



## **Request for Secretary's Environmental Assessment Requirements**

### **Proposed State Significant Development – Kingswood Private Hospital**

39, 41 and 43 Orth Street, Kingswood  
Lot 183, 184 and 185 DP14333

Prepared by Willowtree Planning Pty Ltd on  
behalf of Polaris Property Group

**August 2019**

## REQUEST FOR SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS

Proposed State Significant Development – Kingswood Private Hospital  
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# REQUEST FOR SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS

Proposed State Significant Development – Kingswood Private Hospital  
39, 41 and 43 Orth Street, Kingswood (Lot 183, 184 and 185 DP14333)

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## PART A PRELIMINARY

### 1.1 INTRODUCTION

This Scoping Report has been prepared by Willowtree Planning on behalf of Polaris Property Group and is submitted to the NSW Department of Planning, Industry and Environment (DPIE) in support of a formal request for the Secretary's Environmental Assessment Requirements (SEARs).

This formal request for SEARs is made in relation to a proposed hospital – Kingswood Private Hospital at 39, 41 and 43 Orth Street, Kingswood (Lot 183, 184 and 185 DP14333). The proposed development includes a private hospital providing sub-acute hospital care in relation to rehabilitation and mental health care services within the Penrith Health and Education Precinct.

Accordingly, the proposed development is for a hospital, best defined as a type of health services facility under *State Environmental Planning Policy (Infrastructure) 2007* (ISEPP). The ISEPP would form the prevailing Environmental Planning Instrument (EPI) as part of this formal request for the SEARs. The proposed hospital is permissible with consent as the site is zoned B4 Mixed Use under the *Penrith Local Environmental Plan 2010* (LEP2010), which is a prescribed zone under the ISEPP.

The proposed development is classified as State Significant Development (SSD) pursuant to Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP). Clause 14 of Schedule 1 relates to "Hospitals, medical centres and health research facilities" and provides the following with regard to its compatibility and classification as SSD, including:

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

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

This SEARs Request document entails a brief overview of the proposed development and the planning and legislative framework that applies to enable issuance of the SEARs that would ultimately guide the preparation of a formal Environmental Impact Statement (EIS) for the future development of the identified land portion.

Therefore, it is requested that the NSW DPIE issue formal SEARs to support the preparation of the EIS for the proposed SSD (Kingswood Private Hospital), incorporating construction and operational use of the proposed facility.

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### PART B SITE ANALYSIS

#### 2.1 SITE LOCATION, EXISTING CHARACTERISTICS AND SITE CONTEXT

The Subject Site is identified as 39, 41 and 43 Orth Street, Kingswood, being legally described as Lot 183, 184 and 185 in DP14333.

The Subject Site exhibits an area of approximately 2197m<sup>2</sup> with a 46m primary street frontage to Orth Street to the south. The Site is located within the Penrith Health and Education Precinct, which is as identified in the *Greater Sydney Region Plan – A Metropolis of Three Cities* and the *Western City District Plan*.

In its existing state, the Subject Site contains three residential dwellings, with existing vegetation including trees and shrubs. Vehicular access to the existing development on the Site is facilitated via Orth Street.

The Site affords road linkages to Orth Street, Great Western Highway, The Northern Road and the M4 Western Motorway. The Site is also serviced by an extensive transport network with the Kingswood railway station, 700m and a number of bus routes along Great Western Highway, Derby Street and The Northern Road. The Site is located approximately 15km from Badgerys Creek, 28km from the Parramatta CBD and 47km from the Sydney CBD, while significant commercial, recreational, community and transport services are offered in the Penrith CBD located approximately 2.2km from the Site.

Surrounding land uses in the immediate vicinity include:

- North – Kingswood railway station, medium density residential development, light industries development and Kingswood Cemetery;
- South – low density residential development;
- East – low density residential development, Kingswood Sports Club, Chapman Gardens, the Western Sydney University – Kingswood campus and TAFE NSW – Kingswood;
- West – Nepean Hospital, Nepean Private Hospital, The University of Sydney Nepean Clinical School, Penrith Public School and Penrith High School.

The Subject Site and surrounding context are illustrated in **Figures 1** and **2** below.



