



Planning &  
Environment

**Orange Private Hospital Campus Concept  
Plan (MP 07\_0072 MOD 2)  
Precinct 1 and Precinct 2 Project Approvals  
(MP 08\_0232 MOD 2 and MP 08\_0233 MOD 2)**



Assessment Report  
Section 75W of the  
*Environmental Planning and Assessment Act 1979*

November 2017

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# 1. BACKGROUND

## 1.1 Introduction

This report is an assessment of three concurrent requests to modify the concept plan approval for the Orange Private Hospital Campus (MP 07\_0072) and project approvals for Precinct 1 (MP 08\_0232) and Precinct 2 (MP 08\_0233).

The applications have been lodged by James Richmark Pty Ltd (the Proponent) pursuant to section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and seek approval to re-configure the site layout of the concept plan and amend the design of the approved private hospital, health facility buildings and ancillary retail buildings within Precincts 1 and 2.

## 1.2 Site Context

The subject site is located at Lot 1 DP 549856 and public roads known as Finneran Road (Lot 100 DP1147525) and Kemp Road (Lot 101 DP1147525). The project location is shown in **Figure 1**, noting that Orange Health Service (public hospital) is located directly opposite the subject site. The Orange Private Hospital Campus has a primary frontage to Forest Road and is located approximately 3.5 km to the south of the Orange Central Business District.



Figure 1: Project location (Base source: nearmap)

### 1.3 Approval Details

On 23 November 2008, the then Minister for Planning granted concept plan approval for the framework for the development of the Orange Private Hospital Campus. The Orange Private Hospital Campus concept plan seeks to create a 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 concept plan approval comprises four specific precincts, being: a Private Hospital Precinct (private hospital); Medi-Motel Precinct (hotel, gymnasium, rehabilitation rooms and ancillary retail services); Residential Precinct (mix of townhouses, apartments, courtyard homes and seniors living); and Hostel Precinct (lodge/hostel short-stay accommodation for patients and families of patients, childcare facilities and cancer care centre). Project approvals for the construction of Precinct 1 - Hospital Precinct (MP 08\_0232) and Precinct 2 – Medi-Motel (MP 08\_0233) were issued concurrently with the concept plan approval.

The concept plan approval established a scale of development and built form for the site consistent with Council's Sustainable Settlement Strategy, which envisaged converting the site to urban residential in the medium to long term. The concept plan guides development of the site. The Department notes that no floor space or height controls are prescribed in Orange Local Environmental Plan 2011 (LEP).

On 23 October 2014, the Secretary, as delegate of the Minister for Planning, approved modifications to the concept plan and the accompanying project approvals for Precincts 1 and 2 (see **Figures 2 to 4**). The modifications responded to changes to the surrounding context as the public hospital had been commissioned and an aged care and retirement facility had been developed on the site to the south of the subject land. The modifications increased the scale of the approved development and varied the land uses across the site.

The modifications to the concept plan approval (MP 07\_0072 MOD 1) comprised:

- additional floor space for more private hospital beds and other medical facilities
- increased floor space for health services and consulting rooms
- increased retail floor space to enable additional neighbourhood scale shops
- increased residential accommodation
- reconfigured precinct layouts
- increased and reconfigured car parking (from the 487 spaces to 617 car spaces)
- modification to the staging of the project
- removal of the hostel, cancer care centre and seniors housing components of the development
- removal of the bus zones.

The modifications to Precinct 1 (formerly Private Hospital Precinct) project approval (MP 08\_0232 MOD 1) comprised:

