



Explanation of Intended Effect

*Proposed State
Environmental Planning
Policy – Tweed Valley
Hospital*

October 2018

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Part 1 – Executive summary

The following is an Explanation of the Intended Effect of the proposed State Environmental Planning Policy – Tweed Hospital under section 3.30 of the Environmental Planning and Assessment Act 1979 (EP&A Act). The proposed SEPP will amend the Tweed Local Environmental Plan (LEP) 2014 to enable the proposed Tweed Hospital to be assessed on its merits.

On 13 June 2017, the NSW Government announced \$534 million for a new state-of-the-art major referral hospital to be constructed on a greenfield site in the Tweed-Byron region.

On 4 April 2018, the site located at 771 Cudgen Rd, Cudgen, see **Figures 1 and 2**, was identified following a publicly advertised Expressions of Interest (EOI) and comprehensive site selection process that considered 35 potential sites.

A community consultation process and further comprehensive site analysis was undertaken from late April to mid-June 2018 resulting in consideration of over 50 potential sites in total. On 30 June 2018 the NSW Minister for Health confirmed the preferred site as most suitable for the new Tweed Valley Hospital and supporting health service facilities.

The proposed amendments to the Tweed LEP 2014 seek to rezone the subject site to SP2 Infrastructure (Health Services Facility) to make the proposed hospital and its ancillary uses permissible with consent. The amendments also seek to remove development controls relating to height, minimum subdivision lot size and floor space ratios.

To give effect to these amendments it is proposed that the maps governing this site in the Tweed LEP 2014 are amended.

This Explanation of Intended Effect details the proposed changes.

Part 2 – Planning context

771 Cudgen Road, Cudgen, located opposite the Kingscliff TAFE campus, was selected by the NSW Government as the preferred location for development of a major new referral hospital serving the Tweed-Byron region, with the potential to accommodate ancillary health and educational uses.

The site comprises a single lot fronting Cudgen Road and located immediately west of the Kingscliff urban area, as shown in **Figure 1**. It has proximal access to the Tweed Coast Road (approximately 300m to the west of the site), which connects to the Pacific Motorway (M1) 2.5km to the north. The site is approximately 13.5km south of Tweed Heads central business district (CBD).

The site is approximately 19.4ha of rural land with historical use as a sweet potato farm. It is situated on the immediate urban periphery of Kingscliff to the east. To the north is vegetated rural land, including environmental areas and mapped Coastal Wetlands. Beyond this further to the north is residential development. To the south, on the opposite side of Cudgen Road, is an educational facility in the form of the Kingscliff TAFE. To the south and west is farmland.

The site is rural land, comprising farmland and vegetated environmental areas, as shown in **Figure 2**. Characteristics of Kingscliff and Cudgen include quality scenic landscapes including coastal, estuarine and hinterland view fields.

