

HEALTH INFRASTRUCTURE

Review of Environmental Factors

Concord Forensic Mental Health Unit (CFMHU)

2 February 2024

FINAL

REF Template Version: February 2023.



Declaration

This Review of Environmental Factors (REF) has been prepared for Health Infrastructure (HI) and assesses the potential environmental impacts which could arise from the development activity of the Concord Forensic Mental Health Unit (CFMHU) within the existing Concord Repatriation General Hospital at 1H Hospital Road, Concord West.

This REF has been prepared in accordance with the relevant provisions of the Environmental Planning and Assessment Act 1979 (EP&A Act), the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation) and State Environmental Planning Policy (Transport and Infrastructure) 2021 (TI SEPP).

This REF provides a true and fair review of the development activity in relation to its likely impact on the environment and the information it contains is neither false nor misleading. It addresses to the fullest extent possible all the factors listed in Section 3 of the Guidelines for Division 5.1 Assessments (DPE June 2022), the Environmental Planning and Assessment Regulation 2021 and the Commonwealth Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act).

Based upon the information presented in this REF, it is concluded that, subject to adopting the recommended mitigation measures, it is unlikely there would be any significant environmental impacts associated with the development activity. Consequently, an Environmental Impact Statement (EIS) is not required.

Declaration	
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Date:	2 February 2024

Document Management, Tracking and Revision History

Version	Date	Author	Description	Reviewed by	Approved by
Final Draft	31 October 2023	Harley Lockhart	Review of Environmental Factors	Rosie Sutcliffe	Alaine Roff
Updated	16/11/2023	Rosie Sutcliffe	Review of Environmental Factors	Alaine Roff	Alaine Roff
Updated	16/1/2024	Rosie Sutcliffe	Review of Environmental Factors	Alaine Roff	Alaine Roff
FINAL	2/2/2024	Rosie Sutcliffe	Review of Environmental Factors	Alaine Roff	Alaine Roff

Contents

Declaration.....	2
Document Management, Tracking and Revision History	2
Contents.....	3
Tables	5
Figures	5
Appendices	6
Abbreviations	7
Executive Summary	9
1. Introduction	12
2. Site Analysis and Description	13
2.1 The Site and Locality	13
2.1.1 Existing Development	14
2.1.2 Other Elements	14
2.1.3 Site Considerations and Constraints	16
2.2 Surrounding Development.....	17
3. Proposed Development	19
3.1 Proposal Overview	19
3.1.1 Design Approach	19
3.1.2 Proposed Activity	24
3.2 Development Activity Need, Options and Alternatives.....	28
3.2.1 Strategic Justification	28
3.2.2 Alternatives and Options.....	30
3.3 Construction Activities	31
3.4 Operational Activities.....	31
4. Statutory Framework.....	33
4.1 Planning Approval Pathway	33
4.2 Environmental Protection and Biodiversity Conservation Act 1999	34
4.3 Environmental Planning and Assessment Act 1979	34
4.4 Environmental Planning and Assessment Regulation 2021	35
4.5 Division 10 – Section 2.62 – Transport and Infrastructure SEPP	35
4.6 Other NSW Legislation	36
5. Consultation	41
5.1 Statutory Consultation	41
5.2 Community and Stakeholder Engagement	41
6. Environmental Impact Assessment.....	44
6.1 Environmental Planning and Assessment Regulation 2021 – Assessment Considerations	44
6.2 Identification of Issues	46
6.2.1 Traffic, Access and Parking	46

6.2.2	Noise and Vibration	47
6.2.3	Air Quality and Energy	50
6.2.4	Soils and Geology	50
6.2.5	Impacts on Coastal Processes and Coastal Hazards	50
6.2.6	Hydrology, Flooding and Water Quality	51
6.2.7	Visual Amenity	51
6.2.8	Aboriginal Heritage	52
6.2.9	Non-Aboriginal Heritage	52
6.2.10	Ecology	53
6.2.11	Bushfire	53
6.2.12	Land Uses and Services	54
6.2.13	Waste Generation	54
6.2.14	Hazardous Materials and Contamination	55
6.2.15	Sustainability and Climate Resilience	55
6.2.16	Community Impact/Social Impact	55
6.2.17	Cumulative Impact	56
7.	Summary of Mitigation Measures	56
7.1	Summary of Impacts	57
8.	Justification and Conclusion	57
	Appendix A – Architectural Plans	58
	Appendix B – Architectural Design Statement	59
	Appendix C – Site Survey	60
	Appendix D – Planning Certificate	61
	Appendix E – Traffic Impact Statement	62
	Appendix F – Archaeological Survey Report	63
	Appendix G – Heritage Impact Statement	64
	Appendix H – Ecological Statement	65
	Appendix I – Arboricultural Impact Statement	66
	Appendix J – Detailed Site Investigation	67
	Appendix K – ESD Report	68
	Appendix L – Notification Letters	69
	Appendix M – Consultation Outcomes Report	70
	Appendix N – Landscape Plans and Design Statement	71
	Appendix O – Geotechnical Investigation	72
	Appendix P – Civil and Structural Engineering Report	73
	Appendix Q – Hydraulic and Fire Services	74
	Appendix R – Electrical, ICT and Security Services	75
	Appendix S – BCA Report	76
	Appendix T – Access Report	77
	Appendix U – Asbestos Register	78

Appendix V – Acoustic Report 79

Appendix X – Mitigation Measures 80

Tables

Table 1: Section 10.7 Planning Certificate..... 16

Table 2: Design Review Feedback 20

Table 3: Project Timeframes and Construction Activities 31

Table 4: Description of proposed activities 33

Table 5: EPBC Checklist..... 34

Table 6: Matters for consideration under Subsection 3, Section 5.5 of the EP&A Act..... 35

Table 7: Other Possible Legislative Requirements..... 36

Table 8: Stakeholder Notification requirements 41

Table 9: Other consultation (non-statutory) 42

Table 10: Summary of Environmental Factors Reviewed in Relation to the Activity 44

Figures

- Figure 1: Aerial Image of Project Area
- Figure 2: Demolition Plan
- Figure 3: Survey Extract
- Figure 4: Photographs
- Figure 5: Project Area and adjacent buildings
- Figure 6 View looking North West to entrance from pedestrian path
- Figure 7 View of the proposed facility looking west from Hospital Road
- Figure 8: Proposed Access
- Figure 9 Masterplan Options
- Figure 10: BioNet Atlas Search Results – Location of proposed activity shown in ‘red transparent circle’.
- Figure 11: Burudyara Consultation
- Figure 12 Aerial showing measurement locations and sensitive receivers

Appendices

Appendix	Description	Author	Rev/Ref/Date
A	Architectural Plans	NBRS & Partners Pty Ltd	16 November 2023
B	Architectural Design Statement	NBRS & Partners Pty Ltd	14 November 2023
C	Site Survey	LTS	Ref. 33907 020DT Sheets 1-11– 15 August 2022
D	Planning Certificate	City of Canada Bay Council	8 May 2023
E	Traffic Impact Assessment	STC	17 January 2024
F	Archaeological Survey Report	Artefact	14 September 2023
G	Heritage Impact Statement	Artefact	23 August 2023
H	Ecological Investigation	Lesryk Environmental	29 June 2023
I	Arboricultural Impact Assessment	Abel Ecology	17 January 2024
J	Detailed Site investigation	EI Australia	26 June 2023
K	Ecologically Sustainable Development Report	LCI	Rev. Report 06. Date: 23 October 2023
L	Notification Letters	Urbis/ HI	18 September 2023
M	Consultation Outcomes Report	HI	12 October 2023
N	Landscape Plans and Design Statement	NBRS	16 January 2024
O	Geotechnical Investigation	EI Australia	10 August 2023
P	Civil and Structural Engineering Report	ACOR	9 October 2023
Q	Hydraulic and Fire Services	Arup	3 October 2023
R	Electrical, ICT and Security	Stantec	13 October 2023
S	BCA Report	Blackett Maguire + Goldsmith (BMG)	12 October 2023
T	Access Report	Abe Consulting	18 October 2023
U	Asbestos Register	Airsafe	11 May 2017
V	Acoustic Report	Stantec	2 February 2024
X	Mitigation Measures	Urbis	2 February 2024

Abbreviations

Abbreviation	Description
ABD	Activity Based Working
AHD	Australian Height Datum
AHIMS	Aboriginal Heritage Information Management System BC Regulation
BC Act 2016	<i>Biodiversity Conservation Act 2016</i>
BC Act 2017	<i>Biodiversity Conservation Act 2017</i>
BC Regulation	Biodiversity Conservation Regulation 2017
BDAR	Biodiversity Development Assessment Report
CE	Chief Executive
CMP	Construction Management Plan
CWC	Connecting with Country
DPHI	Department of Planning Housing and Infrastructure
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
EPBC Act (Cwth)	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
GANSW	Government Architect New South Wales
HI	Health Infrastructure
LEP	Local Environmental Plan
LGA	Local Government Area
MNES	Matters of National Environmental Significance
NPW Act	<i>National Parks and Wildlife Act 1974</i>
NPW Regulation	National Parks and Wildlife Regulation 2009
NPWS	National Parks and Wildlife Service (part of EES)
PCMP	Preliminary Construction Management Plan
Planning Systems SEPP	State Environmental Planning Policy (Planning Systems) 2021
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Project Area	Development site
Proponent	NSW Health Infrastructure
REF	Review of Environmental Factors
RF Act	<i>Rural Fires Act 1997</i>
RFS	Rural Fire Service
Resilience and Hazards SEPP	State Environmental Planning Policy (Resilience and Hazards) 2021
SEPP	State Environmental Planning Policy

Abbreviation	Description
SIS	Species Impact Statement
Site	Concord Repatriation General Hospital
TI SEPP	State Environmental Planning Policy (Transport and Infrastructure) 2021
WM Act	<i>Water Management Act 2000</i>

Executive Summary

The Development Activity

The project is part of a \$700 million program of work being delivered as part of the State-wide Mental Health Infrastructure Program (SWMHIP). The project will include the following:

- Early works/enabling works for relocation of existing operational facilities (in-ground services)
- Demolition of existing at grade carpark
- Demolition of Building 29 (single storey SLHD transport services building)
- Retention of Building 28 (small research lab)
- Development of a new three-storey building with a maximum height of 14.7m and a GFA of approximately 4000 m² to house 18 medium secure and 24 low secure forensic mental health beds (total 42 patient beds)
- Creation of new access road into rear loading dock
- Landscaping.

Need for the Development Activity

The Concord Forensic Mental Health Unit (CFMHU) is part of a greater program of works being delivered under the SWMHIP. A key objective of the SWMHIP is to address the increasing need for mental health care and deliver quality mental health services in appropriate therapeutic environments.

The facility will provide comprehensive care for people who are classified under the NSW Mental Health (Forensic Provisions) Act 1990 (an old Act) and/or under the *Mental Health and Cognitive Impairment Forensic Provisions Act 2020* (the new Act) and, on occasion, high-risk civil patients under the clinical governance of the NSW Forensic Patient Flow Committee.

Options Considered

The do-nothing option would not deliver the required facility and is not a suitable course of action. In the planning stages of the project five preliminary design configurations were developed and presented to the executive user group (EUG). Each option was assessed against project priorities and the functional requirements of the brief.

Masterplan Option 5 scored highest against multiple criteria and the design of this option was progressed by NBRs and is the subject of this REF.

Site Details

The project area is located within the existing Concord Repatriation General Hospital and is approximately 0.4ha.

Planning Approval Pathway

Section 4.1 of the EP&A Act states that if an EPI provides that development may be carried out without the need for development consent, a person may carry the development out, in accordance with the EPI, on land to which the provision applies. However, the environmental assessment of the development is required under Part 5 of the Act.

State Environmental Planning Policy (Transport and Infrastructure) 2021 (TI SEPP) aims to facilitate the effective delivery of infrastructure across the State. Division 10 of the TI SEPP outlines the approval requirements for health services facilities. A hospital is defined as a health services facility under this division as 'health services facility' has the same meaning as in the Standard Instrument LEP.

Section 2.61(1) of the TI SEPP permits development by or on behalf of a public authority without consent on any land if the development is carried out within the boundaries of an existing health services facility.

A public authority is defined under the EP&A Act as:

Public authority means:

- (a) A public or local authority constituted by or under an Act, or*
- (b) A Public Service agency, or*
- (c) A statutory body representing the Crown, or*
- (d) A Public Service senior executive within the meaning of the Government Sector Employment Act 2013, or*
- (e) A statutory State-owned corporation (and its subsidiaries) within the meaning of the State-Owned Corporations Act 1989, or*
- (f) A chief executive officer of a corporation or subsidiary referred to in paragraph (e), or*
- (g) A person prescribed by the regulations for the purposes of this definition.*

NSW Health Infrastructure falls within the above definition and so a “public authority” as defined in Section 1.4 of the EP&A Act. NSW Health Infrastructure is therefore both the Proponent and the determining authority for the purposes of Division 5.1 of the EP&A Act.

Therefore, as the proponent is a public authority and the development activity is within the boundaries of a health services facility, the proposed works represent an activity under Part 5 of the Act.

Consultation and Engagement

Stakeholder engagement and consultation has been undertaken with in accordance with project governance arrangements which include an Expert Reference Group, clinicians and users of mental health facilities. Statutory notification to Canada Bay Council and the occupiers of adjoining lands was carried out as required by Section 2.62 of the TI SEPP. No submissions were made in response to the notification of the project.

HI, in conjunction with the SHLD also conducted a letterbox drop to a surrounding residential distribution area, held two community pop up sessions and provided a briefing to City of Canada Bay Council.

Environmental Impacts

The environmental impacts of the works are minor given the siting of the project within the grounds of the existing hospital and the low scale building form proposed. The greatest impact will be construction noise during the demolition of the existing building and construction of the facility. Construction noise may impact surrounding hospital land uses. Management and mitigation measures including hours of work and construction noise criteria will be applied to limit likely impacts to existing activities and patients within the hospital.

Justification and Conclusion.

The proposed CFMHU at Concord Repatriation General Hospital is subject to assessment under Part 5 of the EPA Act. The REF has examined and taken into account to the fullest extent possible all matters affecting, or likely to affect, the environment by reason of the proposed activity.

As discussed in detail in this report, the proposed activity will not result in any significant or long-term impact. The potential impacts identified can be reasonably mitigated and where necessary managed through the adoption of suitable site practices and adherence to accepted industry standards.

As outlined in this REF, the proposed activity can be justified on the following grounds:

- It responds to an existing need within the community;
- It complies with, or is consistent with all relevant legislation, plans and policies;
- It has minimal environmental impacts; and
- Adequate mitigation measures have been proposed to address these impacts.

The environmental impacts of the proposal are not likely to be significant and therefore it is not necessary for an EIS to be prepared and approval to be sought for the proposal from the Minister for Planning under Part 5.1 of the EPA Act. On this basis, it is recommended that HI approve the proposed activity in accordance with Part 5 of the EPA Act and subject to the adoption and implementation of matters outlined in this report.

1. Introduction

Health Infrastructure (HI) propose the development of the Concord Forensic Mental Health Unit (CFMHU, the development activity) within the existing Concord Repatriation General Hospital at 1H Hospital Road, Concord West (the site) as part of its delivery of infrastructure solutions and services to support the healthcare needs of the NSW communities.

This Review of Environmental Factors (REF) has been prepared by Urbis on behalf of HI to determine the environmental impacts of the development activity at 1H Hospital Road, Concord West. The site is legally described as Lot 2 in Deposited Plan (DP) 1280788, Lot 21 in Deposited Plan (DP) 1139098 and Lot 1 in Deposited Plan (DP) 166721. For the purposes of these works, HI is the proponent and the determining authority under Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The purpose of this REF is to describe the development activity, document the likely impacts of the development activity on the environment and to detail protective measures to be implemented to mitigate impacts.