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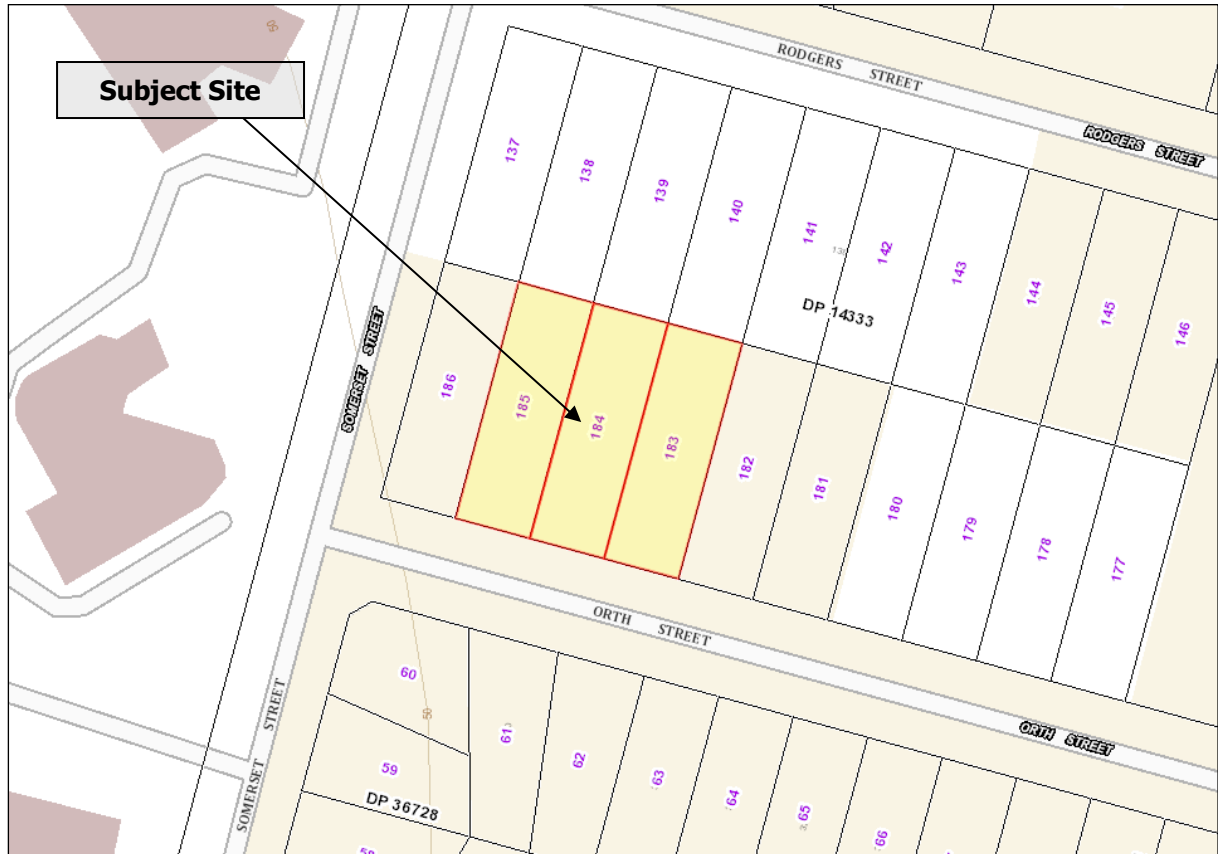


Figure 1 Site Context (SIX Maps 2019)



Figure 2 Aerial map and surrounding context (Nearmap 2019)

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### PART C PROPOSED DEVELOPMENT

#### 3.1 AIMS AND OBJECTIVES OF THE PROPOSED DEVELOPMENT

The following objectives have been identified as forming the basis of the proposed development of the Subject Site to accommodate the proposed SSD incorporating a private hospital, including:

- Delivers new health care facilities to meet the significant demand that exists in Greater Penrith;
- Designs the Subject Site to provide sub-acute hospital care in a high quality, purpose built facility;
- Operates a sub-acute hospital which focuses on rehabilitation, mental health and geriatric/palliative care services;
- Supports the growth of the Penrith health and education precinct and the Greater Penrith Collaboration Area as a whole;
- Ensures adherence to the objectives of Section 7.11 under PLEP2010 by providing a health services facility that responds to the emerging healthcare needs of the community;
- Ensures minimal environmental impact; and,
- Ensures development is compatible with surrounding development and the local context.

The Subject Site and proposed design are considered to meet the objectives of the overall project as it allows for proposed development on land in proximity of key growth areas in north-western Sydney.

#### 3.2 DESCRIPTION OF THE PROPOSED DEVELOPMENT

The proposed development seeks approval for the construction and operational use of a five- private hospital providing sub-acute and in-patient residential services. The proposed private hospital would provide hospital care for in-patients requiring rehabilitation and mental health care services. Specifically, the proposed development entails the following:

- Demolition
  - Demolition of the existing dwelling houses and associated structures;
- Earthworks and excavation
- Construction
  - Construction of a five-storey private hospital with two basement levels for parking;
  - Construction of car parking, loading area and mechanical plants;
  - Tree and vegetation removal and;
  - Site landscaping.

The numeric particulars of the proposed development are summarised in **Table 1** below.

Table 1 Proposed Development Particulars	
Location	Development Particular
Basement Level 2	Carparking
Basement Level 1	Carparking
Ground Level	<ul style="list-style-type: none"><li>▪ 1,230m<sup>2</sup> of patient facilities including front of house, pool and cafe</li><li>▪ Loading bay</li></ul>
Level 1	1,380m <sup>2</sup> in-patient ward
Level 2	1,380m <sup>2</sup> in-patient ward
Level 3	1,380m <sup>2</sup> in-patient ward
Level 4	1,380m <sup>2</sup> in-patient ward
Level 5	935m <sup>2</sup> in-patient ward

Parking would be provided in the basement level of the proposed hospital based on the number of beds and employees, which is the basis of the parking requirements prescribed by the Penrith Development Control Plan 2014 (PDCP2014).

