

## Statement of Environmental Effects

**14-22 Boundary Street, Macksville, NSW 2447**



***Conversion of former hospital into serviced apartments***

**January 2023**

Statement of Environmental Effects prepared by:

Name: Damian O'Toole

Qualification: MA Town Planning  
Grad Dip Heritage Conservation

Address: Studio 9, Level 5, 35 Buckingham Street, Surry Hills NSW 2010

Land to be developed: 14-22 Boundary Street, Macksville, NSW 2447

Proposed development: Approval is sought for the conversion of a former hospital (*health services facility*) into serviced apartments (*tourism and visitor accommodation*).

Declaration: I declare that I have prepared this Statement and to the best of my knowledge:

1. The Statement has been prepared in accordance with clause 4.12 of the EP & A Act and Clause 50 of the EP & A Regulations.
2. The Statement contains all available information that is relevant to the environmental assessment of the development to which this Statement relates, and
3. That the information contained in the Statement is neither false nor misleading.

Signature:



Name: Damian O'Toole

Date: Jan 2023



## **Contents**

<b>1.0 Introduction</b>	<b>1</b>
<b>2.0 Site Location and Description</b>	<b>2</b>
<b>3.0 Photographs of Subject Site</b>	<b>5</b>
<b>4.0 Proposed Development</b>	<b>11</b>
<b>5.0 Statutory Planning Considerations</b>	<b>13</b>
<b>6.0 Conclusion</b>	<b>19</b>

## 1.0 Introduction

This Statement of Environmental Effects (SEE) is submitted in support of a Development Application (DA) for the proposed conversion of a former hospital (Macksville Community Health Centre – Health Services Facility) into serviced apartments (*tourism and visitor accommodation*) to the existing structure located at 14-22 Boundary Street, Macksville, NSW 2447.

The works will involve a change of use and appropriate alterations and additions to support the proposed use (tourism and visitor accommodation). The proposal is generally consistent with the provision of tourist facilities within the zoning, and the provision of upgraded tourist accommodation will serve the area's tourism visitor requirements. The proposal is consistent with Council's requirements and will unlikely have any significant impact to the amenity of the local area. A detailed description of the proposed works is provided in section 4 of this report.

Whilst a more detailed description of the proposed works is provided in Section 4.0 of this report, the proposal will have the following merits:

- Change of use and conversion of the current hospital, and associated outbuildings, into a serviced apartment facility with 80 serviced self-contained studio apartments; 9 staff residences and associated amenities.
- Adaptively reuse the current buildings.
- Retain existing car parking within the car parking areas.
- Retain the overall bulk, scale and height of the buildings on site with only minor alterations and additions to existing buildings (for pool and gym).
- The use will unlikely create any undue noise or emissions that would likely impact neighbours. The immediate neighbours to the site is tourist accommodation.
- Includes materials, fittings and features consistent with BCA requirements, current Australian standards, and ecologically sustainable development.

This report has been prepared on behalf of the applicants of the proposed development. This Statement has been prepared pursuant to Section 4.12 of the Environmental Planning and Assessment Act, 1979 and Clause 50 of the Environmental Planning and Assessment Regulation, 2021. The purpose of this document is to detail the proposed development, review the applicable planning regime relating to the proposal, assess the degree of compliance and examine the environmental effects of the development when measured against the Evaluation Criteria prescribed under Section 4.15 of the Environmental Planning and Assessment Act, 1979. In respect of the assessment of the proposal, where impacts are identified, measures proposed to mitigate any harm to environmental amenity have been addressed in this report.

The proposed development is permissible with Council's in the R1 General Residential Zone under the Nambucca Local Environmental Plan (LEP) 2010. The proposal complies with Council's Codes and Policies. An assessment of the proposed development has not identified any unreasonable adverse environmental impacts likely to arise as a result of the proposal. It

is therefore recommended that consent for the proposed development is granted subject to Council's standard conditions.

