



DOC17/364451
SSD 8499

David Gibson
Team Leader
Department of Planning and Environment
320 Pitt Street
SYDNEY NSW 2000

Dear Mr Gibson

**Environmental Impact Statement (EIS) Public Exhibition
St Leonards Hospital - Tower B (Concept Proposal) - SSD 8499**

I refer to your letter dated 7 July 2017 requesting the NSW Environment Protection Authority (EPA)'s comments on the publicly exhibited Environmental Impact Statement (EIS) for the St Leonards Private Hospital Tower B Concept Proposal. The proposed development is a State Significant Development under section 89C of the *Environmental Planning and Assessment Act 1979*.

Based on the information provided, the proposal does not constitute a Scheduled Activity under Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act), and will therefore not require an Environment Protection Licence (EPL) under the POEO Act. The EPA understands that the proposal is not being undertaken by or on behalf of a public authority. The EPA is therefore not the appropriate regulatory authority for the proposal.

The EPA has reviewed the EIS and provides comments at **Attachment A**.

If you have any questions in relation to this letter please contact Rajesh Mottey on (02) 9995 6563.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M. Hanemann'.

17/08/2017

MARK HANEMANN
A/Unit Head - Sydney Industry
NSW Environment Protection Authority

Enclosed: Attachment A: EPA comments on the publicly exhibited EIS for the St Leonards Private Hospital Tower B Concept Proposal

Attachment A

EPA comments on the publicly exhibited EIS for the St Leonards Private Hospital Tower B Concept Proposal

Noise and Vibration

The EPA notes that the proposed construction works may include several significantly noisy activities with the potential for vibration, including: piling, use of hand tools such as angle grinders, diesel cranes, concrete pumps, and plant and vehicle movements.

Appendix 07 – Acoustic Assessment indicates that a detailed quantitative acoustic and vibration assessment of the construction activity has not been undertaken due to not “knowing the activities/construction methods proposed, their duration and location”. This document also indicates that noise levels are likely to exceed the criteria in the *Interim Construction Noise Guidelines (EPA, 2009)*.

A proactive and preventative approach to noise mitigation measures should be taken based on quantitative acoustic modelling and data. This should include the assessment of feasible and reasonable noise mitigation and management measures to minimise noise and vibration impacts on surrounding residences and receivers, e.g. restrictions to construction hours.

Given the preliminary nature of the Acoustic Assessment supporting EIS, the EPA considers that SEAR Requirement 07 (Noise and Vibration) has not been met. It does not appear that a quantitative assessment of the main noise and vibration generating sources during construction and operation has been made. It is noted in the Acoustic Assessment that an assessment of noise and vibration from the proposed mechanical plant and equipment is yet to be prepared. This should be addressed prior to any works commencing.

Radiation Licencing

The EPA administers the *Radiation Control Act 1990* (and *Radiation Control Regulation 2013*) and anticipates that ‘regulated material’ will be stored and processed on the proposed site. ‘Regulated material’ means –

- a) radioactive substances,
- b) ionising radiation apparatus,
- c) non-ionising radiation apparatus of a kind prescribed by the regulations, and
- d) sealed source devices.

A ‘person responsible’ within the meaning of section 6 of the *Radiation Control Act 1990* is obliged to hold an appropriate ‘radiation management licence’ in respect of regulated material at the proposed hospital.

The EPA recommends that the proposal include specific requirements for a natural person who uses regulated material at the proposed hospital to hold a ‘radiation user licence’ and that they must comply with any condition to which the licence is subject.

The proposal should also include a requirement for the proponent to apply for and obtain any necessary amendment to the ‘radiation management licence’ currently held under the name of the North Shore Private Hospital Pty Limited, in respect of regulated material.