

# DEVELOPMENT APPLICATION

**Expansion of the Maitland Private Hospital  
175 Chisholm Road, Ashtonfield NSW 2323**

**Prepared for:**

Health Care Surgical Pty Ltd  
Level 13, 160 Sussex Street,  
Sydney NSW 2000

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SLR 

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## BASIS OF REPORT

This report has been prepared by SLR Consulting Australia Pty Ltd (SLR) with all reasonable skill, care and diligence, and taking account of the timescale and resources allocated to it by agreement with Health Care Surgical Pty Ltd (the Client). Information reported herein is based on the interpretation of data collected, which has been accepted in good faith as being accurate and valid.

This report is for the exclusive use of the Client. No warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from SLR.

SLR disclaims any responsibility to the Client and others in respect of any matters outside the agreed scope of the work.

## DOCUMENT CONTROL

Reference	Date	Prepared	Checked	Authorised
631.30953.00000-R01-v1.0	12 April 2023	Kale Langford	Anna Kleinmeulman	Clare Brennock

## EXECUTIVE SUMMARY

This Statement of Environmental Effects (SEE) is submitted to Maitland City Council (Council) in support of a Development Application (DA) for an expansion to the existing health service facility (Maitland Private Hospital) at 175 Chisholm Road, Ashtonfield NSW 2323 (the site). The proposed development aims to enhance the existing capacity and availability of on-site parking for the health services facility.

The proposal represents an opportunity to enhance the existing health services on the site utilising space atop the existing building. The development will contribute further economic investment in the Maitland-Ashtonfield area providing enhanced health services and employment opportunities.

The proposal is generally compliant with relevant legislative requirements and Environmental Planning Instruments. The proposal is permissible and consistent with the objectives for R1 General Residential zone under the Maitland Local Environmental Plan 2011. The development is compliant with the relevant LEP clauses, presenting no variations to any development standard. The proposal is generally compliant with the requirements of DCP 2011 with only a single variation regarding car park landscaping due to the proposal including an upper level car park expansion.

The proposed development incorporates high-quality building presentation with an integrated overall approach to site development. The design of the development incorporates appropriate stormwater management, respects the natural environment, and minimises potential amenity impacts on neighbouring properties.

This SEE has addressed the potential impacts arising from the proposal on surrounding properties including traffic, access and parking, visual amenity and waste and water management. Where necessary, mitigation measures are proposed to minimise these potential impacts and reduce potential risk associated with the development.

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- Appendix L: Waste Management Plan
- Appendix M: Crime Risk Assessment
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# 1 Introduction

This Statement of Environmental Effects (SEE) is submitted to Maitland City Council (Council) in support of a Development Application (DA) for an expansion to the existing health service facility (Maitland Private Hospital) at 175 Chisholm Road, Ashtonfield NSW 2323 (the site).

The proposed development will include the following elements:

- Demolition and vegetation removal works to facilitate proposed development;
- Addition of second floor ward with:
  - Six (6) consulting rooms;
  - Eleven (11) patient bays and one (1) isolation bay;
  - Three (3) patient beds;
  - Support rooms including treatment room, reception, storage rooms, staff base and room, cleaning rooms, and amenities;
  - Infrastructure to support expansion including fire stairs;
- Expansion of existing upper deck car park to provide an additional 35 car parks and 2 motorcycle parks with some minor realignments to the lower level existing car parks to facilitate works; and
- Minor works as shown on the provided Architectural Plans at Appendix A.

A Construction Certificate (CC) will be sought separately to this development application.

This SEE has been prepared by SLR Consulting Australia Pty Ltd (SLR) on behalf of Health Care Australia (HeC). It describes the site, its environs, the proposed development and provides an assessment of the proposal in terms of the matters for consideration under Section 4.15(1) of the Environmental Planning and Assessment Act 1979 (EP&A Act 1979). It should be read in conjunction with the supporting documentation that are appended to this SEE.

## 1.1 Background

Maitland Private Hospital offers a comprehensive range of specialist health services and is a leading healthcare service in the Maitland and greater Hunter region. Some of Maitland Private's key services including leading orthopaedic surgeons, in-patient mental health unit, in-patient and out-patient rehabilitation services and oncology.

Maitland Private Hospital has had numerous Development Applications in recent years, the below provides an overview of the recent Development Application history:

- DA-15-2853: Alterations and additions to existing hospital including the construction of a new 25 bed surgical ward resulting in 172 overall hospital beds on site plus 7 chemotherapy chairs. At this time, the site contained 193 car parks (including the 39 adjacent to the medical consulting rooms). The proposal resulted in a loss of 2 spaces plus the construction of 28 spaces adjacent to Molucca Close and a 13% increase in spaces. This is a net gain of 26 spaces.

- DA-14-582 (and subsequent modifications): Internal alterations and additions including the deletion of condition restricting use as mental health ward, reduction in beds from 50 to 44 and additional 2 car spaces and other minor works.
- DA-11-3501 (and subsequent modifications): Health Services Facility approved by JRPP on 15 November 2012. Two latter modifications determined by Council. Proposal included new lobby area, café, lift and minor internal alterations (approved 4 June 2013) and proposal to amend condition 9 to allow occupation of 25 bed ward in advance of completing additional car parking (approved 11 June 2013).
- DA 11-28: Alterations and additions to hospital approved 28 June 2011.
- DA 09-2457: Alterations and additions to private hospital – staged development (approved by JRPP 18 March 2010).

## 1.2 Council Consultation

A formal pre-development application meeting was held on 15<sup>th</sup> December 2022. At this meeting, the proposed development was presented by the proponent with comments received from Council.

**Table 1** summarises the matters raised by Council at the advisory meeting and provides comments on each of the matters raised.

