

26 June 2018

The Secretary
Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Attention: Ms Megan Fu, Senior Planning Officer

Dear Ms Fu,

Proposed s4.55 (1A) modification to SSD 7642 to allow for longer working hours during the construction of the Central Acute Services Building at Westmead Hospital, Westmead

Introduction

In December 2016, SSD approval was granted for Central Acute Services Building (CASB) at Westmead. Condition C1 of that consent provided:

C1. (a) *The hours of construction, including the delivery of materials to and from the Subject Site, shall be restricted as follows:*

- i) *between 7 am and 6 pm, Monday to Friday inclusive;*
- ii) *between 8 am and 4 pm on Saturdays; and*
- iii) *no work on Sundays and public holidays;*
- (b) *Works may be undertaken outside these hours where:*
 - i) *the delivery of materials is required outside these hours by the Police or other authorities;*
 - ii) *it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm; or*
 - iii) ***variation is approved in advance in writing by the Secretary or her nominee.***

(emphasis added)

As part of the works, a series of concrete slabs are being poured. These are very large slabs that are being poured in stages across the development. While these will generally be poured during normal construction hours there are a number of factors that will impact the completion of each concrete slab. These include traffic conditions, inclement weather, temperature and wind conditions.

Slab finishing works need to commence immediately after the concrete slab pours and are likely to extend beyond approved working hours to allow these works to continue uninterrupted. These works will involve a small crew of 10-15 workers undertaking trowel finishing. Localised flood lighting may be used but will not spill beyond the site or impact on Hospital occupants. The work involved is internal to site and will not have significant noise or traffic impacts that can't be mitigated as per the attached assessments.

Health Infrastructure
ABN 89 600 377 397

Safety inspections of concrete slab pre-pour formwork and reinforcing will involve a small crew of 5-8 workers undertaking safety inspections on the concrete slab to be poured. Setup of concrete placing equipment will involve a small crew of 4-6 workers and up to two vehicles entering site.

An assessment of vehicle movements, traffic impacts and staging arrangements has been prepared by GTA Consultants and incorporates an acoustic assessment of the proposed works by Acoustic Logic.

Due to the number of pours and the finishing works required, Health Infrastructure (HI) requests an ongoing extension of hours to complete these specific works to provide flexibility around weather and other site constraints. This approach will also allow noisier works to be programmed during normal working hours. While this would normally be dealt with via a request for out of hours work (OOHW), on the basis that the length of time involved is for more than just a one off event, Department of Planning and Environment has requested that the approval be modified to acknowledge the duration of the works.

The extended hours are supported by Westmead Hospital and other stakeholders as they minimise the duration of the disruption to the hospital overall. HI is also of the view that while the additional hours are minimal and will not be significant to surrounding neighbours, they will significantly improve the ability of the project to be delivered with least disruption as is feasible.

The additional hours requested are an additional half an hour in the morning and an additional hour in the afternoon Monday to Friday – ie from 6.30am to 7.00pm and an additional hour in the morning on Saturdays – ie from 7.00am to 4.00pm.

Table1 below outlines the various work and locations subject to this request.

Hours of Work Extension requested		Location	Examples of Site Activities
Monday - Friday	Saturday		
6.30am-7.00am		6 floors of Innovation Centre building 13 floors of CASB Tower building 2 floors of Forecourt car park	Concrete slab pre-pour safety inspection and setup of concrete placing plant only
6.00pm-7.00pm		6 floors of Innovation Centre building 13 floors of CASB Tower building 2 floors of Forecourt car park	Concrete pumping and concrete slab finishing works
	7.00am-8.00am	6 floors of Innovation Centre building 13 floors of CASB Tower building	Normal concrete placement and structural works
	7.00am-8.00am	2 floors of Forecourt car park	Concrete slab pre-pour safety inspection and setup of concrete placing plant only

