



Prepared for  
Health Infrastructure

Date  
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## Appendix B – Statutory Compliance Table

# Rouse Hill Hospital

# Acknowledgement of Country

Architectus acknowledges the Australian Aboriginal and Torres Strait Islander peoples of this nation as the Traditional Custodians of the lands on which we live and work.

We pay our respects to Elders, past and present and emerging.

Architectus is committed to honouring Australian Aboriginal and Torres Strait Islander peoples' unique cultural and spiritual relationships to the land, waters, and seas and their rich contribution to society.

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# Contents

1. Statutory Requirements	2
2. Power to Grant Consent	2
2.1 Environmental Planning and Assessment Act 1979	2
2.2 State Environmental Planning Policy (Planning Systems) 2021	2
2.3 Consent Authority	2
3. Permissibility	3
4. Environmental Planning and Assessment Act 1979	4
4.1 Objectives of the Environmental Planning and Assessment Act	4
4.2 Section 4.15(1) Matters for consideration	5
5. Environmental Planning and Assessment Regulation 2021	6
6. Roads Act 1993	6
7. Heritage Act 1977	7
8. Biodiversity Conservation Act 2016	7
9. Contaminated Lands Management Act 1997	7
10. Environment Protection and Biodiversity Conservation Act 1999	8
11. Environmental Planning Instruments	8
11.1 State Environmental Planning Policy (Planning Systems) 2021	8
11.2 State Environmental Planning Policy (Transport and Infrastructure) 2021	8
11.3 State Environmental Planning Policy (Resilience and Hazards) 2021	10
11.4 State Environmental Planning Policy (Biodiversity and Conservation) 2021	10
11.5 State Environmental Planning Policy (Industry and Employment) 2021	10
11.6 State Environmental Planning Policy (Sustainable Buildings) 2022	11
11.7 The Hills Local Environment Plan 2019	12

# Figures & Tables

## List of figures

Figure 1 Land Use Zoning map	3
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## List of tables

Table 1 Objectives of the EP&A Act	4
Table 2 Section 4.15(1) matters for consideration	5
Table 3 Relevant provisions of TI SEPP	9
Table 4 Assessment criteria of Schedule 5 of the IE SEPP	11
Table 5 Relevant provisions of The Hills LEP 2019	12

# 1. Statutory Requirements

To satisfy the requirements of Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), this EIS addresses the statutory requirements governing the carrying out of the project and have been taken into consideration in the environmental assessment of the proposed development.

The statutory requirements that have been assessed against the proposed development are:

- *Environmental Planning and Assessment Act 1979* (EP&A Act);
- *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation);
- *Heritage Act 1977*;
- *Roads Act 1993*;
- *Biodiversity Conservation Act 2016*;
- *Contaminated Lands Management Act 1997* (CLM Act);
- *State Environmental Planning Policies*:
  - *State Environmental Planning Policy (Planning Systems) 2021* (PS SEPP);
  - *State Environmental Planning Policy (Transport and Infrastructure) 2021* (TI SEPP);
  - *State Environmental Planning Policy (Resilience and Hazards) 2021* (RH SEPP);
  - *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (BC SEPP);
  - *State Environmental Planning Policy (Industry and Employment) 2021* (IE SEPP);
  - *State Environmental Planning Policy (Sustainable Buildings) 2022* (SB SEPP); and
- *The Hills Local Environment Plan 2019* (The Hills LEP 2019).

## 2. Power to Grant Consent

### 2.1 Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) establishes the assessment framework for State Significant Development (SSD). Section 4.12(8) of the EP&A Act requires that Development Applications for SSD be accompanied by an Environmental Impact Statement (EIS). Matters relevant to the preparation of an EIS (including the application for SEARs) are set out under the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation).

### 2.2 State Environmental Planning Policy (Planning Systems) 2021

In accordance with Schedule 1 of the *State Environmental Planning Policy (Planning Systems) 2021* (PS SEPP), a development with an estimated development cost of more than \$30 million is identified as SSD pursuant to Section 4.36(2) of the EP&A Act.

