



New Maitland Hospital (Stage 2)

State Significant
Infrastructure
Assessment

(SSI-9775)

December 2019



December 2019

© Crown Copyright, State of NSW through its Department of Planning, Industry and Environment 2019

Cover photo

Artist's impression of western elevation (Source: PIR)

Disclaimer

While every reasonable effort has been made to ensure this document is correct at time of printing, the State of NSW, its agents and employees, disclaim any and all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance or upon the whole or any part of this document.

Copyright notice

In keeping with the NSW Government's commitment to encourage the availability of information, you are welcome to reproduce the material that appears in New Maitland Hospital (Stage 2) Planning Secretary's Assessment Report. This material is licensed under the Creative Commons Attribution 4.0 International (CC BY 4.0). You are required to comply with the terms of CC BY 4.0 and the requirements of the Department of Planning, Industry and Environment. More information can be found at: <http://www.planning.nsw.gov.au/Copyright-and-Disclaimer>.



Glossary

Abbreviation	Definition
AA	Airservices Australia
ACHAR	Aboriginal Cultural Heritage Assessment Report
ACHMP	Aboriginal Cultural Heritage Management Plan
Additional Information	Additional Information in a letter titled <i>RE: New Maitland Hospital – Stage 2 (SSI-9775), Request for Additional Information</i> , prepared by Health Infrastructure, dated 5 November 2019 and letter titled <i>State Significant Infrastructure Application 9775: New Maitland Hospital (Stage 2)</i> , prepared by Health Infrastructure, dated 24 November 2019
APZ	Asset protection zone
BDAR	Biodiversity Development Assessment Report
BAM	Biodiversity Assessment Method
BCA	Building Code of Australia
BC Act	<i>Biodiversity Conservation Act 2016</i>
BCF	Biodiversity Conservation Fund
BOS	Biodiversity offset strategy
CASA	Civil Aviation Safety Authority
CEMP	Construction Environmental Management Plan
CIV	Capital Investment Value
Council	Maitland City Council
DCP	Development Control Plan
Department	Department of Planning, Industry and Environment
DPI	Department of Primary Industries
EEC	Endangered ecological communities
EESG	Environment, Energy and Science Group of the Department (former Office of Environment and Heritage)
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
ESD	Ecologically Sustainable Development
GANSW	Government Architect NSW
GFA	Gross floor area

HNELHD	Hunter New England Local Health District
ICNG	Interim Construction Noise Guideline
Infrastructure SEPP	State Environmental Planning Policy (Infrastructure) 2007
LGA	Local Government Area
Minister	Minister for Planning and Public Spaces
MLEP	Maitland Local Environmental Plan 2011
NMH	New Maitland Hospital
NML	Noise management level
NaVA	Stage 2 Noise and Vibration Assessment
NVIA	Noise and Vibration Impact Assessment for Stage 1
PBFP	Planning for Bush Fire Protection 2006
PCT	Plant Community Type
Planning Secretary	Planning Secretary of the Department
PIR	Preferred Infrastructure Report
RAP	Remedial Action Plan
REF	Review of Environmental Factors
RFS	NSW Rural Fire Service
RtS	Response to Submissions
SEARs	Planning Secretary's Environmental Assessment Requirements
SEPP	State Environmental Planning Policy
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
Stage 2	Subsequent application(s) for the detailed design, construction and operation of the hospital
SSI	State Significant Infrastructure
TfNSW	Transport for NSW
TfNSW (RMS)	TfNSW (Roads and Maritime Services)
TIA	Transport Impact Assessment



Executive Summary

This report provides an assessment of a State significant infrastructure (SSI) application for the New Maitland Hospital (SSI-9775) at Metford Road, Metford. The Proponent is Health Infrastructure, on behalf of Health Administration Corporation, and the proposal is located within the Maitland local government area (LGA). The proposal is for Stage 2 of the New Maitland Hospital, comprising the detailed design, construction and operation of the New Maitland Hospital. A concept proposal for the new hospital and Stage 1 early works was approved on 7 November 2018.

The Department of Planning, Industry and Environment (the Department) has considered the merits of the proposal, 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 Proponent's response to these.

The proposal seeks approval for the infrastructure application for Stage 2 of the New Maitland Hospital, comprising the detailed design, construction and operation of the New Maitland Hospital, including: a new eight storey Acute Services Building (incl. basement and plant levels); internal roads; car parking; rooftop helipad; signage; site landscaping; and utility and service connections.

The proposal has a Capital Investment Value (CIV) of over \$100 million and would support 893 new operational jobs upon opening and up to 1,162 operational jobs 10 years after opening, and 1,250 construction jobs.

The Department's assessment of the project concludes that:

- traffic impacts will be satisfactorily managed as the Chelmsford Drive/Metford Road intersection will be upgraded to mitigate the increased traffic. Roadworks planning is being undertaken by the Proponent in consultation with Council, TfNSW (including TfNSW (RMS)) and regional co-ordination bodies to ensure wider network issues are resolved to address the growth of the East Maitland Catalyst Area identified in strategic planning for the region.
- car parking proposed would address car parking demand, subject to conditions requiring the delivery of the additional 140 car parking spaces within two years of commencement of operations.
- the proposed bulk and scale of the future hospital is generally consistent with the approved concept proposal and would not result in unreasonable amenity impacts on adjoining properties.
- the proposal incorporates landscaping to respond to the bushland and revegetated bushland setting and provide amenity for staff, patients and visitors.

- biodiversity impacts would be appropriately managed and offset, subject to preparation of a Biodiversity Offset Strategy and Biodiversity Management Plan.
- the construction noise impacts would not reach the highly affected noise level and can be managed appropriately, in consultation with impacted sensitive receivers, and operational impacts can be mitigated in the detailed design phase.
- the design of the hospital incorporates elements to reflect the history of the site, but further interpretative elements should be incorporated into the design prior to commencement of operations.

The proposal is SSI under clause 5 of Schedule 4 of State and Environmental Planning Policy (State and Regional Development) 2011, as it is development for the purposes of a health services facility, and associated carpark, that has a CIV of more than \$100 million on land identified as being within the New Maitland Hospital Site on the State Significant Infrastructure Sites Map. Therefore, the Minister for Planning and Public Spaces is the approval authority.

Engagement

The application was publicly exhibited between 12 July 2019 and 8 August 2019 (28 days). The Department received a total of 17 submissions, including 13 from public authorities and four from the public, including two from special interest groups (Two More Trains for Singleton and Upper Hunter Cancer Action Network). An additional eight submissions from public authorities were received in response to the Proponent's Preferred Infrastructure Report (PIR), which included a Response to Submissions (RtS).

The key issues raised in the submissions include: traffic impacts; scope of the road upgrades; pedestrian connectivity; bus bay design; parking; biodiversity impacts, including adequacy of fauna assessment; heritage interpretation; noise impacts; contamination assessment; and services for cancer patients.

The PIR (including RtS) provided responses to the key issues raised in the submissions and relocated the helipad to the rooftop of the hospital building, made minor amendments to the design, including additional courtyard, refinement of the bus bay, adjustments to the emergency entrance, reconfiguration of the car parking layout and an reconfiguration of the bus bay and taxi zone to accommodate two buses. Additional information was subsequently submitted to revise the design of the bus bay and layoff further and incorporate additional landscaping in the courtyards.



Contents

Glossary	i
Executive Summary	iii
1. Introduction	1
1.1 Site description	1
1.2 Surrounding development	3
2. Project	7
2.1 Physical layout and design	7
2.2 Timing	10
2.3 Related development	10
3. Strategic Context	11
4. Statutory Context	12
4.1 State significant infrastructure	12
4.2 Permissibility	12
4.3 Other approvals	12
4.4 Environmental planning instruments	13
4.5 Objects of the EP&A Act	13
4.6 Ecologically sustainable development	15
4.7 Planning Secretary's Environmental Assessment Requirements	16
4.8 Threatened Species Conservation Act 1995 (repealed)	16
4.9 Environment Protection and Biodiversity Conservation Act	16
5. Engagement	17
5.1 Department's engagement	17
5.2 Summary of submissions	17
5.3 Public authority submissions	17
5.4 Public submissions	21
5.5 Response to Submissions and supplementary information	22
6. Assessment	25
6.1 Traffic and transport impacts	25

6.2	Biodiversity impacts.....	31
6.3	Built form and urban design.....	31
6.4	Noise and vibration impacts	39
6.5	Other Issues	41
7.	Evaluation	43
8.	Recommendation	45
9.	Determination	46
	Appendices	47

Appendix A - List of Documents

Appendix B - Statutory Considerations

Appendix C - Recommended Instrument of Approval



1. Introduction

This report provides an assessment of a State significant infrastructure (SSI) application for Stage 2 of the New Maitland Hospital (SSI-9775) (NMH) at Metford Road, Metford.

The proposal seeks approval for the construction and operation of the new Maitland Hospital, including: a new eight storey Acute Services Building (incl. basement and plant levels); internal roads; car parking; rooftop helipad; signage; site landscaping; and utility and service connections.

The infrastructure application has been lodged by Health Infrastructure, on behalf of Health Administration Corporation (the Proponent). The site is located within the Maitland local government area (LGA).

1.1 Site description

The site is located approximately five kilometres south-east of the Maitland town centre, on Metford Avenue between Chelmsford Drive and Raymond Terrace Road. The proposed main access is at the intersection of Metford Avenue and Fieldsend Street. The legal description of the land is Lot 7314 DP 1162607 and Part Lot 401 DP 755237. The site is triangular in shape (see **Figure 1**) and has a total area of approximately 19.37ha.

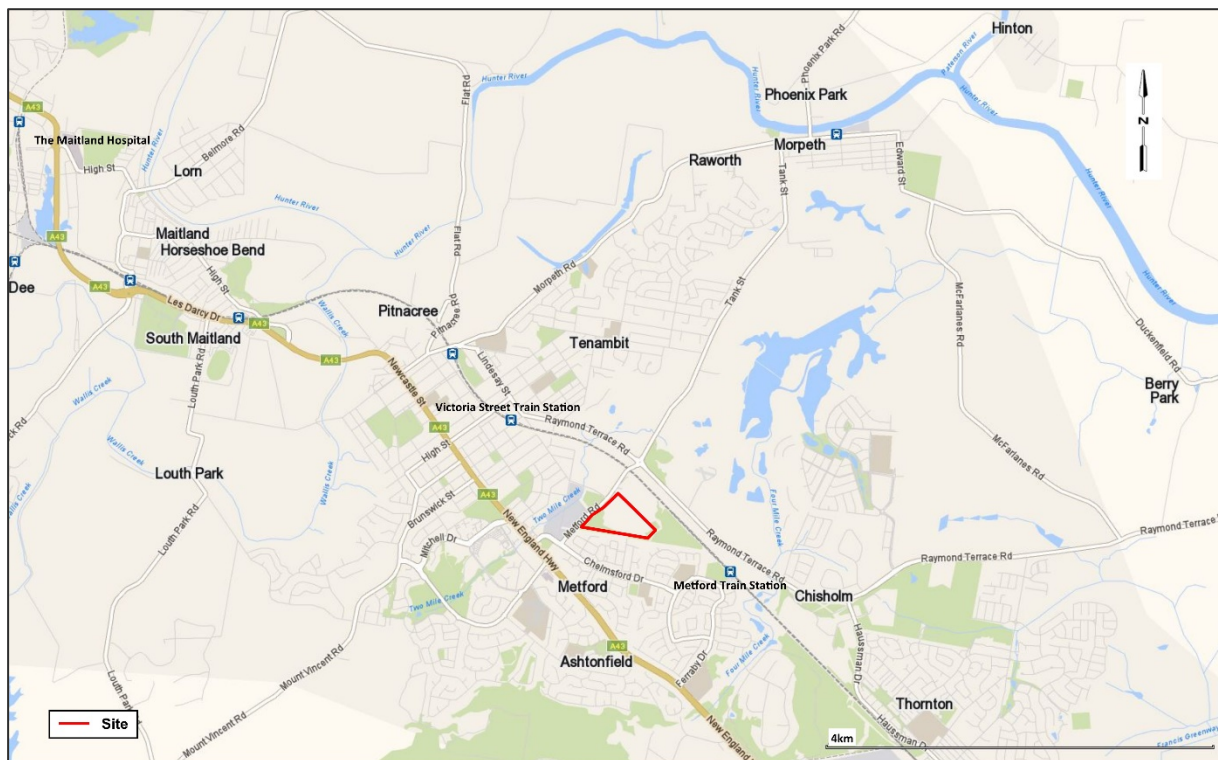


Figure 1 | Regional context map (Base source: Google)

The site is part of an area known as the Metford Triangle, the former quarry and brickworks facility (see **Figure 2**). It comprises the southern portion of the Metford Triangle and the remainder of the Metford Triangle forms the northern and eastern boundary of the site. It is bounded by Metford Avenue to the west and a 20m unformed road reservation and overhead transmission line to the south.