**Table 1 Pre-Lodgement Meeting Minutes**

Items Raise	Comment/Response
<b>Planning Advice</b>	
<p>1. The development (additions &amp; alterations to the existing hospital) is defined as a Health Services Facility which is permissible with development consent in the R1 zone. Should the development have a CIV in excess of \$5 million then the Hunter &amp; Central Coast Regional Planning Panel will be the consent authority.</p> <p>The CIV is to be prepared by a suitably qualified person in accordance with Planning circular (PS 21-020).</p>	<p>A DA Estimate Report which prepared by Rider Levett Bucknall has been provided at Appendix L.</p> <p>The CIV does not exceed \$5million and therefore Council is the consent authority.</p>
<p>2. A detailed statement of environmental effects (SoEE) is required that fully addresses the likely environmental impacts of the development (including impacts on both the natural and built environments), the social and economic impacts in the locality, and how the environmental impacts of the development have been identified. The SoEE should demonstrate how identified impacts will be mitigated. A detailed discussion is required, but not limited to the applicable: Heritage requirements in the Development Control Plan 2011, 88b instrument, Flooding, Stormwater, Waste Management, etc. The SoEE must also address site suitability and demonstrate that in designing the proposal you have fully considered and responded to the applicable site constraints legislative provisions. Any departures from Council’s policies and DCP should be justified with appropriate reasons for justification.</p>	<p>This SEE has been prepared in accordance with the requirements of the EP&amp;A Act 1979 and addresses the requirements of the Maitland LEP 2011 and DCP 2011.</p>

Items Raise	Comment/Response
<p>3. The SoEE and associated documentation shall address the proposed extension of the Private Hospital in context with the existing development consent (DA/2015/2583), referencing completed and outstanding work (car park). The proponent has the choice of lodging a concurrent application to modify the consent for the car park at nos 9 &amp; 11 Molucca Close or seeking to use Clause 4.17(5) of the Environmental Planning &amp; Assessment Act (EP&amp;AA), 1979.</p>	<p>A concurrent modification to DA/2015/2583 has been submitted alongside this development application.</p>
<p>4. A Bushfire Threat Assessment is required noting the site is partly mapped as Bushfire Risk Buffer. The application will be Integrated Development with the NSW Rural Fire Service under Clause 4.46 of the EP&amp;AA, 1979 as the development is listed as a Special Fire Protection Purpose under Section 100B of the Rural Fires Act, 1997.</p>	<p>A Bushfire Report has been provided at Appendix G.</p>
<p>5. A Traffic Impact Assessment (TIA) is required to provide an assessment of the proposal against the DCP and the 'Guide to Traffic Generating Developments' in terms of car parking spaces. The TIA shall include an analysis of the existing car park and any approved but not as yet constructed car parking (noting the intent is to modify the existing consent with regard to the approved car park).          The TIA is to address access and manoeuvring by delivery vehicles, waste collection, etc where the existing approved operations are to be modified for the intensification of the use/operation. Strategies supporting public transport, drop off/pick up zones and taxi/uber parking shall also be addressed in the TIA.          It is expected the development will qualify as a Traffic Generating Development (TGD) under clause 2.122 of SEPP (Transport &amp; Infrastructure) 2021, if so the matter will be referred to Transport for New South Wales (TfNSW). Pre-DA consultation with TfNSW is recommended.</p>	<p>A Traffic Impact Assessment has been prepared by SLR Consulting and is provided at Appendix D.</p>
<p>6. In addition to the TIA providing a car park analysis of the existing/approved development, information is required as to the development history of the site including any approved car parking and details as to why it has not been constructed. It is noted the approved development and parking under DA/2015/2583 has not commenced and remains valid due to the Covid provisions in the EP&amp;AA 1979.</p>	<p>A TIA is provided at Appendix D and assess the existing site conditions and cumulative impacts of the proposed development.</p>
<p>7. A Visual Impact Assessment (VIA) is required to consider the proposed increase in height, bulk and scale of the north-west frontage to Chisholm Road. The area of focus are views for vehicles heading south-west along the New England Highway. The VIA can be included as part of the SoEE.</p>	<p>A Visual Impact Assessment has been prepared by Moir Landscape Architects and is provided at Appendix F.</p>



Items Raise	Comment/Response
<p>8. There is no FSR or Height of Building limit under the MLEP2011. Therefore the controls under C.8 of the DCP (Sections 7 [table 3] &amp; 8 [table 4]) apply. Any proposed variation requires detailed arguments and supporting documentation seeking to demonstrate minimal environmental impacts.</p>	<p>A compliance assessment against the relevant provisions of the Maitland DCP 2011 has been provided at Appendix C.</p>
<p>9. The controls for Building setbacks are listed under C.8 of the DCP (Sections 5 [table 1] and 6 [table 2]) apply. Any proposed variation requires detailed arguments and supporting documentation seeking to demonstrate minimal environmental impacts.</p>	<p>A compliance assessment against the relevant provisions of the Maitland DCP 2011 has been provided at Appendix C.</p>
<p>10. An Access Audit is required under Section C.1 of the DCP.</p>	<p>An Access Review has been undertaken by MGAC and is provided at Appendix I.</p>
<p>11. A CPTED report is required under Section C.12 of the DCP.</p>	<p>A Crime Risk Assessment addressing CPTED is provided at Appendix M.</p>
<p>12. A Landscape plan by a suitably qualified Landscape Architect is required. It is noted a number of landscape beds along the boundaries have not been maintained and require improvement/enhancement.</p>	<p>A Landscape Plan has been prepared by Moir Landscape Architecture and is provided at Appendix E.</p>
<p>13. A detailed bulk earthworks plan is required that responds sensitively to the topography of the land to restrict and control excessive earthworks. Cut and fill should minimise land shaping outside of the development footprint and ensure that the amount of cut and fill does not concentrate surface flows on to adjoining properties. The plan should indicate the total amount of cut and fill with inclusion of existing levels of the land for such works. The existing levels are noted, which likely requires batters and/or retaining walls to accommodate any at grade car parking. Any cut/retaining walls shall be offset away from neighbouring boundaries and road reserves. Concept details of associated footings and drainage are required. In addition, provision of longitudinal section plans for retaining in relation to the boundaries and/or fencing is also required. Any departures from Council's DCP in this regard should be fully justified, in particular, where retaining is not offset from boundaries and should provide good justification given potential issues with construction of walls and sub soil drainage etc.</p>	<p>Civil Engineering Plans including earthworks plan, levels, retaining detail, and required sections have been provided at Appendix B.</p>
<p>14. Solar access diagrams are required to demonstrate adjoining development retain compliant solar access to private open space and internal living areas.</p>	<p>Solar access diagrams have been provided within the Architectural Plans at Appendix A.</p>
<p>15. Visual and Acoustic privacy afforded to adjoining residential development are to be addressed as part of the SoEE, and related design drawings and landscape plans. It is noted the existing car parking deck is in close proximity to residential properties, with the proposed extension of the car parking deck to have similar setbacks</p>	<p>A Visual Impact Assessment has been prepared by Moir Landscape Architecture and is provided at Appendix F. An Acoustic Assessment has been prepared by MAC and is provided at Appendix N.</p>