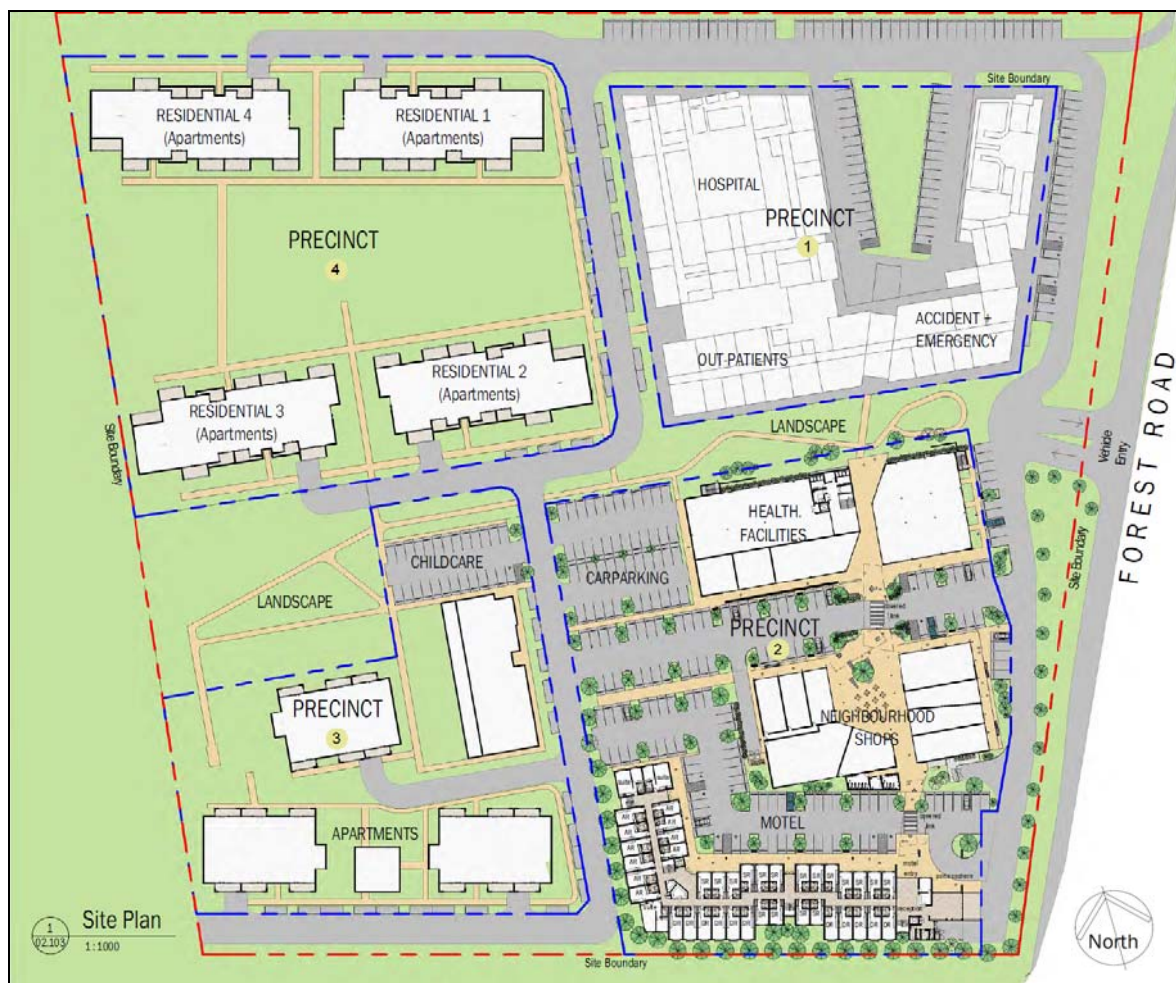
- increased gross floor area (GFA) from a maximum of 10,350 sqm to 14,000 sqm
- increased hospital beds from 52 to 104
- an additional level to the western wing of the hospital, increasing the maximum building height from 12 metres to 16 metres
- reconfigured layout
- provision of an accident and emergency facility
- reduction in car parking spaces from 149 to 101
- deletion of internal bus zones.



The modifications to Precinct 2 (formerly Medi-Motel Precinct) project approval (MP 08\_0233 MOD 1) comprised:

- consolidation of health facilities, retail and motel uses within the precinct and subsequent increased GFA from a maximum of from 5,586 sqm to 10,000 sqm
- reconfigured motel building, including an increase in size to accommodate an additional two rooms and a function area
- separation of medical suites and rehabilitation areas from the motel complex in a new health facilities building
- enlarged separated retail building
- increase in car parking spaces from 134 to 188
- the removal of the gymnasium component
- deletion of internal bus zones.

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



**Figure 2: Approved modified concept plan layout (Base source: TVSarchitects)**



**Figure 3: Approved modified Precinct 1 (Private Hospital) project layout (Base source: TVSarchitects)**



**Figure 4: Approved modified Precinct 2 (Medi-Motel) project layout (Base source: TVSarchitects)**

## 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, comprising: reconfiguration of the layout of the buildings within the precincts; an increase in the height of the hospital building; an increase in car parking across the campus from 617 spaces to 785 spaces; reconfiguration of the road layout; associated modifications to infrastructure and landscaping works; and modified staging for delivery of the uses. The key parameters and proposed modifications to the precincts is outlined in **Tables 1** and **2**. No changes are proposed for the development parameters for Precincts 3 and 4 except changes to the layout. The proposed changes are illustrated in **Figures 5** to **7**.

**Table 1: Key development parameters**

	Approved	Proposed
<b>Precinct 1</b> (formerly Private Hospital Precinct – north-east quadrant)		
Use	Private hospital	Ancillary retail and allied health
Components	Construction and operation of 104 bed hospital building with in-patient, operating, pathology, cancer-care and pharmacy facilities, medical consultation suites Construction of stormwater, infrastructure works, road improvements and landscaping	Construction of 12 retail/restaurant premises Construction of 3 premises for allied health Construction of stormwater, infrastructure works, road improvements and landscaping
Concept Plan GFA	14,000 sqm	5,500 sqm
Project Approval GFA	12,620 sqm	5,313 sqm
Height	4 storeys (16 m)	Single storey (up to 10 m)
Car parking	101 spaces	214 spaces (excl. 32 space overflow carpark)
<b>Precinct 2</b> (formerly Medi-Motel Precinct – south-east quadrant)		
Use	Motel, retail complex and allied health	Motel and private hospital
Components	Construction of a new Medi-Motel with 82 rooms Construction and use of ancillary retail premises (florist, café/restaurant and newsagent) Construction of stormwater, infrastructure works, road improvements and landscaping	Construction of hospital building with vacant tenancies Construction of a new Medi-Motel with 82 rooms Construction of stormwater, infrastructure works, road improvements and landscaping
Concept Plan GFA	10,000 sqm	19,000 sqm
Project Approval GFA	9,739 sqm	17,070 sqm
Height	2 storeys (8 m)	6 storey hospital building (26 m) 2 storeys medi-motel (9.1 m)
Car parking	188 spaces	243 spaces