The description of the proposed works and associated environmental impacts have been undertaken in the context of the *Guidelines for Division 5.1 Assessments* (DPE June 2022), *Review of Environmental Factors Template – User Guide* (NSW Health Infrastructure, February 2023), the *Environmental Planning and Assessment Regulation 2021*, and the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The assessment contained within the REF has been prepared having regard to:

- Whether the development activity is likely to have a significant impact on the environment and therefore the necessity for an EIS to be prepared and approval to be sought from the Minister for Planning and Public Spaces under Part 5 of the EP&A Act; and
- The potential for the development activity to significantly impact Matters of National Environmental Significance (MNES) on Commonwealth land and the need to make a referral to the Australian Government Department of Environment and Energy for a decision by the Commonwealth Minister for the Environment on whether assessment and approval is required under the EPBC Act.

The REF helps to fulfil the requirements of Section 5.5 of the EP&A Act, which requires that HI examine, and take into account to the fullest extent possible, all matters affecting, or likely to affect, the environment by reason of the development activity.

2. Site Analysis and Description

2.1 The Site and Locality

The Concord Repatriation General Hospital site is located in the Canada Bay Local Government Area (LGA). For the purposes of this REF, and to avoid confusion, references to the 'site' are to the overall Concord General Repatriation Hospital, and references to the 'project area' are to the part of that site impacted by the proposed CFMHU.

Concord Repatriation General Hospital operates as a general hospital and is a 750-bed teaching hospital for the University of Sydney with a comprehensive range of specialty and sub-specialty services.

Concord Hospital is the subject of approved State Significant Development Application (SSDA) – 9036 which granted consent on 28 February 2019 for *"A staged redevelopment application seeking a concept proposal for the redevelopment of Concord Repatriation Hospital and detailed approval for Stage 1, comprising a clinical service building and multi-storey carpark"*. The consent was last modified by SSD-9036-Mod-7 on 24 April 2022.

The development activity does not seek to alter any element of the existing SSD approval (as modified) and does not impact the part of the site to which the SSD consent applies.

The project area for the CFMHU (outlined in red below) is located within Lot 2 DP 1280788 in the Concord Centre for Mental Health (CCMH) precinct and is approximately 0.4ha. The signalised intersection of Concord Road / Hospital Road provides direct access to Concord Hospital. The CCMH is accessed via Gate 3 on Hospital Road and the project area is on the western side of an internal roadway within the CCMH. It is bound by Nullawarra Avenue to the west and Yaralla Bay to the south and east. The site (beyond the project area) slopes down to the south where it meets Yaralla Bay. Numerous buildings are present within the hospital grounds, as are a series of internal roads, footpaths, carparks and other modified environments.

Given the previous and current land use, the project area is highly disturbed, modified and heavily developed.

Figure 1 Aerial Image of Project Area



Source: Urbis (2023).

2.1.1 Existing Development

The project area is currently occupied by:

- at grade carparking for 51 cars
- Building 29 (Sydney Local Health District fire and transport services building);
- 27 existing trees and landscaping
- internal roadway.

Figure 2 Demolition Plan



Source: NBRS

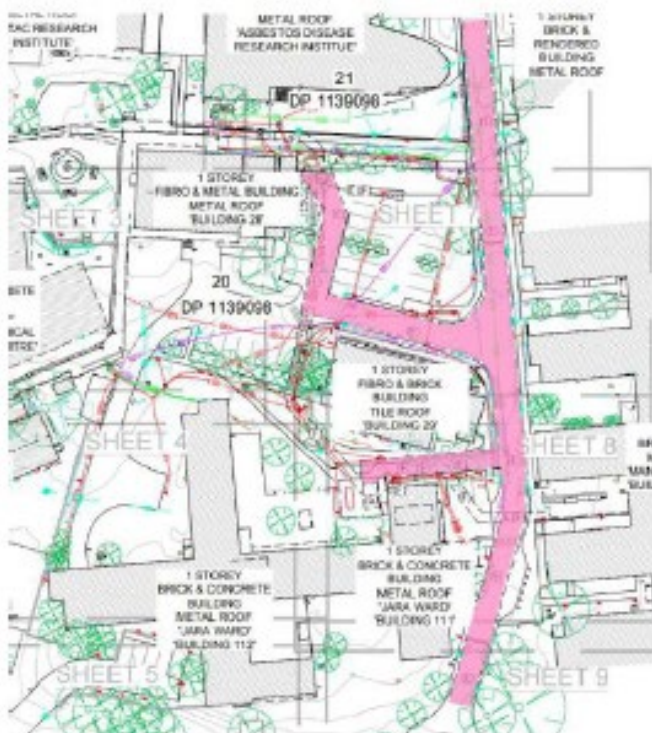
2.1.2 Other Elements

The LTS survey prepared for the Schematic Design report shows the project area is burdened by two easements. There are easements for access over the existing roads within the project area as highlighted in pink on the figure below. The existing access arrangements protected by the easements; ie access to the existing loading docks and vehicular access to all buildings in the vicinity of the project area will be retained under the proposed activity.

There are also easements for electrical inground infrastructure as highlighted in orange. A design has been agreed with Ausgrid to relocate the existing electrical infrastructure and these will be diverted as one of the first steps in the construction works.

The status of the existing easements should be reviewed post construction by a property lawyer to determine whether any easements are redundant and need to be extinguished, or can be rationalised.

Figure 3 Survey Extract



Easements for Access, LTS Survey



Easements for Electrical Inground Infrastructure, LTS Survey

2.1.3 Site Considerations and Constraints

Section 10.7 Planning Certificate No. (PC2023/1055) dated 9 May 2023 identifies that the project area is located within the SP2 – Infrastructure zone and the C2 Environmental Conservation zone under Canada Bay Local Environmental Plan 2013. The Planning Certificate is provided at **Appendix D**

Table 1: Section 10.7 Planning Certificate

Affectation	Yes	No
Critical habitat		✓
Conservation area		✓
Item of environmental heritage	✓	
Affected by coastal hazards		✓
Proclaimed to be in a mine subsidence district		✓
Affected by a road widening or road realignment		✓
Affected by a planning agreement		✓
Affected by a policy that restricts development of land due to the likelihood of landslip		✓
Affected by bushfire, tidal inundation, subsidence, acid sulfate or any other risk		✓
Affected by any acquisition of land provision		✓
Biodiversity certified land or subject to any biobanking agreement or property vegetation plan		✓
Significantly contaminated		✓
Subject to flood related development controls		✓
List other relevant constraints	✓	
Part of the site (coastal fringe) is identified as Class 1 and 2 Acid Sulphate soils. However the project area will be carried out entirely within the portion (majority) of the site which is identified as Acid Sulphate soil Class 5.		

2.2 Surrounding Development

The project area for the CFMHU will be integrated within the CCMH, a modern purpose-built mental health precinct for inpatient care with additional comprehensive patient support services including admission and assessment, acute and rehabilitation adult services, services for older people and extended adolescent care 24/7. Figure 4 below includes photographs of the project area and surrounds.

Figure 4 Photographs



Picture 1 Building 28 Animal Holding

Source: : NBRS, 2023



Picture 2 Building 112 Jara Older Persons Unit and Building 29 (in foreground, to be demolished)

Source: NBRS, 2023



Picture 3 Building 112 Jara Older Persons Unit- west

Source: : NBRS, 2023



Picture 4 Existing Carpark to be demolished

Source: : NBRS, 2023

Adjacent buildings to the project area are shown in Figure 5 below and include the two storey University of Sydney Medical Education (Building 26) on the western boundary, the two storey Bernie Banton (Building 89) on the northern boundary and a one storey Animal Holding and Learning Facility (28) on the north- western boundary. To the southern boundary is the single storey Jara Older Persons Unit (Building 112) which is a 30 bed older person acute inpatient unit. Building 111 is as office accommodation for the Jara unit and is occupied Monday – Friday during business hours. The furthest end of the building is used Monday, Wednesday and Friday in the morning to administer treatment.

Figure 5 Project area and adjacent buildings



There is existing vegetation on the southern boundary of the Mental Health Precinct which screens views to Yaralla Bay. This provides visual privacy and wind breaks to the area.

Outside of the site, surrounding land uses are predominantly health related, with The Rivendell School (the Thomas Walker Convalescent Hospital) located to the northeast and to the Dame Eadith Walker Estate which occupies the entirety of the Yaralla Bay/Majors Bay peninsula. These lands are also owned by NSW Health. Surrounding development to the north-west through south-west of the site consists predominantly of established low density residential development.

3. Proposed Development

3.1 Proposal Overview

The CFMHU is part of a greater program of works being delivered under the State-wide Mental Health Infrastructure Program (SWMHIP). A key objective of the SWMHIP is to address the increasing need for mental health care and deliver quality mental health services in appropriate therapeutic environments.

The CFMHU is a new purpose-built Low and Medium secure forensic mental health unit within the Sydney Local Health District. It represents a significant opportunity to continue the development of a more person-centred and transitional model of forensic mental health care and provide a space which enables contemporary models of care.

3.1.1 Design Approach

The proposal design requirements (as reproduced below) were guided by the requirements of the functional brief issued by HI and appended to the NBRS Schematic Design report:

The CFMHU will include Low and Medium Secure Forensic Beds. The facility is planned to be integrated and within the grounds of the Mental Health Precinct (MHP) at the Concord Centre for Mental Health (CCMH) within the grounds of the Concord Repatriation General Hospital (CRGH). The Project represents a significant opportunity to continue the development of a more person-centred and transitional model of forensic mental health care and provide a space which enables contemporary models of care.

The unit requires a conscious balancing of the requirement to provide an effective therapeutic environment for mentally ill patients with the need to provide patients, carers, visitors and staff with a pleasant, spacious, light filled, comfortable and non-threatening facility. The general living areas (lounge, dining) should have the requirement and appearance of space, this can be achieved by open plan design and the use of high ceiling where the design is appropriate.

Placemaking and Design

The following key principals used were considered throughout the design process:

- Enabling choice for the consumer e.g. between quiet and loud spaces, private and social spaces
- Providing human scale or domestic-scale environments while maintaining observation
- Accessible design for consumers, visitors, and staff with disabilities
- Maintaining natural light throughout the unit particularly in activity and lounge areas where consumers spend a significant amount of time
- Design for safety for all consumers with designated areas for female/or other vulnerable cohorts

Design Review

The preferred design has evolved based on the functional needs of the facility and consultation with project user groups (PUGS) and the Executive User Group (EUG).

The project has also been subject to:

- review by HI's internal design excellence advisory service at two meetings, on 28 March 2023 and 13 September 2023.
- Design Assurance Review – 12 October 2023

A summary of the feedback received in these meetings and how the project has responded is contained in Table 2 below.

Table 2: Design Review Feedback

Feedback/ commentary	Project Response
Design Excellence Advisory Meeting 1- 23 March 2023 Design Excellence Advisory Meeting 2 – 13 September 2023	
Noted that staff work areas have no access to natural light.	Due to tight clinical planning, rearranging rooms in staff areas was not feasible. High level windows have been introduced providing borrowed light to the Clinical workroom and Staff Interface.
Noted that patient dining room has limited access to natural light and connection to external courtyard space.	Dining Room, Patient Lounge and Exercise room have been reconfigured and repositioned to allow for improved access to courtyard and natural light.
<u>Privacy to patient bedrooms</u> Noted that patient bedrooms along northern elevation are in proximity to public walkway.	Full height mesh screens externally mounted have been introduced to allow planning to provide more privacy. The panel noted this could reduce natural light to patient bedrooms, however the screen option achieves the necessary privacy.
Noted patient bedrooms to southern elevation are buffered by corridor, still needs privacy as these rooms border a road.	No changes were made to this aspect of the proposed design.
Noted east facing patient bedrooms GF windows / privacy issues.	The project team noted that east facing windows have been removed from the eastern façade at ground level.
Noted possible privacy issues due to proximity and distance between patient bedroom wings at the southern portion of the development.	External angled window screens and internal interstitial blinds have been introduced to provide patient privacy.
Noted that (lack of) natural light to courtyards are a concern, orientation, position within stack and 3 story main building will be blocking natural light. Same applies to patient bedrooms facing courtyards. Courtyards at ground floor are the only accessible areas for mid secure patients to use. The patient experience in bedrooms bordering the courtyards and the courtyards themselves remain a concern. The introduction and resolution of landscaping in these areas will further reduce natural light and they will likely be very dark areas throughout the year.	At the second meeting sun studies were presented showing summer and winter solstice at 9am, noon and 3pm. Site constraints limit the further opportunity to provide courtyards for medium secure in alternative positions that have better natural light. In summer the shading provided will allow patients and staff to spend quality time outside.
DE asked the PT to produce more sun studies showing solar penetration throughout the year for further analysis. Options to improve solar access were discussed including lowering the internal ceiling heights to reduce the overall building height and moving the plant and administration accommodation at level 3 to over the clinical wings to the South, thereby reducing a full floor facing west and improving light.	The project team have completed a sun study with the floor removed. This was tested by the NBRS team with shadow diagrams demonstrating that this did not result in an improved outcome. The shadow diagrams have been included as part of the Architectural Design Statement (Appendix B).
Noted that project is at 80% DD, opportunities are limited. The team was asked to explore opportunities Connection with Country in particular in relation to accessible courtyards and the wider campus integration.	CWC opportunities are reflected in interior design and opportunities for art. The courtyards will also include indigenous planting.
Wider campus connection and integration. Noted that the selected site has been fully developed to boundaries to accommodate the CSP, team encouraged to look at the wider campus and the FMH units position within this, access circulation opportunities for patients, staff and public. How could CWC be improved through integration and connection with existing campus.	The Panel noted the project team still needs to provide analysis for opportunities around connection with wider campus. The ability for the project to connect into the wider campus was reviewed at the master planning stage. At a subsequent review the project team demonstrated to the panel how there is appropriate access between the mental health building and the rest of the campus as well as to other recreational pathways and opportunities.
Built form and materialization Noted that the design team have succeeded in breaking up the building form through the use of wings interspaced with courtyards to achieve and represent a domestic scale. Material selections need to be further developed to assist in this and represent the vernacular of the surrounding neighbourhood. Noted planning pathway REF requires 15m height limits.	The resolution of the build form (gable ends) and details of the materials selection (brickwork) provide a domestic character to the building in keeping with the existing hospital campus. Noted, the building is below 15m.

