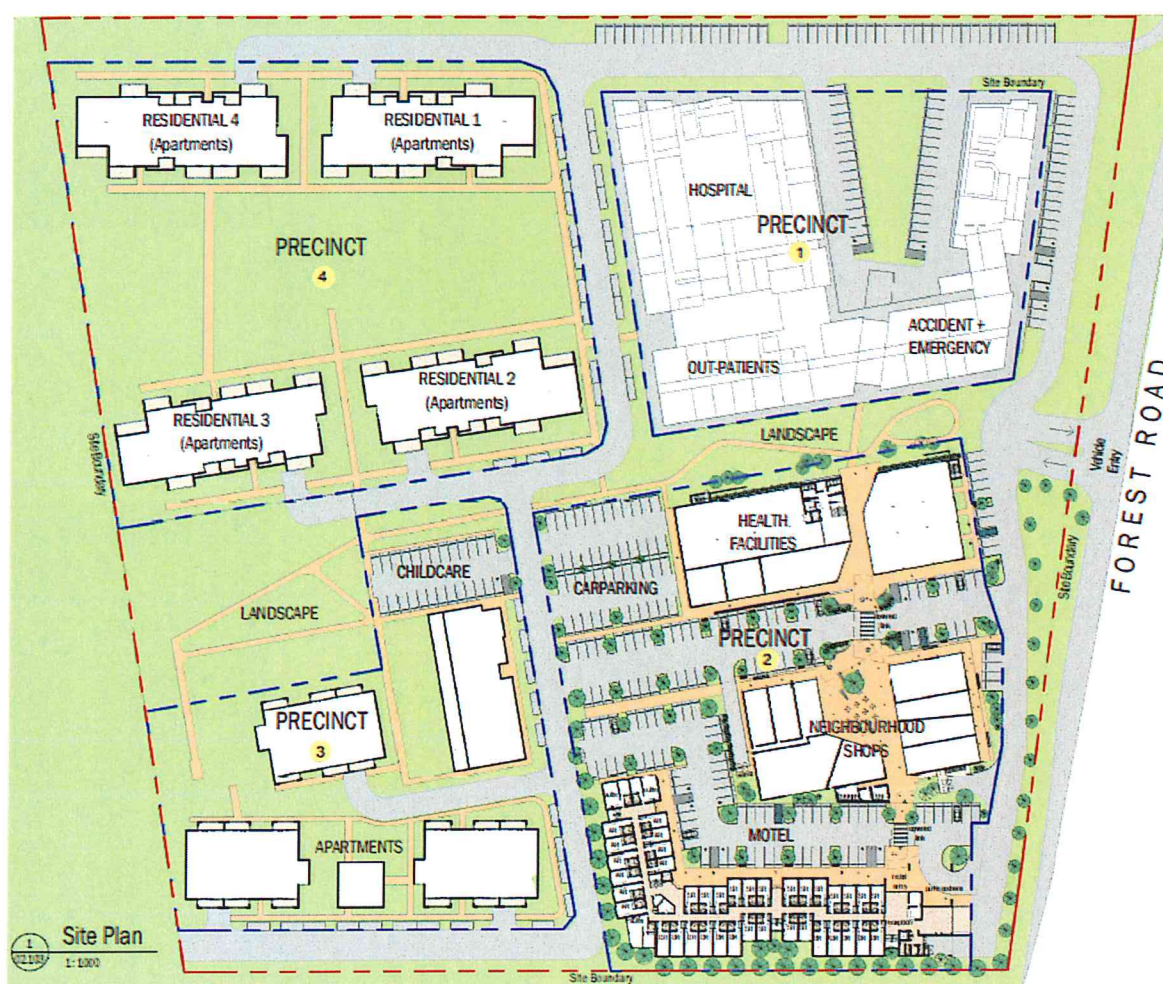


MODIFICATION REQUESTS:
***Modifications to the Orange Private Hospital
 Development Concept Plan, Private Hospital
 (Precinct 1) and the Medi-Motel (Precinct 2)
 (MP 07_0072 MOD 1, MP 08_0232 MOD 1 and
 MP 08_0233 MOD 1)***



Secretary's
 Environmental Assessment Report
 Section 75W of the
Environmental Planning and Assessment Act 1979

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1. BACKGROUND

1.1 Introduction

This report provides an assessment of three concurrent modification requests to the Orange Private Hospital Campus concept plan (MP 07_0072) and project approvals for Precinct 1 (MP 08_0232) and Precinct 2 (MP 08_0233), approved by the then Minister for Planning on 23 November 2008.

The Orange Private Hospital Campus concept plan seeks to create a non-institutional health precinct that includes facilities ranging from a traditional private hospital, to accommodation for patients, carers and staff, and complementary amenities to support these users. The approved concept includes four separate precincts:

1. Private hospital precinct
2. Medi-motel precinct
3. Residential precinct
4. Hostel precinct

Each of the components is intended to complement each other and the adjacent public hospital (Orange Health Service). A modification of the approved concept and accompanying project approvals is proposed in response to circumstances that have occurred since the original approvals were granted. In this time, the public hospital has been commissioned and an aged care and retirement facility has commenced construction on the site to the south of the subject land.

1.2 Site Context

The concept plan establishes the framework for the redevelopment of Lot 1 DP 549856 and public roads known as Finneran Road (Lot 100 DP1147525) and Kemp Road (Lot 101 DP1147525) for the purposes of a private hospital precinct, located to the south of the existing Orange town centre. The project location is shown in **Figure 1**, noting that Orange Health Service (public hospital) is located directly opposite the subject site.

