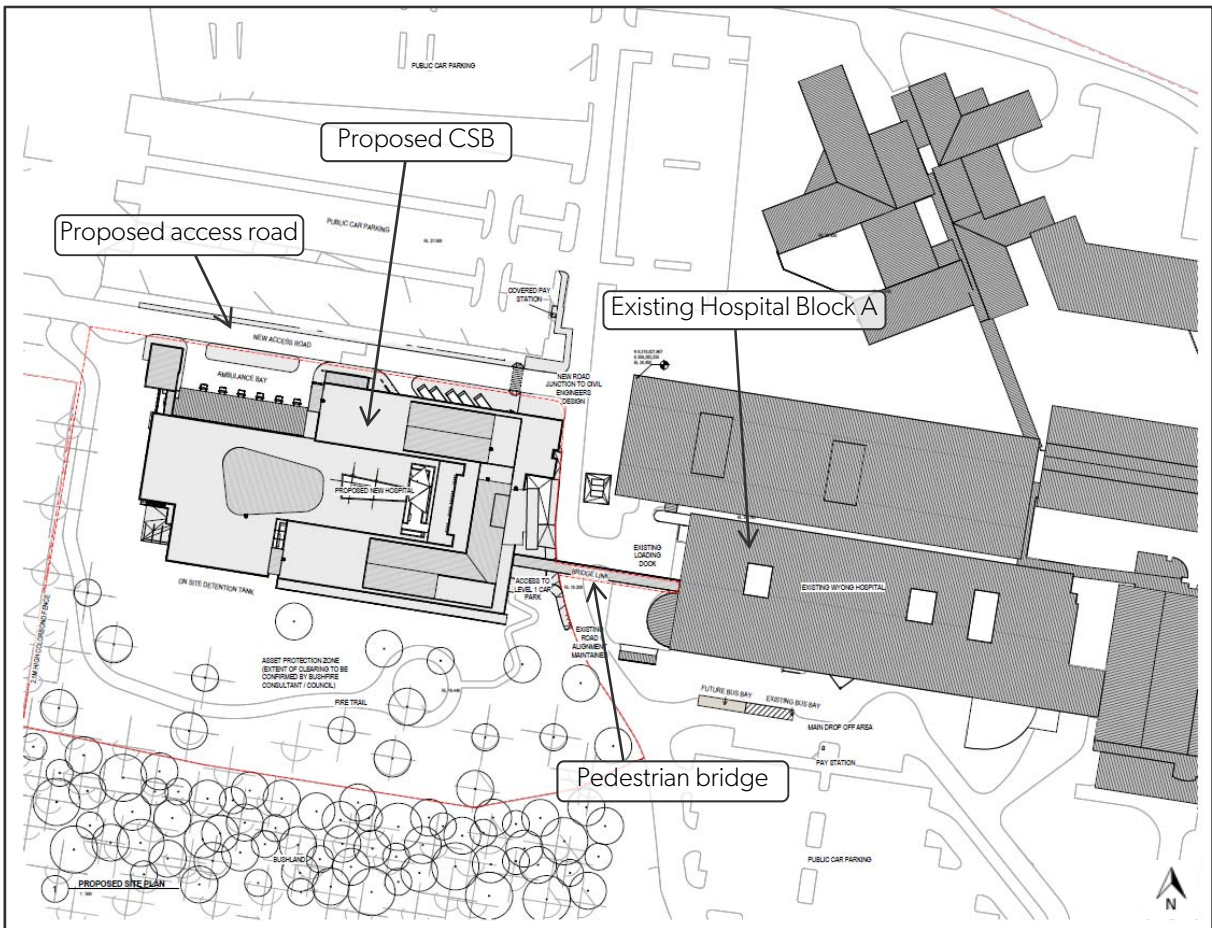


Figure 4 | Proposed site plan (Source: Applicant's RtS)

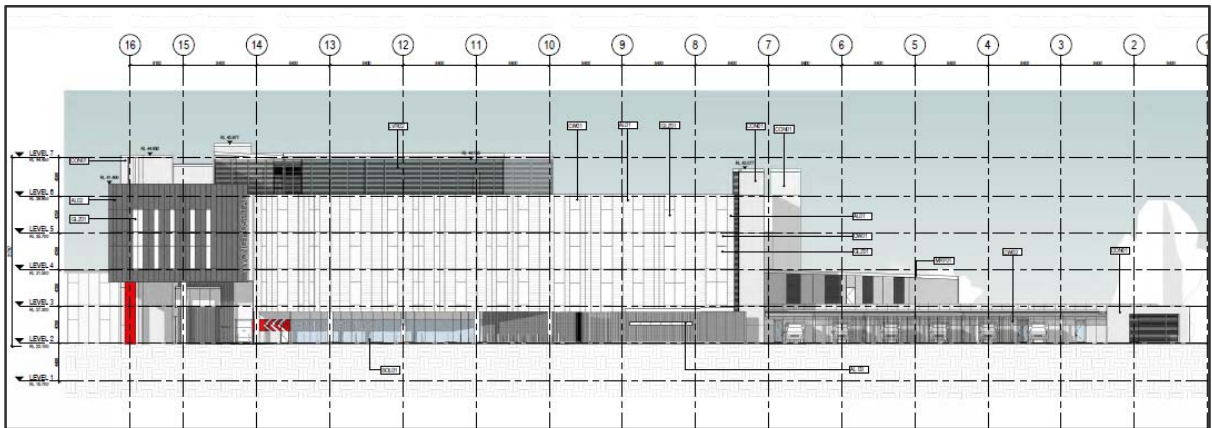


Figure 5 | Northern elevation (Source: Applicant's RtS)

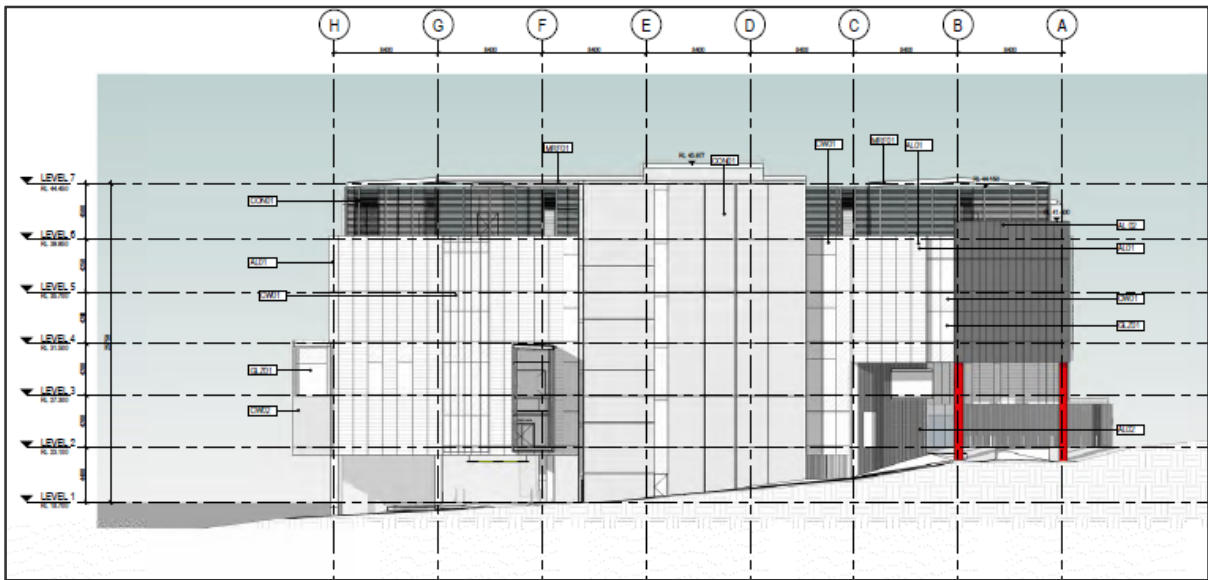


Figure 6 | Eastern elevation (Source: Applicant's RtS)

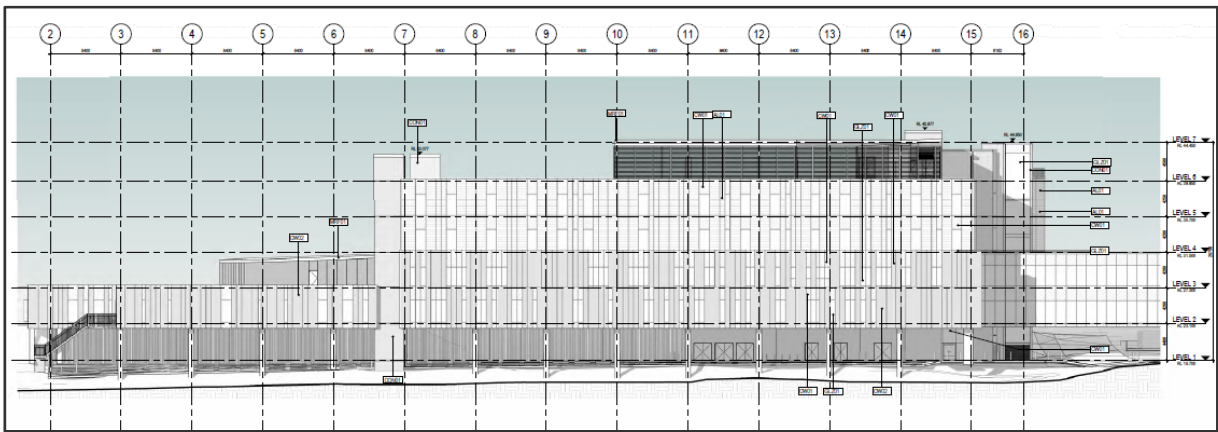


Figure 7 | Southern elevation (Source: Applicant's RtS)

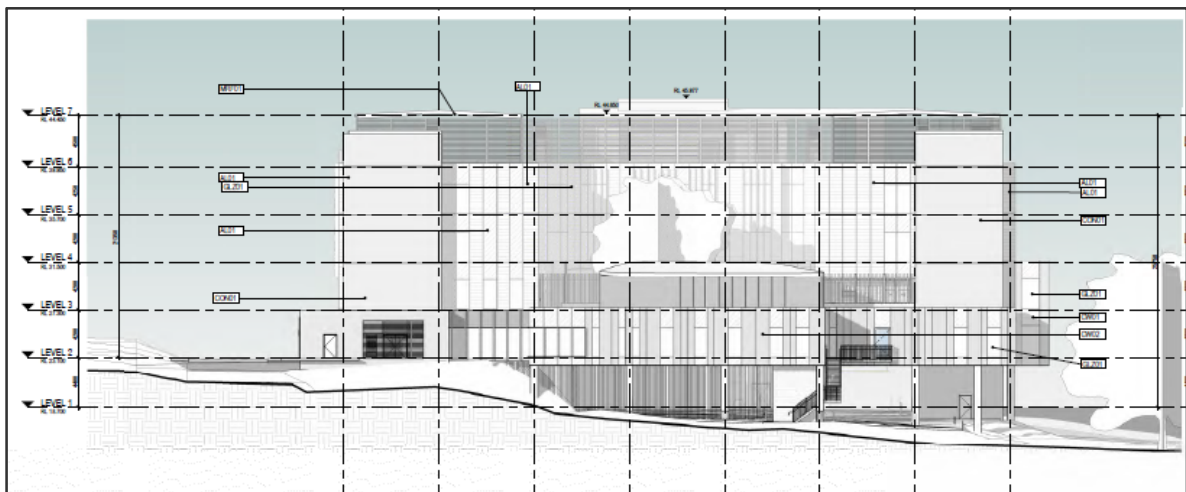


Figure 8 | Western elevation (Source: Applicant's RtS)



Figure 9 | 3D visualisation of view from the south east (Source: Applicant's RtS)



Figure 10 | 3D visualisation of view from north east (Source: Applicant's RtS)

2.3 Timing

The construction of the building would be undertaken in a single stage with construction works expected to commence in August/September 2019 and be completed by February 2022.

2.4 Related Development

Works across the hospital campus outside the scope of this SSD application are summarised in **Table 2** and illustrated in **Figures 11** and **12**.

