



Prince of Wales Hospital Expansion Stage 1

*State Significant
Development
Modification
Assessment
(SSD 9113 MOD 1)*

February 2020

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Glossary

Abbreviation	Definition
BCA	Building Code of Australia
CIV	Capital Investment Value
Consent	Development Consent
Council	Randwick City Council
Department	Department of Planning, Industry 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
EPA	Environment Protection Authority
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
LEP	Local Environmental Plan
Minister	Minister for Planning and Public Spaces
Secretary	Secretary of the Department of Planning, Industry and Environment
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development



Contents

Glossary	iii
1. Introduction	1
1.1 Background.....	1
1.2 Approval History	3
2. Proposed Modification.....	4
3. Strategic Context.....	9
4. Statutory Context	10
4.1 Scope of Modifications	10
4.2 Consent Authority	10
5. Engagement.....	11
5.1 Department's Engagement.....	11
6. Assessment	12
6.1 End-of-Trip Facilities.....	12
6.2 Staging Conditions	13
6.3 Disposal of Seepage and Stormwater	14
7. Evaluation	15
8. Recommendation	16
9. Determination	17
Appendices	18
Appendix A – List of Documents.....	18
Appendix B – Consolidated Consent	18
Appendix C – Notice of Modification	18



1. Introduction

This report provides an assessment of an application to modify the State significant development consent (SSD) for the Prince of Wales Hospital Redevelopment. The modification application seeks approval to amend conditions associated with staging construction, end of trip facilities and correcting the authority for seepage and stormwater.

The application has been lodged by 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)*.

1.1 Background

The subject site is located approximately 6.5km south west of the Sydney CBD in the Randwick Local Government Area (LGA). See **Figure 1** below.