Items Raise	Comment/Response
<p>16. A draft construction management plan (CMP) is to be included with the development application. The draft CMP is to address management of impacts on internal users of the Private Hospital and external residents, inclusive of noise, loading &amp; unloading, construction traffic management, storage of materials, management of the existing car park through the construction phase, etc</p>	<p>A Construction Management Plan (CMP) will be prepared and submitted to the Certifier for approval prior to the issue of Construction Certificate.</p>
<p>17. Should land outside the existing footprint of the Private hospital be included in an application, a Due Diligence report (Aboriginal Heritage) is required.</p>	<p>Based on the proposed design, an Aboriginal Due Diligence Report is not deemed to be required.</p>
<p><b>RE1 Public Recreation Land</b></p>	
<p>1. The RE1 land adjoining to the east is Lot 70 DP 245545 – Molucca Close, East Maitland. The site has an area of 867.4sqm.</p>	<p>Noted, no acquisition is requested as part of this application</p>
<p>2. Any proposed acquisition of the RE1 land should be separate to the development application for the extension of the Private Hospital. This is due to avoiding potential conflict of interest issues where Council is assessing an application and at the same time facilitating the sale of land to the developer (refer to publications by NSW ICAC)</p>	
<p>3. The RE1 zoned land is currently classified for use as Community Land and therefore any proposed sale is to be in accordance with the Local Government Act, 1993 in relation to reclassification, which requires Council to undertake a public hearing facilitated by an independent person and to be reported to Council for consideration. Any intention to use of the land for future expansion of the Private Hospital will require a planning proposal (rezoning) of the RE1 land.  The above processes can be complicated in processing and lengthy in duration, with Council not having full control.</p>	
<p><b>Urban Design</b></p>	
<p>1. A long term Strategy/Master Plan for the continued development of the site is required to demonstrate the proposed alterations and additions will allow the growth of the Private Hospital.</p>	<p>There are no further developments proposed to the hospital at this time.</p>
<p>2. Any proposal for parking within the power line easement/New England Highway road reserve requires discussion with the NSW Roads &amp; Maritime Service. It is recommended the extensions to the Private Hospital not be reliant on such parking to minimise delays and complexity.</p>	<p>Noted. Parking within the power line easement or New England Highway road reserve is not proposed.</p>

Items Raise	Comment/Response
<p>3. Pedestrian links between the hospital access points and proposed parking to be considered. Council is concerned with staff parking in adjoining residential streets and staff walking to the hospital where pedestrian movements have not been managed/controlled. This is particularly noted with the approved car park fronting Molucca Close and any redevelopment of the residential lots also fronting the close.</p>	<p>Pedestrian connection to the existing onsite pedestrian links included in the design.</p>
<b>Engineering Advice</b>	
<p>1. Stormwater</p> <ul style="list-style-type: none"> <li>Updated Stormwater Management Plan is required depicting the overall picture and staging of stormwater management.</li> </ul>	<p>A Stormwater Management Plan has been provided at Appendix B.</p>
<p>2. Vehicle Access and Traffic Management</p> <ul style="list-style-type: none"> <li>Traffic Impact assessment requires updating from previous consent.</li> <li>All car parking shall comply with AS2890.</li> <li>Details of queuing and internal movements for traffic to provided.</li> </ul>	<p>A Traffic Impact Assessment has been prepared by SLR Consulting and is provided at Appendix D.</p>
<b>Building Advice</b>	
<p>1. Ensure the building meets accessibility and fire safety standards under both the BCA, Australian Standards and Guidelines and the requirements of Maitland DCP 2011 (where applicable).</p>	<p>A BCA Review will be undertaken at CC stage.</p>
<b>Environmental Health Advice</b>	
<p>1. Acoustic impacts from the adjoining classified road on the development must be fully addressed as part of any development application. The acoustic report is also to address impacts of the proposed car park extension on adjoining residential properties.</p>	<p>The acoustic assessment includes the proposed parking area.</p>
<p>2. Details of any Food Premises, including cafes and/or commercial grade kitchens are required.</p>	<p>No food premises proposed as part of this application.</p>

## 2 Site Analysis

### 2.1 Site Description

The site is located on the corner of Chisholm Road and the New England Highway with two combined entry/exit crossovers to Chisholm Road. The site is legally described as Lot 102 DP1010923 and generally known as 175 Chisholm Road, Ashtonfield. Refer to Figures 1 for details of the site and its surrounds.

The site currently contains a health facility being the Maitland Private Hospital and associated car parking. Surrounding land uses consist predominately of residential nature. Hunter Valley Grammar School is located approximately 185m to the south west along Chisholm Road with Stockland Green Hills Shopping Centre located approximately 435m to the north west.

**Figure 1 Site Aerial (Source: SixMaps)**



Figure 2 Cadastral Plan (Source: SixMaps)



## 2.2 Surrounding Development

The site is located within the R1 General Residential zone under the Maitland Local Environmental Plan 2011. The site is within close proximity to primary and secondary schools, parks, shopping centres, recreational facilities and public transport. The site is located within the Maitland Local Government Area (LGA).

The site is bound by residential properties to the south east, south west, and north west across Chisholm Road. The New England Highway forms the north eastern boundary.

### 3 Proposed Development

The proposed development will include the following elements:

- Demolition and vegetation removal works to facilitate proposed development;
- Addition of second floor ward with:
  - Six (6) consulting rooms;
  - Eleven (11) patient bays and one (1) isolation bay;
  - Three (3) patient beds;
  - Support rooms including treatment room, reception, storage rooms, staff base and room, cleaning rooms, and amenities;
  - Infrastructure to support expansion including fire stairs;
- Expansion of existing upper deck car park to provide an additional 35 car parks and 2 motorcycle parks with some minor realignments to the lower level existing car parks to facilitate works; and
- Minor works as shown on the provided Architectural Plans at Appendix A.

Refer to architectural drawings prepared by HSPC Health Architects at Appendix A for full details of the proposed development.

The proposal will result in an increase in floor area, car parking, patient beds, and a corresponding increase in staff number. **Table 2** provides a breakdown of the alterations.

**Table 2 Summary of Existing and Proposed Details**

Item	Existing	Proposed
Gross Floor Area	12,145m <sup>2</sup>	12,820m <sup>2</sup> (Additional 675m <sup>2</sup> )
Patient Rooms/Beds	172	175 (Additional 3 beds)
Car Parking	225 (Approved under DA15-2853)	253 (Additional 35 parks)
Staff Number	179	191 (Additional 12 staff)

Overall operational details such as operating hours, deliveries, and waste collection are not proposed to be changed.

The purpose of the proposed amendments is an active response to enhance the existing capability of the facility. The proposed alterations will provide further services offered in a specially designed ward to enhance patient outcomes and resulting in better services provided to the community.

## 3.1 Built Form

Primarily the proposed changes are to provide a new oncology ward to support and enhance services provided at the site. The dedicated space will improve treatment outcomes for patients and improvements to health services provided in the Maitland and greater Hunter region.