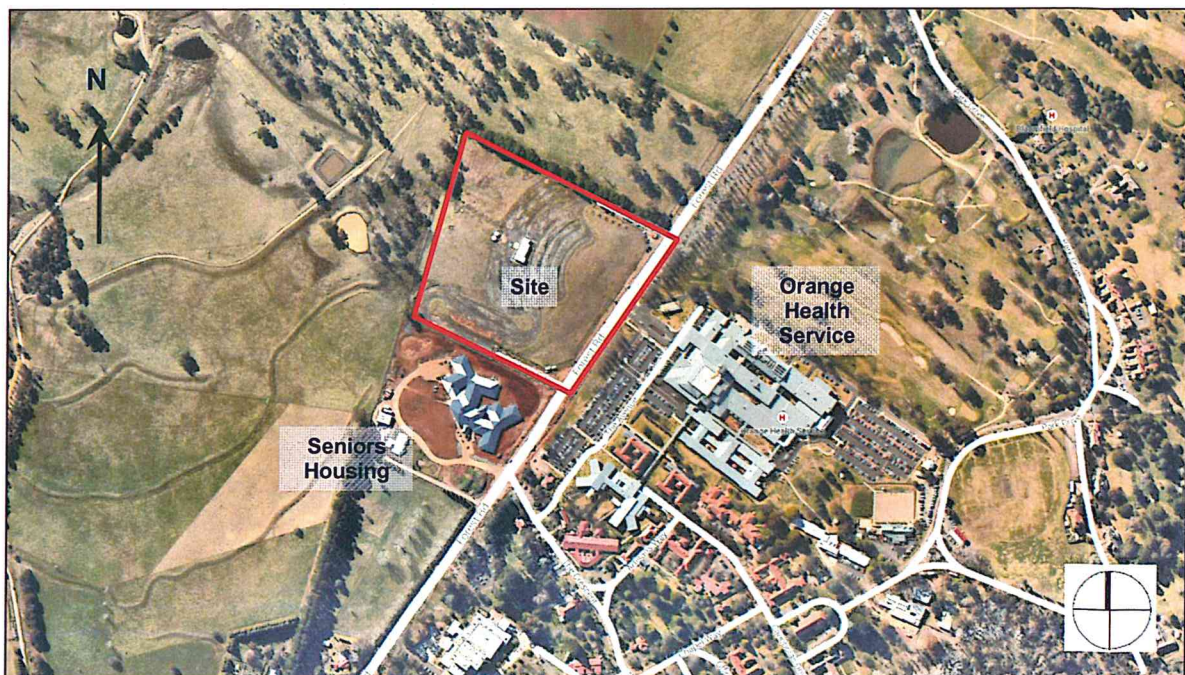


Figure 1: Project location (Source: nearmaps)

1.3 Approval Details

The concept plan approval comprises four specific precincts (see **Figure 2**) as follows:

- Private Hospital Precinct (Precinct 1) to the north/east of the site fronting Forest Road;
- Medi-Motel Precinct (Precinct 2) to the south/east of the site fronting Forest Road;
- Hostel/Cancer Care Precinct (Precinct 3) to the south/west of the site; and
- Residential Precinct (Precinct 4) to the north/west of the site.

The components of each of the precincts within the concept plan are outlined below.

The **Private Hospital Precinct (Precinct 1)** comprising:

- construction of a new part two/part three-level building comprising 10,350 sqm of in-patient, operating, pathology, cancer-care and pharmacy facilities, medical consultation suites and 149 at grade car-parking spaces;
- stormwater and infrastructure works;
- road improvements; and
- landscaping.

The **Medi-Motel Precinct (Precinct 2)** comprising:

- construction of a new Medi-Motel comprising 80 rooms and 9 consultation suites;
- gymnasium;
- rehabilitation rooms;
- 108 at grade car-parking spaces;
- ancillary retail premises (florist, café/restaurant and newsagent);
- stormwater and infrastructure works;
- road improvements; and
- landscaping.

The **Residential Precinct (Precinct 3)** comprising residential accommodation, including a mix of townhouses, apartments, courtyard homes and seniors living as follows:

- 114 apartments; or
- 31 townhouses and 36 apartments; or
- 105 seniors living units.

The residential precinct will also include:

- internal roads and car parking for up to 200 vehicles;
- landscaping; and
- stormwater and infrastructure works.

The **Hostel Precinct (Precinct 4)** comprising:

- lodge/hostel short-stay accommodation for patients and families of patients;
- child-care facilities;
- cancer resource centre;
- internal roads and car parking for 30 vehicles;
- landscaping; and
- stormwater and infrastructure works.

The concept plan approval established a scale of development and built form that was not originally contemplated for the site (as it was zoned 1(a) General Farming). However, the site has since been zoned R1 General Residential in Council's comprehensive LEP. This is consistent with Council's Sustainable Settlement Strategy, which envisaged converting the site to urban residential in the medium to long term. The Department notes that no additional floor space or height controls were prescribed as part of the adoption of the

comprehensive LEP. The concept plan would therefore continue to guide development of the site.

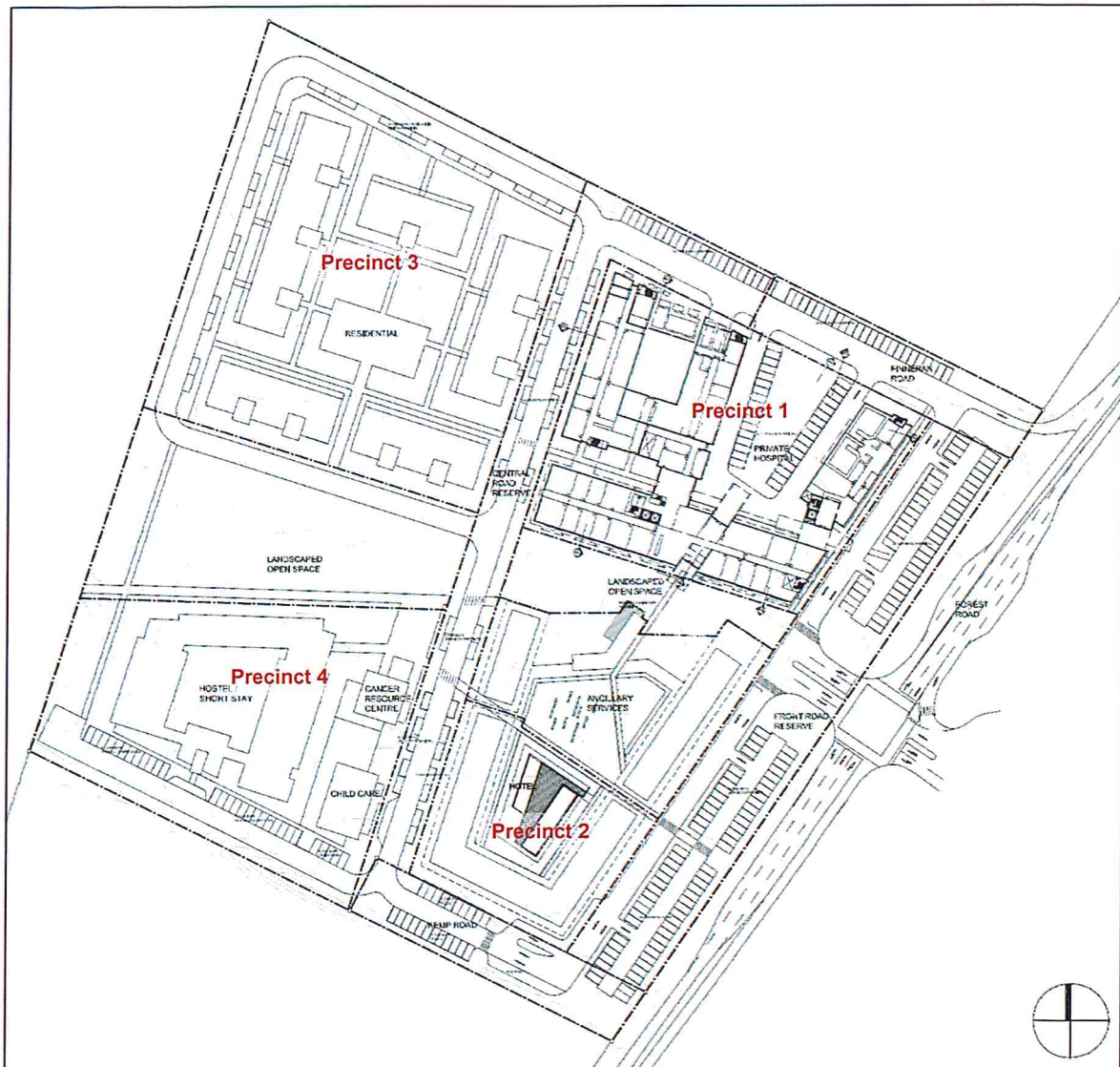


Figure 2: Approved concept plan layout

Project approvals for the development of Precinct 1 (MP 08_0232) and Precinct 2 (MP 08_0233) were issued concurrently with the concept plan approval. Refer to **Figure 3** for the approved layout for the private hospital and **Figure 4** for the approved layout of the medi-motel.

