



Concord Repatriation Hospital Redevelopment (Stage 1) Modification 7

Changes to landscaping, ESD requirements and parking
State Significant Development Modification Assessment
(SSD-9036-Mod-7)

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Glossary

Abbreviation	Definition
BCA	Building Code of Australia
Council	City of Canada Bay Council
Department	Department of Planning and Environment
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
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
SEARs	Planning Secretary's Environmental Assessment Requirements
Planning Secretary	Secretary of the Department of Planning 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 the NSW Department of Planning and Environment's (the Department's) assessment of an application (modification 7) to modify the State Significant Development consent (SSD) for the Concord Repatriation Hospital Redevelopment (SSD-9036).

The proposed modification seeks minor design amendments to the multi-storey and temporary at-grade car parking areas, approved as a part of the Stage 1 redevelopment. The proposal also includes amendments to landscaping and ESD requirements, and a reduction in parking spaces resulting from alterations to the multi-storey carpark (MSCP) building footprint and access road realignment.

The application has been lodged by NSW Health Infrastructure (on behalf of Health Administration Corporation, the Applicant) pursuant to Section 4.55(1A) of the Environmental Planning and Assessment Act 1979 (EP&A Act). The site is located within the City of Canada Bay (Council) local government area (LGA).

1.1 Background

Concord Hospital is located on Rocky Point Peninsula, on the southern Bank of the Parramatta River and is bounded by Brays Bay to the north and Yarralla Bay to the south. The site is located 11 kilometres (km) west of the Sydney CBD, approximately 8km south west of the Parramatta CBD and is known as 1H Hospital Road, Concord West. The site is irregular in shape and legally described as Lot 20 DP 1139098, Lot 1 PD 455866, Lot 2 DP 535257, Lot 117 DP 752023, Lot 1 DP 166721, Lot 7310 DP 1159928, Lot 2 231732 and includes an untitled lot at the southern end of the site adjacent to the Parramatta River. The site is elongated in an east to west orientation and has an area of approximately 24ha (see **Figure 1**).



Figure 1 | Regional Context Map (Source: Nearmaps)

The proposed modification relates to the approved MSCP and temporary at-grade parking areas, located in the northern portion of the hospital campus adjacent to the Brays Bay Reserve, and intersected centrally by Hospital Road (as shown in **Figure 2** below). These parking areas were approved to support the transport demands generated by the under construction Clinical Services Building (CSB) expansion, which also forms part of the Stage 1 approval.