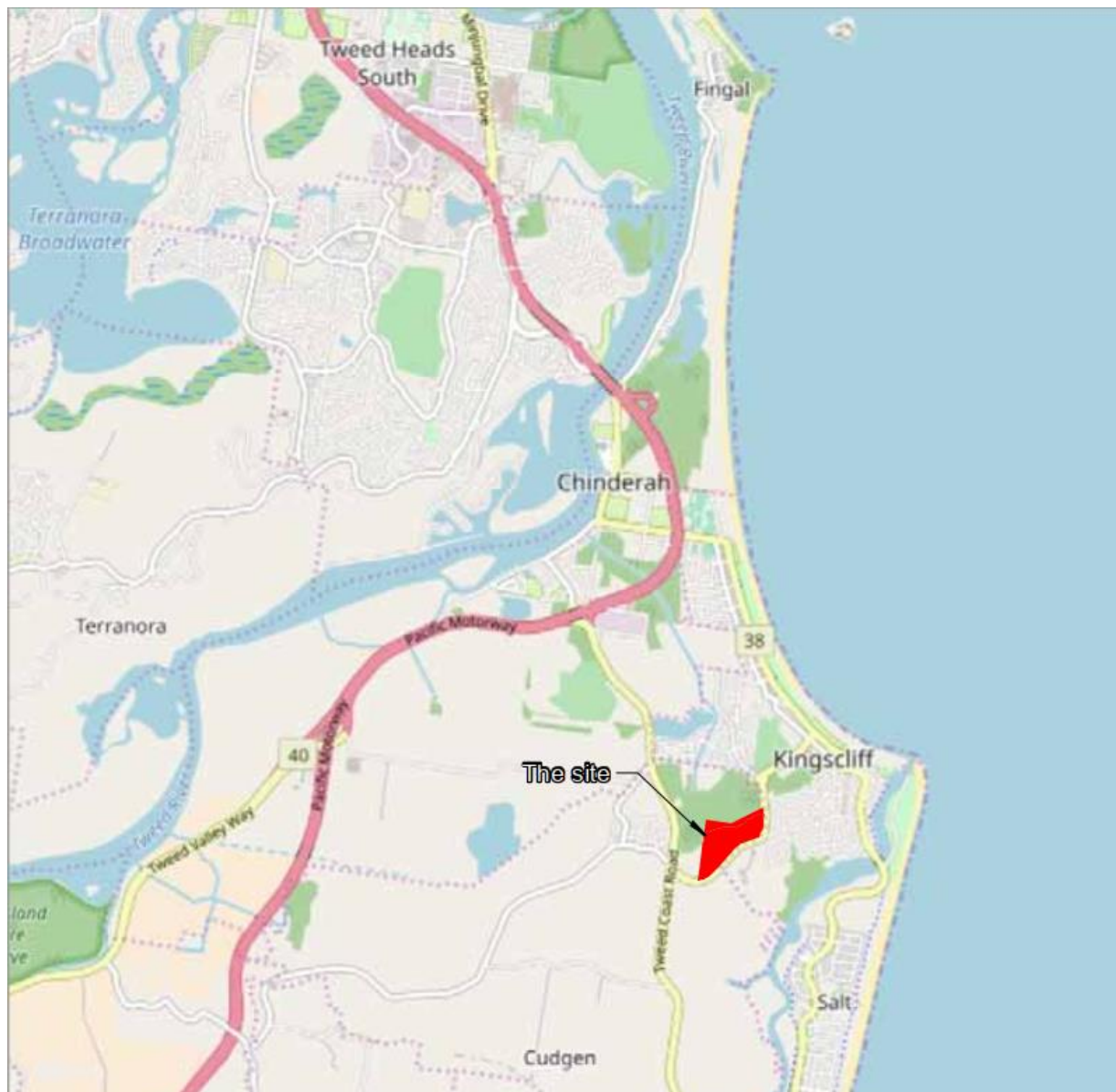


Figure 1 – Locality plan

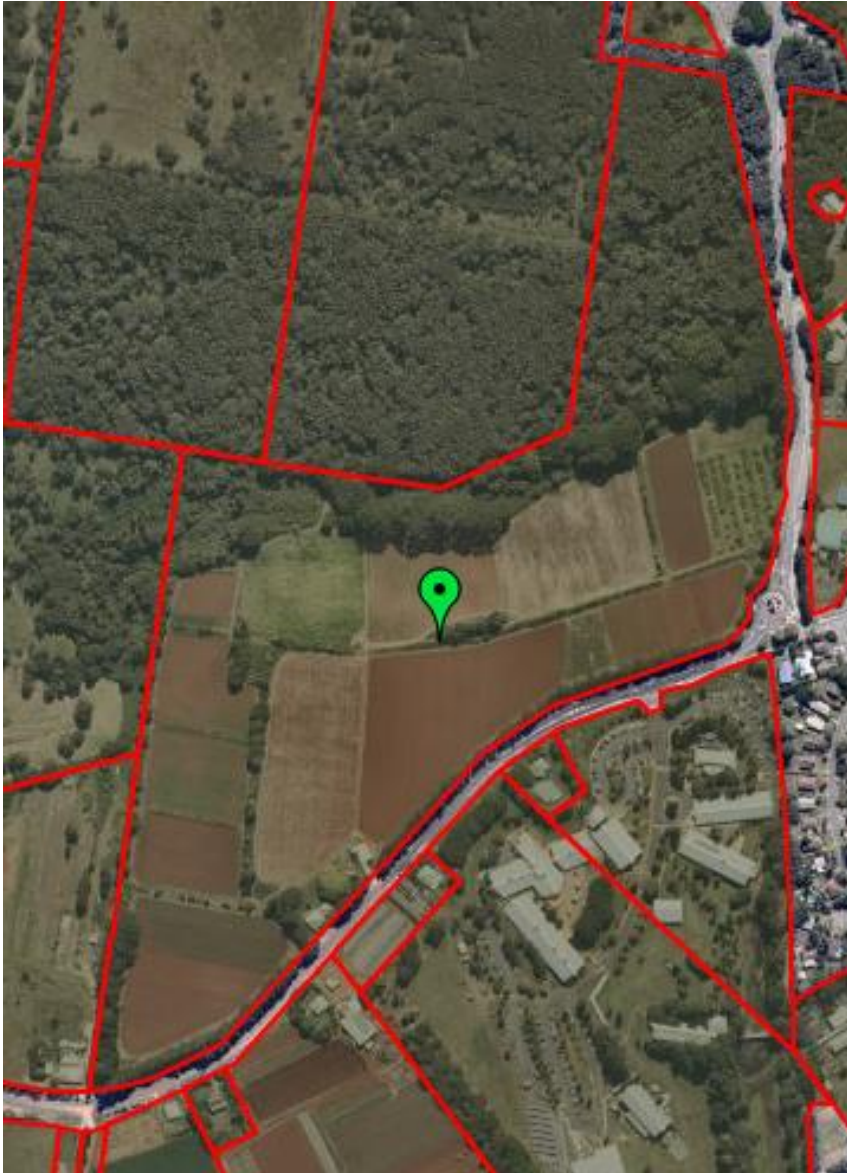


Figure 2 – The subject site

Part 3 – Proposed amendment of Tweed Local Environmental Plan 2014

Reason for amendment

The land proposed for development as a hospital is primarily zoned RU1 Primary Production. Hospitals are a prohibited use in the RU1 zone under the Tweed LEP 2014.

To permit consideration and determination of a State significant development (SSD) application for development of the preferred site, a State Environmental Planning Policy (SEPP) is proposed to amend the Tweed LEP 2014.

The proposed instrument will amend the Tweed LEP 2014 by rezoning part of the subject site from RU1 Primary Production and R1 General Residential to SP2 Infrastructure (Health Services Facility), making health services facilities and their ancillary uses permissible with development consent. The amendments will include removing the maximum height of buildings, minimum lot size and minimum floor space ratio standards for the subject part of the site.

The draft SEPP and SSD application will be considered concurrently and separately.

Proposed amendments – Rezoning of the land

The SEPP amendments seek to rezone part of 771 Cudgen Road, Cudgen from RU1 Primary Production and R1 General Residential to SP2 (Health Services Facility).

The proposed zoning will permit health services and ancillary 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 Tweed 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.

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_023 by rezoning the land as shown in **Figure 3**.

