

Subject: Development Application No. DA13035

Development Application Information

Application No: DA13035

Applicant: Health Infrastructure

Property: Lot 329 DP 755113, Caswell Street, Peak Hill

Proposal: Peak Hill Multi Purpose Health Service & Partial Demolition of Existing Hospital

Executive Summary

Development Application No. DA13035 proposes the construction of a multi-purpose health service facility (MPS) and partial demolition of the existing hospital at Lot 329 DP 755113, Caswell Street, Peak Hill. The application was lodged on the 29 April 2013 by David Ballantyne of Health Infrastructure.

The application has been referred to the Joint Regional Planning Panel for determination pursuant to Schedule 4A of the Environmental Planning and Assessment Act 1979, as the proposal is a health service facility that has a capital investment value of more than \$5 million.

Recommendation

It is recommended that the application be approved subject to the conditions contained in the report.

Report

Details of Proposed Development

The development application seeks approval for the construction of a multi-purpose health service facility and partial demolition of the existing hospital. The new facility will be located behind the existing original hospital building and utilise the existing access roads from the Newell Highway and Whitton Park Road.

The proposal includes the retention of the 1904 main hospital building, with 1938 north and south end wing additions and the existing ambulance accommodation. The later outbuildings will be demolished, including the 1904 kitchen building and 1910 community health building (refer to attached plan).

The new MPS will be constructed primarily of a pre-finished fibre cement panel system in tones to complement the existing hospital building. The building will also feature a verandah/canopy over the main entrance, emergency ambulance entrance and around the aged care rooms. The roof is constructed of colorbond steel, is pitched and includes clear storey windows for extra lighting. The building also includes an enclosed secure residents courtyard, adjacent to the aged care wing and a secure external play area for children, located adjacent to the main waiting area.

The multi-purpose health service facility will include the following services:

- four sub-acute beds including respite and palliative care
- 10 high care residential aged care beds flexible in usage to accommodate residents with low level dementia
- Rural emergency care service with one resuscitation/treatment bay and one ambulatory chair treatment space
- Clinical and operational support services
- A wide range of community based services provided by local and visiting staff including consultation rooms
- Diversional therapy to provide therapeutic activities for aged care residents and sub/non-acute patients receiving maintenance care or rehabilitation
- Chronic disease management programs and clinics
- Ambulatory and community acute/post acute services to reduce hospitalisation for ambulatory sensitive conditions
- General practitioner services
- Provision for visiting dental services
- The capacity for self-care renal dialysis. This space will be available for self-care renal dialysis dependent people only.

Location Map



Engineering Assessment

Sewer

The proposed MPS will discharge waste into the existing sewer connection to the Newell Highway frontage. The total number of hospital beds will be reduced to 14 from existing 15 beds. Thus the new development will not cause significant variation in sanitary drainage load. Generally there will be no intensification of the use of the site. Therefore, no sewer

contribution is required for this development. A new internal sewer drainage system will be installed by a licensed plumber to new MPS to meet current regulations and standards.

Access and Parking

The total number of proposed car parking spaces is 30 (3 disabled accessible according to plans, 2 disabled accessible according to SEE - either would comply with standards), in addition there will be 3 bicycle parking spaces. Both the number of car parking and bicycle parking meet the parking spaces required in accordance with PSC Car Parking Code and RTA Guide to Traffic Generating Development.

The design of parking spaces, orientation, aisle width, access/exit width and other constraints appear to comply with AS2890.1:2004 & AS2890.6:2009 however dimensions have not been provided on the submitted plans. The construction of the car park is considered Stage 5 of the development and there is no indication of when this stage is intended to be completed. The car park will be required to be finished, sealed and linemarked prior to the operation of the proposed MPS.

The site will be accessible via existing road connection off the Newell Highway and Whitton Park Road. Ambulance/Service vehicles will access the site via the existing entrance off Whitton Park Road at the northern boundary of the site. The road condition is adequate for this low volume traffic although it is suggested that service vehicles should utilise the Newell Highway access due to it being better designed for turning traffic from the highway. All public traffic will enter via the existing access onto the Newell Highway. This access has recently been upgraded with AUL and AUR treatments as defined in AUSTROADS Guide to Road Design. This access treatment was designed and constructed by and with RMS consultation to their requirements. It is deemed suitable to accommodate the proposal as there is unlikely to be additional traffic generated from what is currently experienced.

Stormwater - Major/Minor

There is currently no formal stormwater drainage system (eg. pits, pipes etc). This development proposes to utilise overland flow to discharge into the table drain of Newell Highway. The site is relatively large open area of land that grades down towards the Newell Highway.

As detailed in the SEE the gross floor area will be increased by 575m² giving a total of 2255 m² developed gross floor area in a total site area of 40521m². Hence the proportion of additional developed area is very low compared to total site area. The existing drainage pattern is serving the purpose of the current hospital (1680m²) with no negative downstream effects. Therefore, with little change in surface area, it is believed that the proposed drainage pattern will be able to manage the additional stormwater peak flow that will be caused by increased impervious area. A plan for 1 in 100 year flood paths will need to be identified and submitted to Council for approval prior to the commencement of construction.

Water Supply

No details were submitted on existing water connection and meter size. It is also not known if the existing water main is adequate to supply water for both general water usage and fire fighting services. A 225mm diameter water main is available at Newell Highway frontage. This water main is a charged line from Parkes township which will have a variable water pressure behaviour.

