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Explanation of Intended Effect

Proposed State Environmental Planning Policy – Shoalhaven District Memorial Hospital

September 2022



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Published by NSW Department of Planning and Environment

dpie.nsw.gov.au

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First published: September 2022

Department reference number: EF22/1024

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Part 1 – Executive summary

This Explanation of the Intended Effect has been prepared for the purposes of section 3.30 of the Environmental Planning and Assessment Act 1979 (EP&A Act), to explain the intended effect of proposed State Environmental Planning Policy – Shoalhaven Hospital.

In November 2018, the NSW Government announced plans for a \$438 million expansion of the Shoalhaven District Memorial Hospital to create a state-of-the-art health facility.

The expansion will meet the additional demand for health care services created by the growing population of the Illawarra-Shoalhaven region, as well as providing new services to enhance the capability of the hospital. It is envisaged to include new general and specialist medical services including a cardiology unit, and mental health and aged care wards.

The expanded hospital facilities are proposed to be located on land occupied by the Shoalhaven Community pre-school and the former Nowra Park (herein referred to as the site). The pre-school has historically been part of the hospital campus and the former Nowra Park land was acquired by the NSW Health Administration Corporation in November 2021.

NSW Health Administration Corporation was able to acquire the former Nowra Park as it was found to be surplus to Shoalhaven City Council's requirements. Council's Community Infrastructure Strategic Plan 2017-2036 identifies that public open space provision within the local government area exceeds commonly accepted recreation planning standards.

Proposed State Environmental Planning Policy – Shoalhaven hospital seeks to rezone the site from RE1 – Public Recreation and SP2 – Infrastructure (Educational Establishment) to SP2 – Infrastructure (Health Services Facility). This change would make hospitals a permissible land use.

An area of land at the southern end of the site adjoining North Street is also proposed to be rezoned from RE1 – Public Recreation to SP2 – Infrastructure (Centre-Based Child Care Facility). This will facilitate relocation of the Shoalhaven Community preschool as part of the redevelopment.

A State Significant Development application that seeks approval for the proposed hospital building has been lodged and will be assessed concurrently.

Community information sessions were held in March and April 2022. The sessions were held at Nowra, Berry, Ulladulla and Vincentia and included concept designs.

This Explanation of Intended Effect details the proposed changes to the planning control framework.

Part 2 – Planning context

The site is generally referred to as the Shoalhaven District Memorial Hospital. It includes the Shoalhaven Community Preschool, and the former Nowra Park. The former Nowra Park land was acquired by the NSW Health Administration Corporation (HAC) in November 2021 and its former designation as a Crown Land Reserve was extinguished. HAC will also acquire the lot on which the Shoalhaven Community Preschool is currently located.

The sites are formally referred to as follows:

	Shoalhaven District Memorial Hospital	Former Nowra Park	Shoalhaven Community Preschool
Street address	2 Shoalhaven Street, Nowra	Shoalhaven and North Streets, Nowra	39 Shoalhaven Street, Nowra
	38 Shoalhaven Street, Nowra		
	107 Scenic Drive, Nowra		
	109 Scenic Drive, Nowra		
Lot & DP	Lot 373 in DP 755952	Lot 104 in DP 1165533	Lot 7034 in DP 1031852
	Lot 1 in DP 1043088		
	Lot 7034 in DP 1031852		
	Lot 1031 in DP 1208730		
	Lot 1032 in DP 1208730		

The Shoalhaven District Memorial Hospital site contains an established hospital servicing the entire Shoalhaven area. It was established in 1951 and now provides emergency care as well as medical, surgical, and orthopaedic services.

The hospital site area is large, being approximately 5ha. It is bounded by Shoalhaven Street and the former Nowra Park to the east, Scenic Drive to the north and west, as well as North Street and Nowra Park to the south.

The former Nowra Park land is approximately 2.6ha in area. It is bounded by the hospital to the north, NSW Health's Cancer Care Centre and GP Super Clinic as well as the hospital's car park to the west, and the Shoalhaven Community Preschool to the east. It has frontage to Shoalhaven and North Streets.

The Shoalhaven Community Preschool site is approximately 2,100m² in area. It has a frontage to Shoalhaven Street. Its northern boundary adjoins the Hospital whilst its western and southern boundaries adjoin the former Nowra Park.

Figure 1 below outlines the boundaries of the subject site. It also outlines, in green, that portion of the former Nowra Park which this EIE seeks to rezone to SP2 – Infrastructure (Health Services Facility) and SP2 – Infrastructure (Centre-Based Child Care Facility).