The proponent has undertaken demolition works to commence physical works as part of the approval. No further works have been undertaken.

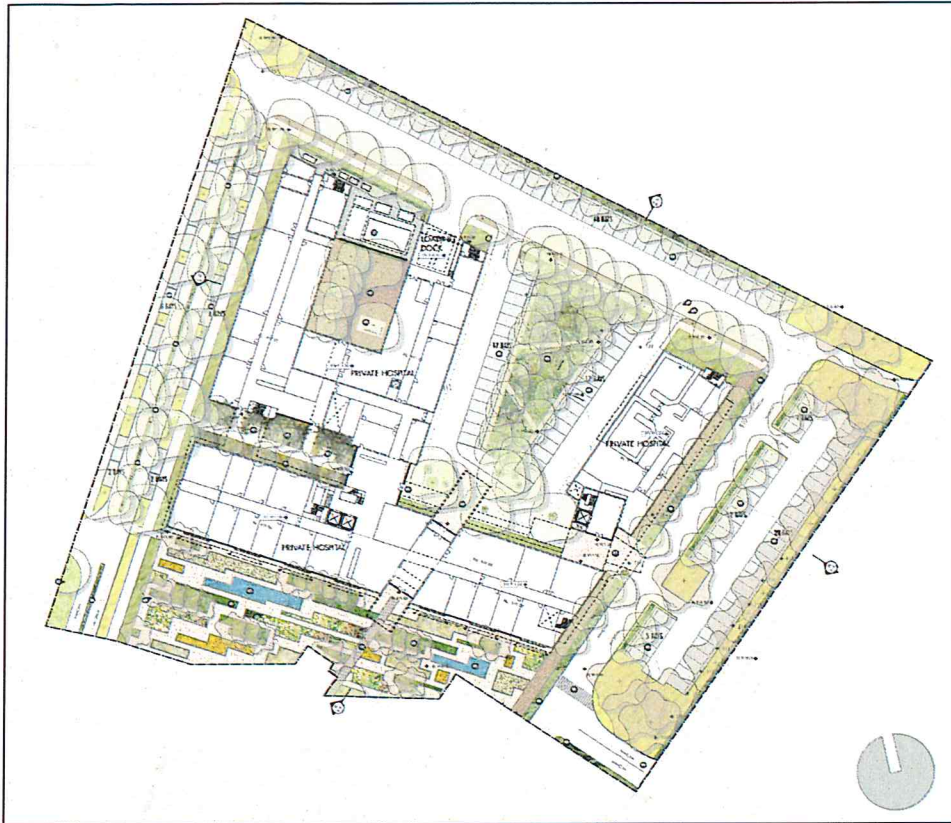


Figure 3: Approved Private Hospital (Precinct 1) project layout

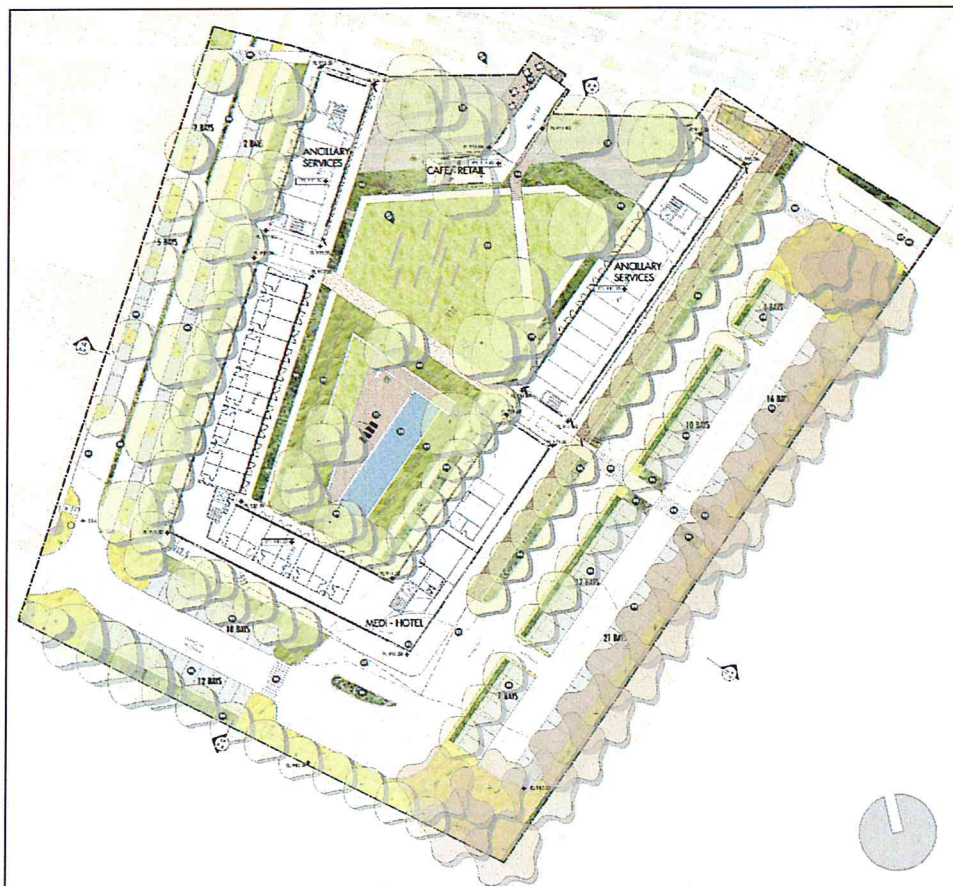


Figure 4: Approved Medi-Motel (Precinct 2) project layout

2. PROPOSED MODIFICATIONS

2.1 Proposed Modifications

The proponent seeks to modify the concept plan and the accompanying project approvals for Precincts 1 and 2 to increase the scale of the approved development and vary the land uses across the site. The proposed modifications to the concept plan approval (MP 07_0072 MOD 1) comprise:

- reconfiguration of the street layout and precinct boundaries, including redistribution of land uses across the precincts and reconfiguration of the individual precinct layouts (see **Figure 5**);
- an increase in the gross floor area (GFA) of the Hospital Precinct (Precinct 1) of 3,650 sqm, from 10,350 sqm to a maximum 14,000 sqm, to support additional private hospital beds and other medical facilities and increasing the height of the development by one storey from a part two and three storey building to a part three and four storey building;
- removal of the gymnasium use within the Medi-Motel Precinct (Precinct 2) and an increase in the GFA of 4,414 sqm, from 5,586 sqm to a maximum 10,000 sqm, to support the redistributed health services and consulting rooms from Precinct 1 and 3, larger restaurant and additional retail shops;
- removal of the hostel, cancer care centre and seniors housing from approved Precinct 4, renumbering and renaming the precinct to *Precinct 3 - Community/Child Care and Residential*, and an increase in the GFA of 3,000 sqm, from 4,500 sqm to a maximum 7,500 sqm, to support additional residential uses;
- renumbering and renaming approved Precinct 3 to *Precinct 4 – Residential*, and an increase in the residential GFA of 6,200 sqm, from 10,800 sqm to a maximum 17,000 sqm;
- modification to the staging of the project;
- modification to the car parking provisions across the site resulting in an overall provision of 617 car spaces (an increase of 130 spaces from the 487 spaces approved); and
- removal of the bus zones.

