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Mr Peter McManus
Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Dear McManus,

NORWEST PRIVATE HOSPITAL – HERITAGE IMPACT ASSESMENT FOR SECTION 96(2) MODIFICATION APPLICATION FOR PROPOSED LEVEL 4 ADDITION

WorleyParsons Services Pty Ltd (WorleyParsons) has been engaged by Healthscope Limited (HL) to provide heritage conservation planning services in relation to a Section 96(2) Modification (proposed modification) under the *Environmental Planning and Assessment Act 1979* (EP&A Act) to State Significant Development (SSD) Consent No. SSD 6074 for the Norwest Private Hospital located at 11 Norbrik Drive, Bella Vista (the site). It is proposed to construct a fourth level and roof level to the approved wing, expand part of the basement car parking and create a new driveway with landscaping.

The HIA sets out:

1. the methodology for preparing the Heritage Impact Assessment (HIA);
2. the background to the proposed modification;
3. a brief history of the development of the site;
4. a brief description of the site, its context and setting;
5. the identification of the heritage items and heritage conservation areas located within the vicinity of the site;
6. the scope of the proposed modification;
7. the relevant statutory and non-statutory conservation planning controls; and
8. the assessment of the impacts, if any, of the proposed modification on the conservation values that constitutes the heritage significance of the heritage items.

1. METHODOLOGY

In preparing the HIA, the following methodology has been used.

- Review of relevant legislative, regulatory, State and Local statutory and non-statutory planning controls;
- Review of the NSW State Heritage Inventory for Items listed on the State Heritage Register, Section 170 Heritage and Conservation Registers and Schedule of Environmental Heritage to *The Hills Local Environmental Plan 2012* (the LEP) that may be on the site or in the vicinity of the site;



- Review of the Australian Heritage Database for items listed under the *Environmental Protection and Biodiversity Conservation Act, 1999 (EPBC Act)*;
- Review of the relevant provisions of the DCP;
- Review of the Bella Vista Farm Conservation Management Plan, prepared by Heritage Design Services, Department of Public Works & Services and Otto Cserhalmi + Partners Pty Ltd, October 2000;
- Review of the Bella Vista Conservation Management Plan, Review and Upgrade, May 2012, prepared by WorleyParsons;
- Review of the Heritage Impact Assessment that accompanied State Significant Development (SSDA) No. SSD 6074, 11 November 2013, prepared by WorleyParsons;
- Review of Architectural Drawings, issued 26 February 2017, prepared by Health Projects International; and
- Review of the Photomontage Study, 21 February 2017, prepared by Health Projects International.

2. BACKGROUND

WorleyParsons prepared a HIA, dated 11 November 2013 to accompany a SSD Application submission for a proposed expansion to the Norwest Private Hospital. SSD Consent No. SSD 6074, dated 9 April 2014 was granted for the following development at the site:

“Expansion to the Norwest Private Hospital, including:

- *Construction of a new wing comprising 3 levels above the existing ground level and basement car park in the western part of the site;*
- *Changes to the internal configuration of the existing hospital at ground and Level 1;*
- *A minor extension to the building envelope above the ambulance bay at Level 1;*
- *A revised parking layout in the basement and at ground level to accommodate the new lift and stairs;*
- *A new opening along the south-western elevation of the basement carpark for vehicle access to a new external parking area;*
- *Landscape works; and*
- *Associated infrastructure works.”*

WorleyParsons submitted a letter, dated 29 April 2015 to accompany a Section 96(1A) Modification to SSD Consent No. SSD 6074. On 7 August 2015, Healthscope received a Notice of Modification under Section 96(1A) of the EP&A Act (SSD 6074 MOD 1) for *“modification for internal and external amendments to the approved west wing of the hospital.”*

The operation of the approved new wing is to commence early this year.

3. BRIEF HISTORY OF THE SITE AND ITS DEVELOPMENT

The site is part of the lands that formed the historic former Bella Vista Farm which was purchased by William Thomas Pearce in 1842. The lands were part of the earlier grant of some 2000 acres to Elizabeth



Macarthur in 1801 and were known as Elizabeth Macarthur's Seven Hills Farm. Refer to Section 4 of the WorleyParsons HIA, dated 11 November 2013 for further information on the history of Bella Vista Farm and its surrounds.