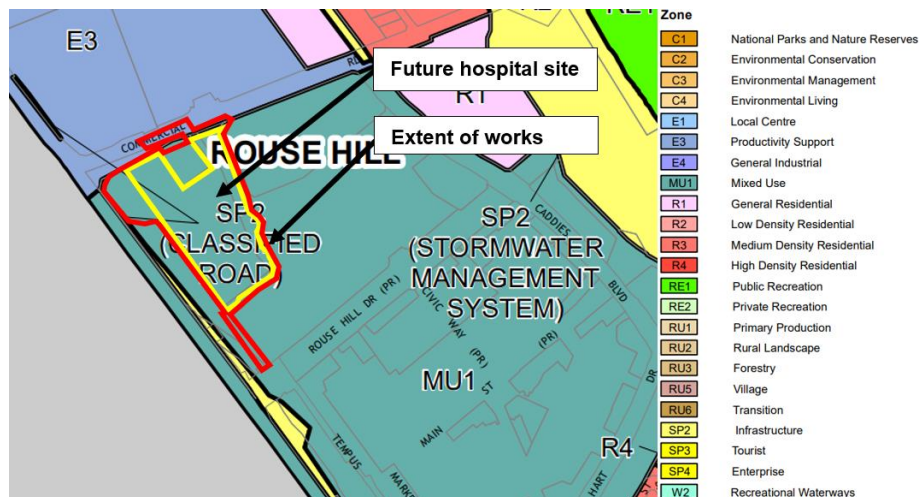
The proposed development has an estimated development cost of over \$30 million, therefore requiring an SSD application to be undertaken to facilitate approval of the hospital.

### 2.3 Consent Authority

The Minister for Planning and Public Spaces is the consent authority for SSD, pursuant to Section 4.5(a) of the EP&A Act.

# 3. Permissibility

The hospital site is zoned MU1 Mixed Use under *The Hills Local Environmental Plan 2019* (The Hills LEP 2019). The SSSA site (full extent of works) is zoned part MU1 Mixed Use, part E3 Productivity Support and part SP2 Infrastructure (Classified Road) (see **Figure 1**).



**Figure 1 Land Use Zoning map**

Source: The Hills LEP 2019 Land Zoning Map - Sheet LZN\_007

Under The Hills LEP 2019, ‘hospitals’ are permitted with development consent in the MU1 Mixed Use zone. Further, ‘health services facilities’ (including hospitals) are permitted with development consent in prescribed zones under Section 2.60 of *State Environmental Planning Policy Transport and Infrastructure 2021* (TI SEPP). Under Section 2.59 of the TI SEPP, MU1 Mixed Use, E3 Productivity Support and SP2 Infrastructure are all defined as prescribed zones.

The objectives of the MU1 Mixed Use zone under The Hills LEP 2019 are:

- *To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.*
- *To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.*
- *To encourage leisure and entertainment facilities in the major centres that generate activity throughout the day and evening.*
- *To provide for high density housing that is integrated with civic spaces.*

The proposed development is consistent with the objectives of the MU1 Mixed Use zone, as follows:

- The proposed development will generate new employment opportunities through construction, operational jobs in medical, administrative, support and corporate roles directly and potentially thousands of additional jobs indirectly.
- The proposed development generates active street frontages by proposing a “wellness” arcade which includes retail and garden spaces at ground level. A new north-south street with adjoining footpath/cycleway will also be provided, adjacent to new public plaza, café and building entry. The proposed development will also enhance pedestrian traffic with new linkages at a currently vacant site to Rouse Hill Town Centre and the Rouse Hill Metro Station.
- The proposed development will deliver a new public hospital in the Western Sydney Local Health District (WSLHD) to enhance the quality and access to health services for residents in the local area.