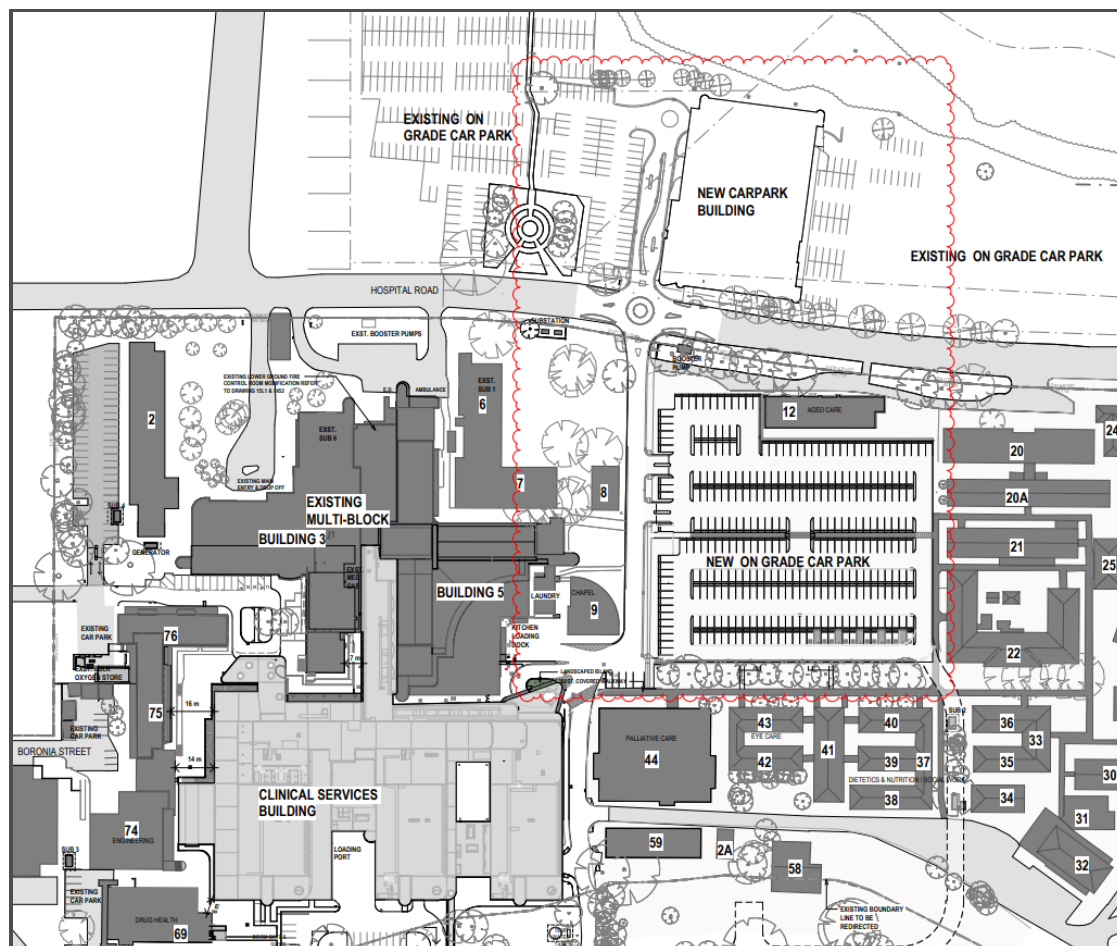


Figure 2 | Hospital campus layout and modification area shown in red cloud (Source: Applicant's architectural plans)

The proposed modifications are sought as a consequence of detailed design refinement and will improve the functionality of ancillary parking and pedestrian accessibility within the hospital campus.

1.2 Approval history

On 28 February 2019, the Executive Director, Key Sites and Industry Assessments granted consent to SSD-9036 for the Concord Repatriation General Hospital Redevelopment (Concept and Stage 1), with Stage 1 comprising of demolition works, the construction of a new six storey CSB located in the centre of the development site, a new five storey carpark accommodating 590 vehicles, tree removal and landscaping.

The development consent has been previously modified on five occasions, with one modification application withdrawn (see **Table 1**).

Table 1 | Summary of Modifications

Mod No.	Summary of Modifications	Approval Authority	Type	Approval Date
Mod-1	Amendments to correct minor administrative errors in Schedule 3 – Conditions of Approval	Department	4.55(1A)	16 April 2019
Mod-2	Amendments to Unexpected Contamination Procedure to allow for on-site remediation in accordance with the approved Remedial Action Plan	Department	4.55(1A)	Withdrawn on 7 June 2019
Mod-3	Amendments to permit staging of construction across the site for Stage 1	Department	4.55(1A)	19 December 2019
Mod-4	Relocation of cooling tower and minor design amendments	Department	4.55(1A)	27 April 2020
Mod-5	Minor design changes	Department	4.55(1A)	21 September 2020
Mod-6	Reconfiguration of Radiation oncology use	Department	4.55(1A)	30 June 2021

2 Proposed modification

On 10 December 2021, the Applicant lodged a seventh modification application to amend the Stage 1 approval under section 4.55(1A) of the EP&A Act. The proposed modification seeks to amend landscaping, ESD requirements and reduce the number of approved parking spaces within the MSCP and temporary at-grade carparks. The changes are discussed in the following sections.

2.1 Tree removal and replacement

The proposal seeks the removal of 10 additional trees (tree no. 10, 15, 16, 17, 150, 155, 156, 162, 163 and 164) in the public domain areas surrounding the MSCP and temporary at-grade parking areas. This proposed tree removal has resulted from design changes, including the amendment of carpark building footprint to facilitate appropriate pedestrian access and the realignment of the MSCP access road.

The loss of these trees will be offset by the planting of 12 locally native replacement trees and additional groundcover planting, secured via the amendment of existing condition D26. The changes to tree removal and planting are shown below in **Figures 3 and 4**.