Early works are currently being undertaken on the site, which were approved as part of the Stage 1 works under the staged infrastructure approval for the NMH (concept proposal and Stage 1 works) (SSI-9022). Part of the land (Part Lot 401 DP 755237) has recently been rehabilitated by CSR Limited, the operators of the former brickworks, comprising remediation of contaminated soils and rehabilitation of the landform, including re-vegetation of parts of the site.

The land generally slopes towards the east, except the south western corner which falls west to Metford Road. The site has undulating topography, which is being reshaped (including bulk earthworks) as part of the Stage 1 works, and is partially vegetated with remnant native forest vegetation, including heavy vegetation within the south-western and eastern portions of the site (see **Figure 3**).



Figure 2 | Local context map (Base source: Nearmap)



Figure 3 | Existing site layout (Base source: Nearmap)

1.2 Surrounding development

The site is surrounded by the remainder of the Metford Triangle to the north and east (see **Figure 4**). The future use of this portion of the Metford Triangle is unknown. Located further to the north-east is the Great Northern Rail Line and a cemetery, to the south is low to medium density residential housing, and to the north-west is commercial uses, light industrial uses and public recreation areas.



Figure 4 | View of the south-western corner of the site and the unformed road from Metford Road (Source: Department)

The site is located approximately 5.5km south-east of the existing Maitland Hospital located in the Maitland town centre (see **Figure 1**). Maitland Private Hospital is located approximately 1km to the south-west of the site (see **Figure 2**).

1.3 Previous Approvals

On 7 November 2018, the Executive Director, Priority Projects, as a delegate of the then Minister for Planning, approved a staged infrastructure application for the NMH (SSI 9022). The State significant infrastructure (SSI) approval comprises: a concept proposal for a new hospital building (up to nine storeys in height and approximately 60,000sqm of floor area) and concurrent Stage 1 works (site clearance and preparatory works).

The concept proposal established building envelopes for the future hospital buildings (see **Figures 5** and **6**), to support approximately 400 beds and provide a range of services including, but not limited to: emergency, critical, surgical, acute, paediatric, palliative, chemotherapy and ambulatory care; maternity services; inpatient medical and surgical beds; rehabilitation; and mental health.



Figure 5 | Proposed site layout (Base source: SSI 9022 EIS)



Figure 6 | Aerial view of the proposed building envelope from the north-west (Source: SSI 9022 EIS)

The Stage 1 site clearance and preparatory site works (see **Figure 7**) include:

- establishment of a site office and construction compound.
- connection of temporary and permanent services for the new facility (water, sewer, power, gas).
- removal of existing temporary fencing and installation of construction fencing and signage.
- clearance of site vegetation within the footprint of hospital (excluding clearing for the Asset Protection Zone purposes) and chipping and re-use on site.
- bulk earthworks to establish the required site levels.
- in-ground infrastructure and works, including building foundations, piling, drainage works and excavation of a sub-level.
- site stabilisation (including establishment of erosion and sediment controls) and site management.
- construction of internal un-sealed road ways for use during construction and un-sealed hard sub-base for temporary construction parking.

The clearing works approved under Stage 1 have been completed.



Figure 7 | Site layout - Stage 1 works (Base source: SSI 9022 Response to Submissions report)



2. Project

2.1 Physical layout and design

The proposal would result in the delivery of a new hospital building that would replace the services offered at the existing Maitland Hospital. The proposal is for the main building of the two building envelopes approved as part of the concept proposal. It is located centrally on the site, with the car parking originally proposed to be east of the main building being relocated to the north. The proposal also incorporates a rooftop helipad, where it was previously identified as at-grade in the EIS and the concept proposal.

The key components and features of the proposal are provided in **Table 1** and are shown in **Figures 8 to 10**.

Table 1 | Main components of the project

Aspect	Description
Project Summary	Detailed design, construction and operation of the NMH, including ancillary retail on the ground floor
Site area	<ul style="list-style-type: none">19.37ha
Maximum height	<ul style="list-style-type: none">eight storey building (39.15m) (including lower ground level and plant level)
Gross floor area (GFA)	<ul style="list-style-type: none">approximately 49,000sqm
Beds	<ul style="list-style-type: none">339 beds
Access	<ul style="list-style-type: none">primary vehicle entry at Fieldsend Street roundaboutsecondary vehicle entry 60m to the north of primary entrance for access to the northern carpark (left-in/left-out only)vehicle entry 130m south of the primary entrance for emergency vehicles only
Motor vehicle parking	<ul style="list-style-type: none">682 car spaces, comprising 595 in the northern at-grade carpark and 87 in the western at-grade carparkcommitment to provide an additional 140 car spaces in the future, subject to demand12 motorcycle spaces, comprising 8 in the northern at-grade carpark and 4 in the western at-grade carpark
Bicycle parking	<ul style="list-style-type: none">35 spaces (23 for staff and 12 for visitors)
Services	<ul style="list-style-type: none">emergency departmentmedical, surgical, paediatric and maternity services

Aspect	Description
	<ul style="list-style-type: none"> critical care services for adults and babies, including a special care nursery operating theatres, delivery suites and assessment rooms palliative care and rehabilitation services mental health services satellite renal dialysis chemotherapy service oral health service ambulatory care and outpatient clinics
Landscaping	<ul style="list-style-type: none"> additional tree removal (258 trees) planting of 456 trees, shrubs and ground cover
Associated works	<ul style="list-style-type: none"> additional site preparation works, including excavation, cut and fill (including site grading for roads and carparks) utility works
Signage	<ul style="list-style-type: none"> 'Maitland Hospital' – 16.5m x 1.1m 'Emergency' sign – 16m x 1.1m 'Emergency' awning sign – 13m x 0.7m wayfinding signage
Hours of construction	<ul style="list-style-type: none"> Monday to Friday 7am to 6pm Saturday 8am to 5pm
Jobs	<ul style="list-style-type: none"> 893 operational jobs on opening and 1,162 at 10 years 1,250 construction jobs



Figure 8 | Artist's impression of the western elevation (Source: PIR)



Figure 9 | Artist's impression of the northern elevation (Source: EIS)

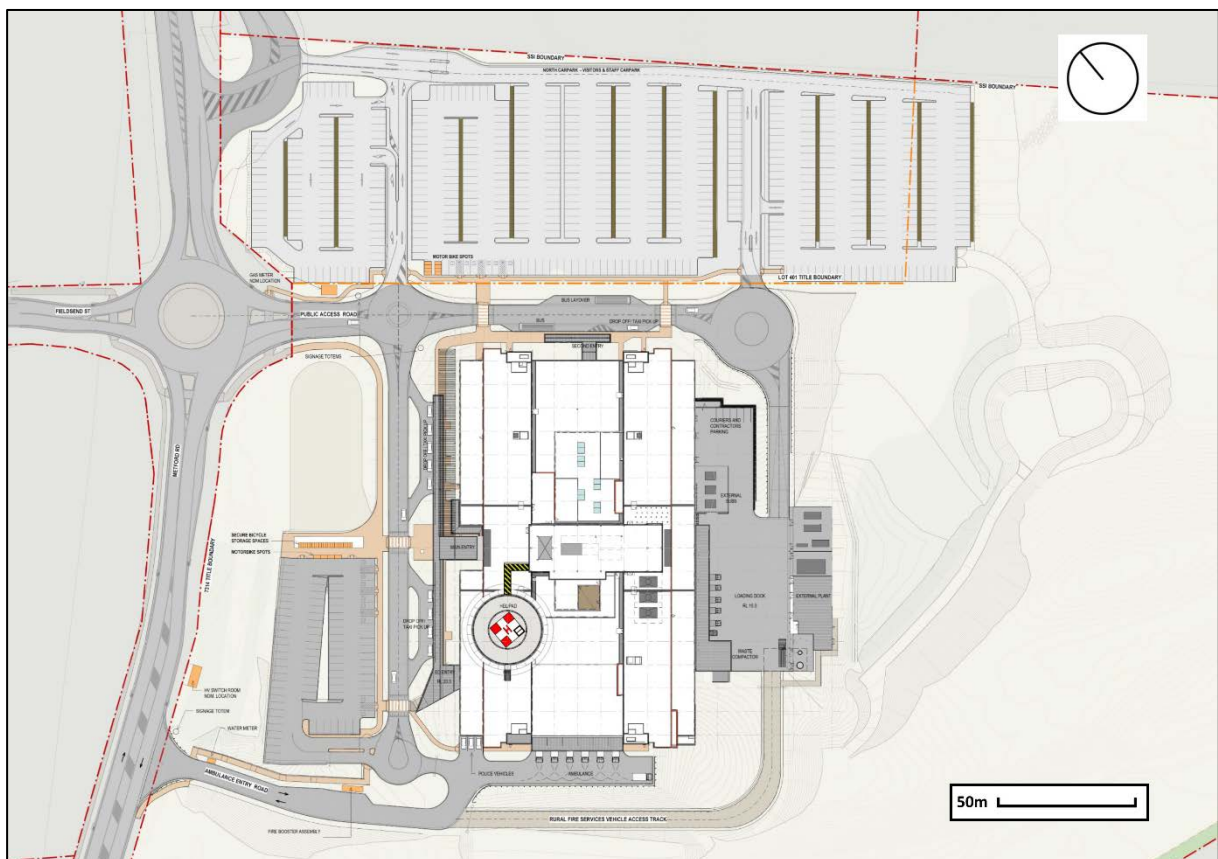


Figure 10 | Proposed site layout (Base source: PIR)

2.2 Construction and Timing

This application includes the detailed design and construction of the main hospital building contained within the approved nine-storey building envelope. Future stage(s) for the remaining building envelope will be subject to separate applications. Construction is scheduled to commence in late 2019 and is expected to be completed in May 2021.

The Proponent has advised that the existing Maitland Hospital would be closed, and services transferred to the NMH once it is operational. The ongoing use of the existing Maitland Hospital buildings is unknown and not part of this application.

2.3 Related development

The Proponent has undertaken infrastructure works within the surrounding land to facilitate future redevelopment of the site. These works were approved by the Proponent pursuant to Part 5 of the EP&A Act and details of the approvals are provided below.

- On 12 October 2017, Health Infrastructure approved the construction of a roundabout at the Metford Road/Fieldsend Street intersection, the emergency vehicle access on Metford Road and associated road works after undertaking a Review of Environmental Factors (REF) for these works, under Part 5 of the EP&A Act and Division 17 of the State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP). These works have been completed.
- On 5 April 2018, Health Infrastructure approved the installation of a new gas pipeline under the road reserve on the western side of Metford Road extending from Fieldsend Street to the immediate south of the Maitland City Council Depot after undertaking a REF for these works, under Part 5 of the EP&A Act and the former Division 9 of the Infrastructure SEPP. These works have been completed.
- On 2 May 2018, Health Infrastructure approved the installation of electrical infrastructure and street lighting within the Metford Road reserve on the eastern side of the road extending from Fieldsend Street to the immediate south of the Maitland City Council Depot after undertaking a REF for these works, under Part 5 of the EP&A Act and Division 5 of the Infrastructure SEPP. These works have been completed.



3.Strategic Context

The proposed NMH is located within the Hunter Region and the Greater Newcastle Metropolitan Region, made up of Cessnock City, Lake Macquarie City, Maitland City, Newcastle City and Port Stephens Local Government Areas. The Maitland LGA has a targeted population growth of 26,650 people and employment growth of 6,476 jobs to 2036 as identified in the Hunter Regional Plan 2036. The proposed NMH development will provide an important contribution towards these targets, both directly and indirectly through the provision of approximately 893 operational jobs (increasing to 1,162 jobs at 10 years) and 1,250 construction jobs, the establishment of associated infrastructure and helping to promote the locality as a future health precinct.

The NMH would form part of the facilities under the Hunter New England Local Health District (HNELHD) and is integral in providing improved health services to the Hunter, New England and Lower Mid North Coast regions. It would serve as a regional referral hospital for Cessnock, Dungog, Maitland, Muswellbrook, Singleton and Upper Hunter Shire. The Proponent has advised that the existing Maitland Hospital buildings were assessed in 2013 as unable to provide contemporary models of care and are not easily adapted for re-use. The Proponent states that the proposed development is required to provide capacity to support the increasing health service demands required by a growing population and facilities required to provide contemporary health care services (the existing Maitland Hospital is at capacity and patients are being referred to Newcastle and Sydney hospitals).

The Department considers that the proposal is consistent with strategic planning objectives and policies as:

- it is consistent with the Hunter Regional Plan 2036, which aims to improve the economic and employment opportunities in the region and identifies NMH as a catalyst for growth of the health services industry.
- it is consistent with the Greater Newcastle Metropolitan Plan, which aims to support sustainable growth in the region and identifies the New Maitland Hospital within Metford as an emerging health precinct and a catalyst area for delivering jobs and homes.
- it is consistent with Infrastructure NSW's Building Momentum State Infrastructure Strategy 2018 – 2038, 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 regional NSW.
- it is consistent with Transport for NSW's Future Transport Strategy 2056, as it provides improved health facilities within a regional strategic centre, which would support its role as a regional hub for employment and services.