Feedback/ commentary	Project Response
Design Assurance – 12 October 2023	
Climate change mitigation must consider not only the mechanical system but design solutions that can reduce and mitigate potential impacts, for example – appropriate sun shading to all facades to reduce heat gain and reduce cooling load on the mechanical system; glazing specification and materials and colour selection for external facades to reduce heat gain; landscaping, external paving materials, treatment of roof surfaces to prevent the heat-island effect at roof level and potential impacts to staff areas on level 2.	<p>The orientation of the building means that there will be many areas of the building where heat gain is not very significant.</p> <p>The landscape design incorporates several interventions aimed at mitigating the extremes in weather conditions caused by climate change and improving staff/users' comfort in the external areas, they include.</p> <p>Material selection - Selection of light, durable and natural materials to reduce heat absorption of these material whilst also providing the durability, slip resistance, and specific hazard reduction requirements needed in a Mental Health Unit. As all unit pavers are required to be mortared and installed on mortar bed on slab to ensure individual pavers cannot be displaced and used to cause injury. This requirement has eliminated the possibility of using a permeable paver in the external areas.</p> <p>Plant selection –local endemic species selected as they are suited to the site conditions and have low maintenance and water usage (once established). The planting selection will provide canopy to provide shade, understory planting to capture surface water runoff and climbers to provide privacy to selected areas.</p> <p>Passive irrigation – The landscape design allows (where possible) surface water to fall towards vegetated areas allowing water to passively irrigate planting areas, increasing the water infiltrating the soil, and reducing surface water runoff.</p>
Brick facades without returns pose structural issues which require resolution, or the facades need to be reconsidered in terms of their scale and how they relate to the built form which is essentially a two-storey building.	We note that the street appearance is two storey because the majority of the building is two storey, however the building is three storeys for the staff area and plant rooms. A sketch has been included as a part of tender drawings showing lowered brick façade. The structural coordination will occur in the design finalisation phase with the builder.
Tender readiness – the panel was not provided with tender documentation and as such cannot advise as to the readiness of the documentation for a tender process. In addition, the NCC compliance report was not yet available (as of the date of the review) which poses a risk should the report identify new issues or issues that require re-work	The Tender was issued 27 October 2023 for Design Finalisation and Construction.
Operable windows support the new model care by returning autonomy over the environment to patients. Risks to budget should be managed to ensure these windows are retained in the project.	Operable windows were included in tender with a mandatory option for inoperable windows. This is the outcome the project team wants to achieve and was discussed with SLHD and HI prior to issuing tender.
Suggestion to improve amenity to south facing rooms by Incorporating a band of clearstory windows at the roof level to bring in sunlight and provide views of the sky.	<p>The current design respond to the model of care where patients are not spending a lot of time during the day in their bedrooms. They will be in the communal areas for various activities. Low-secure patients can leave the facility during the daytime.</p> <p>A sketch has been issued as a part of tender document to show extent of clerestory windows over south facing L2 bedrooms. They will be priced as tender option.</p>
The project has not demonstrated how it will meet HI's stated emissions reduction targets (50% reduction by 2030 and net-zero by 2050).	The design is completely electric and capable of achieving net zero by the procurement of 100% renewable energy.
Suggest that solar panels are included as a tender option so the cost can be readily identified.	The electrical tender includes the solar panels.
Additional climate change considerations include the potential for extended periods of very poor outdoor air quality due to bushfire smoke, as was experienced during the 2019-2020 summer. A similar, or worse, event would temporarily negate the use of operable windows and the ability for patients to access outdoor areas. Operational strategies will need to be developed by the LHD to mitigate such events, which can then give rise to specific design and spatial requirements.	This risk can be incorporated and discussed during next phase.

Feedback/ commentary	Project Response
Notes that most facades do not seem to respond to orientation in terms of appropriate articulation for sun shading and other climate considerations.	The design achieves minimum 10% improvement on NCC Section J provisions. Windows to the west are minimised. Façade is an important part of the design for this facility and has been reviewed by many stakeholders including the HI Design Panel and ERG.
The staff room on level 2 should incorporate at least one additional window to increase amenity via access to sunlight, natural light and views over the bay. Consideration should be given to making these windows operable.	The additional window and accessible staff area will be explored in next phase pending budget considerations.
L2 roofs to be documented as concrete with a tender option to have metal deck since the extent of plant on the roof has been reduced. This space could also be designated for future expansion if concrete. There does not seem to be any provision for future expansion in the design which is unusual for HI projects.	A metal roof sketch is included in the tender documentation as an option. Future expansion was not considered necessary or appropriate for this project given the number of beds provided suits the care model being delivered. It is also noted that there are other mental health services planned across Sydney.
Fire tank on roof can pose waterproofing issues and will be a risk.	The current design for the fire tank considers the services and structural requirements for the tank and has been discussed with the team at length.
The late presentation of project to the assurance process means certain options at the masterplan stage were no longer available for discussion. For example, a building form with patient wings oriented E/W rather than N/S with the possibility of more equitable access to sunlight and optimal orientation for outdoor areas.	The project was presented to all relevant stakeholders and ERG as per HI requirements as the time. Apart from sunlight, the orientation of wings considers the location of entry, existing site context for front and back areas as well as patient privacy.
The incorporation of a pickle ball court is noted as a potential source of noise for the rooms surrounding that area.	Use of the pickleball court will be managed so that acoustic impacts are minimised. A post occupancy evaluation will be undertaken following operation of the facility
A Country-centric design approach can be led by appropriately skilled design teams and/or external consultants with this expertise. HI should provide clear guidance to design teams at an early stage so that these skills can be included in the selection of consultants as may be required.	Noted. To address in part Connecting with Country the project team undertook the following: -Strong Co-design including consumer representation during Project User Groups -Consultation with aboriginal representatives facilitated by SLHD for naming the facility. The architecture and landscape have incorporated the theme in their designs as discussed during the review. -Meeting with SLHD Aboriginal Director to discuss the steps for establishing a Connecting with Country working group ahead of the project's announcement.

Better Placed

This REF is accompanied by an Architectural Design Statement (**Appendix B**) which provides a detailed response to each of the Government Architect New South Wales (GANSW) Better Placed Better Placed objectives. A summary is provided below:

Objective 1: Better fit – contextual local and of its place

- The proposal has been designed as a direct response to the existing fabric of the Concord Repatriation Campus. The building location is functional within the Mental Health and Sub Acute Precinct.

Objective 2 – Better performance sustainable, adaptable and durable

- The proposal seeks to incorporate sustainability initiatives throughout the design, construction and operational stages.
- The project will meet 5-star rating (“Australian Excellence” outcome) under Health Infrastructure’s Design Guidance Note 58 tool.

Objective 3 – Better for community - inclusive, connected and diverse:

- The proposal seeks to provide a therapeutic and rehabilitative environment for its users, staff and visitors.

- The landscaped spaces serve as an extension of the building and provide spaces for gathering and contemplation.

Objective 4 – Better for people - safe, comfortable, and liveable

- The proposal seeks to provide safe, comfortable and liveable spaces for all the people who use it.
- The proposal provides quality open spaces that are well landscaped and comfortable and safe for users.
- The building prioritises safety and security, providing clear sightlines through the facility where possible.

Objective 5 – Better working - functional, efficient, and fit for purpose

- The proposal is designed for functionality and effectiveness to ensure its ongoing viability and utilization.

Objective 6 – Better Value - creating and adding value

- The proposal creates value for the Consumers, Staff and Visitors, setting a high standard in the design of forensic mental health facilities.

Objective 7 – Better look and feel engaging, inviting, and attractive

- The proposal contributes to a sense of place and enriches the surrounding environment.
- The Architectural Design Statement (**Appendix B**) also addresses the relevant requirements of:
- HI Policies, Guides or Frameworks relating to Design, Placemaking and Sustainability
- Crime Prevention Through Environmental Design Principles
- Recommendations made by Health Infrastructure's Design Advisors during the design development.

The Architectural Design Statement (**Appendix B**) also addresses the relevant requirements of:

- HI Policies, Guides or Frameworks relating to Design, Placemaking and Sustainability
- Crime Prevention Through Environmental Design Principles
- Recommendations made by Health Infrastructure's Design Advisors during the design development.

Connecting with Country/Engagement

The project area is on the land of the Wangal people. Whilst the SWMHIP was announced as part of the 2018-2019 NSW budget the CFMHU project was only publicly announced by the Minister for Mental Health via a media release in October 2023. The importance of progressing with planning to ensure SWMHIP objectives and the much-needed capacity building in the mental health system meant that while awaiting the public announcement, the project team progressed with planning and design.

The project team undertook a number of steps through the planning and design of the facility including consumer representation during project user groups and briefing and meeting with SLHD Aboriginal Health Director to help inform the design. This process enabled strong Co Design and also led to the establishment of a Connecting with Country Committee ahead of the project's announcement.

An Aboriginal Cultural Heritage Survey was undertaken with the Metropolitan Local Aboriginal Land Council. This survey has been used to inform the planning approval process.

The SLHD consulted with Aboriginal representatives for the naming of the facility. Following consultation with Aboriginal staff, elders and community representatives and individuals with lived experience of forensic mental health care, a local dialect word for butterfly, 'Burudyara', has been identified as the preferred name for the facility.

After consultation occurred with the SLHD Director of Aboriginal Health and with Aboriginal staff and local elders, a number of local dialect words were selected from Prof Jakelin Tory's publication 'The Sydney Language'. These words were considered at a co-design consultation with consumers with lived experience of forensic mental health services, including current forensic inpatients at a unit. Consumers suggested the name 'Ulysses', incorporating the themes of return from an odyssey or long journey, and the name of an Australian butterfly, with its associated theme of transformation.

Taking these themes from the consultation three further potential local indigenous names were identified including burudyara (butterfly). The Deputy Director SLHD Aboriginal Health undertook further consultation with local Aboriginal

staff and elders who endorsed the alternative names and contacted MHLALC who expressed no concerns regarding the use of the names.

The word burudyara aligns closely with 'Ulysses' theme of transformation, and unlike the alternatives, is not associated with other services or unwanted connotations. It also provides the opportunity to incorporate indigenous depiction of the Ulysses butterfly as part of the decoration of the unit.

The architectural and landscape design team has been able to incorporate the burudyara theme into the design. Opportunities to connect with country and further embed the burudyara theme into the design such as the landscaping or artwork will continue to be explored in consultation with the Connecting with Country Committee.

Sustainability and Climate Resilience

A key requirement of the project is that it meets the sustainability expectations of HI as laid out in the HI Design Guide Note (DGN) 58 Ecological Sustainable Design, and Evaluation Tool. DGN 58 requires the building to be designed to be 5 star Greenstar equivalent. Key ESD initiatives incorporated in the project include:

- Full electrification line with Health Infrastructure's long-term electrification strategy
- Consultation and incorporation of Indigenous Design Elements
- Onsite Renewable Energy via Rooftop Solar Photovoltaics (PV) cells
- Outdoor green spaces and access to nature
- Enhancement of ecological values through green infrastructure and planting selection.
- Rainwater tank for landscape irrigation
- Views to external planting for connection to nature, natural daylighting and glare control
- Design for Lighting comfort, Acoustic comfort, and Thermal comfort
- Reduction of embodied energy in construction materials
- Minimising demolition and construction waste
- Increasing the use of sustainable materials and recycled content
- Use of materials with low off-gassing (low VOC's and Formaldehyde)
- Operational waste reduction and recycling

For further details refer to the accompanying Architectural Design Statement (**Appendix B**).

3.1.2 Proposed Activity

The aim of the project is to deliver a new purpose-built low and medium secure forensic mental health unit within the Sydney Local Health District (SLHD). The proposal comprises 18 medium secure forensic beds, 24 low secure forensic beds, as well as clinical support spaces, outdoor secure courtyard spaces and amenities.

The proposed building is a three storey form with the units arranged in a pod arrangement around internal central courtyards and terraces. The design maximises natural light and connection to the outdoors. The pod arrangement also enables good surveillance and security within the development.

The pedestrian entrance is located to the south of the building within a single storey form with a pavilion roof. The roof provides a sense of arrival and openness to the building.

Figure 6 View looking North West to entrance from pedestrian path



The external finishes incorporate terracotta coloured brick to ground the building, compressed fibre cement cladding, and standing seam metal cladding, which highlight the window locations and breaks up the façade.

Figure 7 View of the proposed facility looking west from Hospital Road



The top of the building include gable ends concealing a flat roof. There is an option under consideration for incorporation of a metal roof and this detail will be confirmed at the tender response stage. If the roofing material changes this will not impact the maximum height of the building.

The description of the development activity should be read in conjunction with the accompanying architectural plans refer **Appendix A**. A detailed description of the development activity is as follows:

Demolition

- Demolition of existing at grade carparking
- Demolition of Building 29 (single storey SLHD fire and transport services building)
- Relocation or protection of existing electrical services
- Removal of 23 trees

Built Form

- Retention of Building 28 (small research lab)
- Erection of a new three-storey building with a maximum height of 14.7m and a gross floor area (GFA) of approximately 4,000m² comprising:
 - Ground Floor:
 - Front of House – Shared Entry
 - Admissions Secure Entry
 - Medium Inpatient Unit – including accommodation pods, General Consumer Area and Clinical Support Area, as well as an outdoor area
 - Back of House
 - First Floor:
 - Centralised Clinical Support Area and General Consumer Areas
 - Low Secure Inpatient Units arranged along perimeter of the building
 - Staff administrative areas to facilitate patient entry/exit
 - Second Floor:
 - Consolidated Shared Staff Zone Medium and Low Activity Based Working (ABW) Areas
 - Engineering plant zone

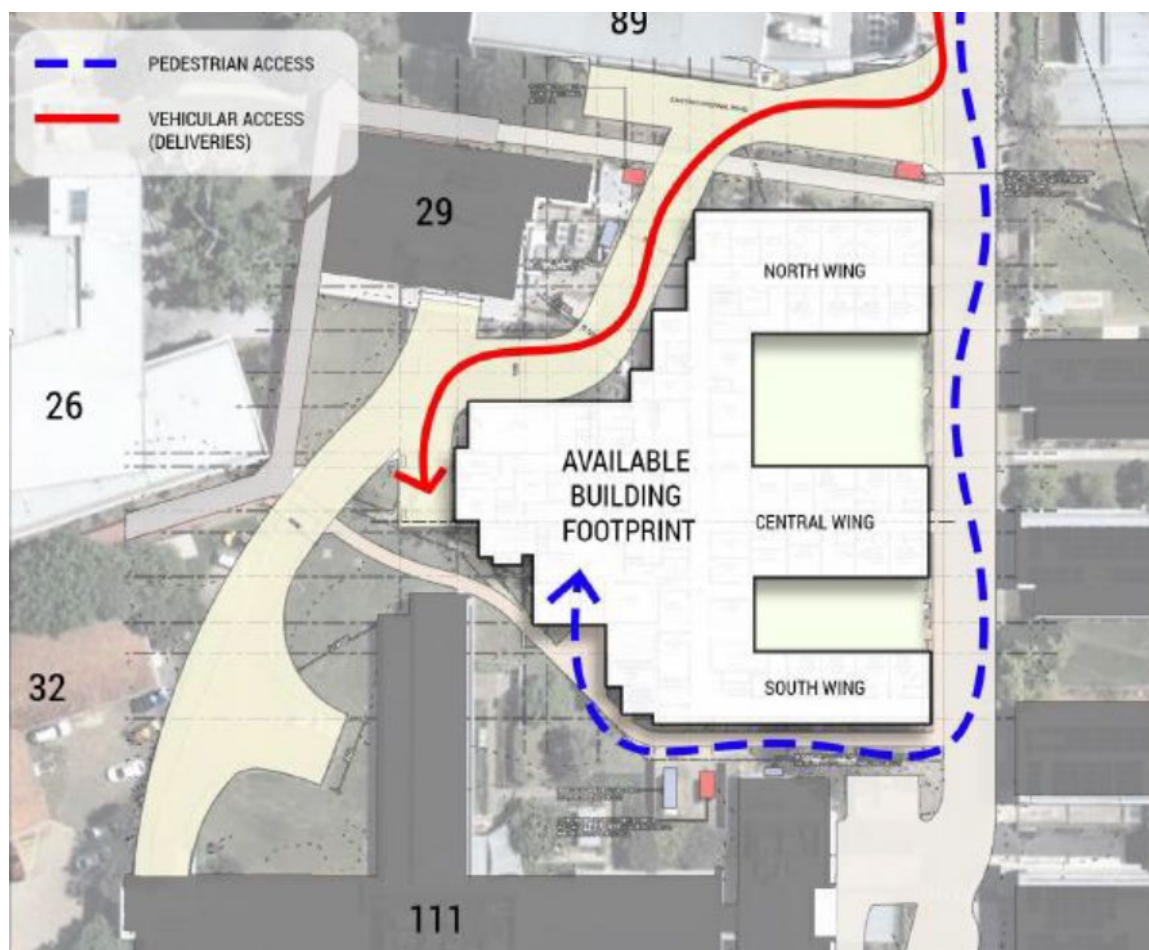
Details of materials are shown in the architectural plans.

