



Bulli Hospital Aged Care Centre of Excellence

State Significant
Development
Modification Assessment
(SSD 7751 MOD 2)

September 2019

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Glossary

Abbreviation	Definition
AHD	Australian Height Datum
BCA	Building Code of Australia
CIV	Capital Investment Value
Consent	Development Consent
Council	Wollongong City Council
Department	Department of Planning, Industry and Environment
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
ESD	Ecologically Sustainable Development
LEP	Local Environmental Plan
Minister	Minister for Planning and Public Spaces
RtS	Response to Submissions
SEARs	Secretary's Environmental Assessment Requirements
Secretary	Secretary of the Department of Planning, Industry and Environment
SEPP	State Environmental Planning Policy
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development
TfNSW	Transport for NSW



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1. Introduction

This report provides an assessment of an application to modify the State significant development consent (SSD) for the Bulli Hospital Aged Care Centre of Excellence.

The modification application seeks approval for landscaping changes, additional building plant and acoustic screening and external alterations.

The application has been lodged by Health Infrastructure on behalf of Health Administration Corporation (the Applicant) pursuant to section 4.55(1A) of the Environmental Planning and Assessment Act 1979 (EP&A Act).

1.1 Background

The site is located approximately 500 metres from the Bulli Town Centre and Bulli Railway Station, on the northern side of Hospital Road to the north of the existing Bulli District Hospital and with the Wollongong Local Government Area (see **Figure 1**).



Figure 1 | Site Location

The site is irregular in shape and has a 180-metre frontage to Hospital Road. The subject site is bounded by the ambulance station to the east, Hospital Road to the south and low-scale residential dwellings to the west and north. Located along part of the northern boundary is the riparian corridor for Whartons Creek, which runs through the rear yards of the residential properties to the north.

1.2 Approval History

On 13 September 2017, the Executive Director, Priority Projects Assessments, as delegate of the Minister for Planning, granted SSD approval for the construction and operation of the Bulli Hospital Aged Care Centre of Excellence, including:

- demolition works and removal of 14 trees.
- remediation and earthworks.
- construction of a part 2, part 3 and part 4 storey building comprising a residential aged care facility and a hospital.
- at-grade car park areas providing a total of 50 car spaces and a drop-off area.
- signage.
- landscaping, including a courtyard.

The development consent has been modified on one previous occasion (**Table 1**).

Table 1 | Summary of Modifications

Mod No.	Summary of Modifications	Approval Authority	Type	Approval Date
MOD 1	Tree removal, digital antenna system room and permission for ancillary facilities	Director	4.55(1A)	10 October 2018



2. *Proposed Modification*

The modification application (MOD 2) seeks to modify the development consent to make internal and external alterations to the approved development. The proposed changes are:

- changes to the dementia garden.
- changed orientation and material for the external stair to the ambulance station car parking spaces.
- increased awning sizes over the residential aged care facility entrance and patient transport entrance.
- increased height of loading dock generator and on site detention tank acoustic enclosures.
- reduced height of oxygen storage acoustic enclosure.
- condenser plant with five units and acoustic screens at the north of the site.
- deletion of one tree adjacent to car park.
- change the wording of the building identification sign reflecting the name change to “Bulli Hospital and Aged Care Centre”.
- addition of three new bike racks with a total of 12 spaces.
- façade changes to the aged care facility including a movement joint zone, relocated window and door and metal deck roof to replace open louvre awning.



3. Strategic Context

The development, as modified, continues to be consistent with:

- State and Premiers Priorities to build infrastructure to support an extra one million people over the next 10 years, to ensure NSW residents have the best health infrastructure, to support regional development, to improve service levels in hospitals by delivering modern facilities and to provide integrate health care services to support an ageing population.
- the Illawarra Shoalhaven Regional Plan, as the development supports the strategic goals, directions and actions of the Plan by providing fit-for-purpose infrastructure near the Bulli Town Centre and providing seniors housing that would benefit from the connectivity with the health services. The provision of aged cared housing suites would meet needs of the ageing population and ensure suitable housing supply is provided for all life stages. These facilities are not currently available at the existing Bulli District Hospital.
- Future Transport Strategy 2056 as it would provide improved facilities in a highly accessible location.



4. Statutory Context

4.1 Scope of Modifications

The Department has reviewed the scope of the modification application and considers that the application can be characterised as a modification involving minimal environmental impacts as the proposal:

- would not significantly increase the environmental impacts of the project as approved.
- is substantially the same development as originally approved.
- would not involve any further disturbance outside the already approved disturbance areas for the project.

