

1 December 2017

Ms Carolyn McNally  
NSW Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

**Attention: Peter McManus**

Dear Peter

**RE: Section 96(2) Modification Application to an approved Expansion to the Norwest Private Hospital – SSD\_6074**

This correspondence seeks to modify Major Project Approval SSD 6074 issued under delegation by the Minister for Planning on 9 April 2014.

The modification requests outlined in this submission are pursuant to Section 96(2) of the Environmental Planning and Assessment Act 1979 and are accompanied by supporting plans, CIV estimate, technical studies and a formal request to vary a development standard.

There are no political donations or gifts to be declared under Section 147 (4) or (5) of the Environmental Planning and Assessment Act, 1979 (EP&A).

Approval from the Stratum Lot Owners has also been sought and formalised (**Attached**).

## **1.0 Background**

Key details regarding the approval of the hospital are below:

- Norwest Private Hospital (NPH) was approved by Council on 25/10/2007 under DA 30/2008/HA.

- State Significant Development (SSD 6074) for extension of NPH approved including GFA of 28,145 m<sup>2</sup> and a variation in FSR to 1.189:1 was also approved 09/04/2014 by Minister for Planning. This extension is currently under construction.
- Modification for minor internal and external alterations approved by the Minister for Planning on 20 August 2015.
- Modification to enclose 47 m<sup>2</sup> of balcony space and change to an executive boardroom and associated increase in overall floor space to 28,192 m<sup>2</sup> and subsequent FSR to 1.19:1, approved by Hills Shire Council on 20 February 2017.

## 2.0 Site Description

The hospital, at 7-11 Norbrik Drive, Bella Vista, is legally described as Strata Plan 82294 and the land on which it is located is legally described as Lot 102 in Deposited Plan 1139109.