Figure 1: Aerial view of the site

All sites are located at the north western edge of the Nowra City Centre. Vehicular access is primarily via Scenic Drive which provides connectivity via Bridge Road and Hyam and Shoalhaven Streets to the Princes Highway. Access is also available from North Street which extends through the Nowra City Centre onto the Princes Highway. On the opposite side of Scenic Drive is the Shoalhaven River.

Built form on the hospital site is characterised by a number of detached buildings. They include original as well as recently completed buildings located across several areas. Their height ranges from one to three storeys. A number of recent additions have been made to the hospital, including NSW Health's Cancer Care Centre and GP Super Clinic as well as a public car park which is equivalent to three (3) storeys. These recent developments are located towards the south-western corner, and have frontage to Scenic Drive and North Street.

Built form on the former Nowra Park is limited to a low scale amenities block. The Shoalhaven Community Preschool is located towards the north eastern corner of the former Nowra Park. Its built form is also minimal, comprising of a single storey envelope surrounded by outdoor play areas, parking, and vegetation.

On the opposing sides of Shoalhaven Street and North Road is single and double storey detached dwelling houses, which in the case of Shoalhaven Street have been predominantly converted into professional medical consulting rooms. St Michael's Roman Catholic Church and St Michael's Catholic Primary School are located on the eastern corners of the Shoalhaven and North Streets intersection. The Shoalhaven River is located on the opposite side of Scenic Drive.

Part 3 – Strategic Planning Justification

The proposal has been considered against the relevant strategic planning framework to confirm its strategic planning merit. Details of the proposal's consistency with the relevant strategic planning measures are provided below:

Illawarra Shoalhaven Regional Plan 2041

A productive and innovative region

Objective 2: Grow the region's regional cities

Strategy 2.1: Activate Nowra City Centre: Leverage from investment in Shoalhaven District Memorial Hospital and understand opportunities for expansion or complementary surrounding land uses.

Nowra is a regional city and regionally significant centre. The future hospital expansion and opportunities to leverage wider benefit from that investment are recognised within the regional plan.

The proposal will enable expanded medical facilities including provision of additional higher order services, and opportunities for complementary businesses. This will reinforce Nowra's position as a higher order service centre in the hierarchy within the region.

The expanded facilities will generate additional highly skilled employment opportunities as well as additional service-related employment opportunities. These are likely to increase spending in the Nowra City Centre as well as throughout the region generally. In addition to employment opportunities directly associate with the subject site, the proposal is likely to generate additional offsite employment opportunities in a range of industries.

Given the above, the proposal is consistent with Objective 2 of the regional plan.

Objective 5: Create a diverse visitor economy

Expanded medical facilities will increase demand for local goods including accommodation and food and beverage services, which will support and strengthen the visitor economy in the region.

The proposal is consistent with objective 5 of the regional plan.

Shoalhaven Community Strategic Plan 2027

Key Theme 1: Resilient, safe and inclusive communities

Strategy: Build inclusive, safe and connected communities

Strategy: Activate communities through arts, culture and events.

Support active, healthy liveable communities.

The proposal will provide for improved existing, as well as new medical services which will improve the health of residents within the region. The development will be required to be constructed in accordance with the latest standards for accessibility and would also include opportunities for public art, and the like. An expanded hospital would also assist with renewing and activating the existing Nowra City Centre.

The proposal is consistent with theme 1.

Key Theme 2: Sustainable, liveable environments

Strategy 2: Plan and manage appropriate and sustainable development.

Strategy 3: Protect and showcase the natural environment.

The site is served by the local road network and uses it for access. It will also leverage from the soon to be completed Nowra bridge duplication project which is in proximity to the subject site.

By utilising an existing site within an urban area, the proposal will avoid the likely environmental impacts associated with developing such a proposal in a non-urban or greenfield location. In this case, the proposal is considered to represent sustainable development.

The site is highly modified and has low ecological sensitivities. The site can be developed in an environmentally sensitive manner.

The proposal is consistent with key theme 2.

Key Theme 3: Prosperous communities

Strategy 1: Maintain and grow a robust economy with vibrant towns and villages.

The proposal will improve the existing and expand the range of medical services to the region, thereby providing health related prosperity.

Hospitals have upstream and downstream economic effects in the economy generating demand for local goods and services.

The proposal is consistent with key theme 3.