Vehicular and Parking Access

A new access road will connect between the existing access to Building 89 (north of the project area) and the internal rear access road to the loading docks of Buildings 29 and 111. The new access road will connect with new hardstand and the secure entry point at the back of the proposed facility. Pedestrian access to the building will be made via the pedestrian footpaths on the southern side of the building. The proposed access arrangements are shown in Figure 8 below. The surrounding existing hospital roads will remain operational during the construction of the new buildings.

Refer to Civil Plans (within **Appendix P**) for details of the proposed new access road.

Figure 8 Proposed access



Landscaping

Landscaping will be in accordance with the Landscape Design Statement prepared by NBRS in August 2023 (**Appendix N**) and include:

- Courtyard to define the main entrance and provide a point of transition for staff, consumers and visitors
- Shared family visit courtyard space
- A northern courtyard focussed on providing social and physical activity areas, comprising:
 - Outdoor kitchen, immediately adjacent to the internal kitchen areas. Including an electric BBQ and veggie gardens
 - Turfed (artificial) area with reclined seating
 - Sensory garden planting
 - Kitchen garden planting
 - Multi use court (basketball ring and volleyball court) for flexible use
 - Fixed social furniture
 - Buffer planting to the residences
 - Allowance for the installation of shade sails to the building
- A southern courtyard for quiet time and reflection, comprising:

- Lush rainforest planting palette
- Contrasting paving
- Social seating
- Yarning circle and social gathering spaces
- Permeable granitic pavement surrounding trees
- Integrated civil drainage design hidden in planting
- Low Security Terraces on the first floor

Trees

- 3 of the existing trees will be retained
- 25 trees will be planted, representing a replacement ratio greater than 1:1

Utilities

The project area is serviced by water, sewerage, power and telecommunications. These services will be connected to the proposed development. Refer Section 6.2.12 of this report for further information.

3.2 Development Activity Need, Options and Alternatives

3.2.1 Strategic Justification

A summary of the strategic merit of the development activity is as follows:

Future Transport Strategy

The Future Transport Strategy (Future Transport) was released on 5 September 2022. Future Transport updates Future Transport: 2056, to take into account events such as the COVID-19 Pandemic, drought, bushfires, flood and global upheaval which have altered the trajectory of many social, economic and cultural trends in NSW. Future Transport provides a refreshed take on the vision established under Future Transport 2056 and outlines a vision and strategy for the management of transport services and infrastructure across NSW. The strategy is underpinned by 14 strategic directions, with associated actions to realise these directions and outcomes. The key outcomes relevant to the development activity are:

- Develop an inclusive transport system enabling access to services and places for all; and
- Successful places for communities.

The development activity will enhance road and pedestrian access within the site and is considered to be consistent with the Future Transport.

Greater Region Plan – A Metropolis of Three Cities

'A Metropolis of Three Cities' sets a 40-year vision to manage growth and change for Greater Sydney in the context of economic, social and environmental matters. The site is located within the Eastern Harbour City, on the eastern edge of the Harbour CBD.

The Plan establishes directions and accompanying objectives, and those of relevance to the project include:

- Objective 1: Infrastructure supports the three cities.
- Objective 2: Infrastructure aligns with forecast growth – growth infrastructure compact.
- Objective 3: Infrastructure adapts to meet future needs.
- Objective 4: Infrastructure use is optimized; and

- Objective 21: Internationally competitive health, education, research and innovation precincts.

The development activity builds on the existing health infrastructure of the Concord Hospital optimising investment in existing resources and meeting the future needs of the population for mental health services.

Eastern City District Plan

The Eastern City District Plan is a 20-year plan to manage growth in the context of economic, social and environmental matters to achieve the vision for Greater Sydney.

Rhodes is identified as a Strategic Centre which has attracted significant new housing and employment. Rhodes is also noted as having a strong healthcare presence, primarily led by the existing Concord Hospital and associated health care facilities, including the Rivendell School and the Dame Eadith Walker Estate, located to the north east and south east of the site respectively.

The Eastern City District Plan specifically identifies the Rhodes East Planned Precinct, located approximately 800m to the north of the site, as being planned for sustainable growth including the creation and retention of jobs in the area. A Planning Priority for Rhodes is 'Growing investment, business opportunities and jobs in strategic centres', which includes the creation of new health facilities which are located within proximity to existing transport infrastructure. The development activity will deliver a new mental health care facility, in proximity to existing transport connections and will assist in the creation of jobs within the Rhodes area.

Canada Bay Local Strategic Planning Statement

The City of Canada Bay Local Strategic Planning Statement (LSPS) sets out Council's land use vision, planning principles, priorities and actions for the next 20 years. It outlines the desired future directions for housing, employment, the environmental and infrastructure for the City of Canada Bay. Rhodes, including Concord Hospital, is designated as a Strategic Centre in the Eastern City District Plan.

The LSPS establishes strategies and actions to deliver its land use planning vision, including the following of relevance to the project:

- Grow investment, business opportunities and jobs in Rhodes Strategic Centre, including Concord Hospital.
- Improve active transport connections within the Rhodes Strategic Centre, including to Concord Hospital; and
- Improve connectivity throughout Canada Bay by encouraging a modal shift to active and public transport, improving public transport connections to Concord Hospital.

Statewide Mental Health Infrastructure Program Strategic Context

This development activity is part of a broader Statewide Mental Health Infrastructure Program (SWMHIP). The SWMHIP is part of a broader, whole-of-system reform to strengthen the delivery of mental health care in NSW. The proposed objectives and identified benefits of the SWMHIP align with the following strategic objectives of various Australian and NSW Government priorities and frameworks which include:

- Roadmap for National Mental Health Reform 2012 – 2022 (2012) – The roadmap outlines the directions which governments will take to 2022 for mental health system in Australia. It recommits governments to improving the quality of life for people with mental illness, their families, carers and communities. The key priority areas of the roadmap include but are not limited to: promoting person-centred approaches, preventing mental illness, improving access to services and needed support, and improving the social and economic wellbeing of people with mental illness.
- Fifth National Mental Health and Suicide Prevention Plan (2017) – The Fifth Plan outlines the nationally agreed priority areas and actions to achieve an integrated mental health system. It builds on the foundation established by the four previous National Mental Health Plans and also on existing state and territory mental health plans and reforms. Endorsed by the Council of Australian Government in 2017, the Fifth Plan focuses on suicide prevention, coordinating treatment and support for people with severe and complex mental illness, improving the physical health of people with mental illness and ensuring safety in the delivery of services.
- NSW State Health Plan: Towards 2021 (2014) – The plan outlines the core values which will underpin the delivery of health services across NSW (collaboration, openness, respect and empowerment). Key goals of the plan include keeping people healthy and out of hospital, providing effective infrastructure and world-class clinical services,

better protect vulnerable members of society and to increase opportunities for people with disability through provision of support and services tailored to their individual needs.

- NSW Strategic Framework for Mental Health 2018-2022 (2018) – The NSW Strategic Framework for Mental Health 2018-2022 provides the overarching principles for NSW Health to action in mental health across the next five years. The framework supports NSW Health to plan and deliver priority programs tailored to the health needs of the target population at both a state and local level. It also guides the commissioning of mental health community support services, education, research and collaborative initiatives.
- NSW Mental Health Workforce Plan 2018-2022 (2018) – The plan was developed from a recommendation of Living Well and details the workforce plan over the next five years. It aims to support a professional mental health workforce for NSW in the future and prioritises professional support for staff to deliver culturally appropriate, trauma-informed and recovery-oriented care.
- Justice Health and Forensic Mental Health Network 10 Year Strategic Plan 2023- The vision for the plan is to transform lives by delivering healthier tomorrows through excellence in patient centred care across community, inpatient and custodial settings. The plan identifies six strategic objectives for the delivery of excellence in health care across community, inpatient and custodial settings. This Plan recognises the need for patients in custodial settings to be treated in the right place, with a clear treatment pathway, stronger accountability and strong inter-agency and multidisciplinary collaboration to provide the best outcomes.

3.2.2 Alternatives and Options


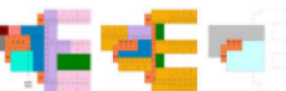
Five preliminary building configurations were developed and presented to the executive user group (EUG). Each option was assessed against project priorities and the functional requirements of the brief.

The main factors explored in these proposals and as shown below were:

- Location of Low Security and Medium Security Units
- Location of Staff Activity Based Working (ABW) and Plant
- Layout of Pods and Patient Circulation for both Medium and Low Secure.

The preferred master plan design option 5 addressed all the key design considerations identified in the functional brief. The design maximised the connectivity to outdoor spaces for all the inpatient bedrooms through the wing design of the building. Masterplan Option 5 scored highest against multiple criteria and the design of this option was progressed by NBRS.

Figure 9 Masterplan Options

Option 1	Option 2	Option 3	Option 4	Option 5
 <p>Ground Floor</p> <ul style="list-style-type: none"> • FOH • Staff ABW Zone • Medium Secure Unit (without podding) • BOH • Plant <p>Level 1</p> <ul style="list-style-type: none"> • Low Secure Unit (Based on Preplanning Test Fit) 	 <p>Ground Floor</p> <ul style="list-style-type: none"> • FOH • Medium Secure Unit (4 pods) • BOH • Plant <p>Level 1</p> <ul style="list-style-type: none"> • Low Secure Unit • Staff ABW Zone 	 <p>Ground Floor</p> <ul style="list-style-type: none"> • Entry • Staff ABW Zone • BOH • Plant <p>Level 1</p> <ul style="list-style-type: none"> • Medium Secure Unit (4 pods) <p>Level 2</p> <ul style="list-style-type: none"> • Low Secure Unit 	 <p>Ground Floor</p> <ul style="list-style-type: none"> • FOH • Medium Secure Unit (4 pods) • BOH <p>Level 1</p> <ul style="list-style-type: none"> • Low Secure Unit <p>Level 2</p> <ul style="list-style-type: none"> • Staff ABW • Plant 	 <p>Ground Floor</p> <ul style="list-style-type: none"> • FOH • Medium Secure Unit (3 pods) • BOH <p>Level 1</p> <ul style="list-style-type: none"> • Low Secure Unit <p>Level 2</p> <ul style="list-style-type: none"> • Staff ABW • Plant

3.3 Construction Activities

The construction period is medium term, with an approximate duration of 24 months. The proposed construction works are confined to the Mental Health sub precinct and will not impact on the operation of the hospital.

Table 3: Project Timeframes and Construction Activities

Construction activity	Description
Commencement Date	Main works to commence early 2024 and to be completed mid 2025. Commissioning of the facility to occur end 2025.
Work Duration/Methodology	To be confirmed as part of the main work tender package.
Work Hours and Duration/Construction	Standard construction hours, Monday Friday 7am -6pm Saturday 8am -1pm. Sunday and Public Holiday: no work
Workforce/Employment	The total number of construction workers to be confirmed as part of the main work tender package.
Ancillary Facilities	Constructions workers will have access to the existing worker facilities within the Concord Hospital including canteen. Parking will not be provided for construction workers and they will be encouraged not to drive to work.
Plant Equipment	To be confirmed as part of the main work tender package.
Earthworks	To be confirmed as part of the main work tender package.
Source and Quantity of Materials	The source and quantity of materials will be identified and procured by the Principal Contractor following their appointment.
Traffic Management and Access	A Construction, Pedestrian and Traffic Management Plan will be developed by the Principal Contractor upon their engagement. Construction vehicles will enter and exit the project area from Gate 3 on Hospital Road. Hospital Road joins with Concord Road and construction vehicles will then travel then south to Homebush Bay Drive or north to Parramatta Road. Key issues for traffic, pedestrian management during construction include but are not limited to: -Providing safe access for pedestrians and vehicles accessing the construction site and hospital site -Maintaining access at all times for deliveries to adjacent buildings especially those south of the project area. -Ensuring maximum safety of site personnel, pedestrians, commuters and drivers. -Loading and unloading vehicles so that they do not obstruct roads, driveways and paths of egress from surrounding buildings or fire protection equipment. -Encouraging construction personnel to use public transport or car-pool.

3.4 Operational Activities

Use

The proposed use of the building is for a new purpose-built Low and Medium secure forensic mental health unit within the Sydney Local Health District (SLHD). The proposal incorporates the Functional Brief and Model of care principles and is planned to have 18 Medium secure forensic beds, 24 low secure forensic beds, as well as clinical support spaces, outdoor secure courtyard spaces and amenities.

Operation Hours

The CFMHU will be operational 24 hours / day, 7 days a week, with staff stationed at the Reception or Staff Interface Areas.

Staff/Patients

Staff/Patients

The CFMHU will have approximately 91 full time equivalent (FTE) operational staff.

This workforce is broken down into the following categories:

- Medical staff (Specialists and registrars): 9 FTE

- Nursing: 52 FTE
- Allied health workers: 14 FTE
- Support staff (administration, hotel, security, etc): 16 FTE

The new three-storey building will comprise 18 medium secure and 24 low secure forensic mental health beds (total 42 patient beds).

Traffic and Parking

There are currently 51 at-grade staff car spaces within the project area. These car parks are allocated for the mental health fleet cars and staff parking. This carpark will be demolished, except for car park spaces 48-51. The impacts on car parking are outlined in **Appendix E** and described at Section 6.2.1 of this REF.

4. Statutory Framework

4.1 Planning Approval Pathway

Section 4.1 of the EP&A Act states that if an EPI provides that development may be carried out without the need for development consent, a person may carry the development out, in accordance with the EPI, on land to which the provision applies. However, the environmental assessment of the development is required under Part 5 of the Act.

State Environmental Planning Policy (Transport and Infrastructure) 2021 (TI SEPP) aims to facilitate the effective delivery of infrastructure across the State. Division 10 of the TI SEPP outlines the approval requirements for health service facilities. A hospital is defined as a ‘health services facility’ under this division as ‘health services facility’ has the same meaning as in the Standard Instrument LEP.

The site is zoned SP2 Infrastructure (Hospital) under the *Canada Bay Local Environmental Plan 2013*. The SP2 zone is a ‘prescribed zone’ under Section 2.59 of the TI SEPP.

Therefore, the proposal is considered an ‘activity’ for the purposes of Part 5 of the EP&A Act and is subject to an environmental assessment (REF). Section 5.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) provides that *activity* means –

- (a) *the use of land, and*
- (b) *the subdivision of land, and*
- (c) *the erection of a building, and*
- (d) *the carrying out of a work, and*
- (e) *the demolition of a building or work, and*
- (f) *any other act, matter or thing referred to in section 3.14 that is prescribed by the regulations for the purposes of this definition,*

The development activity solely comprises the above elements and is therefore considered an ‘activity’ for the purposes of Part 5 of the EP&A Act.

TI SEPP consultation is discussed within Section 5 of this REF.