# 4. Environmental Planning and Assessment Act 1979

## 4.1 Objectives of the Environmental Planning and Assessment Act

The objects of the Environmental Planning and Assessment Act 1979 (EP&A Act) are the underpinning principles upon which the assessment is conducted. The statutory powers in the EP&A Act (such as the power to grant consent) 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 1** below.

**Table 1 Objectives of the EP&A Act**

Objective	Compliance	Response
<i>(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,</i>	Yes	The site is suitable for use as a health services facility and the redevelopment would not unreasonably negatively impact the economic welfare of the community, or the natural environment.
<i>(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</i>	Yes	The proposed development aligns with targeted initiatives under the HI DGN-058 ESD Evaluation Tool which is closely modelled on Green Star Design & As Built v1.3. The development proposes a minimum of 60 points + 5 buffer points under this framework. The proposed development also addresses the ESD principles.  Refer to the Ecologically Sustainable Development Report prepared by Arup at <b>Appendix Z</b> .
<i>(c) to promote the orderly and economic use and development of land,</i>	Yes	The proposed development is an orderly and economic development and use of the land as a health services facility.
<i>(d) to promote the delivery and maintenance of affordable housing,</i>	n/a	This item is not relevant to the proposed development.
<i>(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,</i>	Yes	Impacts to flora and fauna have been considered in the Biodiversity Development Assessment Report (BDAR) prepared by Eco Logical Australia at <b>Appendix O</b> and the Arboricultural Impact Assessment prepared by Creative Planning Solutions at <b>Appendix N</b> .
<i>(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),</i>	Yes	<b>Aboriginal heritage</b>  The site previously contained the following two items of Aboriginal heritage. Under the Early Works REF it was determined that impacts to these artifacts could not be avoided. Accordingly, an Aboriginal Heritage Impact Permit (AHIP) to impact these objects was obtained. These salvage works commenced in late 2025.  An Aboriginal Cultural Heritage Assessment Report (ACHAR) and Aboriginal Objects Due Diligence

		<p>Assessment (AODDA) have been prepared by Niche for the SSDA and is provided at <b>Appendix P</b>.</p> <p><i>Non-Aboriginal heritage</i></p> <p>The site is not subject to a heritage item, nor within a heritage conservation area, nor subject to an interim heritage order. A Statement of Heritage Impact has been prepared by Extent and is provided at <b>Appendix Q</b>.</p>
<i>(g) to promote good design and amenity of the built environment,</i>	Yes	<p>The proposal promotes good design and amenity of the built environment.</p> <p>The design of Rouse Hill Hospital has been presented to the Government Architect's State Design Review Panel (SDRP) on six occasions, most recently on 2 April 2025. A record of the comments received, and the project's response is provided in the Architectural Design Statement prepared by HDR, provided at <b>Appendix F</b>.</p>
<i>(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,</i>	Yes	<p>The proposed development will promote proper construction and maintenance of the buildings.</p>
<i>(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,</i>	Yes	<p>Consultation has been undertaken with relevant state agencies and The Hills Shire Council and consideration of their responses incorporated into the design. Refer to the Engagement Report prepared by Health Infrastructure at <b>Appendix D</b>.</p>
<i>(j) to provide increased opportunity for community participation in environmental planning and assessment</i>	Yes	<p>Consultation with local community members has been undertaken as part of the Social Impact Assessment (SIA) prepared by GHD, provided at <b>Appendix AE</b> and throughout the project as documented in the Engagement Report prepared by Health Infrastructure, provided at <b>Appendix D</b>.</p>

#### 4.2 Section 4.15(1) Matters for consideration

Section 4.15(1) of the EP&A Act identifies the matters for consideration that apply to State Significant Development (SSD) in accordance with Section 4.40 of the EP&A Act. **Table 2** represents a summary for which additional information and consideration is provided in Section 6 of the EIS and relevant appendices.