The history of Bella Vista Farm has been one associated with very successful commercial, agricultural and industrial land uses. It is now part of a highly regarded commercial and residential land use precinct. Norwest Business Park has been identified as a Strategic Centre in the NSW Government's *A Plan for Sydney*, and will have its own railway station with the opening of the North West Rail Link expected to be in 2019. The North West Rail Link Corridor Strategy and specifically the Bella Vista Station Precinct Structure Plan, provides the policy framework for development within this Precinct and projects to 2036 an increase of 4,400 dwellings and 10,500 jobs.

4. THE SITE, ITS CONTEXT AND SETTING

The site is located on Norbrik Drive, Bella Vista, approximately 9km north of the Parramatta CBD and 27km north-west of the Sydney CBD. It is part of the Circa Precinct which, in turn, is part of the Norwest Business Park. The Circa Precinct is partly developed. Existing development comprises the Norwest Private Hospital and Medical Centre, Circa Shopping Centre, Q Central and Quest Apartments. In addition, construction has commenced on the first stage of the Aveo Retirement Homes Limited's, retirement living development.

The site is located approximately 170m to the south of the edge of the Bella Vista Farm heritage curtilage. Bella Vista Farm is an 18.5 hectare historic and significant cultural landscape on the Cumberland Plain. The Farm is located on a ridge with views to the south, south west and partial views to the west. The Farm has some pasture lands for grazing sheep, remnant woodland, farm buildings, garden, the Homestead and its famed Bunya Pine lined drive.

5. HERITAGE ITEMS AND HERITAGE CONSERVATION AREAS LOCATED WITHIN THE VICINITY OF THE SITE

The site is located "*within the vicinity*" of "**Bella Vista**" which is listed as a heritage item on the State Heritage Register (SHR No. 00754). "*Bella Vista*" and *outbuildings and Bunya Bunya Pines, lot 2, DP 584274, Old Windsor Road (opposite Meurant's Lane)*" are listed in **Schedule 1 Items of the environmental heritage to Deemed State Environmental Planning Policy Sydney Regional Environmental Plan No 19—Rouse Hill Development Area (Deemed SEPP)**. Further, "*Bella Vista Homestead Complex*" is listed as a Heritage Conservation Area (C2) and as being of State Significance in **Schedule 5** of the LEP.

A copy of the Statement of Significance for "Bella Vista" that was contained in Section 6 of the WorleyParsons HIA, dated 11 November 2013 is attached in **Appendix A**.

It is noted that the "*Pearce Family Cemetery*", located 1km to the south of the site is identified on the State Heritage Register (SHR No. 00593) and in Schedule 5 of the LEP as being of State Significance (I24). It is also identified as the "*Cemetery, unnumbered lot known as Pearce's Cemetery, Seven Hills Road (near Old Windsor Road)*" in **Schedule 1** to the Deemed SEPP.

The "*Original section of road and culvert*" within the road reserve of Old Windsor Road is identified as an archaeological site (A2) in the LEP. It is located approximately 400m to the west of the site. The proposed modification will have no impacts to the "*Original section of road and culvert*" and therefore no further consideration will be given to this item in the HIA.



“*Bella Vista etc*” is listed on the Register of the National Trust (NSW) as well as the “*Pearce Family Cemetery*” and the “*Old Windsor Road*”. Whilst a non-statutory register, appropriate consideration is given to items listed on the National Trust’s Register.

6. THE PROPOSED MODIFICATION

Healthscope propose to modify SSD Consent No. SSD 6074 as follows:

- Construction of a further (fourth) level to the approved new wing for medical suites and circulation areas;
- Construction of a roof level with plant areas with top of ridge height of RL 102.4 (representing an overall building height increase of 3.9m from the approved RL 98.5);
- Expansion of the basement car parking area with conversion of landscaped area and removal 3 car parking spaces and construction of 13 new car parking spaces; and
- Construction of a new driveway from Norbrik Drive for access to the expanded basement car parking area with associated landscaping.

The above proposed modifications are shown in Architectural Drawings Nos NWP21-DGR-4, NWP21-DGR-5, NWP21-DGR-B1, NWP21-DGR-E and NWP21-DGR-S as prepared by Health Projects International. The submitted drawings would modify the stamped drawings, dated 9 April 2014, and referred to in Condition No. A2 of SSD Consent No. SSD 6074.

In respect of the Photomontage Study, prepared by Health Projects International accompanying the proposed modification, it has been presented to show three stages for selective photomontages: (1) the “present” or “as is”; (2) with the proposed “Level 4 Expansion”; and (3) with the “Future Precinct Masterplan” to indicate where the proposed modification fits into proposed future building envelopes in the Circa Precinct.

