

REF Assessment Report

Westmead – World Class End of Life (WCEoL)

Version 1

24 January 2025

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Preface

This Assessment Report provides a record of Health Infrastructure NSW's (HI) assessment and evaluation of the Review of Environmental Factors application for Westmead – World Class End of Life (WCEoL).

The Assessment Report includes:

- A description of the project and an explanation of why the project is being considered as development without consent.
- An assessment of the project against government policy and statutory requirements, including mandatory considerations.
- A demonstration of how matters raised by the community and other stakeholders have been considered.
- An explanation of any changes made to the project during the assessment process.
- An evaluation that weighs up the likely impacts and benefits of the project, having regard to the proposed mitigations and expert advice; and provides a view on whether the impacts are significant and whether they are acceptable.
- A recommendation to HI Chief Executive, along with the reasons for the recommendation, to assist them in making an informed decision on approval of the project and what measures should be imposed.

Executive Summary

NSW Health Infrastructure is proposing alterations and additions at Westmead Hospital for a palliative and supportive care unit under the provisions of *State Environmental Planning Policy (Transport & Infrastructure) 2021* (TI SEPP) which requires determination under Part 5 of the *Environmental Planning & Assessment Act 1979* (EP&A Act). This REF Assessment Report demonstrates that the Review of Environmental Factors (REF) for the proposed activity has met the requirements of Part 5 of the EP&A Act and the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation), including:

- *Guidelines for Division 5.1 Assessments*, prepared by the Department of Planning, Housing and Infrastructure (DPHI) (formerly known as the Department of Planning and Environment) (June 2022)
- *Guidelines for Division 5.1 assessments—Consideration of Environmental Factors for Health Services Facilities and Schools* (October 2024) prepared by DPHI
- *Community Participation Plan* (October 2024) prepared by HI
- *Stakeholder Community Participation Plan* (October 2024) prepared by DPHI.

The assessment of the REF and recommendations against the relevant legislation, including the EP&A Act, the EP&A Regulation and the Guidelines approved under Section 170 of the EP&A Regulation, concurs with the finding that, subject to the mitigation measures, the proposal is not likely to significantly affect the environment. On that basis, an Environmental Impact Statement, Species Impact Statement and/or Biodiversity Development Assessment Report is not required, and the proposed activity may proceed.

1 Introduction

1.1 The Proposal

The Westmead Hospital WCEoL Project proposes alterations and additions to the existing Level 4 plantroom's rooftop on the Central Acute Services Building (CASB), to accommodate a new 15-bed palliative and supportive care unit.

1.2 Project Location

The activity is proposed as an extension to the existing CASB at Westmead Hospital. Westmead Hospital is located at the corner of Hawkesbury Road and Darcy Road in Westmead, west of Parramatta CBD. The site (the whole of Westmead Hospital) is legally described as Lot 1 DP 1194390 and is 28.5 ha in area.

The locality is generally dominated by the hospital and its adjacent health services facilities, including The Children's Hospital at Westmead and Westmead Private Hospital. Other educational and medium to high density residential uses flank the hospitals generally to the south-east and west.

The CASB sits to the north-east of the original hospital buildings and between it and The Children's Hospital at Westmead further to the north-east along Hawkesbury Road. The building is set back behind the Westmead Institute for Medical Research, and the Children's Medical Research Institute at the Hawkesbury Road frontage.

Figure 1: The CASB viewed from the north.



1.3 Project Background

The project forms part of the NSW Health End of Life Palliative Care Framework 2019-2024; Clinical Principles for End of Life and Palliative Care; and the Palliative Care Blueprint (Agency for Clinical Innovation). In the 2022-23 NSW State Budget, the Government announced funding for a WCEoL program, as part of a larger commitment to ensuring NSW has the best palliative care services and support in Australia, if not the world. As part of the program, new units have been announced for Westmead Hospital, Nepean Hospital, Wyong Hospital, Orange Health Service and Tamworth Hospital.

2 Project

2.1 Project Overview

The Westmead Hospital WCEoL Project proposes alterations and additions to the existing Level 4 plantroom’s rooftop on the existing Central Acute Services Building (CASB) to accommodate a new 15-bed palliative and supportive care unit.

