Response to Submissions & Outcomes of Site Investigations

Life City Wollongong

Including Tertiary Teaching Referral Inpatient Hospital

Lot 4 DP 258635 Warwick Street; Lot 2 DP 534116 Nottingham Street

Lot 2 DP 249814 York Street; Lot 21 DP 1008877, Lot 2 DP 860917 Berkeley

Prepared for Delbest Pty Ltd

by TCG Planning

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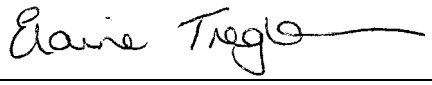
Final	Elaine Treglown	Elaine Treglown		30.1.14

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1 Introduction

1.1 Background

On 30 November 2012, TCG Planning submitted a Concept Plan and Environmental Assessment for a proposed Hi-Tech Holistic Cancer and Medical Hospital Facility to be known as "Life City Wollongong" (Director General Requirements Ref MP10-0147 dated 26 October 2010). A subsequent Environmental Assessment was submitted to the Department of Planning following a Test of Adequacy in February 2013. The application was placed on public exhibition from 6 March to 12 April 2013.

Following review of the submissions from government agencies (including the Department of Planning and Infrastructure), Wollongong City Council and members of the public, the project was significantly modified and reduced in scale and a Preferred Project Report was submitted on 31 May 2013. Further modification and a reduction in the scale of the project occurred in October 2013. The project was subsequently readvertised in late 2013 and a number of submissions received from members of the public, Wollongong City Council and state agencies. This Report (titled '*Response to Submissions & Outcomes of Site Investigations)* has been prepared on behalf of the applicant Delbest to addresses the issues raised in such submissions and is lodged for consideration in the final determination of the project.

This 'Response to Submissions' addresses submissions from the following persons/agencies/organisations:

- Wollongong City Council;
- Office of Environment and Heritage;
- Environmental Protection Authority;
- Roads and Maritime Services; and
- Two submissions from members of the public.

This report also contains a summary of the outcomes of further site investigations, as discussed in section 1.2 below.

1.2 Additional Site Investigations

In response to issues raised by the Department of Planning and Infrastructure (following a peer review by SKM) additional investigations were also conducted on site in relation to contamination and geotechnical constraints. Specifically, the additional investigations were conducted to:

- Further assess the level of asbestos and other possible contaminants on the site, which were concentrated in the northern portion of the site in an area of fill.
- Undertake additional geotechnical investigations to provide certainty as to the type of rock and geotechnical conditions encountered in areas of deep excavation so that environmental factors associated with the method of excavation can be accurately identified.

Prior to undertaking such investigations, agreement was sought and obtained from SKM on the location and depth of testing. This report summarises the outcomes of the additional site investigations which are now compete.

2 Response to Submissions

2.1 Office of Environment and Heritage

Issues:

The Office of Environment and Heritage advises that it is "*supportive of the analysis and conclusions provided by Cumberland Ecology on the proposed development*" however notes that:

- *The Mixed Regrowth Forest/Woodland has the potential to regenerate with proper management. OEH strongly supports the Cumber land Ecology report conclusion that an appropriate conservation mechanism an a detailed management plan for the site be prepared.*
- *Offsetting of the 1ha of removed vegetation with 9ha of rehabilitated land is appropriate however the use of the biobanking Assessment Methodology is encouraged. Regardless of the methodology used sound and ongoing management of rehabilitated area is necessary.*
- *As the proposed access road bisects the highest conservation value vegetation OEH strongly recommends that the proponent consider relocating the access road.*

Comment:

Delbest confirms that a Vegetation Management Plan will be prepared and the recommendations of this plan will be implemented to ensure conservation and management of the rehabilitated lands. Whilst an area of Mixed Regrowth Forest/Woodland is to be removed to accommodate the access road it is noted that every endeavour has been made to retain the maximum amount of this vegetation community in the revised Concept Plan dated October 2013. The feasibility of selecting an alternate access to the site is limited for the following reasons:

- The site is bounded by the M1 Motorway to the north which is sited at a significantly lower level than the land to be developed. Access from this location is not possible due to the existence of an steep embankment on the northern boundary of the site. Further, the road does not have sufficient width at this position to accommodate an off-ramp nor would this be supported by the RMS due to the proximity of the Berkeley off-ramp.
- To the east of the site the land is bounded by residences in Hopman Crescent; to the west by residences in York Street and to the south by residences in Nottingham Street. The provision of access from either the east, west or south would require purchase of one or more residential lots and demolition of dwellings(s). Ultimately the placement of the access road may receive opposition from local residents and may result in greater amenity impacts.
- The use of Warwick Street as the sole ingress/egress to the site is also not viable due to the environmental/maximum capacity of the road which can accommodate the early stages of the development but not the later stages such as the hospital.

