

DEPARTMENT OF PLANNING & INFRASTRUCTURE

Development Assessment and Systems Performance

SUBJECT: TAMWORTH REGIONAL CANCER CENTRE MODIFICATION APPLICATION (MP 10 0176 MOD 2)

PURPOSE

To determine a modification request (MP 10_0176 MOD 2) to modify condition C1 of the project approval for the Tamworth Regional Cancer Centre relating to further traffic analysis.

BACKGROUND

On 20 June 2011, the Director-General approved the major project for the Tamworth Regional Cancer Centre at Johnston Street, North Tamworth. The approval comprised construction of a building with 3,696 sqm of gross floor area, 30 parking spaces, covered walkway, pedestrian footpaths, vehicle access, landscaping and an electrical substation kiosk. The project is located towards the south-east of the Tamworth Regional Hospital (see TAG A).

On 7 February 2012, MP 10_0176 MOD 1 was approved by the Director, Metropolitan and Regional Projects North, as delegate for the Minister for Planning and Infrastructure to revise sustainability conditions D1 and F1 to require the project to target a 4 star Green Star rating.

The project approval included a condition requiring the proponent to undertake further traffic analysis for the Dean Street and Johnston Street intersection. This condition was imposed at the request of council. Health Infrastructure (the proponent) has now developed plans for further redevelopment of the hospital. The Director General's environmental assessment requirements (DGRs) have been issued for a State Significant Development (SSD) application for the redevelopment of the hospital. As part of the environmental impact assessment of this redevelopment, further traffic analysis will be required. Therefore, the proponent considers it appropriate that a single traffic assessment be undertaken as part of the SSD redevelopment application and should not hold up construction of the cancer centre.

PROPOSED MODIFICATION

The proponent is seeking to have the requirements of condition C1 modified so that the traffic analysis is completed prior to occupation instead of commencement of works. This would allow the critical health services to be constructed without unnecessary delay whilst still ensuring the traffic impacts resulting from the new cancer centre are considered with the broader traffic analysis associated with the hospital redevelopment. The proponent seeks to have the wording of condition C1 modified as follows:

Traffic Analysis

*Prior to commencement of works **the occupation of the building**, further analysis of the traffic impacts of the development on the Dean Street and Johnston Street intersection shall be prepared to the satisfaction of Council and submitted to the Department of Planning & Infrastructure. Any recommendations from the traffic analysis shall be endorsed by Council and completed prior to occupation of the building.*

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 modification seeks to amend condition D1, the modification will require the Minister's approval.

CONSULTATION

In accordance with section 75X of the EP&A Act and clause 8G of the EP&A Regulation, the modification request was made available on the department's website. Due to the minor nature of the proposed modification, the modification request was not exhibited by any other means. No public submissions have been received on the modification request at the time of writing this report. The request was referred to Tamworth Regional Council, who did not object to the modification request.

DELEGATED AUTHORITY

The Minister has delegated his functions to determine Part 3A applications to the department where:

- the council has not made an objection, and
- there are less than 10 public submissions objecting to the proposal, and
- a political disclosure statement has not been made in relation to the application.

There has been no submissions received from the public objecting to the proposal and council has not made an objection to the proposed modification. There has also been no political disclosure statement made for this application or for any previous related applications.

Accordingly the application is able to be determined by the Director, Metropolitan and Regional Projects North under delegation.

KEY ISSUES

Traffic Analysis

The traffic analysis required to be prepared in the DGRs for the future SSD application for the redevelopment of the Tamworth Regional Hospital will consider the cumulative impacts of the hospital and the cancer care centre. Accordingly, the findings of that report would identify if any works are required. The traffic analysis is to be undertaken in the near future and therefore the proponent considers it appropriate that a single traffic assessment be undertaken. The department considers this acceptable as the traffic analysis would still be required to be completed prior to occupation of the building and therefore if any works are required will be identified and can be implemented prior to occupation or shortly after. Furthermore, as council initially requested the condition and raises no objection to the revised timing of the traffic report, the department supports the modification to condition C1 as requested.

RECOMMENDATION

It is RECOMMENDED that the Director, Metropolitan and Regional Projects North:

- note the information provided in this briefing;
- approve the modification request, subject to conditions; and
- sign the attached modifying instrument (TAG B).


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