<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>AAR</td>
<td>Acoustic Assessment Report</td>
</tr>
<tr>
<td>AHA</td>
<td>Aboriginal Heritage Assessment</td>
</tr>
<tr>
<td>AHD</td>
<td>Australian Height Datum</td>
</tr>
<tr>
<td>BDAR</td>
<td>Biodiversity Development Assessment Report</td>
</tr>
<tr>
<td>BC Act</td>
<td>Biodiversity Conservation Act 2016</td>
</tr>
<tr>
<td>BCA</td>
<td>Building Code of Australia</td>
</tr>
<tr>
<td>CASA</td>
<td>Civil Aviation Safety Authority</td>
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<tr>
<td>CIV</td>
<td>Capital Investment Value</td>
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<td>Consent</td>
<td>Development Consent</td>
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<tr>
<td>Council</td>
<td>Penrith City Council</td>
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<tr>
<td>CNVMP</td>
<td>Construction Noise and Vibration Management Plan</td>
</tr>
<tr>
<td>CPTED</td>
<td>Crime Prevention Through Environmental Design</td>
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<tr>
<td>CTMP</td>
<td>Construction Traffic Management Plan</td>
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<tr>
<td>Department</td>
<td>Department of Planning and Environment</td>
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<tr>
<td>DCP</td>
<td>Development Control Plan</td>
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<tr>
<td>DSI</td>
<td>Detailed Site Investigation</td>
</tr>
<tr>
<td>EIS</td>
<td>Environmental Impact Statement</td>
</tr>
<tr>
<td>EPA</td>
<td>Environment Protection Authority</td>
</tr>
<tr>
<td>EP&amp;A Act</td>
<td>Environmental Planning and Assessment Act 1979</td>
</tr>
<tr>
<td>EP&amp;A Regulation</td>
<td>Environmental Planning and Assessment Regulation 2000</td>
</tr>
<tr>
<td>EPBC Act</td>
<td>Environment Protection and Biodiversity Conservation Act 1999</td>
</tr>
<tr>
<td>EPI</td>
<td>Environmental Planning Instrument</td>
</tr>
<tr>
<td>ESD</td>
<td>Ecologically Sustainable Development</td>
</tr>
<tr>
<td>FSR</td>
<td>Floor Space Ratio</td>
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<tr>
<td>GA NSW</td>
<td>Government Architect NSW</td>
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<td>GTP</td>
<td>Green Travel Plan</td>
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<tr>
<td>ICNG</td>
<td>Interim Construction Noise Guideline</td>
</tr>
<tr>
<td>LEP</td>
<td>Local Environmental Plan</td>
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<tr>
<td>LoS</td>
<td>Level of Service</td>
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<td>Minister</td>
<td>Minister for Planning</td>
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<td>NPI</td>
<td>Noise Policy for Industry</td>
</tr>
<tr>
<td>NBMLHD</td>
<td>Nepean Blue Mountains Local Health District</td>
</tr>
<tr>
<td>NCC</td>
<td>National Construction Code</td>
</tr>
<tr>
<td>Abbreviation</td>
<td>Full Form</td>
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<td>--------------</td>
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<tr>
<td>NHC</td>
<td>Nepean Hospital Campus</td>
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<tr>
<td>NML</td>
<td>Noise Management Levels</td>
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<td>OEH</td>
<td>Office of Environment and Heritage</td>
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<td>PDCP</td>
<td>Penrith Development Control Plan 2014</td>
</tr>
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<td>PLEP</td>
<td>Penrith Local Environmental Plan 2010</td>
</tr>
<tr>
<td>Planning Secretary</td>
<td>Secretary of the Department of Planning and Environment</td>
</tr>
<tr>
<td>PMF</td>
<td>Probable Maximum Flood</td>
</tr>
<tr>
<td>RL</td>
<td>Relative Level</td>
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<tr>
<td>RMS</td>
<td>Roads and Maritime Services</td>
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<td>RtS</td>
<td>Response to Submissions</td>
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<tr>
<td>SEARs</td>
<td>Planning Secretary’s Environmental Assessment Requirements</td>
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<tr>
<td>SEPP</td>
<td>State Environmental Planning Policy</td>
</tr>
<tr>
<td>SRD SEPP</td>
<td>State Environmental Planning Policy (State and Regional Development) 2011</td>
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<tr>
<td>SSD</td>
<td>State Significant Development</td>
</tr>
<tr>
<td>TfNSW</td>
<td>Transport for NSW</td>
</tr>
<tr>
<td>TIA</td>
<td>Traffic Impact Assessment</td>
</tr>
</tbody>
</table>
This report provides an assessment of a State significant development (SSD) application for the Nepean Hospital Integrated Ambulatory Services Redevelopment (Stage 1) (SSD 8766). The site is known as Nepean Hospital, located at 35-65 Derby Street, Kingswood, Lot 1 in DP1114090. The Applicant is Health Infrastructure on behalf of Health Administration Corporation and the proposal is located within the Penrith City Council local government area (LGA).

The proposal seeks approval for the demolition of five existing buildings and removal of 91 trees, and construction of a 14 storey hospital tower with rooftop helipad, resulting in 256 additional overnight hospital beds, associated ancillary works.

The proposal has a Capital Investment Value (CIV) of $232,192,899 and would generate 600 operational jobs and 690 construction jobs. The proposal is SSD under clause 14 of Schedule 1 of the State and Environmental Planning Policy (State and Regional Development) 2011, as it is development for the purpose of hospitals with a CIV of more than $30 million. Therefore, the Minister for Planning is the consent authority.

The application was publicly exhibited for 28 days between 14 September 2018 and 11 October 2018 (inclusive). The Department of Planning and Environment (the Department) received a total of eight submissions from public authorities, including Council. No public submissions were received. An additional eight submissions from public authorities (including Council) were received in response to the Applicant’s Response to Submissions (RtS).

The key issues raised in the submissions include traffic, parking and access, built form and amenity.

The Department has considered the above issues in its assessment, along with other impacts. The Department has considered the merits of the proposal in accordance with relevant matters under Section 4.15(1), the objects of the Environmental Planning and Assessment Act 1979, the principles of Ecologically Sustainable Development, and issues raised in all submissions as well as the Applicant’s response to these.

The Department’s assessment of the project concludes that:

- the surrounding road network has adequate capacity to cater for the expected increase in traffic to the site and proposed changes to the site’s access arrangements would be acceptable.
- sufficient car parking would be provided on site to accommodate staff, outpatients and visitors.
- the proposed built form and scale is acceptable in the context of the existing development on and surrounding the site, the operational needs of the hospital, the regional importance of the facility and proximity of the site to Penrith city centre.
- appropriate mitigation measures have been proposed to minimise amenity impacts on surrounding residential properties.

In addition, the proposal would offer significant public benefits in terms of the provision of health care and employment in the Penrith LGA and the wider Western Sydney region and is consistent with key government strategic plans and policies, including State Infrastructure Strategy 2018-2038, Greater Sydney Regional Plan: A Metropolis of Three Cities and Greater Sydney Commission’s Western City District Plan.

The Department concludes the proposal is in the public interest and recommends that the application be approved subject to conditions.
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Appendix A - List of Documents
Appendix B - Statutory Considerations
Appendix C - Recommended Instrument of Consent/Approval
1. Introduction

This report provides an assessment of a State significant development (SSD) application for the Stage 1 redevelopment of the Nepean Hospital Campus (NHC) at 35-65 Derby Street, Kingswood (SSD 8766).

The proposal seeks approval for:

- demolition of five existing buildings, existing at grade public and staff car park and associated driveways and covered walkways.
- site preparation works including remediation and excavation.
- removal of 91 trees.
- construction and operation of a 14 storey building consisting of emergency department, clinical services and a roof top helipad.
- a new driveway off Somerset Street.
- additional drop-off/pick-up locations.
- new ambulance access.
- new emergency department drop-off.

The application has been lodged by NSW Health Infrastructure (the Applicant). The site is located within the Penrith local government area (LGA).

1.1 Site description

The site is located at 35-65 Derby Street, Kingswood and is legally described as Lot 1 in DP 1114090. The site is approximately 30 kilometres (km) west of the Parramatta central business district (CBD), 60km west of the Sydney CBD, 20km north of the proposed Western Sydney Airport. The site is also located approximately 2 km south-east of Penrith CBD, 600 metres (m) from Kingswood Station/CBD and approximately 2.2km north west of educational campuses including the University of Western Sydney, TAFE NSW Nepean College and University of Sydney Nepean Clinical School. The location of the site and the site photos are provided in Figures 1 to 9.
Figure 2 | Local context map (Source: Google Maps 2019)

Figure 3 | Existing Site Plan (Source: Google Maps 2019)
The site is irregular in shape and has an area of approximately 13.92 hectares, with an approximately 400m frontage to Derby Street to the south. The site is bounded by Parker Street to the west, Derby Street to the south, Somerset Street to the east, and Great Western Highway and Barber Avenue to the north. The site slopes from the south-western corner of the site to the north-eastern corner, falling approximately 8.5m over approximately 500m.

The site is zoned SP2 Infrastructure under the Penrith Local Environmental Plan 2010 (PLEP) and is defined as a health services facility. The site is not heritage listed item or within a heritage conservation area.

The site is currently occupied by NHC, which is comprised of existing hospital buildings varying in height between one storey to five storeys high, several at-grade car parks and a multi-storey car park building at the south eastern corner of the site. Vehicle access is provided from Barber Avenue, Parker, Derby and Somerset Streets as shown in Figure 4. There is no direct vehicular access to the NHC from the Great Western Highway. A new multi-storey car park is currently under construction.

The site is serviced by existing footpath infrastructure, with pedestrian entrances from Parker, Derby and Somerset Streets. The entrance on western side of Derby Street facilitates for emergency ambulance hospital access movements including a helipad. All site frontages except the Great Western Highway have parallel on-street car parking.

Public buses that operate along Derby Street that connect the site to Kingswood and Penrith Station and Penrith CBD.

NSW Health Infrastructure has prepared the Nepean Hospital Zonal Masterplan to identify and support the growth of the campus. The proposal under this development application is part of stage 1 works of the masterplan. The Applicant states that the design principles for the proposal are derived from the aspirations set out in the masterplan and developed in response to the detailed site analysis contained within the masterplan. An extract of the Nepean Hospital Zonal Masterplan is shown in Figure 4. It indicates the long term strategic and overall intent of the proposed development to expand the existing hospital.

Figure 4 | Extract of the Nepean Hospital Zonal Masterplan (Source: EIS)
1.2 Surrounding development

Nepean Private Hospital adjoins the NHC to the north-east. The Great Western Highway and Western railway line are to the north of the site, with light industrial uses north of the railway line. The area immediately to the east, south and west is a mix of low to high density residential developments. Penrith High School is to the west of the site. Kingswood cemetery in north-east of the railway line (see Figure 5).

The area around NHC is undergoing urban renewal, the PLEP zones the western side of Parker Street for high density residential development and the southern side of Derby Street and eastern side of Somerset Street for mixed use purposes. The mixed-use zones are intended to be future medical mixed use to support the operation of the hospital such as medical offices, pharmacies, short-term accommodation, convenience stores and other forms of retail.

![Figure 5](image-url) | Map of surrounding development (Base source: NearMap 2018)

![Figure 6](image-url) | Existing ambulance parking and emergency entrance (Source: Department 2018)
Figure 7 | View of East Block from visitor/staff car park (Source: Department 2018)

Figure 8 | View multi-deck car park under construction (Source: Department 2018)

Figure 9 | Visitor and staff car park (Source: Department 2018)
2. Project

The key components and features of the proposal as refined in the Response to Submissions are provided in Table 1 and are shown in Figures 10 to 15.

Table 1 | Main components of the project

<table>
<thead>
<tr>
<th>Aspect</th>
<th>Description</th>
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<tbody>
<tr>
<td>Project Summary</td>
<td>Alterations and additions to the existing hospital involving demolition of buildings, construction of a new 14 storey building with roof top helipad, reconfiguration of existing car park, new emergency drop-off, new access from Somerset Street, and new internal roads and pedestrian access. The proposal would increase onsite parking from 1,509 to 2,009 spaces, increase inpatient capacity from 500 beds to 756 beds and increase staff numbers from 3,300 to 3,900.</td>
</tr>
<tr>
<td>Demolition</td>
<td>Demolition of existing buildings including a child care centre, Hope Cottage, Medical Accommodation and Population Health buildings, the existing at grade public and staff car park and associated driveways and a section of covered pedestrian walkway.</td>
</tr>
</tbody>
</table>
| Built form     | • Construction of a 14 storey (67.8m) hospital building with a six-storey podium above an eight storey ‘U-shaped’ tower comprising:  
  o ground level – emergency department, plant, psychiatric emergency care centre, central landscape courtyard, external car parking and travel corridors  
  o level 1 – administration unit, birthing suites, front of house areas, pedestrian link to existing hospital building and travel corridors  
  o level 2 – administration unit, endoscopy space, day of surgery admissions space, two pedestrian links to existing hospital building and travel corridors  
  o level 3 – operating theatre suites, stage 1 recovery, two pedestrian links to existing hospital building and travel corridors  
  o level 4 – plant space, sterilizing services and travel space  
  o level 5 – intensive care unit shell space, administration unit and travel corridors  
  o level 6 – neonatal intensive care unit/special care nursery services, administration unit and travel corridors  
  o level 7 – cardiac diagnostics interventional shell space and travel corridors  
  o level 8 – maternity inpatient units – 24 bed wards x 2 and travel corridors  
  o level 9 – generic inpatient unit – 28 bed wards x 2 and travel corridors  
  o level 10 – generic inpatient unit – 28 bed wards x 2 and travel corridors  
  o level 11 – generic inpatient unit – 28 bed wards x 2 and travel corridors  
  o level 12 – generic inpatient unit – 28 bed wards x 2 and travel corridors |
- level 13 – plant and travel corridors
- level 14 – helipad and travel corridors

<table>
<thead>
<tr>
<th>Site area</th>
<th>13.92ha</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross floor area (GFA)</td>
<td>57,000sqm</td>
</tr>
<tr>
<td>Uses</td>
<td>Health service facilities</td>
</tr>
</tbody>
</table>
| Access        | Vehicular access/egress from Barber Avenue, Parker Street, Derby Street, and Somerset Street
|               | Pedestrian access/egress via Barber Avenue, Parker Street, Derby Street, and Somerset Street |
| Car parking   | 2,009 (59 new parking spaces as part of this application) |
| Bicycle parking | 25 temporary spaces until finalised in Green Travel Plan strategy |
| Public domain and landscaping | Removal of 91 trees
|               | Landscaping area including planting of 222 trees, ground cover including turf and pedestrian boardwalks |
| Hours of operation | 24 hours, seven days a week |
| Signage       | No signage is proposed under this application |
| Remediation   | As per the submitted Remediation Action Plan |
| Jobs          | 600 additional operational jobs
|               | 690 construction jobs |
| CIV           | $232,192,899 |
2.1 **Physical layout and design**

The proposal’s main component is the 14-storey building, which comprises of a six-storey podium and eight-storey ‘U-shaped’ tower above. The proposal also includes a helipad on the roof of the building. On the ground floor, an ambulance bay is proposed on the eastern side of the building and emergency drop-off on the northern side of the building.