This development proposes new internal pipework and fitments, separate site services for

the fire services and potable water. However, any alteration to water supply connection must be made via separate application to Council with all expenses borne by the developer.

Environmental Assessment

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application in accordance with Section 79C(1) of the Environmental Planning and Assessment Act 1979. The following section provides an evaluation of the relevant Section 79C matters for consideration for Development Application No. DA13035:

79(C)(1)(a)(i) Any Environmental Planning Instrument

Parkes Local Environmental Plan 2012

The subject land is zoned RU1 Primary Production under the Parkes Local Environmental Plan (LEP) 2012. Development for the purpose of a health service facility, including hospitals, community health service facilities and health consulting rooms are prohibited on land zoned RU1 Primary Production under the Parkes Local Environmental Plan 2012. However, it is noted that the original hospital building was erected on this site in 1904 and that the land has been continually used for the purpose of a hospital and for providing medical and other health related services since that time.

In order to confirm that the proposed development was permitted under the existing use provisions in Division 10 of the Environmental Planning and Assessment Act 1979, Council sought legal advice.

The definition of an existing use is:

- (a) the use of a building, work or land for a lawful purpose immediately before the coming into force of an environmental planning instrument which would, but for Division 4 of this Part, have the effect of prohibiting that use, and*
- (b) the use of a building, work or land:*
 - (i) for which development consent was granted before the commencement of a provision of an environmental planning instrument having the effect of prohibiting the use, and*
 - (ii) that has been carried out, within one year after the date on which that provision commenced, in accordance with the terms of the consent and to such an extent as to ensure (apart from that provision) that the development consent would not lapse.*

The legal advice confirmed that the proposed development would be permissible with development consent pursuant to Section 108 of the Environmental Planning and Assessment Act 1979 and Clauses 41 to 46 of the Environmental Planning and Assessment Regulation 2000, which permits the rebuilding, enlargement or expansion of an existing use of the land for the purpose of a hospital and health service facility.

There are special provisions within the Parkes LEP 2012 that are also relevant to the proposal:

5.10 Heritage Conservation

Clause 5.10 Heritage Conservation states that development consent is required when demolishing a heritage item, altering a heritage item or erecting a building on land on which a heritage item is located.

Before granting development consent, Council must consider the effect of the proposed development on the heritage significance of the item. As stated above, the proposal involves

the partial demolition of the existing heritage listed hospital and erection of a new multi-purpose health service. A Statement of Heritage Impact (SHI) has been submitted with the application which provides an assessment of the significance of the site and describes the proposal in relation to any impacts that it may have on the setting of the 1904 Peak Hill Hospital.

The SHI recommends a number of mitigation measures, as discussed in the section relating to the likely impacts of the development later in this report. The recommendations have been included as conditions of consent.

The subject site is not identified as an archaeological site or as an Aboriginal place of heritage significance. It is however noted in the SHI that there is potential to unearth relics during the excavation of the building and car park due to the possibility of mining activities occurring on the site prior to the construction of the hospital. As such, the SHI has recommended that the applicant obtain an exemption to excavation permit, which addresses sites where the existence of relics remains to be verified. In this case an archaeologist will determine how they will go about verifying if relics exist, and then monitor the excavation the excavation to ensure nothing of significance is disturbed in the process.

6.7 Essential Services

Clause 6.7 Essential Services requires that development consent must not be granted unless the consent authority is satisfied that the following services that are essential for the development are available:

- The supply of water - the subject land has an existing connection to Council's reticulated water service
- The supply of electricity - the subject land has an existing electricity connection
- The disposal and management of sewage - the subject land has an existing connection to Council's reticulated sewage system
- Stormwater drainage or on-site conservation - the proposal involves the use of existing overland flow drainage channels.

Schedule 5 – Environmental Heritage

As noted above, the Peak Hill District Hospital (I9) is listed within Schedule 5 - Environmental Heritage as an item of local significance and these matters have been discussed elsewhere herein.

State Environmental Planning Policies (SEPP)

State Environmental Planning Policy No. 64 - Advertising and Signage

The plans submitted with the application indicate that two signs will be erected on the proposed building. One sign will be erected on the front gable above the new hospital entrance, which reads 'Peak Hill Multi-Purpose Service'. The other sign will be erected on the canopy over the ambulance bay and read 'emergency'.

The SEPP does not apply to signage which is exempt development under another environmental planning instrument. It is assessed that the proposed signage is consistent with the exempt signage as described in the Outdoor Advertising Code Development Control Plan 1998 and therefore no further assessment under the SEPP is necessary.

The Statement of Environmental Effects makes reference to a new illuminated sign which will be located at the front entrance of the site. No details of this sign have been provided to

Council; however, the State Environmental Planning Policy (Infrastructure) 2007 permits the erection of such signage as exempt development, subject to development standards.

State Environmental Planning Policy No. 44 – Koala Habitat Protection

The State Environmental Planning Policy No. 44 - Koala Habitat Protection applies to all land in the Parkes Shire in which a development application has been made and that has an area of more than 1 hectare.

Before Council can grant consent, it must satisfy itself whether or not the land is a potential koala habitat. The SEPP defines a potential koala habitat as an area of native vegetation where the trees listed in Schedule 2 (of the SEPP) constitute at least 15% of the total number of trees in the upper or lower strata of the tree component on the property.

