

<ul style="list-style-type: none"> ○ assessment of the impacts on views to and from heritage listed buildings; ○ any impacts on natural areas and places of Aboriginal historic or archaeological significance and consideration of the wider heritage impacts on the surrounding area; and ○ proposed conservation and mitigation measures. <p><i>Relevant Policies and Guidelines:</i> NSW Heritage Manual(1996) Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (Office of Environment and Heritage, Department of Premier and Cabinet April 2011).</p>	
<p>10. Existing Structures on Site</p> <ul style="list-style-type: none"> • Identify the intention for existing structures on site including: <ul style="list-style-type: none"> ○ Details of the intended use of the existing Emergency Department building upon completion of the new facility; and ○ Identify where the existing maintenance/engineering workshops and waste management area are being relocated and identify if the relocation of these will have an impact on car parking, traffic movements, noise on surrounding streets and adjacent residential properties. 	Section 4.1 and 6.12
<p>11. Infrastructure and Utilities</p> <ul style="list-style-type: none"> • In consultation with relevant agencies, the EA shall address the existing capacity and any augmentation requirements of the development for the provision of infrastructure and utilities. • Demonstrate that the site can be suitably serviced. 	Section 4.8 and Appendix N
<p>12. Sediment, Erosion and Dust controls (Construction and Excavation)</p> <ul style="list-style-type: none"> • Detail measures and procedures to minimise and manage the generation and off-site transmission of sediment, dust and fine particles. • Drainage issues associated with the proposal including stormwater and drainage infrastructure. <p><i>Relevant Policies and Guidelines:</i> Managing Urban Stormwater - Soils & Construction Volume 1 2004(Landcom); Approved Methods for the Modelling and Assessment of Air Pollutants in NSW(EPA); and Kogarah City Council's Water Management Policy (2006)</p>	Section 4.8, 6.14 and Appendix N
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<p>13. Groundwater</p> <ul style="list-style-type: none"> • Address whether the proposal is likely to intercept, use or affect groundwater • Demonstrate that the proposal is consistent with NSW State groundwater policies, and does not detrimentally impact on groundwater quality or the health of groundwater dependent ecosystems. 	Section 6.4.7 and 6.15
<p>14. Hazards</p> <ul style="list-style-type: none"> • An assessment against State Environmental Planning Policy No 33 - Hazardous and offensive Development • A description of the proposed storage, use and management of any hazardous material and measures to be implemented to manage hazards and risks associated with the storage. • Implementation of safety precautions for the storage of equipment and associated radiation hazards related to medical imaging, including x-rays nuclear scans and radiation oncology 	Section 6.16 and Appendices D and H
<p>During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners.</p> <p>In particular you must consult with:</p> <ul style="list-style-type: none"> • Kogarah City Council; • Transport for NSW; • Railcorp; • Roads and Maritime Services; • Office of Water; • Office of Environment and Heritage; • Any other relevant public authorities <p>The EIS must describe the consultation process and the issues raised, and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, a short explanation should be provided</p>	Section 8 and Appendix O

6. Environmental Assessment

This chapter provides an assessment of the proposal in terms of the issues provided in the DGRs issued on 6 March 2012.

6.1 Relevant Legislation

6.1.1 Environmental Planning and Assessment Act 1979

The proposed development is consistent with the objects of the *Environmental Planning and Assessment Act 1979* (EP&A Act). These are:

- (a) to encourage:
 - (i) the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,
 - (ii) the promotion and co-ordination of the orderly and economic use and development of land,
 - (iii) the protection, provision and co-ordination of communication and utility services,
 - (iv) the provision of land for public purposes,
 - (v) the provision and co-ordination of community services and facilities, and
 - (vi) the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and
 - (vii) ecologically sustainable development, and
 - (viii) the provision and maintenance of affordable housing, and
- (b) to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and
- (c) to provide increased opportunity for public involvement and participation in environmental planning and assessment.

