

Modification of Minister's Approval

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning under the delegation dated 14 September 2011, I approve the modification of the project approval referred to in schedule 1, subject to the modifications to the development description and conditions in schedule 2.



Secretary
Department of Planning and Environment

Sydney

23.10 2014

SCHEDULE 1

Project Approval:

MP 08_0233 granted by the Minister for Planning on 23 November 2008.

For the following:

Construction of a Medi-Motel (Precinct 2) including the following:

- Construction of a new Medi-Motel comprising 80 rooms and 9 consultation suites
- Gymnasium
- Rehabilitation rooms
- At grade car-parking spaces
- Ancillary retail premises (florist, café/restaurant and newsagent)
- Stormwater and infrastructure works
- Road improvements including the construction a four way signalised intersection on Forest Road
- Landscaping.

Modification:

MP 08_0233 MOD 1:

- reconfigure motel building;
- separate medical suites and rehabilitation areas from the motel complex in a new health facilities building;
- enlarge separate retail building; and
- delete internal bus zones.

SCHEDULE 2

PART 1 - TABLE

Delete the table in PART 1 and replace with the following:

Application made by:	Forest Road Syndicate Pty Ltd
Application made to:	Minister for Planning
Major Project Number:	MP 08_0233
On land comprising:	Lot 1 DP 549856
Local Government Area	Orange City council
For the carrying out of:	• Construction of: ○ a Medi-Motel comprising 82 rooms; ○ a health facilities building for rehabilitation, pathology, medical imaging, chemist, medical suites and the like; and ○ a building for ancillary retail premises (florist, café/restaurant, newsagent, hairdresser, shops, kiosks, take away food and drink). • 188 at-grade car parking spaces. • Stormwater and infrastructure works. • Road improvements including the construction a four way signalised intersection on Forest Road. • Landscaping.
Capital Investment Value	\$7.2 million
Type of development:	Project approval under Part 3A of the EP&A Act
Determination made on:	23 November 2008
Determination:	Project Approval for Medi-Motel, health services building and retail shops with Precinct 2 of the Orange Private Hospital development concept plan is granted subject to conditions set out in Parts D, E F, G, H and I of Schedule 3
Date of commencement of approval:	This approval commences on the date of the Minister's approval.
Date approval is liable to lapse	5 years from the date of determination unless specified action has been taken in accordance with Section 75Y of the EP&A Act.

PART D - ADMINISTRATIVE CONDITIONS

Delete condition D1 and replace with the following:

D1 Development Description

Project approval is granted only to the carrying out of the following:

- construction of:
 - a Medi-Motel comprising 82 rooms
 - a health facilities building for rehabilitation, pathology, medical imaging, chemist, medical suites and the like
 - a building for ancillary retail premises (florist, café/restaurant, newsagent, hairdresser, shops, kiosks, take away food and drink)
- 188 at-grade car parking spaces
- stormwater and infrastructure works
- road improvements including the construction a four way signalised intersection on Forest Road
- landscaping
- closure of Kemp Road.

Delete condition D2 and replace with the following:

D2.1 The development shall be in accordance with the following documentation:

- EA, Concept Plan EA and PPR
- Project Application – Medi-Motel

Except were amended by:

- Section 75W application prepared by Peter Basha dated June 2014.

D2.2 The development shall be in accordance with the following plans prepared by TVS Architects:

Drawing Number	Name of Plan	Revision	Date
5420.3S.01.101	Site Master Concept Plan	13	16.04.14
5420.3S.01.102	Precinct 2 - Site Plan	8	16.04.14
5420.3S.01.103	Precinct 2 - Elevations and Sections	4	09.10.14
5420.3S.02.101	Health Facilities - Ground Floor	5	09.10.14
5420.3S.02.102	Health Facilities - Level 1	4	09.10.14
5420.3S.02.103	Health Facilities - Elevations and Sections	6	09.10.14
5420.3S.02.104	Health Facilities - Perspectives	1	18.03.14
5420.3S.02.201	Neighbourhood Shops - Ground Floor	6	09.10.14
5420.3S.02.202	Neighbourhood Shops - Elevations	5	09.10.14
5420.3S.02.203	Neighbourhood Shops - Perspectives	1	18.03.14
5420.3S.02.301	Motel - Ground Floor	6	09.10.14
5420.3S.02.302	Motel - First Floor	5	09.10.14
5420.3S.02.303	Motel - Elevations	4	09.10.14
5420.3S.02.304	Motel - Elevations and Section	4	09.10.14
5420.3S.02.305	Motel - Perspectives	1	18.03.14
5420.3S.06.001	GFA - Ground Level	5	18.03.14
5420.3S.06.002	GFA - Level 1	4	18.03.14
	Landscape General Concept Plan 00	C	
	Landscape Masterplan 01	E	
	Landscape Section and Planting List 02	D	

PART E - PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

Delete condition E2

Delete condition E8 and replace with the following:

E8 Traffic and Access

E8.1 Engineering plans showing details of the proposed road works, intersection works, loading bays, street lighting, car parking areas and signage are to be submitted to, and approved by Orange City Council, and Roads and Maritime Services for works on Forest Road, prior to the issuing a Construction Certificate.

E8.2 All civil design and construction works are to be in accordance with the Orange City Council's Development and Subdivision Code and Roads and Maritime Services requirements.

The Engineering plans shall incorporate a four-way signalised intersection in Forest Road to serve the development. Street lighting is to be provided at the proposed four-way signalised intersection in accordance with Roads and Maritime Services and Essential Energy requirements. Subject to the final design of the proposed

intersection, any road widening required to accommodate the proposed road works is to be undertaken within land described as Lot 1 DP 549856.

Delete condition E11 and replace with the following:

E11 Water and Sewer Augmentation Charges

A Certificate of Compliance, from Orange City Council in accordance with the *Water Management Act 2000*, is to be submitted to the Principal Certifying Authority prior to the issuing of a Construction Certificate. The Certificate of Compliance will be issued subject to the payment of contributions for water, sewer and drainage works - at the level of contribution applicable at that time. The contributions are based on 26.5 ETs for water supply headworks and 27.5 ETs for sewerage headworks.

Alternatively, an agreed payment plan between Orange City Council and the proponent is to be in place prior to the issue of a construction certificate.

PART G - DURING CONSTRUCTION

Delete condition G14 and replace with the following:

G14 Car Parking

G14.1 A minimum of 188 off-street car parking spaces must be provided within Precinct 2 as determined by the traffic and parking assessment prepared by Terraffic Pty Ltd dated 23 April 2014 and accompanying the Section 75W application prepared by Peter Basha dated June 2014.

The parking spaces are to be line marked and constructed in accordance with the requirements of Orange City Council's Development and Subdivision Code and Australian Standard AS 2890.1:1993 Off-street car parking.

G14.2 At the conclusion of 12 months of operation of the Medi-Motel a report by a qualified traffic and parking consultant is to be prepared and submitted to Orange City Council outlining the performance of car parking in the precinct. Should the report find that availability of parking spaces in the precinct is deficient at any time, measures are to be introduced (to Council's satisfaction) to address this deficiency.

PART I - MATTERS FOR ONGOING PERFORMANCE OF THE DEVELOPMENT

Delete condition I4 and replace with the following:

I4 Operation of Medi-Motel Restaurant and Function Room

I4.1 In order to ensure that sufficient car parking is provided for all uses with Precinct 2, the use of the Medi-Motel restaurant and function room is restricted to night time only (i.e. after 5 pm).

14.2 Despite I4.1 above, the Medi-Motel restaurant may be used for serving breakfast and lunch to motel guests only.