

1<sup>st</sup> February 2006

Mr Sam Haddad  
Director General  
Department of Planning  
GPO Box 39  
SYDNEY NSW 2001

Dear Mr Haddad

## **Redevelopment of Long Bay Forensic and Prison Hospitals**

In accordance with Section 75B of the *Environmental Planning and Assessment Act 1979* (the Act) and Clause 6 of State Environmental Planning Policy (Major Projects) 2005 (Major Projects SEPP), NSW Health seek your opinion that the redevelopment of the Long Bay Forensic and Prison Hospitals is declared to be a project to which Part 3A of the Act applies.

### **Project description**

NSW Health is the project sponsor for the Long Bay Forensic and Prison Hospitals in Sydney and the project is being undertaken jointly for Justice Health (Forensic Hospital) and the Department of Corrective Services (Prison Hospital). Brief details of the two hospitals are attached.

The project involves the provision of two new hospitals each at a cost of \$65million, on the site of the existing Long Bay Correctional Complex. The two hospitals will replace the single existing Long Bay Hospitals currently within the correctional complex which houses both inmates and forensic patients.

The project is being delivered as a Public Private Partnership (PPP) and just prior to Christmas, the Budget Committee of Cabinet, approved the appointment of the consortium "PPP Solutions" (Babcock and Brown/Multiplex) being granted Preferred Proponent status and approved the Minister for Health and the Minister for Justice entering into a PPP contract.

Prior to the change in legislation, NSW Health had developed a Master Plan with Randwick City Council for the Long Bay Correctional Complex. The Plan was a requirement under Councils Local Environment Plan (LEP) and defined the location of the two hospitals and their context to the existing facilities. This plan was submitted in August 2004 and approved by Randwick City Council in October 2004. Randwick City Council required a revised Master Plan to be submitted for approval once a proposal from the private sector is accepted. In particular the revision needs to address how a number of design principles contained in the Master Plan will be achieved by the accepted solution.

### **Application of Part 3A**

The proposed development is considered to be a Major Project under Part 3A of the Act on the basis that it falls within Schedule 1 Group 7 of the State Environmental Planning Policy (Major Projects) which states in respect to hospitals:

- “(1) *Development that has a capital investment value of more than \$15 million for the purpose of providing professional health care services to people admitted as in-patients (whether or not out-patients are also cared for or treated there), including ancillary facilities for:*
- (a) day surgery, day procedures or health consulting rooms, or*
  - (b) accommodation for nurses or other health care workers, or*
  - (c) accommodation for persons receiving health care or for their visitors, or*
  - (d) shops or refreshment rooms, or*
  - (e) transport of patients, including helipads and ambulance facilities, or*
  - (f) educational purposes, or*
  - (g) research purposes, whether or not they are used only by hospital staff or health care workers and whether or not any such use is a commercial use, or*
  - (h) any other health-related use.*
- (2) *For the purposes of this clause, professional health care services include preventative or convalescent care, diagnosis, medical or surgical treatment, psychiatric care or care for people with disabilities, care or counselling services provided by health care professionals.”*

In addition to the above, in respect of correctional facilities :

*“Development for the purpose of correctional facilities that:*

- (a) has a capital investment value of more than \$30 million or*
- (b) employs 100 or more people or*
- (c) provides accommodation for an additional 100 or more persons”*

Given the capital investment value of the Long Bay Hospitals redevelopment is approximately \$130 million, and the proposal includes facilities outlined above, **NSW Health requests that the project be considered under Part 3A of the Act.**

Section 75M of the Act allows for certain projects to submit a Concept Plan and seek an approval on that basis, prior to Project Approval. While the Long Bay redevelopment is a complex project that requires some careful planning, we would like to seek a Project Approval rather than a Concept approval at this stage. **NSW Health therefore seek your authorisation to submit a Project Plan for the redevelopment of the Forensic and Prison Hospitals at Long Bay in accordance with Division 2 of Part 3A of the Act.**

### **View of Council and Other Agencies**

As noted above NSW Health through Justice Health has had an ongoing relationship with Randwick City Council on this project prior to the Commencement of Part 3A of the Act. On that basis we have had discussions with both Council and the Department of Planning with a view to continue the relationship with Council through the delegation of your role under Part 3A to the Council. This has been agreed in principle with both agencies.

The Department of Corrective Services intends to submit a revised Master Plan to Randwick City Council that responds to the revisions required by Council based on PPP Solutions accepted design as it can be approved under delegation by the Director of Planning and Community Development. While this is not strictly a requirement of Part 3A we believe it will benefit all parties and assist in distilling the Concept Plan for formal approval.

Prior to submitting the earlier Master Plan to Randwick City Council, an extensive community consultation process was conducted. This was to provide Council with details of any areas of the project that were of particular interest to the community. The Master Plan responded to matters raised by the community and this helped facilitate Council's consideration of the Master Plan.

### **Preliminary Environmental Assessment**

A Preliminary Environmental Assessment (PEA) has not been undertaken at this stage. However a report on the Master Plan for the site is available and attached to assist in developing Directors Requirements for the assessment of the project. ***In order to facilitate the preparation of the Environmental Assessment, NSW Health requests that the Director General's functions under Part 3A be delegated to Randwick City Council and that Directors Requirements for assessment of the Project Plan, be issued as soon as possible.***

I trust that the above information is sufficient. However If you require any additional information, please contact our consultant Leoné McEntee on 9661 8019 or 0410 432 505. We would be happy to meet with your Department to discuss the proposal at any time.

Yours sincerely

Robyn Kruk  
Director General