4. Statutory Context

4.1 State significant infrastructure

On 28 November 2017, the then Minister for Planning made an order under section 5.12(4) of the EP&A Act to amend State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP). This order provides that development for the purposes of a health services facility and associated carpark, which has a capital investment value of more than \$100 million on land identified as being within the New Maitland Hospital Site on the State Significant Infrastructure Sites Map, is SSI. The proposal meets this criteria.

The Minister for Planning and Public Spaces is the approval authority under section 5.14 of the EP&A Act.

In accordance with the Minister's delegation to determine SSI applications, signed on 11 October 2017, the Executive Director, Infrastructure Assessments 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 zoned RU2 Rural Landscape under the Maitland Local Environmental Plan 2011 (MLEP) and hospitals are not a permissible land use.

Notwithstanding, section 5.22(2) of the EP&A Act provides that Part 3 of the EP&A Act and environmental planning instruments (EPIs) do not apply to State significant infrastructure. Therefore, the application can be approved, subject to an environmental assessment under section 5.18 of the EP&A Act.

4.3 Other approvals

Under section 5.24 of the EP&A Act, a number of other approvals are not required as part of the State significant infrastructure approval process.

Under section 5.24 of the EP&A Act, a number of further approvals are required, but must be substantially consistent with any State significant infrastructure approval 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 approval (see **Appendix C**).

4.4 Environmental planning instruments

Whilst EPIs do not apply to SSI, the Department has considered the proposal against relevant EPIs (including SEPPs). This consideration is provided in **Appendix B**.

4.5 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 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 2**.

Table 2 | Response to the objects of section 1.3 of the EP&A Act

Objects of the EP&A Act	Consideration
(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	The development would ensure the proper management and development of land for the provision of State infrastructure on rehabilitated land for the social welfare of the community and State. The improved health care facilities provide significant social and economic benefits to the community.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	The proposal includes measures to deliver ecologically sustainable development.
(c) to promote the orderly and economic use and development of land,	The development would deliver orderly and economic use of land as the proposal would make use of disturbed and rehabilitated land for infrastructure purposes. The proposal would also be of economic benefit through job creation and infrastructure investment.
(d) to promote the delivery and maintenance of affordable housing,	Not applicable.

Objects of the EP&A Act	Consideration
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	The proposed development includes a revised development layout, including disturbance of areas outside of the approved development footprint which would result in additional biodiversity impacts. A biodiversity development assessment report (BDAR) was submitted with the EIS and a revised BDAR with the PIR. The revised BDAR identifies the necessary biodiversity credits that would be required to offset the biodiversity impacts of the Stage 2 development. The retirement of biodiversity credits and implementation of construction management measures to address the impacts on threatened or vulnerable species, populations, communities or significant habitats would mitigate the environmental impacts of the proposal.
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	The proposed development is not anticipated to result in any impacts upon built and cultural heritage, including Aboriginal cultural heritage.
(g) to promote good design and amenity of the built environment,	The proposal has been reviewed by the Government Architect NSW (GANSW) throughout the assessment of the proposed development. The Department considers that the building and site layout would promote good design and amenity of the built environment (refer to Section 6.3).
(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 proposed development and has recommended a number of conditions of approval to ensure the construction and maintenance is undertaken in accordance with legislation, guidelines, policies and procedures (see 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 proposed development as outlined in Section 5.1 , which included consultation with Council and other public authorities and consideration of their responses.

Objects of the EP&A Act	Consideration
(j) to provide increased opportunity for community participation in environmental planning and assessment.	The Department publicly exhibited the application as outlined in Section 5.1 , which included notifying adjoining landowners, placing a notice in the press and displaying the application on the Department's website and at the Department's Sydney office and Council's office.

4.6 Ecologically sustainable development

The EP&A Act adopts the definition of ecologically sustainable development (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 Department required that the application for Stage 2: demonstrate how the principles of ESD have been incorporated in the future development; provide a framework to address national best practice sustainable building principles to improve environmental performance and reduce ecological impact; and demonstrates how the future development addresses projected climate change impacts. The Stage 2 application has been designed to target a Green Star Health Care 4-Star equivalency rating and includes the following design measures:

- thermally efficient glazing.
- high efficiency water cooled chillers.
- use of zero Ozone Depleting Potential refrigerants.
- high efficiency boilers to provide heating and hot water.
- air handling units designed to maximise outside air use.
- comprehensive building control and management system to optimise energy performance, including extensive energy metering and sub-metering.
- LED lighting systems to reduce energy use.
- roof top electrical distribution board infrastructure enabled to support future installation and connection of photovoltaics if funding becomes available.
- bicycle storage and end of trip facilities.

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. The proposed development is consistent with ESD principles as described in section 5.19 of the Proponent'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).

Overall, the proposal is consistent with ESD principles and the Department is satisfied the proposal would encourage ESD, in accordance with the objects of the EP&A Act. The Department has included conditions requiring that the construction and operation of the hospital meet the alternative framework that the Proponent has developed to achieve a minimum of a Green Star Health Care 4-Star equivalency rating and that rainwater harvesting be provided.

4.7 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.

4.8 Biodiversity Conservation Act 2016

Under section 7.9 of the *Biodiversity Conservation Act 2016* (BC Act), SSI applications are "to be accompanied by a biodiversity development assessment report 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 the NMH on biodiversity values has been assessed in the Biodiversity Development Assessment Report (BDAR) undertaken for this stage of the proposal and considered in **Section 6** of this report.

4.9 Environment Protection and Biodiversity Conservation Act

Under the assessment and approval provisions of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), actions that are likely to have a significant impact on a matter of national environmental significance are subject to an assessment and approval process. An action includes a project, development, undertaking, activity, or series of activities.

The site does not contain any vegetation communities that are listed as critically endangered and endangered ecological communities under the EPBC Act. A fauna species, the Grey-headed Flying-fox, which is also listed as vulnerable under the BC Act, was previously recorded flying over the site.

The Proponent's BDAR confirms that the subject site does not contain suitable habitat for the Grey-headed Flying-fox. The Proponent has therefore not referred the proposal to the Commonwealth Department of Environment and Energy, which is consistent with the path undertaken for the concept proposal.



5. Engagement

5.1 Department's engagement

In accordance with Schedule 1 of the EP&A Act, the Department publicly exhibited the application from 12 July 2019 until 8 August 2019. The application was exhibited:

- at the Department and on its website.
- at NSW Service Centres.
- at Maitland City Council's office, Maitland City Library and East Maitland Library.

The Department placed a public exhibition notice in the Maitland Lower Hunter Star on 11 July 2019, and notified adjoining landholders and relevant State and local government authorities in writing.

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

5.2 Summary of submissions

The Department received a total of 17 submissions, comprising 13 submissions from public authorities and four submissions from the general public providing comments. Two of the submissions were from special interest groups (Two More Trains for Singleton and Upper Hunter Cancer Action Network). A summary of the issues raised in the submissions is provided below.

5.3 Public authority submissions

A summary of the issues raised in the public authority submissions is provided at **Table 3** below and copies of the submissions may be viewed at **Appendix A**.

Table 3 | Summary of public authority submissions to the EIS exhibition

Maitland City Council (Council)

Council does not object to the proposal, however, it provided comments in relation to:

- Metford Road reaching capacity and the need for further investigation (scope and timing) into the future widening to four lanes.
- reviewing levels of service of the road network (incl Metford Road/Chelmsford Drive roundabout, Chelmsford Drive approach to New England Highway and Metford Road/Fieldsend Street roundabout) given the increase in traffic in 2019 surveys compared to the 2017 surveys and use of a lower background traffic growth rate compared to TfNSW (RMS)'s Strategic Traffic Forecasting Model (1.75 per cent compared to 1.87 per cent).

- consultation with ambulance stations must occur to ensure the road network and levels of service address emergency service access requirements.
- acquiring and consolidating the part lot (Crown Land) with the primary lot.
- paid parking potentially increasing demand on on-street car parking in the locality and impact use of Fieldsend Oval.
- promoting non-car travel modes, by: accommodating two buses in the bus bay; providing an additional layby bus bay; investigating high service frequencies for train and bus (including integration of services); separation of bus and taxi bays; and providing incentives in a Green Travel Plan.
- cumulative traffic impacts, particularly with the recent completion of the Stockland Green Hills Shopping Centre, as Council has identified higher recorded traffic volumes in 2019, which need to be re-modelled for the Metford Road/Chelmsford Drive intersection and Fieldsend Street/Metford Road roundabout.
- the need for further assessment of the impact of the additional traffic on the Chelmsford Drive/New England Highway intersection during both afternoon peak periods.
- confirm scope and timing for the Metford Road/Chelmsford Drive intersection upgrade.
- providing a shared path on the eastern side of Metford Road to improve connectivity and identifying the scope and timing.
- impacts on businesses on Metford Road between Fieldsend Street and Chelmsford Drive were not assessed.
- undertaking a Parking Demand Study to identify when the additional 140 on-site car parking spaces required by 2031 should be delivered.
- a detailed site investigation is required for Part Lot 401, where the car parking is proposed, as the site has previously been identified for storage of contaminated material.
- stormwater discharge must not increase beyond pre-development environment.
- noise and vibration impacts, including: exceedance of construction management levels outside construction hours and need for community consultation; and noise from emergency vehicles, helicopters and mechanical plant have not been adequately assessed.
- the BDAR should demonstrate the 2014 fauna survey is still appropriate, that impacts on biodiversity were avoided and all vegetation removal has been included in the assessment.
- chitter pile should not be used for landscaping as it is combustible.
- salvaged materials from the former brickworks should be used for heritage interpretation of the industrial heritage of the site.

Transport for NSW (Roads and Maritime Services) (TfNSW RMS)

RMS advised that:

- there are anomalies in the time cycles for the intersection modelling and confirmation needs to be provided regarding using the correct phasing.

New England Highway/Chelmsford Drive intersection

- the recently upgraded intersection prioritises through movement but with the additional 100 vehicles turning right, re-phasing might be required.
- the extra 100 left turning vehicles from Chelmsford Drive to the Highway would be impeded by queuing for the through movement given the short length of the left slip lane.
- by 2032 the right turn queue from Chelmsford Drive to the Highway exceeds the lane length and would queue into the through lanes.
- it is not explained how queue lengths and efficiency improves post development (AM peak) on Chelmsford Drive north-west leg with more traffic on it in 2032.
- there would be 435m of queueing on Chelmsford Drive north-west in PM peak post development in 2032.

New England Highway/Chisholm Road intersection

- in 2032 PM peak the south-east leg and right turn north-west leg of the highway are reaching saturation, including an increase in queuing from 230m to 460m for the south-east leg.

Transport for NSW (TfNSW)

TfNSW advised that:

- more conservative dwell times should be used to assess the number of bus bays required, with a preferred minimum of two.
- details regarding pick-up/drop-off locations for community buses must be provided.
- design of the internal road network must meet design guidelines for public transport.
- conditions of approval should require the ongoing implementation of a Green Travel Plan and target a reduction on private vehicle use.

Environment, Energy and Science Group of the Department (EESG) (former Office of Environment and Heritage)

OEH advised that:

- further detail is required to demonstrate the survey for threatened species has been undertaken in accordance with guidelines.
- the mapped squirrel glider species impacted habitat area should include all vegetation areas where vegetation clearing is to occur (including partial removal) and the species credits recalculated accordingly.

Environment Protection Authority (EPA)

EPA advised that:

- the noise assessment and EIS identify different construction hours, which exceed the recommended standard construction hours and insufficient justification has been provided for the extended construction hours. Therefore, only limited extension of construction hours is supported.

- conditions of approval should be included in relation to construction hours (7am to 6pm Monday to Friday, 8am to 5pm Saturday), contamination, implementing construction noise mitigation measures, minimising dust to maintain air quality and implementing erosion and sediment controls to protect water quality.

NSW Rural Fire Service (RFS)

RFS advised that:

- from the commencement of building works and in perpetuity, surrounding the building an Asset Protection Zone (APZ):
 - consisting of an inner protection area (IPA) for a distance of 40m, 50m and 68m should be provided to the south-east, east and west, respectively.
 - of 70m, consisting of an IPA of 60m and an outer protection area (OPA) of 10m, should be provided to the south and south-west.
- the provision of water, electricity and gas must comply with Planning for Bush Fire Protection 2006 (PBFP).
- the Rural Fire Services Vehicle Access Track must be an all weather road with: a width of 5.5m, capacity of 15 Tonne loading; four metre vertical clearance, minimum distance of six metres between inner and outer curves, maximum cross fall of 10 degrees; and traffic management devices to facilitate access by emergency service vehicles.
- all internal roads, excluding the Rural Fire Services Vehicle Access Track, must comply with PBFP.
- a Bush Fire Emergency Management and Evacuation Plan shall be prepared.
- buildings must be constructed to BAL 12.5 of Australian Standard AS3959-2009 Construction of buildings in bush fire-prone areas.
- landscaping within APZs must comply with PBFP.