Table 2 | Other works on site and assessment pathways

Stage / element	Summary of works	Approval details / status
Car parking	New at-grade carpark located north-west of the existing hospital building	A Part 5 Review of Environmental Factors (REF 023/2017) was approved by Health Infrastructure NSW in 2017 and amended in 2018 (REF 023/2017/A). The land has been cleared and levelled and the carpark is open and operational.
Ambulance station	The Hamlyn Terrace Ambulance Station	Located in the north west corner of the campus. This development resulted in the subdivision of the site as part of a Part 5 approval (REF 002/2018) under the EP&A Act, creating a new lot number for the Ambulance Station as well as a new lot and DP for the Hospital site. The new lot and DP for the hospital is Lot 4 DP 1248441.

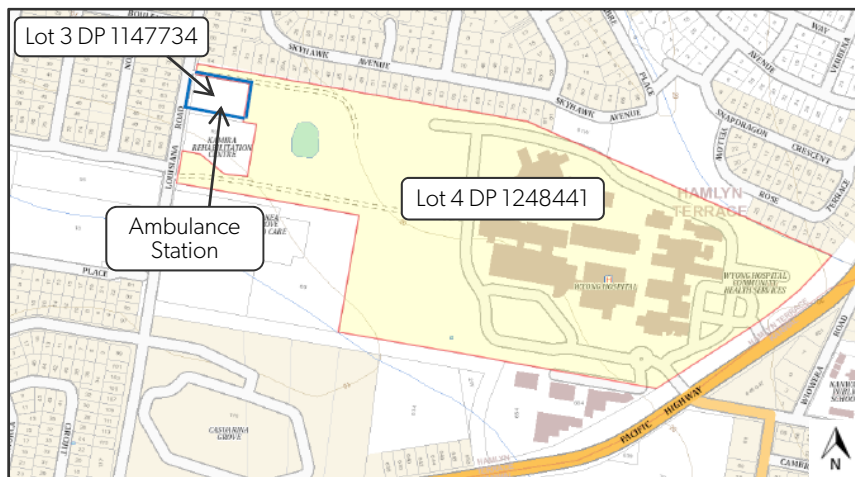


Figure 11 | Ambulance Station location and lot change (Source: Applicant’s Additional Information)

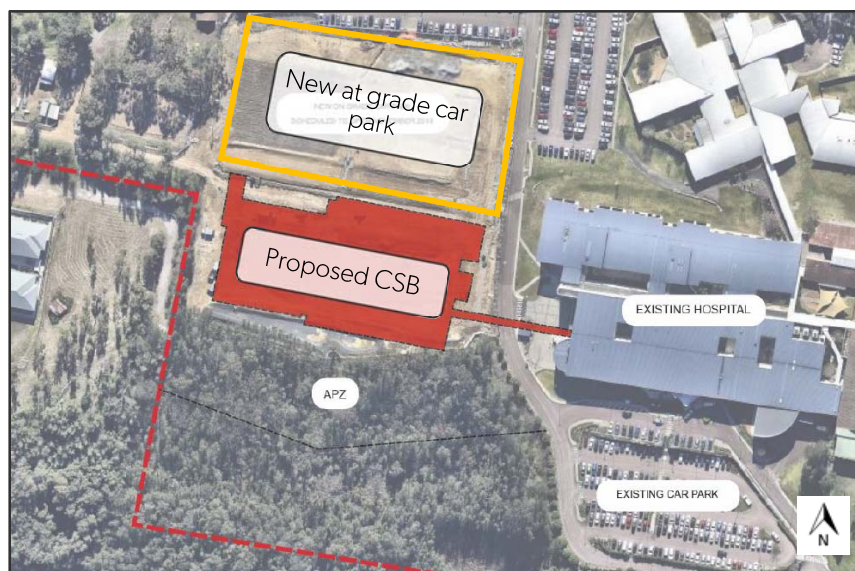


Figure 12 | New at grade car parking located north of the proposed CSB (Source: Applicant’s RtS)



3. Strategic Context

Wyong Hospital is part of the Central Coast Local Health District (CCLHD) and provides health services to public health care within the Central Coast LGA. The Applicant states that the proposed redevelopment is required to provide capacity to meet the increasing health service demands of a growing and ageing population. The current hospital provides health services to approximately 320,000 residents, which is expected to increase by 17.6 per cent by 2027 to 373,284 residents.

The proposal seeks to:

- improve facilities operating at the site to meet the health services demand and significant growth of the local population in Wyong.
- improve access to health care.
- improve self-sufficiency of the hospital, particularly regarding provision of acute medical services as 40 per cent of Wyong residents currently travel to Gosford Hospital for treatment.

The Department considers that the proposal is appropriate for the site given:

- the development provides new and improved health infrastructure to service and accommodate the needs of the CCLHD by improving services and creating jobs.
- it is consistent with the NSW State Infrastructure Strategy 2018-2038: Building Momentum, as it facilitates the upgrade of social infrastructure within a strategic centre.
- it is consistent with the Central Coast Region Plan 2036, as the proposal will create jobs, support economic growth and provide enhanced health facilities within the northern growth corridor.
- it is consistent with the Future Transport Strategy 2056, as the proposal is located within a regional hub and will provide improved access to health facilities.
- it is consistent with a preliminary master plan prepared by the Applicant for the hospital campus, which identified a 'western option' as the ideal location on the campus for the subject development.
- it is consistent with the Better Placed – A Design Led Approach: Developing an Architecture and Design Policy for New South Wales, as it supports ongoing future development, is fit for purpose and will provide functional site relevant spaces that will integrate with the existing hospital.
- it would provide direct investment in the region in the order of \$144,898,125 million, which would support up to 900 construction jobs and 218 new operational jobs.



4. Statutory Context

4.1 State Significant Development

The proposal is SSD under section 4.36 of the Environmental Planning & Assessment Act (EP&A Act) (development declared SSD) as the development has a CIV in excess of \$30 million and is for the purposes of a hospital under clause 14 of Schedule 1 of State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP).

The Minister for Planning and Public Spaces is the consent authority under section 4.5 of the EP&A Act. In accordance with the then Minister for Planning's delegation to determine SSD application signed on 11 October 2017, the Executive Director, Infrastructure Assessments may determine this application as:

- the relevant Council has not made an objection.
- there are less than 25 public submissions in the nature of an objection.
- a political disclosure statement has not been made.

4.2 Permissibility

The site is located within the SP2 Infrastructure – Health Services Facilities zone under the Wyong Local Environmental Plan 2013 (WLEP). A hospital is permissible with consent within the zone. Therefore, the Minister for Planning and Public Spaces or a delegate may determine the proposal.

4.3 Other Approvals

Under section 4.41 of the EP&A Act, a number of other approvals are integrated into the SSD approval process, and consequently are not required to be separately obtained for the proposal. In addition under section 4.42 of the EP&A Act, a number of further approvals are required, but must be substantially consistent with any development consent for the proposal (e.g. approvals for any works under the *Roads Act 1993*).

The Department has consulted with the relevant public authorities responsible for integrated and other approvals, considered their advice in its assessment of the project, and included suitable conditions in the recommended conditions of consent (see **Appendix C**).

4.4 Mandatory Matters for Consideration

Under section 4.15 of the EP&A Act, the consent authority is required to take into consideration any environmental planning instrument (EPI) that is of relevance to the development the subject of the development application. Therefore, the assessment report must include a copy of, or reference to, the provisions of any EPIs that substantially govern the project and that have been taken into account in the assessment of the project.

The Department has undertaken a detailed assessment of these EPIs in **Appendix B** and is satisfied the application is consistent with the requirements of the EPIs.

Objects of the EP&A Act

The objects of the EP&A Act are the principles upon which the assessment is conducted. The statutory powers in the EP&A Act (such as the power to grant consent / approval) are to be understood as powers to advance the objects of the legislation, and limits on those powers are set by reference to those objects. Therefore, in making an assessment, the objects should be considered to the extent they are relevant. A response to the objects of the EP&A Act is provided at **Table 3**.

Table 3 | Response to the objects of section 1.3 of the EP&A Act

Objects of the EP&A Act	Consideration
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State’s natural and other resources	The improved health care facilities would provide significant social and economic benefits to the community.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	The proposal includes measures to deliver ecologically sustainable development (ESD) (see ESD section below).
(c) to promote the orderly and economic use and development of land,	The development would meet the objectives of the zone to improve health infrastructure within the CCLHD. The proposed development would also be of economic benefit through job creation and infrastructure investment.
(d) to promote the delivery and maintenance of affordable housing,	Not applicable.
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	The proposed development has addressed and proposed mitigation measures to offset impacts to threatened species, populations, communities / significant habitats (refer to Section 6).
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	The proposed development is not anticipated to result in any significant impacts upon built and cultural heritage, including Aboriginal cultural heritage (see Section 6.5).
(g) to promote good design and amenity of the built environment,	The proposal has been reviewed by the Government Architect NSW (GA NSW) throughout the assessment of the proposed development and comments provided (Section 5). The Department considers the application would provide for good design and amenity of the built environment.
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	The Department has considered the proposed development and has recommended conditions of consent to ensure the development is undertaken in accordance with legislation, guidelines, policies and procedures (Appendix C).

(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	The Department publicly exhibited the proposal (Section 5.1), which included consultation with Council and other public authorities and consideration of their responses.
(j) to provide increased opportunity for community participation in environmental planning and assessment.	The Department publicly exhibited the proposal (Section 5.1).

Ecologically sustainable development

The EP&A Act adopts the definition of ESD found in the *Protection of the Environment Administration Act 1997*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- the precautionary principle.
- inter-generational equity.
- conservation of biological diversity and ecological integrity.
- improved valuation, pricing and incentive mechanisms.

The development proposes ESD initiatives and sustainability measures in accordance with the NSW Health Engineering Services Guidelines, which will target at least a 4 Star Green Star equivalency rating. The proposed ESD initiatives include:

- energy use targeting a 10 per cent improvement on National Construction Code – Section J energy efficiency standards.
- passive design strategies, demand management and life-cycle sustainability and maintenance implications.
- water conservation measures, including highly efficient water fittings and fixtures and low-water plant species.
- use of energy efficient lighting and sensors to avoid unnecessary consumption.
- aim to reduce operational and construction waste.
- improved thermal performance, shading devices to the façade.

The Department has considered the proposed development in relation to the ESD principles. The precautionary and inter-generational equity principles have been addressed in the decision-making process via a rigorous assessment of the environmental impacts of the proposed development. To ensure that appropriate ESD measures are incorporated into the proposed development, the Department has recommended conditions requiring certification of a minimum 4 Green Star rating from the Green Building Council Australia or adoption of ESD measures equivalent to an accredited rating scheme to the satisfaction of the Planning Secretary. Subject to these conditions, the proposed development is consistent with ESD principles as described in Appendix Q of the Applicant’s EIS, which has been prepared in accordance with the requirements of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation).

Overall, the proposal is consistent with ESD principles, and the Department is satisfied the proposed sustainability initiatives will encourage ESD in accordance with the objects of the EP&A Act.

Environmental Planning and Assessment Regulation 2000

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

Planning Secretary's Environmental Assessment Requirements

The EIS is compliant with the Planning Secretary's Environmental Assessment Requirements (SEARs) and is sufficient to enable an adequate consideration and assessment of the proposal for determination purposes.

Section 4.15(1) matters for consideration

Table 4 identifies the matters for consideration under section 4.15 of the EP&A Act that apply to SSD in accordance with section 4.40 of the EP&A Act. The table represents a summary for which additional information and consideration is provided for in **Section 6** (Assessment) and relevant appendices or other sections of this report and EIS, referenced in the table.

Table 4 | Section 4.15(1) matters for consideration

Section 4.15(1) Evaluation	Consideration
(a)(i) any environmental planning instrument	The application satisfactorily complies. The Department's consideration of the relevant EPIs is provided in Appendix B of this report.
(a)(ii) any proposed instrument	The application satisfactorily complies with the relevant draft EPIs (see Appendix B).
(a)(iii) any development control plan (DCP)	Under clause 11 of the SRD SEPP, DCPs do not apply to SSD. Notwithstanding this, consideration has been given to relevant DCPs at Appendix B .
(a)(iiia) any planning agreement	Not applicable.
(a)(iv) the regulations <i>Refer Division 8 of the EP&A Regulation</i>	The application satisfactorily meets the relevant requirements of the EP&A Regulation, including the procedures relating to applications (Part 6 of the EP&A Regulation), public participation procedures for SSD and Schedule 2 of the EP&A Regulation relating to EIS.
(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	The impacts of the proposed development have been appropriately mitigated or conditioned - refer to Section 6 .
(c) the suitability of the site for the development	The site is suitable for the development as discussed in Sections 3, 4 and 6 .
(d) any submissions	Consideration has been given to the submissions received during the exhibition period. See Sections 4 and 5 .
(e) the public interest	The proposed development is in the public interest. Refer to Section 6 .

