

Modification of Development Consent

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



David Gibson
Team Leader
Social Infrastructure

Sydney

16 September 2024

SCHEDULE 1

Development consent:	SSD-16928008 granted by the Director, Social and Infrastructure Assessments on 9 December 2022
For the following:	Stage 2 redevelopment of Nepean Hospital, including: <ul style="list-style-type: none">• demolition of parts of the existing North Block, the Total Asset Management facility and other satellite buildings.• construction of a new seven storey health services building with an additional 78 overnight/in-patient beds.• reconfiguration of the loading dock area and back-of-house functions.• landscaping and other associated public domain and infrastructure works, including off-campus high voltage feeder upgrade.• Barber Avenue upgrade and construction of new access road to the forecourt, port cochere and front-of-house area.
Applicant:	Health Administration Corporation
Consent Authority:	Minister for Planning and Public Spaces
The Land:	Nepean Hospital, 35-65 Derby Street, Kingswood Lot 1 DP1114090
Modification:	SSD-16928008-Mod-2: Changes to public domain works along Barber Avenue.

SCHEDULE 2

The consent (SSD-16928008) is modified as follows:

1. Schedule 2 Part A – Administrative Conditions, condition A2 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~struck out~~ words/numbers as follows:

Terms of Consent

A2. The development may only be carried out:

- (a) in compliance with the conditions of this consent;
- (b) in accordance with all written directions of the Planning Secretary;
- (c) generally in accordance with the EIS and Response to Submissions;
- (d) generally in accordance with the section 4.55 modification (SSD-16928008-Mod-1) document titled Modification Report, prepared by _planning and dated July 2023; ~~and~~
- (e) generally in accordance with the section 4.55 modification (SSD-16928008-Mod-2) document titled Modification Report, prepared by _planning and dated July 2024; and**
- (f)** in accordance with the approved plans in the table below:

Architectural Plans prepared by BVN			
Dwg No.	Rev	Name of Plan	Date
A0-103	B	Demolition Site Plan	12/11/2021
A0-502	C	North Block LV 01 – BOH demolition	14/04/2022
A0-104	D <u>E</u>	Proposed Site Plan	07/10/2022 <u>07/06/2024</u>
A0-200	E <u>F</u>	General Arrangement Plan – Level 00	07/10/2022 <u>07/06/2024</u>
A0-201	E <u>F</u>	General Arrangement Plan – Level 01	07/10/2022 <u>07/06/2024</u>
A0-202	E <u>F</u>	General Arrangement Plan – Level 02	07/10/2022 <u>07/06/2024</u>
A0-203	E <u>F</u>	General Arrangement Plan – Level 03	07/10/2022 <u>07/06/2024</u>
A0-204	E <u>F</u>	General Arrangement Plan – Level 04	07/10/2022 <u>07/06/2024</u>
A0-205	E <u>F</u>	General Arrangement Plan – Level 05	07/10/2022 <u>07/06/2024</u>
A0-206	E <u>F</u>	General Arrangement Plan – Level 06	07/10/2022 <u>07/06/2024</u>
A0-207	E <u>F</u>	General Arrangement Plan – Level 07	07/10/2022 <u>07/06/2024</u>
A0-208	E <u>F</u>	General Arrangement Plan – Level 08	07/10/2022 <u>07/06/2024</u>
A0-209	E <u>F</u>	General Arrangement Plan – Level 09	07/10/2022 <u>07/06/2024</u>
A0-503	G <u>D</u>	North Block LV 01 – BOH proposed	14/04/2022 <u>07/06/2024</u>
A0-301	C	Façade Elevation – North Elevation	14/04/2022
A0-302	C	Façade Elevation – South Elevation	14/04/2022

