



**Planning &
Infrastructure**

MODIFICATION REQUEST:

***Chris O'Brien Lifehouse at RPA
Bounded by Salisbury Road, Brown Street,
Missenden Road and Susan Street,
Camperdown***

***MP10_0036 MOD 1 – Modification to the Hours
of Construction***



Director-General's
Environmental Assessment Report
Section 75W of the *Environmental Planning and
Assessment Act 1979*

May 2012

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Published May 2012
NSW Department of Planning & Infrastructure
www.planning.nsw.gov.au

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TABLE OF CONTENTS

1.	BACKGROUND	4
1.1	The Site	4
1.2	Previous Approvals	5
2.	PROPOSED MODIFICATION	5
3.	STATUTORY CONTEXT	5
3.1	Continuing Operation of Part 3A to Modify Approvals	5
3.2	Modification of the Minister's Approval	5
3.3	Environmental Assessment Requirements	5
3.4	Delegated Authority	6
4.	CONSULTATION AND SUBMISSIONS	6
4.1	City of Sydney Council	6
4.2	Sydney Local Health District	6
5.	ASSESSMENT	6
5.1	Noise emission impacts	6
5.2	Residential amenity	7
5.3	General public and neighbouring properties	7
6.	CONCLUSION AND RECOMMENDATION	8
	APPENDIX A MODIFICATION REQUEST	9
	APPENDIX B SUBMISSIONS	10
	APPENDIX C RECOMMENDED MODIFYING INSTRUMENT	11

1. BACKGROUND

1.1 The Site

The subject site forms part of the larger Royal Prince Alfred Hospital campus and is bound by Sydney University to the east and residential and mixed use land uses of Camperdown to the north, south and west (**Figure 1** below). The subject site is located in the local government area of City of Sydney.

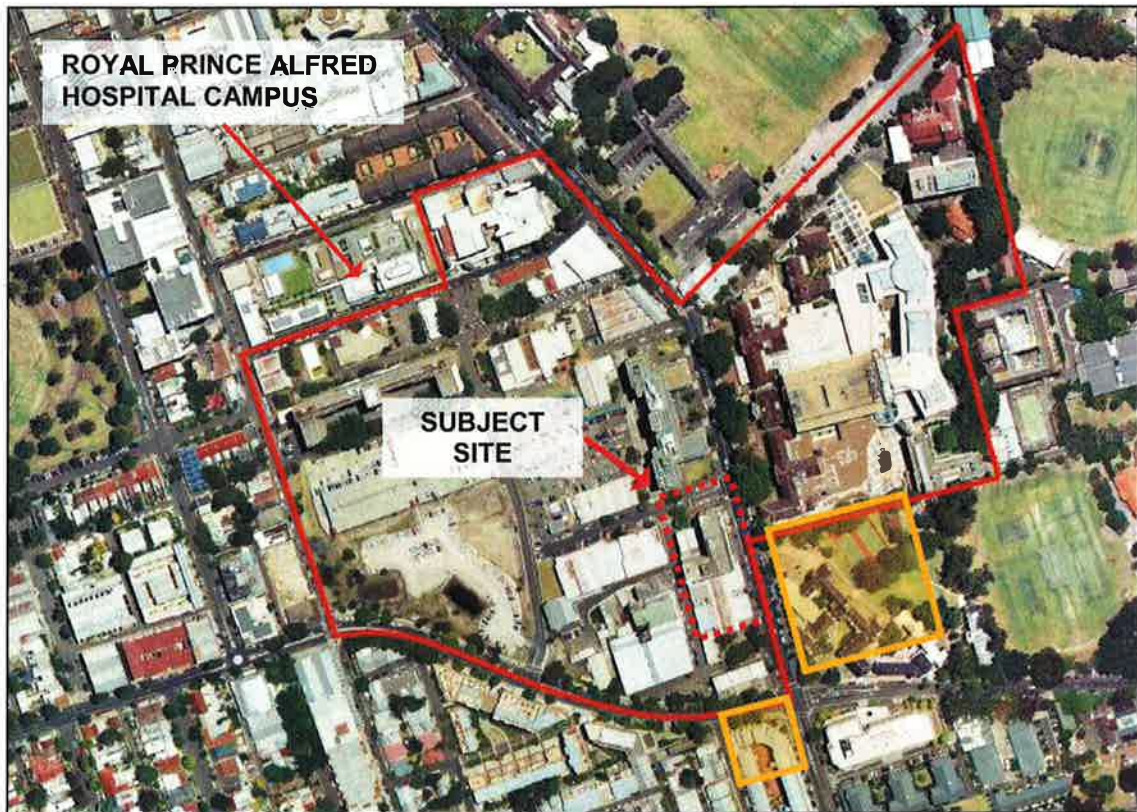


Figure 1 – Locality Plan indicating the location of the subject site within the Royal Prince Alfred Hospital Campus. The neighbouring residential properties are indicated in **yellow**.



Figure 2 – Project Location.

1.2 Previous Approvals

On 20 December 2010, the Deputy Director-General approved the Major Project (MP10_0036) for Chris O'Brien Lifehouse at Royal Prince Alfred, including:

- 10 storey staged development;
- integrated cancer medical facility for clinical services and treatment, cancer research, operating theatres, educational facilities and accommodation;
- GFA of approximately 44,800m²;
- basement car parking; and
- installation of a new lift and refurbishment works to the Radiation Oncology Building.

The approved project is at pre-construction stage.

2. PROPOSED MODIFICATION

The proposal is for the extension of the hours of construction for an additional 30 minutes in the morning and afternoon Monday to Friday. The proposed hours of construction are:

Monday to Friday 7.00am to 6.00pm and Saturday 7.30am to 3.00pm

3. STATUTORY CONTEXT

3.1 Continuing Operation of Part 3A to Modify Approvals

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.