7. STATUTORY AND NON-STATUTORY CONSERVATION PLANNING CONTROLS

Commonwealth Environment Protection and Biodiversity Conservation (EPBC) Act 1999

“*Bella Vista*” is not identified on the National Heritage List. It is listed on the now non-statutory Register of the National Estate (RNE) as the “*Bella Vista Complex*”. The “*Old Windsor Road Section*”, listed on the RNE is not located in the immediate vicinity of the site. The “*Pearce Family Graves*” are also listed on the RNE, which are located 1km south of the site; however it is a fundamental component of the Bella Vista complex.

The RNE was closed in 2007 and is no longer a statutory list. All references to the RNE were removed from the EPBC Act on 19 February 2012. However, appropriate consideration is still given to any information about items on the RNE.

Environmental Planning and Assessment (EP&A) Act 1979

The proposed modification is development that falls under Section 96(2) of the EP&A Act. The proposed modification will be assessed against the provisions of Section 79C of the EP&A Act.

Heritage Act 1977

Natural, cultural and built heritage (non-Aboriginal) is protected in NSW under the *Heritage Act 1977*. The Act allows for heritage items or places to be listed on the State Heritage Register and for interim heritage



orders to be made to protect heritage items or places. As a general principle, approval must be obtained from the Heritage Council or local council before work can be carried out on items or places which may damage the item or place. It is considered that the proposed modification would not result in damage to an item on the State Heritage Register.

Deemed SEPP Sydney Regional Environmental Plan No 19—Rouse Hill Development Area

Clause 10(2) of the Deemed SEPP provides that:

(2) A local environmental plan applying to:

(a) a Heritage Conservation Area, or

(b) land which comprises an item of the environmental heritage or on which an item of the environmental heritage is located,

shall contain provisions which conserve the environmental heritage significance of the Heritage Conservation Area or item of the environmental heritage, as the case may be.

The proposed modification will be assessed against the existing heritage conservation provisions of Clause 5.10 of the LEP.

The Hills Local Environmental Plan 2012

Clause 5.10(1) sets out the objectives of heritage conservation, as follows:

(a) to conserve the environmental heritage of The Hills,

(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,

(c) to conserve archaeological sites,

(d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

Under **Clause 5.10(4)** of the LEP, the consent authority must take into consideration the extent to which the proposed modification would affect the heritage significance of the heritage item or heritage conservation area. The consent authority under **Clause 5.10(5)** may “*require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned*”.

The HIA has been prepared in response to the above provisions and is intended to guide the consent authority in its consideration of the proposed modification insofar as they relate to the heritage aspects of the proposed modification.

Conservation Management Plan

In relation to the Bella Vista Conservation Management Plan (CMP), it is not a statutory planning instrument. However, it is an important guide to the development of the site and its context and setting to which it applies.

The Hills Development Control Plan 2012

A specific section of the DCP called ‘Business’ (Part B, Section 6) has been prepared. The DCP applies to all business zoned land under the LEP. In addition, Part C, Section 4 deals with heritage matters. One of the key objectives of the DCP is:



“To provide for the conservation of Bella Vista Farm Park and the protection of significant views to and from the Park.”

The relevant provisions of the DCP are addressed in **Section 8** of the HIA.

The Burra Charter and NSW Heritage Manual

The HIA has considered the relevant Articles of *The Australia ICOMOS Charter for Places of Cultural Significance, 2013* (The Burra Charter) and the relevant questions outlined in the NSW Heritage Manual's 'Statements of Heritage Impact' Guidelines.

8. THE ASSESSMENT

The Hills Local Environmental Plan 2012

It is considered that the proposed modification is consistent with:

- **Clause 1.2 Aims of the Plan**, Aim (a) – the proposed modification is of a scale and form that is considered to be compatible with the cultural heritage values of “*Bella Vista*” and would provide a further expansion of existing private hospital services for a growing population in Sydney’s north-west region.
- **Clause 4.3 Height of Buildings** – the proposed additional height of the new level and roof complies with the maximum height of RL 116 under the LEP. The increased height does not impede key views and vistas.
- **Clause 5.10 Heritage Conservation** – the objectives of the Clause 5.10(1) in particular to conserve heritage items, heritage conservation areas and their setting and views and the heritage assessment provisions in Clauses 5.10(4) and (5) by addressing the relevant legislative, statutory and non-statutory conservation planning controls and the requirements of the NSW Heritage Manual's 'Statements of Heritage Impact' Guidelines.

