

**MODIFICATION REPORT
SHOALHAVEN HOSPITAL REDEVELOPMENT
SSD - 35999468 – MOD 5**

PART A – MAIN REPORT



(Conrad Gargett)

Prepared on behalf of Health Infrastructure



DECEMBER 2025

Version	Date
Version 1 (final draft)	5 November 2025
Version 2 (updated final draft)	13 November 2025
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Date: 19 December 2025

MODIFICATION REPORT PART A – MAIN REPORT

MODIFICATION OF CONSENT (SECTION 4.55(1A)) MOD 5 – 35999468 SHOALHAVEN HOSPITAL REDEVELOPMENT SCENIC DRIVE, NOWRA

1.0 INTRODUCTION

This Modification Report has been prepared by _planning Pty Ltd on behalf of NSW Health Infrastructure (HI) with respect of a section 4.55(1A) modification (MOD 5) to Development Application (DA) consent DA SSD 35999468, as granted under delegated authority from the Minister on 5 April 2023.

Development Consent SSD 35999468 is for the redevelopment of Shoalhaven Hospital and involves:

Construction of a seven storey hospital building with rooftop plant, helipad, ambulance entry from Shoalhaven Street, loading dock and mortuary parking, including demolition works, earthworks, tree removal, landscaping and utility works.

This is the fifth modification to this consent. **MOD 1** to this consent rectified the duplication of numbering within the consent at Condition B30. It was approved under delegated authority on 8 June 2023.

MOD 2 to this consent modified condition B33(a) to remove the 210 kilolitre requirement for the rainwater tank's capacity and rely upon the approved drawings under condition C26(b), as well as remove the need for the rainwater tank to provide rainwater reuse as part of the operation of the hospital's HVAC system, namely the coolant tower reuse referred to in that condition. MOD 2 was approved under delegated authority on 30 August 2023.

MOD 3 related to Conditions B14 and B15 and the requirement for a Three-dimensional Visual Flight Rules Approach and Departure Path and Transitional Surface Survey prior to the commencement of construction works. These conditions required consolidation and transfer to later in the construction process (e.g. Prior to Commencement of Operation), as this survey is only possible once the new helipad is constructed and in place. MOD 3 was approved on 7 March 2024.

MOD 4 addressed a range of façade design changes (and consequential floorplan adjustments) and was approved on 22 March 2024.

As noted in prior modifications, the John Holland Group was appointed as the principal contractor. The project's construction is well underway and is presently in its latter stages with completion anticipated early in 2026.

Design development has revealed a range of design refinements which are necessitated either by the John Holland Group and/or preferred outcomes through HI and the Local Health District (LHD). Other matters simply require clarification and improved wording under the consent to ensure certification can be appropriately achieved. The changes proposed are relatively wide-ranging in their nature and vary from simple administrative matters to marginally more complex matters. The following sets out a summary of the changes proposed under this modification.

- Changed hospital / building identification signage with a rewording of the signage to apply the hospital's now preferred naming convention – 'Shoalhaven Memorial Hospital'.

- Changes to the hospital's new entry road design, with a new retaining wall proposed instead of the approved batter which will no longer be able to accommodate / support the adjacent pre-school car park. The new retaining wall also includes wayfinding and building identification signage.
- Refined wording to Condition B27 in relation to car parking to confirm existing parking spaces in their existing design and configuration do not require upgrade to current standards, as well as inclusion of all on-site and immediately adjacent car parks as counted by TTW and as previously approved as hospital car parking.
- Refinements to the approved design (and any consequential related matters under the consent) as they relate to the delivery of footpaths and shared paths under Condition D28.
- Correction of an administrative error in Condition D20 where reference has been made to the *Sydney Water Act 1994*, which does not apply to City of Shoalhaven LGA or to Shoalhaven Water.
- Minor administrative and editorial changes to Conditions B28, C19, D16, D18, D22, D23, E35, E37, E43 as they respectively relate to Public Domain Works, Tree Protection, Roadworks, Green Travel Plan, Signage, and Landscaping, including many replicating other already accepted changes to recent HI-related SSD consents, and in this instance serving as precedent decisions on contemporary wording. The changes propose consistency and uniformity across HI's SSD consents.

The proposed design refinements affecting the sky sign signage and the new entry road differ from the approved drawing set and cannot be sufficiently described as being in accordance with the approved stamped plans under Condition A2. They also cannot otherwise be accommodated by the project's certifier through the Crown certification process.

Accordingly, it is proposed to modify Condition A2 to update the approved drawing set to reflect the design development. The details of the changes are set out further below.

The process provides the following to support this modification to the approved development.

- Revised signage drawings, including signage details and dimensions. This is provided as **Appendix A** to this modification.
- Revised / new civil engineering drawings addressing the new entry road design, with a new retaining wall proposed instead of the approved batter. This is provided as **Appendix B** to this modification.
- Revised landscaping drawings indicating and confirming the alternative design at the new entry road. This is provided as **Appendix C** to this modification.
- TTW advice regarding Condition B27. This is provided as **Appendix D** to this modification.

Section 3 of this report sets out further details of the above and articulates how this compares to the approval and its documents.

As previously requested by the Department on other similar applications, this application addresses and provides:

- the type of modification we believe the application to be;
- revised drawings and documents showing and comparing the proposed changes against the approved drawings (as may be relevant);
- a list of the proposed changes describing the details, reason and justification for those changes; and
- commentary on how the design's qualities already achieved are maintained.

This application is principally supported by material from the John Holland Group, Conrad Gargett / Architectus, Site Image, and TTW in addressing the above.

Based on the preceding and appended information the application relates to a minimal environmental impact for substantially the same development, and can accordingly be considered as a section 4.55(1A) application.

2.0 STRATEGIC CONTEXT

Given the relatively minor (and in part administrative) nature of this proposed modification, the strategic context of the development is unaffected. The scale and scope of works does not affect the development's response and commitment to the following, where they apply:

- NSW State Priorities.
- State Infrastructure Strategy 2022 – 2042.
- Future Transport Strategy 2056.
- Better Placed: An integrated design policy for the built environment of New South Wales (Government Architect NSW (GANSW), 2017).
- Healthy Urban Development Checklist (NSW Health, 2009).
- Draft Greener Places Design Guide (GANSW).
- Illawarra Shoalhaven Regional Plan 2041
- Local Strategic Planning Statement - Shoalhaven 2040

In fact, these minor changes contribute to the enhanced operation and function of the building and the hospital campus in satisfying any relevant strategic plan.