The addition is approximately 1,600m² of useable area to the new Level 5. The 15 beds are provided through 12 one-bed rooms with ensuites, one two-bed room, as well as a separate isolation bedroom to meet the functional brief of the project. The proposal also involves a lounge and dining area, a multi-faith prayer room to support the inpatient spaces, and also provides for a range of other rooms and spaces for clinical support.

Figure 2: Site Plan showing proposed floor layout and landscaped courtyards.

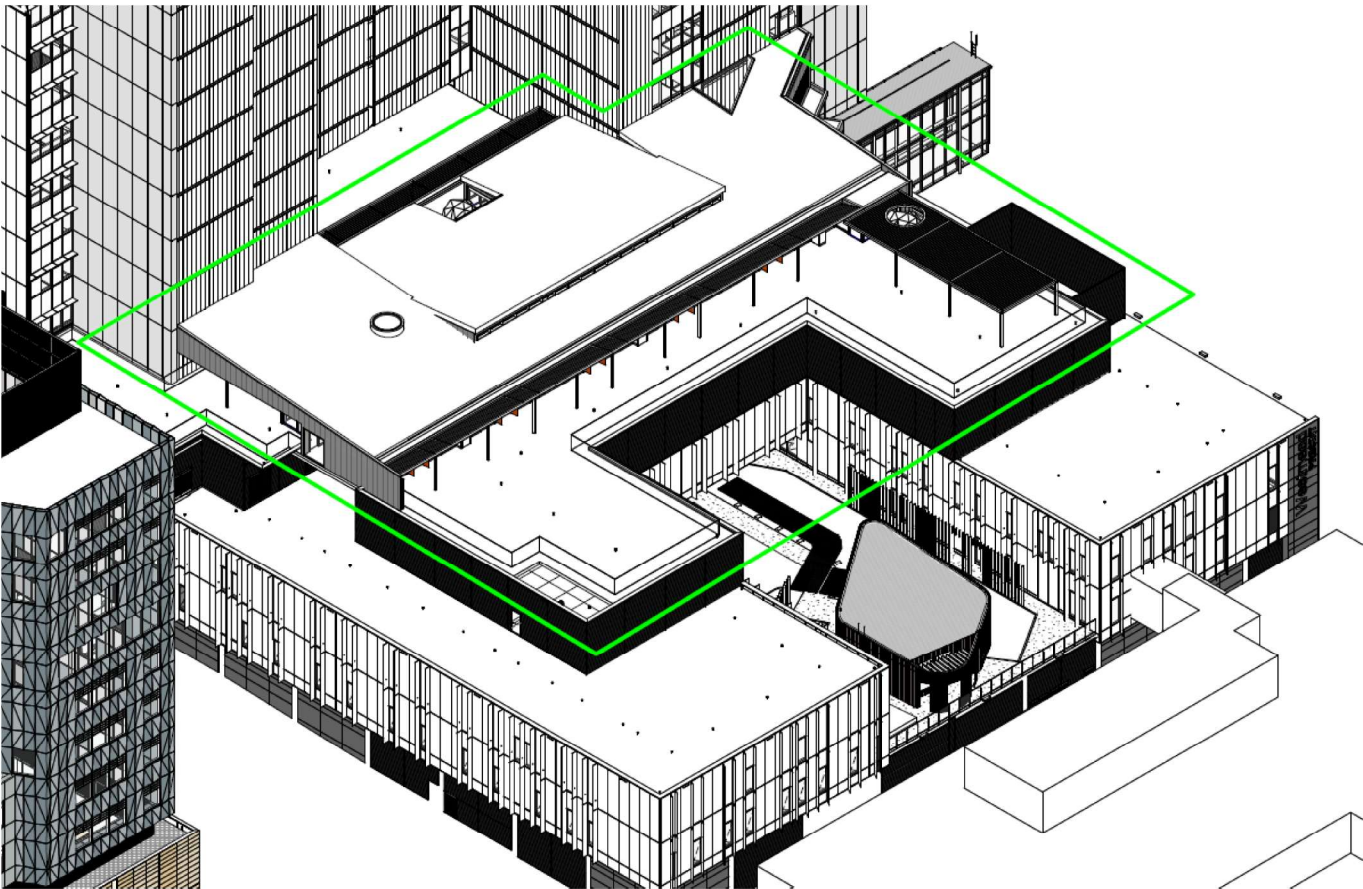


The key aspects of the project are provided within Section 3.1 of the REF and are outlined in the table below.