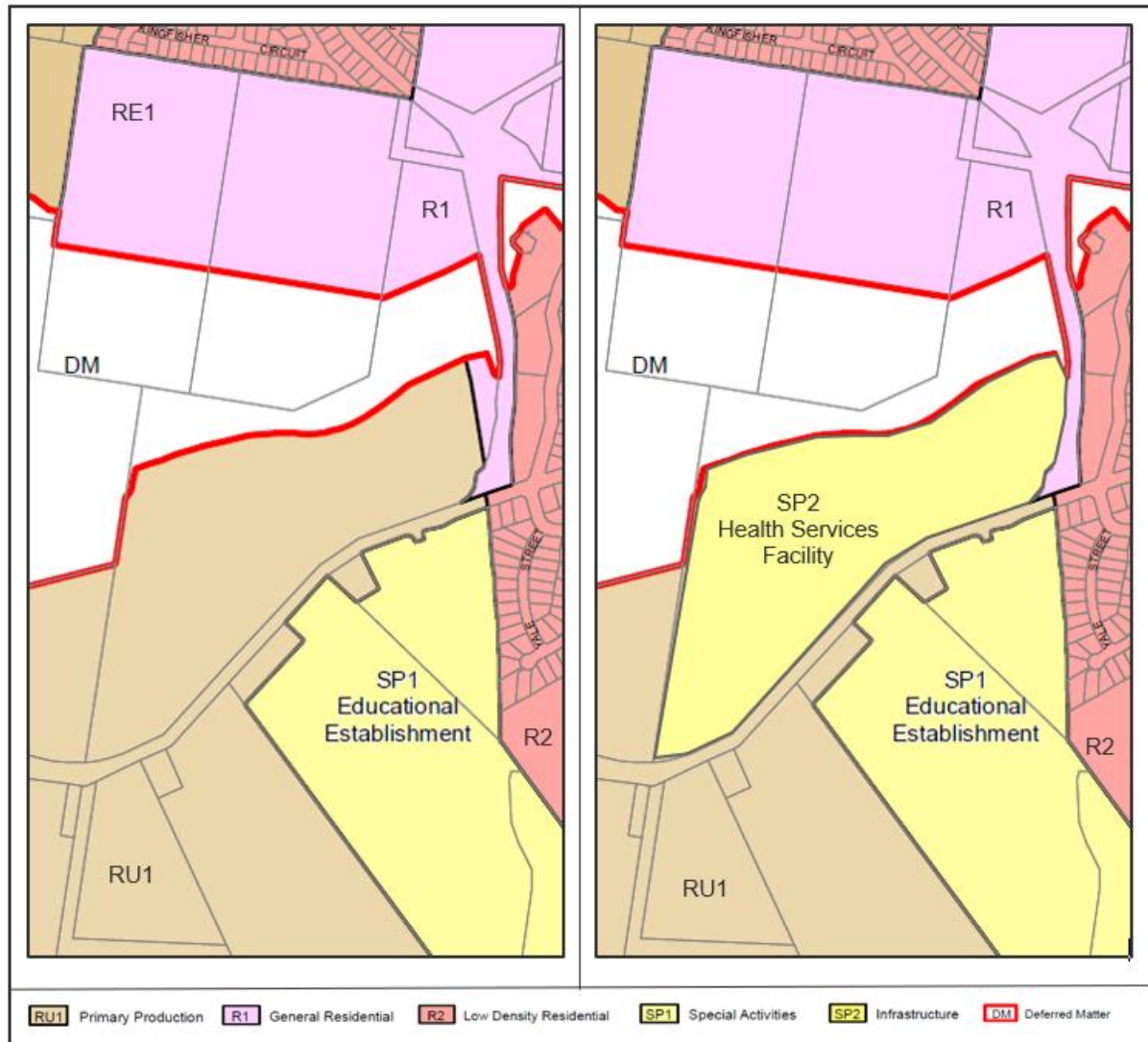


Figure 3 – Current and proposed zoning

Proposed amendments – Height of Buildings

The SEPP amendments seek to remove the Height of Building controls as shown in **Figure 4** limiting the maximum height of buildings for that part of 771 Cudgen Road, Cudgen proposed to be developed as health services facilities.

The maximum height of buildings on the site will be determined on merit during assessment of any development applications for the site.

The proposed amendment would be achieved by amending the mapping for this area on map sheet HOB_023 by removing the maximum building height limit from the land.



Figure 4 – Current and proposed Height of Building mapping

Proposed amendments – Minimum Lot Size

The SEPP amendments seek to remove the Minimum Lot Size controls as shown in **Figure 5** for that part of 771 Cudgen Road, Cudgen proposed to be developed as a health services facility.

The minimum lot size for any proposed future subdivision of the site will be determined on merit during assessment of any development applications for the site.

The proposed amendment is proposed to be achieved by amending the mapping for this area on map sheet LSZ_023 by removing the minimum lot size requirement from the land.



Figure 5 – Current and proposed Minimum Lot Size mapping

Proposed amendments – Floor Space Ratio

The SEPP amendments seek to remove the Floor Space Ratio controls shown in **Figure 6** for that part of 771 Cudgen Road, Cudgen proposed to be developed as a health services facility.

The floor space ratio for any proposed future buildings on the site will be determined on merit during assessment of any development applications for the site.

The proposed amendment would be achieved by amending the mapping for this area on map sheet FSR_023 by removing the floor space ratio requirement from the land.



Figure 6 – Current and proposed Floor Space Ratio mapping