The proposed modifications to the Private Hospital (Precinct 1) project approval (MP 08_0232 MOD 1) comprise:

- an increase in hospital beds from 52 to 104 (52 additional beds);
- the addition of another level to the western wing of the hospital, increasing the maximum building height from 12 m to 16 m and the total GFA to 14,000 sqm;
- the provision of an accident and emergency facility in lieu of pharmacy and medical suites that are relocating to Precinct 2;
- a 48 space reduction in car parking from 149 spaces to 101 spaces (see **Figure 6**); and
- removal of internal bus zones.

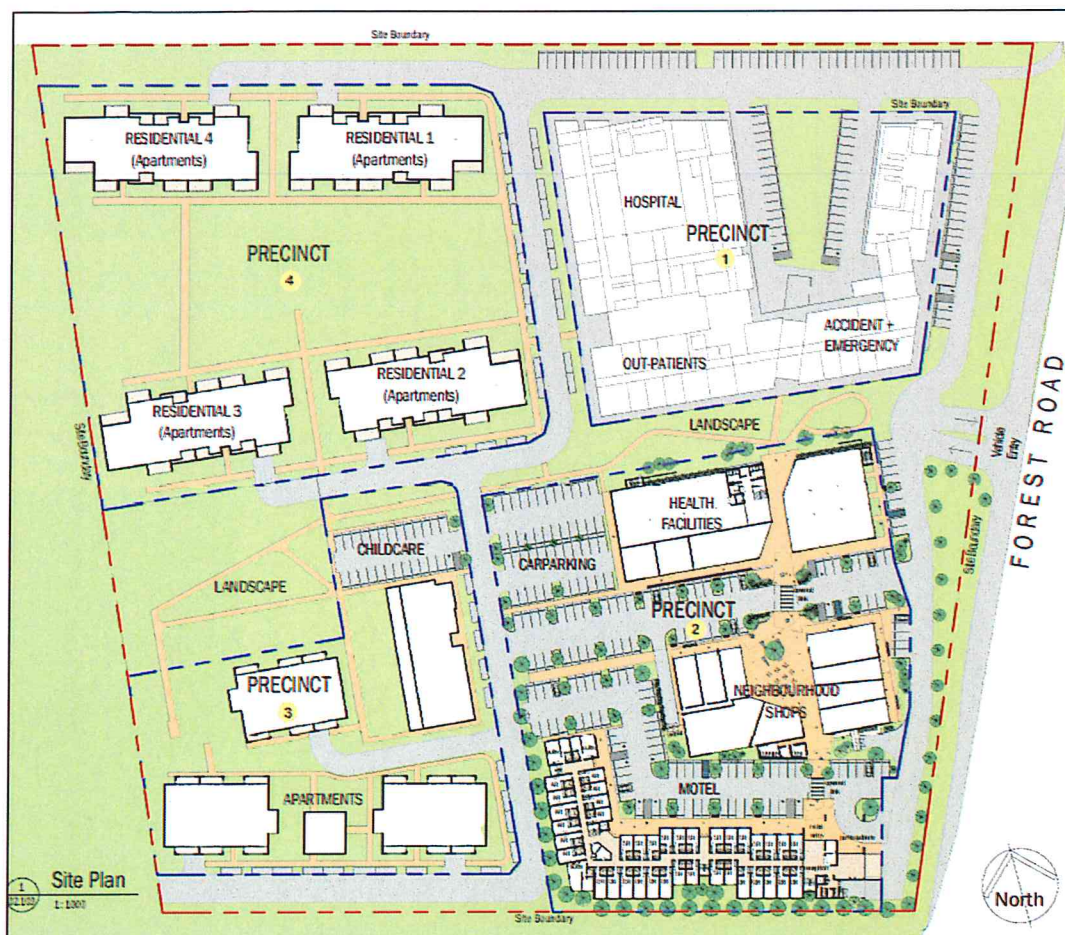


Figure 5: Proposed amended concept plan layout



Figure 6: Proposed amended Private hospital (Precinct 1) project layout

The proposed modifications to the Medi-Motel (Precinct 2) project approval (MP 08_0233 MOD 1) comprise:

- the removal of the gymnasium component (approximately 800 sqm of floor space);
- the reconfiguration of the layout, including separation of the three distinct uses (being motel use, health uses and retail uses) into three separate buildings (see **Figure 7**);
- an increase in the size of the retail component from 500 sqm to approximately 1,791 sqm of GFA to support additional neighbourhood shops and a 293 sqm restaurant;
- an increase in the size of the motel building to support an increase in motel rooms from 80 rooms (60 public rooms and 20 patient rooms) to 82 rooms (70 public rooms and 12 patient rooms) and an additional function room;
- an increase in the GFA of the health facilities building of 1,561 sqm, from 1,500 sqm to 3,061 sqm;
- a 54 space increase in car parking from 134 spaces to 188 spaces; and
- removal of internal bus zones.



Figure 7: Proposed amended Medi-Motel (Precinct 2) project layout

2.2 Justification for Modifications

The proponent has detailed that a modification to the approved development is proposed in response to circumstances that have occurred since the original concept approval was granted in 2008. In this time, the adjacent public hospital has been commissioned and an aged care and retirement facility has commenced construction on the site to the south of

the subject land. New owners of the subject site are of the view that the synergy of this developing health services precinct would benefit not only by increased private hospital and health facilities but also by an increase in retail and accommodation opportunities. Accordingly, the proposed amendment retains the structure of the four development precincts identified in the approved concept plan, but seeks to alter/update the concept by:

- providing additional floor space to accommodate more private hospital beds and other medical services/facilities;
- increasing floor space for health services and consulting in close proximity to the recently established Orange Health Service (public hospital) as well as the proposed private hospital;
- increasing retail floor space to enable the creation of a neighbourhood scale shopping complex that will be of benefit not only to the private hospital but also serve the nearby public hospital and the aged care and retirement facility; and
- increasing residential accommodation opportunities in line with the proposed increase in health facilities to cater for both the accommodation needs associated with the private hospital campus and the accommodation needs associated with the public hospital campus (which did not exist when the original concept was approved).