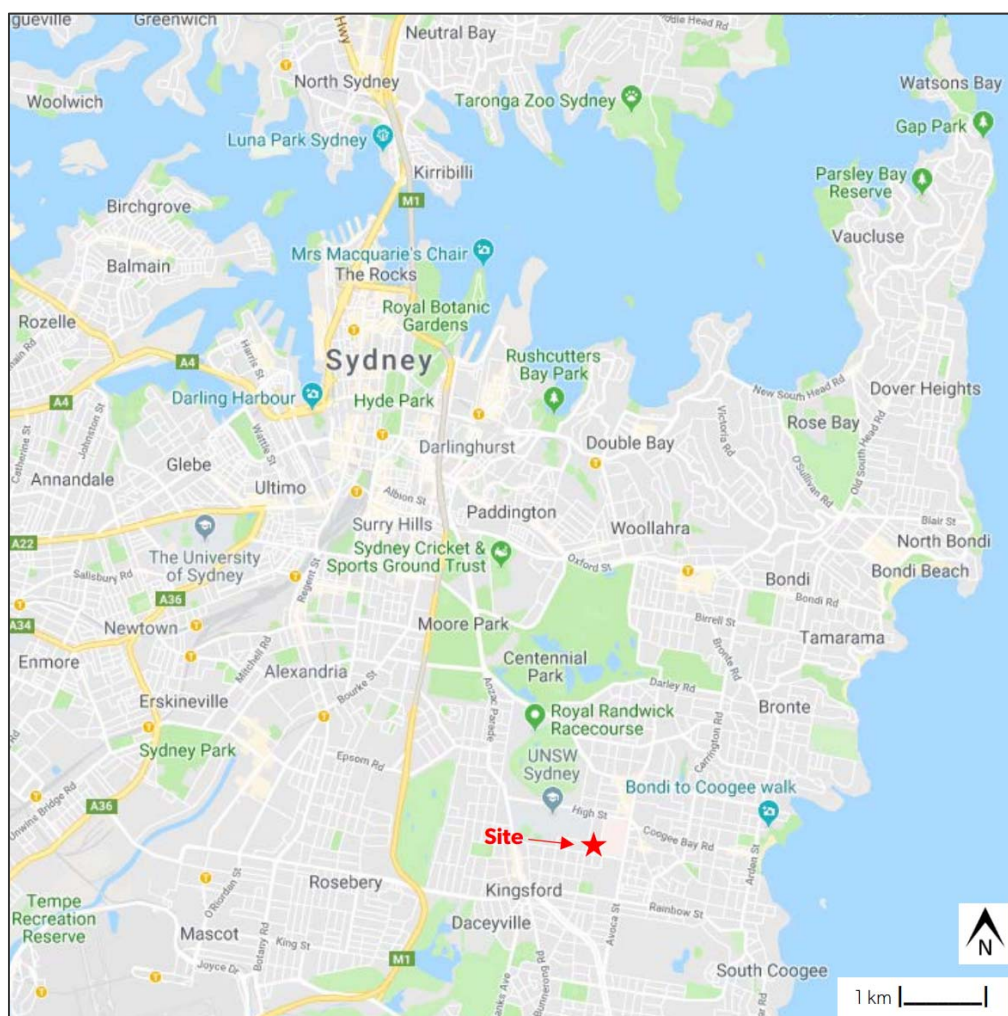


Figure 1 | Site Location

The site is generally bound by Hospital Road to the east, which is elevated above the residential lots, Botany Road to the west, and Magill Street to the south which is currently closed to traffic at the eastern end. Adjoining the site to the north were single dwelling houses which have recently been demolished and the land earmarked for the future Stage 2 redevelopment of the hospital within the Randwick Health and Education Precinct. Opposite the site to the east of Hospital Road is the Randwick Health Campus, comprising the existing Prince of Wales Hospital, Prince of Wales Private Hospital, Sydney Children's Hospital and The Royal Hospital for Women. To the south are single storey residential dwelling houses, and to the west is the University of NSW, Kensington campus.

The subject site comprises 53 lots (either in whole or part) generally bound by Hospital Road, Magill Street and Botany Street and part of the Eurimbla Avenue roadway in Randwick (see **Figure 2**)

The site has a total area of 21,312sqm and falls between 5m and 8m towards Magill Street to the south. The site is also affected by an inconsistent cross slope with the northern half falling approximately 1.5m to Botany Street in the west but then at the southern boundary falling approximately 2m to Hospital Road in the east. The site was most recently occupied by low density residential dwellings, the Eurimbla Avenue roadway, and part of the Prince of Wales hospital campus.