Shoalhaven 2040 Local Strategic Planning Statement

Direction 1 – Managing Economic Growth

The proposal will enable expansion of critical infrastructure. Future development activities would provide short term (construction) and long-term employment opportunities including high skilled jobs. It will position such additional employment opportunities near planned urban released areas in Bomaderry, South Nowra, as well as new housing within the Nowra City Centre.

It is noted that Direction 1 includes an action at page 31 (CA4.3) which specifically mentions achieving collaboration with NSW Health “to coordinate the implementation of the masterplan for the Shoalhaven District Memorial Hospital”. This EIE is directly consistent with action CA4.3 given it will render the proposed hospital a permissible land use.

The proposal is consistent Direction 1 of the LSPS, and its associated sub strategies.

Direction 2 – Natural and Built Environments and Lifestyles

The site’s location within an existing urban area minimises its environmental impacts.

A range of technical studies were undertaken to inform this EIE and the subsequent SSDA. Specifically, the studies have considered ecology, heritage, Aboriginal heritage, traffic impacts and contamination. All such studies have determined that the proposal’s impacts to the natural and built environment are negligible largely due to the highly modified nature of the site. Where impacts were not considered negligible mitigation measures have been identified to minimise impacts.

It is recognised that the proposed zoning would reduce the quantity of public open space in the Shoalhaven Local Government Area. Despite this, the proposal is not likely to significantly impact natural environments or lifestyles given Shoalhaven City Council’s Community Infrastructure Strategic Plan 2017-2036 (Page 9) identifies that there is currently an oversupply of open space in the LGA. Neither would there be localised impacts as there are a number of large and multi-functional alternative public open space areas in close proximity to the subject site.

Given the above, it is considered that the proposal will be consistent with Direction 2.

Part 4 – Impact Assessment

The land use change proposed as part of this EIE is procedural in nature and will not, in itself, result in any physical impacts. Impacts are likely to occur as part of the State Significant Development Application (SSDA) for the proposed hospital. The merits of any such impacts will be assessed in detail as part of the SSDA. Nevertheless, this EIE considers potential impacts of the proposed land use change and any future hospital, at a conceptual level.

Loss of Open Space/Recreation Area

The proposal will result in a loss of existing public open space being the former Nowra Park. The park included formal active open space areas for the purposes of cricket, as well as a range of informal areas including a children's playground. The former Nowra Park has been acquired by Health Administration Corporation and in doing so, its status as a public reserve was revoked.

Whilst the proposal would result in a loss of existing open space, there are a number of alternative public open space facilities in the immediate proximity of the subject site, including West Street Oval, Nowra Showground & Sporting Complex and the West Street recreation complex. These public open space facilities cater for a range of active and passive recreation activities including tennis, cricket, soccer, AFL and rugby league, as well as a dog park and the Nowra Men's Shed. These options will adequately compensate for any loss of open space on the subject site.

In addition to the above, it is noted that public open space provisions within the Shoalhaven LGA currently exceed commonly accepted recreation planning standards. This is confirmed at page 9 of Shoalhaven City Council's Community Infrastructure Strategic Plan 2017-2036.

Traffic & Parking

Specialist traffic consultants, Taylor Thomson Whitting (NSW) Pty Ltd (TTW) were engaged to assess the traffic and parking implications associated with the proposed expanded hospital.

In relation to parking, ample capacity exists on the subject site to accommodate expected demand. It is noted that Scenic Drive, immediately adjacent the subject site's western boundary, currently provides parking opportunities for the existing hospital. This will continue to be provided as part of the proposal and will compliment any onsite parking.

Existing traffic surveys were undertaken, identifying that the vast majority of trips made to and from the hospital are made by private vehicle. Whilst a number of strategies are in place to reduce private vehicle trip generation, traffic modelling indicates that the vast majority of trips associated with the proposed expanded hospital will continue to be undertaken by private vehicle. Traffic modelling based on this scenario indicates very minor changes to local road traffic conditions, particularly in relation to the performance of surrounding intersections.

Specifically, all nearby intersections are expected to achieve a Level of Service (LoS) of A to C, except for the intersection of Bridge Road and Hyam Street. Although the proposal is not expected to increase traffic volumes significantly, this intersection currently experiences high traffic volumes, and any minor increase will reduce its efficiency further.

On balance, the traffic and parking assessment concludes that associated impacts are suitable.

Biodiversity

Technical consultants, EcoLogical Australia (ELA), were engaged to undertake a Biodiversity Development Assessment Report in relation to the proposed hospital expansion at the site.