The amended proposal continues the key elements of the approved concept plan by supporting the need for a mixed use development that forms a cohesive, harmonious and interrelated whole about a nucleus of health services.

3. STATUTORY CONTEXT

3.1 Modification of the Minister's Approval

In accordance with clause 3 of Schedule 6A of the EP&A Act, section 75W of the Act, as in force immediately before its repeal on 1 October 2011 and as modified by Schedule 6A, continues to apply to transitional Part 3A projects. Approved projects are transitional Part 3A projects.

Section 75W(2) of the Act provides that a proponent may request the Minister to modify the Minister's approval of a project. The Minister's approval of a modification is not required if the approval of the project as modified would be consistent with the original approval. As the proposed modifications seek to amend plans referenced in the terms of approval and increase the size of the approved building envelopes, the modifications will require the Minister's approval.

3.2 Environmental Assessment Requirements

Section 75W(3) of the EP&A Act provides the Secretary with scope to issue Environmental Assessment Requirements (DGRs) that must be substantially complied with before the matter will be considered by the Minister. Environmental Assessment Requirements were not issued for this application as the proponent has addressed the key issues in the modification.

3.3 Delegated Authority

Under the Minister's Delegation dated 14 September 2011, the Secretary can determine the three modification applications as: Council has not objected to the proposal; a political disclosure statement has not been made for these applications; and no public submissions were received objecting to the proposal.

4. CONSULTATION AND SUBMISSIONS

4.1 Exhibition

Under section 75X(2)(f) of the EP&A Act, the Secretary is required to make the three modification requests publicly available. The Department:

- publicly exhibited them from Thursday 24 July 2014 until Wednesday 6 August 2014 (14 days):
 - on the Department's website; and
 - at the Department's Bridge Street Sydney Information Centre and Orange Council's offices;
- advertised the public exhibition in the Central Western Daily on 23 July 2014; and
- notified adjoining landholders and relevant State and local government authorities in writing.

4.2 Submissions

The Department received submissions from Orange City Council (Council), Office of Environment and Heritage (OEH), Environment Protection Authority (EPA), Roads and Maritime Services (RMS), Transport for NSW (TNSW) and the Department of Primary Industries (DPI) that advised that no objections are raised in regards to the proposed modifications.

Council, RMS and TNSW did note that the Department would need to be satisfied that the dual use parking justification was sufficient to accommodate the lower rate of car parking provided. Council, EPA, DPI and RMS also provided recommended conditions and advised that relevant standards should be met relating to water and sewerage, site access, traffic movement, road design and erosion and sediment control.

5. ASSESSMENT

The Department considers the key issues for the proposed modifications are: built form and layout; traffic and car parking; social impacts; heritage; and development contributions.

5.1 Built form and layout

Concept Plan

The proposed modifications seek to alter the built form and building layout within all precincts, and increases in floor space are also sought across all four precincts. Building height increases are proposed in Precincts 1, 3 and 4 (see **Table 1** for a comparison of approved and proposed GFA and height).

Table 1: Comparison of approved and proposed GFA and building height

PRECINCT	Max. GFA - Approved (sqm)	Max. GFA - Proposed (sqm)	Max. Height – Approved	Max. Height – Proposed
1	10,350	14,000	3 storeys (12 m)	4 storeys (16 m)
2	5,586	10,000	2 storeys (7.4 m)	2 storeys (8.5 m)
3	4,500	7,500	n/a	5 storeys
4	10,800	17,000	n/a	5 storeys
Total	31,236	48,500		

The concept plan was approved concurrently with the two project approvals for the Hospital Precinct and Medi-Motel Precinct (see **Figures 3** and **4**). The built form identified in the concept plan approval for these two precincts corresponds with the detailed design

in the project approvals and indicative building layouts and maximum floor space controls are identified for Precincts 3 and 4 (see **Figure 2**).

The proponent is now seeking to increase the bulk and scale of the development across all the precincts to accommodate additional floor space and additional complementary land uses. The consideration of the built form changes to Precinct 1 and 2 are considered individually in the sections below as the detailed designs are also proposed to be modified in the project approvals.

The only built form controls in the concept plan approval that were prescribed for Precincts 3 and 4 were maximum floor space caps. No other controls except for conditions requiring compliance with Council codes and policies were prescribed as the proponent had not identified which style of residential accommodation was to be provided in these precincts.

The indicative layout of potential residential buildings in Precincts 3 and 4 was identified in the approved concept plan. Due to the change in proposed land uses from hostel and cancer centre to residential in Precinct 3 (formally Precinct 4 in the approved concept plan), the layout has changed from one large building footprint and two smaller building footprints to five smaller separate building footprints (see **Figures 2 and 5**). It is intended that the proposed increase in floor space for Precinct 3 from 4,500 sqm to 7,000 sqm will be via taller building forms, rather than enlarged building footprints. In this regard, the proponent has indicated that the highest building form in Precinct 3 will be five storeys.

A range of residential styles is proposed in Precinct 3 that can either be used as short or long term accommodation by patients, carers, family members, medical employees and the like in a non-institutional environment. The hostel is proposed to be deleted from this precinct as this function would be fulfilled by the motel in Precinct 2 and other residential (less institutional) development across the site. The cancer centre has also been removed from this precinct on the basis that the additional GFA proposed for health facilities in Precincts 1 and 2 provides enough capacity and resources to accommodate this function.

The sizes of the proposed footprints for the residential buildings in Precinct 4 (formally Precinct 3) are similar to those in the approved concept plan layout. The precinct is expected to provide for one, two or three bedroom units that offer accommodation for health precinct staff, patients and their families, and older persons who seek to live close to health and medical services. Again, the proposed increase in floor space for Precinct 4 from 10,800 sqm to 17,000 sqm will be via taller building forms up to five storeys, rather than enlarged building footprints.

Council raised no concerns regarding the proposed additional residential floor space, the reconfigured building layouts and footprints and the indicative taller built forms within revised Precincts 3 and 4.

The Department notes that the increased residential density and taller residential buildings will be located away from the main road and separated from State heritage items (located to the east of the site along Forest Road) by Precincts 1 and 2. The scale of the residential development will be comparable with the scale of development within Precinct 1 and the Orange Health Service buildings, and comparable in terms of function with the seniors housing located to the south of the subject site. The Department considers the built form impacts in relation the residential component minor given the indicative building footprints are smaller or similar to those originally sought and supported by adequate areas of open space, including the village green required in maintaining the vista to Mt Canobolas. In this regard, the proposed site coverage with Precincts 3 and 4 is estimated

to be approximately 30 per cent, which leaves generous areas for landscaping and open space around the residential building forms.

In terms of boundary setbacks, the Department notes that the most significant change in Precincts 3 and 4 is that the indicative footprints are situated closer to the western site boundary as the perimeter road has been removed in Precinct 4 and the buildings are more spread out in Precinct 3 in the amended layout. Whilst the surrounding land has also been rezoned for urban purposes, it is currently used for agricultural purposes. Therefore, the Department recommends that an additional future assessment requirement be included in the amended concept plan approval requiring that the proponent demonstrate that appropriate buffers and treatments have been provided on the edge of these precincts, where they adjoin agricultural land to the west and north.