Consequently, this report has been prepared in accordance with the requirements of Part 3A and associated regulations, and the Minister (or his delegate) may approve or disapprove the modification of the project under section 75W of the Act.

3.2 Modification of the Minister's Approval

The modification application has been lodged with the Director General pursuant of Section 75W of the Act. Section 75W provides for the modification of a Minister's approval.

The Minister's approval for a modification is not required if the project as modified will be consistent with the existing approval. However, in this instance, the proposal seeks to extend the hours of construction as originally approved and therefore, approval to modify the application is required.

3.3 Environmental Assessment Requirements

Section 75W (3) of the EP&A Act provides that the Director-General may notify the proponent of environmental assessment requirements (DGRs) with respect to the proposed modification that the proponent must comply with before the matter will be considered by the Minister.

In this instance, following an assessment of the modification request, it was not considered necessary to notify the proponent of environmental assessment requirements pursuant to Section 75W (3) with respect to the proposed modification, as sufficient information was provided to the department to consider the application.

3.4 Delegated Authority

On 14 September 2011, the Minister for Planning and Infrastructure delegated his powers and functions under Section 75W of the Act to the Directors in the Major Projects Assessment Branch, where:

- the relevant local council has not made an objection;
- no reportable political donation has been declared; and
- less than 10 objections were made on the application.

No submissions have been received from the public and Council has not made an objection to the proposal. There has also been no political disclosure statement made for this application or for any previous related application.

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

4. CONSULTATION AND SUBMISSIONS

In accordance with Section 75X (2) (f) of the EP&A Act, the Director-General is required to make the modification request publicly available. The modification request was made available on the department's website and referred to City of Sydney for comment.

No submissions were received from the public.

4.1 City of Sydney Council

Council raised no objection to the proposed extension of construction hours.

4.2 Sydney Local Health District

As part of the modification application the proponent supplied a copy of a letter from the Sydney Local Health District, who are the immediately adjoining neighbours (Royal Prince Alfred Hospital) Sydney Local Health District supports the proposal to extend the hours of construction on the Lifehouse project.

5. ASSESSMENT

The Department considers the key issues associated with this modification to be:

- noise emission impacts;
- residential amenity; and
- general public and neighbouring properties.

5.1 Noise emission impacts

City of Sydney Council's "Code of Practice for Construction Hours/Noise within the Central Business District" has been developed to ensure the amenity of existing residents and commercial receivers is preserved. The proponent has indicated that noise generated by plant and equipment on site will be managed to generally comply with the criterion as specified in Council's acoustic criteria. However, where compliance with Council's requirements cannot be achieved, noise emissions will be managed in accordance with principles in the Australian Standard 2436-1981 "Guide to Noise Control on Construction Maintenance and Demolition Site" (AS2436).

Council has raised no objection to the proposed extension of construction hours and the Department is satisfied that noise emission impacts will be managed by Council's acoustic criterion and the compliance with Condition D6 (Noise Control) of the original consent.

5.2 Residential amenity

The subject site is in close proximity to a multi-storey residential development to the south, being 155-165 Missenden Road, Camperdown, and to the east, being St Andrews College which have the potential to be adversely affected by additional noise impacts proposed to be taken outside of normal construction hours.

Acoustic Logic's Acoustic Report entitled "Assessment of Extended Construction Hours" evaluates the results of a noise impact assessment of construction operations that are proposed to occur outside of the currently approved construction hours. The report indicates that a number of processes and activities may exceed the noise goals in residential receivers. However, these exceeded limits are a result of equipment which are irregular in nature and would generally occur for limited periods during the day.

The Department has considered the proponent's acoustic report and the submission from Council and is satisfied that the proposed extended hours of construction given the amenity of the residents is not considered to be adversely affected.

5.3 General public and neighbouring properties

The nearest commercial receivers are located approximately 10 metres to the west and south of the site. The proposed after hours construction have the potential to adversely impact upon the amenity of the general public and neighbouring commercial and retail tenancies.

The proponent's acoustic report indicates that certain construction activities will surpass the noise emission goals, however many of the noise sources are present over a small period of the day or may be present for a few days with a significant intervening period before the activity occurs again.

As a neighbouring property, the Sydney Local Health District supports the extension of construction hours and the Department considers that noise levels from the proposed out of hours construction activities will not cause any further adverse impact on nearby neighbouring properties or the general public.

6. CONCLUSION AND RECOMMENDATIONS

The proposal seeks to extend the hours of construction for an additional 30 minutes in the morning and afternoon for weekdays. The Department has assessed the application on its merits and the proposed modification is considered reasonable and is not likely to adversely affect the amenity of neighbouring residents, the general public or neighbouring buildings. The proposed modification does not change the original assessment as to the site's suitability for this development.

The Department notes that the construction activities may periodically exceed the noise emission goals, however flexibility has been granted to this particular application as the proposed extension of construction hours will allow the operation of the cancer treatment facility to commence at an earlier date which will provide a significant community benefit.

It is recommended that the Acting Director, Metropolitan and Regional Projects South:

- (a) **consider** the findings and recommendations of this report;
- (b) **approve** the modification request under delegated authority, subject to conditions and;
- (c) **sign** the attached Instrument of Modification for MP10_0036 MOD 1.

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APPENDIX A MODIFICATION REQUEST

See the department's website at

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=5210

APPENDIX B SUBMISSIONS

See the department's website at

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APPENDIX C RECOMMENDED MODIFYING INSTRUMENT