The proposed building provides connections into retained buildings (‘East Block’ and ‘North Block’) through the incorporation of pedestrian bridge links to integrate the old and new development. The design of the proposed building includes an atrium garden on ground level and elevated courtyards/respite areas on level 6, while level 9 includes a green roof. The proposal also includes a new centralised plant on Level 4 and Level 13.

The Applicant states that the project’s design principles and aspirations reflect the importance of the Stage 1 building both within the Nepean Blue Mountains Local Health District (NBMLHD) and the Penrith Education and Health Precinct. The Applicant also states that the design principles are derived from the aspirations set out in the Masterplan Report and developed in response to the detailed site analysis contained within those reports and developed as part of the Concept and Scheme Design.

The development involves substantial landscaping and public domain works including planting of 222 trees, ground cover around the new building, car park path link, entry forecourt, vehicular and pedestrian access, access path with boardwalk, and small car parking areas.

![Figure 12: Ground Level floor plan (Source: RTS 2018)](image-url)
Figure 13: Level 2 floor plan (Source: RtS 2018)

Enclosed pedestrian links to existing north and east block

Figure 14: Level 14 floor plan (Source: RtS 2018)

Help pad location

Patient and staff lift + lobby
2.2 Car parking arrangement

The hospital campus currently has 1,509 car parking spaces, of which 370 are ‘staff only’, 237 public and 902 shared staff/public. The majority of parking spaces are located within at grade car parks surrounding the hospital buildings, with 658 spaces situated within the multi-deck car park located in the south-eastern part of the site. There are approximately 1,080 on-street car parking spaces in the surrounding local road network within a 500m radius. The on-street parking is either unrestricted or restricted to 15 minutes or 2 hours. There is an approved multi-deck car park under construction (due to be completed early 2019), on the north eastern side of the site with a capacity of 627 car spaces and a temporary rooftop helipad. An additional 108 car spaces would be provided once the temporary helipad is relocated to the proposed Stage 1 building, resulting in a total of 735 car spaces. The parking demand for this proposal is proposed to be accommodated by the new multi-deck car park.

As a consequence of the subject proposal and the completion of the new multi-deck car park, a total of 2,009 on-site car parking spaces (see Table 2) will be available for 756 beds and 3,900 staff.
### Table 2: Total Campus Car parking (Source: RtS)

<table>
<thead>
<tr>
<th>Car parking</th>
<th>Existing Car Parking</th>
<th>Phase A - With completed multi-deck car park</th>
<th>Phase B - During demolition and building works of proposal</th>
<th>Phase C - Post construction + with additional multi-deck car park on roof top</th>
</tr>
</thead>
<tbody>
<tr>
<td>Car Parking numbers</td>
<td>1,509</td>
<td>2,133</td>
<td>1,842</td>
<td>2,009 (59 new parking spaces as part of this application)</td>
</tr>
</tbody>
</table>

**Figure 16:** Car parking stages (Source: RtS 2018)
Figure 16 and Table 2 provides details of the staging of the parking provision for the campus. During Phase A, with the completed multi-deck car park and prior to the Stage 1 works, there would be 2,133 car parking available on campus. During phase B, while the Stage 1 works are underway plus the multi deck car park in operation, there would be 1,842 car parking spaces available on campus. Phase C is post construction of the Stage 1 building and with the additional 108 car parking on the roof top of the multi-deck car park. The overall final parking provision takes into consideration the displacement of parking as a result of the Stage 1 development site, which occupies part of the existing at-grade car parking to the north of the hospital building.

2.3 Uses and activities
The proposed building would accommodate core hospital functions, including 24-hour emergency department, surgical unit, acute interventional medicine, cardiology, ear nose throat surgery, urology, vascular, cancer care, medical imaging, mental health, community health, drug and alcohol, sexual health, rehabilitation, pharmacy and allied health. It would also house ancillary health-related education, research and business activities. The proposed building includes a helipad on the roof.

2.4 Construction and Timing
The application proposes extended construction hours as follows:

- Monday to Friday: 7am – 6pm
- Saturday: 7am – 5pm
- no work on Sunday or public holidays.

Demolition works including relocation of building facilities between February and May 2019. Construction of the hospital building is anticipated to start in June 2019. Construction of the approved multi-deck carpark is anticipated to be completed by early 2019, which would be used once the existing car park at the proposed building location is closed for the construction works.

2.5 Related development
The following development applications relating to the site have been approved at the NHC since 2010:

Table 3 | Summary of approvals on the site

<table>
<thead>
<tr>
<th>Application number</th>
<th>Summary of Development</th>
<th>Approval Date/Authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>DA10/1004</td>
<td>Alterations and additions to existing overnight accommodation facility – Hope Cottage</td>
<td>1 November 2010 Approved by Council</td>
</tr>
<tr>
<td>MP10_0067</td>
<td>Nepean Hospital – Integrated Mental Health Unit</td>
<td>23 January 2011 Approved by Deputy Director General – Department of Planning and Infrastructure (former DPE)</td>
</tr>
<tr>
<td>DA10/1146</td>
<td>Expansion of the Oral Health Facility and Refurbishment of the existing building</td>
<td>1 March 2011 Approved by Council</td>
</tr>
</tbody>
</table>
| DA12/0175 | Construction of a multi-deck hospital car park | 10 May 2012
Approved by Council |
|------------|-----------------------------------------------|------------------|
| DA17/0665  | Construction of a 735 car space multi-deck car park and temporary helipad | 28 November 2017 – under construction, forecast completion early 2019
Approved by Council |
3. **Strategic Context**

NHC is the principal hospital in the Nepean Blue Mountains Local Health District (NBMLHD). NBMLHD is one of nineteen Local Health Districts and Specialty Health Networks in NSW. The NBMLHD provides health care services and support approximately 350,000 people living in four LGAs across Western Sydney (Blue Mountains, Hawkesbury, Lithgow and Penrith).

The proposal forms part of a wider program to improve medical services in the Penrith LGA and the wider Western Sydney region that will create additional jobs and provide significant social benefits for the local community. The proposed redevelopment will provide contemporary facilities that are more effective and efficient that have a greater capacity to meet the health care requirements of a growing and aging population.

The Department considers that the proposal is appropriate for the site given:

- it is consistent with the Greater Sydney Commission’s A Metropolis of Three Cities, The Greater Sydney Regional Plan. The plan identifies increased investment to improve health care services within greater Penrith that will support its classification as one of Health and Education Precinct.

- it is consistent with State Infrastructure Strategy 2018 – 2038 Building the Momentum as it would continue investment in health infrastructure to support a growing and ageing population and enable the delivery of modern health infrastructure that would support improved health outcomes for the people of Western Sydney.

- it is consistent with the Future Transport Strategy 2056 as it provides improved health facilities within a regional centre, which would support its role as a regional hub for employment and services.

- it would provide critical public infrastructure to cater for the increased demand for health services required for an ageing population.

- it will provide direct investment in the region of $232,192,899 and would support up to 690 construction jobs and 600 new operational jobs.
4. Statutory Context

4.1 State significant development

The proposal is SSD under section 4.36 (development declared SSD) of the Environmental Planning and Assessment Act 1979 (EP&A Act) as the development has a CIV in excess of $30 million and is for the purpose of a hospital under clause 14 of Schedule 1 of State Environmental Planning Policy (State and Regional Development) 2011.

The Minister is the consent authority under section 4.5 of the EP&A Act.

In accordance with the then Minister for Planning’s delegation to determine SSD applications, signed on 11 October 2017, the Executive Director, Priority Projects may determine this application as:

- the relevant Council has not made an objection.
- there are less than 25 public submissions in the nature of objection.
- a political disclosure statement has not been made.

4.2 Permissibility

The site is identified as being located within the SP2 – Infrastructure zone by the PLEP. The proposal is permissible with consent within the zone. Therefore, the Minister for Planning or a delegate may determine the carrying out of the development.

4.3 Other approvals

Under section 4.41 of the EP&A Act, a number of other approvals are integrated into the State significant development approval process, and consequently are not required to be separately obtained for the proposal.

Under section 4.42 of the EP&A Act, a number of further approvals are required, but must be substantially consistent with any development consent for the proposal (e.g. approvals for any works under the Roads Act 1993).

The Department has consulted with the relevant public authorities responsible for integrated and other approvals, considered their advice in its assessment of the project, and included suitable conditions in the recommended conditions of consent (see Appendix C).

4.4 Mandatory matters for consideration

4.4.1 Environmental planning instruments

Under section 4.15 of the EP&A Act, the consent authority is required to take into consideration any environmental planning instrument (EPI) that is of relevance to the development the subject of the development application. Therefore, the assessment report must include a copy of, or reference to, the provisions of any EPIs that substantially govern the project and that have been taken into account in the assessment of the project.

The Department has undertaken a detailed assessment of these EPIs in Appendix B and is satisfied the application is consistent with the requirements of the EPIs.
4.4.2 Objects of the EP&A Act

The objects of the EP&A Act are the underpinning principles upon which the assessment is conducted. The statutory powers in the EP&A Act (such as the power to grant consent/ approval) are to be understood as powers to advance the objects of the legislation, and limits on those powers are set by reference to those objects. Therefore, in making an assessment, the objects should be considered to the extent they are relevant. A response to the objects of the EP&A Act is provided at Table 4.

Table 4 | Response to the objects of section 1.3 of the EP&A Act

<table>
<thead>
<tr>
<th>Objects of the EP&amp;A Act</th>
<th>Consideration</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State’s natural and other resources</td>
<td>The redevelopment of NHC will ensure the proper management and development of suitably zoned land for the social welfare of the local community. The improved health care facilities will provide significant social and economic benefits to the community.</td>
</tr>
<tr>
<td>(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</td>
<td>The proposal includes measures to deliver ecologically sustainable development (See Section 4.4.3 of this report).</td>
</tr>
<tr>
<td>(c) to promote the orderly and economic use and development of land,</td>
<td>The redevelopment of the existing NHC site would meet the objectives of the zone to provide hospital related infrastructure. The redevelopment of the existing hospital campus to intensify the use would also be of economic benefit through job creation and infrastructure investment.</td>
</tr>
<tr>
<td>(d) to promote the delivery and maintenance of affordable housing,</td>
<td>N/A</td>
</tr>
<tr>
<td>(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,</td>
<td>The proposal would not result in the loss of any threatened or vulnerable species, populations, communities or significant habitats.</td>
</tr>
<tr>
<td>(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),</td>
<td>The proposal provides a balanced response with a contemporary built form that respects the existing hospital buildings. No significant impacts would occur on built and cultural heritage, including Aboriginal cultural heritage.</td>
</tr>
<tr>
<td>(g) to promote good design and amenity of the built environment,</td>
<td>The proposal has been reviewed by the Government Architect NSW throughout the assessment of the proposed development. The Department considers the application would provide for good design and</td>
</tr>
</tbody>
</table>
be sympathetic to the amenity of the existing built environment (refer to Section 6.2).

(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,

The Department has considered the proposal and has recommended a number of conditions of consent to ensure the construction and maintenance is undertaken in accordance with legislation, guidelines, policies and procedures (refer to Appendix C).

(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,

The Department publicly exhibited the proposal (Section 5.1), which included consultation with Council and other public authorities and consideration of their responses.

(j) to provide increased opportunity for community participation in environmental planning and assessment.

The Department publicly exhibited the proposal as outlined in Section 5.1, which included notifying adjoining landowners, placing a notice in newspapers and displaying the proposal on the Department’s website and at Council during the exhibition period.

4.4.3 Ecologically sustainable development

The EP&A Act adopts the definition of ESD found in the Protection of the Environment Administration Act 1991. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- the precautionary principle.
- inter-generational equity.
- conservation of biological diversity and ecological integrity.
- improved valuation, pricing and incentive mechanisms.

