



Section 4.55(1A) Modification Application

SSD 13619238 – Redevelopment of Greenwich Hospital

95-115 River Road, Greenwich

Submitted to Department of Planning, Housing and Infrastructure
on behalf of HammondCare

Prepared by Colliers Urban Planning

6 February 2026 | 2190376



'Gura Bulga'

Liz Belanjee Cameron

'Gura Bulga' – translates to Warm Green Country. Representing New South Wales.



'Dagura Buumarri'

Liz Belanjee Cameron

'Dagura Buumarri' – translates to Cold Brown Country. Representing Victoria.



'Gadalung Djarri'

Liz Belanjee Cameron

'Gadalung Djarri' – translates to Hot Red Country. Representing Queensland.

Colliers Urban Planning acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture.

We pay our respects to their Elders past and present.

In supporting the Uluru Statement from the Heart, we walk with Aboriginal and Torres Strait Islander people in a movement of the Australian people for a better future.

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Contents

1.0	Introduction	6
1.1	The Proponent.....	6
1.2	Project Background.....	6
2.0	Strategic Context	8
2.1	Site Overview	8
2.2	Compliance With Strategic Framework	8
2.3	Analysis of Alternatives.....	9
2.4	Cumulative Impacts	9
3.0	Description of the Modifications.....	10
3.1	Amendments to Project Staging.....	10
3.2	Amendments to Project Design.....	13
3.3	Amendments to Conditions	18
4.0	Substantially the Same Development.....	20
5.0	Statutory Context	21
5.1	Power to Grant Approval.....	21
5.2	Permissibility.....	21
5.3	Other Approvals	22
5.4	Pre-Conditions to Exercising Power to Grant Approval.....	22
5.5	Mandatory Matters for Consideration.....	22
6.0	Engagement.....	23
7.0	Environmental Assessment.....	24
7.1	Amendments to Project Staging.....	24
7.2	Amendments to Project Design.....	25
7.3	Reasons Given for Granting Consent.....	26
7.4	Site Suitability and Public Interest.....	26
8.0	Justification of the Modified Project	26

Figures

Figure 1	SSD 13619238 as approved	7
Figure 2	Site aerial and subject lots	8
Figure 3	Currently approved staged demolition plans – Stage 2 (top) and Stage 3 (bottom).....	11
Figure 4	Amended concurrent site demolition plan – Stages 2 and 3	12
Figure 5	Greenwich staging plan (no change).....	12
Figure 6	Hospital level 1 basement parking layout, as approved (top, over page) and as proposed to be amended (bottom)	14
Figure 7	Approved (left) vs proposed (right) shared driveway entrance	14
Figure 8	Level 2 wellness area layout, as approved (top) and as proposed to be amended (bottom).....	15
Figure 9	Level 3 imaging shell space and public lobby layout, as approved (top) and as proposed to be amended (bottom)	16
Figure 10	Northern seniors housing building planter locations (level 5 shown), as approved (left) and as amended (right)	17
Figure 11	Amended site landscaping masterplan	18

Tables

Table 1	Applicant details	6
Table 2	Subsequent modification applications	7
Table 3	Analysis of alternatives	9
Table 4	Key metrics comparison	20
Table 5	Assessment against pre-conditions to exercising power to grant approval	22
Table 6	Assessment of proposed modifications against the LLEP 2009	22
Table 7	Assessment against State Environmental Planning Policies	23
Table 8	Environmental assessment – amendments to project staging	24
Table 9	Assessment of proposed modifications against the LLEP 2009	25
Table 10	Assessment against reasons given for granting consent for SSD 13619238	26

Appendices

Appendix	Author
A. Project Description	Colliers Urban Planning
B. Project Mitigation Measures	Colliers Urban Planning
C. Amended Architectural Plans	Bickerton Masters
D. Design Report	Bickerton Masters
E. Amended Landscape Plans	Taylor Brammer Landscape Architects
F. Revised Staging Report	TSA Riley
G. Revised Staging Report (Tracked Changes)	TSA Riley
H. Construction Traffic Statement	Site Traffic
I. Social Impact Statement	Colliers Urban Planning
J. Operational Traffic Statement	TTPA
K. Accessibility Design Review Report	ABE Consulting
L. BCA Assessment Report	BM&G

1.0 Introduction

This Modification Application has been prepared by Colliers Urban Planning on behalf of HammondCare (the Proponent) and is submitted to the Department of Planning, Housing, and Infrastructure (DPHI) pursuant to Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to modify Development Consent SSD 13619238 relating to the redevelopment of Greenwich Hospital at 95-115 River Road, Greenwich (the site).

This Modification Application seeks consent for the following:

- Amendments to project staging, with the new hospital building and seniors housing buildings to now be constructed concurrently;
- Amendments to the shared basement and hospital building lower levels, including changes to car parking layout and driveway entrance, level 2 wellness area, level 3 imaging shell space and public lobby, and building plant; and
- Amendments to the seniors housing buildings, involving changes to balcony planter layout for most independent living units.

This Modification Application identifies the consent, describes the proposed modifications, and provides an assessment of the relevant matters contained in section 4.55(1A) of the EP&A Act. It has been prepared and set out in accordance with the Department of Planning, Housing, and Infrastructure (DPHI)'s *State significant development guidelines – preparing a modification report* (October 2022).

1.1 The Proponent

The Proponent for this Modification Application is HammondCare. The Proponent's details are presented in **Table 1**.

Table 1 *Applicant details*

Applicant	HammondCare
Address	Level 4, 207B Pacific Highway, St Leonards, Sydney NSW 2065
ABN	48 000 026 219

1.2 Project Background

1.2.1 Greenwich Concept Approval – SSD 8699

A Concept SSD application pertaining to the site, SSD 8699, was approved by the Independent Planning Commission (IPC) on 10 November 2020 which sets maximum permitted building envelopes, associated GFA caps and other relevant parameters to guide the future detailed design and construction of the new Greenwich Hospital integrated health campus comprising hospital, residential aged care, seniors housing and overnight respite facilities.

SSD 8699 is described in its consent as follows:

Concept proposal for the redevelopment of Greenwich Hospital including:

- *demolition, earthworks and remediation works;*
- *new health care and allied health facilities and residential aged care and seniors housing in an integrated care campus;*
- *building envelopes, comprising:*
 - *main hospital building envelope with an integrated basement;*
 - *two seniors living building envelopes with an integrated basement; and*
 - *respite care building envelope;*
- *car parking and site access arrangements; and*
- *landscaping, including tree removal.*

1.2.2 Consent Proposed to be Modified – SSD 13619238

Development consent SSD 13619238 was granted by the IPC on 28 March 2024 for the detailed design and construction of the redevelopment of Greenwich Hospital into an integrated health campus, pursuant to the Greenwich concept approval.

SSD 13619238 is described in its consent as follows:

Greenwich Hospital Redevelopment – Detailed Design, comprising the design, staged construction and operation of the hospital and integrated healthcare campus, including:

- *hospital and aged care building (with integrated basement carpark);*
- *two serviced seniors housing buildings (with integrated basement carpark);*
- *respite care facility;*
- *use of ‘Pallister House’ for research and administrative functions;*
- *demolition works and remediation’*
- *site facilities, services and infrastructure works;*
- *pedestrian and vehicle access and circulation;*
- *landscaping, including bushland regeneration; and*
- *signage.*

An artist’s impression of SSD 13619238 as approved is provided in **Figure 1** below.



Figure 1 SSD 13619238 as approved

Source: Bickerton Masters

1.2.3 Subsequent Modification Applications

One previous Modification Application has been sought to SSD 13619238, as summarised in **Table 2** below.

Table 2 Subsequent modification applications

Mod	Type	Description	Status
SSD 13619238 MOD 1	4.55(1A)	• Amendments to hospital building plant, stormwater infrastructure and services following further detailed design and services coordination; • Amendments to seniors housing plant and services following further detailed design and services coordination; • Conversion of the existing disused external pool at the southern end of the site to a nursery garden; and • Amendments to external louvre locations for the hospital and seniors housing buildings for bushfire compliance.	Approved 23 June 2025

This application therefore represents the second modification sought to SSD 13619238 (i.e., SSD 13619238 MOD 2).

2.0 Strategic Context

2.1 Site Overview

This Modification Application does not seek to change the extent of the SSD 13619238 project site. As discussed within the SSD 13619238 EIS, the site is known as 95-115 River Road, Greenwich and comprises a total of two allotments, which are legally described as Lots 3 and 4 in DP584287, as shown in **Figure 2** below. Lot 3 accommodates the existing Hospital building, and Lot 4 accommodates Pallister House (labelled 1 and 2 in the figure, respectively).