The species listed in Schedule 2 of the SEPP include:

<u>Scientific Name</u>	<u>Common Name</u>
Eucalyptus tereticornis	Forest red gum
Eucalyptus microcorys	Tallowwood
Eucalyptus punctata	Grey Gum
Eucalyptus viminalis	Ribbon or manna gum
Eucalyptus camaldulensis	River red gum
Eucalyptus haemastoma	Broad leaved scribbly gum
Eucalyptus signata	Scribbly gum
Eucalyptus albens	White box
Eucalyptus populnea	Bimble box or poplar box
Eucalyptus robusta	Swamp mahogany

In order to determine whether the native vegetation on the property included species identified in Schedule 2, the applicant engaged the services of APS Landscape Architecture and Gardenscape Design.

A landscape architect and a qualified arborist inspected the site to identify the tree species. It was concluded that the area did not fall into the definition of a potential koala habitat as there were less than 15% of the trees listed in Schedule 2 Tree Feed Species located on the site.

Accordingly, Council is satisfied that the subject land is not a potential koala habitat and therefore is not subject to any further investigations in accordance with the requirements of the SEPP.

State Environmental Planning Policy (Infrastructure) 2007

The site is located adjacent to the Newell Highway, which is a classified road. Clauses 101 of the SEPP are relevant to this application and have been taken into consideration as part of the assessment.

Clause 101 of the SEPP relates to development with frontage to a classified road.

101 Development with frontage to classified road

- (1) *The objectives of this clause are:*
(a) *to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and*

- (b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.
- (2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that:
- (a) where practicable, vehicular access to the land is provided by a road other than the classified road, and
 - (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:
 - (i) the design of the vehicular access to the land, or
 - (ii) the emission of smoke or dust from the development, or
 - (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and
 - (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.

The development has existing access off the Newell Highway, which will not change as part of the current development proposal. The access to the Newell Highway has recently been upgraded to include AUL and AUR treatments as defined in the Austroads Guide to Road Design. The proposed works will not result in a significant rise in the number of vehicles utilising the classified road, and the function of the classified road will not be adversely affected by the new works.

S79(C)(1)(a)(ii) Any draft environmental Planning instrument

There are no draft environmental planning instruments relevant to the proposal.

S79(c)(1)(a)(iii) Any Development Control Plan (DCP)

Rural Development Control Plan 1998

The objectives of the Rural Development Control Plan 1998 are to:

- enable the continuation of traditional forms of rural land use and occupation and the development of new or changed forms of agricultural enterprise.
- enable other forms of development which are associated with rural activity, which require an isolated or rural location, or which support tourism objectives.
- ensure that the type and intensity of development is appropriate in relation to the characteristics of the land, the rural environment, local road conditions, the need to protect agricultural activity from the effects of other development and the costs of providing public services and amenity.
- provide additional details concerning rural development that are contained in the Parkes Local Environmental Plan and to provide guidelines in achieving the objectives of the LEP.
- assist persons intending to lodge development applications or applications for subdivisions with Council by advising them of the types of issues Council is required to consider when dealing with those applications.

It is considered that the proposed development meets, or is not antipathetic to the objectives of the Development Control Plan. The proposed development is appropriate in relation to the characteristics of the land and local road conditions. The proposed hospital will replace the existing hospital without intensification of the services of the area and therefore will not create any additional impact on adjoining agricultural land practices.

The following sections of the DCP are applicable to the proposal:

Section 3 Non-Agricultural Development

Section 3 outlines general policies that apply to non-agricultural development in the 1(a) (RU1) zone:

General Policies	Assessment Comment
Non-agricultural development, including dwellings, should not be located on prime agricultural land, unless there are no alternative sites	The proposed hospital will replace an existing hospital and therefore there will be no additional impact on agricultural land.
Non-agricultural development, particularly dwellings, should be sited and carried out so that it is unlikely to inhibit or give rise to complaints about normal farming practices (eg crop spraying, separation from noxious odours etc)	The existing hospital has been located on the site since 1904. It is unlikely that the proposed development will inhibit or give rise to complaints about normal farming practices. Furthermore, the hospital site is located on the outskirts of the town of Peak Hill.
Non-agricultural development should be located and carried out in a manner that minimises the likelihood of added costs to ratepayers of the Shire as a result of the development	The proposed hospital will replace an existing hospital and therefore there will be no added costs to ratepayers of the Shire.
Non-agricultural development should be carried out in a way that minimises any adverse effects on adjoining land, particularly by way of: <ul style="list-style-type: none">i. land degradationii. alteration of drainage patternsiii. pollution of surface and ground wateriv. spread of noxious plants and animalsv. increased fire hazardvi. air pollution	<p>The proposed dwelling will be located on an existing hospital site and will replace a number of existing buildings located on the site. The proposed development will not alter any drainage patterns or pollute surface or ground water.</p> <p>The proposed development will not increase the fire hazard, generate any air pollution or spread noxious plants or animals.</p>

Section 6.1 Effluent Disposal

The proposed development will be serviced by an existing connection to Council's reticulated sewage system.

Section 6.2 Water Supply

The proposed development will be serviced by an existing connection to Council's reticulated water service.

Section 7.1 Road Design

The proposal will utilise the existing accesses off the Newell Highway and Whitton Park Road.

Section 7.2 Traffic Generation

The proposed hospital will replace the existing hospital and therefore no additional traffic is likely to be generated.

Section 8.1 Bushfire

The subject land is not identified as being bush fire prone land.

Section 8.2 Flooding

The subject land is not identified as being flood prone.