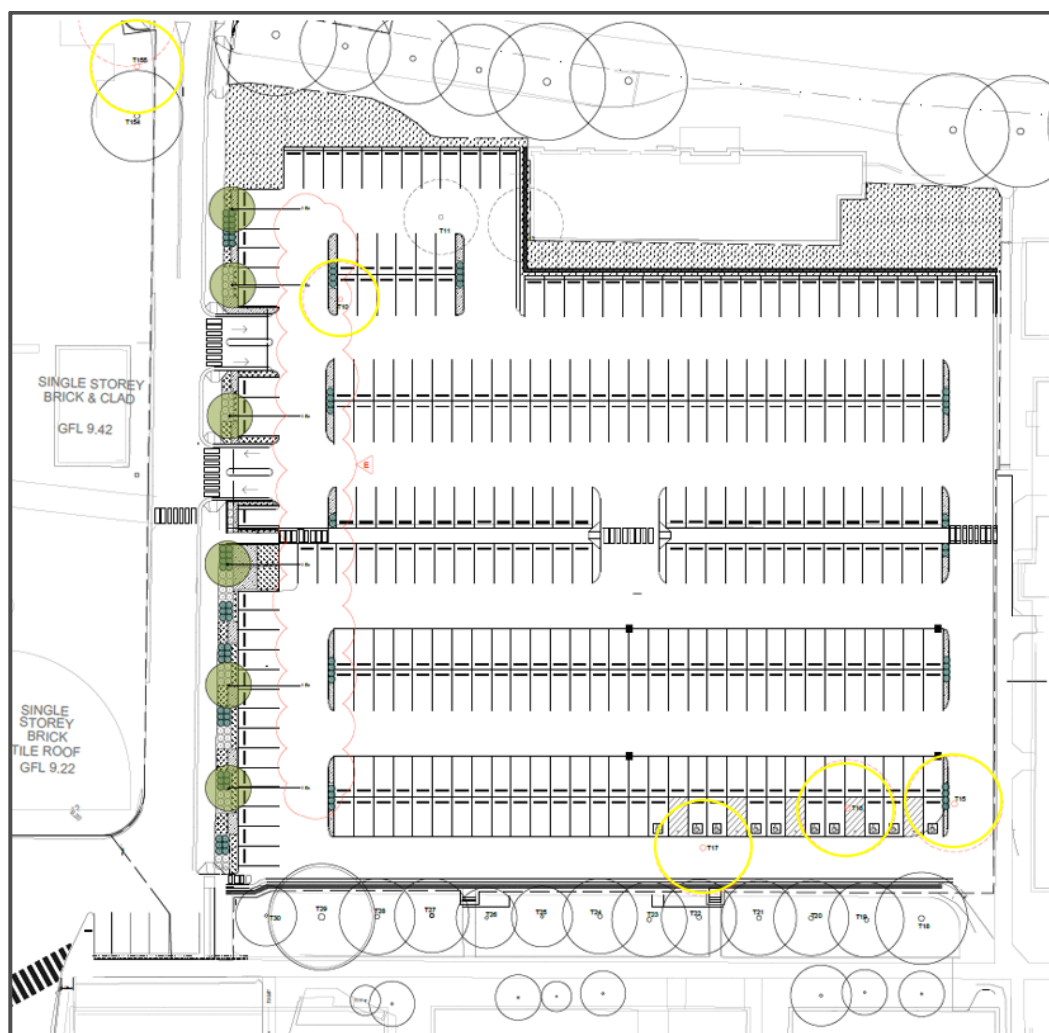


Figure 3 | At-grade carpark trees for removal highlighted in yellow and proposed replacement trees shown in green. (Source: Applicant's landscape plans)



Figure 4 | Multi-storey carpark trees for removal highlighted in yellow and proposed replacement trees shown in green (Source: Applicant's landscape plans)

2.2 ESD amendments

The Applicant is seeking to amend conditions B22, B23 and C43 relating to ecologically sustainable development (ESD), by replacing the reference to the Green Star rating system in the Stage 1 approval with the Health Infrastructure Engineering Services Guidelines (incorporating Design Guidance Note No. 058) (4 Star Green Star equivalency, as per the existing approval), which hold greater relevance to environmental performance of health service facilities and were introduced subsequent to original approval of SSD-9036.