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The built form of the proposed development would be designed in accordance with the design controls of PLEP2010. Further details of the design and layout of the proposed hospital are illustrated in the Concept Drawings at **Appendix 1**.

### 3.3 OPERATIONAL DETAILS

Operational details of the proposed private hospital (for the ultimate development scenario) are summarised in **Table 2** below.

<b>Table 2 Proposed Operational Details</b>	
<b>Operational Particular</b>	<b>Details</b>
Use	A hospital health care facility providing sub-acute and in-patient residential services
Number of staff	150 staff (being a 24-hour facility)

### 3.4 NEED FOR THE PROPOSED DEVELOPMENT

The proposed development is essential in ensuring that the attributing characteristics of the Subject Site are utilised accordingly throughout the proposed development, by providing a beneficial health care facility to the immediate area, as well as being accessible to the wider locality. Furthermore, the proposed new hospital would facilitate the effective delivery of health care by providing high standards sub-acute hospital care services which respond to the changing needs of the community, including mental illnesses and needs for rehabilitation services. Its location within the Penrith Health and Education Precinct would also enhance the accessibility for patients, visitors and workers to various health care facilities. Additionally, the proposal would also facilitate the co-location of health, higher education and medical research centres in Greater Penrith as a Collaboration Area, which would support the growth of the precinct and facilitate place-based innovation and investment.

A more detailed justification of the need of the proposed development would be further provided in the subsequent EIS pursuant to the issuance of the SEARs.

In summary, the proposed development would be consistent and commensurate with Commonwealth, State, Regional and Local planning controls and objectives; the environmental characteristics of the Site; the surrounding context; and the principles of Ecologically Sustainable Development (ESD).

### 3.5 CONSIDERATION OF ALTERNATIVES

The intention of the proposed development is to develop the Subject Site for a new private hospital providing sub-acute health care services. The proposed development is justified on the basis that it would:

- Create local jobs at the time of construction, and generate operational employment opportunities;
- Make use of an underperforming and underdeveloped site;
- Deliver on Regional and Local strategies alike;
- Allow for the proposed development as a permissible use under its B4 Mixed Use zoning category, pursuant to the ISEPP;
- Ensure the Site is compatible with the desired future local context and character; and,
- Have no unacceptable economic, environmental or social impacts.

The options considered, and subsequently dismissed, in arriving to the proposed development:

#### (a) 'Do Nothing' Scenario



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This option was dismissed as the proposed development zone objectives, including the objective of providing health care facilities that respond to the emerging needs of the community, would not be met. The option also would hinder the efficient use of the Site to deliver health care services within the Penrith Health and Education Precinct.

### **(b) Development on an Alternative Site**

Developing on an alternative site was not considered to be a feasible alternative. The location of the Site was also chosen due to the suitability in terms of proximity to the adjacent health facilities and access to nearby infrastructure options, including the Kingswood railway station and a series of accessible roads.

### **(c) Different Site Configuration**

The configuration of the proposed development was specifically chosen to:

- Maximise the use of the Site within its existing boundaries situated on Orth Street;
- Capitalise on the location of Orth Street, which would house the proposed development; and,
- Create minimal operational and environmental impacts to sensitive receivers resulting from impacts to the surrounding air quality as-well-as noise impacts.

A different site configuration would have resulted in an outcome, which would not necessarily avoid an improved social and economic basis, and practicality stemming from the proposed development. It would also not capitalise on the Site's existing attributes of an underperforming portion of land.

This option was therefore not considered appropriate.

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### PART D LEGISLATIVE AND POLICY FRAMEWORK

The following current Commonwealth, State and Local planning controls and policies have been considered in the preparation of this request for SEARs:

#### Commonwealth Planning Context

- *Environment Protection and Biodiversity Conservation Act 1999*

#### State Planning Context

- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2000*
- *Protection of Environmental Operations Act 1979*
- *Biodiversity Conservation Act 2016 and Regulation 2017*
- *Rural Fires Act 1997*
- *State Environmental Planning Policy (State and Regional Development) 2011*
- *State Environmental Planning Policy No 55 – Remediation of Land*
- *State Environment Planning Policy (Infrastructure)*

#### Local Planning Context

- *Penrith Local Environmental Plan 2010*
- *Penrith Development Control Plan 2014*

#### 4.1 ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) is the Australian Government's central piece of environmental legislation. It provides a legal framework to protect and manage nationally and internationally important flora, fauna, ecological communities and heritage places, defined in the EPBC Act as Matters of National Environmental Significance.