A range of native and exotic planted tree species were identified throughout the site. Some potentially remnant native trees are located in the south-eastern corner of the former Nowra Park, however, the expansion does not involve removing these or any works in their proximity.

Most of the ground cover comprised of exotic grasses maintained as a lawn or parkland.

The potential for fauna habitat was low due to the highly modified and disturbed nature of the site. There were, however, six-hollow-bearing trees in the south-eastern corner of the former Nowra Park. This will not be impacted given the proposed hospital expansion does not involve any works in this area.

No threatened flora or fauna species, listed under the Biodiversity Conservation Act 2016 or the Environmental Protection Biodiversity Conservation Act 2016, were recorded on the site during onsite survey periods. This is largely because of the site's highly modified and disturbed nature.

Native trees within the development site may provide occasional foraging resources for wide ranging threatened species. Some of these native trees are proposed to be removed as part of the proposal. However, these foraging resources are marginal, with their removal not likely to impact breeding due to an overall lack of suitable habitat on the site.

Overall, it was determined that the proposed hospital expansion would not result in any serious and irreversible biodiversity related impacts, largely because of the site's current highly modified and disturbed nature. As such, no offset credits were deemed necessary. Nevertheless, a range of basic mitigation measures were recommended by ELA, including the implementation of tree protection zones primarily for trees in the southeastern corner of the former Nowra Park, periodic fauna surveys, as well as undertaking construction outside of key breeding cycles, where possible.

Heritage and Aboriginal Cultural Heritage

ELA were engaged to assess the proposal's impacts on any heritage values on the subject site, and its surrounds. The following is a summary of their assessment.

European Heritage

The Shoalhaven District Memorial Hospital is listed on the NSW Department of Health's Section 170 register as a heritage item. The listing does not relate to a particular building, structure or any phase of the hospital's development. Rather, it is listed because of its long-standing community service.

Given the listing does not relate to built form, technical consultants have concluded that the proposed expanded hospital would not adversely impact on the site's heritage significance. Rather, ELA has concluded that the expanded hospital would enhance its heritage status as it will enable the hospital to provide further medical services to the community.

The Hospital itself is not listed as a heritage item in the Shoalhaven Local Environmental Plan 2014 (Shoalhaven LEP 2014).

The site is in proximity to several heritage items, however, including St Michael's Roman Catholic Church (Item No. 378 in the Shoalhaven LEP 2014), the Nowra Showground and Sporting Complex (Item No. 405 in the Shoalhaven LEP 2014) and 'Ben's Walk' (Item No. 406 in the Shoalhaven LEP 2014). 'Ben's Walk' is a walking tracking generally along the banks of the nearby Shoalhaven River and includes a suspension bridge as well as Aboriginal art sites.

There are no physical or cultural connections between the abovementioned heritage listed items and the subject site. Any visual connections are limited. In this case, it is considered that the proposal is without any significant heritage related impacts. There may be some positive impacts in that the hospital is likely to increase the local population, which may result in greater use and/or interpretation of the said items.

Nowra Park itself was first established on 17 October 1876 and proclaimed as Nowra Park on 20 December 1887. It is not listed as an item of local or state historical significance. It does contain a number of established trees generally along its perimeter which add to the character of the locality, whilst the stand of trees in the south-eastern corner of the site were regarded as having some ecological significance. The cultural and ecological significance of any trees will be considered in detail as part of any SSDA for the hospital. Given the location of such trees generally around the perimeter of the park, it is anticipated that they could be retained either in full or too a large extent.

Aboriginal Cultural Heritage

Aboriginal cultural significance, and any potential impacts, is determined through field surveys, consultation with Aboriginal representative groups, as well as a review of relevant literature and databases.

Community consultation was undertaken via placement of an advertisement in the Shoalhaven Nowra News on 16 July 2021. Direct contact was also made with relevant stakeholders, including Heritage NSW, the Nowra Local Aboriginal Land Council, the National Native Title Tribunal, as well as South East Local Land Services. During the course of all consultation, responses from two stakeholders were received, none of which raised objection to the proposal largely because of the disturbed nature of the subject site.

Reviews of previous studies as well as relevant databases identified a number of Aboriginal sites around the subject site, but not on the subject site. The nearest site of significance was approximately 1km northeast of the subject site.