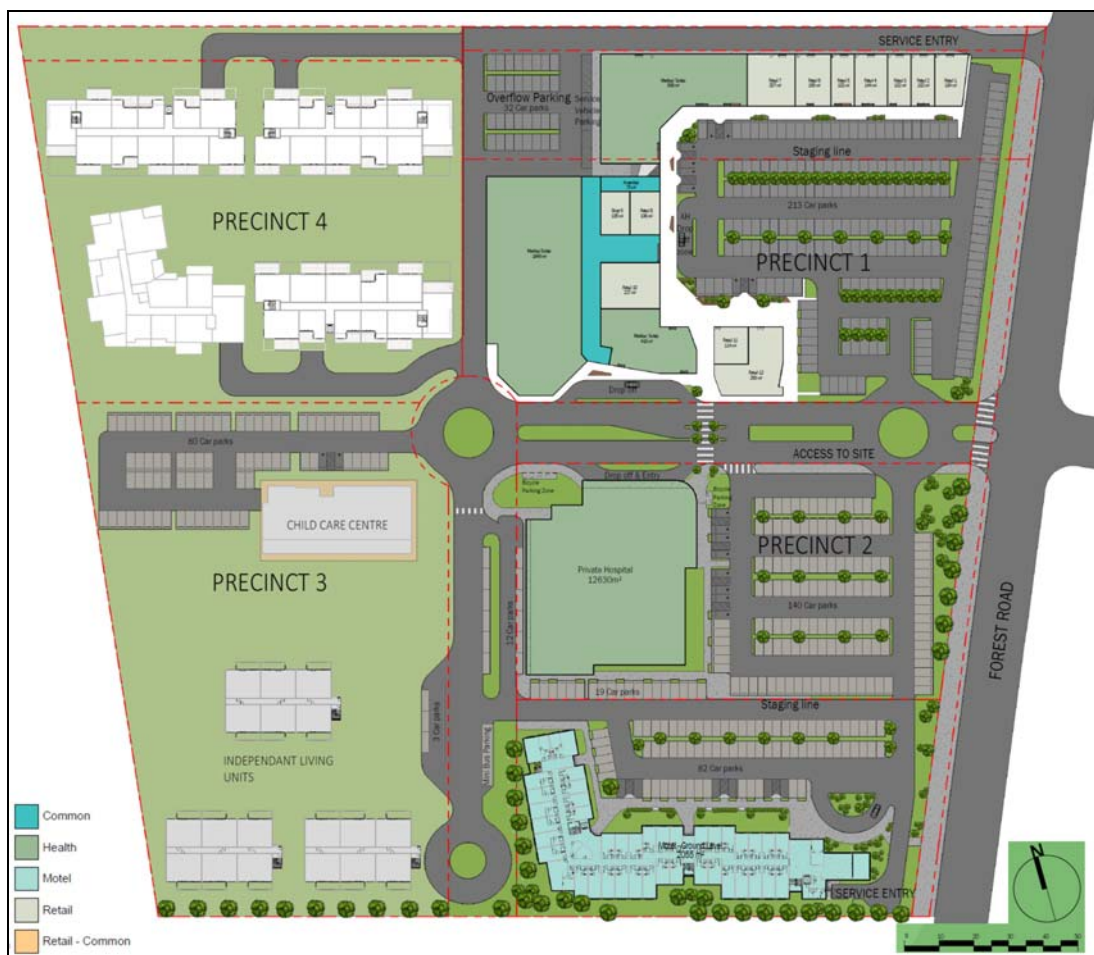
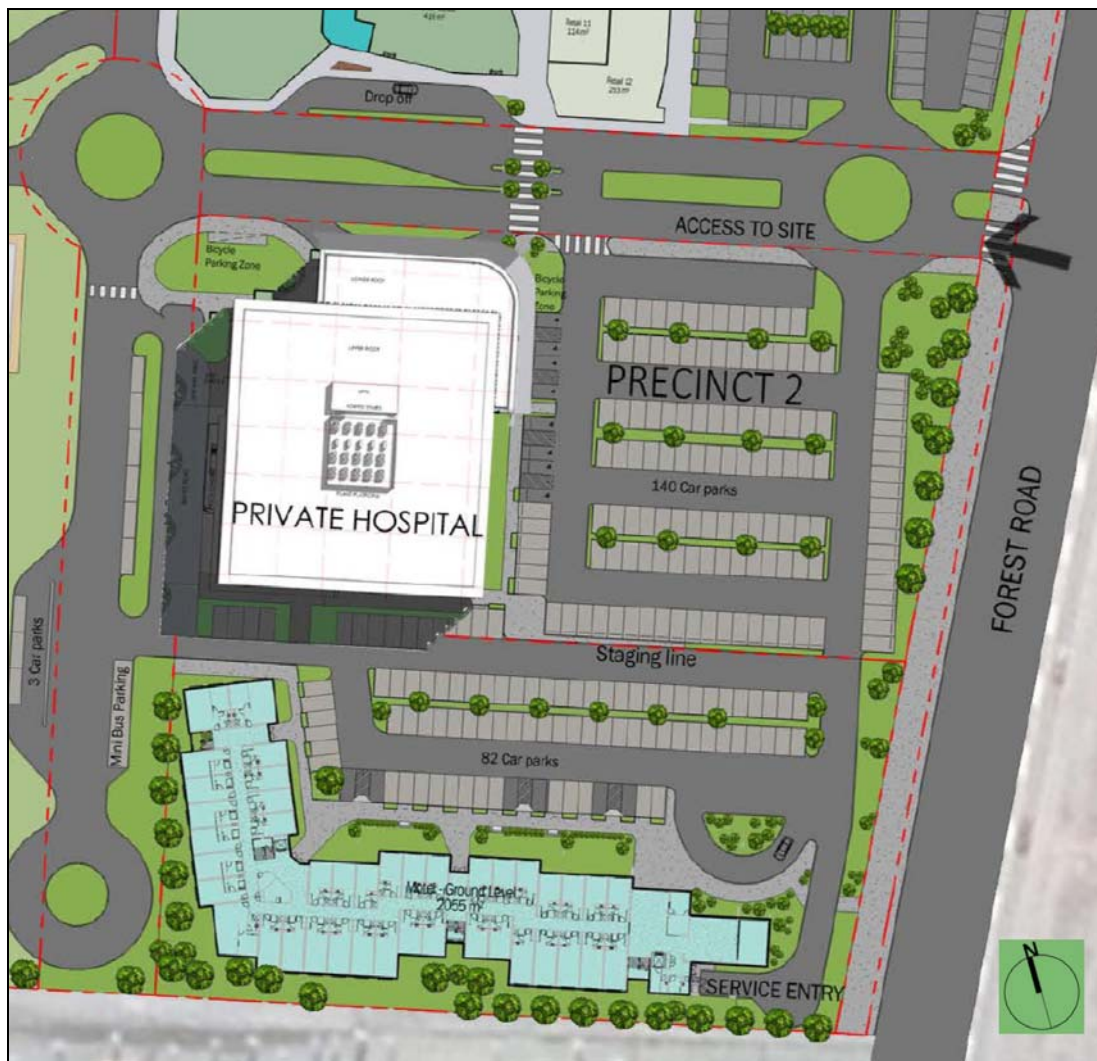