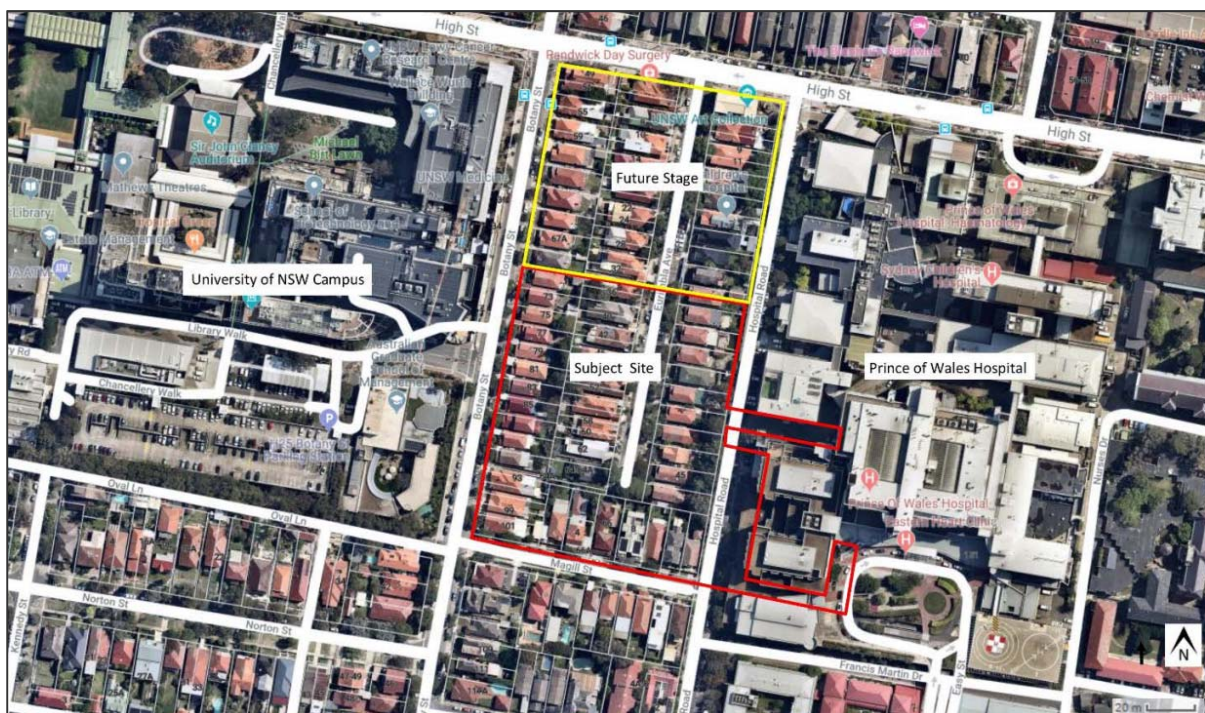


Figure 2 | The Site

The proposed modification is required to:

- ensure compliance with relevant conditions at various stages in the construction process.
- meet the future demands for transport in the locality.
- ensure the correct authority for disposal of seepage and stormwater.

1.2 Approval History

On 27 February 2019, development consent was granted by Executive Director, Priority Projects for the development of the Prince of Wales Hospital Expansion Stage 1 (SSD 9113). The development consent permits the following works:

- construction of a 13 storey acute services building (ASB).
- overhead pedestrian links and helipad.
- excavation and associated site infrastructure and landscaping works.
- road upgrade works to Botany Street and Magill Street

The modification application which is the subject of this report, is the first for the project.



2. Proposed Modification

On 15 January 2020, the Applicant lodged a modification application to amend the development consent under section 4.55(1A) of the EP&A Act. The proposed modification seeks approval for the following changes to the consent (SSD 9113):

- inclusion of administrative conditions that will enable 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.
- amend condition B63 in relation to the timing and location of the required end-of-trip facilities.
- amend condition C28 reflecting the correct authority for the disposal of seepage and stormwater from the construction site.

Location of End-of-Trip Facilities

Through the project's design development and consultation, according to the Applicant it has become evident that the minimum requirements for the required end-of-trip facilities cannot be provided at the approved location within the ASB building. The main campus carpark on Hospital Road, adjacent to the ASB site, has been identified as an appropriate alternate site for the facilities, as the carpark is central to the campus and can be accessed via Hospital Road (see **Error! Reference source not found.**). Cyclists coming from the city and western suburbs can easily reach Hospital Road via Magill Street, whilst cyclists coming from the Eastern Suburbs can utilise Francis Martin Drive.

The proposed end-of-trip facilities will initially provide 50 bicycle spaces for staff, with the potential for expansion in accordance with the forecasted hospital demand. A total of 20 visitor bicycle spaces can also be accommodated within the facility. Currently the campus provides 130 spaces, with the new facility resulting in a total of 200 available spaces, which satisfies the cycle parking demand as stated in the existing hospital campus Green Travel Plan.