In total, the site is 33,763m² in size and irregular in shape. The site is bounded by River Road to the north, St Vincents Road to the east, and existing residential housing to the south and west. The site is characterised by a sloped and varied topography. Site levels rise towards the centre from its southwestern and south-eastern boundaries, with a steep fall at the southwestern end, towards Gore Creek Reserve.



Figure 2 Site aerial and subject lots

Source: Nearmap, edits by Colliers Urban Planning

2.2 Compliance With Strategic Framework

The submitted EIS for SSD 13619238 comprehensively assessed the approved development against the relevant strategic guidelines at state, regional, and local level, including the Greater Sydney Region Plan, North District Plan, and the Lane Cove Local Strategic Planning Statement.

The proposed amendments generally represent minor design changes to the project following further detailed design development preparing for construction, post approval of SSD 13619238, as well as changes to staging during the project's construction phase. In this regard, the project's compliance with the strategic framework remains generally unchanged because of the design amendments. However, the changes optimise the SSD 13619238 design enabling it to better meet the positive outcomes for the project.

2.3 Analysis of Alternatives

In preparing this Modification Application, the following alternatives were considered by the applicant. They are summarised in **Table 3** below.

Table 3 *Analysis of alternatives*

Scenario	Assessment
Do not modify the approval (i.e., do nothing)	The proposed modification seeks changes which further optimise and rationalise the layout and design of the development following further detailed design work undertaken since the approval for SSD 13619238, as well as amendments to project staging to enable the concurrent construction of the new hospital and seniors housing buildings, providing a shortened construction timeframe to the local community of up to 4 years. Therefore, not modifying the development would not result in the optimal outcome for the site.
Alternative design	As the proposed design amendments have been made specifically to deliver optimised and functional outcomes for the new Greenwich health campus while remaining substantially the same as SSD 13619238 as approved, an alternative design would not be appropriate.
The proposed Modification Application	Given the above, modifying SSD 13619238 as per this Modification Application is considered to deliver the optimal outcome at the site.

2.4 Cumulative Impacts

The proposed design amendments relate to various minor refinements to the car parking layout and driveway entrance, level 2 wellness area, level 3 imaging shell space and void, building plant and planters of the seniors housing buildings, which have been found to be necessary and/or desirable following further detailed design to SSD 13619238. These changes will not alter the project’s cumulative impacts at operational stage from what has been already assessed and found to be acceptable.

The proposed amendments to staging enabling concurrent construction of the new hospital and seniors housing buildings will result in changes to environmental impact at the project’s temporary construction stage. This amended staging strategy results in an intensification of construction impacts in the short term but is considered to be beneficial in the long term as it shortens the timeframe of ongoing construction that will be experienced by the local community. Refer to **Section 7.0** for further discussion.

3.0 Description of the Modifications

This Modification Application seeks consent for the following:

- Amendments to project staging, with the new hospital building and seniors housing buildings to now be constructed concurrently;
- Amendments to the shared basement and hospital building lower levels, including changes to car parking layout and driveway entrance, level 2 wellness area, level 3 imaging shell space and public lobby, and building plant; and
- Amendments to the seniors housing buildings, involving changes to balcony planter layout for most independent living units.

The proposed amendments will be undertaken in accordance with the Amended Architectural Plans (**Appendix C**) and accompanying Design Report (**Appendix D**) prepared by Bickerton Masters, Amended Landscape Plans (**Appendix E**) prepared by Taylor Brammer Landscape Architects, and other appended technical documentation (refer to Table of Contents). The amendments are described in further detail in the below subsections.

3.1 Amendments to Project Staging

It is proposed to amend the project staging so that the new hospital building and seniors housing buildings will now be constructed concurrently.

As discussed in the SSD 13619238 EIS, under the currently approved staging strategy, it was intended for Greenwich hospital to remain operational throughout the entirety of the site's redevelopment. To enable this to occur, the eastern part of the existing hospital was to be demolished first whilst the western portion continued to operate, and the western portion demolished later after the new hospital building has entered operation.

However, as the detailed design of the project has progressed following the original approval, challenges have been found with delivering this strategy, including:

- Complexities involved in delivering the new shared carpark (shared across the new hospital and seniors housing buildings) when the buildings above them are to be constructed separately.
- Difficulties involved in ensuring the highest levels of care continue to be delivered to hospital patients onsite whilst the other part of the site is an active construction zone.

To resolve these challenges, HammondCare is now committing to constructing the new hospital and both new seniors housing buildings concurrently. (The respite care building, which is structurally separate, will continue to be delivered later under its own stage.) Under the revised strategy, the hospital will shut down during construction works, with existing on-site patients to be moved to other facilities during construction, with arrangements for this now well underway. Patients are to be moved to the following facilities until the new hospital building is operational:

- Older persons' mental health will move to The Manning Unit at Macquarie Hospital (with support obtained from the North Sydney Local Health District);
- Ambulatory Care will move to 38 Pacific Hwy (lease signing pending); and
- Palliative Care will move to Neringah Hospital.

The amended project staging will reduce the anticipated construction timeframe by up to 4 years (with construction works for the buildings now anticipated to finish in 2029, as opposed to 2033, excepting the respite care building). Further detail is provided within the Revised Staging Report prepared by TSA Riley at **Appendix F** and **Section 7.1** below.

Revised Demolition Plans have been prepared by Bickerton Masters at Drawing DD-SW-0122 within **Appendix C**, reflecting the amended demolition staging where the entirety of the existing hospital is to be demolished at once, to enable the concurrent construction of the new hospital and seniors housing buildings (**Figures 3 – 4**).

However, it is important to note that the currently approved Staging Plan (Drawing DD-SW-0120 within the Approved Architectural Plans, with excerpt provided in **Figure 5** below) will remain unchanged, since Stages 2 (the new hospital building) and 3 (the seniors housing buildings) will continue to comprise their own stages; however, the construction certificates for Stages 2 – 3 will now instead be issued concurrently by the certifier to enable concurrent construction.