Table 4: Description of proposed activities

Division and Section within TI SEPP	Provision	Development Activity	Satisfied Yes/No
Division 10 – Section 2.61 – ‘Development permitted without consent’.	(1) Any of the following development may be carried out by or on behalf of a public authority without consent on any land if the development is carried out within the boundaries of an existing health services facility— (a) the erection or alteration of, or addition to, a building that is a health services facility, (b) development for the purposes of restoring or replacing accommodation or administration facilities, (c) demolition of buildings carried out for the purposes of a health services facility, (d) development for the purposes of patient transport facilities, including helipads and ambulance facilities, (e) development for the purposes of car parks to service patients or staff of, or visitors to, the health services facility (or to service staff of, or visitors to, other premises within the boundaries of the facility).	The development activity comprises the demolition of Building 29 (SLHD transport services) carried out on the site of an existing health services facility and the erection of a new three-storey health facility.	Yes

Division and Section within TI SEPP	Provision	Development Activity	Satisfied Yes/No
	(2) This section does not permit the erection of any building that exceeds 15 metres in height or is located closer than 5 metres to any property boundary (or an addition to a building resulting in the building exceeding that height or being closer than that distance to any property boundary).	The new three-storey building will have a maximum height of 14.7m and will be located greater than 5m from all property boundaries.	Yes
Division 10 – Section 2.63 – ‘Exempt Development’	(1) Any of the following development is exempt development if it is carried out within the boundaries of an existing health services facility and complies with section 2.20— (a) development for the purposes of roads and cycleways, (d) development for the purposes of landscaping, including landscape structures or features (such as art work) and irrigation systems.	The creation of a new access road into the rear loading dock could be carried out as exempt development but is considered holistically as part of this REF. Landscaping could be carried out as exempt development but is considered holistically throughout this REF.	Yes

4.2 Environmental Protection and Biodiversity Conservation Act 1999

The provisions of the EPBC Act do not affect the development activity as it is not development that takes place on or affects Commonwealth land or waters. Further, it is not development carried out by a Commonwealth agency or development on Commonwealth land, nor does the proposed development affect any matters of national significance. An assessment against the EPBC Act checklist is provided at Table 5.

Table 5: EPBC Checklist

Consideration	Yes/No
Will the activity have, or likely to have, a significant impact on a declared World Heritage Property?	No
Will the activity have, or likely to have, a significant impact on a National Heritage place?	No
Will the activity have, or likely to have, a significant impact on a declared Ramsar wetland?	No
Will the activity have, or likely to have, a significant impact on Commonwealth listed threatened species or endangered community?	No
Will the activity have, or likely to have, a significant impact on listed migratory species?	No
Will the activity involve any nuclear actions?	No
Will the activity have, or likely to have, a significant impact on Commonwealth marine areas?	No
Will the activity have any significant impact on Commonwealth land?	No
Would the activity affect a water resource, with respect to a coal seam gas development or large coal mining development?	No

4.3 Environmental Planning and Assessment Act 1979

Duty to Consider Environmental Impact

Part 5 of the EP&A Act applies to activities that are permissible without consent and are generally carried out by a public authority. Activities under Part 5 of the EP&A Act are assessed and determined by a public authority, referred to as the determining authority. Health Infrastructure is a public authority and is the proponent and determining authority for the development activity.

For the purpose of satisfying the objects of the EP&A Act relating to the protection and enhancement of the environment, a determining authority, in its consideration of an activity shall, notwithstanding any other provisions of the Act or the provisions of any other Act or of any instrument made under the EP&A Act or any other Act, examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of that activity (refer to Subsection 1 of Section 5.5 of the EP&A Act).

Section 171 of the EP&A Regulation defines the factors which must be considered when assessing the likely impact of an activity on the environment under Part 5 of the EP&A Act. Section 6 of this REF specifically responds to the factors for consideration for the activity.

Table 6 below demonstrates the effect of the proposed development activity on the matters listed for consideration in Subsection 3 of Section 5.5 of the EP&A Act.

Table 6: Matters for consideration under Subsection 3, Section 5.5 of the EP&A Act

Matter for Consideration	Impacts of Activity
Subsection 3: Without limiting subsection 1, a determining authority shall consider the effect of any activity on any wilderness area (within the meaning of the <i>Wilderness Act 1987</i>) in the locality in which the activity is intended to be carried on.	The development activity will not be carried out in a wilderness area (within the meaning of the <i>Wilderness Act 1987</i>).
Note: If a biobanking statement has been issued in respect of a development under Part 7A of the <i>Threatened Species Conservation Act 1995</i> , the determining authority is not required to consider the impact of the activity on biodiversity values.	

4.4 Environmental Planning and Assessment Regulation 2021

Section 171(1) of the Environmental Planning and Assessment Regulation (2021) notes that when considering the likely impact of an activity on the environment, the determining authority must take into account the environmental factors specified in the guidelines that apply to the activity.

The *Guidelines for Division 5.1 Assessments* (DPE June 2022) provides a list of environmental factors that must be taken into account for an environmental assessment of the activity under Part 5 of the EP&A Act. These factors are considered at Section 6 of this REF.

In addition, Section 171A of the Environmental Planning and Assessment Regulation (2021) requires the consideration of the impact an activity in a defined catchment. This is considered further below under Section 4.5 of this REF.

4.5 Division 10 – Section 2.62 – Transport and Infrastructure SEPP

Division 10 – Section 2.62 of the TI SEPP provides requirements regarding notification of the proposed activity and states –

2.62 Notification of carrying out of certain development without consent


- (1) This section applies to development carried out by or on behalf of a public authority under section 2.61(1) (other than section 2.61(1)(b) or (c)).
- (2) Before development to which this section applies is carried out, the person carrying out the development or the public authority concerned must—
 - (a) give written notice of the intention to carry out the development to each of the following—
 - (i) the council for the area in which the relevant land is located (unless the public authority is the council),
 - (ii) the occupiers of any adjoining land, and
 - (b) take into consideration any response to the notice that is received within 21 days after the notice is given.
- (3) In this section, relevant land means the land on which the development is proposed to be carried out.

Therefore, the proposed activity has been notified to Council and adjoining landowners.

4.6 Other NSW Legislation

The following table lists any additional legislation that is required to be considered if it is applicable to the proposed activity.

Table 7: Other Possible Legislative Requirements

Legislation	Comment	Relevant? Yes/No
State Legislation		
<i>Rural Fires Act 1997</i>	The site is not identified on the Bushfire Prone Lands Map.	No
<i>Biodiversity Conservation Act 2016</i>	<p>The project area is located in a modified urban environment with areas of planted landscaping. It is not within a declared area of outstanding biodiversity value.</p> <p>Part of the site is identified on environmentally sensitive land mapping pursuant to Clause 6.3 of the LEP 2013, however this is not within the vicinity of the development activity.</p> <p>Preliminary ecological assessment has found that the project area does not contain threatened flora or fauna species and the existing buildings and structures do not provide habitat for microbats.</p> <p>An 'Atlas of NSW Wildlife Search' was undertaken on 12 July 2023.</p> <p>The project area is not identified on the Atlas map as containing any critical habitat, threatened species or ecological population or community.</p> <p>Figure 10 BioNet Atlas Search Results – Location of works shown in 'red circle'.</p> 	Yes
	<p>This is supported by the accompanying Ecological Statement (Appendix H) which states that within the area investigated, no State or Federally listed threatened species or populations were recorded. Similarly, no habitat for those threatened species previously recorded within this portion of the Canada Bay LGA were observed within, or close to, the limits of the proposed works" (Lesryk, 2023 p 12).</p> <p>The report ultimately concludes that the redevelopment of Building 29, its associated car park and grounds will not have a significant effect on species, ecological communities or their habitats.</p> <p>The recommendations of the Ecological Statement have informed the mitigation measures listed in this REF.</p>	
<i>Biodiversity Conservation Regulation 2017</i>	The accompanying Ecological Statement confirms that 'Areas of Outstanding Biodiversity Value' listed under Part 3 do not occur within, or in the vicinity of, the area surveyed (being the area surrounding the project area).	No
<i>Water Management Act 2000</i>	Are the works within 40 metres of a watercourse?	No

Legislation	Comment	Relevant? Yes/No
<i>Contaminated Land Management Act 1997</i>	The project area is not listed on the register of contaminated sites. EI Australia has prepared a Detailed Site Investigation which is discussed below in response to SEPP – Resilience and Hazards 2021.	No
<i>Heritage Act 1977</i>	The Heritage Act 1977 (Heritage Act) which was passed for the purpose of conserving items of environmental heritage. The Heritage Act is designed to protect both known heritage items and potential archaeological remains or 'relics'. The Heritage Act establishes the State Heritage Register. There are no State Heritage listed items within the project area. Artefact Heritage has prepared a Heritage Impact Statement (refer Appendix G which concludes that the project area is a significant distance from structures with high to exceptional heritage significance. Demolition works solely comprise the removal of built form with little heritage significance. The development will have a 'negligible physical impact' due to the footprint being primarily situated within an existing carparking area in a highly developed portion of the site. The proposal will have a negligible visual impact on heritage values proximate to the site.	No
<i>Roads Act 1993</i>	The development activity does not comprise any works to a public road, or pumping of water onto a public road, or involve the connection of a road to a classified road.	No
<i>Local Government Act 1993</i>	No new water supply headworks are required. A new connection into internal domestic water supply will be made to supply the facility. Arup has confirmed that there is capacity within the existing sewer to accommodate the development activity.	No
<i>Environmental Planning and Assessment Act 1979</i>	Section 4.2 of the EP&A Act concerns development that requires consent and identifies that approval is required and that development must be carried out in accordance with consent. Section 4.1 of the EP&A Act states that if an EPI provides that development may be carried out without the need for development consent, a person may carry the development out, in accordance with the EPI, on land to which the provision applies. Part 5 of the EP & A Act identifies the environmental assessment of activities undertaken 'without consent' is required and that a determining authority is required to take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of that activity. This report fulfils that requirement.	Yes
Section 171A of the Environmental Planning and Assessment Regulation 2021	Are there any impacts to catchments, as defined for consideration under Section 171A of the EP&A Regulation? If any relevant assessments provided in response, note where.	No
<i>Environmental Planning and Assessment Regulation 2021</i>	Section 171(1) of the <i>Environmental Planning and Assessment Regulation (2021)</i> notes that when considering the likely impact of an activity on the environment, the determining authority must take into account the environmental factors specified in the guidelines that apply to the activity.	Yes
<i>National Parks and Wildlife Act 1974 (NPW Act)</i>	The NPW provides statutory protection for all Aboriginal 'objects' (consisting of any material evidence of the Aboriginal occupation of NSW), and for 'Aboriginal Places' (areas of cultural significance to the Aboriginal community). An Archaeological Survey Report (Appendix F) confirms that there are no gazetted Aboriginal places in the study area.	No
<i>Native Title Act 1994</i>	A search conducted on 16 August 2023 did not identify any Native Title claims in or around the study area.	No
Section 171A of the Environmental Planning and Assessment Regulation 2021	Are there any impacts to catchments, as defined for consideration under Section 171A of the EP&A Regulation? If any relevant assessments provided in response, note where.	No
State Legislation Planning Policies		

Legislation	Comment	Relevant? Yes/No
State Environmental Planning Policy (Biodiversity and Conservation) 2021	<p><i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> (Biodiversity and Conservation SEPP) aims to protect biodiversity values of trees and other vegetation in non-rural areas and associated amenity of non-rural areas. Section 2.4 of the Biodiversity and Conservation SEPP provides the provisions of the Biodiversity and Conservation SEPP does not affect the provisions of any other State Environmental Planning Policy or mandatory provisions under a Local Environmental Plan.</p> <p>The Biodiversity and Conservation SEPP also incorporates the provisions of the former SREP (Sydney Harbour Catchment) 2005. The 'Concord Repatriation General Hospital' is identified as a Strategic Foreshore Site (Site 21) on the Strategic Foreshores Sites Map pursuant to Section 6.44.</p> <p>Section 6.50 of the Biodiversity and Conservation SEPP identifies the site as a strategic foreshore site and notes a Masterplan must be prepared prior to consent being granted for most forms of development.</p> <p>The provisions of this do not apply as the development does not require consent.</p>	Yes
State Environmental Planning Policy (Resilience and Hazards) 2021	<p>Chapter 4 of the <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> (Resilience and Hazards SEPP) requires that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated. Consent can be granted for development if the land is contaminated but the consent authority must be satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out. The consent authority must also be satisfied that the land will be remediated before the land is used for that purpose.</p> <p>EI Australia has prepared a DSI. No contaminants of concern were reported in soils at concentrations above the adopted ecological or health-based criteria. The report recommends that the following additional investigation be carried out:</p> <ul style="list-style-type: none"> • Intrusive testing of areas of soil that are inaccessible due to the existing buildings. • Some contaminants were found in groundwater and additional targeted testing is recommended for contaminants of potential concern (COPC) including PFAS. • the preparation of a Hazardous Materials Survey (HMS) prior to commencement of any demolition works. • the preparation and implementation of a Remediation Action Plan (RAP) and a validation report (if required). <p>The recommendations of the DSI have been included as mitigation measures.</p>	Yes

Legislation	Comment	Relevant? Yes/No
State Environmental Planning Policy (Transport and Infrastructure) 2021	<p><i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> (TI SEPP) aims to facilitate the effective delivery of infrastructure across the State. Division 10 of the TI SEPP outlines the approval requirements for <i>health services facilities</i>.</p> <p>Section 2.61 sets out the criteria for 'development without consent (i.e. matters that do not require consent under Part 4 of the EPAA, but require an environmental assessment under Part 5, i.e. via an REF). Section 2.61 is set out below:</p> <p>a. 2.61 Development permitted without consent</p> <p>(1) Any of the following development may be carried out by or on behalf of a public authority without consent on any land if the development is carried out within the boundaries of an existing health services facility—</p> <p>(a) the erection or alteration of, or addition to, a building that is a health services facility,</p> <p>(b) development for the purposes of restoring or replacing accommodation or administration facilities,</p> <p>(c) demolition of buildings carried out for the purposes of a health services facility,</p> <p>(d) development for the purposes of patient transport facilities, including helipads and ambulance facilities,</p> <p>(e) development for the purposes of car parks to service patients or staff of, or visitors to, the health services facility (or to service staff of, or visitors to, other premises within the boundaries of the facility).</p> <p>(2) This section does not permit the erection of any building that exceeds 15 metres in height or is located closer than 5 metres to any property boundary (or an addition to a building resulting in the building exceeding that height or being closer than that distance to any property boundary).</p> <p>(3) Despite subsection (2), development may result in a building being located up to 1 metre from a property boundary if—</p> <p>(a) the building does not exceed 1 storey or 5 metres in height, and</p> <p>(b) the land on the other side of the property boundary is not in—</p> <p>(i) a residential zone, or</p> <p>(ii) Zone C4 Environmental Living or a land use zone that is equivalent to Zone C4.</p> <p>Table 7 in Section 5.1 of this report identifies the relevant sections of the T & I SEPP that trigger the need to consult in relation to the project.</p> <p>The development activity fulfils the requirements of this section as:</p> <ul style="list-style-type: none"> They are located within the existing Concord Hospital boundary. A hospital is defined as a health services facility under this division as 'health services facility' has the same meaning as in the Standard Instrument LEP. The proposed building is 14.7m therefore meets the requirement to be less than 15m in height. <p>The development activity site is greater than 5 metres from the property boundary.</p>	Yes
Canada Bay Local Environmental Plan		
Zone	<p>The site is zoned SP2 Infrastructure (Hospital). The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose, ie hospitals, is permitted with consent.</p> <p>Part of the hospital site is also zoned C2 – Environmental Conservation, and W2 – Environmental Protection (pursuant to the SEPP – Eastern Harbour City). These areas are outside of the project area along the coastal edges of the site.</p>	Yes
Height of Buildings	<p>There is no numerical maximum building height under the CBLEP2013.</p> <p>*Section 2.61(2) of the 'Transport and Infrastructure SEPP' states that the proposed buildings must not exceed 15m in height.</p> <p>The proposed building has a maximum height of 14.7m.</p>	Yes
Floor Space Ratio	<p>There is no numerical floor space ratio control that applies to the site under CBLEP2013.</p>	No

Legislation	Comment	Relevant? Yes/No
Heritage	<p>The Concord Hospital site is identified as a local heritage item (I256), 1C and 1H Hospital Road, Concord West, NSW, Lot 2, DP 89877. under the CBLEP 2013, being the 'Concord Repatriation Hospital - original main building, grounds and layout'.</p> <p>The site is not within a heritage conservation area.</p>	No
Flood Planning	The site and project area are not identified as flood prone.	No
Coastal Planning	The coastal edges of the site are within a coastal zone. The project area is not within this part of the site.	No
Acid Sulfate Soils	The coastal edges of the site are identified as containing Class 5 ASS pursuant to Clause 6.1 of the LEP 2013. The proposed works are not within 500m of any Class 1, 2, 3 or 4 land that is below 5m AHD and they will not result any lowering of the water table on the subject or surrounding sites.	No
Terrestrial Biodiversity	Part of the site contains an area of terrestrial biodiversity pursuant to Clause 6.3 of the CBLEP 2013, however this is not within the project area.	No
Other	No other relevant clauses in the LEP.	No

5. Consultation

5.1 Statutory Consultation

Consideration was given to the notification requirements set out in the T & I SEPP, refer Table 8. The REF scope of works was notified in accordance with requirements to the stakeholders identified through this process.