The Applicant proposes to target a Green Star (Green Building Council of Australia) 4 Star rating and proposes a range of ESD initiatives and sustainability measures in the design, including:

- increased thermal insulation for roofs and walls
- appropriately sized façade glazing area to achieve a balance between heat losses/gains and natural daylighting and views
- double glazed window units
- appropriate solar control glazing performance
- integrated façade shading
- internal blinds
- pre-tempering of outdoor air with relief using air to air heat exchangers
- low flow water efficient fixtures/fittings
- bio-retention, grass swales and proprietary devices
- minimise impervious surfaces
- treated rainwater collected and used for irrigation.

The Department has considered the proposed development in relation to the ESD principles. The precautionary and inter-generational equity principles have been applied in the decision-making process via a thorough and rigorous assessment of the environmental impacts of the proposed development.

To ensure that appropriate ESD measures are incorporated into the proposed development, the Department has recommended conditions requiring certification of a minimum 4 Green Star rating from the Green Building Council Australia or adoption of ESD measures equivalent to an accredited rating scheme to the satisfaction of the Planning Secretary.

Subject to these conditions, the proposed development is consistent with ESD principles as described in section 9.5 and Appendix 21 of the Applicant’s EIS, which has been prepared in accordance with the requirements of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation).

4.4.4 Environmental Planning and Assessment Regulation 2000
Subject to any other references to compliance with the EP&A Regulation cited in this report, the requirements for Notification (Part 6, Division 6) and Fees (Part 15, Division 1AA) have been complied with.

4.4.5 Planning Secretary’s Environmental Assessment Requirements
The EIS is compliant with the Planning Secretary’s Environmental Assessment Requirements (SEARs) and is sufficient to enable an adequate consideration and assessment of the proposal for determination purposes.

4.4.6 Section 4.15(1) matters for consideration
Table 5 identifies the matters for consideration under section 4.15 of the EP&A Act that apply to SSD in accordance with section 4.40 of the EP&A Act. The table represents a summary for which additional information and consideration is provided for in Section 6 (Assessment) and relevant appendices or other sections of this report and EIS, referenced in the table.

<table>
<thead>
<tr>
<th>Section 4.15(1) Evaluation</th>
<th>Consideration</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a)(i) any environmental planning instrument</td>
<td>Satisfactorily complies. The Department’s consideration of the relevant EPIs is provided in Appendix B of this report.</td>
</tr>
<tr>
<td>(a)(ii) any proposed instrument</td>
<td>The Department’s consideration of the draft EPIs is provided in Appendix B of this report.</td>
</tr>
<tr>
<td>(a)(iii) any development control plan (DCP)</td>
<td>Under clause 11 of the SRD SEPP, DCPs do not apply to SSD. Notwithstanding, the objectives of relevant controls under the Penrith DCP, where relevant, has been considered in Section 6 of this report.</td>
</tr>
<tr>
<td>(a)(iiiia) any planning agreement</td>
<td>Not applicable.</td>
</tr>
<tr>
<td>(a)(iv) the regulations</td>
<td>The application satisfactorily meets the relevant requirements of the EP&amp;A Regulation, including the procedures relating to</td>
</tr>
</tbody>
</table>
Refer Division 8 of the EP&A Regulation

applications (Part 6 of the EP&A Regulation), public participation procedures for SSD and Schedule 2 of the EP&A Regulation relating to EIS.

(a)(v) any coastal zone management plan

Not applicable.

(b) the likely impacts of that development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

Appropriately mitigated or conditioned - refer to Section 6 of this report.

(c) the suitability of the site for the development

The site is suitable for the development as discussed in Sections 3, 4 and 6 of this report.

(d) any submissions

Consideration has been given to the submissions received during the exhibition period. See Sections 3 and 6 of this report.

(e) the public interest

Refer to Sections 6 of this report.

4.4.7 Biodiversity Conservation Act 2016

Under section 7.9(2) of the Biodiversity Conservation Act 2016 (BC Act), SSD applications are “to be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values”.

The impact of NHC redevelopment on biodiversity values has been assessed in the BDAR accompanying the EIS and considered in Section 6 of this report.
5. Engagement

5.1 Department’s engagement
In accordance with Schedule 1 of the EP&A Act, the Department publicly exhibited the application from 14 September 2018 until 11 October 2018 (28 days). The application was exhibited at the Department and on its website, at NSW Service Centre and at Penrith City Council’s office.

The Department placed a public exhibition notice in the Sydney Morning Herald, Daily Telegraph and Penrith Press on 12 and 13 September 2018 respectively, and notified adjoining landholders and relevant State and local government authorities in writing. The Department representatives visited the site to provide an informed assessment of the development.

The Department has considered the comments raised in the public authority submissions during the assessment of the application (Section 6) and/or by way of recommended conditions in the instrument of consent at Appendix C.

5.2 Summary of submissions
The Department received a total of eight submissions, all from public authorities with no objections were received. A summary of the issues raised in the submissions is provided at Section 5.3 below and copies of the submissions may be viewed at Appendix A.

5.3 Public authority submissions
A summary of the issues raised in the public authority submissions is provided at Table 6 below and copies of the submissions may be viewed at Appendix A.

### Table 6 | Summary of public authority submissions to the EIS exhibition

<table>
<thead>
<tr>
<th>Penrith City Council (Council)</th>
</tr>
</thead>
</table>

Council supports the proposal and provided the following comments:

- the Blue Mountains theme of terracotta cladding was questioned given the urban setting in which the hospital sits.
- the proposed landscape vision for the site is predicated on a Blue Mountains character theme which is inappropriate given the availability of limited landscaped space and the urbanised nature of the development.
- clarification on the discrepancy on-site car parking spaces is requested.
- all car parking demand generated by the development should be provided on site.
- additional information about water quality management is requested.
- request for a drainage easement over the existing drainage system that drains the public road of Barber Avenue through the site to Somerset Street.
• the Traffic Impact Assessment does not appear to consider intersections of local roads in the locality which is a critical consideration in the assessment of the application and should be assessed in revised modelling.

• noted that the proposed new/ altered bus routes and/or bus zones/bus stops and bus lay-by areas or pedestrian crossings proposed in local roads requires endorsement of Council’s Local Traffic Committee.

• logger data from unattended noise logging and attended noise measurements have not been provided for review. A copy of this data is requested for review so as to validate the conclusions of the acoustic report.

• consideration of the child care centre is to be provided in the acoustic assessment should it remain operational during works.

• construction and operational noise and vibration impacts on existing buildings within the Nepean Hospital Precinct, which includes adjacent general hospital wards, a cancer services centre and Tresillian should be further assessed.

• all physical acoustic treatments, including the acoustic fencing should be shown on architectural plans for the proposed development.

• a detailed acoustic review of plant items is to be undertaken following final plant selection.

• requested that a condition be imposed prohibiting the level 4 plant room from being open to atmosphere on the eastern façade in accordance with the recommendations in the acoustic report

• vibration monitoring at residential properties, Nepean Private hospital and existing buildings of the Nepean Hospital Precinct should be considered through the assessment.

• recommended that a copy of the results of the assessment of suitability and subsequent addendum to the submitted Remediation Action Plan (RAP) be provided to the consent authority for assessment prior to any site disturbance.

• the RAP does not make explicit remediation goals for the site and is recommended that the RAP be updated to state the remediation goals for the site.

• noted that all remediation works within the Penrith LGA are still currently considered category 1 works and as such require approval from the relevant consent authority. The RAP should be updated to reflect this requirement.

• further clarification/confirmation of the final remedial methodology is to be provided to include ‘cap and containment’ works proposed by the applicant including details regarding quantity of material proposed for containment, survey detail/diagrams and justification of the proposed material containment locations.

• the groundwater reduced levels indicate that excavation for the proposal may intercept groundwater. Accordingly, a dewatering plan, prevention methods, disposal methodology and assessment of potential groundwater impacts through the duration of site works should be provided.

• the recommendations of the Crime Prevention Through Environmental Design (CPTED) strategy by Southern Cross Protection be implemented in the detailed design and ongoing operation of the hospital.

• further detail requested in the access report based on what is proposed on the accompanying drawings.
suitable accessible parking must be provided in close proximity to the proposed development.

requested that an archival photographic recording be made of the heritage items to be demolished/ altered and a copy of that archival recording is provided to Council prior to works commencing.

Council also recommended conditions of consent requiring further assessment of all identified ‘data gaps’ beneath existing building footprints, assessment for asbestos containing materials is undertaken prior to works, intrusive investigation of development areas not previously assessed as part of preliminary stage environmental site assessment, asbestos management plan and addendum to the existing detailed site investigation and RAP.

Office of Environment and Heritage (OEH)

OEH did not object to the proposal and provided the following comments:

the Biodiversity Development Assessment Report needs to be updated for consistency between the plans and supporting technical studies.

the measures to mitigate and manage impacts on the retained trees is to be consistent between the BDAR and Arboricultural Development Assessment Report.

requested a map showing the developments construction footprint and operational footprint.

requested landscape features are shown on the site and location maps as per the requirements within Biodiversity Assessment Method.

requested justification for excluding the Swift Parrot and Southern Myotis from the assessment.

noted the justification for excluding the species ‘Pimelea spicate’ and ‘Sydney Plains Greenhood’ are inadequate.

recommended the development incorporate green walls, green roofs and/or a cool roof into the design.

recommended the NSW and ACT Governments Regional Climate Modelling climate change projections developed for the Sydney Metropolitan area are used to inform the building design and asset life of the project.

noted that the hospital site is impacted by shallow flooding at the north eastern part where the depth of flood reaches 0.5m in the probable maximum flood event. The proposed facility is not impacted by flood, however the access through the Great Western Highway at the north eastern corner at the hospital will be cut off in major events for a short duration (30m) in probable maximum flood. Accordingly, it is recommended that a safety signs to guide the community and health services to avoid this route in major flood events.

OEH also recommends conditions of consent including prepare an unexpected finds procedure to detail the actions to be taken when potential Aboriginal objects or human remains are found during construction activities.

Transport for NSW (TfNSW)

TfNSW did not object to the proposal and advised that:
• the proposal should include provisions for secure bicycle parking and end-of-trip facilities to encourage the uptake of cycling to work (for staff).

• a Travel Plan working group and nominated Travel Plan Coordinator should be established at this stage of the proposal for the ongoing development and management of the Green Travel Plan.

• prior to operation, a Green Travel Plan should include a detail audit of active and public transport infrastructure and parking provisions, and an action plan.

• the proposal should consider how to potentially increase the attractiveness of regular bus services as a transport choice.

• the Construction Traffic Management Plan prepared prior to construction should ensure construction vehicles and construction activities minimise and mitigates impacts on pedestrians, cyclists and the operation of the bus network.

**Roads and Maritime Services (RMS)**

- RMS raised no objections to the proposal and recommended conditions of consent including:
  - all buildings and structures are to be wholly within the site along the Great Western Highway and Parker Street boundary due to land acquisition by RMS.
  - a detailed Construction Traffic Management Plan.
  - all demolition and construction vehicles are to be contained wholly within the site.
  - a Road Occupancy Licence should be obtained from Transport Management Centre for any works that may impact on Great Western Highway and Parker Street traffic flows during construction activities.

**Environment Protection Authority (EPA)**

EPA did not object to the proposal and provided the following comments:

- requested a detailed assessment of potential site contamination and advised of data gaps.

- the disused Underground Petroleum Storage System should be removed from the hospital campus and the site remediated and validated in conjunction with remediation of the development site.

- noted potential construction impacts (noise, vibration, dust, erosion and sediment control).

- construction and operational waste and resource management.

- advised on the guidance material provided in Noise Policy for Industry to undertake background noise monitoring.

- recommended the applicant determine project specific noise levels in accordance with the Noise Policy for Industry with those levels being unaffected by noise from the existing hospital.

- recommended the applicant revise the ambulance bay noise impact assessment having regard to the Road Noise Policy 2011.

- advised requirements on operation hours, noise impacts, and mitigation and management measures
• advised of requirements for installation, design and operation of a new underground Petroleum Storage System.

• recommended the applicant obtain any necessary amendment to the ‘radiation management licence’ currently held under the name of the NBMLHD in respect of ‘regulated material’ at the new facilities and the management and handling of any waste containing radioactive material.

• queried whether rainwater is to be harvested, treated, stored and used for irrigation and other non-potable water uses.

Airservices Australia

Airservices Australia did not object to the proposal and advised that the proposed maximum height of the proposal would not affect any communication/navigation/surveillance facilities, sector or circling altitude, nor any instrument approach or departure procedure at Nepean Hospital.

Civil Aviation Safety Authority (CASA)

CASA raised no objections to the proposal and advised it had no specific comments to make on the proposed development.

Sydney Airport

Sydney Airport did not object to the proposal and advised that the site is outside Sydney Airport prescribed airspace and have no issues.

5.4 Public Submissions

No submissions were received during the exhibition of this application.

5.5 Response to Submissions and supplementary information

Following the exhibition of the application the Department placed copies of all submissions received on its website and requested the Applicant provide a response to the issues raised in the submissions.

On 27 November 2018, the Applicant provided a Response to Submissions (RtS) (Appendix A) on the issues raised during the exhibition of the proposal. The RtS provided an updated RAP, revised plans, updated construction management plan, updated BDAR report and ecological assessment, civil engineering report, updated architectural design statement, updated arboricultural report, updated acoustic assessment, and additional information with respect to traffic and car parking.

The RtS was made publicly available on the Department website and was referred to the relevant public authorities. An additional eight submissions were received from public authorities, including Council, OEH, TfNSW, RMS, EPA, Sydney Water, Airservices and Sydney Airport. No submissions were received from the public. A summary of the issues raised in the submissions is provided at Table 7 and copies of the submissions may be viewed at Appendix A.
Table 7 | Summary of public authority submissions to the RTS

**Council**

Council provided the following additional comments:

- requested that the Department ensure that the modelling, the parking projections and the proposed on-site car parking provision is compliant with Council’s requirement without the reliance on the local road network to supplement any existing or proposed parking deficit.

