

Modification of Approval

Section 75W of the Environmental Planning & Assessment Act 1979

I, the Executive Director, Key Sites and Industry Assessments, of the Department of Planning and Environment, in accordance with the Instrument of Delegation issued by the Minister for Planning & Infrastructure, on 16 February 2015, pursuant to section 75W of the *Environmental Planning and Assessment Act 1979* determine to approve the modification to the approval referred to in Schedule 1 in the manner set out in Schedule 2.



Anthea Sargeant
Executive Director
Key Sites and Industry Assessments

Sydney, 18 April

2017

SCHEDULE 1

Project Approval:	MP 10_0016
Proponent:	Brookfield Multiplex Constructions Pty Ltd
Approval Authority:	Minister for Planning
Land:	Scottish Hospital – 2 Cooper Street, Paddington Lot 2 in DP 607572
For the following:	<p>A Seniors Living Development including:</p> <ul style="list-style-type: none">• a 100 bed residential aged care facility, 79 independent living units and support services;• conservation and management of the 'Scottish Hospital' heritage building, together with its adaptive re-use for independent living units;• a loading dock off Stephen Street;• 132 car parking spaces;• remediation; and• a community bus pick-up and drop-off area at the corner of Brown and Cooper Streets.
Modification:	<p>MP 10_0016 MOD 2 – Modifications to the Project Approval include to:</p> <ul style="list-style-type: none">• removal of trees 5 and 130;• amendments to palm tree relocation;• changes to floor plans to allow for a Theatrette;• enclosure of Stephen Street void;• installation of photovoltaic cells;• changes to some of the roofing material from metal to a concrete slab; and• deletion of some of the clerestory windows.

SCHEDULE 2

The Project Approval is modified as follows:

SCHEDULE 2

PART A – ADMINISTRATIVE CONDITIONS

Amend Condition A3 as follows:

The development will be undertaken in accordance with the Environmental Assessment dated November 2010 prepared by Urbis and all Appendices, except where varied by:

- the Preferred Project Report dated June 2011 and all Appendices;
- the Proponent's Statement of Commitments included in the PPR;
- **the emf Griffiths Basix Analysis dated 29/03/2016; and**
- the following drawings:

Drawing No.	Drawing Title	Revision	Date
Site Plans			
DA101	Demolition Plan	A	07/10/2010
DA102	Key Plan	A	07/10/2010
DA103	Staging Diagram	A	07/10/2010
DA104	Site Plan	B	07/10/2010
Floor Plans			
DA200	Lower basement	A	07/10/2010
DA201	Upper Basement Parking	A	07/10/2010
DA202	Option A - RACF Loading Facility	B	07/10/2010
DA203	Level 02 Plan	B	07/10/2010
DA204	Level 03 Plan	B	07/10/2010
DA205	Level 04 Plan	B	07/10/2010
DA206	Level 05 Plan	B	07/10/2010
DA207	Level 06 Plan	B	07/10/2010
DA208	Level 07 Plan	B	07/10/2010
DA209	Level 08 Plan	B	07/10/2010
DA211	Roof Plan	B	07/10/2010
Measure to maximise privacy of 4 Cooper Street			
DA 213	Measure to maximise privacy of 4 Cooper St	A	06/06/2011
Sections			
DA221	Longitudinal Section A	B	07/10/2010
DA222	Longitudinal Section B	B	07/10/2010
DA223	Cross Section C & D	B	07/10/2010
Elevations			
DA231	North Elevation	B	07/10/2010
DA232	South Elevation	B	07/10/2010
DA231	East Elevation	B	07/10/2010

DA232	West Elevation	B	07/10/2010
Finishes Board			
DA650	Finishes Board - Stephen St ILU/RACF	A	07/10/2010
DA651	Finishes Board - Brown St ILU	B	07/10/2010
DA652	Finishes Board – Glen St View	B	07/10/2010
DA653	Finishes Board – Gatekeepers Lodge ILU	B	07/10/2010
Brown Street ILU Floor Plans			
DA401	Brown St ILU Level 1	B	07/10/2010
DA402	Brown St ILU Level 2	B	07/10/2010
DA403	Brown St ILU Level 3	B	07/10/2010
DA404	Brown St ILU Level 4	B	07/10/2010
DA405	Brown St ILU Level 5	B	07/10/2010
DA406	Brown St ILU Level 6	B	07/10/2010
DA407	Brown St ILU Level 7	B	07/10/2010
DA408	Brown St ILU Level 8	B	07/10/2010
DA410	Brown St ILU Roof Plan	B	07/10/2010
Stephen Street ILU Floor Plans			
DA412	Stephen St ILU Level 1 & 2	A	07/10/2010
DA413	Stephen St ILU Level 3 & 4	A	07/10/2010
DA414	Stephen St ILU Level 5 & Roof Plan	A	07/10/2010
Gate Keepers Lodge ILU Floor Plans			
DA416	Gate Keepers Lodge Level 3 & 4	A	07/10/2010
DA417	Gate Keepers Lodge Level 5 & 6	A	07/10/2010
DA418	Gate Keepers Lodge Level 7 & Roof Plan	A	07/10/2010
Brown Street RACF Floor Plans			
DA420	RACF Building – Level 1	B	07/10/2010
DA421	RACF Building – Level 3	B	07/10/2010
DA422	RACF Building – Level 4	B	07/10/2010
DA423	RACF Building – Level 5	B	07/10/2010
DA425	RACF Building – Level 6	B	07/10/2010
DA426	RACF Building – Level 7	B	07/10/2010
DA427	RACF Building – Roof Plan	B	07/10/2010
Heritage Building ILU Floor Plans			
DA 429	Site Plan	A	07/10/2010
DA 430	Heritage Building - Level 4	A	07/10/2010
DA 431	Heritage Building - Level 5	A	07/10/2010
DA 432	Heritage Building - Level 6	A	07/10/2010
DA 433	Heritage Building - Level 7	A	07/10/2010
DA 434	Heritage Building - Roof Plan	A	07/10/2010
DA 435	North-South Elevations	A	07/10/2010
DA 436	East-West Elevations	A	07/10/2010
DA 437	Sections	A	07/10/2010
DA 438	Sections	A	07/10/2010
Unit Plans			
DA 451	Brown St ILU - Unit Plans - Sheet 1	A	07/10/2010