Biodiversity Conservation Act 2016

Under section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act), SSD applications are to be accompanied by a biodiversity development assessment report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values.

The impact of the proposal on biodiversity values has been assessed in the BDAR accompanying the EIS and considered in **Section 6** of this report.

5. Engagement

5.1 Department's Engagement

The Department publicly exhibited the application for a period of 28 days from 1 March 2019 until 28 March 2019. The application was exhibited at the Department on its website, at the NSW service centre and Central Coast Council offices.

The Department placed a public exhibition notice in the Central Coast Express Advocate on 28 February 2019 and notified adjoining landholders and relevant state and local government authorities in writing. The Department representatives visited the site to obtain an informed understanding of the development.

The Department has considered the comments raised in the public authority and public submissions during the assessment of the application (**Section 6**) and / or by way of recommended conditions in the instrument of consent at **Appendix C**.

5.2 Summary of Submissions

The Department received a total of 11 submissions, comprising 10 from public authorities (including Council), and one submission from a member of the public. No objections were received. A summary of the issues raised in the submissions is provided in **Section 5.3** and **5.4** and copies of the submissions in **Appendix A**.

5.3 Public authority submissions

A summary of the issues raised in the public authority submissions is provided at **Table 5** below and copies of the submissions in **Appendix A**.

Table 5 | Summary of public authority submissions to the EIS exhibition

Central Coast Council (Council)

Council raised no objection to the proposal, however provided the following comments:

- Council require SIDRA modelling to assess the traffic impacts of the proposal.
- On-street parking issues on residential street will result as a consequence of the proposal to implement paid parking across the hospital campus.
- The access proposed from Louisiana Road requires further clarification as to the intended access arrangements. Council is of the opinion that access from Louisiana Road should be for emergency vehicles only, if intended for public use appropriate upgrades to the road and intersection adjoining should be conditioned. In addition, appropriate signage should be provided to ensure correct access in and out of the site occurs.
- Due to increased parking and upgrades to delivery and emergency access, road safety within the campus and any new intersections should be reviewed for the construction period and the long-term operation of the campus.
- Council raises concern over the Transport and Accessibility Impact Assessment provided with the application, it's considered that this assessment does not comprehensively address or consider the requirements of the RMS (RTA) 'Guide to Traffic Generating Developments', the 'Austroads Guide to Traffic Management Part 12 Traffic Impacts of Development' and Council's 'Civil Design Guide'. The

Transport and Accessibility Impact Assessment has not appropriately addressed road safety and CPTED regarding the ongoing and long term operations.

- Reference to other guidelines are not included such as the Central Coast Transport Plan.
- Concerns raised in relation to the ecology report and its adequacy with the BDARs certification, Plant Community Type (PCT) selection and justification is not adequate and needs addressing. It is requested that a list of potential PCT's based on the Bionet vegetation classification system with logical steps and justifications. Information is missing from the vegetation integrity assessment. In addition, EESG guidelines have not been met for flora and fauna surveys and Councils preference is to have offsets secured within the Central Coast Local Government Area.
- The proposed removal of 287 trees is considered excessive and consideration should be given to a reduction in tree removal.
- Council opposes any further encapsulation of Asbestos Contained Material on site and any found during construction works should be disposed off-site at a license waste management facility.
- The scope of the REF approval issued in late 2017 requires further detail.
- Section 7.11 contributions should be levied and another section 305 application under the *Water Management Act 2000* be lodged with Council.

Air Services Australia

Air Services Australia advised that the proposal and crane operations would not affect relevant airspace procedures or communication, navigation or surveillance facilities.

Civil Aviation Safety Authority (CASA)

CASA identified that Warnervale Aerodrome is not registered or certified and therefore does not fall under CASA's regulatory framework. The proposal or cranes will not infringe an Obstacle Limitation Surface.

Environment Protection Authority (EPA)

EPA made the following recommended conditions:

- Appropriate sediment and erosion controls must be implemented to ensure that the construction activities do not result in the pollution of any waters, in contravention of section 120 of the *Protection of the Environment Operations Act 1997*.
- Any waste materials exposed or created associated with the construction works and proposed to be disposed of to an offsite location, must be classified in accordance with the EPA's Waste Classification Guidelines.
- All works must be carried out in accordance with the "Interim Construction Noise Guidelines" published by the Department of Environment and Climate Change NSW in 2009.

Environment, Energy and Science Group of the Department of Planning, Industry and Environment (former NSW Office of Environment and Heritage) (EESG)

EESG made the following comments / recommendations:

- Targeted surveys should be undertaken for candidate flora species in accordance with 'NSW Guide to Surveying Threatened Plants' (OEH) and at their appropriate seasonal survey times. If surveys are

not undertaken, an expert report should be prepared in accordance with section 6.5.2 of the Biodiversity Assessment Method (BAM) guidelines or the species should be assumed to be present.

- The Little Bent-wing bat entered as species credit species should be removed from the biodiversity assessment report and the credit calculator.
- The BDAR should assess whether the proposal will impact on the pale-headed snake and provide suitable justification if it is determined that there is no suitable habitat present.
- Table 6.2 be corrected with the correct area of 0.1 hectares for PCT 1728 'Swamp Oak – Prickly Paperbark – Tall Sedge swamp forest on coastal lowlands of the Central Coast and Lower North Coast'.
- Consideration and demonstration of how adjoining development (since the Porters Creek Floodplain Management Study), proposed roadworks and limited access to the hospital are impacted on by flooding. Also, model assumptions, inputs and outputs associated with the proposed on-site detention and water quality facilities for EESG to review.
- An Aboriginal Cultural Heritage Management Plan (ACHMP) be prepared in consultation with the registered Aboriginal parties and EESG to ensure that any potential or newly identified Aboriginal sites are appropriately managed and mitigated as required. The ACHMP must be completed and approved prior to any ground surface disturbance works being undertaken.
- Re-survey of the project area with the registered Aboriginal parties (RAPs) should occur following surface removal of vegetation. Aboriginal objects or sites identified during the re-survey are to be managed in accordance with the protocols for newly identified sites as per the ACHMP.

Heritage Division

The Heritage Division noted that there are no State Heritage concerns in relation to the proposed development.

NSW Rural Fire Service (NSW RFS)

The NSW RFS made the following recommendations:

- Appropriate management of asset protection zones, water and utilities and internal road access meet requirements of the *Planning for Bush Fire Protection 2006*.
- Preparation of a Bush Fire Emergency Management and Evacuation Plan.
- The design and construction of the proposed building elevations is to comply with the relevant section within the Australian Standard AS3959-2009 *Construction of buildings in bush fire-prone areas*.
- A minimum 1.8 metre high radiant heat shield made from non-combustible materials shall be constructed adjacent to the hazard to the south and west and located as shown in Schedule 1 – Bushfire Protection Measures as per the submitted bushfire report. The shield should be constructed of steel posts and rails and the bottom of the fence is to be in direct contact with the finished ground level of plinth.

Transport for NSW (Roads and Maritime Services) (TfNSW(RMS))

TfNSW(RMS) has reviewed the proposal and provides the following advice:

-
- TfNSW(RMS) is not supportive of the proposed amendments to Phase E (Pacific Highway northbound) and F (Pacific Highway southbound) signal timing and phasing at the hospital entrance, as the changes will result in reduced safety at the intersection. Capacity improvements required to mitigate the impact of this development should be further investigated and resubmitted to TfNSW(RMS) for further analysis, SIDRA files are also requested for review.
 - TfNSW(RMS) recommended that if the internal road connection with Louisiana Road is to be used for general access, then the performance of the Pacific Highway and Louisiana Road intersection is to be assessed as a consequence.

Transport for NSW (TfNSW)

TfNSW provided the following comments:

- The Applicant should consider the provision of an additional space at the bus terminus to accommodate additional bus services in future
- Clarification should be provided as to whether the potential hospital on road cycle link is part of the existing link, or if new works will be potentially undertaken to, create on-road cycling path.
- The Applicant should consider areas for future expansion of lockers if the demand for end-of-trip facilities increases as well as appropriate wayfinding and signage to enable staff in locating bicycle parking and end-of-trip facilities.

Sydney Water

Sydney Water advised that the development is located outside of Sydney Water's area of operations and therefore does not require assessment.

5.4 Public submissions

The one public submission received raised concern regarding the cladding materials to be used for the proposed new hospital building. The submission requested details of the cladding to ensure that combustible cladding was not to be used for this proposal. A copy of the submission can be viewed at **Appendix A**.

5.5 Response to Submissions

Following the exhibition of the application the Department placed copies of all submissions received on its website and requested the Applicant provide a response to the issues raised in the submissions.

On 7 June 2019, the Applicant provided an Response to Submissions (RtS) (**Appendix A**) on the issues raised during the exhibition of the proposal. This included the following:

- revised architectural plans
- revised landscape plans including additional tree planting
- revised BDAR
- revised civil plans
- updated Traffic Impact Assessment report
- updated site contamination review
- response to ecological matters raised by EESG and Council
- response to RFS
- flood Impact assessment report
- integrated Water Management Plan and Civil Design SSDA Report

- transport and traffic letter response
- response to contamination matters
- response to EESG heritage matters.

The amended plans incorporated the following:

- rationalization of the Level 3 building services plant arrangement.
- minor amendment to the fire trail layout, including provision of a roundabout to improve turning area for fire vehicles.
- inclusion of a covered pay station and walkway from the northern car park to the proposed new building.
- enhanced landscaping to the new service road.

In response to the public submission, the RtS details that the proposed development will be designed and constructed in accordance with the provisions of the Building Code of Australia and the National Construction Code (NCC) and will not utilise any combustible cladding.

The RtS was made publicly available on the Department website and was referred to the relevant public authorities. An additional six submissions were received from public authorities, including Council. A summary of the issues raised in the submissions is provided at **Table 6** and copies of the submissions may be viewed at **Appendix A**.

Table 6 | Summary of public authority submissions to the RtS

Council

Council provided the following comments:

- road safety risks are to be appropriately considered and a road safety audit within the hospital campus should be undertaken.
- the proposed paid parking scheme will create significant issues, with demands on on-street parking increasing as a consequence.
- an alternative design for the central median proposal (right turn lane) is requested as it will impact flood flows and cause greater safety issues.
- further encapsulation of Asbestos Contaminated Material (ACM) on site is not the preferred remediation measure.

EPA

The EPA made reference to previous advice provided regarding encapsulation of further ACM onsite. The EPA continue to support Council's submission that encapsulation of ACM onsite is not a preferred method and that further ACM should be lawfully removed and disposed of offsite.

EESG

EESG reviewed the RtS and raised no further concerns or comments in relation to biodiversity and flooding. EESG recommended conditions of consent for Aboriginal cultural heritage management plans and re-survey of the project area with the registered aboriginal parties after surface removal of vegetation.

TfNSW(RMS)

RMS reviewed the updated Transport and Accessibility Impact Assessment as well as the SIDRA Intersection files and were not satisfied with the capacity improvements required to mitigate the impact on the Highway. RMS therefore requested that this should be further investigated and resubmitted for review.

TfNSW

TfNSW acknowledged the response to submissions and advised that no further comments are provided.

5.6 Additional Information

On 12 July 2019, agency comments on the RtS were sent to the Applicant for review. A response was received from the Applicant on 18 July 2019, providing the following additional information:

- updated SIDRA modelling.
- updated survey plan.
- response to request for additional information from Council, DPIE and TfNSW(RMS).

These documents were forwarded to Council and TfNSW(RMS) for comment on 18 July 2019.