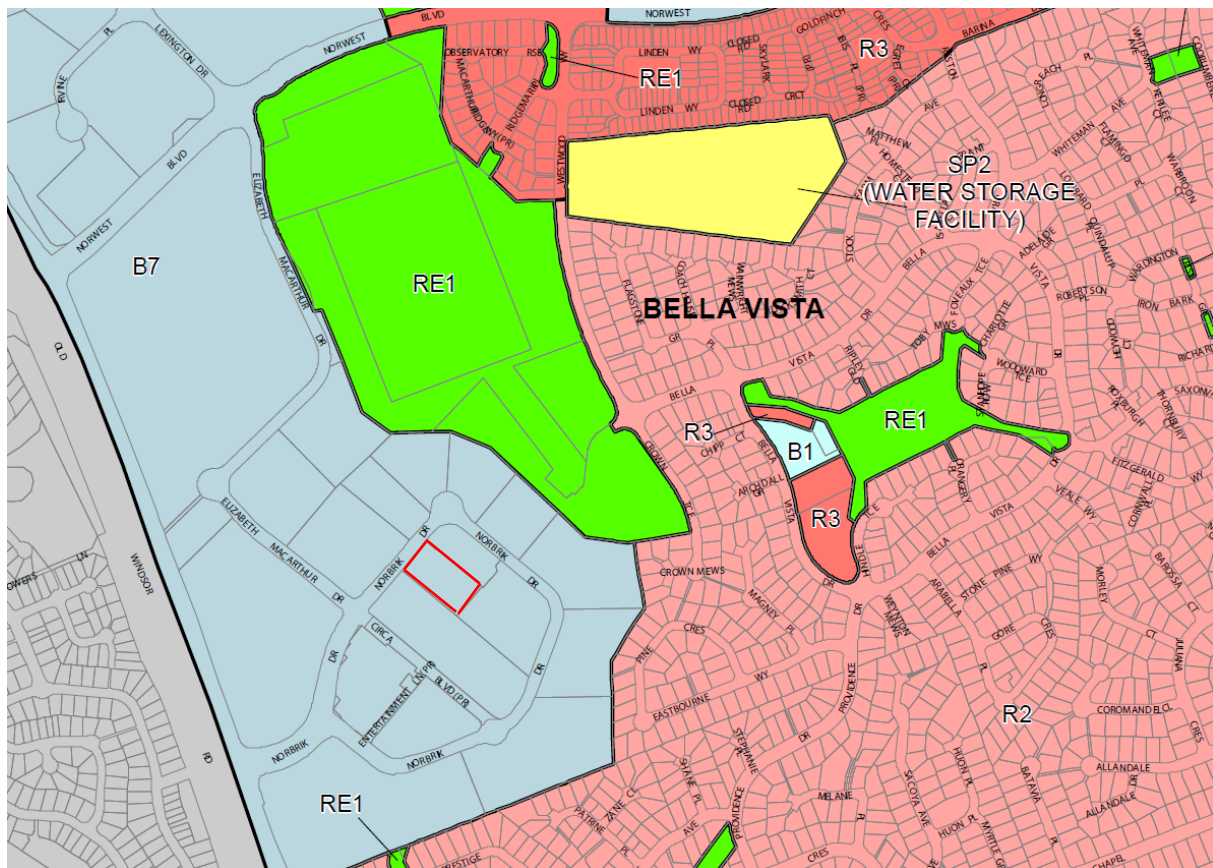
Figure 1 Subject Site



Source: Traffic and Accessibility Report, TEF Consulting, 2017

The 23,665 m<sup>2</sup> site is zoned *B7 Business Park* under *The Hills Local Environmental Plan 2012* (HLEP). The proposed development is defined as a *Health Services Facility*, which is permitted with consent under the HLEP. In addition *The Hills Shire Development Control Plan* (DCP) applies to the land.

Figure 2: Subject Site: 



Source: The Hills Shire LEP 2013

### Norwest Master Scheme

In addition to all statutory planning considerations, the proposal has regard for the 'Norwest Master Scheme' requirements. This had to be addressed to gain owner's corporation consent from The Norwest Association to accompany the SSD Application. This letter of approval from Norwest Association is attached (**Attached**). The development will be in keeping with the existing Norwest Private Hospital and surrounding Norwest Business Park and considers all relevant controls to ensure amenity and an attractive environment.

Figure 3: Comparison of existing and proposed developments



*View of existing site*



*View of proposal*



*Source: Health Projects International, Photomontage Study, 2017 (Attachment 3)*

Development will consist of an additional level, over the new west wing resulting in a minor expansion of the building envelope, expanded basement car parking, a new driveway from Norbrik Drive for access to the expanded basement parking with associated landscaping.

### **3.0 Details of Modification Sought**

The purpose of the changes to NPH is to provide for an expansion of existing medical suites and associated car parking to serve the local and wider community. This is proposed to be achieved through the following modifications to the aforementioned approval:

- The additional of a new floor (Level 4) of the Northern Extension partitioned into approximately 15 suites (note that the final number of will depend on purchaser requirements). The new floor will consist of 2066 m<sup>2</sup> (1,791 m<sup>2</sup> of medical suites + 275 m<sup>2</sup> circulation and amenities),
- Construction of a roof level with plant areas with top of ridge height of RL 102.4 (representing an overall building height increase of 3.9 m 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.
- Increase in the overall floor space to 30,258 m<sup>2</sup>, which represents FSR of 1.28:1.

The above modifications are shown in the Architectural Drawings prepared by Health Projects International **Attached**.

### **Proposed Changes to Conditions**

#### *Existing Condition A2*

A2 The Applicant shall carry out the development generally in accordance with the:

- Environmental Impact Statement titled Norwest Private Hospital Expansion, prepared by MacroPlan Dimasi, dated December 2013 and appendices;*
- Response to Submissions report titled Norwest Private Hospital Expansion - Response to Submissions, prepared by MacroPlan Dimasi, dated 13 February 2014;*
- Modification Application titled Section 96 SSD 6074 Norwest Private Hospital, Dated 11 May 2015; and*
- following drawings, except for:*
  - any modifications which are 'Exempt' or 'Complying Development'; and*
  - otherwise provided by the conditions of this consent.*