A future assessment requirement requiring compliance with Council's relevant codes and policies for built form in regard to dwelling size, mix and ceiling heights already exists. The proponent has advised that residential development would be in the form of apartments and therefore the Department recommends that an additional requirement specifying consideration of the principles of State Environmental Planning Policy No 65 - Design Quality of Residential Flat Development (including any draft version of the SEPP) and the Residential Flat Design Code also be included in the approval.

The Department is therefore supportive of the proposed concept plan amendments for Precincts 3 and 4.

Precinct 1 – Private Hospital (Project Approval)

The proponent seeks to increase the approved height of the private hospital building within Precinct 1 from a part two and three storey building (shown in **Figures 8 and 9**) to a part three and four storey building (shown in **Figures 10 and 11**). The proposed modifications include an additional level to the western wing to accommodate an additional 54 beds and enlarged rooftop plant and services area. This would also result in an increase in the floor space for the Precinct from 10,350 sqm to 14,000 sqm and an increase in the maximum building height from 12 m to 16 m.



Figure 8: Approved western elevation of the hospital

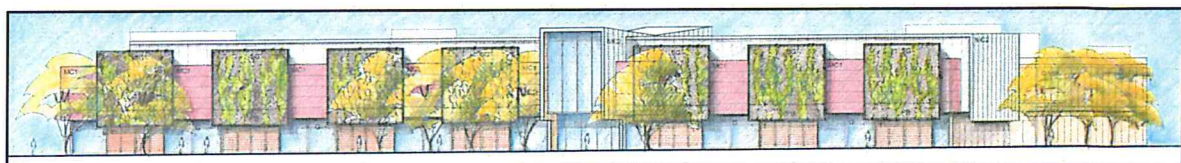


Figure 9: Approved southern elevation of the hospital

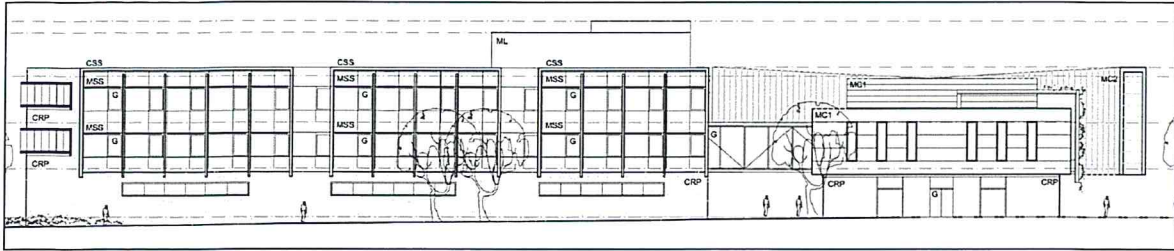


Figure 10: Proposed western elevation of the hospital (showing extra level)

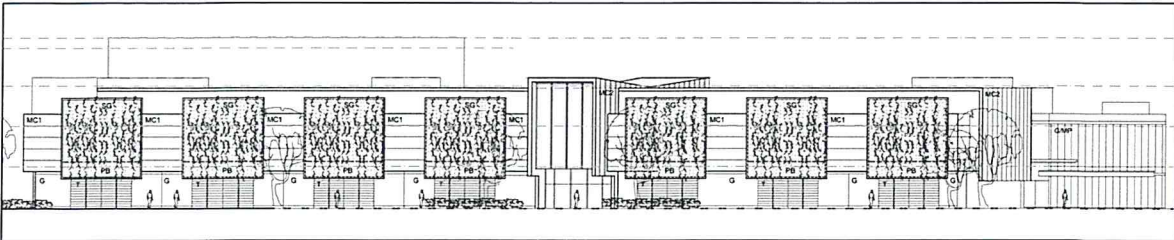


Figure 11: Proposed southern elevation of the hospital (noting unchanged height)

The proponent has provided the following justification for the proposed increase in height and floor space:

- the modified height of the private hospital building retains a reasonable scale along the Forest Road site frontage to address the potential heritage impacts to the State listed heritage items located within the Orange Health Service site;
- the modified design continues to provide generous setbacks and landscaped areas as the building footprint remains the same;
- the visual impacts are satisfactory as the increased height is confined to the western wing, which is appropriately setback from the site frontage; and
- the highest element of the proposed modified private hospital has been located to reduce the prominence of the building.

Council raised no issue with the proposed modifications.

The Department considers the increased height and floor space would have acceptable built form impacts as:

- the bulk and scale of the modified building is comparable with the scale of development on the Orange Health Service site (see **Figure 12**) and the emerging urban character for the area, including the larger scale buildings being constructed to the south for the seniors housing (see **Figure 13**);
- the increased height has been situated away from the heritage items located in the vicinity;
- the bulk and scale of the building is considered reasonable for the health facilities use;
- the articulation and modulation of the building will be extended to the additional level and would continue to minimise the visual massing of the proposal; and
- the materials and finishes would continue to comprise natural materials and a colour palate that reflects the landscape, which will complement the surrounding development, and would not conflict or detract from the heritage significance of the red brick of the heritage items within the Orange Health Service site.



Figure 12: Orange Health Service main building and front entrance



Figure 13: Seniors housing development to the south of the subject site

Precinct 2 - Medi-Motel, Health Facilities and Retail (Project Approval)

The proponent seeks to modify the configuration of the Medi-Motel Precinct from two wings that extend along the length of the precinct (including along the entire Forest Road frontage) around an enclosed courtyard area (see **Figure 4**) to three separated built form elements accommodating 'Health Facilities', 'Neighbourhood Shops' and 'Motel' (see **Figure 7**). Approved medical suites and rehabilitation areas are proposed to be relocated from the motel complex to the health facilities building. This building will also provide additional space for pathology, medical imaging and other health related services.

The reconfigured buildings continue to maintain the same building heights of two storeys for the health facilities and the motel complex, and single storey for the neighbourhood shops (shown in **Figures 14 to 17**). The footprint of the retail building will be increased to support additional neighbourhood shops and a larger restaurant to cater for the increased urban development from the proposed private hospital, Orange Health Service public hospital and the seniors housing currently under construction to the south of the subject site.

The proponent contends that the proposed amendments to the built form of Precinct 2 would provide an improved streetscape as the row of car parking approved along the site frontage that dominated the streetscape has been relocated internally. The elongated built form along the Forest Road frontage has also been broken up to improve activation and permeability of the site.

The Department considers the modifications to the built form for the Medi-Motel precinct acceptable as:

- the bulk and scale of the modified buildings are smaller or comparable with the built form proposed in Precinct 1, the Orange Health Service site and the seniors housing located to the south;
- the motel will provide an appropriate transition and buffer between the reconfigured health and ancillary uses and the seniors housing adjoining the site to the south;
- the proposed building heights are generally consistent with the approved heights for the respective uses;
- the segregation of the three distinctive uses into three distinctive built forms would minimise the massing of the development, which previously extended the length of the precinct and dominated the frontage;
- the three building components are modern and contemporary and would complement the private hospital development and seniors housing to the south;
- the revised design would increase activation of the Forest Road frontage and improve views and permeability through the site; and
- the revised design would provide significant improvements to the streetscape as the approved development focused internally to the site and allowed car parking to dominate the streetscape.