Section 8.3 Toxic Hazards

The Statement of Environmental Effects states that hazardous materials will be stored and collected in an approved manner as is practiced in the existing hospital building.

The medical gas supplies will be housed in a fire rated enclosure with external access. Inside the plant room will be a separate chemical store for any hazardous chemicals segregated from other supplies to suit current code requirements.

Clinical/contaminated waste and sharps will be bagged/binned in accordance with Universal Precautions and held in a secure area prior to being collected by a private contractor. Clinical waste will be stored in a temperature controlled room for collection by Stericorp. Frequency of collection is currently being negotiated and will dictate storage requirements.

Section 9.1 Environmentally Sensitive Land

The DCP identifies local heritage items as having high environmental value. It is assessed that the proposed development will not have any significant adverse impacts on environmentally sensitive land.

Section 9.2 Clearing

The proposal involves the removal of approximately 22 trees from the site, which is not expected to have any adverse impacts. A landscaping plan has been submitted and will be implemented prior to the final occupation certificate is issued for the building. Additional landscaping will have a positive impact on the site.

Section 10 Advertisements

Please refer to SEPP No. 64 - Advertising and Signage.

Car Parking Development Control Plan 1998

The proposal includes the construction of 30 on site car parking spaces, which includes 3 accessible spaces. The Car Parking Development Control Plan requires the following:

No.	Name	Description	Requirements	Est. Total units	Spaces Required
1	Consulting Rooms	Including Dentists, Doctors, Surgery, Clinics	1 space per 65m ² GFA plus 1 per employee	122m ² 5 staff	7
2	Medical Centre	Including Rooms and spaces related to Medical Centre in General	4 spaces per 100m ² GFA	288m ²	12
3	Aged Housing	Self contained rooms for aged, acute and palliative care	2 spaces per 3 rooms + 1 space per 5 rooms for	14 beds	8

			visitors		
4	Staff Quarters	Overnight quarters	1 per room	1 room	1

In addition to these 28 spaces Council will request 2 additional spaces to be provided and dedicated as disabled parking spaces rounding the total spaces to 30.

It is noted that the construction of the car parking will be carried out in Stage 5 of the development. A condition of consent will require the car park to be finished, sealed and line marked prior to the operation of the proposed MPS.

Outdoor Advertising Code Development Control Plan

As noted above, the proposal includes the erection of two advertising signs on the new building. The DCP contains a table that described the advertisements that require consent from Council. the proposed signs are considered to be a flat wall advertisement and fascia sign, both of which do not require development consent from Council.

S79(C)(1)(a)(iii)a Any planning agreement

There is no planning agreement that has been entered into under Section 93F of the Environmental Planning and Assessment Act 1979 by the applicant in relation of the development proposal. Similarly, the applicant has not volunteered to enter into a draft planning agreement for the development proposal.

S79(C)(1)(a)(iv)a The EP&A Regulations

Section 79C(1)(a)(iv) of the Act requires the Council to also consider Clauses 92, 93, 94 and 94A of the Environmental Planning and Assessment Regulation. The following provides an assessment of the relevant clauses of the Regulation:

- Clause 92 – The Government Coastal Policy does not apply to the Parkes Shire and therefore Clause 92(1)(a) and (b) are not applicable to this development proposal. The proposal does not involve demolition of a building and therefore the requirements of AS 2601 do not need to be considered in accordance with Clause 92(2).
- Clause 93 – The proposal does not involve the change of a building use for an existing building, or the use of an existing building as a place of public entertainment and therefore the requirement to consider fire safety and structural adequacy of buildings in accordance with Clause 93 is unnecessary.
- Clause 94 – The proposal does not involve the rebuilding, alteration, enlargement or extension of an existing building or place of public entertainment. The proposed new buildings are separate from the existing facilities that are intended to remain. Therefore the requirement to consider the upgrading of buildings into total or partial conformity with the Building Code of Australia is not appropriate on this occasion.
- Clause 94A – The proposal does not involve the erection of a temporary structure and therefore the requirements to consider fire safety and structural adequacy is unnecessary.

There are no relevant prescribed matters relating to the proposed development and the subject land.

S79(C)(1)(b) the likely impacts of the development

Context and Setting

The subject land is located on the corner of the Newell Highway and Whitton Park Road, which is located on the southern outskirts of the town of Peak Hill. The site has a total area of 4.69 hectares and has existing access to the Newell Highway and Whitton Park Road.

The site is surrounded by rural zoned land to the east, south and west. The land to the north is zoned R5 Large Lot Residential. The closest dwelling is located approximately 220 metres to the north-west.

The site contains an existing health service facility that comprises of numerous out buildings. There is also existing access roads from the Newel Highway and Whitton Park Road, as well as mature trees.

The proposed development is not expected to create any overshadowing or privacy impacts on adjoining properties due to it being located a considerable distance from any adjoining properties. The site has been used as a hospital since 1904.

Access Transport and Traffic

The proposal involves the construction of a new carpark which will accommodate a minimum of 28 car parking spaces, with 2 accessible spaces.

Access to the site will be via the existing accesses from the Newell Highway and Whitton Park Road. It is assessed that the existing access from the Newell Highway is adequate for the proposal as it has recently been upgraded to include an AUL/AUR treatment in accordance with Austroads Guide to Road Design.

The Statement of Environmental Effects and plans for the development proposal indicate that the ambulance entrance will be via Whitton Park Road. The referral comments from the RMS note that the intersection of Whitton Park Road and the Newell Highway has less sight distances and it is recommended that, if possible, ambulance and service vehicle entrances should be via the main hospital entrance.