3.0 DESCRIPTION OF MODIFICATION

As set out above, the proposed modification seeks approval to modify stamped approved drawings as tabulated under Condition A2 to facilitate a range of design refinements and amendments, as well as gain approval of a range of administrative or editorial changes to a range of conditions for improved clarity, consistency, and efficiency, without detracting from, or removing, the intent of the respective conditions. These are set out sequentially as follows.

3.1 Signage changes to accommodate the hospital's name change

All building identification signage is proposed to be changed to reflect the LHD's now preferred naming convention for the hospital - 'Shoalhaven Memorial Hospital'. This occurs in three locations - two on the façade of the Acute Services Building at its main entry points within the hospital site and at Shoalhaven Street, and also most vividly on the approved sky sign on the northern parapet of the building.

The sky sign at the top of the Acute Services Building was approved as a building identification sign stating 'Shoalhaven Hospital' with an area of 55.4m². The other signs stated 'Shoalhaven District Memorial Hospital' and ranged in size / area from 19.4m² to 26m². See the approved signage in **Figure 1** over.

This is proposed to be refined to consistently state 'Shoalhaven Memorial Hospital'. The reason for this change results from the HI's and LHD's now preferred naming convention for the hospital.

The changed signage results in a smaller area of building identification sky signage (27.87m²), and is still proportionate to the scale of the building and its rooftop appearance. The Shoalhaven Street signage is now proposed at a reduced 16.8m², with the main entry signage also proposed at a reduced 13.79m². The appearance, materiality, and lighting is as previously proposed and approved. The signage is also proposed in the same locations as approved – see **Figure 2**.



Material: Rendered concrete
Colour: White
Lighting: Up from slab



Location: Main Entrance
Material: PC Aluminium
Colour: White
Lighting: External Directional Lighting



Location: Shoalhaven Street
Material: PC Aluminium
Colour: White
Lighting: External Directional Lighting



Figure 1 – Approved building identification signage (Conrad Gargett)

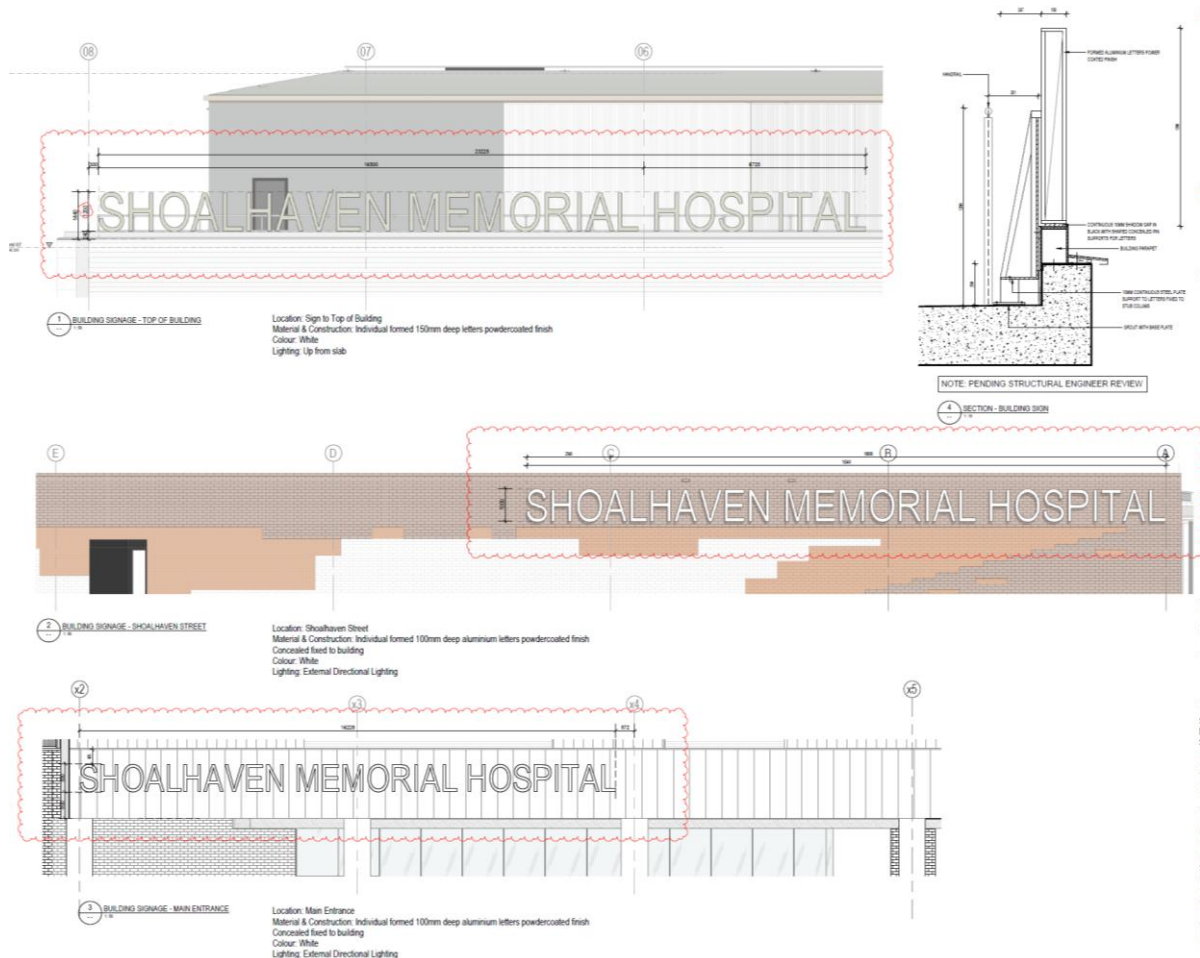


Figure 2 – Proposed building identification signage (Conrad Gargett / Architectus)

The proposal will require changes to Condition A2 to provide for the relevant replacement drawing sheets, which is found at **Appendix A**.

3.2 New hospital entry road design

The new hospital entry road was approved with a turfed batter to address the grade change between the immediately adjacent Shoalhaven Community Pre-School's at-grade car park and the new entry road. **Figure 3** below indicates the general location of the approved batter.

A review of the engineering design has determined that a retaining wall is now the preferred outcome to effectively address the localised grade change in this location and ensure for the appropriate (and safe) engineered solution. **Figure 4** over provides for the preferred retaining wall location and design.

