

STATEMENT OF ENVIRONMENTAL EFFECTS

**PROPOSED ALTERATIONS & ADDITIONS TO LINGARD PRIVATE HOSPITAL
(STAGE 5) ON LOT 100 DP 1168197 NO. 23 MEREWETHER STREET AND
LOTS 1 - 3 DP 1027546, NOS. 22 & 24 MEREWETHER STREET &
NO. 6 LINGARD STREET, MEREWETHER.**

PREPARED FOR HEALTHE CARE AUSTRALIA PTY LTD.

**DOUG SNEEDON PLANNING PTY LTD
in association with
HEALTH SCIENCE PLANNING CONSULTANTS
MOIR LANDSCAPE ARCHITECTURE
NORTHROP**

NOVEMBER 2015

2/101 Excelsior St,
Lisarow NSW 2250
TEL: 02 4328 3851
FAX: 02 4328 4050
MOB: 0408 432 838

sneddon@bigpond.net.au
ABN: 20 100 396 914

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APPENDIX L: Clause 5.5 (LEP 2012) - Development within the Coastal Zone.

APPENDIX M: Traffic & Parking Assessment Report.

Statement of Environmental Effects: Proposed alterations & additions to Lingard Private Hospital (Stage 5) at Nos. 22, 23 & 24 Merewether Street & No. 6 Lingard Street, Merewether.

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1. INTRODUCTION.

Doug Sneddon Planning Pty Ltd has been engaged by Healthe Care Australia Pty Ltd (PO Box 21297, World Square, 1400) to prepare this Statement of Environmental Effects to accompany a development application to Newcastle City Council for alterations and additions (Stage 5) to Lingard Private Hospital to

- construct a three storey addition on the western side of the existing hospital site to provide a new ground floor theatre suite (3 operating theatres); two general ward levels providing 49 additional beds and 'Lingard Private Hospital' identification signage on the northern and western building elevations; and
- provide a new car park (50 spaces) fronting Merewether and Lingard Streets.

The proposed development has a capital value of \$15.242m and is identified under Schedule 4A of the EPA Act as 'Regional Development'. The Hunter and Central Coast Joint Regional Planning Panel is therefore authorised to exercise consent authority functions for the proposed development.

As the subject land is located within the Newcastle Mine Subsidence District, this development application is submitted as 'Integrated Development'

This Statement of Environmental Effects addresses relevant matters under Section 79C (1) of the Environmental Planning and Assessment Act; the Environmental Protection and Biodiversity Act (1999); and the Local Government Act, 1993.

2. SITE DESCRIPTION.

The subject land is described as Lot 100 DP 1168197, No. 23 Merewether Street, Merewether, having an area of 1.03 ha (the site of the existing Lingard Private Hospital and the proposed hospital additions and alterations); and Lots 1 – 3 DP 1027546, Nos. 22 & 24 Merewether Street and No. 6 Lingard Street, Merewether, having an area of 1,933m² (the site of the proposed new car park):

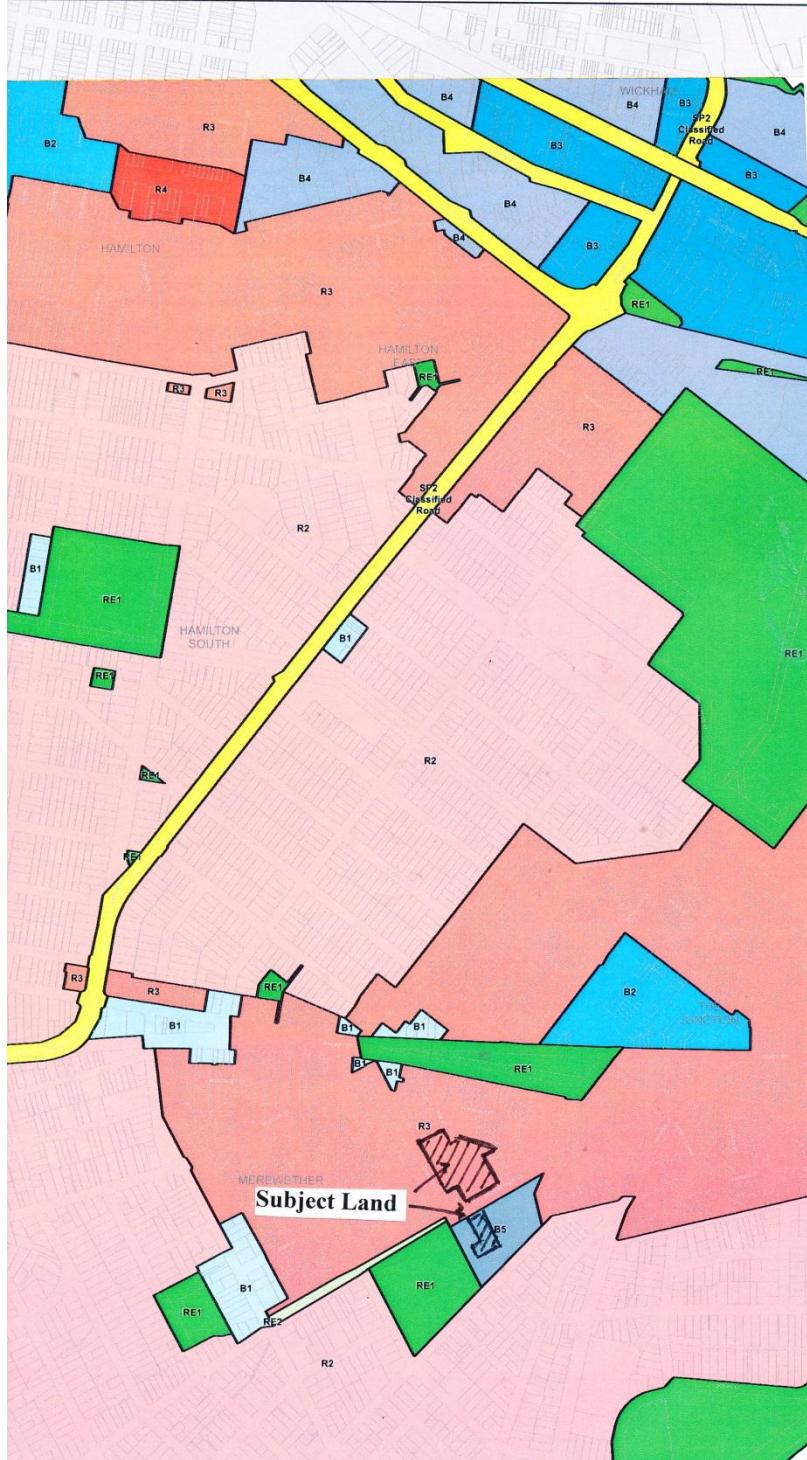
- a Locality Aerial Photograph is at Figure 1;
- a Zoning plan is provided at Figure 2;
- Site Survey Plans are provided in Appendix A; and
- site photographs are provided in Appendix B.

The subject land is relatively flat and a Flood Information Certificate (copy in Appendix C) provided by Newcastle City Council indicates that the land is located within a flood prone area.

The hospital site (No. 23 Merewether Street) is a large consolidated allotment that has frontages to Merewether and Lingard Streets, whilst No. 22 Merewether Street is vacant; No. 24 Merewether Street is occupied by an old single storey dwelling house; and No. 6 Lingard Street is occupied by double storey (former dwelling house) business premises.



Figure 1: Locality Aerial Photograph.



Newcastle Local Environmental Plan 2012

Land Zoning Map - Sheet LZN_004G

Land Zone

- [B1] Neighbourhood Centre
- [B2] Local Centre
- [B3] Commercial Core
- [B4] Mixed Use
- [B5] Business Development
- [E1] National Parks and Nature Reserves
- [E2] Environmental Conservation
- [E3] Environmental Management
- [E4] Environmental Living
- [IN1] General Industrial
- [IN2] Light Industrial
- [IN3] Heavy Industrial
- [R2] Low Density Residential
- [R3] Medium Density Residential
- [R4] High Density Residential
- [RE1] Public Recreation
- [RE2] Private Recreation
- [SP2] Infrastructure
- [W2] Recreational Waterways
- [UL] Unzoned Land
- [MD] SEPP (Major Development) 2005
- [TP] SEPP (Three Ports)

Cadastre

Base data 09/09/2013
 © Land and Property Information (LPI)
 Addendum data 09/10/2013 © City of Newcastle

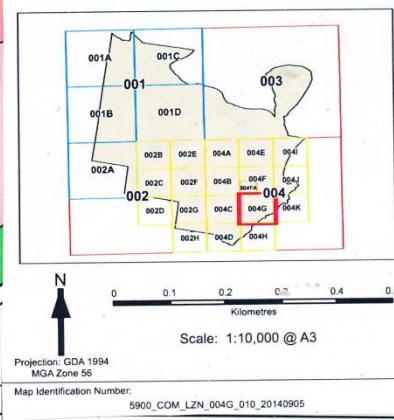


Figure 2: Zoning Plan (LEP 2012).

The existing hospital is bounded to the north and west by a mix of 2-3 storey medium density residential development and to the south-east by light industrial uses. The proposed car park is bounded on the east by a single storey industrial shed (vehicle repairs); on the west by a single storey medical/business centre; and on the south by a place of public worship.

Lingard Hospital currently accommodates 98 general hospital beds and offers a comprehensive range of specialist health services including on-site cardiac, medical, surgical and allied health services. There are two on-site car parks accommodating a total of 78 cars, accessed via 4 driveways located on Merewether, Lingard and Tye Streets. Service vehicles access the hospital via Lingard and Tye Streets.

All utility services are available to the subject land and have the capacity to service the proposed development.

The subject land is located within the Newcastle Mine Subsidence District.

3. DESCRIPTION OF THE PROPOSED DEVELOPMENT.

3.1 Summary of Proposed Works: The proposed development involves the following works:

- removal of the existing doctors car park (26 spaces) for the construction of a three storey addition (2,568m²) at the western side of the existing hospital site to provide a new ground floor theatre suite (3 new operating theatres) and two general ward levels providing 50 beds (overall + 49 additional beds as 3 beds are lost in the internal alterations to the existing hospital);
- part internal refurbishment of the existing hospital (existing theatres and administration/amenities - over 846m²); and
- provision of a new car park (50 spaces) fronting Merewether and Lingard Streets.

The cost of the proposed works is \$15, 262,200 (excluding GST). A Detailed Cost Report is provided in Appendix D.

3.2 Staging of Construction: It is proposed to construct the proposed works in two stages:

- Stage 1: construct and commission use of the proposed new 50 space car park; and
- Stage 2: decant the existing car park and construct the proposed hospital additions.

3.3 Architectural Plans: Details of the proposed development are indicated in Figures 3 - 19 prepared by Healthe Science Planning Consultants:

- Figure 3: Architectural Drawings Cover Sheet (Drawing DA00 – Revision B).
- Figure 4: Site Context Plan (Drawing DA01);
- Figure 5: Materials Schedule (Drawing DA03 – Revision A)
- Figure 6: Existing Site Plan (Drawing DA-10 – Revision A);
- Figure 7: Existing Ground Floor Plan (Drawing DA-11 – Revision A);

- Figure 8: Existing Level 1 Plan (Drawing DA-12 – Revision A);
- Figure 9: Proposed Site Plan (Drawing DA20 – Revision B);
- Figure 10: Proposed Ground Floor Plan (Drawing DA21 – Revision B);
- Figure 11: Proposed Level 1 Plan (Drawing DA22 – Revision B);
- Figure 12: Proposed Level 2 Plan (Drawing DA23 – Revision B);
- Figure 13: Proposed Basement Car Park (Drawing DA25 – Revision B);
- Figure 14: Proposed Concrete Deck over Basement Car Park (Drawing DA26 – Revision A);
- Figure 15: Proposed Elevations – North & East (Drawing DA30 - Revision B);
- Figure 16: Proposed Elevations – South & West (Drawing DA31 – Revision B);
- Figure 17: Proposed Hospital Sections (Drawing DA40 – Revision B);
- Figure 18: Proposed Car Park Sections (Drawing DA41 – Revision A); and
- Figure 19: Shadow Diagrams (Drawing DA50 – Revision B).

3.4 Landscape Plans.

Details of proposed site landscaping are indicated in the Landscape Design Report (provided in Appendix E) and Figures prepared by Moir Landscape Architecture, dated 30th October 2015:

- Figure 20: Cover Page (Drawing LP00);
- Figure 21: Site Analysis (Drawing L01);
- Figure 22: Landscape Concept Plan (Drawing L02);
- Figure 23: Landscape Plan – Detail (Drawing L03);
- Figure 24: Sections (Drawing L04); and
- Figure 25: Planting Details and Themeing (Drawing L05).

3.5 Erosion and Sedimentation Control and Stormwater Management.

The following Erosion and Sediment Management Plans and Concept Stormwater Management Plans, prepared by Northrop (dated 30th November 2015 – Revision B), are provided in Appendix F:

- Drawing C00DA – Cover Sheet and Drawing Index;
- Drawing C01DA – Proposed Car Park Erosion and Sediment Management Plan;
- Drawing C02DA – Proposed Extension – Erosion and Sediment Management Plan;
- Drawing C03DA – Erosion and Sediment Control Standard Details;
- Drawing C04DA – Proposed Car Park Ground Level Concept stormwater Management Plan;
- Drawing C05DA – Proposed Car Park Roof level Concept Stormwater Management Plan;
- Drawing C06DA – Proposed Extension Concept Stormwater Management Plan;
- Drawing C07DA – Civil Details – Sheet 1; and
- Drawing C08DA – Civil Details – Sheet 2.

**LINGARD PRIVATE HOSPITAL
STAGE 5 - DEVELOPMENT APPROVAL DRAWINGS
23 MEREWETHER STREET, MEREWETHER, 2291**

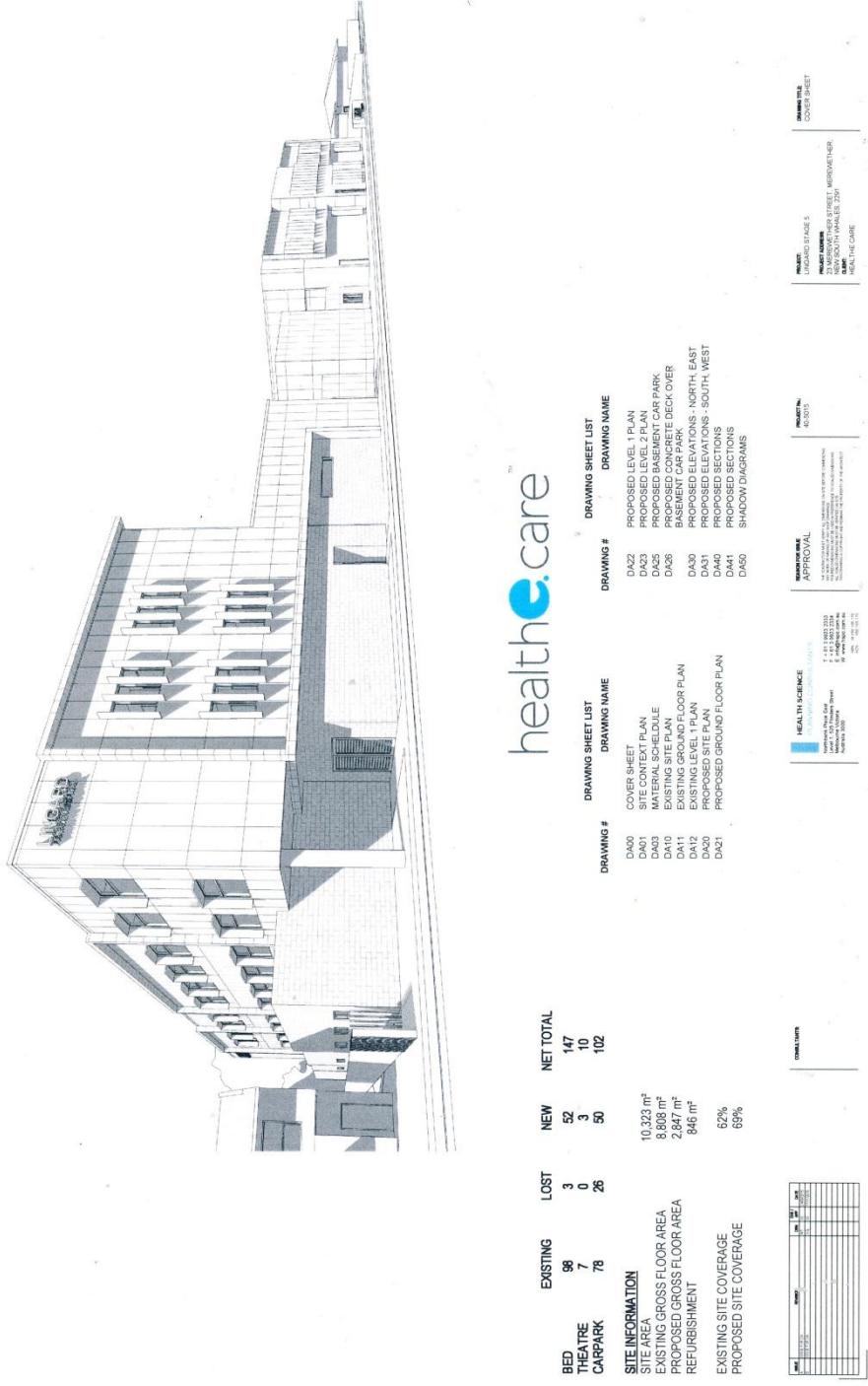


Figure 3: Architectural Drawings Cover Sheet.

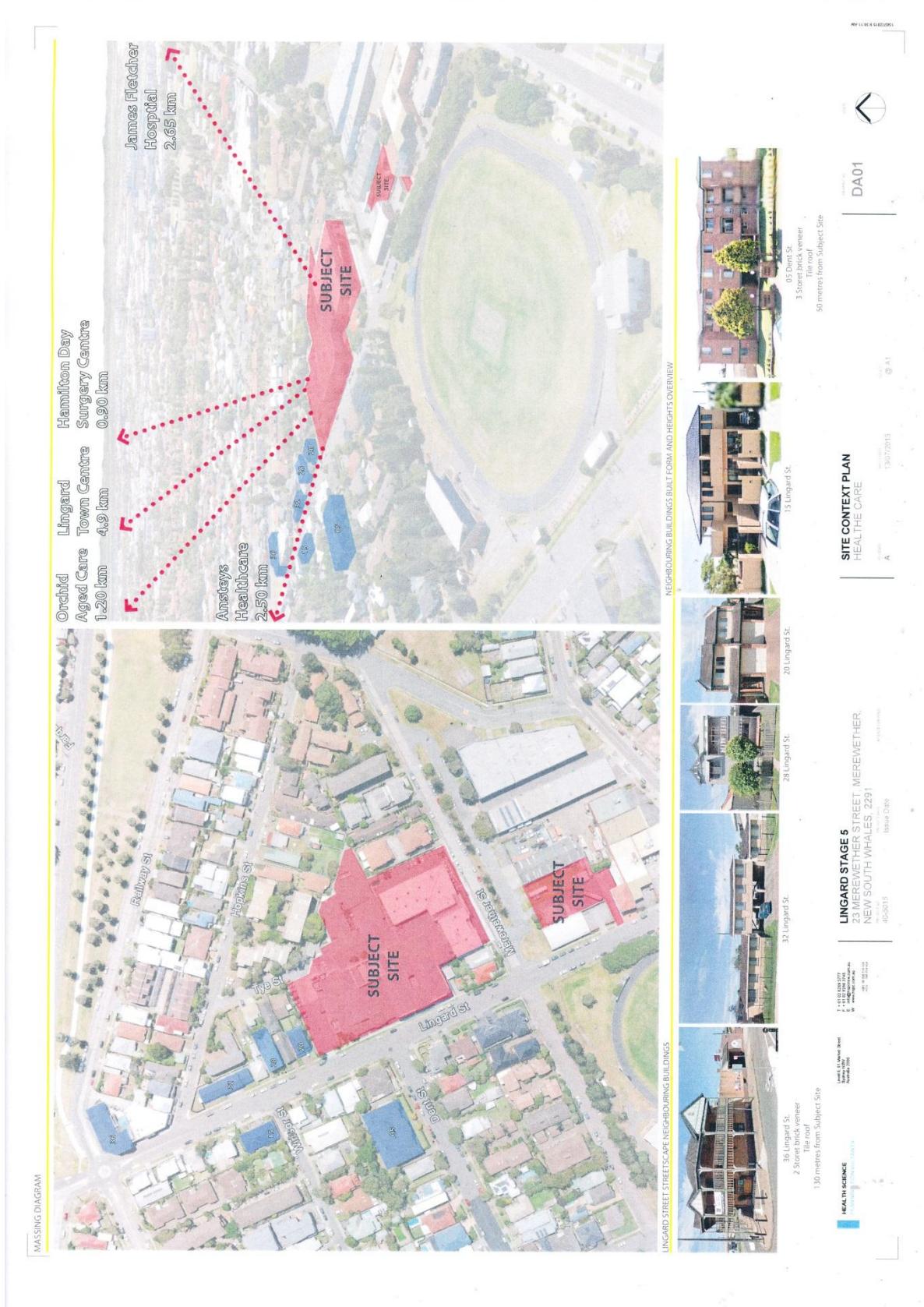


Figure 4: Site Context Plan.



Figure 5: Materials Schedule.

Statement of Environmental Effects: Statement of Environmental Effects: Proposed alterations & additions to Lingard Private Hospital (Stage 5) at Nos. 22, 23 & 24 Merewether Street & No. 6 Lingard Street, Merewether.

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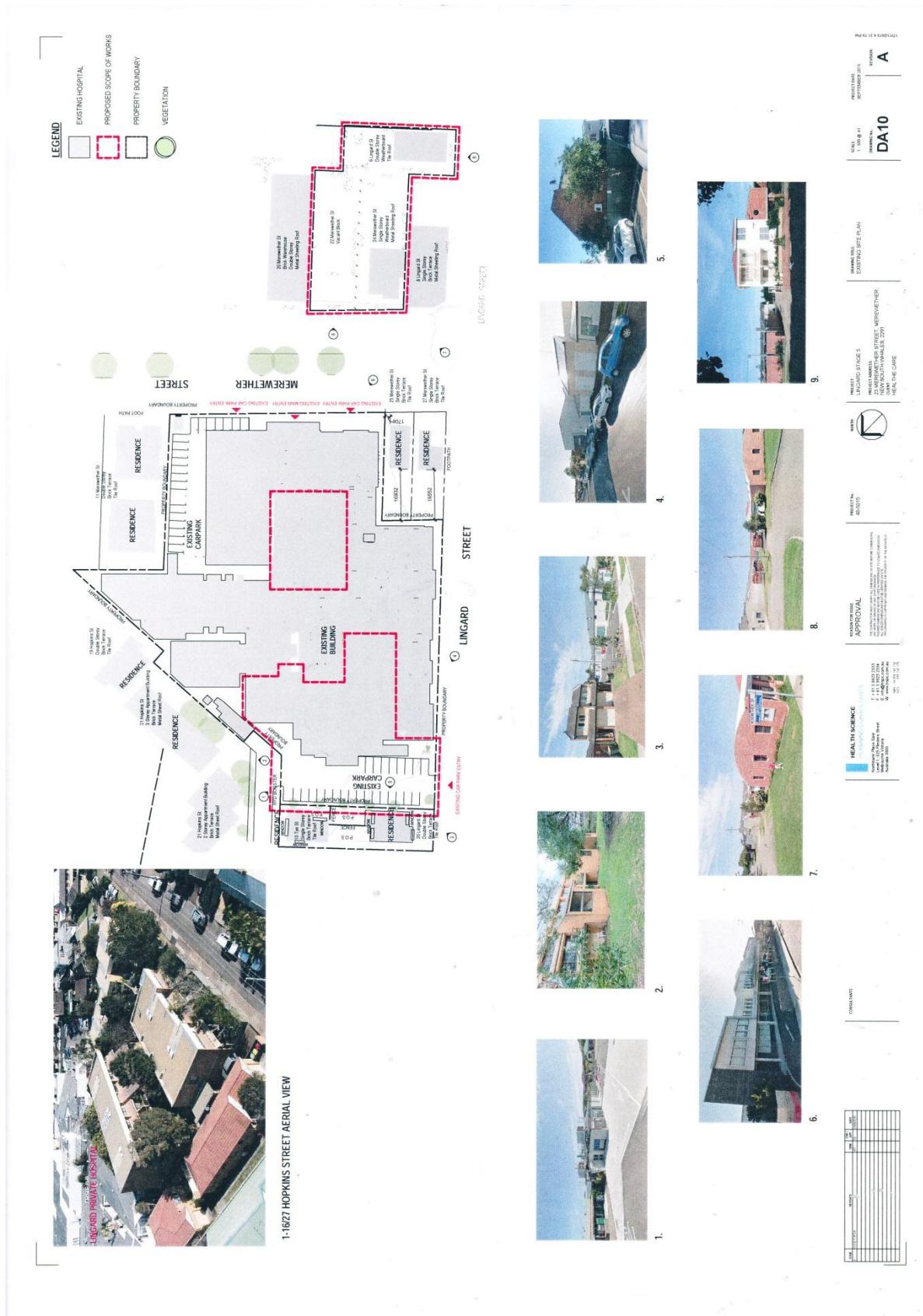


Figure 6: Existing Site Plan.

Statement of Environmental Effects: Statement of Environmental Effects: Proposed alterations & additions to Lingard Private Hospital (Stage 5) at Nos. 22, 23 & 24 Merewether Street & No. 6 Lingard Street, Merewether.

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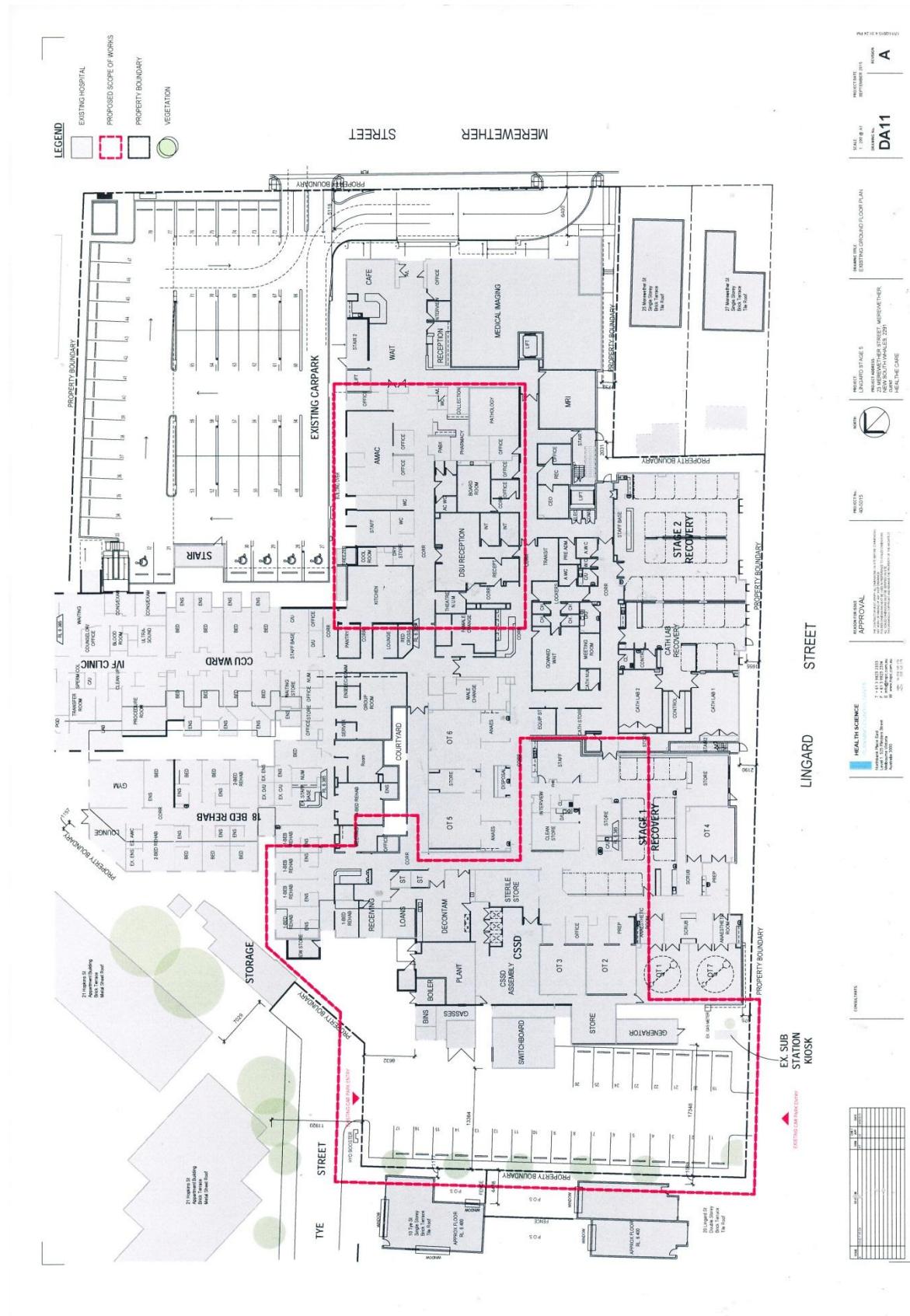


Figure 7: Existing Ground Floor Plan.