2.3 Reduction in campus parking numbers

The refinement of the MSCP building footprint and access road has resulted in a reduction in the number of retained at-grade parking spaces surrounding the development site, both during and after the completion of Stage 1.

During construction the number of car spaces available throughout the campus will be temporarily reduced from 1,949 to 1,821 (minus 128 car spaces) under the subject modification. The proposed

temporary reduction has resulted from a change in vehicular access to the MSCP to Hospital Road, connections to the adjoining at-grade parking areas and the reconfiguration of existing at-grade parking spaces adjacent to the MSCP to accommodate these vehicular access connections. In addition, at the completion of the Stage 1 works when the MSCP becomes operational, the final parking available within the campus is proposed to be reduced from 2,539 to 2,506 spaces (minus 33 spaces). A breakdown of the parking provided in the original approval in comparison with the subject modification is provided in **Table 2** below.

Table 2 | Summary of Hospital Campus parking supply

Stage	Approved parking supply	Proposed parking supply (Mod 7)	Change from approved (+/-)
Existing	1,957	1,957	0
Losses during Stage 1 building construction	1,857	1,857	0
Temporary at-grade carpark completion	2,157	2,157	0
MSCP Stage 1 construction	1,949	1,821	-128
MSCP completion	2,539	2,506	-33

The Applicant is also seeking to amend the description of the concept proposal for the future Stage 2 multi storey carpark expansion from “*approximately 520 cars*” to “*a minimum of 500 cars*” in Schedule 1 of the development consent. This will allow for more flexibility in terms of actual parking numbers within the new MSCP proposed to be built in support of the future Acute Services Building.

3 Statutory context

3.1 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 significantly increase the environmental impacts of the project as approved, with an overall reduction in parking spaces and supplementary tree replacement measures proposed.
- is substantially the same development as originally approved.
- would not involve any further disturbance outside the already approved disturbance areas for the project as the proposed modified works are contained within the previously approved development site.

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.

3.2 Consent authority

Minister's delegate as consent authority

The Minister for Planning is the consent authority for the application under section 4.5(a) of the EP&A Act. However, under the Minister's delegation dated 9 March 2022, the Team Leader, Social Infrastructure, may determine the application as:

- City of Canada Bay Council (Council) has not made an objection.
- a political disclosure statement has not been made.
- public exhibition of the application was not required and therefore there are no public submissions objecting to the proposal.

3.3 Mandatory matters for consideration

The Department conducted a comprehensive assessment of the project against the mandatory matters for consideration as part of the original assessment of SSD-9036. The Department considers this modification application does not result in significant changes that would alter the mandatory matters for consideration under section 4.15 of the EP&A Act and conclusions made as part of the original assessment.

The Department has considered the findings and recommendations in the Department's Assessment Report for SSD-9036, including the key reasons for granting consent outlined in the Notice of Decision. The Department is satisfied that the key reasons for the granting of consent continues to be applicable to the development, as modified.

4 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 section 4.55(1A) modifications with minimal environmental impact. Accordingly, the application was not notified or advertised. However, it was made publicly available on the Department's website on 10 December 2021, and referred to Council and the Department's previously named Environment, Energy and Science Group (EESG) for comment. A summary of the two submissions provided by both public authorities is provided in **Section 4.1** below.

4.1 Key issues raised in submissions

EESG:

- noted that the site has already largely been cleared of vegetation and that the 10 additional trees proposed for removal are a mix of urban exotic and native plantings, which are not consistent with any locally listed plant community type.
- determined that the removal of the 10 trees would not constitute a significant impact beyond the existing approval.
- recommended that condition D26 be updated to include a tree replacement ratio greater than the current 1:1 replacement level, with a 75 litre pot size, and that preference be given to the selection of local native species in consultation with Council.