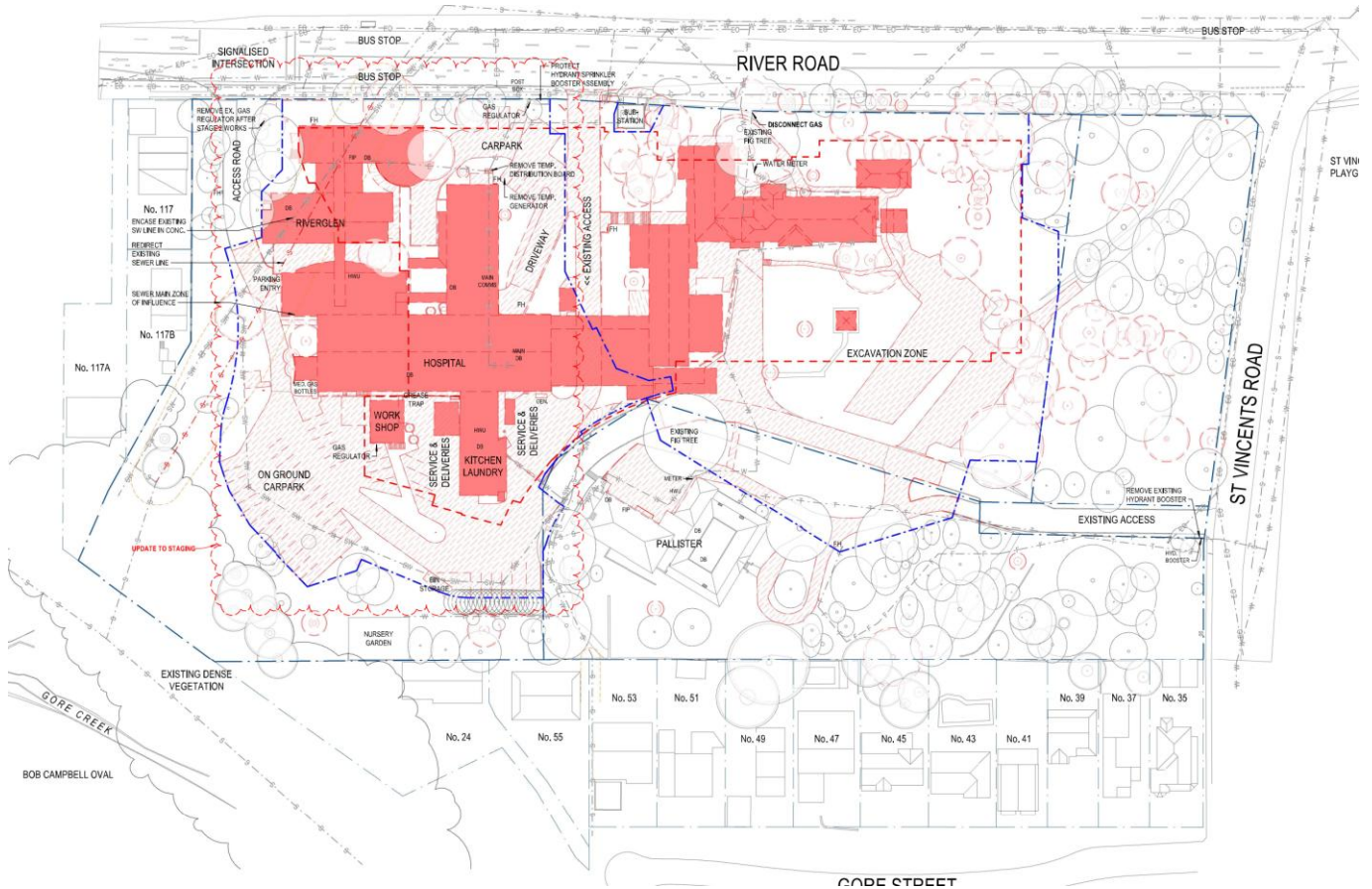


Figure 4 Amended concurrent site demolition plan – Stages 2 and 3

Source: Bickerton Masters

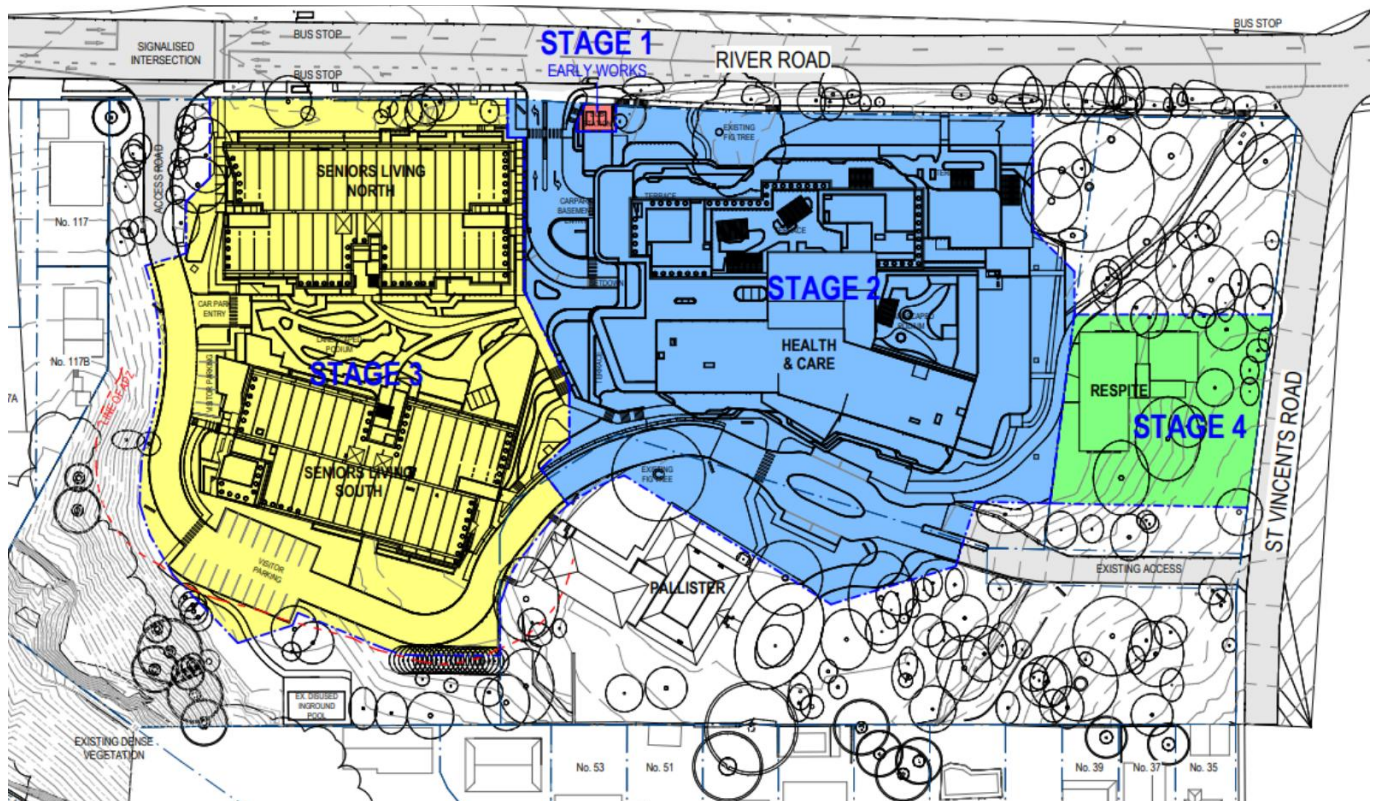


Figure 5 Greenwich staging plan (no change)

Source: Bickerton Masters

3.2 Amendments to Project Design

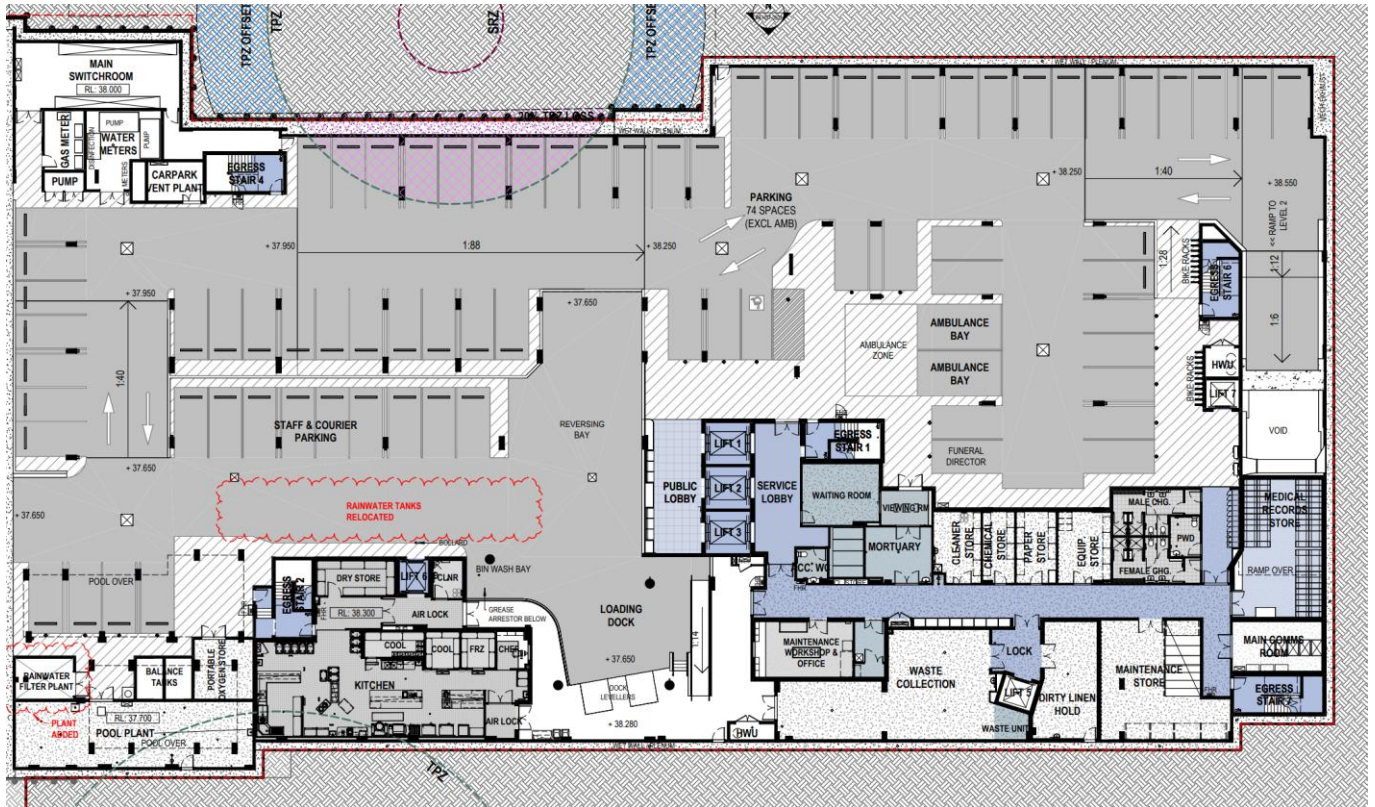
Minor amendments are proposed to the design of SSD 13619238 under this Modification Application as further described below.