- argued that the justification for deteriorating level of service at a local intersection did not remove the responsibility of Health Infrastructure to undertake local road infrastructure upgrades to ensure a satisfactory level of service is provided and maintained.

- noted that the transport study indicates that an overpass may be required over the Great Western Highway as a long-term solution. The location of any overpass needs to consider the future upgrade of Great Western Highway/Parker Street intersection.

- reiterated request for creation of an easement over existing drainage infrastructure, noted an electronic MUSIC model has not been made available for review and assessment, noted that rainwater tank and cross section details of the proposed vegetated swale as well as the stormfilter chamber and cartridges has been shown on the stormwater drainage plans, and no draft operation and maintenance plan provided.

- recommended conditions regarding remediation.

- consideration should be given to the acoustic treatment to facades and windows for buildings within and adjacent to the hospital precinct.

- recommended conditions regarding construction and operation noise.

- requested detailed plans to address accessibility and BCA compliance. In an event that detailed plans are not provided, a condition of consent should be imposed for a detailed accessibility report to be submitted. Also recommended that accessible parking spaces are to be identified on plan form.

**OEH**

- OEH recommended conditions with respect to: ecosystem credit retirement; biodiversity; Aboriginal cultural heritage; water sensitive urban design; and flooding.

**TfNSW**

- TfNSW provided recommended conditions with respect to: visitor cycle parking; green travel plan; and hospital shuttle bus operations.

**RMS**

- RMS raised no further comments. RMS re-stated the previously recommended conditions of consent.
EPA provided the following additional comments:

- reiterated the disused Underground Petroleum Storage System should be removed from the hospital campus and the site remediated and validated in conjunction with remediation of the development site
- recommended condition that asbestos works management plan is to be prepared and adopted for all development works
- recommended the RAP is to be updated based on the findings of the further site investigation once the existing buildings are demolished on the site
- recommended condition to include further details of the proposed remediation and validation strategy is to be provided to a site auditor in a Works Plan and a Validation Sampling and Analysis Quality Plan
- recommended condition to include a Long Term Environmental Management Plan or a Long Term Asbestos Management Plan is to be prepared following remediation of the site
- recommended condition that a full data gap investigation report supporting the RAP is required to be submitted
- reiterated recommendation of standard hours of construction and noted a departure from the standard construction hours requires a strong justification
- reiterated the recommendation of intra-day respite periods
- reiterated the recommendation concerning operational noise impacts, including impacts of mechanical plant and equipment on surrounding residences and the adjoining private hospital.

Sydney Water raised no objections to the proposal and advised it had no specific comments to make on the proposed development.

Airservices provided no further comments.

Sydney Airport provided no further comments.

In response to submissions to the RtS and the Department’s request for bicycle/end of trip facilities, water quality management, intersection performance, accessibility considerations, the Applicant provided an Supplementary RtS (SRtS) on 21 January and 5 February 2019, which provided further clarifications and included the following:

- information on existing and proposed bicycle facilities and end of trip facilities.
- water quality management including a draft operational and maintenance plan.
- intersection performance.
- accessibility considerations.
6. Assessment

The Department has considered the EIS, the issues raised in submissions and the Applicant’s RtS in its assessment of the proposal. The Department considers the key issues associated with the proposal are:

- traffic, access and parking.
- built form, urban design and landscaping.
- amenity.

Each of these issues is discussed in the following sections of this report. Other issues were taken into consideration during the assessment of the application and are discussed at Section 6.4.

6.1 Traffic, Access and Parking

6.1.1 Existing conditions

The site presently has three vehicular accesses off Somerset Street, two vehicular accesses off Derby Street, one vehicular access off Parker Street and one off Barber Avenue. The western access off Derby Street provides for emergency vehicle entrance. Pedestrian infrastructure is well developed in the vicinity of the hospital with footpaths on both sides of the surrounding roads, signalised pedestrian crossings, zebra crossings and appropriate signage and markings.

6.1.2 Construction Traffic and Parking

6.1.2.1 Construction Traffic

The Applicant submitted a preliminary Construction Traffic Management Plan (CTMP) with the EIS. The CTMP considers the site preparation and construction traffic associated with the proposed development. The construction is divided into two phases. Phase 1 involves demolition works including the mobilisation and clearing of the site, excavation, piling and in-ground works. Phase 2 involves construction of the buildings. The CTMP estimates that the truck movements associated with bulk excavation deliveries would involve up to 75 trucks per day. It also notes that the bulk excavation is scheduled to occur for a duration of 18 days in total. It is estimated that there would be approximately 350 construction workers on site, with up to 500 workers during the peak construction phases.

Construction vehicles would access the site via a temporary layback (Gate 1) within the Somerset Street frontage. Construction vehicles travelling to the site from the north are able to travel southbound along Parker Street, turn east onto the Great Western Highway then proceed south along Somerset Street towards the site. Vehicles travelling from east and west are able to use the Western motorway, turn north onto the Northern Road, turn east onto the Great Western Highway and proceed south onto Somerset Street to Gate 1. Similarly, vehicles from the south are able to follow the route outlined to access the site. For egress, vehicles travelling towards the east would be required to travel south along Somerset Street, turn east onto Jamison Road, north along Bringelly Road towards the signalised intersection and east onto the Great Western Highway. Construction vehicles travelling towards the north, south or west would need to travel north along Somerset Street, east along the Great Western Highway towards the destination. Figure 17 shows construction vehicle movement plan.
The Applicant states that a new laydown area will be provided to accommodate up to two emergency fire vehicles. Furthermore, emergency vehicles would always be given priority during construction hours, and outside of construction hours, on-site staff would be present to provide access to emergency vehicles.

It is anticipated that the construction of the multi-deck car park will be completed by early 2019, whilst the construction of the proposal is scheduled to be undertaken between early 2019 and late 2021. The Applicant states that there would be no overlap of the two construction activities, as the construction of the multi-deck car park will be completed prior to the commencement of works for the proposed Stage 1 development. Therefore, the Applicant states that a cumulative traffic impact assessment is not required.

During construction works, pedestrian movements around the site would be maintained where possible. Where works require the closure of an existing pedestrian route, a suitable alternative would be provided. To provide segregation and protection for pedestrians, temporary fencing would be established to define the extent of the work site. The Applicant states that all access points would be securely locked when construction activities are not in progress. Furthermore, the Applicant states that an accredited RMS Traffic Controller would be on site during construction to assist pedestrians during truck movements. The Applicant also states that haulage vehicles...
during bulk excavation would be carefully managed and staggered to prevent congestion or obstruction at major intersections including Somerset/Great Western Highway.

The Department has reviewed the information provided within the EIS, RtS and the Council, TfNSW and RMS submissions and considers that, subject to the implementation of recommended conditions, construction traffic impacts in the locality would be appropriately managed.

The Department considers that the CTMP includes relevant discussion on the construction impacts on traffic, pedestrian access as well as the potential cumulative impacts on the surrounding road network. However, a condition is recommended requiring the Applicant to prepare a final Construction Traffic and Pedestrian Management Plan (CTPMP) to ensure the traffic generated by construction workers and large vehicles does not impact upon the surrounding road network and pedestrian safety.

6.1.2.2 Construction Parking

The CTMP states that due to site’s close proximity of a number of regular bus services, parking would not be provided on-site for construction workers. The CTMP also states that an existing carpark would be available at 19-25 Rodgers Street to provide site personnel parking (see Figure 18). A commercial lease agreement for contractor car parking has been entered into between the owner of the property and Health Infrastructure for the duration of the construction of this proposal. The Applicant states that the car park has a capacity for 97 vehicles and has been fully operational since 15 January 2019. The Applicant states that this car park is currently being used by Nepean hospital staff and contractor parking and when the new multi-storey carpark at Nepean hospital opens, it will then allow Nepean hospital staff to park at the new car park and thus freeing up Rodgers Street car park for contractors only.

![Figure 18: Construction parking on Rodgers Street](Source: RtS 2018)

The CTMP also states that workers and sub-contractors would be encouraged to use public transport for travel to and from the work site where possible, carpool, and be subject to varied start and finish times to help mitigate parking issues. The site has access to public bus services along Derby Street, which services bus routes 774, 775, 776, 780, 677 and 789 to Mount Druitt, Penrith, St Marys, Richmond town centre and train stations.
The TIA includes a parking survey of the surrounding on-street parking. There is an existing off-campus parking of 1,080 spaces located within a 500m radius of the site. Some of the spaces are restricted timed parking for 15 mins and 2 hours. The Transport report submitted with the EIS carried out a parking occupancy survey of the surrounding on-street parking and found that approximately 180 off-site parking would be available during the period of peak occupancy (1-2pm on weekdays). The Department concludes that construction parking can be adequately managed during construction given that there would be car parking available at Rodgers Street parking, some capacity on-street parking, and encouraged carpooling and public transport use. The Department is satisfied that construction parking can be adequately managed during construction subject to a recommended condition requiring the preparation of a final CTMP prior to commencement of works.

6.1.3 Operational Traffic

The Applicant submitted a Traffic Impact Assessment (TIA) with the EIS. In response to Council, the Applicant submitted additional information in the RtS. At the request of the Department, the Applicant submitted additional information with respect to intersection performance.

The Great Western Highway and Parker Street are classified Roads and Somerset Street and Derby Street are local roads. The TIA indicates that the proposed development would generate total vehicular trip movements of 1067 (in and out), which is an estimated additional of 421 vehicle movements during AM peak (8am-9am) and PM peak (3:15-4:15pm).

The Applicant carried out peak period traffic surveys for the key intersections surrounding the site and submitted a SIDRA analysis of the intersection under existing traffic and post-development forecast traffic scenarios. The intersections investigated are shown in Figure 19.

The analysis examined the existing and future Level of Service (LoS) at each intersection. LoS is an indicator of the performance of an intersection based on the average delay of vehicles travelling through the intersection. The results of the analysis are summarised in Table 7.

The analysis found that all intersections currently perform well, apart from two intersections (Parker Street/Derby Street and Great Western Highway/Somerset Street) that operate at LoS D during afternoon peak. It also noted that the performance of these two intersections would reduce LoS in the afternoon peak period from D to F in year 2026 irrespective of whether the hospital redevelopment proceeds or not.
### Table 8 | Traffic Modelling for key intersections (Source EIS)

<table>
<thead>
<tr>
<th>Intersection</th>
<th>AM</th>
<th>PM</th>
<th>AM</th>
<th>PM</th>
<th>AM</th>
<th>PM</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Great Western Highway/Parker Street</td>
<td>2017 – As existing – do nothing</td>
<td>2021 – as existing + Hospital Development (Phase A) – 1.5% growth</td>
<td>2021 – as existing – do nothing – 1.5% growth</td>
<td>2026 – As existing – do nothing</td>
<td>2026 – As existing + Hospital Development – 1.5% growth</td>
<td></td>
</tr>
<tr>
<td>3. Parker Street/Hospital Entrance</td>
<td>A A A A A A A A A A</td>
<td>A A A A A A A A A A</td>
<td>A A A A A A A A A A</td>
<td>A A A A A A A A A A</td>
<td>A A A A A A A A A A</td>
<td>A A A A A A A A A A</td>
</tr>
<tr>
<td>5. Derby Street/Hospital Entrance (south)</td>
<td>A A A A A A A A A A</td>
<td>A A A A A A A A A A</td>
<td>A A A A A A A A A A</td>
<td>A A A A A A A A A A</td>
<td>A A A A A A A A A A</td>
<td>A A A A A A A A A A</td>
</tr>
<tr>
<td>6. Derby Street/Somerset Street</td>
<td>A A A A A A A A A A</td>
<td>A A A A A A A A A A</td>
<td>A A A A A A A A A A</td>
<td>A A A A A A A A A A</td>
<td>A A A A A A A A A A</td>
<td>A A A A A A A A A A</td>
</tr>
<tr>
<td>7. Somerset Street/Hospital Entrance 1 (east)</td>
<td>A A A A A A A A A A</td>
<td>A A A A A A A A A A</td>
<td>A A A A A A A A A A</td>
<td>A A A A A A A A A A</td>
<td>A A A A A A A A A A</td>
<td>A A A A A A A A A A</td>
</tr>
<tr>
<td>8. Somerset Street/Hospital Entrance 2 (east)</td>
<td>A A A A A A A A A A</td>
<td>A A A A A A A A A A</td>
<td>A A A A A A A A A A</td>
<td>A A A A A A A A A A</td>
<td>A A A A A A A A A A</td>
<td>A A A A A A A A A A</td>
</tr>
</tbody>
</table>

Council raised concerns with respect to the failing intersections and requested that investment in local road infrastructure upgrades be provided to ensure a satisfactory level of service. In response to this, the Applicant states that the TIA for the Stage 1 project referred to the TIA that was prepared in relation to the multi-deck car park, as that proposal contains majority of the new parking provision associated with the hospital expansion. The
Applicant further states that the key intersections surrounding the campus, including local roads, were surveyed and modelled under the TIA for the multi-deck car park and represented in the subject application. The Applicant also stated these intersections relate to RMS controlled regional roads and that the RMS did not raise any objections to the subject application and its apparent impact on intersection performance.