A condition of consent has been included which requires service vehicles to utilise the main hospital entrance off the Newell Highway. However, it is recognised that ambulances have historically used the Whitton Park Road entrance for many years and the applicant does not propose to alter this arrangement.

The proposed development will not increase the overall capacity and operation of the hospital and therefore it is not anticipated that there will be a significant change in traffic generation to and from the site.

Public Domain

The development will not have any adverse impacts on the public domain. It is noted that the proposed secure resident's courtyard which is to be located adjacent to the aged care area of the building will have a positive impact and contribute to the recreational space associated with the development.

Utilities

There are existing utilities connected to the site. It is proposed that a new sewer and water line will be provided to the Council main.

Heritage

The Peak Hill District Hospital is listed as an item of local heritage significance within the Parkes Local Environmental Plan 2012. The applicant has provided a Statement of Heritage Impact (SHI) prepared by Adaptive Architects Pty Ltd which assesses the impacts of the development and demolition of the outbuildings, explores possible alternatives and recommends mitigation measures.

The SHI notes that there is no heritage impact upon the main heritage listed hospital building, except that there is no new proposed use of the building and its future use is uncertain. It is noted that this is mitigated by Health Infrastructure's commitment to finding and supporting a new use with adaptive reuse works to conserve the building.

The SHI notes that the retention of the main 1904 hospital building preserves the significance of the site and that the demolition of the later outbuildings does not impact significantly on the heritage significance of the whole site. The SHI has provided a curtilage zone for the main hospital building, which defines the extent of the setting which contributes to the building's significance. It notes that no incompatible development shall occur within the curtilage zone, which includes 5 metres from the rear of the building, 20 metres from the front of the building, with 45 degree splayed sides and 30 metres wide parallel to driveway. The new MPS is located at the rear of the existing hospital and therefore does not impact on the curtilage. The large mature trees located along the existing main driveway from the Newell Highway will not be removed.

The proposal involves the demolition of the 1904 kitchen wing, which will have some heritage impact in the loss of the original fabric. The SHI concludes that the kitchen building cannot be seen from the front vantage and therefore only has a marginal association with the building's aesthetic significance and it is in the public interest to demolish the wing. In order to mitigate the impact, the applicant will be required to produce a full archival record of the kitchen block and salvage and retain the bricks from the kitchen wing and use them for the repairs and reconstruction of the main 1904 hospital building.

The 1910 constructed brick isolation ward is recognised as having some significance as it was unusual for such buildings to be constructed of brick. The building was transformed into a maternity block in 1962, which had a significant heritage impact on the building. As such, given that the building's fabric has been so altered, it is unable to demonstrate its significance. The applicant will be required to prepare a full archival record of this building, prior to demolition.

The SHI notes that prior to the erection of the hospital in 1904, gold mining leases were located over the site and therefore there is a high possibility that early gold mining activities occurred on the site. The SHI states that the risk of finding relics during the excavation works is considered to be a low probability, but there is some risk of this happening. In order to address this risk and to comply with the owner's duty of care is to apply for an exemption to an excavation permit, which requires that an archaeological assessment be carried out, or alternatively apply for an exemption to an excavation permit under exemption 1(B) which addresses sites where the existence of relic remains to be verified. A condition of consent has been applied in this regard.

It is noted that some of the outbuildings which are to be demolished are currently connected to the main 1904 hospital building. The SHI recognises that some windows and walls will need to be reinstated as part of the demolition process. A condition has been applied which requires the applicant to prepare a schedule of works which demonstrate the works to be carried out to secure and restore the 1904 hospital building.

Other Land Resources

The proposal will not have any adverse impacts on productive agricultural land, mineral and extractive resources or water supply catchments. The proposed Multi-Purpose Service will be located on the existing hospital site.

Flora and Fauna

There are no records of any critical habitats or threatened species on the site. Furthermore, it is noted that the site is not located on the terrestrial biodiversity map in the Parkes Local Environmental Plan 2012.

The proposal involves the removal of approximately 22 trees from the site, but will see additional landscaping on the site. It is unlikely that the development will have any adverse impacts on native flora or fauna habitats.

Waste

It is proposed that a new grease trap will be installed in the new hospital building. The applicant will be required to obtain a trade waste agreement with Council.

During demolition and construction, all waste will be collected on site in a portable waste skip bin. All building materials will be reviewed for recycling where ever possible.

It is noted that some of the buildings contain asbestos and therefore will need to be demolished and disposed of in accordance with relevant standards.

Energy

The development will require a Section J Report which will demonstrate how the building meets the energy efficiency requirements under the Building Code of Australia.

Noise and Vibration

It is expected that any noise emitted from the premises is likely to be less than currently emitted from the existing facility due to the enhanced wall and roof insulation associated with the new construction.

Natural Hazards

The site is not identified on the Parkes Bush Fire Prone Land Map. The site is not flood prone.

Technological Hazards

It is noted that buildings containing asbestos will be demolished as part of the proposal. A condition of consent has been included which requires asbestos to be handled, removed and disposed of in a suitable manner.

Please refer to Section 8.3 Toxic Hazards under the Rural Development Control Plan 1998.