Under the EPBC Act, a person must not, without an approval under the Act, take an action that has or would have, or is likely to have, a significant impact on a Matter of National Environmental Significance. These matters are listed as:

- The world heritage values of a declared World Heritage property;
- The ecological character of a declared Ramsar Wetland;
- A threatened species or endangered community listed under the Act;
- A migratory species listed under the Act; and,
- The environment in a Commonwealth Marine Area or on Commonwealth land

The EPBC Act Protected Matters Report (**Appendix 2**) generated for the subject site lists five Threatened Ecological Communities (TECs), 25 threatened species, and 14 migratory species that may occur within or close to the subject site (applying a 1 km buffer to the subject site).

#### 4.2 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) is the overarching governing document for all development in NSW. Pursuant to Section 4.36(2), the EP&A Act provides that:

*A State environmental planning policy may declare any development, or any class or description of development, to be State significant development.*

The proposed development has been identified as State Significant Development under SRD SEPP as outlined in **Section 4.7** below.

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Pursuant to Section 4.12(8), *a development application for State significant development or designated development is to be accompanied by an environmental impact statement prepared by or on behalf of the applicant in the form prescribed by the regulations.*

Accordingly, this application precedes the required EIS.

### 4.3 ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000

The *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) prescribes requirements for Environmental Impact Statements in Schedule 2.

Pursuant to Schedule 2 Clause 3, prior to an EIS being prepared, a written application must be made to obtain the Secretary's Environmental Assessment Requirements (SEARs). This application forms the required request for SEARs.

### 4.4 PROTECTION OF THE ENVIRONMENT OPERATIONS ACT 1979

Schedule 1 of the *Protection of the Environment Operations Act 1979* (POEO Act) contains a core list of activities that require a licence before they may be undertaken or carried out. The definition of an 'activity' for the purposes of the POEO Act is:

*an industrial, agricultural or commercial activity or an activity of any other nature whatever (including the keeping of a substance or an animal).*

The proposed development would not involve any activity that would require the issue of an Environmental Protection Licence.

### 4.5 BIODIVERSITY CONSERVATION ACT 2016 AND REGULATION 2017

The *Biodiversity Conservation Act 2016* (BC Act) and *Biodiversity Conservation Regulation 2017* seek to *maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development.*

Part 7 of the BC Act sets out requirements for biodiversity assessments and approvals under the Planning Act (meaning the EP&A Act).

Pursuant to Section 7.2(1) of the BC Act, *development or an activity is likely to significantly affect threatened species if:*

- (a) it is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3, or*
- (b) the development exceeds the biodiversity offsets scheme threshold if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values, or*
- (c) it is carried out in a declared area of outstanding biodiversity value.*

Pursuant to Section 7.9 of the BC Act, an SSD *is to be accompanied by a biodiversity development assessment report 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.*

It is considered that the proposed development would not compromise the integrity of the ecological and biodiversity value of the site. Additionally, as the site exhibits an area of approximately 2,213m<sup>2</sup> only, the proposed removal of trees and vegetation would not exceed the biodiversity offsets scheme threshold of 0.25ha or more. Furthermore, the Subject Site is not mapped as land with high biodiversity value or a 'declared area of outstanding biodiversity value'.

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### 4.6 RURAL FIRES ACT 1997

The Subject Site is not identified to be in bushfire prone land. The SEARs request has acknowledged this and would not progress further regarding the *Rural Fires Act 1997* as it does not apply to the proposed development.

### 4.7 STATE ENVIRONMENTAL PLANNING POLICY (STATE AND REGIONAL DEVELOPMENT) 2011

Proposed developments involving activities that are listed in Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP) are identified as being State Significant Development (SSD).

Clause 14 of Schedule 1 states:

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

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

In accordance with Schedule 1 Clause 14(a), as the proposed development relates to a new private hospital with a capital investment value of more than \$30 million, the proposed development is classified as State Significant Development.

### 4.8 STATE ENVIRONMENTAL PLANNING POLICY NO 55 – REMEDIATION OF LAND

*State Environmental Planning Policy No 55 – Remediation of Land* (SEPP 55) provides a state-wide planning approach for the remediation of land and aims to promote the remediation of contaminated land to reduce the risk of harm.

Clause 7(1) of SEPP 55 requires the consent authority to consider whether land is contaminated prior to consent of a development.

The Subject Site is not identified on the List of NSW Contaminated Sites Notified to the EPA or record of notices as a contaminated site. Nevertheless, given the extent of excavation required, a Detailed Site Investigation would be undertaken.

The future EIS would be supported by a Detailed Site Investigation and any recommendations and controls provided would be implemented as deemed necessary.

### 4.9 STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

*State Environmental Planning Policy (Infrastructure) 2007* (ISEPP) applies to the Subject Site and the proposed development.