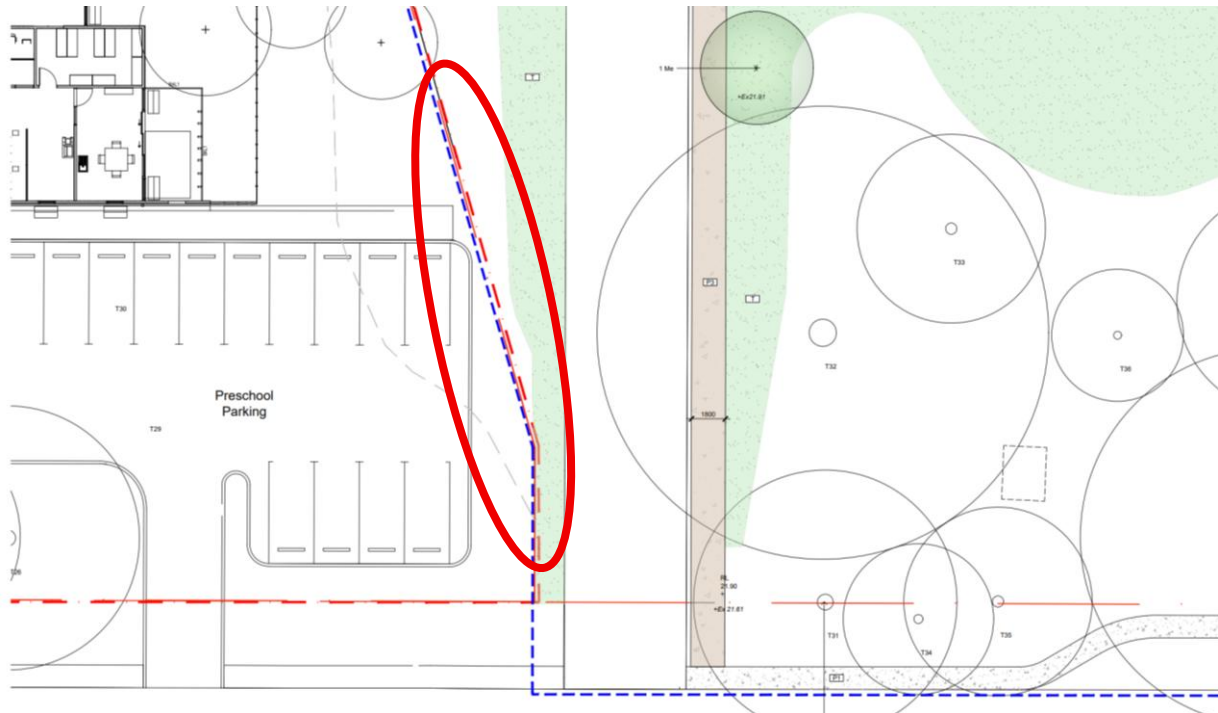


Figure 3 – General location of the approved batter (as circled in red) to be replaced with new retaining wall (Site Image)

The height of the wall is proportionate to its function and purpose. Its maximum height is documented at 1.00m but is generally at a lower height ranging from 0.815m or 0.902m and tapering to lower heights as the grades flatten inwards of the hospital. No formal landscaping was proposed or approved in this location previously, and correspondingly, no new or different formal landscaped outcome is proposed within the hospital land, noting pre-existing planting exists on the Shoalhaven Community Pre-School side of the boundary and at its grades.

Part of the new retaining wall also includes wayfinding and building identification signage which is minor in scale and is included for approval.

The proposal will require changes to Condition A2 to provide for the relevant replacement drawings. See also **Appendices B** and **C**.

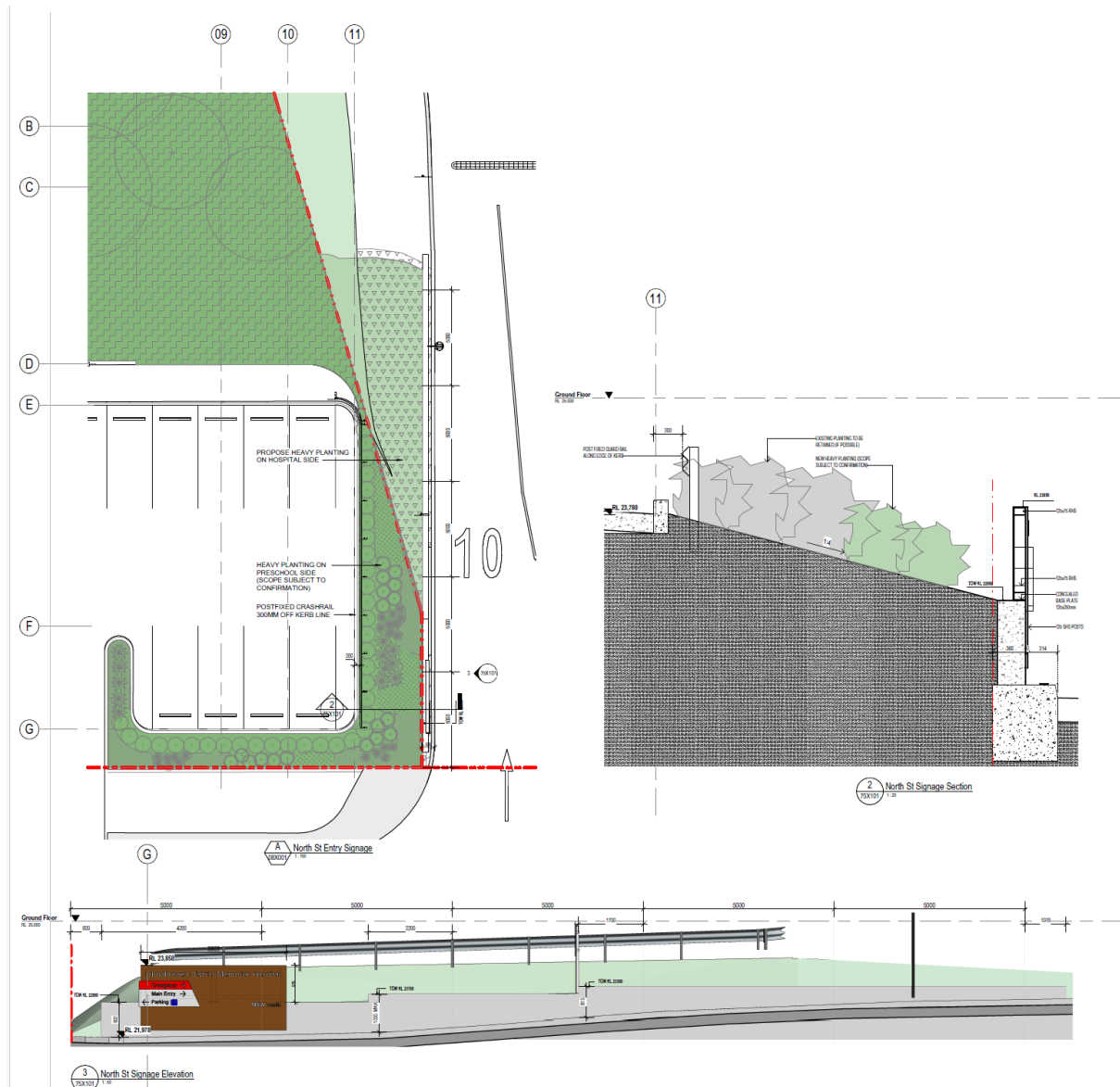


Figure 4 – Location and design of proposed retaining wall (Conrad Gargett / Architectus)

