

29 June 2020

Mr Jim Betts
Secretary
Department of Planning, Industry and Environment
12 Darcy Street
Parramatta NSW 2150

Attn: Megan Fu, Principal Planner

Dear Mr Betts

Notice of Modification to Development Consent SSD 9113

Prince of Wales Hospital, Acute Services Building.

Please find attached, a notice of modification to State Significant Development SSD9113 (Notice). This Notice is provided in compliance with

- Section 4.17(5) of the Environmental Planning and Assessment Act 1979 (EP&A Act);
- Clause 97 of the Environmental Planning and Assessment Regulations 2000 (EP&A Regs); and
- Condition A32 of State significant development (SSD) consent 10339.

Background

SSD9113

On 27 February 2019, the Minister's delegate approved the above project. The conditions of consent relating to this development approval included the following:

Design Modifications

A15. No consent is granted for the opening of the eastern end of Magill Street for vehicular access to and from Hospital Road except to allow emergency ambulance access in cases where access via Botany Road is not available. The eastern end of Magill Street is to be closed with bollards. Details of the bollards, including their design and operation are to be developed in consultation with Council and submitted to the satisfaction of the Planning Secretary prior to installation.

SSD10339

On 18 December 2020, the Minister's delegate subsequently provided development approval for SSD 10339 – Prince of Wales Hospital Expansion, Integrated Acute Services Building Addition. This approval included an amendment to the abovementioned condition under SSD 9113, it states:

Amendments to SSD 9113

A32. The Applicant must deliver a notice of modification to the consent authority that complies with clause 97 of the Environmental Planning and Assessment Regulation 2000, within six months of

the date of this determination. The notice must set out the modifications to conditions in SSD 9113 that are listed in Schedule 3 of this consent.

Schedule 3 – Modification to SSD 9113 states that Schedule 2 is amended by the insertion of **bold and underlines** words/numbers and/or deletion of the struck out words/numbers as follows

PART A ADMINISTRATIVE CONDITIONS

Design Modifications

A15. ~~No consent is granted for the opening of~~ **Prior to the opening of Magill Street, a boom gate is to be installed at** the eastern end of Magill Street ~~to close access for vehicular access to and from~~ to Hospital Road **between 10pm and 7am seven days a week** ~~except to allow emergency ambulance access in cases where access via Botany Road is not available. The eastern end of Magill Street is to be closed with bollards.~~ Details of the **boom gate**, including its design and operation are to be developed in consultation with Council and submitted to the satisfaction of the Planning Secretary prior to installation.

Signage is to be installed at the entry to Magill Street from Botany Street, and the Emergency Department access, to notify traffic travelling towards Hospital Road through Magill Street that access to Hospital Road is closed between 10pm and 7am seven days a week except to emergency vehicles. The signage is to be designed in consultation with Council and TfNSW (RMS) and submitted to the satisfaction of the Planning Secretary prior to installation.

(Condition A15 is amended by the insertion of **bold and underlined** words/numbers and/or deletion of the struck out words/numbers)

Section 4.17(5) of the EP&A Act states that:

*If a consent authority imposes (as referred to in subsection (1) (b)) a condition requiring the modification or surrender of a consent granted under this Act or a right conferred by Division 4.11, the consent or right may be modified or surrendered subject to and **in accordance with the regulations.***

Pursuant of Condition A32 in SSD 10339 and Section 4.17(5) this notice provides the information required under clause 97 of the EP&A Regs.

Notice of Modification

Information required by clause 97 of the EP&A Regs to modify development consent

(a) the name and address of the person by whom the notice is given

Notice is given by health Infrastructure on behalf of the Health Administration Corporation.

(b) the address, and formal particulars of title, of the land to which the consent or right relates

The land to which the Development Consent SSD 8351 relates is described in below.

- Part Lot 1 DP870720 (Randwick Hospital Campus),
- Lot 7 DP13997 (71 Botany Street, Randwick),
- Lot A DP167106 (73 Botany Street, Randwick),
- Lot B DP167106 (75 Botany Street, Randwick),
- Lot C DP167106 (77 Botany Street, Randwick),
- Lot D DP167106 (79 Botany Street, Randwick),
- Lot A DP33161 (81 Botany Street, Randwick),
- Lot B DP33161 (83 Botany Street, Randwick),
- Lot C DP33161 (85 Botany Street, Randwick),
- Lot D DP33161 (87 Botany Street, Randwick),
- Lot E DP33161 (89 Botany Street, Randwick),