Table 7 | Summary of public authority submissions to the Additional Information request

TfNSW(RMS)

TfNSW(RMS) reviewed the updated TAIA and the submitted SIDRA Intersection files. TfNSW(RMS) provided the following comments and recommendations:

- no improvement works are required to the intersection of Pacific Highway/Craigie Avenue/Hospital Entrance for the current development.
- the intersection operates poorly under the 2028 scenario, with or without development, and as such 'a post operational intersection analysis should be undertaken ahead of any further development' on the hospital site (beyond the current proposal) and be provided to RMS for review prior to implementation.

Council

Council reviewed the response to additional information and raised the following concerns:

- a road safety audit should be carried for projects where a short driveway leads to a parking area of 10 spaces. Council determines that for this project the development proposal far exceeds these requirements and a road safety audit is therefore required.
- a development of this type requires a detail design and pre-opening road safety audit.
- the location of the pedestrian crossing in conjunction with the reversing vehicles from the 15 minute waiting area has been identified as a significant crash risk and this requires amendment.

-
- as an extension of the right turn lane into the hospital is not proposed, queuing is expected to increase and consideration of this intersection performance should be addressed.
 - Council is awaiting complete detail designs of the items requested in an email to TTW dated 12 April 2019 consisting of:
 - the progressive catch drain capacity and catchment area to demonstrate flows are contained and not discharged along the access road and to Louisiana Road.
 - levels and details of kerb returns, vehicle turning paths, watermain replacement design and impacts to other service utilities, pipelines etc. which are required for review and approval prior to start of works.
 - the new access road is not to provide public access and should include appropriate signage.
 - restoration / interface with existing pavements and structures.
 - dilapidation survey and traffic control proposals for the works.
 - traffic proposal to manage impacts on traffic, bicycle and pedestrian movements.

The Department has reviewed the comments raised by Council and determined that further information provided by the Applicant and recommended conditions address Council concerns.

Regarding the Council issues raised with the pedestrian crossing, the Applicant has subsequently provided further amended plans which have removed the car space that required manoeuvring over the crossing. The loss of this single space does not affect the overall number of car spaces provided on site as it is a 15 minute drop-off/pick-up space.



6. Assessment

The Department has considered the EIS, the issues raised in submissions and the Applicant's RtS in its assessment of the proposal. The Department considers the key issues associated with the proposal are:

- built form and urban design.
- traffic, road safety and parking.
- biodiversity and tree removal.
- noise and vibration.

Each of these is discussed in the following sections of this report. Other issues taken into consideration during the assessment of the application are discussed at **Section 6.5**.

6.1 Built form and urban design

The Applicant advises that the proposed design was developed in consideration of the key design principles including:

- an architectural form that is flexible and supports future growth.
- supporting greater integration to the existing precinct.
- consideration of local context through height, bulk, scale and setback.
- equitable access to the precinct for all.
- clarification of links between public and private modes of transport for the public and staff.

The Applicant states that the proposed Clinical Services Building (CSB) has been situated on the site in accordance with the preferred master plan option (development by the Applicant and the local health district in support of the business case for the subject development), which placed the new hospital building on a 'western' site, to connect to existing thoroughfares, enable high amenity, reduce disruption to the existing hospital services during construction and situated to enable future improvements to the hospital campus.

The proposed building would be six storeys (RL 44.45) in height including an undercroft carpark (Level 1), CSB entrance (Level 2) and four storeys (Levels 3 to 6) of two parallel wings which create a reverse 'C' shape extending to the west (see **Figure 13**). The proposal is situated immediately west of the existing hospital Block A building. The location enables the integration between the new CSB and Block A of the existing hospital through a pedestrian bridge running east to west. The proposed buildings placement is designed to allow for the optimal use of natural heating and cooling.

The overall height of the new CSB would be 10.21m taller than the existing Block A and would serve as a wayfinding reference on the campus. The proposed building has been designed to allow for maximum operational efficiency. Landscaped areas and courtyards will provide public seating and visual connection to the landscape as well as integrative art as wayfinding elements (within the podium and asset protection zone).



Figure 13 | Indicative building layout and siting (Source: Applicant's EIS)

In response to the exhibition of the EIS, the Government Architect NSW (GA NSW) raised a number of queries in relation to: the vertical shading devices to the east and west facades; the heat-gain and glare control for the north façade; and the provision of including a shelter structure or covered way along the path of travel from the north carpark to the entry (could include the car parking pay station), which would allow patients and visitors to seek refuge from inclement weather. GA NSW advised that the Applicant had generally adhered to comments made through the State Design Review Panel (SDRP) process. In its comments on the EIS, TfNSW also requested the Applicant consider the provision of an additional bus space at the bus terminus and an area for future bicycle lockers and end-of-trip facilities should demand increase.

In response to the design issues raised above, the Applicant incorporated a covered car parking pay station into the design (see **Figure 14**), and included details of the vertical shading devices to be applied to the east and west facades to mitigate heat gain. The Applicant also detailed that high performance insulated glazing units would be used to manage heat gain on the north façade. The coating on the glazing dissipates high energy solar radiation entering through the glazing, and internal roller blinds provide glare control as well as privacy. The Applicant also provided detail of a future bus bay location in the precinct and a location for future end-of-trip facilities.

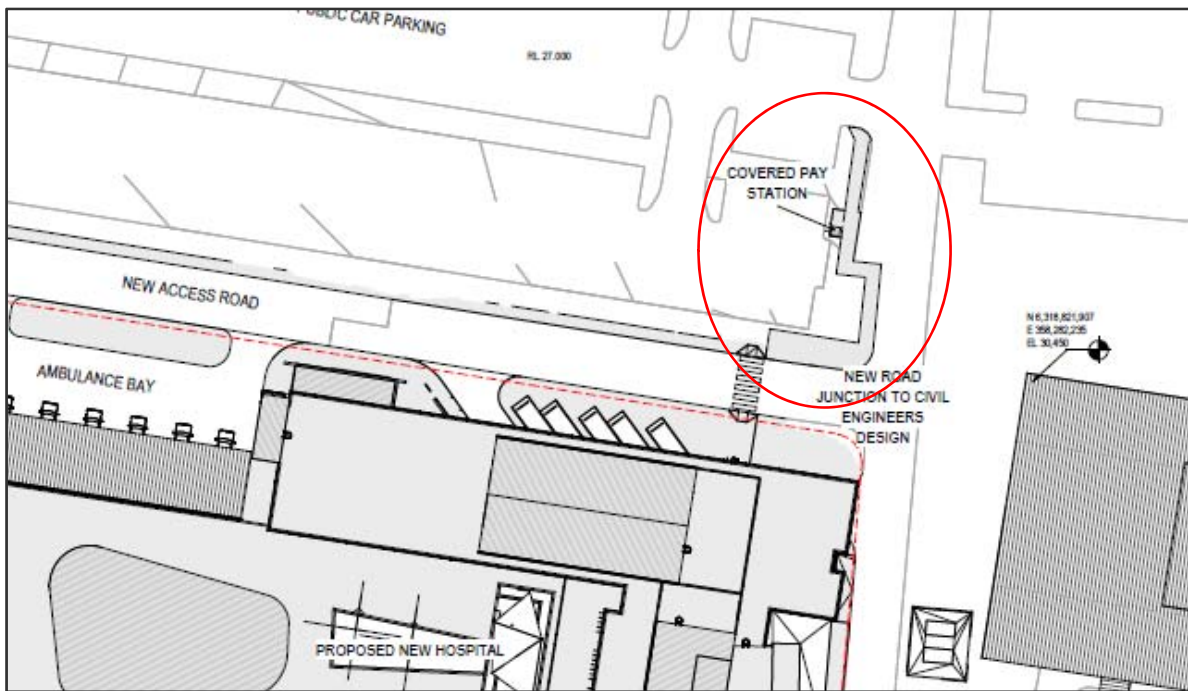


Figure 14 | Location of covered pay station (Source: Applicant’s RtS)

GA NSW reviewed the RtS and advised that the Applicant has satisfactorily responded to the issues previously raised.

The Department has reviewed the comments made by GA NSW and the information provided by the Applicant in the RtS and considered the revised design within the context of the surrounding built form. Whilst recognising that the proposed building would be taller than the existing surrounding development, the Department concludes the proposal would be acceptable on the following basis:

- the building would be located to the west of the existing hospital, with landscaping surrounding the building and extensive setbacks to the site boundaries. The building will be viewed within the context of the wider hospital site, with existing buildings and landscaping offering a visual transition to the taller built form.
- the taller and more prominent built form is appropriate given the importance of the hospital as a facility of regional significance and the location in the CCLHD.
- view analysis from key public viewpoints undertaken by the Applicant in support of the proposal has demonstrated that, due to existing background development, vegetation, and the topography of the site, the development will have a low impact from all vantage points.
- the proposed design incorporates architectural design features to provide visual interest and minimise the massing of the building including modulation, articulation and the incorporation of materials, colours and finishes that reflect the natural environment.
- surrounding residential properties are sufficiently separated from the proposed building and overshadowing would not extend outside of the site.
- the proposal elevates the presence of the hospital in the locality with an easily identifiable emergency main entrance, improved wayfinding and connection to main hospital buildings.
- the built form is consistent with typical hospital building design that maximises efficiency through vertical alignment of functions and services and modulates the building to reduce the visual mass.

- the larger form allows for the consolidation and expansion of services in a fit-for-purpose building with improved connections to the existing hospital building that would allow for improved functionality.
- the site is not subject to a maximum building height control or maximum floor space ratio under the Wyong Local Environmental Plan (WLEP).

6.2 Traffic, parking and road safety

Access and Road Safety

The EIS included a Transport and Accessibility Impact Assessment (TAIA). The subject site currently has access for public and emergency vehicle via the Pacific Highway/Craigie Avenue intersection. The proposed development seeks to formalise an existing construction vehicle entrance (running east-west) to a permanent entry for emergency vehicles, to separate the movements of emergency vehicles and improve user safety within the hospital campus (see **Figure 15**). This formalisation will connect the Hospital to Louisiana Road west of the campus. There is a provision for the inclusion of a drop-off and pick-up bay to the new emergency department. This drop-off and pick-up area will include angular parking for increased safety of pedestrians entering the building.

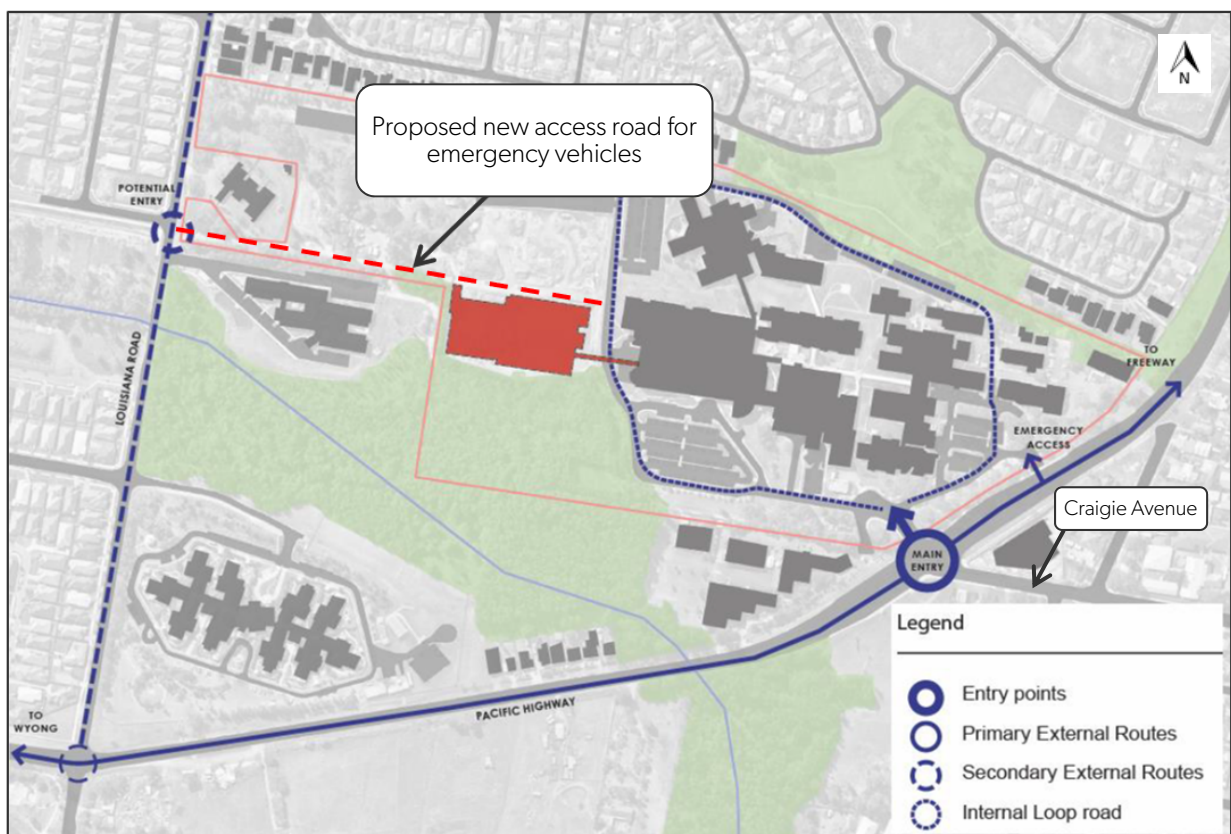


Figure 15 | Existing and proposed access arrangements (Source: Applicant's RtS)

Under traffic scenarios, a decrease in the Pacific Highway/Craigie Avenue intersection performance by 2028 is estimated. To manage this decrease in performance the TAIA suggests modification to signal phasing and timing parameters at the intersection to allow for additional through movements.