Figure 5: Proposed amended concept plan layout (Base source: TVSarchitects)



Figure 6: Proposed amended Precinct 1 project layout (Base source: TVSarchitects)





**Figure 7: Proposed amended Precinct 2 project layout (Base source: TVSarchitects)**

The Department notes the proposed modifications originally sought approval for two additional vehicle access points within Precinct 2 to separate service vehicles and guests of the motel development from the remainder of general traffic accessing the site from the main signalled intersection. The modifications also proposed to convert the northern vehicle access point from exit left-only to an unrestricted access point. However, the Proponent has advised that approval for these components is no longer sought.

## 2.2 Justification for Modifications

The Proponent is seeking to modify the concept plan and project approvals to provide a more compact footprint for the hospital building and a more efficient layout. The modifications are also sought to provide more flexibility by providing shell floorspace instead of prescribing specified uses for the hospital building, thereby attracting more potential operators for the future hospital.

The overall layout of the campus has also been modified to provide a more logical layout, with more direct vehicle access to all precincts from the main entrance to the site and greater functional relationships by situating the hospital building closer to the medi-motel facilities.

### 3. STATUTORY CONTEXT

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#### 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 that must be substantially complied with before the matter will be considered by the Minister. Environmental Assessment Requirements were not issued for these applications as the Proponent has addressed the key issues in the applications.

#### 3.3 Delegated Authority

Under the Minister's Delegation dated 11 October 2017, the Director, Social and Other Infrastructure Assessments, can determine the three modification applications as: Council has not objected to the proposals; a political disclosure statement has not been made for these applications; and no public submissions were received objecting to the proposals.

### 4. CONSULTATION AND SUBMISSIONS

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#### 4.1 Exhibition

Under section 75X(2)(f) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), the Secretary is required to make the three modification requests publicly available. The Department:

- publicly exhibited them from 8 June 2017 until 22 June 2017 (15 days):
  - on the Department's website
  - at NSW Service Centres and Orange City Council's offices
- advertised the public exhibition in the Central Western Daily on 7 June 2017
- notified adjoining landholders and relevant State and local government authorities in writing.

#### 4.2 Submissions

The Department received submissions from Orange City Council (Council), Roads and Maritime Services (RMS), Transport for NSW (TNSW), Office of Environment and Heritage (OEH), Heritage Division of OEH and the Department of Primary Industries (DPI). No objections were raised regarding the proposed modifications, however, RMS raised concern with the proposed two additional vehicle access points from Forest Road and unrestricted northern vehicle access. The modified vehicle access arrangements would potentially impact road safety given the proximity to the new signalised intersection to be located centrally on the site frontage. Council advised that the Proponent has agreed to remove the additional vehicle access points as a result of further consultation with Council and it was supportive of the overall proposal.

Council, DPI, Transport for NSW and RMS also provided recommended conditions and maintains that previously advised requirements relating to stormwater management, site access arrangements, parking and erosion and sediment control are still relevant. Transport for NSW also recommended that discussions regarding a potential bus service to the site should continue as it would reduce pedestrian movements on Forest Road and details regarding bike parking should be provided at the relevant stages.

#### 4.3 Response to Submissions

The Applicant provided a Response to Submissions, which included modifications to the layout to remove the additional vehicle access points located within Precinct 2 and reverse changes proposed for the restricted vehicle access to Forest Road at the northern end of Precinct 1. Whilst the plans illustrate a service vehicle entry, RMS have requested that it be restricted to a service vehicle exit only. The Applicant has subsequently advised that this arrangement would be acceptable. The reconfigured road layout also resulted in the removal of 13 car parking spaces in Precinct 1.