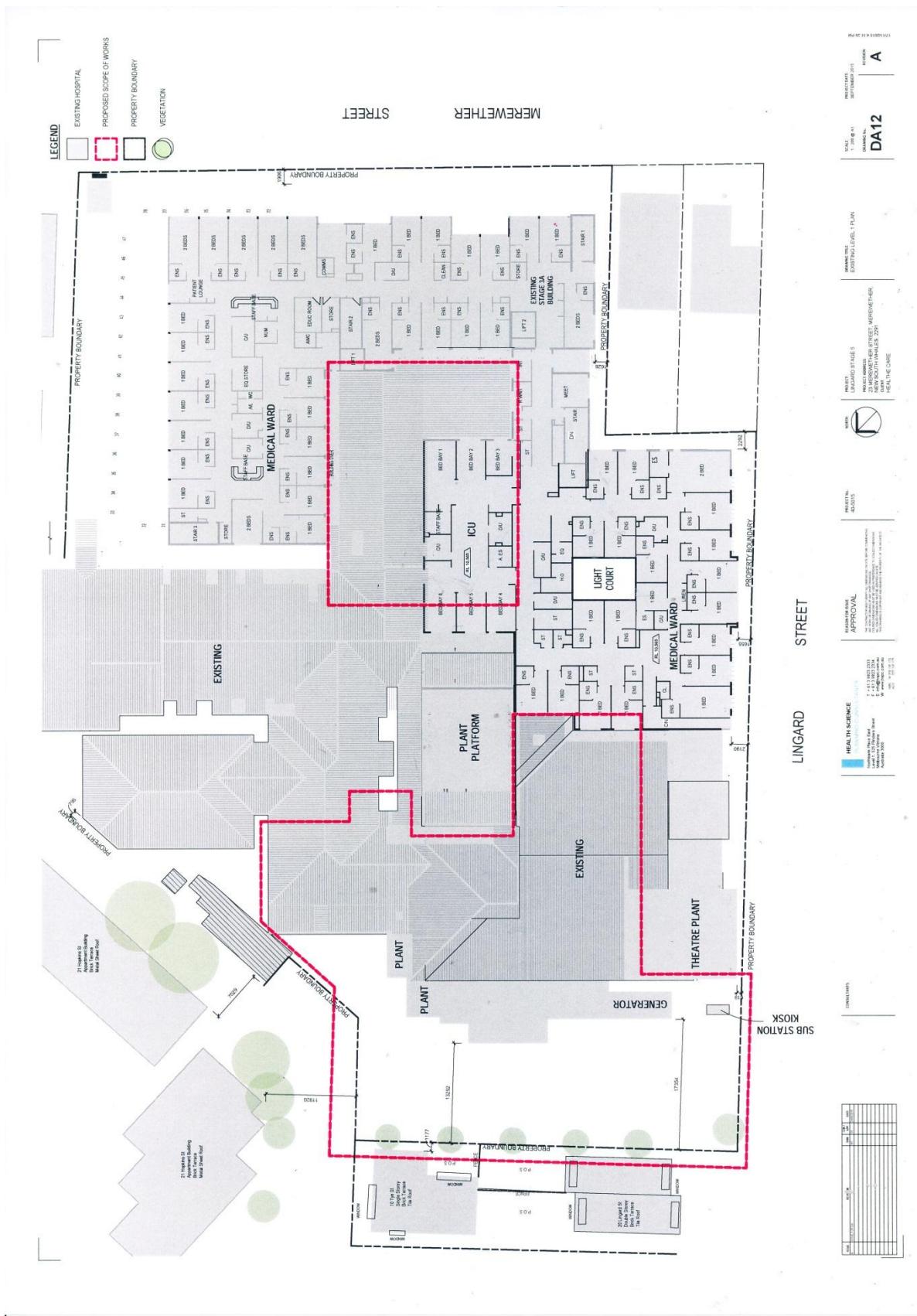


Figure 8: Existing Level 1 Plan.



Figure 9: Proposed Site Plan.

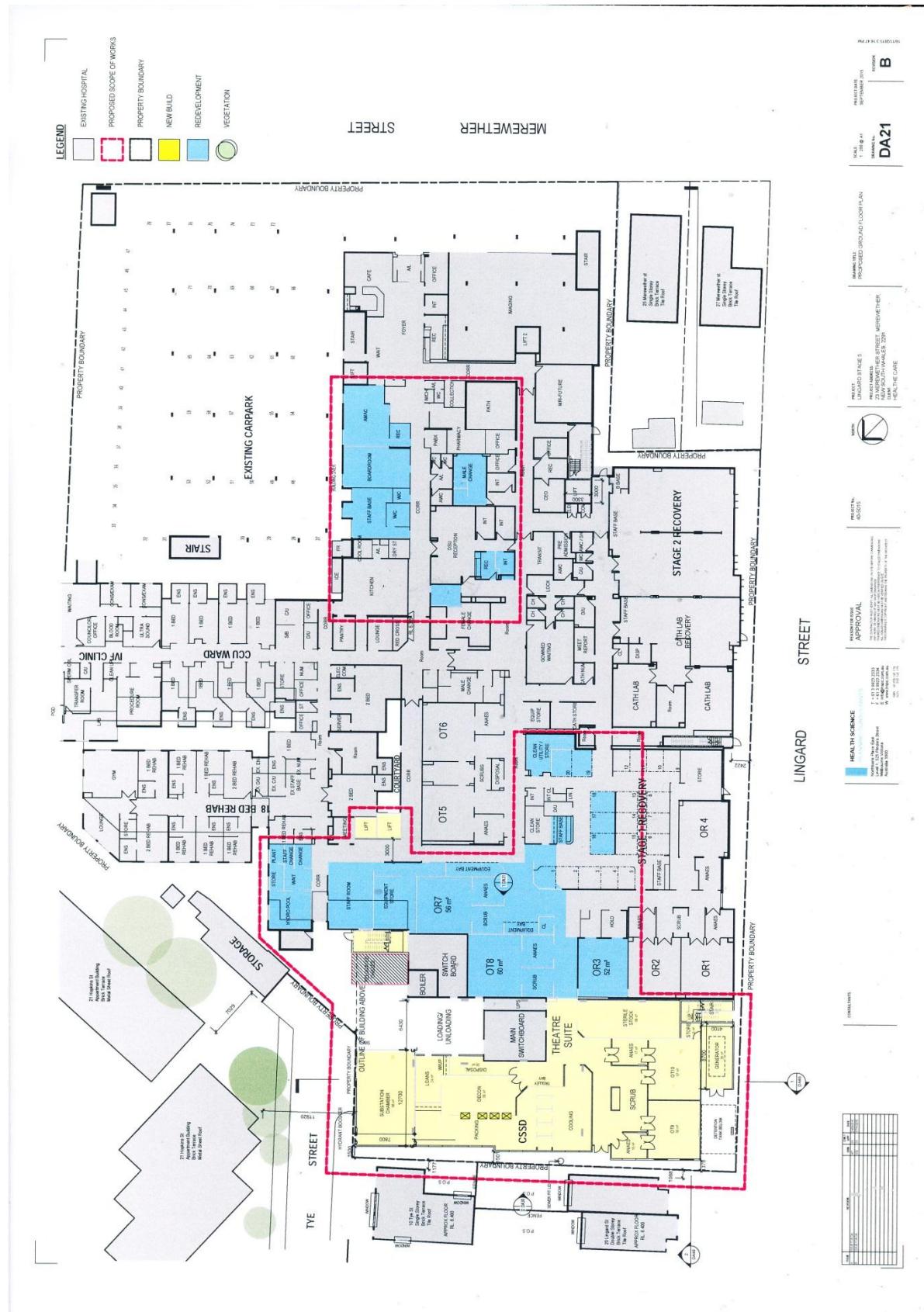


Figure 10: Proposed Ground Floor Plan.

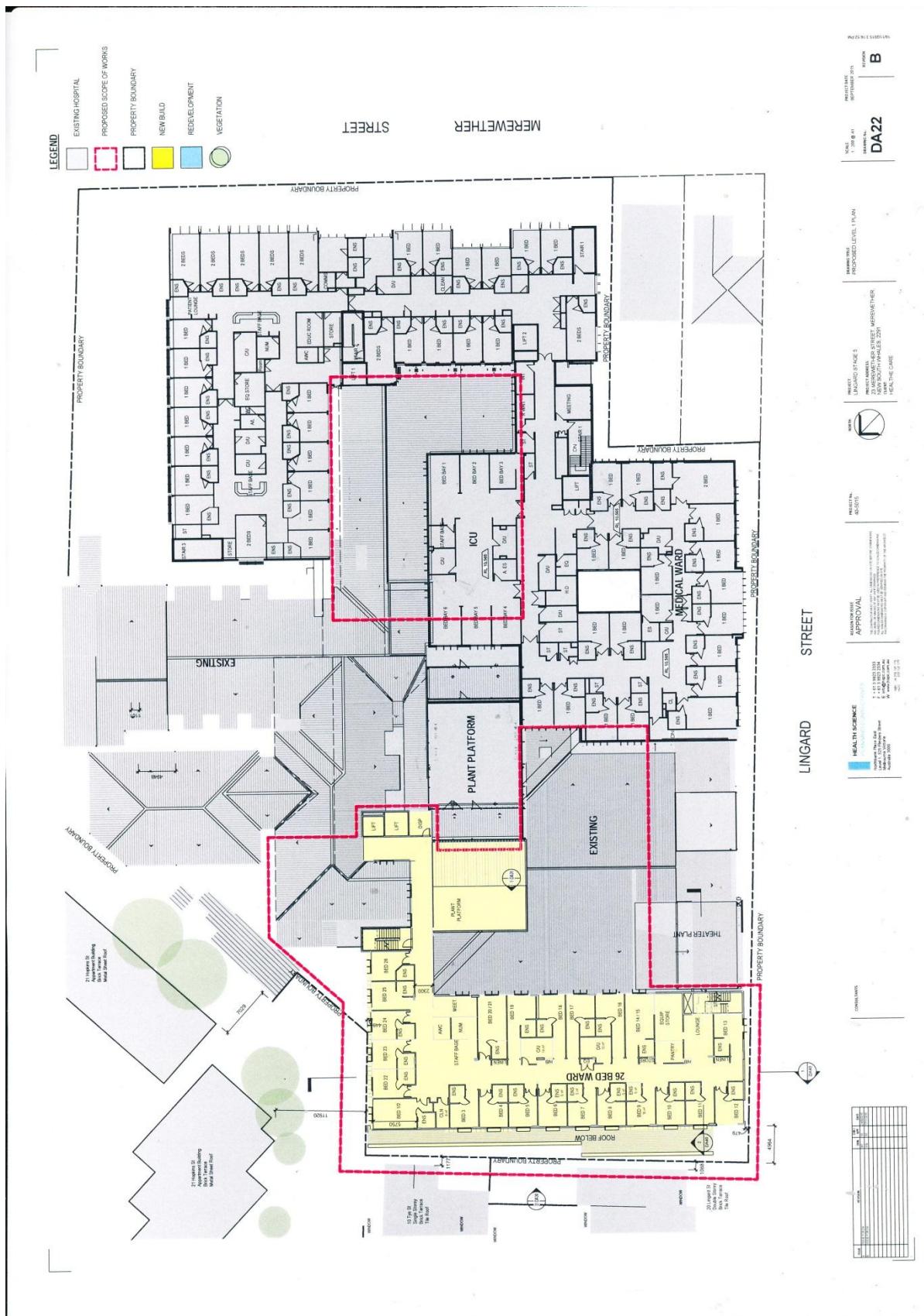


Figure 11: Proposed Level 1 Plan.

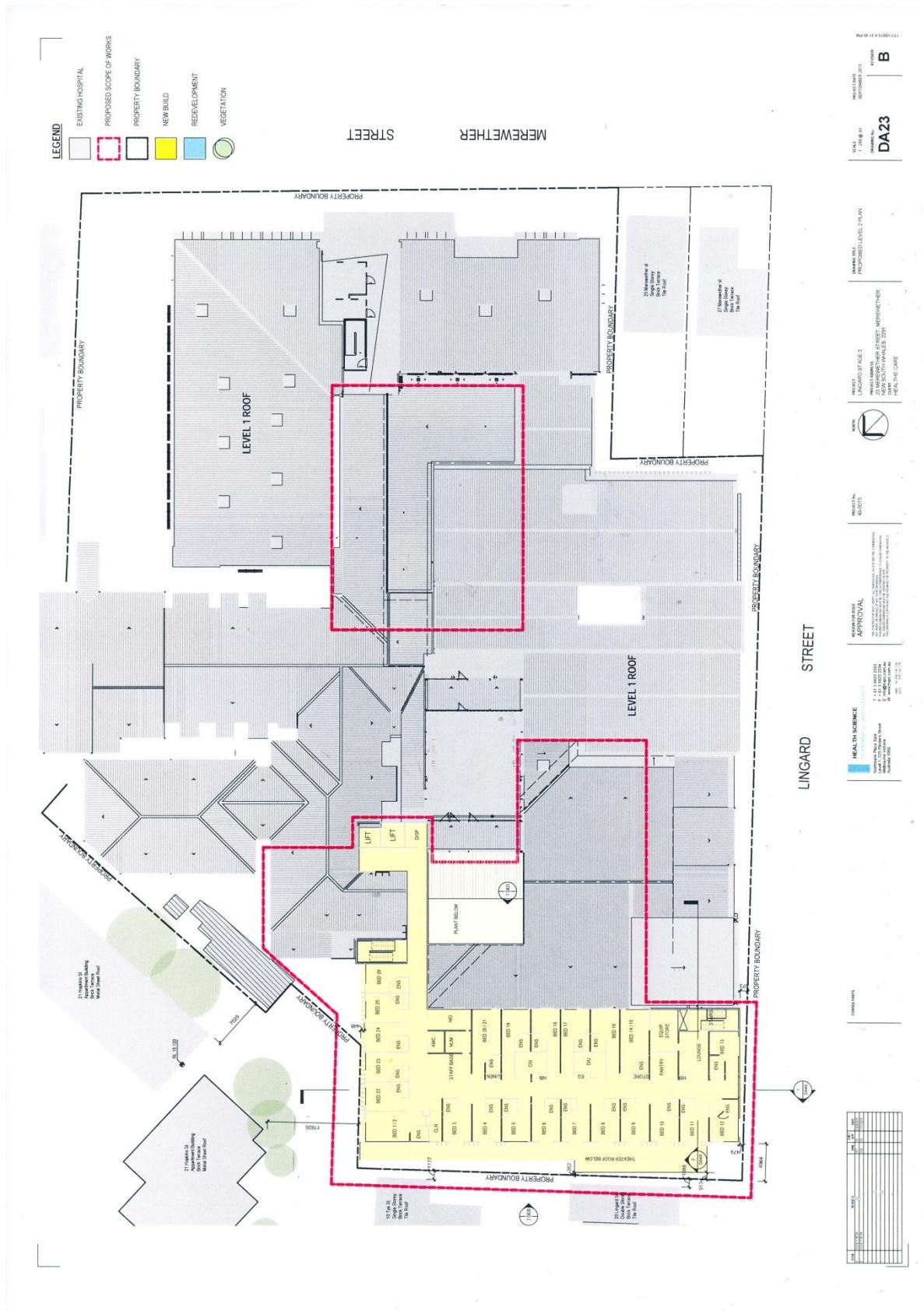


Figure 12: Proposed Level 2 Plan.

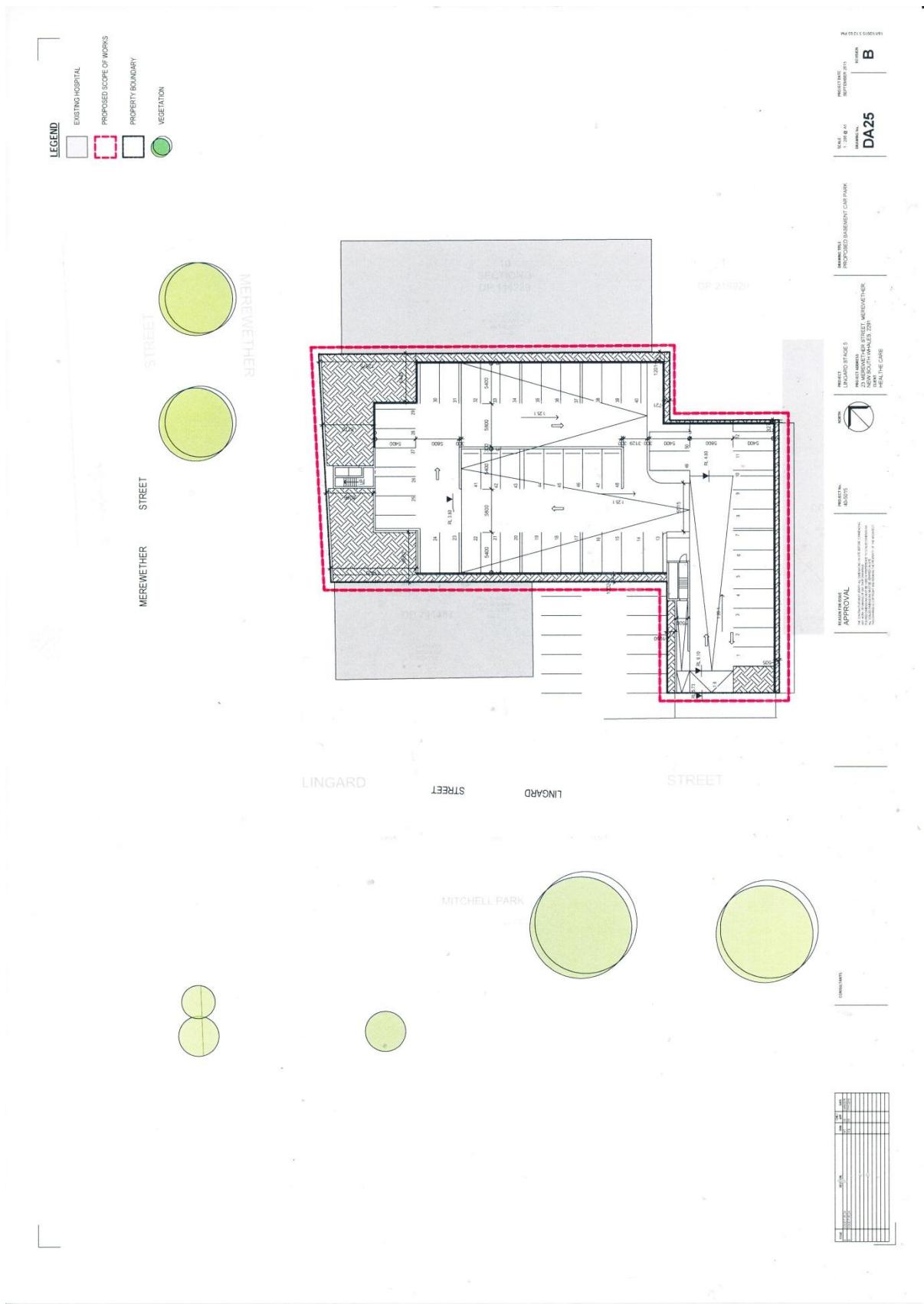


Figure 13: Proposed Basement Car Park.

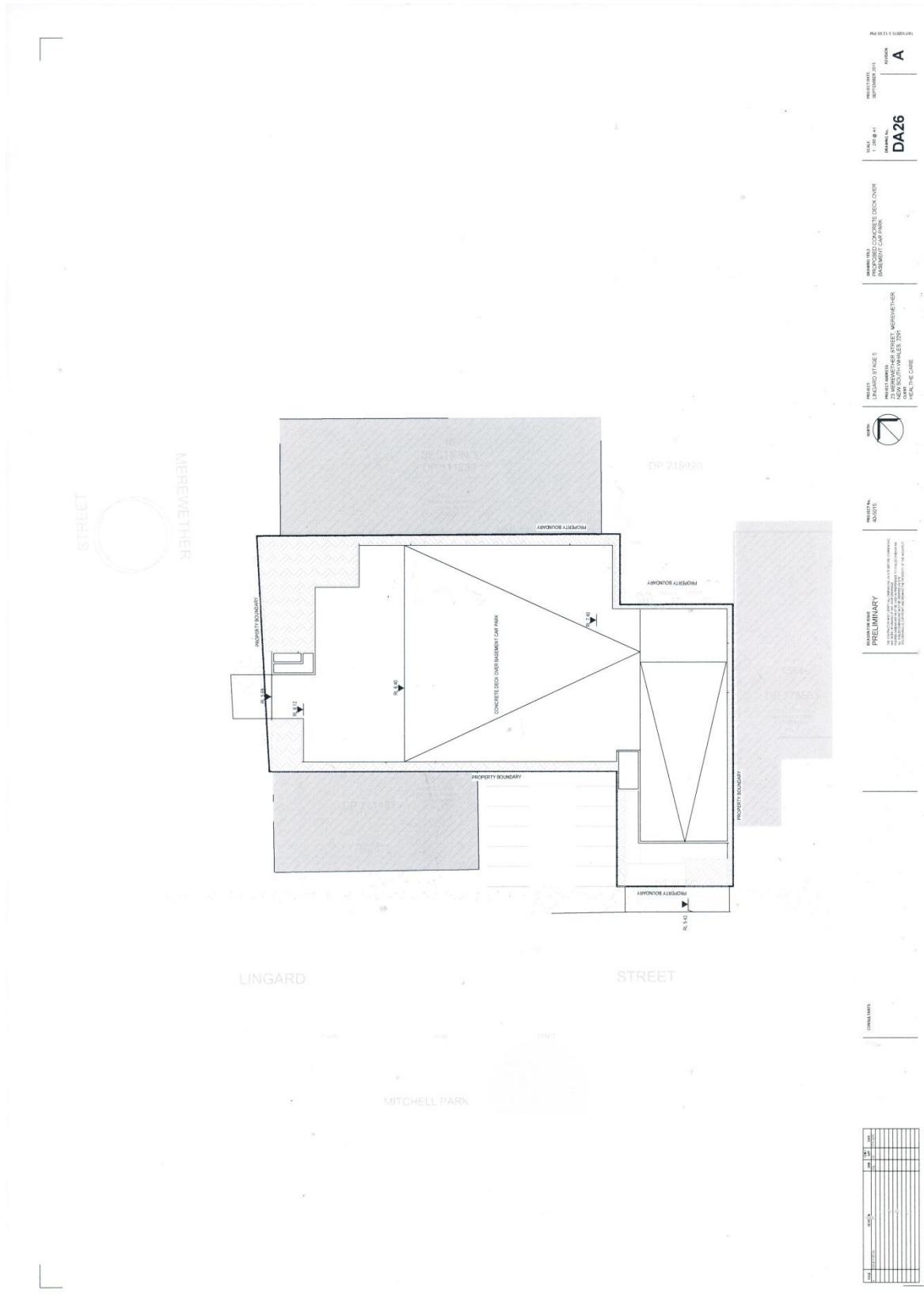


Figure 14: Proposed Concrete Deck over Basement Car Park.

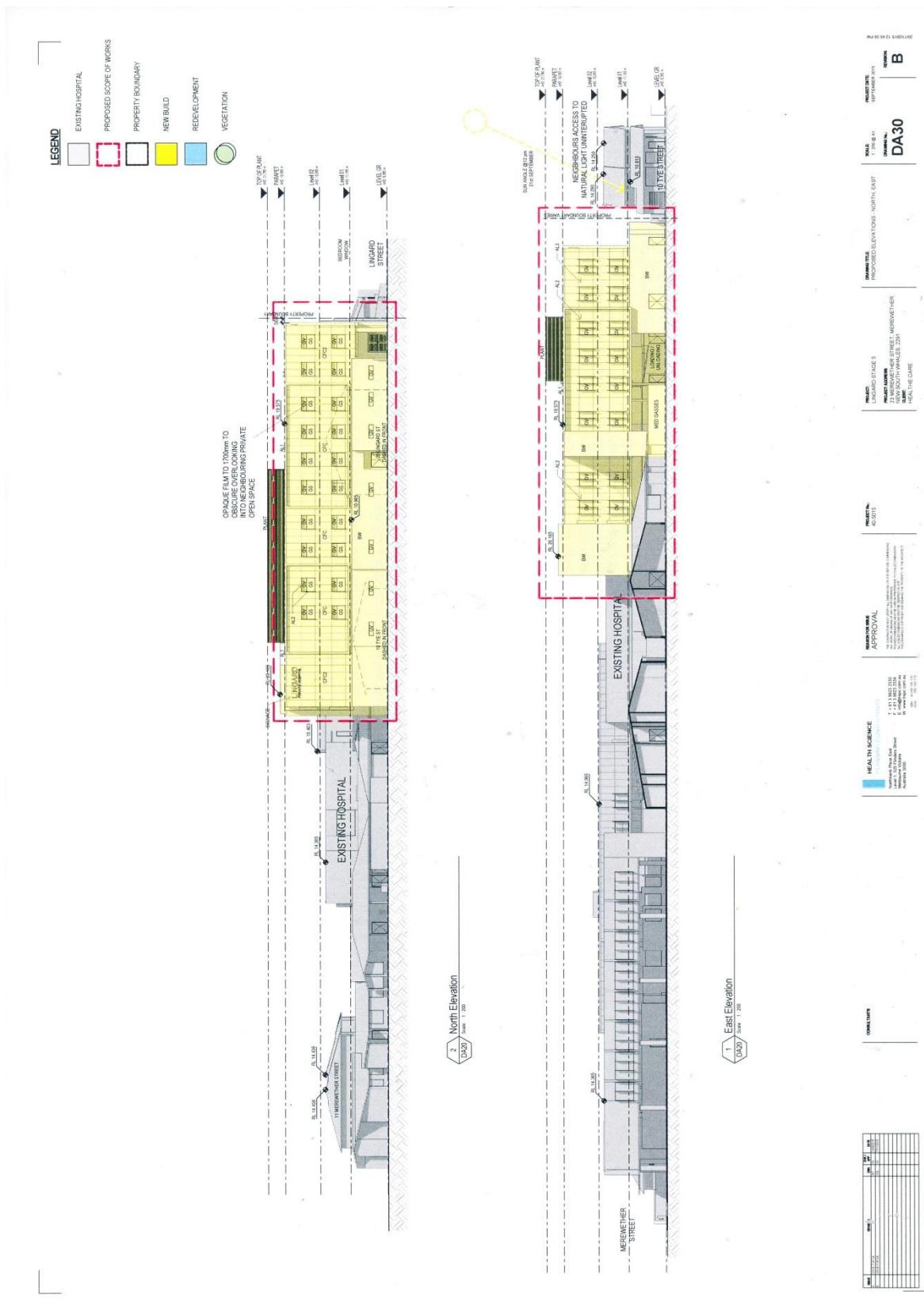


Figure 15: Proposed Elevations – North & East.