During the exhibition of the EIS, Council and TfNSW(RMS) raised concern with the traffic and intersection performance associated with the hospital site entrance. TfNSW(RMS) noted the TAIA identified that with the addition of the CSB, the traffic control signals (TCS) intersection of Pacific Highway, Craigie Avenue and the hospital main entrance would operate poorly in the AM peak. TfNSW(RMS) had concerns regarding the proposed changes to the phasing of existing traffic signals as they would potentially result in reduced safety at

the intersection (the existing phasing at the intersection is optimal for the safety and efficiency of the intersection). Additional concern was raised regarding the new access connection to Louisiana Road. TfNSW(RMS) commented that the Pacific Highway/Louisiana Road intersection currently operates poorly and have placed restrictions on development that would use Louisiana Road until the intersection is upgraded. It was therefore requested that the impact of the second hospital access on the intersection be assessed. TfNSW(RMS) also recommended that capacity improvements to mitigate the impact of this development should be further investigated and submitted to TfNSW(RMS) for further analysis.

In its comments on the EIS, Council raised concern with road safety within the hospital campus, identifying that the site is a mix of traffic environments and a review of road safety for the long term operation and construction of the facility is required. Council also requested that a road safety audit be undertaken due to the scale of the development and the generation of more than 50 car spaces.

The TAIA was subsequently updated in the RtS to address the concerns of TfNSW(RMS) and Council. The updated TAIA identified that the main hospital access will be maintained via the existing Pacific Highway intersection, leading to the one way ring road which services the entire hospital campus. This ring road will provide access to the new undercroft car parking proposed, which is accessed by turning left from the ring road. Additional access is still proposed to the site by way of formalising the east-west road connection to Louisiana Road, however this road will provide access for pedestrians and emergency vehicles only (controlled by appropriate signage). The Department is also recommending a condition be imposed on any consent restricting this access to emergency vehicles only.

The updated TAIA and supporting documents were reviewed by TfNSW(RMS), who were satisfied that no improvements were required to accommodate the current development at the intersection of Pacific Highway/Craigie Avenue/Hospital Entrance. However, as this intersection operates poorly under the 2028 scenario with or without the subject development, TfNSW(RMS) requested that the Department require a post operational intersection analysis prior to any further development on the hospital site to determine traffic conditions and the level of service of the intersection of the Pacific Highway/Craigie Avenue/Hospital Entrance. The Department is unable to impose a condition on the current proposal relating to future development of the site, so an advisory note has been recommended in this regard.

Council reiterated that there was significant risk to pedestrians associated with the 15 minute parking bays in the emergency area, which requires vehicles to reverse over the adjacent pedestrian crossing. The view is also obstructed by a supporting pylon creating increased risk with this vehicle movement (see **Figure 16**).

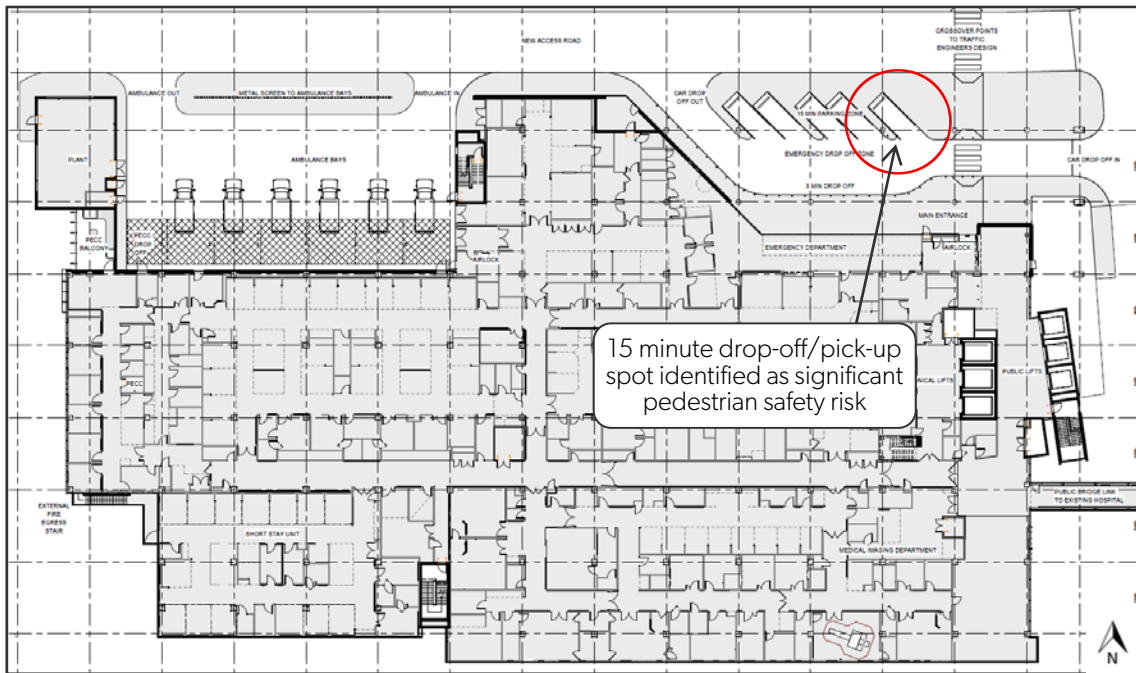


Figure 16 | Level 2, 15 minute drop off/pick up zone (Source: Applicant’s EIS)

Updated plans were provided by the Applicant removing the problematic car space. The Department is satisfied that Council’s concerns have been resolved and pedestrian safety is maintained. Further, the Department has recommended a condition of consent requiring the Applicant to undertake a road safety audit within three months of commencement of operation of the CSB (and undertake any rectification works if required). This will ensure that the proposed design will not cause significant risk to patients, visitors and staff.

Operational parking

There are a total of 1,110 car spaces currently available within the hospital campus. Car parking provided underneath the new CSB building will consist of 108 spaces (see **Figure 17**), meaning that a total of 1,218 spaces will be available post construction.

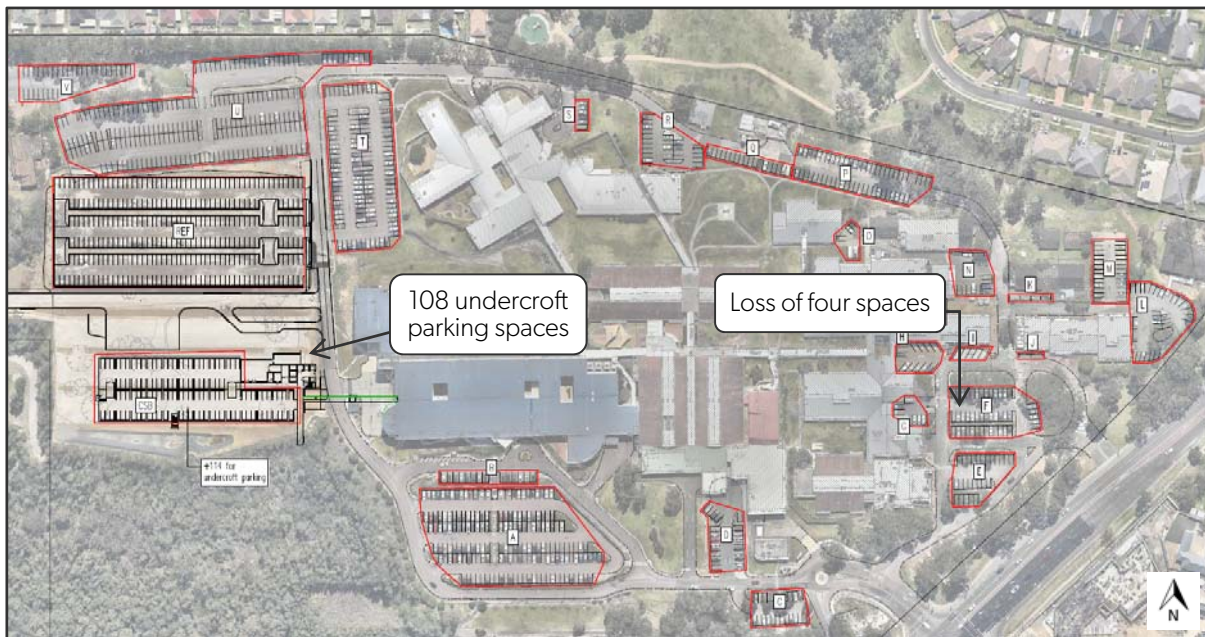


Figure 17 | Existing and proposed car parking on-site (Source: Applicant’s EIS)

Approximately 1,643 employees and 432 beds are expected to be in operation once the project is completed. Taking into consideration future growth and capacity, the hospital is expected to accommodate 2,010 employees and 480 beds by the year 2026/27. Council's car parking DCP requires the provision of 1,038 spaces at completion of the proposal, and by 2026/27 the total number of car spaces is required to be 1,245.

The updated TAIA identified that the campus demand by project completion will be 1,074 spaces, with a projection of 1,262 spaces when fully operational. With the proposed capacity expectation of 1,262 spaces by 2026/27, the car parking provided onsite will be in deficit of 44 spaces. As per the Applicant's EIS, it was observed that staff and visitors utilise approximately 150 temporary/'informal' gravel parking bays. During construction these informal spaces are expected to be used as construction vehicle parking. Once construction is completed, these spaces can be expected to provide for the future deficit in spaces as well as expected changes in travel habits over time (i.e. greater uptake of alternative forms of transport other than car).

A condition has been recommended requiring the formulation of a parking management strategy to ensure that the construction car parking doesn't significantly affect the number of car spaces available to patients and visitors.

The Department is therefore satisfied that sufficient car parking can be provided on site to accommodate for the hospital capacity at completion of the development.

Paid Parking Scheme

The proposal seeks to install boom gates and establish a paid parking scheme to encourage a higher turnover of visitor parking throughout the day, ensuring that parking is available for more hospital users when required. The parking scheme introduced is expected to be priced as per the NSW Health's policy for parking on public hospital campuses.

The Applicant's EIS states that there are also alternative modes of transport in the vicinity of the hospital. Multiple bus routes service the hospital stopping at the existing main entry on the Pacific Highway, two train stations in close proximity are linked to the hospital via bus services. Members of the public also have the option of booking a community bus service which will enable direct transport from their homes to the hospital.

In response to the exhibition of the EIS, Council and the Department advised that it had concern over the introduction of the boom gates and paid parking. Council advised that the introduction of the paid parking would result in significant impact on the adjoining road network, especially due to the site's close proximity to Kanawal Public School and the new Private Hospital (see **Figure 18**). Council is concerned that users of the hospital who presently park on campus for free will park on surrounding streets to avoid paying parking fees. Council also stated that this behavioural shift was occurring around the newly developed Gosford Hospital, which has also adopted paid parking. The Department also requested further justification for the introduction of boom gates and paid parking considering that 90 per cent of staff, patients and visitors currently travel to and from the site by private vehicle as per the TAIA, and no improvements to public transport options are proposed.