Part 3 Division 10 Clause 57(1) of the ISEPP states that "development for the purpose of health services facilities may be carried out by any person with consent on land in a prescribed zone". Pursuant to the *Standard Instrument – Principal Local Environmental Plan*, a health services facility is defined as follows:

**health services facility** means a building or place used to provide medical or other services relating to the maintenance or improvement of the health, or the restoration to health, of persons or the prevention of disease in or treatment of injury to persons, and includes any of the following:  
*(a) a medical centre,*

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- (b) community health service facilities,*
- (c) health consulting rooms,*
- (d) patient transport facilities, including helipads and ambulance facilities,*
- (e) hospital.*

A hospital means:

*a building or place used for the purpose of providing professional health care services (such as preventative or convalescent care, diagnosis, medical or surgical treatment, psychiatric care or care for people with disabilities, or counselling services provided by health care professionals) to people admitted as in-patients (whether or not out-patients are also cared for or treated there), and includes ancillary facilities for (or that consist of) any of the following:*

- (a) day surgery, day procedures or health consulting rooms,*
- (b) accommodation for nurses or other health care workers,*
- (c) accommodation for persons receiving health care or for their visitors,*
- (d) shops, kiosks, restaurants or cafes or take away food and drink premises,*
- (e) patient transport facilities, including helipads, ambulance facilities and car parking,*
- (f) educational purposes or any other health-related use,*
- (g) research purposes (whether or not carried out by hospital staff or health care workers or for commercial purposes),*
- (h) chapels,*
- (i) hospices,*
- (j) mortuaries.*

The proposed development is consistent with the above definition and thereby establishing permissibility. Furthermore, permissibility is confirmed as the zoning of the land is B4 Mixed Use which is a prescribed zone under the ISEPP.

The ISEPP also provides for certain proposals, known as Traffic Generating Development, to be referred to NSW Roads and Maritime Services (RMS) for concurrence.

Referral may be required for the erection of new premises, or the enlargement or extension of existing premises where their size or capacity satisfy certain thresholds. Schedule 3 lists the types of development that are defined as Traffic Generating Development.

The referral thresholds for 'hospitals' are:

- *200 or more beds for site with access to a road (generally); or*
- *100 or more beds for site with access to classified road or to road that connects to classified road (if access within 90m of connection, measured along alignment of connecting road).*

The proposal private hospital would require referral to the RMS for concurrence.

### 4.10 PENRITH LOCAL ENVIRONMENTAL PLAN 2010

PLEP2010 is the primary Environmental Planning Instrument (EPI) applicable to the Site. The relevant provisions summarised below and in **Table 3**.

#### Zoning and Permissibility

The Site is zoned B4 Mixed Use under PLEP2010 (**Figure 3**). The objectives of the B4 Mixed Use zone are as follows:

- *To provide a mixture of compatible land uses.*
- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*



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- *To minimise conflict between land uses within the zone and land uses within adjoining zones.*
- *To create opportunities to improve public amenity.*
- *To provide a wide range of retail, business, office, residential, community and other suitable land uses.*

Within the B4 zone the following are permissible without consent:

*Home occupations*

Within the B4 zone the following are permissible with consent:

*Amusement centres; Boarding houses; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Function centres; Home-based child care; Home businesses; Hostels; Hotel or motel accommodation; Information and education facilities; Medical centres; Mortuaries; Multi dwelling housing; Oyster aquaculture; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Residential accommodation; Residential flat buildings; Respite day care centres; Restricted premises; Roads; Seniors housing; Serviced apartments; Sex services premises; Shop top housing; Signage; Tank-based aquaculture; Veterinary hospitals*