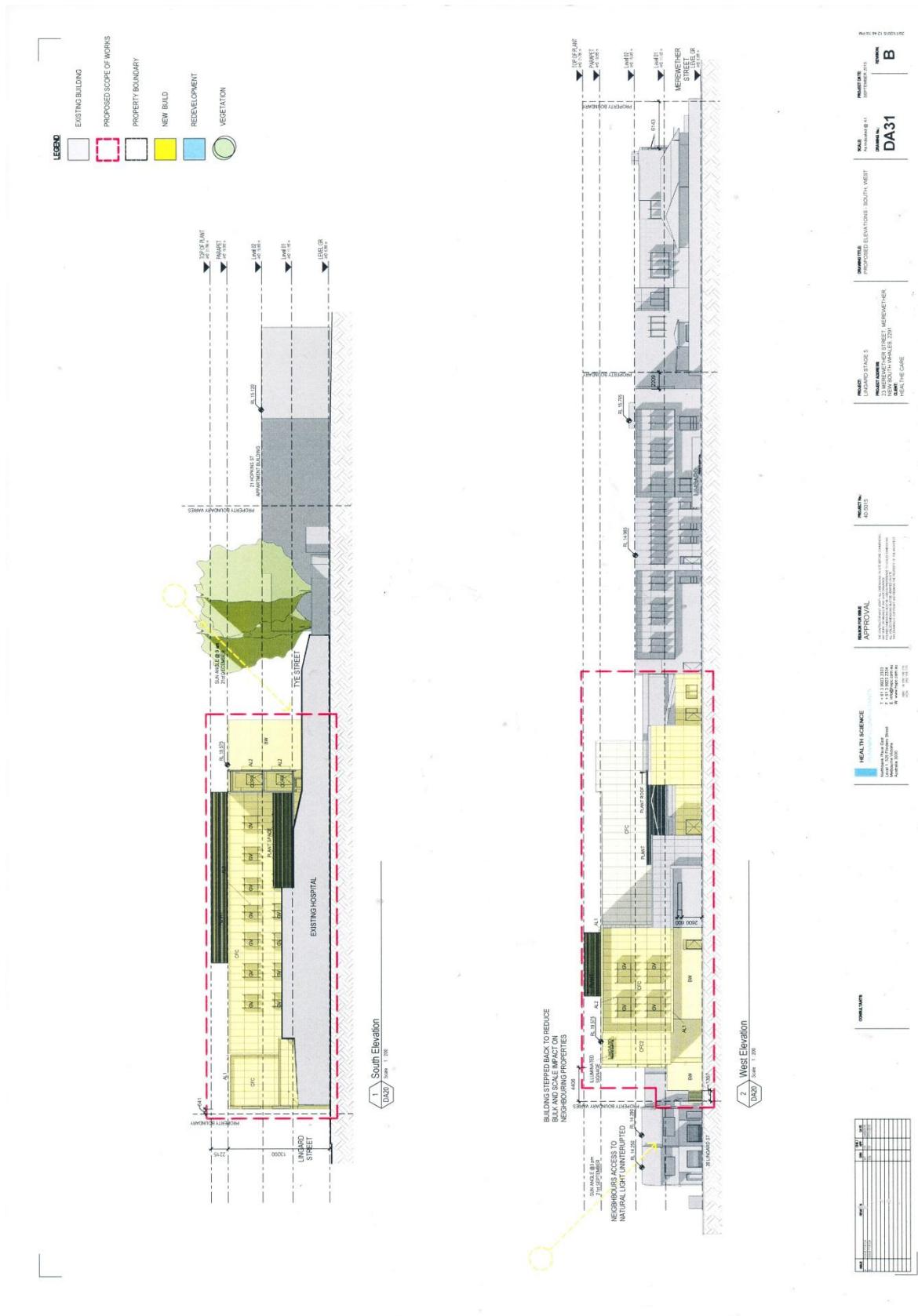


Figure 16: Proposed Elevations – South & West.

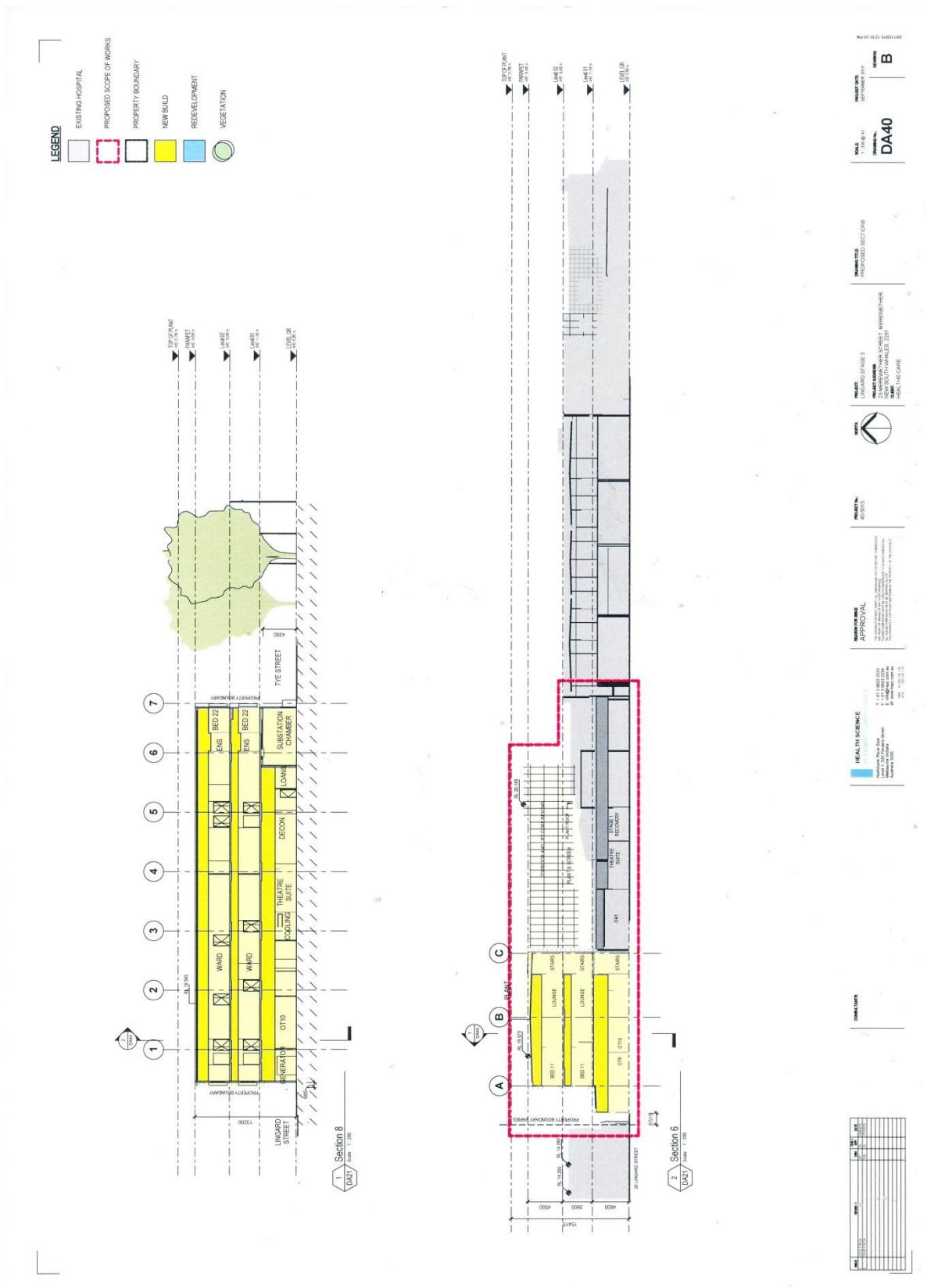


Figure 17: Proposed Hospital Sections.

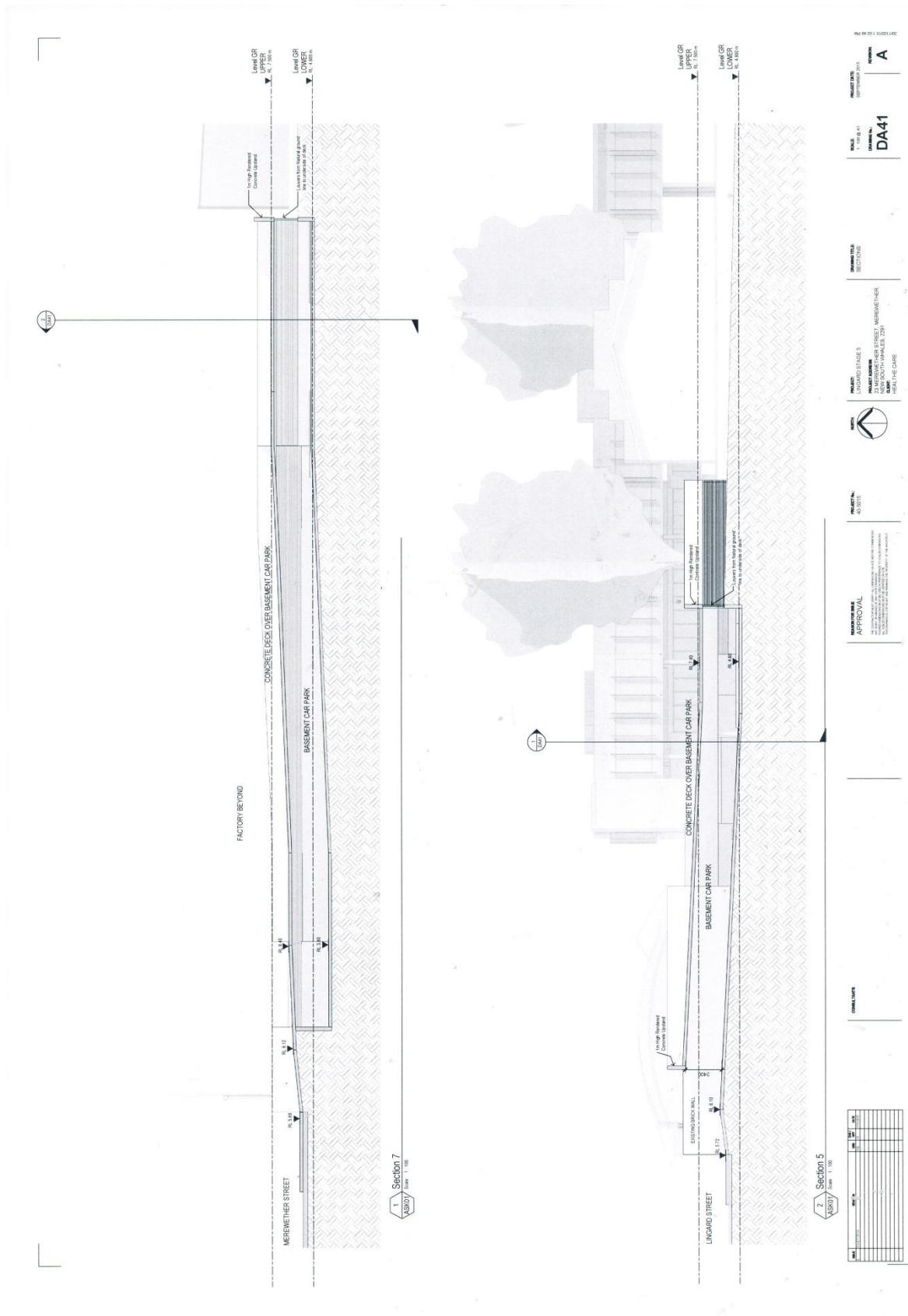


Figure 18: Proposed Car Park Sections.



Figure 19: Shadow Diagrams.

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Statement of Environmental Effects: Statement of Environmental Effects: Proposed alterations & additions to Lingard Private Hospital (Stage 5) at Nos. 22, 23 & 24 Merewether Street & No. 6 Lingard Street, Merewether.

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LINGARD HOSPITAL STAGE 5

LANDSCAPE DEVELOPMENT APPLICATION DOCUMENTATION
23 MEREWETHER ST, MEREWETHER, NSW.

DRAWING SCHEDULE		DRAWING TITLE	ISSUE DATE
DWG. NO.			
L00		COVER PAGE	30.10.2015
L01		SITE ANALYSIS	DRAFT
L02		LANDSCAPE PLAN	DRAFT
L03		LANDSCAPE PLAN - DETAIL AREA	DRAFT
L04		LANDSCAPE SECTIONS	DRAFT
L05		LANDSCAPE DETAILS AND THEMING	DRAFT



LOCATION PLAN NTS (Source: Six Maps, OCTOBER 2015)

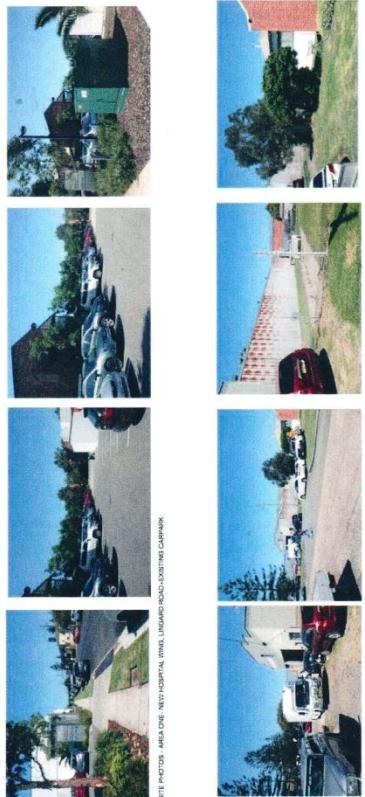


Figure 20: Landscaping - Cover Page.

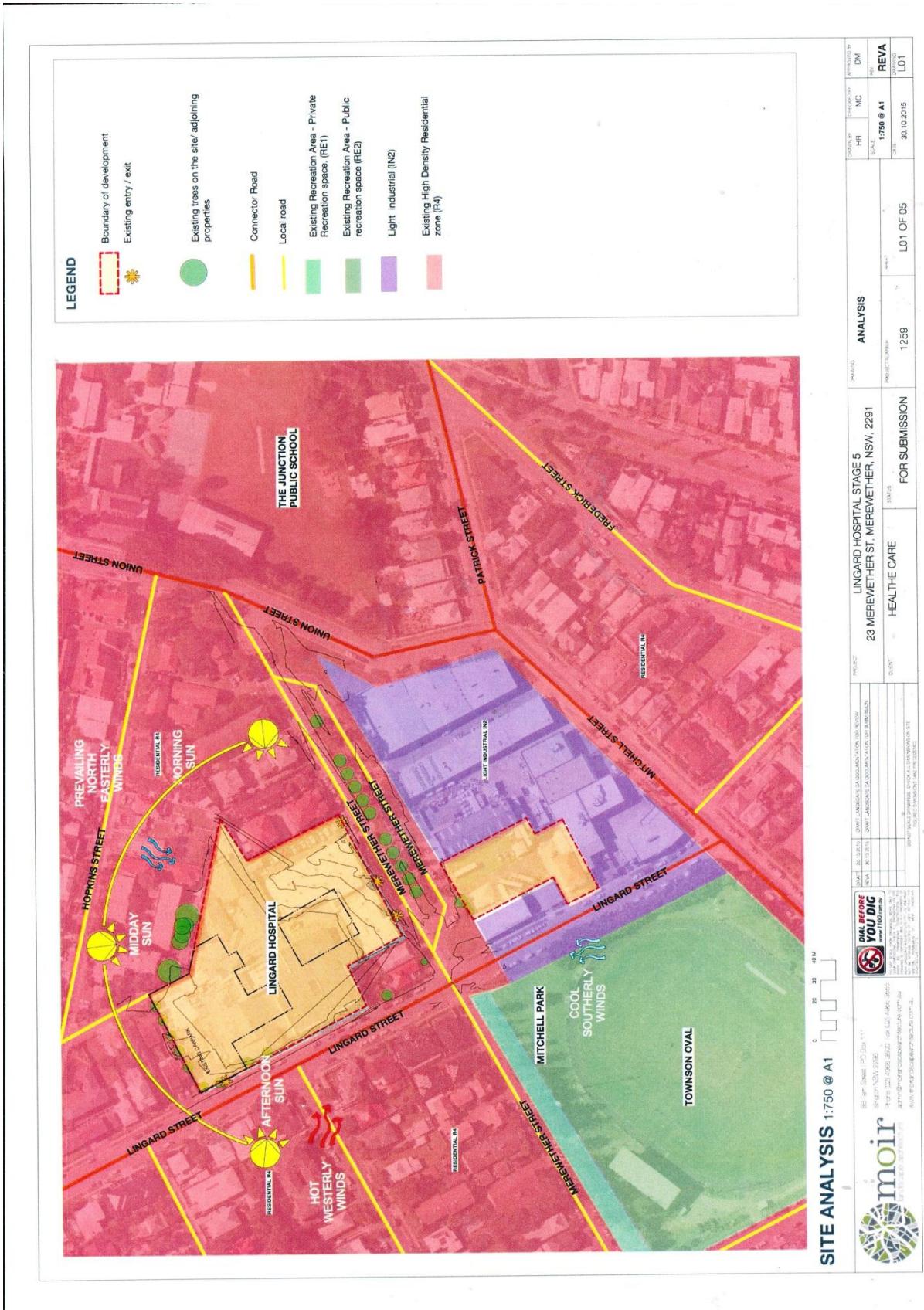


Figure 21: Landscaping - Site Analysis.

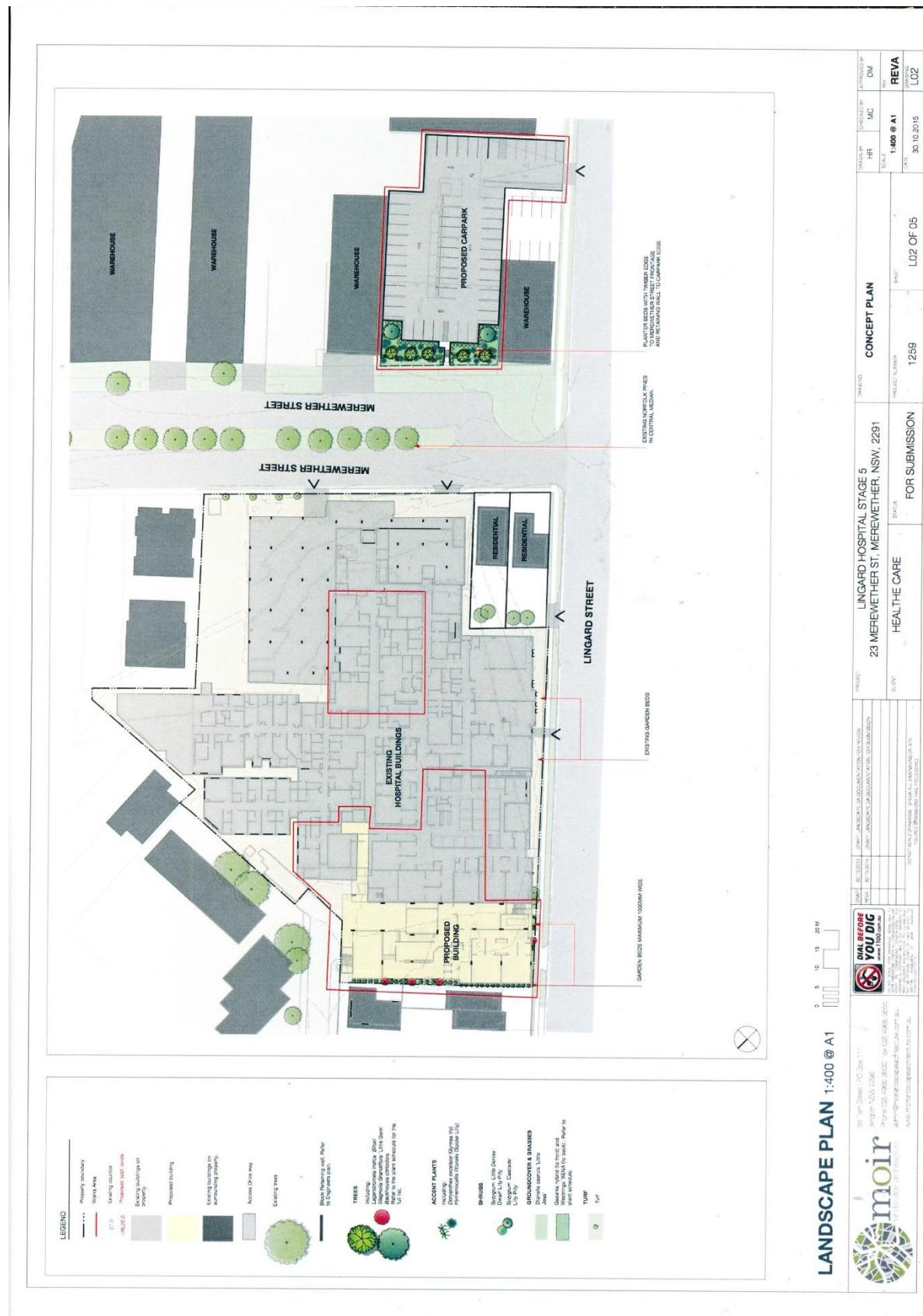


Figure 22: Landscape Concept Plan.



Figure 23: Landscape Plan – Detail.

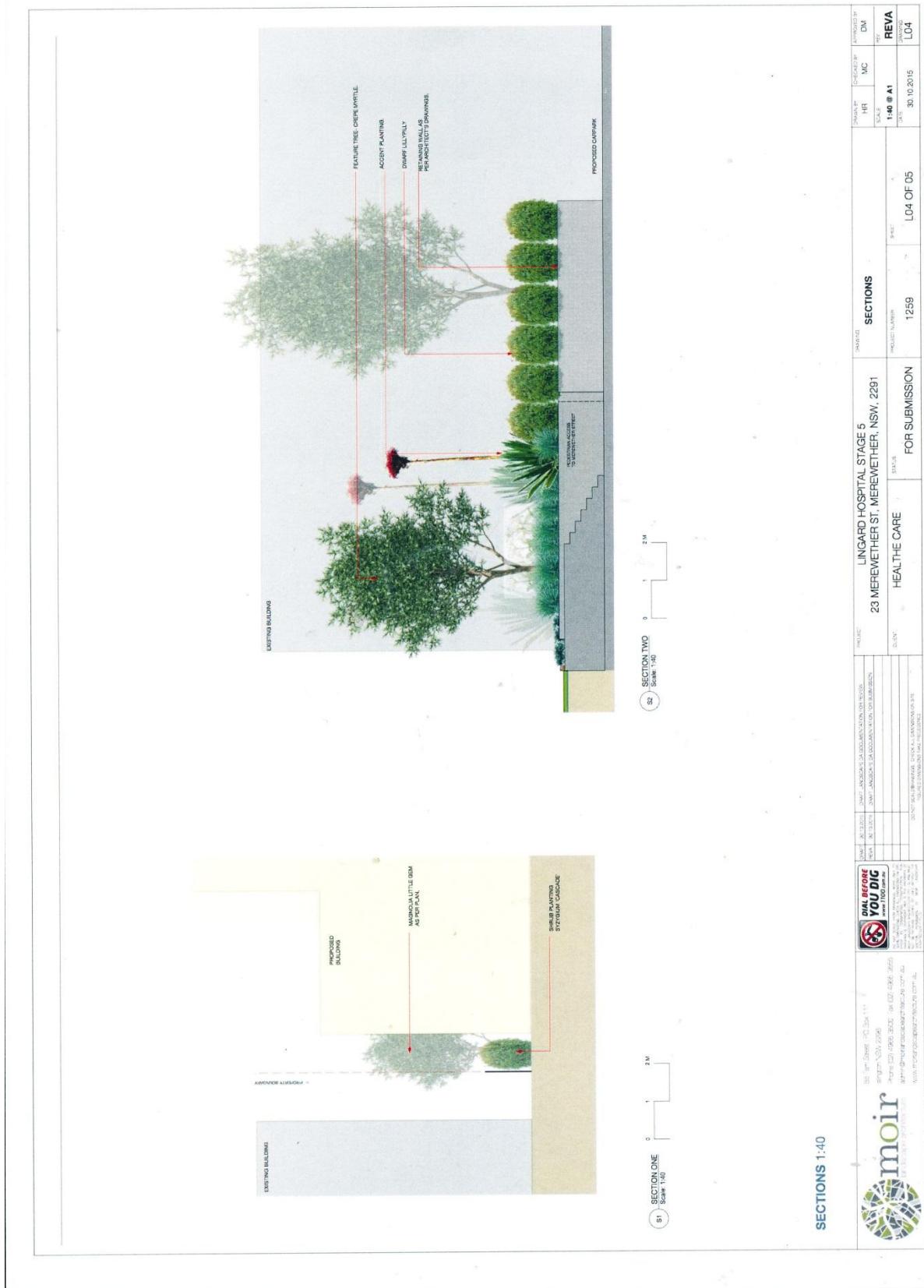


Figure 24: Landscaping – Sections.



Figure 25: Landscape Planting Details and Themeing.

3.6 Construction Waste Management Plan.

A Site Waste Management & Minimisation Plan is provided in Appendix G.

3.7 Hospital Operational Waste Management Plan.

A copy of the Hospital's Operational Waste Management Plan is provided in Appendix H.

3.8 Site Calculations.

The key site calculations are:

- Existing hospital site area (Lot 100 DP 1168197 – 10,323m² (1.0323ha);
- Existing hospital gross floor area – 8,808m²;
- Proposed hospital ward/theatre additions – 2,568m²;
- Total existing & proposed GFA – 11,376m²);
- Proposed internal refurbishment area – 846m²;
- Existing Floor Space Ratio – 0.85:1;
- Proposed Floor Space Ratio – 1.10:1;
- Existing hospital site coverage – 62%;
- Proposed hospital site coverage – 69%:
- Existing hospital beds – 98;
- Existing beds lost – 3;
- Proposed new beds 52 (i.e. + 49 beds additional beds);
- Total number (existing & proposed) licensed beds – 147;
- Existing peak shift staff – 101;
- Proposed peak shift staff – 114 (i.e. + 13 staff);
- Existing car spaces – 78;
- Existing car spaces proposed to be removed – 26;
- Proposed new car spaces – 50;
- Total car spaces (existing and proposed) – 102 (i.e. + 24 spaces).

3.9 Annual Fire Safety Statement.

A copy of the Annual Fire Safety Certificate (dated 28th January 2015) for Lingard Private Hospital is provided in Appendix I.

4. MINE SUBSIDENCE BOARD – REQUIREMENT FOR APPROVAL.

The subject land is located within the Newcastle Mine Subsidence District, within which the approval of the Mine Subsidence Board is required for any surface development.

Consequently, this development application is submitted as 'Integrated Development'. Newcastle City Council will forward the development application to the Mine Subsidence Board for its consideration.

Previous development applications for Lingard Private Hospital have received the approval of the Mine Subsidence Board.

5. COMPLIANCE OF THE PROPOSAL WITH PLANNING CONTROLS.

5.1 STATE ENVIRONMENTAL PLANNING POLICIES.

5.1.1 State Environmental Planning Policy (Infrastructure) 2007 (SEPP 2007).

State Environmental Planning Policy 2007 (SEPPP 2007) – Part 3 (Division 10) provides that development for the purpose of health services (including hospitals) may be carried out with consent on land in a ‘prescribed zone’.

The land upon which the proposed hospital alterations and additions are proposed, is zoned “*R3 Medium Density Residential*” and the land upon which the proposed new hospital car park is proposed, is zoned “*B5 Business Development*” under Newcastle Local Environmental Plan 2012. Both zones are ‘prescribed’ zones for the purposes of SEPP 2007 and consequently SEPP 2007 confirms the permissibility of the proposed development on the subject land with the consent of the council.

No other provision of SEPP 2007 is applicable to the proposed development. Clause 104 of the Policy requires development specified in Schedule 3 to be referred to Roads and Maritime Services (RMS). The proposed development is not of a size (having 147 beds) identified for hospitals in Schedule 3 as requiring referral to RMS. The site does not have direct or connecting access to a ‘classified road’.

5.1.2 State Environmental Planning Policy (State and Regional Development) 2011.

Part 4 – Clause 21 (1) of State Environmental Planning Policy (State and Regional Development) 2011 provides that a regional panel may exercise the consent authority functions for development described in Schedule 4A to the EPA Act 1979.

Section 6 (b) of **Schedule 4A** of the Environmental Planning and Assessment Act 1979 provides that the consent authority’s functions may be exercised by the relevant Regional Planning Panel in relation to *health services facilities* having a capital investment value of over \$5m.

The proposed hospital alterations and additions have a capital investment value of \$15, 262,200 (excluding GST) and consequently the Hunter and Central Coast Regional Joint Planning Panel may determine this development application. A Detailed Cost Report is provided in Appendix D.

5.1.3 State Environmental Planning Policy No. 55 – Remediation of Land.

Under the provisions of SEPP 55 a consent authority must not consent to the carrying out of development on land unless it has considered whether the land is contaminated.

The subject land has been used for hospital, residential and business purposes for a considerable period of time and has not previously been used for a purpose referred to in Table 1 of the “Contaminated Land Planning Guidelines”. It is evident therefore that the land has not been contaminated by previous land use and the proposed development does not require the preparation of a Preliminary Contamination Assessment.

5.1.4 State Environmental Planning Policy No. 64 – Advertising and Signage.

The proposed development includes the placement of a 0.800m high x 2.750m wide “Lingard Private Hospital” illuminated identification sign on the western building elevation and a 1.200m high x 4.000m wide (non-illuminated) “Lingard Private Hospital” identification sign on the northern building elevation, as shown in Figures 15 and 16.

The provisions of Part 2 of SEPP 64 (Clause 8) require that a consent authority must not grant consent to an application to display signage unless it is satisfied that:

- the signage is consistent with the objectives of this Policy as set out in clause 3 (1) (a), and
- the signage the subject of the application satisfies the assessment criteria specified in Schedule 1.

The following assessment is provided of the consistency of the proposed development with these provisions of the Policy.