Aspect	Description
Project Summary	Alterations and additions to the existing CASB to accommodate a new 15-bed palliative and supportive care unit.

Aspect	Description
Demolition	Very minor demolition works are proposed to allow the project to be added to the CASB Level 4 rooftop
Built form	The proposed unit will be nestled within a taller, more dominant cluster of buildings, including the Children's Hospital at Westmead - Paediatric Services Building and the Westmead Integrated Mental Health Complex.
Landscaping	No tree removal is required as a result of the works. Landscaping is proposed within the new courtyard spaces. It will generally be a highly simplified design to cater for the elevated space and its functional needs.

Figure 3: 3D View of the Proposal



2.2 Uses and Activities

The proposed use at this new part of the CASB is for palliative and supportive care purposes and is part of typical hospital-related functions. The proposed use will be 24 hours per day and 7 days per week. The proposed use is consistent with other hospital activities and the existing palliative and supportive care activities carried out elsewhere within the hospital presently. The proposal involves 15 new beds with an additional estimated 34 new FTE staff.

3 Statutory Context

3.1 Planning Approval Pathway

Section 4.1 of the EP&A Act states that if an Environmental Planning Instrument (EPI) provides that development may be carried out without the need for development consent, a person may carry the development out, in accordance with the EPI, on land to which the provision applies. However, the environmental assessment of the activity constituting the development is required under Part 5 of the EP&A Act.

On 22 November 2024, planning reforms commenced which expanded the planning provisions for ‘development without consent’ in accordance with Part 5 of the EP&A Act. The TI SEPP was amended with no savings provisions imposed.

The REF was prepared prior to the reforms coming into effect and assesses the planning approval pathway against the previous criteria for development without consent. Notwithstanding, the reforms have not changed the appropriateness of the REF pathway for the proposed activity. The project meets the updated criteria to be considered development without consent, and considers the relevant factors and guidance of associated guidelines and policies identified within the TI SEPP.

Division 10 of Part 2.3 of the TI SEPP outlines the approval requirements for health service facilities. A hospital is defined as a health service facility under this division.

The site is zoned SP2 – Health Services Facility under the Parramatta *Local Environmental Plan 2023*. The SP2 Zone is a prescribed zone under the TI SEPP.

Therefore, the proposal is considered an ‘activity’ for the purposes of Part 5 of the EP&A Act and is subject to an environmental assessment (REF). The proposal is considered an ‘activity’ in accordance with Section 5.1 of the EP&A Act because it requires works permitted without development consent carried out by or on behalf of a public authority.

TI SEPP consultation is discussed within Section 6 of this REF.

Table 1: Description of proposed activities

Division and Section within TI SEPP	Description of Works
Section 2.61(1)(a)	Alterations and additions to construct the new 15-bed palliative and supportive care unit. The works will not create or affect more than 30,000m ² .

3.2 Design

The project has adopted design principles consistent with the *Design Guide for Health* (GANSW 2023) and the REF is accompanied by an Architectural Design Statement by BVN Architects (at Appendix B to the REF).

HI’s Design Advisor has reviewed the project and a mitigation measure to ensure the design integrity of the project through the HI-Design Assurance process is recommended.

3.3 Relevant Legislation and Guidelines for REF Assessment

The relevant legislation applied in determining the assessment of the REF includes:

- (a) *Environmental Protection and Biodiversity Conservation Act 1999 (Cth)*;

- (b) EP&A Act, particularly Section 1.3
 - the objects of the Act, and Part 5, Section 5.5 duty to consider environmental impact;
- (c) EP&A Regulation, Section 171;
- (d) *Biodiversity Conservation Act 2016*;
- (e) *Heritage Act 1977*;
- (f) *National Parks and Wildlife Act 1974*;
- (g) *Protection of the Environment Operations Act 1997*;
- (h) *Water Management Act 2000*;
- (i) *NSW Reconstruction Authority Act 2022*
- (j) TI SEPP;
- (k) *State Environmental Planning Policy (Resilience and Hazards) 2021*;
- (l) *Parramatta Local Environmental Plan 2023 (PLEP 2023)*; and
- (m) *Guidelines for Division 5.1 Assessments (June 2022)* , prepared by DPHI (formally known as the Department of Planning and Environment).
- (n) *Guidelines for Division 5.1 Assessments – Consideration of Environmental Factors for Health Services Facilities and Schools (October 2024)*, prepared by the NSW DPHI.
- (o) *Design Guide for Health* (April 2023) published by the Government Architect. April 2023

