

COUNCIL REPORT

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| Panel Reference | 2018HCC011 |
| DA Number | DA/443/2018 |
| LGA | Lake Macquarie |
| Proposed Development | Alterations and additions to an existing hospital |
| Street Address | Lake Macquarie Private Hospital 3 Sydney Street (Lot 90 DP1233497) 2 Casey Street (Lot 7 DP 24268) 38 Pacific Highway (Lot 8 DP 24268) |
| Applicant/Owner | AKALAN PROJECTS PTY LTD |
| Date of DA lodgement | 20 March 2018 |
| Number of Submissions | Three |
| Recommendation | Approval |
| Regional Development Criteria (Schedule 7 of the SEPP (State and Regional Development) 2011) | Regional development Schedule 7 section 5 (Private infrastructure and community facilities over \$5 million (b) <i>health services facilities</i>) |
| List of all relevant s4.15(1)(a) matters | <ul style="list-style-type: none"> • Lake Macquarie Local Environmental Plan 2014 • Lake Macquarie Development Control Plan 2014 • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy (State and Regional Development) 2011 |
| List all documents submitted with this report for the Panel's consideration | Attachment A: Assessment Report Attachment B: Draft Conditions of Consent Attachment C: Architectural Plans Attachment D: Clause 4.6 Variation Attachment E: Agency Submissions Attachment F: Public Submissions |
| Report prepared by | Georgie Williams, Senior Development Planner |
| Report date | 6 August 2018 |

Summary of s4.15 matters

Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the Council report?

Yes

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the Council report?

Yes

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the Council report?

Yes

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S94EF)?

Not Applicable

Condition

Have draft conditions been provided to the applicant for comment?

Yes

Executive Summary

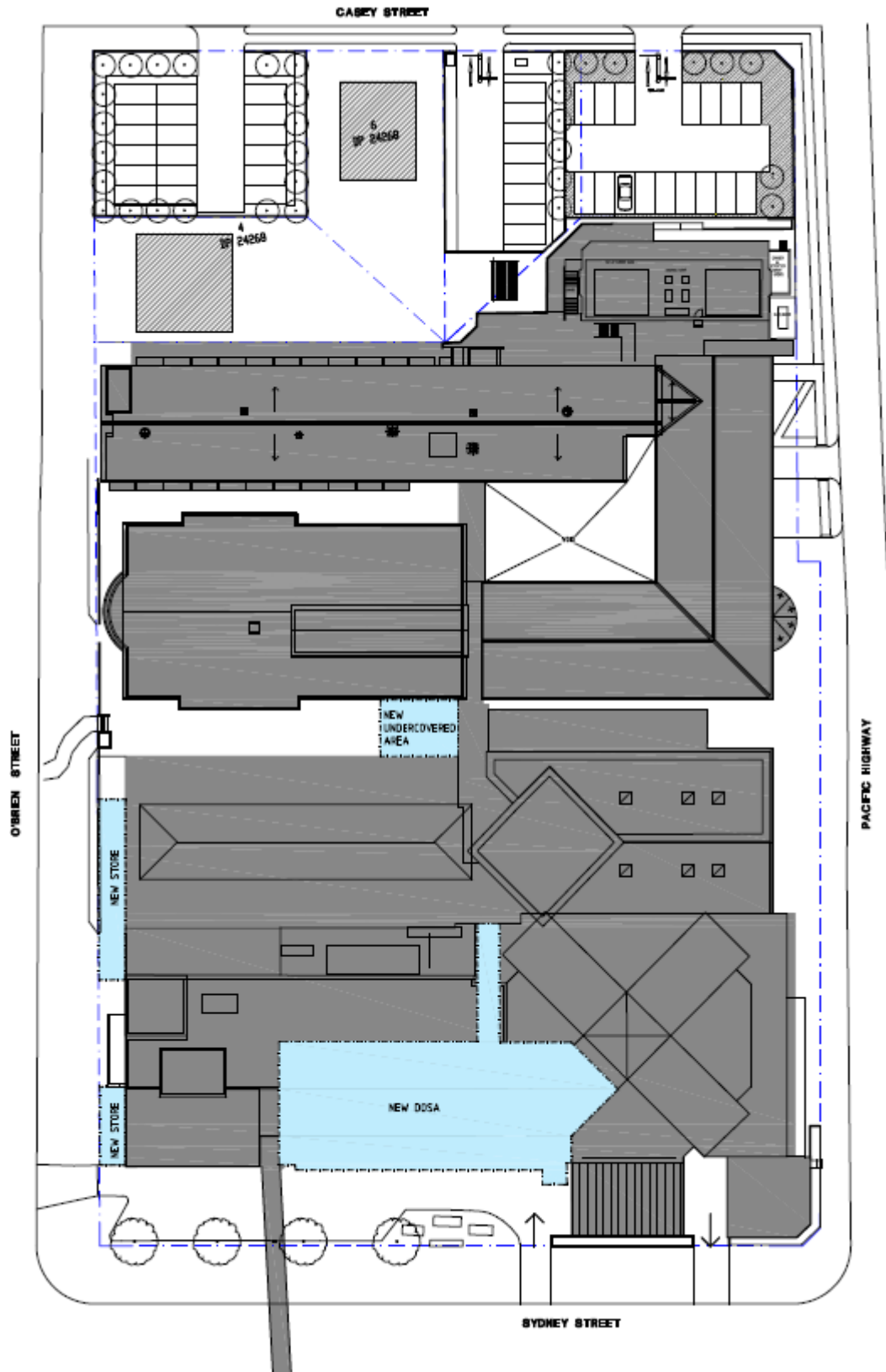
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| Key Dates: | Lodgement: 20 March 2018 Notification: 27 March 2018 to 24 April 2018 Request for additional information: 6 June 2018 Amended plans / additional information: 28 June and 26 July 2018 General Terms of Approval: 30 May 2018 |
| Submission Period: | 27 March 2018 to 24 April 2018 |
| Zoning: | R3 Medium Density Residential |
| Approval Bodies: | Subsidence Advisory NSW |
| Referral Agencies: | Ausgrid Roads & Maritime Services |
| CIV: | \$14,382,806 |