3.3 Other minor administrative or editorial changes

Further, a range of administrative and/or precedent-related wording adjustments are proposed to the following conditions:

B27 – Operational Access, Car Parking and Service Vehicle Arrangements

The current wording of this condition is as follows:

B27. Prior to the commencement of construction of operational parking and access facilities, evidence of compliance of the design of operational parking and access arrangements with the following requirements must be submitted to the Certifier:

(a) a minimum of 665 on-site car parking spaces for use during operation of the development and designed in accordance with the latest versions of AS 2890.1 and AS 2890.6; and

(b) the swept path of the largest service vehicle entering and exiting the Site in association with the new work, as well as manoeuvrability through the site, must be in accordance with the latest version of AS 2890.2.

Based on advice received from TTW (see **Appendix D**), the proposal is to clarify the intent of the condition by refining its wording to be clear on the nature of the matters requiring compliance. As set out by TTW, the following should be considered:

- The value of 665 car parking spaces is taken from the Transport and Accessibility Impact Assessment (TAIA) (Rev 1.3, dated 21 September 2022).
- As documented in the TAIA (refer Section 3.6 of the TAIA), the value of 665 car parking spaces was reached on the basis of:
 - Pre-development capacity of 693 car parking spaces
 - Removal of 39 existing car parking spaces
 - Construction of 11 new short-term car parking spaces
 - Resultant capacity of 665 parking spaces
- The existing capacity of 693 parking spaces (as documented in Section 2.4 of the TAIA) was reached including a number of car parking modules immediately adjacent to the site, which are located in the public domain but operate as part of the hospital campus. The total capacity of these areas is *approximately* 52 parking spaces – the value is approximate as the property boundary cuts diagonally through one of these parking modules.

Based on the above, TTW's findings and recommendations are as follows:

- It is documented in the original SSD DA that 654 of the 665 parking spaces were to be existing spaces retained as part of the development works. These spaces vary in layout and level of compliance (due to gradual construction over the years) and it would be unreasonable to upgrade these to modern design standards. The development consent should reflect this intent of the approved SSD DA documentation by applying current standards to newly constructed spaces only. Any new parking spaces being constructed as part of this development should reasonably be expected to meet modern design standards.
- It is documented in the original SSD DA that approximately 52 of the 665 parking spaces were located in the public domain but operate as part of the hospital campus. The development consent should reflect this intent of the approved SSD DA documentation by acknowledging the broader parking supply along the site frontages, which may not technically be "on-site". This would not be a change to the documented SSD DA strategy and approved works.

Based on the above corrections to administrative errors, we proposed the following refined wording with **additions** and ~~deletions~~ as marked to assist in confirming and clarifying the intent of the condition.

The **proposed wording** of the condition is as follows to address the above matter(s):

B27. Prior to the commencement of construction of operational parking and access facilities, evidence of compliance of the design of operational parking and access arrangements with the following requirements must be submitted to the Certifier:

*(a) a minimum of 665 ~~on-site~~ car parking spaces for use during operation of the development, **generally consistent with the Transport and Accessibility Impact (prepared by TTW, Revision 1.3, dated 21 September 2022);***

*(b) ~~and~~ **any new car parking spaces are to be** designed in accordance with the latest versions of AS 2890.1 and AS 2890.6; **and***

(c) the swept path of the largest service vehicle entering and exiting the Site in association with the new work, as well as manoeuvrability through the site, must be in accordance with the latest version of AS 2890.2.

B28 – Public Domain Works

The current wording of this condition is as follows:

B28. Prior to the commencement of any footpath or public domain works, the Applicant must consult with Council and demonstrate to the Certifier that the streetscape design and treatment meets the requirements of Council, including addressing pedestrian management. The Applicant must submit documentation of approval for each stage from Council to the Certifier.

The proposal is to remove separate consultation with Council in this instance as the works would otherwise, and in any case, be subject to Council consideration within the requirements of section 138 of the *Roads Act 1993*. We note, as a SSD consent, Council will not be able to refuse the section 138 application if it is necessary for carrying out of the State significant development that is authorised by a development consent and (which) is ... substantially consistent with the consent.

Accordingly, the **proposal** is to delete the existing condition, and replace it with the following to address the above matter:

B28. Prior to the commencement of works in the road reserve, approval under section 138 of the Roads Act is to be obtained for that stage of work. A copy of the approval is to be provided to the Certifier.

This removes unnecessary duplication and facilitates the reliance upon the typical legislated process only.

C19 – Tree Protection

The current wording of this condition is as follows:

C19. For the duration of the construction works:

(a) street trees must not be trimmed or removed unless it forms a part of this development consent or prior written approval from Council is obtained or is required in an emergency to avoid the loss of life or damage to property;

(b) all street trees immediately adjacent to the property boundaries must be protected at all times during construction in accordance with Council's tree protection requirements. Any street tree, which is damaged or removed during construction due to an emergency, must be replaced, to the satisfaction of Council;

(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 Impact and Tree Protection Report prepared by Moore Trees Arboricultural Services dated 30 August 2022; and

(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.

The proposal relates only to sub-condition (d) and to allowing for practical and reasonable compliance for this otherwise standard and routine matter at the conclusion of works. Tree protection measures are typically fixed barriers such as cyclone fencing often at some distance from larger trees, or Geofab and timber battens wrapped around trees, for which the removal would not warrant specialist supervision. No bespoke or unique tree protection measures are applicable (or have been applied) to this development in this instance. Under the current wording, the project arborist would need to supervise all tree protection removal. This can often come with long lead-in times for the arborist to attend the site to allow compliance with the condition, despite the routine and simple nature of the removal of those protection measures. The proposal does not remove the need to continue to avoid injury and/or damage to trees. The intent is to provide latitude and flexibility to carefully remove the tree protection measures or devices within timeframes that the John Holland Group is able to reasonably manage.

The **proposed wording** of the condition is as follows to address the above matter(s):

C19. For the duration of the construction works:

(a) street trees must not be trimmed or removed unless it forms a part of this development consent or prior written approval from Council is obtained or is required in an emergency to avoid the loss of life or damage to property;

(b) all street trees immediately adjacent to the property boundaries must be protected at all times during construction in accordance with Council's tree protection requirements. Any street tree, which is damaged or removed during construction due to an emergency, must be replaced, to the satisfaction of Council;

(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 Impact and Tree Protection Report prepared by Moore Trees Arboricultural Services dated 30 August 2022; and

(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.