3.2.1 Shared Carpark and Driveway

Amendments are proposed to the shared carpark located beneath the new hospital building and seniors housing buildings. These amendments entail:

- Relocation of several car spaces and amendments to linework;
- Amendments to the level 1 pool plant;
- Amendments to bike racks and storage areas (with no change to total numbers);
- Relocation of the level 2 comms room;
- Amendments to vertical circulation within the carpark; and
- Amendment to layout near the level 2 entry near the Ceremonial Entrance to enable two-way traffic.

The amendments are the result of further design development and coordination undertaken following the approval of SSD 13619238 and will optimise vehicular movements within, and the layout of, the shared carpark. These changes are captured within drawings DD-HST-0100 – 0102 (hospital building drawings), and DD-SW-0200 – 0202 (sitewide drawings) of the Amended Architectural Plans by Bickerton Masters (**Appendix C**), an excerpt of which is shown in **Figure 6** below.



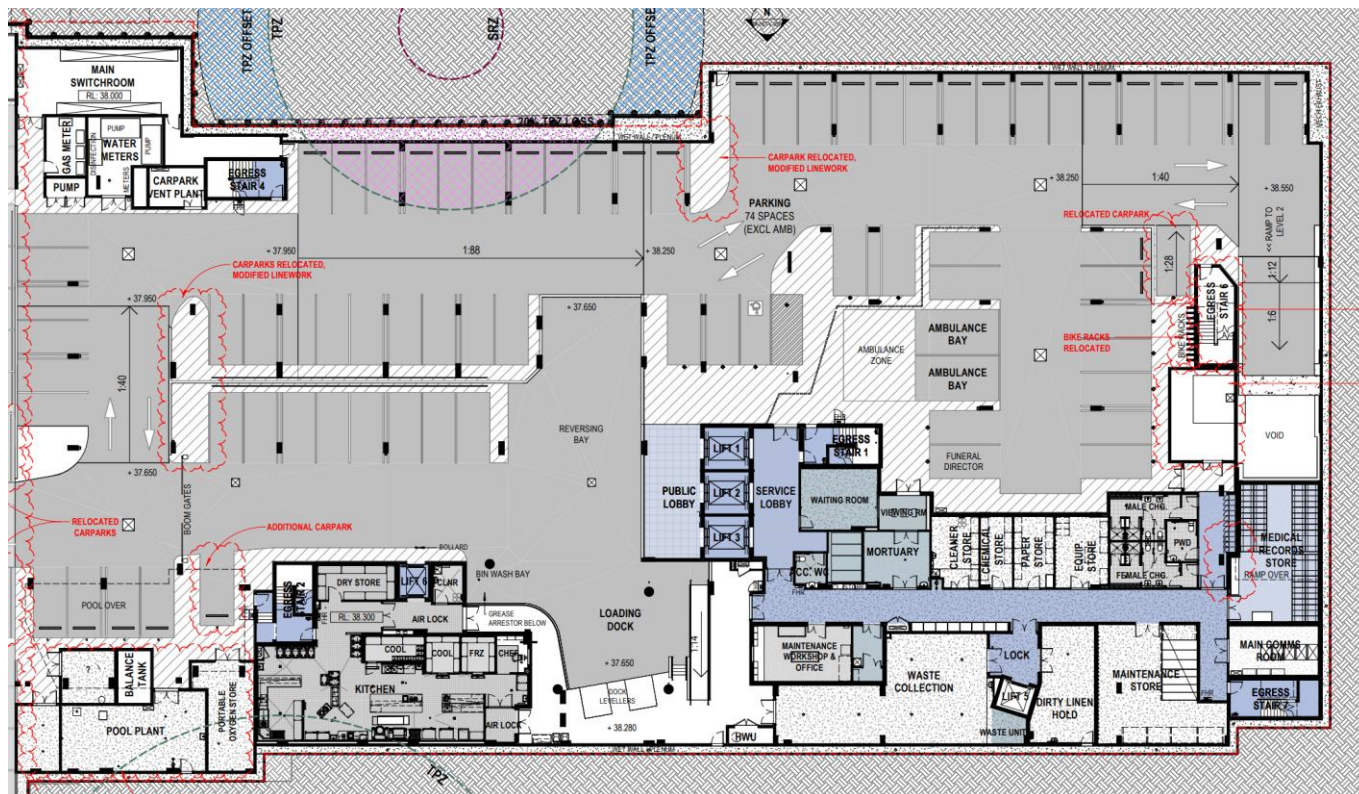


Figure 6 Hospital level 1 basement parking layout, as approved (top, over page) and as proposed to be amended (bottom)

Source: Bickerton Masters

It is also proposed to amend the design of the western shared driveway entrance to the carpark from the internal access road to provide a more efficient and safer intersection, as well as improving traffic flow. The driveway has been widened to accommodate 3 separated lanes (one entry and 2 exit lanes) instead of a simple T-junction, as shown in drawing DD-SL-0100 of **Appendix C**, an excerpt of which is provided in **Figure 7** below.



Figure 7 Approved (left) vs proposed (right) shared driveway entrance

Source: Bickerton Masters

No change is proposed to the total number of parking spaces at the site, which remains at 329. The carpark amendments have resulted in a relocation of 4 parking spaces from the basement the drop off area at Level 4, between the hospital building and Pallister House. This will also more evenly distribute parking across the site.

3.2.2 Hospital Building Lower Levels

Minor amendments are also proposed to the lower level (levels 2 – 3) facilities of the new hospital building. As described within the SSD 13619238 EIS, due to the typology at the site sloping down to the west, these levels are located partially below ground, beneath the main pedestrian entrance to the hospital on level 4.

Refinements are proposed to the layout of the level 2 wellness area, including the foyer, recreational gym, amenities, and chapel. A new yoga area is also proposed to be accommodated. Furthermore, the recreational and hydrotherapy pools have been combined into a single, larger swimming pool with increased amenity, and the chapel has been relocated to the southeastern corner of this area. An excerpt from drawing DD-HST-0101 (**Appendix C**) is provided in **Figure 8** below.