The proposal will see an overall increase in floor area of 675m<sup>2</sup> resulting from the proposed new ward. The proposed height is consistent with the previously approved additions ensuring visual presentation is maintained.

The new floor addition is proposed atop the northern portion of the site directly connecting to the most recently approved ward addition to be constructed. The new addition will utilise high quality materials and finishes which are consistent with the existing building and currently approved additions. Refer to **Figure 3** for a render of the proposed expansion.

A Visual Impact Assessment has been prepared by Moir Landscape Architect (provided **Appendix F**) which includes assessment of potential visual impacts and recommendations to management of impacts.

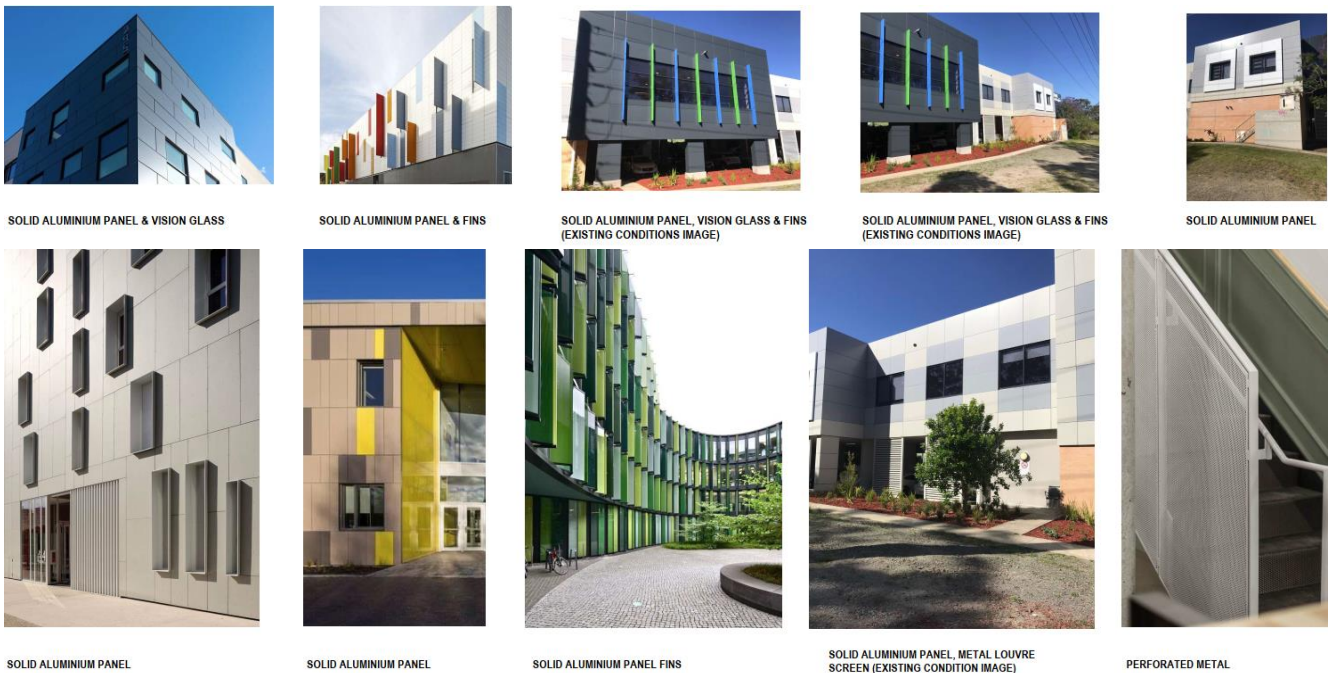
**Figure 3 Proposed Development Render**



### 3.1.1 Materials and Finishes

The expansion has been designed to integrate with the existing building presentation through the use of commensurate materials and finishes enhanced with façade panels and fins, and aluminium panelling. See **Figure 4** for material and finishes examples.

Figure 4 Materials and Finishes Examples



### 3.2 Access and Parking

The proposal will not alter the location of the existing entry/exit arrangement from Chisholm Road supporting the existing site.

The proposal includes the expansion of the existing upper deck car parking structure in the southern portion of the site to provide an additional 36 car parks with a reduction of one (1) car park due to reconfigurations to facilitate the expansion. The addition will result in a total onsite parking of 35 car parks supporting the site. The expansion will include minor reconfiguration to existing ground level car parks to and pedestrian connections to facilitate the new expansion area.

Further discussion of the proposal is included within the Traffic Impact Assessment undertaken by SLR Consulting provided at **Appendix D**.

### 3.3 Landscaping

A total of 18 trees are proposed to be removed to facilitate the proposed upper level parking expansion. The trees have been assessed Abacus Tree Services with Arborist Report provided at Appendix H.

New landscaping is proposed throughout the existing ground level car park with a focus along the south western boundary, see Landscape Plan prepared by Moir Landscape Architecture at **Appendix E**. The aim of the landscaping is to soften the new upper-level expansion by providing a level of screening along the interface with the adjoining residential properties.

A range of trees, shrubs, and groundcovers are proposed to be utilised with the proposed planting schedule provided at **Figure 5**.



**Figure 5 Planting Schedule**

Code	Botanical Name	Common Name	Pot Size	Mature Height	Mature Spread
<b>Trees</b>					
EUC cor	<i>Eucalyptus Corymbia Maculata</i>	Spotted Gum	75 litre	15 - 30m	8 - 15m
MAG gem	<i>Magnolia grandiflora 'Little Gem'</i>	Little Gem Southern Magnolia	75 litre	4 - 6m	2 - 3m
<b>Shrubs</b>					
NEP bis	<i>Neprolepis biserrata</i>	Giant Swordfern	200mm	1.5m - 2.5m	1.0m - 2.0m
PHI zdu	<i>Philodendron Xanadu</i>	Xanadu	200mm	0.5 - 0.8m	0.6 - 0.8m
RHA exc	<i>Rhapis excelsa</i>	Rhapis Palm	200mm	2.0-4.0m	1.5m-2.0m
SYZ res	<i>Syzygium australe 'Resilience'</i>	Lilly Pilly	200mm	3 - 4m	2 - 3m
ZAM zam	<i>Zamioculcas zamiifolia</i>	Zanzibar Gem	300mm	0.9m	0.6m

### 3.4 Construction Management

A Construction Management Plan (CMP) will be prepared and submitted to the Certifier for approval prior to the issue of Construction Certificate.