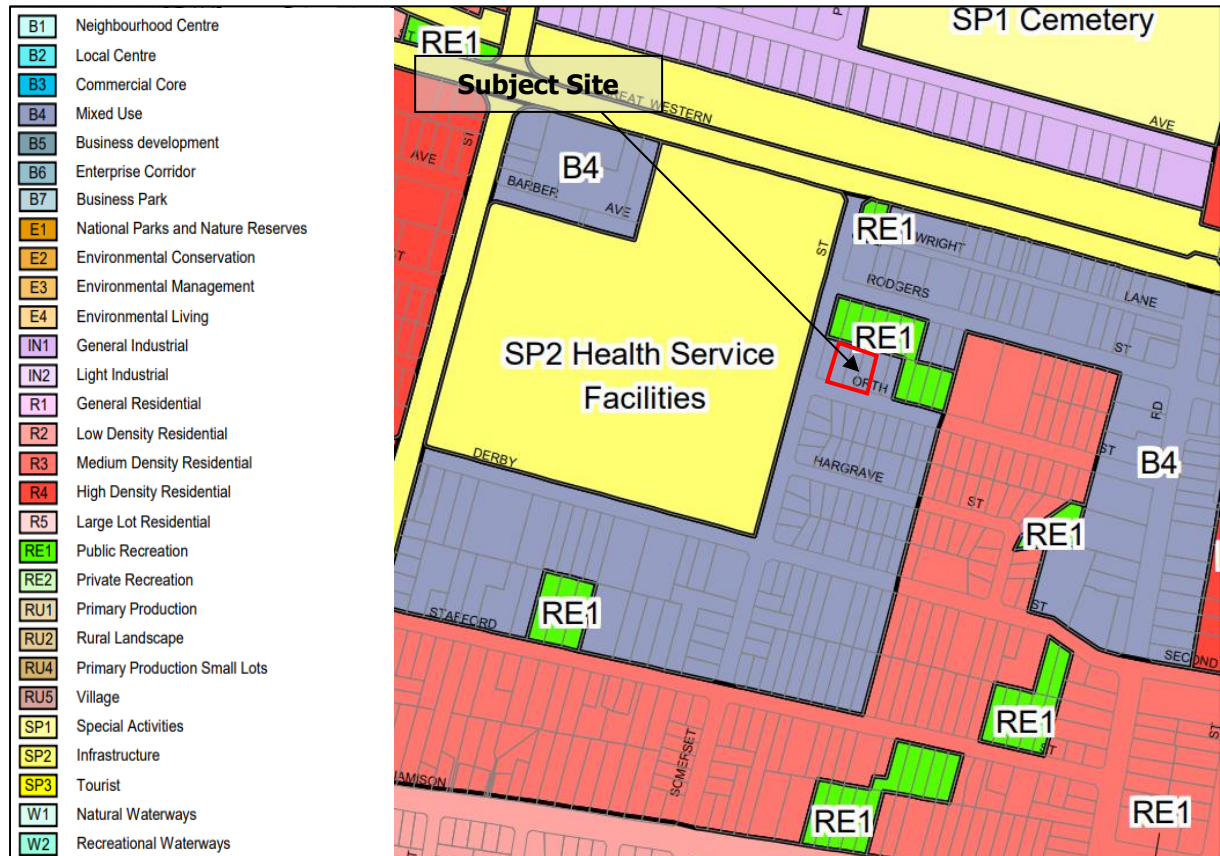
Within the B4 zone the following are prohibited:

*Pond-based aquaculture; Rural workers' dwellings; Any other development not specified in item 2 or 3*

It is noted that hospital is not listed as a permissible use within the B4 zone under PLEP2010. However, given that the ISEPP overrides PLEP2010 and that the proposed development is permissible with consent under the ISEPP (as demonstrated in **Section 4.9**), permissibility is achieved.

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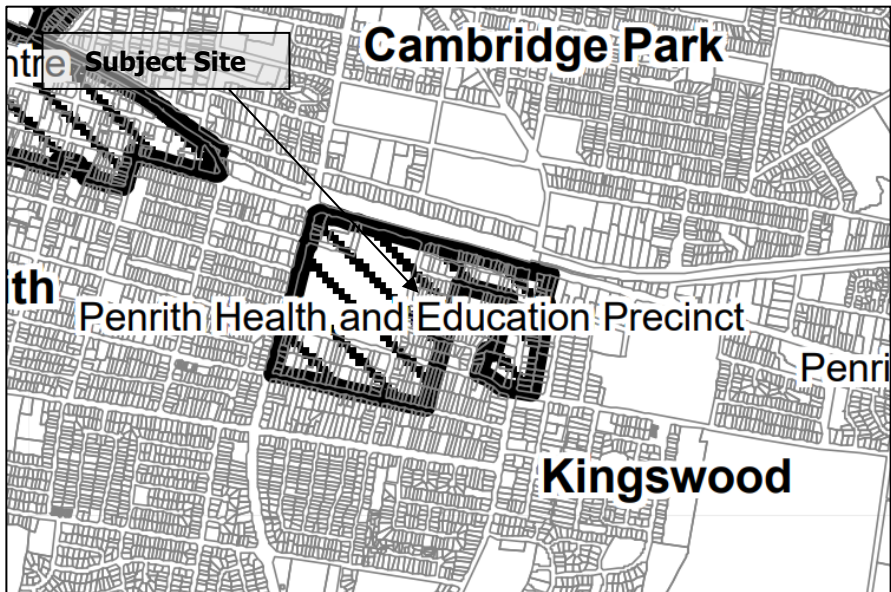
**Figure 3 Zoning Map (NSW Legislation 2019)**

**Table 3** below outlines the development standards under PLEP2010 that are applicable to the proposed hospital.

Table 3 PLEP2010 Development Standards	
Clauses	Application to Proposed Development
Clause 4.1 – Minimum Lot Size	The Site is subject to a minimum lot size requirement of 400m <sup>2</sup> . No subdivision is proposed under this application, therefore consideration under this clause is not required.
Clause 4.3 – Height of Buildings  Clause 7.11 – Penrith Health and Education Precinct	<p>The maximum building height prescribed by clause 4.3 is 18m.</p> <p>However, as the Site is located within the Penrith Health and Education Precinct as shown in <b>Figure 4</b>, the Site is subject to clause 7.11 of PLEP2010.</p> <p>Clause 7.11(3) states that: <i>Despite clause 4.3, development consent may be granted to development on land that exceeds the maximum height shown for that land on the Height of Buildings Map by up to 20% if the floor to ceiling height of both the ground and first floors are equal to or greater than 3.5 metres.</i></p> <p>Therefore, the Site is subject to a maximum building height of 21.6m, provided the floor to ceiling height of both the ground and first floors are equal to or greater than 3.5m.</p> <p>As shown in the Concept Drawings at <b>Appendix 1</b>, the proposed building height of the hospital is approximately 21.58m, which is permissible under clause 7.11.</p>