Therefore, the Department is satisfied the proposed modification is within the scope of section 4.55(1A) of the EP&A Act and does not constitute a new development application. Accordingly, the Department considers that the application should be assessed and determined under section 4.55(1A) of the EP&A Act rather than requiring a new development application to be lodged.

4.2 Consent Authority

The Minister for Planning and Public Spaces is the consent authority for the application under section 4.5(a) of the EP&A Act. However, under the Minister's delegation dated 11 October 2017, the Director, Social and Infrastructure Assessments, may determine the application as:

- the relevant local council has not made an objection.
- a political disclosure statement has not been made.
- there are no public submissions by way of objection.



5. Engagement

5.1 Department's Engagement

Clause 117(3B) of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation) specifies that the notification requirements of the EP&A Regulation for section 4.55(1A) applications do not apply to State significant development. Accordingly, the application was not notified or advertised. However, it was made publicly available on the Department's website on 19 July 2019, and was referred to Council for comment.

5.2 Summary of Submissions

A submission was received from Council confirming that it raised no objection to the proposed modifications but requested that the Department impose a condition requiring a tree within a planter box to replace the proposed tree removal.

No public submissions were received.



6. Assessment

The Department's consideration of the proposed modifications to the approved development are outlined below.

6.1 Dementia Garden

The proposed modification reduces and rationalises the size of the approved dementia garden, as shown in **Figure 2**.



Figure 2 | Approved courtyard (top) and proposed modification (bottom)

The Department acknowledges that the courtyard size available for residents is reduced but accepts the need for staff to have visibility of residents. The reduced and reconfigured courtyard allows this while maintaining the stimuli for residents provided by the courtyard equipment and zones, such as the garden, car and bus stop. The Department therefore supports the courtyard changes.

6.2 Condenser Plant and Enclosure Modifications

The modification proposes to introduce a condenser plant with five units at the north of the hospital building. Two units would serve the communications room and three would serve the cool room.

Condition E6 requires that noise associated with the operation of any mechanical plant, machinery or other equipment must not exceed 5dB(A) above the rating background level at the boundary of the nearest sensitive receiver. That boundary is approximately 12 metres from the proposed mechanical plant.

The Applicant has provided acoustic advice that confirms the plant can operate within the limits provided by condition E6 subject to installation of acoustic louvres, mounting on acoustic mounts and use of a night quiet mode. The Department is satisfied the noise impact of the proposed condenser plant will be acceptable subject to a condition requiring installation of acoustic treatment as specified in the advice.

The Department is satisfied the remaining acoustic enclosure changes to the on-site detention, generator and oxygen storage walls are minor in nature and would not significantly affect the design of the building or the amenity of neighbouring residents.

6.3 Tree removal

The modification proposes to delete an approved *Angophora costata* (Smooth barked apple) tree from the north-eastern boundary of the car park. This tree would be planted on a concrete slab required to support the retaining wall between the car park and the adjacent ambulance station. The Applicant suggests that a smaller tree with shallower soil requirements could be planted instead, or a planter box installed to support a similar sized tree to the approved tree.

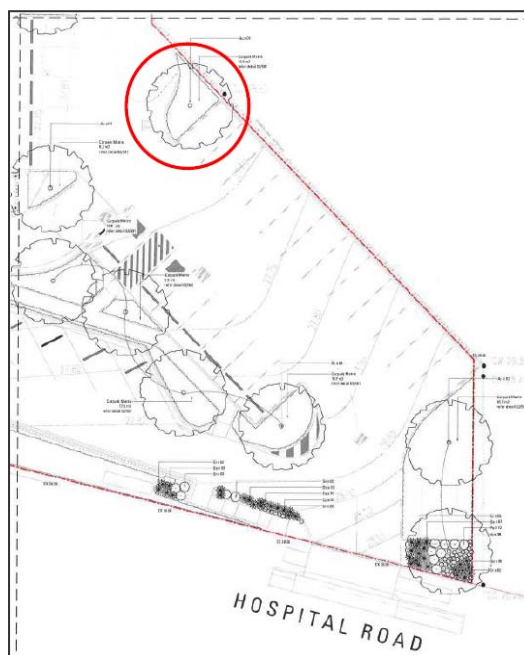


Figure 3 | Tree proposed for deletion

Council's submission did not object to the deletion of this tree, but requested that the Department include the following condition to ensure that a replacement tree is provided:

"A planter box or raised planted area with minimum dimensions 1000mm x 1000mm x 800mm is to be installed in the location of the 'tree removed due to concrete pavement & retaining wall substructure' shown on Drawing No. AA-06-0101 Revision 7 dated 11 June 2019 prepared by Billard Leece Partnership Pty Ltd and is to be planted with a suitable species, minimum pot size of 100L."