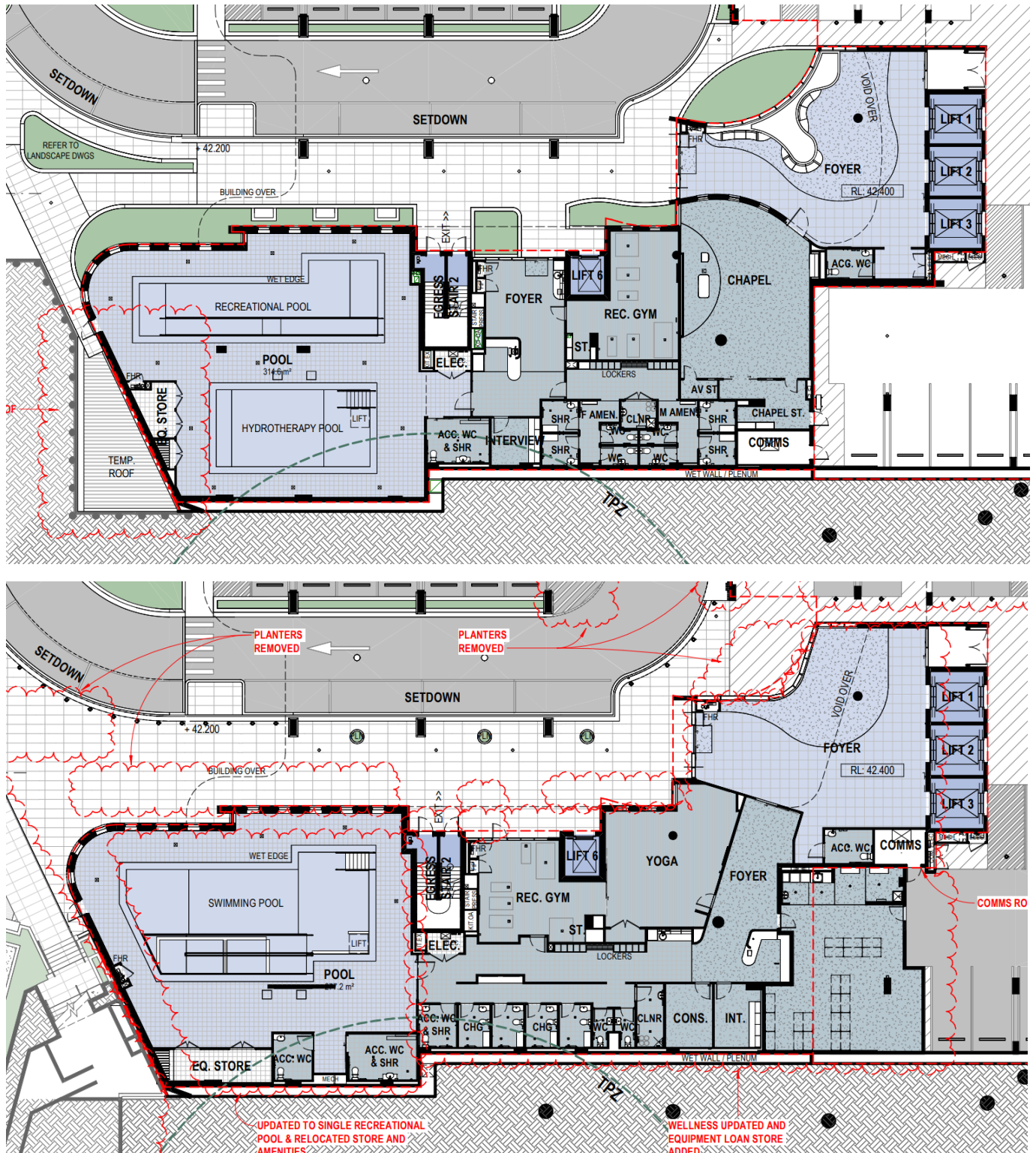


Figure 8 Level 2 wellness area layout, as approved (top) and as proposed to be amended (bottom)

Source: Bickerton Masters

It is also proposed to rationalise the layout of the level 3 imaging shell space and public lobby, as shown within DD-HST-0102 within **Appendix C**, an excerpt of which is provided in **Figure 9** below.

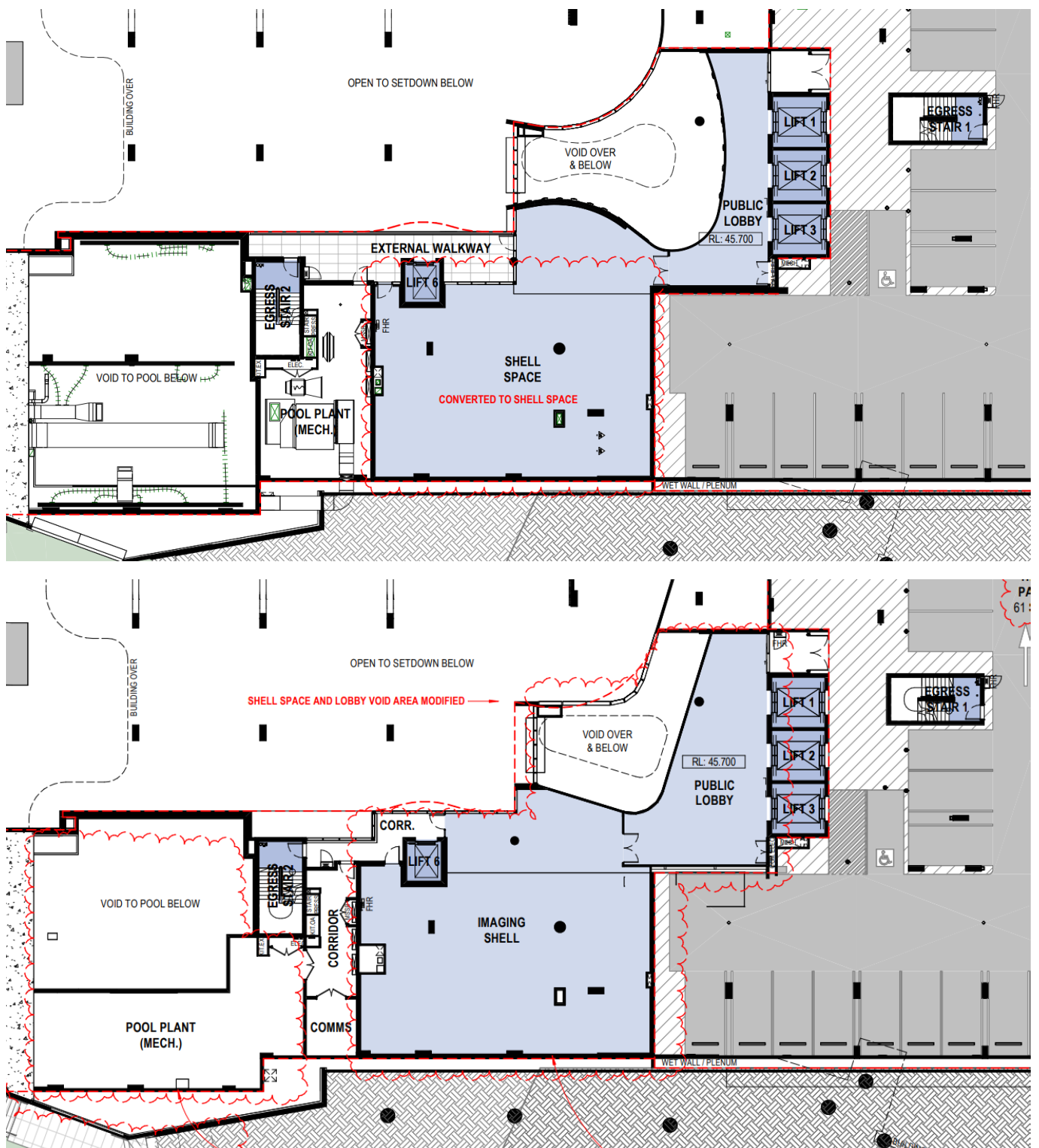


Figure 9 Level 3 imaging shell space and public lobby layout, as approved (top) and as proposed to be amended (bottom)

Source: Bickerton Masters

Seniors Housing Buildings

Finally, minor amendments are proposed to the seniors housing buildings, including refinements to the size and location of the balcony planters for most independent living units within the seniors housing buildings. This has been done following further detailed design with the intent of improving the usable open space, walkability and amenity of the balconies. An example of such changes at level 5 of the northern seniors housing building, taken from drawing DD-SL-0104 of **Appendix C**, is provided at **Figure 10** below.



Figure 10 Northern seniors housing building planter locations (level 5 shown), as approved (left) and as amended (right)

Source: Bickerton Masters

Refinements are also proposed to the facades of these buildings following further detailed design and services coordination, to rationalise their materiality and improve constructability while retaining their amenity and high-quality appearance. This includes the following changes, as discussed in the Design Report at **Appendix D**:

- Removal of the angled concrete brick fins and substitution with a prefinished façade cladding;
- Substitution of built-in planters on apartment terraces to GRC planter boxes; and
- Substitution of concrete upstand walls on terraces to metal balustrades

3.2.4 Amendments to Landscaping

Minor refinements are proposed to project landscaping to accommodate the proposed amendments described above, as captured in clouding within the Amended Landscape Plans prepared by Taylor Brammer Landscape Architects at **Appendix E**, an excerpt of which is provided at **Figure 11** below. These refinements entail:

- Update to landscaping at the driveway entrance to carpark to accommodate widened design as discussed in **Section 3.2.1**.
- Substitution of built-in planters on apartment terraces to GRC planter boxes on private terraces.
- Amendments to hospital building planters at the level 2 drop-off area, including replacement with GRC planter boxes.
- Removal of landscape boardwalk elements following further detailed design and rationalisation.
- Revised landscape layout at parking area adjacent to Pallister House to accommodate 4 relocated car spaces as discussed at **Section 3.2.1**.
- Minor updates to planting species and layouts across the site following further detailed design and rationalisation.