## 4 Relevant Legislation and Planning Controls

The following legislation, Environmental Planning Instruments (EPIs) and Plan of Management are relevant to the proposed development:

- Environmental Planning and Assessment Act 1979;
- Rural Fires Act 1997;
- State Environmental Planning Policy (Planning Systems) 2021;
- State Environmental Planning Policy (Transport and Infrastructure) 2021;
- State Environmental Planning Policy (Resilience and Hazards) 2021;
- Maitland Local Environmental Plan (LEP) 2011; and
- Maitland Development Control Plan (DCP) 2011.

### 4.1 Environmental Planning and Assessment Act 1979

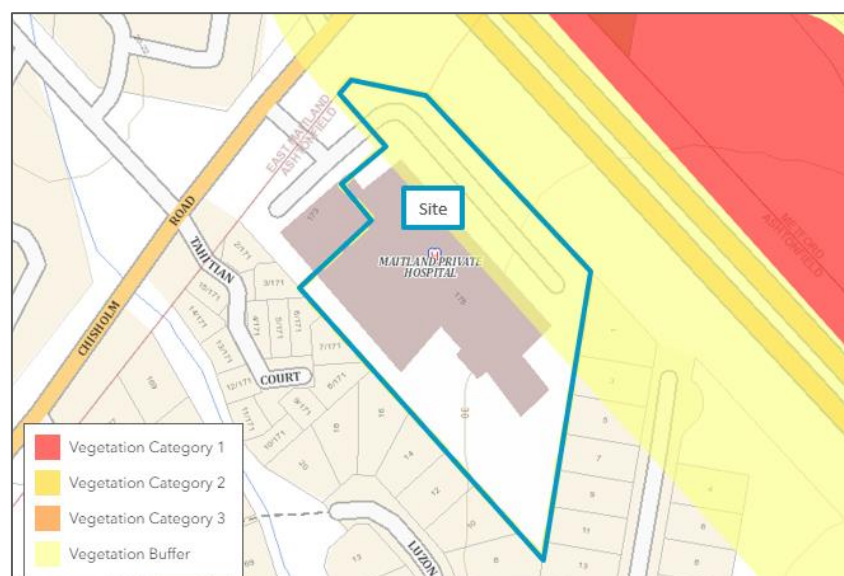
The proposal, as with all development applications, is subject to the provisions of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Section 4.15(1) of the EP&A Act, 1979 provides criteria which a consent authority is to take into consideration, where relevant, when considering a DA. An assessment of the subject DA, in accordance with the relevant matters prescribed under Section 4.15(1), is provided within this SEE.

It is noted, pursuant to Section 4.46 of the EP&A Act 1979, the proposed development the proposal is considered to be integrated development under s100B of the Rural Fires Act 1997.

#### Clause 4.14 Consultation and development consent—certain bush fire prone land

The site is identified as being partially within bushfire prone land with a portion of the development area located within the bushfire buffer area, see **Figure 6**.

**Figure 6 Bushfire Prone Land Map Extract (Source: ePlanning Spatial Viewer)**



The existing use of the site, being a hospital, is identified as a ‘special fire protection purpose’ in accordance with Section 100B of the Rural Fires Act 1997. The proposed development containing patient rooms will require a Bushfire Safety Authority (BSA) by the NSW Rural Fire Service.

## 4.2 Rural Fires Act 1997

The existing use of the site, being a hospital, is identified as a ‘special protection use’ in accordance with Section 100B of the Rural Fires Act 1997, see definition below:

**special fire protection purpose** means the purpose of the following—

- (a) a school,
- (b) a child care centre,
- (c) a hospital (including a hospital for the mentally ill or mentally disordered),
- (d) a hotel, motel or other tourist accommodation,
- (e) a building wholly or principally used as a home or other establishment for mentally incapacitated persons,
- (f) seniors housing within the meaning of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004,
- (g) a group home within the meaning of State Environmental Planning Policy No 9—Group Homes,
- (h) a retirement village,
- (i) any other purpose prescribed by the regulations.

Clause 100B notes that:

Development to which subsection (1) applies:

- (a) does not include the carrying out of internal alterations to any building, and
- (a1) does not include the carrying out of any development excluded from the operation of this section by the regulations, and
- (b) is not complying development for the purposes of the Environmental Planning and Assessment Act 1979, despite any environmental planning instrument.

The scope of the proposed development includes the addition of consulting rooms and will require consideration of the *Planning for Bushfire Protection 2019* (PFBP 2019) and a Bushfire Safety Authority. A Bushfire Hazard Assessment has been provided at **Appendix G** which includes an assessment against the relevant sections of the PFBP 2019 which found the development is generally compliant with the provisions.

## 4.3 State Environmental Planning Policy (Planning Systems) 2021

A ‘health services facility’ with a value of greater than \$5 million, is identified as regionally significant development. As demonstrated in the QS report at Appendix K, the value is less than \$5 million, and accordingly the relevant consent authority will be the Council.

## 4.4 State Environmental Planning Policy (Transport and Infrastructure) 2021

The State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP) aims to facilitate the efficient delivery of Infrastructure across the State. The relevant clauses of the Transport and Infrastructure SEPP are set out below.

## Division 10 Health services facilities

Clause 2.60 of the SEPP (Transport and Infrastructure) 2021 permits a “health service facility” located in a prescribed zone; the R1 General Residential zone is nominated a prescribed zone in Section 2.60 of the SEPP and as such the use is permissible with consent.

### Clause 2.122 Traffic Generating Development

This clause requires that before granting consent to development of a type nominated in Schedule 3 of the Policy, Council must refer the application to TfNSW for comment on various matters including;

- *The efficiency of movement of people to and from the site and the extent of multipurpose trips;*
- *The potential to minimise the need for travel by car, and,*
- *Any potential traffic safety, road congestion or parking implications of the development.*

In accordance with Schedule 3 of the SEPP, the site is used as a hospital which is located with frontage to the New England Highway, a Classified Road.

The proposal relates to the addition of a new ward within the existing hospital building along with a new car park area within the site. The new ward will contribute a total of three (3) new patient beds and as a result does not exceed the 100 bed threshold for traffic generating development under the SEPP. Further, the proposed upper level car park providing 36 car parks does not exceed the 50 car park threshold for traffic generating development.

Regardless, a Traffic Impact Assessment prepared by SLR Consulting has been provided at Appendix D.

The existing vehicle crossovers are provided from Chisholm Road avoiding direct connection to the classified road with no alteration to this arrangement as part of the proposed development.