A0-303	C	Façade Elevation – West Elevation	14/04/2022
A0-304	C	Façade Elevation – East Elevation	14/04/2022
A0-311	C	Section A	14/04/2022
A0-312	C	Section B	14/04/2022
A0-313	C	Section C	14/04/2022
A0-314	C	Section D	14/04/2022
A0-315	C	Section E	14/04/2022
A0-316	C	Section F	14/04/2022
A0-317	C	Section G	14/04/2022
A0-505	B	Link Elevation	14/04/2022
Landscape Plans prepared by Arcadia Tract			
Dwg No.	Rev	Name of Plan	Date
PLN-0000401	C	Softworks Plan	19/10/2022
PLN-0000402	C	Softworks Plan	19/10/2022
PLN-0000403	B	Softworks Plan	17/05/2022
PLN-0000404	B	Softworks Plan – L00	17/05/2022
PLN-0000405	B	Softworks Plan – L01	17/05/2022
PLN-0000406	B	Softworks Plan	17/05/2022
PLN-0000407	B	Softworks Plan	17/05/2022
PLN-0000408	B	Softworks Plan	17/05/2022
PLN-0000409	B	Softworks Plan	17/05/2022
PLN-0000410	B	Softworks Plan -07	17/05/2022
SCH-0000400	C	Planting Schedule	19/10/2022
12	C	Site-Stage 2 Tree Master Plan	October 2022
18	D	Overall Master Plan – Stage 2	July 2023
19	C	Master Plan Stage 2	October 2022
20	C	Detail Plan – Carpark Link	October 2022
21	C	Detail – Plan Drop off and Main Entry	October 2022
22	C	Detail – Plan Drop off and Main Entry	October 2022
23	C	Detail Plan – Domestic Services & Mortuary	October 2022
24	C	Detail Section – Drop Off and Entry	October 2022
25	C	Detail Plan – Northern Access & Courtyards	October 2022
26	C	Detail Section – Northern Access	October 2022
27	C	Detail Section – Northern Courtyards	October 2022
28	C	Detail Plan – Southern Courtyard	October 2022
29	C	Detail Section – Southern Courtyard	October 2022
30	C	Detail Plan – East Block/ Pathology	October 2022
31	C	Detail Plan – Upper Terraces Level 6	October 2022
32	C	Detail Plan – Upper Terraces Level 7	October 2022
<u>NHR-TRC-DRW-LAN-TB2-ALL-NL00901</u>	<u>Issue for Mod 2</u>	<u>Tree Master Plan</u>	<u>24/05/2024</u>
:	<u>Issue for Mod 2</u>	<u>Masterplan Stage 2</u>	<u>04/06/2024</u>

:	<u>Issue for Mod 2</u>	<u>Detail Plan – Carpark Link</u>	<u>04/06/2024</u>
:	<u>Issue for Mod 2</u>	<u>Detail Plan – Drop off and Main Entry (A)</u>	<u>04/06/2024</u>
:	<u>Issue for Mod 2</u>	<u>Detail Plan – Drop Off and Main Entry (B)</u>	<u>04/06/2024</u>
:	<u>Issue for Mod 2</u>	<u>Detail Plan – Domestic Services and Mortuary</u>	<u>04/06/2024</u>
:	<u>Issue for Mod 2</u>	<u>Detail Section – Drop off and Entry</u>	<u>04/06/2024</u>
:	<u>Issue for Mod 2</u>	<u>Detail Plan – Northern Access & Northern Courtyards</u>	<u>04/06/2024</u>
:	<u>Issue for Mod 2</u>	<u>Detail Section – Northern Access</u>	<u>04/06/2024</u>
:	<u>Issue for Mod 2</u>	<u>Detail Plan – Southern Courtyard</u>	<u>04/06/2024</u>
<u>NHR-TRC-DRW-LAN-TB2-ALL-NL00204</u>	<u>H</u>	<u>Stage 2 – Tower 2 Plant Schedule – Master</u>	<u>27/08/2024</u>
<u>NHR-TRC-DRW-LAN-TB2-ALL-NL00401</u>	<u>H</u>	<u>Stage 2 – Tower 2 Planting Plan Sheet 1</u>	<u>27/08/2024</u>
<u>NHR-TRC-DRW-LAN-TB2-ALL-NL00402</u>	<u>H</u>	<u>Stage 2 – Tower 2 Planting Plan Sheet 2</u>	<u>27/08/2024</u>
<u>NHR-TRC-DRW-LAN-TB2-ALL-NL00403</u>	<u>H</u>	<u>Stage 2 – Tower 2 Planting Plan Sheet 3</u>	<u>27/08/2024</u>
<u>NHR-TRC-DRW-LAN-TB2-ALL-NL00404</u>	<u>H</u>	<u>Stage 2 – Tower 2 Planting Plan Sheet 4</u>	<u>27/08/2024</u>
<u>NHR-TRC-DRW-LAN-TB2-ALL-NL00405</u>	<u>H</u>	<u>Stage 2 -Tower 2 Planting Plan Sheet 5</u>	<u>27/08/2024</u>
<u>NHR-TRC-DRW-LAN-TB2-ALL-NL00406</u>	<u>H</u>	<u>Stage 2 -Tower 2 Planting Plan Sheet 6</u>	<u>27/08/2024</u>
<u>NHR-TRC-DRW-LAN-TB2-ALL-NL00407</u>	<u>C</u>	<u>Stage 2 -Tower 2 Planting Plan Sheet 7</u>	<u>undated</u>
<u>NHR-TRC-DRW-LAN-TB2-ALL-NL00410</u>	<u>H</u>	<u>Stage 2 – Tower 2 Planting Plan Terrace – Sheet 1</u>	<u>27/08/2024</u>