Council’s assessment of the recently approved multi-deck car park (DA 17/0665) stated that the road network model confirms that the intersection of Parker Street and Derby Street would fail to accommodate the background traffic demand by 2021, and would require upgrading in order to restore the current LoS. The report further states that the upgrades at this intersection form part of NSW Government Pinch Point Program, which aims to reduce traffic delays, manage congestion and maintain travel times on Sydney’s major roads, particularly during peak periods. Council’s assessment further concluded that the multi-deck car park was supported due to the planned infrastructure upgrades forming part of this program.

RMS raised no objection to the findings of the intersection performances and acknowledged that delays at these two intersections would progressively worsen whether or not the hospital redevelopment was to proceed. RMS state that no programmed works are proposed by RMS for these intersections, however both intersections remain under monitoring and ongoing review regarding their functional operation. RMS also stated that Council are extending the right turn bays at the intersections of Parker/Derby Street and Great Western Highway/Parker Street on behalf of RMS as part of the Western Sydney Infrastructure Program Local Roads Package. It is considered that these works would improve the functional operational of these intersections along Parker Street, which is to be the primary vehicular route servicing the hospital. RMS also state that Somerset Street’s operation continues to be monitored and reviewed by the RMS. RMS also noted that the Nepean Hospital redevelopment (including multi-deck car park, Stage 1 and future Stage 2) would relocate facilities and car parking currently accessing/egressing off Somerset Street to the Parker Street side predominantly via Derby and Parker Streets back to the Great Western Highway.

The Department has considered the TIA, agency comments and the Applicant’s RtS. Whilst the performance of two intersections would reduce in the afternoon peak period from D to F, the analysis noted that this would be the case with both the ‘do nothing’ and ‘with hospital development’ scenarios. Furthermore, RMS have acknowledged that they are aware of the LoS of these intersections are performing at currently and into the future. RMS also confirmed that they are monitoring these intersections with respect to their functional operation. Consequently, any future intersection upgrades would be based on the RMS’s monitoring and ongoing review which the RMS would ultimately decide. Additionally, the Nepean Hospital is not the only user that is impacting on the intersections, given that redevelopment is happening at the Nepean Private hospital and the surrounding area is undergoing urban renewal with respect to the mixed-use zoning provisions. Thus, the Nepean Hospital should not be solely responsible for the intersection upgrades. The proposal would also incorporate measures to reduce car dependency where possible in the context of the use. On this basis, the Department is satisfied that the local road network could reasonably accommodate traffic generated by the development. The Department has recommended conditions to require a detailed GTP to be prepared prior to the commencement of occupation to give effect to proposed mitigations.

6.1.4 Car parking and Vehicular Access
6.1.4.1 Car parking

The campus currently contains 1,509 on-site car parking spaces for 500 beds and 3,300 staff. As a consequence of the subject proposal and the completion of the new multi-deck car park, a total of 2,009 on-site car parking spaces will be available for 756 beds and 3,900 staff.
Council raised concerns that there would be insufficient car parking for the proposal and requested clarification in car parking numbers. In response to this, the RtS provided clarification on existing car parking and proposed car parking, with plans illustrating how the final parking numbers are determined.

Penrith Development Control Plan 2014 (DCP) requires 1 car space per 3 beds plus 1 space per 2 employees. On this basis, 300 parking spaces for staff and 85 parking spaces for patients/visitors, a total of 385 spaces are required for the proposal. The Applicant states that a total of 500 additional parking spaces are provided on site for staff and visitors.

As shown in Table 9, the campus currently has a shortfall of 739 parking spaces and the proposal would result in 576 shortfall in parking spaces. The Applicant states that based on parking demand study carried out by travel mode surveys of staff, patients and visitors the peak demand for parking is approximately 2,248 spaces parking. The proposal is calculated to increase the parking demand by 337 vehicles, while the net increase in parking spaces would be 500 spaces, reducing the shortfall in parking by 163 spaces. The Applicant states that while this does not address the total demand, the project would reduce the demand for on-street parking.

Table 9 | Total On-Campus Parking Supply and Demand (Source RtS)

<table>
<thead>
<tr>
<th>Total On-Campus Parking Supply/Demand</th>
<th>Current</th>
<th>Post Development</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Supply</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Supply</td>
<td>1,509</td>
<td>2,009</td>
</tr>
<tr>
<td><strong>Demand</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Staff</td>
<td>1,740</td>
<td>1,967</td>
</tr>
<tr>
<td>Public</td>
<td>409</td>
<td>501</td>
</tr>
<tr>
<td>Fleet Vehicles</td>
<td>29</td>
<td>35</td>
</tr>
<tr>
<td>Other users</td>
<td>70</td>
<td>82</td>
</tr>
<tr>
<td>Total Demand</td>
<td>2,248</td>
<td>2,585</td>
</tr>
</tbody>
</table>

Furthermore, the Applicant has submitted a preliminary Green Travel Plan (GTP) which targets a reduced reliance on private vehicles by encouraging walking, cycling, public transport and car sharing. In this regard, TfNSW requested the Applicant to prepare a detailed GTP and be updated annually. The Department considers that with the implementation of the GTP, mode share for private car usage can be reduced and vehicle occupancy rates can be increased which would contribute to reducing traffic congestion and parking demand. The GTP is further discussed in Section 6.1.4.4.

The Department considers that the Applicant has made good use of available space for car parking. The site is well serviced by public transport and any further car park provision could result in a poor design outcome, requiring the removal of trees/landscaping, impacting outdoor recreation spaces and impact on the amenity of surrounding residents. Subject to the implementation of the Department’s recommended conditions including prior to the occupation of the building, a minimum of 2009 car parking spaces are available to staff and visitors on site, the Department is satisfied that parking can be appropriately managed during operation.
6.1.4.2 Vehicular Access

A new access arrangement is proposed via Barber Avenue and Somerset Street as shown in Figure 20. A drop-off area is proposed on the western side of the proposed building (shown in Figure 21), which would form an extension to the existing Barber Avenue roadway. The access serving the multi-deck car park would be adjusted to provide access from Barber Avenue so that vehicles can be parked after dropping off a passenger, without needing to pass back on to the public road network. The Applicant states that the area has been designed to accommodate shuttle/mini-buses. The Applicant also states that two-way circulation would be provided inside the car park, pick-up and drop-off and vehicular access points with no queuing on public roads.

Figure 20: Vehicular and pedestrian access (Source: RtS 2018)
6.1.4.3 Green Travel Plan

A preliminary GTP was submitted as part of the EIS. The GTP includes upfront and ongoing management requirements for the implementation of the plan.

The key objectives of the GTP are to reduce the reliance on private vehicles by encouraging walking, cycling, public transport usage, and awareness of travel alternatives. TfNSW has recommended a comprehensive GTP be provided as part of the ongoing operation of the hospital.

The Department considers the GTP would play a critical role in promoting a greater share of travel modes, provided it is appropriately drafted, implemented and monitored. The preliminary GTP included strategies which can be employed to encourage non-car modes of transport to and from the hospital. Objectives of the plan included reducing traffic congestion, improving population safety health and wellbeing, reducing parking demand and promoting public transport usage.

The Department considers that with the implementation of the GTP, mode share for private car usage can be reduced and vehicle occupancy rates can be increased. Adopting and implementing the GTP would encourage staff, patients and visitors to walk, cycle or catch the bus and encourage carpool to increase vehicle occupancy rates. The Department has recommended a condition requiring a final GTP to be prepared, reviewed and implemented from the commencement of operation of the proposal.

6.1.4.4 Active transport

As mentioned Section 1.1, the pedestrian infrastructure is well developed in the vicinity of the hospital with footpaths on both side of the surrounding roads, signalised pedestrian crossings, zebra crossings and appropriate signage and markings. The site has pedestrian access from Kingswood Railway station to the north east. There are currently 16 bicycle spaces near the Mental Health building and three end of trip facilities throughout the NHC. The application proposes 10-25 temporary bicycle spaces near the new multi-storey car
park and end-of-trip facilities within West Block Level 1, including storage and shower facilities to encourage staff to choose active transport for their journey. The Applicant states that the final number of bicycle spaces would be determined by the Green Travel Plan working Group as part of the GTP. The Applicant also states that permanent facilities would be provided as part of Stage 2 of the hospital’s development. The Department considers the proposed and existing bicycle spaces and end-of-trip facilities acceptable subject to conditions including preparation of final GTP and provision of bicycle parking and end-of-trip facilities prior to the commencement of construction.

The Department considers the existing footpaths are sufficient for users and in combination with the GTP, the ability to walk and ride to hospital would encourage active transport options for staff, visitors and patients. The Department has recommended a condition requiring the GTP to be reviewed and implemented from the commencement of operation of the proposal.

Figure 22 indicates potential bike paths to the site.

Figure 22: Potential bike paths (Source: RtS 2018)
6.2 Built form, urban design and landscaping

6.2.1 Bulk and Scale

The proposed building would have a maximum height of 67.8m and floor area of 57,000sqm. It is noted that the NHC site is not subject to a maximum building height or floor space ratio (FSR) control under PLEP. The Applicant states that the building height has primarily been determined by clinical requirements and the limited availability of land within the existing campus. Figures 23 to 26 show building elevations.

The buildings at the NHC currently contain up to 6 storeys in height. The NHC is located within a precinct planned for up to eight storey mixed use buildings in close proximity to Kingswood/Penrith Railway Station and the Town Centre. The proposal responds to the desired future character of the precinct as envisaged by Council, which foreshadows a medical precinct comprising residential accommodation above a minimum of two floors containing medical related commercial uses.

The Department considers that once the development of the precinct is completed, the proposal would integrate with the surrounding sites and would be in keeping with the future urban form. The building would be located towards the centre of the hospital site with extensive setbacks to the site boundaries, meaning that the building would be viewed within the context of the wider hospital site, with existing buildings and landscaping. The proposed building would therefore contribute to the identity and future character of the precinct.

Furthermore, the built form is consistent with typical hospital building design that maximises efficiency through vertical alignment of functions and services. The form allows for the consolidation of services in a fit-for-purpose building with improved connections to existing hospital buildings that would allow for an improved standard of care and functionality of the site.

Additionally, the proposal is consistent with the objectives of the height of building and FSR development standards in the PLEP, in that the building would be appropriately scaled with respect to existing and future buildings, would not result in any adverse visual impacts, loss of views or solar access or privacy impacts to existing developments and to public domains (see Section 6.3).

The Department concludes that the height, bulk and scale of the proposed building appropriate with respect to existing buildings on the site and the surrounding area.
Figure 24: Southern Elevation (Source: RtS 2018)

Figure 25: Western Elevation (Source: RtS 2018)

Figure 26: Eastern Elevation (Source: RtS 2018)
6.2.2 Building Design, Materials and Finishes

The proposed built form incorporates a main new building and enhanced public open spaces at ground level. The proposed built form responds to the Zonal Masterplan for the NHC and also preserves opportunities for future expansion of medical services on the campus.

The building facade is broken up into three main sections as shown in Figure 27. The ground floor facade includes a combination of small format masonry/ceramic cladding with high level horizontal strip windows. The podium elevation facade includes glazed and solid elements. The cladding material would be terracotta in natural tonal variation. The glazing varies around each facade, depending on the internal layout. The Applicant states that the facade would also be constructed with varying reveal depths to provide further articulation and visual interest and relief, and the podium would be recessed to break-up the mass of the facade as it would help identify the Emergency Department entry point.

The building’s tower facade includes windows and metal panels. The panels provide textural variance using a mixture of profiled and ribbed metal cladding such as ‘Longline’ with a smooth flat panel. The facade composition is grouped into bands of three and five levels and crowned with the plant room level. The Applicant also states that reflectivity is minimised by the use of matte-finish materials and limited areas of glazing. The building is set back from Somerset Street to the east and the Great Western Highway to the north, further reducing any potential impacts from glare. Notwithstanding, a condition of consent has been recommended that a report be prepared prior to works to demonstrate that building materials used on the facades of building does not result in glare and cause discomfort or threatens the safety of pedestrians or drivers.

The Council did not raise any concerns about the building design, however the ‘Blue Mountains theme’ of terracotta cladding was questioned given the urban setting in which the hospital sits. In response, the Applicant’s RtS stated that the design is not predicated on a Blue Mountains character theme, but rather the design acknowledges the site’s proximity to the Blue Mountains and would be visually prominent and inherently contextual. Furthermore, the theme of colours and materials was considered satisfactory by the Government Architect (GA NSW) as part of the State Design Review Panel process. Council did not raise any further comment.

The GA NSW raised concerns with respect to public art, cultural heritage and community consultation. In response, the RtS provided a report from Creative Road Art Projects confirming that a draft strategy including cultural heritage needs for the proposed development was developed and feedback sought from the hospital’s Aboriginal and Multicultural Health units. The RtS also stated that a broader community consultation of the art program had been sought and the community response was considered in the finalisation of the art strategy. The final strategy outlines multiple art projects in the form of central courtyard sculpture, digital artwork, internal wall treatments and exterior walkway, designed specifically to contribute to cultural, social and environmental sustainability.
Figure 27: Building facade (Source: RtS 2018)

Figure 28 shows a schematic view of the proposed emergency department entry.

Figure 28: View of emergency department entry (Source: RtS 2018)
The Department concludes that the resultant built form would provide a balanced interface between existing buildings to be retained on site and adjoining developments. The Department considers choice of materials and finishes would provide durability and be low maintenance whilst distinguishing the site as a hospital. The external materials selected are of a non-combustible material in accordance with the National Construction Code (NCC). Notwithstanding, the Department has recommended a standard condition requiring the Certifying Authority to be satisfied that the proposed external materials comply with the NCC prior to the commencement of construction and prior to occupation.