Table 8: Stakeholder Notification requirements

Relevant section	Stakeholder
Section 2.10 of the T & I SEPP 2021. Consultation with councils—development with impacts on council-related infrastructure or services	Not triggered as no impacts on Council related infrastructure or services.
Section 2.11 of the T & I SEPP 2021. Consultation with councils—development with impacts on local heritage	Not triggered as the HIS did not identify more than minor impacts on heritage items.
Section 2.12 of the T & I SEPP 2021. Consultation with councils—development with impacts on flood liable land	Not triggered as not flood liable land.
Section 2.13 of the T & I SEPP 2021. Consultation with State Emergency Service—development with impacts on flood liable land	Not triggered as not flood liable land.
Section 2.14 of the T & I SEPP 2021. Consultation with councils—development with impacts on certain land within the coastal zone	Not triggered as the project area is not a coastal vulnerability area.
Section 2.15 of the T & I SEPP 2021. Consultation with authorities other than councils	Not triggered as the development is not a type specified in this section.
Section 2.62 of the T & I SEPP 2021.	City of Canada Bay Council
Section 2.62 of the T & I SEPP 2021.	Occupiers of adjoining land.

Under section 2.62 of the T&ISEPP notification was triggered to Council and occupiers of adjoining land for a period of 21 days. The notification commenced on 18 September 2023 and concluded on 10 October 2023. Copies of the letters issued to Council and the owners of adjoining land are provided at **Appendix L**.

No public submissions were received and Council did not respond to the notification process.

5.2 Community and Stakeholder Engagement

Health Infrastructure in partnership with Sydney Local Health District recognises the need for meaningful and tailored engagement. Figure 11 below summarises the Burudyara Consultation undertaken by NSW Health Infrastructure from 28 August 2023 – 28 September 2023.

HI has prepared Communications and Engagement Report (**Appendix M**) that outlines the engagement activity undertaken during the planning and design phases.

Figure 11 Burudyara Consultation

Burudyara consultation September 2023



Project Email on Monday 28 August
Email to all subscribers including Arts Curatorium Fact Sheet, Detailed Design Newsletter, Detailed Design Fact Sheet and Detailed Design FAQs



SLHD All Staff EDM on 28 August
Message from CE to staff notifying of Burudyara and inviting them to the pop-ups



Letterbox Drop 28 August
Letterbox drop of Fact Sheet and Newsletter to approved distribution area



Letterbox Drop 18 September
REF letterbox drop to approved distribution area



Printed copies distributed 7 September
Printed copies of Burudyara Newsletter and Burudyara Fact Sheet placed at mental health reception for distribution



Website Update 28 August
Entire website update with additions to Latest News, Fact Sheet, FAQs and Newsletter



Community pop-ups 5 and 7 September
Pop-ups held in Concord Hospital Foyer and Concord Mental Health Precinct with SLHD and project team



Council Briefing 26 September
Briefing presentation to Canada Bay Council



Clinical Council Briefing 28 September
Briefing presentation to Concord Clinical Council



Source: NSW Health Infrastructure (2023).

An overview of the comments received are outlined and responded to in the table below.

Table 9: Other consultation (non-statutory)

List of community engagement activities	Date	Feedback	Project response
Letterbox drop	28 August 2023	None received	Nil
Website update	28 August 2023	None received	Nil
Email distributed to all Concord staff with project update and invitation to drop in sessions at Concord Hospital – invited community member by letter drop, advertised through staff channels, on the HI website and through social media.	Tuesday 5th September 2023 5pm Thursday 7th September 2023 5pm	<ul style="list-style-type: none">Approximately 18 staff and 6 community members spoken with across the two sessions spoken with.Staff sentiment was positiveTwo email enquiries were receivedThe enquiries involved questions on the final outcomes of the new unit and provided feedback on the design and operational plan for the facility.	<ul style="list-style-type: none">Opportunity for further consultation as project progressesFurther consultation to be at different time as time of engagement was during a quiet period
		Key issues raised in the consultation were: <ul style="list-style-type: none">When will construction start?	Construction of the new facility is expected to start in early 2024 and is due for completion by late 2025.
		<ul style="list-style-type: none">Will there be a loss of parking spaces?	The new facility will require the removal of some car spaces however the project will be supported by the new multi-

List of community engagement activities	Date	Feedback	Project response
			storey car park currently under construction at Concord Hospital. The five-level multi-storey car park is being delivered as part of the \$32.4 million car park project at Concord Hospital and will provide 500 new spaces for patients, staff and visitors. The on-grade car park, providing 309 parking spaces for staff, was completed in June 2023.
Letterbox drop #2	18 September 2023	None received	Nil
Council Briefing	26 September 2023	None raised	Nil
Clinical Council Briefing	28 September 2023	None raised	Nil

6. Environmental Impact Assessment

6.1 Environmental Planning and Assessment Regulation 2021 – Assessment Considerations

Section 171(1) of the *Environmental Planning and Assessment Regulation* (2021) notes that when considering the likely impact of an activity on the environment, the determining authority must take into account the environmental factors specified in the environmental factors guidelines that apply to the activity.

The *Guidelines for Division 5.1 Assessments* (June 2022) apply to the activity. The relevant assessment considerations under Section 3 of these Guidelines are provided below:

Table 10: Summary of Environmental Factors Reviewed in Relation to the Activity

Relevant Consideration	Response/Assessment		
(a) Any environmental impact on a community?	<p>The development activity relates to health infrastructure upgrades within the boundaries of the existing Concord Repatriation General Hospital. The development activity is located a minimum of 400m from nearby residential receivers to the west. The site is encircled by the Parramatta River to the north, east and south.</p> <p>There is some potential for construction impacts on the community due to increased traffic on Hospital Road, construction noise and dust. However, these impacts will be minor and temporary. There will not be any long-term impacts on the surrounding community from the development activity. These impacts will be further mitigated through the mitigation measures contained in this REF.</p>	-ve	
		Nil	✓
		+ve	
(b) Any transformation of a locality?	<p>The development activity will not have a transformational impact on the locality. The development activity will contribute to addressing the increased need for mental health care and deliver quality mental health services in appropriate therapeutic environments.</p> <p>The development activity is complementary to the existing character of the locality, being both within with boundaries of the existing site and of the same land use.</p>	-ve	
		Nil	✓
		+ve	
(c) Any environmental impact on the ecosystems of the locality?	<p>An Ecological Statement accompanies this REF which confirms that:</p> <ul style="list-style-type: none"> No water bodies are present within or proximate to the site of the proposed development. The proposed development will not have an adverse impact on the water quality and aquatic lifeforms in Parramatta River and Sydney Harbour. <p>An Arboricultural Impact Assessment (AIA) has been prepared by Abel Ecology (Appendix I). The purpose of the AIA was to assess the likely impacts of the proposed development on twenty-seven (27) trees on the site, and to address issues pertaining to tree protection. The proposal will result in the removal of 23 trees and the 4 trees will be retained on site. These trees will be replaced with 25 proposed as part of the site landscaping. A ring-tailed possum drey was observed in the lower branches of tree 1246. Mitigation measures have been included to facilitate the safe relocation of the possum to an area of suitable roosting and foraging habitat prior to tree removal works.</p>	-ve	
		Nil	✓
		+ve	
(d) Any reduction of the aesthetic, recreational, scientific or other environmental quality or value of a locality?	<p>The development activity will not reduce the aesthetic, recreational, scientific or other environmental quality or value of the locality.</p> <p>The development activity will be carried out within a mostly disturbed portion of the site. The proposed tree removal works are necessary to facilitate the proposed development and will not have a significant environmental impact in accordance with the accompanying AIA.</p> <p>The development activity will comprise landscaping design principles which will enhance a varied range of user experiences for prolonged visitation and positively contribute to the broader aesthetic of the site. The aesthetic of the site will be further enhanced through thoughtfully designed built form.</p>	-ve	
		Nil	✓
		+ve	
(e) Any effect on locality, place or building having aesthetic, anthropological, archaeological, architectural, cultural, historical, scientific or social significance or	<p>The development activity will not have a material impact on these elements. Further:</p> <ul style="list-style-type: none"> No items registered on the National Heritage List (NHL) were identified in the study area. No items registered on the Commonwealth Heritage List (CHL) were identified in the study area. 	-ve	
		Nil	✓
		+ve	

Relevant Consideration		Response/Assessment		
	other special value for present or future generations?	<ul style="list-style-type: none"> No items registered on the Register of the National Estate (RNE) were identified in the study area. 		
(f)	Any impact on the habitat of protected animals, within the meaning of the <i>Biodiversity Conservation Act 2016</i> ?	<p>A search using the NSW BioNet Atlas confirms that the site does not contain any threatened species, population or ecological communities or their habitats as defined by the BC Act. In addition, the development activity is located within a heavily modified environment.</p> <p>The proposed tree removal works are minor and will not trigger entry into the biodiversity offset scheme.</p>	-ve	
			Nil	✓
			+ve	
(g)	Any endangering of any species of animal, plant or other form of life, whether living on land, in water or in the air?	<p>The development activity is located approximately 110m from the vegetation lines that the Parramatta River is mapped as having Biodiversity Value. An ecological statement accompanies this REF which confirms that the site investigated area will not have a direct or indirect impact on any vegetation mapped as having Biodiversity Value.</p>	-ve	
			Nil	✓
			+ve	
(h)	Any long-term effects on the environment?	<p>The development activity will not result in any long-term effects on the environment.</p>	-ve	
			Nil	✓
			+ve	
(i)	Any degradation of the quality of the environment?	<p>No degradation of the quality of the environment will occur from the development activity.</p> <p>The development activity will not present any risk to the safety of the environment. Mitigation measures are provided in Appendix X to ensure that construction activities will not cause pollution or contamination.</p> <p>The development activity will facilitate improved infrastructure within a largely cleared portion of an existing hospital site and will not limit or reduce the range of beneficial uses of the environment.</p>	-ve	
			Nil	✓
			+ve	
(j)	Any risk to the safety of the environment?	<p>The risk of noise and vibration, air, water, soil and light pollution arising from carrying out the works will be mitigated by the implementation of the Construction Management Plan. There may be short term negative amenity impacts but there will be no long term degradation of the quality of the environment as a result of the development.</p> <p>The development activity will not present any risk to the safety of the environment. Mitigation measures are provided in Appendix X to ensure that construction activities will not cause pollution or contamination.</p>	-ve	✓
			Nil	
			+ve	
(k)	Any reduction in the range of beneficial uses of the environment?	<p>The development activity will facilitate improved infrastructure within a largely cleared portion of an existing hospital site and will not limit or reduce the range of beneficial uses of the environment.</p> <p>No degradation of the quality of the environment will occur from the development activity.</p>	-ve	
			Nil	✓
			+ve	
(l)	Any pollution of the environment?	<p>The development activity will not present any significant risk to the safety of the environment. Mitigation measures are provided in Appendix X to ensure that construction activities will not cause pollution or contamination.</p>	-ve	
			Nil	✓
			+ve	
(m)	Any environmental problems associated with the disposal of waste?	<p>The construction of the development will be carried out in accordance with a Construction Waste Management Plan. All construction works associated with the proposal will be undertaken in accordance with the Construction Management Plan.</p>	-ve	
			Nil	✓
			+ve	
(n)	Any increased demands on resources (natural or otherwise) that are, or are likely to become, in short supply?	<p>The development activity will incorporate a range of ESD principles in the Architectural Design which will limit demands on natural resources. These include:</p> <ul style="list-style-type: none"> Locally sourcing FSC timber; Selecting light colours to reduce heat island effect; Using a range of local endemic and regional endemic plant species and habitats to improve biodiversity; Using natural materials and limiting materials with a high carbon footprint; and 	-ve	
			Nil	✓
			+ve	

Relevant Consideration	Response/Assessment		
	<ul style="list-style-type: none"> Selecting fixtures and fittings with high water and energy efficiency ratings 		
(o) Any cumulative environmental effects with other existing or likely future activities?	<p>The development activity complements the existing approved SSDA for the entire site and forms part of a greater program of works being delivered under the SWMHIP. The development activity is contained entirely within the SP2 zone and does not comprise expansion into nearby allotments.</p> <p>All construction works associated with the proposal will be undertaken in accordance with the Construction Management Plan.</p>	-ve Nil +ve	 ✓
(p) Any impact on coastal processes and coastal hazards, including those under projected climate change conditions?	The accompanying Section 10.7 Planning Certificate confirms that the site does not have coastal hazard affectation. The development footprint is outside the coastal edges of the site.	-ve Nil +ve	 ✓
(q) Applicable local strategic planning statement, regional strategic plan or district strategic plan made under Division 3.1 of the Act?	The development activity is consistent with the strategic policies identified in Section 3.2.1 of this REF.	-ve Nil +ve	✓
(r) Any other relevant environmental factors?	There are no other relevant environmental factors.	-ve Nil +ve	 ✓

6.2 Identification of Issues

This section identifies the issues arising from the proposed development. The assessment in this section has been informed by specialist reporting. While the study areas addressed within the consultant reports may differ according to the discipline, all reporting has considered the impacts of the proposed development on the project area.

6.2.1 Traffic, Access and Parking

Questions to consider	Yes	No
Will the works affect traffic or access on any local or regional roads?		x
Will the works disrupt access to private properties?		x
Are there likely to be any difficulties associated with site access?		x
Are the works located in an area that may be highly sensitive to movement of vehicles or machinery to and from the work site (i.e. schools, quiet streets)?	x	
Will full or partial road closures be required?	Only to internal hospital road, and not within the acute zone of the hospital ie there will be no constraints to emergency access.	
Will the proposal result in a change to onsite car parking?	x	
Is there onsite parking for construction workers?		x

The proposed activity will take place within a hospital site. A Construction Traffic Management Plan (CTMP) will be prepared prior to start of any demolition and construction identifying measures to mitigate noise impacts or other disruptions on the operation of the hospital.

The proposed activity includes changes to the internal road network and the provision of a new road to access the CFMHU. The provision of safe routes for pedestrians, minimising any impacts on public transport access and staging of road closures (only to internal roads as required) will be confirmed as part of the CTMP.

Given that the discrete nature of and the scale of the proposal, impacts to the internal road network of the hospital are expected to be minimal and will occur outside of the acute zone with no impacts to emergency service vehicle access.

There are currently 51 on grade staff car spaces on the proposed development site. These carparks are allocated for the mental health fleet cars and staff parking. Of these, 47 existing at-grade car parking spaces will be decommissioned during the construction of the proposed facility. This loss is equivalent of 2.4% of total campus wide parking supply at the time of writing (1,949).