## **2.0 Site Location and Description**

### **2.1 The Subject Site**

The subject site is known as 14-22 Boundary Street, Macksville, NSW 2447, and is legally defined as Lot 1 in DP 440405 and Lot 82 in DP 581223. The site is located on the southern side of Boundary Street, between the intersections with Giinagay Way (previously the Pacific Highway) to the east, and Nancye Roberts Drive to the west. The allotment is irregular in shape, comprising two lots (as above) having a dual frontage for vehicular/pedestrian access along Boundary Street (151.495m) and Nancy Roberts Drive (171.23m). The boundary abutting Giinagay Way (153.01m) is restricted, with no access points available. The two allotments have a total site area of 29,395sqm. The site is within the R1 General Residential area, adjoining SP2 Classified Road zoning to the east, RE2 Private Recreation to the south, and R3 Medium Density Residential to the north.

### **2.2 Existing Built Form**

The site contains a former hospital which comprises a two storey 'H' shaped building of 3,750sqm with life access, and adjacent two storey accommodation building of 1,081sqm, plus ancillary buildings of 793sqm. The hospital and associated buildings are sites on the western portion of the site, on Lot 82 in DP 581223, whilst the eastern portion (Lot 1 in DP 440405) is generally flat, vacant land which fronts Giinagway Way.

The hospital buildings were constructed circa 1960's and contain vinyl, carpet, tiles and timber flooring, rendered brick walls, approx. 2.7m high ceilings and part metal/CAC roofing. The building includes the main 'H' shaped hospital building, the Agnes Grant Centre residential accommodation and office building, the ambulance training centre, and chapel/café building. The main hospital building is serviced by a 23-person capacity elevator. The buildings have been subjected to many recent alterations and additions, before being vacated during early 2020.

Surrounding the buildings is land that falls evenly from its southern rear boundary to Boundary Street (northern boundary). There is an existing bitumen sealed onsite car park for 94 vehicles with access from Boundary Street and Nancye Roberts Drive. Surrounding this is landscaping which includes advanced native and exotic trees, shrubs, and open lawn areas.

### **2.3 The Surrounding Area**

The site is located within a high-profile position on the southwestern corner of Boundary Street and Giinagay Way (previously Pacific Highway), with additional street frontage to Nancye Roberts Drive, within easy walking distance of the Macksville CBD. Surrounding development comprises low-density residential dwellings to north and west, with a Woolworths retail complex diagonally opposite to the northeast, and a golf course







Figure 2: Aerial view of the subject site (cyan outline) (Source: LPI SIX Maps).