3.4 Other Approvals and Authorisations

As detailed in the REF, any approvals, authorisations or notifications that are required under other Acts before the activity can proceed have been obtained, or where applicable, have been included in the identified requirements.

3.5 Section 171(1) Environmental Factors

The factors to be taken into account under Section 3 of the *Guidelines for Division 5.1 Assessments* (June 2022) and *Guidelines for Division 5.1 Assessments – Consideration of Environmental Factors for Health Services Facilities and Schools* (October 2024), and the matters under Section 171A of the EP&A Regulation, have been fully considered in the REF in determining the likely impact of the proposed activity on the environment. Measures to mitigate potential singular and cumulative impacts associated with the proposed activity have been identified.

4 Consultation and Engagement

4.1 Notification of the REF

Health Infrastructure:

- Provided notification of the REF for 21 days from 21 August 2024 until 11 September 2024.
- Notified and invited comment from neighbouring and nearby properties in the vicinity of the proposed development that are deemed by Health Infrastructure to be affected by the proposal.
- Notified Local Council of the area within which the proposed activity is located.

While notification was undertaken prior to the amendments to the TI SEPP, the project was notified in line with the requirements established in the *Community Participation Plan* (October 2024 - CPP) prepared by HI, and the *Stakeholder Community Participation Plan* (October 2024 - SCPP) prepared by DPHI.

One public submission was received during the notification period. Council did not respond to the notification process.

The public submission sought information to the following questions:

- Will there be development works at night?
- How will the development impact daily traffic on Hawkesbury Road during the development? Traffic on Hawkesbury Road can already be congested during peak hour.

The project team responded by email on 17 September 2024, generally stating the following:

- there are no proposed night works and works are intended to be undertaken in standard construction hours.
- Traffic flows on Hawkesbury Road are unlikely to be affected.

Accordingly, the response adequately considers and responds to the information sought within the public submission.

It is noted that the SCPP only applies to new Health Services Facilities (HSF). Under the TI SEPP, new HSF are defined as:

new health services facility means a health services facility erected on a site—

(a) *in a prescribed zone, and*

(b) *on which there is no existing health services facility.*

As the proposed activity is located on an existing HSF site, the SCPP does not apply.

In accordance with the CPP, public exhibition of the project was not undertaken given the scale, location and minimal expected impacts of the proposal. The CPP includes that: *The proposed engagement activities should be proportionate to the scale and likely impacts of the project and the likely interest the community might have in the project. Proportionate engagement prevents consultation fatigue and keeps costs and time impacts to reasonable levels while remaining meaningful.*

5 Assessment

5.1 The requirements of Section 5.5 of the EP&A Act, the Guidelines for Divisions 5.1 Assessments (June 2022) and Section 171 of the EP&A Regulation have been met.

- Pursuant to Section 5.5(1) of the EP&A Act, the REF has examined and taken into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of the proposed activity.
- The factors to be taken into account under Section 3 of the *Guidelines for Division 5.1 Assessments* (June 2022), *Guidelines for Division 5.1 Assessments—Consideration of Environmental Factors for Health Services Facilities and Schools* (October 2024) and the matters under Section 171A of the EP&A Regulation, have been fully considered in the REF in determining the likely impact of the proposed activity on the environment and measures to mitigate potential singular and cumulative impacts associated with the proposed activity have been identified.
- As demonstrated in the completed Section 5.5 checklist (Section 4.3 of the REF) and Section 3 checklist (Section 6.1 of the REF), the proposed activity will not significantly affect the environment or threatened species and as a result, an Environmental Impact Statement is not required before a decision is made whether or not the proposed activity can proceed.