D16 – Roadworks

The current wording of this condition is as follows:

D16. Prior to the commencement of operation, or other timeframe agreed in writing by the Planning Secretary, the Applicant must complete the public domain works required by this consent to the satisfaction of Council. The Applicant must obtain approval for the works under section 138 of the Roads Act 1993.

Similar to matters relating to Condition B28, Council already provides its satisfaction of the public domain works by the issue of approval under the *Roads Act 1993*. Accordingly, the proposal is to simplify the wording of the condition.

The **proposed wording** of the condition is as follows to address the above matter(s):

- D16. ~~Prior to~~ **Within 12 months of** the commencement of operation, or other timeframe agreed in writing by the Planning Secretary, the Applicant must complete the public domain works required by this consent ~~to the satisfaction of Council~~. The Applicant must obtain approval for the works under section 138 of the Roads Act 1993.

D18 – Green Travel Plan

The current wording of this condition is as follows:

- D18. *Prior to the commencement of operation, or other timeframe agreed in writing by the Planning Secretary, a Green Travel Plan (GTP), must be submitted to the Certifier to promote the use of active and sustainable transport modes and a copy provided to the Planning Secretary within seven days after the Certifier accepts it. The plan must:*
- (a) be prepared by a suitably qualified traffic consultant in consultation with Council and to the satisfaction of the Transport for NSW Travel Demand Management Team;*
 - (b) include objectives and modes share targets (i.e. Site and land use specific, measurable and achievable and timeframes for implementation) to define the direction and purpose of the GTP;*
 - (c) include specific tools and actions to help achieve the objectives and mode share targets;*
 - (d) include measures to promote and support the implementation of the plan, including financial and human resource requirements, roles and responsibilities for relevant employees involved in the implementation of the GTP; and*
 - (e) include details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets of the GTP, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of users of the development.*

The proposal is to contemporise this consent with DPHI's current standard conditions of consent and to remove the requirement to submit material to the Planning Secretary, noting their approval is not required. The GTP will also be made publicly available on the project's website. The proposal seeks consistency with now-applied requirements in SSD consents.

The **proposed wording** of the condition is as follows to address the above matter(s):

- D18. *Prior to the commencement of operation, or other timeframe agreed in writing by the Planning Secretary, a Green Travel Plan (GTP), must be submitted to the Certifier to promote the use of active and sustainable transport modes and a copy **made available on the project's website** ~~provided to the Planning Secretary within seven days after the Certifier accepts it~~. The plan must:*
- (a) be prepared by a suitably qualified traffic consultant in consultation with Council and to the satisfaction of the Transport for NSW Travel Demand Management Team;*
 - (b) include objectives and modes share targets (i.e. Site and land use specific, measurable and achievable and timeframes for implementation) to define the direction and purpose of the GTP;*

(c) include specific tools and actions to help achieve the objectives and mode share targets;

(d) include measures to promote and support the implementation of the plan, including ~~financial~~ and human resource requirements, roles and responsibilities for relevant employees involved in the implementation of the GTP; and

(e) include details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets of the GTP, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of users of the development.

D20 – Utilities and Services

The current wording of this condition is as follows:

D20. Prior to commencement of operation, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the Sydney Water Act 1994.

The proposal is to rectify the incorrect reference to the *Sydney Water Act 1994*, which does not apply in the City of Shoalhaven LGA or to Shoalhaven Water.

The **proposed wording** of the condition is as follows to address the above matter(s):

*D20. Prior to commencement of operation, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site from **Shoalhaven Water** under section 73 of the ~~Sydney Water Act 1994~~ **307 of the Water Management Act 2000**.*

D22 – Signage

The current wording of this condition is as follows:

D22. Prior to the commencement of operation, way-finding signage and signage identifying the location of car parking must be installed.

The proposal is to assist with compliance. Projects have experienced delay with signage installation owing to LHD concurrence with all of campus final signage and wayfinding details. The proposal seeks flexibility in compliance.

The **proposed wording** of the condition is as follows to address the above matter(s):

*D22. Prior to the commencement of operation **or at another time agreed in writing by the Planning Secretary**, way-finding signage and signage identifying the location of car parking must be installed.*

D23 – Signage

The current wording of this condition is as follows:

D23. Prior to the commencement of operation, bicycle way-finding signage must be installed within the site to direct cyclists from footpaths to designated bicycle parking areas.

Again, the proposal is to assist with compliance. As projects have experienced delay with signage installation owing to LHD concurrence with all of campus final signage and wayfinding details, the following is proposed to seek flexibility in compliance.

The **proposed wording** of the condition is as follows to address the above matter(s):

- D23. Prior to the commencement of operation **or at another time agreed in writing by the Planning Secretary**, bicycle way-finding signage must be installed within the site to direct cyclists from footpaths to designated bicycle parking areas.*

D28 – Public Domain Works

The current wording of this condition is as follows:

- D28. The following public domain works are to be completed in accordance with condition B28 and in accordance with relevant Council Guidelines prior to the commencement of operation:*
- a) construction of footpath Hyam Street (Osborne Street to Bridge Road) – south side.*
 - b) construction of shared user path North Street (West Street to Scenic Drive) – south side.*
 - c) construction of shared user path North Street (Scenic Drive to Shoalhaven Street) – north side.*
 - d) construction of footpath North Street (West Street to Shoalhaven Street) – south side.*
 - e) construction of shared user path Shoalhaven Street (North Street to Scenic Drive) – west side.*
 - f) construction of footpath Shoalhaven Street (Junction Street to North Street) – west side.*
 - g) construction of raised threshold with pedestrian refuge North Street (immediately west of West Street).*
 - h) construction of raised pedestrian crossing Shoalhaven Street (frontage of development, location to suit new building).*
 - i) construction of a pedestrian refuge incorporated at the main entry driveway on North Street.*

The proposal is to refine the scope of works under this condition to reasonably relate to the hospital's perimeter and improvements to, and access at and around, the hospital, whilst concurrently protecting and retaining significant existing trees and providing appropriate and proportionate levels of accessibility. To that end the conditioned footpath on Hyam Street is to be deleted as this is beyond the hospital's perimeter and beyond reasonable range and scope of the intent of the proposed public domain works. Shared paths are revised to footpaths in certain locations to allow for an appropriate and proportionate response to the level of foot and/or bicycle traffic anticipated, or to provide for a consistency in the design, and the continuity, of footpaths and shared paths types in corresponding locations. Flexibility in timing is requested to be introduced to allow the

commencement of operation of the Acute Services Building whilst one or more of these individual paths are still under construction.