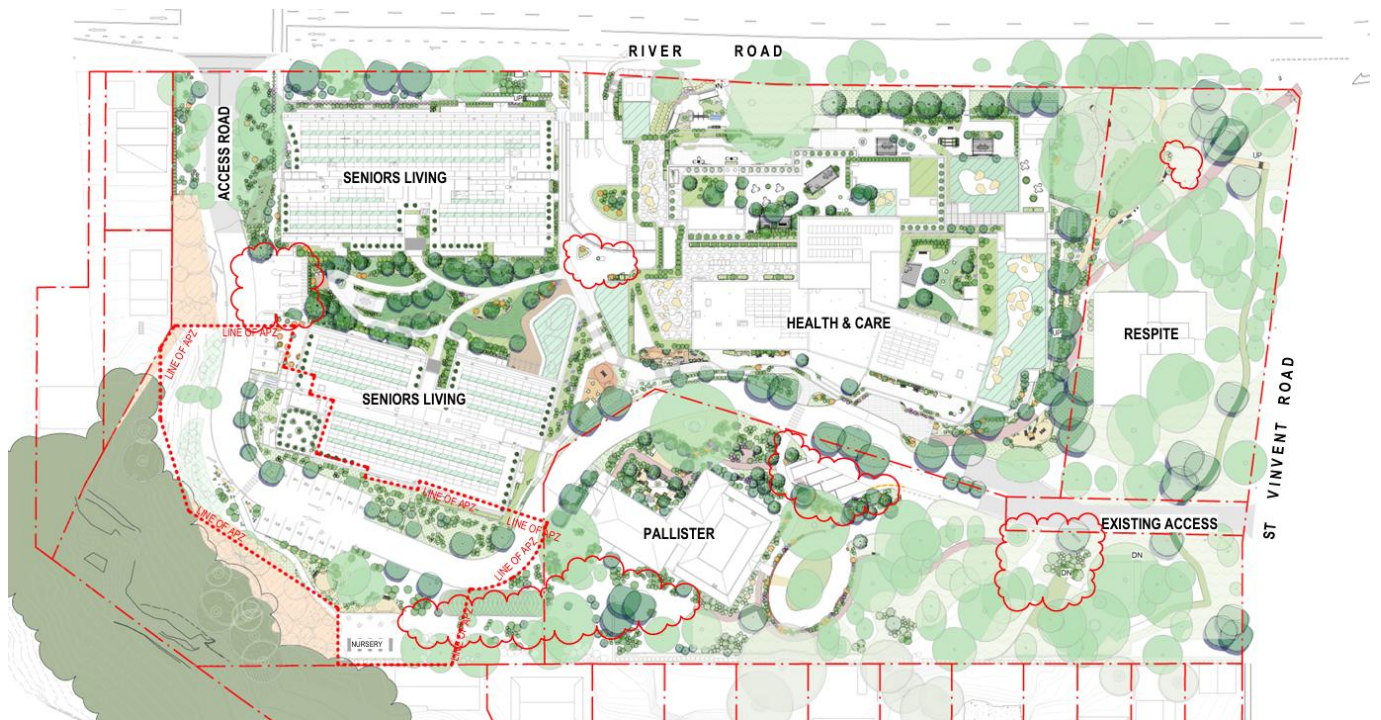


Figure 11 Amended site landscaping masterplan

Source: Taylor Brammer Landscape Architects

3.3 Amendments to Conditions

The proposed modifications described above necessitate amendments to the consent conditions which are identified below. Words proposed to be deleted are shown in **~~bold-strike-through~~** and words to be inserted are shown in ***bold italics***.

3.3.1 Condition A2

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, Response to Submissions and responses to RFIs;
- (d) in accordance with the approved plans in the table below:

Architectural Drawings prepared by Bickerton Masters			
Dwg No.	Rev	Name of Plan	Date
DD-SW-0101	P24 P25	Proposed Site Plan	07.04.2025 30.09.2025
DD-SW-0120	P15	Staging Plan	27.06.2023
DD-SW-0121	P12	Stage 1 Plan – Early Works	07.04.2025
DD-SW-0122	P13 P14	Stage 2.1 Plan – Demolition	07.04.2025 30.09.2025
DD-SW-0123	P16 P17	Stage 2.2 Plan – Construction	07.04.2025 30.09.2025
[...]			
DD-HST-0100	P28 P29	H&C – Overall Plan – L1	07.04.2025 30.09.2025
DD-HST-0101	P27 P28	H&C – Overall Plan – L2	07.04.2025 30.09.2025
DD-HST-0102	P30 P31	H&C – Overall Plan – L3	07.04.2025 30.09.2025
DD-HST-0103	P27 P28	H&C – Overall Plan – L4	07.04.2025 30.09.2025
DD-HST-0104	P28 P29	H&C – Overall Plan – L5	07.04.2025 30.09.2025
DD-HST-0105	P27 P28	H&C – Overall Plan – L6	07.04.2025 30.09.2025
DD-HST-0106	P26 P27	H&C – Overall Plan – L7	07.04.2025 30.09.2025
[...]			
DD-SL-0100	P19 P21	SL – Overall Plan – L1	10.03.2025 01.10.2025
DD-SL-0101	P19 P21	SL – Overall Plan – L2	10.03.2025 01.10.2025
DD-SL-0102	P19 P21	SL – Overall Plan – L3	10.03.2025 01.10.2025
DD-SL-0103	P19 P21	SL – Overall Plan – L4	10.03.2025 01.10.2025
DD-SL-0104	P19 P21	SL – Overall Plan – L5	10.03.2025 01.10.2025
DD-SL-0105	P19 P21	SL – Overall Plan – L6	10.03.2025 01.10.2025
DD-SL-0106	P10 P12	SL – Overall Plan – Roof	10.03.2025 01.10.2025
DD-SL-0500	P11 P13	SL – External Elevations (Overall)	10.03.2025 01.10.2025
DD-SL-0501	P11 P13	SL – External Elevations (Overall)	10.03.2025 01.10.2025
[...]			
Landscape Drawings prepared by TaylorBrammer			
Dwg No.	Rev	Name of Plan	Date
LA-001	B	Tree Retention and Removal Plan	17.05.2022
LA-100	D E	Landscape Masterplan	09.10.2023 15.10.2025
LA-101	D F	Overall Site Plan ¼	09.10.2023 15.10.2025
LA-102	D E	Overall Site Plan 2/4	09.10.2023 15.10.2025
LA-103	D E	Overall Site Plan ¾	09.10.2023 15.10.2025
LA-104	D	Overall Site Plan 4/4	09.10.2023
LA-HST-202	D F	H&C – Level 2	09.10.2023 15.10.2025
[...]			
LA-PAL-200	D E	Pallister House	09.10.2023 15.10.2025
LA-SL-201	D E	Senior Living Podium	09.10.2023 15.10.2025
LA-SL-203	D E	Senior Living Level 3-4	09.10.2023 15.10.2025
LA-SL-204	D E	Senior Living Level 5-6	09.10.2023 15.10.2025

LA-SL-205	D E	Senior Living Green Roof	09.10.2023 15.10.2025
PL-000	D	Plant Schedule	09.10.2023
PL-101	D E	Overall Planting Plan 1 of 4	09.10.2023 15.10.2025
PL-102	D E	Overall Planting Plan 2 of 4	09.10.2023 15.10.2025
PL-103	D	Overall Planting Plan 3 of 4	09.10.2023
PL-104	D E	Overall Planting Plan 4 of 4	09.10.2023 15.10.2025
PL-HST-202	D E	Planting Plan H&C – Level 2	09.10.2023 15.10.2025
[...]			
PL-PAL-200	D E	Planting Plan Pallister House	09.10.2023 15.10.2025
PL-SL-201	D	Planting Plan Senior Living Level 2	09.10.2023
PL-SL-203	D E	Planting Plan Senior Living Level 3-4	09.10.2023 15.10.2025
PL-SL-204	D E	Planting Plan Senior Living Level 5-6	09.10.2023 15.10.2025
PL-SL-205	D E	Planting Senior Living Roof	09.10.2023 15.10.2025
[...]			

Rationale: To reflect the Amended Architectural Plans (**Appendix C**), Amended Landscape Plans (**Appendix E**) and design amendments sought under this Modification Application.

4.0 Substantially the Same Development

Section 4.55(1A) of the EP&A Act states that a consent authority may modify a development consent if “it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all)”.

Table 4 below sets out the essential elements of the approved development and the design amendments that are currently being considered under this Modification Application. As demonstrated below, when considered against the overall scope and scale of the SSD 1361923 project, the key statistics of the development remains identical to that as approved.

