

28 November 2025

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Kiersten Fishburn
Planning Secretary
Department of Planning, Housing and Infrastructure
4 Parramatta Square, 12 Darcy St
Parramatta NSW 2150

Section 4.55(1A) Modification Application – SSD 13619238 95-115 River Road, Greenwich – Removal of Tree 199

This Modification Application has been prepared by Ethos Urban 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).

The modification relates to the removal of Tree 199 as opposed to its retention, as further detailed design and coordination with the project arborist has found that it cannot be viably retained. To ensure that the quantum of vegetation to be delivered at the site is maintained, a replacement tree (100L *Angophora costata*, Sydney red gum) will be provided close to Tree 199's original location.

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).

This application is accompanied by:

- Landscape Drawings prepared by Taylor Brammer Landscape Architects (**Attachment A**); and
- Arboricultural Statement prepared by Mark Bury Consulting (**Attachment B**).

1.0 Background

1.1 The proponent

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

Table 1 Applicant's details

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

1.2 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 earlier Greenwich Concept Approval (SSD 8699).

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

1.2.1 Subsequent Modification Applications

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

Table 2 *Applicant details*

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
SSD 13619238 MOD 2	4.55(1A)	- Amendments to project staging, with the new hospital building and seniors housing buildings to now be constructed concurrently; - Amendments to the shared basement and lower hospital building, 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.	Under assessment

This application therefore represents the third modification sought to SSD 13619238 (i.e., SSD 13619238 MOD 3). The scope of this application and MOD 2 do not overlap and they can be assessed concurrently.

2.0 Strategic context

This Modification Application does not seek to change the extent of the SSD 13619238 project site, which remains as 95-115 River Road, Greenwich and comprises a total of two allotments, which are legally described as Lots 3 and 4 in DP584287. Lot 3 accommodates the existing Hospital building, and Lot 4 accommodates Pallister House.

Representing the removal and replacement of a singular tree (Tree 199) owing to constraints identified by the project arborist, the project's consistency with the strategic framework (including the Greater Sydney Region Plan, North District Plan, and the Lane Cove Local Strategic Planning Statement) remains unchanged under this Modification Application.

Furthermore, the project as amended remains substantially the same as that as approved, as confirmed in **Section 4.0** below, and this application would not give rise to additional cumulative impacts not already considered in the SSD 13619238 approval.

3.0 Proposed modifications to the consent

The modification relates to the removal of Tree 199 as opposed to its retention, as further detailed design and coordination with the project arborist has found that it cannot be viably retained. To ensure that the quantum of vegetation to be delivered at the site is maintained, a replacement tree (100L *Angophora costata*, Sydney red gum) will be provided close to Tree 199's original location.

3.1 Removal of Tree 199

Tree 199 is an *Acer negundo* Box Elder Tree that is currently nominated for retention under the current SSD 13619238 approval.

However, following approval, further detailed design and coordination has been undertaken in preparation for construction, including with the project arborist. It has since been identified that this tree cannot be viably retained due to conflict with a new retaining wall, which will result in a 50% encroachment into its Nominal Root Zone (on both northern and southern sides) because of cut-and-fill excavations for the foundations of a proposed retaining wall, as discussed in detail within the Arborist Report by Mark Bury Consulting at **Attachment B**.

Tree 199 is located near the site's River Road northern edge and is identified in **Figures 2 – 3** below. Photographs have been provided in the Arborist Report demonstrating its current condition and constraints precluding its retention.