Ausgrid

Ausgrid advised that the Proponent has obtained preliminary advice regarding electricity supply and that it consents to the development, subject to conditions relating to:

- maintaining safe distances to overhead powerlines.
- the Proponent relocating any Ausgrid assets and create revised easements, if necessary.

Hunter New England Local Health District (HNELHD)

HNELHD advised that:

- the installation and operation of any regulated systems should meet public health regulations and guidelines.
- a mosquito risk assessment should be undertaken and management plan prepared to reduce nuisance biting and disease transmission.
- genuine community engagement and consultation should be undertaken.

Department's Crown Lands and Water Divisions

The Department's Crown Lands and Water Divisions advised that:

- a detailed and consolidated site water balance is required, including during construction.
- the Crown Lands division was not consulted and further consultation is required to ensure contamination issues regarding the Crown Land that is being acquired are resolved so that the site is suitable for the proposal.

Regions, Industry, Agriculture & Resources Group of the Department (former Department of Primary Industries) (RIAR)

RIAR advised that it had no issues.

Airservices Australia (AA)

AA advised that its previous advice remains applicable, as follows:

- the proposed building envelope heights would not affect AA designed approach or departure procedures at RAAF Base Williamtown, Maitland Airport or Newcastle Westpac Base helicopter landing site.
- the proposal would not impact communications, navigation and surveillance facilities.

Civil Aviation Safety Authority (CASA)

CASA advised that:

- it had no objections to the helipad or hospital.
- the helipad should be designed in accordance with guidance material in Civil Aviation Advisory Publication and draft guidelines being prepared for safeguarding Helicopter Landing Sites.

Heritage Council of NSW

Department of Premier and Cabinet's (DPC) Heritage, Community Engagement (HCE) Division, as delegate of the Heritage Council of NSW, advised that there are no heritage items on the site or in the vicinity and it has no further comments.

5.4 Public submissions

The Department received four public submissions during the public exhibition of the application, including two from special interest groups (Two More Trains for Singleton and Upper Hunter Cancer Action Network). All the submissions provided comments. The key issues raised in the public submissions are:

- perceived insufficient consideration of public transport and pedestrian access.
- insufficient provision of allied health services and facilities for cancer patients, such as Lymphoedema Clinic, cancer information service, culturally appropriate gathering areas, future co-location of support services, free parking.
- traffic impacts and the adequacy of the road upgrades.

- single public vehicle access point.

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 Proponent provide a response to the issues raised in the submissions.

On 30 September 2019, the Proponent provided a Preferred Infrastructure Report (PIR), including a Response to Submissions (RtS) (**Appendix A**), to address the issues raised during the exhibition of the proposal. Key amendments to the proposal include:

- relocation of the at-grade helipad to the rooftop.
- inclusion of a courtyard adjacent to the Operating Theatre Department (Level 1).
- inclusion of landscaping details for the landscape courtyards on Level 1.
- improved Emergency Department entrance and pedestrian crossing.
- improved main entry public plaza and pedestrian zone.
- reconfiguration of the carpark layout (no change to the number of parking spaces).
- reconfiguration of the taxi zone and bus stops to accommodate two buses.
- modification to arrangement of windows to align with clinical planning.
- inclusion of a bin wash bay adjacent to the loading dock.

Further information was provided including:

- revised transport assessment to address matters raised by Council and public authorities, including confirming the road upgrades that need to be delivered as a result of the project and formation of the East Maitland Catalyst Area Steering Group, which the Proponent is a member of. This Group would be responsible for identifying the need to plan for, fund and deliver the infrastructure needed to support growth of new homes and jobs in the area to deliver the strategic objective for the region.
- revised BDAR to address public authority concerns.
- revised contamination assessment clarifying that the site is not being used for storage of contaminated material and interim advice from an accredited site auditor confirming that the proposed approach is consistent with the relevant guidelines.
- additional information to address noise impacts from the relocated helipad.
- wind assessment to assess the relocated helipad.
- structural statement confirming adequacy for rooftop helipad.
- further information on water quality, including a site water balance report, and stormwater management.

On 5 November 2019, additional information was submitted with further revisions to the layout of the bus bays and taxi zone to address matters raised by TfNSW. This included an additional bus layby bay and reconfiguration of the bus bay and taxi zone to reduce traffic and safety risks, including an additional pedestrian crossing.

The PIR and additional information were made publicly available on the Department's website and was referred to the relevant public authorities. An additional eight submissions were received from public authorities, including Council, TfNSW, TfNSW RMS, EESG, EPA, RIAR and the Department's Crown Lands and Water Division. A summary of the issues raised in the submissions is provided at **Table 4**.

Table 4 | Summary of public authority submissions to the RtS

Council

Council confirmed the PIR has addressed some aspects of its original submission and provided no comment on the revised transport and traffic assessment that was prepared in consultation with Council. However, Council provided the following comments:

- clarification is required regarding tree removal and consistency with the BDAR assessment and conditions to address impacts on trees should be imposed.
- assessment of contamination must address EPA requirements and capping and chitter is not supported given the potential for leaching and combustion, respectively.
- cumulative noise impact assessment is required, including helicopter noise.

TfNSW (RMS)

TfNSW (RMS) confirmed the PIR and revised transport assessment address the impacts of the development on regional roads and noted that any further intensification of this site would need to be supported by a site Masterplan for all potential uses, and a Traffic and Transport Infrastructure Plan, to identify any upgrades and triggers for those upgrades as development on the site progresses.

TfNSW

TfNSW confirmed the PIR has addressed some aspects of its original submission, including the design of the internal road network. However, requested that an additional layby be provided for buses, measures be provided to ensure any queuing of taxis do not impede internal road network and the additional pedestrian treatment at the end of the bus bay be assessed in terms of potential conflict with buses.

EESG

EESG confirmed that the revised BDAR was satisfactory and has addressed matters raised in its original submission.

EPA

EPA acknowledges that the Proponent has agreed to its recommended conditions.

AA

AA advised that the tower crane proposed for the construction of the hospital would not affect any procedures or facilities at aerodromes managed by AA.

RIAR

RIAR advised they had no further comments.

Department's Crown Lands and Water Division

The Department's Crown Lands and Water Divisions advised they had no further comments.



6. Assessment

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

- traffic and transport impacts.
- built form and urban design.
- biodiversity impacts.
- noise and vibration impacts.

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 6.5**.

6.1 Traffic and transport impacts

6.1.1 Network capacity

The EIS and the appended Transport Impact Assessment (TIA) have considered the existing and likely future traffic conditions on the surrounding road network. The TIA estimates an additional peak of 454 movements in the PM peak hour when the hospital is operational and at capacity. The Proponent acknowledges that the additional traffic would adversely impact the road network and upgrades would be required.

Council and RMS raised concerns with the modelling of the traffic and assumptions used in the TIA appended to the EIS and potentially queuing impacts that would impact traffic efficiency.

A revised TIA was submitted with the PIR to address matters raised by RMS and Council, including utilising the more recent traffic survey data provided by Council. The revised TIA concluded the following in relation to the key areas of concern.

Chelmsford Drive/Metford Road Intersection

The existing roundabout at Chelmsford Drive would operate over capacity in the AM peak without the development in 2022, and in both the AM and PM peaks in 2022 with the development (Level of Service F) and would further deteriorate by 2032. The Proponent has committed to upgrading this roundabout to minimise the adverse effects of forecast additional traffic, which would ensure the intersection would operate with spare capacity in 2032 with a Level of Service A and B.

The Proponent intends on obtaining approval for the upgrade of Chelmsford/Metford Road roundabout under a separate planning approval pathway (Part 5 of the EP&A Act) and is committed to completing the upgrade prior to the hospital becoming operational. The detailed design would be prepared in consultation with Council and would cater for both peak periods, being the peak for the hospital

change over and the PM peak for the impacted roads. The indicative layout for upgrade of the Chelmsford Drive/Metford Road intersection (see **Figure 11** for existing layout) is illustrated in **Figure 12**.

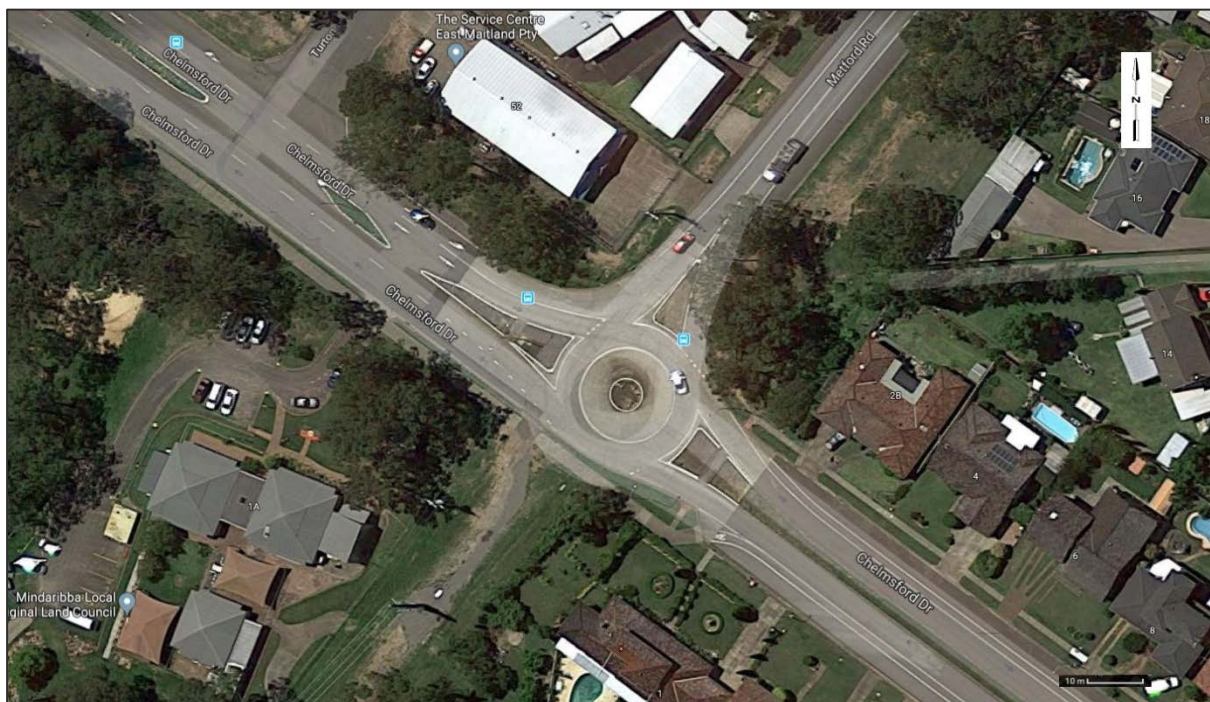


Figure 11 | Existing layout of the Chelmsford Drive/Metford Road roundabout (Source: Google)

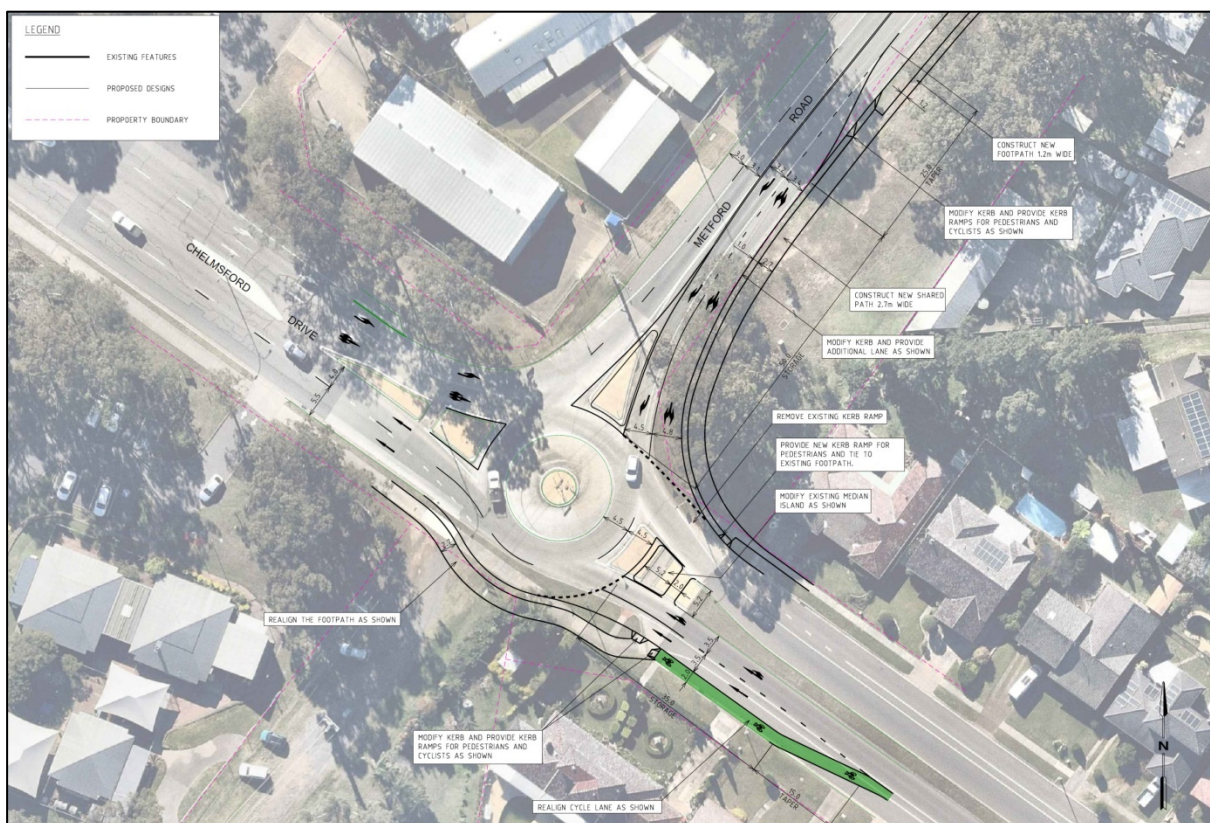


Figure 12 | Indicative proposed layout of the Chelmsford Drive/Metford Road roundabout (Source: PIR)

The indicative road upgrade for the Chelmsford Drive/Metford Road roundabout includes increasing the number of circulating lanes on the east and south side of the roundabout to two lanes.