- Lot F DP33161 (91 Botany Street, Randwick),
- Lot 1 DP741639 (93 Botany Street, Randwick),
- Lot 2 DP1134643 (95 Botany Street, Randwick),
- Lot A DP439101 (97 Botany Street, Randwick),
- Lot B DP439101 (99 Botany Street, Randwick),
- Lot 3 DP302329 (101 Botany Street, Randwick),
- Part Lot 2 DP13995 (27 Eurimbla Avenue, Randwick),
- Lot 3 DP13995 (29 Eurimbla Avenue, Randwick),
- Lot 4 DP13995 (31 Eurimbla Avenue, Randwick),
- Lot 5 DP13995 (33 Eurimbla Avenue, Randwick),
- Lot 6 DP13995 (35 Eurimbla Avenue, Randwick),
- Lot 7 DP13995 (37 Eurimbla Avenue, Randwick),
- Lot 8 DP13995 (39 Eurimbla Avenue, Randwick),
- Lot 9 DP13995 (41 Eurimbla Avenue, Randwick),
- Lot 10 DP13995 (43 Eurimbla Avenue, Randwick),
- Lot 11 DP13995 (45 Eurimbla Avenue, Randwick),
- Lot 12 DP13995 (47 Eurimbla Avenue, Randwick),
- Lot 13 DP12909 (34 Eurimbla Avenue, Randwick),
- Lot 14 DP12909 (36 Eurimbla Avenue, Randwick),
- Lot B DP441943 (38 Eurimbla Avenue, Randwick),
- Lot A DP441943 (40 Eurimbla Avenue, Randwick),
- Lot 1 DP1182570 (42 Eurimbla Avenue, Randwick),
- Lot 2 DP1182570 (44 Eurimbla Avenue, Randwick),
- Lot 23A DP434935 (46 Eurimbla Avenue, Randwick),
- Lot 23B DP434935 (48 Eurimbla Avenue, Randwick),
- Lot 1 DP522596 (50 Eurimbla Avenue, Randwick),
- Lot 2 DP522596 (52 Eurimbla Avenue, Randwick),
- Lot 1 DP501682 (54 Eurimbla Avenue, Randwick),
- Lot 2 DP501682 (56 Eurimbla Avenue, Randwick),
- Lot 3 DP513339 (58 Eurimbla Avenue, Randwick),
- Lot 4 DP513339 (60 Eurimbla Avenue, Randwick),
- Lot 19 DP7745 (62 Eurimbla Avenue, Randwick),
- Lot 18 DP7745 (64-64A Eurimbla Avenue, Randwick, Randwick),
- Lot 52 DP7745 (64R Eurimbla Avenue – pedestrian walkway, Randwick),
- Lot 1 DP74860 (66 Eurimbla Avenue – also known as 6 Magill Street, Randwick),
- Lot 11 DP806091 (66A Eurimbla Avenue, Randwick),
- Lot 1 DP307266 (2 Magill Street, Randwick),
- Lot 12 DP806091 (4 Magill Street, Randwick),
- Lot 7 DP975640 (8-8A Magill Street, Randwick),
- Lot 1 DP11351 (10 Magill Street, Randwick),
- Lot 2 DP11351 (12 Magill Street, Randwick),
- Lot 3 DP11351 (14 Magill Street, Randwick)

(c) a description of the development consent or existing use right to be modified or surrendered

Condition Schedule 2 A15 of Development Consent SSD 9113 is to be modified as outlined above, as prescribed by Condition Schedule 2 A32 (Appendix 3) of SSD10339.

The proposed modification removes the condition which does approve the opening of the eastern end of Magill Street to through traffic.

(d) particulars as to whether the consent or right is to be modified (including details of the modification) or surrendered

Condition Schedule 2 A15 of Development Consent 9113 is to be modified as outlined above.

To assist the Department, please find attached details of the modifications to conditions in Development Consent SSD 9113, this includes:

- A notice of modification of 9113 (attachment A)
- a consolidated version of Development Consent SSD 9113 (attachment B)

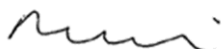
Operation and Effect

The consolidated clean version of Development Consent SSD 9113, which adopts the modifications approved under SSD 10339 and described above, effectively becomes the applicable Development Consent for SSD9113.

In accordance with clause 97(2) of the EP&A Regs this Notice takes effect when received by the consent authority and operates according to its terms to modify the development consent to which it relates. This letter therefore satisfies Condition A32 of Development Consent SSD 10339.

Should you have any questions or wish to discuss any element of the above, please contact Claire Muir on 0403 754 736.

Yours sincerely



Claire Muir
Senior Planning Advisor

Att.

- A:** SSD9113 Instrument of Modification Notification dated 29 June 2020
- B:** SSD9113 Consolidated Consent MOD 2