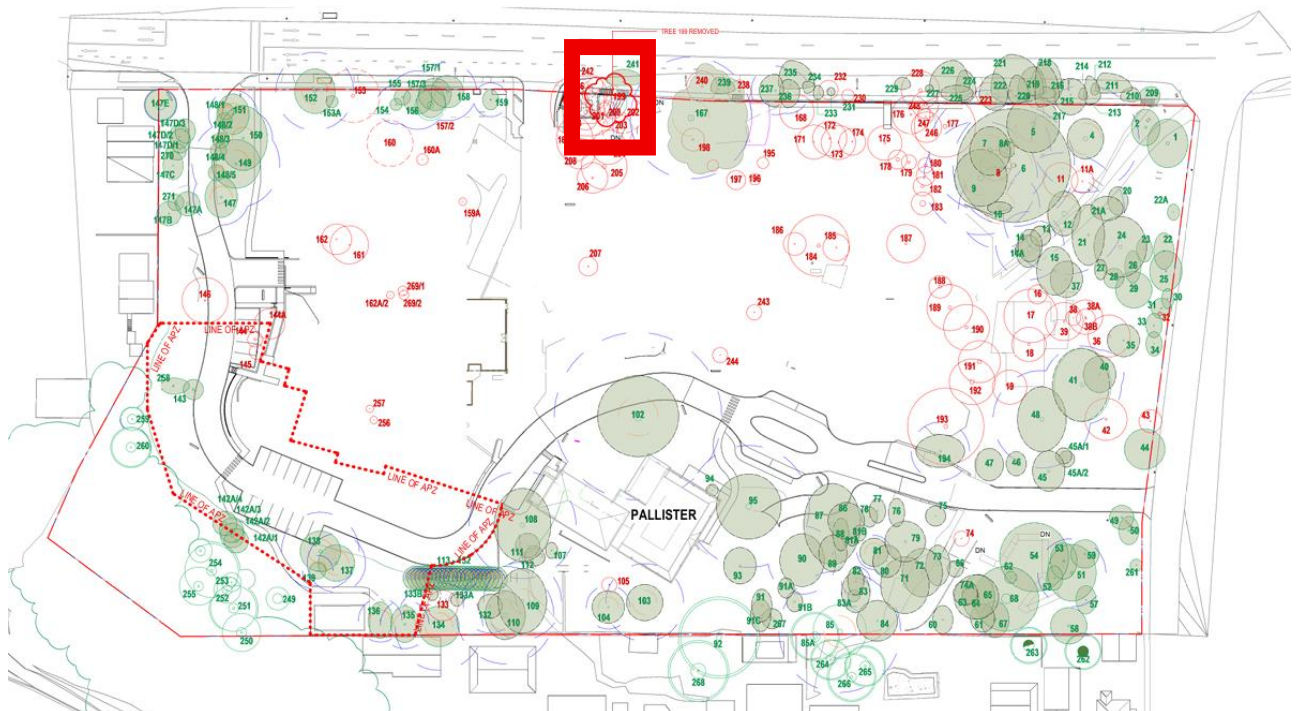


Figure 2 Location of Tree 199 on the site (shown in red highlighting)

Source: Taylor Brammer Landscape Architects

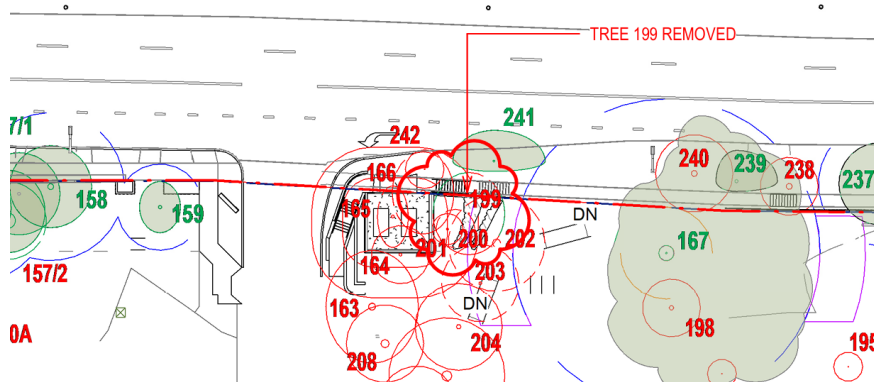


Figure 3 Location of Tree 199 – closeup

Source: Taylor Brammer Landscape Architects

3.2 Introduction of new tree

To ensure that there is no net loss in vegetation at the site because of the removal of Tree 199, it is now proposed to plant an additional new tree adjacent to Tree 199's current location fronting River Road, slightly to the east. The replacement tree is to be an 100L *Angophora costata* (Sydney red gum) in line with the project arborist's recommendations (refer to **Section 7.1**).

The location of the new tree is shown within the Amended Landscape Drawings at **Attachment A**, demonstrating high quality landscaping will continue to be provided to River Road. Excerpts have been provided in provided in **Figure 4 – 5** below.