The **proposed wording** of the condition is as follows to address the above matter(s):

*D28. The following public domain works are to be completed in accordance with condition B28 and in accordance with relevant Council Guidelines prior to the commencement of operation **(or at another time agreed in writing by the Planning Secretary)**:*

~~a) construction of footpath Hyam Street (Osborne Street to Bridge Road) – south side.~~

*a) construction of ~~shared user~~ **footpath** North Street (West Street to Scenic Drive) – south side.*

b) construction of shared user path North Street (Scenic Drive to Shoalhaven Street) – north side.

c) construction of footpath North Street (West Street to Shoalhaven Street) – south side.

*d) construction of **connecting** ~~shared user~~ **footpath as may be required** Shoalhaven Street (~~North Street~~ **from internal Blackbutt tree paving (south of Ambulance entry driveway** to Scenic Drive) – west side.*

*e) construction of footpath Shoalhaven Street (~~Junction Street~~ **Westhaven Avenue** to North Street) – west side.*

f) construction of raised threshold with pedestrian refuge North Street (immediately west of West Street).

g) construction of raised pedestrian crossing Shoalhaven Street (frontage of development, location to suit new building).

h) construction of a pedestrian refuge incorporated at the main entry driveway on North Street.

E35 – Green Travel Plan

The current wording of this condition is as follows:

E35. The Green Travel Plan required by condition D18 of this consent must be updated annually and implemented unless otherwise agreed by the Planning Secretary. As part of updating the Green Travel Plan, consultation must be had with Council, Transport for NSW, hospital staff and visitors.

The proposal is to contemporise with DPHI's current standard conditions of consent and to remove the requirement to update the GTP, should any revision of the GTP not be required upon review. Also, the proposal removes the onerous requirement to liaise annually with stakeholders in perpetuity. The GTP already will include methods for monitoring and review, including travel surveys and the like. The proposed wording removes administrative burden on other authorities (such as TfNSW and Council) and the LHD.

The **proposed wording** of the condition is as follows to address the above matter(s):

- E35. *The Green Travel Plan required by condition D18 of this consent must be ~~updated~~ **reviewed** annually **(and be updated if necessary)** and **be** implemented unless otherwise agreed by the Planning Secretary. ~~As part of updating the Green Travel Plan, consultation must be had with Council, Transport for NSW, hospital staff and visitors.~~*

E37 – Landscaping

The current wording of this condition is as follows:

- E37. *The Applicant must maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition D26 for the duration of occupation of the development.*

The proposal is to assist in allowing for a practical compliance over time.

The **proposed wording** of the condition is as follows to address the above matter(s):

- E37. *The Applicant must maintain the landscaping and vegetation on the site **generally** in accordance with the approved Landscape Management Plan required by condition D26 for the duration of occupation of the development.*

E43 - Signage

The current wording of this condition is as follows:

- E43. *All signage approved under this consent must be continuously maintained in a structurally sound and tidy manner by the Applicant for the duration of the development.*

The proposal is to assist in practical compliance. The operator will maintain signage. Signage may change as a result of approvals under other planning pathways. Notwithstanding, the intent is maintained by the reworded condition.

The **proposed wording** of the condition is as follows to address the above matter(s):

- E43. *~~All~~ **Signage** approved under this consent must be ~~continuously~~ maintained in a structurally sound and tidy manner ~~by the Applicant for the duration of the development.~~*

A review of these changes and assessment of their impact is carried out in Section 6 of this Modification Report.

4.0 STATUTORY CONTEXT

The nature of the changes proposed and their impacts are relatively minor and manageable, and accordingly we believe the modification to be a section 4.55(1A) application – a modification involving minimal environmental impact. The consent, as modified, would also relate to substantially the same development, as is self-evident.

In the context of the overall development consent and the scale of the Shoalhaven Hospital redevelopment, these are considered minor alterations and administrative changes generally arising from design refinements driven by a range of operational and functional factors, or otherwise to refine and clarify the operation of the consent as the development's construction approaches conclusion and the operation of the development commences.

As noted, these minor changes have variously been initiated by the client (whether the LHD or HI to meet ultimate users group requirements or expectation) or by John Holland Group (through design innovation or for buildability reasons).

Further, these minor changes differ from the approved drawing set and cannot be sufficiently described as being in accordance with the approved stamped plans under Condition A2. They also cannot otherwise be accommodated by the project's certifier through the Crown certification process.

As required under section 4.55(3) for modifications generally, an assessment has been undertaken of the proposed modification consistent with the relevant requirements of section 4.15(1) of the EP&A Act. Section 4.15(1) states as follows:

(1) Matters for consideration—general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

- (a) the provisions of:*
 - (i) any environmental planning instrument, and*
 - (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
 - (iii) any development control plan, and*
 - (iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
 - (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*
 - (v) (repealed),*
- that apply to the land to which the development application relates,*
- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (c) the suitability of the site for the development,*
- (d) any submissions made in accordance with this Act or the regulations,*
- (e) the public interest.*

Assessment against (and compliance with) the relevant provisions of section 4.15(1) is set out below as well as the reasons given by the consent authority in granting consent to the original DA. Further detailed assessment of relevant matters is also set out in Section 6 of this application.

Provision	Compliance / Commentary
any environmental planning instrument	The modification will not alter any pre-existing compliance with any SEPP or LEP relevant to the site or development. There will be no increase in impacts already assessed and determined by Department to be satisfactory.
any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)	The modification does not relate to any current draft or proposed instruments.
any development control plan	The modification is not contrary to any DCP, noting DCPs do not apply to SSD.
any planning agreement that has been entered into under section 7.4, or any draft planning agreement	N/A.

that a developer has offered to enter into under section 7.4	
the regulations (to the extent that they prescribe matters for the purposes of this paragraph)	N/A
the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality	There will be no increase in impacts, or erosion of the design and operational / performance qualities of the development, already assessed and determined by Department to be satisfactory. To not undertake the requested modification has the potential to result in some difficulties or delay in compliance with the consent around the wording or semantics of conditions, as well as some operational and functional inadequacies that will not result in the provision of the highest quality of medical care or enhanced operational performance of the Acute Services Building, or the hospital more generally. From a design standpoint the changes to the signage and the new hospital entry road are generally modest and would be barely discernible to the casual viewer. The development substantially retains its approved appearance and operation but for these minor adjustments. The administrative changes do not introduce and new or different temporary or lasting impacts of any note or significance. The refined scope of works under Condition D28 maintains the broad objective of providing pedestrian or shared access at, to and around the hospital's perimeter and immediate environs. Section 6 below sets out a detailed assessment of the likely impacts.
the suitability of the site for the development	The modification does not alter the approved development's suitability to the site.
any submissions made in accordance with this Act or the regulations	N/A – this relates to the Department's consideration of any submissions it may receive.
the public interest	The modification will not adversely affect or alter the public interest in relation to this development. Indeed, the modification will enhance the hospital's operational and functional capacities, which is in the public interest. To forego the proposed changes would not be in the public interest.
Reasons for giving consent were identified as to: • Prevent, minimise, or offset environmental impacts; • Set standards and performance measures for acceptable environmental performance; • Require regular monitoring and reporting; and • Provide for ongoing environmental management of the development. Further, as stated in the Notice of Decision: The key reasons for granting consent to the development application are as follows:	No aspect of this modification will alter or compromise the reasons for giving conditional consent to the development.