<b>Architectural (or Design) Drawings prepared by Health Projects International</b>			
<b>Drawings</b>	<b>Revision</b>	<b>Name of Plan</b>	<b>Date</b>
NWP12-DGR-V	1	Artists Impression	1/11/2013
NWP12-DGR-PM	1	View and photomontages	1/11/2013
NWP12-DGR-B1	1	Basement Level Floorplan (overall)	1/11/2013
NWP12-DGR-SS	1	Site Survey Plan	1/11/2013
NWP12-DGR-L	1	Landscape Plan	1/11/2013
NWP12-DGR-1	2	Level 1 Floor plan (overall)	18/03/2015
NWP12-DGR-2	2	Level 2 Floor plan (overall)	18/03/2015

NWP12-DGR-3	2	Level 3 Floor plan (overall)	18/03/2015
NWP12-DGR-4	2	Level 4/Roof Plan (overall)	18/03/2015
NWP12-DGR-SA	1	Site Analysis	1/11/2013
NWP12-DGR-G	2	Ground Level Floor plan (overall)	18/03/2015
NWP12-DGR-S	2	Sections	18/03/2015
NWP12-DGR-E	2	Elevations	18/03/2015

### *Proposed Condition A2*

This modification application seeks to amend Condition A2 by the insertion of bold and underlined words/numbers and deletion of struck out words/numbers as follows:

The applicant shall carry out the development generally in accordance with the:

- i. The Environmental Impact Statement titled Norwest Private Hospital Expansion, prepared by MacroPlan Dimasi dated December 2013 and appendices;
- ii. Response to Submissions Report titled *Norwest Private Hospital Expansion*, prepared by MacroPlan Dimasi, dated 13 February 2014;
- iii. Modification Application titled Section 96 – SSD 6074, Norwest Private Hospital, prepared by MacroPlan Dimasi dated 11 May 2015; and
- iv. **Modification Application titled Section 96 – SSD 6074, Norwest Private Hospital, prepared by MacroPlan Dimasi dated 1 Dec, 2017 and;**
- v. Following drawings, except for:
  - i. any modifications which are ‘Exempt’ or ‘Complying Development’; and
  - ii. otherwise provided by these conditions of consent

Architectural (or Design) Drawings prepared by Health Projects International			
Drawings	Revision	Name of Plan	Date
NWP12-DGR-V	1	Artists Impression	1/11/2013
NWP12-DGR-PM	1	View and photomontages	1/11/2013
NWP12-DGR-B1	1	Basement Level Floorplan (overall)	1/11/2013
NWP12-DGR-SS	1	Site Survey Plan	1/11/2013
NWP12-DGR-L	1	Landscape Plan	1/11/2013
NWP12-DGR-1	2	Level 1 Floor plan (overall)	18/03/2015
NWP12-DGR-2	2	Level 2 Floor plan (overall)	18/03/2015
NWP12-DGR-3	2	Level 3 Floor plan (overall)	18/03/2015
NWP12-DGR-4	2	Level 4/Roof Plan (overall)	18/03/2015
<b><u>NWP21-DGR-4</u></b>	<b><u>2</u></b>	<b><u>Roof Plan Level 4 Floor Plan (overall)</u></b> <b><u>Medical Suit Expansion</u></b>	<b><u>26/08/2017</u></b>
<b><u>NWP21- DGR-5</u></b>	<b><u>4</u></b>	<b><u>Level 5/roof plan (overall)</u></b> <b><u>Medical Suite Expansion</u></b>	<b><u>29/11/2017</u></b>
<b><u>NWP21-DGR-B1</u></b>	<b><u>3</u></b>	<b><u>New Wing Project Basement Level</u></b> <b><u>Floor Plan (overall)</u></b> <b><u>Medical Suit Expansion</u></b>	<b><u>29/11/2016</u></b>
<b><u>NWP21-DGR-3-1</u></b>	<b><u>1</u></b>	<b><u>Existing Level 3 Floor Plan</u></b> <b><u>Medical Suit Expansion</u></b>	<b><u>29/11/2017</u></b>
NWP12-DGR-SA	1	Site Analysis	1/11/2013
NWP12-DGR-G	2	Ground Level Floor plan (overall)	18/03/2015
NWP12-DGR-S	2	Sections	18/03/2015
NWP12-DGR-E	2	Elevations	18/03/2015
<b><u>NWP21-DGR-E</u></b>	<b><u>4</u></b>	<b><u>External Elevations Medical Suit</u></b> <b><u>Expansion</u></b>	<b><u>29/11/2017</u></b>
<b><u>NWP21-DGR-S</u></b>	<b><u>4</u></b>	<b><u>External Sections</u></b> <b><u>Medical Suite Expansion</u></b>	<b><u>29/11/2017</u></b>