Metford Road/Fieldsend Street Intersection

The revised modelling, incorporating the revised traffic surveys supplied by Council, demonstrates that the Metford Road/Fieldsend Street Intersection with the development, would operate at an acceptable level of service with spare capacity (Level of Service A and B) for the 2022 and 2032 growth scenarios.

Metford Road/Raymond Terrace Road Intersection

The revised TIA demonstrates that the roundabout at Metford Road/Raymond Terrace Road would operate with spare capacity when the hospital opens in 2022 (Level of Service A and B), but deteriorates to Level of Service F on the south-west approach in the PM peak, with or without the development. The expected traffic increase from the Thornton North and Chisholm residential developments within the vicinity are expected to contribute to the deterioration of the roundabout.

Metford Road Capacity and Future Road Widening

The revised modelling, incorporating the revised traffic surveys supplied by Council, demonstrates that Metford Road is expected to reach a Level of Service E (at capacity) in the PM peak by 2024 with the hospital development. This means that mid-block traffic volumes are close to capacity and minor disturbances to traffic flow could cause significant delays. However, as the hospital would not be operating at full capacity upon opening, the TIA indicates that Metford Road would likely reach capacity in 2029 or later.

The Proponent has advised that the Hunter and Central Coast Development Corporation has established the East Maitland Catalyst Area Steering Group (the Group) to support Council and key NSW Government agencies in achieving the vision and outcomes of the East Maitland Catalyst Area. The Group has been convened to develop a program that would identify the need to plan for, fund and deliver infrastructure (including Metford Road). The Group includes representatives of key government agencies, including the Proponent, Council, TfNSW (including TfNSW RMS) and the Department.

New England Highway between Mitchell Road and Chisholm Road

The revised modelling, incorporating the revised traffic surveys supplied by Council and accounting for the traffic of the recently completed nearby Stockland Green Hills Shopping Centre, demonstrates that the New England Highway between Mitchell Road and Chisholm Road (inclusive of the New England Highway/Chelmsford Road intersection) continue to operate within the design capacity as shown in **Table 5**.

Table 5 | Level of Service

Intersection	Overall Level of Service			
	2022 (without development)	2022 (with development)	2032 (without development)	2032 (with development)
Chelmsford Drive/New England Highway				
AM Peak	C	C	D	D
PM Peak	C	D	C	D
Mitchell Drive/New England Highway				
AM Peak	B	B	B	B
PM Peak	C	C	C	D
Chisholm Road/New England Highway				
AM Peak	A	A	A	B
PM Peak	A	B	A	B

Department's conclusion

The Department notes that the intersections impacted by the development would continue to operate within design capacity upon opening of the hospital and at 2032, except the Chelmsford Drive/Metford Road and Metford Road/Raymond Terrace intersections. The Proponent has committed to upgrading the Chelmsford Drive/Metford Road intersection. The Metford Road/Raymond Terrace intersection is expected to deteriorate and reach capacity by 2032, but this is as a result of the redevelopment within the area and would occur regardless of the hospital development.

Whilst RMS and Council originally raised issues with the modelling and traffic survey data, neither raised issues with the revised TIA submitted with the PIR. However, RMS noted that any further development beyond the proposal would need to be supported by a site Masterplan for all potential uses, and a Traffic and Transport Infrastructure Plan, to identify any upgrades and triggers for those upgrades as development on the site progresses.

The Department acknowledges that Metford Road is also forecast to reach capacity as a result of the additional traffic generated by the proposal, but this is also expected to occur before 2032, with or without the development but likely not before 2029. The East Maitland Catalyst Area Steering Group that has been established would be responsible for ensuring that the continued growth of the area is sustainable and supported by the necessary infrastructure. The Greater Newcastle Metropolitan Plan identifies that catalyst areas need to be delivered through a collaborative planning approach, including providing integrated land use and transport and priority infrastructure. The Department understands

the Group established for the East Maitland Catalyst Area will identify what, when and how the infrastructure upgrades are to be delivered, including Metford Road upgrades.

The Department is satisfied the key intersection upgrade to support the traffic generated by the development upon opening would be delivered by the Proponent, however, has recommended a condition restricting the hospital from opening unless the Chelmsford Drive/Metford Road upgrade has been completed. The Department considers that the area is subject to strategic growth and the hospital would be a catalyst for further growth and this requires a precinct wide approach with key government agencies to plan road upgrades.

6.1.2 Car parking

The Department's assessment of the concept proposal acknowledged that the RMS's Guide to Traffic Generating Development (the RMS guideline) and Council's Development Control Plan (DCP) were not appropriate for calculating car parking demand as it underestimated car parking required based on a comparison with other similar regional hospitals. It was also acknowledged that public hospital precincts offer a broader range of health-related services and therefore require a higher amount of car parking than private hospitals (the RMS guideline). The concept proposal established, that based on 358 beds, a requirement for between 436 and 656 car parking spaces would be needed based on the DCP rates and a comparable rate for regional hospitals. The concept proposal indicated that approximately 780 parking spaces would be provided.

The TIA included a parking demand survey which reviewed the current demand generated by the existing Maitland Hospital operations. The car parking requirements were then calculated for opening of the hospital and 5-year and 10-year horizons as the hospital would initially operate with 893 operational jobs and increase to 1,162 in 2032. Based on assumptions regarding hospital operations and the parking demand recorded at the existing hospital, car parking demand in the TIA was calculated to be 679 spaces on opening, 789 spaces at the 5-year horizon and 822 spaces at the 10-year horizon.

The Proponent has proposed 682 car parking spaces as part of the development and committed to undertaking a review of parking demand within three years of opening to verify the parking demand estimated in the Parking Demand Study to determine when an additional 140 car spaces would be delivered to support the full operation of the hospital. The Proponent has suggested that a staged approach will allow the opportunity to accommodate broader planning and design efficiencies to be considered ahead of the additional car parking infrastructure being constructed.

RMS raised no issue with the proposed car parking and Council supports a Parking Demand Study being undertaken to determine when the additional 140 car spaces should be delivered. Paid parking was also raised as an issue in the public submissions and by Council.

Noting that the Proponent intends on providing 682 parking spaces initially, the Department considers this to be sufficient for the opening of the hospital based on previous accepted rates for regional hospitals used in the assessment of the concept proposal and adjusted for higher staff rates. The overall supply of 822 car parking spaces also is considered acceptable when the hospital is fully

operational with 339 beds. The Proponent's proposal to undertake a review of parking demand within three years of opening to verify the parking demand estimated in the Parking Demand Study and timing of delivery is not accepted as the Health Infrastructure Parameters and calculations used in the Parking Demand Study have not been able to be verified.

The Department considers the staged delivery of car parking satisfactory given the gradual increase in hospital operations. It would also allow the hospital to promote and encourage sustainable transport modes prior to providing any additional car parking. The Department however considers that the additional 140 car spaces must be delivered within two years of commencing operations based on the anticipated growth in demand, unless it can be demonstrated to the Department that the additional car parking is not required, either because the gradual increase in hospital operations is progressing at a different rate, or actual demand is lower than projected. Staged delivery is also reasonable given the land available for development on the site.

The proposed parking would be managed in accordance with *NSW Government policy (Hospital Car Parking Fees Policy PD2013_031)*, which establishes the pricing associated with parking at hospitals. Paid parking and cost of parking was raised as an issue by Council and in the public submissions. The Department is satisfied that the paid parking proposed aligns with government policy on parking at public hospitals and is one of the measures to promote sustainable travel, including use of the improved bus services to the site and improved pedestrian/cycle connectivity (further discussed in the following section).

6.1.3 Site Access and Public Transport

The Proponent proposes three vehicle access points to the hospital site from Metford Road (see **Figure 10**).

- primary vehicle entry at Fieldsend Street roundabout.
- secondary vehicle entry 60m to the north of primary entrance for access to the northern carpark (left-in/left-out only).
- vehicle entry 130m south of the primary entrance for emergency vehicles only.

This includes one additional access point compared to the indicative design in the concept proposal. Given the relocation of the car parking to the north of the site and being more accessible to the road network, an additional vehicle access point has been provided.

No issues were raised by Council or TfNSW (RMS) regarding the proposed access points. However, Council raised concern regarding pedestrian access, including the need for a shared path on the eastern side of Metford Road to improve connectivity. One member of the public raised concern regarding congestion for vehicles leaving at staff change over if a single access point is provided.

The proposed location of the main site access at the intersection of Metford Road/Fieldsend Street provides optimal connectivity with the bus transport interchange at Victoria Street Train Station located 1.4km from the site. Pedestrian access was incorporated in the roundabout upgrade and pedestrian

safety measures, including a refuge island. The Proponent has committed to delivering the shared path along the eastern side of Metford Avenue to provide pedestrian connectivity.

The site has also been designed to support bus services, with the design of the internal hospital roads being able to accommodate any future diversion of bus routes through the site. In particular, the Proponent has revised the bus bay design to accommodate the needs of TfNSW and included a bus layby area. Bus network planning to provide direct connections from the hospital to Victoria Street Station and Green Hills shopping centre has commenced.

The Department considers the additional vehicle access appropriate given the distance to the main vehicle entrance, access to parking areas, easing of congestion, reducing vehicles on the internal hospital roads and restricted access measures. The proposed site access arrangements and commitment to deliver the shared path, to be designed in consultation with Council, are considered to be satisfactory to promote sustainable transport use and minimise pedestrian and vehicular conflict. The Department has included a condition requiring adequate pedestrian access along Metford Road be provided prior to commencement of hospital operations.

6.1.4 Construction impacts

The preliminary Construction Management Plan appended to the EIS and PIR identifies that construction traffic vehicles travelling to and from the site would generally be restricted to arterial and sub-arterial roads. It is anticipated that the Stage 2 works would generate 360 construction vehicles per day, including 20 heavy vehicles, with a peak of 352 vehicle movements per hour. Construction parking demand generated by the Stage 2 works would be contained on the site. Two areas for construction vehicle related parking has been designated on the site. The 340 worker construction vehicles are likely to arrive before the AM peak period and include a staggered departure and therefore unlikely to affect the PM peak period.

The Department considers the site is capable of supporting all construction vehicle related parking and the road network would not be adversely affected by construction traffic. A condition is recommended requiring that prior to the commencement of works, a final traffic management plan, including details of construction traffic management, be prepared in consultation with RMS, Council and TfNSW and submitted to the Department. Subject to conditions, the Department is satisfied that potential impacts associated with construction traffic can be appropriately managed and mitigated.

6.2 Built form and urban design

The concept proposal established building envelopes and site layout (see **Figures 13 to 15**), including:

- building envelopes generally comprising:
 - minimum 70m setbacks from all site boundaries.
 - building mass of nine and two storeys.
 - approximate total GFA of 60,000sqm.
- services area located centrally on the site.
- at grade and split-level carparks.

- helipad to the north of the site.
- partial retention of vegetation along the southern portion of the site.