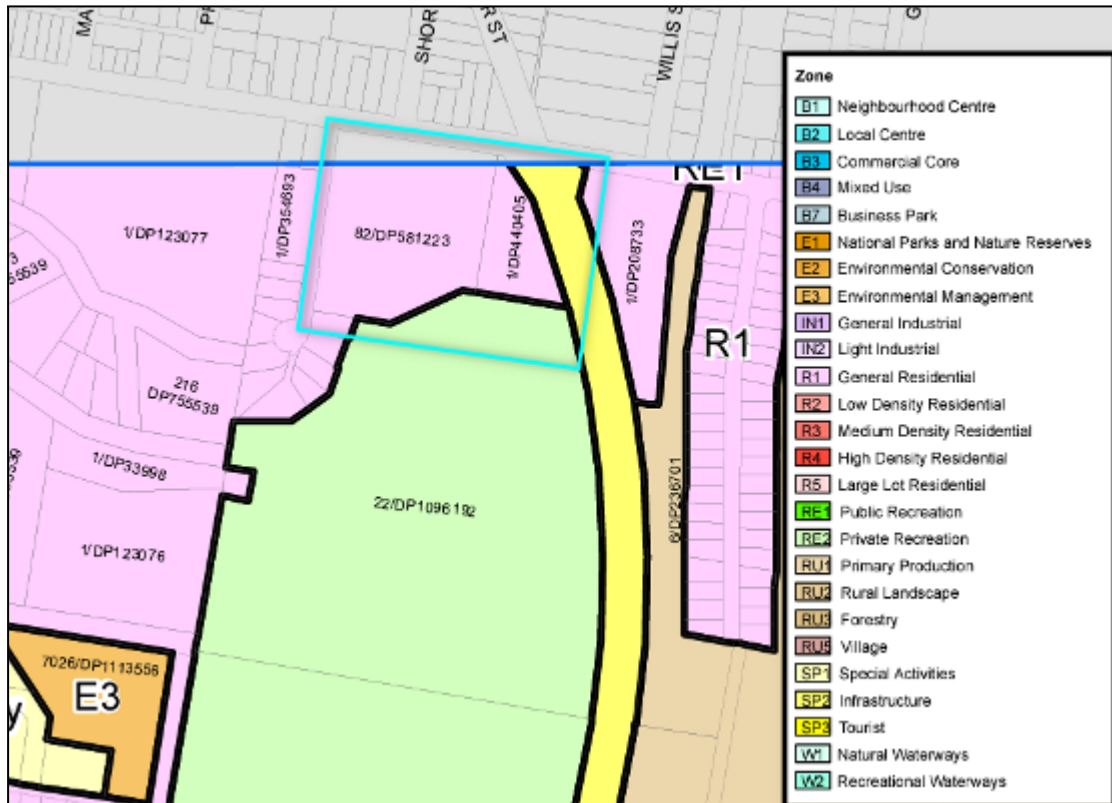


Figure 3: LEP Land Zoning Map showing the site (cyan outline) zoned as R1 General Residential and abutting SP2 Infrastructure (Classified Road) (Source: Nambucca LEP 2010, Sheet LZN\_006C).

### 3.0 Photographs of the Subject Site



Figure 6: View of the site from Boundary Street.



Figure 7: East facing view of site from Nancye Roberts Drive.





Figure 8: Current view of accommodation quarters from Nancye Roberts Drive.



Figure 9: View of subject site from Giingay Way, noting landscaping and open space from classified road reserve.





Figure 10: View of hotel opposite the site, example of surrounding development similar to that proposed.



Figure 11: View of retail precinct northeast of the site, within walking distance.



Figure 12: Current view of administration/accommodation building fronting Boundary Street.



Figure 13: View of existing landscaping on grounds.





Figure 14: View of car park in relation to buildings and landscaping.



Figure 15: View of the current chapel.





Figure 16: Aerial view of the larger site, showing location of buildings.

## 4.0 Proposed Development

The proposed works seek to the change of use and to convert the structures of the former hospital (Macksville Community Health Centre – Health Services Facility) into serviced apartments with associated ancillary buildings (*tourism and visitor accommodation*) at 14-22 Boundary Street, Macksville, NSW 2447.

The proposed physical works seek to predominantly retain the built form of the structures on site, by providing only minor alterations and additions. The works will provide an adaptive re-use, by reusing the existing development for a new use to give the site new meaning and purpose. The works intend to capitalise upon the site's location in relation to the Macksville CBD, transportation networks, and retail outlets to provide a tourist facility (hotel) that will boost the economic and tourist vibrancy of the Macksville region.

This report responds to plans prepared for Romsen Pty Ltd and should be read in conjunction with the following.

### Built Form

The proposal seeks to retain the overall built form by confining works to minor alterations and additions that do not significantly alter the principal formation of the structure. Such works include:

- Construction of a new detached gym structure, with associated shed.
- Construction of new swimming pool, with fence, adjacent to current ancillary building.
- Construction of new sports courts.
- Reconfiguration of the internal floor plan of the main hospital building, office/residential accommodation building to provide 80 serviced self-contained studio apartment and 9 staff residences, all with private bathroom/ensuites, alongside various communal spaces (dining, lounges) and services (laundry, bins etc).
- Retain the overall built form (height, bulk and scale) off all buildings on site, with internal works and cosmetic external works.
- Retain landscaping and car park, with vehicular access points remaining the same.