No on-site car parking is proposed as part of the FMHU. The approximately 91 FTE staff working at the facility will generate a requirement for 51 car spaces, as well as 9 visitor spaces. However, staff will work shifts to be present over a 24 hour operation of the facility, which means that parking demand and trip generation will be spread over the day.

Taking into consideration the 47 decommissioned spaces, as well as the projected growth in parking demand of 60 spaces, the CFMHU development will increase parking demand on campus by 107 spaces.

A new temporary at grade car park was completed within Concord Hospital in June 2023, which provides the site with an additional 309 parking spaces. This temporary car park is approximately 200m away from the decommissioned parking spaces, which is an approximately 3 minute walk.

A multi storey car park is being built on the northern side of Hospital Road as part of the redevelopment approved under SSDA- 9036. The temporary car park will remain until Stage 2 of the redevelopment proceeds. It is noted that the SSDA- 9036 includes concept approval for an additional 500 space multi storey carpark, which will be delivered as part of the Stage 2 works. When Stage 2 is proposed this will be subject to a future detailed SSDA and involve a holistic review of parking supply and demand on the hospital site.

The traffic assessment identifies that the combined capacity of the parking available on the site after the completion of the multi storey carpark will be 2,539. Parking demand identified in SSDA -9036 is 2,381. With a surplus of 158 spaces the supply can accommodate the parking demand generated by the CFMHU proposal and is not considered to result in significant impacts.

The mitigation measures for the project also include a requirement to prepare and implement a Green Travel Plan for the operation of the facility, which will help to manage parking demand on the site.

The impact of increased traffic as a result of the operation of the facility will be relatively small. The growth of 51 car trips is negligible when compared to the existing volumes on Concord Road / Hospital Road intersection of over 7,000 movements in the AM peak period.

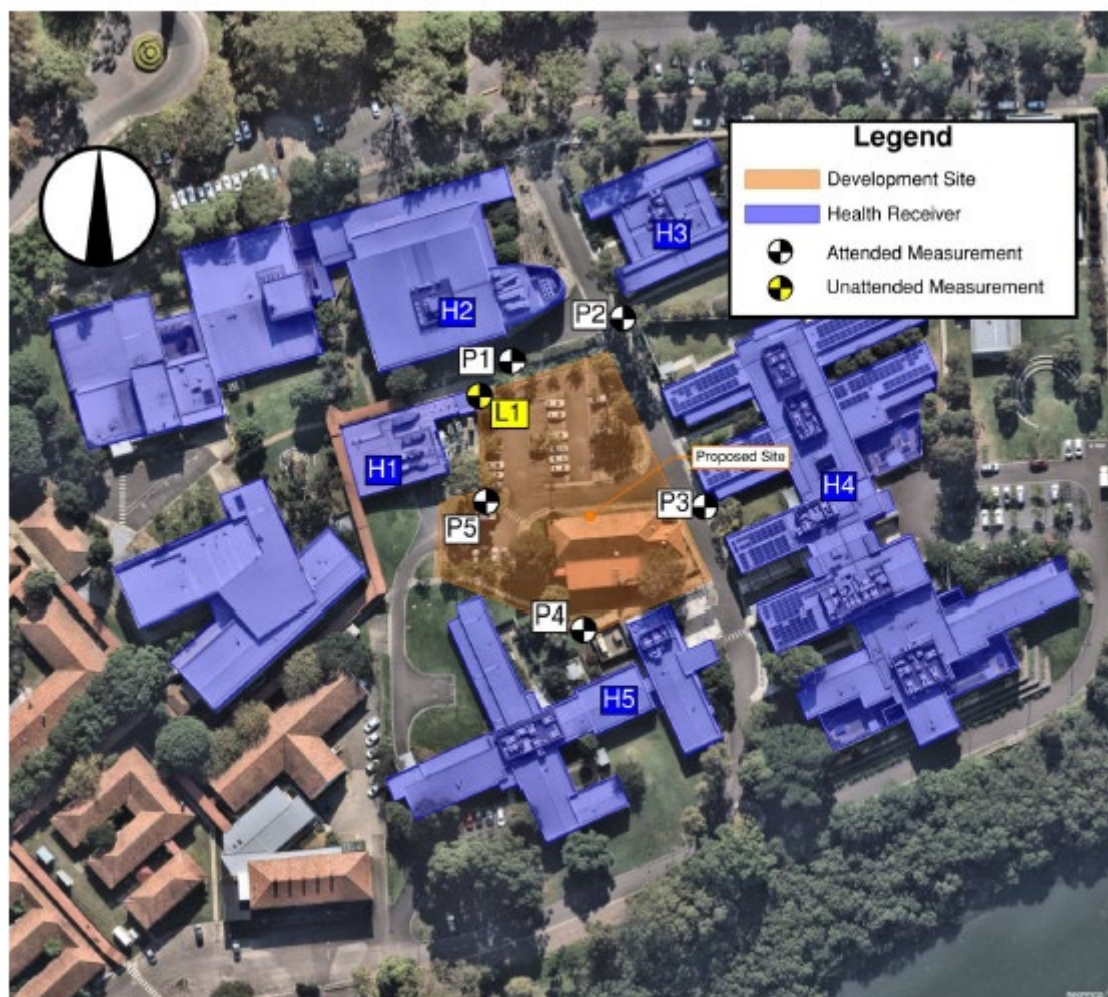
6.2.2 Noise and Vibration

Questions to consider	Yes	No
Are there residential properties or other sensitive land uses or areas that may be affected by noise from the proposal during construction (i.e. schools, nursing homes, residential areas or native fauna populations)?	x	
Will any receivers be affected by noise for greater than three weeks?	x	
Are there sensitive land uses or areas that may be affected by noise from the proposal during operation?		The operation of the facility is not expected to result in adverse noise impacts.
Will the works be undertaken outside of standard working hours? That is: <ul style="list-style-type: none"> Monday - Friday: 7am to 6pm; Saturday: 8am to 1pm; Sunday and public holidays: no work. 		x
Will the works result in vibration being experienced by any surrounding properties or infrastructure?	x	
Are there any impacts to the operation of helipads on the activity site?		x

An Acoustic report has been provided at **Appendix V**. This report provides an assessment of construction and operational and acoustic impacts from the proposal to neighbouring land uses.

The proposed works will take place within a hospital and includes demolition of Building 29, jack hammering to remove the existing car park, and excavation. There are hospital buildings adjacent to the project area. A site map identifying the sensitive noise receivers (H1-H5) is provided below. The closest residential receivers are located 400m from the project area. Baseline noise monitoring was undertaken via an unattended noise logger indicated at L1 on the figure below, and attended noise measurements were undertaken at locations P1-P4.

Figure 12 Aerial showing measurement locations and sensitive receivers



Operational Noise

The proposed development has the following mechanical noise sources:

- Condenser Plant located on the rooftop outdoor plant areas of the proposed development.
- Exhaust Fans ducted to the façade of the proposed development on Ground floor, Level 1 and Level 2.
- Outside Air Fans ducted to the façade of the proposed development on Ground floor, Level 1 and Level 2.

A worst case scenario was assessed, assuming that air conditioning units associated with the proposed development are running at any time throughout a 24hr period. The night time noise criterion (being the most stringent) was used as the noise target at the boundary of the nearest sensitive receivers for the project. The proposed plant noise emissions associated with the operation of the development all comply with the established noise criteria at the nearest sensitive receivers.

Construction Noise

Construction noise modelling results indicated exceedances of up to 20dB during the excavation stage noise emissions for the identified receivers. Noise levels are not predicted to exceed the Highly Noise Affected criteria (75 dBA) during all stages of work at the identified receivers. As the nearest residential receiver is around 400m from the project area, impacts to residential receivers are not expected. Works will only take place during standard construction

hours and therefore will not interrupt night time comfort or sleep to adjacent users. Note that modelled results were based on the incorporation of recommended noise mitigation measures.

Based on the above, the proposed construction works have the potential to cause adverse noise impacts at identified sensitive noise receivers. The predicted noise level exceedances trigger a requirement to ensure that all feasible and reasonable noise management and mitigation measures are applied on the site to assist in reducing the noise emissions.

Vibration

Vibration impacts vary depending on the construction equipment being used, the work being undertaken, the ground conditions and the proximity of nearby receivers. The report identifies Safe Working Distances for vibration impacts for 'structural cosmetic damage' and 'human comfort'.

The nearby receivers (H1 - Building 28 and H5 - Jara Ward) have been identified within the 'Structural Cosmetic Damage zone.' More detailed analysis of the building structure, vibration source, dominant frequencies and dynamic characteristics of the structure is needed to determine the applicable safe vibration level for the project. This will be undertaken as part of detailed Construction Noise and Vibration Management Plan (CNVMP) to be prepared by the Principal Contractor. Prior to commencement of works, building dilapidation studies are required to be completed for all structures within the Safe Working Distances defined in Table 22 for cosmetic damage.

Construction vibration impacts on surrounding buildings may also impact sensitive operations (eg microscope use) in Building 28. The report recommends consultation with users in the adjacent buildings regarding the construction work program to minimise any impact to the operation of these spaces.

The acoustic assessment recommends the following mitigation measures for construction and vibration which have been included at **Appendix X**:

- Site hoarding should be placed around the project area (extent of hoarding shown in Figure 3 of the Acoustic Report)
- Temporary mobile sound attenuating barriers 1m above noise source are to be deployed around work sites to prevent direct line of sight between works and a sensitive receiver. These should be used when bored piling, jackhammers and excavators are in use.
- At least one respite period such as, 12:00pm – 1:00pm should be offered per day during the most intensive periods of noise.
- The Operational Noise Assessment should be updated upon finalization of the selections of the external plant equipment
- The Principal Contractor is to prepare a CNVMP. The CNVMP should at minimum include the following:
 - identify receivers that are sensitive to noise and vibration
 - summarise key noise and vibration generating construction activities and the associated predicted levels at neighbouring land uses
 - identify relevant construction noise and vibration criteria as detailed in the Stantec Acoustic Report
 - Include a requirement that once specific equipment (both as part of the development and construction equipment) is known, a detailed assessment is conducted to assess the impact of the vibration and ensure that the requirements can be met.
 - include a requirement for pre-construction building dilapidation studies of potentially affected nearby buildings as identified in the Acoustic Report
 - identify a regime for construction noise and vibration monitoring
 - identify reasonable and feasible work practices to be implemented during the works
 - summarise stakeholder consultation and complaints handling procedures for noise and vibration.

The impacts of construction noise and vibration on surrounding receivers will be temporary. Subject to the implementation of the above recommendations including effective communication and consultation, the impacts are considered manageable and not likely to result in significant adverse impacts.

6.2.3 Air Quality and Energy

Questions to consider	Yes	No
Could the works result in dust generation?	x	
Could the works generate odours (during construction or operation)?	x	
Will the works involve the use of fuel-driven heavy machinery or equipment?	x	
Are the works located in an area or adjacent to land uses (e.g. schools, nursing homes) that may be highly sensitive to dust, odours or emissions?	x	

The works involve the demolition of Building 29 and the car park. The Principal Contractor shall be responsible for developing a project specific dust prevention and management plan which shall form part of the CTMP for the works. Minimal dust and odour generation is anticipated.

All plant and machinery involved in the works will be regularly serviced and checked for exhaust emissions.

6.2.4 Soils and Geology

Questions to consider	Yes	No
Will the works require land disturbance?	x	
Are the works within a landslip area?		x
Are the works within an area of high erosion potential?		x
Could the works disturb any natural cliff features, rock outcrops or rock shelves?		x
Will the works result in permanent changes to surface slope or topography?		x
Are there acid sulfate soils within or immediately adjacent to the boundaries of the work area? And could the works result in the disturbance of acid sulfate soils?	Class 5. Minor excavation is required. There is low likelihood of ASS disturbance.	
Are the works within an area affected by salinity?		x
Is there potential for the works to encounter any contaminated material?	Yes, the DSI contains recommendations for appropriate action to be taken in the event the construction activities encounter contaminated materials.	

EI Australia prepared a Geotechnical Investigation to support the proposed development (refer **Appendix O**). The report found that the project area conditions consist of pavement or topsoil comprising silty and Clayed sand underlain by sandstone bedrock encountered at depths of 2.52m – 4.3 below existing ground level (BEGl). EI recommends that the building be supported on pile footings founded within the sandstone bedrock. The EI recommendations should be used to inform the structural design of the proposed development.

6.2.5 Impacts on Coastal Processes and Coastal Hazards

Questions to consider	Yes	No
Are the works affected by any coastal risk/hazard provisions?		x

Questions to consider	Yes	No
Is any coastal engineering advice required, proportionate to the proposed activity?		x

6.2.6 Hydrology, Flooding and Water Quality

Questions to consider	Yes	No
Are the works located near a natural watercourse?		x
Are the works within a Sydney Drinking Water Catchment?	x	
Are the works located within a floodplain?		x
Is the development activity located above Probable Maximum Flood Levels?	x	
Will the works intercept groundwater?	x	
Will a licence under the <i>Water Act 1912</i> or the <i>Water Management Act 2000</i> be required?	Licence to dewater may be required depending on results of further testing.	
Has stormwater management been adequately addressed?	x	

The proposed works do not interface with natural watercourses and the site is not flood affected. The works will involve excavation work for building footings. Groundwater monitoring wells installed as part of the geotechnical investigation (refer **Appendix O**) encountered groundwater at depths of 2.27m below existing ground level (BEGl). The report recommends that further studies are undertaken to understand the groundwater regime and inform management of groundwater during pile drilling.

The roof of the proposed development will be connected to a new inground pit and pipe network which will then discharge into the existing Council drainage system and ultimately into. The onsite in-ground drainage will be sized for the 20-year ARI storm event with overland flow paths designed to convey flows up to 100-year ARI storm event.

Each of the stormwater discharge points will include Water Sensitive Urban Drainage (WSUD) measures, with a treatment train consisting of a gross pollutant trap (GPT) plus a proprietary tertiary treatment filter device. The treatment train at each discharge point will be designed to meet the stormwater quality targets outlined in the Canada Bay DCP. Therefore, the proposed works are not expected to have an impact on the stormwater quality or quantity.

6.2.7 Visual Amenity

Questions to consider	Yes	No
Are the works visible from residential properties or other land uses that may be sensitive to visual impacts?		x
Will the works be visible from the public domain?		x
Are the works located in areas of high scenic value?		x
Will the works involve night work requiring lighting?		x

The building will not be visible from outside the hospital campus. It will however be prominent on the northern side of Hospital Road. The proposed external materiality has been informed by advice from HI's internal design excellence advisory panel. The building has been designed to be of domestic character with a brick exterior and gable roof which are in keeping with the existing character of the hospital campus. The proposed building will not result in adverse visual impacts.

6.2.8 Aboriginal Heritage

Questions to consider	Yes	No
Will the activity disturb the ground surface or any culturally modified trees?		x
Are there any known items of Aboriginal heritage located in the works area or in the vicinity of the works area (e.g. previous studies or reports from related projects)?		x
Are there any other sources of information that indicate Aboriginal objects are likely to be present in the area (e.g. previous studies or reports from related projects)?		x
Will the works occur in the location of one or more of these landscape features and is on land not previously disturbed? <ul style="list-style-type: none"> • Within 200m of waters; • Located within a sand dune system; • Located on a ridge top, ridge line or headland; • Located within 200m below or above a cliff face; • Within 20m of, or in a cave, rock shelter or a cave mouth. 		The project area is previously disturbed.
If Aboriginal objects or landscape features are present, can impacts be avoided?	x	
If the above steps indicate that there remains a risk of harm or disturbance, has a desktop assessment and visual inspection been undertaken?	x	
Is the activity likely to affect wild resources or access to these resources, which are used or valued by the Aboriginal community?		x
Is the activity likely to affect the cultural value or significance of the site?		x

An Archaeological Survey Report (ASR) has been prepared by Artefact Heritage Services Pty Ltd. The purpose of the ASR was to determine whether the project is likely to harm Aboriginal objects or Aboriginal places, and whether further detailed archaeological investigation and consultation with Aboriginal stakeholders is required. The ASR concludes the following:

- An extensive Aboriginal Heritage Information System (AHIMS) was undertaken on 28 April 2023. The results of the search are that there are no AHIMS registered sites within the study area and 23 registered sites within 2km of the study area.
- A representative of the Metropolitan Local Aboriginal Land Council (LALC) participated in an archaeological survey of the study area on 28 August 2023.
- The investigation of the study area found that it is unlikely to contain Aboriginal objects.