6.2.2.1 **Internal Design**

The internal design of the building includes an atrium on the ground floor and terraces on level 6. The internal design areas use key design principles such as sense of place, resilience, unity and visual appeal. Figures 29 and 30 provide internal views of the proposed building.

GA NSW raised concerns that the pedestrian spine running from the north-east to the south-west of the site features prominently in the Zonal Master Plan and the Hospital Site Master Plan, however is absent from the proposed development. In response, the RtS states that the pedestrian spine has been addressed at master plan scale, but the detail has been excluded from this application. The pedestrian spine would be part of a future application which includes Stage 2 building works of the master plan.

![Figure 29](source: RtS 2018)
The Applicant submitted an access report with the EIS. Council raised concerns with respect to the accessibility report and the need for the incorporation of accessibility requirements within the design of the proposed development. The Applicants RtS states that compliance can be achieved to and within the building in relation to access for a person with a disability, and this would be further confirmed as part of the design development phase and the construction documentation phase of the project. The Department considers that the accessibility detail provided within the submitted plans is sufficient for this application. However, a condition has been recommended that a detailed Access Report be prepared prior to the commencement of construction.

The Department concludes that the proposed internal design would provide adequate spaces for patients, staff and visitors to utilise whilst integrating with the built form and landscaping. Subject to conditions, the internal design of the building is considered satisfactory.

6.2.3 Landscaping, tree removal and outdoor areas

6.2.3.1 Landscaping and outdoor areas

The proposed landscaping works comprise a range of soft and hard landscaping including the removal of 91 trees, retention of 234 trees, levelling and provision of outdoor spaces, pathways, open turf areas, courtyards, and proposed planting of 222 new trees as well as shrubs and groundcovers across the site.

The landscape elements include an atrium with water feature and planting, raised planting bed with small feature trees, sandstone seating wall surrounding a raised planter, respite area on level 6, and sedum green roof on level 9 as shown in Figures 31 and 32.
Council raised concerns that the landscape theme and planting design for the site is predicated on a Blue Mountains character theme which is inappropriate given the limited availability of landscaped space and the urbanised nature of the development. In response, the RtS states that the contextual connection to the Blue Mountains is just one part of the design strategy. The Applicant further states that the retention of locally indigenous mature trees have been a key principle throughout the design development. This helps to maintain some of the local Cumberland Plain Woodland landscape character while mitigating the physical and visual bulk and scale of the substantial built form elements proposed. The RtS also states that that the planting strategy would reduce maintenance of landscape areas as endemic/indigenous plants are well suited to site conditions with lower water requirements and also provide better habitat for local fauna.

GA NSW requested that strategies for enhancing the patient experience through landscape design should be detailed. The RtS states that rooftop terrace spaces are integral in the proposal to allow patients and visitors to attain a positive connection to the outdoors. Patients would be able to physically access these spaces for fresh air, views and exercise. These spaces also provide a scenic outlook from adjacent rooms and corridors. GA NSW raised concern that landscape terraces on level 6 should consider wind effects and helicopter downdraft. In response, the RtS states that wind effects would be mitigated by planting at the building edges and where necessary balustrade screens. The GA NSW raised that the amenity offered by courtyard spaces in constant shadow and the viability of their gardens should carefully be considered. In response, the RtS states that planting such as shade loving species ‘Soft Tree Fern’ and ‘Rough Tree Fern’ are proposed for the central courtyard on ground floor which responds well to the microclimatic conditions created by the built form.

The Department concludes that the proposed landscape would provide adequate landscaped spaces for patients, staff and visitors to utilise whilst integrating with the built form. Subject to the preparation of a Landscape Management Plan, the landscaping strategy is considered satisfactory.

### 6.2.3.2 Tree Removal

The Arboricultural and Tree Management Plan report submitted with the EIS identifies that trees proposed to be removed range from a low to high level of significance. Of those trees to be removed, 24 are of a high level of significance as they are considered to be young newly planted trees that are growing well or mature trees that form good specimen and/or provide excellent visual amenity to the site. The Applicant states that the removal of these trees is necessary to facilitate the construction works (including, removal of existing internal roads, new
pedestrian links and new courtyard areas) and these trees wouldn’t be able to be retained. Council did not raise any concerns with respect to the removal of these trees. The report also recommends tree protection fencing for trees that are to be retained. The Department acknowledges that the accommodation of new building works, access and resultant level changes form an integral part of the proposed land use. Therefore, the removal of the 91 existing trees on site is unavoidable to facilitate the development.

The proposed planting of 222 new trees (mature height between 1.5m – 25m) would satisfactorily replace the lost tree canopy and make a significant contribution to the site’s appearance and the amenity of the future occupants.

The Department concludes that the removal of 91 existing trees from the site would be appropriately offset with the proposed extensive replacement planting of 222 new small to large sized trees and tree protection for trees that are to be retained.

Figures 33 and 34 show the trees proposed to be removed.

Figure 33: Tree removal plan (Source: RtS 2018)
6.3 Amenity

6.3.1 Overshadowing

Shadow diagrams submitted with the application shown in Figure 35 illustrates mid-winter (21 June) shadowing in blue colour from the proposed development on the adjoining residential development in close proximity to the site. At 9am and 12 noon in mid-winter the main shadows would be cast over the East Block within the boundaries of the NHC. At 3pm in the mid-winter, the main shadows would be cast across Somerset Street and over the existing residential dwellings between Orth Street and Hargrave Street.

The diagrams submitted demonstrate that the proposed development would not result in any unacceptable shadowing impacts on any residential development in close proximity to the site. The northern facing windows and private open space areas of any adjoining residential development, the public open spaces and the road reserves would receive in excess of three hours of solar access between 9am and 3pm on June 21.

It is noted that the properties on the eastern side of Somerset Street are currently occupied by single storey dwelling houses, however some of these properties are expected to be redeveloped in the short-term due to the land zoning of mixed use. The existing planning controls envisage multi-storey mixed-use buildings. The shadow casted from the proposed development would not prevent any future west facing apartments from achieving satisfactory access to sunlight.

Consequently, the Department concludes that the anticipated overshadowing impacts due to the proposed development are minor and would not result in any unacceptable outcomes for the amenity of adjoining current and future developments.
6.3.2 View loss

There are no potential iconic view corridors surrounding the site. The locality comprises district views of the Western Sydney Parklands to the south/east and the Nepean River and the Blue Mountains National Park towards the north, west and the south. The proposal would not result in any view loss. The Applicant submits that no significant or iconic views would be affected by the proposed development. The proposed development is not anticipated to have impact on the existing nature of the streetscape with respect to views from public places.

The Department is satisfied that the proposal does not result in any unacceptable view loss from adjoining residential properties.

6.3.3 Visual privacy

The site is separated from all the adjoining developments by generous setbacks, roads and open spaces. Consequently, the Department considers that the proposal would not result in any potential for adverse visual privacy impacts and the building separation distances between the proposed building and the nearest residences on the eastern side to Somerset Street would be approximately 30m, and the nearest residences on the western side would be between 45-96m to the Barber Avenue site boundary. Furthermore, the height of the building would mean that views from the upper floor would be distance views over the surrounding suburb rather than direct views into nearby residential dwellings and areas of principal private open space.

The Department concludes that the proposal would not result in any unacceptable privacy impacts to the adjoining developments due to the proposed development.

6.3.4 Noise

The RtS includes an Acoustic Assessment Report (AAR) prepared by Acoustic Logic for the proposed development. The AAR considers the impacts of the development in terms of construction and operational noise.

6.3.4.1 Construction Noise

The AAR conducted both attended and unattended noise monitoring to quantify the existing acoustic environmental at the site. Noise logging and attended measurement positions are are shown in Figure 36. For unattended noise monitoring, two monitors were installed. Logger A was installed at the rear yard of the residence at 15 Barber Street (Parker Street). Logger B was installed near the eastern boundary within the hospital campus (Somerset Street). Attended background noise measurements were carried out at seven locations.
Table 10 shows the background noise levels for the two locations of residences.

**Table 10 | Background noise (Source: RtS)**

<table>
<thead>
<tr>
<th>Location</th>
<th>Time of Day</th>
<th>Background noise Level – dB(A)_{L90}</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parker Street Residences</td>
<td>Day Time (7am-6pm)</td>
<td>48</td>
</tr>
<tr>
<td></td>
<td>Evening (6pm-10pm)</td>
<td>47</td>
</tr>
<tr>
<td></td>
<td>Night (10pm-7am)</td>
<td>38</td>
</tr>
<tr>
<td>Somerset Street Residences</td>
<td>Day Time (7am-6pm)</td>
<td>47</td>
</tr>
<tr>
<td></td>
<td>Evening (6pm-10pm)</td>
<td>41</td>
</tr>
<tr>
<td></td>
<td>Night (10pm-7am)</td>
<td>37</td>
</tr>
</tbody>
</table>

The EPA Interim Construction Noise Guideline (DECCW, 2009) (ICNG) outlines the process of establishing noise management levels (NMLs) to minimise construction noise impacts on sensitive receivers as shown in **Table 11**.

**Table 11 | Construction Noise Emission Goals (Source: RtS)**
As per the EPA guideline, when construction noise is predicted to exceed the NML at a nearby residence, the Applicant should take reasonable work practices to ensure compliance with the NML. For residential properties, the NML occurs when construction noise exceeds ambient (background) levels by more than 10dB(A) for work during standard construction hours (8am-6pm Monday to Friday and 8am-1pm on Saturdays) and 5dB(A) for work outside of standard construction hours (7am-8am and 1pm-5pm).

The AAR concludes that during demolition/excavation and construction, noise levels exceeding the NMLs are unlikely to occur. However, if excavation of rock is required, the noise levels exceeding the NMLs are likely to occur. The AAR also states that the NMLs are unlikely to exceed the guidelines because of the distance between the site and the nearest residential buildings on Somerset Street.

The AAR recommends that if bulk excavation is rock or driven/vibration piles is proposed, the following mitigation measures are required:

- excavation in rock should be done using rock saws as opposed to hydraulic hammers, where practicable.
- for at least the initial stages of excavation in rock, vibration monitoring should be conducted to ensure excessive levels of vibration are not achieved. Monitoring at residential properties on Somerset Street and Nepean Private Hospital should be considered.
- any vibration monitoring system should allow for rapid feedback to the contractor (for example, SMS notification) if excessive levels are reached.

The assessment also concludes that noise impacts on nearby development can be suitably managed to prevent unreasonable impact by implementing the following mitigation measures:

- locating static plant (concrete pumps, cranes) as far as practicable away from the eastern site boundary
- using augered rather than driven or vibratory piling should be considered if feasible.
- arranging letter box drops or similar to advise residents on Somerset Street in the event that significant excavation in rock is required.

The Applicant proposed extended construction hours (1pm to 5pm Saturday). However, the EPA has recommended standard construction hours (7am to 6pm Monday to Friday and 8am to 1pm Saturday) as per the ICNG. The ICNG requires construction work to not exceed ambient noise levels + 10dB(A) during standard construction hours (7am-6pm Monday to Friday and 8am to 1pm on Saturdays). For any work outside standard construction hours (as is proposed by the Applicant on Saturdays as noted above), there should be no exceedance of ambient levels + 5dB(A). As per Table 11, it indicates that the construction noise emission goal of 58dB(A) and 57dB(A) during standard construction hours and 53dB(A) and 52dB(A) outside standard
construction hours are within the ICNG requirement. Therefore, it is unlikely the proposed construction hours would have adverse impact on the amenity of the surrounding residents.

Council stated that, should extended construction times be approved, a condition should be imposed restricting key noise and vibration generating works that are likely to cause disturbance to nearby sensitive receivers to standard construction hours.

The Department notes that previous hospital SSD applications (SSD 5237 and 9033) approved extended construction hours for 7am-6pm Monday to Friday and 7am-5pm on Saturdays. The Department is unaware of any significant issues by the community or Council regarding the extended construction hours for the proposal. As the proposed hours are within the scope of hours previously approved by the Department on a similar hospital projects and the off-site impacts are predicated to be low, they are supported.

The EPA recommends activities like this must schedule intra-day ‘respite periods’ for construction activities as per the ICNG. Accordingly, respite periods are recommended in the conditions of consent.

Council raised concerns with respect to impact on the child care centre, if it is occupied during construction stage. The Applicant recommends that a temporary 2.7m solid noise screen around the perimeter of the child care centre area to provide a noise barrier during construction. Accordingly, the Department recommends a condition for any potential acoustic impacts to be minimised and managed.

The Department recommends the preparation of a detailed Noise Management Sub-Plan to be incorporated in the Construction Environmental Management Plan. This should include specific activity locations and timeframes and restrictions on certain activities at certain times. It should also outline noise attenuation measures in detail, implementation and auditing protocols as well as community consultation processes throughout construction. This should also include a grievance mechanism to assist the community during the construction period, as well as the recommendations outlined in the AAR. On this basis, the Department believes that noise impacts can be appropriately managed during construction.

6.3.4.2 Operational Noise

The AAR demonstrates that operational noise associated with the ambulance bays, general vehicle traffic, mechanical plant and helicopter operations from the hospital would generally be consistent with noise guidelines.

EPA raised that a comprehensive quantitative assessment of operational noise impacts of mechanical plant and equipment on surrounding noise sensitive receivers, especially surrounding residences and the adjoining Nepean Private Hospital should be carried out. In response, the RtS states that the level of detail provided is commensurate with this stage of design. The Department considers that the level of quantitative assessment provided has identified key areas where acoustic treatment is required, and a greater detail of the mechanical plant and equipment would be appropriate to be provided at a later stage as a condition of consent.