(i) Objectives of the Policy

The following assessment is provided of the consistency of the proposed signage with the aims/objectives of the Policy:

- “*(1) This Policy aims:*

(a) to ensure that signage (including advertising):

- (i) is compatible with the desired amenity and visual character of an area,*
- (i) is compatible with the desired amenity and visual character of an area, and*
- (ii) provides effective communication in suitable locations; and*
- (iii) is of high quality design and finish”*

Response: The proposed signage is consistent with these objectives. The proposed signage is to be located within an established health services precinct where the visual character of building facades prominently display signage in order to provide effective patient identification for the location of medical services.

“(b) to regulate signage (but not content) under Part 4 of the Act”.

Response: The proposed signage is permissible, with the consent of Newcastle City Council. An assessment of the proposed signage against the assessment criteria specified in Schedule 1 of the Policy is provided in section (ii) below.

“(c) to provide time-limited consents for the display of certain advertisements”.

Response: That part of the Policy which regulates the duration of consents for certain signage to 15 years, does not apply to building/business identification signs of the type proposed by this application.

“(d) to regulate the display of advertisements in transport corridors”.

Response: The subject land is not within a transport corridor, as defined by the Policy.

“(e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors”.

Response: This Policy objective has no practical application to building or business identification signs.

Summary Assessment: The proposed building/business identification signage is consistent with the relevant objectives of SEPP 64.

(ii) Schedule 1 – Assessment Criteria.

The following assessment is provided of the consistency of the proposed signage with the assessment criteria provided in Schedule 1 of the Policy:

- Character of the area:**

“Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?”

“Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?”

Response: The proposed signage is compatible with the established health services precinct within the locality. There is no particular theme adopted for outdoor advertising in the area.

- Special areas:**

“Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?”

Response: The proposed signage is located within an established health services precinct and does not detract from the amenity of any “special area”.

- **Views and vistas.**

“Does the proposal obscure or compromise important views?

“Does the proposal dominate the skyline and reduce the quality of vistas?”

“Does the proposal respect the viewing rights of other advertisers?’

Response: The proposed signage does not obscure any important view; does not dominate the skyline; and does not adversely impact the viewing rights of any other advertiser.

- **Streetscape, setting or landscape.**

“Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?”

“Does the proposal contribute to the visual interest of the streetscape, setting or landscape?”

“Does the proposal reduce clutter by rationalizing and simplifying existing advertising?”

“Does the proposal screen unsightliness?”

“Does the proposal protrude above buildings, structures or tree canopies in the area or locality?”

“Does the proposal require ongoing vegetation management?”

Response: The proposed signage is integrated into the design of the proposed development and the proportions of the proposed signage are appropriate to the built form of the proposed development.

The proposed signage does not require any ongoing vegetation management.

- **Site and building.**

“Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?”

“Does the proposal respect important features of the site or building, or both?”

“Does the proposal show innovation and imagination in its relationship to the site or building, or both?”

Response: The proposed signage is compatible with the scale and proportions of the proposed development.

- **Associates devices and logos with advertisements and advertising structures.**

“Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?”

Response: The proposed signage does not require the provision of any associated safety devices, platforms or lighting devices.

- **Illumination.**

“Would illumination result in unacceptable glare?”

“Would illumination affect safety for pedestrians, vehicles or aircraft?”

“Would illumination detract from the amenity of any residence or other form of accommodation?”

“Can the intensity of the illumination be adjusted, if necessary?”

“Is the illumination subject to a curfew?”

Response: The illuminated sign proposed for the western building elevation will not result in unacceptable glare; will not affect safety for pedestrians, vehicles or aircraft; will not detract from any residential amenity due to its location within the site; and the proposed illumination is not required to be subject to any curfew. The proposed sign on the northern building elevation is not illuminated.

- **Safety.**

“Would the proposal reduce the safety of any public road?”

“Would the proposal reduce the safety for pedestrians or bicyclists?”

“Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?”

Response: The location of the proposed signage does not obscure sightlines from public areas and does not reduce the safety of any public road; or reduce the safety for pedestrians, bicyclists, or children.

Summary Assessment: The proposed signage is consistent with the applicable provisions of State Environmental Planning Policy No. 64 – Advertising and Signage.

5.1.5 State Environmental Planning Policy No. 71 – Coastal Protection (SEPP 71).

SEPP 71 applies to the subject land and the proposed development and requires the council to have regard to the matters set out in Clause 8 of the Policy when it determines a development application.

An assessment of the consistency of the proposed development with the aims of the Policy and the matters for consideration set out in Clause 8 of the Policy is provided in Appendix J. This assessment demonstrates that the proposed development is consistent with the relevant aims and provisions of the Policy.

5.1.6 Other State Environmental Planning Policies.

No other State Environmental Planning Policies apply to the subject land or the proposed development:

- there are no State Environmental Planning Policy No. 14 – Coastal Wetlands on the subject land;
- there are no State Environmental Planning Policy No. 26 – Littoral Rainforests on the subject land; and
- there is no State Environmental Planning Policy No. 44 – Koala Habitat on the subject land.

5.2 REGIONAL STRATEGY.

The *Lower Hunter Regional Strategy 2006 – 2031* does not impose any prohibitions, restrictions or development standards on the proposed development.

5.3 NEWCASTLE LOCAL ENVIRONMENTAL PLAN 2012.

This development application is made under the provisions of Newcastle Local Environmental Plan 2012 and the applicable development guidelines contained within Newcastle Development Control Plan 2012.

5.3.1 Zoning.

Under Newcastle Local Environmental Plan 2012 (LEP 2012), the subject land is zoned part *R3 Medium Density Residential* (Lot 100 DP 1168197) and part *B5 Business Development* (Lots 1 – 3 DP 1027546).

For the purposes of LEP 2012 the proposed development is categorised as a '*Health Services Facility*', a use which is permitted with consent in the *R3 Medium Density Residential* and 'car park', a use which is permitted with consent in the *B5 Business Development* zone.

5.3.2 Zone Objectives.

Clause 2.3 (2) of LEP 2012 provides that the consent authority must have regard to the objectives for development in a zone when determining a development application in respect to land within the zone.

The following assessment demonstrates that the proposed development is consistent with the applicable objectives of the *R3 Medium Density Residential* and *B5 Business Development* zones applying to the subject land and the proposed development.

(i) Objectives - R3 Medium Density Residential Zone:

- ***“To provide for the housing needs of the community within a medium density residential environment.”***

Not Applicable: The proposed development does not provide any residential accommodation.

- ***“To provide a variety of housing types within a medium density residential environment.”***

Not Applicable: The proposed development does not provide any residential accommodation.

- ***“To enable other land uses that provide facilities or services to meet the day to day needs of residents.”***

Consistent: The proposed additions to Lingard Private Hospital will provide health services to the community.

- ***“To allow some diversity of activities and densities if:***

- (i) ***the scale and height of proposed buildings is compatible with the character of the locality, and***
 - (ii) ***there will be no significant adverse impact on the amenity of any existing nearby development.”***

Consistent: The proposed development is compatible with the character of development in the locality and will not have an adverse impact on the amenity of neighbouring properties.

- ***To encourage increased population levels in locations that will support the commercial viability of centres provided that the associated new development:***

- (i) ***has regard to the desired future character of residential streets, and***
 - (ii) ***does not significantly detract from the amenity of any existing nearby development.***

Not Applicable: The proposed development does not provide any residential accommodation.

(ii) Objectives - B5 Business Development Zone.

- *“To enable a mix of business and warehouse uses, and bulky goods premises that require a large floor area, in locations that are close to, and that support the viability of, centres.”*

Not Applicable: The proposed car park accommodates part of the parking demand associated with Lingard Private Hospital and the proposed additions.

- *“To accommodate a wide range of employment generating uses and associated support facilities including light industrial, transport and storage activities.”*

Consistent: The proposed car park supports Lingard Private Hospital, a significant employment generator within the subject locality.

5.3.3 Development Standards.

(i) Clause 4.3 - Maximum Permissible Building Height.

Clause 4.3 (2) of LEP 2012 provides that the height of any development shall not exceed the maximum height shown for the land on the Height of Buildings Map.

The maximum permissible building height indicated for the subject land on the Height of Building Map is 10m.

The proposed roof top plant room screen has a maximum height of RL 21.8m AHD, resulting in a maximum building height of 15.451m and the proposed hospital addition has a predominant roof parapet height of RL 19.565m (13.3m building height), which both exceed the 10m maximum building height development standard applicable to the subject land.

Clause 4.6 (2) of LEP 2012 allows the consent authority to exercise an appropriate degree of flexibility in applying certain development standards to particular development. The assessment provided in Appendix K of this Statement addresses the matters required by Clauses 4.6 (3) and (4) in order to satisfy the Council that any requirement for the proposed development to strictly comply with the the 10m maximum permissible building height development standard is unreasonable or unnecessary in the circumstances of the case.

Council is requested to agree to the proposed development's non-compliance with the the 10m maximum permissible building height development standard having regard to the matters addressed in the assessment provided in Appendix K.

(ii) Clause 4.4 - Maximum Permissible Floor Space Ratio.

Clause 4.4 (2) of LEP 2012 provides that the maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.

The maximum permissible floor space ratio for any building on the subject land as indicated on the Floor Space Ratio Map, is 0.9:1.

The existing hospital has a floor space ratio of 0.85:1 (GFA 8,808m²). The proposed hospital additions (2,568m²) will result in a total GFA of 11,376m² and a floor space ratio of 1.1:1 and will therefore exceed the maximum 0.9:1 permissible development standard applicable to the subject land.

Clause 4.6 (2) of LEP 2014 allows the consent authority to exercise an appropriate degree of flexibility in applying certain development standards to particular development. The assessment provided in Appendix K of this Statement addresses the matters required by Clauses 4.6 (3) and (4) in order to satisfy the Council that any requirement for the proposed modified development to strictly comply with the maximum permissible floor space ratio development standard is unreasonable or unnecessary in the circumstances of the case.

Council is requested to agree to the proposed development's non-compliance with the 0.9:1 maximum permissible floor space ratio having regard to the matters addressed in the assessment provided in Appendix K.

5.3.4 Clause 5.5 - Development within the coastal zone.

Clause 5.5 of Newcastle LEP 2012 provides that consent must not be granted to development within the *Coastal Zone* unless the consent authority has considered the matters referred to in Clauses 5.5 (1) - (3). The subject land is located within the Coastal Zone for the purposes of this clause.

The assessment provided in Appendix L demonstrates that the proposed development is consistent with the objectives of Clause 5.5 (1) and the matters listed for consideration in Clauses 5.5 (2) - (3).

5.3.5 Clause 5.10 - Heritage Conservation.

The subject land is not identified in Schedule 5 of Newcastle LEP 2012 as containing an item of environmental heritage and the subject land is not identified as being located within a heritage conservation area.

Mitchell Park is located opposite the site of the proposed car park's street frontage at No. 6 Lingard Street. Located within Mitchell Park are items of environmental heritage 'No. 1317 – War Memorial - Mitchell Park' and 'No. 1318 – Townson Oval Pavilion – Mitchell Park'.

The proposed development of a car park on the subject land in the manner proposed by this development application does not affect the significance of heritage items 1317 or 1318 given the separation distance and screening vegetation between the subject land and these heritage items.

5.3.6 Clause 6.1 - Acid Sulphate Soils.

The subject land is identified as 'Class 4" land on the acid sulphate soils map, within which Clause 6 (2) requires development consent for works more than 2 metres below the natural ground level.

At the deepest point of excavation at the Merewether Street frontage, where the average existing site level is RL 5.75m, a small portion of the proposed car park will have a floor level of RL 3.8m, resulting in a depth below natural ground level of 1.95m.

It is considered sufficient in this case for the Council to apply standard consent conditions in the unlikely event that acid sulphate soils are exposed by site excavation.

5.4 NEWCASTLE DEVELOPMENT CONTROL PLAN 2012.

5.4.1 SECTION 3.11 – Community Services.

This section of DCP 2012 applies to the development of *health services facilities*.

The advisory applicable environmental planning instruments, legislation and sections of DCP 2012, where they apply, are addressed in this Statement of Environmental Effects.

- Section 3.11.01 provides the following building design objectives and controls:

“*Objectives*:

1. Ensure community facilities integrate with the surrounding environment and built form.

Controls

General controls applying to all development to which this section applies

1. When designing and siting community facilities consideration is given to, but not limited to:

- (a) location and use of surrounding buildings*
- (b) views to and from the site*
- (c) access to the site*
- (d) existing vegetation and topography of the site.”*

The proposed development is consistent with these objectives and controls, as the architectural design of the proposed hospital additions adopts the architectural themes of the existing hospital and will be suitably landscaped; the bulk and scale of the proposed additions has due regard to the 2 – 3 storey character of neighbouring medium density housing; the proposed car park is compatible with neighbouring commercial; medical consulting and church development; and the proposed development does not obstruct any valued views from neighbouring residential areas.

5.4.2 SECTION 5 – Environmental Protection Provisions.

(i) Section 5.01 - Soil Management.

The proposed development involves site excavation/soil disturbance.

Erosion and Sediment Management Plans, prepared by Northrop (copies provided in Appendix F) accompany the development application and achieve the aims of section 5.01 to prevent the export of sediments from the site during construction.

(ii) Section 5.02 - Land Contamination.

The subject land has been used for hospital, residential and business purposes for a considerable period of time and has not previously been used for a purpose referred to in Table 1 of the “Contaminated Land Planning Guidelines”. It is evident therefore that the land has not been contaminated by previous land use.

The proposed development satisfies the objectives and controls in Part E of section 5.02 to ensure that the development does not increase the risk to human health or the environment.

(iii) Section 5.03 – Tree Management.

This section applies to all prescribed trees located on private land, or prescribed trees within 5m of a development site, or that are likely to be affected by infrastructure works carried out in association with a development proposal.

This section of DCP 2012 has no practical application to the proposed development as there are no prescribed trees located on the subject land.

(iv) Section 5.04 – Aboriginal Heritage.

This section applies to development that will, or is likely to affect, the heritage significance of an Aboriginal place or object.

The subject land has been extensively modified by the existing hospital development and historical residential/business use. Consequently, it is highly unlikely that there are any items of Aboriginal Cultural Heritage on the land.

(v) Section 5.05 - Heritage Items.

The subject land is not identified in Schedule 5 of Newcastle LEP 2012 as containing an item of environmental heritage and the subject land is not identified as being located within a heritage conservation area.

(vi) Section 5.06 – Archaeological Management.

This section applies to all development consisting of excavation or site disturbance. Whilst the proposed development involves site excavation in conjunction with the construction of the proposed car park, the subject land is considered to have no potential archaeological significance in view of its historic and current land use.

(vii) Section 5.06 – Heritage Conservation Areas.

This section applies to land shown as Heritage Conservation Area on the Heritage Map of

Newcastle Local Environmental Plan (LEP) 2012 and described in Schedule 5 of Newcastle LEP 2012.

The subject land is not identified as being located within a Heritage Conservation Area.

5.4.3 SECTION 6.00 – Locality Specific Provisions.

This section of DCP 2012 has no application to the proposed development as the subject land is not located within any area subject to the “Locality Specific Provisions” of section 6.00.

5.4.4 SECTION 7.00 – Development Provisions.

(i) Section 7.01 – Building Design Criteria:

- **Section 7.01.01 – Height of Buildings:** Refer to section 5.3.3 (i) of this Statement of Environmental Effects.
- **Section 7.01.02 – Density – floor space ratio:** Refer to section 5.3.3 (ii) of this Statement of Environmental Effects.
- **Section 7.01.03 - Minimum street frontage – R3 Medium Density Residential zone and R4 High Density Residential zone:** Requires a minimum site frontage of 15m is required for redevelopment of lots within the R3 Medium Density Residential zone.

The proposed development complies as the existing hospital site has a frontage to both Merewether and Lingard Streets exceeding 15m.

- **Section 7.01.04 - Streetscape and front setbacks:** Requires that within established areas the front setback is to be consistent with those of adjoining development.

The proposed development complies as it maintains the minimal Lingard Street setback of the existing hospital and increases the front setback at the north-western corner of the proposed additions to provide a staggered setback towards that of the adjoining residential development at 20 Lingard Street.

The existing hospital car park driveway to Lingard Street will be removed.

The presentation of the proposed development to Lingard Street reflects the architectural themes of the existing hospital streetscape presentation.

- **Section 7.01.05 - Side and rear setbacks:** Requires a minimum side or rear setback of 1m for walls of up to 3m in height and 2m for walls over 3m in height (unless built to the boundary).

The proposed development partly complies:

- the single storey building element adjoining the northern side boundary has a building height of 4.5m and a variable side boundary setback of between 1.378m and 1.501m, which does not comply with the DCP requirement of 2m for walls over 3m in height. Council is requested to agree to this departure from the side boundary setback control as the design of the ground level northern building elevation has no amenity impacts on the neighbouring residential properties;
- the proposed upper levels of the northern building elevation comply with the DCP requirement for a minimum 2m side boundary setback for walls above 3m in height, providing for a side boundary setback of 4.406m from the neighbouring residential properties; and
- the rear of the proposed hospital extension has a zero building setback to Tye Street, which is considered appropriate having regard to the particular circumstances of the specialist nature of the proposed development; the existing streetscape presentation of the existing hospital to this section of Tye Street; and the proposed development having no amenity impacts on neighbouring residential properties given the degree of separation afforded by Tye Street. Council is requested to agree to this departure from the rear setback controls of DCP 2012.

- **Section 7.01.07 Building design and appearance:** Requires all development within a residential zone to achieve the following objectives:
 - “1. Ensure the design of new development responds to and contributes to its context; and*
 - 2. Encourage the creation of attractive well designed development.”*

The design controls contained within this section are primarily applicable to residential development and have no application to the architectural design of a specialist infrastructure facility such as a hospital.

The architectural design of the proposed hospital additions adopts the architectural themes of the existing hospital and has regard to minimising any amenity impacts on neighbouring residential development.

- **Section 7.01.08 - Solar access:** Requires that new developments do not significantly overshadow living rooms and private open spaces of adjacent dwellings.

The proposed development complies. The shadow diagrams provided in Figure 19 indicate that the proposed development does not cause any overshadowing of the residences or private open space adjoining the northern property boundary.

- **Section 7.01.09 - Views and privacy:** Requires that existing views from dwellings are not to be significantly affected by new development and that adequate visual and acoustic privacy is maintained for existing dwellings.

The proposed development complies:

- there are no scenic or landmark views available from neighbouring properties that would be impacted by the proposed development;
- there are no direct views from a window within the proposed development to a living area/habitable area window within a neighbouring residence: and
- the proposed development will have no acoustic impacts on neighbouring residences.

(ii) Section 7.02 – Landscape, Open Space and Visual Amenity:

For the purposes of Section 7.02 the proposed development is classified as ‘Category 3 – Large Scale Development’.

As required by DCP 2012, this development application is accompanied by a Landscape Design Report, prepared by Moir Landscape Architecture (copy provided in Appendix E) and Landscape Plans provided in Figures 20 – 25, satisfying the objectives and controls of Section 7.02.

(iii) Section 7.03 – Traffic, Parking and Access.

It is proposed to construct the works in two stages:

- Stage 1: construct and commission use of the proposed new car park; and
- Stage 2: decant and construct the proposed hospital additions.

A Transport Impact Assessment prepared by GTA Consultants (copy provided in Appendix M) accompanies this development application. The principal findings of this Traffic Impact Assessment are:

- the existing hospital has frontages to Merewether and Lingard Streets and has approximately 101 staff during the busiest day shift. The proposed hospital additions will increase staff during the peak day shift to 114 (i.e. + 13 staff);
- Lingard Street, Merewether Street and Hopkins Street are local roads surrounding the Hospital and allow for two way traffic and kerbside parking within a 50km/h speed environment;
- there are two on-site car parks accommodating a total of 78 cars, accessed via 4 driveways located on Merewether, Lingard and Tye Streets. The main visitor car park is located on the eastern side of the site and is accessed from Merewether Street.

Emergency vehicles access the site via the dedicated ambulance bay at the main front entry in Merewether Street. Service vehicles access the hospital via Lingard and Tye Streets;

- peak hour traffic movements are within the capacity of the local road system;
- typical weekday afternoon parking demand is up to 60 vehicles, or 60% of the total on-site car parking supply;
- Busways currently operate four bus routes along Glebe Road and Union Street in close proximity to the hospital;
- well established pedestrian footpaths are provided on both sides of Lingard Street connecting with Glebe Road bus stops;
- the proposed development will increase the overall supply of on-site car parking spaces by 24 spaces (i.e. from 78 spaces to 102 spaces);
- the existing Merewether Street emergency vehicle, car park and set down/pick up access arrangements are to be retained. The proposed new building will necessitate closure of the existing doctors car park accessed from Lingard Street;
- the proposed new car park located on the southern side of Merewether Street will be accessed from No. 6 Lingard Street;
- bicycle and motorcycle parking is able to be provided within the existing main car park;
- all service vehicles requiring access to the hospital are rigid trucks and vans no larger than 8.8m in length and are generally limited to after hours access only. All loading and service activities will remain at the rear of the new building and access to this area will remain via Tye Street;
- application of the DCP car parking rate to the proposed development indicates a total peak demand for the hospital of 106 spaces. Comparatively the current peak demand for the existing hospital is 88 spaces.

Site observation reflects an existing peak demand of 54 on-site parking spaces (i.e. 30% vacancy) during the peak afternoon period. However, if it is assumed that 50% of the recorded on-street occupancy (i.e. 23 spaces) is associated with the hospital then the total demand would equate to approximately 77 spaces.

It is apparent that the observed demand (77 spaces) is less than that specified in DCP 2012 (i.e. 88 spaces) and on that basis it is proposed to provide an additional 24 spaces to accommodate the additional beds and staff, resulting in a total of 102 spaces. The proposal represents a shortfall of 4 spaces when compared against the DCP criteria. However, based on the above it is evident that the hospital's parking

demand would not exceed that proposed and will be adequately accommodated within the on-site car parks.

Notwithstanding the above, there is additional on-street parking demand capacity along the site frontages that could be used for any further (short term) parking demand generated;

- the disabled car parking requirements for different development types are set down in the Building Code of Australia, 2014. There are currently five on-site disabled parking spaces in the Merewether Street car park and this is consistent with BCA requirements;
- the proposed new car park has been designed in accordance with the requirements of AS 2890.1:2004 with respect to car space dimensions and adjacent aisle widths. The driveway crossovers are located away from adjacent intersections with appropriate sight lines in each direction for pedestrian and vehicle safety;
- the RMS traffic generation rates indicate that the proposed additions are likely to generate 43 additional vehicle trips per hour during the hospital's operational peak period (10.00am to 12.00pm and 2.00pm to 4.00pm).

The post development operation would result in minor increases to vehicle trips during the weekday AM and PM peak traffic hours. This equates to 25 vehicle trips during the AM peak and 24 vehicle trips during the PM peak, being spread over Lingard and Merewether Streets.

On the basis above and taking into consideration the performance of the surrounding road network, the additional traffic generated by the proposed development is not expected to impact on the function and operation of the surrounding roads and intersections, or parking areas in the immediate vicinity;

- existing/proposed service vehicle access arrangements have sufficient capacity to accommodate the minor additional demand resulting from the proposed development; and
- construction traffic management arrangements are proposed in section 5.4 of the Transport Impact Assessment.

(iv) Section 7.06 – Stormwater.

The development application is accompanied by Erosion and Sediment Management Plans and Concept Stormwater Management Plan prepared by Northrop (Copies of which are provided in Appendix F), indicated that the proposed development complies with the applicable objectives and controls of section 7.06.

(v) Section 7.08 – Waste Management.

The development application is accompanied by a Site Waste Minimisation and Management Plan (Appendix G) and a Lingard Hospital Operational Waste Management Plan (Appendix H) which indicates that the proposed development facilitates sustainable waste management within the City of Newcastle.

(vi) Section 7.09 – Outdoor Advertising and Signage.

The proposed development includes the placement of a 0.800m high x 2.750m wide “Lingard Private Hospital” illuminated identification sign on the western building elevation and a 1.200m high x 4.000m wide (non-illuminated) “Lingard Private Hospital” identification sign on the northern building elevation, as shown in Figures 15 and 16.

Refer to section 5.1.4 of this Statement of Environmental Effects for an assessment of the consistency of the proposed signage with the provisions of SEPP 64 - Advertising and Signage.

5.4.5 – SUMMARY ASSESSMENT – CONSISTENCY WITH APPLICABLE PROVISIONS OF NEWCASTLE DCP 2012.

The proposed development is consistent with the applicable development guidelines of Newcastle DCP 2012 with the exception of the required side and rear boundary setbacks (section 5.7.01.05) and the required car parking rate for hospitals (section 5.7.03).

Council is requested to approve the proposed development’s departures from these particular development guidelines for the reasons given in sections 5.4 (i) and (iii) above.

6. MATTERS FOR CONSIDERATION UNDER SECTION 79C OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979.

The proposed development has the potential to impact the environment in a number of ways. These impacts may be either short term, limited to the period of demolition/construction, or longer term associated with the completion and occupation of the proposed buildings.

This section of the Statement of Environmental Effects assesses the potential development impacts in accordance with the provisions of Section 79C (1) (b – e) of the Environmental Planning and Assessment Act, 1979.

6.1 Section 79C (1) (b): The Likely Impacts of the Development, Including Environmental Impacts on both the Natural and Built Environments, and Social and Economic Impacts in the Locality.

6.1.1 Topography.

The subject land is relatively flat and presents no topographical constraints to the proposed development.

6.1.2 Flora and Fauna.

There is no remnant native vegetation located on the subject land and the proposed development therefore has no adverse impact on native flora, fauna, wildlife corridors or critical habitat.

6.1.3 Soil Disturbance and Sediment Control.

The proposed development involves site excavation/soil disturbance.

Erosion and Sediment Management Plans, prepared by Northrop (copies provided in Appendix F) have been prepared to mitigate potential erosion and sedimentation impacts of the proposed development..

6.1.4 Drainage and Stormwater Management.

A Flood Information Certificate (copy in Appendix C) provided by Newcastle City Council indicates that the land is located within a flood prone area.

As required the RL at the crest of the driveway access ramp to the proposed new excavated car park is designed at RL 6.1m AHD.

The development application is accompanied by Concept Stormwater Management Plans prepared by Northrop (copy in Appendix F) for both the proposed hospital additions and the proposed car park.

The principal features of stormwater management for the proposed hospital additions are:

- roof rainwater is to flow into a combined detention (13.5m³) and reuse (10m³) tank located adjacent to the western corner of the site;
- there are limited reuse opportunities as hospital guidelines restrict reuse internally); and
- the detention/reuse tank will discharge into an existing stormwater pit and then into council's existing kern inlet pit located in Lingard Street.

6.1.5 Access, Traffic Generation and Car Parking.

A Transport Impact Assessment prepared by GTA Consultants (copy provided in Appendix M) accompanies this development application. The principal findings of this Traffic Impact Assessment are:

- the existing hospital has frontages to Merewether and Lingard Streets and has approximately 101 staff during the busiest day shift. The proposed hospital additions will increase staff during the peak day shift to 114 (i.e. + 13 staff);

- Lingard Street, Merewether Street and Hopkins Street are local roads surrounding the Hospital and allow for two way traffic and kerbside parking within a 50km/h speed environment;
- there are two on-site car parks accommodating a total of 78 cars, accessed via 4 driveways located on Merewether, Lingard and Tye Streets. The main visitor car park is located on the eastern side of the site and is accessed from Merewether Street. Emergency vehicles access the site via the dedicated ambulance bay at the main front entry in Merewether Street. Service vehicles access the hospital via Lingard and Tye Streets;
- peak hour traffic movements are within the capacity of the local road system;
- typical weekday afternoon parking demand is up to 60 vehicles, or 60% of the total on-site car parking supply;
- Busways currently operate four bus routes along Glebe Road and Union Street in close proximity to the hospital;
- well established pedestrian footpaths are provided on both sides of Lingard Street connecting with Glebe Road bus stops;
- the proposed development will increase the overall supply of on-site car parking spaces by 24 spaces (i.e. from 78 spaces to 102 spaces);
- the existing Merewether Street emergency vehicle, car park and set down/pick up access arrangements are to be retained. The proposed new building will necessitate closure of the existing doctors car park accessed from Lingard Street;
- the proposed new car park located on the southern side of Merewether Street will be accessed from No. 6 Lingard Street;
- bicycle and motorcycle parking is able to be provided within the existing main car park;
- all service vehicles requiring access to the hospital are rigid trucks and vans no larger than 8.8m in length and are generally limited to after hours access only. All loading and service activities will remain at the rear of the new building and access to this area will remain via Tye Street;
- application of the DCP car parking rate to the proposed development indicates a total peak demand for the hospital of 106 spaces. Comparatively the current peak demand for the existing hospital is 88 spaces.