Project Description

Alterations and additions to an existing hospital known as Lake Macquarie Private Hospital (LMPH) at 3 Sydney Street, 2 Casey Street and 38 Pacific Highway, Gateshead including (Refer to Figure 1):

- **Lower ground floor level:**
 - Loan set store addition;
 - Internal alterations / reconfiguration of central sterilizing supply department (CSSD), plant and new lift;
- **Ground floor level:**
 - Sterile stock addition (70m²);
 - Enclosed link bridge facing Sydney Street;
 - Internal alterations / reconfiguration to accommodate 2 new operating theatres, sterile stock, staff rooms, offices;
- **First floor level:**
 - New addition to accommodate day of surgery admission (DOSA), lounge, staff lounge, offices, holding areas, bathrooms, lifts and new corridor link to existing hospital;
 - Coffee cart with translucent roof over (50m²).
- Landscaping including new street trees.
- 2 additional car spaces on 38 Pacific Highway and 2 tandem spaces on 2 Casey Street.
- 16 staff will be employed on completion of the proposed development.

Figure 1 – Site Plan



Note: Light blue areas show additional footprint and grey indicates existing.

Site & Locality

The sites legal description is Lot 90 DP 1233497, known as 3 Sydney Street, Lot 7 DP 24268, known as 2 Casey Street and Lot 8 DP 24268, known as 38 Pacific Highway, Gateshead and exhibits an area of approximately 1.405 hectares.

The hospital is located on the western side of the Pacific Highway between Casey Street to the north, O'Brien Street to the west, Sydney Street to the south and a service road to the east, which abuts the Pacific Highway (Refer to Figure 2 below).

LMPH has been operating at this location since 1992 and provides an extensive range of medical services. The hospital campus comprises of emergency departments, theatres, oncology unit, intensive care unit, cath and cascular labs. The existing hospital provides a total of 187 impatient beds with 225 staff.

The development is currently supported by 311 car parking spaces that are located on and off the site including:

- Hughes Street car park (leased from Department of Education) – 148 spaces;
- Front Entrance on Sydney Street - 12 spaces;
- Hospital north east carpark - 24 spaces;
- 2 Casey Street - 8 spaces;
- 10A O'Brien Street - 18 spaces;
- 38 Pacific Highway - 16 spaces; and
- Medical Centre - 85 spaces.

The site is located within an established urban area and is characterised by a mixture of developments including low density residential development on the western side of O'Brien Street and northern side of Casey Street, one to two storey commercial developments on the western side of the Pacific Highway and southern side of Hughes Street, and the Lake Macquarie Specialist Medical Centre and associated car parking on the southern side of Sydney Street. An elevated pedestrian footbridge links the main hospital campus to the Lake Macquarie Specialist Medical Centre, located on the southern side of Sydney Street

Wiripaang Public School and Hunter Sports High School are located further south of the site.

The site is located within the R3 Medium Density Residential Zone.

The land is located within a Mine Subsidence District.

The land is not known to be contaminated.

Charlestown, a sub-regional centre, is located 1.5km north of the site whilst the John Hunter Public Hospital is located approximately 3km north of the site.

Figure 2 – Locality Map



Background

LMPH Hospital is owned and operated by Ramsay Health Care, a major private health care provider, operating at this location since 1992. Since this time, Ramsay Health Care have continuously committed to upgrading the LMPH to ensure they provide a modern and efficient health care facility. The proposed development will help improve the quality and level of service available in the Hunter region.