Figure 4 Location of new replacement tree on the site (shown in red highlighting)

Source: Taylor Brammer Landscape Architects

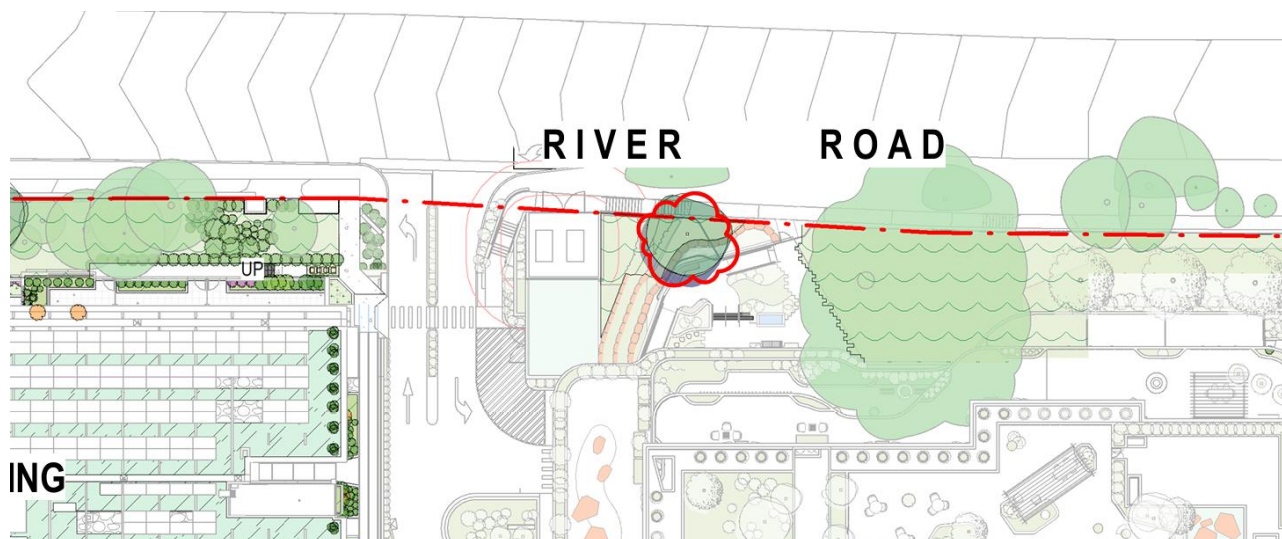


Figure 5 Location of new replacement tree – closeup

Source: Taylor Brammer Landscape Architects

3.3 Modifications 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**.

Condition A2

The development may only be carried out:

[...]

(e) in accordance with the approved plans in the table below:

Landscape Drawings prepared by TaylorBrammer			
Dwg No.	Rev	Name of Plan	Date
LA-001	<i>B C</i>	Tree Retention and Removal Plan	<i>17.05.2022 11.09.2025</i>
LA-100	<i>D E</i>	Landscape Masterplan	<i>09.10.2023 11.09.2025</i>
LA-101	<i>D E</i>	Overall Site Plan 1/4	<i>09.10.2023 11.09.2025</i>
[...]			
PL-000	<i>D E</i>	Planting Schedule	<i>09.10.2023 11.09.2025</i>
PL-101	<i>D E</i>	Overall Planting Plan 1 of 4	<i>09.10.2023 11.09.2025</i>

Reason: To reflect the updated landscaping design in accordance with the Amended Landscape Plans (**Attachment A**) and removal of Tree 199.

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)"*.

The development, as proposed to be modified, is substantially the same development as that originally approved, as it only relates to a singular tree, which is considered extremely minor when considered against the overall scale and scope of the Greenwich Hospital redevelopment project. The modification does not alter the approved use, internal building layout, building height, landscaped area, deep soil zones, or floor space of any land use approved under SSD 13619238.

5.0 Statutory context

5.1 Consistency with environmental planning instruments

The proposed removal of Tree 199 does not change the development's consistency with any environmental planning instrument, including the *Lane Cove Local Environmental Plan 2009* (LLEP 2009). SSD 13619238's consistency with the relevant planning controls including land use zoning, building height limit, floor space ratio, and heritage conservation remain unchanged.