The Hills Development Control Plan 2012 – Part B Section 6 Business

It is considered that the proposed modification is consistent with:

- **Clause 1.2 Aims and Objectives** – the proposed modification will facilitate an expansion of the existing hospital using the same footprint of the approved wing. It is in a form and scale appropriate within its context and setting and its relationship to “*Bella Vista*”.
- **Clause 2.6 Building Height** –

Views nominated in Appendix D of Part B Section 6 Business of the DCP

The proposed modification will not impact on the views and vistas available from “*Bella Vista*” to the nominated points in Section 2.6(f) and Appendix D including the “*Pearce Family Cemetery*”. Photomontages 01 and 01A support this conclusion.

View Cones nominated in Appendix C of Part B Section 6 Business of the DCP

There will be no structures erected within the hatched areas marked as View Cones A and C on the map in Appendix C.

In relation to View Cone B, as discussed in the WorleyParsons HIA, dated 11 November 2013, the views up and down this view cone have been impacted by various infill developments and road



infrastructure works. For those reasons, it was concluded in the HIA that it was “*now impractical and unsafe (the Old Windsor Road is now an 80kph zone) to meaningfully maintain this location as the viewing point. However, it is important to maintain the principles upon which the view cones were set so as to enable the ongoing application of the provisions of the DCP.*”

Photomontages 06 to 12A show the relationship of the site to the future development in the Circa Precinct. With the exception of Photomontage 12A (partial view), the existing hospital and proposed fourth and roof level will not be visible due to the proximity and heights of potential future developments.

- **Clause 2.7 Building Design and Materials** – the proposed design and materials for the proposed modification including facades and roof area will maintain the high level of architectural design quality regarding scale, massing, form and materials that was approved under SSD Consent No. SSD 6074 having regard to the site’s proximity to “*Bella Vista*”.
- **Clause 2.13 Fencing, Landscaping and Tree Preservation** – the proposed new landscaping will not obscure significant views to and from “*Bella Vista*”.
- **Clause 2.24 Heritage** – The HIA has had regard to the objectives and conservation policies of the 2000 CMP and the subsequent 2012 CMP Review and Update. Section 10.5 of the 2000 CMP (now Section 5.5) principally establishes measures to conserve the curtilage for “*Bella Vista*”, the retention of views and vistas to and from “*Bella Vista*” and the requirement for assessments of visual impacts. As discussed above under Clause 2.6 ‘Building Height’, it is considered that these policies (Actions 5.5.8 to 5.5.13) have been addressed as relevant in the assessment of impacts of the proposed modification.

The Hills Development Control Plan 2012 – Part C Section 4 Heritage

The Hills DCP – Part C Section 4 C4 Heritage **Clause 3.5 Development in the vicinity of a heritage site** requires consideration of matters such as location, character, siting, bulk, height, visual relationship, potential overshadowing, colours, textures and materials. It is considered that the proposed use and development of the site will not affect but rather enhance the heritage significance of “*Bella Vista*” as “*development in the vicinity*”.

Heritage Branch Assessment Guidelines

The key item to be addressed in the HIA is “*new development adjacent to a heritage item*”. It is considered that the proposed modification does not impact on the heritage significance of “*Bella Vista*”. This is due to:

- The proposed increase in the building envelope and height of the hospital wing by 3.9m is considered to be compatible with the cultural heritage values of “*Bella Vista*” and will retain key views and vistas;
- The proposed additional fourth level and roof level to the hospital wing would be consistent with the high quality built form approved under SSD Consent No. SSD 6074 which continues the long history of successful commercial (agricultural/industrial) and now Business Park land uses; and
- The proposed basement car parking expansion, new driveway and landscaping are contained to the part of the western edge of site which is not visible from “*Bella Vista*”.



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The Burra Charter Articles

The proposed modification is consistent with **Article 8 Setting** and **Article 15 Change** as it retains the visual and sensory setting and the cultural significance of "*Bella Vista*".

9. CONCLUSION

The proposed modification as described in Section 6 does not impact on the heritage significance of "*Bella Vista*" and the "*Pearce Family Cemetery*" as "*development in the vicinity*".

Further, it is concluded that the proposed modification satisfies the relevant heritage provisions of the LEP and DCP.

It is recommended that, on heritage grounds, the proposed modification is approved.