### Clause 2.119 – Development with frontage to classified road

Under this clause the consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that:

*(2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that:*

- (a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and*
- (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:*
  - (i) the design of the vehicular access to the land, or*
  - (ii) the emission of smoke or dust from the development, or*
  - (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
- (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

The existing access crossovers are provided from Chisholm Road avoiding direct connection to the classified road with no alteration to this arrangement as part of the proposed development. The new ward is projected to contribute an additional 33 vtpm to the existing hospital and is not expected to generate impacts on the safety and operation of the classified road. Refer to **Appendix D** for Traffic Impact Assessment prepared by SLR Consulting.

Overall, the proposal is found to be consistent with the objectives and intent of the relevant clauses of the Transport and Infrastructure SEPP.

## 4.5 State Environmental Planning Policy (Resilience and Hazards) 2021

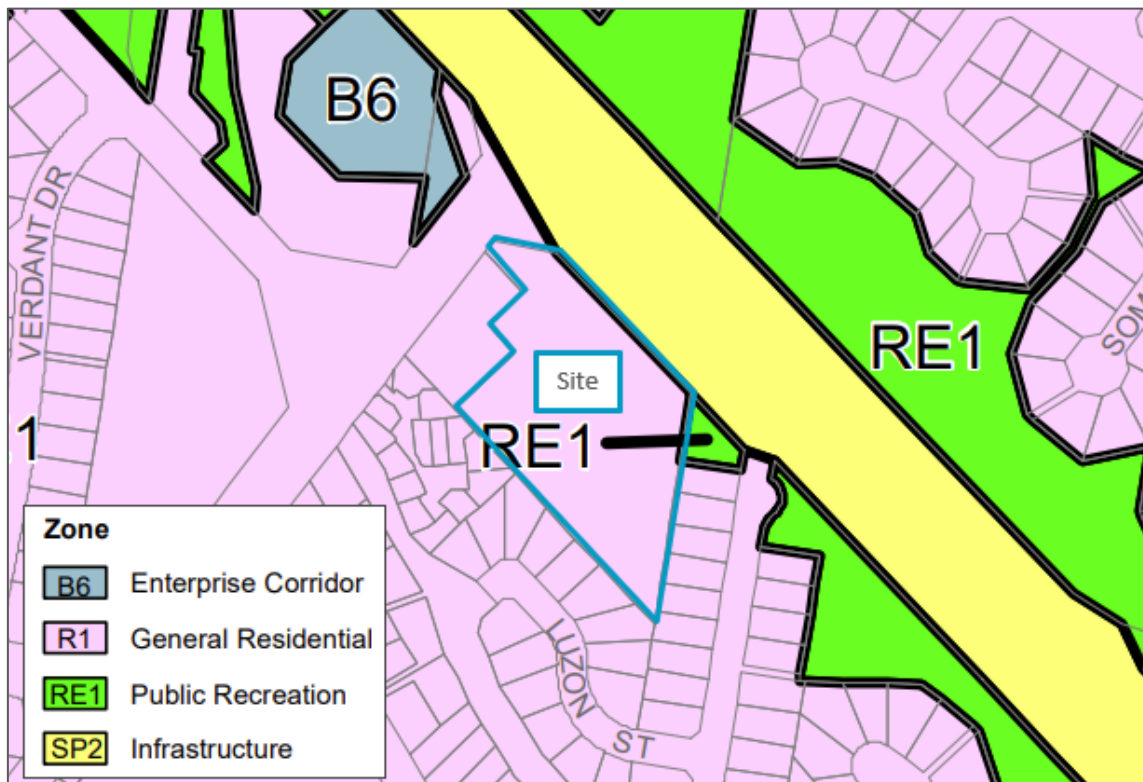
### 4.5.1 Chapter 4 – Remediation of Land

The site has been operating as a health services facility, with the current works representing an expansion atop the existing building. This will not change the risk profile of the existing land which remains suitable for development without remediation.

## 4.6 Maitland Local Environmental Plan 2011 (LEP 2011)

Under the provisions of the Maitland Local Environmental Plan 2011 (LEP 2011), the site is located within the R1 General Residential Zone (refer to **Figure 7**).

**Figure 7** Zoning Map Extract (Source: LEP 2011 Sheet LZN\_004D)



## **Zone R1 General Residential**

### **1 Objectives of zone**

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

### **2 Permitted without consent**

*Home occupations*

### **3 Permitted with consent**

*Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Group homes; Home-based child care; Home industries; Hostels; Hotel or motel accommodation; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Serviced apartments; Shop top housing; Tank-based aquaculture; Any other development not specified in item 2 or 4*

### **4 Prohibited**

*Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Entertainment facilities; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Jetties; Local distribution premises; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Registered clubs; Research stations; Restricted premises; Rural industries; Rural workers' dwellings; Service stations; Sewage treatment plants; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Wharf or boating facilities; Wholesale supplies*

### **Definitions:**

Under the LEP, the proposed development is classified as a *hospital*, a type of *health services facility*. Definitions are provided as follows.

**health services facility** means a building or place used to provide medical or other services relating to the maintenance or improvement of the health, or the restoration to health, of persons or the prevention of disease in or treatment of injury to persons, and includes any of the following—

- (a) a medical centre,
- (b) community health service facilities,

- (c) health consulting rooms,
- (d) patient transport facilities, including helipads and ambulance facilities,
- (e) hospital.

**hospital** means a building or place used for the purpose of providing professional health care services (such as preventative or convalescent care, diagnosis, medical or surgical treatment, psychiatric care or care for people with disabilities, or counselling services provided by health care professionals) to people admitted as in-patients (whether or not out-patients are also cared for or treated there), and includes ancillary facilities for (or that consist of) any of the following—

- (a) day surgery, day procedures or health consulting rooms,
- (b) accommodation for nurses or other health care workers,
- (c) accommodation for persons receiving health care or for their visitors,
- (d) shops, kiosks, restaurants or cafes or take away food and drink premises,
- (e) patient transport facilities, including helipads, ambulance facilities and car parking,
- (f) educational purposes or any other health-related use,
- (g) research purposes (whether or not carried out by hospital staff or health care workers or for commercial purposes),
- (h) chapels,
- (i) hospices,
- (j) mortuaries.

Note.

Hospitals are a type of health services facility—see the definition of that term in this Dictionary.

## Permissibility

Health services facility is not a land use listed within Part 2 or 4 of the R1 General Residential zone and as such is permitted with consent.

The proposed development will not alter the approved land uses on the site which will also remain consistent with the objectives of the zone.

### 4.6.1 Other Relevant Clauses

#### Clause 2.7 Demolition requires development consent

This clause provides that demolition of a building or work may be carried out only with development consent. The required demolition works to facilitate the development form part of this development proposal.

#### Clause 4.3 Building Height

The site is not mapped with a maximum building height limitation under the Maitland LEP 2011.