Site observation reflects an existing peak demand of 54 on-site parking spaces (i.e. 30% vacancy) during the peak afternoon period. However, if it is assumed that 50% of the recorded on-street occupancy (i.e. 23 spaces) is associated with the hospital then the total demand would equate to approximately 77 spaces.

It is apparent that the observed demand (77 spaces) is less than that specified in DCP 2012 (i.e. 88 spaces) and on that basis it is proposed to provide an additional 24 spaces to accommodate the additional beds and staff, resulting in a total of 102 spaces. The proposal represents a shortfall of 4 spaces when compared against the DCP criteria. However, based on the above it is evident that the hospital's parking demand would not exceed that proposed and will be adequately accommodated within the on-site car parks.

Notwithstanding the above, there is additional on-street parking demand capacity along the site frontages that could be used for any further (short term) parking demand generated;

- the disabled car parking requirements for different development types are set down in the Building Code of Australia, 2014. There are currently five on-site disabled parking spaces in the Merewether Street car park and this is consistent with BCA requirements;
- the proposed new car park has been designed in accordance with the requirements of AS 2890.1:2004 with respect to car space dimensions and adjacent aisle widths. The driveway crossovers are located away from adjacent intersections with appropriate sight lines in each direction for pedestrian and vehicle safety;
- the RMS traffic generation rates indicate that the proposed additions are likely to generate 43 additional vehicle trips per hour during the hospital's operational peak period (10.00am to 12.00pm and 2.00pm to 4.00pm).

The post development operation would result in minor increases to vehicle trips during the weekday AM and PM peak traffic hours. This equates to 25 vehicle trips during the AM peak and 24 vehicle trips during the PM peak, being spread over Lingard and Merewether Streets.

On the basis above and taking into consideration the performance of the surrounding road network, the additional traffic generated by the proposed development is not expected to impact on the function and operation of the surrounding roads and intersections, or parking areas in the immediate vicinity;

- existing/proposed service vehicle access arrangements have sufficient capacity to accommodate the minor additional demand resulting from the proposed development; and
- construction traffic management arrangements are proposed in section 5.4 of the Transport Impact Assessment.

6.1.6 Utility Services.

All urban utility services (including reticulated water and sewer services) are currently provided to the subject land and have the capacity to service the proposed development.

6.1.7 Waste Management.

Demolition/construction works and the occupation of the proposed hospital additions will generate waste products.

The development application is accompanied by a Site Waste Minimisation and Management Plan (Appendix G) and a Lingard Hospital Operational Waste Management Plan (Appendix H), which indicates that the proposed development facilitates sustainable waste management within the City of Newcastle.

6.1.8 Scenic Quality/Streetscape/Visual Impact.

The proposed hospital building additions are of three storey construction and are integrated with the architectural design of the existing hospital building. The proposed development will result in the replacement of an open car park located adjacent to the northern hospital boundary with an architecturally designed and landscaped hospital addition, which will enhance the visual appearance of the streetscape elevation of the hospital.

The presentation of the proposed development to Lingard Street reflects the architectural themes of the existing hospital streetscape presentation

There are no scenic or landmark views available from the public domain or neighbouring properties that would be impacted by the proposed development and the proposed development will not be visually dominant in the landscape.

6.1.9 Potential Impact on Neighbouring Properties.

The proposed hospital additions adjoin residential development along its northern boundary (No. 22 Lingard Street and No. 10 Tye Street and has the potential to adversely impact the amenity of neighbouring dwellings by overshadowing; loss of privacy; noise generation or causing view loss.

(i) Overshadowing: The Shadow Diagrams presented in Figure 19 indicates that the proposed development does not overshadow the neighbouring dwellings along its northern boundary.

(ii) Privacy/noise: Neither the existing hospital, or the proposed additions would generate operational noise impacts which would cause nuisance to residential neighbours. The proposed separation of the existing loading dock from neighbours as a consequence of the proposed additions will provide for an improvement over the existing situation, where the loading dock adjoins the existing open car park.

There are no residential neighbours to the proposed new car park.

(iii) Loss of views:

There are no scenic or landmark views available from neighbouring properties that would be impacted by the proposed development.

6.1.10 Cultural Heritage.

As the subject land has been extensively modified by the existing hospital development it is highly unlikely that there are any items of Aboriginal Cultural Heritage on the land. The subject land is not identified in Schedule 5 of Newcastle LEP 2012 as containing an item of environmental heritage and the subject land is not identified as being located within a heritage conservation area.

Mitchell Park is located opposite the site of the proposed car park's street frontage at No. 6 Lingard Street. Located within Mitchell Park are items of environmental heritage 'No. 1317 – War Memorial - Mitchell Park' and 'No. 1318 – Townson Oval Pavilion – Mitchell Park'.

The proposed development of a car park on the subject land in the manner proposed by this development application does not affect the significance of heritage items 1317 or 1318 given the separation distance and screening vegetation between the subject land and these heritage items.

6.1.11 Social and Economic Effects.

The proposed development will make a significant contribution to improving the city's health care infrastructure, meeting the community's health care requirements. The site is well located in terms of accessibility by private and public transport and all utility services are available to the proposed development without the need for the upgrading of any public infrastructure by a public authority.

The proposed development will also provide economic/employment benefits for the region in terms of both initial construction multipliers and future economic activity associated with the operation of the hospital.

6.2 Section 79C (1) (c): The suitability of the site for the proposed development.

The Local Government (Ecologically Sustainable Development) Act 1997 (NSW) requires the Council to give consideration to the overarching principles of Ecologically Sustainable Development, namely the adoption of the precautionary principle, intergenerational equity, the conservation of biological diversity and ecological integrity, and improved valuation, pricing and incentive mechanisms. The proposed development does not raise any matters contrary to the principles of Ecologically Sustainable Development.

In terms of the Environmental Protection and Diversity Conservation Act (1999) the proposed development will not have any impact on any matter of national environmental significance.

6.3 Section 79C (1) (d): Any Submissions Made in Accordance With the Act or the Regulations.

No public submissions have been made in relation to this development proposal, which has not yet been advertised for public comment.

6.4 Section 79C (1) (e): The Public Interest.

Approval of the proposed alterations and additions to Lingard Private Hospital is in the public interest as they are essential to providing city residents with improved health/medical care infrastructure and services.

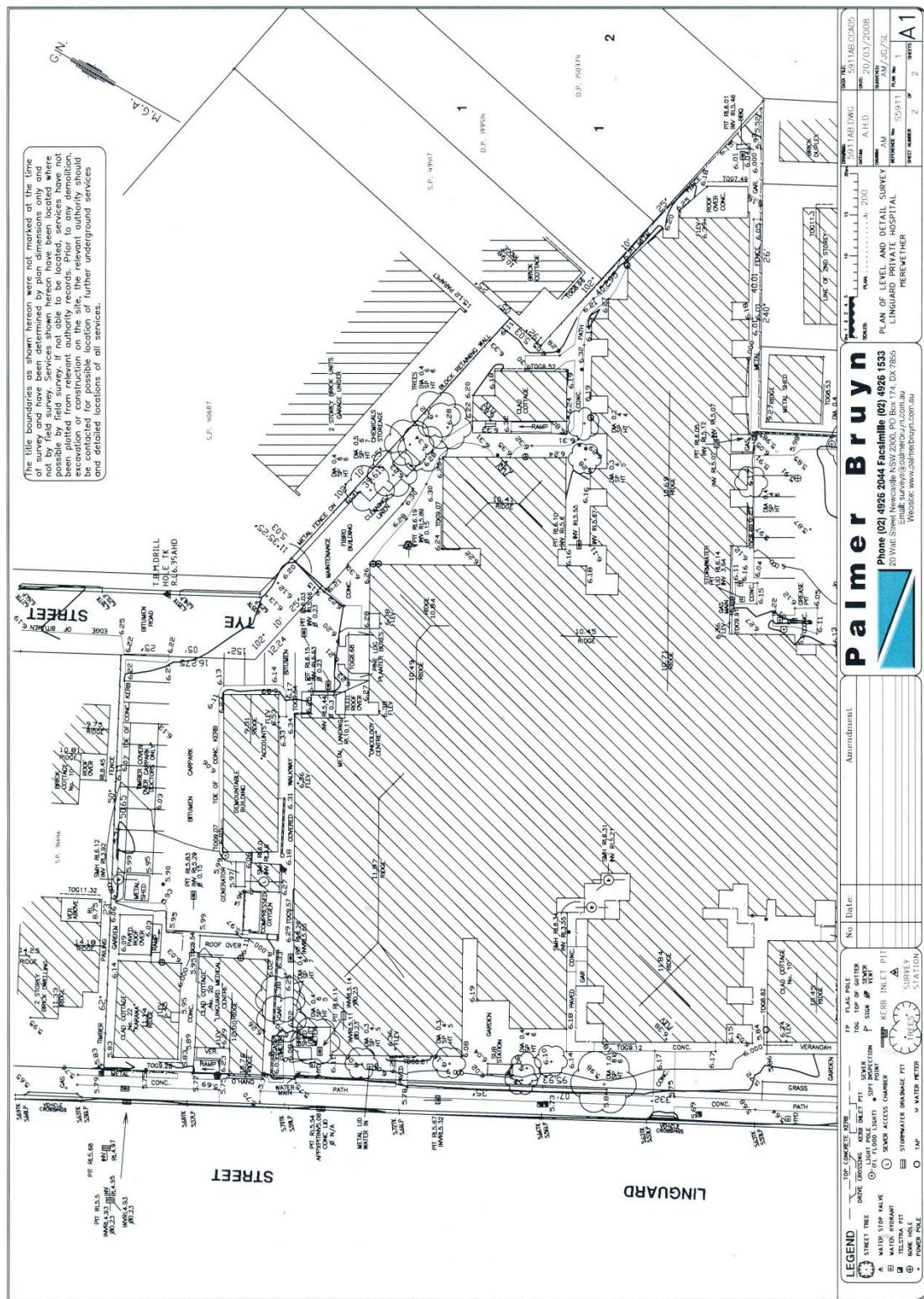
7. CONCLUSION.

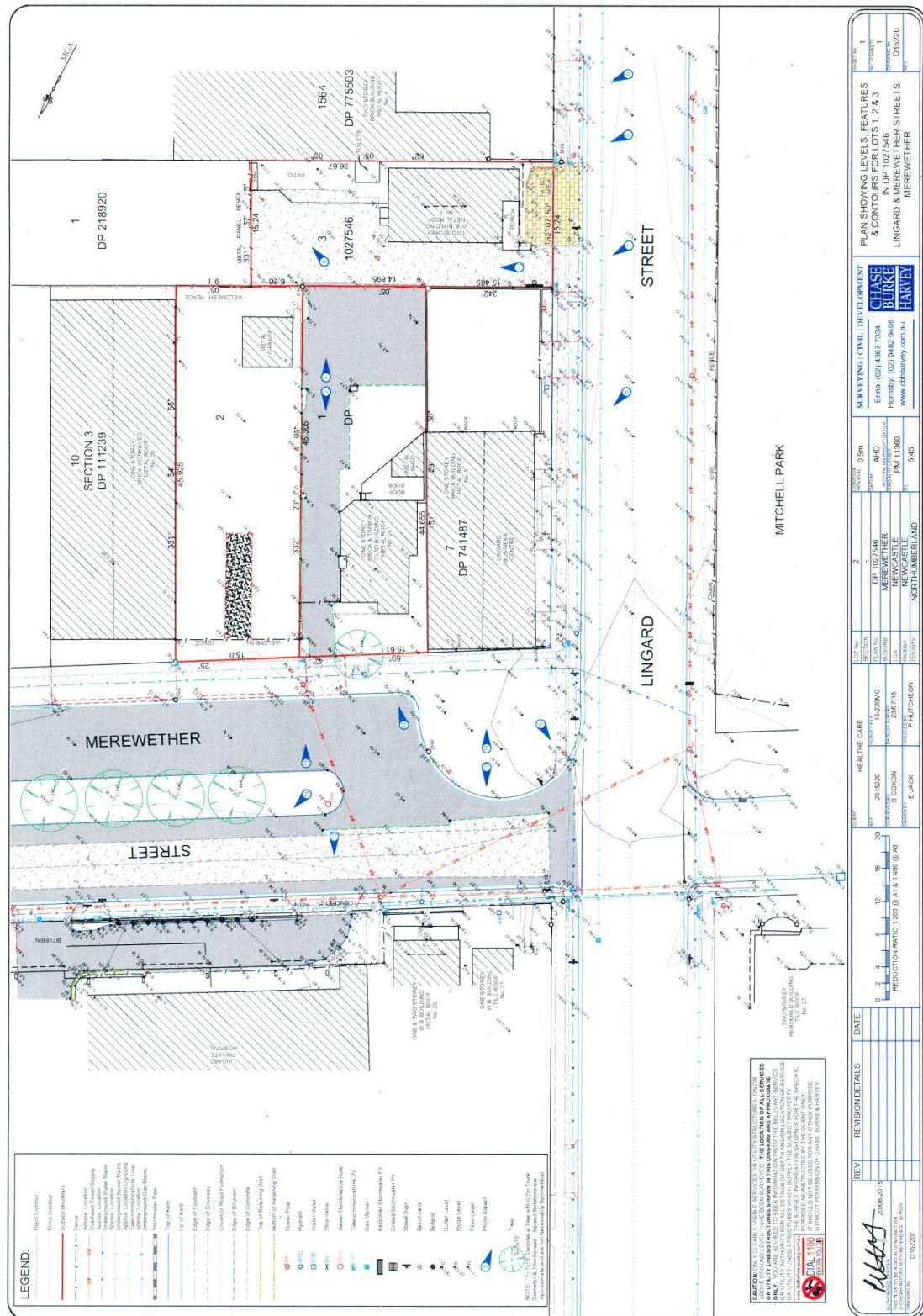
This Statement of Environmental Effects demonstrates that the proposed alterations and additions to Lingard Private Hospital, located on Lot 100 DP 1168197, No. 23 Merewether Street, Merewether and Lots 1 – 3 DP 1027546, Nos. 22 & 24 Merewether Street and No. 6 Lingard Street, Merewether, are of minimal environmental impact and that the subject land is suitable for the proposed development.

Newcastle City Council is requested to grant consent to the proposed development pursuant to the provisions of Newcastle Local Environmental Plan 2012.

Doug Sneddon
29th November 2015.

APPENDIX A: SITE SURVEY PLANS.





APPENDIX B: SITE PHOTOGRAPHS.



PHOTOGRAPH 1: LINGARD PRIVATE HOSPITAL – MEREWETHER
STREET FRONTAGE.





PHOTOGRAPH 3: SITE OF PROPOSED ADDITIONS – VIEW TOWARDS LINGARD STREET.



PHOTOGRAPH 4: PROPOSED CAR PARK SITE FRONTING
MEREWETHER STREET.



PHOTOGRAPH 5: PROPOSED CAR PARK SITE FRONTING
LINGARD STREET.

APPENDIX C: FLOOD INFORMATION CERTIFICATE.

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Statement of Environmental Effects: Statement of Environmental Effects: Proposed alterations & additions to Lingard Private Hospital (Stage 5) at Nos. 22, 23 & 24 Merewether Street & No. 6 Lingard Street, Merewether.

Doug Sneddon Planning Pty Ltd – November 2015.

09 November 2015



Northrop Consulting Engineers
Level 1
215 Pacific Highway
CHARLESTOWN NSW 2290

PO Box 189, Newcastle
NSW 2300 Australia
Phone: 4974 2000
Fax: 4974 2222
Email: mail@ncc.nsw.gov.au
www.newcastle.nsw.gov.au

Flood Information Certificate No: FLD2015/10033

Land: Lot 1 DP 1027546
Lot 3 DP 1027546
Lot 2 DP 1027546

Property Address: 6 Lingard Street Merewether NSW 2291
6 Lingard Street Merewether NSW 2291
6 Lingard Street Merewether NSW 2291
6 Lingard Street Merewether NSW 2291

Thank you for your recent enquiry regarding flood behaviour at the above property. This letter confirms the property is located in a flood prone area.

The pertinent features of the flood behaviour are estimated as follows:

Local Catchment Flooding

Is any part of the site affected by a floodway?	No
Is any part of the site affected by a flood storage area?	No
Estimated 1% Annual Exceedance Probability event level: (equivalent to the "Defined Flood Level" in the Building Code of Australia)	5.8m AHD
Estimated Maximum Flow Velocity of floodwaters (in the "Defined Flood Event" as per the Building Code of Australia)	0.2m/s
Highest Property Hazard Category	P1
Estimated Probable Maximum Flood Level	6.7m AHD
Highest Life Hazard Category	L4

The flood study from which the above information is derived is part of a Newcastle City Wide Floodplain Management Plan. The above advice may change in the future, however the advice is based on the best information held by Council at the time of issue of this certificate.

The Newcastle Development Control Plan 2012 addresses the issues of flood management for new development. You can view the development control plan at www.newcastle.nsw.gov.au. In summary, the following requirements apply for all future development applications on the site.

Development in a floodway is not generally allowable due to likely redistribution of flood water.	Not Applicable
Filling of a flood storage area by more than 20% is not generally allowable due to redistribution of flood water.	Not Applicable
Minimum floor level for occupiable rooms in a new development on this site is: (equivalent to the "Flood Hazard Level" in the Building Code of Australia)	6.3m AHD
Is onsite flood refuge required?	Yes

Council holds no information concerning floor levels of existing structures on the site. Site levels and floor levels should be verified by survey based on the Australian Height Datum.

It is estimated that, during the June 2007 storms, flood waters reached a level of approximately 6.1m AHD in the vicinity of the specified land.

Should you require any further clarification please contact Alastair Peddie on (02) 4974 2788.

Alastair Peddie
SENIOR DEVELOPMENT OFFICER
(ENGINEERING)

Please note that:

1. No assessment of the lot's suitability for the purposes of making an application for a complying development certificate under the General Housing Code or Rural Housing Code of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, or for a Secondary Dwelling under *State Environmental Planning Policy (Affordable Rental Housing) 2009*, has been made. This type of flood information can also be obtained from Council via a Flood Information Application. There are two services provided by Council relating to Complying Development flood criteria, as follows:
 - a) Identification of lots affected by any of the flood control lot exclusions identified in subclause 3.36C(2) or 3A.38(2) of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. If this information is required, select Box 4. b) (i) on the Flood Information Application form and pay the required fee.
 - b) An assessment of a proposal for development of the lot for compliance with the requirements of subclause 3.36C(3) or 3A.38(3) of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. If this information is required, select Box 4. b) (ii) on the Flood Information Application form, submit plans and other relevant documentation for the proposal and pay the required fee.
2. The information contained in this certificate may alter in the future. The applicant should at all times ensure the currency of this information.

APPENDIX D: COST REPORT.

Schedule 6 (PART B Clause 5)

Registered Quantity Surveyor's* Detailed Cost Report
Newcastle City Centre development cost in excess of \$1,000,000
 *A member of the Australian Institute of Quantity Surveyors or a person who can demonstrate equivalent qualifications.

Development Application No: _____ **Date:** _____

Complying Development Application No: _____

Applicant's Name: _____

Applicant's Address: _____

Development: Lingard Private Hospital – Stage 7

Development Address: 23 Merewether Street, Merewether

ESTIMATE DETAILS:

Professional Fees	\$ 1,130,451	Excavation	\$ -
% of Development Cost	7%	Cost per m ³ or tonne of excavated area	\$ - m ³
% of Construction Cost	8%	Car Park	\$ 1,240,999
Demolition and Site Preparation	\$ 493,486	Cost per square metre of carpark area	\$ 730.43 /m ²
Cost per square metre of site area	\$ 163 /m ²	Cost per Space	\$ 21,772 /space
Construction – Commercial	\$ 12,397,563	Fit-out – Commercial	\$ -
Cost per square metre of floor area	\$ 3,336.27 /m ²	Cost per m ² of commercial area	\$ - /m ²
Construction – Residential	\$ -	Fit-out – Residential	\$ -
Cost per square metre of residential area	\$ - /m ²	Cost per m ² of residential area	\$ - /m ²
Construction – Retail	\$ -	Fit-out – Retail	\$ -
Cost per square metre of retail area	\$ - /m ²	Cost per m ² of retail area	\$ - /m ²
Construction – Industrial	\$ -	Fit-out – Industrial	\$ -
Cost per square metre of floor area	\$ - /m ²	Cost per m ² of industrial area	\$ - /m ²

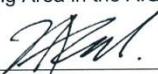
DEVELOPMENT DETAILS:

Gross Floor Area – Commercial	3,716.00 m ²	Gross Floor Area – Other	- m ²
Gross Floor Area – Residential	- m ²	Total Gross Floor Area	5,415 m ²
Gross Floor Area – Retail	- m ²	Total Site Area	3,027 m ²
Gross Floor Area – Car Parking	1,699.00 m ²	Total Car Parking Spaces	57
Total Development Cost	\$ 15,262,500		
Total GST	\$ 1,387,500		

I certify that I have:

- Inspected the plans the subject of the application for development consent or construction certificate.
- Prepared and attached an elemental estimate generally prepared in accordance with the Australian Cost Management Manuals from the Australian Institute of Quantity Surveyors.
- Calculated the development costs in accordance with the definition of development costs in clause 25J of the *Environmental Planning and Assessment Regulation 2000* at current prices.
- Included GST in the calculation of development cost.
- Measured gross floor areas in accordance with the Method of Measurement of Building Area in the AIQS Cost Management Manual Volume 1, Appendix A2.

Signed:



Name: Syidah Arnold

Position and Qualifications: Quantity Surveyor, BConMgt(Hons1) MAIQS

Date: 2 November 2015

Contact Number: 02 4940 0000

**APPENDIX E: LANDSCAPE DESIGN REPORT
(Moir Landscape Architecture – 30th October 2015).**



Landscape Design Report: Lingard Private Hospital

Prepared for:
Newcastle City Council
Date: 30.10.2015



Moir Landscape Architecture Pty Ltd, Studio 1, 88 Fern Street, PO Box 111, Islington NSW 2296 admin@moirla.com.au
Ph.(02) 4965 3500 Fax.(02) 4965 3555 www.moirla.com.au ACN: 097 558 908 ABN: 48 097 558 908

1.0 Introduction

1.1 Background

The primary goal of this report is to communicate the ideas, principles and opportunities incorporated into the Landscape DA Documentation for the Lingard Private Hospital situated on corner of Merewether Street and Lingard Street, NSW. The proposal predominantly comprises of an extension to the existing hospital building through the redevelopment of an existing car park and the re-development of a vacant lot for a new carpark. The site is within the City of Newcastle Council, the existing carpark site is zoned High Density Residential and the proposed carpark is zoned light industrial, under the Newcastle City Local Environment Plan (NCC 2012).

Healthcare Australia Pty Ltd has commissioned Moir Landscape Architecture Pty Ltd to prepare the landscape documentation and report to outline the key landscape design elements and treatments to support the proposal. The landscape DA documentation: LP00-LP05 and report have been prepared to comply with the requirements of City of Newcastle's DCP by accredited Landscape Architecture practice, Moir Landscape Architecture Pty Ltd.

1.2 Site Description

The site is located in Merewether. The site is bounded to the North and West by a mix of established detached residential dwellings and some 2-3 storey unit blocks. To the South- East by light industrial warehouses and directly south Townson Oval. Lingard Street is a busy connector road running NW-SE. Merewether Street consists of two separate carriageways separated by a large median strip. Carparking dominates this road. The main hospital site is already highly developed and has minimal falls across the site.

Planting beds in the existing carpark site include low ground covers and some young Cupaniopsis anacardioides- Tuckeroo. The median strip on Merewether Road has an avenue of Norfolk Island Pines which will be retained. The vacant lot is simply turfed, and currently contains some vehicles of the surrounding business.

1.0 Introduction

THE SITE



Figure 1: Site locality plan
Source: Six Maps Viewer 2015

2.0 Site Photographs



1. Existing site southern entry off Lingard Street. Looking South-East.



2. Existing Carpark condition.

2.0 Site Photographs



3. Viewing across Merewether Street to new carpark site.



4. Future carpark site.

3.0 The Proposal

3.1 Proposed Development

The proposed development comprises an extension at the northern side of the existing hospital building through the redevelopment of an existing carpark, in addition a vacant site located on the opposite side of Merewether Street will be re-developed into a new carpark with 54 spaces. The landscaped areas will be planted with feature trees, shrubs, accent plants and ground covers to visually soften the hard surfaces and to provide seasonal character to the hospital.

3.2 Landscape Design Intent

The intent of the landscape design for the development is to:

- Address the requirements of City of Newcastle's DCP's Landscape Technical Manual, April 2015.
- Provide high quality landscape treatments that complement the local landscape character and relate to the surrounding street scape.
- Provide landscaping that is appropriate for the local soil and climatic conditions, low in maintenance and self-sustaining.
- Establish a monitoring and maintenance program ensuring continued success of the landscape works.

3.0 The Proposal

3.3 Proposed Landscape

The proposed landscape is intended to provide a safe, functional and attractive environment. The design is driven by key principles specific to hospital facilities and to the site responding to its unique qualities and environmental attributes.

Screen planting along the northern boundaries against the new hospital wing will provide some softening of the building surface to neighbouring residence. This is a narrow garden bed, trees have only been incorporated where there is sufficient space between the adjoining property buildings and the new buildings.

The carpark planter beds will screen the carpark from the Merewether Street frontage with a mix of native groundcovers and low shrubs and small- medium trees which will provide seasonal variation.

It is proposed that the landscape works associated with the development will assist in softening areas of hard surface and ultimately provide a low maintenance and self-sustaining landscape.

Proposed plants

A mix of feature trees, accent planting and mass planting will create interest and character for the development. The species proposed for use in the landscape works consist of a combination of Australian native and exotic species. Plant species are proposed to complement the surrounding street scape. Species have been selected for their appropriateness to the site conditions, hardiness, minimal maintenance requirements and availability.

4.0 Landscape Management

4.1 Soil Testing

Substrates suitable for landscape works should be identified and tested during site investigations for their suitability to support plant growth. Substrate materials should be stockpiled on site and protected from erosion for later placement to newly formed batters and revegetation areas. Soil will be tested and the nutrient levels and pH adjusted as required. Fertilisers and soil ameliorants should also be used where soil tests indicate the need. It is proposed the existing site soil be improved by incorporating organic matter and soil conditioner to improve its capacity to store and retain water. Carry out soil tests in accordance with the guidelines recommended in AS4419 – 2003 (Soils for Landscaping).

4.2 Mulch

Mulch specified for the landscape areas should be a locally sourced, recycled product.

4.3 Weed Management

Weeds are to be removed from garden beds and mulch topped up. Weed removal in landscaped areas is to be carried out for the life of the maintenance period. Identified weed species should be removed by hand, taking care not to dislodge seeds, off cut limbs, or leave rootstock in the ground. Weed removal should be timed to minimize weed germination and seed dispersal. Care should be taken to minimise disturbance to existing juvenile natives and any disturbance to the soil.

Acceptable methods may include:

Spraying actively growing leaves with herbicide.

Hand removal of the entire plant taking care not to leave plant material or dislodge seeds.

Displaced weed material is to be disposed of off site where there is no potential of seed dispersal. Where areas of ground are disturbed from the weed removal the soil shall be tamped into place and covered with site leaf litter or site mulch (free from weed seed) to avoid erosion.

Follow up weeding is essential to ensure the success of the initial weeding activities and should be carried out at regular intervals throughout the maintenance period. Weed germination may occur in areas to be planted. This can be controlled by light scarification.

Herbicide application shall only be used where there is no possibility of damage to native vegetation from overspray or wind drift. Herbicide should be used in accordance with the manufacturers' recommended rates. A follow up treatment, two weeks after the initial spray is required to kill any regrowth of seed.

Approved herbicide: Glyphosate.

4.0 Landscape Management

4.4 Plant Establishment & Maintenance

During plant establishment the landscape works should be checked regularly for plant health and weed invasion. Regular inspections will reduce the potential for minor infestations becoming major problems. Weed control and ongoing plant maintenance will be carried out for a minimum of 12 months. All rubbish related to landscape works shall be removed by the landscape contractor before it is allowed to accumulate.

During the maintenance period the landscape contractor shall undertake the following: Regular watering, weeding, mulching and other activities as required to promote healthy growth. Replace any dead or dying plants within this period. Contingency funds should be made to replant failed areas. The landscape areas should also be monitored to document such things as growth rates, success and failures. Monitoring of the growth, root distribution and transpiration rates of establishing species will help identify species that are successful and suitable for use in future stages or as replacement plantings.

Landscape contractors responsible for the construction and ongoing maintenance of the landscape works should have experience in plant identification and in work of a similar nature.