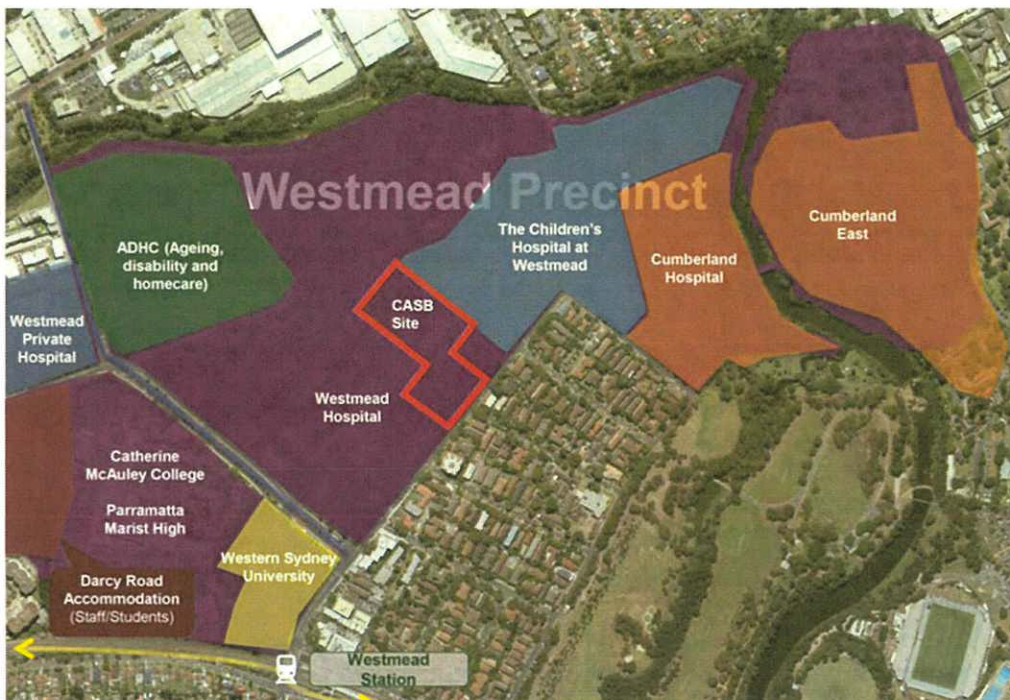


Figure 1 Overview of Westmead Health Precinct showing general location of work

Source: NSW Health Infrastructure

To mitigate any impacts, adjoining neighbours and the hospitals will be notified of the change to normal construction hours and the location of the work 48 hours prior to the works commencing. They will also be provided with a contact for any issues arising from the work as per the current approval.

Environmental Assessment

Consistency with Planning Framework

The proposed modification is consistent with the applicable planning framework and will not alter the previous assessment of the development against any of the following legislation/policies.

- Environmental Planning and Assessment Act 1979 (EP&A Act);
- Environmental Planning and Assessment Regulation 2000 (EP&A Regulations);
- Protection of the Environment Operations Act 1997 (POEO Act);
- Contaminated Land Management Act 1997 (CLM Act);
- Heritage Act 1977;
- National Parks and Wildlife Act 1974 (NP Act);
- (Cth) Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act);
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55);
- State Environmental Planning Policy (Infrastructure) 2007 (ISEPP);
- State Environmental Planning Policy (State and Regional Development) 2011 (SEPP SRD);
- Draft Remediation of Land SEPP and
- Parramatta Local Environmental Plan 2011 (LEP).

Section 4.55 - Modification of Consents - Generally

The proposal seeks to modify SSD No. 7642 pursuant to Section 4.55(1A) of the EP&A Act. The proposed modification is minor in nature and seeks changes extend the construction working hours for the site by an additional half an hour in the morning and an additional hour in the afternoon Monday to Friday – ie from 6.30am to 7.00pm and an additional hour in the morning on Saturdays – ie from 7.00am to 4.00pm.

This modification does not alter the design intent of the approved development and is considered to be of minimal environmental impact. As such, the proposal is to be considered to fall within the provisions of Section 4.55(1A) of the EP&A Act, with an assessment against the provisions of Section 4.55(1A) provided below.