Yours faithfully

Robert Power
Principal Heritage and Statutory Planner



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APPENDIX A – “BELLA VISTA” STATEMENT OF SIGNIFICANCE



6. STATEMENT OF SIGNIFICANCE

The DGRs requires a Statement of Significance.

A comprehensive Statement of Cultural Significance for Bella Vista Farm is available in the Entry in the NSW State Heritage Inventory. That Statement was adopted in the 2012 CMP for Bella Vista Farm and is derived from the summary statements from the 1987 Conservation Plan and Strategy (Howard Tanner & Associates) and 2000 Conservation Management Plan (Heritage Design Services, Department of Public Works & Services and Otto Cserhalmi + Partners Pty Ltd) and information with regard to the site's archaeological significance (AMAC, 2006) and Aboriginal heritage significance (AHMS, 2006).

In response to the DGRs, the following Statement of Significance has been prepared drawing on information contained in the Entry in the NSW State Heritage Inventory as well as relevant material in the 2012 CMP.

Bella Vista is a rare surviving record of rural development on Sydney's Cumberland Plain that is of regional, state, national and international significance. It has significant land use associations with pre European Aboriginal occupation in the area, from East Coast European settlement (1795) through its very commercially successful agricultural period, the 1950s North Sydney Brick and Tile Company Brick Works and now high quality Norwest Business Park. It contains significant items of both natural and cultural significance contributing to its conspicuous siting, setting and distinctive landscape as a landmark in the Sydney Region. Cumulatively, all of these attributes constitutes a site of comprehensive heritage significance

Architecturally, the complex of farm buildings prominently sited within a rural, park-like setting provide a rare and extensive record of later nineteenth century rude, timber frame and slab construction. The masonry homestead assists in the comprehension and interpretation the earlier commercial agricultural land uses. Its design and scale for the period reflects the changing nature and structural organisation of Australian rural activity. Its fortunes can also be linked to technological and marketing innovations which tied Australian primary producers into international markets during the nineteenth and early twentieth century. Its relationship with the Norwest Business Park, Norwest Centre and the Bella Vista residential developments reflects the continuing and historically important successful adaptive land reuse which in turn, reinforces its cultural, social aesthetic and archaeological significance

*It is considered to be one of the most intact and best examples on the Cumberland Plain of the summit model of homestead siting, where the house and plantings are sited high on a prominent hill in contrast with open fields around. **Its driveway is intact and relates to the traditional transport route (Old Windsor Road).** Its prominent ridge top siting allows panoramic views to and from the property from a wide area. Glimpses remain of views to the 'summit' from Seven Hills Road (east of the Pearce's Cemetery), the Cemetery and from the cross roads of Old Windsor Road and Seven Hills Road. The name of the farm, "Bella Vista" also indicates the panoramic views from and to the site, a characteristic of the area, which was named Seven Hills by Matthew Pearce in the 1790s.*



HERITAGE IMPACT ASSESSMENT – NORWEST PRIVATE HOSPITAL EXPANSION

The site contains extensive surviving evidence of the patterns of agricultural use of the farm over the last 200 years including some field patterns, post and rail fences, vernacular slab farm buildings and evidence of the alignment of its traditional transport route, Old Windsor Road, as well as cultural plantings and remnant woodland trees. It retains aspects of its rural setting with remnant indigenous vegetation on rolling hills and extensive pasture grasses.

Bella Vista has outstanding aesthetic values, an impressive sense of place and the picturesque, serene quality which results from the deliberate and prominent siting, plantings, low scale farm buildings and homestead, their relationships to each other around yards, the ramshackle character of the place and the farm animals.

As a further rare example in NSW, Bella Vista possesses the extensive use of Bunya pines, and other associated specimen pine trees, dating from the late nineteenth century. They have become a well-known local landmark including the avenue of pines that line the original entrance driveway. The cultural plantings on the site provide an indication of fashionable landscape design in the late nineteenth century in addition to mitigating local climatic extremes: heat and drought.

An associated site is the Pearce Family Cemetery, (SHR 593), located on Seven Hills Road, where Matthew Pearce, first settler of the district, and many of his descendants, are buried.

The Cemetery is sited in direct alignment with the house. This is a similar cultural landscape technique to that used by the Macarthur family at Camden Park and its family cemetery as well as the visual connection between Camden Park House and St John's Church, Camden. The visual connections between the Homestead and the Cemetery location remain intact to this day and are preserved by the View Corridors established under the provisions and Appendices C and D of The Hills Development Control Plan 2012.