**APPENDIX F: EROSION & SEDIMENT MANAGEMENT PLANS AND CONCEPT
STORMWATER MANAGEMENT PLANS**

(Northrop – 27th November 2015)

LINGARD PRIVATE HOSPITAL - STAGE 5
23 MEREWETHER STREET,
MEREWETHER NSW 2291

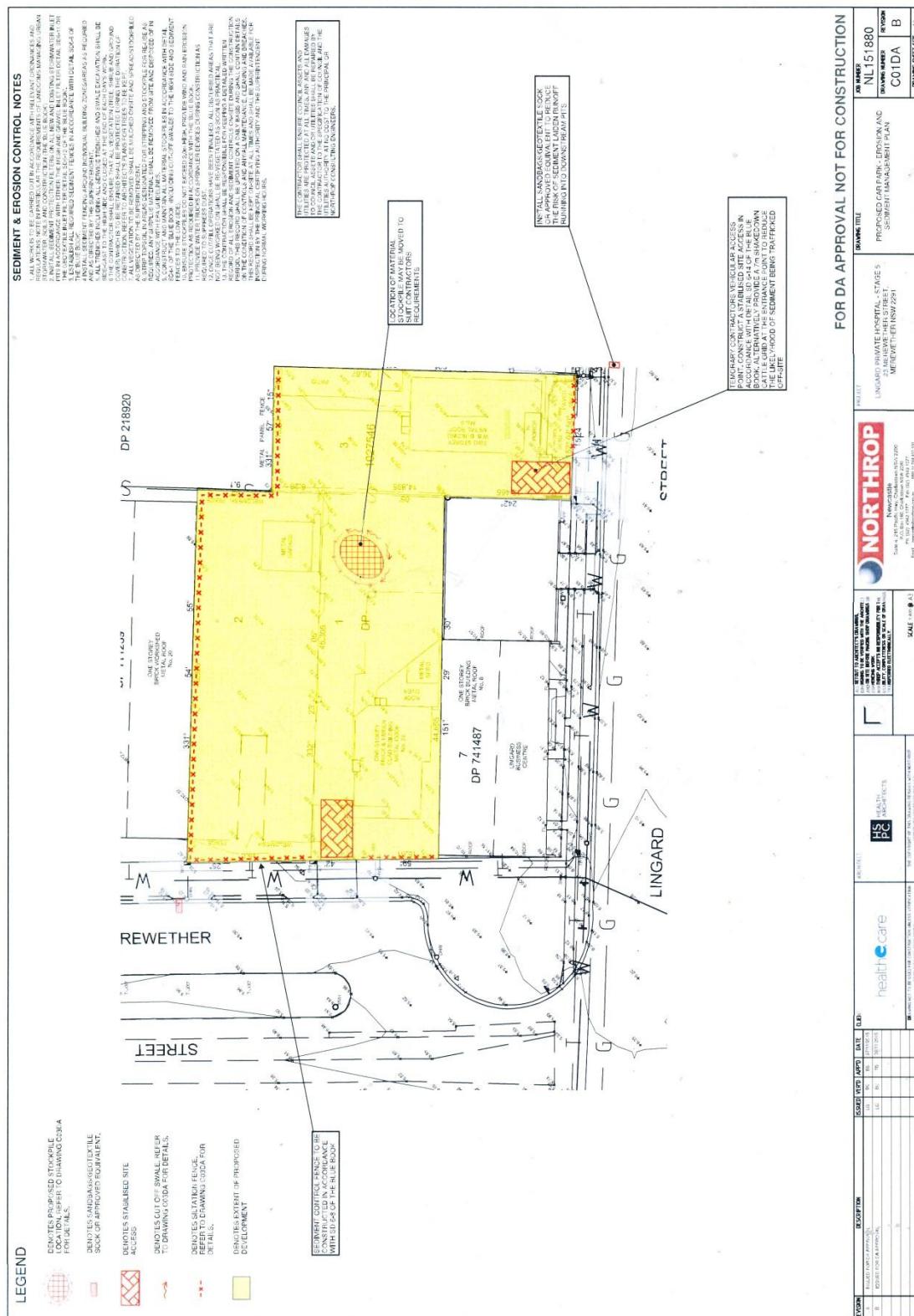


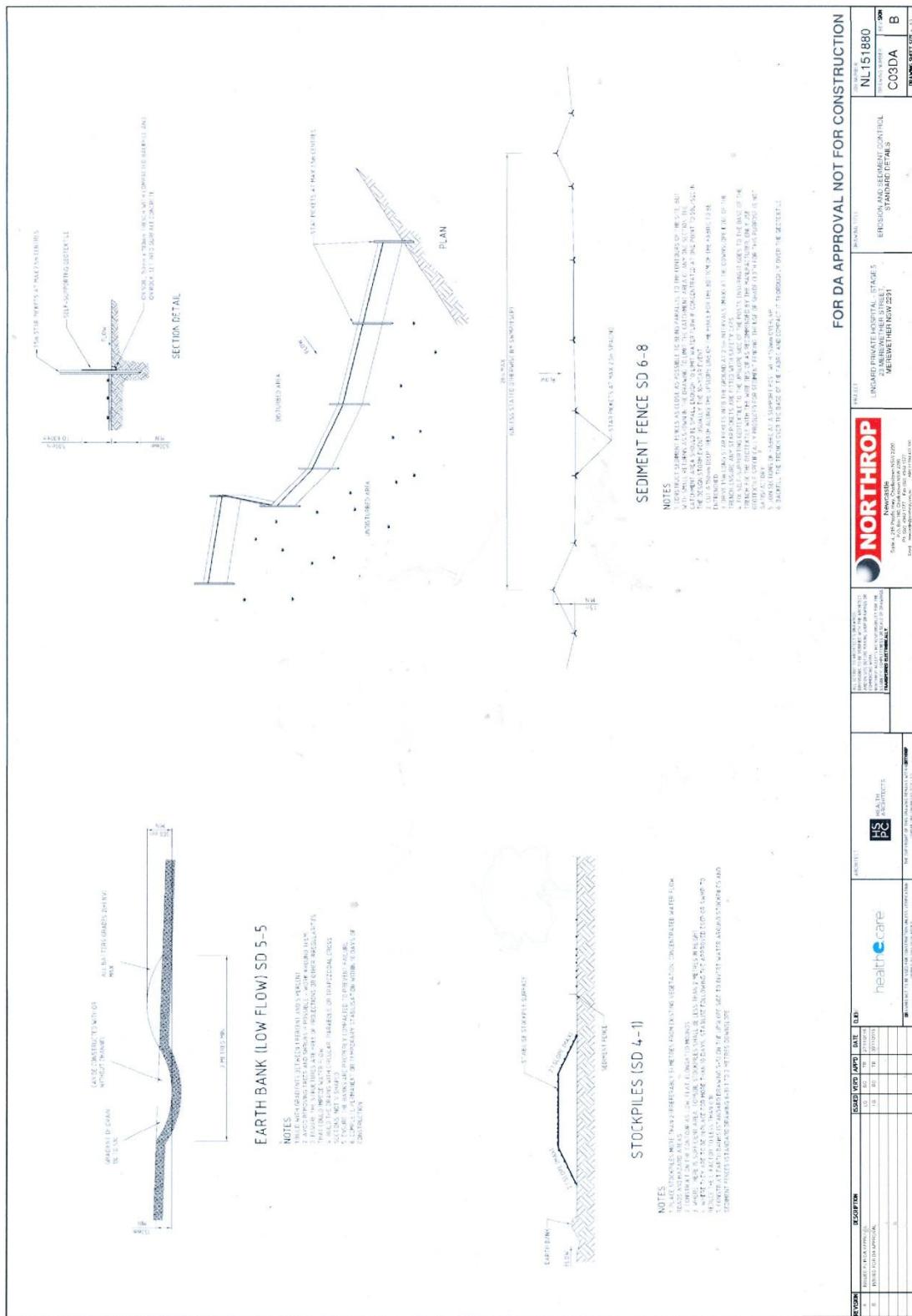
DRAWING INDEX
DRAWING No.
 C0001 SHEET 1 DRAWING INDEX
 C011A PROPOSED CAR PARK, EROSION AND SEDIMENT MANAGEMENT PLAN
 C012A PROPOSED LE TENSION
 C013A PROPOSED CAR PARK, GROUND LEVEL, CONCEPT STORMWATER MANAGEMENT PLAN & LEVELS
 C014A PROPOSED CAR PARK, FIRST LEVEL, CONCEPT STORMWATER MANAGEMENT PLAN & LEVELS
 C015A CONCEPT STORMWATER MANAGEMENT PLAN & LEVELS
 C016A CIVIL DETAILS - SHEET 1
 C017A CIVIL DETAILS - SHEET 2
 C018A CIVIL DETAILS - SHEET 3
 C019A CIVIL DETAILS - SHEET 4
 C020A CIVIL DETAILS - SHEET 5

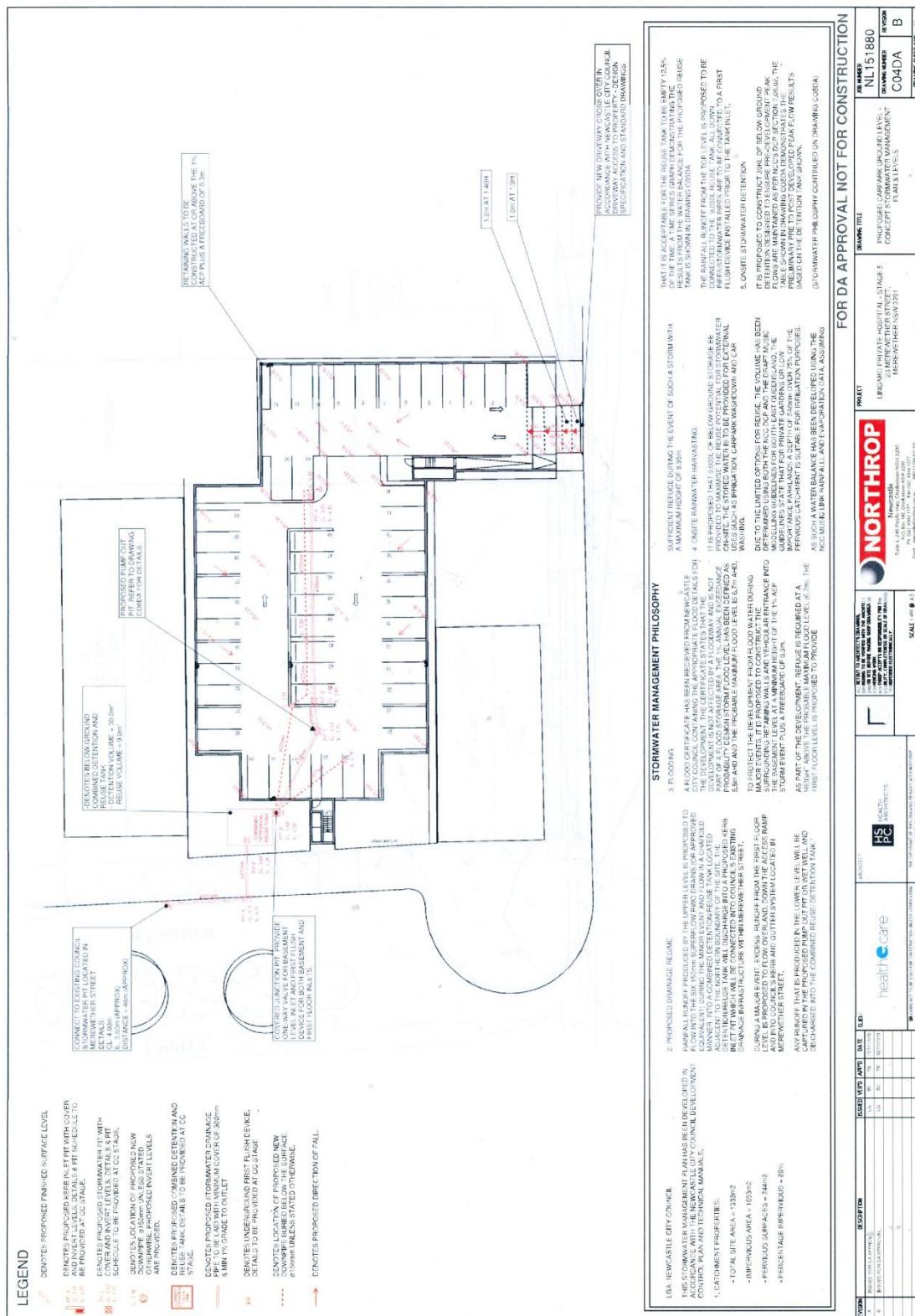
FOR DA APPROVAL NOT FOR CONSTRUCTION					
DRAWING No.	DRAWING TITLE	PROJECT		DRAWING TITLE	DRAWING No.
		AS BUILT	AS BUILT	AS BUILT	AS BUILT
NORTHROP	LINGARD PRIVATE HOSPITAL - STAGE 5 23 MEREWETHER STREET, MEREWETHER NSW 2291	Health e-care	HS Architects	Northrop	NL151880 DRAWN BY: HS REVIEWED BY: HS APPROVED BY: HS DATE: 15/11/2015

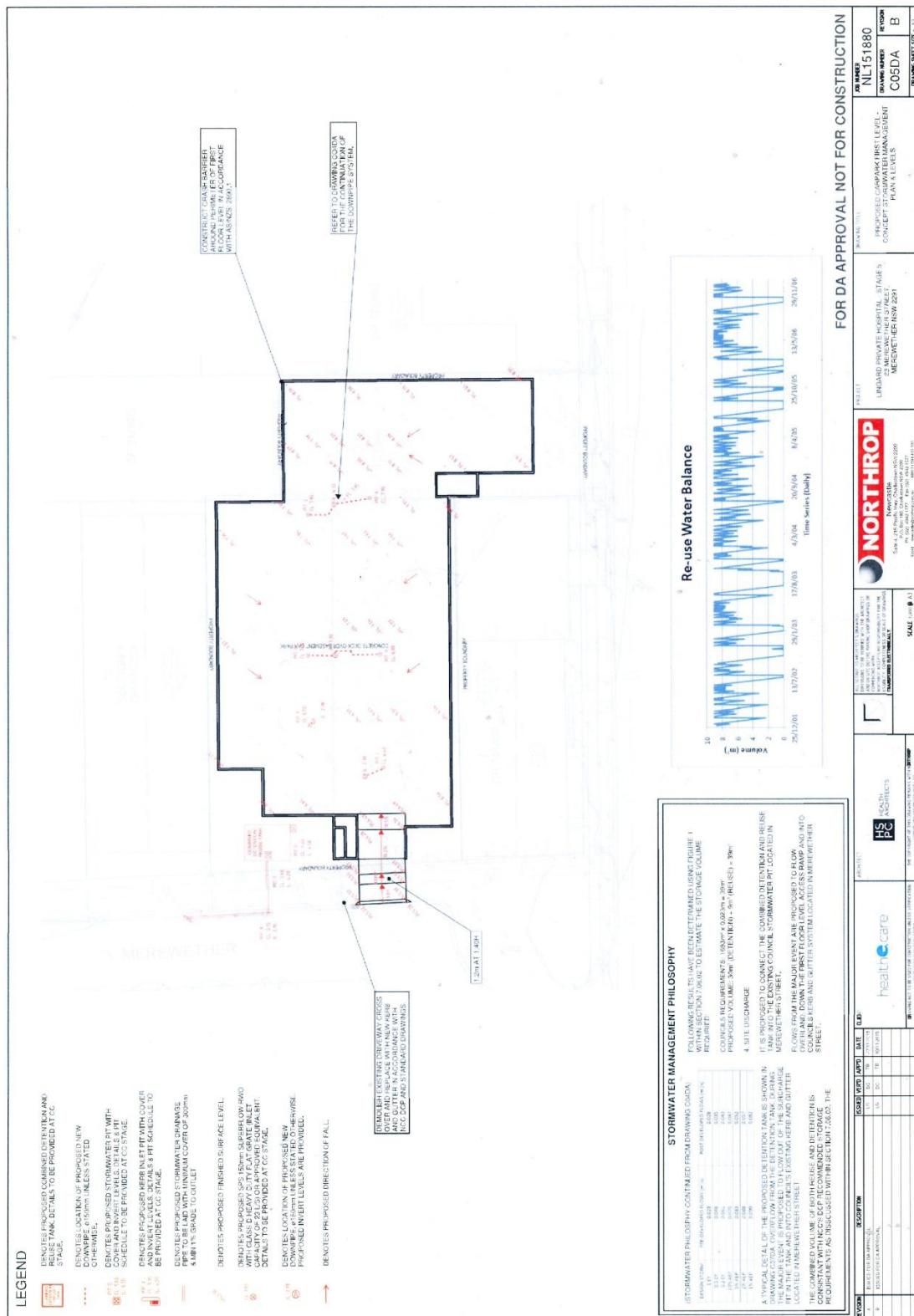
Statement of Environmental Effects: Statement of Environmental Effects: Proposed alterations & additions to Lingard Private Hospital (Stage 5) at Nos. 22, 23 & 24 Merewether Street & No. 6 Lingard Street, Merewether.

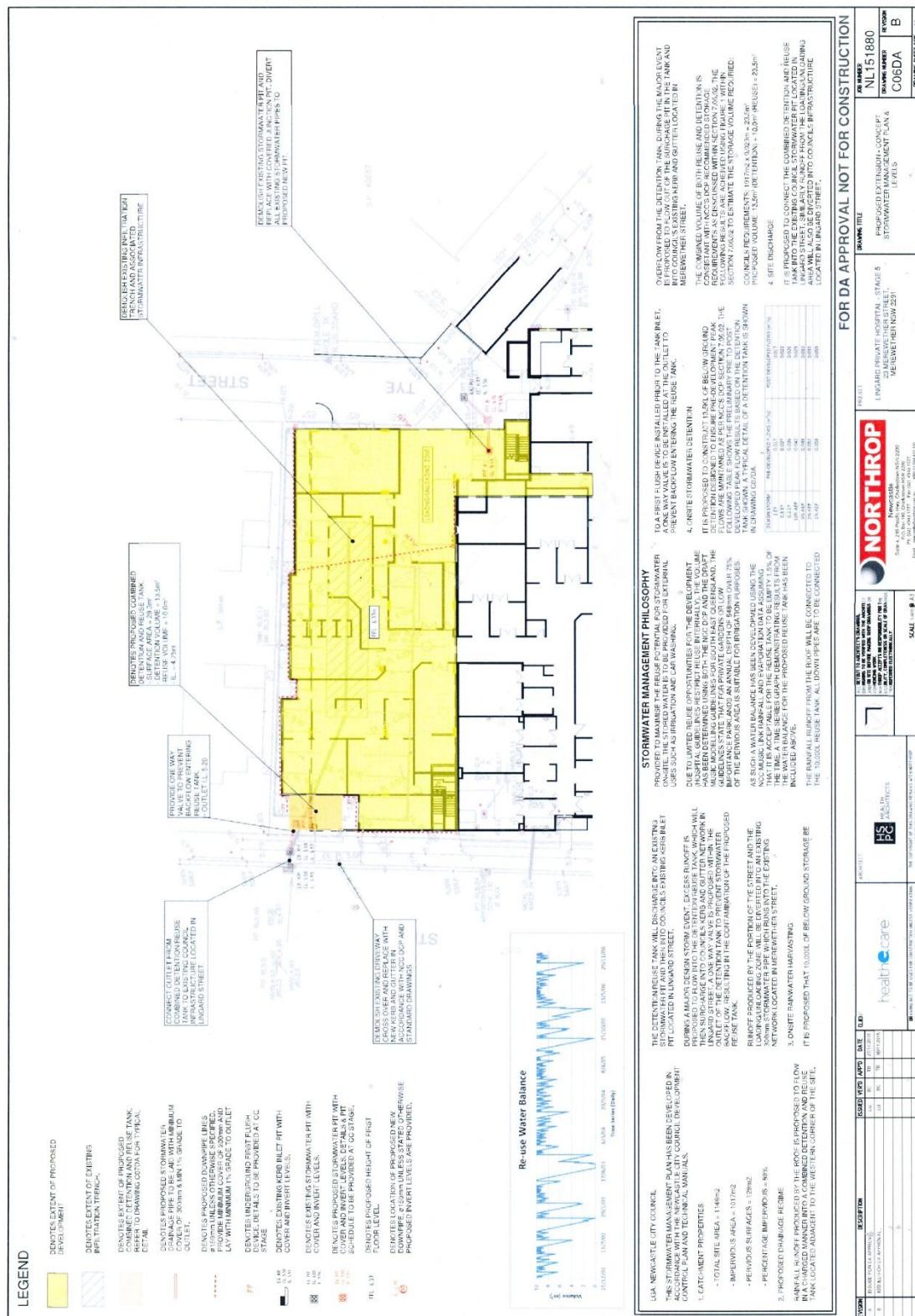
Doug Sneddon Planning Pty Ltd – November 2015.

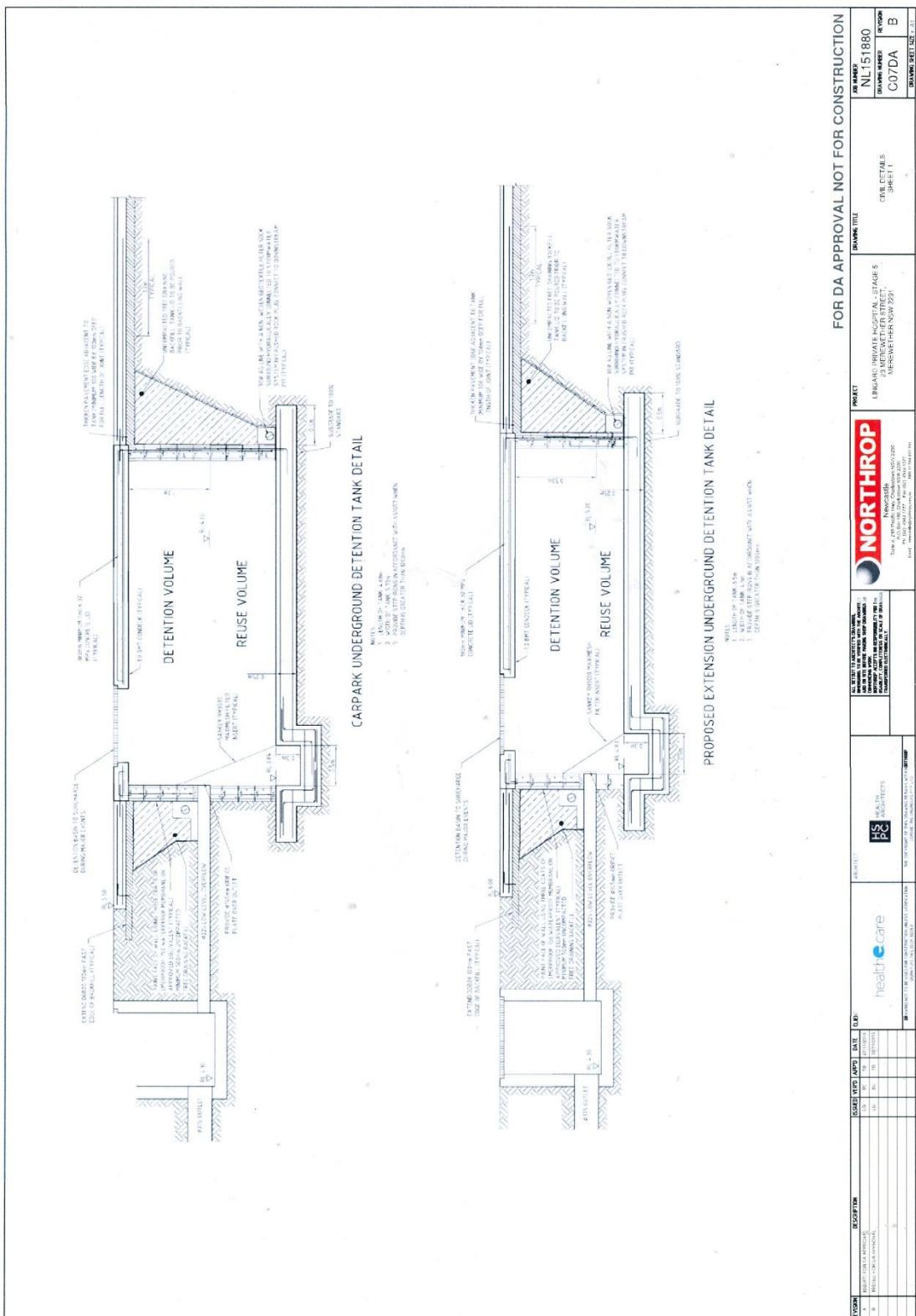


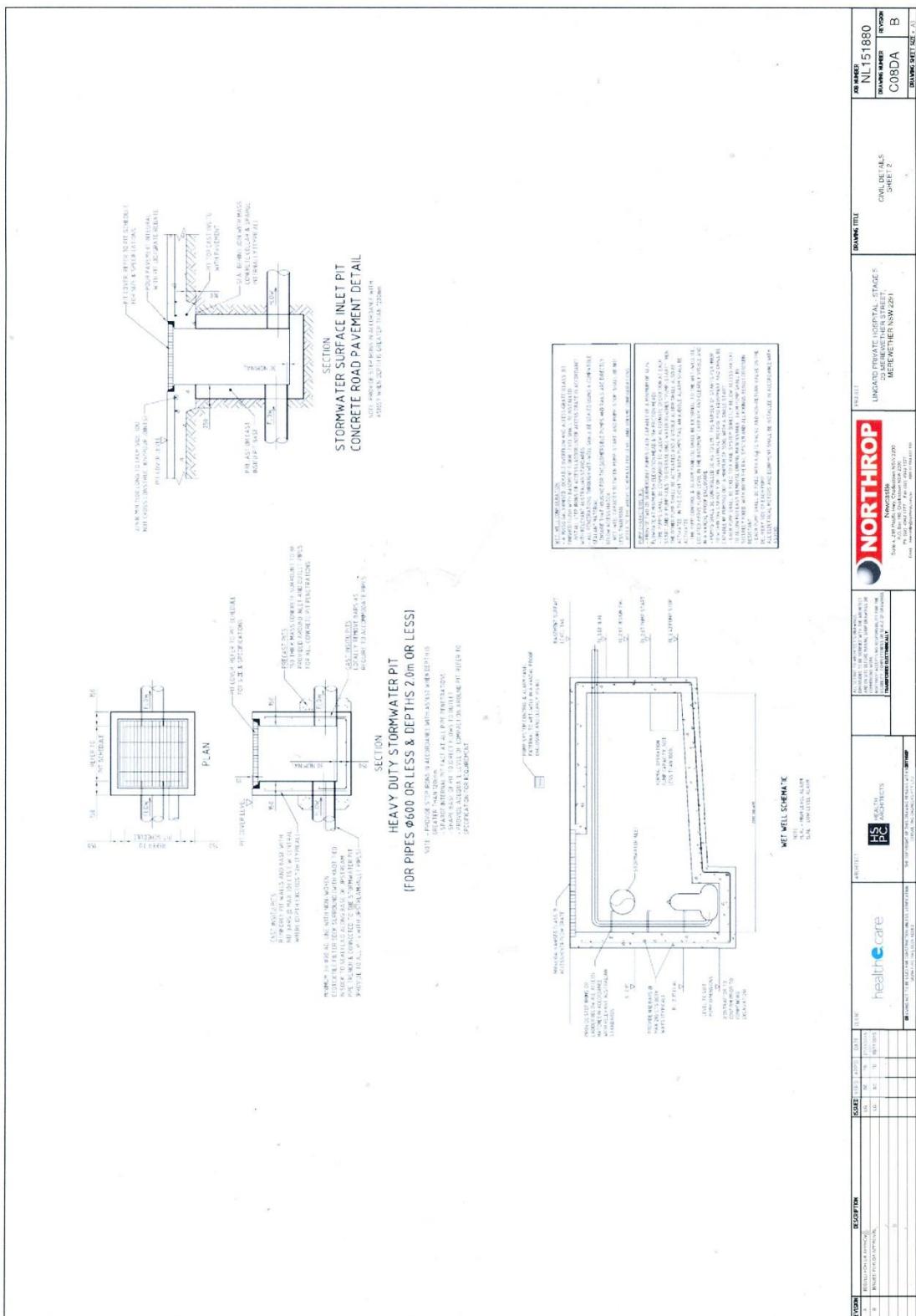












Statement of Environmental Effects: Statement of Environmental Effects: Proposed alterations & additions to Lingard Private Hospital (Stage 5) at Nos. 22, 23 & 24 Merewether Street & No. 6 Lingard Street, Merewether.

APPENDIX G: SITE WASTE MANAGEMENT & MINIMISATION PLAN.

Preparing a Site Waste Minimisation and Management Plan (SWMMP)



Office Use - No.....

This form

This form can be used as a Site Waste Minimisation and Management Plan (SWMMP) and must accompany your development application for:

- erection or alteration of a building or structure
- major demolition works
- carrying out subdivision earthworks, clearing of land or similar

Completing this form will:

1. Assist you in identifying the type of waste that will be generated and advise Council how you intend to reuse, recycle or dispose of the waste.
2. Facilitate waste management and reduction by identifying onsite sorting and storage of waste products pending reuse or collection.