Sub-clause 1A(a)

“(1A) Modifications involving minimal environmental impact

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

(a) It is satisfied that the proposed modification is of minimal environmental impact, and,”

Comment: The environmental impacts of the proposed modification are minimal. The proposed modification will not result in any significant change to the approved development as it only effects the hours of construction.

Sub-clause 1A(b)

(b) “It is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and,

Comment: As noted above the proposed modification impacts on construction hours only.

Sub-clause 1A(c)

(c) “It has notified the application in accordance with:

(i) The regulations, if the regulations so require, or

(ii) A development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and,”

Comment: The proposed amendment are considered to be minor in nature and will not result in any amenity impact to surrounding properties on the basis of the attached acoustic assessment. It is understood Minister of planning will not need to notify this application.

(d) It has considered any submission made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.

Comment: It is anticipated that no submissions will be received as the application will not require notification.

Sub-clause 1A(3)

“(3) In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in Section 4.15(1) as are of relevance to the development of the subject application. The consent authority must also take into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified.

Comment: According to Section 4.55(3), DPE must take into consideration the relevant matters under Section 4.15(1) of the EP&A Act. The matters for consideration under Section 4.15(1) of the EP&A Act are addressed in **Table 2** below.

Section 4.15 'Matters for Consideration'	Complies	Comment
Section 4.15 (1)(a)(i) – Provisions of any environmental planning instrument	✓	As detailed in this letter, the proposed modifications are consistent with the applicable planning framework and do not alter the previous assessment of the development against the applicable environmental planning instruments.
Section 4.15(1)(a)(ii) – Provisions of any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority	✓	The proposed modification is consistent with the provisions of the Draft SEPPs applicable to the site.
Section 4.15(1)(a)(iii) – Provisions of any development control plan	✓	Clause 11 of SEPP SRD states that development control plans (DCPs), do not apply to SSD.
Section 4.15(1)(a)(iiia) – Provisions of any planning agreement that has been entered into under section 7.4 , or any draft planning agreement that a developer has offered to enter into under section 7.4, and	✓	There are no planning agreements applicable to the proposed development.
Section 4.15(1)(a)(iv) – Provisions of the regulations	✓	The proposed modification is consistent with the EP&A regulations.
Section 4.15(1)(b) – The likely impacts of the proposed development	✓	The proposed development is not expected to have any significant environmental impacts beyond what has been anticipated under SSD 16_7642. The proposed extension to hours will be minimal and will be mitigated as per the attached acoustic and traffic report.
Section 4.15(1)(c) – Suitability of the site for the development	✓	For the reasons discussed within this letter, the proposed modifications are considered suitable for the site.
Section 4.15(1)(d) – Any submissions made in accordance with this Act or the regulations,	✓	The proposed modification of the development has no significant influence on any submissions made during exhibition of SSD 7642.
Section 4.15(1)(e) – The public interest	✓	For the reasons discussed within this letter, the proposed modifications are considered to be in the public interest. The proposal will not result in any detrimental environmental impact, is consistent with the original intent of the approved SSD 7642, and maintains consistency with the applicable plans and policies.

This application is submitted by HI to modify State Significant SSD No. 7642 pursuant to Section 4.55(1A) of the EP&A Act. The purpose of this modification is to amend the approved construction hours for the CASB which is currently under construction.

The proposed modifications will not alter the environmental impacts assessed and approved as part of the existing development consent.

In accordance with Section 4.55(1A) of the EP&A Act, the Minister or delegate may modify the consent as:

- The consent, as proposed to be modified, is substantially the same development as that originally approved; and
- The proposed modifications will result in only minimal environmental impact.

Should you have any further queries in relation to this matter, please do not hesitate to contact Leone McEntee on 99785420 or leone.mcentee@health.nsw.gov.au

Yours sincerely



Sam Sangster
Chief Executive

Att: Traffic Assessment incorporating Acoustic Report