#### *Existing Condition A8*

##### Section 94A Contribution

A8. In accordance with Section 94B EP&A Act a contribution of 1% of the cost of carrying out the development shall be paid to Council prior to the issue of an occupation certificate or commencement of use. The amount to be paid to be adjusted:

- (i) having regard to the additional cost of works arising from the Section 96 application as outlined in the Quantity Surveyor's report by WT Partnership dated 15 May 2015; and
- (ii) at the time of payment in accordance with the provision of the Hills Section 94A Contributions Plan to ensure that it is 1% of the actual cost of carrying out the development.

#### *Proposed Condition A8*

Condition A8 is proposed to be amended by the insertion of bold and underlined words/numbers and deletion of struck out words/numbers as follows:

##### Section 94A Contribution

A8. In accordance with Section 94B EP&A Act, a contribution of 1% of the cost of carrying out development shall be paid to Council prior to the issue of an occupation certificate or commencement of use. The amount to be paid is to be adjusted:

- (i) having regard to the additional cost of works arising from the Section 96 application as outlined in the Quantity Surveyor's report prepared by WT Partnership, dated 16 August 2016.
- (ii) at the time of payment in accordance with the provisions of the Hills Section 94A Contributions Plan to ensure that this is 1% of the actual cost of carrying out the development.

#### **4.0 Assessment against Section 96(2) of the EPA Act**

The proposed modification does not change the land use for which development consent was sought in the SSD, nor does it substantially change the operational



nature specified in the original SSD approval nor the provisions outlined in the original DA, the only proposed change is to the approved western wing of the hospital.

The modification to the expansion of Norwest Private Hospital will provide additional consulting suites and staff rooms, reception, amenities, services within a fourth storey of the northern extension plus associated expanded basement parking and landscaping and driveway access from Norbrik Drive.

Careful consideration of the proposed change has been considered to ensure the hospital functions under necessary procedures and standards, as required.

The estimated CIV for the above project is \$6,180,590 (Excluding GST) as provided in the cost estimate at **Attached**.

## **5.0 State Planning Instruments**

### SEPP (State and Regional Development) 2011

Under Development Class 14 in schedule 1 of the SEPP (State and Regional Development) 2011 the proposed development remains a State Significant Development as it is the modification of a State Significant Development.

### SEPP No. 55 – Remediation of Land

The modification is not considered to present any increased risk to human health as the building is being constructed over the wing of the previously approved hospital extension.

### SEPP No. 33- Hazardous and Offensive Development

The modification will not change existing transportation, storage and handling regimens deployed at Norwest Private Hospital and all risks are mitigated or avoided.

#### SEPP (Infrastructure) 2007

All potential traffic safety, volumes and parking associated with the development have been considered and the modification will not change the approved outcome. (Refer Transport Accessibility Report **Attached**).

## **6.0 Site Specific Planning Instruments**

#### The Hills Local Environmental Plan 2012

##### *Permissibility*

The land is zoned B7 Business Park. Health Services Facilities are permitted with consent on this land. State Environmental Planning Policy (Infrastructure) 2007 permits Health Services Facilities in zone B7 Business Park across NSW.

##### *Development Standards*

The development standard for Maximum Height of Buildings is limited to RL 116 (metres) as indicated on the LEP Height of Buildings Map and the Maximum Floor Space Ratio (FSR) is 1.19:1 as indicated on the LEP Floor Space Ratio Map.

The subject modification proposes an increase of roof height (including plant) of 3.9 m making the top of ridge height of RL98.5), which complies with the LEP building height.

The proposed FSR is expected to increase from 1.19:1 to 1.27555:1 and will therefore require a request to the Secretary of the Department of Planning for a variation to this development standard. A formal request Under Clause 4.6 of The HLEP 2012 is **Attached**.

#### The Hills S94A Contributions Plan 2013

The Hills S94A Contributions Plan 2013 applies to development in Bella Vista and authorises Council to impose a condition of development consent to require the payment of a fixed levy. It is anticipated the Council will review and consider if additional charges are required.