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	 <p><b>Figure 4 Penrith Health and Education Precinct (NSW Legislation 2019)</b></p>
Clause 4.4 – Floor Space Ratio	The Subject Site is subject to a maximum Floor Space Ratio (FSR) of 3.5:1. As illustrated in the Concept Drawings at <b>Appendix 1</b> , the proposed Gross Floor Area (GFA) of the hospital is 7,685m <sup>2</sup> , which exhibits a FSR of approximately 3.48:1. Therefore, the proposed hospital is compliant with the FSR control.
Clause 5.1 – Relevant acquisition authority	The Subject Site is not identified as land reserved for acquisition.
Clause 5.10 – Heritage Conservation	The Site is not identified as containing a heritage item and is not in immediate proximity of any heritage items. The Site is not located within, or in proximity to, a heritage conservation area.
Clause 7.2 – Flood Planning	The Site is not land at or below the flood planning level or identified as 'Flood planning land' under PLEP2010.
Clause 7.3 – Development on natural resources sensitive land	The Site is not identified as natural resources sensitive land.
Clause 7.5 – Protection of scenic character and landscape values	The Site is not identified to be of scenic character and landscape values.
Clause 7.8 – Active street frontages	The Site is not land identified as "Active Street Frontage" under clause 7.8 of PLEP2010.

### 4.11 PENRITH DEVELOPMENT CONTROL PLAN 2014

Clause 11 of the SRD SEPP provides that:

*Development control plans (whether made before or after the commencement of this Policy) do not apply to:*

*(a) State significant development*

As the proposal is classified as a State Significant Development, the provisions of a Development Control Plan are not applicable.

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### PART E ENVIRONMENTAL ASSESSMENT

A screening analysis of the potential environmental issues applicable to the proposed development is presented in **Table 4** below. The risk-based analysis has been used to further identify the key environmental issues requiring further assessment and assist the preparation of the SEARs for the proposed development.

The analysis is based on preliminary environmental assessment of the Subject Site only. The EIS for the proposed development would fully address these items and other environmental issues relevant to the proposed development.

Table 4 Environmental Risk Assessment	
Issue	Analysis
Soil and Water	<ul style="list-style-type: none"><li>▪ The stormwater management strategy for the Subject Site is proposed to include on-site detention (OSD) basins and/or tanks.</li><li>▪ Rainwater would be harvested for non-potable reuse on the Site.</li><li>▪ During construction, an Erosion and Sediment Control Plan would be implemented to protect the downstream drainage system and receiving waters from sediment-laden runoff.</li><li>▪ Earthworks would be designed to minimise the extent of cut and fill and allow the balance of soil to be re-used on-site. Top soil would be stockpiled for re-use within landscaped areas.</li></ul>
Contamination	<ul style="list-style-type: none"><li>▪ The Subject Site is not identified on the List of NSW Contaminated Sites Notified to the EPA or record of notices as a contaminated site.</li><li>▪ The EIS would be supported by further Detailed Site Investigation and any recommendations and controls provided would be implemented as deemed necessary.</li></ul>
Flora and fauna	<ul style="list-style-type: none"><li>▪ The Site is predominately covered in existing residential dwellings with associated landscaping and vegetation. Minor vegetation clearing may be required for the proposed development. However, the nature of such clearing would require further ecological assessment, which would be further detailed throughout the EIS pursuant to this SEARs request.</li><li>▪ The land is not identified as biodiversity certified land, nor is it the subject of a biobanking agreement.</li><li>▪ The future Landscape Plan for the Site would be informed by detailed ecological assessment.</li></ul>
Noise	<ul style="list-style-type: none"><li>▪ The Subject Site is situated in the Kingswood residential area and is in close proximity to the Nepean Hospital.</li><li>▪ Noise associated with construction are unavoidable but would comply with the relevant standards.</li><li>▪ The proposed hospital would be adequately set back from the adjoining residential and medical uses.</li><li>▪ The acoustic impacts generated through the future operation of the hospital and the associated traffic impacts would be assessed as part of the future EIS, having regard for the relevant noise criteria.</li></ul>