Specifically the proposed development:

- promotes the social welfare of the community by providing an efficient and effective new Emergency Facility that will allow the hospital to fulfill its charter;
- allows for the orderly and economic development of land that is already identified as a hospital use thereby not requiring additional land resources;
- is for public purposes and will facilitate the delivery of high class health services to the community; and
- provides opportunities for public involvement and participation in the assessment process.
- has been assessed in accordance with Section 79C of the EP&A Act.

6.1.2 Environmental Planning and Assessment Regulation 2000

The Environmental Planning and Assessment Regulation 2000 (EP&A Reg) provides at Schedule 2 the form and content of an EIS. This document addresses these requirements and the Director General's Requirements attached at **Appendix A**.

In addition and as required by the EP&A Reg, the EIS has addressed the principles of ecologically sustainable development.

6.2 State Environmental Planning Policies

On the basis of the Section 149(5) Certificate received from Kogarah City Council, the following State Environmental Planning Policies (SEPP) apply to the land:

SEPP No.1	Development Standards
SEPP No.4	Development Without Consent and Miscellaneous Exempt and Complying Development
SEPP No.6	Number of Storeys in a Building
SEPP No.10	Retention of Low Cost Rental Accommodation
SEPP No.19	Bushland in Urban Areas
SEPP No.21	Caravan Parks
SEPP No.22	Shops and Commercial Premises
SEPP No.32	Urban Consolidation (Redevelopment of Urban Land)
SEPP No.33	Hazardous and Offensive Development
SEPP No.50	Canal Estate Development
SEPP No.55	Remediation of Land
SEPP No.64	Advertising and Signage
SEPP No.65	Design Quality of Residential Flat Development
SEPP (Housing for Seniors and People with a Disability) 2004	
SEPP (Building Sustainability Index: BASIX) 2004	
SEPP (Major Development) 2005	
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	
SEPP (Temporary Structures and Places of Public Entertainment) 2007	
SEPP (Infrastructure) 2007	
SEPP (Exempt and Complying Development Codes) 2008	
SEPP (Exempt and Complying Development Codes) Amendment (Commercial and Industrial) 2009	
SEPP (Affordable Rental Housing) 2009	
SEPP (State and Regional Development) 2011	
Deemed SEPP (Georges River Catchment)	

However most of the SEPPs mentioned above apply on the basis that they apply to the State. Those SEPPs of specific relevance to the proposed development are addressed below.

6.2.1 SEPP 33 Hazardous and Offensive Development

This policy provides new definitions for 'hazardous industry', 'hazardous storage establishment', 'offensive industry' and 'offensive storage establishment'. The policy requires specified matters to be considered for proposals that are 'potentially hazardous' or 'potentially offensive' as defined in the policy.

The definitions provided are:

potentially hazardous industry means a development for the purposes of any industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would pose a significant risk in relation to the locality:

- (a) to human health, life or property, or
- (b) to the biophysical environment,

and includes a hazardous industry and a hazardous storage establishment.

potentially offensive industry means a development for the purposes of an industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would emit a polluting discharge (including for example, noise) in a manner which would have a significant adverse

impact in the locality or on the existing or likely future development on other land, and includes an offensive industry and an offensive storage establishment.

hazardous industry means a development for the purposes of an industry which, when the development is in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the development from existing or likely future development on other land in the locality), would pose a significant risk in relation to the locality:

- (a) to human health, life or property, or
- (b) to the biophysical environment.

hazardous storage establishment means any establishment where goods, materials or products are stored which, when in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the establishment from existing or likely future development on the other land in the locality), would pose a significant risk in relation to the locality:

- (a) to human health, life or property, or
- (b) to the biophysical environment.

offensive industry means a development for the purposes of an industry which, when the development is in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the development from existing or likely future development on other land in the locality), would emit a polluting discharge (including, for example, noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land in the locality.

offensive storage establishment means any establishment where goods, materials or products are stored which, when in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the establishment from existing or likely future development on other land in the locality), would emit a polluting discharge (including, for example, noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land in the locality.