The Hills Development Control Plan 2012

Whilst Development Control Plans do not normally apply to State Significant Development the following key DCP controls as provided in Part B, Section B, Business, of the Hills Development Control Plan 2012 (HDCP2012) have been considered and are addressed in the table below:

Control	Response
<i>1.2 Aims and Objectives</i>	The proposed expansion is consistent with the aims and objectives of the Business Zone. The proposal will facilitate the expansion of the existing hospital using the same footprint of the approved wing. It is in a form and scale appropriate to its context and setting within the Business Park and its relationship to Bella Vista.
<i>2.1 Precinct Plan</i>	<i>Developments are to refer to Precinct Plan maps to ensure consistency with planned character of the area.</i> The subject site is located within the Bella Vista Precinct and is subject to the height controls to minimise visual impact on the Bella Vista Farm. Refer <b>Attached</b> Heritage Impact Assessment and Photomontage Study.
<i>2.3 Development Sites</i> <i>The site is subject to a maximum 50% site coverage.</i>	The footprint of the subject expansion is the same as the approved wing.
<i>2.5 Setbacks</i> The site is subject to a minimum 20m setback to the principle road frontage and 50% of the depth of the other road frontages. Building setbacks on corners are to be splayed.  10m setback to side and rear boundaries.	Proposed level 4 wing will fall within the footprint of the approved expansion.

Control	Response
<p><i>2.6 Building Height</i></p> <p><i>Retention of views to and from Bella Vista Farm Park to be maintained.</i></p>	<p>Refer Heritage Impact Assessment at <b>Attached</b>.</p>
<p><i>2.7 Building Design and Materials</i></p> <p><i>Material Selection to consider suitability for purpose; durability, long term appearance, environmental impacts and lifecycle assessment. High standard of visual amenity. Facades along street frontage to be compatible with surrounding development and landscape features. Surveillance pathways and open space. Appropriate lighting and signage.</i></p>	<p>Proposed materials and finishes will match the existing hospital building and previously approved extension creating visual integration with the approved facility.</p>
<p><i>2.9 Hours of Operation</i></p> <p><i>Construction hours limited to 7:00am-6:00pm Monday to Saturday with no work or activity on Sundays or Public Holidays. Hours of operation are not to adversely impact adjoining properties or business.</i></p>	<p>Complies. It is considered that this issue can be addressed as a condition of consent.</p>
<p><i>2.10 Energy Efficiency</i></p> <p><i>Consider using large areas of roof space for generating electricity via solar panels depending on orientation and capability of the roof.</i></p>	<p>The proposed additional level will incorporate a range of ESD initiatives including the relocation of the solar panels onto the new roof.</p>

Control	Response
<p>2.13 Fencing, Landscaping and Tree Preservation</p> <p><i>Landscape elements to harmonise with building designs. Native species to be used, understanding of cultural landscape. Avoid obscuring view to Bella Vista Farm Park. Utilise planting endemic to the area to screen the proposed building and associated hard paved areas.</i></p>	<p>Proposed new landscaping associated with the new access from Norbrik Drive will be designed to be compatible with the surrounding built form.</p>
<p>2.15 Vehicular Access Access to the site is via an internal road.</p>	<p>Existing internal road arrangements will not change as a result of the proposal.</p>
<p>2.16 Car Parking</p>	<p>Refer Traffic and Accessibility Report, <b>Attached</b>.</p>
<p>2.19 Pedestrian Access and Movement</p> <p><i>Car parking to be designed to accommodate mobility needs of visitors.</i></p>	<p>The proposal will be designed to comply with relevant Australian Standards.</p>
<p>2.21 Stormwater Management Developments are to implement Water Sensitive Urban Design Measures</p>	<p>Stormwater Management will be integrated with existing development.</p>
<p>2.22 Waste Management and Storage Facilities</p> <p><i>Developments are to include adequate storage of waste materials, regular waste removal, adequate screening of waste facilities.</i></p>	<p>Waste management facilities will be integrated with hospital's existing waste management facility.</p>
<p>2.24 Heritage</p>	<p>Refer <b>Attached</b>– Heritage Impact Assessment and photomontage study at <b>Attached</b>.</p>
<p>Part C – Parking</p>	<p>Refer <b>Attached</b> - Transport and Accessibility Report</p>



Control	Response
<i>Part C – Heritage</i>	Refer <b>Attached</b> - Heritage Impact Assessment and photomontage study at <b>Attached</b> .