## 5. ASSESSMENT

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

### 5.1 Built form and layout

#### Concept Plan

The built form identified in the concept plan approval for Precincts 1 and 2 corresponds with the detailed design in the project approvals. Indicative building layouts only are provided for Precincts 3 and 4 (refer to **Figure 2**). The consideration of the built form changes to Precincts 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 concept plan provided maximum floor space controls as identified in **Table 1**.

**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	14,000	5,500	4 storeys (16 m)	Single storey (10 m)
2	10,000	19,000	2 storeys (8.5 m)	6 storeys (26 m)
3	7,500	7,500	5 storeys	5 storeys
4	17,000	17,000	5 storeys	5 storeys
<b>Total</b>	<b>48,500</b>	<b>49,000</b>		

The Proponent is seeking to alter the built form and building layout within all precincts, and proposes a marginal increase of 500 sqm in total floorspace. The additional floorspace is sought for Precincts 1 and 2 where the distribution of floorspace has been modified due to the redistribution of uses within these precincts. Building height increases are also proposed in Precinct 2 whilst building heights for Precinct 1 are being reduced due to the relocation of the hospital building to Precinct 2 (see **Table 1** for a comparison of approved and proposed GFA and height). No changes to height are proposed for Precincts 3 and 4.

Council raised no issue with the proposed modifications.

The Department notes that the reconfiguration of the precincts and road layouts has resulted in a smaller Precinct 4, which has resulted in a greater site coverage and reduced separation between the building envelopes. Future development of this precinct would be subject to further development application(s) for this precinct and continue to be guided by



Council's relevant codes and policies for residential development and the State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development, which are identified as relevant considerations in the terms of approval of the concept plan for future development.

The Department considers the revised layout provides a more legible and permeable campus and positions the lower scale retail and health facilities to the north and motel facilities to the south, which ensures an appropriate transition and buffer from the taller components of the campus development to the surrounding land.

The Department is therefore supportive of the proposed amendments to the building envelopes and reconfigured layout for Precincts 3 and 4.

### Precincts 1 and 2 (Project Approvals)

The bulk and scale of development in Precinct 1 would be reduced due to the removal of the private hospital and introduction of the single storey allied health and retail buildings being relocated to this precinct (shown in **Figures 8** and **9**). The bulk and scale of these facilities remain generally consistent with the approved design as the reconfigured buildings continue to maintain the same building heights (with only a marginal increase in total floorspace for the retail and allied health components of 15 sqm). The layout has been modified and the proposed Precinct 1 built form replicates the linear built form of the approved motel development along the southern boundary providing two defined edges to the campus in Precincts 1 and 2.