Hence, whilst retention of all of the Mixed Regrowth Forest/Woodland is the optimal outcome, on balance, the benefits of this project and the reduced residential amenity impacts achieved through siting the access in its preferred position outweighs the loss of a small quantity of this vegetation community.

2.2 Environmental Protection Authority

Issues:

The EPA advised that '*the PPR appears to address the issues previously raised by the Environment Protection Authority in April 2013 during the exhibition of the Environmental Assessment'* however raises the following minor comments:

- Construction noise impacts should be addressed as part of the development application process. Specifically, as noted in the Statement of Commitments dated 23 October 2013 "*a construction noise management plan for each stage be conducted prior to construction, to assess the particular construction methods and noise mitigation measures*".
- The Air Quality Management Plan should address the excavation and construction stages of the development to minimise the generation of emission, wind-blown or traffic generated dust.
- The Soil and Water Management Plan should address maintenance and management strategies.
- The terminology used should be reviewed if only one report which deals with noise and vibration is to be prepared.
- The Construction Noise Management Plan should detail appropriate management strategies, monitoring programs and mitigation measures. The Statement of Commitments (SoC) should be updated to reflect this commitment.
- The SoC should include a commitment that the potential construction noise impacts will be assessed at each stage of the development and managed in accordance with the interim Construction Noise Guidelines.

Comment:

As requested by the EPA we confirm Delbest's commitment to the following as part of the Statement of Commitments submitted on 24 October 2013:

- Preparation of a Construction Noise and Vibration Management Plan which will lodged at each stage of the development to assess construction methods and noise/vibration mitigation measures. This report will address construction noise impacts, management strategies, monitoring programs and mitigation measures.
- Noise impacts will be managed in accordance with the interim Construction Noise Guidelines.
- Preparation of an Air Quality Management Plan which will address the excavation and construction stages of the development to ensure that activities occurring in or on the premises are carried out in a manner that will minimise the generation or emission of wind-blown or traffic generated dust from the premises.
- Preparation of a Soil and Water Management Plan which will address maintenance and management strategies.

With respect to remediation of the site we confirm that a Remedial Action Plan will be prepared in accordance with the anticipated conditions for the development. We request that the Department consider not requiring the engagement of an accredited site auditor given the limited extent of contamination on the site as confirmed in the revised Contamination Assessment prepared by Network

Geotechnics dated January 2014. However, if the department considers that the engagement of a site auditor is required Delbest accept this requirement.

2.3 Roads and Maritime Services

Issues:

The Roads and Maritime Services notes that the scale of the project has been reduced and *"thus , the overall impacts of the development is reduced. RMS does not consider that the proposal is likely to significantly impact the classified road network. Given this, RMS does not object to the development in principal*".

The RMS notes that it has concerns regarding speeding in the vicinity of Berkeley West Public School in Nolan Street and request that the proponent address the impacts of increased traffic in Nolan Street and consider upgrading the existing crossing facility.

Comment:

Whilst the RMS's concerns regarding speeding on Nolan Street adjacent to Berkeley West Public School are noted, it is considered that this is a matter which is more appropriately addressed by Wollongong Council as part of its strategic traffic management of the area, rather than a matter which is to be directly addressed by this development.

2.4 Wollongong City Council

Issues:

Council notes that significant changes have been made to the proposal in response to their previous issues and has resulted in an improvement to the overall design and layout; lowering of traffic generation impacts; reduced excavation; improved compatibility with surrounding landuses; a reduction in disturbance of existing vegetated areas; and the development now being more alignment with the E3 Environmental Management and the R2 Residential zone boundaries. Notwithstanding the improvement a number of concerns remain including:

- The appropriateness of the selected site for the proposal. Council considers that the site is poorly located in terms of its isolation from communities and limited access to transport and services.
- The hospital and subsequent stages rely on a new road through the E3 Environmental Management zone, which is problematic in terms of vegetation loss, grade, topography and proximity to residential dwellings and a high voltage transmission corridor. The road will require reclassification of community land and an easement or purchase from Council. If the road acquisition issues remain unresolved then the development will not proceed beyond stage 2.