## 7.0 Environmental Amenity

### Traffic and Parking

An updated Transport and Accessibility Report prepared by TEF Consulting (**Attached**) provides a full assessment of the traffic and parking impacts of the proposed modification.

The report found that trip generation associated with the additional floor will be minor and will fall within previously approved overall traffic volume levels.

In regards to car parking, the report considers the existing provision and demand for onsite and on-street parking in the vicinity of the NPH as demonstrated by parking accumulation surveys.

The report found that the proposed parking is justified when taking into account the existing surplus in off street parking associated with previous approvals and vacancy rates demonstrated in parking accumulation surveys.

### Heritage

Bella Vista is recognised as a heritage item on the NSW State Heritage Register. It is identified as a Heritage Conservation Area under The Hills LEP 2012 (the LEP). It is of Heritage Significance to the region.

Worley Parsons prepared an amended Heritage Impact Statement (HIS) in March 2017 (**Attached**) which is also accompanied by a photomontage study (**Attachment**) prepared by Health Projects International. This study and photomontage demonstrate that the proposal satisfies the requirements of HDCP 2012 and, that it will have minimal impact on the view lines identified in the DCP and will not result the obstruction of significant views into and out of the site. The photomontage and HIS also demonstrate that whilst the proposed addition will

obstruct views to Bunya Pine Avenue, the Cira Commercial Planning Proposal (approved at gateway and currently with Council for implementation) will further obstruct views of the subject addition and Bunya Pine Avenue. This view was supported by Hills Shire Council following consultation in May this year.

#### Acoustic and Vibration

The proposed modification has the potential to generate noise and vibration impacts associated with the construction and operation of the proposal. To ensure compliance with EPA acoustic controls, a noise management plan will be prepared at the detailed design stage addressing

- *Selection of equipment and process.*
- *Location of static plant (particularly concrete plant).*
- *Use of screens or enclosures (typically only feasible for static plant).*
- *Scheduling of noisy activities and provisions of respite periods.*
- *Noise and vibration monitoring.*

#### Waste Management

The hospital currently operates under clear waste management procedures with a mission that is committed to the safe efficient, cost effective and environmentally sound disposal and recycling of waste. The modification will have no impact on the current waste management processes

#### Hazardous Substances Management

The modification will have no implications to the existing and proposed hazardous substances storage thresholds at the hospital.

#### Construction Management

The hospital will provide the same level of high quality health care to patients throughout the construction of the expansion. All works shall have no impact on the effective and safe operation of the hospital, medical suites or car parking facilities. A construction management plan will be prepared at the detailed design stage of the proposal.

### Other Regulations

The design considers the application of relevant BCA standards including arrangements for fire resistance, access, health and amenity.

In this case, the subject modification is unlikely likely to result in an environmental impact. The proposed changes relate to practical use and the ongoing operation of the hospital. The modification maintains the character of the facility and does not alter the overall intent. In light of this, the proposed modification is considered to be of minimal environmental impact.

## **8.0 Conclusion**

This Assessment supports an application for modification to State Significant Development [SSD 6074] to construct a fourth level to the approved wing, expand part of the basement car parking and create a new driveway with associated landscaping.

NPH provides medical services and patient care, including an emergency department, to the growing population of Western Sydney.

This SEE assesses any potential environmental impacts for the new floor. Detailed supporting consultants reports have been prepared and are attached.

A minor variation to the development standards for FSR is sought under Clause 4.6 of the Hills LEP.

The assessment provides necessary information in support of proposal and addresses potential impacts and where identified mitigation measures will be instigated.

It is considered that the modification to the hospital is consistent with the approved use providing more access to health services to the community and wider catchment.

In light of the above, it is recommended that the modification to State Significant Development [SSD 6074] can be approved.

If you have any queries please do not hesitate to contact our office.

Yours sincerely,



Carmel O'Connor  
Senior Planner