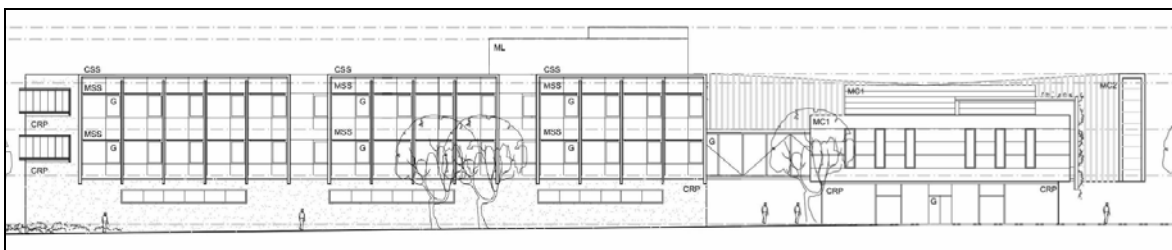


**Figure 8: Proposed northern elevation of the health and retail facilities (Precinct 1) (Source: TVSarchitects)**

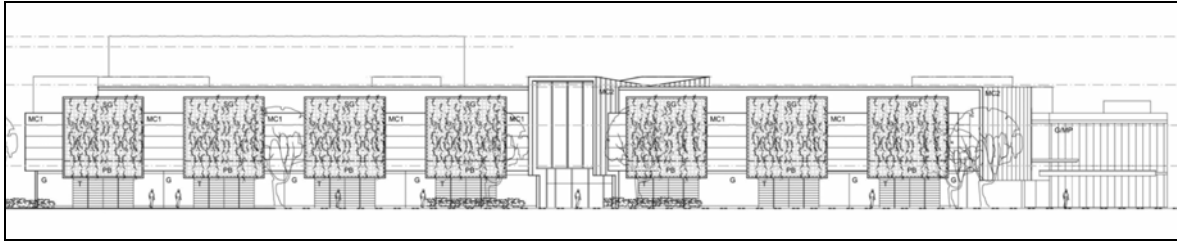


**Figure 9: Proposed eastern elevation of the health and retail facilities (Precinct 1) (Source: TVSarchitects)**

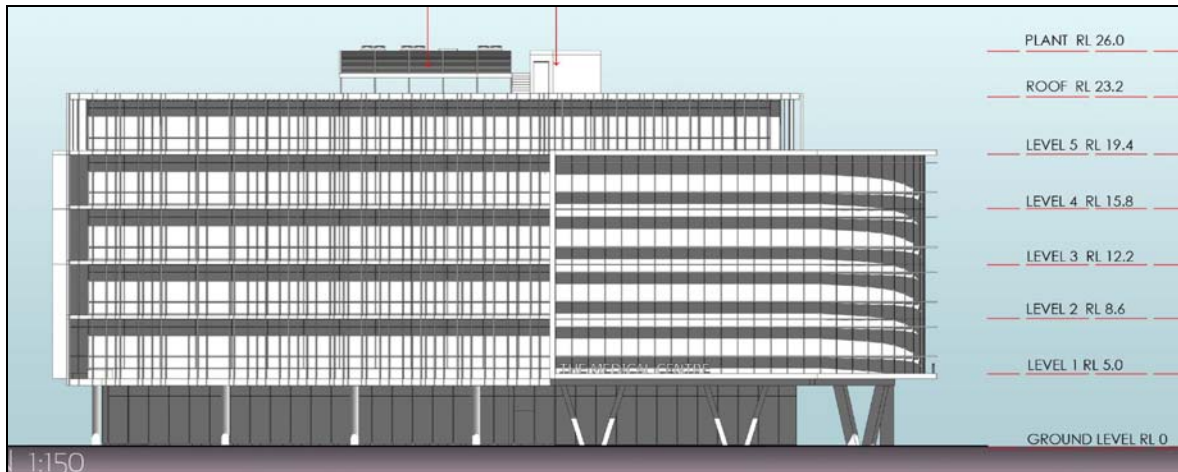
The Proponent is seeking to increase the bulk of the development primarily across Precinct 2 by modifying the design of the hospital building from a lower style building (shown in **Figures 10** and **11**) to a compact taller six storey rectangular hospital building (shown in **Figures 12** and **13**). This consists of a 10 metre height increase to the private hospital building from 16 metres to 26 metres. The proposed quantum of floorspace would remain unchanged but would comprise shell space instead of designated functions to provide greater flexibility and would be subject to a future application for the fit-out.



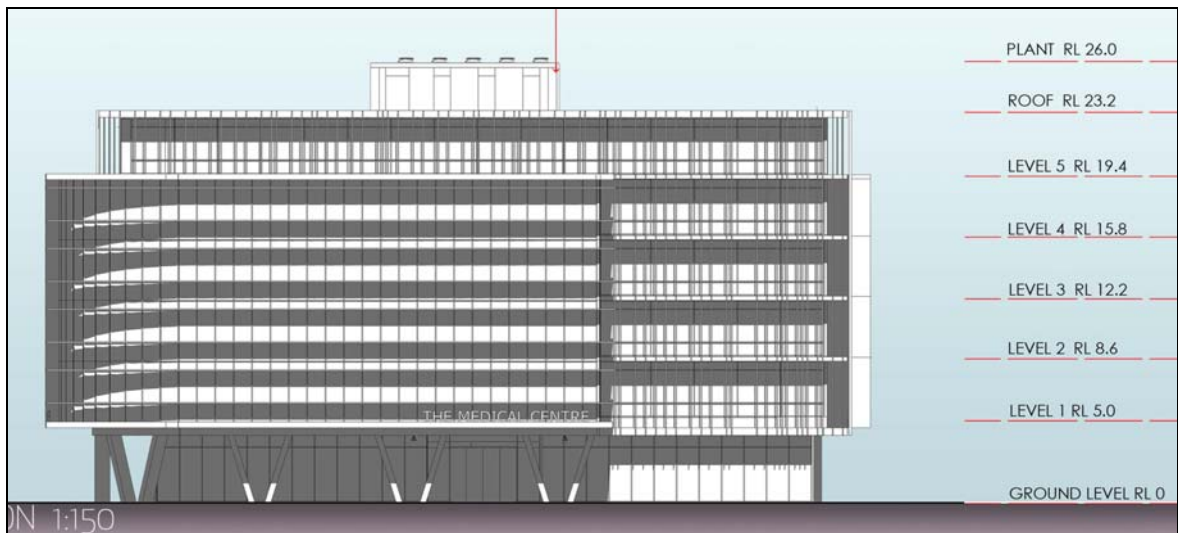
**Figure 10: Approved western elevation of the hospital (Source: TVSarchitects)**



**Figure 11: Approved southern elevation of the hospital (Source: TVSarchitects)**



**Figure 12: Proposed eastern elevation of the hospital (Precinct 2) (Source: Leffler Simes Architects)**



**Figure 13: Proposed northern elevation of the hospital (Precinct 2) (Source: Leffler Simes Architects)**

The Proponent has provided the following justification for the proposed increase in height for the hospital building:

- the modified height of the private hospital building is required to establish the landmark building and provide a more efficient floorplate for hospital uses
- the modified proposal would still deliver modern and contemporary buildings of a similar scale to the approved buildings
- the tallest private hospital building is generously setback from the State listed heritage items located within the Orange Health Service site
- the generous setbacks across the campus would be supported by substantial landscaping

- the visual impacts are satisfactory as the increased height is more effective in establishing view corridors through the site to Mt Canobolas and the Orange hinterland to the west than the previous expansive hospital layout.

Council raised no issue with the proposed built form modifications.