**Table 2 Section 4.15(1) matters for consideration**

Objective	Response
<i>(a)(i) any environmental planning instrument</i>	Refer to <b>Section 11</b> below.
<i>(a)(ii) any proposed instrument</i>	No draft instrument applies to the site.
<i>(a)(iii) any development control plan</i>	Section 2.10 of the PS SEPP states that development control plans (whether made before or after the commencement of this Policy) do not apply to SSD. As such, there is no requirement for assessment of the proposed development against The Hills Development Control Plan 2012 for this SSDA. Notwithstanding, consideration has been given to the DCP regarding parking, signage, stormwater, and landscaping as detailed in the EIS and relevant Appendices.

<i>(a)(iii) any planning agreement</i>	A Section 10.7 Planning Certificate for the site identifies the site is subject to a Voluntary Planning Agreement 01/2018/VPA – Rouse Hill Regional Centre Planning Agreement. All obligations under the VPA have been completed and Council has archived the planning agreement.
<i>(a)(iv) the regulations</i>	The application satisfactorily meets the relevant requirements of the EP&A Regulation.
<i>(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</i>	The impacts of the proposed development have been assessed (refer <b>Section 6</b> of EIS) and appropriately mitigated (refer <b>Appendix C</b> for mitigation measures).
<i>(c) the suitability of the site for the development</i>	The site is suitable for the development as discussed in <b>Section 6</b> of the EIS.
<i>(d) any submissions</i>	<p>Consideration has been given to input reviewed through early consultation as documented in the Engagement Report prepared by Health Infrastructure, at <b>Appendix D</b>.</p> <p>This SSDA will be formally exhibited to the public, Council, and relevant agencies as part of the assessment process, to provide opportunity for comment and feedback on the proposal. Any submissions received will be addressed as part of a Response to Submissions Report.</p>
<i>(e) the public interest</i>	Refer to <b>Section 6.12</b> of the EIS.

## 5. Environmental Planning and Assessment Regulation 2021

The EIS has addressed the criteria within Sections 190 and 192 of the EP&A Regulation. Refer to **Appendix A** for an outline of how the SEARs have been addressed within the EIS and subsequent consultant deliverables.

The Ecologically Sustainable Development Report prepared by Arup at **Appendix Z** has been prepared in accordance with the requirements of Section 193 of the EP&A Regulation.

## 6. Roads Act 1993

The *Roads Act 1993* regulates the carrying out of various activities on public roads.

Section 138 of the Roads Act requires that all activities undertaken within the road authority's road reserve be approved by the relevant road authority prior to the activities being undertaken. The proposed development includes realignment works to connect the proposed Main Hospital Access Road to Commercial Road. The Hills Shire Council is the relevant roads authority for Commercial Road. A Section 138 Approval will be obtained for works within the road reserve.

## 7. Heritage Act 1977

The *Heritage Act 1977* contains provisions relating to the identification, conservation and use of items of State heritage significance or items of potential significance. The site is not identified as a State Heritage Item or a site subject to and interim heritage order under this Act.

An assessment of the proposal impacts on the nearest State heritage item (Royal Oak Inn - SHI 00698) and other surrounding heritage items, is provided in **Section 6.11** of the EIS and the accompanying Statement of Heritage Impact and Historical Archaeological Assessment prepared by Extent, provided at **Appendix Q** and **Appendix R**.

## 8. 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*”.

A BDAR has been prepared by Eco Logical Australia and is provided at **Appendix O**. The BDAR has considered impacts on species and ecological communities listed under the BC Act. The development is expected to result in no significant impacts to any Threatened Ecological Communities (TECs) or threatened species. As such, the development is unlikely to be a ‘controlled action’ and no referral is necessary. The BDAR does not identify the requirement for any biodiversity offset contributions.

## 9. Contaminated Lands Management Act 1997

The *Contaminated Land Management Act 1997* (CLM Act) establishes a process for investigating and managing contamination on land. Part 4 of the CLM Act requires a site audit be carried out by an Environment Protection Authority (EPA) accredited site auditor.

Detailed Site Investigations have been prepared by JK Environments and are provided at **Appendix AG**. The investigations did not identify any trigger for remediation at the main hospital site. There is low potential for contamination-related unexpected finds to occur at the site during the proposed.