Appendix H attached describes the way in which various materials are managed including what may be considered “hazardous”. The ED does not deal with many of the materials mentioned however biologically hazardous materials are managed in accordance with the Hospital-wide Environmental Management Plan attached.

An analysis of the goods materials or products used within the emergency department indicates that there are none that fall within the categories defined above and therefore it is considered that SEPP 33 PHA Assessment is not warranted.

6.2.2 SEPP 55 Remediation of Land

SEPP 55 provides state-wide planning controls for the remediation of contaminated land. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed. The policy makes remediation permissible across the State, defines when consent is required, requires all remediation to comply with standards, ensures land is investigated if contamination is suspected, and requires councils to be notified of all remediation proposals.

A Preliminary Stage 1 Environmental Site Assessment was undertaken by Environmental Investigation Services (EIS Pty Ltd) and is attached at **Appendix I**. The Stage 1 ESA was designed to:

- Assess the potential risk of significant, widespread soil and groundwater contamination at the site;
- Make a preliminary assessment of the soil contamination conditions in the vicinity of the proposed development areas; and
- Undertake a waste classification assessment for off-site disposal of excavated soil associated with the proposed redevelopment works.

The findings and recommendations of their study are summarised below.

Soil samples obtained for the investigation were analysed for the potential contaminants of concern identified at the site. Elevated concentrations of contaminants were not encountered in the soil samples analysed for the investigation. All results were below the SAC.

Based on the above and the historical information reviewed for this assessment, EIS are of the opinion that the potential for significant, widespread soil and/or groundwater contamination at the site is low to moderate.

Soil contamination may be encountered at discrete locations across the site and would most likely be associated with unidentified USTs, the existing 10,000L UST, asbestos from former building/demolition activities and/or improper storage of fuel in the above ground depots.

Asbestos was not detected above the reporting limit in the soil samples analysed for the investigation. However, Envirolabs noted that loose fibre bundles of chrysotile and amosite asbestos were encountered in BH10 (0-0.1m). The calculated weight of the fibre bundles was 0.0032g, which was less than the reporting limit of 0.1g/kg. The presence of asbestos impacts the waste classification as asbestos in this context is assessed as being present or absent.

The findings of the preliminary Stage 1 ESA are considered to be a trigger for further investigation in order to meet the requirements of SEPP55. However, a detailed Stage 2 environmental site investigation is unlikely to be possible due to the existing hospital operations, however, the following is recommended:

- *A UPSS assessment (including the installation of a monitoring well network and soil sampling and analysis) should be completed in accordance with the UPSS Regulation 2008 for the existing 10,000L UST in the north-west section of the site. In the event that contamination is identified, the nature and extent of the contamination should be characterised, a RAP should be prepared and the area should be remediated and validated to meet the requirements of the UPSS regulation 2008 and SEPP55;*
- *An additional soil and groundwater investigation should be undertaken to assess the potential for contamination to be migrating onto the site from the adjacent fire station property (located at the corner of Gray and Kensington Streets), and to assess whether any contamination is migrating off-site at the down-gradient site boundaries (associated with the unidentified UST and other historical site activities). The investigation should include:*
 - *Drilling, soil sampling and the installation of seven groundwater monitoring wells in the vicinity of the up-gradient down gradient site boundaries. The proposed locations for the boreholes/monitoring wells*
 - *are shown on Figure 4;*
 - *Development of the groundwater monitoring wells prior to sampling;*
 - *Sampling of the groundwater at each location using low flow equipment (micro-purge or peristaltic pumps would be suitable);*
 - *Analysis of a groundwater sample from each location for: heavy metals; TPH/VOCs (including BTEX compounds); PAHs; electrical conductivity; pH; and hardness;*
 - *PID screening of the soil samples for the presence of VOCs;*
 - *Analysis of a minimum of one fill sample per borehole for the contaminants of concern identified in Section 5.2.1 of the report, and analysis of selected natural soil/bedrock samples for TPH/BTEX based on the results of the PID screening;*
- *A detailed unexpected finds protocol should be prepared and implemented for the proposed development works. This should document a procedure to be implemented in the event that*

fibre cement (asbestos) fragments, unidentified USTs, stained or odorous soils, and/or other potentially contaminated materials are encountered during the works;