EPA has recommended a condition to ensure mechanical plant and equipment installed on the development site does not generate noise that exceeds 5dBA above the rating background noise level (day, evening and night) measured at the boundary of the development site and exhibits tonal or other annoying characteristics.

The Department is satisfied that subject to the recommended condition by the EPA with respect to mechanical plant and equipment installed, the operational noise would be appropriately managed.

6.3.5 Light impact

The hospital is in 24-hour use and lit throughout the night. The EIS states that lighting would be installed to meet the minimum Australian lighting standards that would provide wide and even spread of illumination and also be adequate to meet operational and CPTED requirements. Given the existing nature of the site as a 24-hour
hospital, the additional light spill from the proposed development would have negligible impact on surrounding residential development.

The Department is satisfied that subject to condition relating to Australian lighting standards, the resultant amenity impacts on the surrounding developments would be minimal.

6.3.6 Wind impact
A pedestrian wind assessment report has been submitted with the EIS. The report identifies the potential critical winds effects from the proposed development on the local wind environment. The report states that wind conditions within and around the various outdoor areas of the site are potentially exposed to adverse wind effects. These include the potential for down-wash effects off the building façade and accelerating flows around the corners of the building. To mitigate potential wind effects, the report recommends following treatments:

- densely foliating tree planting and other landscaping within and around the development including the central courtyard area. Also, evergreen tree planting should be implemented for areas affected by westerly and southerly to south-easterly winds to ensure its effectiveness throughout the year.
- awnings over the pedestrian footpaths within and around the site.
- localised operator-controlled screening for longer duration activities such as café seating areas.

Furthermore, the report recommends wind tunnel testing to be undertaken as part of the detailed design phase of the development. This would provide quantitative analysis of the wind conditions and determine the size and extent of the treatments required to ensure suitable wind conditions are achieved at all outdoor accessible locations within and around the development.

The Department concludes that the proposal would not result in any unacceptable wind impacts to the users of the site subject to implementation of recommended treatments and detailed wind tunnel testing.

6.4 Other Issues
The Department’s consideration of other issues is provided at Table 12.

<table>
<thead>
<tr>
<th>Issue</th>
<th>Findings</th>
<th>Recommended Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aboriginal Heritage</td>
<td>• The EIS includes a preliminary Aboriginal Heritage Assessment (AHA).</td>
<td>• The Department has reviewed the AHA and is satisfied that the proposal would not result in any adverse Aboriginal cultural heritage impacts, subject to a condition to ensure an Unexpected Finds Procedure be prepared.</td>
</tr>
<tr>
<td></td>
<td>• The assessment found that there are no registered aboriginal sites within the study area and no Aboriginal archaeological objects or deposits were found. The soil has been heavily impacted by the existing Nepean Hospital development.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• The assessment recommended that unexpected finds procedures for cultural material and/or human remains be prepared.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Before any ground disturbance takes place, all the development staff, contractors and workers should be briefed</td>
<td></td>
</tr>
</tbody>
</table>
prior to work commencing on site of their responsibility regarding any Indigenous deposits and/or objects that may be located during the development works.

- OEH recommended the following conditions:
  o Prepare an Unexpected Finds Procedure. The procedure is to detail the actions to be taken when potential Aboriginal objects or human remains are found during construction activities
  o Prior to onsite ground disturbance commencing, the project team including all contractors on site undergo cultural awareness training including details of possible objects and the contents of the Unexpected Finds Procedure

<table>
<thead>
<tr>
<th>Heritage</th>
</tr>
</thead>
</table>
| • The hospital campus does not contain any heritage items nor is it located within a heritage conservation area. There are number of local heritage items in the vicinity of the proposed development, namely:
  o Penrith General Cemetery (item no. 97) - bounded by Copeland and Phillips Streets, Richmond Road and Cox Avenue to the north east of the site.
  o weatherboard cottage (item no. 175) - located at 71 Parker Street.
  o “kevin brae”, Federation house (item no. 854) - located at 142 High Street. |
| • The EIS included a Statement of Heritage Impact report. The report concluded that the proposed works would not adversely impact on the heritage significance of any nearby heritage items. |
| • The OEH did not raise any concerns with respect to heritage. |
| • Council did not raise any concerns with respect to heritage. However, requested that an archival photographic recording be made of the heritage items to be |
| • The Department is satisfied that the proposed development would not have adverse impacts on any surrounding heritage items. |
demolished/ altered and a copy of that archival recording is provided to Council prior to works commencing.

- Department notes that there are no heritage items affected or proposed to be demolished by this development. Accordingly, such condition requested by Council is not necessary.

**Construction and Operational Waste Management**

- The EIS includes a preliminary Construction and Waste Management Plan (CWMP).
- The CWMP identified waste minimisation and management measures for demolition and construction waste including recycling, separating where practical. The plan also included monitoring and recording the volumes of waste, and the methods and location of disposal.
- The EIS also includes an Operational Waste Management Policy.
- The operational waste for the proposed development would be managed in accordance with this existing policy at Nepean Hospital. The policy details the continued waste management operations to be implemented for the proposed development.

- The Department is satisfied that subject to conditions including the preparation of a Construction Waste management Sub-Plan prior to commencement and the preparation of an Operational Waste Management Plan prior to operation that the construction and operational waste would be appropriately managed.

**Contamination**

- The EIS includes a Preliminary Environmental Site Assessment and a Preliminary Stage 2 Environmental Site RAP.
- The reports confirm the presence of soil and groundwater contamination, including asbestos contaminated soils. The reports also state that sampling was not undertaken in inaccessible areas of the site such as beneath existing buildings. The investigation of this area can only be carried out after the structures are demolished or removed. Accordingly, the EPA recommended that the Applicant should undertake further contamination investigations within the building footprints following building demolition works. Furthermore, the RAP is to be

- The Department acknowledges that the potential risk of contamination at the site and supports the recommendation of the EPA in relation to managing potential contamination, asbestos and hazardous materials, before, during and after building works.
- The Department has recommended conditions of consent requiring the Applicant:
  - undertake additional site assessment for targeted
updated on the findings from the further site contamination investigations.

- The EPA recommended the following conditions:
  - An Asbestos Works Management Plan is to be prepared and adopted for all development works.
  - The RAP is updated based on the findings of the further site investigations once the existing buildings are demolished on the site.
  - Engage a NSW accredited contaminated site auditor to review and endorse any future sampling quality plans, RAP, validation and management plans for the site results of the further site investigations.
  - If residual contamination is anticipated to remain on site as part of the remedial strategy, further details of the proposed remediation and validation strategy are to be provided to a site auditor in a Works Plan and a Validation Sampling and Analysis Quality Plan for review, and a Long Term Environmental Management Plan or a Long Term Asbestos Management Plan.

- The EPA raised a concern with that the disused Underground Petroleum Storage System (UPSS) on the hospital site is a potential contamination source and recommended the removal, validation and certification of the disused UPSS. The RtS states that the UPSS is well outside the boundary of the proposed development site and therefore not considered appropriate to be included as part of the remedial works for this application. However, the EPA considers that the development site comprises the whole of the hospital campus and issues affecting one part of the site might affect the remainder of the site, particularly given the sensitivity of the land use. The Department considers it would be unreasonable to
require the Applicant to remove the UPSS
given the location of the UPSS is well
outside of the development site and scope
of works.

Flooding

- The site is not identified as a flood prone
  land under the PLEP. However, the
  Applicant’s Civil Design Report submitted
  with the EIS states a flood study ‘College,
  Orth and Werrington Creeks Catchment
  Overland Flow Flood Study, Revision 3,
  dated 9 November 2016’ has been
  produced on behalf of Council. The study
  identifies that the north-western portion of
  the Nepean Hospital Campus is flood
  affected. However, the proposed facility is
  not impacted by flood. The Applicant
  states that the level of the lowest floor of
  the building achieves 1.52m freeboard to
  the 1%AEP flood event of 47.5m AHD
  (finished floor level of RL49.020) and is
  above the level of the probable maximum
  flood (PMF) (49.0 AHD) complying with
  the requirements of Council and common
  engineering principles for the design of
  hospitals.

- Council and OEH raised no concerns with
  respect to flood impact. OEH stated that
  the access through the Great Western
  Highway at the north eastern corner at the
  hospital would be cut off in major events
  for short duration in the PMF. Therefore,
  OEH recommended that the consent
  include the following condition:
    • The installation of flood safety signs to
      guide the community and health
      services to avoid using the Great
      Western Highway access route in
      major flood events.

Biodiversity

- An updated BDAR was submitted with the
  RtS.

- The assessment states that the site contains
  scattered individuals and clumps of Grey
  Box and Red Forest Gum in a highly
  modified landscape.

- Department is satisfied that subject to condition, the
  proposal would not result in any adverse flood impacts.

- With the recommended conditions requiring the
  retiring of ecosystem credits, the Department is satisfied
  that the biodiversity impacts of the proposal would be
  appropriately offset.
• The BDAR identified that 0.1ha of native vegetation comprising ‘Grey Box Eucalyptus moluccana’ and ‘Red Forest Gum Eucalyptus tereticornic’ trees, part of Cumberland Plain Woodland, removal would be necessary to accommodate the proposed development.

• The BDAR determined that two ecosystem credits are required to offset the impacts of the proposal.

• It is noted that OEH raised no concerns with the revised BDAR and recommended ecosystem credit retirement condition and general biodiversity conditions including to incorporate locally indigenous Cumberland Plain Woodland plant species, weed management, tree protection zones.

• The Department is conscious that the extensive tree removal would significantly modify views of the site. Notwithstanding, 234 trees are proposed to be retained and planting of 222 new canopy trees proposed.

• Additionally, the Department has recommended conditions of consent requiring the Applicant to retire two ecosystem credits as per the BDAR.

<table>
<thead>
<tr>
<th>Stormwater management</th>
</tr>
</thead>
<tbody>
<tr>
<td>• An updated Civil Design Report was submitted with the RtS.</td>
</tr>
<tr>
<td>• The application proposes two trunk drainage systems for the site to provide drainage for the proposed building and associated infrastructure. The two drainage systems would connect to an existing NHC stormwater infrastructure.</td>
</tr>
<tr>
<td>• The report notes that the impervious area of the proposed site would decrease from 73.4% to 50.4% and there is currently no on-site stormwater detention system on the site. Therefore, according to Council requirements, the current permissible site discharge is preserved and there would not be a need for an on-site detention system. Furthermore, the stormwater drainage systems have been designed to cater for storms up to and including 100-year ARI (1% AEP) storm events.</td>
</tr>
<tr>
<td>• The stormwater strategy for the proposed development demonstrates compliance with Council’s water quality requirements.</td>
</tr>
<tr>
<td>• Council requested that the stormwater creation of easement over existing drainage infrastructure to ensure that the existing infrastructure is protected during</td>
</tr>
</tbody>
</table>
Stage 1 works. Department has recommended a condition in this regard.

- Council also requested for additional information with respect to water quality management. In response, the Applicant provided this information as part of SRTS.

### Utilities

- These reports demonstrate that suitable capacity and supply of electricity, telecommunications, sewer, stormwater, water and gas would be provided for the proposed development.
- The Department is satisfied that the proposal would provide adequate utility infrastructure and would not result in any adverse impacts.

### Hazardous and offensive development

- The EIS provides a preliminary SEPP 33 Assessment.
- The assessment states that a Preliminary Hazard Analysis is not required for the proposed development as the only dangerous good transported to and stored on site which exceeds the quantities listed is SEPP 33 is liquid oxygen. However, this storage tank has an existing approval and would not be changing as part of the proposed development. Therefore, this dangerous good does not need to be reassessed via a Preliminary Hazard Analysis.
- The Department is satisfied that the proposal would not result in any adverse impacts.

### Signage and wayfinding

- A Signage and Wayfinding Strategy was submitted with the EIS. The strategy provides details of signage and wayfinding for the proposed development.
- The Department recommends that a condition of consent be imposed that requires all wayfinding signage be appropriately managed to ensure their ongoing effectiveness.
- The Department has recommended a condition of consent for an operational management plan be developed which includes all wayfinding and signage is included.

### Crime Prevention Through Environmental Design (CPTED)

- A CPTED strategy report was submitted with the EIS. The CPTED strategy report considers the unique characteristics of the hospital and has informed the architectural and landscape design. The strategy also includes management strategies that
- The Department has recommended a condition of consent for incorporation of CPTED strategies in an operational management plan.
The proposal includes the installation of a new helipad on the roof of the proposed building. This would replace the existing ground level helipad on the south western boundary of the site.

An aviation report was submitted with the EIS. The report considered the impacts of the proposal on helicopter operations at the site.

The report advised that helicopter operations may be impacted during construction works for the proposed building. It has been recommended that details of the construction works should be included into the Helicopter Management Plan.

Airservices Australia advised that the proposed height of the building would not affect relevant airspace procedures including communication/navigation/surveillance facilities, sector or circling altitude, instrument approach or departure procedure. Furthermore, CASA advised they had no specific comments with respect to the proposal but referenced ‘Civil Aviation Advisory Publication 92-2(2)’ which provides guidelines for the establishment and operation of onshore helicopter landing sites. And Sydney Airport advised that the site is outside of Sydney Airport airspace and no comments provided.

Airspace protection/Helicopter operations

The Department has recommended conditions requiring the existing and future helicopter operations to be reviewed and revised during construction works and following the completion of the proposed building.

The Department has also recommended a condition requiring the Applicant to provide details of the proposed helicopter flight paths to Council. This would allow Council to consider the need for appropriate airspace protections to facilitate ongoing helicopter operations at the site.