Figure 13 | Proposed building footprint (Base source: SSI 9022 EIS)

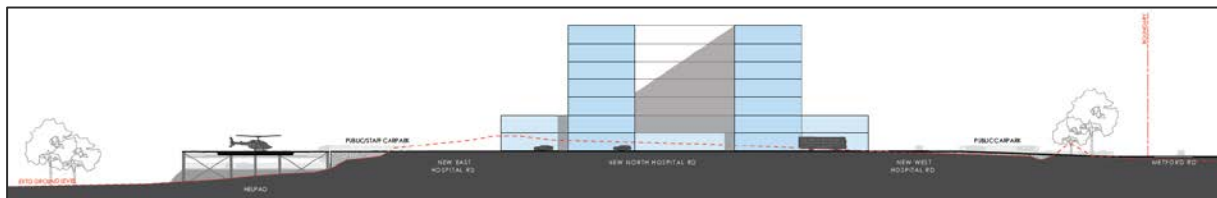


Figure 14 | Proposed northern elevation (Source: SSI 9022 EIS)

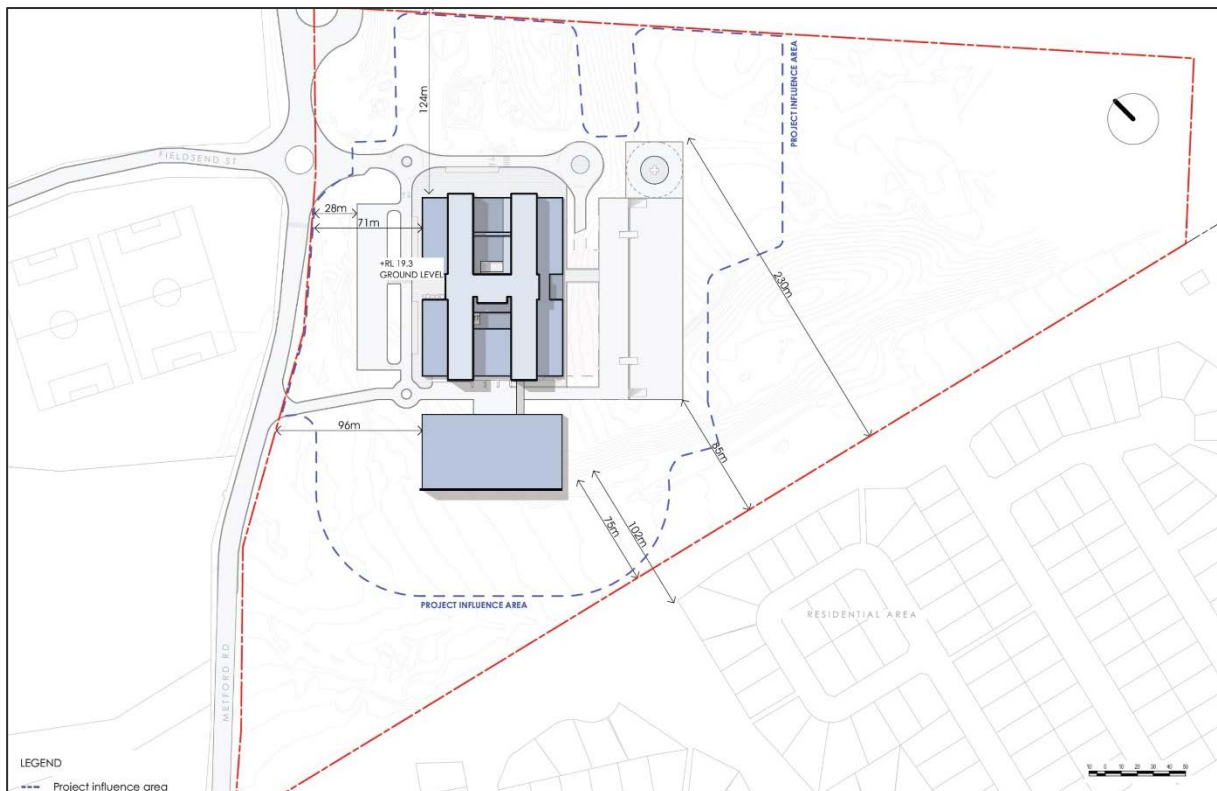


Figure 15 | Proposed building setbacks (Base source: SSI 9022 EIS)

The proposed building in Stage 2 has an overall maximum height of 39.15m and 49,000sqm of floorspace. The proposed building has a large rectangular shaped footprint with a maximum floorplate of approximately 11,290sqm, maximum depth of 134.4m and width of approximately 84m. The proposal's primary frontage is to Metford Road and the proposal would be highly visible and prominent on Metford Road.

Figures 16 to 18 show the main elevations of the new building visible from Metford Road, while **Figure 19** illustrates the proposed landscaping and site layout.



Figure 16 | Western elevation (Base source: Additional Information)



Figure 17 | Northern elevation (Base source: Additional Information)

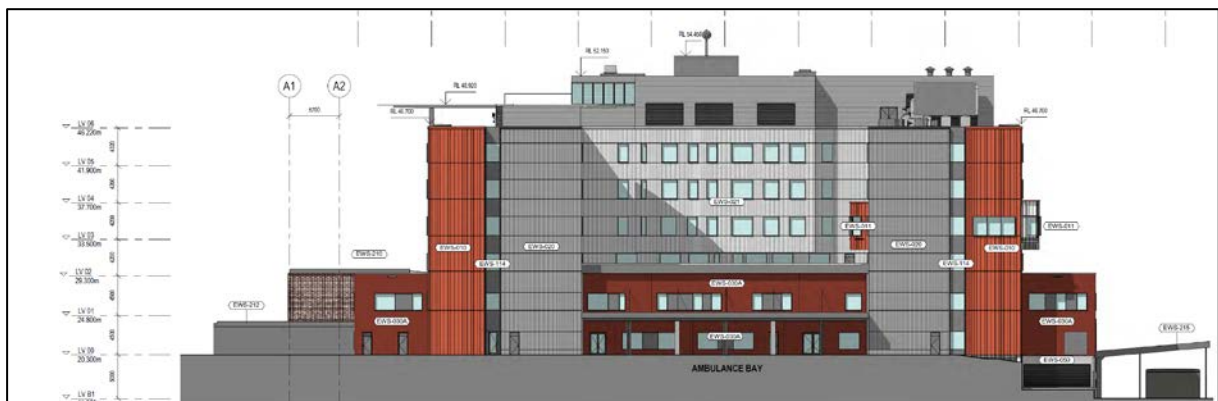


Figure 18 | Southern elevation (Base source: Additional Information)



Figure 19 | Landscape plan (Base source: Additional Information)

The building is significantly taller and larger than the surrounding structures but is generally consistent with the bulk and scale of the envelopes approved in the concept proposal (see **Figure 20**). Whilst the overall footprint of the main building has increased marginally, the southern envelope is not being developed at this stage (see **Figure 21**). There is also a larger at-grade hardstand carpark to the north compared to the indicative smaller multi-level carpark to the east. The overall scale of the main building has not increased but the location has shifted marginally to the east and the building has more elongated dimensions. The at-grade helipad was also relocated to the rooftop in the PIR.

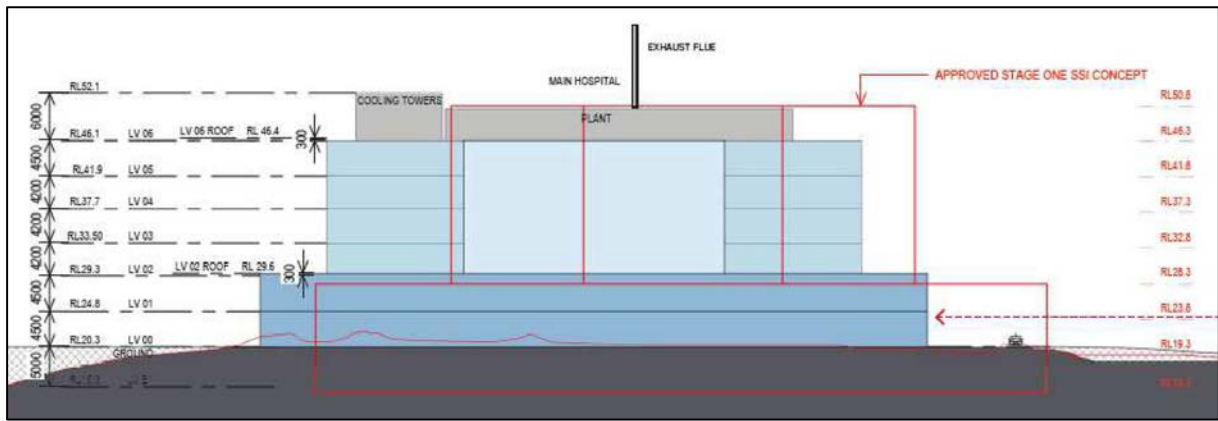


Figure 20 | Built form in relationship to approved building envelope – northern elevation (Base source: EIS)

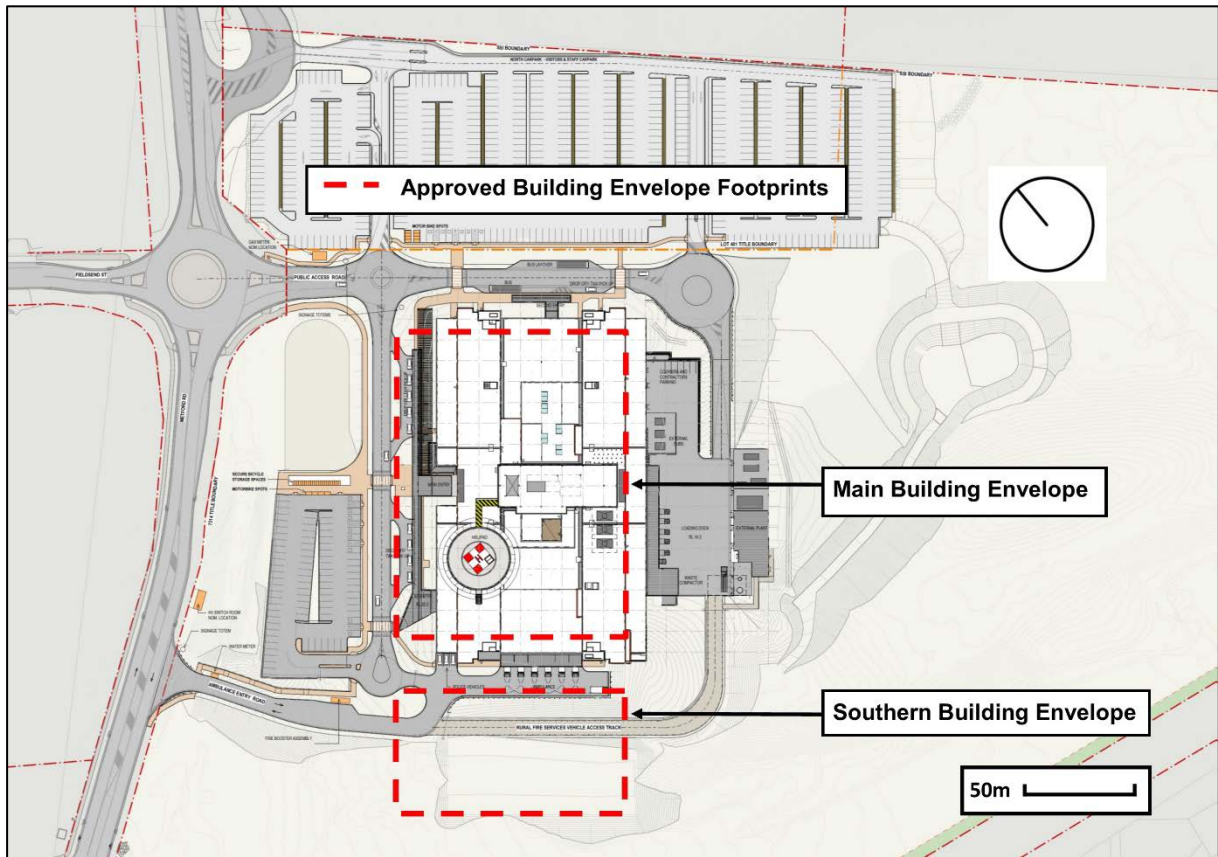


Figure 21 | Location of building in relationship to approved building envelope (Base source: Additional Information)

The building is setback a significant distance from all site boundaries, with the shortest distance of 86m from the eastern site boundary. The building generally would not be visible from the residential areas given the substantive vegetative screening within the minimum 135m setback along the southern portion of the site (given that the southern building envelope is not being developed).

The conditions of the concept proposal required that the application for Stage 2:

- demonstrate how the primary objectives as set out in the Architectural Design Statement are incorporated into the design.
- identify how local indigenous identity and culture is integrated in the design.

- incorporate measures to reduce water and energy usage.
- demonstrate the suitability of the offset distances between east and west wings of the hospital building.
- demonstrate safe pedestrian circulation.
- demonstrate how the natural setting has been incorporated in the design.
- integrate landscaping with car parking areas.
- demonstrate connectivity between hospital buildings and landscaped areas for patients, staff and visitors.

The GANSW has reviewed the design through the State Design Review Panel (SDRP) process, including the above design requirements, and considered the design of the hospital has addressed the matters raised, except that further landscaping is required within the courtyards as the landscaping, both outside the building and in the various courtyards, is critical to providing amenity to staff, patients and visitors and providing relief from the large internal floorplates. The landscaping is an integral aspect of the design and crucial to achieving design excellence. In response, the Proponent has revised the landscape plans and incorporated additional landscaping in the courtyards.