The Department considers the impacts in relation the reconfigured layout and redesigned buildings within Precinct 2 acceptable as:

- the tallest form of the hospital building has been situated centrally on the campus and located away from the main road and separated from State heritage items (located to the east of the site along Forest Road)
- the proposed height of the hospital building would be comparable with the approved building envelopes for the future residential development within Precincts 3 and 4
- the more compact hospital building provides a more efficient design that is consistent with institutional buildings and the increased height is reasonable for the hospital use
- the articulation and modulation of the hospital building provides visual interest as well as minimising the visual massing of the proposal
- the modern and contemporary designs of the buildings within Precincts 1 and 2 are compatible with the recent development surrounding the site and emerging urban character for the area, including the development on the Orange Health Service site (see **Figure 14**) and the larger scale seniors housing building to the south (see **Figure 15**)
- the segregation of three distinctive built form components within Precincts 1 and 2 minimises the massing of the development compared to the approved expansive low-scale development
- whilst the concept plan is being increased by 500 sqm, the additional floorspace for Precincts 1 and 2 within the detailed designs for the proposed modified projects is 84 sqm
- the revised design and separation between the built form components would improve views and permeability through the site, including maintaining vistas to Mt Canobolas to the west
- the materials and finishes would continue to comprise natural materials and a colour palette that reflects the landscape, which would 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 14: Orange Health Service main building and front entrance (Source: DPE)**





**Figure 15: Seniors housing development to the south of the subject site (Source: DPE)**

The Department is therefore supportive of the proposed amendments to built form and reconfigured layout for Precincts 1 and 2.

## 5.2 Traffic and car parking impacts

### Car Parking

The Proponent is seeking to provide additional car parking in the concept plan generally in accordance with the Orange Development Control Plan 2004 (DCP) car parking requirements. The car parking proposed for the site has increased from a total of 289 car spaces for Precincts 1 and 2 to 457 car spaces. The Traffic and Parking Assessment Report however still maintains that the car parking for the restaurant and function room for the motel would not need separate parking as these facilities would predominantly be used by either motel guests or other visitors during the evening / night where sufficient parking would be provided within the campus to support these facilities.

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.

**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
<b>Precinct 1</b>					
Retail	1,498	n/a	6.1 spaces / 100 sqm GFA	91	91
Restaurant (150 seats)	293	n/a	1 space / 10 sqm GFA or 1 space / 3 seats, whichever is greater	50	50
Health Facilities	n/a	24	2 spaces / 1 practitioners (incl. visitor space) 1 space/2 employees	48	73
<b>Total</b>				<b>189</b>	<b>214</b>
<b>Precinct 2</b>					
Hospital 104 beds Staff	n/a n/a	n/a 130	1 space / 3 beds 1 space / 2 employees*	35 65	161
Motel  82 rooms	n/a n/a	12 n/a	1 space/2 staff 1 space/manager 1 space/unit	6 1 82	82
90 seat restaurant function room	n/a 140	n/a n/a	1 space/3 seats 1 space/10 sqm GFA	30 14	
<b>Total</b>				<b>233</b>	<b>243</b>

Land Use	GFA (sqm)	Employees / Staff	DCP parking requirements	Required Spaces	Proposed Spaces
<b>Precinct 3</b>					
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	83
<b>Total</b>				<b>108</b>	<b>108</b>
<b>Precinct 4</b>					
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
<b>Total</b>				<b>220</b>	<b>220</b>
<b>TOTAL PARKING SPACES</b>				<b>750</b>	<b>785</b>

\* 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.

In addition to the assigned spaces detailed in the table above, there are 32 parking spaces identified in an overflow carpark for Precinct 1 (refer to **Figure 5**). These parking spaces would be available as surplus parking for the overall development – meaning that the total available parking spaces on the subject site would rise to 817 car spaces, which exceeds that required under the DCP by 67 spaces.

The modified concept plan would meet the overall car parking requirements however the car parking provision for the motel component of the development would remain lower than that prescribed in the DCP. The Proponent contends:

- the car parking for motel rooms should be reduced as 12 'medical rooms' are proposed to be provided within the motel which would have bedridden patients
- no car parking is proposed specifically 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 and
- no car parking is proposed specifically for the motel function room which is only expected to operate at night and also to be used by motel guests.

The Department previously concluded that a reduced rate for the integrated land uses was acceptable but restricted the use of the motel restaurant and function room to after 5 pm. The car parking for the motel use has been increased from 72 to 82 spaces and car parking proposed for all other components of the concept proposal meet or exceed the car parking requirements in the DCP.

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 Department is satisfied that the motel facilities would be predominantly used by motel guests or existing visitors/occupants within the health precinct where parking is already provided. Furthermore, the overall supply of car parking exceeds the DCP requirements and would therefore offset any potential extra demand generated by the ancillary motel facilities. The Department supports the increased parking supply as the site is an out-of-town destination and people are likely to drive given the infrequent bus service.

Due to the proposed increase in on-site parking provision, the Department also recommends that the conditions restricting the use of the motel restaurant and function room to night time only and monitoring to confirm that car parking associated with the motel facilities is not deficient be deleted. However, to ensure parking is available at all times for patrons and visitors of the motel, a condition has been recommended to limit the number of car parking spaces that can be allocated to the hospital to 100.

The concept plan approval stipulates a car parking rate for residential development. The Proponent has indicated that car parking provisions for Precincts 3 and 4 would be delivered to meet these requirements. As the detailed design of these precincts and eventual dwelling mix are subject of future applications, no specific car parking provisions are approved for these precincts. Car parking supply would need to be addressed in future applications and should comply with the rates in the DCP, which are reinforced in the terms of approval of the concept plan.

### **Vehicle access arrangements**

The proposed modifications originally sought to introduce two additional vehicle access points along Forest Road within Precinct 2 and reconfigure the internal road layout. Upon further consultation with Council and RMS, the Proponent resolved to remove these additional access points. The Proponent no longer seeks to modify the vehicle access arrangements from Forest Road but proposes changes to the internal road network to provide more direct access to all precincts from the new four way signalised intersection and provide designated service areas.