#### Clause 4.4 Floor Space Ratio

The site is not mapped within an area with a floor space restriction in accordance with the Maitland LEP 2011.

#### Clause 5.10 Heritage Conservation

The site has not been identified as a heritage item and is not located within a heritage conservation zone. The site does not adjoin any heritage items.

## Clause 5.21 Flood planning

The site is not mapped within a flood planning area under the Maitland LEP 2011.

## Clause 7.1 Acid Sulfate Soils

The development site is identified as residing within an area classified as Class 5, see **Figure 8**.

No class 1-4 land occurs within 500m of the site. Works below the ground surface are restricted to structural pillars for the car park expansion which are not likely to lower the watertable. Acid sulfate soils are unlikely to be encountered during construction works and an ASS Management Plan is not considered necessary.

**Figure 8 Acid Sulfate Soils Map Extract (Source: LEP 2014 Sheet ASS\_004D)**



## 4.7 Maitland Development Control Plan 2011 (DCP 2011)

The Maitland DCP 2011 (DCP 2011) applies to all land within the Maitland LGA. The following Sections of DCP 2011 are applicable to the proposed development, and have been addressed in the assessment summary table provided at Appendix C:

- Part B – Environmental Guidelines; and
- Part C – Design Guidelines.



## 5 Assessment of Planning Issues

The following is an assessment of the environmental effects of the proposed development as described in the preceding sections of this SEE. The assessment considers only those matters under Section 4.15 (1) of the EP&A Act 1979 that are relevant to the proposed development.

### 5.1 Compliance with Planning Instruments and Controls

The proposed development complies with or is consistent with all relevant planning instruments and controls set out in Section 4 of this SEE, in that:

- The site is considered suitable for the existing use in accordance with SEPP (Resilience and Hazards) 2021;
- The proposed use is permissible in the R1 zone pursuant to the SEPP (Transport and Infrastructure) 2021 and the Maitland LEP 2011;
- The proposal is consistent with SEPP (Transport and Infrastructure) 2021;
- The proposal complies with the relevant development standards of LEP 2011;
- The proposal has been assessed against each element of the DCP 2011 with only one variation relating to the provision of landscaping supporting the new car park expansion. All other applicable controls and performance criteria of the DCP have been satisfied in the proposed development.

### 5.2 Building Design

The proposed architectural presentation has been designed by HSPC, an architecture firm that specialises in high quality and functional health services architecture. The proposed new elements have been designed to integrate with the larger health services development presently on the site by enhancing existing hospital spaces.

The proposed development utilises a range of materials and presents a modern building design compatible with the built form approved for the existing hospital building and developing Ashtonfield area.

The proposed height of the new 2nd storey ward is consistent with that approved at the existing hospital and is not considered to result in any additional significant privacy, overshadowing or view impacts, noting the existing development on site and setbacks to boundaries.

More detail is provided in the Architectural Drawings appended at **Appendix A** with Landscape Plans provided at **Appendix E**.

### 5.3 Traffic, Parking, and Access

A TIA has been prepared by SLR Consulting and is included in Appendix D. The assessment examines the traffic implications of the proposed development including the predicted traffic generation and its impact on existing road and intersection capacities. The report also reviews parking requirements, access provisions and public transport, including assessment against Council's requirements, Australian Standards, the RTA Guide to Traffic Generating Development and associated guidelines.

## Traffic

The TIA assesses the proposed traffic generation by the proposed development based on the RTA's Guide to Traffic Generating Development applying a peak traffic generation of 33 additional vehicles per hour (two way) to the operation. Cumulatively, this will result in a total of 213 vtpm (two way) over DA15-2853.

The surrounding road network is considered to be able to accommodate the projected traffic generated by the proposed development.

## Access

Access to the site will remain via Chisholm Road as approved and will remain compliant with Australian Standard AS2890.1-2004 Parking facilities – Part 1 Off-street car parking.

The proposed development does not impact upon the existing loading/unloading operations of the hospital.

## Parking

Under the Maitland DCP 2011 the proposal is required to provide the following car parking requirements:

*Hospitals, Residential Care Facilities, Hostels*  
*1 space per 10 beds (visitors) plus*  
*1 space per 2 employees plus*  
*1 space per ambulance*

Calculation:

3 Beds  
12 Staff  
 $0.3 + 6 = 6.3$

With a total of 106.7 car parks required under DA15-2853, the total of car parks required under the Maitland DCP 2011 is 115 (114.8) car parks.

Based on input received, the DCP 2011 parking rate is not considered to be appropriate in this instance. Under DA15-2853 condition 21 requires a total of 225 car parks to accommodate the maximum of 172 staff on site at any one time.

Cumulatively, the proposed 35 spaces includes the replacement of the 7 spaces loss as part of the Icon Cancer Bunker resulting in a total contribution of 28 car parks. Noting a total of 28 car parks were approved under DA15-2853, the cumulative total will be 260 car parks.

The total 260 car parks exceeding the requirement under the Maitland DCP 2011 and the projected car parking requirement based on alternative comparison rates. Noting the proposal will introduce a further 12 staff and 3 beds, the contribution of 28 car parks proposed under this DA is considered to be appropriate.

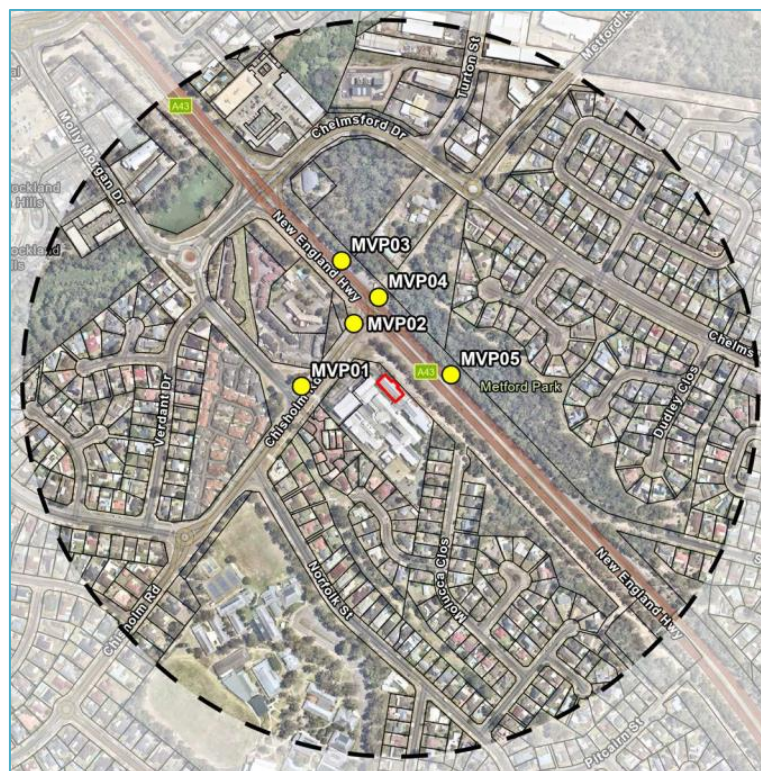
Refer to the Traffic Assessment at **Appendix D** for a full assessment of the parking requirements.