DA 452	Brown St ILU - Unit Plans - Sheet 2	A	07/10/2010
DA 453	Brown St ILU - Unit Plans - Sheet 3	A	07/10/2010
DA 454	Brown St ILU - Unit Plans - Sheet 4	A	07/10/2010
DA 455	Brown St ILU - Unit Plans - Sheet 5	A	07/10/2010
DA 456	Brown St ILU - Unit Plans - Sheet 6	A	07/10/2010
DA 457	Brown St ILU - Unit Plans - Sheet 7	A	07/10/2010
DA 458	Brown St ILU - Unit Plans - Sheet 8	A	07/10/2010
DA 459	Brown St ILU - Unit Plans - Sheet 9	A	07/10/2010
DA 460	Brown St ILU - Unit Plans - Sheet 10	A	07/10/2010
DA 461	Stephen St ILU - Unit Plans - Sheet 1	A	07/10/2010
DA 462	Stephen St ILU - Unit Plans - Sheet 2	A	07/10/2010
DA 463	Stephen St ILU - Unit Plans - Sheet 3	A	07/10/2010
DA 464	Gate Keeper's Lodge - Unit Plans - Sheet 1	A	07/10/2010
DA 465	RACF ILU - Unit Plans - Sheet 1	A	07/10/2010
DA 466	RACF ILU - Unit Plans - Sheet 1	A	07/10/2010
Privacy screen details			
DA 520	Privacy Screen Details along Stephen Street	A	06/06/2011
Landscape Plans prepared by Aspect Studios, excluding land dedicated to Council for the extension of the Dillon Street Reserve			
10034-SK01	Concept Plan	02	September 2011
10034-SK02	Brown Street Frontage	02	September 2011
10034-SK03	Central Terraces & Entry Plaza	02	September 2011
10034-SK04	Parkland	02	September 2011
10034-SK05	Plants & Materials	02	September 2011
10034-SK06	Central Terraces	02	September 2011
10034-SK07	Street Views	02	September 2011
10034-SK08	WSUD Opportunities	01	June 2011
SK01	Location Plan with existing trees	B	May 2011
SK04	Option 3 - Infill Planting of <i>Waterhousia floribunda</i> and transplanted palms with staged removal of selected weed trees	B	May 2011

Except as modified by the following plans in relation to MP 10 0016 MOD 2 only, and as otherwise provided by the conditions of this approval:

Drawing No.	Drawing Title	Revision	Date
Architectural Plans			
<u>A-X-B-1103</u>	<u>Level 01 Plan – Brown Street Building</u>	<u>AA</u>	<u>16/06/2016</u>
<u>A-X-B-1111</u>	<u>Level 09 – Roof Plan – Brown Street Building</u>	<u>AA</u>	<u>16/06/2016</u>
<u>A-X-B-1528</u>	<u>West Elevation Brown Street Plan</u>	<u>AA</u>	<u>20/10/2016</u>
<u>A-X-P-1101</u>	<u>Level 01 Plan</u>	<u>AA</u>	<u>16/06/2016</u>
<u>A-X-P-1103</u>	<u>Level 03 Plan</u>	<u>AA</u>	<u>16/06/2016</u>
<u>A-X-P-1106</u>	<u>Level 06 Plan</u>	<u>AA</u>	<u>16/06/2016</u>
<u>A-X-P-1108</u>	<u>Level 08 Plan</u>	<u>AA</u>	<u>16/06/2016</u>
<u>A-X-P-1109</u>	<u>Level 09 Roof Plan</u>	<u>AA</u>	<u>16/06/2016</u>