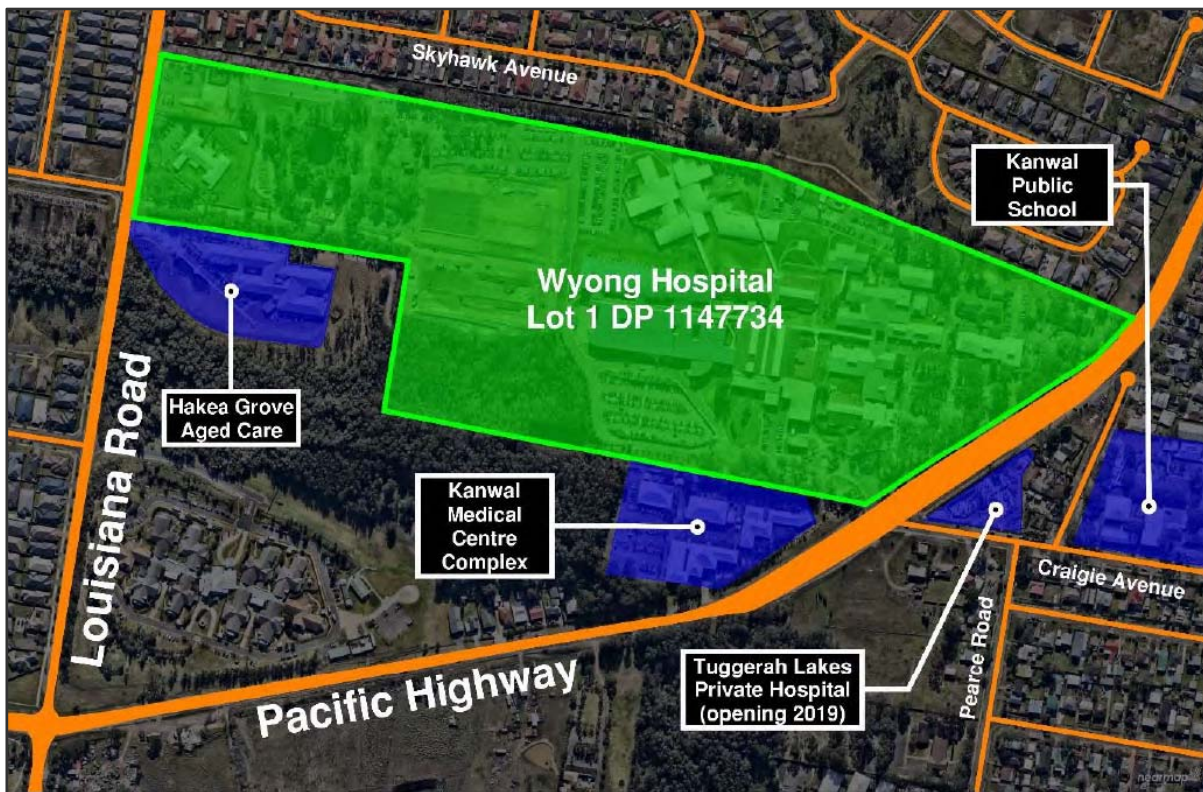


Figure 18 | Road network and surrounding uses potentially affected (Source: Applicant's RtS)

The TAlA identified that private vehicle usage is the main mode of transport to the hospital from a 2015 travel survey. A Green Travel Plan (GTP) was submitted as part of the EIS, which provides a review of existing facilities and travel habits to encourage active and sustainable behaviours. The GTP identifies that there is appropriate public transport currently servicing the site in the form of cycling facilities and multiple bus services operate in and around the hospital. Therefore, the Department is satisfied there are appropriate public transport options available to the site which allows the opportunity for changed travel habits.

In response to the Department's concerns regarding the installation of boom gates, the Applicant states that the paid parking scheme is consistent with the NSW Government state wide policy to provide pricing for car parking that supports: funding and operation of new hospital car parks; equitable, transparent and sustainable accessibility to health campuses for all users; and the parking needs of patients and visitors on-site. The fees are expected to be weekly payments for staff and hourly fees for the public. The Applicant's RtS also identified that the paid parking would promote visitor turnover throughout the day ensuring there are more spaces made available.

The Department understands that the NSW Health policy for parking promotes paid parking, however due to the hospital's regional location, a condition is recommended requiring the formulation and implementation of a Car Parking Management Strategy with three months of commencement of use of the new CSB. The Strategy is required to be prepared in consultation with Council and must address: on-street car parking management, including details of any supporting infrastructure required for the proposed management measures; measures to promote the continuing use of on-site parking for hospital users, including the implementation of a transitional period of reduced paid parking rates for staff and visitors; and responsibilities for the implementation and enforcement of the measures.

The Department is satisfied that the paid parking scheme can be appropriately introduced, ensuring that on-site car parking is well utilised and the impacts on on-street parking are minimised in nearby residential areas.

6.3 Biodiversity and tree removal

The Tree Assessment Report accompanying the EIS identified that 533 trees were assessed on and around the development site and that 143 are located within the building footprint, proposed road and Asset Protection Zone (APZ) zone. These 143 trees are proposed for removal regardless of their safe useful life expectancy (SULE) rating. Due to a poor SULE rating, an additional 144 trees are recommended for removal within the CSB surrounds. Of the 34 trees that are considered visually prominent (as identified in the Tree Assessment Report), 26 are proposed to be removed. While 13 trees were found to contain habitat attributes such as hollows, nest boxes, possum dreys or foraging resources, only three of these trees are proposed to be removed. No trees of heritage significance are proposed for removal. Over the development site there will be retention of 246 trees and a loss of 287 trees (see **Table 8** for a breakdown).

Table 8 | Trees to be removed / retained on development site (Applicant’s EIS)

Trees removed due to development regardless of SULE	143	26.82%
Trees removed for very poor SULE 4a to 4f <u>only</u> – unsafe	24	4.50%
Trees removed for poor SULE ratings <u>only</u> – safety or nuisance 2b and 3b	5	0.94%
Trees removed for competition <u>some</u> SULE 3a	17	3.19%
Trees with a short life expectancy despite remedial works SULE 3d	17	3.19%
Trees removed for suppression, crowding and other reasons	81	15.19%
Trees to be retained	246	46.15%
Total	533	100%

The proposed development requires a 55m APZ to the perimeter of the building with the provision of a road access for fire-fighting, as the site is identified as bushfire prone land.

During exhibition of the EIS, Council raised concern with the excessive number of trees proposed for removal. In addition, the Department also requested that the Applicant provide further justification to support the tree removal, additional planting to offset the tree loss and landscape plans detailing planting along the western access connecting to Louisiana Road.

The Applicant’s RtS identified that under the *Rural Fires Act 1997*, further tree retention is not feasible as this would directly conflict with bushfire requirements of the development. The removal of vegetation is primarily for the establishment of a 55m APZ to surround the proposed development, which will include road access for firefighting. The Applicant stated that reducing the footprint of the CSB is not feasible as the CCLHD would not be able to provide all the clinical services required to meet the demand for the services across the hospital’s catchment. In addition, locating the CSB further north would result in a loss of operational efficiency on the campus. The Applicant has proposed the addition of 46 new trees at the subject site and updated landscape plans demonstrating planting along the access connecting to Louisiana Road (see **Figure 19**).



Figure 19 | Proposed planting onsite (Source: Applicant's RtS)

One threatened ecological community – *swamp oak floodplain forest of the NSW North Coast/Sydney Basin and South East Corner bioregions* – was identified on site. This threatened ecological community is addressed in the Biodiversity Development Assessment Report (BDAR). The BDAR concluded that the proposal will not result in serious and irreversible impacts to vegetation as a result of clearing.

The Department is satisfied that the removal of trees is necessary to maintain the APZ requirements ensuring the proposed development is as safe as possible during a bushfire and the additional planting proposed along the new access road to offset tree loss is suitable.

The BDAR submitted with the EIS identified that the proposal would potentially impact four state listed threatened fauna species under the Biodiversity Conservation Act (BC Act) including the East-coast freetail bat, Eastern Bentwing-bat, Little Bentwing-bat and greater Broad-nosed Bat, two threatened flora species including *Eucalyptus camfieldii* and *Tetraloche juncea* and one threatened ecological community (TEC) Swamp Oak Floodplain Forest (SOFF).

Across the entire Wyong hospital campus an additional five state listed threatened fauna species were recorded in 2017 which included the White-bellied Sea Eagle, Powerful Owl, Scarlet Robin, Grey headed Flying-fox and large-footed myotis.

Under section 7.14 of the BC Act, a Biodiversity Offsets Scheme (BOS) is required and biodiversity offsets are mandatory. As per the BDAR, the proposal impacts include:

- removal/modification 0.106 ha of Plant Community Type (PCT) 1728 / TEC vegetation (SOFF)
- removal/modification 0.989 ha of PCT 1636 / quality non-TEC vegetation
- up to 0.793 ha loss of vegetated habitat for threatened species
- subsequent removal of threatened fauna species foraging habitat.

During the exhibition of the EIS, Environment, Energy and Science Group of the Department of Planning, Industry and Environment (former NSW Office of Environment and Heritage) (EESG) identified concerns with the BDAR. It was identified that flora targeted surveys had not been undertaken in accordance with the Biodiversity Assessment Method (BAM) as part of the assessment. Updated surveys were requested to be undertaken in accordance with 'NSW Guide to Surveying Threatened Plants' (OEH 2016) and at their appropriate seasonal survey times. If surveys are not undertaken, an expert report must be prepared in accordance with Section 6.5.2 of the BAM guidelines or the species must be assumed present. EESG also requested that the Little bent-wing bat 'species credits' should be removed from the assessment and the credit calculator and justification as to why the pale-headed snake should not generate species credit. The BDAR should also assess the proposals potential to impact on the pale-headed snake and provide suitable justification if no suitable habitat is present.

Additionally, EESG recommended that the BDAR be amended to correct table 6.2 to identify the correct area of 0.1 hectares for PCT 1728 'Swamp Oak – Prickly Paperbark – Tall Sedge swamp forest on coastal lowlands of the Central Coast and Lower North Coast'.

Council also raised concern about the BDAR not being certified as BAM compliant regarding timeframes under the BC Act, the PCT selection and justification is not considered adequate and information is missing from the vegetation integrity management and vegetation integrity scores for each zone. Surveys in the BDAR were not conducted in accordance with EESG guidelines.

In response to EESG concerns, the Applicant submitted an updated BDAR in the RtS. The BDAR included surveys at appropriate seasonal times for each species, however for some species there was no suitable habitat and therefore surveys were not conducted. The justification provided by the Applicant to exclude the Pale-headed snake from the species credits was because the species is unlikely to occur within the study area due to its coastal location and the species is unlikely to be impacted by the proposal. The little Bent-wing bat was removed from the BDAR as its breeding habitat is not present and therefore not classified as a 'species credit' and table 6.2 was amended to correct the area of PCT 1728 'Swamp Oak – Prickly Paperbark – Tall sedge swamp forest on coastal lowlands of the Central Coast and Lower North Coast' to 0.1 hectares. Council's concerns with the BDAR were addressed in the updated BDAR supplementary to the RtS.

The offset credits in **Table 9** are proposed for the subject site.

Table 9 | Species credit summary (Updated BDAR as per Applicant's RtS)

Species	Area (ha)	Biodiversity Risk Weighting	Credits
<i>Cryptostylis hunteriana</i>	0.7	2	13
<i>Eucalyptus camfieldii</i>	0.7	2	13
<i>Persicaria elatior</i>	0.1	1.5	1
Large-eared Pied Bat	0.8	3	20
Southern Myotis	0.8	2	14

EESG was satisfied that its biodiversity concerns had been appropriately addressed by the Applicant and raised no further concerns based on the documents submitted as part of the RtS.

The Department is satisfied that EESG concerns were addressed, the proposal will not cause serious and irreversible impacts on threatened biodiversity and under the BC Act Section 6.12 the biodiversity credits and values for the subject site have been appropriately addressed.

6.4 Noise and vibration

The proposed development has the potential to cause adverse noise and vibration impacts on surrounding properties during construction and operation as a result of construction activities, operational plant and equipment and increased traffic in the area.