JK Environments find that there is no statutory requirement to appoint a site auditor.

# 10. Environment Protection and Biodiversity Conservation Act 1999

The Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) provides legislation for the protection of environments of national environmental significance. Under the EPBC Act, the Commonwealth Environment Minister needs to approve any development that is likely to have a significant impact on Matters of National Environmental Significance (MNES). Should such an impact, as defined in the EPBC Act Policy Statement 1.1 – Significant Impact Guidelines (Department of the Environment 2013), be likely, the preparation and submission of a Referral is required. MNES relevant to this study includes threatened ecological communities, flora and fauna species and migratory species that are listed under the Act.

The project is not likely to impact any MNES. Therefore, the project is not required to be referred to the Federal Department of the Environment to determine if it constitutes a controlled action and the bilateral agreement applies. Refer to the BDAR prepared by Eco Logical Australia at **Appendix O**.

# 11. Environmental Planning Instruments

## 11.1 State Environmental Planning Policy (Planning Systems) 2021

The aims of Chapter 2 State and Regional Development of the PS SEPP are to identify SSD and State Significant Infrastructure and confer the necessary functions to a district or regional planning panel to determine development applications.

Schedule 1, Section 14 State Significant Development includes development that has an estimated development cost of more than \$30 million for the purpose of hospitals, medical centres and health research facilities. The proposed development constitutes SSD as it comprises development of a hospital with an estimated development cost greater than \$30 million.

Section 2.10 of the PS SEPP states that development control plans (whether made before or after the commencement of this Policy) do not apply to SSD. As such, there is no requirement for assessment of the proposed development *against The Hills Development Control Plan 2012* for this SSDA. Notwithstanding, consideration has been given to the DCP regarding parking, signage, stormwater, and landscaping as detailed in the EIS and relevant Appendices.

## 11.2 State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter 2 of the TI SEPP seeks to, in part, provide certainty, efficiency and flexibility in the assessment of development adjacent to particular types of infrastructure and proposed infrastructure. The relevant sections of the TI SEPP are addressed in **Table 3** below.

**Table 3 Relevant provisions of TI SEPP**

Section	Response
2.98 Development adjacent to rail corridors	<p>The site is located adjacent to a rail (metro) corridor.</p> <p>The development involves the placing of a metal finish on structures adjacent to the rail corridor. However, the considerable separation distance (&gt;50m) ensures that there is no direct impact on the metro overhead electricity power lines.</p> <p>Sydney Metro have been consulted to determine whether there would be any impact on the Sydney Metro Corridor. Email correspondence from Sydney Metro, Joshua Murray, Planner, Corridor Protection was provided on 1 October 2024:</p> <p><i>Sydney Metro can confirm that Pier 112, which allows Elevated Work Platform access to the Windsor Rd Bridge near the proposed hospital, is situated within the bus interchange adjacent to the site. Therefore, maintenance access to the towers will remain unaffected and will not be impacted by the proposed hospital.</i></p> <p>The development is not likely to have an adverse effect on rail safety and it is not anticipated that there would be any impact on the Sydney Metro Corridor.</p>
2.99 Excavation in, above, below or adjacent to rail corridors	<p>Section 2.98 of the TI SEPP applies if ground penetration to a depth of 2m or greater is required within 25m of the rail corridor.</p> <p>Potential impacts on the rail corridor have been considered in the Preliminary Geotechnical Investigations Reports prepared by JK Environments, at <b>Appendix AG</b>. JK Environments do not believe the works pose a risk to the Sydney Metro asset and do not foresee the need for any further assessment.</p>
Section 2.100 Impact of rail noise or vibration on non-rail development	<p>This section applies to the development as it proposes a hospital adjacent to a rail (metro) corridor.</p> <p>The noise and vibration impact assessment prepared by JHA has addressed all relevant standards and guidelines (<b>Appendix Y</b>).</p>
Section 2.119 Development with frontage to classified road	<p>A portion of the proposed development has a direct frontage to Windsor Road, which is a classified road.</p> <p>There is no existing or proposed direct vehicular access direct to Windsor Road. Vehicular access to the site is provided from Commercial Road, which is considered more practicable and safe.</p> <p>The development proposes a secondary, emergency ambulance connection to the North West T-Way which commences adjacent to the site.</p> <p>The proposal has been designed to comply with acoustic requirements. The “wellness” arcade is located east of the main hospital building to provide a higher amenity environment shielded from Windsor Road.</p> <p>Refer to the Transport and Accessibility Impact Assessment prepared by Arup, at <b>Appendix S</b>.</p>
Section 2.120 Impact of road noise or vibration on non-road development	<p>This section applies to the development as it proposes a hospital adjacent to a major road corridor.</p> <p>The noise and vibration impact assessment prepared by JHA has addressed all relevant standards and guidelines (<b>Appendix Y</b>).</p>
Section 2.122 Traffic-generating development	<p>This section applies to the development. Accordingly, the application needs to be referred to TfNSW.</p>