• the project would provide a range of benefits for the region and the State as a whole, including capital investment in health infrastructure, as well as the creation of 548 construction jobs and an additional 680 new operational jobs. • the project is permissible with development consent, and is consistent with NSW Government policies including the Illawarra Shoalhaven Regional Plan 2014, Transport for NSW's Future Transport Strategy 2056 and NSW Premier's Priorities; • the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards. The consent authority has included condition to ensure: public domain works are delivered, noise mitigation is developed through design development to ensure noise targets are complied with and construction impacts are appropriately managed; and • the issues raised in the submissions have been considered and adequately addressed through the recommended conditions of consent; and • weighing all relevant considerations, the project is in the public interest.	
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5.0 ENGAGEMENT

Given the minor and routine nature of much of the proposed modification in addressing a range of modest design changes affecting signage and civil engineering works upon hospital land no engagement or consultation with Council, neighbours or other relevant authorities previously consulted on the original DA was deemed relevant or necessary. Further, the changes will be largely indiscernible or otherwise not directly impact upon areas outside of the hospital campus. Further, the nature of the changes generally have minor, acceptable, and manageable impacts. The administrative and editorial changes have not warranted prior consultation or engagement due to their minor nature in clarifying the operation of various conditions.

Beyond the minor design changes and administrative and editorial changes to some conditions, engagement has been ongoing with Shoalhaven City Council in relation to relevant public domain matters, particularly concerning Condition D28.

Previous engagement and consultation with Council on this matter has included a presentation in August 2024, a site walk with Council in May 2025, Council feedback in July 2025, and meeting in August 2025. As a current impasse exists, the preferred outcomes of the scope of works under Condition D28 will be resolved through the modification process.

6.0 ASSESSMENT OF IMPACTS

The following sets out an assessment of the potential impacts of the development as proposed to be modified.

Signage (Conditions A2, D22, D23, and E43)

Changing the name of the hospital via its building identification signs will have no more impact than the presently approved signs. The signs are all reduced in size and area to accommodate the changed

/ reduced text and all remain proportionate in scale to the building and their locations and appearances. The signage is proposed in the same locations as approved. Part of the new retaining wall also includes wayfinding and building identification signage which is minor in scale and impact. It serves to enhance vehicular movement into the hospital from North Street and provide an address, demarcation, and identity for this part of the site.

The other signage conditions (D22, D23 and E43) proposed for refinement address only achievement of a practical compliance in each instance and do not come with inherent environmental issues or impacts that may be new or different to already assessed and approved.

In the interests of completeness, nonetheless, an assessment under the relevant provisions of Chapter 3 Advertising and Signage of *State Environmental Planning Policy (Industry and Employment) 2021* (Industry and Employment SEPP) has been carried out, as set out below.

Chapter 3 of the Industry and Employment SEPP only applies to signage that is not Exempt Development under any environmental planning instrument. Given the sky sign / building identification signage is all above the 5m height threshold and exceeds the 3.5m² area threshold set by Schedule 1 of the SEPP, the relevant provisions of Chapter 3 of the SEPP will apply. Similarly, the aggregated area of the North Street entry wayfinding and building identification signage also exceeds 3.5m².

Note, as is self-evident in this circumstance, the signage is not advertising as defined by the SEPP.

Section 3.6(a) requires that the signage is consistent with the objectives of the SEPP as set out in section 3.1(1)(a), and section 3.6(b) requires that the signage satisfies the assessment criteria specified in Schedule 5.

Each are addressed in turn below.

Section 3.1(1)(a) states:

- (a) *to ensure that signage (including advertising):*
- (i) *is compatible with the desired amenity and visual character of an area, and*
 - (ii) *provides effective communication in suitable locations, and*
 - (iii) *is of high quality design and finish, ...*

The signage is appropriately and proportionately scaled and is compatible with the desired amenity and visual character of the hospital and the area as it relates directly and solely to the operation of the proposed hospital, which is a permitted land use at the site and the anchor of the evolving Nowra medical/health precinct. The signs are an effective wayfinding mechanism as they relate to simply and effectively articulating the hospital's location and identity from a distance as well as within the hospital campus and nearby roads.

The finishes are proposed to be of a durable and high quality finish (as proposed by the project architect) consistent with the design qualities of the building itself.

A Schedule 5 assessment is set out in the following table.

Provision	Compliance / Commentary
Schedule 5	
1 Character of the area - Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located? - Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	As set out above, the proposal is compatible with the existing or desired future character of the area or locality in which it is proposed to be located, including its evolution into a more pronounced medical/health precinct. The proposal does not involve outdoor advertising and is for Shoalhaven Hospital's identification and wayfinding only.