The information provided on this form, together with your development plans, is designed to enable your development to be assessed against the relevant objectives and controls within [Section 7.08 Waste Management of Newcastle DCP 2012](#) and the [Waste Management Technical Manual](#).

Part A: Waste Minimisation and Management Plan details

1. Development for which this SWMMP has been prepared:

Describe the proposed development this SWMMP is for.

A Erection or alteration of a building or structure

B Demolition

C Subdivision works

D Site clearing, etc

E Other *Care Park Extension*

If a building, what will it be used for?

Hospital

2. Location of development

Describe the property which the development application relates.

Unit No..... House No *22, 23, 24* Street *Merewether Street*

Locality *Merewether, No. 6 Lingard Street*

Lot(s) *LOT 100 DP 1168197* Section

Deposited Plan(s) *LOTS 1-3 DP 1027546* Strata Plan

Other.....

These details should represent the DA property description.

Part B: Construction waste, reuse, recycling and disposal details

3. Will your development generate any construction waste?

Will your proposal involve demolition, vegetation removal or other site clearing works or other activity which will generate the need for reuse & recycling or disposal of waste during the developments construction?

No proceed to 5 in Part C.

Yes please provide details in accordance with 4 below:

Please attach additional sheets if more space is required.

Part C: Ongoing waste management details (after construction)			
4. Will your development generate any waste as a result of its proposed use?	Will your development generate any ongoing waste as a result of its proposed use such as food waste, glass, paper, metal off-cuts etc? No <input type="checkbox"/> proceed to 9 in Part E. Yes <input checked="" type="checkbox"/> please provide details in accordance with 6 below:		
Expected waste	Proposed onsite storage and treatment facilities: (refer to DCP Section 7.08)	Destination:	
Detail the types of operating waste expected to be generated by the development eg. food waste, glass, paper, metal off-cuts etc.	Vol./ week L or m ³	Eg. Waste cupboard waste storage & recycling area, garbage chute, onsite composting compaction equipment.	Eg. Recycling, disposal or contractor.
<i>PLEASE REFER TO LINGARD PRIVATE HOUSING'S OPERATIONAL MANAGEMENT PLAN PROVIDED IN APPENDIX H OF THE ACCOMPANYING STATEMENT OF ENVIRONMENTAL EFFECTS</i>			
Please attach additional sheets if more space is required.			
5. Ongoing management commitments (multi-unit, commercial & industrial buildings only)	Management Commitments Please attach additional sheets if more space is required.		
Provide details of ongoing waste management commitments onsite (eg. lease conditions, caretaker/site manager).			

Part D: Estimates (if you answered yes at either 3 or 5 above)		
6. Estimated quantities If you answered yes to either 3 or 5 above please provide details of how you arrived at your estimated quantities.	<p>Please indicate the method used for predicting your development's anticipated levels of waste:</p> <p><input type="checkbox"/> Best guess <input type="checkbox"/> Calculated assessment <input type="checkbox"/> Industry data <input type="checkbox"/> Waste Planning Guide for Development Applications</p> <p>Other</p>	
Part E: Checklist		
7. Have you indicated the location of Waste Management facilities on your development plans?	Yes	<input checked="" type="checkbox"/>
8. Where necessary, have you provided acceptable administrative arrangements for ongoing waste management?	Yes	<input checked="" type="checkbox"/>
Not relevant	<input type="checkbox"/>	
9. Is easy access to the recycling area, room or facilities for occupants and collection services provided?	Yes	<input checked="" type="checkbox"/>
Not relevant	<input type="checkbox"/>	
10. Is a sufficiently sized waste collection area provided?	Yes	<input checked="" type="checkbox"/>
Not relevant	<input type="checkbox"/>	
11. Is an unobstructed vehicular access and manoeuvring area provided for waste collection for commercial/ industrial and multi-unit development?	Yes	<input checked="" type="checkbox"/>
Not relevant	<input type="checkbox"/>	
12. Do the development plans for construction/demolition show details of onsite storage space or waste container for the recycling and disposal of construction waste?	Yes	<input checked="" type="checkbox"/>

Part F: Signatures**13. Applicants declaration**

I declare this development achieves the waste objectives set out in the DCP. The details on this form are the provisions and intentions for minimising and managing waste related to this project. All records demonstrating lawful disposal of waste will be retained and kept readily accessible for inspection by regulatory authorities such as council, DECC or WorkCover NSW.

I declare that all the information given is true and correct. I also understand that:

- if incomplete, the application may be delayed or rejected.
- further information may be requested within 14 days of lodgement.

Name: Doug Sneddon

Signature: D. Sneddon

Date: 30 November 2015

How to lodge your SWMMP

Include this plan with the documents required for the submission of your Development Application and address to:

Mail: The General Manager
City of Newcastle
PO Box 489,
Newcastle 2300

Courier or personal delivery:
Ground Floor,
282 King Street, Newcastle

How to contact us:

Phone: (02) 4974 2000
Fax: (02) 4974 2222
E-mail: mail@ncc.nsw.gov.au

Web: www.newcastle.nsw.gov.au

Coming in to see us?

Our Customer Enquiry Centre is located on the ground floor of the City of Newcastle Administration Building, 282 King Street, Newcastle, opposite Civic Park.

We are open for business from 8.30am to 5.00pm, Monday to Friday.

If you wish to discuss your SWMMP with one of our professional officers, it is essential that you arrange an appointment.

APPENDIX H: HOSPITAL OPERATIONAL WASTE MANAGEMENT PLAN
(Lingard Private Hospital – Healthe Care).

Waste Management Plan

Further information contact:

Contact person: Michelle Rothery
Performance Improvement / Risk Manager

Kerrie Przezdzik
Environmental Services Manager

Telephone: 02 4963 7200

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Introduction

Healthcare Australia and Lingard Private Hospital are committed to maintaining a waste management system that is safe, efficient, cost effective and considerate of environmental issues. The Healthcare Waste Management Policy (WHS 5.35) defines the requirements for the minimisation and reporting of all wastes generated from site activities.

The Lingard Private Hospital Waste Management Plan has been developed in accordance with the Healthcare Waste Management Policy and relevant legislation.

Aims

- To protect public health and safety;
- To provide a safe work environment;
- To minimise the environmental impact of waste generation, treatment and disposal;
- Reduce waste handling and disposal volumes and associated costs without compromising health care.

Objectives

- To adopt and implement a Waste Management Plan throughout the Hospital;
- To monitor waste output on a monthly basis;
- Development of waste segregation principles;
- Promotion of practical guidelines for reusable products;
- Foster staff commitment to actively participate in waste avoidance, reduction, reuse and recycling programs;
- Staff education in relation to waste management.

Waste Definitions

Clinical Waste

Clinical waste is waste which has the potential to cause sharps injury, infection or offence. When packaged and disposed of appropriately, there is virtually no public health significance. Clinical waste contains the following:

- sharps;*
- human tissue (excluding hair, teeth and nails);
- bulk body fluids and blood;**
- visibly blood stained body fluids and visibly blood stained disposable material and equipment;

**Sharps*: means anything that has sharp points or edges capable of cutting, piercing or penetrating the skin (such as needles, syringes with needles or surgical instruments) that is designed for the purpose of cutting, piercing or penetrating the skin that has the potential to cause injury or infection.

** *Bulk*: Free flowing liquids normally contained within a disposable vessel or tubing, including blood, suctioned fluids, excretions, and secretions.

Cytotoxic Waste

Cytotoxic waste means material contaminated with residues or preparations containing materials toxic to cells, principally through action on cell reproduction. This includes any residual cytotoxic drug, and any discarded material associated with the preparation or administration of cytotoxic drugs.

Pharmaceutical Waste

Consists of pharmaceuticals or other chemical substances specified as regulated goods in the Poisons and Therapeutic Goods Act 1966. This includes any substance that is specified in a Schedule of the Poisons List under that Act, as well as any therapeutic good which is unscheduled. Pharmaceutical waste includes expired or discarded pharmaceuticals and filters or other materials contaminated by pharmaceutical products.

Chemical Waste

Chemical waste is generated from the use of chemicals in medical applications, domestic services, maintenance, laboratories, during sterilisation processes and research. Chemical wastes included in the Dangerous Goods Regulations and Poisons and Therapeutic Goods Act are also included in this stream. It includes mercury, cyanide, azide, formalin, and glutaraldehyde, which are subject to special disposal requirements.

Recyclable Products

Items which are composed of materials or components, capable of being remanufactured or reused. Items are considered recyclable if facilities are available to collect and reprocess them.

Organic Products

This includes wood, garden waste, food and vegetable scraps and natural fibrous material which are biodegradable.

Liquid Waste

Liquid wastes are defined in the Waste Regulation. These wastes include grease trap waste, used lubricating oil and waste normally discharged to the sewer.

General Waste

Any waste not included in the above definitions and which is not capable of being composted, recycled, reprocessed or re-used. This stream includes incontinence pads, sanitary waste and disposable nappies.

Organisational Issues

Employer Responsibilities

Lingard Private Hospital's responsibilities as an employers include:

- Development and maintenance of a safe work environment through safe work practices;
- Ensuring that the Hospital does not breach environmental standards prescribed in both State and Federal legislation;
- Provision of staff training and education for the safe handling of waste.

Employee Responsibilities

Lingard Private Hospital's employees also have responsibilities which include:

- Complying with safety instructions and safe work practices for their own protection and that of other staff and the public;
- Actively supporting environmental initiatives introduce by the Hospital;
- Maintaining an awareness of requirements for the handling of chemical substances in accordance with Material Safety Data Sheets.

Waste Management Committee

Waste management discussions and issues are incorporated with the Infection Control Committee and waste management is an agenda item for discussion.

The Environmental Services Manager is the Hospitals nominated Waste Management Co-ordinator.

Purchasing Policy

In addition to infection control, work health and safety, value for money and environmental concerns will be taken into consideration when evaluating products.

Preference shall be given to products and consumables which are:

- Totally or partially recyclable
- Contain recyclable components where collection and recycling facilities are available.

Where applicable, tender documents will require manufacturers, suppliers and distributors to:

- Identify materials used (MSDS), their origin, recommendations for disposal/recycling/reuse and the likely impact to the environment;
- Minimise packaging whilst allowing for the safe transport and delivery of the product;

- Specify the energy rating on appliances and fittings.

Where appropriate and cost effective, re-usable items should be purchased in preference to single use items. Items which are suitable for re-use must be able to withstand the necessary cleaning, disinfection or sterilisation process.

All products must be supplied with manuals outlining cleaning procedures.

Comparisons of re-useable with single use items should include but not be limited to the following:

- Product cost
- Labour
- Transport cost
- Cleaning processes and associated costs
- Energy ratings
- Water
- Disposal costs
- Maintenance

Education and Training

All staff will be provided with education on waste management during orientation to the Hospital and their relevant department. Topics covered will include:

- Safe work practices
- Staff awareness of Waste Management Plan
- Legislation and licensing
- Locations of personal protective equipment and requirements for use
- Infection control and hygiene procedures
- Waste stream definitions
- Costs and benefits of waste minimisation
- Spills management
- Environmental impacts of waste disposal

Staff will be provided with ongoing education on changes and updates to waste management principles and processes relevant to their work areas.

Waste Management Strategies

Waste Avoidance

Initiatives for waste avoidance include:

- Bulk purchasing to minimise packaging
- Stock rotation processes to minimise expired consumable rates

Waste Reduction

Initiatives for waste reduction include:

- Segregation of waste
- Waste audits

- Staff education on waste segregation

Recycling

Initiatives for recycling include:

- Recycling of cardboard and paper
- Recycling of aluminium cans where storage permits

Segregation Audits

Auditing is an essential component of effective waste management. It enables the Hospital to monitor its level of compliance with Waste Management Guidelines and implement strategies to address identified deficits.

Audits can also assist in the identification of opportunities to improve water and energy consumption.

Both clinical and general waste is to be inspected to accurately determine the current level of segregation.

Waste Segregation Audits are conducted annually by SteriHealth. Results and action plans are provided to the relevant Nurse Unit Manager and reviewed by Infection Control Committee.

Waste Handling Containment and Transport

Review

The Infection Control Committee review and monitor collection processes including, manual handling and transportation of sharps containers by Steri-health.

Reviews are to include the following areas:

- Transport via least sensitive routes;
- Collection processes and frequency;
- Handling;
- Placement of mobile garbage receptacles;
- Location of waste storage areas;
- Contractor collection points.

Waste Handling

When transporting clinical and related waste, all employees should routinely practice Standard Precautions, including wearing the appropriate personal protective equipment, (PPE) e.g. gloves and gown, and performing effective hand hygiene following procedures. Refer HICMR Policies: Standard Precautions and Hand Hygiene.

Manual handling is to be in accordance with Healthcare Practices for Manual Handling.

Sharps Management

Sharps management is to be in accordance with HICMR Infection Control Guidelines.

Management of needle stick injuries is to be managed in accordance with HICMR Infection Control Guidelines.

All sharps containers in use at Lingard Private Hospital comply with Australian Standards AS4031-1992. All sharps containers are stored in the locked biological

hazard cupboard located in the Environmental Services Department whilst awaiting collection for disposal.

Clinical Waste

All clinical waste is collected daily from the clinical units and tenants by Environmental Services Staff.

A spill kit is to be located in the vicinity of all clinical waste areas.

This waste is stored in a secure area external to the Hospital whilst awaiting collection.

General Waste

General waste from all areas of the Hospital is collected at minimum on a daily basis by Environmental Services Staff.

General waste is disposed of in the industrial bins located external to the building.

Type of waste	Colour of bags / Containers	Colour of Letters	Symbols
Clinical	Yellow	Black	
Cytotoxic	Lilac	Violet	
Radioactive	Scarlet	Black	
General Waste	opaque white	no colour	no symbol

Waste Bags

Bags are not to be overfilled. Environmental Services staff are to ensure that waste bags are securely closed as per AS/NZS 3816, and held at the top and away from the body when carrying to reduce body contact.

All waste is to be sealed at the point of generation or collection.

Waste bags are not to be compacted by hand.

Waste Industrial Bins

Waste bins are to be used exclusively for their designated purpose.

Bins are not to be overfilled.

Bins containing clinical waste must be secured and locked at all times when not in use.

Bins are to be cleaned fortnightly.

Personal Protective Equipment

Personal protective equipment (PPE) is provided to protect staff and minimise the risks of exposure to infections during waste management handling processes. All PPE complies with the relevant Australian standards. PPE includes:

- Eye protection such as goggles and safety glasses
- Protective gloves including, latex gloves and heavy duty gloves where there is a risk of exposure to sharp objects or when cleaning blood or body substance spills
- Protective clothing such as disposable plastic aprons and non-porous aprons
- Over shoe disposable protective covers
- Dust mist respirators

All staff are to ensure that appropriate PPE is utilised during all waste management handling.

Spills Management

Hospital Blood and Body Fluid Exposure Kits are managed and maintained by the Infection Control Coordinator.

All Blood and Body Fluid Exposure incidents are to be managed in accordance with HICMR:

- Blood and Body Fluid Exposure Incident (B&BFEI) Toolkit and Blood and
- Body Fluid Exposure Incidents (B&BFEI) Risk Minimisation and Management Policy.

Kit Contents:

- Plastic jug
- Sachet Det-Sol 5000
- Safety goggles
- Nitrilite® gloves
- Plastic apron
- Over shoe protective covers
- Contaminated waste bag
- Disposable wipes
- Instruction sheet

Process:

- Don personal protective equipment
- Fill jug with water and empty contents of sachet into the jug in accordance with manufacturers instructions
- Pour the solution over the contaminated area
- Clean up the area using the disposable wipes
- Dispose of the wipes in the contaminated waste bag
- At the completion of the procedure place all PPE, excluding the safety goggles in the contaminated waste bag
- Dispose of the bag in a contaminated waste bin
- Notify the Infection Control Coordinator of the kits use and arrange for a replacement kit for the area

Hospital Chemical Exposure Kits are managed and maintained by the Environmental Services Manager and the individual unit manager.

Staff are to refer to Material Data Safety Sheets for all chemical spills prior to commencing cleaning.

Transport

Transportation of all waste from Lingard Private Hospital is conducted in accordance with the Environmental Protection Agency Waste Management Policy 2000 and the Environmental Protection (Waste Management) Regulation 2000.

A detailed list of Contractor Information is located in the Environmental Services Managers office.

Work Place Health and Safety

The Hospital copy of the Work Health and Safety Act 2011 and the Work Health and Safety Regulation 2011 are located in the Performance Improvement / Risk Managers Office.

These documents can also be accessed via links on LOTI.

References

Work Health and Safety Act 2011

Work Health and Safety Regulation 2011

HealtheCare Work Health and Safety Policy Manual

HICMR Infection Control Manual

Australian Standards

Health (Drugs and Poisons) Regulation 1996

APPENDIX I: FIRE SAFETY CERTIFICATE.

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Statement of Environmental Effects: Statement of Environmental Effects: Proposed alterations & additions to Lingard Private Hospital (Stage 5) at Nos. 22, 23 & 24 Merewether Street & No. 6 Lingard Street, Merewether.

Doug Sneddon Planning Pty Ltd – November 2015.

Fire Safety Certificate

Essential Fire and Other Safety Measures	Standard of Performance
Automatic fire detection and alarm system	BCA Spec. E2.2a and AS 1670.1-2004
Emergency Lifts	BCA Clause E3.4 and AS 1735.2-2001, Appendix A of AS 1735.1-2003
Emergency Lighting	BCA Clauses E4.2/E4.4 & AS 2293.1-2005
EWIS (Sound System for Emergency Purposes)	BCA Clause E4.9 & AS 1670.4 & AS4428.4
Exit Signs	BCA Clauses E4.5/NSW E4.6/E4.8 and AS 2293.1-2005
Fire dampers	BCA C3.15, Spec E1.8, AS/NZS 1668.1-1998, AS1682.1-1990, AS1682.2-1990
Fire doors	BCA C2.12, C2.13, C3.4-3.8, C3.10, AS 1905.1-2005 (new works), AS 1735.11-1986
Fire hydrant systems	BCA Clause E1.3 & AS 2419.1-2005
Fire seals (protecting openings in fire resisting components of the building)	BCA Clause C3.15
Essential Fire and Other Safety Measures	Standard of Performance
Hose reel system	BCA Clause E1.4 & AS 2441-2005
Lightweight construction	BCA Clause C1.8 and BCA Spec. C1.8
Mechanical air handling systems	BCA Clauses E2.2 and AS/NZS 1668.1-1998
Portable fire extinguishers	BCA Clause E1.6 and AS 2444-2001
Required (automatic) Exit Doors	BCA Clause D2.19 / D2.21
Smoke dampers	BCA E2.2, AS/NZS 1668.1-1998 and AS 1682-1990
Smoke doors	BCA Spec. C3.4
Wall wetting drencher systems	BCA Clause C3.4 and AS 2118.2-1995
Warning and Operational Signs	BCA Clauses D2.23/E3.3 and EP & A Reg. 2000 Clause 183
Fire Engineered Alternative Solution of Holmes Fire and Safety to allow: <ul style="list-style-type: none"> • 47m distance between alternative exits at Level 1 in lieu of 45m maximum. • The direction of swing of Level 1 smoke and horizontal exits contrary to the direction of egress. 	Report 102355R01b, dated 22/03/10 DP4
Necessitates installation of: <ul style="list-style-type: none"> • Smoke seals to 2 x smoke door sets • Hot Intumescent seals to the horizontal exit fire doors • Door swing signage "PULL" • Management training 	Date of Certificate dated this 28 th day of January Signature 2015
Fire Engineered Alternative Solution of Holmes Fire and Safety to allow: <ul style="list-style-type: none"> • extended travel distance from rooftop plant room to single exit ladder 	Report 102355.01R01b, dated 13/12/11 DP4
Fire Engineered Alternative Solution of Holmes Fire to allow: <ul style="list-style-type: none"> • The direction of swing of Ground Floor horizontal exit at the west end of the central east to west corridor area contrary to the direction of egress. 	Report 102355.02R01b, dated 30/12/13 DP2

**APPENDIX J: ASSESSMENT - STATE ENVIRONMENTAL PLANNING
POLICY NO. 71 (COASTAL PROTECTION).**

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Statement of Environmental Effects: Statement of Environmental Effects: Proposed alterations & additions to Lingard Private Hospital (Stage 5) at Nos. 22, 23 & 24 Merewether Street & No. 6 Lingard Street, Merewether.

Doug Sneddon Planning Pty Ltd – November 2015.

STATE ENVIRONMENTAL PLANNING POLICY NO. 71 – COASTAL PROTECTION

ASSESSMENT OF PROPOSED ALTERATIONS & ADDITIONS TO LINGARD PRIVATE HOSPITAL (STAGE 5) ON LOT 100 DP 1168197 NO. 23 MEREWETHER STREET AND LOTS 1 - 3 DP 1027546, NOS. 22 & 24 MEREWETHER STREET & NO. 6 LINGARD STREET, MEREWETHER .

1. SUBJECT LAND/COASTAL ZONE.

The subject land is described as Lot 100 DP 1168197, No. 23 Merewether Street, Merewether, having an area of 1.03 ha (the site of the existing Lingard Private Hospital and the proposed hospital additions and alterations); and Lots 1 – 3 DP 1027546, Nos. 22 & 24 Merewether Street and No. 6 Lingard Street, Merewether, having an area of 1,933m² (the site of the proposed new car park):

The land is located within the “Coastal Zone” for the purposes of State Environmental Planning Policy No. 71 – Coastal Protection and the NSW Coastal Policy 1997. The land is not identified as being affected by coastal processes.

2. PROPOSED DEVELOPMENT.

The proposed development involves the following works:

- removal of the existing doctors car park (26 spaces) for the construction of a three storey addition (2,568m²) at the western side of the existing hospital site to provide a new ground floor theatre suite (3 new operating theatres) and two general ward levels providing 52 beds (overall + 49 additional beds as 3 beds are lost in the internal alterations to the existing hospital);
- part internal refurbishment of the existing hospital (existing theatres and administration/amenities - 846m²); and
- provision of a new car park (50 spaces) fronting Merewether and Lingard Streets..

A detailed description of the proposed development is provided in Section 3 of the accompanying Statement of Environmental Effects.

3. MATTERS FOR CONSIDERATION.

Clause 7 of SEPP 71 requires the matters set out in clause 8 of the Policy to be taken into account by the consent authority when it determines a development application on land to which the Policy applies.

The following assessment of the proposed development is provided in relation to the matters identified in clause 8 of the Policy.

3.1 “(a) The aims of the Policy”.

- “(a) to protect and manage the natural, cultural, recreational and economic attributes of the New South Wales Coast, and”

Assessment: The proposed development is located on privately owned land and does not have an adverse effect upon the natural, cultural, recreational and economic attributes of the New South Wales Coast.

- “(b) to protect and improve existing public access to and along coastal foreshores to the extent that this is compatible with the natural attributes of the coastal foreshore, and”

Assessment: The proposed development does not impede any existing public access to, or along, the coastal foreshore.

- “(c) to ensure that new opportunities for public access to and along coastal foreshores are identified and realised to the extent that this is compatible with the natural attributes of the coastal foreshore, and”

Assessment: The subject land is privately owned and the proposed development has no adverse implications for the identification of new opportunities for public access to the foreshore.

- “(d) to protect and preserve Aboriginal cultural heritage, and Aboriginal places, values, customs, beliefs and traditional knowledge, and”

Assessment: The subject land has been used for hospital and business purposes for an extensive period of time and has been significantly altered as a consequence of historical development. Consequently, it has no significance for Aboriginal cultural heritage.

- “(e) to ensure that the visual amenity of the coast is protected, and”

Assessment: As demonstrated in the accompanying Statement of Environmental Effects, the proposed development is visually compatible with the bulk/scale/character of development within the locality and will not result in any adverse impact on the scenic amenity of the coast as the subject land and the proposed development is located a considerable distance from the coastline.

- “(f) to protect and preserve beach environments and beach amenity, and”

Assessment: The proposed development has no impact on beach amenity.

- “(g) to protect and preserve native coastal vegetation, and”

Assessment: The subject land contains no native coastal vegetation.

- “(h) to protect and preserve the marine environment of New South Wales, and”

Assessment: The proposed development has no adverse impact on the marine environment.

- “(i) to protect and preserve rock platforms, and”

Assessment: The proposed development has no impact on local rock platforms.

- “(j) to manage the coastal zone in accordance with the principles of ecologically sustainable development (within the meaning of section 6(2) of the Protection of the Environment Administration Act 1991), and”

Assessment: The proposed development has no adverse impact on biodiversity or ecological integrity and does not interfere with, nor will be damaged by, coastal processes.

- “(k) to ensure that the type, bulk, scale and size of development is appropriate for the location and protects and improves the natural scenic quality of the surrounding area, and”

Assessment: The proposed development is demonstrated in the accompanying Statement of Environmental Effects to be compatible with the intended bulk and scale of development within the locality and does not adversely impact the scenic quality of the area.

- “(l) to encourage a strategic approach to coastal management.”

Assessment: As demonstrated in the accompanying Statement of Environmental Effects, the proposed development is consistent with the intended future character of the locality and has no adverse consequences for coastal management.

3.2 “(b) Existing public access to and along the coastal foreshore for pedestrians or persons with a disability should be retained and, where possible, public access to and along the coastal foreshore for pedestrians or persons with a disability should be improved”.

Assessment: The proposed development has no adverse impact on any public access to the coastal foreshore by pedestrians or persons with a disability.

3.3 “(c) opportunities to provide new public access to and along the coastal foreshore for pedestrians or persons with a disability”

Assessment: The subject land is privately owned and currently used for hospital and business purposes. The site is not identified as being required for the provision of any new point of public access to the coastal foreshore.

3.4 “(d) the suitability of development given its type, location and design and its relationship with the surrounding area”

Assessment: The proposed development is appropriate to the site having regard to its existing use as a hospital and its consistency with the outcomes sought by the Councils local planning controls, as demonstrated in the accompanying Statement of Environmental Effects.

3.5 “(e) any detrimental impact that development may have on the amenity of the coastal foreshore, including any significant overshadowing of the coastal foreshore and any significant loss of views from a public place to the coastal foreshore”

Assessment: The proposed development does not have an adverse impact upon the visual amenity of the coastal foreshore; does not cause overshadowing of the coastal foreshore; and will not result in any loss of views of the coastal foreshore gained from any public place.

3.6 “(f) any scenic qualities of the New South Wales Coast, and means to protect and improve these qualities”

Assessment: The subject land is located within a long established urban area and the proposed development has no adverse impact on the scenic quality of the New South Wales Coast, being well removed from the coastline.

3.7 “(g) measures to conserve animals (within the meaning of the Threatened Species Conservation Act 1995) and plants (within the meaning of that Act), and their habitats”

Assessment: The subject land does not contain habitat for threatened flora or fauna.

3.8 “(h) measures to conserve fish (within the meaning of Part 7A of the Fisheries Management Act 1994) and marine vegetation (within the meaning of that Part), and their habitats”

Assessment: The subject land does not contain aquatic/marine habitat.

3.9 “(i) existing wildlife corridors and the impact of development on these corridors”

Assessment: The subject land does not comprise part of a wildlife corridor.

3.10 “(j) the likely impact of coastal processes and coastal hazards on development and any likely impacts of development on coastal processes and coastal hazards”

Assessment: Due to its physical separation from the coastal foreshore, the proposed development will not be effected by, and will not impact upon, coastal processes/hazards.

3.11 “(k) measures to reduce the potential for conflict between land-based and water-based coastal activities”

Assessment: The proposed development does not present any potential conflict between land based and water based activities.

3.12 “(l) measures to protect the cultural places, values, customs, beliefs and traditional knowledge of Aboriginals”

Assessment: The subject land does not have Aboriginal cultural heritage significance in view of its physical modification and historic use for urban purposes.

3.13 “(m) likely impacts of development on the water quality of coastal waterbodies”

Assessment: The proposed development will not result in sedimentation or stormwater discharges which would adversely impact the water quality of coastal waterbodies.

3.14 “(n) the conservation and preservation of items of heritage, archaeological or historic significance”

Assessment: The subject land contains no items of heritage, archaeological or historic significance identified under Newcastle Local Environmental Plan 2012.

3.15 “(o) only in cases in which a council prepares a draft local environmental plan that applies to land to which this Policy applies, the means to encourage compact towns and cities”

Assessment: This proposal does not involve the preparation of a draft local environmental plan.

3.16 “(p) only in cases in which a development application in relation to proposed development is determined:

- (i) the cumulative impacts of the proposed development on the environment, and*
- (ii) measures to ensure that water and energy usage by the proposed development is efficient.”*

Response: Approval of the proposed development will not generate adverse cumulative impacts on the environment as a consequence of the approval of similar applications given the categorisation of the proposed development (i.e. hospital).