- Due to the presence of asbestos fibres encountered in BH10, a suitably qualified asbestos consultant should be engaged to inspect and better assess the fill soils in this area following the demolition of the existing buildings and prior to the commencement of works associated with the proposed sub-acute building. The consultant should provide recommendations for managing the works and should oversee any asbestos related issues in this area.*

In the event groundwater is intercepted during excavation works at the site, dewatering will be required. NSW Office of Water and other approvals (e.g. Council/Sydney Water) will be required prior to the commencement of any dewatering activities and prior to disposal of groundwater into the stormwater or sewer systems.

Based on the scope of work undertaken for the preliminary Stage 1 ESA, EIS are of the opinion that the site could be made suitable for the proposed development subject to the findings of the additional investigation and implementation of the recommendations detailed in this report.

No soil contamination was identified in the proposed development areas that would inhibit the proposed works, however, in order to meet the requirements of SEPP55 further work will be required in order to conclude that the site is suitable for the proposed development. (EIS, 2011).

Further testing was undertaken by EIS in the area of the proposed Emergency Department in January 2012. This report titled Preliminary Soil Contamination Investigation and Waste Classification is attached at **Appendix J**. These tests resulted in a finding of levels of TPH, total PAHs and benzo(a)pyrene above the site assessment criteria adopted for this study in one borehole location. The remaining results were below the adopted level. EIS made the following observations and recommendations.

The contamination encountered in sample BH101 (0m-0.2m) is likely to be associated with the slag in the fill soil at this location. Slag material of this nature is likely to have originated from various historical metal processing industries within the Sydney region and was commonly used as fill material in the early to mid 1900s when the St George Hospital site was developed.

Due to the presence of PAHs and TPHs in BH101, remediation and/or management of this area will be required to meet the requirements of SEPP55. An additional investigation in the vicinity of BH101 would be prudent (following the demolition of the existing building in this area) in order to establish the horizontal extent of the contaminated fill material. A remedial action plan (RAP) should subsequently be prepared and implemented during the proposed works (EIS (2012)).

This recommendation along with those from the 2011 report have been adopted as mitigation measures for this project.

6.2.3 SEPP (State and Regional Development) 2011

The aim of this policy is to identify development that is State Significant Development (SSD). Pursuant to the SEPP a project will be a SSD if it falls into one of the classes of development listed in Schedule 1 of the SEPP. 'Hospitals, medical centres and health research facilities' with a capital investment value (CIV) of \$30 million or more are identified as SSD and are considered to be development of State and/or Regional Significance.

The new Emergency Department has a CIV of \$34.747 million and a Quantity Surveyors certificate

confirming the total CIV of the proposal is attached at **Appendix K**.

6.2.4 SEPP (Infrastructure) 2007

The aim of this Policy is to facilitate the effective delivery of infrastructure across the State, including providing for consultation with relevant public authorities about certain development during the assessment process. The proposed development does not trigger consultation with the Roads and Maritime Services (RMS) under the provisions of Schedule 3 of the SEPP as the proposed Stage 1 development does not generate 100 or more beds with access from a Classified Road.

6.3 Local Planning Instruments

6.3.1 Kogarah Local Environmental Plan 1998

Clause 7 of Kogarah Local Environmental Plan (KLEP) contains the zoning table. The site is zoned Special Uses 5(a) – Special Uses (General) Zone which has as its objectives:

- (a) to accommodate development by public authorities,
- (b) to accommodate private educational, religious or similar land uses,
- (c) to allow appropriate community land uses,
- (d) to enable associated and ancillary development, and
- (e) to identify and protect land intended to be acquired for special uses.