Comment:

As noted in Council's submission the amendments to the Concept Plan undertaken in May and October 2013 have resulted in significant improvements to the development and have been a result of the applicant, Delbest, working cooperatively to address the issues raised. The revised design is one which responds appropriately to the constraints and characteristics of the site, with the Preferred Project Report

of October 213 demonstrating that the site is suitable for the proposed development and the development is a supportable design outcome.

With respect to the site location it is noted that the land is sited between the Berkeley and Unanderra suburbs, where a loss in medical practitioners has been evidenced since the time at which Dr Rashid of Delbest commenced practising in the area. The development is well located to service residents of such suburbs either by private transport (with a compliant level of parking on site) or via the Premier Illawarra public bus services. The site also has a high level of accessibility from the M1 Motorway providing ease of access to residents of the Wollongong and Shellharbour local government areas and beyond. The development is also sited in close proximity to the Nan Tien Temple which will also support the holistic approach to health and well being, particularly for patients from South East Asia.

Whilst the site is not located within the Wollongong Central Business District or a town centre, such centres have limited ability to provide a site of sufficient area to accommodate a development of this scale. Hence, whilst Council has a preference of the siting of the facility in an alternate location, the Department of Planning is requested to consider the development application as submitted, with the results of detailed investigations confirming that the site is suitable for the proposed development.

The engineering plans and report prepared by C&M Consulting Engineers confirms that the access from Nolan Street is appropriate from an engineering perspective, particularly as the level of cut has been reduced through minor relocation and a change in level of this road. Further, the access from Nolan Street has been relocated to a position in excess of 36m from the boundary of the nearest residence in Hopman Crescent (No. 36a), thereby minimising potential construction or noise impacts. It is also noted that the siting of the transmission lines will have no impact on the siting or use of this road.

With respect to the need for reclassification of Council owned land we note that positive support for this arrangement has previously been received from Council's Property Division. Accordingly, it would be appropriate that any consent be conditioned to require the reclassification and the granting of an easement/sale of land prior to Stage 3 of the development proceeding. In the event that this does not occur then the development will not be able to proceed past this stage unless an alternate access is identified. However, the community would continue to benefit from a much needed Medical facility and associated accommodation for staff and visiting patients which has been provided in the initial stages of the project.

2.5 Community Submission No. 1

Issues:

- The Traffic and Transport Assessment doesn't include Hopman Crescent which will be used to gain access at the Warwick Street end.
- The access from Nolan Street should be built first to ensure parking is available to persons using the facility during the building phase and during regular use.

Comment:

The Traffic and Transport Assessment prepared by GHD in October 2013 confirms that traffic utilising Warwick Street for Stages 1 and 2 will be within the capacity of this road. In the event that such traffic utilises Hopman Crescent to access stages 1 and 2 the capacity of this alternate road will also not be exceeded.

It would be unreasonable to require all traffic to enter and exit the site from Nolan Street, when the traffic assessment confirms that the capacity of the surrounding roads will not be exceeded. With respect to parking, adequate parking will be provided for each stage of the development and the site is of sufficient size to accommodate onsite parking during construction works. Further, the Nolan Street access will be constructed prior to construction of the Stage 3 Hospital thereby minimising potential disturbance to residents of Warwick Street and Hopman Crescent.

2.6 Community Submission No. 2

Issues:

- Concerns raised regarding the calculations utilised within the Traffic and transport Assessment prepared by GHD in October 2013.
- The traffic assessment does not consider traffic flows associated with the Nan Tien Institute.
- Considers that the traffic flows in Warwick Street and Hopman Cres will be well over 200vph.
- Believes that the report does not consider that public transport use is likely to be low and that approximately 80% of visitors are likely to arrive by public transport.

Comment:

ARUP were engaged by the Department of Planning and Infrastructure to undertake a peer review of the Traffic and Transport Assessment prepared by GHD (Oct 2013) and in their assessment concludes "*the computations for the potential level of traffic generation for the revised proposal appear reasonable for the purposes of assessing impacts if e development on the surrounding transport network*". No concerns were raised in this review of the calculations utilised in the GHD report.

