

DEPARTMENT OF PLANNING & INFRASTRUCTURE

Development Assessment Systems and Approvals

SUBJECT: MODIFICATION TO TAMWORTH HOSPITAL REDEVELOPMENT **(SSD 5204 MOD 1)**

PURPOSE

To determine a section 96(1A) modification request (SSD 5204 MOD 1) for minor changes to the roof top plant room and minor design changes to the building façade of the approved hospital building under the development consent for the redevelopment of Tamworth Hospital.

BACKGROUND

On 11 December 2012, the then Executive Director, Major Projects Assessment, under delegation from the Minister for Planning and Infrastructure, approved the State significant development application for the Tamworth Hospital Redevelopment at 31 Dean Street, North Tamworth (TAG A). The development comprised:

- demolition and bulk earthworks, including excavation
- construction of a five storey building (to be known as the Acute Services Building), including a new public hospital entrance, and linkages to existing hospital buildings, including minor works to the Brudelin building
- construction of at-grade car parks, loading area, new access road and traffic management measures
- construction of temporary facilities to accommodate displaced medical facilities
- landscaping works.

The development is currently under construction.

PROPOSED MODIFICATION

The applicant is seeking to make minor changes to the roof top plant room (including minor height increase of plant room, lift overrun and flues) and the building façade and landscaping.

MODIFICATION OF THE MINISTER'S CONSENT

Section 96(1A) of the EP&A Act provides that 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 a development consent that is deemed to be substantially the same development. Therefore, the Minister is the consent authority for the subject application as the original application was granted by the then Executive Director, Major Projects Assessment, as delegate of the Minister for Planning and Infrastructure on 11 December 2012.

Section 96(1A) of the EP&A Act requires the matters outlined in Table 1 to be assessed in respect of all applications which seek modifications to an approval.

Table 1: Matters to be considered under section 96(1A) of the EP&A Act

Matter	Consideration
Whether the proposed modification is of minimal environmental impact	The design modifications are relatively minor and will have minimal environmental impact as the height increase of the roof top plant is marginal and the façade modifications are not visually discernible.
Whether the development to which the consent as modified relates is substantially the same development	The proposed modification seeks to make minor changes to the design of the plant and the materials used for the façade. The modified development would be substantially the same development.

Matter	Consideration
Whether notification has occurred and any submissions have been considered	In accordance with the EP&A Act and the EP&A Regulations, the modification request does not need to be notified. The application was referred to council, who raised no objections to the modifications.
Any relevant provisions of section 79C(1) of the EP&A Act	The relevant provisions of section 79C(1) of the EP&A Act are considered in this section and the key issues section of this report.

CONSULTATION

The application was notified in accordance with the Environmental Planning and Assessment Regulation 2000. The application was made publicly available on the department's website. Tamworth Regional Council was also notified of the proposal.

Council raised no objections to the modification request. No public submissions were received on the modification request.

DELEGATED AUTHORITY

The Minister has delegated his functions to determine section 96 applications to the Directors in the Major Projects Assessment Division where:

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

It is noted that:

- council does not object to the proposal, and
- no public submissions were received, and
- no reportable political donation has been declared in relation to the original application or this modification request.

In accordance with the Minister's delegation, the Director, Industry, Social Projects and Key Sites, may determine this project under delegated authority.

KEY ISSUES

The height variations to the plant are considered to be minor and do not change the overall bulk and scale of the hospital building. Whilst there is a minor increase to the height (two metres) of the plant, the variation would be visually imperceptible when compared to the original design. Whilst no height controls are prescribed for the site, the Tamworth Airport Obstacle Limitation Surface (OLS) of 45 metres above ground does extend across the site. The modified design continues to be well below this constraint at 26.3 metres. The flues would extend to a height of 29.3 metres and would still be below the OLS. Accordingly, the minor height variations are considered to be acceptable.

The modifications also seek to increase the size of the plant by 350 sqm (see **Figures 1 and 2**). However, the plant remains centrally located and proportionally appropriate in the context of the hospital building. Furthermore, the design of the plant is integrated into the design of the hospital building, which itself is centrally located within the campus, resulting in minimal visual impacts from viewpoints external to the site.