5.2 Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

- The activity will not have any impacts on matters of national significance including impacts on Commonwealth land, listed threatened species, migratory species protected under international agreements, national heritage places, world heritage properties/areas, or Ramsar wetlands of international importance. An approval under the EPBC Act is therefore not required.

5.3 Approvals, authorisations and notifications under other Acts

As detailed in the REF, any approvals, authorisations or notifications that are required under other Acts before the activity can proceed have been obtained, or where applicable, have been included in the identified requirements.

5.4 Key matters for consideration

5.4.1 Traffic, Transport and Parking

The proposed works generate an expected parking demand ranging between 13 and 20 parking spaces for staff and an expected parking demand of around 14 parking spaces for visitors. In total, the expected parking demand for the proposal ranges between 27 and 34 parking spaces.

The existing parking supply at and around the hospital campus is some 1,770 publicly available spaces in the surrounding area including approximately 960 unrestricted spaces with at least 1,322 staff and visitor spaces located within the hospital. Any new demand arising would be only a small fraction (0.01%) of the overall supply available.

The Transport Assessment prepared by Stantec (dated 25 September 2024) associated with the REF, concludes that overall, the generated parking demand as part of the project is minor in the context of the substantial parking supply both on site and on-street close to the site. This parking demand is expected to be absorbed into this existing supply.

On-site staff parking demand would be integrated with WSLHD's existing parking permit system, associated eligibility criteria and waiting list arrangements, and subject to the Ministry of Health standard parking charges. The staff parking demand of up to 20 spaces would be readily absorbed into these existing arrangements.

Visitor parking demand would also be absorbed into the existing visitor car parking servicing the CASB, with the demand for around 14 parking spaces within daily fluctuations in visitor parking demand and therefore of no impact on existing arrangements.

5.4.2 Noise & Vibration

Given the location of the project, as an extension of the existing CASB, the nearest sensitive receivers to the activity have been identified as primarily the hospital itself. Residential buildings are located some 200m to the south-east and are acoustically 'shielded' by existing high-rise hospital buildings.

All construction activity is expected to occur during recommended standard hours therefore sleep disturbance impacts at the neighbouring residential receivers are not expected. Notwithstanding, a range of standard mitigation measures have been set out by the acoustic consultant, Acor, which should be implemented into a final Construction Noise and Vibration Management Plan (CNVMP).

6 Evaluation and Recommendation

Based on review and assessment of the material presented in the REF and recommendations against the relevant legislation, guidelines and other relevant documentation, including:

- the EP&A Act and EP&A Regulation,
- the *Guidelines for Division 5.1 Assessments*, prepared by DPE (June 2022),
- the *Guidelines for Division 5.1 assessments—Consideration of Environmental Factors for Health Services Facilities and Schools (October 2024)* prepared by DPHI,
- the *Community Participation Plan (October 2024)* prepared by HI, and
- the *Stakeholder Community Participation Plan (October 2024)* prepared by DPHI,

the proposal:

- is not likely to significantly affect the environment such that an Environmental Impact Statement, Species Impact Statement and/or Biodiversity Development Assessment Report is required; and
- may proceed subject to the final mitigation measures listed in the Decision Statement, which must be implemented as part of this approval.

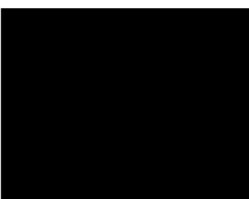
It is recommended that the Chief Executive of Health Infrastructure, acting as a delegate of the Health Administration Corporation:

- **Considers** the findings and recommendations of the REF and this Assessment Report;
- **Accepts and adopts** the findings and recommendations in the REF report as the reasons for making the decision to approve the activity, including the recommended mitigation measures; and
- **Signs** the Decision Statement and recommended mitigation measures, which must be implemented as part of this approval.

6.1 Certification

I certify that I have reviewed and endorsed the contents of this REF document, and, to the best of my knowledge, it is in accordance with the *Environmental Planning & Assessment Act 1979* (EP&A Act), the *Environmental Planning & Assessment Regulation 2021* (EP&A Regulation) and the Guidelines approved under Section 170 of the EP&A Regulation, and the information it contains is neither false nor misleading.

Recommended by:



Senior Advisor, Town Planning

Recommended by:



Program Director, Town Planning

Appendices

Appendix A Mitigation Measures

Health Infrastructure

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