Council:

- raised concern in relation to the additional loss of 128 car parking spaces during construction and 33 spaces after completion of the MSCP, in the context of the Stage 1 development commencing operation and the current COVID-19 health climate resulting in further reliance on private vehicle usage.
- requested that the Applicant confirm arrangements for the ongoing operation and future decommissioning of the temporary Lovedale Street staff overflow carpark provided by Council in response to COVID-19.

4.2 Response to submissions

On 22 April 2022, the Applicant provided a submissions report and amended information to address the concerns raised by the Department, EESG and Council. The following minor amendments and clarifications were made regarding the modification application:

- agreement to the application of the new Health Infrastructure Engineering Services Guidelines (incorporating Design Guidance Note No. 058) to the Stage 1 development to contemporise the ESD certification requirements, via amended consent condition wording.

- revised landscaping plans increasing the number of replacement trees from 10 to 12 (above the 1:1 tree replacement ratio) and confirmation of the selection of local native species in an amended planting schedule.
- an indicative staging plan for the delivery of the MSCP requiring that no more than 300 at-grade spaces would be removed at any one time in accordance with the existing approval. This will ensure that parking losses during construction of the MSCP never exceed the 300 new spaces provided in the Stage 1 temporary at-grade carpark. The staging would occur in accordance with the following five stages:
 - o **Stage 1:** construction of temporary at-grade carpark (+300 car spaces).
 - o **Stage 2:** reconfiguration of existing at-grade carpark entrances and exits to enable continued use during MSCP works (no change to parking availability).
 - o **Stage 3:** MSCP construction zone (-208 car spaces).
 - o **Stage 4:** Hospital Road roundabout.
 - o **Stage 5:** on-grade parking reconfiguration (-128 car spaces).
- confirmed that under existing conditions the proposed reduction in operational parking by 33 spaces would not fall below the campus parking demand originally estimated as a consequence of the Stage 1 development.
- noted that the maintenance and future decommissioning of the Lovedale Carpark is outside of the proposal scope and that separate representations would be made by NSW Health.

5 Assessment

5.1 Ecologically Sustainable Development (ESD)

The proposed replacement of ESD conditions B22 and B23, and the deletion and replacement of condition C43 with condition E17, will ensure that appropriate and contemporary sustainability measures are adopted in the design and construction of the Stage 1 development. The Health Infrastructure Engineering Services Guidelines (incorporating Design Guidance Note No. 058) are now being applied by the Applicant, with Department support, to current public hospital projects and are more applicable to the operational context of health service facilities. As such, the Department supports the revision of the ESD guidelines in accordance with current certification requirements, requiring a 4 Star Green Star equivalency rating (i.e. 45 ESD 'points') consistent with the existing approval.

5.2 Parking

Construction of multi-storey carpark

The detailed design and delivery of the MSCP will result in the reduction of available parking spaces in at-grade parking areas by an additional 128 car spaces during construction.

The Applicant provided an indicative staging plan for parking delivery to address Council's concerns regarding the reduction of hospital parking supply during construction, which aims to minimise disruptions to the availability of existing at-grade parking areas. In the first stage, the Applicant will deliver an additional 300 at-grade spaces (shown in **Figure 3** above) prior to the commencement of MSCP footprint construction, which will result in the loss of 208 at-grade spaces consistent with the existing approval. The works to facilitate access to the MSCP, connections to the adjoining at-grade parking areas and the reconfiguration of existing at-grade parking spaces (resulting in the loss of an additional 128 car spaces) will only occur at the end of the MSCP construction program. This will ensure that there is minimal overlap of parking losses and that there is no net loss of operational parking above the 300 at-grade spaces provided to offset the MSCP works.

Furthermore, the delivery of the MSCP and the Hospital Road roundabout will also be managed via the creation of new carpark entrance and egress points that enable the continued use of existing parking areas during all construction phases in accordance with the diagrams shown in **Figures 5 and 6**.

