



DOC19/578235-5; EF14/499

Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Ms Megan Fu

By email: megan.fu@planning.nsw.gov.au

8 August 2019

Dear Ms Fu

**New Maitland Hospital - Stage 2 SSD 9775
Recommended Conditions of Approval**

I refer to your email to the Environment Protection Authority (EPA) received 5 July 2019, seeking advice in relation to the New Maitland Hospital – Stage 2 (SSD-9775), located in the Metford area of New South Wales, in the Maitland local government area. Information on the proposed development is contained in “*Environmental Impact Statement – New Maitland Hospital – Stage 2 Main Works Metford Road, Metford*” prepared by Ethos Urban and dated 21 June 2019 (the EIS).

The EPA understands that the proposal is for the construction and operation of the New Maitland Hospital located at Metford Road, Metford NSW. This application, SSI 9775, is referred to as the New Maitland Hospital Stage 2 works and related directly to the Stage 1 application SSI 9022. The stages are:

- Stage 1 – Early works, preparatory works and concept design envelope; and
- Stage 2 – Detailed design, construction and operation of the New Maitland Hospital.

The EPA has reviewed the EIS and recommends that if the Department of Planning, Industry and Environment grants approval for the project, approval should be subject to the conditions listed at **Attachment A**.

In reviewing the EIS the EPA has identified the following issues:

Inconsistency in proposed construction hours

Section 3.14 of the EIS proposes the following construction hours:

- Monday to Friday 7am – 6pm
- Saturday 7am – 5pm; and
- No work on Sundays or Public Holidays

However, the footnote to Table 7 in Section 6.1.1.2 of the “Noise and Vibration Assessment” (Appendix L of the EIS) states that “during the proposed extension on Saturdays from 1pm to 5 pm and 6 pm to 7 pm period on Monday to Fridays, all noise affected levels are to be background plus 5dB(A) instead of background plus 10dB(A)”. This footnote does not mention the extension of construction hours from 8 am to 7am on Saturday mornings, and includes a proposed extension from 6 pm to 7pm on Monday to Fridays.

The Interim Construction Noise Guidelines (DECC 2009) recommend standard construction hours of:

- Monday to Friday 7am – 6pm
- Saturday 8am – 1pm; and
- No work Sundays or Public Holidays.

Inadequate justification for non-standard construction hours

The Interim Construction Noise Guidelines (DECC 2009) state that works outside the recommended standard hours should only be permitted to shorten the length of the construction of public infrastructure where it is supported by the affected community. Where non-standard construction hours are sought, the proponent should provide clear justification for reasons other than convenience.

The EIS provides the following justification for the proposed non-standard construction hours:

- to enable efficient construction;
- shorten the project’s construction timeline to benefit the community;
- economic benefit for local businesses and
- the works area is “remote” and therefore the works will result in limited noise impacts.

However, the hospital construction site within approximately 500 metres of the nearest residence and cannot be considered “remote”.

To mitigate against the impacts of the proposed extension of construction hours, the EIS states:

- “all noise affected levels are to be background plus 5dB(A) instead of background plus 10dB(A)”; and
- “Low noise activities carried out (e.g. handheld tools (including power tools) painting etc) may be carried out at all times provided the activities do not cause offensive noise.”

No details of mitigation measures are provided.

Given the absence of detailed assessment and mitigation measures, the EPA has recommended only limited extensions to standard construction hours in the conditions recommended in Attachment A.

The Recommended Conditions of Consent relate to the development as proposed in the documents and information currently provided to the EPA. In the event that the development is modified either by the applicant prior to the granting of consent or as a result of the conditions proposed to be attached to the consent, it will be necessary to consult with the EPA about the changes before the consent is issued. This will enable the EPA to determine whether its Recommended Conditions of Consent need to be modified in light of the changes.

If you have any questions about this matter, please contact Genevieve Lorang on (02) 4908 6869 or by email to hunter.region@epa.nsw.gov.au

Yours sincerely

MITCHELL BENNETT
Head Strategic Operations Unit - Hunter
Environment Protection Authority

Encl: Attachment A – Recommended Conditions of Consent

ATTACHMENT A – RECOMMENDED CONDITIONS OF APPROVAL **NEW MAITLAND HOSPITAL – STAGE 2**

The EPA recommends that if the Department of Planning, Infrastructure and Environment grants project Approval, the following conditions be included:

Contamination

- Prior to the commencement of any site preparatory works detailed in the Stage 2 proposal (SSI 9775), the proponent must provide a Detailed Site Investigation (DSI) report, which addresses potential contamination issues at the site. The DSI must be prepared in accordance with the requirements and guidance in the document 'Managing Land Contamination: Planning Guidelines – SEPP 55 Remediation of Land'.

Construction Noise Mitigation

- The proponent must implement reasonable and feasible noise management measures, to minimise off site impacts. The measures used must achieve the noise management levels in the EPA's "*Interim Construction Noise Guidelines*" published by the department of Environment and Climate Change in 2009 (as may be updated or replaced from time to time).

Construction hours

- The construction works permitted by this consent must comply with the following hours:
 - Monday to Friday 7 am to 6 pm
 - Saturday 8 am to 5 pm
 - No work on Sundays or public holidays
- Low noise activities may be carried out may be carried out at any time provided the activities do not cause offensive noise.

Air Quality

- All reasonable steps must be taken to minimise dust generated during construction works.

Water Quality

- The development must comply with Section 120 of the *Protection of the Environment Operations Act 1997*. (POEO Act) which prohibits the pollution of waters.
- Prior to the commencement of any construction or other surface disturbance the applicant must install and maintain suitable sediment and erosion controls onsite, in accordance with the relevant requirements of the *Managing Urban Stormwater: Soils and Construction – Volume 2A Installation of Services* (DECC 2008).