## 5.4 Visual Impact

A Visual Impact Assessment (VIA) has been undertaken by Moir Landscape Architecture to assess potential impacts on the surrounding area and integrate any recommendations into the proposed design and supplemented by landscaping.

The VIA assessed five (5) viewpoints with visibility of the proposed development, see **Figure 9** for the viewpoints assessed.

**Figure 9 Assessed Viewpoints**



The expansion is likely to be visible at the intersection of the New England Highway and Chisholm Road, where the highest level of potential visual impact is experienced. These views are experienced predominantly by vehicles travelling southbound along the New England Highway and are considered to be visible for a short period of time.

Existing vegetation located within the road reserve area minimises views from the highway towards the development with views from the Chisholm Road – New England Highway intersection representing the main viewpoint impacted by the development due lack of vegetation in front of the development area and the periods spent stationary by motorists.

To manage these visual impacts, it is recommended to provide screen planting to the corner of Chisholm Road and the New England Highway to match the existing native vegetation present along the New England Highway in accordance with TfNSW Road Design Guidelines.

With the proposed mitigation measure implemented the visual impact to the public domain is considered to be acceptable.

## 5.5 Tree Removal

An Arborist Assessment has been undertaken and recommends 18 trees for removal and 5 trees for retention. The trees required for removal are in close proximity to the proposed upper level carpark or beneath the proposed additional level. Trees are discussed further in Appendix H.

## 5.6 Visual Privacy

A number of measures have been implemented to maintain visual privacy to the residential properties which adjoin the upper level expansion including:

- 700mm perforated metal panels are proposed atop a 1.1m concrete barrier to provide a 1.8m screen from the upper level car park;
- Landscaping along the southern and eastern boundary fronting the car park area;

With these measures implemented the visual privacy to the adjoining residential properties is considered to be maintained. Refer to Appendix A for screening details and elevations of the car park with dwellings represented.

## 5.7 Overshadowing

Due to the orientation of the existing development on the site, the proposed upper level car park has its highest impact on the southern residents during the morning period (9:00am) whilst the eastern residents will see the highest impact during the afternoon period (3:00pm).

Solar access to the private open space and windows of living areas of the adjoining residential properties remain in excess of 3 hours between 9.00am and 3.00pm on the Winter Solstice.

An assessment of potential overshadowing impacts from the proposed upper level car park expansion on the adjoining residential properties has been provided at Appendix A.

## 5.8 Waste Management

The operational waste management of the existing hospital remains unchanged by the development. Waste generated by the additional ward will be directed to the existing hospital waste area and collected per existing arrangements.

## 5.9 Social Impact

A Social Impact Assessment (SIA) has been prepared by APP Consulting and is provided at Appendix O. The SIA incorporated a number of measures to ascertain the potential social impact generated by the proposed development including stakeholder consultation. The engagement included:

- Hand delivered project information sheet
- Contact phone number and email provided to stakeholders
- Online survey
- Interviews
- Site observation

The results from the consultation and key findings have been discussed as part of the SIA at Appendix O.

## 5.10 Safety and Security

The proposal provides clear, safe access into the building, and the design facilitates casual surveillance and adequate lighting. Refer to the CPTED Assessment included at **Appendix N**.

The design is considered to be consistent with the Department of Planning and Infrastructure (former Department of Urban Affairs and Planning) Crime Prevention and the Assessment of Development Applications, 2001.

## 5.11 Services

Appropriate arrangements to provide the development to essential services, such as water, electricity, sewer, drainage and access are to be made during the construction phase.

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## 6 Conclusion

The proposed expansion of the Maitland Private Hospital located at 175 Chisholm Road, Ashtonfield NSW 2323 will provide well-designed, modern facilities compliant with relevant environmental standards and guidelines. The proposed development aims to enhance the existing capacity and availability of on-site parking.

The proposal represents an opportunity to enhance the existing health services on the site utilising space atop the existing building. The development will contribute further economic investment in the Maitland-Ashtonfield area providing enhanced health services and employment opportunities.

The proposal is generally compliant with relevant legislative requirements and Environmental Planning Instruments. The proposal is permissible and consistent with the objectives for R1 General Residential under the LEP 2011. The development is compliant with the relevant LEP clauses, presenting no variations to any development standard. The proposal is generally compliant with the requirements of DCP 2011 with only a single variation regarding car park landscaping due to the proposal including an upper deck car park expansion.

The proposed development incorporates high-quality building presentation with an integrated overall approach to site development. The design of the development incorporates appropriate stormwater management, respects the natural environment, and minimises potential amenity impacts on neighbouring properties.

This SEE has addressed the potential impacts arising from the proposal on surrounding properties including traffic, access and parking, visual amenity and waste and water management. Where necessary, mitigation measures are proposed to minimise these potential impacts and reduce potential risk associated with the development.

Given the merit of the design and the absence of any significant adverse environmental impacts or planning issues, the DA is considered to be in the public's interest and worthy of Council's support.

## 7 Feedback

At SLR, we are committed to delivering professional quality service to our clients. We are constantly looking for ways to improve the quality of our deliverables and our service to our clients. Client feedback is a valuable tool in helping us prioritise services and resources according to our client needs.

To achieve this, your feedback on the team's performance, deliverables and service are valuable and SLR welcome all feedback via <https://www.slrconsulting.com/en/feedback>. We recognise the value of your time and we will make a \$10 donation to our 2022 Charity Partner – Lifeline, for every completed form.

# Appendix A:

## Architectural Plans

# Appendix B:

## Civil Engineering Plans



# Appendix C:

## Compliance Tables

# Appendix D:

## Traffic Impact Assessment

# Appendix E:

## Landscape Plan

# Appendix F:

## Visual Impact Assessment

# Appendix G:

## Bushfire Report

# Appendix H:

## Arborist Report

# Appendix I:

## DA Access Review

# Appendix J:

## Building Services Infrastructure Report



# Appendix K:

## DA Estimate Report

# Appendix L:

## Waste Management Plan

# Appendix M:

## Crime Risk Assessment

# Appendix N:

## Acoustic Assessment

# Appendix O:

## Social Impact Assessment

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