Table 4 Key metrics comparison

Component		Approved	Proposed	Change
Site area		33,663m ²	33,663m ²	No change
GFA	Hospital building	13,900m ²	13,900m ²	No change
	Seniors housing (north)	5,573m ²	5,573m ²	No change
	Seniors housing (south)	6,573m ²	6,573m ²	No change
	Respite building	654m ²	654m ²	No change
	Pallister House	1,033m ²	1,033m ²	No change
	Total:	27,734m²	27,734m²	No change
FSR		0.76:1	0.76:1	No change
Maximum building height	Hospital building:	RL 80.00m (10 storeys)	RL 80.00m (10 storeys)	No change
	Seniors housing (north)	RL 56.35m (4-5 storeys)	RL 56.35m (4-5 storeys)	No change
	Seniors housing (south)	RL 60.63m (5-6 storeys)	RL 60.63m (5-6 storeys)	No change
	Respite building	RL 56.90m (2-3 storeys)	RL 56.90m (2-3 storeys)	No change
	Pallister House	33,663m ²	33,663m ²	No change

The development as proposed to be modified is “substantially the same development” for which consent was originally granted for the following reasons:

- The proposed design modifications reflect further design development and rationalisation that would typically occur as part of the detailed design process to facilitate the delivery of the development and do not reflect a notable departure from the approved development.
- Although amendments are proposed to project staging, these are only temporary impacts during the construction stage and do not alter the final outcomes of the project.
- The fundamental aspects of the redeveloped Greenwich health campus comprising a hospital building, two seniors housing buildings, a respite building and the retention of Pallister House does not change.
- The overall bulk, scale and envelopes of the buildings remain consistent with the project as approved.
- When considered in their totality, the proposed minor design development amendments are not substantial and do not alter the fundamental outcomes of the project.
- The development as amended remains consistent with the parameters set under the SSD 8699 concept approval, as demonstrated below in **Section 5.5.4** below.
- Additionally, the proposed amendments will not introduce any unreasonable environmental impacts or substantially alter the environmental impact of the approved development, as demonstrated in **Section 7.0** below.

For the above reasons, the consent authority may be satisfied that the modified proposal represents substantially the same development for which consent was originally granted.

5.0 Statutory Context

This section provides an assessment of the proposed amendments against the relevant sections of the *Environmental Planning & Assessment Act 1979* (EP&A Act) and the relevant Environmental Planning Instruments (EPIs). It has been set out in accordance with the DPHI's *State significant development guidelines – preparing a modification report* (October 2022), which identifies the categories to be used to identify the statutory requirements of a project, being that of the following:

- Power to grant approval (**Section 5.1**).
- Permissibility (**Section 5.2**).
- Other approvals (**Section 5.3**).
- Pre-conditions to exercising the power to grant approval (**Section 5.4**).
- Mandatory matters for consideration (**Section 5.5**).

5.1 Power to Grant Approval

SSD 13619238 was declared to be State Significant Development (SSD) pursuant to Chapter 2, section 2.11 of *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP), as it was made pursuant to an earlier concept approval (SSD 8699); and also by virtue of being for the purposes of a hospital with a capital investment value of more than \$30 million under Schedule 1, section 14 of the Planning Systems SEPP.

The proposed amendments do not alter SSD 13619238's eligibility as SSD pursuant to the above. As the development, as proposed to be modified, is substantially the same development as that originally approved (see **Section 4.0**), the DPHI as the consent authority has the power to grant consent to the modification application.

5.2 Permissibility

The site is zoned SP2 Infrastructure for the specific purposes of *Health Services Facilities* under the *Lane Cove Local Environmental Plan 2009* (LLEP 2009). With no changes proposed to land use, the permissibility of the development remains unchanged.

Development for the purposes of a hospital and health uses, being a type of health services facility, is explicitly permissible with consent; the approved seniors housing continues to be permissible by virtue of Part 5, Section 86 of

State Environmental Planning Policy (Housing) 2021 (Housing SEPP), being located on land zoned SP2 and on which a hospital is permitted.

5.3 Other Approvals

The proposed amendments do not alter SSD 13619238's consistency with that of the following:

- Legislation that must be applied consistently to State Significant Development under Section 4.42 of the EP&A Act; and
- Consistency with the *Environmental Protection and Biodiversity Act 1999 Act*, as the project is not a matter of National Environmental Significance.

5.4 Pre-Conditions to Exercising Power to Grant Approval

An assessment of the relevant pre-conditions to granting approval for SSD 13619238 as they relate to the proposed amendments, are described in **Table 5** below.

Table 5 Assessment against pre-conditions to exercising power to grant approval

Scenario	Assessment
<i>Biodiversity Conservation Act 2016</i>	The proposed amendments relate to design refinements and staging changes only and do not implicate the approved BDAR for the project.
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>	With no change to the number of beds or capacity of the hospital, seniors housing buildings, or any other building, the anticipated traffic generation of the development remains unchanged. Hence, the development as amended remains as traffic-generating development within the meaning of sections 2.119 and 2.122 of the Transport and Infrastructure SEPP.
<i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>	The proposed amendments do not implicate the suitability of the site with regards to hazardous and offensive development with regards to Chapter 3 of the Resilience and Hazards SEPP, or contamination with regards to Chapter 4 of the SEPP. The findings of the Dangerous Goods Screening Report and Remediation Action Plan approved under SSD 13619238 remain valid.

5.5 Mandatory Matters for Consideration

An assessment of the relevant pre-conditions to granting approval for SSD 13619238 as they relate to the proposed amendments has been provided in the below subsections.

5.5.1 Lane Cove Local Environmental Plan 2009

The *Lane Cove Environmental Plan 2009* (LLEP 2009) is the principal environmental planning instrument applying to the project site. An assessment of the proposed modification against the relevant clauses of the LLEP 2009 has been provided in **Table 6** below.

Table 6 Assessment of proposed modifications against the LLEP 2009

Clause	Control	Assessment
2.1 – Land use zones	SP2 Infrastructure	The site is zoned SP2 Infrastructure, including for <i>Health Services Facilities</i> . The development as amended remains permissible with consent. Refer to Section 5.2 above.
4.3 – Height of building	N/A	The site is not mapped as containing height of building or floor space ratio limits in recognition that hospitals are, by nature, designed primarily for functionality to ensure efficient delivery of care and to meet operational requirements.
4.4 – Floor space ratio	N/A	No change is proposed to the GFA or maximum height of any building.
5.10 – Heritage conservation		The proposed amendments are minor in nature and relate to minor design refinements and project staging alterations only. They will not implicate the impact of the project on the heritage character of Pallister House.
6.1 – Acid sulfate soils		The proposed amendments (including to project staging) will not have implications for acid sulfate soils.

5.5.2 State Environmental Planning Policies

An assessment of the proposed amendments against the relevant State Environmental Planning Policies (SEPPs) applicable to SSD 13619238 has been provided in **Table 7** below.

Table 7 Assessment against State Environmental Planning Policies

Instrument	Assessment
<i>State Environmental Planning Policy (Planning Systems) 2021</i>	The project as proposed to be amended remains State Significant Development under the Planning Systems SEPP (Section 5.1).
<i>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</i>	As noted at Section 5.2.2 of the SSD 13619238 EIS, SEPP Seniors continues to apply to the development by virtue of the savings and transitional provisions provided within clause 2(c) of Schedule 7 of the Housing SEPP, due to being a development made subsequent to a concept approval granted before the commencement date. The proposed amendments to the seniors housing buildings are very minor, comprising only amendments to the balcony planter layouts (refer to Section 3.2.3). Therefore, consistency with SEPP Seniors has assessed at Section 5.2.2 of the approved EIS remains unchanged.
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>	The proposed amendments do not implicate SSD 13619238's compliance with the Transport and Infrastructure SEPP. The development remains traffic-generating development pursuant to Sections 2.118, 2.119 and 2.121 of Chapter 2 of the SEPP, with anticipated traffic generation remaining unchanged.
<i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>	The proposed amendments do not implicate SSD 13619238's compliance with the Biodiversity and Conservation SEPP, including with regards to bushland in urban areas or the Sydney Harbour Catchment controls.
<i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>	The proposed amendments do not implicate SSD 13619238's compliance with the Resilience and Hazards SEPP, including with regards to Coastal management (Chapter 2), Hazardous and offensive development (Chapter 3), or Remediation of land (Chapter 5).

5.5.3 Lane Cove Development Control Plan 2010

Section 2.10 of the Planning Systems SEPP confirms that Development Control Plans are not a relevant assessment consideration for SSD. The development as amended nevertheless remains generally consistent with the provisions of the Lane Cove Development Control Plan 2010 (LDCP 2010) as detailed in Section 5.6 of the approved SSD 13619238 EIS, with the outcomes of this assessment unchanged by the proposed amendments.

5.5.4 Consistency with SSD 8699 (Greenwich Concept Approval)

SSD 13619238 as amended continues to be required to be consistent with the Greenwich Concept Approval (SSD 8699), pursuant to Section 4.24 of the EP&A Act which provides that, "*While any consent granted on the determination of a concept development application for a site remains in force, the determination of any further development application in respect of the site cannot be inconsistent with the consent for the concept proposals for the development of the site.*"

In this regard, the proposed amendments do not give rise to any inconsistencies with the relevant conditions of consent for SSD 8699.