The EIS included an Acoustic and Vibration assessment which considered the potential impacts of on-site noise and vibration sources on the closest residential receivers (including the adjoining aged care and rehabilitation centre). These included: the residential properties on Skyhawk Avenue north of the site; residential properties along Louisiana Road to the south-east of the site; residential properties along Pacific Highway south of the site; an aged care facility located on the eastern property boundary; and a rehabilitation centre north west of the site.

Noise monitoring was undertaken along the property boundary between the site and the adjoining aged care facility to quantify the existing acoustic environment at the site. The monitoring occurred between Saturday 15 September and Sunday 23 September 2018.

The Rating Background Levels (RBL) determined ranged between:

- 41-43 dBA on weekdays and 35-38 on weekends for the daytime period.
- 34-36 dBA for the evening period (except for Friday evening where it was 40dBA).
- 31-34 dBA for the night-time period (except for Monday 17, which excluded data due to rain, where the RBL was 37 dBA).

The NSW Noise Policy for Industry (NSW NPI) identifies specific time periods, which were utilised to measure ambient noise levels. As depicted in **Table 10** the intrusive and amenity criteria for noise emissions derived from the measured data is presented.

Table 10 | External noise level criteria in accordance with the NSW NPI

Location	Time of Day	Project Amenity Noise Level, LAeq, period ¹ (dBA)	Measured LA90, 15 min (RBL) ² (dBA)	Measured LAeq, period Noise Level (dBA)	Intrusive LAeq, 15 min Criterion for New Sources (dBA)	Amenity LAeq, 15 min Criterion for New Sources (dBA) ^{4,5}
Residences	Day	50	41	51	46	53
	Evening	40	36	42	41	43
	Night	35	34	42	39	38
Hospital Ward (External)	All	45	-	-	-	48

Note 1: Project Amenity Noise Levels corresponding to "Suburban" areas, equivalent to the Recommended Amenity Noise Levels (Table 3) minus 5 dBA

Note 2: LA90 Background Noise or Rating Background Level

Note 3: Project Noise Trigger Levels are shown in bold

Note 4: This is based on the assumption that the existing noise levels are unlikely to decrease in the future

Note 5: According to Section 2.2 of the NSW NPI, the LAeq, 15 minutes is equal to the LAeq, period + 3 dB

Construction noise

The Interim Construction Noise Guideline (ICNG) outlines the process of establishing noise management levels (NMLs) to minimise construction noise impacts on sensitive receivers. The Acoustic and Vibration assessment determined the NMLs for sensitive receivers based on the measured background noise levels.

The Applicant proposed the following construction hours in accordance with the EPA Interim Construction Noise Guideline:

- Monday to Friday - 7am to 6pm
- Saturdays - 8am to 1pm
- Sunday and Public Holidays - No work.

Construction noise will have the greatest impact on the existing hospital buildings Block A and Block F, the rehabilitation facility and Hakea Aged Care facility. The construction of the access road, excavation and piling works, erection of structure, and façade installation have the potential to exceed the 'highly noise affected' threshold of 75db(A) depending on the proximity of the noise sources to the receivers.

The Acoustic and Vibration assessment report determined that a Construction Noise and Vibration Management Plan (CNVMP) should be developed to manage the noise and vibration impact onto the potentially affected receivers with the following site specific mitigation measures:

- detailed construction program.

- best practice noise mitigation measures by:
 - maximising the offset distance between plant items and nearby noise sensitive receivers.
 - prevent noisy plant working simultaneously.
 - minimising consecutive works in the same site area.
 - orienting equipment away from noise sensitive areas.
 - carry out loading and unloading away from noise sensitive areas.
- vibration mitigation measures.

The Department is satisfied that with sufficient mitigation measures in place, the construction of the proposed development will not result in unreasonable impacts on neighbouring receivers. To ensure mitigation is achieved, the following conditions are recommended:

- a Construction Environmental Management Plan is to be prepared prior to the commencement of construction.
- a Construction Noise and Vibration Management Sub-Plan (CNVMSP) must be prepared by a suitably qualified expert which includes:
 - procedures in accordance with the EPA *Interim Construction Noise Guideline*.
 - consultation with the affected community, to manage high noise generating impacts.

Subject to the recommended conditions, the Department considers the noise and vibration impacts of the construction phase can be sufficiently managed.

Operational noise

In regards to the operational noise impacts of the development, the Acoustic and Vibration assessment determined the acoustic impacts on the existing hospitals operation are impacted by the following noise sources:

- traffic and vehicular noise onsite and from public roads.
- external and internal noise emissions.
- mechanical plant generated noise.

The noise emissions predicted for the above noise sources were found to comply with the relevant EPA guidelines and there is no perceptible change to existing noise levels emitted as part of the operation of Wyong Hospital.

Due to the location of the CSB, the majority of the residential receivers are a significant distance away, as such the proposed development being compliant with the EPA Noise Policy for Industry 2017 for vehicular noise across all hospital functions. The proposed development was also found to not result in an increase in existing road traffic noise levels by more than 2dB(A). It was recommended in the Acoustic and Vibration assessment that a detailed review of mechanical plant items is to be undertaken once plant is selected, and the operational measures should be confirmed and developed further during the detailed design stages of the project.

The Department is satisfied that adequate noise mitigation of the mechanical plant can occur subject to the conditions of consent which require:

- prior to installation of mechanical plant and equipment, the Applicant must incorporate the noise mitigation recommendations in the Acoustic and Vibration Assessment into the detailed design drawings.

- prior to the commencement of operation, the Applicant must submit evidence to the Certifying Authority that the noise mitigation recommendations in the Acoustic and Vibration Assessment and all reasonable and feasible noise mitigation measures have been incorporated into the design to ensure the development will not exceed the recommended operational noise levels identified in the Environmental Noise Assessment.

Therefore, the proposal is considered to result in acceptable noise and vibration impacts subject to the satisfaction of appropriate conditions of consent.

6.5 Other Issues

The Departments consideration of other issues is provided at **Table 11**.

Table 11 | Summary of other issues raised

Issue	Findings	Recommended Condition
Contamination	<p>The proposed CSB development is located outside previously identified Areas of Environmental Concern and remediation is not sought as part of this application. However, remediation works were previously carried out on adjacent to the development site under an REF.</p> <p>The Department identified that the submitted documentation adopts commercial/industrial criteria in considering the suitability of the site for hospital purposes. Given that sensitive persons such as children, the elderly and those that are unwell would be frequent users of the site, the more sensitive residential criteria should be used in the assessment of contamination and determination of site suitability.</p> <p>Council and EPA identified concern with the encapsulation of Asbestos Contaminated Material (ACM). Continuing to propose the management of Asbestos contaminated material on site would characterise this as ancillary and a waste management facility.</p> <p>The Applicant's RtS addressed Council and EPA's concerns including a detailed response identifying previous encapsulation works were undertaken during the construction of the at grade car park under an REF approval. Further, the encapsulation of ACM is not "waste" as defined under the Protection of the Environment Operations Act 1997 or the Protection of the Environmental Operations Waste Regulations 2014. The material was already present onsite and not surplus or deposited to the site. Any material proposed for off-site disposal will be considered "waste" and will therefore need to be managed in accordance with the POEO (Waste) Regulations.</p> <p>In response to the Departments concerns, the data obtained from the Site Contamination Review</p>	<p>The Department has recommended the following conditions:</p> <ul style="list-style-type: none"> • a Construction Environmental Management Plan be prepared for during earthworks. • an unexpected finds protocol incorporated to manage potential contamination, should it be uncovered. • a site audit report and site audit statement demonstrating the site is suitable for the proposed use.

demonstrated no exceedances of the revised site assessment criteria for the contaminants of potential concern resulting in soil that is therefore suitable for Residential A (low-density residential) land use.

The Department is satisfied that the site will be suitable for the proposed use in accordance with the requirements of SEPP 55. Remediation has been carried out under a separate assessment pathway and the Applicant will be required to submit to the Department a Site Audit Report and a Site Audit Statement demonstrating that the site, in its remediated state (including any encapsulation of ACM), has been made suitable for the proposed health care use.

Bushfire

Part of the hospital campus is mapped as bush fire prone land on Councils Bush Fire Prone Land Map. Under the *Planning for Bushfire Protection 2006*, the proposed development is considered 'infill' special fire protection purpose development.

The proposed building is located close to bushfire prone vegetation and a portion of the building is within the buffer zone. An Asset Protection Zone (APZ) of 55m is to be established and the inclusion of a fire trail is integrated into the landscape plan.

The Department notes the bushfire assessment included in the EIS, the advice provided by the NSW RFS and the RtS comments.

The Department is satisfied that appropriate bush fire protection measures are proposed for the development and will be conditioned within the consent.

The Department has recommended conditions to require implementation of the NSW RFS suggested bush fire protection measures.

Flooding

Flood mapping submitted with the EIS identified probable maximum flood extent on the development site based on the 2013 Porters Creek Floodplain Management Study.

During the exhibition, EESG requested the flood extent of the site should be reconsidered taking into account the adjoining development constructed since the Porters Creek Floodplain Management Study. Further details of the on-site detention and water quality management input and outputs are to be provided as well as model assumptions. EESG also requested consideration of how the proposed roadworks will not result in changes to flood behaviour.

As the new access road for emergency vehicles is proposed to be raised above existing levels, EESG requested the Applicant demonstrate how the proposed road raising will not affect flood behaviour.

The Department recommends appropriate flood mitigation conditions is recommended within the consent.

The Applicant's RtS addressed the EESG concerns by clarifying that the Floodplain Management Study is based on the full development of the catchment, and includes the effects of recent approved development. The area for filling is outside the flood affected area and will not have significant effect on the flood regime. On-site detention and dispersion basins were designed, approved and constructed under the REF (for the western carpark). Further, Council has indicated in discussions with the hospital that Louisiana Road is expected to undergo drainage upgrades to deal with any flooding issues. Notwithstanding, there are other flood affected parts of RMS and Council roads which are beyond the scope of the hospital expansion.

EESG did not raise any further concerns in comments on the RtS.

The Department is satisfied that the proposal will not be affected by flooding and will not impact on other flood affected area.

<p>Cladding</p>	<p>During the exhibition of the EIS a member of the local community raised concern of the potential use of combustible cladding to the proposed development.</p> <p>The Applicant submitted an RtS which addressed that the proposed Wyong Hospital Redevelopment will not utilise any combustible cladding and the development will be designed in accordance with the provisions of the Building Code of Australia (BCA) and the National Construction Code (NCC).</p> <p>The Department is satisfied that the external treatment of the proposed CSB building will not consist of combustible cladding and has recommended a condition to ensure appropriate standards are enforced.</p>	<p>A condition of consent is recommended ensuring that no combustible cladding is utilised for the proposed development in accordance with Australian Standards, BCA and the NCC.</p>
<p>Sediment, Erosion and Dust</p>	<p>The EIS included a Sediment, Erosion and Dust Control Plan, identifying the key issue of water quality management in rainfall events. A preliminary construction management plan was also included with the EIS. Proposed stormwater, erosion and sediment control measures include managing surface run-off through installed filtration systems prior to being discharged off site.</p> <p>The EPA recommended that appropriate sediment, erosion and dust control measures be implemented during works to minimise the impacts of the proposal.</p>	<p>The Department has recommended conditions to ensure that all works are carried out in accordance with the "Interim Construction Noise Guidelines" (DECCW 2009).</p> <p>Another condition requiring a final detailed construction management plan to be prepared prior to the commencement of construction works on site has been recommended.</p>

Hazardous / dangerous goods and waste	<p>The EIS included an assessment of the hazardous / dangerous goods and waste to be managed in the proposed development.</p> <p>The assessment determined that the proposal would not involve hazardous / dangerous goods and waste that is not already managed by the existing hospital operations.</p> <p>The EPA recommended that appropriate disposal of waste materials are to be disposed of to an offsite location in accordance with the EPA's Waste Classification Guidelines.</p> <p>The DPE Hazards team reviewed the submitted documents and determined that the proposal is not potentially hazardous under SEPP 33 and a preliminary hazard analysis is not required to be submitted. The DPE Hazard team also recommended that quantities of dangerous goods present within the development or transported to and from the development are to remain below the screening threshold quantities (Department's Hazardous and Offensive Development Guidelines Applying SEPP 33 (January 2011)) at all times.</p> <p>All chemicals, fuels and oils are to be stored in accordance with all relevant Australian Standards.</p> <p>Overall, the assessment concluded there is a low to medium risk associated with the proposed development, noting that the hospital would be operated below the screening thresholds for further investigation.</p>	<p>The Department has recommended conditions to ensure that hazardous / dangerous goods and waste is managed in accordance with relevant standards and that appropriate control measures and safeguards are implemented.</p>
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Development contributions	<p>The Warnervale District Contributions Plan (adopted 25 March 2015) prepared in accordance with 7.11 of the EP&A Act sets out development contribution requirements that apply within the Warnervale District, encompassing the Wyong Hospital campus site.</p> <p>The Applicant is seeking an exemption under section 2.8 of the Warnervale District Contributions and section 7.11(5) of the EP&A Act from paying contributions. This is on the basis that the development is a significant public benefit by providing important public health services to the community.</p> <p>The Department is satisfied that contributions are not necessary based under the D6 Circular as the Applicant is a public authority.</p>	<p>No condition required.</p>
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Heritage	<p>An aboriginal heritage impact assessment was submitted as part of the EIS.</p> <p>It identified that the site is located on Narrabeen Clifton Sub-Group geological formation consisting of claystone, sandstone and shale. Due to thick</p>	<p>The Department has recommended conditions setting out procedures to be implemented prior to ground disturbance works being</p>
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underbrush, grass and leaf litter blocking the view of the ground surface the field survey was inconclusive.