The Applicant states that the development proposal would provide contemporary healthcare facilities addressing clinical services suited to the current and future needs of the NBMLHD catchment population. It is also stated that the redevelopment would provide a catalyst for change in the NHRC to support the development and enhancement of integrated services that maintain and

Social Impacts

The Department considers that the redevelopment of the hospital would provide social benefits to the community.

The Department is satisfied that subject to the access control arrangements being implemented, the land use conflicts would be appropriately managed, and

Nepean Hospital Integrated Ambulatory Services Redevelopment Stage 1 (SSD 8766) | Assessment Report
improve the reliability and quality of patient care as well as improve patient outcomes.

- The Applicant states that the facilities in the buildings being demolished would be temporarily relocated within other buildings at NHC.

- The Applicant also states that whilst the proposal has significant social benefits, mitigation measures would be in place to ensure that the operation of the hospital during construction periods is not compromised.

<table>
<thead>
<tr>
<th>Sediment, erosion and dust</th>
</tr>
</thead>
</table>

- Applicant has submitted an Erosion and Sediment Control Management Plan and Preliminary Construction Management Plan with the EIS. The plans propose measures which include the diversion of clear runoff away from works areas and collection and treatment of sediment affected runoff before discharge from the site. Measures are also proposed to control dust, such as watering down of roads and stockpiles, covering of haulage trucks and stockpiles, and monitoring of weather conditions on site.

- The Department is satisfied that subject to the recommended conditions for the implementation of Erosion and Sediment Control Management Plan and final detailed Construction Management Plan, the proposed development would be appropriately managed.
7. Evaluation

The Department has reviewed the EIS, RtS and assessed the merits of the proposal, taking into consideration advice from the public authorities, including Council. Issues raised in agency submissions have been considered and all environmental issues associated with the proposal have been thoroughly addressed.

The proposal addresses the directions and actions of the Greater Sydney Region Plan, the State Infrastructure Strategy and the Western City District Plan. The proposal would have a positive economic and social impact, including direct investment of approximately CIV $232,192,899, the creation of up to 690 construction jobs and 600 new operational jobs.

The proposal is in the public interest as it would provide 256 hospital beds with contemporary facilities designed to improve health outcomes through the provision of new and improved clinical services suited to the current and future needs.

The Department considers the key issues associated with the assessment of the proposal relate to:

- traffic, access and parking.
- built form, urban design and landscaping.
- amenity.

Conditions have been recommended to satisfactorily address any outstanding, residual construction or operational issues.

The application is consistent with the objects of the EP&A Act and is consistent with the State’s strategic planning objectives for the site as set out in the A Plan for Growing Sydney as it would improve public health through the provision of new and improved hospital facilities and meet the growing needs of Sydney.

The proposal is also considered to be in the public interest as it would be consistent with the vision outlined in the GSC’s Western City District Plan, as it would provide much needed hospital infrastructure conveniently located and near public transport.

The Department concludes the impacts of the development are acceptable and can be appropriately mitigated through the implementation of the recommended conditions of consent. Consequently, the Department considers the development is in the public interest and should be approved subject to conditions.
8. **Recommendation**

It is recommended that the Executive Director, Priority Projects, as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report.
- **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.
- **agrees** with the key reasons for approval listed in the notice of decision.
- **grants consent** for the application in respect of Nepean Hospital Integrated Ambulatory Services Redevelopment Stage 1 (SSD 8766).
- **signs** the attached development consent and recommended conditions of consent (see Appendix C).

Prepared by:  

Prity Cleary  
Senior Planning Officer  
Social and Other Infrastructure Assessments

Recommended by:  

David Gibson  
Team Leader  
Social and Other Infrastructure Assessments
9. **Determination**

The recommendation is: **Adopted** / **Not adopted** by:

David Gainsford
Executive Director
Priority Projects Assessments

25/2/19
Appendices

Appendix A - List of Documents
The following supporting documents and supporting information to this assessment report can be found on the Department of Planning and Environment’s website as follows.

1. Environmental Impact Statement

2. Submissions

3. Applicant’s Response to Submissions

4. Applicant’s Response to Submissions Supplementary information
Appendix B - Statutory Considerations

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)

To satisfy the requirements of section 4.15(a)(i) of the EP&A Act, this report includes references to the provisions of the EPIs that govern the carrying out of the project and have been taken into consideration in the Department’s environmental assessment.

Controls considered as part of the assessment of the proposal are:

- State Environmental Planning Policy (State & Regional Development) 2011 (SRD SEPP)
- State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP)
- State Environmental Planning Policy No. 20 – Hawkesbury-Nepean
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)
- Draft State Environmental Planning Policy (Remediation of Land) (Draft Remediation SEPP)
- Draft State Environmental Planning Policy (Environment) (Draft Environment SEPP)
- Penrith Local Environmental Plan (PLEP) 2010.

COMPLIANCE WITH CONTROLS

State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)

Table B1 | SRD SEPP compliance table

<table>
<thead>
<tr>
<th>Relevant Sections</th>
<th>Consideration and Comments</th>
<th>Complies</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 Aims of Policy</td>
<td>The aims of this Policy are as follows: The proposed development is identified as SSD.</td>
<td>Yes</td>
</tr>
<tr>
<td>(a) to identify development that is State significant development</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 Declaration of State significant development: section 4.36</td>
<td>The proposed development is permissible with development consent. The development is a type specified in Schedule 1.</td>
<td>Yes</td>
</tr>
<tr>
<td>(1) Development is declared to be State significant development for the purposes of the Act if:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(b) the development is specified in Schedule 1 or 2.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Schedule 1 State significant development —general (Clause 8 (1))</td>
<td>The proposed development comprises development for the purpose of a hospital and has a CIV in excess of $30 million.</td>
<td>N/A</td>
</tr>
<tr>
<td>14 Hospitals, medical centres and health research facilities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Development that has a capital investment value of more than $30 million for any of the following purposes:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) hospitals,</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(b) medical centres,</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
health, medical or related research facilities (which may also be associated with the facilities or research activities of a NSW local health district board, a University or an independent medical research institute).

State Environmental Planning Policy (Infrastructure) 2007

The Infrastructure SEPP aims to facilitate the effective delivery of infrastructure across the State by improving regulatory certainty and efficiency, identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and providing for consultation with relevant public authorities about certain development during the assessment process.

The Department has consulted and considered the comments from the relevant public authorities (refer to Sections 5.3 and 5.5 of the report). The Department has included suitable conditions in the recommended conditions of consent (see Appendix C).

State Environmental Planning Policy No. 55 - Remediation of Land

SEPP 55 aims to ensure that potential contamination issues are considered in the determination of a development application. The EIS included a Preliminary Environmental Site Assessment and a Preliminary Stage 2 Environmental Site Assessment and Remedial Action Plan (RAP). The reports were prepared on a review of site history, previous environmental assessments, detailed site inspection, soil sampling at 78 locations, sampling of four existing groundwater monitoring wells. The report identified the presence of bonded asbestos containing material (ACM) at three surface or near surface sample locations, and friable asbestos that exceed the site criteria.

The RAP notes that the greatest contaminant of concern is associated with the presence of asbestos in soils that may be present in fill material encountered during site works. It was therefore recommended that further site-specific testing be undertaken following demolition activities to better inform future remediation activities.

Proposed remediation will include a combination of offsite disposal of bonded ACM and friable asbestos impacted materials, and onsite containment of bonded ACM and friable asbestos impacted materials. Following the completion of site demolition and remediation activities, site validation is proposed to be undertaken to validate the suit’s suitability for its ongoing hospital land use.

The Department notes that no objections were raised to the findings and recommendations of the Contamination Assessment. The Department is satisfied that the Applicant has adequately addressed clause 7 of SEPP 55 and that the site can be made suitable for its intended use.

The Department also recommends conditions requiring the preparation and implantation of an unexpected finds protocol to ensure measures are in place should any unanticipated contamination be found during works, a detailed site investigation following the demolition of existing structures, and preparation of updated RAP following the site investigation.

SEPP 33

SEPP 33 provides clear definitions of hazardous and offensive industries and aims to facilitate development defined as such and to ensure that in determining developments of this nature, appropriate measures are employed to reduce the impact of the development and require advertisement of applications proposed to carry out such development. A preliminary hazard analysis is required if the development is identified as a potentially hazardous or potentially offensive development, having regard to the screening thresholds set out in supporting guidelines.
The EIS included an assessment of the hazardous / dangerous goods and waste to be managed in the proposed development. The assessment determined that the proposal would not involve hazardous / dangerous goods and waste that is not already managed by the existing hospital operations. Overall, the assessment concluded there is a low to medium risk associated with the proposed development noting that the hospital would be operated below the screening thresholds for further investigation. On this basis, the Department is satisfied that a preliminary hazard analysis is not required.

With regard to the disposal and transporting of hazardous / dangerous goods and waste, the Applicant advises that the hospital has existing procedures in place and this would be undertaken by regulated contractors in accordance with standard safety procedures for each product. The Department is therefore satisfied that the transport of goods and waste would be appropriately managed.

**Draft State Environmental Planning Policy (Remediation of Land)**

The Draft Remediation SEPP will retain the overarching objective of SEPP 55 promoting the remediation of contaminated land to reduce the risk of potential harm to human health or the environment.

Additionally, the provisions of the Draft Remediation SEPP will require all remediation work that is to carried out without development consent, to be reviewed and certified by a certified contaminated land consultant, categorise remediation work based on the scale, risk and complexity of the work and require environmental management plans relating to post-remediation management of sites or ongoing operation, maintenance and management of on-site remediation measures (such as a containment cell) to be provided to council.

The Department is satisfied that the proposal will be consistent with the objectives of the Draft Remediation SEPP.

**Draft State Environmental Planning Policy (Environment)**

The Draft Environment SEPP is a consolidated SEPP which proposes to simplify the planning rules for a number of water catchments, waterways, urban bushland, and Willandra Lakes World Heritage Property. Once adopted, the Draft Environment SEPP will replace seven existing SEPPs. The proposed SEPP will provide a consistent level of environmental protection to that which is currently delivered under the existing SEPPs. Where existing provisions are outdated, no longer relevant or duplicated by other parts of the planning system, they will be repealed.

Given that the proposal is consistent with the provisions of the existing SEPPs that are applicable, the Department concludes that the proposed development will generally be consistent with the provisions of the Draft Environment SEPP.

**State Environmental Planning Policy No 20 – Hawkesbury Nepean River**

SEPP 20 applies to all land within the Penrith LGA and contains various provisions aimed at protecting the environment of the Hawkesbury-Nepean River system.

Clause 4 of the SEPP requires that certain ‘General Provisions’ under clause 5 and ‘Special Planning Policies and Recommended Strategies’ under Clause 6 must be taken into consideration by a consent authority determining an application for development on land to which the SEPP applies. The provisions relevant to the assessment of this application relate to managing water quality and quantity, protecting flora and fauna, and protecting cultural heritage. These matters have been addressed in the EIS report and in Section 6 of this report and the Department is satisfied that consideration has been given to all relevant matters under the SEPP.
Penrith Local Environmental Plan (PLEP) 2010

The PLEP 2010 aims to encourage the development of housing, employment, infrastructure and community services to meet the needs of the existing and future residents of the Penrith LGA. The PLEP 2010 also aims to conserve and protect natural resources and foster economic, environmental and social well-being.

The Department has consulted with Council throughout the assessment process and has considered all relevant provisions of the PLEP 2010 and those matters raised by Council in its assessment of the development (refer to Section 5). The Department concludes the development is consistent with the relevant provisions of the PLEP 2010. Consideration of the relevant clauses of the PLEP 2010 is provided in Table B2.

Table B2 | Consideration of the PLEP 2010

<table>
<thead>
<tr>
<th>PLEP 2010</th>
<th>Department Comment/Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 2.1 Land use zones</td>
<td>The site is zoned SP2 Infrastructure and hospital is a permissible use with consent.</td>
</tr>
<tr>
<td>Clause 4.3 Building height</td>
<td>The site is not subject to a height limit.</td>
</tr>
<tr>
<td>Clause 4.4 Floor Space Ratio</td>
<td>The site is not subject to a floor space ratio limit.</td>
</tr>
<tr>
<td>Clause 5.10 Heritage conservation</td>
<td>The site does not contain nor is near to any sites of local heritage significance. Nor is the site or surrounding land included in a heritage conservation area.</td>
</tr>
<tr>
<td>Clause 5.12 Infrastructure development and use of existing buildings of the Crown</td>
<td></td>
</tr>
<tr>
<td>Clause 7.1 Earthworks</td>
<td>The earthworks associated with the proposed development include excavation to accommodate the proposed building and the adjoining access road within the site. The excavation works are not anticipated to result in any significant impacts to drainage or soil stability. Additionally, the site is not located in proximity to any identified areas of archaeological sensitivity environmentally sensitive areas. The earthworks are not expected to result in any unreasonable impacts and appropriate mitigation measures are proposed to manage impacts, including management of dust, noise and erosion and sediment control during construction.</td>
</tr>
<tr>
<td>Clause 7.2 Flood Planning</td>
<td>See Section 6.4 for consideration of flooding on the site.</td>
</tr>
<tr>
<td>Clause 7.7 Servicing</td>
<td>All essential services are available to the development. The Department has recommended conditions of consent that require services to be connected to the development prior to the commencement of aboveground works.</td>
</tr>
</tbody>
</table>
Other policies

In accordance with Clause 11 of the SRD SEPP, Development Control Plans do not apply to State significant development. Notwithstanding this, the objectives of relevant controls under the Penrith Development Control Plan 2014, where relevant, have been considered in Section Error! Reference source not found. of this report.
Appendix C - Recommended Instrument of Consent/Approval