RMS has requested that adequate signage be installed to ensure the identified service entry at the north of Precinct 1 (where the former Finneran Road was located) be restricted to service vehicles exiting only as previously approved. RMS has recommended conditions to this effect.

The Department considers the reconfigured road layout would significantly improve vehicle and pedestrian permeability. The Department concludes that the proposed modifications would not result in any significant changes to traffic generation as there would be no intensification of development of the campus. The previously approved signalised intersection and restricted northern vehicle access would continue to be sufficient to cater for the needs of the development and operate at a satisfactory level of service (as previously assessed). The Department has incorporated the RMS conditions in the recommended modifying instrument.

### **Bus stops**

The development site is serviced by bus Route 537 and Transport for NSW have requested that discussions continue regarding potential diversion of the bus through the site. The 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 would be facilitated by the crossings provided in the new four way signalised intersection.

Whilst the site would benefit from this adjustment to the bus service, the Department considers the existing service provided to the Orange Health Service site would be adequate to cater for the Orange Private Hospital site. This would ensure that the bus stops to the health precinct are consolidated, service interruptions would be reduced and journey times would be optimised to encourage use of the bus service.



### 5.3 Heritage

The site is located opposite the State listed heritage items on the Orange Health Service site. The concept plan originally provided a 24 metre building setback to Forest Road to address heritage impacts. The proposed modifications, particularly the increased bulk of the hospital building, has the potential to impact on the significance of these items given Precincts 1 and 2 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 previously approved modifications reduced the building setback to Forest Road. The subject modifications re-instate a generous building setback to Forest Road except for two minor protrusions at northern and southern ends of the Forest Road frontage where approximately 20 metre setbacks would be provided.

The Heritage Division of Office of Environment and Heritage raised no concerns with the proposed amendments.

The Department considers the modifications would have minimal impacts as:

- the visual relationship between development in this precinct and the significant heritage items has been diminished due to the redevelopment of the Orange Health Service site
- the proposed taller and compact modern institutional building for the private hospital building is of a comparable scale to the recent development on the Orange Health Service site and is setback approximately 80 metres from Forest Road
- a transition in height from west to east is provided with single and two storey development located closest to the Forest Road frontage and opposite the Orange Health Service site.

### 5.4 Development Contributions

The concept plan approval and project approvals include terms of approval and conditions requiring: payment of water and sewer contributions for Precincts 1 and 2; contributions to Southern Distributor Road upgrade; and requirements to construct a four-way signalised intersection. The Proponent has voluntarily offered to enter into a Planning Agreement (PA) with Council to address matters relating to development contributions and infrastructure works required to facilitate the development.

The PA would include the following as per the Proponent's letter of offer, dated 31 October 2017:

- a monetary contribution towards the construction of the signalised intersection on Forest Road, which is being delivered by Council as part of Forest Road upgrade works being undertaken by Council
- payment schedule for payment of the above contribution in-lieu of construction of the intersection upgrade
- water and sewerage contributions for all precincts based on an agreed contribution rate
- prescribed timeframe for payment of the water and sewerage contributions (prior to occupation of the relevant stage of development)
- mechanism to vary the water and sewerage contributions based on a variation to demand.

The offer to enter into a PA as detailed in the letter dated 31 October 2017 is supported by Council.

Accordingly, the Department recommends that the terms of approval and conditions of approval relating to contributions and infrastructure works be deleted and replaced with a

condition requiring a Planning Agreement to be executed with Council in accordance with the letter of offer dated 27 October 2017 prior to the issue of any construction certificate for any development within the site. The Department has also included a future assessment requirement requiring future applications for Precincts 3 and 4 to address the PA.

## 6. CONCLUSION AND RECOMMENDATION

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### 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 as the built form is comparable to the scale of the development originally approved and would promote the development of a health precinct around the recently upgraded Orange Health Service public hospital.

The Department has recommended additional conditions requiring implementation of vehicle access arrangements to ensure road safety, restricting the allocation of car spaces to the private hospital to ensure adequate parking is available for motel patrons / visitors, deletion of conditions limiting the use of the motel function room and restaurant as sufficient car parking has been provided for the campus and deletion of conditions relating to payment of contribution and replacement with a requirement to enter into a Planning Agreement in accordance with the offer made by the Proponent. The Department therefore recommends the proposed modifications to the concept plan and project approvals be approved.

### 6.2 Recommendation

It is recommended that the Director, Social and Other Infrastructure Assessments, as delegate for the Minister for Planning:

- consider the findings and recommendations of this report
- determine that the applications fall within the scope of section 75W of the EP&A Act
- approve the modification applications MP 07\_0072 MOD 2, MP 08\_0232 and MP 08\_0233, subject to revised modifications and conditions
- sign the notices of modification (Appendix C).

Prepared by:



Megan Fu  
Senior Planner  
Social Infrastructure Assessments

Recommended by:



David Gibson  
Team Leader  
Social Infrastructure Assessments

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### Decision

Approved by:

  
15/11/17

Karen Harragon  
Director  
Social and Other Infrastructure Assessments  
as delegate of the Minister for Planning

## **APPENDIX A      MODIFICATION REQUESTS**

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See the Department's website at

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=2884](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=2884)

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=8496](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8496)

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=8497](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8497)

## **APPENDIX B      SUBMISSIONS**

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See the Department's website at

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=2884](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=2884)

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=8496](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8496)

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=8497](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8497)



## **APPENDIX C    RECOMMENDED MODIFYING INSTRUMENTS**

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