Figure 3 | Proposed location for end-of-trip facility

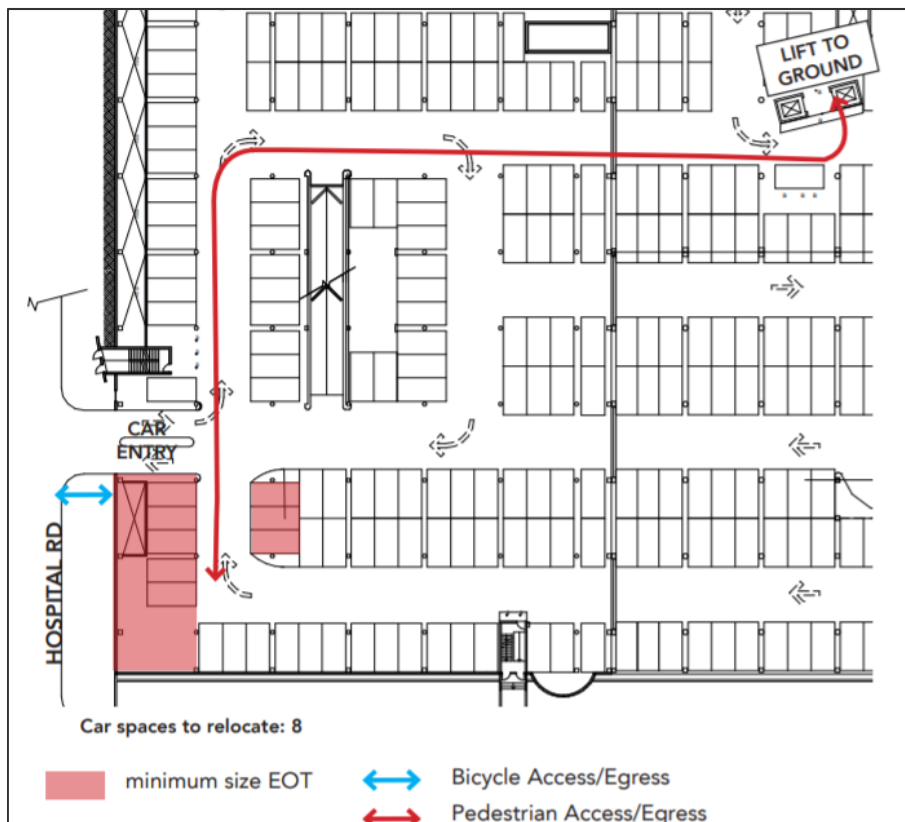


Figure 4 | Proposed bicycle parking and end-of-trip facility location within existing carpark

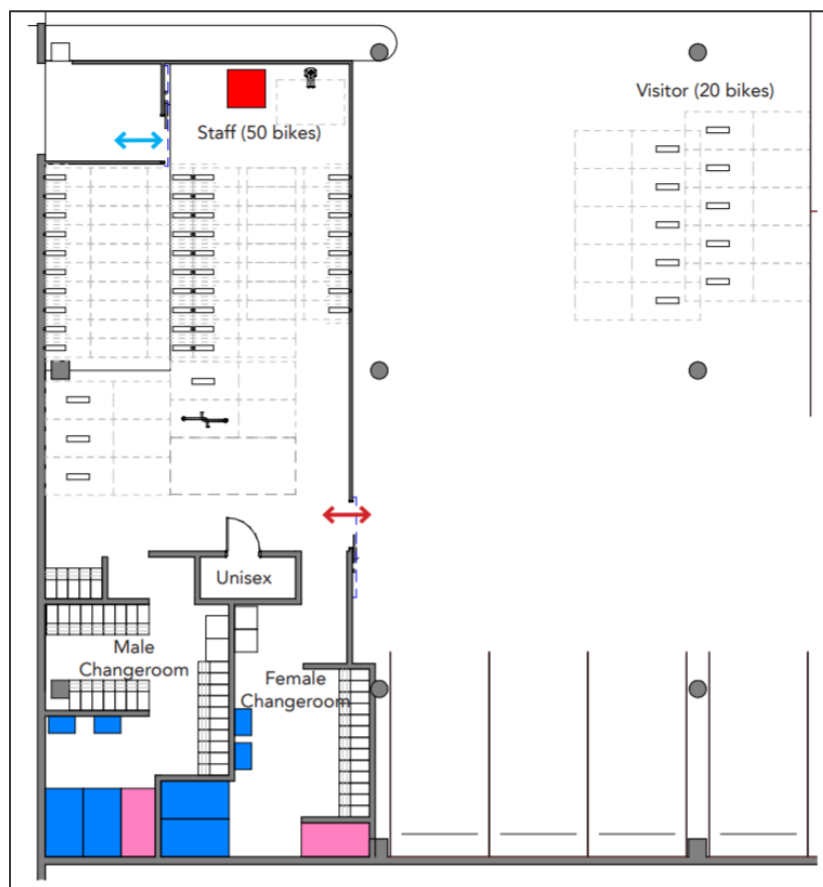


Figure 5 | Proposed bicycle parking and end-of-trip facility design

Accordingly, the modification proposes the following amendments to condition B63:

B63 *Compliance with the following requirements for secure bicycle parking and end-of-trip facilities within the **Randwick Health Campus** site, must be submitted to the satisfaction of the Certifying Authority prior to the commencement of **Façade and Landscaping works** ~~above ground construction work~~:*

- a) the provision of a minimum 50 staff and 20 visitor bicycle parking spaces;*
- b) the layout, design and security of bicycle facilities must comply with the minimum requirements of AS 2890.3: 2015 Parking facilities – Bicycle parking, and be located in easy to access, well-lit areas that incorporate passive surveillance;*
- c) the provision of end-of-trip facilities for staff in accordance with the requirements contained in the current, relevant version of Green Star;*
- d) appropriate pedestrian and cyclist advisory signs are to be provided; and*
- e) e) all works/regulatory signposting associated with the proposed developments shall be at no cost to the relevant roads authority.*

Staging

To facilitate the request for staged construction and condition compliance, the Applicant seeks to include additional administrative conditions that are now imposed by the Department on all social infrastructure projects, as follows:

AX. 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.

AX. A Staging Report prepared in accordance with condition AX 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.*

AX. 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.

Authority for seepage and stormwater

The existing condition of consent states the EPA is the approval authority for the disposal of seepage and stormwater collected on site during construction. The EPA has communicated with the project team that this disposal is the local council's responsibility. Therefore, the proposal seeks to modify condition C28, which relates to the disposal of seepage and stormwater, to the following:

*C27 Any seepage or rainwater collected on-site during construction or groundwater must not be pumped to the street stormwater system unless separate prior approval is given in writing by the **relevant authority** ~~EPA~~ in accordance with the Protection of the Environment Operations Act 1997.*



3. Strategic Context

The development as modified continues to be consistent with the aims and objectives of the following policies and strategies:

- NSW State Priorities
- Greater Sydney Regional Plan
- Draft Future Transport Strategy 2056
- Crime Prevention Through Environmental Design (CPTED) Principles
- Planning Guidelines for Walking and Cycling
- Healthy Urban Development Checklist
- Eastern City District Plan
- Better Placed – An Integrated Design Policy for the Built Environment of NSW 2017
- NSW State Health Plan.

The development as modified is part of a broader project to improve health services to the Sydney metropolitan region. The modification will ensure the timely delivery of needed health infrastructure and encourage green transport to and from the site.



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 significantly increase the environmental impacts of the project as approved.
- is substantially the same development as originally approved.
- 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.
- 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. However, it was made publicly available on the Department's website on 15 January 2020, and was referred to Randwick City Council for comment.

Council advised that it raised no objection to the proposed changes to the wording of the conditions. Council raised a number of matters relating to the indicative design of the end-of-trip facilities and the future bicycle path along Botany Road, however this modification application does not provide approval for the design of these elements of the approved development. This was explained to Council and no further issues were raised.



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.
- the requirements of the EP&A Act.

The key issues associated with the proposal are addressed below.

6.1 End-of-Trip Facilities

The Department acknowledges that while the location of the end-of-trip facilities off-site was not the preferred outcome when the application was originally assessed, the Department also recognises the role of these facilities in the context of the broader transport strategy for the hospital campus and surrounds. The consultation undertaken by the Applicant to develop the transport strategy and plan indicated locating the end-of-trip facilities within the ASB building itself does not align with the longer-term transport strategy for the overall campus.

By relocating the end-of-trip facilities within the existing carpark, the facility has the ability to expand subject to demand and future funding. Further, the proposed modification is not proposing to alter the amount of bicycle parking required to be delivered, just the location of the facility.

The Department notes the need to relocate eight car spaces as a result of the modification. The Department does not view this as a significant loss, given the targeted mode shift away from private vehicle use in the locality and the provision of end-of-trip facilities.

The Department is satisfied that the proposed modification to locate 50 bicycle spaces and end-of-trip facilities adjacent to the ASB within the main campus carpark on Hospital Road will meet the current and future transport projections for the locality. The Department supports the modification's ability to be expanded if required by increased demand.