Consultation has been undertaken with TfNSW and their input has informed the proposal as documented in the EIS, the Engagement Report prepared by HI (**Appendix D**) and the Transport and Accessibility Impact Assessment prepared by Arup (**Appendix S**).

DPHI is required to formally notify the SSDA including to TfNSW and will require the applicant to consider all submissions and agency advice received during this notification.

### **11.3 State Environmental Planning Policy (Resilience and Hazards) 2021**

Section 3.11 and 3.12 of the RH SEPP requires a development application to carry out development for the purposes of a potentially hazardous industry must be accompanied by a preliminary hazard analysis in accordance with the current circulars or guidelines published by DPHI.

A Preliminary Hazard Analysis (PHA) has been prepared by SLR and is provided at **Appendix AD**. This PHA follows the Applying SEPP 33 guidance document. It concludes that Rouse Hill Hospital would be identified as a suitable development for the site, with suitable engineering, operational and management controls in place as contained within the report. These have been included as mitigation measures (**Appendix C**).

Section 4.6 of the of the RH SEPP requires contamination and remediation to be considered in determining the development application.

Detailed Site Investigations prepared by JK Environments (**Appendix AG**) did not identify any triggers for remediation at the hospital site. There is a relatively low potential for contamination-related unexpected finds to occur at the site during the proposed. Recommended mitigation measures have been included in **Appendix C**.

### **11.4 State Environmental Planning Policy (Biodiversity and Conservation) 2021**

Section 6.13 of the BC SEPP applies as the site is located within the Hawkesbury-Nepean conservation area sub-catchments. Section 6.13(2) states:

*(2) In deciding whether to grant development consent to development in a Hawkesbury-Nepean conservation area sub-catchment, the consent authority must consider the following—*

*(a) whether the development will minimise human interference with the condition of the sub-catchment,*

*(b) whether the development will maintain and enhance the structure and floristics of native vegetation in the sub-catchment,*

*(c) whether the development will maintain or enhance the scenic quality of the locality,*

*(d) whether development has previously been carried out on the development site.*

The Civil Engineering Report prepared by Acor (**Appendix V**) demonstrates compliance with the local council or other drainage or water authority requirements and avoids adverse downstream impacts.

The BDAR prepared by Eco Logical Australia (**Appendix O**) and Arboricultural Impact Assessment prepared by Creative Planning Solutions (**Appendix N**) accompany the application to assess impacts on native vegetation.

Impacts on local scenic quality are addressed in the Visual Impact Statement prepared by Architectus (**Appendix I**) and the Design Statement Report prepared by HDR (**Appendix F**).

### **11.5 State Environmental Planning Policy (Industry and Employment) 2021**

Chapter 3 of the IE SEPP aims to ensure that signage is safe, compatible in its character setting, and effective in its communication. The proposed signage is of a style and scale which is considered compatible with the desired amenity and visual character of the development and its context.