The Department considers the built form acceptable as:

- it is generally consistent with the building envelopes approved as part of the concept proposal.
- it is consistent with design principles established in the concept proposal and building typology of hospital development.
- the design has been refined through the SDRP process.
- it is setback from more sensitive boundaries and provides visual interest along the main frontage and its prominence would assist with wayfinding for the hospital.
- it includes articulation and landscaping to provide visual relief to the extensive facades.
- there is integrated landscaping along the highly visible edges to soften the built form and within the car parking areas responding to the retained and regenerated bushland setting.
- it uses varied materials that respond to the site history, including use of bricks for the façade to reflect the heritage of the brickworks on the site.
- the building is modulated to ensure adequate amenity can be achieved for occupants.

6.3 Biodiversity impacts

A Biodiversity Development Assessment Report (BDAR) prepared in accordance with the Biodiversity Assessment Method (BAM), has been submitted with the EIS and revised in the PIR. The BDAR provides an assessment of the likely impacts on biodiversity, potential impacts on any threatened species or populations, and a detailed description of the measures to avoid, minimise, mitigate and offset biodiversity impacts.

The 19ha site has been partially cleared of trees from past land use activities, including remediation works by the former brickwork operators and the approved Stage 1 works (see **Figure 7**). The vegetation survey identified a single Plant Community Type (PCT) within the Stage 2 site, being Lower Hunter Spotted Gum-Red Ironbark-Grey Gum grass/shrub open forest of the lower Hunter (PCT

1592). The proposal would result in the removal of additional 0.76ha of an endangered ecological community (EEC) of moderate to poor quality vegetation with a high exotic plant cover (see **Figure 22**). Threatened species recorded on the site is shown in **Figure 23**.

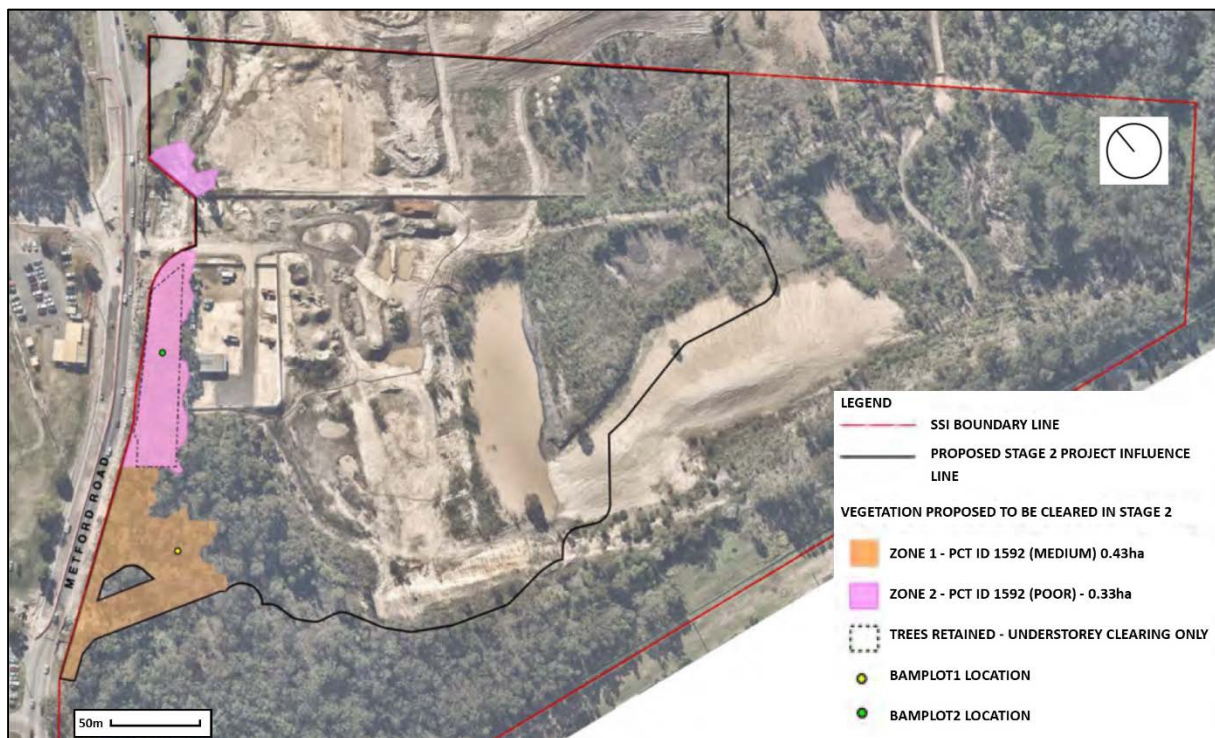


Figure 22 | Area of vegetation removal (Base source: PIR)



Figure 23 | Recorded fauna species (Base source: SSI-9022 Supplementary RtS)

The BDAR suggests that given the small area of vegetation removal and the reduction in the overall removal of vegetation as the southern building envelope is not being developed at this stage, measures to avoid or minimise impacts were considered. Despite this, impacts on biodiversity would

result from construction and operation of the proposal, including loss of endangered ecological communities and known threatened species habitat. The BDAR identifies the relevant credit requirements to offset the biodiversity impacts of the proposal under the BC Act. The BDAR calculated the biodiversity offset requirements to be 23 ecosystem and 23 species credits to offset the impacts.

The Proponent has indicated that a Biodiversity Offset Strategy (BOS) will be prepared and implemented after approval. The BOS would identify how the necessary offset credit requirements would be met.

EESG advised that the revised BDAR submitted with PIR and the conclusion regarding impact on biodiversity values and offset requirements satisfactorily addressed concerns regarding the original BDAR.

Biodiversity offsets for the vegetation loss as a result of the development footprint of the concept proposal are required to be met as well as the tree removal proposed as part of the Stage 2 works. The BOS for the concept proposal and Stage 1 works covered the whole development footprint but vegetation removal was only approved for the Stage 1 works area. The Proponent will be offsetting the vegetation removal for the area where the concept proposal and the Stage 2 additional tree removal overlap in both BOSs. The Department considers that the Proponent has sufficiently demonstrated that the proposal minimises and offsets the biodiversity impacts. Subject to the conditions requiring the retirement of the ecosystem credit or payment to the Biodiversity Conservation Fund to offset the biodiversity impacts, the Department is satisfied that the impact on biodiversity values has been sufficiently mitigated.

A range of mitigation measures have also been detailed to address expected impacts during the construction stages of the project. It is expected that further detail regarding these measures would be outlined in the final Construction Environmental Management Plan (CEMP) and associated Biodiversity Management Plan (BMP), which would be prepared and approved prior to construction works commencing. These measures include:

- establishing a clearing protocol.
- erosion and sedimentation control.
- clearing supervision by a qualified ecologist.
- pre-clearing surveys.
- protecting retained vegetation.

Accordingly, the Department considers that the proposal would result in the loss of biodiversity values on the site but subject to the conditions of approval, the biodiversity impacts can be managed and offset. The Department has recommended that prior to commencement of works that would impact biodiversity values in the site, a biodiversity offset strategy is implemented and a BMP is prepared to ensure biodiversity impacts during Stage 2 works are avoided and minimised.

6.4 Noise and vibration impacts

6.4.1 Construction

The EIS was accompanied by a Stage 2 Noise and Vibration Assessment (NaVA), which utilised the background noise assessment undertaken in the Noise and Vibration Impact Assessment for Stage 1 (NVIA). The Interim Construction Noise Guideline (ICNG) establishes construction noise management levels for surrounding sensitive residential receivers and for surrounding non-residential sensitive land uses (see **Figure 24**) and standard construction hours of 7am to 6pm on Mondays to Fridays and 8am to 1pm on Saturdays. The NaVA establishes a noise management level (NML) of 52dB(A) for the residential receivers, 65dB(A) for the recreation area and 75dB(A) for the industrial premises. The Stage 2 works are proposed to be undertaken within and outside the standard construction hours in the ICNG. The NaVA establishes a noise management level (NML) of 47dB(A) for the residential receivers for works to be undertaken outside the standard construction hours in the ICNG.

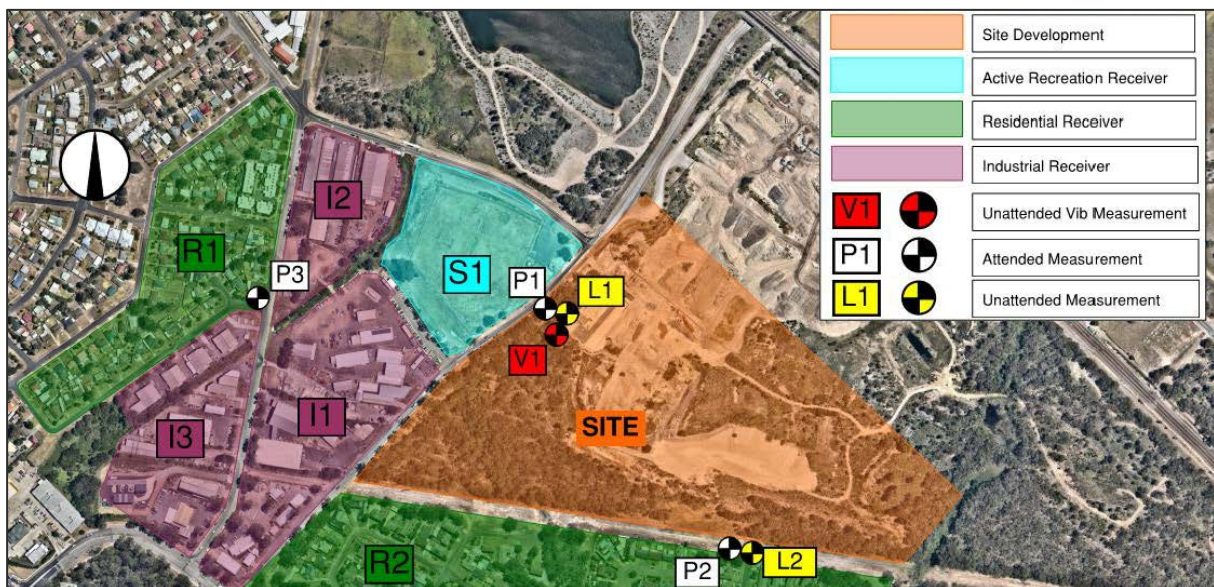


Figure 24 | Noise sensitive receivers (Source: SSI-9022 EIS)

Without noise mitigation, the predicted noise levels would exceed the NML at the residences and reach the highly noise affected management level of 75dB(A) especially when works are located near the southern property boundary. It is anticipated that this would also be the case for works on the western boundary for the active recreation space. The construction noise levels are not anticipated to exceed the 75dB(A) criteria for industrial premises. The NaVA has identified that the excavators with the hammer attachment and the remediation plant are predicted to produce the highest noise levels. The NaVA recommends that hydraulic hammers are to be avoided and construction equipment should be located away from residences. Other standard mitigation measures would need to be investigated to address the impacts, particularly where noise complaints are received including: community consultation; scheduling of noisy works; noise and vibration monitoring; increasing the distance between noise sources and sensitive receivers; using temporary barriers where practical; and selecting alternate equipment where practical.

Vibration impacts would be generated but are not predicted to be significant provided equipment is operated at safe working distances, which is achievable given the distance to the closest residences.

NSW EPA has queried the proposed extended construction hours and recommended a condition restricting extended construction hours of Saturday afternoon, 1pm to 5pm only. The Proponent has accepted these construction hours.

The Department has recommended that a Construction Noise Vibration Management Plan be prepared by a suitably qualified expert and consultation be undertaken with all noise sensitive receivers where noise levels are predicted to exceed the NML in the preparation of the plan.

Subject to compliance with the recommended conditions of approval, including the NSW EPA recommended construction hours, and implementation of the proposed mitigation measures, the Department is satisfied that construction noise impacts can be appropriately managed.

6.4.2 Operational

The noise generating activities associated with the operation of the future hospital would include the operation of plant and machinery, the operation of the helipad and traffic associated with the operations of the hospital.

The NaVA suggests that the mechanical plant noise emissions can be controlled to acceptable levels at the nearest noise sensitive receivers with attenuation to the mechanical plant and equipment given the distances to the residential receivers. Detailed noise predictions should be conducted during the detailed design phases of the project to ensure that the mechanical plant noise emissions satisfy the project specific noise levels at the nearest residential receivers. The Department is satisfied the noise impacts from mechanical plant can be adequately managed, subject to the detailed noise attenuation measures at the detailed design stage.

The Proponent has advised that the use of the helicopter landing site would be anticipated to occur 36 times per year for emergencies and the helipad would be located a minimum 200m from residential areas. The noise is predicted to be a maximum of 85dB(A) L_{max} at the nearest residential receivers, which is below the AirServices Australia recommended maximum aircraft noise exposure level of 95dB(A) L_{max} . The Department considers that the location of the helipad has been sited sufficiently distant from sensitive receivers and would be used infrequently, limiting the exposure to potential noise levels from operations of the helipad.

The NaVA provides an assessment of potential noise impacts associated with the carpark, loading dock and traffic noise, which are all predicted to comply with the project specific noise levels. The NSW DECCW Road Noise Policy (RNP) states that an increase in traffic noise on roads to sensitive land uses should be limited to 2 decibels (dB) above a 'no build' option. The NaVA predicted noise increase from additional road traffic associated with the proposed development to be 0.3 dB, which is acceptable and in accordance with the RNP.