Table 1 (Refer below) provides a comprehensive summary of the development history relating to the hospital:

Table 1 – Development History

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| 2001 | <p>In June 2001, Lake Macquarie Private Hospital submitted a Development Application (DC/01/03453/1M) on behalf of Medical Benefits Fund of Australia, the owner at that time, to extend the existing hospital. This application was approved on 24 December 2001.</p> <p>The new work included the demolition of three existing weatherboard and tile houses, and the construction of a new single storey ward block of 34 beds and a two-storey extension to the existing Surgical Ward Block on Level 2 for Linen Handling, Central Store and Maintenance, and Level 3 for Administration, Medical Records, and Staff Dining.</p> <p>The remainder of the works involved refurbishment of existing internal spaces. External Works included construction of a carpark for 24 cars adjacent to new ward block on Level 3 with access from the laneway running in parallel to the Pacific Highway.</p> |
| 2002 | <p>At the beginning of 2002, the property was bought by Ramsay Health Care, who reconsidered the site, and lodged Development Application (DC/03/00158/1M) for the hospital (approved on 11 December 2002) and a separate one for a Medical Centre (Stage 1) located at 6 Sydney Street, Gateshead (DC/03/00157/1M) in July 2002. This was approved by the Council, as DC/03/00157, on 9 December 2002.</p> <p>The proposed medical centre included 3 levels of medical suites strata subdivided for sale and/ or lease to medical practitioners/associated medical services, a basement carpark and connected to the existing hospital via a pedestrian bridge to permit direct access by doctors</p> |
| 2003 | <p>The previously approved building works were completed in December 2003.</p> <p>As the level of interest by the doctors using the hospital to treat their patients was high, Ramsay Health Care submitted a Development Application (DC/03/03965/1Q) on 20 May 2003, for an extension to the Medical Centre, referred to as Stage 2 over the eastern part of the site used by the hospital for staff parking. This was approved by the Council on 23 September 2003.</p> |
| 2004 | <p>Development Application (DC-04/013039/1M) for a carpark was lodged. This was approved by Council on 15 September 2004.</p> |
| 2012 | <p>A pre-Development Application meeting was held with Lake Macquarie City Council on 05 June 2012 in relation to the proposed development of a new Oncology Unit at Lake Macquarie Private Hospital (the subject application). This development was subsequently approved on 22 November 2012.</p> |
| 2013 | <p>Approval was granted for expansion of the Hughes Street car park on 8 August 2013.</p> <p>Approval was granted for alterations and additions to the hospital on 18 November 2013 (DA/1626/2013). These works included the redevelopment of the lower western section of the hospital to accommodate a new theatre and ICU unit, construction of new platform behind the raised roof and a new air handling unit and air-cooled chiller.</p> |
| 2014 | <p>Approval was granted for alterations and additions to the hospital on 9 October 2014 to accommodate a new emergency department and extension of the Williamson Ward and the Critical Care Unit (CCU) to overcome a chronic shortage of these services at the hospital. In total an additional 713m² of gross floor area was added on-site.</p> |
| 2015 | <p>Approval was granted for alterations and additions to the hospital on 25 November 2015 (DA/698/2015). The proposed works include development of a new Dosa and Recovery Ward, a 20-bed inpatient ward, interim parking including 14 spaces, a new brick masonry façade and cladding and a retaining wall and privacy fencing along the boundary of the adjoining site to the east.</p> |

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| 2017 | Approval was granted for alterations and additions to the hospital on 17 February 2017 (DA1590/2016). The proposed works include the construction of a new 10 bed inpatient ward, extending from the 20-bed inpatient ward on level 5 of the existing hospital, which was approved under DA/698/2015. The proposal included the construction of an at-grade car park comprising a total of 8 car spaces adjacent to the northern boundary of the site. |
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2018: Council approved DA/2320/2017 on 11 April 2018 for alterations and additions to the hospital including the construction of a new 18 bed inpatient ward on level 4 of the existing hospital, and the construction of a staff car park comprising 16 car spaces on 38 Pacific Highway.

The Assessment

Hospitals or Health Services Facilities (Parent Definition) are not listed as being permissible with consent in the R3 Medium Density Residential zone.

The proposal is considered to be permissible under the SEPP (Infrastructure) and benefits from existing use rights.

The proposed development breaches the statutory height control of 10 metres however is supported by an acceptable Clause 4.6 Variation.

The proposal, whilst departing to a minor degree from a number of development controls, is assessed as being consistent with Council's Local Environmental Plan 2014, Development Control Plan 2014 and relevant State Environmental Planning Policies.

A comprehensive assessment (Refer to Attachment A) of the application has been carried out under Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended. The proposed development is considered satisfactory in terms of the relevant matters for consideration under the Act and the development application is recommended for approval subject to draft conditions of consent (Refer to Attachment B).

Endorsement

The staff responsible for the preparation of the report, recommendation or advice to any person with delegated authority to deal with the application has no pecuniary interest to disclose in respect of the application.

The staff responsible authorized to assess and review the application have no pecuniary interest to disclose in respect of the application. The report is enclosed and the recommendation therein adopted.



Georgie Williams
Senior Development Planner
Development Assessment and Compliance

I have reviewed this report and concur with the recommendation.

A handwritten signature in black ink, appearing to read "Elizabeth Lambert". The signature is written in a cursive style with a large, looping initial "E".

Elizabeth Lambert
Chief Development Planner
Development Assessment and Compliance

Attachment A: Assessment Report
Attachment B: Draft Conditions of Consent
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