The Applicant's proposed changes to condition B63 do not specifically identify where the bicycle parking and end-of-trip facilities will be located on the campus, instead generically stating within the "*Randwick Health Campus*". The Department is of the opinion that this is too open-ended and therefore the condition should be more specific about the location of the facilities. Further, while the proposed modification does not seek formal approval for the detailed design and layout of the end-of-trip facilities, the Department considers that these facilities must be provided in accordance with the

relevant provisions of the Building Code of Australia (BCA). As such, the Department recommends condition B63 be amended further to that proposed by the Applicant as follows (shown in bold):

- B63 Compliance with the following requirements for secure bicycle parking and end-of-trip facilities within the ~~Randwick Health Campus~~ site **basement level (B3) of the adjacent main hospital carpark**, must be submitted to the satisfaction of the Certifying Authority prior to the commencement of ~~Façade and Landscaping works: above ground construction work:~~*
- a) the provision of a minimum 50 staff and 20 visitor bicycle parking spaces;*
 - b) the layout, design and security of bicycle facilities must comply with the minimum requirements of AS 2890.3: 2015 Parking facilities – Bicycle parking, and be located in easy to access, well-lit areas that incorporate passive surveillance;*
 - c) the provision of end-of-trip facilities for staff in accordance with the ~~requirements contained in the current, relevant version of Green Star~~ **relevant provisions of the BCA**;*
 - d) appropriate pedestrian and cyclist advisory signs are to be provided; and*
 - e) all works/regulatory signposting associated with the proposed developments shall be at no cost to the relevant roads authority.*

6.2 Staging Conditions

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 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 conditions, as noted in Section 2. The Department is of the opinion that the proposed modification is required to include the standard Department conditions, and therefore, one additional condition is to be added and conditions amended, as noted in bold below. The condition aligns with the requirement for a Staging Report to be completed and approved by the Secretary.

*AX. The project may be constructed and operated in stages. Where ~~staged construction or operation is proposed~~, **compliance with conditions is required to be staged due to staged construction or operation**, a Staging Report (for either or both construction and operation as the case may be) must be prepared and submitted ~~for to the information~~ **satisfaction** of the Planning Secretary.*

AX. A Staging Report prepared in accordance with condition AX 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.

AX. Where a Staging Report is required, the project must be staged in accordance with the Staging Report, as approved by the Planning Secretary.

AX. Where ~~staging is proposed~~ construction or operation is being staged in accordance with a Staging Report, 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 as identified in the Staging Report.

6.3 Disposal of Seepage and Stormwater

The current condition C28 nominates the EPA as the authority for disposal of seepage and stormwater. The relevant authority is generally local council (Randwick City Council) and as such, the Department agrees with the modification to condition C28, which assigns authority for the disposal of seepage and stormwater to the relevant authority. The Department recommends that the condition be replaced with the most recent relevant standard condition, as follows:

"C28. Adequate provisions must be made to collect and discharge stormwater drainage during construction of the building to the satisfaction of the Certifying Authority. The prior written approval of Council must be obtained to connect or discharge site stormwater to Council's stormwater drainage system or street gutter."



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 broader project which aims to improve health services to the Sydney metropolitan region. The proposal will ensure the timely delivery of needed health infrastructure and encourage sustainable transport to and from the site.

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 as modified continues to be 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 Prince of Wales Hospital SSD 9113 MOD 1 falls within the scope of section 4.55(1A) of the EP&A Act.
- 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 modifications will not increase the impact on biodiversity values of 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 9113.
- **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 Assessments



9. Determination

The recommendation is **Adopted** by:

10/02/2020

Karen Harragon

Director

Social and Infrastructure Assessments



Appendices

Appendix A – List of Documents

- Section 4.55(1A) Modification to SSD 9113 – Prince of Wales Hospital Expansion Acute Services Building – Modification Report
- Attachment A – End of Trip Layout
- Attachment B – Shared Cycle Path

Appendix B – Consolidated Consent

<https://www.planningportal.nsw.gov.au/major-projects/project/26876>

Appendix C – Notice of Modification

<https://www.planningportal.nsw.gov.au/major-projects/project/26876>