In its submission to the EIS, EESG recommended an Aboriginal Cultural Heritage Management Plan (ACHMP) be prepared, completed and approved prior to any ground disturbance works occurring. The project area is also to be re-surveyed with the registered Aboriginal parties after vegetation removal.

The Department has reviewed the concerns EESG raised and supports the recommendations proposed, therefore appropriate conditions are recommended.

undertaken, re-survey of the project area and if unexpected Aboriginal objects or ancestral remains are found.

6.6 Public Interest

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

- The provision of modern health facilities consistent with best practice guidelines and current standards for health care
- The delivery of additional health care facilities to support the growing and ageing population of the region.

The proposal would generate up to 900 construction jobs and an additional 218 full time equivalent operational jobs. The proposal would also address state priorities as it would provide improved health infrastructure to meet Sydney's growing population. The Department therefore concludes that the proposal is in the public interest.



7. Evaluation

The Department has reviewed the EIS, RtS and assessed the merits of the proposal, taking into consideration advice from the public authorities, including Council. Issues raised in the public submission have been considered and all environmental issues associated with the proposal have been thoroughly addressed.

The Department concludes the impacts of the development are acceptable and can be appropriately mitigated through the implementation of the recommended conditions of consent. Consequently, the Department considers the development is in the public interest and should be approved subject to conditions.

The proposed development is consistent with the objects of the Environment Planning & Assessment Act (including ESD) and is consistent with the State's strategic planning objectives, NSW State Infrastructure Strategy 2018-2038: Building Momentum, and the Central Coast Regional Plan 2036 as it would create jobs and provide for better access to health care services. The proposal would provide significant public benefit to the local and regional community through the provision of increased and improved health services for an identified strategic centre.

The proposed development is suitable for the site and would not result in any significant adverse environment or amenity impacts and would provide an appropriate built form for the site. The Department has recommended conditions to manage the impacts of the proposal during construction and operation.

The proposal is considered to be in the public interest as it would provide public benefits, including:

- the provision of modern health facilities consistent with best practice guidelines and current standards for health care.
- the delivery of additional health care facilities to support the growing and ageing population of the region.
- delivery of up to 900 new construction jobs and 218 full time equivalent operational jobs.



8. Recommendation

It is recommended that the Executive Director, Infrastructure Assessments, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report.
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant consent to the application.
- **agrees** with the key reasons for approval listed in the notice of decision.
- **grants consent** for the application in respect of Wyong Hospital Redevelopment SSD 9536.
- **signs** the attached development consent and recommended conditions of consent (**Appendix C**).

Prepared by: **Ingrid Berzins**, Planning Officer, Social and Infrastructure Assessments

Recommended by:

David Gibson

Team Leader
Social Infrastructure

Recommended by:

Karen Harragon

Director
Social and Infrastructure Assessments



9. *Determination*

The recommendation is: **Adopted by:**

David Gainsford

Executive Director

Infrastructure Assessments



Appendices

Appendix A – List of Documents

The following supporting documents and supporting information to this assessment report can be found on the Department of Planning, Industry and Environment’s website as follows.

1. Environmental Impact Statement
<https://www.planningportal.nsw.gov.au/major-projects/project/12136>
2. Submissions
<https://www.planningportal.nsw.gov.au/major-projects/project/12136>
3. Applicant’s Response to Submissions
<https://www.planningportal.nsw.gov.au/major-projects/project/12136>

Appendix B – Statutory Considerations

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)

To satisfy the requirements of section 4.15(a)(i) of the EP&A Act, this report includes references to the provisions of the EPIs that govern the carrying out of the project and have been taken into consideration in the Department’s environmental assessment.

Controls considered as part of the assessment of the proposal are:

- State Environmental Planning Policy (State & Regional Development) 2011 (SRD SEPP)
- State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP)
- State Environmental Planning Policy No. 33 – Hazardous and Offensive Development (SEPP 33)
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)
- Draft State Environmental Planning Policy (Remediation of Land) (Draft Remediation SEPP)
- Draft State Environmental Planning Policy (Environment) (Draft Environment SEPP)
- Wyong Local Environmental Plan (WLEP) 2013

COMPLIANCE WITH CONTROLS

State Environmental Planning Policy (State and Regional Development) 2011

Table B1 | SRD SEPP compliance table

Relevant Sections	Consideration and Comments	Complies
<p>3 Aims of Policy The aims of this Policy are as follows:</p> <p>(a) to identify development that is state significant development</p>	The proposed development is identified as SSD.	Yes
<p>8 Declaration of State significant development: section 4.36</p> <p>(1) Development is declared to be State significant development for the purposes of the Act if:</p> <p>(a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and</p> <p>(b) the development is specified in Schedule 1 or 2.</p>	The proposed development is permissible with development consent. The development is a type specified in Schedule 1.	Yes
<p>Schedule 1 State significant development —general (Clause 8 (1))</p> <p>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:</p> <p>(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).</p>	The proposed development comprises development for the purpose of a hospital and has a CIV in excess of \$30 million.	Yes

State Environmental Planning Policy (Infrastructure) 2007

The Infrastructure SEPP aims to facilitate the effective delivery of infrastructure across the state by improving regulatory certainty and efficiency, identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and providing for consultation with relevant public authorities about certain development during the assessment process.

The proposed development is made permissible by Part 3, Division 10 of the ISEPP

The development also constitutes traffic generating development in accordance with clause 104 of the Infrastructure SEPP as it is proposed to contain more than 100 beds. The Infrastructure SEPP requires traffic generating development to be referred to RMS for comments.

The application was referred to RMS in accordance with the Infrastructure SEPP. RMS raised no objections to the development subject to recommended conditions of consent (see **Section 5**).

The proposal is therefore consistent with the Infrastructure SEPP given the consultation and consideration of the comments from the relevant public authorities (refer to **Sections 5** Error! Reference source not found. and **6** Error! Reference source not found. of the report). The Department has included suitable conditions in the recommended conditions of consent (see **Appendix C**).

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 preliminary hazard analysis is required if the development is identified as a potentially hazardous or potentially offensive development, having regard to the screening thresholds set out in supporting guidelines.

The EIS included an assessment of the hazardous / dangerous goods and waste to be managed in the proposed development. The assessment determined that the proposal would not involve hazardous / dangerous goods and waste that is not already managed by the existing hospital operations. Overall, the assessment concluded there is a low to medium risk associated with the proposed development noting that the hospital would be operated below the screening thresholds for further investigation. On this basis, the Department is satisfied that a preliminary hazard analysis is not required.

With regard to the disposal and transporting of hazardous / dangerous goods and waste, the Applicant advises that the hospital has existing procedures in place and in accordance with Australian Standards applicable. The Department is therefore satisfied that the transport of goods and waste would be appropriately managed.

State Environmental Planning Policy No. 55 – Remediation of Land

SEPP 55 aims to ensure that potential contamination issues are considered in the determination of a development application. Contamination is considered in **Section 6.5** of this report.

The Department is satisfied that consistent with Clause 7 of SEPP 55, the submitted preliminary and detailed site investigations have been carried out in accordance with the contaminated land planning guidelines, and that subject to remediation, the site is suitable for the proposed hospital site.

Draft State Environmental Planning Policy (Remediation of Land)

The Draft Remediation SEPP retains the overarching objective of SEPP 55 promoting the remediation of contaminated land to reduce the risk of potential harm to human health or the environment. Additionally, the provisions of the Draft Remediation SEPP require that:

- all remediation work that is to be carried out without development consent is to be reviewed and certified by a certified contaminated land consultant.
- remediation work be categorised based on the scale, risk and complexity of the work.
- environmental management plans relating to post-remediation management of sites or ongoing operation, maintenance and management of on site remediation measures (such as a containment cell) be provided to council.

The Department is satisfied that the proposal will be consistent with the objectives of the Draft Remediation SEPP.

Draft State Environmental Planning Policy (Environment)

The Draft Environment SEPP is a consolidated SEPP which proposed to simplify the planning rules for a number of water catchments, waterways, urban bushland, and Willandra Lakes World Heritage Property. Once adopted, the Draft Environment SEPP will replace seven existing SEPPs. The proposed SEPP will provide a consistent level of environmental protection to that which is currently delivered under the existing SEPPs. Where existing provisions are outdated, no longer relevant or duplicated by other parts of the planning system, they will be repealed.

Given that the proposal is consistent with the provisions of the existing SEPPs that are applicable, the Department concludes that the proposed development will generally be consistent with the provisions of the Draft Environment SEPP.

Wyang Local Environmental Plan 2013

The WLEP 2013 aims to encourage the development of housing, employment, infrastructure and community services to meet the needs of the existing and future residents of the Wyong LGA. The WLEP 2013 also aims to conserve and protect natural resources and foster economic, environmental and social well-being.

The Department has consulted with Council throughout the assessment process and has considered all relevant provisions of the WLEP and those matters raised by Council in its assessment of the development (refer to **Section 5**). The Department concludes the development is consistent with the relevant provisions of the WLEP 2013. Consideration of the relevant clauses of the WLEP 2013 is provided in **Table B2**.

Table B2 | Consideration of the WLEP 2013

WLEP	Department Comment/Assessment
Clause 2.1 Zone	The site is included in the SP2 – Infrastructure: Health Services Facilities zone. A hospital is a permitted use within the zone.
Clause 4.3 Building height	The site is not subject to a height limit.
Clause 4.4 Floor Space Ratio	The site is not subject to a floor space ratio limit.

Clause 5.10 Heritage conservation	The site does not contain nor is near to any sites of local heritage significance. Nor is the site or surrounding land included in a heritage conservation area.
Clause 5.11 Bushfire Hazard Reduction	The subject site is partially affected by vegetation category 1 and a buffer zone. Appropriate bushfire measures have been implemented in the project design and a condition is recommended ensuring the building is constructed in accordance with relevant standards,
Clause 5.12 Infrastructure Development and Use of Existing Buildings of the Crown	Carrying out of any development, by or on behalf of a public authority, that is permitted to be carried out with development consent, is not restricted by the WLEP 2013.
Clause 7.1 Acid Sulfate Soils	The site is not subject to acid sulfate soils.
Clause 7.2 Flood Planning	See Section 6.5 for consideration of flooding and drainage on the site.
Clause 7.9 Essential Services	All essential services are available to the development. The Department has recommended conditions of consent that require services to be connected to the development prior to the commencement of aboveground works.

Other policies

In accordance with Clause 11 of the SRD SEPP, development control plans do not apply to state significant development. Notwithstanding this, the objectives of relevant controls under the Wyong Development Control Plan 2013, where relevant, have been considered in **Section 6** of this report.

Appendix C – Recommended Instrument of Consent