<u>A-X-P-1110</u>	<u>Stephen Street and Brown Street Fascia Details</u>	<u>AA</u>	<u>20/10/2016</u>
<u>A-X-R-1109</u>	<u>Level 07 Plan – RACF</u>	<u>AA</u>	<u>16/06/2016</u>
<u>A-X-R-1110</u>	<u>Level 08 Roof Plan – RACF</u>	<u>AA</u>	<u>16/06/2016</u>
<u>A-X-S-1105</u>	<u>Level 03 Plan – Stephen Street Building</u>	<u>AA</u>	<u>16/06/2016</u>
<u>A-X-S-1106</u>	<u>Level 04 Plan – Stephen Street Building</u>	<u>AA</u>	<u>16/06/2016</u>
<u>A-X-S-1107</u>	<u>Level 05 Plan – Stephen Street Building</u>	<u>AA</u>	<u>16/06/2016</u>
<u>A-X-S-1108</u>	<u>Level 06 Plan – Stephen Street Building</u>	<u>AA</u>	<u>16/06/2016</u>
Landscape Plans			
<u>LA-P-1000</u>	<u>Cover Sheet</u>	<u>7</u>	<u>17/06/2016</u>
<u>LA-P-1001</u>	<u>Specification notes and plant schedule</u>	<u>12</u>	<u>14/11/2016</u>
<u>LA-P-1014</u>	<u>Parkland</u>	<u>12</u>	<u>17/06/2016</u>
<u>LA-P-1017</u>	<u>Planting Plan</u>	<u>11</u>	<u>10/02/2017</u>
<u>LA-P-1018</u>	<u>Parkland Finished Levels</u>	<u>7</u>	<u>05/07/2016</u>

PART C – PRIOR TO CONSTRUCTION

Amend Condition C4 (ii) and (iii), and insert new condition C4 (iv) as follows:

C4(ii) Tree Management – Tree Retention

Trees must be retained on site (with the exception of Trees T2, T4, T5, T9, and T18 and T130 which are approved for removal) are identified in:

- the Tree Schedule provided in Attachment A of the Arboricultural Impact Assessment prepared by Tree Wise Men, dated September 2010;
- the Arboricultural Assessment of Supporting Removal of Tree 5 Camphor Laurel: MP 10 0016 – “The Terraces” 2 Cooper Street, Paddington, prepared by Tree Wise Men, dated 19 February 2016; and
- the Arboricultural Assessment of Supporting Removal of Tree 130 Sydney Red Gum: MP 10 0016 – “The Terraces” 2 Cooper Street, Paddington, prepared by Tree Wise Men, dated 28 February 2016.

The Tree Protection Plans contained in Attachment E these documents, together with the 12 Tree Protection Requirements (TWMP1-TWMP12) detailed in the Attachment D of the Arboricultural Impact Assessment these documents are to be implemented to ensure the protection of trees to be retained.

C4(iii) Tree Management – Transplanting

Trees that are to be transplanted on the site are identified to in the Tree Schedule provided in Attachment A and Attachment E of the Arboricultural Impact Assessment.

A Transplant Method Statement and Relocation Plan is to be prepared for CC documentation to accompany the Landscape Planting Plan. The Relocation Plan shall provide for the transplant of Palms trees to be transplanted are: (Trees 47, 86, 110, 128 and 129) along the Stephen Street frontage of the site where there is sufficient soil area to accommodate the root balls and elsewhere on the site.

C4(iv) Tree Management – Tree Replacement

Tree 5 is to be replaced with a *Ficus rubiginosa* – Port Jackson Fig with a minimum pot size of 1,000 litres at the time of installation. The replacement tree is to be located within 10 metres of the current location of Tree 5.

Tree 130 is to be replaced with an *Angophora costata* – Sydney Red Gum with a minimum pot size of 400 litres at the time of installation. The replacement tree is to be located in the garden bed adjacent to the approved building in the same area as the current location of Tree 130.

Replacement trees shall be managed as follows:

- trees are to be grown in accordance with Tree stock for landscape use (AS 2303:2015);
- trees are to be planted in deep soil landscaped area;
- if the specified pot size is unavailable at that time, evidence that a tree can be grown to the required container size shall be provided;
- trees are to be maintained in a healthy and vigorous condition for a period of no less than 24 months; and
- if found to be faulty, damaged, dying or dead before attaining a size whereby it is protected by Council's Tree Management Controls, trees must be replaced with another of the same species.

The project arborist shall document compliance with the above condition and provide evidence of procurement of the replacement species to the Certifying Authority prior to issue of a Construction Certificate for Stage 2.

The replacement trees shall be planted as part of the completion of landscape works in accordance with Condition E21 prior to issue of a final Occupation Certificate.

PART D – DURING CONSTRUCTION

Amend Condition D8 as follows:

D8 Archival Recording & Archaeological Requirements

Removal of any exceptional or highly significant fabric must be preceded by photographic archival recording in accordance with the Heritage Branch guidelines for such work. **If any archaeological relics are uncovered during the course of the construction, all work shall immediately cease in the area and a written assessment of the nature and significance of the resource, along with a proposal for the treatment of the remains, shall be submitted to the Heritage Division.**

The recommendations of the Casey & Lowe Archaeological Impact Assessment are to be adopted, including the obtaining of any necessary archaeological excavation permits from the Heritage Branch.