Stage 2 – Reconfiguration of Existing Entry and Exits



Figure 5 | At-grade carpark revised access points during MSCP construction (Source: Applicant's response to request for information)

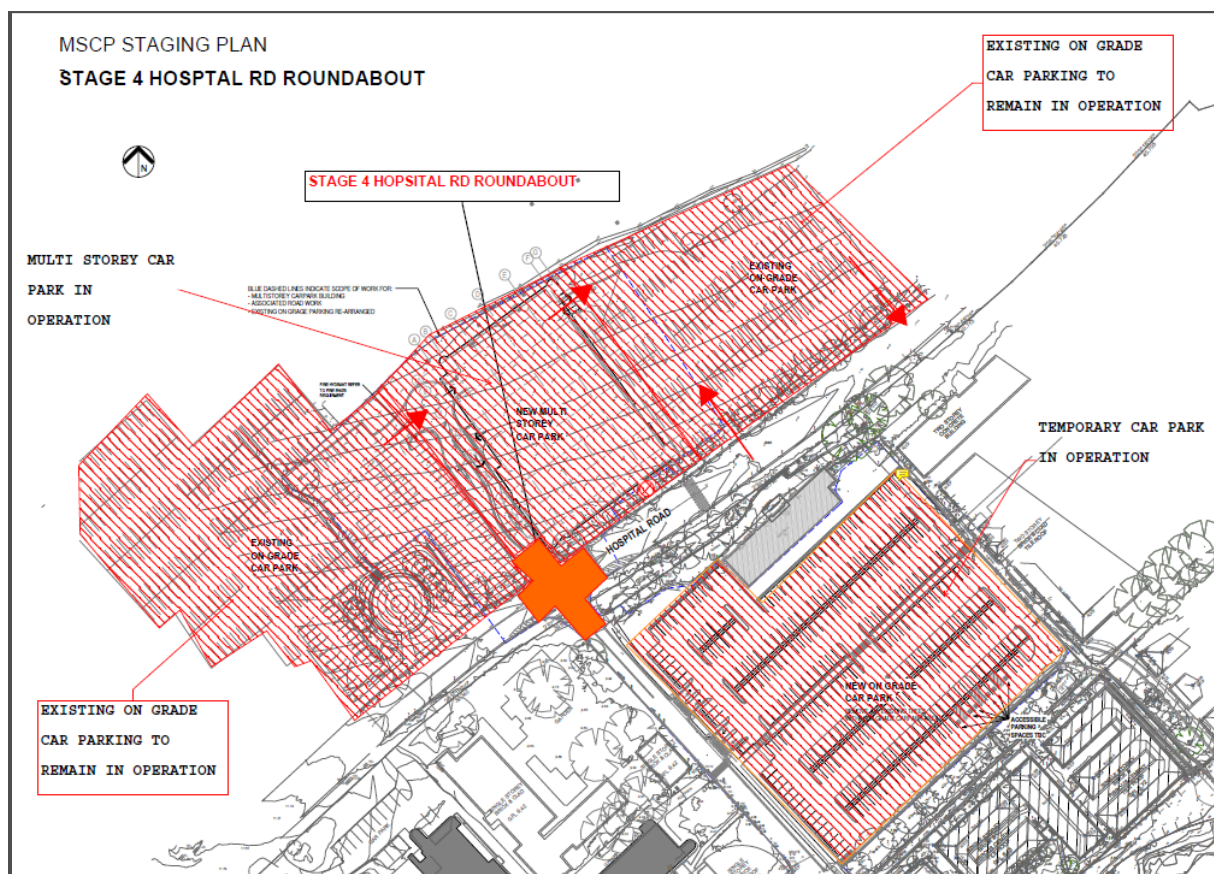


Figure 6 | Carpark accessibility during the delivery of the Hospital Road roundabout (Source: Applicant's response to request for information)

The Department supports the orderly delivery of the MSCP to reduce temporary parking supply conflicts and meet the future parking demands of the under-construction Stage 1 Clinical Services Building expansion. In this regard, condition D28 of the existing consent for Stage 1 is recommended to be amended to require that no more than 300 existing car spaces are impacted at any time during construction.

Operational parking

The refinement of the MSCP building footprint and the need to reconfigure surrounding at-grade parking areas to facilitate access has resulted in the operational loss of 33 car spaces. Concern was raised by Council regarding the loss of these spaces in the context of the current COVID-19 health climate increasing dependence on private motor vehicle use.