The Department agrees with the Applicant and Council that a replacement tree would ameliorate the proposed deletion and recommends a condition similar to that suggested by Council.

6.4 Bicycle parking

The modification proposes 12 bicycle parking spaces, as required by condition B13. These spaces are provided in three parking racks of five, four and three spaces. The two larger racks are publicly accessible within the hospital and aged care car parks. The three-space rack is for staff and located in the basement. The bicycle parking is consistent with relevant standards and is located in accessible and well-surveilled locations, as required by the condition.

The Applicant initially submitted a revised materials schedule (revision 6) that included bicycle parking. This schedule included further materials additions and minor changes for which the Applicant was not seeking approval as part of this modification, as it considered that the changes were sufficiently consistent to not require a Section 4.55 modification. In order to avoid inadvertently including these changes in the modified consent, the Applicant subsequently lodged a revised schedule that only includes the bicycle spaces. The recommended conditions only include the bicycle spaces revision and not the broader revised materials schedule.

6.5 Other proposed changes

The Department's consideration of the other changes proposed by the modification is provided in **Table 2**.

Table 2 | Summary of other proposed changes

Change	Consideration
Increased awning sizes over the residential aged care facility entrance and patient transport entrance.	The proposed modification would increase each awning depth by approximately two metres. This would have a negligible impact on the appearance or functioning of the building.
Inclusion of cladding and permanent movement joint zones, relocated window and door, and metal roof to northern deck.	The cladding and movement joint zones are a typical building requirement that were not initially shown on the plans, and the relocated window and door are a consequence of these. These changes will have a minor and acceptable change to the building façade. The metal roof (replacing an approved louvred roof) will not be visible from the public domain and will have little impact on the appearance of the building.
Change the wording of the building identification sign reflecting the name change to "Bulli Hospital and Aged Care Centre".	The signage would be in the same location and a similar size and colour to the approved sign. It would not change the previous assessment of the sign's acceptability.
Changed orientation and material for the external stair to the ambulance station car parking spaces	The proposed modification would make the stair perpendicular to the on-site detention tank and would change to material from concrete to steel. The stair would not be visible from the public domain and would have little impact on the appearance of the building.



7. *Evaluation*

The Department has reviewed the proposed modification and assessed the merits of the modified proposal, and all environmental issues associated with the proposal have been thoroughly addressed.

The bulk, scale and function of the approved development will not change, and the Department's original conditions of consent would ensure that the construction and future operation of the precinct would maintain the environmental amenity of the surrounding area.

The Department considers that the application is consistent with the objects of the EP&A Act, State priorities and the Illawarra Shoalhaven Regional Plan. The Department is also satisfied that the proposal would provide a significant public benefit through the continued provision of improved health and aged care opportunities for the people of NSW.

The Department concludes the impacts of the proposed modification are acceptable. Consequently, the Department considers the development is in the public interest and the modification application should be approved.



8. Recommendation

It is recommended that the Director, Social and Infrastructure Assessments, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report.
- **determines** that the application SSD 7751 MOD 2 falls within the scope of section 4.55(1A) of the EP&A Act.
- **forms the opinion** under section 7.17(c) of the *Biodiversity Conservation Act 2016* that a biodiversity development assessment report is not required to be submitted with this application as the modification will not increase the impact on biodiversity values of the site.
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant consent to the application.
- **modify** the consent SSD 7751 MOD 2.
- **signs** the attached approval of the modification.

Recommended by:

Alexander Scott

Team Leader

Transport Assessments

Recommended by:

David Gibson

Team Leader

Social Infrastructure



9. Determination

The recommendation is: **Adopted** by:

Karen Harragon

Director

Social Infrastructure Assessments

8 September 2019



Appendices

Appendix A – List of Documents

<https://www.planningportal.nsw.gov.au/major-projects/project/16501>

Appendix B – Notice of Modification