4. SIGNIFICANT COASTAL DEVELOPMENT.

The proposed development is not ‘*Significant coastal development*’ for the purposes of the Policy.

5. DEVELOPMENT CONTROL (PART 4 OF THE POLICY).

5.1 Clause 14 – Public Access: *“Public Access: A consent authority must not consent to an application to carry out development on land to which this Policy applies if, in the opinion of the consent authority, the development will, or is likely to, result in the impeding or diminishing, to any extent, of the physical, land based right of access of the public to or along the coastal foreshore”*

Assessment: The proposed development will not impede or diminish the right of public access to the coastal foreshore.

5.2 Clause 15 – Effluent Disposal: *“The consent authority must not consent to a development application to carry out development on land to which this Policy applies in which effluent is proposed to be disposed of by means of a non-reticulated system if the consent authority is satisfied the proposal will, or is likely to, have a negative effect on water quality of the sea or any nearby beach, or an estuary, a coastal lake, a coastal creek or other similar body of water, or onto a rock platform”.*

Assessment: The proposed development will be serviced by the existing reticulated sewage system.

5.3 Clause 16 – Stormwater: *“Stormwater: The consent authority must not grant consent to a development application on land to which this Policy applies if the consent authority is of the opinion that the development will, or is likely to, discharge untreated stormwater into the sea, a beach, or an estuary, a coastal lake, a coastal creek or other similar body of water, or onto a rock platform”*

Assessment: The proposed development will incorporate stormwater treatment and detention devices which will adequately treat runoff for pollutants prior to being reused, or discharged to the council stormwater system. The proposed development will not result in the discharge of untreated stormwater to the sea, onto a beach, or rock platform.

6. CONCLUSION.

This assessment demonstrates that the proposed alterations and additions to Lingard Private Hospital located on Lot 100 DP 1168197, No. 23 Merewether Street, Merewether and Lots 1 – 3 DP 1027546, Nos. 22 & 24 Merewether Street and No. 6 Lingard Street, Merewether, is consistent with the aims and relevant provisions of State Environmental Planning Policy No. 71 – Coastal Protection.

Doug Sneddon
29th November 2015.

**APPENDIX K: CLAUSE 4.6 (LEP 2012) – REQUEST FOR EXCEPTION TO THE
MAXIMUM PERMITTED BUILDING HEIGHT AND FLOOR
SPACE RATIO DEVELOPMENT STANDARDS.**

**CLAUSE 4.6 (NEWCASTLE LEP 2012): REQUEST FOR EXCEPTION TO THE
MAXIMUM PERMISSIBLE BUILDING HEIGHT & FLOOR SPACE RATIO
DEVELOPMENT STANDARDS APPLICABLE TO PROPOSED ALTERATIONS &
ADDITIONS TO LINGARD PRIVATE HOSPITAL (STAGE 5) ON LOT 100 DP
1168197 NO. 23 MEREWETHER STREET, MEREWETHER.**

1. INTRODUCTION.

Clause 4.6 (2) of Newcastle Local Environmental Plan 2012 provides for flexibility in the application of planning controls operating by virtue of development standards, in circumstances where strict compliance with those standards would in a particular case be unreasonable or unnecessary and where there are sufficient environmental planning grounds to justify contravening the development standard.

This request demonstrates that proposed alterations and additions to Lingard Private Hospital as described in section 3 of the accompanying Statement of Environmental Effects and which contravene the applicable maximum permissible building height and floor space ratio development standards of Newcastle Local Environmental Plan 2012, is justified having regard to the particular circumstances of the subject land and the development application.

2. SUBJECT LAND & PROPOSED DEVELOPMENT.

2.1 Subject Land: The subject land upon which the proposed hospital additions are proposed is described as Lot 100 DP 1168197, No. 23 Merewether Street, Merewether, having an area of 1.03 ha and frontages to Merewether and Lingard Streets, Merewether.

2.2 Proposed Development: The proposed development on Lot 100 DP 1168197 involves:

- removal of the existing doctors car park (26 spaces) for the construction of a three storey addition (2,568m²) at the western side of the existing hospital site to provide a new ground floor theatre suite (3 new operating theatres) and two general ward levels providing 50 beds (overall + 49 additional beds as 3 beds are lost in the internal alterations to the existing hospital); and
- part internal refurbishment of the existing hospital (existing theatres and administration/amenities - over 846m²).

A detailed description of the proposed development is provided in section 3 of the accompanying Statement of Environmental Effects.

3. DEVELOPMENT STANDARDS TO BE VARIED.

3.1 Clause 4.3 - Maximum Permissible Building Height.

Clause 4.3 (2) of Newcastle LEP 2012 provides that the height of any development shall not exceed the maximum height shown for the land on the Height of Buildings Map.

The maximum permissible building height indicated for the subject land on the Height of Building Map is 10m.

The proposed roof top plant room screen has a maximum height of RL 21.8m AHD, resulting in a maximum building height of 15.451m (exceedence of 5.451m or 54.51%) and the proposed hospital addition has a predominant roof parapet height of RL 19.565m, resulting in a maximum building height of 13.3m (exceedence of 3.3m or 33%), which both exceed the 10m maximum building height development standard applicable to the subject land.

(Note that the proposed 5.451m exceedence associated with the proposed roof top ‘plant screen’ occupies only part of the main roof structure and is not visually dominant. The principal visual element is the main roof parapet of the proposed additions).

Clause 4.6 (2) of LEP 2012 allows the consent authority to exercise an appropriate degree of flexibility in applying certain development standards to particular development. This assessment addresses the matters required by Clauses 4.6 (3) - (5) of LEP 2012 in order to satisfy the Council and the Director-General that any requirement for the proposed development to strictly comply with the maximum permissible building height development standard is unreasonable or unnecessary in the particular circumstances.

Council is requested to agree to the proposed development's non-compliance with the 10m maximum permissible building height development standard of Clause 4.6 (2) of Newcastle LEP 2012 and to permit a maximum building height of 15.451m to the top of the plant room screen and 13.3m to the main roof top parapet, having regard to the matters addressed in this assessment.

3.2 Clause 4.4 - Maximum Permissible Floor Space Ratio.

Clause 4.4 (2) of Newcastle LEP 2012 provides that the maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.

The maximum permissible floor space ratio for any building on the subject land as indicated on the Floor Space Ratio Map, is 0.9:1.

The existing hospital has a floor space ratio of 0.85:1 (GFA 8,808m²). The proposed hospital additions (2,568m²) will result in a total GFA of 11,376m² and a floor space ratio of 1.1:1 and will therefore exceed the maximum 0.9:1 permissible development standard applicable to the subject land, an exceedence of 0.02:1 or 22.2%..

Clause 4.6 (2) of LEP 2012 allows the consent authority to exercise an appropriate degree of flexibility in applying certain development standards to particular development. This assessment addresses the matters required by Clauses 4.6 (3) and (5) in order to satisfy Council and the Director-General that any requirement for the proposed development to strictly comply with the maximum permissible floor space ratio development standard applying over the subject land, is unreasonable or unnecessary in the particular circumstances.

Council is requested to agree to the proposed development's non-compliance with the maximum permissible floor space ratio development standard of 0.9:1 and to permit the proposed development having a FSR of 1.1:1, having regard to the matters addressed in this assessment.

4. CONSIDERATION AS TO WHETHER NON COMPLIANCE WITH THE APPLICABLE 10M MAXIMUM PERMISSIBLE BUILDING HEIGHT DEVELOPMENT STANDARD OF NEWCASTLE LEP 2012 IS REASONABLE IN THE PARTICULAR CIRCUMSTANCES.

4.1 “Is the planning control in question a development standard”?

The 10m maximum permissible building height control applying to the subject land under Clause 4.3 (2) of Newcastle LEP 2012 is a development standard for the purposes of Clause 4.6 (Exceptions to development standards) and may therefore be varied by the consent authority pursuant to the provisions of Clauses 4.6 (2) - (5) of LEP 2012.

4.2 “What are the underlying objectives or purpose of the development standard”?

The underlying objective or purpose of the maximum permissible building height development standard applicable to the subject land and the proposed development is stated within the objectives to Newcastle LEP 2012 - Clause 4.3 (1) - Height of Buildings.

The following assessment demonstrates that the proposed development is consistent with the maximum building height objectives of LEP 2012:

- ***“(a) to ensure the scale of development makes a positive contribution towards the desired built form, consistent with the established centres hierarchy,”***

Design Response: The subject land is not located within a centre.

The 10m maximum building height development standard is principally aimed to control the height of residential development generally within the *R3 Medium Density Residential* zone and does not have particular relevance to the ‘institutional’ character of hospital development on the subject land or the specific built form and building requirements relevant to hospital construction.

In view of the limited capacity of the site to provide additional health services for the community, it is necessary to make the most efficient use of the land currently available for hospital expansion (i.e. the current doctors car park at the north-western corner of the site) and to provide for increased building height with the construction of a building of three levels, comprising ground floor theatre suites and two ward levels above. The visual presentation of the proposed development to Lingard Street reflects the architectural themes of the existing hospital.

As indicated in the section diagrams provided in Figures 17 and 18 of the accompanying Statement of Environmental Effects, the proposed hospital additions

result in a building one level above the existing maximum roof height of neighbouring residential development.

The proposed separation of the upper building levels from neighbouring residential development substantially exceeds the Newcastle DCP requirement for a minimum 2m side boundary setback for walls above 3m in height, providing for a side boundary setback of 4.406m from the neighbouring residential properties along the northern property boundary.

The design height of the proposed development does not have any significant amenity impacts on neighbouring properties:

- there are no scenic or landmark views available from neighbouring properties that would be impacted by the height of the proposed development;
- there are no direct views from a window within the proposed development to a living area/habitable area window within a neighbouring residences; and
- the proposed development will have no acoustic impacts on neighbouring residences.

It is considered that the scale and architectural presentation of the proposed hospital additions make a positive contribution to the built character of the locality and do not result in any adverse visual or amenity impacts. It is in the public interest for the proposed development to be approved in order to provide additional specialist medical facilities/services to the community.

- ***"(b) to allow reasonable daylight access to all developments and the public domain"***

Design Response: The proposed building height exceedence does not reduce the opportunity for either neighbouring residential development, or public domain areas to receive satisfactory exposure to sunlight. Shadow diagrams provided in Figure 19 of the accompanying Statement of Environmental Effects show that the proposed development, in comparison to the existing hospital development, does not adversely affect the public domain, or neighbouring residential properties. The additional shadow cast over the roadway of Lingard Street by the proposed development in mid-winter prior to 12.00pm does not raise any significant amenity issues.

4.3 "Matters for Consideration by the Director-General".

Clause 4.6 (4) (b) of Newcastle LEP 2012 requires the concurrence of the Director-General to be obtained for development that contravenes a development standard.

Under Clause 4.6 (5), the Director - General is required to consider the following matters in deciding whether to grant concurrence.

4.3.1 "Whether contravention of the development standard raises any matter of significance for State or regional environmental planning".

It is demonstrated in the accompanying Statement of Environmental Effects and in this request, that the proposed development is consistent with State and regional planning policies/strategic directions.

Approval of the proposed development and the proposed exceedence of the applicable maximum permissible building height development standard in this particular case, would not raise any matter of significance for State or regional planning.

4.3.2 "The public benefit of maintaining the development standard".

The accompanying Statement of Environmental Effects demonstrates that the proposed exceedence of the maximum permissible building height development standard does not have adverse scenic/visual impacts, or amenity impacts on either the public domain, or neighbouring properties; and will not undermine the maintaining of the maximum building height development standard applicable elsewhere within the R3 Medium Density Residential zone.

4.3.3 "Any other matters required to be taken into consideration by the Director-General before granting concurrence."

There are no other matters currently specified to be taken into consideration by the Director-General before granting concurrence.

5. CONSIDERATION AS TO WHETHER NON COMPLIANCE WITH THE APPLICABLE 0.9:1 MAXIMUM PERMISSIBLE FLOOR SPACE RATIO DEVELOPMENT STANDARD OF NEWCASTLE LEP 2012 IS REASONABLE IN THE PARTICULAR CIRCUMSTANCES.

5.1 "Is the planning control in question a development standard"?

The 0.9:1 maximum permissible floor space ratio control applying to the subject land under Clause 4.4 (2) of Newcastle LEP 2012, is a development standard for the purposes of Clause 4.6 (Exceptions to development standards) and may therefore be varied by the consent authority pursuant to the provisions of Clauses 4.6 (2) - (5) of LEP 2012.

5.2 "What are the underlying objectives or purpose of the development standard"?

The underlying objective or purpose of the maximum permissible floor space ratio development standard is expressed in the objectives contained in Clause 4.4 (1) of Newcastle Local Environmental Plan 2012.

The following assessment demonstrates that the proposed development's exceedence of the 0.9:1 floor space ratio development standard applicable to the subject land is consistent with the applicable objectives:

- ***"(a) to provide an appropriate density of development consistent with the established centres hierarchy,"***

Response: The subject land is not located within a centre.

The 0.9:1 maximum floor space ratio development standard is principally aimed to control residential density generally within the *R3 Medium Density Residential* zone and does not have any particular relevance to the ‘institutional’ character of hospital development on the subject land or the specific built form and building requirements relevant to hospital construction.

As indicated in the accompanying Statement of Environmental Effects the proposed exceedence of the maximum permissible floor space ratio development standard does not result in any adverse impacts on the public domain generally, or the residential amenity of neighbouring properties.

- ***"(b) to ensure building density, bulk and scale makes a positive contribution towards the desired built form as identified by the established centres hierarchy,"***

Response: In view of the limited capacity of the site to provide additional health services for the community, it is necessary to make the most efficient use of the land currently available for hospital expansion (i.e. the current doctors car park at the north-western corner of the site) and to provide for increased building height with the construction of a building of three levels, comprising ground floor theatre suites and two ward levels above. The visual presentation of the proposed development to Lingard Street reflects the architectural themes of the existing hospital.

The bulk and scale of the proposed development does not have any significant amenity impacts on neighbouring properties:

- there are no scenic or landmark views available from neighbouring properties that would be impacted by the height of the proposed development;
- there are no direct views from a window within the proposed development to a living area/habitable area window within a neighbouring residences; and
- the proposed development will have no acoustic impacts on neighbouring residences.

It is considered that the scale and architectural presentation of the proposed hospital additions make a positive contribution to the built character of the locality and do not result in any adverse visual or amenity impacts. It is in the public interest for the proposed development to be approved in order to provide additional specialist medical facilities/services to the community.

As demonstrated in the accompanying Statement of Environmental Effects the hospital's parking demand would not exceed that proposed by the application and will be adequately accommodated within the on-site car parks; and taking into consideration the performance of the surrounding road network, the additional traffic generated by the proposed development is not expected to impact on the function and operation of the surrounding roads and intersections, or parking areas in the immediate vicinity.

It is considered that the proposed hospital additions will make a positive contribution to the built character of the locality and will not result in any adverse visual or amenity impacts. It is in the public interest for the proposed development to be approved in order to provide additional specialist medical facilities/services to the community.

5.3 "Matters for Consideration by the Director-General".

Clause 4.6 (4) (b) of Newcastle LEP 2012 requires the concurrence of the Director-General to be obtained for development that contravenes a development standard.

Under Clause 4.6 (5), the Director-General is required to consider the following matters in deciding whether to grant concurrence.

5.3.1 "Whether contravention of the developments standard raises any matter of significance for State or regional environmental planning".

It is demonstrated in the accompanying Statement of Environmental Effects and in this request, that the proposed development is consistent with State and regional planning policies/strategic directions.

Approval of the proposed development and the proposed exceedence of the 0.9:1 maximum floor space ratio development standard in this particular case, would not raise any matter of significance for State or regional planning.

5.3.2 "The public benefit of maintaining the development standard".

The accompanying Statement of Environmental Effects demonstrates that the proposed exceedence of the maximum permissible 0.9:1 floor space ratio applicable to the subject land will not have adverse scenic/visual impacts or amenity impacts on either the public domain, or neighbouring properties.

Owing to the unique circumstances applying to the subject land and the proposed hospital development, approval of the proposed development will not undermine the maintaining of the maximum floor space ratio development standard applicable elsewhere within the R3 Medium Density Residential zone.

6. CONCLUSION.

It is considered that any requirement for the proposed development to strictly comply with the applicable 10m maximum permissible building height development standard of Clause 4.3 (2) of Newcastle Local Environmental Plan 2012 and the maximum 0.9:1 maximum permissible floor space ratio development standard of Clause 4.4 (2) of Newcastle Local Environmental Plan 2012, would be unreasonable or unnecessary in the particular circumstances:

- the proposed development is consistent with the objects of the Environmental Planning and Assessment Act, 1979 in relation to the promotion and co-ordination of the orderly and economic use and development of land and the provision of community services and facilities;
- the proposed development is in the public interest as it will facilitate the economically viable development of the subject land for hospital purposes, providing increased specialist medical services to the community;
- the proposed development is consistent with objectives for development within the *R3 Medium Density Residential* zone applying to the subject land under Newcastle Local Environmental Plan 2012;
- the proposed development is consistent with the objectives of the maximum building height development standard expressed in Clause 4.3 (1) of Newcastle Local Environmental Plan 2012 and the objectives of the maximum permissible floor space ratio development standard as expressed in Clause 4.4 (1) of Newcastle Local Environmental Plan 2012;
- the particular circumstances relating to the subject land and the proposed development are unique to this application, which is related to the provision of health services to the community and will not lead to similar development applications which would cumulatively undermine the planning objectives for the locality;
- the proposed exceedence in maximum permissible building height does not significantly increase the bulk and scale of the proposed development; does not cause view loss from neighbouring residential properties; and does not have adverse scenic/visual impacts or amenity (privacy/overshadowing) impacts on either the public domain, or neighbouring residential properties; and
- there is no public benefit to be derived, or planning purpose to be served, in requiring the proposed development to strictly comply with the applicable maximum permissible building height and floor space ratio development standards of LEP 2012.

Newcastle City Council is therefore requested to exercise its discretion under Clause 4.6 (2) of Newcastle Local Environmental Plan 2012 and approve the exceedence of the applicable maximum building height and floor space ratio development standards for the proposed alterations and additions to Lingard Private Hospital, located on Lot 100 DP 1168197, No. 23

Merewether Street, Merewether, in the manner detailed in section 3 of the accompanying Statement of Environmental Effects.

This request demonstrates that there are sufficient environmental planning grounds for the proposed development to exceed the 10m maximum permissible building height development standard applying to the subject land under Clause 4.3 (2) of Newcastle Local Environmental Plan 2012 and the 0.9:1 maximum permissible floor space ratio development standard applying to the subject land under Clause 4.4 (2) of Newcastle Local Environmental Plan 2012, so as to have a maximum building height of 15.451m to the top of the proposed 'plant room' screen and a floor space ratio of 1.1:1.

Doug Sneddon
29th November 2015.

APPENDIX L: CLAUSE 5.5 (LEP 2012) – DEVELOPMENT WITHIN THE COASTAL ZONE.

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Statement of Environmental Effects: Statement of Environmental Effects: Proposed alterations & additions to Lingard Private Hospital (Stage 5) at Nos. 22, 23 & 24 Merewether Street & No. 6 Lingard Street, Merewether.

Doug Sneddon Planning Pty Ltd – November 2015.

NEWCASTLE LOCAL ENVIRONMENTAL PLAN 2012.

CLAUSE 5.5 – DEVELOPMENT WITHIN THE COASTAL ZONE:

PROPOSED ALTERATIONS & ADDITIONS TO LINGARD PRIVATE HOSPITAL (STAGE 5) ON LOT 100 DP 1168197 NO. 23 MEREWETHER STREET AND LOTS 1 - 3 DP 1027546, NOS. 22 & 24 MEREWETHER STREET & NO. 6 LINGARD STREET, MEREWETHER .

1. INTRODUCTION.

The subject land is described as Lot 100 DP 1168197, No. 23 Merewether Street, Merewether, having an area of 1.03 ha (the site of the existing Lingard Private Hospital and the proposed hospital additions and alterations); and Lots 1 – 3 DP 1027546, Nos. 22 & 24 Merewether Street and No. 6 Lingard Street, Merewether, having an area of 1,933m² (the site of the proposed new car park):

The land is located within the “coastal zone” for the purposes of the *NSW Coastal Policy* and *Newcastle Local Environmental Plan 2012*, but is not identified as being affected by coastal processes.

2. PROPOSED DEVELOPMENT.

The proposed development involves the following works:

- removal of the existing doctors car park (26 spaces) for the construction of a three storey addition (2,568m²) at the western side of the existing hospital site to provide a new ground floor theatre suite (3 new operating theatres) and two general ward levels providing 52 beds (overall + 49 additional beds as 3 beds are lost in the internal alterations to the existing hospital);
- part internal refurbishment of the existing hospital (existing theatres and administration/amenities - 846m²); and
- provision of a new car park (50 spaces) fronting Merewether and Lingard Streets..

A detailed description of the proposed development is provided in Section 3 of the accompanying Statement of Environmental Effects.

3. MATTERS FOR CONSIDERATION.

Clause 5.5 of Newcastle Local Environmental Plan 2012 requires the following matters to be considered by the consent authority when it determines a development application, wholly or partly in the coastal zone:

3.1 “(1) The objectives of the clause”:

- (a) to provide for the protection of the coastal environment of the State for the benefit of both present and future generations through promoting the principles of ecologically sustainable development,

Assessment: The subject land does not possess any coastal environmental attributes requiring protection.

- (b) to implement the principles in the NSW Coastal Policy, and in particular to:

(i) protect, enhance, maintain and restore the coastal environment, its associated ecosystems, ecological processes and biological diversity and its water quality, and

Assessment: The subject land does not exhibit any natural characteristics of the coastal environment; associated ecosystems; ecological processes; or biological diversity.

(ii) protect and preserve the natural, cultural, recreational and economic attributes of the New South Wales Coast, and

Assessment: The proposed development is located on privately owned land and does not have an adverse effect upon the natural, cultural, recreational and economic attributes of the New South Wales Coast.

(iii) provide opportunities for pedestrian access to and along the coastal foreshore, and

Assessment: The subject land is privately owned and is located well away from the coastal foreshore. The proposed development has no adverse implications for public access to existing foreshore reserves, or for the identification of new opportunities for public access to the foreshore.

(iv) recognise and accommodate coastal processes and climate change, and

Assessment: The subject land is well removed from the coastal foreshore and is not adversely impacted by coastal processes.

(v) protect amenity and scenic quality, and

Assessment: As demonstrated in the accompanying Statement of Environmental Effects, the proposed development is visually compatible with neighbouring development and will not adversely impact the scenic quality of the coast.

(vi) protect and preserve rock platforms, beach environments and beach amenity, and

Assessment: The proposed development does not impact any rock platform or beach environment.

(vii) protect and preserve native coastal vegetation and

Assessment: The subject land does not contain any native coastal vegetation.

(viii) protect and preserve the marine environment, and

Assessment: The proposed development has no adverse impact on the marine environment and incorporates suitable measures for connection to the reticulated sewerage system; the management of stormwater impacts; and the mitigation of off-site sedimentation impacts.

(ix) ensure that the type, bulk, scale and size of development is appropriate for the location and protects and improves the natural scenic quality of the surrounding area, and"

Assessment: As demonstrated in the accompanying Statement of Environmental Effects, the bulk and scale of the proposed development is compatible with the built form character of the locality.

(x) ensure that decisions in relation to new development consider the broader and cumulative impacts on the catchment, and

Assessment: The proposed development is demonstrated in the accompanying Statement of Environmental Effects to be consistent with the development outcomes sought by the Newcastle LEP 2012 and will not result in any adverse cumulative impacts on the public domain generally.

(xi) protect Aboriginal cultural places, values and customs, and

Assessment: The subject land has been historically used for urban purposes and has not been identified as being significant for Aboriginal cultural heritage.

(xii) protect and preserve items of heritage, archeological or historical significance.

Assessment: The subject land is not identified in Schedule 5 of Newcastle LEP 2012 as containing an item of environmental heritage and the subject land is not identified as being located within a heritage conservation area.

3.2 Clause 5.5 (2): Development consent must not be granted to development on land that is wholly or partly within the coastal zone unless the consent authority has considered:

- *"(a) existing public access to and along the coastal foreshore for pedestrians (including persons with a disability) with a view to:*

(i) maintaining existing public access and, where possible, improving that access, and

(ii) identifying opportunities for new public access, and"

Assessment: The proposed development has no implications for any public access to the coastal foreshore by pedestrians or persons with a disability as the site is distant from the coastal foreshore.

- ***"(b) the suitability of the proposed development, its relationship with the surrounding area and its impact on the natural scenic quality, taking into account:***
 - (i) the type of the proposed development and any associated land uses or activities (including compatibility of any land-based and water-based coastal activities), and***
 - (ii) the location, and***
 - (iii) the bulk, scale, size and overall built form design of any building or work involved, and"***

Assessment: The proposed development is appropriate to the site having regard to the character of the surrounding area and its consistency with the outcomes sought by the Council's bulk, scale and building design controls as demonstrated in the accompanying Statement of Environmental Effects.

- ***"(c) the impact of the proposed development on the amenity of the coastal foreshore, including***
 - (i) any significant overshadowing of the coastal foreshore, and***
 - (ii) any loss of views from a public place to the coastal foreshore, and"***

Assessment: The proposed development does not have any impact upon the visual amenity of the coastal foreshore; does not cause any overshadowing of the coastal foreshore; and will not result in any loss of views of the coastal foreshore gained from any public place.

- ***"(d) how the visual amenity and scenic qualities of the coast, including coastal headlands, can be protected, and"***

Assessment: The proposed development does not impact upon the visual amenity of any coastal headland, or the coast generally.

- ***"(e) how biodiversity and ecosystems, including:***

- (i) native coastal vegetation and existing wildlife corridors, and***
- (ii) rock platforms, and***
- (iii) water quality of coastal water bodies, and***
- (iv) native animals, fish, plants and marine vegetation, and their habitats, can be conserved, and"***

Assessment: The subject land does not contain any coastal ecosystem and does not form part of any wildlife corridor requiring conservation.

- *"(f) the cumulative impacts of the proposed development and other development on the coastal catchment".*

Assessment: The proposed development will not result in, or lead to, adverse cumulative impacts on the coastal catchment as the subject land is remote from the coastal foreshore and does not have any adverse visual impact on the coastal catchment.

3.3 Clause 5.5 (3): Development consent must not be granted to development on land that is wholly or partly within the coastal zone unless the consent authority is satisfied that:

- *"(a) the proposed development will not impede or diminish, where practicable, the physical, land based right of access of the public to or along the coastal foreshore, and"*

Assessment: The subject land is well removed from the coastal foreshore and consequently the proposed development will not prevent any public right of access to the coastal foreshore.

- *"(b) if effluent from the development is disposed of by a non-reticulated system, it will not have a negative effect on the water quality of the sea, or any beach, estuary, coastal lake, coastal creek or other similar body of water, or a rock platform, and"*

Assessment: The proposed development will be serviced by the existing reticulated sewerage system and proposed onsite stormwater management measures will ensure that the proposed development will not adversely impact the water quality of coastal water bodies.

- *"(c) the proposed development will not discharge untreated stormwater into the sea, or any beach, estuary, coastal lake, coastal creek or other similar body of water, or a rock platform, and"*

Assessment: The proposed development will not discharge untreated stormwater into any coastal water body or rock platform

- *"(d) the proposed development will not:*

(i) be significantly affected by coastal hazards, or

(ii) have a significant impact on coastal hazards, or

(iii) increase the risk of coastal hazards in relation to any other land."

Assessment: The proposed development is well removed from the coastal foreshore and will not be impacted by coastal hazards, or have any impact on coastal hazards, or increase the risk of coastal hazards to any other land.

4. CONCLUSION.

This assessment demonstrates that the proposed alterations and additions to Lingard Private Hospital located on Lot 100 DP 1168197, No. 23 Merewether Street, Merewether and Lots 1 – 3 DP 1027546, Nos. 22 & 24 Merewether Street and No. 6 Lingard Street, Merewether, is consistent with the objectives and relevant provisions of Clause 5.5 of Newcastle Local Environmental Plan 2012 in relation to development within the coastal zone.

Doug Sneddon
29th November 2015

APPENDIX M: TRAFFIC & PARKING ASSESSMENT REPORT.

(GTA Consultants – 30th November 2015).

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Statement of Environmental Effects: Statement of Environmental Effects: Proposed alterations & additions to Lingard Private Hospital (Stage 5) at Nos. 22, 23 & 24 Merewether Street & No. 6 Lingard Street, Merewether.

Doug Sneddon Planning Pty Ltd – November 2015.