<u>2 Special areas</u> • Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The proposal is not in a special area and does not detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, or rural landscapes. The area that the signage is to be located in is not a special area and the signage is consistent with its existing or desired future character as set out above, noting the signage has previously been approved, albeit not with the currently proposed extent of text.
<u>3 Views and vistas</u> • Does the proposal obscure or compromise important views? • Does the proposal dominate the skyline and reduce the quality of vistas? • Does the proposal respect the viewing rights of other advertisers?	The signage is proportionate in scale and shape to its intended visibility and wayfinding purpose and is located where it does not in itself affect views, vistas or skylines. The signage does not further affect views or vistas, including any significant views or vistas. The signage does not affect views of skylines and is not in itself a sign to affect a skyline. It does however operate to visibly identify the hospital. The sign does not affect (the few) advertisers in the area.
<u>4 Streetscape, setting or landscape</u> • Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape? • Does the proposal contribute to the visual interest of the streetscape, setting or landscape? • Does the proposal reduce clutter by rationalising and simplifying existing advertising? • Does the proposal screen unsightliness? • Does the proposal protrude above buildings, structures or tree canopies in the area or locality? • Does the proposal require ongoing vegetation management?	The scale, proportion and form of the proposal is appropriate for the streetscape, setting and its landscaping. The signage is appropriately proportioned in relation to the building upon which it is proposed to be located and the distances from which the signage is likely to be seen. The signage is in a standardised and contemporary design, and is of the type, colours and materials that sit compatibly with the use and context. No ongoing vegetation management would be necessitated.
<u>5 Site and building</u> • Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located? • Does the proposal respect important features of the site or building, or both? • Does the proposal show innovation and imagination in its relationship to the site or building, or both?	As above, the signage is compatible with the proposed development, the site, and its use. It is appropriately scaled and provides a proportionate relationship between the public domain and the scale of the development and size of the Shoalhaven Hospital campus, where and when the signage may be visible (in part) from outside of the campus.
<u>6 Associated devices and logos with advertisements and advertising structures</u> • Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	The lettering and colouring is appropriately incorporated into the overall design of the signage. There is no advertising associated with the signage.
<u>7 Illumination</u> • Would illumination result in unacceptable glare? • Would illumination affect safety for pedestrians, vehicles or aircraft?	The signage is to be externally-illuminated and is of a scale that would not affect traffic, pedestrians, or aircraft. The signage would be incidental in view and would not dominate or be jarring in its context.

• Would illumination detract from the amenity of any residence or other form of accommodation? • Can the intensity of the illumination be adjusted, if necessary? • Is the illumination subject to a curfew?	
8 Safety • Would the proposal reduce the safety for any public road? • Would the proposal reduce the safety for pedestrians or bicyclists? • Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The signage is located away from key vehicular sightlines within the external road reserve and is within the property boundary. The signage would not reduce any aspect of public safety and would not prompt dangerous or unlawful vehicular access to or into the hospital.

Retaining Wall (Condition A2)

The proposed retaining wall replaces a landscaped batter in the same location. The introduction of the retaining wall will not generate or introduce any new or different localised impacts upon vegetation, drainage, access or the like in the subject area of the new hospital entry road. The works also serve to protect the existing adjacent Shoalhaven Community Pre-School's at-grade car park. It is not envisaged any new conditions will be required with the request to this design change.

Parking and access (Condition B27)

The proposed modification to the condition serves to clarify that only new car parking spaces shall be designed to current standards and that existing spaces (as confirmed by the approved TFW documentation) are able to be retained in their current dimensions and configurations as compliant at the time they were established. This ensures that there is no loss of car parking at the campus. To that end the modified condition seeks to maintain the existing and approved supply of parking and correspondingly does not have an adverse environmental impact.

Public Domain Works (Conditions B28, D16, and D28)

The administrative modification of Conditions B28 and D16 seeks to streamline subsequent assessment of works subject to a section 138 application under the *Roads Act 1993* rather than duplicating Council's role in this process under this consent. The modifications will not diminish Council's existing (and primary) role in this process.

The modification to Condition D28 in relation to the scope and location of the works does not remove or diminish HI's commitment to the provision of either pedestrian or shared access around the perimeter, or in proximity, of the hospital. The revised wording seeks to provide for a scope of works commensurate with what reasonably relates to the hospital's perimeter and improvements to access at, and around, the hospital, whilst concurrently protecting and retaining significant existing trees and providing appropriate and proportionate levels of accessibility. To that end the conditioned footpath on Hyam Street is to be deleted as this is beyond the hospital's perimeter and beyond reasonable reach. Shared paths are revised to footpaths in certain locations to allow for an appropriate and proportionate response to the level of foot and/or bicycle traffic anticipated or to provide for a consistency in the design, and the continuity, of footpaths and shared paths.

No new or different environmental impacts arise, with the modified condition clarifying and reinforcing the required scope of works, jointly ensuring protection of significant trees (as also required by Council) whilst providing for new, improved, or extended pedestrian and/or cyclist accessways.

Tree Protection (Condition C19)

No lesser tree protection measures arise from the proposed modification of the condition. The new wording relates only to the appropriate removal of tree protection devices and measures once works are completed. The proposed doesn't remove the need for care, but does provide latitude and

flexibility to carefully remove the tree protection measures or devices within timeframes that the John Holland Group is able to reasonably manage.

Green Travel Plan (Conditions D18 and E35)

The adjustment to the wording of these conditions does not diminish the intent or the outcomes sought or required by those conditions, and is consistent with previous similar SSD consents issued by the Department which have been considered appropriate.

Landscaping (Condition E37)

The adjustment to the wording of condition E37 does not diminish the intent or the outcomes sought or required by that condition, and is consistent with previous similar SSD consents issued by the Department which have been considered appropriate.

6.1 Summary

Based on the above, the proposed modest design and other administrative changes to the consent, will have no new or different construction or operational environmental impacts (as already considered acceptable by the Department in its prior assessments) on the following:

- Consistency with the relevant statutory planning controls or strategic planning objectives for the site or locality.
- Traffic, access or parking.
- Noise and vibration.
- Air Quality.
- Soils and geology.
- Coastal risks.
- Flooding or water quality.
- Visual amenity or overshadowing.
- Aboriginal or non-Aboriginal cultural heritage.
- Ecology and biodiversity.
- Bushfire.
- Waste generation.
- Hazardous material and/or contamination.
- Sustainability and climate resilience.
- Community and social impacts, including the public interest.

7.0 JUSTIFICATION OF MODIFIED PROJECT

The purpose of the modification is to enhance flexibility and clarity in compliance and certification processes tied to the development, improve the operation and functionality of the Acute Services Building, and its environs, and to seek to either simplify the operation of the existing consent, or to contemporise it with other more recent SSD consents and their conditions.

No new or different impacts of any significance or note arise with respect to the array of modest design changes. The administrative changes do not introduce new or different impacts, not previously assessed and deemed acceptable by the Department.

In general, it can be reasonably concluded that the modification will have only a minimal and imperceptible environmental impact from a visual impacts, design quality and design excellence perspective.

The proposed changes have no adverse or negative economic, environmental or social impacts given their minor nature in the context of the overall Shoalhaven Hospital Redevelopment scope. In fact, to forego these changes would prevent the capacity of the development (as approved) to better serve to staff, visitors and patients of the hospital once operational, or allow for a simplified and clarified compliance and certification process.

Based on the above, we recommend this modification be approved by the Department. The modification does not result in any new environmental impacts. The modification results in improved functional and operational outcomes for the development. No new impacts result.

Overall, the modification supports the originally approved development which sought enhanced clinical and functional performance of the hospital and improved staff, patient and visitor amenity.

Based on the preceding and appended information the application relates to a minimal environmental impact for substantially the same development, and can accordingly be considered as a section 4.55(1A) application.