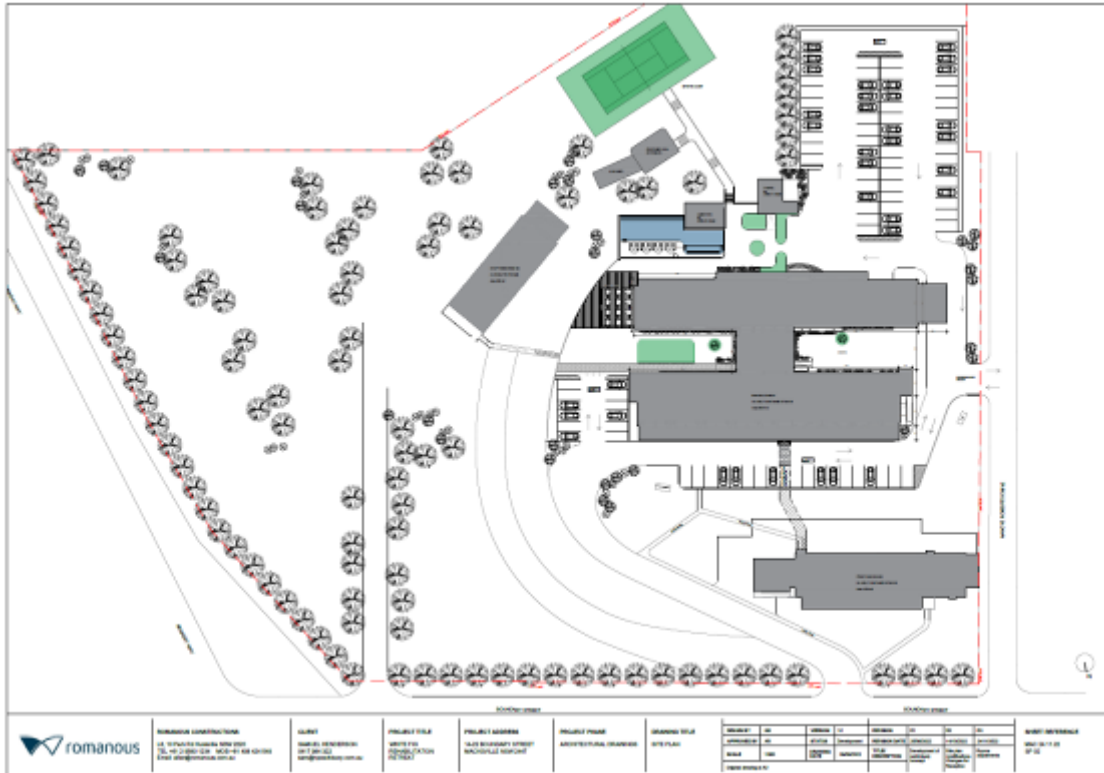


Figure 17: Proposed works predominantly retaining the current built form.

### Operation of Premises

- Proposed change of use from a former hospital (Macksville Community Health Centre – Health Services Facility) into serviced apartments (tourism and visitor accommodation).
- Proposed use will sit well with surrounding uses which includes a hotel to the east.
- Areas throughout the buildings are dedicated for staff (reception, cleaners, kitchen, laundry) to allow various members of staff to be present throughout the day at different times.
- The operation of the car parking area will unlikely have any adverse impact to adjoining properties, as it remains unchanged from the existing arrangement.

## 5.0 Statutory Planning Considerations

The Environmental Planning and Assessment Act 1979 is the principal planning legislation in NSW. Section 4.15(1) of the Act specifies the matters that the consent authority must consider when determining any development application.

- Provisions of any environmental planning instrument – S4.15(1) (a) (i)
- Provisions of any draft environmental planning instrument – S4.15(1) (a) (ii)
- Provisions of any development control plan – S4.15(1) (a) (iii)
- Provisions of the Regulations – S4.15(1) (a) (iii)
- The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts on the locality – S4.15(1) (b)
- The suitability of the site for development – S4.15(1) (c)
- Any submissions made in accordance with the Act or Regulations – S4.15(1) (d)
- The public interest – S4.15(1) (e).

Following is an assessment of the matters of relevance referred to in Section 4.15(1) of the Act.

### 5.1 S.4.15(1)(a) Provisions of any environmental planning instrument, draft instrument, development control plan or matter prescribed by the regulations

The planning instruments of relevance to this application are:

- Nambucca Local Environmental Plan 2010 (LEP 2010); and
- Nambucca Development Control Plan 2010 (DCP 2010).

#### 5.1.2 Nambucca Local Environmental Plan 2010

The Nambucca Local Environmental Plan 2010 is the comprehensive Local Environmental Plan applying to the site.

Relevant provisions of LEP 2011 are considered below.

Clause/Requirement	Summary of proposal	Compliance?
<b>2.1 Land Use Zones</b>		
<b>R1 General Residential Zone</b>		
<i>Objectives:</i> To provide for a variety of housing types and densities.	Proposed tourist and visitor accommodation is permissible.	Complies.
To enable other land uses that provide facilities or services to meet	Proposal is for tourist and visitor accommodation, providing serviced	Complies.