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Air quality	<ul style="list-style-type: none"> <li>Given the nature of the proposed development, being for a private hospital, it is not anticipated that there would be any unacceptable air quality impacts.</li> <li>During construction, air quality would be managed through appropriate dust mitigation measures.</li> </ul>
Ecologically sustainable design	<ul style="list-style-type: none"> <li>The development would be designed in accordance with the principles of Ecologically Sustainable Development (ESD), incorporating active and passive design elements to reduce energy and water consumption and reduce the emission of greenhouse gases.</li> </ul>
Waste	<ul style="list-style-type: none"> <li>Waste generated during construction would be managed through a Construction Management Plan that makes provision for waste minimisation, storage, separation, transportation and disposal.</li> <li>Similarly, ongoing waste generation associated with the operation of the hospital would be managed through a Plan of Management.</li> </ul>
Traffic and transport	<ul style="list-style-type: none"> <li>Vehicular access to the Subject Site is proposed to be facilitated via Orth Street, connecting the Site to Somerset Street and Great Western Highway.</li> <li>Off-street carparking is proposed to be provided in the basement levels.</li> <li>The number of parking spaces provided on-site at any one time would accord with the parking requirements of PDCP2014 which adopts the number of beds and employees as the basis of the parking rates.</li> <li>The proposed carpark, inclusive of disabled spaces, has been designed with sufficient capacity to accommodate all car parking on the Subject Site with no off-site overflow.</li> <li>To reduce car use and the traffic generation associated with the new development, the use of car-sharing and public transport would be promoted amongst staff, particularly with the Kingswood railway station in close proximity to the Subject Site.</li> <li>All areas for vehicular access, manoeuvring and parking would be designed to comply with relevant Australian Standards. All site ingress/egress and internal circulation would be in a forward direction.</li> <li>A Traffic Impact Statement would be prepared as part of the future EIS to address all matters related to traffic, transport and parking. Swept paths would be included within the Traffic Impact Statement to demonstrate that the Subject Site provides suitable arrangements for vehicle manoeuvring.</li> </ul>
Heritage	<ul style="list-style-type: none"> <li>The Subject Site is not identified as, or in proximity of, a heritage item or heritage conservation area.</li> </ul>
Site layout, design and visual amenity	<ul style="list-style-type: none"> <li>The proposed hospital building comprises five storeys and would be approximately 21.58m in height, which is compliant with clause 7.11 of PLEP2010.</li> <li>The FSR of the proposed development is proposed to be approximately 3.48:1, which is compliant with the FSR control of clause 4.4 under PLEP2010.</li> <li>The proposed landscape design would aim to soften the appearance of the built form, enhance the vegetated character of the site and provide for 'green' views towards the Subject Site.</li> </ul>



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	<ul style="list-style-type: none"><li>▪ The built form would be designed to incorporate architectural elements that articulate the facades and provide sufficient level of visual amenity within the public domain.</li><li>▪ High quality design would be adopted to address the Orth Street frontage, and ensure the proposed development is of appropriate bulk and scale. The proposed hospital would also be designed to be responsive to the overall character and streetscape of the Penrith Health and Education Precinct.</li><li>▪ The site layout and design respond to the constraints of the Subject Site, and in particular would protect and enhance constrained areas where possible. Mitigation measures and recommendations would be adhered to accordingly based on consultant reports to be provided for incorporation into the EIS.</li></ul>
Hazards	<ul style="list-style-type: none"><li>▪ Controls and mitigation measures would be implemented to account for such land, as well as further assessment being undertaken throughout the pursuant EIS.</li></ul>
Other Infrastructure and Services	<ul style="list-style-type: none"><li>▪ All essential infrastructure services would be augmented accordingly for the proposed development, including water, sewer, electricity and communications.</li></ul>
Socio Economics	<ul style="list-style-type: none"><li>▪ The proposed development would positively impact on the social and economic conditions of Penrith LGA. Construction jobs are expected to be in the order of 200 and while operational approximately 150 permanent jobs would be available.</li><li>▪ A total investment value for the development would be approximately \$50 million.</li></ul>

## **REQUEST FOR SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS**

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### **PART F CONCLUSION**

The proposed development is for a new private hospital and is classified as State Significant Development pursuant to Schedule 1 of the SRD SEPP.

The key objectives of the proposed development are to respond to the growing demand for sub-acute health services in Greater Penrith, which would be achieved through the delivery of a well-designed and high quality private hospital. The layout and design of the proposed private hospital has also considered the environmental constraints and surrounding sites to ensure compatibility with the local context.

Responding to these objectives, the proposed private hospital would comprise in-patient wards, day care facilities and group therapy spaces to provide rehabilitation and mental health care services.

The proposed development is permissible with consent under the ISEPP and would be compliant with regard to the relevant development controls of PLEP2010 as previously stated throughout this formal request for SEARs.

As noted throughout this document, the development would be carried out in an environmentally sustainable manner and shall implement suitable mitigation measures to ensure that the amenity and function of surrounding land uses are not compromised.

It is requested that the NSW DPIE issue formal SEARs for the preparation of an EIS for the proposed development as State Significant Development.

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### **Appendix 1 – Concept Drawings**

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**Appendix 2 – EPBC Act Protected Matters Report**