



6 December 2022

Mr Alan Bright
Director
State Significant Acceleration
Department of Planning and Environment

via email: alan.bright@dpie.nsw.gov.au

Dear Mr Bright,

President Private Hospital Redevelopment (SSD-10320)
Request for Information

I refer to the State significant development application for the President Private Hospital Redevelopment (SSD-10320) (**Application**), currently before the Independent Planning Commission (**Commission**) for determination.

The Commission is concerned that local heritage item 1510 'Hotham House' may not have been adequately considered in the project design and, at present, is not confident that there has been a demonstrable interrogation of all development options for the site.

The Commission would welcome the opportunity to review other site development options which have been considered during the design development process, including, but not limited to, those that explore the retention of Hotham House (and potentially the redevelopment of the theatres and/or hydrotherapy pool).

The Commission met to discuss the Application with the Department of Planning and Environment (**Department**) and a representative from the NSW Government Architect on 29 November 2022 and the Applicant on 30 November 2022. The Commission would be assisted by the Department and the Applicant providing a response to the questions taken on notice in these meetings in Attachment A. In addition, the Commission is seeking information from the Department and the Applicant on the other matters that have also been identified in Attachment A to assist its ongoing deliberations.

The Commission will consider any written response provided before **12 December 2022** unless an extension to this timeframe is requested and agreed to by the Commission. Should the Department wish to express a view in writing on the Applicant's component of the response before it is provided to the Commission, the Commission would welcome that assistance.

Should you require any clarification in relation to the above, or wish to discuss further, please contact Phoebe Jarvis, phoebe.jarvis@ipcn.nsw.gov.au or 8837 6094.

Yours sincerely,

Stephen Barry
Planning Director

Attachment A

Item 1 – detailed feasibility studies

The Commission wrote to the Department on 25 November 2022, requesting the “detailed feasibility studies”, as referenced by the Applicant in the Environmental Impact Statement (EIS), Appendix 14 Statement of Heritage Impacts, Section 5.2.

The Commission received the Department’s response on 29 November 2022, which included the Response to Submissions (RtS) – Appendix R – Hotham House Retention Options (provided by the Applicant).

The “detailed feasibility studies” that were requested are referenced by the Applicant at EIS Appendix 14, dated 29 June 2020. The document provided by the Applicant in response, RtS Appendix R, is dated 12 July 2021.

As RtS Appendix R is dated more than 12 months after the detailed feasibility studies were first referenced in the EIS, it does not appear that the detailed feasibility studies that were referenced in the EIS have been provided to the Commission.

Accordingly, the Commission requests the Applicant, through the Department, provide a copy of these feasibility studies.

Item 2 – SDRP drawings

At its meeting on 29 November 2022, the Commission met with the representative of the NSW Government Architect, who was also the Chair of the NSW State Design Review Panel (SDRP) advising on this Application. The representative noted that the Applicant tendered drawings to the SDRP which showed various options for development at the site, including options for the retention of Hotham House.

The Commission requests the Department provide a copy of these items for its consideration.

Item 3 - Questions (including Questions taken on Notice)

Responses to questions taken on notice by the Department and Applicant are currently still pending. Accordingly, the Commission will consider any response to the following questions received before 12 December 2022:

1. On 3 April 2020, Hotham House was gazetted as a heritage item in *Sutherland Shire Local Environmental Plan 2015* and the Application was lodged in December 2020. Why has the retention of the heritage item not been seen as a constraint in the design process? Can the Application be amended to retain the heritage item?
2. The Application in its current form shows significant predicted noise exceedances of the *Interim Construction Noise Guideline 2009* of up to 39dB during construction. Why shouldn’t the Application be refused based on these significant noise impacts?
3. Noting that the flood modelling submitted by the Applicant indicates that there will be some localised increases in water levels on President Avenue, is there any reason why the Application cannot be amended in order for the swale to accommodate the additional flow, including the 5% AEP?

4. The Commission notes in the proposed conditions of consent the splayed driveway to President Avenue is subject to a Road Safety Audit prior to construction. If the Road Safety Audit found that the splayed driveway to President Avenue was insufficient, how would the Applicant address this?
5. Are the Applicant's climate change allowances for the 1% and 5% AEP and the PMF adequate, and why? How has the Department tested the Applicant's assumptions regarding the climate change allowances?