

Amendment of REF 10/2023: Early Works REF – Westmead Integrated Mental Health Complex (IMHC)

Project/Portfolio

Westmead IMHC / Northern Region

Topic

To amend the Review of Environmental Factors (REF) No.10/2023 by retaining a group of trees (known as Group 1) as part of the REF approval, reducing the amount of replacement trees and correctly identifying all individual trees to be removed as part of the Early Works REF.

Recommendation

Acting as a delegate of the Health Administration Corporation and in accordance with Section 5.5 of the *Environmental Planning and Assessment Act 1979*, having taken into account to the fullest extent possible all matters likely to affect the environment as a result of the proposed activity, I hereby determine the Review of Environmental Factors by granting approval subject to the Mitigation Measures contained in the approval dated 3 May 2023, subject to the amendments below:

Schedule 1

Mitigation measures

The following Mitigation Measures have been imposed to ensure that the activity is carried out in accordance with the plans/documentation and any amendment approved under Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). These mitigation measures are required to eliminate, minimise or manage environmental impacts of the activity. They provide measures for the appropriate environmental performance of the activity, including regular monitoring and reporting.

General measures

Obligation to prevent impacts to the environment

In addition to meeting the mitigation measures in this determination, all reasonable and feasible measures should be implemented to prevent impacts to the environment that may result from the activity.

Development in Accordance with Plans and Documentation

- 2.1 The proposal must be carried out generally in accordance with the Review of Environmental Factors dated 18 April 2023 and prepared by Ethos Urban on behalf of NSW Health Infrastructure (including Appendices A - T) and generally in accordance with the following plans/documentation, mitigation measures and as modified below (in red) and by any of the under-mentioned measures:

Tree Management and Landscape

- 9.1 The recommendations of the Arboricultural Assessment prepared by Tree Management Strategies, dated 3 March 2023 shall be satisfied prior to works commencing and during work and as updated by the Tree Impact Plan prepared by Tree Management Strategies and received by HI Planning on 11 May 2023.
- 9.2 Permission is granted for the removal of 37 individual trees specifically trees No.3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 30, 31, 32, 33, 38, 39, 41, 42, 43, 44, 45, 46, 50 and 51. and 28 trees that form part of the Group 1 trees (as stipulated in the Tree data schedule (Appendix 1) and the updated Tree Impact Plan (Appendix 2) of the Arboricultural assessment referred to in Mitigation measure 9.1.

- 9.3 Any tree removal work is to be undertaken in accordance with the relevant Australian Standard for the Pruning of Amenity Trees, using a qualified Arborist (minimum Australian Qualification Framework (AQF3) Level Arborist).
- 9.4 Trees No. 1, 2, 28, 29, 34, 35, 36, 37, 54 and 55 **and trees located within Group 1, 2 and 3** (as identified in the Arboricultural Assessment) are to be retained. Protection and tree preservation shall occur in accordance with the Tree Management Plan outlined in Section 4 of the Arboricultural report to ensure the ongoing health and vitality of these trees.
- 9.5 A minimum of ~~sixty-five (65)~~ **thirty-seven (37)** replacement trees are to be provided to compensate for the loss.
- 9.6 Trees numbered 8, 10, 26, 27, 30, 44, 45, 46, 50 and 51 (as identified by the Arboricultural Assessment) shall be replaced by new trees with minimum pot sizes of 200L-300L and achieve a minimum height of 8m at maturity. Trees in 200-300L pots should be at heights of some 3.5m-4m so they should provide immediate visual impact once planted. All remaining new trees can be planted at a standard pot size.
- 9.7 ~~A total of 28 trees to be removed which form part of Group 1 (identified by the Arboricultural Assessment) shall be replaced by a minimum of 28 new trees with minimum pot sizes of 200L-300L and achieve a minimum height of 8m at maturity. Trees in 200-300L pots should be at heights of some 3.5m-4m so they should provide immediate visual impact once planted. All remaining new trees can be planted at a standard pot size.~~
- 9.8 New trees shall be native species that are endemic to the area.
- 9.9 Trees not proposed to be removed are to be protected in accordance with AS 4970-2009 Protection of Trees on Development Sites and in accordance with the recommendations in the Arboricultural Assessment.
- 9.10 No building materials, builder's sheds and the like are permitted to be stored under the canopy of existing trees.

Landscape Plan

- 35.1 An updated Landscape Plan shall be prepared for the site and its surrounds and/or campus wide which designates the areas where the new trees will be planted. A minimum of ~~65~~ **37** new trees are to be planted in areas immediately adjoining the site or within the campus. The plan shall integrate the requirements outlined in mitigation measures 9.6, 9.7 and 9.8. The Plan shall be submitted to HI-Planning.