Figure 1: Approved Roof Plan

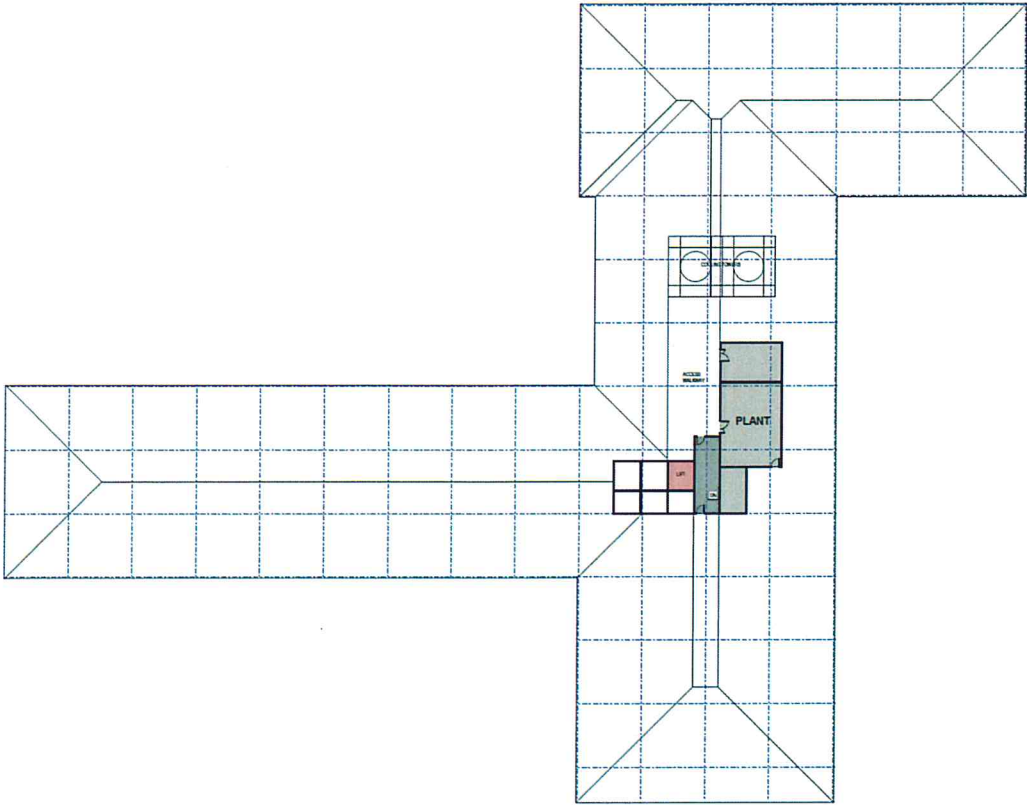
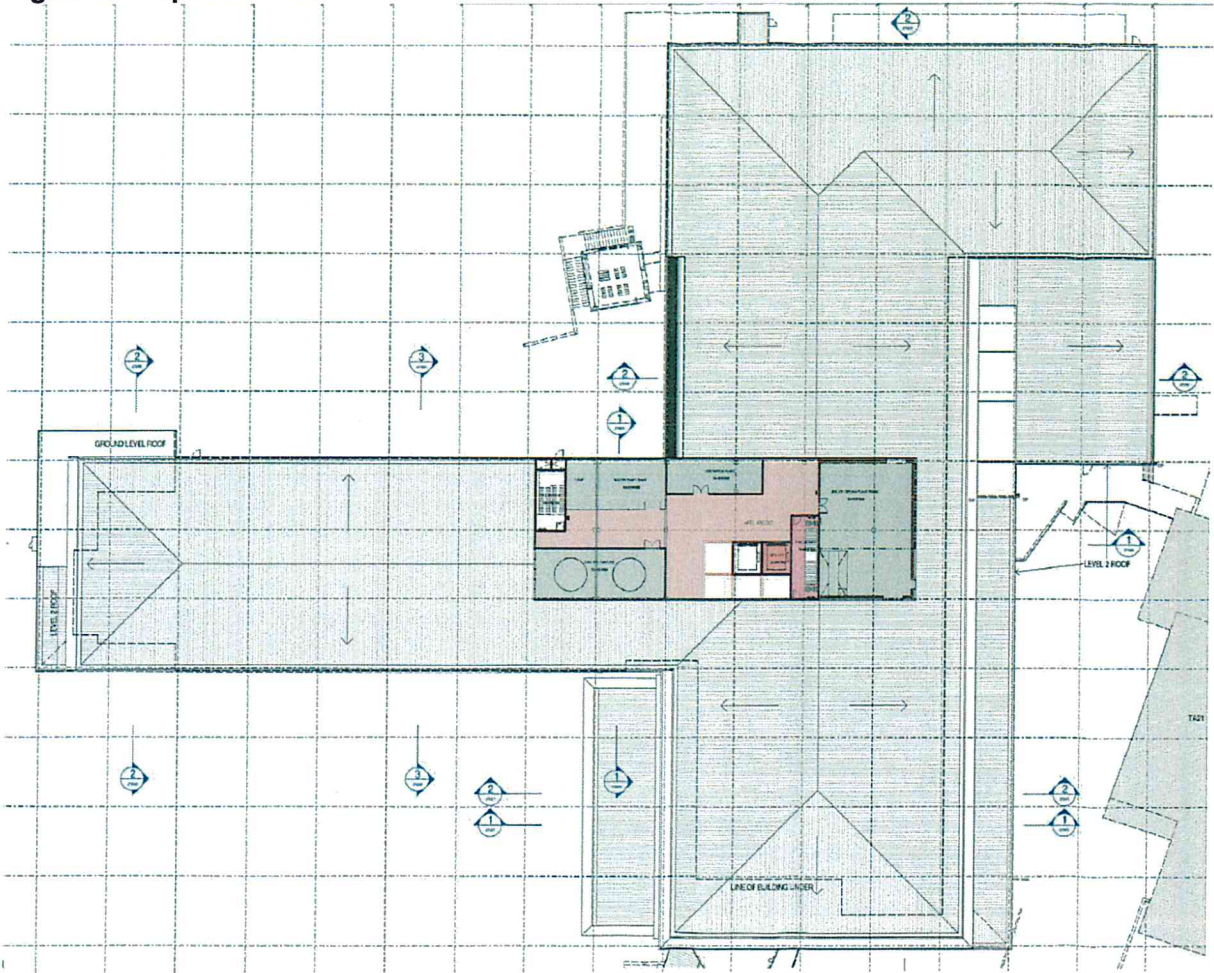


Figure 2: Proposed Roof Plan



The façade changes (modifications to materials) and landscaping design changes are considered minor and would not alter the impact of the development.

Accordingly, the department recommends the modification request be approved as the modifications would have minimal environmental impacts and the development as modified would be substantially the same development.

RECOMMENDATION

It is **RECOMMENDED** that the Director, Industry, Social Projects and Key Sites:

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

Prepared by:


Megan Fu
Senior Planner
Industry, Social Projects & Key Sites

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Endorsed by:


David Gibson
Team Leader
Industry, Social Projects & Key Sites

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