<p>the day to day needs of residents.</p> <p>Tourist and visitor accommodation is permitted with consent in this zone, and defined as:</p> <p>tourist and visitor accommodation means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes any of the following—</p> <p>(a) backpackers’ accommodation,                  (b) bed and breakfast accommodation,                  (c) farm stay accommodation,                  (d) hotel or motel accommodation,                  (e) serviced apartments,                  but does not include—                  (f) camping grounds, or                  (g) caravan parks, or                  (h) eco-tourist facilities</p>	<p>apartments that meet the tourist needs of the locality.</p> <p>Proposed tourist and visitor accommodation is for a hotel, consisting of serviced apartments, being permissible in this zoning.</p>	<p>Complies.</p>
<p><b>4.3 Height of Buildings (HOB)</b></p>		
<p><i>Objectives</i></p> <p>To ensure the height of buildings is compatible with the character of the locality.</p> <p>The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.</p> <p>Max HOB = NA</p>	<p>The works do not increase the overall building height, by being located at ground floor (ancillary extensions) or internally (hotel fit-out within the existing building footprint).</p> <p>Despite no maximum height restriction, the proposal will not increase the overall height of the current developments on site.</p>	<p>Complies.</p> <p>Complies.</p>
<p><b>4.4 Floor Space Ratio (FSR)</b></p>		
<p><i>Objectives</i></p> <p>To establish the maximum floor space ratio.</p>	<p>The majority of works will be confined to the existing footprint, with the exception of the gym extension, which will add minimal additional floor space (total current building</p>	<p>Complies.</p>

<p>The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.</p> <p>Max FSR = NA.</p>	<p>area of 5,624sqm on site of 29,395sqm).</p> <p>No maximum FSR, deeming the proposed minimal extension for the gym to be permissible, and appropriate for the context of the site.</p>	<p>Complies.</p>
<p><b>6.1 Acid Sulfate Soils</b></p>		
<p><b>Class of Land—5</b></p> <p>Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the water table is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.</p> <p>Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.</p>	<p>The works will not provide any significant excavation and will unlikely impact the water table.</p>	<p>Complies.</p> <p>Complies.</p>

**5.1.2 Nambucca Development Control Plan 2010**

This DCP provides detailed design principles, criteria, objectives, performance requirements and preferred solutions, which apply to the site in the Nambucca Local Government Area.

The main issues in respect of compliance with the provisions of the DCP are considered below.

Clause/Requirement	Summary of Proposal	Compliance?
<p><b>Part 2 Car Parking and Traffic</b></p>		
<p><b>2.6 Acoustic and Visual Privacy</b></p>		
<p><i>Objectives:</i></p> <p>Ensure each development is self-sufficient in the provision of off street parking facilities.</p> <p>Tourist &amp; Visitor Accommodation –</p>	<p>Proposal will retain the current bitumen sealed carpark used by the former hospital, having a capacity of 94 car spots.</p> <p>Proposal is for 80 serviced self-contained</p>	<p>Complies.</p>

<p>Serviced Apartments: See Medium Density Housing.</p> <p>Medium Density Housing, Attached Dwellings; Multi-unit Housing, and Residential Flat Building.</p> <p>&gt;125m2 GFA = 2 per dwelling (resident/employee) 1 per 5 dwellings (visitor/customer).</p> <p>Hotel and Motel Accommodation requires adequate provision must be made for the parking and manoeuvring of buses if their use is anticipated.</p>	<p>studio apartments and 9 staff residences.</p> <p>Current car park (to remain unchanged) can provide for 94 cars, exceeding the DCP requirements (see below).</p> <p>(DCP requires 16 spots – 8x2=16) (DCP requires 12 car spots – 80/5=16)</p> <p>Minimum of 32 car spots required for proposed development, which current carpark exceeds.</p> <p>Existing car park is large enough to accommodate several buses if required, as former use was for hospital -high traffic of buses, truck and ambulance movements for operational needs.</p>	
<b>Part E Signage</b>		
<p><i>Objectives</i></p> <p>Convey advertisers' messages or images while complementing and conforming to both the development on which it is displayed and the character of the surrounding locality.</p> <p>Do not adversely affect the area in which they are located in terms of appearance, size, illumination, overshadowing or in any other way.</p>	<p>Any proposed signage will be submitted as part of a separate Development Application if required.</p>	<p>Complies.</p>
<b>Part N - Waste Management and Minimisation</b>		
<p><i>Objectives</i></p> <p>To minimise resource requirements and construction waste through reuse and recycling and the efficient selection and use of resources.</p>	<p>The proposal is accompanied by a waste management plan, which commits to responsible waste management including reuse and recycling during the construction and ongoing use stages of the development.</p>	<p>Complies.</p>