HI Chief Executive's signature
Rebecca Wark



Date
2 June 2023

Key reasons

REF Approval 10/2023 was issued on 3 May 2023 for the demolition of Casurina Lodge, the Brain Injury Rehabilitation Unit (BIRU), Integrated Project Offices, remediation works, removal and reconfiguration of parking with new access entry and boom gates to P14 off Redbank Road, tree removal and associated landscaping and site works at Westmead Hospital, corner Hawkesbury Road and Darcy Road, Westmead.

The subject site is earmarked for future development specifically for the construction of the Westmead Integrated Mental Health Complex (IMHC). The REF (10/2023) allows for a series of early works to prepare the site for redevelopment. The construction of the Westmead IMHC is dependent on the approval of a State Significant Development (SSD-44034342). The Environmental Impact Statement (EIS) was submitted on 16 May 2023 and is currently on Exhibition for 28 days.

Prior to the formal submission of the EIS the final documentation was reviewed and it was found that the Arboricultural Assessment suggested that a series of trees denoted as "Group 1" in the report be removed as part of the SSDA. This conflicts with the REF (10/2023) approval which supported the removal of this group of trees as part of the REF works. Given the two applications must be independent and proposed works need to be clearly separate and independent from one another, this issue of tree removal overlapped across both applications. To rectify this discrepancy, the

Project Team decided to pull out the removal of the Group 1 trees from the REF by way of an addendum REF and the removal of those trees will be subject of the SSDA assessment.

The Arboricultural Impact Assessment prepared by Tree Management Strategies dated 6 October 2022, designated a group of 28 trees (referred to as Group 1) to be removed as shown in the Tree Impact Plan associated with the report. An extract of the Tree Impact Plan is shown below at **Figure 1**. As such the REF determination assessed and considered their removal in the report and by way of determination. The Arboricultural Impact Assessment prepared by Tree Management Strategies dated 16 September 2022 which accompanies the SSDA also includes the Tree Removal Plan which seeks the removal of Group 1 trees.

On 11 May, HI Planning received an email request to amend the REF approval to remove the Group 1 trees from the REF determination. This request was accompanied by an updated Tree Impact Plan which now shows Group 1 trees to be retained as part of the REF and their removal will be assessed as part of the SSD assessment.

Group 1 trees comprise of a series of 28 individual trees and are described in the arborists report as “*The Group 1 tree species... are a majority of River Oaks of varying health and condition. The trees within Group 1 are given a medium retention value due to their age, health and position in the landscape.*” They are visually shown in the photo below and are highlighted green in **Figure 1**.



Photo 1: Visual extract from the Arboricultural assessment showing the type and form of Group 1 Trees



Figure 1: Extract from the Arboricultural Impact Assessment Report showing the Tree Impact Plan and highlighting that Group 1 trees (highlighted in green) are subject to removal.

With the retention of the 28 trees that form Group 1, as part of the REF, the total amount of trees to be removed will be reduced from 65 to 37. As such less compensatory planting is required and this is reflected in modified mitigation measures. The REF as amended will only require the removal of thirty-seven (37) individual trees.

The REF determination and mitigation measures have been modified to reflect the changes in scope which includes the retention of the Group 1 trees as part of this application as well as a reduction in the number of compensatory trees to be planted given that 28 trees will now be retained.

Financial Implications

Nil

Risk & Environmental Impacts

Risks have been mitigated through measures included in the original REF and no additional measures are considered necessary given the small scale and negligible impact of the changes. There are environmental advantages of this change by retaining existing trees as part of this project.

The addendum REF is minor in scope and there is no intensification of the works as a consequence of the amendments.

Consultation

Notification letters were originally sent to Parramatta City Council and SES, as part of the REF preparation. Responses received from SES were addressed within the approved REF and this addendum does not impact on the original submission received which related to flooding and associated measures.

It is not considered necessary to re-notify the Activity, given the minor and positive environmental outcome of the proposed modification.

Author and endorsements

Author	Position	Date
Larissa Ozog	Senior Planning Advisor	25 May 2023
Endorsed by	Position	Date
Rachel Mitchell	Planning Manager	25 May 2023
Matt Vizard	Director	26 May 2023
Leisa Rathborne	Executive Director	26 May 2023
Troy Harvey	Executive Director	26 May 2023

Attachments

Tab	Title
A	Workflow Approval History
B	Updated Arboricultural Assessment report