The zoning map identifies the site as 'Hospital'. The land use table Clause 7 nominates development that is allowed or prohibited in each zone. It also nominates development that may be carried out without and with development consent.

In the Special Uses 5(a) zone 'hospitals' being the particular land use indicated by red letter on the land use map may be carried out with development consent. Therefore the use is considered permissible with consent. There are no development standards contained within KLEP that apply to the site.

Clause 13A provides that consent is required for certain works that are proposed on land identified as having risk of Acid Sulfate Soils (ASS). This has not been identified on the site and is addressed in the geotechnical study at **Appendix L**.

Clause 16 of KLEP deals with ecologically sustainable development (ESD) and its objectives is to ensure that ecological sustainability is considered as part of the development assessment process. The clause states that "the Council must not grant consent to the carrying out of development unless it has given consideration to the following principles of ecologically sustainable development in so far as they are relevant to the proposed development:

- (a) conservation of natural resources,
- (b) optimisation of the use of natural features,
- (c) optimisation of energy efficiency,
- (d) maintenance or improvement of air, water and soil quality,
- (e) reduction of car dependence, and
- (f) waste avoidance, waste minimisation and cleaner production."

While the Council is not the consent Authority for this proposal, the proposal takes into account the principles of ESD in the design and operation of the facility. The structural design allows for future vertical expansion if required for the future thereby conserving the natural land resources. The site's location close to public transport should reduce the reliance of car travel and the architectural and mechanical design of the building aims to optimize energy efficiency, reduce waste and minimise impacts on the natural environment.

Additional information on ESD is provided in Section 6.6.

Clause 17 of the KLEP deals with the objectives relating to heritage and Clause 17A deals with the requirement to obtain consent for works associated with heritage items and works that may impact on them. The objectives are identified as

- (a) *to conserve the environmental heritage of Kogarah local government area, and*
- (b) *to conserve the heritage significance of existing significant fabric, relics, settings and views associated with the heritage significance of heritage items and heritage conservation areas, and*
- (c) *to ensure that archaeological sites and places of Aboriginal heritage significance are conserved, and*
- (d) *to allow for the protection of places which have the potential to have heritage significance but are not identified as heritage items, and*
- (e) *to ensure that the heritage conservation areas throughout Kogarah local government area retain their heritage significance.*

As noted earlier, Griffith House is an item of local heritage listed in Schedule 3 of KLEP. It will require demolition as part of the proposal for the development of the new Emergency Department. Several options were considered to try to leave Griffith House intact, however this proved impossible in the context of the service delivery required and the constraints on space on the site. A thorough analysis of the impacts of the buildings demolition are contained within the Heritage Impact Assessment prepared by Urbis in **Appendix G** and discussed in Section 6.11.

Clause 17F requires a Heritage Impact Statement to be prepared where works are proposed adjacent to a heritage item. Kogarah Fire Station is adjacent to the hospital site and is also listed in Schedule 3 of KLEP as having local heritage significance. The HIS prepared by Urbis notes that the proposed work will have no impact on the Kogarah Fire Station Building.

Clause 20 of KLEP provides that Council cannot consent to development on contaminated land unless it is satisfied that adequate remediation measures are in place. The site where the new ED is located has not been found to be contaminated however further work is being undertaken to confirm this position as discussed in Section 6.2.2.

No other provisions of KLEP apply to this development.

6.4 Policies, Guidelines and Planning Agreements

6.4.1 NSW State Plan

The NSW State Plan – NSW 2021 contains 32 Goals for the State. Of these three (3) goals relate to health:

- Keep people healthy and out of hospital
- Provide world class clinical services with timely access and effective infrastructure
- Invest in critical infrastructure.