As no sites of Aboriginal significance are located on the subject site, and consultation with relevant stakeholders did not raise objection to the proposal, it was concluded that the proposal would not result in any unreasonable impact to Aboriginal cultural significance. Nevertheless, ELA recommended a range of measures to raise awareness of local Aboriginal significance, such as using Aboriginal related plant species within any proposed landscaping, engaging Aboriginal artists to develop artworks within the proposal, as well as incorporating local Tharawal words and language into the proposal's naming conventions.

Relocation of Existing Preschool

The proposal involves rezoning a portion of the former Nowra Park, at its southern end, to SP2 – Centre-Based Child Care Facility. The purpose of this is to reflect a Development Application, approved on 28 July 2022, which permits the development of a new Childcare Centre at the southern end of the former park.

Given a new childcare centre has been approved and is expected to be constructed, adverse impacts are limited to those associated with the relocation of the existing centre. Specifically, there would not be a loss of any childcare centre capacity associated with the proposal. Rather, capacity increases from 40 places to 60.

Relocation impacts are likely to be minimal given the recently approved centre is in close proximity to the existing centre, thereby retaining much of its existing character. For example, the visual context will remain largely the same, as will accessibility.

There are likely to be several positive benefits associated with the SP2 – Centre-Based Child Care Facility and subsequent construction of the new facility. For example, children and parents/guardians will benefit from new and expanded facilities, including new parking.

Visual Impact

The proposal will add additional built form to the subject site. This will be compatible with recent developments on the subject site, in particular, NSW Health's Cancer Care Centre and the GP Super Clinic (i.e., towards the intersection of North Street and Scenic Drive) as well as associated parking. Their scale ranges from two to three storeys.

The rezoning, and subsequent construction of any expanded hospital is likely to adversely impact views from dwellings on the eastern side of Shoalhaven Road across the former Nowra Park. It is anticipated that the expanded hospital will be able to retain the established trees around the perimeter of the former Nowra Park, mitigating view impacts sufficiently.

The relocated SP2 – Centre Based Child Care Facility zone, and subsequent reconstruction of the existing Shoalhaven Community Preschool, will modify the existing North Street streetscape. However, the resultant-built form and streetscape will integrate substantially with the built form achieved by the nearby Cancer Care Centre and GP Super Clinic, such that impacts are not unreasonable. Further, almost all existing trees along the former Nowra Park's North Street frontage are anticipated to be retained as part of the preschool's reconstruction.

Further, the subject site forms part of the Nowra City Centre. The proposed scale is considered to be compatible with the long-term evolution of this regional centre.

Contamination and Site Remediation

The site was assessed for the presence of contaminated material in 2022 by specialist consultants, Cardon. Their assessment confirmed the existence of some contaminated material around the Shoalhaven Street driveway to the existing hospital. Subsequently, a remediation action plan (RAP) was prepared to inform the removal of the contamination and make the site suitable for the proposed development. In summary, the RAP recommends the removal and offsite treatment of the contaminated material.

Economic Impacts

The hospital's expansion will generate additional employment opportunities. Specifically, its construction will deliver short term construction opportunities. The operation of the expanded hospital will deliver additional permanent and/or ongoing employment opportunities, including opportunities in high skilled and service sectors. These additional employment opportunities will achieve economic multipliers within the Nowra CBD and elsewhere throughout the region.

Natural Hazards

It is noted that the subject site is not bushfire prone or flood prone land. Further, it is note affected by acid sulfate soils.

Part 5 – Proposed amendment of Shoalhaven Local Environmental Plan 2014

Reason for amendment

The amendments are required to enable the preparation and submission of a SSDA for the proposed expanded hospital.

Specifically, a section of the expanded hospital is proposed to be located on land (former Nowra Park) zoned RE1 – Recreation under to the Shoalhaven LEP 2014. Infrastructure facilities are prohibited in the RE1 – Recreation land use zone. The proposed amendment will rezone the land to SP2 – Infrastructure (Health Services Facility), thereby making hospitals and associated facilities permissible with consent under the LEP.

For consistency, the existing Shoalhaven Community Preschool site will be rezoned from SP2 Infrastructure (Educational Establishment) to SP2 Infrastructure (Health Services Facility).

As part of the overall expansion of the hospital, the existing Shoalhaven Community Preschool will be relocated at the southern end of the former Nowra Park, with a direct frontage to North Street. A Development Application (DA) for the relocation was approved on 28 July 2022. To reflect the outcomes of this approval, land on which the relocated preschool is to be relocated, will be rezoned from RE1 – Public Recreation, to SP2 – Infrastructure (Centre- Based Child Care Facility).