Safety, Security and Crime Prevention

The proposal has been assessed in accordance with the Crime Prevention Through Environmental Design principles. The proposed development includes design features that minimise the opportunity for crime including:

- Surveillance - the proposed building offers less areas for concealment than the current hospital, which consists of many disjointed buildings.
- Access control - the building includes mechanisms which restrict access by grouping certain services in 'wings' that are closed off from other areas.
- Territorial enforcement - the development includes clear design cues on who is to use space and what it is to be used for, such as the secure residents courtyard and secure external play area.
- Space management - the proposed building represents a clean, modern and well presented public space. The premises will be well maintained.

Social and Economic Impact on the locality

The proposed development will have a positive social and economic impact on the locality. The development will generate on going employment for health service staff and contractors during and after the construction of the new building. It will also provide space for visiting medical professionals which has many social benefits.

Site Design and Internal Design

It is assessed that the development design is sensitive to environmental conditions and site attributes.

The new hospital will comply with the Building Code of Australia and provide better accessibility and facilities for the disabled.

Construction

The plans submitted with the application note that the construction of the development will be carried out in stages. Stage 1 is not the subject of this development application.

Cumulative Impacts

The development is not expected to create any cumulative impacts.

S79(C)(1)(c) The suitability of the site for the development

It is considered that the proposed location of the new development within the site is suitable. As the proposed MPS will replace the existing hospital on the site, there is existing utility services and access provided to the site. The proposal is not expected to increase the existing noise levels. The site is not subject to any natural hazards.

S79(C)(1)(d) Any Submissions Received

Public Consultation

The development application was notified to adjoining land owners and advertised in the Parkes Champion Post from the 3 May 2013 to 24 May 2013. Council received no submissions in relation to the proposal.

Public Authority Consultation

Roads and Maritime Services

Council referred the proposal to the Roads and Maritime Services (RMS) as the development is located on the Newell Highway, which is a classified road.

The RMS reviewed the proposal and provided Council with comments for consideration. The referral comments from the RMS note that the intersection of Whitton Park Road and the Newell Highway has less sight distances and it is recommended that, if possible, ambulance and service vehicle entrances should be via the main hospital entrance.

A condition of consent has been included which requires service vehicles to utilise the main hospital entrance off the Newell Highway. However, it is recognised that ambulances have historically used the Whitton Park Road entrance for many years and the applicant does not propose to alter this arrangement.

A copy of the comments are included in an attachment to this report. These matters have been addressed herein and the recommended conditions of consent.

Health Infrastructure

Section 89 of the Environmental Planning and Assessment Act 1979 states that a consent authority (other than the minister) must not impose a condition on its consent to a Crown development application, except with the approval of the applicant or the minister.

As such, Council provided Health Infrastructure with the proposed conditions of consent on the 17 June 2013 for review and comment. Conditions were subsequently altered and deleted before Health Infrastructure approved the amended conditions on the 24 July 2013.

S79(C)(1)(d) the public interest

It is assessed that the proposal to construct a new multi-purpose health service in Peak Hill is strongly in the public interest. The proposal will significantly improve the capacity of the service and will support a broad range of primary, community and aged care services to better meet the current and future needs of the surrounding community.

Conclusion

The development application proposes the construction of the Peak Hill Multi Purpose Health Service and Partial Demolition of Existing Hospital at Lot 329 DP 755113, Caswell Street, Peak Hill. The development application has been lodged by David Ballantyne on behalf of Health Infrastructure. The property is owned by the Peak Hill Hospital.

The application was supported by a Statement of Environmental Effects, Statement of Heritage Impact and development plans which provide sufficient information to allow assessment of the proposal.

The proposed development has been assessed to be consistent with the requirements of the Parkes Local Environmental Plan 2012 relating to development in the zone and is consistent with existing land-use of the site.

Council received no public submissions from the public notification period and one submission from a public authority. The public authority does not oppose the development and suggested conditions of approval to be included in the development consent.

Having considered the documentation supplied by the applicant, the findings of site inspections and the comments received during consultation, it is assessed that the impacts of the proposal and the likely environmental interactions between the proposed development and the environment are such that Council should not refuse the development application. Accordingly, a recommendation of conditional approval is listed in the recommendation.

Conditions

Approved Plans and Documentation

1. Development shall take place in accordance with the Parkes Shire Council stamped plan(s) and supporting documentation lodged in respect of Development Application No: DA13035 except where varied by the following conditions.

Limitations on Consent

2. All exterior lighting associated with the development shall be designed and installed so that no light will be cast onto any adjoining property.
3. No nuisance or interference with the amenity of the area is to be created by reason of any process or operation on the premises causing the emission of noise, dust, smoke or any polluted discharge whatsoever.
4. The premises shall be maintained in a clean and tidy condition at all times.
5. All works shall be undertaken at the expense of the Applicant. No cost shall be incurred by Parkes Shire Council.
6. All references to standards, codes or guidelines are to the version current when detailed designs pertaining to this development consent are submitted to Parkes Shire Council.