The State Plan identifies the renovation of infrastructure as central to achieving economic growth. It states that *“the right infrastructure, in the right places, not only boosts productivity and competitiveness, but makes a difference to people’s quality of life. Infrastructure also underpins improvement in many services, such as roads, rail, hospitals, schools or utilities”*.

Goal 12 is the most applicable to this project as it identifies a need for an improvement in hospital services including:

- Achieving the COAG agreed national emergency department access target of 90% of persons attending ED staying four hours or less
- Moving patients from the emergency department to wards within the national benchmark.

Actions to achieve these include delivering programs to improve patient journeys and access to care, including redesigning clinical processes, better managing patient flows and resolving unnecessary treatment delays. These cannot be achieved without the necessary infrastructure.

The Government identified Priority Actions in the State Plan including to reduce waiting times for planned surgery and emergency departments in public hospitals allowing NSW to meet national benchmarks. This proposal meets these objectives by providing a new Emergency Department with better access to alternative services to patients with less critical conditions to reduce the pressure on the ED by inclusion of 'Fast Track' zones, Urgent Care Centres and Medical Assessment Units and providing the necessary triage and other services to reduce the wait time for emergency cases.

On that basis this proposal is considered to support the goals of the NSW State Plan.

6.4.2 Metropolitan Plan for Sydney 2036

The NSW Government released its Metropolitan Plan for Sydney 2036 in December 2010. The Metropolitan Plan provides commentary and direction for the next 25-30 years at a regional level on issues such as land use, economic development, jobs, transport, innovation, centres and corridors, and residential areas within Sydney.

The Metropolitan Plan sets the planning context for the provision of suitable health facilities in Sydney. Major health facilities are to be clustered around existing health precincts to improve the functioning, knowledge sharing and spatial relationships with other like facilities.

The new ED is located within the existing St George Hospital campus which is within the Kogarah Centre. The surrounding land uses, including the private hospital and independent medical practices and clinics, together with the upgrade of the hospital are consistent with the Plans' objectives of reinforcing centres and knowledge sharing between similar uses. The site is easily accessed by public transport and is close to major road infrastructure ensuring opportunities for access to employment.

The proposed development is therefore considered to be consistent with the objectives of the Metropolitan Plan for Sydney and for the specific objectives for the subregion as outlined below.

6.4.3 Draft Sydney South Subregional Strategy

The Draft Strategy identifies Kogarah as a Major Centre and provides direction for the future regeneration of the town Centre. The actions in the Strategy include the encouragement "...of residential development within proximity of Kogarah Station and support increased commercial and retail activity east of the rail corridor". This will impact on the demand for hospital resources. The Strategy also identifies the hospitals as magnet infrastructure.

This proposal will consolidate a key health facility with the existing health campus at St George and is therefore seen as consistent with this policy.

6.4.4 Kogarah Town Centre Development Control Plan No 5

Despite the fact that development control plans (DCPs) do not apply to State Significant Development, the key criteria of the Kogarah DCP No 5 are discussed below.

The strategic goals of Kogarah DCP No 5 are:

- Development in Kogarah maintains and enhances the character and amenity of our neighbourhoods, Town Centres and local centres.
 - Ensure new development responds to the character of our neighbourhoods and streetscapes.
 - Ensure development responds to environmentally sustainable practices and design.
 - Recognise and enhance our significant heritage through quality urban planning and design.
 - Make available diverse, sustainable, adaptable and affordable housing options through effective land use planning.
 - Provide a mixture of housing types that allow residents to meet their housing needs at different stages of their lifecycle, within the City.
 - Support the location of new higher density development close to our Centres, where there are appropriate services, amenities and public transport.
- Kogarah City residents can get to where they need to go in a way that is accessible, safe and efficient.
 - Improve public transport facilities for our community.
 - Provide traffic management solutions that promote safer roads and minimise traffic congestion.
 - Provide appropriate levels of public parking in our centres.
- Kogarah City Residents are able to walk and cycle safely and conveniently throughout the City.
 - Develop and enhance walking and cycling networks around the City.
- Kogarah Town Centre is recognised as the major medical, financial and educational precinct in the St George Region.
 - Monitor existing planning controls to ensure quality outcomes are achieved for the long term benefit of the Centre.
- Kogarah City has a dynamic and resilient business community that provides employment and training opportunities that meet the needs of local residents.
 - Create opportunities for sustainable local employment.
 - Support and facilitate opportunities for Home Based Businesses to grow and prosper.

