



Wagga Wagga Base Hospital Redevelopment

*State Significant
Development
Modification
Assessment
(SSD 9033 MOD 3)*

December 2019

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Glossary

Abbreviation	Definition
AHD	Australian Height Datum
BCA	Building Code of Australia
CIV	Capital Investment Value
Consent	Development Consent
Council	Wagga Wagga City Council
Department	Department of Planning, Industry and Environment
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
ESD	Ecologically Sustainable Development
LEP	Local Environmental Plan
Minister	Minister for Planning and Public Spaces
RtS	Response to Submissions
SEARs	Secretary's Environmental Assessment Requirements
Secretary	Secretary of the Department of Planning, Industry and Environment
SEPP	State Environmental Planning Policy
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development



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1. Introduction

This report provides an assessment of an application to modify the State significant development consent (SSD) for Wagga Wagga Base Hospital Stage 3 (SSD 9033).

The modification application seeks approval to allow for works relating to design and construction to be staged to enable construction works to progress in the most efficient way.

The application has been lodged by Health Infrastructure NSW (the Applicant) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*.

1.1 Site Description

Wagga Wagga Base Hospital is located on the corner of Edward Street and Docker Street and legally described as Lot 334 DP 1190643 in the Wagga Wagga local government area. The Wagga Wagga Base Hospital consists of: a six storey Ambulatory Care Building (ACB) which includes a rooftop mechanical plant room and 40 basement car spaces; ground level retail space; 60 at grade car parking spaces; and bridge connections between the ACB and the main hospital building. The hospital site, including the Stage 3 development are depicted in **Figure 1**.



Figure 1 | Site Location (Source: Nearmaps)

Wagga Wagga is approximately a five hour drive south west of Sydney and two hours, 45 mins west of Canberra. The Wagga Wagga Base Hospital is one of three primary medical facilities of the Murrumbidgee Local Health District, serving four centres of population: Albury; Deniliquin; Griffith; and Wagga Wagga. The land uses surrounding the subject site consist of R3 residential land to the east and across Edward Road to the north, R1 general residential land to the south and across Docker Street to the west.

The proposed modification to the basement car parking is to support future operation and growth of the Wagga Wagga Base Hospital.

1.2 Approval History

On 18 December 2018, the Executive Director, Priority Projects Assessments, granted consent to SSD 9033 for the Wagga Wagga Base Hospital Redevelopment Stage 3, comprising of:

- construction of a six storey Ambulatory Care Building (ACB), including a rooftop plant room and car parking;
- ground level and bridge connection to the existing hospital building;
- site landscaping;
- removal of 11 demountable buildings;
- signage; and
- associated building services.

The development consent has been modified on two occasions (see **Table 1**).

Table 1 | Summary of Modifications

Mod No.	Summary of Modifications	Approval Authority	Type	Approval Date
MOD 1	Modify condition B7 – Unexpected contamination procedure, to delete the requirement for off-site disposal of contaminated material.	Director	4.55(1A)	12 June 2019
MOD 2	Extension of the basement carpark to provide an additional 32 car spaces.	Director	4.55(1A)	25 August 2019



2. Proposed Modification

On 5 December 2019, the Applicant lodged a third modification application to amend the consent under section 4.55(1A) of the EP&A Act. The proposed modification seeks to permit the staging of construction across the site to align aspects required within the consent with the construction works to enable the delivery of a complex infrastructure project.

The modification application states that the staged approach would not affect the ability of the development to comply with all conditions of consent.

To facilitate the request for staged construction, the Applicant seeks to include additional administrative conditions that are now imposed by the Department on all social infrastructure projects (with some minor changes), as follows:

1. *The project may be constructed and operated in stages. Where staged construction or operation is proposed, a Staging Report (for either or both construction and operation as the case may be) must be prepared and submitted for the information of the Planning Secretary.*
2. *Staging Report prepared in accordance with the above condition must:*
 - (a) *if staged construction is proposed, set out how the construction of the whole of the project will be staged, including details of work and other activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish;*
 - (b) *if staged operation is proposed, set out how the operation of the whole of the project will be staged, including details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant);*
 - (c) *specify how compliance with conditions will be achieved across and between each of the stages of the project; and*
 - (d) *set out mechanisms for managing any cumulative impacts arising from the proposed staging.*
3. *Where staging is proposed, the terms of this approval that apply or are relevant to the works or activities to be carried out in a specific stage must be complied with at the relevant time for that stage.*



3. Strategic Context

The proposed modification would remain consistent with:

- Riverina Murray Regional Plan.
- State Infrastructure Strategy 2018-2038.
- Wagga View Community Strategic Plan 2040.
- NSW Long Term Transport Masterplan 2012.
- Draft Future Transport Strategy 2056.



4. Statutory Context

4.1 Scope of Modifications

The Department has reviewed the scope of the modification application and considers that the application can be characterised as a modification involving minimal environmental impacts as the proposal:

- would not increase the environmental impacts of the project as approved;
- is substantially the same development as originally approved; and
- would not involve any further disturbance outside the already approved disturbance areas for the project.