<p>To minimise demolition waste by promoting adaptability in building design and focussing on deconstruction.</p>	<p>Relatively minimal building alterations are proposed.</p>	<p>Complies.</p>
<p>To encourage building designs, construction and demolition techniques in general which minimise waste generation.</p>	<p>Minimal waste is created during construction.</p>	<p>Complies.</p>
<p>To maximise reuse and recycling of household waste and industrial/commercial waste</p>	<p>Waste recycling is encouraged and utilised.</p>	<p>Complies.</p>
<p>To assist applicants in planning for sustainable waste management, through the preparation of a Site Waste Minimisation and Management Plan.</p>	<p>SWMMP is provided.</p>	<p>Complies.</p>
<p>To assist applicants to develop systems for waste management that ensure waste is transported and disposed of in a lawful manner;</p>	<p>A commercial contractor will be engaged.</p>	<p>Complies.</p>
<p>To provide guidance in regards to space, storage, amenity and management of waste;</p>	<p>Noted and complied with.</p>	<p>Complies.</p>
<p>To ensure waste management systems are compatible with collection services;and</p>	<p>The SWMMP commits to waste management processes.</p>	<p>Complies.</p>
<p>To minimise risks associated with waste management at all stages of development.</p>	<p>Noted.</p>	<p>Complies.</p>

**5.2 S.4.15(1)(b) Impact on the Environment**

The proposed development is appropriate for the site given the relevant planning requirements and because there are no negative impacts on neighbours to the site.

The development is considered to be in keeping with the character of the locality. The design, layout and siting of the development respects the streetscape character and environmental amenity of the area.



### **Relationship to adjoining development**

Adjoining neighbours rear garden solar access will be maintained by the proposed resultant dwelling. In addition, the neighbour's privacy will not be unreasonably compromised by the works.

During construction, noise and building impacts will be minimised through observance of the requirements of the Environmental Protection Authority and Local Authorities. All noise emissions will comply with Australian Standards.

In this regard, adverse environmental impacts on adjoining dwellings will be minimal.

### **5.3 S.4.15(1)(c) The suitability of the site for the proposed development**

Having regard to the characteristics of the site and its location, the proposed development is considered appropriate in that:

- It is consistent with the objectives of the R1 General Residential Zone under the Nambucca LEP 2012;
- The appearance, materials and finishes of the proposed development fit comfortably with the character of the existing dwelling and consistent with bulk and scale of surrounding development; and,
- The proposed development does not have any significant unreasonable adverse environmental impacts in relation to the adjoining residential properties.

As demonstrated throughout this Statement of Environmental Effects, the proposed development will not result in any significant adverse environmental impacts.

### **5.4 S.4.15(1)(e) The Public Interest**

The proposed development does not have any detrimental impact on the streetscape, external appearance of the building or on the amenity of nearby residents. Consequently, the proposal is in the public interest.

## 6.0 Conclusion

The proposed development is permissible with consent and is complimentary in character, bulk, roof form, materials, setbacks and scale with other adjoining and surrounding development in the locality. It is also consistent with the planning objectives for the zone and will provide significantly improved amenity for the occupiers.

The proposed development generally promotes and implements the planning principles, aims and objectives of:

- Nambucca LEP 2010;
- Nambucca Development Control Plan 2010.

The proposed development has the following merits:

- Provides a new use (serviced apartments - *tourism and visitor accommodation*) to a site containing significant development associated with a former use.
- Retain the overall extant building bulk on the site with only minor alterations and additions to existing buildings (for pool and gym).
- The use will unlikely create any undue noise or emissions that would likely impact neighbours. The immediate neighbours to the site is tourist accommodation.
- Includes materials, fittings and features consistent with BCA requirements, current Australian standards, and ecologically sustainable development.

The development is also consistent with the planning objectives for the R1 General Residential zone and with the relevant requirements and controls of the Nambucca LEP and Nambucca DCP in general.

In light of the significant merits of the proposal and the absence of any adverse environmental impacts, it is recommended that Council grant consent to this development at 14-22 Boundary Street, Macksville, NSW 2447, subject to appropriate conditions of consent.