5.2 Consistency with the Greenwich Concept Approval

Condition A6 of the Greenwich Concept Approval (SSD 8699) relates to the retention of trees, and requires the following:

A6. A minimum of 86 new trees must be provided as part of the redevelopment and Tree 167, as identified in the Arboricultural Impact Assessment and Tree Management Plan submitted with the RtS, must be retained.

Tree 167 continues to be retained under the project as amended, with a total of 228 of new trees provided well in excess of the 86 trees required.

6.0 Engagement

Representing only the removal and replacement of a singular tree (Tree 199) owing to constraints identified by the project arborist, the proposed amendments are not sufficiently substantial to warrant pre-lodgement consultation.

Tree 199 was not an item of contention, or subject of agency or community submissions, during the SSD 13619238 approvals process.

7.0 Assessment of impacts

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.

7.1 Tree removal

The Arboricultural Statement prepared by Mark Bury Consulting at **Attachment B** confirms it is necessary for Tree 199 to be removed. The statement confirms that this tree is unsuitable for transplanting, given issues associated with a severely restricted root zone to the northern and southern sides of the tree:

The modification proposes the removal of Tree 199 due to a conflict with a new retaining wall, which will result in a 50% encroachment as a consequence of cut-and-fill excavations for the foundations of the proposed retaining wall into the Nominal Root Zone of the tree.

[...]

The tree will have a restricted root zone on both the northern and southern sides of the tree. When trees have restricted root systems in the built environment, they are susceptible to the impacts of human activities that can affect their health and reduce longevity. Reduced root systems from root loss or constriction can reduce stability and increase stress.

Tree root systems are generally shallow and widespread. Human activity around trees often impacts tree root systems, resulting in decreased tree health and reduced longevity compared to trees on natural sites. Construction and repair of infrastructure often sever tree roots. The presence of buildings and pavements can restrict root systems, with detrimental effects on both the tree and the structure, which is the issue with this tree and its deterioration.

[...]

Therefore, given the issues associated with a severely restricted root zone, it is recommended that the tree be removed and replaced with a 100-litre replacement tree elsewhere on the property as part of a revised landscape plan.

The retaining wall is required to facilitate the required footpath upgrades to River Road, thereby necessitating Tree 199's removal.

It is also important to note that Tree 199 is of limited retention value. Its species (*Acer negundo* Box Elder Tree) is a pest in some Local Government Areas as they self-seed constantly and can infest a whole region, especially in native bushland.

Furthermore, a replacement tree has been provided as demonstrated within the Amended Landscape Plans (**Attachment A**) in accordance with the Arboricultural Statement's recommendations. The replacement tree is to be a 100L *Angophora costata* (Sydney red gum) and located in a similar location to Tree 199, ensuring high quality landscaping continues to be provided to River Road.

7.2 Reasons given for granting consent

The development, as proposed to be modified, upholds the original reasons for granting consent in that:

- *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;*
- *the Project is consistent with SSD-8699 (as modified by this approval);*
- *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);*
- *the potential impacts on nearby residents during construction and operation are capable of being managed and mitigated through conditions of consent;*
- *the Project is an orderly and economic use of the Site; and*
- *the Project is in accordance with the Objects of the EP&A Act.*

7.3 Site suitability and public interest

Representing the removal and replacement of a singular tree (Tree 199) owing to constraints identified by the project arborist, the proposed Modification Application does not change SSD 16319238's consistency as being suitable for the site, and in the public interest.

8.0 Conclusion

This Modification Application relates to the removal of Tree 199 as opposed to its retention, as further detailed design and coordination with the project arborist has found that it cannot be viably retained. To ensure that the quantum of vegetation to be delivered at the site is maintained, a replacement tree (100L *Angophora costata*, Sydney red gum) will be provided close to Tree 199's original location.

In accordance with section 4.55(1A) of the EP&A Act, the consent authority may modify the consent as:

- the proposed modification is of minimal environmental impact; and
- substantially the same development as development for which the consent was granted.

We trust that this information is sufficient to enable assessment of the proposed modification request.

Yours sincerely,



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