5.2 Traffic and car parking impacts

Car Parking

The proponent is seeking to provide car parking below the rates required by Orange Development Control Plan 2004 (DCP) and the rates generally established in the concept plan approval. The Traffic and Parking Assessment Report submitted with the three modification applications contends that the car parking provided could have a dual and complementary use.

Council's DCP specifies parking requirements as outlined in **Table 2** for the various aspects of the development. These rates are comparable to those in RMS Guide for Traffic Generating Development and were used in the original assessment of the application.

In addition to the assigned spaces detailed in the table below, there are 41 parallel parking spaces proposed on the internal road network servicing the subject site. Once these roads are constructed to provide access to Precincts 3 and 4, these on-street parking spaces will be available as surplus parking for the overall development – meaning that the total available parking spaces on the subject site will rise to 658, shortfall of 97 spaces.

The proponent has requested that due to the dual and complementary use of car parking within Precinct 2, reduced car parking within this Precinct should be supported. In this regard, dual use of parking spaces occurs when patrons of one component of a development also patronise another. For example, a proportion of staff and visitors to the proposed hospital and medical facility can also be expected to patronise the retail shops in Precinct 2. Not only will this reduce the parking requirements for the proposed medical facility, it also has the potential to reduce the traffic generating potential of visitors to the site. In addition, another form of dual use parking is that a proportion of residents in the

Precinct 3 and 4 residential flat buildings will be employees of the commercial uses on the site and the Orange Health Service public hospital. These residents will be allocated an on-site parking space within the residential precinct and will ultimately reduce the overall parking demand and traffic generation of the proposed development site.

Table 2: Council's DCP Car Parking Requirements and Proposed Car Parking

Land Use	GFA (sqm)	Employees / Staff	DCP parking requirements	Required Spaces	Proposed Spaces
Precinct 1 - Private Hospital					
Inpatient unit - 104 beds	n/a	30	1 space / 3 beds 1 space / 2 employees*	35 15	50
Other hospital services	n/a	100	1 space / 2 employees	50	51
Total				100	101
Precinct 2 – Medi-Motel, Health Facilities and Retail					
Retail	1,498	n/a	6.1 spaces / 100 sqm GFA	91	61
Restaurant (150 seats)	293	n/a	1 space / 10 sqm GFA or 1 space / 3 seats, whichever is greater	50	0
Health Facilities	n/a	24	2 spaces / 1 practitioners (incl. visitor space)	48	48
		10	1 space/2 employees	5	5
Motel	n/a	12	1 space/2 staff 1 space/manager	6 1	2 0
82 rooms	n/a	n/a	1 space/unit	82	70
90 seat restaurant	n/a	n/a	1 space/3 seats	30	0
function room	140	n/a	1 space/10 sqm GFA	14	0
Total				327	188
Precinct 3 – Community/Child Care and Residential					
100 place child care centre	n/a	n/a	1 space / 4 children	25	25
Residential – 59 x 2 bedroom units (indicative)	n/a	n/a	1.0 spaces/1 bedroom unit 1.2 spaces/2 bedroom unit 1.5 spaces/3 (or more) bedroom unit 0.2 visitor space/unit	71 12	71 12
Total				108	108
Precinct 4 - Residential					
Residential - 157 x 2 bedroom units (indicative)	n/a	n/a	1.0 spaces/1 bedroom unit 1.2 spaces/2 bedroom unit 1.5 spaces/3 (or more) bedroom unit 0.2 visitor space/unit	188 32	188 32
Total				220	220
TOTAL PARKING SPACES				755	617

* Whilst the rate for Hospitals is one space for each resident doctor and one space for every two visiting doctors or two employees, the rate of one space for two employees was adopted in the original assessment and considered reasonable given the potential for inflated demand given doctors may operate across the health facilities.

Complementary use of parking spaces occurs when the peak parking demand of one component of a development does not coincide with the peak parking demand of another. In this case, the peak parking demand of the restaurant or the function centre in the motel is at night after 6 pm, whereas the peak parking demand of the retail shops and health facilities in Precinct 2 is throughout the day.

Taking this into account, the proponent has sought to reduce the car parking for certain uses as follows:

- a reduction in the retail rate to 4.1 space / 100 sqm due to the nature of the retail uses being neighbourhood shops, which is provided to support the staff, visitors and residents within the site and the surrounding uses and is unlikely to attract the general public, resulting in reduced demand (from 91 spaces to 61 spaces);
- the car parking for motel rooms should be reduced from 82 to 70 as 12 'medical rooms' are proposed to be provided within the motel which would have bedridden patients;
- no car parking is proposed for the motel restaurant as users are likely to be motel guests and other workers and visitors of the other uses that already have assigned parking;
- no car parking is proposed for the motel function room which is only expected to operate at night and also be used by motel guests; and
- no car parking is proposed for the restaurant as it will only be operational at night and therefore can utilise parking provided for shops and health consulting rooms which are not operational at night. Patrons are also likely to be workers and visitors of the hospitals and the future residential population on the site that will have assigned parking.

The Department notes that the original assessment concluded that a reduced rate for the integrated land uses was acceptable and it was calculated based on the peak parking demand that would be generated by the development. This resulted in a shortfall of approximately 105 car spaces, which was primarily a reduction for the medical suites and motel associated uses, retail component and the restaurant components.

The Department has considered the assumptions and analysis of the car parking demand in the Traffic and Parking Assessment Report accompanying the modification applications and concludes that the proposed parking arrangements for the Orange Private Hospital development proposal are generally adequate and are unlikely to have unacceptable parking implications. The argument that the night time uses would be able to use the health facilities parking, which is generally a day-time operation, is acceptable. Whilst the Department considers that car parking should be provided for all the motel rooms and the manager and employees, the Department notes that the neighbourhood shops would not generate a demand for 61 car spaces and therefore some of the retail car parking can be assigned to the motel staff and rooms without a car park.

The Department considers that there is merit in the proponent's claims that car parking in Precinct 2 can have dual uses and that car parking provision can be reduced. In this regard, the Department has recommended a condition in the amended project approval for Precinct 2, restricting the use of the motel restaurant and function room to night time only unless additional car parking can be provided. The Department has also recommended a further condition detailing that at the conclusion of 12 months of operation of the Medi-Motel, a report by a qualified traffic and parking consultant is to be prepared and submitted to Orange City Council outlining the performance of car parking in Precinct 2. Should the report find that availability of parking spaces in the precinct is deficient at any time, measures are to be introduced (to Council's satisfaction) to address this deficiency.

The concept plan approval stipulates a rate for residential development and therefore no specific car parking provisions for Precincts 3 and 4 are approved as future applications should comply with the rates in the DCP. The Department notes that additional on-street car parking spaces will be delivered with the future residential stages.