2. Schedule 2, Part B – Prior to Commencement of Construction, conditions B30, B31 and B32 are deleted:

Barber Avenue On-Street Parking

B30. (deleted)

B31. (deleted)

B32. (deleted)

3. Schedule 2, Part C – During Construction, condition C19 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~struckout~~ words/numbers as follows:

Tree Removal and Fauna Protection

C19. For the duration of the construction works:

- (a) within one week prior to any removal of vegetation a pre-clearance survey is required to be undertaken by a qualified ecologist to identify, number and flag hollow-bearing trees and other habitat features such as nests or hollow logs proposed to be removed. The results of the pre-clearance survey are to be submitted to the Certifier to inform tree clearance protocols;
- (b) during any tree removal, an experienced and qualified ecologist is to be present to re-locate any displaced fauna that may be disturbed during this activity. All non-habitat vegetation is to be cleared first to allow appropriate space for the felling of habitat trees and retrieval of any fauna that may be present within habitat trees. Trees with hollows are to be lopped in such a way that the risk of injury or mortality to fauna is minimised, such as top-down lopping, with lopped sections gently lowered to the ground, or by lowering whole trees to the ground with the “grab” attachment of a machine. Any injured fauna is to be appropriately cared for and released on site when re-habilitated;
- (c) all trees on the site that are not approved for removal must be suitably protected during construction as per the recommendations of the Arboricultural Development Assessment Report (prepared by Moore Trees and dated 25 November 2021), ~~and~~ the addendum assessment titled Site: Nepean Hospital Stage 2 Redevelopment Project (prepared by Moore trees and dated 19 June 2023) **and Arboricultural Development Assessment Report Addendum (prepared by Moore Trees and dated 17 June 2024)**;
- (d) if access to the area within any protective barrier is required during the works, it must be carried out under the supervision of a qualified arborist. Alternative tree protection measures must be installed, as required. The removal of tree protection measures, following completion of the works, must be carried out under the supervision of a qualified arborist and must avoid both direct mechanical injury to the structure of the tree and soil compaction within the canopy or the limit of the former protective fencing, whichever is the greater; and
- (e) mitigation measures outlined in Table 6-1 of the submitted Biodiversity Assessment Report by Total Earth Care dated November 2022 must be implemented.

4. Schedule 2, Part D – Prior to Commencement of Operation, condition D26 is amended by the insertion of the **bold and underlined** words as follows:

Landscaping

D26. Prior to the commencement of operation, landscaping of the site must be completed **generally** in accordance with landscape plan(s) listed in condition A2(d).

5. Schedule 2, Part D – Prior to Commencement of Operation, condition D28 is deleted:

Private Infrastructure Works Adjacent to Barber Avenue

D28. (deleted)

6. Schedule 2, Part E – Post Occupation, condition E10 is amended by the insertion of the **bold and underlined** words as follows:

Landscaping

- E10. The Applicant must maintain the landscaping and vegetation on the site **generally** in accordance with the approved Landscape Management Plan required by condition D27 for the duration of occupation of the development.

**End of modification
(SSD-16928008-Mod-2)**