The DCP was adopted in 2002 and updated in 2011. The DCP is based around a precinct planning context and the St George Hospital forms its own precinct. There are no specific controls contained within the DCP that impact on this development proposal as the area has been deferred subject to a master plan. However the principles provided within the DP have been considered generally in the context of the design of new ED as far as they can be applied to this type of development.

6.4.5 Section 94 Plan

Section 94 Contributions Plan No.1 – Road and Traffic Management

This plan applies to all future residential, commercial and retail development involving the addition and conversion of new floor space. Single detached dwelling houses (except when part of a dual occupancy development) are excluded as they are not subject to Section 94 Contributions. Contributions under this plan are not required.

Section 94 Contributions Plan No. 5 – Open Space

While this Section 94 Plan is identified as applying to the land, the proposed falls within the Kogarah Town Centre and is therefore excluded from the plan on the basis that Section 94 Plan No 8 applies.

Section 94 Contributions Plan No.8 – Kogarah Town Centre

On the basis that the proposed new Emergency Department falls within the Kogarah Town Centre, this Section 94 Plan applies to the Hospital site. The Plan identifies rates of contribution per floor space (net lettable area) for commercial development, including medical floor space. However the plan does not define what “medical floor space” constitutes. The Plan also provides that

Development by the Crown may be considered as providing a public service or benefit where the need for further public facilities and services to be provided by Council may not arise in the usual way. Consequently, Council will consider each Crown development on its merits and where appropriate exempt either partially or fully such development from the requirement to pay Section 94 contributions

The new ED is clearly providing a public service or benefit by facilitating a higher capacity more efficient service to the local and regional population and therefore should be considered for an exemption from paying Section 94 Contributions under this Plan. This position is also consistent with the Department's Circular D6 which applies to Crown Developments.

6.4.6 Development Near Rail Corridors and Busy Roads – Interim Guidelines 2008

The Interim Guidelines have been considered in detail in respect to the proposal and its location in respect to the rail corridor and the Highway. Advice from the Traffic Engineer is that these Interim Guidelines do not apply to the proposal. Consultation with

6.4.7 NSW Groundwater Policy Framework Document – General and NSW Groundwater Quality Protection Policy

The NSW Groundwater Policy Framework Document and NSW Groundwater Quality Protection Policy are general documents that deal with the risk assessment and management of groundwater to reduce potential sources of contamination to the water table.

An analysis of these policies has been undertaken by Geotechnical Consultants who have advised that as there is no intention for works associated with this application to use, source or disturb groundwater, the policy framework is not applicable. Investigations to date have not revealed the presence of groundwater on site and therefore this advice has been adopted.

If for any reason groundwater is encountered during construction a mitigation measure has been included to address this and to ensure compliance with the Groundwater policy framework.

6.5 Built Form and Urban Design

As noted above, the built form of the proposed ED is considered to be in scale with the surrounding development and is consistent with the existing streetscape. The design and materials are complimentary to existing development while still being contemporary. While there are no specific controls that apply to the site in respect to built form and design, the proposed building is considered to be appropriate for its setting.

Photomontages are provided at Appendix C.

The view in Figure 14 looks northward, including the vista approximately northwest and uphill along Gray Street.

To the right of the view is the main entry driveway to the hospital, leading to the existing St George Hospital main entrance, and at the extreme right can be seen the stair and lift shaft of the existing