Heritage Conditions

7. Demolition of the existing hospital is to be limited to later outbuildings, so as to retain the core 1904 hospital building, in accordance with the submitted Statement of Heritage Impact, prepared by Adaptive Architects, dated March 2013.
8. The bricks and windows from the demolished kitchen wing that match the 1904 hospital building are to be salvaged and retained and be used for repairs and reconstruction of the main 1904 hospital building.
9. The applicant is to provide to Council an Archival Report of the kitchen building and brick isolation ward that are to be demolished.
10. The applicant is to obtain an Excavation Permit Exception (exception type (1B)) from the Heritage Council of New South Wales in accordance with Section 139(4) of the Heritage Act 1977.
11. The Peak Hill District Hospital, as listed as Item No. 19 in Schedule 5 Environmental Heritage of the Parkes Local Environmental Plan 2012 must be maintained.
12. A conservation management strategy is to be prepared for the 1904 main hospital building in accordance with the NSW Heritage Branch guidelines. A copy of the strategy must be provided to Council prior to occupation of the multi-purpose service.
13. Prior to the commencement of demolition of buildings connected to the main hospital building, the applicant must prepare and submit to Council a schedule of conservation works which demonstrate the works to be carried out to secure, weatherproof and restore the 1904 hospital building. The schedule of works should include details of all walls, windows and doorways that will be reinstated or repaired and the materials to be

used, paint to be removed from external wall bricks and plan for the reinstatement of northern verandah.

14. The works detailed in the approved schedule of works must be completed within six months of the occupation of the multi-purpose service.

Demolition and Construction Works

15. The demolition works are to be carried out in accordance with Australian Standard 2601-1991: The Demolition of Structures and the provisions of the Work Health and Safety Act 2011, and any relevant requirements of the WorkCover Authority of NSW.

Note: Requirements for licensing for work involving demolition can be found on the Workcover Authority of NSW website at www.workcover.nsw.gov.au

16. Building work involving the use of electric or pneumatic tools or other noisy operations shall be carried out only between 7.00am and 8.00pm on weekdays and 8.00am and 8.00pm on weekends and public holidays.
17. Building and construction materials, plant, equipment and the like are not to be placed or stored at any time on any adjoining public reserve, footpath or road.

Plumbing and Drainage

18. The Applicant is to obtain all relevant approvals to carry out sewerage work, to carry out stormwater drainage work and to carry out water supply work from Parkes Shire Council prior to commencing works to and comply with any conditions of that permit.

Note: All work shall be carried out by a licensed plumber and drainer and to the requirements of the Plumbing Code of Australia.

19. All roofed and paved areas shall be drained to discharge to Council stormwater infrastructure so that water from those areas is properly conveyed away from buildings in accordance with the Plumbing Code of Australia.

Note: Storm water disposal drains shall be connected to all roof gutter down pipes within 14 days of installation of the roof covering and/or the construction of hard standing areas, as may be appropriate, to discharge water in accordance with an approved stormwater management system.

Soil Erosion and Sediment Control

20. Prior to the commencement of construction works, an Erosion and Sediment Control Plan (ESCP) shall be prepared in accordance with Parkes Shire Council's Soil Erosion and Sediment Control Plan 2002 and AUS-SPEC#1 Parkes Shire Council. Such plan shall be implemented prior to, during and after the construction phase of the development.

Note: Environmental Management Plans shall take into consideration the implications of the Parkes Shire Roadside Management Plan, 1997, particularly identification and treatment of high value roadside vegetation.

Waste Management

21. All building rubbish and debris, including that which can be wind blown, shall be contained on site in a suitable container for disposal at an approved Council Waste

Landfill Depot. The container shall be erected on the building site prior to work commencing and shall be maintained for the term of the construction to the completion of the project.

Note 1: No building rubbish or debris shall be placed or permitted to be placed on any adjoining public reserve, footway or road.

Note 2: The waste container shall be regularly cleaned to ensure proper containment of the building wastes generated on the construction site.

22. No contaminated waste water or liquid waste is to be discharged into Parkes Shire Council's stormwater system or sewerage without the prior submission of a trade waste application to Parkes Shire Council and a Trade Waste Agreement being entered into with Parkes Shire Council and the Applicant.

Note: The Applicant is to liaise with Council's Manager Natural Resources prior to commencement of the construction to determine any Trade Waste requirements.

23. All removal, transport and disposal of asbestos or other contaminated waste materials shall be controlled in accordance with the Work Health and Safety Act 2011 and the Protection of Environment Operations Act 1997.

Note: The delivery of asbestos waste to Parkes Shire Council's Waste Depot must be pre-booked.

Note: Requirements for licensing for work involving asbestos removal can be found on the Workcover Authority of NSW website at www.workcover.nsw.gov.au

24. The person having the benefit of the development consent must provide Council with a copy of a signed contract with such a person before any development pursuant to the development consent commences.

Any such contract must indicate whether any bonded asbestos material or friable asbestos material will be removed, and if so, must specify the landfill site (that may lawfully receive asbestos) to which the bonded asbestos material or friable asbestos material is to be delivered.

If the contract indicates that bonded asbestos material or friable asbestos material will be removed to a specified landfill site, the person having the benefit of the complying development certificate must give the principal certifying authority a copy of a receipt from the operator of the landfill site stating that all the asbestos material referred to in the contract has been received by the operator.

Note 1: In this condition, bonded asbestos material, bonded asbestos removal work, friable asbestos material and friable asbestos removal work have the same meanings as in clause 317 of the Occupational Health and Safety Regulation 2001.

Note 2: Under clause 317 removal work refers to work in which the bonded asbestos material or friable asbestos material is removed, repaired or disturbed.

Note 3: The effect of subclause (1) (a) is that the development will be a workplace to which the Occupational Health and Safety Regulation 2001 applies while removal work involving bonded asbestos material or friable asbestos material is being undertaken.

Note 4: Information on the removal and disposal of asbestos to landfill sites licensed to accept this waste is available from the Department of Environment, Climate Change and Water.