The assessment criteria are listed in Schedule 5 of the IE SEPP. The consistency of the signage against the objectives and assessment criteria is summarised in **Table 4** below.

**Table 4 Assessment criteria of Schedule 5 of the IE SEPP**

Criteria	Response
Character of the area	The proposed signage is appropriately scaled in relation to the length and height of the proposed built form and its local context, ensuring it will not dominate the streetscape. The signage is compatible with both the existing and desired future character of the surrounding area.
Special areas	The proposed signage will not detract from the visual amenity of the locality.
Views and vistas	A Statement of Heritage Impact prepared by Extent ( <b>Appendix Q</b> ) finds that the proposal has no impact on any heritage areas or items.  Impacts on local scenic quality are addressed in the Visual Impact Statement prepared by Architectus ( <b>Appendix I</b> ). The Visual Impact Assessment concludes that the proposal is appropriately designed to address visual impact considerations and finds that the visual impacts of the proposal are appropriate and acceptable.
Streetscape, setting or landscape	The scale, proportion and form of the proposed signage is appropriate with the existing and future setting.
Site and building	The proposed signage has been integrated into the design of the new buildings and hospital campus and is compatible with the scale and design of the proposal.
Associated devices and logos with advertisements and advertising structures	n/a
Illumination	The signage will be sensitively illuminated to avoid unacceptable glare and will not adversely affect the safety of pedestrians, vehicles, or aircraft.
Safety	The proposed signage will not reduce the safety for vehicles, pedestrians or cyclists.

### 11.6 State Environmental Planning Policy (Sustainable Buildings) 2022

Chapter 3 of the SB SEPP applies to the proposal as it proposes a new building with an estimated development cost greater than \$5 million. Section 3.2 Development consent for non-residential development states:

*(1) In deciding whether to grant development consent to non-residential development, the consent authority must consider whether the development is designed to enable the following—*

- (a) the minimisation of waste from associated demolition and construction, including by the choice and reuse of building materials,*
- (b) a reduction in peak demand for electricity, including through the use of energy efficient technology,*
- (c) a reduction in the reliance on artificial lighting and mechanical heating and cooling through passive design,*
- (d) the generation and storage of renewable energy,*
- (e) the metering and monitoring of energy consumption,*
- (f) the minimisation of the consumption of potable water.*

*(2) Development consent must not be granted to non-residential development unless the consent authority is satisfied the embodied emissions attributable to the development have been quantified.*

The proposal complies with the requirements as set out in Section 3.2 of the SB SEPP as detailed in the ESD Report at **Appendix Z**, Net Zero Statement at **Appendix AA** and the Embodied Emissions Materials Form at **Appendix AB** prepared by Arup.

## 11.7 The Hills Local Environment Plan 2019

The relevant clauses of The Hills LEP 2019 are addressed in **Table 5** below.