The report makes recommendations that have been incorporated into the mitigation measures at **Appendix X**.

6.2.9 Non-Aboriginal Heritage

Questions to consider	Yes	No
Are there any heritage items listed on the following registers within or in the vicinity of the work area? <ul style="list-style-type: none"> • NSW heritage database (includes Section 170 and local items); • Commonwealth EPBC heritage list. 	x	
Will works occur in areas that may have archaeological remains?		x
Is the demolition of any heritage occurring?		x

The site contains a locally listed heritage item (I256 – ‘Concord Repatriation Hospital – original main building, grounds and layout) pursuant to Schedule 5 – Part 1 ‘Heritage items’ of the *Canada Bay Local Environmental Plan 2013*.

The site is not within a heritage conservation area.

Thomas Walker Convalescent Hospital and Dame Eadith Walker Convalescent Hospital (State Heritage items) slightly adjoin the northern and southern boundaries of the site, respectively. The proposed activity is not within these portions of the site or proximate to these State Heritage Items.

A Heritage Impact Statement accompanies this REF (in accordance with 'HI REF Guidelines') which concludes:

- The project area is a significant distance from structures with high to exceptional heritage significance.
- Demolition works solely comprise the removal of built form with little heritage significance.
- The development will have a 'negligible physical impact' due to the footprint being primarily situated within an existing carparking area in a highly developed portion of the site.
- The proposed works will have negligible visual impact on heritage values proximate to the project area.

The key findings and recommendations of the Heritage Impact Statement (**Appendix G**) have informed mitigation measures included in this REF including an unexpected finds protocol and a requirement for archival recording prior to demolition.

6.2.10 Ecology

Questions to consider	Yes	No
Could the works affect any <i>Environmental Protection and Biodiversity Conservation Act 1999 (Cth)</i> listed threatened species, ecological community or migratory species?		x
Is it likely that the activity will have a significant impact in accordance with the <i>Biodiversity Conservation Act 2016 (BC Act)</i> ? In order to determine if there is a significant impact, the REF report must address the relevant requirements of Section 7.2 of the BC Act: <ul style="list-style-type: none"> • Section 7.2(a) – Test for significant impact in accordance with Section 7.3 of the BC Act; Section 7.2(c) – It is carried out in a declared area of outstanding biodiversity value. 		x
Could the works affect a National Park or reserve administered by EES?		x
Is there any important vegetation or habitat (i.e. Biodiversity and Conservation SEPP) within or adjacent to the work area?		x
Could the works impact on any aquatic flora or habitat (i.e. seagrasses, mangroves)?		x
Are there any noxious or environmental weeds present within the work area?		x
Will clearing of native vegetation be required?		x

An Ecological Statement accompanies this REF (**Appendix H**) and assesses the potential ecological impacts of the development activity.

Within the area investigated, no State or Federally listed threatened species or populations were recorded. Similarly, no habitat for those threatened species previously recorded within this portion of the Canada Bay LGA were observed within, or close to, the limits of the proposed works.

The dominant vegetation within the area surveyed is an exotic mown lawn with plantings of native tree species that include Ball Honey Myrtle, Broad-leaved Paperbark and Spotted Gums.

No threatened fauna, including cave-associated microbats, were recorded in association with the area investigated, including Building 29.

None of the trees present were observed to be hollow bearing. Native species were detected roosting/sheltering within the project area, these animals noted within the roof space of Building 29 and occupying a drey (nest).

Recommendations for the management of these native animals immediately prior to the clearing of the project area and to compensate for the loss of habitat have been provided in the mitigation measures at **Appendix X**.

6.2.11 Bushfire

Questions to consider	Yes	No
Are the works located on bushfire prone land?		x
Do the works include bushfire hazard reduction work?		x

Questions to consider	Yes	No
Is the work consistent with a bush fire risk management plan within the meaning of the Rural Fires Act 1997 (RF Act) that applies to the area or locality in which the activity is proposed to be carried out?		x

The proposal is not located on bushfire prone land. Accordingly, no additional environmental assessment is required.

6.2.12 Land Uses and Services

Questions to consider	Yes	No
Will the works result in a loss of or permanent disruption of an existing land use?		x
Will the works involve the installation of structures or services that may be perceived as objectionable or nuisance?		x
Will the works impact on or be in the vicinity of other services?		x

The proposal involves the demolition of Building 29 which is currently used for fire and transport services by the SLHD. The function of this building will be accommodated elsewhere within the hospital campus.

Existing services (water, power sewer, gas and telecommunications) are available and will be available to the development. It is noted that natural gas will not be provided to the new facility in line with HI ESD objectives.

A Hydraulic and Fire Services Statement was provided by Arup (**Appendix Q**). The statement advises that no new independent connection is anticipated to be required to the Sydney Water authority water mains on Hospital Road. A new connection into internal campus domestic water supply infrastructure asset within proximity of the project area will be made to supply the facility. The facility will be provided with a dedicated sub-meter and backflow prevention complete with essential service powered dual vertical inline pump set. A new connection will be also made to the existing main sewer line on Hospital Road.

An Electrical, ICT and Security Services statement was prepared by Stantec (**Appendix R**). Augmentation works to an Ausgrid substation are required to support the proposed development. The preferred upgrade option is documented in the statement.

BCA / DDA Compliance

BM+G has prepared a BCA assessment with respect to the proposed development (**Appendix S**) and confirm that the project design can satisfy the requirements of the BCA2019 Amendment 1 if the works are designed and constructed in accordance with the requirements of the report BCA Report. ABE Consulting has prepared a DDA Compliance Statement (**Appendix T**). The statement confirms that ABE has undertaken an accessibility design review of the architectural plans for the proposed development against the deemed-to-satisfy provisions of the Building Code of Australia 2022 and the Disability (Access to Premises – Buildings) Standards 2010.

BM+G and ABE both confirm that the considers that the proposed development can readily achieve compliance with the relevant provisions of the BCA. Amendments required to the design documentation in order to comply with the BCA can be addressed in the preparation of the detailed documentation for Crown Certificate. Detailed documentation demonstrating compliance with the above BCA provisions and AS 1428.1-2009 will be required for assessment at the Crown Certificate stage.

6.2.13 Waste Generation

Questions to consider	Yes	No
Will the works result in the generation of non-hazardous waste?	x	
Will the works result in the generation of hazardous waste?		x
Will the works result in the generation of wastewater requiring off-site disposal?		x
Will the works require augmentation to existing operational waste management measures?		x

The works will result in waste arising from the demolition of Building 29 and the car park, as well as construction waste (packaging and excess materials) arising from the building process. The Principal Contractor will be required to prepare a Construction Waste Management Plan to address the disposal of resultant waste, which should maximise sorting of waste materials and packaging to ensure maximum recycling is achieved. Any hazardous waste arising from

building demolition will be required to be disposed of in accordance with EPA Guidelines. All waste removed from site will be tracked through waste documents and/or monthly waste reports provided by the contractor.

The operation of the facility will not result any new or significant increase in waste generation, including hazardous waste. Waste removed from the development will be transported to an approved waste or recycling facility.

6.2.14 Hazardous Materials and Contamination

Questions to consider	Yes	No
Is there potential for the works to encounter any contaminated material?	x	
Is there potential for the works to disturb or require removal of asbestos?	x	
Is the work site located on land that is known to be or is potentially contaminated?		x
Will the works require a Hazardous Materials Assessment?	x	
Is a Remediation Action Plan (RAP) required to establish the proposed activity?		x
Is the remediation work category 2 works under Resilience and Hazards SEPP?		x

A Detailed Site Investigation (DSI) has been undertaken by EI Australia and is included at **Appendix J**. This identifies that the project area is not subject to significant contamination however there remain some data gaps due to inaccessible areas of the site and further investigation of groundwater is also required.

The report also recommends the preparation of the Hazardous Materials Assessment prior to the building demolition. The 2017 Asbestos Review of the hospital campus identified asbestos containing materials within Building 29 that will be demolished as part of these works. As such, demolition of the building should proceed in accordance with the relevant legislation including the Work Health and Safety Regulation 2017 which requires the safe removal and disposal of asbestos prior to demolition.

Based on the potential contamination sources and potential for contamination identified, several mitigation measures are proposed. These are included at **Appendix X**.

6.2.15 Sustainability and Climate Resilience

Questions to consider	Yes	No
Does the activity ensure the effective and efficient use of resources (natural or other)?	x	
Does the activity use any sustainable design measures?	x	
Are climate resilient design measures to be incorporated in the activity?	x	

The proposed development will be CFMHP will be targeting the equivalent of a 5 star Greenstar rating. To achieve this, the proposed development incorporates sustainable design initiatives include use of recycled material, water and energy efficient fixtures and fittings and photo voltaic panels. The proposed development is designed to be climate resilient with rainwater capture and reuse for irrigation and landscaping to combat the urban heat island effect.

These are further detailed in the ESD report -refer **Appendix K**.

6.2.16 Community Impact/Social Impact

Questions to consider	Yes	No
Is the activity likely to affect community services or infrastructure?		x
Does the activity affect sites of importance to local or the broader community for their recreational or other values or access to these sites?		x
Is the activity likely to affect economic factors, including employment numbers or industry value?	x	
Is the activity likely to have an impact on the safety of the community?		x
Will the activity affect the visual or scenic landscape?		x
Is the activity likely to cause noise, pollution, visual impact, loss of privacy, glare or overshadowing to members of the community, particularly adjoining landowners?		x

The proposed development will provide Specialist Forensic Mental Health rehabilitation services as part of SWMHIP. Its operation will have positive social impact on community services and health infrastructure by increasing mental health service capacity within the state.

The demolition of existing Building 29 will not displace existing staff and occupants as they will be accommodated elsewhere. Positive feedback in relation to the development was provided during Community Consultation activities evidencing support for the proposal. The project will also provide employment opportunities during the construction and ongoing operational phases.

The project area is within an existing hospital and surrounding buildings are also used for health related activities. The proposed development will not impact on use or attendance to the hospital by staff or members of the community. The construction of the building will result in short terms impacts associated with noise; however, these will be managed by the project mitigation measures.

The operation of the building will not result in adverse visual or noise impacts. Due to the constrained nature of the site, there will be a minor increase in overshadowing to nearby buildings to the south. The massing studies carried out during master planning as well as shadow diagram prepared by NBRS included in the Architectural Design Statement (**Appendix B**) show that impacts to the neighbouring building are minimal. The building shape has been considered such that the daylight to the courtyard of the southern mental health building is least impacted.

The design of the building has also been planned so that habitable areas do not have windows facing the adjoining buildings. The SLHD has also advised that the windows of Building 112 the Jara Older persons unit have integrated venetian blinds, and that occupants of this facility generally occupy the shared spaces of the facility and the outdoor courtyard therefore opportunities for overlooking and impacts on privacy have been reduced.

The building has also been carefully designed to provide privacy for the occupants of the facility and a safe and enjoyable place for staff to work. As such, the proposed development is considered to have positive social impacts.

6.2.17 Cumulative Impact

Questions to consider	Yes	No
Has there been any other development approved within 500m of the site?	x	
Is there any transformation planned within 500m of the site?	x	
Will there be significant impacts (for example, including but not limited to, construction traffic impacts) from other development approved or currently under construction within 500m of the site?		x
Is the activity likely to result in further significant impacts together with other development planned, approved or under construction within 500m of the site?		x
Has a cumulative impact statement, proportionate to the activity, been included in REF documentation? If no – why not?		x

The cumulative impacts of the development activity will be minimal. The development activity is comprised entirely within the boundaries of an existing health services facility which is the subject of a broader SSD approval. There have been no significant approvals or current development activity that relate to sites in the immediate vicinity (i.e. beyond the hospital site) that would contribute to any significant cumulative impacts.

Management measures to address any concurrent construction activities on the hospital site will form part of the CTMP.

7. Summary of Mitigation Measures

Mitigation measures are to be implemented for the development activity to reduce impacts on the environment. The mitigation measures are provided at **Appendix X**.

Based on the assessment in the preceding subsections of this REF, the main areas requiring specific management of mitigation relate to:

- Construction noise and vibration mitigation and management
- Management of hazardous materials during demolition works.

- Construction Traffic Management

The consultant reports have also identified a requirement for mitigation measures relating to:

- unexpected finds procedure relating to Aboriginal Archaeological Heritage
- archival recording of the project area prior to demolition
- measures to protect native fauna during tree removal and building demolition and compensate for lost habitat.
- Additional contamination investigations

7.1 Summary of Impacts

Based on the identification of potential issues, and an assessment of the nature and extent of the impacts of the proposed development, it is determined that:

- The extent and nature of potential impacts are low and will not have significant adverse effects on the locality, community and the environment;
- Potential impacts can be appropriately mitigated or managed to ensure that there is minimal effect on the locality, community; and
- Given the above, it is determined that an EIS is not required for the proposed development.

8. Justification and Conclusion

The development activity at 1H Hospital Road, Concord West, Lot 2 in DP 1280788 is subject to assessment under Part 5 of the EP&A Act. The REF has examined and taken into account to the fullest extent possible all matters affecting, or likely to affect, the environment by reason of the proposed activity.

As discussed in detail in this report, the proposal will not result in any significant or long-term impact. The potential impacts identified can be reasonably mitigated and where necessary managed through the adoption of suitable site practices and adherence to accepted industry standards.

As outlined in this REF, the proposed development activity can be justified on the following grounds:

- It responds to an existing need within the community and will result in positive impact by increasing mental health service capacity
- It generally complies with, or is consistent with all relevant legislation, plans and policies
- It has minimal environmental impacts
- Adequate mitigation measures have been proposed to address these impacts.

The development activity is not likely to significantly affect threatened species, populations, ecological communities or their habitats, and therefore it is not necessary for a Species Impact Statement and/or a Biodiversity Development Assessment Report (BDAR) to be prepared. The environmental impacts of the proposal are not likely to be significant and therefore it is not necessary for an EIS to be prepared and approval to be sought for the proposal from the Minister for Planning under Part 5 of the EP&A Act. On this basis, it is recommended that HI determine the proposed activity in accordance with Part 5 of the EP&A Act and subject to the adoption and implementation of mitigation measures identified within this report.

Appendix A – Architectural Plans

Appendix B – Architectural Design Statement

Appendix C – Site Survey

Appendix D – Planning Certificate

Appendix E – Traffic Impact Statement

Appendix F – Archaeological Survey Report

Appendix G – Heritage Impact Statement

Appendix H – Ecological Statement

Appendix I – Arboricultural Impact Statement

Appendix J – Detailed Site Investigation

Appendix K – ESD Report

Appendix L – Notification Letters

Appendix M – Consultation Outcomes Report

Appendix N – Landscape Plans and Design Statement

Appendix O – Geotechnical Investigation

Appendix P– Civil and Structural Engineering Report

Appendix Q– Hydraulic and Fire Services

Appendix R– Electrical, ICT and Security Services

Appendix S – BCA Report

Appendix T – Access Report

Appendix U – Asbestos Register

Appendix V – Acoustic Report

Appendix X – Mitigation Measures