Therefore, the Department is satisfied the proposed modification is within the scope of section 4.55(1A) of the EP&A Act and does not constitute a new development application. Accordingly, the Department considers that the application should be assessed and determined under section 4.55(1A) of the EP&A Act rather than requiring a new development application to be lodged.

4.2 Consent Authority

The Minister for Planning and Public Spaces is the consent authority for the application under section 4.5(a) of the EP&A Act. However, under the Minister's delegation dated 11 October 2017, the Director, Social and Infrastructure Assessments, may determine the application as:

- the relevant local council has not made an objection;
- a political disclosure statement has not been made; and
- public exhibition of the application was not required and therefore no public submissions objecting to the proposal were received.



5. Engagement

5.1 Department's Engagement

Clause 117(3B) of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation) specifies that the notification requirements of the EP&A Regulation do not apply to State significant development. Accordingly, the application was not notified or advertised.



6. Assessment

In assessing the merits of the proposal, the Department has considered:

- the modification application and associated documents;
- the environmental assessment and conditions of approval for the original project and subsequent modifications;
- relevant environmental planning instruments, policies and guidelines; and
- the requirements of the EP&A Act.

The Department considers the key issue associated with the proposal to be the consideration of compliance with the consent across all proposed stages of the development.

6.1 Compliance with conditions of consent

The Department considers that the insertion of staging conditions to facilitate a staged approach to construction would ensure the delivery of the proposal occurs logically and in a timely manner.

The Department considers that the insertion of the staging conditions would result in a negligible impact upon the development as approved and ensures the development continues to address the requirements of the consent.

The Department is satisfied that the construction and design of the proposal can occur in a staged manner and that staging construction works and staged compliance with relevant conditions of consent would result in no change to the impacts assessed as part of the Department's original assessment.

The Applicant has proposed minor changes to the usual conditions, as noted in Section 2. Whilst the Applicant is seeking to submit the Staging Report for the information of the Planning Secretary, the Department is of the opinion that the Report should be approved by the Planning Secretary, which is standard practice within the Social and Infrastructure branch. The Applicant has also sought to omit bold condition 3 below, however without this condition there would be no obligation for the staging to be carried out in accordance with the approved Staging Report. The Department is therefore of the opinion that the inserted conditions should read as follows:

1. *The project may be constructed and operated in stages. Where staged construction or operation is proposed **(to the extent to which it relates to the requirements set out in this instrument)**, a Staging Report (for either or both construction and operation as the case may be) must be prepared and submitted for the ~~information~~ **approval** of the Planning Secretary.*
2. *Staging Report prepared in accordance with the above condition must:*

- (a) *if staged construction is proposed, set out how the construction of the whole of the project will be staged, including details of work and other activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish;*
 - (b) *if staged operation is proposed, set out how the operation of the whole of the project will be staged, including details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant);*
 - (c) *specify how compliance with conditions will be achieved across and between each of the stages of the project; and*
 - (d) *set out mechanisms for managing any cumulative impacts arising from the proposed staging.*
- 3. Where staging is proposed, the project must be staged in accordance with the Staging Report, as approved by the Planning Secretary.**
4. *Where staging is proposed, the terms of this approval that apply or are relevant to the works or activities to be carried out in a specific stage must be complied with at the relevant time for that stage.*

No further concerns are raised with the proposed modification.



7. Evaluation

The Department has reviewed the submitted documentation and assessed the merits of the proposal. All environmental issues associated with the proposal have been thoroughly addressed.

The proposed modification is consistent with the objects of the EP&A Act, applicable EPIs and is consistent with the Riverina Murray Regional Plan as it would support the growth of the health precinct in Wagga Wagga.

The development as modified would be substantially the same as that originally approved and would deliver a significant public benefit through the continued provision of improved health care in the area.

The Department considers the development is in the public interest and the modification application should be approved.



8. Recommendation

It is recommended that the Director, Social and Infrastructure Assessments, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report.
- **determines** that the application Wagga Wagga Base Hospital SSD 9033 Modification 3 falls within the scope of section 4.55(1A) of the EP&A Act.
- **forms the opinion** under section 7.17(c) of the Biodiversity Conservation Act 2016, that a biodiversity development assessment report is not required to be submitted with this application as the modification will not increase the impact on biodiversity values on the site.
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant consent to the application.
- **modify** the consent SSD 9033.
- **signs** the attached approval of the modification.

Recommended by:

Kathryne Glover

Planning Officer

Social and Infrastructure Assessments

Recommended by:

David Gibson

Team Leader

Social Infrastructure



9. *Determination*

The recommendation is **Adopted by:**

Karen Harragon

Director

Social and Infrastructure Assessments



Appendices

Appendix A – List of Documents

The following supporting documents and supporting information to this assessment report can be found on the Department of Planning, Industry and Environment's website as follows:

1. Modification Report and Attachments

<https://www.planningportal.nsw.gov.au/major-projects/project/26111>

Appendix B – Consolidated Consent

<https://www.planningportal.nsw.gov.au/major-projects/project/26111>

Appendix C – Recommended Instrument of Modification

<https://www.planningportal.nsw.gov.au/major-projects/project/26111>