**Table 5 Relevant provisions of The Hills LEP 2019**

Clause	Response
Clause 2.2 Zoning of land to which Plan applies	Refer to <b>Section 3</b> above.
Clause 2.3 Zone objectives and Land Use Table	Refer to <b>Section 3</b> above.
Clause 4.3 Height of Buildings	The majority of the site is subject to a maximum building height control of 32m under The Hills LEP 2019, while the remainder of the site has no height control.
Clause 4.6 Exceptions to development standards	An upper building height of approximately 49m (RL 101.34m) is sought being a variation of 17m or 53 percent over the 32m maximum building height control which applies to part of the site under The Hills LEP 2019.
Clause 5.12 Infrastructure development and use of existing buildings of the Crown	<p>Clause 5.12(1) of The Hills LEP 2019 provides that development standards under the instrument including maximum building height cannot restrict development undertaken by a public authority (<i>Reference: Department of Planning and Environment 2019, Prince of Wales Hospital Expansion Stage 1 – SSD 9113, Assessment Report, Page 28</i>).</p> <p>Notwithstanding Clause 5.12(1) of The Hills LEP 2019, a Clause 4.6 Variation Request has been prepared by Architectus to inform the assessment of the SSDA and is provided at <b>Appendix J</b>.</p>
Clause 5.21 Flood planning	<p>The site is not located within flood affected land and the proposed development does not cause increase of flood affectation to neighbouring sites as all stormwater generated by the site is captured and detained.</p> <p>To ensure that the rate of stormwater runoff does not adversely affect the existing regional stormwater system, post-development discharge rates are to be limited to pre-development rates through measures described in the Civil Engineering Report prepared by Acor at <b>Appendix V</b>.</p> <p>Based on this information, the proposed development will not be affected by flooding.</p>
Clause 6.3 Public utility infrastructure	<p>The Hydraulic and Fire Systems Engineering Report prepared by Acor at <b>Appendix W</b> confirms there are adequate arrangements to make water and hydraulic power services available for Rouse Hill Hospital.</p> <p>The Electrical and Communications Services Report prepared by JHA at <b>Appendix X</b> confirms there are adequate arrangements to make electricity services available for Rouse Hill Hospital. Part of the ASP/3 design process is to issue a council notification for each component of the scope. Council will have the opportunity to respond with any comments/queries in relation to the works in response to this consultation.</p> <p>This council notification is also a requirement for Endeavour Energy certifying the design.</p> <p>No natural gas supply is being provided, as outlined in the Hydraulic and Fire Systems Engineering Report prepared by Acor at <b>Appendix W</b>.</p> <p>New sewerage and drainage infrastructure are proposed to support the new hospital, as outlined in the Civil Engineering Report prepared by Acor at <b>Appendix V</b>.</p>

Clause 7.2 Earthworks	Development consent is sought for earthworks. Relevant matters have been addressed in the Civil Engineering Plans ( <b>Appendix U</b> ) and Civil Engineering Report ( <b>Appendix V</b> ) prepared by Acor.
Clause 7.7 Design excellence	<p>The proposed buildings are over 25 metres in height; hence this Section applies. Responses are provided below:</p> <p>(a) the development provides a high standard of architectural design, materials and detailing as documented in the Design Statement Report at <b>Appendix F</b>.</p> <p>(b) the proposed site is currently greenfield land with no public access. The hospital has been designed with consideration of the current and envisioned built form surrounding the site, and includes high quality public domain in ground floor active uses like retail, as well as new landscaping and pedestrian links to Rouse Hill Town Centre.</p> <p>(c) the Visual Impact Assessment prepared for the SSDA (<b>Appendix I</b>) finds that the proposal has been appropriately designed to respond to visual impact considerations and concludes that the visual impacts of the proposal are appropriate and acceptable.</p> <p>(d) – (e) Section 2.10 of the PS SEPP states that development control plans (whether made before or after the commencement of this Policy) do not apply to SSD. As such, there is no requirement for assessment of the proposed development against the Hills DCP 2012 for this SSDA. Notwithstanding, consideration has been given to <i>The Hills Development Control Plan 2012</i> as detailed in the EIS and its appendices.</p> <p>(f) the EIS and appendices contains sections specifically addressing site suitability, land use, heritage, streetscape, relationship with other development, built form, environmental impacts, ecologically sustainable development, accessibility, public domain and public access. The Design Statement Report by HDR provided at <b>Appendix F</b> details how the proposed development addresses design excellence.</p> <p>(g) A pre-lodgement meeting was The Hills Shire Council on 19 October 2024 (reference 43/2025/PRE). At this meeting it was determined that, in accordance with Clause 7.7 of The Hills LEP 2019, the consent authority (in this case, DPHI/Minister for Planning) is to convene a panel to review the design excellence of the development proposal. In this case it is State Design Review Panel (SDRP). It would be unmanageable and unreasonable for the proposal to go before two different design panels.</p> <p>The Design Statement Report provided at <b>Appendix F</b> documents the feedback received on the six occasions it has been reported to the Government Architect's SDRP and the project's associated responses.</p>