With respect to traffic generated by the Nan Tien Institute such traffic will focus on the road network on the western side of the M1 Princes Motorway and hence is unlikely to significantly alter traffic flows in adjacent to the Life City development, which will predominantly be concentrated to the east of the M1. Further, both the RMS and ARUP now concur that traffic generated by the development is within the capacity of the existing road network.

With respect to the concerns raised within this submission regarding the analysis placing too much emphasis on public transport usage , it is noted within the GHD Traffic and Transport Assessment that "*the intersection analysis has been undertaken assuming no public transport to or from the development*".

3 Outcomes of Additional Site Investigations

3.1 Contamination Assessment

In response to issues raised by the Department of Planning and Infrastructure and following a peer review by SKM additional investigations were also conducted on site in relation to contamination. The outcomes of such investigations are contained in the Limited Stage 2 Contamination Assessment prepared by Network Geotechnics dated January 2014. Fieldwork for the analysis included collection of soil samples from thirteen boreholes (BH10 to BH22) and testing of discrete soil samples for a range of contaminants including metals, TPH, BTEX, polyaromatic hydrocarbons and pesticides. In addition, thirteen boreholes, some soil samples for contamination tests were collected from the geotechnical boreholes (BH1 to BH9).

Network Geotechnics confirm that "*no physical structures were observed during fieldwork and site was mainly covered with thick grass. Shrub and small to large trees were spread around. Fill was encountered in some of the contamination and geotechnical boreholes to a maximum depth of 1.7m below the existing surface level. None of the samples tested indicated results higher than the National Environmental Policy Measures (NEPM) Health Based Investigation Levels (HIL) for Residential use with garden/accessible soil (Column 1)*".

Accordingly, Network Geotechnics conclude that "***based on the results of the investigation we assess that the risk of site contamination to be low and the site to be suitable for the proposed development****. Any localised contamination that may be uncovered may be managed during earthworks*". They further conclude that "*based on the investigation carried out we assess that no further stage 2 contamination assessment" is required.*

3.2 Geotechnical Investigations

Additional on site geotechnical investigations have also been conducted by Network Geotechnics to provide certainty as to the type of rock and geotechnical conditions encountered in areas of deep excavation. The outcomes of such investigations are contained in the Limited Geotechnical Investigation prepared by Network Geotechnics dated January 2014, which is contained in Appendix 1 and are summarised as follows:

Network Geotechnics sampling program included total 25 boreholes, with a summary of findings and recommendations listed below:

- Fill was predominantly encountered in the northern part of the site to maximum depths of 1.7m below the existing grade. Some surface rubbish was noted along the existing top ridgeline vehicular track.
- The majority of the site surface was covered by Silty CLAY/Silty SAND topsoil with thick grass. Shrub and small to medium size trees spread around the site.
- Slope instability would not be an issue provided the design and construction is carried out based on good hill side development practice as outlined in this report.

- Fill, Residual/Colluvial soils and extremely weathered rock profiles can be excavated by medium size excavators with 'teeth' bucket attachments. Rock hammer/rock saw might be required to break through iron indurated bands and medium to high strength Sandstone and Latite bedrock.
- Groundwater may be encountered during the construction but it could be controlled using a sump pump system.
- Potential Acid Sulphate and Actual Acid Sulphate soils were not encountered in this site.
- Footings for major structures should be founded on underlying bedrock. Localised retaining structures should be provided for supporting the proposed cuts and fill batters. The structures should be designed by an experienced engineering consultant. Where excavation is in good quality rock, steep unsupported batters may be possible subjected to geotechnical assessment.
- Temporary excavations may be battered at 1.5H:1V in overburden soils and 1H:1V to 0.5H:1V in rock depending upon the quality of rock and subject to assessment by a geotechnical consultant.
- Further geotechnical investigations and review may be required during the detailed design and construction stages.

Based on the investigations carried out Network Geotechnics assess that "***the proposed development is feasible provided the recommendations of this report are carried out.*** *The main concern related to the proposed development is excavation of high to very high strength sandstone in Stages 4 and 5 areas. These areas are away from existing residential developments and the impact of excavation on the residences would be minimal*".

Appendix 1

Contamination Assessment prepared by Network Geotechnics

Appendix 2

Geotechnical Assessment prepared by Network Geotechnics