Proposed amendments – Rezoning of the land

The SEPP amendments seek to rezone the former Nowra Park (i.e. Lot 104 in DP 1165533) from RE1 – Public Recreation to SP2 – Infrastructure (Health Services Facility). For consistency, the existing Shoalhaven Community Preschool site (i.e. lot 7034 in DP 1031852) will also be rezoned from SP2 Infrastructure (Educational Establishment) to SP2 Infrastructure (Health Services Facility). Land on which the replacement preschool will be located on will also rezoned SP2 – Infrastructure (Centre- Based Child Care Facility) as part of this proposed amendment.

The proposed zoning will permit health services facilities and ancillary facilities, as well as centre based child care facilities, as defined in **Table 1**, with consent on the part of the site being rezoned.

Table 1. Definition of uses permitted with consent under the Shoalhaven LEP 2014

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

- (a) a medical centre,
- (b) community health service facilities,
- (c) health consulting rooms,
- (d) patient transport facilities, including helipads and ambulance facilities,
- (e) hospital.*

* Note the definition of hospital fits within the parent definition of Health Services Facility, as shown below.

centre-based child care facility means—

- (a) a building or place used for the education and care of children that provides any one or more of the following—
 - (i) long day care,
 - (ii) occasional child care,
 - (iii) out-of-school-hours care (including vacation care),
 - (iv) preschool care, or
 - (b) an approved family day care venue (within the meaning of the Children (Education and Care Services) National Law (NSW))
-

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

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

The proposed amendment would be achieved by amending the mapping for this area on map sheet LZN_013E by rezoning the land as shown in **Figure 2**.

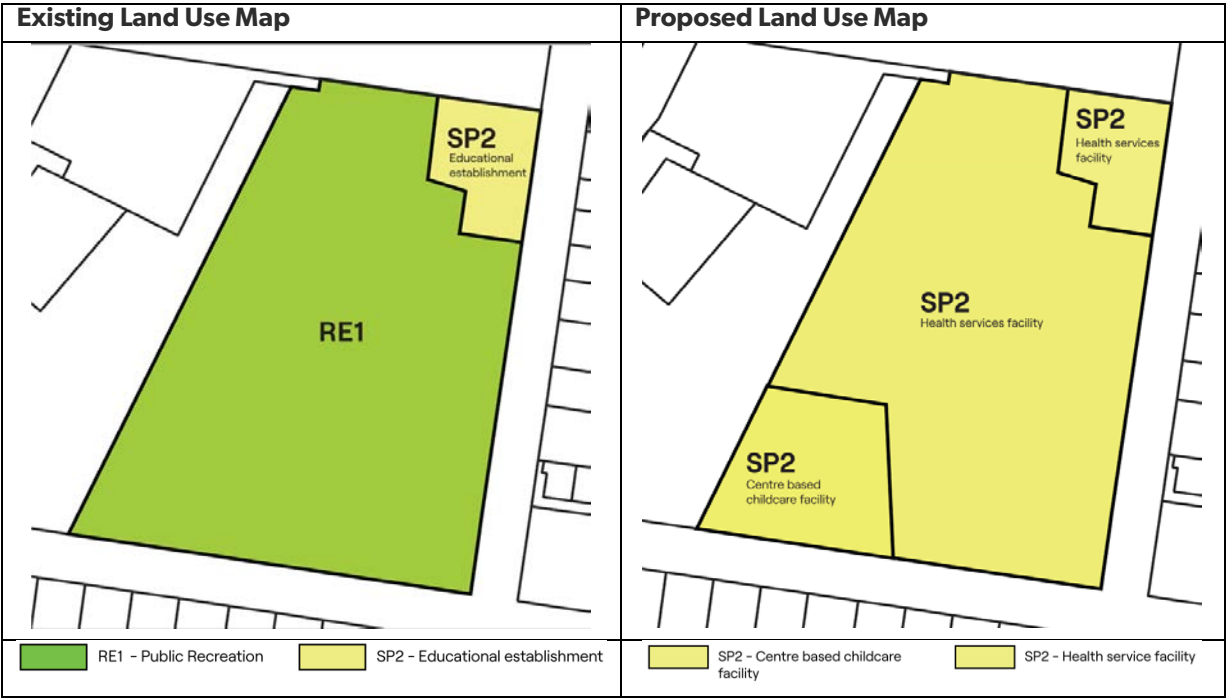


Figure 2: Current and proposed zoning