Notwithstanding, the Department acknowledges that the minor reduction of the overall campus parking supply by 33 car spaces from 2,539 to 2,506 spaces would still considerably exceed the Stage 1 redevelopment parking demand of 2,381 anticipated by the original parking assessment. The Department also notes that COVID related dependence on private motor vehicle use is a temporary impact that will likely revert to pre-COVID modal/travel patterns in the long-term. Given the above, the Department considers the minor reduction in operational parking spaces acceptable.

Further, no objection is raised to the proposed change in the concept project description regarding parking capacity of the additional multi-storey carpark given that the final carpark capacity would be subject to further assessment as a part of the detailed development application for Stage 2 to meet the demands generated by the future Acute Services Building expansion.

5.3 Landscaping

The proposed removal of 10 additional trees to facilitate the new at-grade parking area, MSCP and Hospital Road roundabout will be offset through the replanting of 12 new locally endemic trees secured via amendments to existing condition D26. The new tree emplacements will be located within the curtilage of the proposed parking areas and are of a suitably mature 75 litre pot size to ameliorate impacts to hospital campus tree canopy.

The Department notes that EESG did not raise any concern with the removal of the nominated trees from the perspective of biodiversity, given the level of land clearing that had already occurred across the hospital campus and that none of the trees were identified species of local native significance. Furthermore, EESG's requirements for replanting in terms of a greater than 1:1 replacement ratio, maturity and the selection of local native species have all been adopted by the Applicant in their revised documentation.

Two of the trees proposed for removal are identified as being a part of the Concord Hospital local heritage item setting, however Council did not raise any concern with the removal of these trees and the Department considers their removal to facilitate adequate parking capacity and safe access for staff, patients and visitors as an acceptable outcome in this instance.

The Department is satisfied that there are no biodiversity impacts associated with the proposal and the proposed tree replanting will deliver an improved landscaping outcome that integrates appropriate planting with the MSCP and the new at-grade parking area. On balance, the proposed heritage

impacts are also considered supportable by the Department to address parking demands resulting from the Stage 1 hospital expansion and associated operational requirements.

6 Evaluation

The Department has reviewed the proposed modification and assessed the merits of the modified proposal, and all environmental issues associated with the proposal have been thoroughly addressed.

The Department's assessment concludes that the proposed landscaping, parking space and ESD changes are appropriate for the site and its locality and do not significantly alter the design or result in significant environmental impacts. The Department is satisfied that the proposal would not significantly alter the operation of the hospital campus carparking and ensures that suitable parking supply and accessibility is provided upon the completion of construction.

The Department considers that the application is consistent with the objects of the EP&A Act and continues to be consistent with strategic directions for the State. The development as modified would be substantially the same as that originally approved and would deliver a public benefit through the provision of ancillary hospital car parking.

The Department concludes the impacts of the proposed modification are minor and acceptable, given that suitable ESD measures and tree replanting measures will remain in place. Furthermore, the proposed minor reduction to the hospital campus parking supply of 33 car spaces would continue to exceed the increased parking demand generated by the Stage 1 health services expansion. Consequently, the Department considers the development is in the public interest and the modification application should be approved.

7 Recommendation

It is recommended that the Team Leader, Social Infrastructure, as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report.
- **determines** that the application SSD-9036-Mod-7 falls within the scope of section 4.55(1A) of the EP&A Act.
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to approve the modification.
- **forms the opinion** under section 7.17(2)(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 of the site.
- **modify** the consent SSD-9036.
- **signs** the attached approval of the modification (**Appendix C**).

Recommended by:



Ferdinando Macri
Assessment Planner
Social and Infrastructure Assessments

Recommended by:



Ingrid Berzins
Senior Planning Officer
Social and Infrastructure Assessments

8 Determination

The recommendation is **adopted** by:



22 April 2022

Nathan Stringer

Acting Team Leader

Social Infrastructure

as delegate of the Minister for Planning

Appendices

Appendix A – List of referenced documents

<https://www.planningportal.nsw.gov.au/major-projects/project/43686>

Appendix B – Modification report

<https://www.planningportal.nsw.gov.au/major-projects/project/43686>

Appendix C – Notice of modification

<https://www.planningportal.nsw.gov.au/major-projects/project/43686>