The Department is satisfied the noise impacts generated by the development can be adequately managed and mitigated, subject to the verification of noise attenuation measures during the detailed design stage and verification of operating conditions upon commencement of operations.

6.5 Other Issues

The Department's consideration of other issues is provided at **Table 6**.

Table 6 | Department's assessment of other issues

Issue	Findings	Recommended Condition
Bushfire	<p>The site is identified as bushfire prone land. The bushfire assessment recommends that APZs between 40 and 70m be provided around the building.</p> <p>RFS raised no objections to the project and advised that the APZ was satisfactory and provided advice regarding design in accordance with PBFP.</p> <p>The Department is satisfied that appropriate consideration of bush fire risk has been undertaken to guide the future design.</p>	<p>The Department has recommended conditions requiring that the APZs meet RFS requirements and are managed in perpetuity. Conditions requiring the construction of buildings, internal roads and utilities to meet the design specifications in PBFP have also been recommended.</p>
Contamination	<p>The Proponent is undertaking remediation of Lot 7413 (main portion of the site) independently of the subject application and Site Audit Reports and Section A Site Audit Statements for the relevant parts of the site are being provided as per conditions of approval for the Stage 1 works.</p> <p>The Proponent has submitted the Remedial Action Plan (RAP) prepared for Part Lot 401, which is now proposed to be utilised for car parking. The RAP clarifies that the contaminated stockpiled materials are no longer present on the site. Contaminated material would be removed or contained and capped where material is not proposed to be removed.</p> <p>The RAP and investigations to date have been reviewed by an EPA accredited site auditor. The accredited site auditor provided interim advice confirming that the site investigations and RAP are consistent with the requirements of relevant contamination policies and guidelines.</p>	<p>The Department has recommended a condition requiring a Site Audit Report and Statement be prepared by an accredited site auditor verifying the relevant part of the site has been made suitable for the intended use prior to commencement of operation.</p>

Issue	Findings	Recommended Condition
European Heritage	<p>Council advised that the development consent for the demolition of the former brickworks facilities on the site required future development to incorporate heritage interpretation utilising material and fabric from the former use.</p> <p>The Proponent has reiterated in the PIR that the design of the hospital includes design features that respond to the industrial heritage of the site, including the use of bricks in the façade. The Proponent also considers that use of the fabric of the former use would be more suitable in any redevelopment of the site where the brickworks building was located.</p> <p>The Department considers that the design of the hospital does include elements to reflect the industrial heritage of the site and area. However, the Department considers that as a public facility, the proposal provides an opportunity to demonstrate the heritage of the broader site in a publicly accessible location. Whilst the use of the former fabric may not be appropriate, further interpretation can be incorporated into the hospital design.</p>	<p>The Department has recommended conditions requiring the preparation and implementation of a heritage interpretation plan, in consultation with Council.</p>
Aboriginal Cultural Heritage	<p>Aboriginal cultural heritage was assessed as part of the concept proposal but new areas of ground disturbance are proposed as part of Stage 2.</p>	<p>The Department has recommended a condition requiring the preparation and implementation of an Aboriginal Cultural Heritage Management Plan.</p>
Stormwater and Flooding	<p>The site and primary access to the site are not affected by flooding and are not considered to be flood prone/liable land.</p> <p>Council raised concern over access by ambulances during flood events.</p> <p>The Proponent has demonstrated that ambulances would retain access to the hospital during a flood event.</p>	<p>The Department has included stormwater management conditions, including erosion and sedimentation controls in the recommended conditions to manage stormwater run-off from the site during the construction period.</p>



7. Evaluation

The proposed SSI application seeks approval for Stage 2 of the NMH, comprising the detailed design, construction and operation of the hospital. The Department has reviewed the EIS, PIR and assessed the merits of the proposal, taking into consideration advice from the public authorities, including Council. Issues raised in public submissions have been considered and all environmental issues associated with the proposal have been thoroughly addressed.

The Department's assessment of the project concludes that:

- traffic impacts will be satisfactory managed as the Chelmsford Drive/Metford Road intersection will be upgraded to mitigate the traffic impacts and roadworks planning is being undertaken by the Proponent in consultation with Council, TfNSW (including TfNSW (RMS)) and regional co-ordination bodies to ensure wider network issues are resolved to address the growth of the East Maitland Catalyst Area identified in strategic planning for the region.
- car parking provided would address car parking demand, subject to conditions requiring the delivery of the additional 140 car parking spaces within two years of commencement of operations.
- the proposed bulk and scale of the future hospital is generally consistent with the approved concept proposal and would not result in unreasonable amenity impacts on adjoining properties.
- the proposal incorporates landscaping to respond to the bushland and revegetated bushland setting and provide amenity for staff, patients and visitors.
- biodiversity impacts would be appropriately managed and offset, subject to preparation of a BOS and BMP.
- the construction noise impacts would not reach the highly affected noise level and can be managed appropriately, in consultation with impacted sensitive receivers, and operational impacts can be mitigated in the detailed design phase.
- the design of the hospital incorporates elements to reflect the history of the site, but further interpretative elements should be incorporated into the design prior to commencement of operations.

The project is consistent with key government strategic objectives for the state and the region, including the Hunter Regional Plan 2036, Greater Newcastle Metropolitan Plan and the State Infrastructure Strategy 2018-2038.

The proposal is in the public interest as the proposal would provide public benefits, including:

- delivering modern health facilities that can support current standards for health care.

- consolidating and providing further investment in public infrastructure in a strategic regional centre.
- providing additional health facilities to support the growing population in the region and an ageing population and associated increasing demand for public health services.
- delivery of approximately 1,250 new construction jobs and supporting up to 1,162 operational jobs when fully occupied.

Based on its assessment, the Department considers that the project is justified and in the public interest, and that the site is suitable for the proposed development, given the significant social and economic benefits associated with the delivery of the future hospital. The project represents a significant investment in health infrastructure for the local health district that will provide an increase and improvement in the quality of health services for the surrounding region and address the current limitations of existing services as identified by NSW Health.

Recommended conditions of approval and the implementation of measures detailed in the Proponent's EIS and PIR will ensure that the project would minimise and mitigate the residual environmental and social impacts of the project. Consequently, the Department recommends that the Stage 2 of the NMH be approved, subject to the recommended conditions of approval.



8. Recommendation

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

- **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 approval to the application.
- **considers** any advice provided by the Minister having portfolio responsibility for the project.
- **agrees** with the key reasons for approval listed in the notice of decision.
- **grants approval** for the application in respect of New Maitland Hospital (Stage 2) (SSI-9775).
- **signs** the attached project approval and recommended conditions of approval (refer to **Appendix C**).

Recommended by:

Megan Fu
Principal Planner
Social Infrastructure

Recommended by:

David Gibson
Team Leader
Social Infrastructure



9. Determination

The recommendation is **Adopted** by:

David Gainsford

Executive Director

Infrastructure Assessments

6/12/19.



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
<https://www.planningportal.nsw.gov.au/major-projects/project/12181>
2. Submissions
<https://www.planningportal.nsw.gov.au/major-projects/project/12181>
3. Proponent's Preferred Infrastructure Report, including Response to Submissions
<https://www.planningportal.nsw.gov.au/major-projects/project/12181>
4. Proponent's Additional Information
<https://www.planningportal.nsw.gov.au/major-projects/project/12181>

Appendix B - Statutory Considerations

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)

The EPIs that have been taken into consideration in the Department's environmental assessment are:

- State Environmental Planning Policy (State & Regional Development) 2011 (SRD SEPP)
- State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP)
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)
- Maitland Local Environmental Plan (MLEP) 2011.

COMPLIANCE WITH CONTROLS

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

Table 1 | SRD SEPP compliance table

Relevant Sections	Consideration and Comments	Complies
3 Aims of Policy The aims of this Policy are as follows: (b) to identify development that is State significant infrastructure and critical State significant infrastructure	The proposed development is identified as SSI.	Yes
15 Declaration of State significant infrastructure: section 5.12 (4) Development specified in Schedule 4 is declared, pursuant to section 5.12 (4) of the Act, to be State significant infrastructure for the purposes of the Act. Schedule 4 State significant infrastructure—specified development on specified land 5 New Maitland Hospital project Development for the purposes of a health services facility and associated carpark that has a capital investment value of more than \$100 million on land identified as being within the New Maitland Hospital Site on the State Significant Infrastructure Sites Map (being Lot 7314, DP 1162607 and part of Lot 401, DP 755237, Maitland).	The proposal is State significant infrastructure because it is development for the purposes of a health services facility and associated carpark that has a capital investment value of more than \$100 million on land identified as being within the New Maitland Hospital Site on the State Significant Infrastructure Sites Map, under clause 5 of Schedule 4 of the SRD SEPP.	Yes

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.

Clause 5.22(2) of the EP&A Act provides that EPIs do not apply to SSI applications. Notwithstanding, the Department has considered the relevant clauses of the Infrastructure SEPP.

The development constitutes traffic generating development as stipulated in clause 104 of the Infrastructure SEPP as it would support 200 or more beds. The Infrastructure SEPP requires traffic generating development to be referred to RMS for comment.

The application was referred to Transport for NSW (Roads and Maritime Services) and it advised that the revised transport assessment in the PIR address the impacts of the development on regional roads and noted that any further intensification of this site would need to be supported by a site Masterplan for all potential uses, and a Traffic and Transport Infrastructure Plan, to identify any upgrades and triggers for those upgrades as development on the site progresses.

These matters are addressed in **Section 6.1** of the assessment report.

The development is located within the vicinity of an electricity transmission or distribution network and clause 45 of the Infrastructure SEPP requires development to be referred to the relevant electricity supply authority for comment.

The application was referred to Ausgrid and it advised that it consents to the development, subject to conditions relating to:

- maintaining safe distances to overhead powerlines.
- the Proponent relocating any Ausgrid assets and create revised easements, if necessary.
- the Proponent obtaining preliminary advice in relation to electricity network infrastructure requirements.

The proposal is therefore consistent with the Infrastructure SEPP given the consultation and consideration of the comments from the relevant public authorities. The Department has included suitable conditions in the recommended conditions of approval (see **Appendix C**).

State Environmental Planning Policy No. 55 - Remediation of Land

State Environmental Planning Policy No 55 – Remediation of Land (SEPP 55) is the primary environmental planning instrument guiding the remediation of contaminated land in NSW. SEPP 55 aims to:

- provide a state-wide planning approach to the remediation of contaminated land.
- identify when consent is required or not required for a remediation work.
- specify certain considerations that are relevant to applications for consent to carry out a remediation work.
- require that remediation work meet certain standards and notification requirements.

Clause 5.22(2) of the EP&A Act provides that EPIs do not apply to SSI applications. Notwithstanding, the Proponent has provided details of the contamination assessments undertaken for the site.

The Proponent has submitted a Remedial Action Plan (RAP) prepared for part of the site, Lot 401, as Lot 7413 was remediated through a separate process. The Department was satisfied that Lot 7413 could be made suitable for the intended hospital use in its assessment of the concept proposal and Stage 1 works. Lot 401 was not previously identified for development but now accommodates the at-grade carpark. This lot was remediated as part of the closure of the brickworks.

The Proponent has also submitted a RAP to ensure that it is suitable for the intended use. The RAP clarifies that the contaminated stockpiled materials that may have been present on the site during the remediation of the former brickworks are no longer present on the site. Contaminated material would be removed or contained and capped where material is not proposed to be removed.

The RAP and investigations to date have been reviewed by an EPA accredited site auditor. The accredited site auditor provided interim advice confirming that the site investigations and RAP are consistent with the requirements of relevant contamination policies and guidelines.

The Department is satisfied that site will be made suitable for the intended uses. The Department has recommended a condition requiring a Site Audit Report and Statement be prepared by an accredited site auditor verifying the site has been made suitable for the intended land uses prior to the commencement of operation.

Maitland Local Environmental Plan (MLEP) 2011

The site is zoned RU2 Rural Landscape under MLEP 2011 and hospitals are not a permissible land use.

Notwithstanding, section 5.22(2) of the EP&A Act provides that Part 3 of the EP&A Act and environmental planning instruments (EPIs) do not apply to State significant infrastructure. Therefore, the application can be approved subject to an environmental assessment under section 5.18 of the EP&A Act.

CONSISTENCY WITH APPROVED STAGED INFRASTRUCTURE

SSI-9022 New Maitland Hospital

On 7 November 2018, the Executive Director, Priority Projects, as a delegate of the then Minister for Planning, approved the staged infrastructure application for the NMH. The concept proposal approval comprised a new hospital with approximately 60,000sqm of floorspace on the subject site, including a nine storey building envelope and site access arrangements.

Notwithstanding, that the staged infrastructure application for infrastructure does not have any effect to the extent that it is inconsistent with the subject application for approval in respect of that infrastructure, the proposal is generally consistent with the terms of approval of the concept proposal. Variations have been discussed in **Section 6** of the assessment report.

Appendix C - Recommended Instrument of Approval