Damage to Council Assets

25. Any damage caused to roadways, utility installations and the like by reason of construction operations shall be made good and repaired to a standard equivalent to that existing prior to commencement of construction.

Utility Services

26. All connections to Council's reticulated water supply and sewerage networks shall be designed and constructed in accordance with the Water Services Association of Australia's 'Water Supply Code of Australia' and 'Sewerage Code of Australia', AUS-SPEC#1/Parkes Shire Council and to the satisfaction of Council's Director Engineering Services

Note: Application for water service connection must be lodged with Parkes Shire Council for any modification the water service connection or meter. Only Council is authorised to work on the water reticulation network. Any modifications to the water service connection will be undertaken at no cost to Council.

27. All previously connected services are to be appropriately disconnected as part of the demolition works. The Applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
28. Water and sewerage services shall be disconnected by a licensed plumber and drainer, and the work inspected and approved by Parkes Shire Council's Director of Operations.
29. Advise Essential Energy of the development prior to its commencement and provide Council with written evidence that suitable arrangements have been made for the provision of an adequate electricity supply for the development, including provision for any additional street lighting required for security purposes.
30. Advise the relevant telecommunications authority of the development prior to the commencement of work and provide Council with written evidence that suitable arrangements have been made for the provision of adequate lines to serve the development.

Stormwater

31. The stormwater drainage system shall be designed for a 1 in 10 year ARI, 5 minutes duration storm without surcharge in accordance with Australian Standard 3500 'National Plumbing and Drainage Code'. Provision shall be made for an emergency overland flow path capable of conveying all flows from all storms up to and including the 1 in 100 year ARI storm to the approved storm water discharge location without adverse affect on adjoining properties. Details of the proposed and existing stormwater infrastructure is to be provided prior to works commencing on site.

Access, Parking and Loading

32. All loading and unloading of delivery vehicles is to take place off-street and must not inhibit the free flow of vehicles accessing the site or other premises in the area.
33. Prior to the occupation of the multi-purpose service, provide on-site parking for a minimum of 30 car parking spaces in marked spaces. Car parking and trafficable areas shall be designed and maintained in accordance with Council's Car Parking Code,

1998 and shall be kept clear and available at all times for such purposes. The design shall comply with AS2890.1:2004 and AS2890.6:2009.

34. Pave/seal and line mark all access ways, parking manoeuvring areas in accordance with Parkes Shire Council's Car Parking Code, 1998 and AUS-SPEC #1/Parkes Shire Council. Car parking and trafficable areas shall be constructed and maintained in good order at each stage of development and kept clear and available at all times for such purposes.
35. Lighting shall be provided over all the parking areas. Lighting shall be installed to category P11/P12 as specified in AS1158.3.1 Lighting for Roads and Public Spaces.
36. For traffic safety reasons, access to and from the site for all vehicles shall be via the main hospital access directly from the Newell Highway. Ambulance access for emergency response or returning to the garage may alternatively use Whitton Park Road access.
37. A continuous concrete path is to be provided from the front property boundary to the new hospital building.

Landscaping

38. Provide and maintain site landscaping in accordance with the approved landscape plan submitted with the Development Application.
39. Landscaping associated with the development shall not impede site lines of vehicles entering and leaving any of the access or laneways adjoining the site.
40. No additional vegetation to that indicated on the 'proposed site plan' is to be damaged as a consequence of the demolition process, or removed without the prior consent of Council.

Roads and Maritime Services

41. Prior to the commencement of demolition or construction works on the site, the proponent shall submit a Construction Transport Management Plan (CTMP). The CTMP should be developed in consultation with Council and RMS and specifically detail:
 - Types of vehicle, volumes and times of peak travel during demolition and construction works. Details of mitigating measures to reduce impacts on public roads, residents and the safety and efficiency of traffic and pedestrians (including but not limited to school buses and students) on local and classified roads are also to be included;
 - Sight distances at affected intersections and accesses;
 - Local conditions that may affect road safety and efficiency during construction and occupation of the land (e.g. fog) and mitigating measures to be employed.
42. A Road Occupancy Licence is required prior to any works commencing within three metres of the travel lanes of the Newell Highway. This can be obtained by contacting the Traffic Operations Manager on (02) 6861 1686. Submission of a Traffic Management Plan incorporating a Traffic Control Plan is required as part of this licence.

Inspections

43. The Applicant is required to obtain written evidence from Parkes Shire Council or an Accredited Certifying Authority, certifying that all road-works for access and carparking, including drainage infrastructure, has been constructed and completed in accordance with AUS-SPEC#1/Parkes Shire Council.

Note 1: For the purposes of obtaining a Compliance Certificate, the road works and/or car parking construction must be inspected by Council or an Accredited Certifying Authority at the times specified below:

- (a) Earthworks: Prior to any road works/ car parking construction and when all sediment controls have been placed in position.
- (b) Kerb and Gutter: When the road-base is properly formed and levels for the top of the kerb are in place and prior to pouring of concrete.
- (c) Pavement: When the road-base is properly formed and compacted and prior to sealing.
- (d) Completion: When all road works are completed, including sealing, Kerb & Gutter, directional signage, street lighting and street furniture.

Note 2: Written evidence is required irrespective of whether the above works have been inspected by a structural engineer, a lending authority or any other person.

Note 3: Any additional Council inspection that is needed to verify the completion of any work and that is beyond the scope of those listed above will be charged at the individual inspection rate nominated in Parkes Shire Council's Fees and Charges Schedule.

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