Traffic and Vehicle Access

Traffic generation associated with the development is estimated to increase from 230 vehicle trips in the morning peak to 406 vehicle trips, and from 270 vehicle trips in the evening peak to 457 vehicle trips. The Traffic and Parking Assessment Report concludes that the additional traffic can be accommodated on the surrounding roads with the new approved four-way signalised intersection on Forest Road and a left-out exit where the former Finneran Road was located. The proposed signalised intersection would continue to operate at a good level of service (Level of Service B) as would the northern exit (formerly Finneran Road) with the increased traffic generated by the modified development.

RMS and Council raised no issues with the traffic to be generated or the proposed vehicle access arrangements.

The Department concludes that the construction of the proposed intersection works and contributions towards road infrastructure delivered by Council for the southern Orange region will ensure that the local roads will continue to operate at good levels of service. Therefore the additional traffic to be generated from the intensification of the uses in the modified project is acceptable.

Bus Stops

The proponent proposes to remove the approved bus zones from the proposal, including the bus stops identified in the Precinct 1 and 2 project approvals. The reconfigured street layout would not support the movement of buses through the site.

The development site is already serviced by bus Route 537, whereby buses currently operate on a daily basis between Orange city centre and the main entrance to the Orange Health Service public hospital. The subject site is within a comfortable walking distance of this bus stop and pedestrian access across Forest Road will be facilitated by the crossings provided in the new four-way signalised intersection.

Whilst it would be desirable for the site and additional housing to be serviced by the bus service, the Department considers the service provided to the Orange Health Service appropriate to cater for the Orange Private Hospital site also. This would also ensure that the bus stops to the health precinct are consolidated and reduce interruptions and ensure optimal journey times to encourage use of the bus service.

5.3 Social Impacts

The development of the Orange Private Hospital would support the adjacent public hospital and further strengthen the quality of health services in the region. The proponent considers the delivery of additional hospital beds, health facilities, neighbourhood shops and future housing is required to cater for needs of the locality. This particularly applies to: the future private and public hospital population; the seniors housing population currently under construction to the south; and the urban housing to be developed in the medium and long term to the south of Orange, as identified in the Sustainable Settlement Strategy.

The Department considers the modifications are appropriate for the site and that it would be in the public's interest for the Orange Private Hospital and ancillary health and associated facilities to proceed. The proposed additional neighbourhood shops, housing and health facilities will complement the surrounding uses. The modified concept plan would further support the public funding spent on delivery of the Orange Health Service redevelopment and strengthen the health precinct.

The proposal would result in the loss of seniors housing, hostel and the cancer care centre. The Department considers that the loss of the hostel is acceptable as the motel would provide adequate form of short term accommodation for patients and visitors for the broader health precinct. The loss of the cancer centre will be offset by the delivery of these services in the larger private hospital as well as additional emergency facilities, additional medical suites and hospital beds. Seniors housing is currently being constructed to the south of the site and therefore the removal of this element from the proposal is considered justifiable.

5.4 Heritage

The site is located opposite the heritage items on the Orange Health Service site. The increased scale of the development has the potential to impact on the significance of these items, in particular Precincts 1 and 2 which have frontages to Forest Road. However, the Orange Health Service site has been significantly redeveloped since the approval of the concept plan, including a large scale part two and part three storey institutional building which fronts Forest Road and is located opposite the subject site. The hospital building is of a similar scale to the proposed amended private hospital building.

The concept plan originally provided a 24 metre building setback to Forest Road to address heritage impacts. The building layout for Precinct 1 remains unchanged, with the proposed additional level located on the western wing at the rear of the hospital building, meaning that it would have a negligible impact on the significance of the heritage items.

The modification to the layout and configuration of the buildings in Precinct 2 has resulted in a reduced setback down to a minimum of 12 metres from the Forest Road boundary. However, as detailed above, the visual and special relationship between development in this precinct and heritage buildings within the public hospital campus is diminished due to recent redevelopment within the Orange Health Service site.

The Heritage Division of Office of Environment was notified of the proposed modifications and provided no comment.

The Department considers that the relocation of the car parking behind and around the building would improve the visual relationship between the site and the heritage items as the car parking would no longer dominate the streetscape. Further, the proposed development is compatible and comparable with the new development on the Orange Health Service site and would therefore be consistent with the revised context for the site.

The proposed modifications also seek to remove the approved video screen on the wall of the motel building facing the courtyard which was an interpretive element provided to recognise the historical use of the site. The proponent has advised that this measure has no significant value given the revised configuration of Precinct 2. It would no longer be suitable as there would be no suitable location for such a screen or viewing areas.

The Department notes the subject site is not a heritage listed site and that recording of the historical use and features of the site is required prior to demolition and interpretative signage installed. Accordingly, the proponent's deletion of this measure is considered acceptable.

5.5 Development Contributions

No section 94 or 94A contribution plan was applicable to the site at the time the concept plan was approved. The Minister for Planning is able to identify a relevant contribution having had regard to any relevant contributions plan. Conditions in the project approvals required the payment of contributions for water and sewerage works. The proposed

modifications would intensify the development on the subject site and therefore increase demand on Council's infrastructure. The proponent had also committed to payment of contributions towards the Southern Ring Road which would have to be brought forward given the urban development occurring within the precinct.

The proponent proposes to modify the conditions relating the water and sewerage charges which currently provides for a specific rate or amount to be negotiated with Council. The contributions for water and sewerage charges are determined under the *Water Management Act 2000*. Council has also advised that it is currently in discussions with the proponent regarding the works and timing of payment of contributions. Accordingly, the Department considers that this matter should be resolved between the proponent and Council and has amended the relevant project approval conditions to require that this occurs.

In regard to contributions for the Southern Distributor Road, the Department notes that the amount was not calculated based on the traffic being generated. The contribution was a figure negotiated between the parties to facilitate the early delivery of the Southern Distributor Road, therefore the increased intensity of the development should not affect this contribution requirement.

6. CONCLUSION AND RECOMMENDATION

6.1 Conclusion

The Department has considered the key issues associated with the requested modifications to concept plan approval (MP 07_0072) and the project approvals (MP 08_0232 and MP 08_0233). The proposed modifications are considered acceptable and the built form is comparable to scale of the development originally approved and will promote the development of a health precinct around the recently upgraded Orange Health Service public hospital.

The Department has recommended additional future assessment requirements to guide future built form within the residential precincts and revised conditions regarding development contributions and limiting the use of the motel function room and restaurant to night time operations to manage car parking demand for the project approvals. The Department therefore recommends the modified concept plan and project approvals be approved.

6.2 Recommendation


It is recommended that the Secretary:

- a) **consider** the findings and recommendations of this report;
- b) **approve** the modifications, under section 75W of the *Environmental Planning and Assessment Act, 1979*, and;
- c) **sign** the attached instruments of modification approval (**Appendix C**).

Endorsed by:



David Gibson
Team Leader
Key Sites

 21.10.14

Chris Wilson
Executive Director
Infrastructure and Industry Assessments