The proposed design changes do not give rise to any inconsistencies with the building envelopes established for any building under SSD 8699.

6.0 Engagement

Pre-lodgement consultation is not considered to be required with regards to the proposed modification scope. The amendments do not pertain to items which were the subject of agency or community submissions during the SSD 13619238 approval.

7.0 Environmental Assessment

Section 4.55(1A) of the EP&A Act states that a consent authority may modify a development consent if “*it is satisfied that the proposed modification is of minimal environmental impact*”. Under section 4.55(3) the consent Authority must also take into consideration the relevant matters to the application referred to in section 4.15(1) of the EP&A Act and the reasons given by the consent authority for the grant of the original consent.

The following assessment considers the relevant matters under section 4.15(1) with regards to the proposed amendments sought. Updates have been made to the approved Project Mitigation Measures (**Appendix B**) in response to the proposed amendments.

In summary, the proposed amendments will not generate unacceptable environmental impacts and are of minimal environmental impact. **Section 7.1** demonstrates that the revised project staging, although will result in an intensification of construction impacts in the short term, will generate tangible benefits for all stakeholders, shortening the construction timeframe by 4 years.

- For patients and staff, although there would be some short-term negative impacts associated with needing to relocate, the amendments would mean they would no longer be subject to disruption or negative impacts associated with an active construction zone during the site’s redevelopment.
- For surrounding residents, although it is acknowledged that there may be interim additional negative impacts due to a more intensive construction timeframe, the shortening of the construction timeline is nevertheless a positive improvement with regards to cumulative construction impacts.

The amendments to project design are minor when considered against the overall scope of SSD 13619238, with **Section 7.2** demonstrating that these changes are acceptable from a traffic, accessibility, and BCA compliance perspective.

7.1 Amendments to Project Staging

The following specialist consultant inputs have been prepared with regards to the changes to project staging described at **Section 3.1** above (**Table 8**):

Table 8 *Environmental assessment – amendments to project staging*

Appendix	Report	Consultant	Assessment
Appendix F	Revised Staging Report	TSA Riley	The Revised Staging Report (Appendix F) details the revised project staging parameters, as outlined in Section 3.1 above.
Appendix G	Revised Staging Report (Tracked Changes)		The Revised Staging Report confirms that the revised staging will deliver tangible benefits to stakeholders, with the concurrent construction of the hospital and seniors buildings to: • Improve overall project efficiency and program delivery; • Shorten construction impacts on the surrounding community; • Minimise disruption to the existing hospital operations; and • Optimise coordination of shared infrastructure and services between the hospital and seniors living buildings. The Revised Staging Report confirms the anticipated delivery dates under the revised construction strategy to be as follows: • Stage 1 (early works): complete Q1 2026. • Stage 2 (health building): complete Q4 2028. • Stage 3 (seniors housing buildings): complete Q3 2028. • Stage 4 (respite care building): complete Q4 2033. Details around anticipated operational staging has also been provided within the Revised Staging Report. For the consent authority’s information, a Tracked Changes version of the Revised Staging Report has also been provided at Appendix G to easily identify changes made to the document since the existing approval.

Appendix H	Construction Traffic Statement	Site Traffic	The Construction Traffic Statement (Appendix H) confirms that the revised staging approach will generate approximately 9 construction vehicle movements per hour during bulk excavation, 8 during structural installation and fit-out, and 5 during external works. The statement confirms that this “<i>represent[s] a redistribution of construction traffic over a shorter timeframe, rather than a sustained increase in construction traffic over the life of the project. Importantly, the revised staging does not give rise to any new or materially different traffic impacts when compared with the approved EIS scenario, and remains acceptable from a traffic volume and access perspective.</i>”
Appendix I	Social Impact Statement	Colliers Urban Planning	The Social Impact Statement confirms that the proposed revised staging will have net positive impacts. For patients and staff, although there would be some short-term negative impacts associated with needing to relocate, the amendments would mean they would no longer be subject to disruption or negative impacts associated with an active construction zone during the site's redevelopment and is hence considered a net positive. For surrounding residents, although it is acknowledged that there may be interim additional negative impacts due to a more intensive construction timeframe due to concurrent construction of the new hospital and seniors housing buildings, the shortening of the construction timeline by 4 years (with construction works for the buildings now anticipated to finish in 2029, as opposed to 2033, excepting the respite care building) is nevertheless a positive improvement with regards to cumulative construction impacts.

7.2 Amendments to Project Design

The following specialist consultant inputs have been prepared with regards to the changes to project design described at **Section 3.2** above (**Table 9**):

Table 9 Assessment of proposed modifications against the LLEP 2009

Appendix	Report	Consultant	Assessment
Appendix J	Operational Traffic Statement	TTPA	The Traffic Statement confirms that the proposed design amendments to the basement continue to comply with the relevant AS2890.1 Australian Standards. Revised turning path assessments and suggested linemarking and traffic controls have been provided within the Traffic Statement.
Appendix K	Accessibility Design Review Report	ABE Consulting	The Accessibility Design Review Report confirms that the development as amended continues to be capable of compliance with the relevant accessibility standards, including requirements of the BCA, the <i>Disability (Access to Premises - Buildings) Standards 2010</i> , and related Australian Standards.
Appendix L	BCA Assessment Report	BM&G	The BCA Assessment Report confirms that the development as amended is capable of compliance with the BCA. The report identifies a number of matters which require further verification but notes that these matters can be clarified and resolved at the construction certificate stage through performance solutions, as is standard industry practice, without giving rise to inconsistencies with the development consent.

The proposed changes to the seniors living building facades as discussed at **Section 3.2.3** rationalise the design but do not alter the bulk and scale of the building or the building envelope. Privacy and screening conditions have been retained, with specific attention to not change the views into or out of the site with respect to the immediate western neighbours whilst further optimising balcony planter locations to improve the usable open space, walkability and amenity of the balconies.

7.3 Reasons Given for Granting Consent

An assessment of the proposed amendments against the reasons given for granting consent in the Statement of Reasons for Decision given by the Independent Planning Commission for SSD 13619238 is provided in **Table 10** below.

Table 10 Assessment against reasons given for granting consent for SSD 13619238

Instrument	Assessment
<i>the Project is consistent with the existing strategic framework as it will provide services and infrastructure to meet the needs of an ageing population and create opportunities for older community members to continue living in their community with established health and support networks;</i>	No change. Refer to Section 2.0 .
<i>the Project is consistent with SSD-8699 (as modified by this approval);</i>	No change.
<i>the Project is permissible in the SP2 Health Facilities zone (hospital use) of the LCLEP and under clause 14 of the Seniors SEPP (seniors housing use);</i>	No change.
<i>the potential impacts on nearby residents during construction and operation are capable of being managed and mitigated through conditions of consent;</i>	The proposed amendments to project staging will reduce the anticipated construction timeframe, resulting in lessened impacts onto the local community. An updated environmental assessment has been provided at Section 7.1 .
<i>the Project is an orderly and economic use of the Site; and</i>	No change.
<i>the Project is in accordance with the Objects of the EP&A Act.</i>	No change.

7.4 Site Suitability and Public Interest

The proposed amendments are suitable for the site, and in the public interest.

- The amendments to project staging will result in net positive impacts. It will shorten the anticipated construction timeframe by 4 years, alleviating impacts onto the surrounding community. Existing patients will be moved off-site during construction, where they will not be impacted by construction impacts while the site is redeveloped.
- The amendments to design comprise minor refinements that have been identified as being necessary or desirable following further detailed design after the approval of SSD 13619238, which are normal and expected for a project of this scale.

8.0 Justification of the Modified Project

This Modification Application seeks consent for the following:

- Amendments to project staging, with the new hospital building and seniors housing buildings to now be constructed concurrently;
- Amendments to the shared basement and hospital building lower levels, including changes to car parking layout and driveway entrance, level 2 wellness area, level 3 imaging shell space and public lobby, and building plant; and
- Amendments to the seniors housing buildings, involving changes to balcony planter layout for most independent living units.

This report has demonstrated that this Modification Application:

- Remains consistent with the established strategic context of SSD 13619238, as delineated at **Section 2.0**.
- Is substantially the same development as that originally approved, as summarised in **Section 4.0**.
- Remains consistent with the relevant statutory context at the site, as described in **Section 5.0** of this report, including relevant State Environmental Planning Policies and the *Lane Cove Local Environmental Plan 2009*.
- Will not give rise to unreasonable environmental impacts, as described in **Section 7.0** above.
- Is suitable for the site and is in the public interest.

Given the above, the Department may modify the consent in accordance with Section 4.55(1A) of the EP&A Act.



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