

Modification of Development Consent

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Karen Harragon
Director
Social and Infrastructure Assessments

Sydney 11/12/2019

SCHEDULE 1

Development consent:	SSD 8766 granted by the Executive Director, Priority Projects Assessments on 25 February 2019.
For the following:	Redevelopment of Nepean Hospital Integrated Ambulatory Services (Stage 1), involving the demolition of existing structures, construction of a new 14 storey clinical and ambulatory services building with rooftop helipad, and associated works to access and parking, tree removal and landscaping.
Applicant:	Health Infrastructure
Consent Authority:	Minister for Planning and Public Spaces
The Land:	Lot 1 DP 1114090, 35-65 Derby Street, Kingswood
Modification:	Insertion of a staging conditions to enable construction works to occur concurrently across stages.

SCHEDULE 2

The consent (SSD 8766) is modified as follows:

- a) Schedule 2 Part A – Administrative Conditions, Condition A2 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~**bold and underlined**~~ words numbers as follows:

Terms of Consent

A2. The development may only be carried out:

- (a) in compliance with the conditions of this consent;
 - (b) in accordance with all written directions of the Planning Secretary;
 - (c) generally in accordance with the EIS and Response to Submissions;
 - (d) generally in accordance with the section 4.55 modification application (SSD 8766 MOD 2) prepared by _planning Pty Ltd, dated 5 August 2019;
 - (e) **generally in accordance with the section 4.55(1A) modification application (SSD 8766 MOD 4) document titled Response to Request for Additional Information – Nepean Hospital Redevelopment – SSD 8766 Mod 4 prepared by Health Infrastructure and Wolf Peak, dated 21 and 25 November 2019 respectively; and**
 - (f) ~~(e)~~ in accordance with the approved plans in the table below:
- b) Schedule 2 – Part A Administrative Conditions is amended by the insertion of the **bold and underlined** words/numbers, immediately following condition A22 as follows:

Staging

A23. 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 approval of the Planning Secretary.

A24. A Staging Report prepared in accordance with condition A23 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.**
- A25. Where staging is proposed, the project must be staged in accordance with the Staging Report, as approved by the Planning Secretary.**
- A26. 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.**

- c) Schedule 2 Part B – Prior to Commencement of Works, Condition B16 is amended by the insertion of the **bold and underlined** words and deletion of the ~~**bold and underlined**~~ words as follows:

Ecologically Sustainable Development

B16 **Within 6 months of the commencement of construction, the Applicant must register for a minimum 4 star Green Star rating with the Green Building Council Australia and**

~~submit evidence of registration to the Certifying Authority unless the NSW Health Engineering Services Guidelines are updated demonstrating equivalency with an accredited rating scheme to the satisfaction of the Planning Secretary.~~

Prior to the commencement of above ground works, unless otherwise agreed by the Planning Secretary, the Applicant must demonstrate that ESD is being achieved by either:

- (a) registering for a minimum 4 star Green Star rating with the Green Building Council Australia and submit evidence of registration to the Certifying Authority;
or
- (b) seeking approval from the Planning Secretary for an alternative certification process.

- d) Schedule 2 Part B – Prior to Commencement of Works, Condition B33 is amended by the deletion of the ~~bold and struckout~~ words as follows:

~~Operational Waste Storage and Processing~~

~~B33 Prior to the commencement of construction, the Applicant must obtain agreement from Council for the design of the operational waste storage area where waste removal is undertaken by Council.~~

- e) Schedule 2 Part D – Prior to Occupation or Commencement of Use, Condition D35 is amended by the insertion of the **bold and underlined** words and deletion of the ~~bold and struckout~~ words as follows:

Ecologically Sustainable Development

~~D35 Within 6 months of commencement of operation, Green Star certification must be obtained demonstrating the development achieves a minimum 4 star Green Star As Built rating unless updated NSW Health Engineering Guidelines are accepted by the Planning Secretary. Evidence of the certification or other evidence as agreed with the Planning Secretary in updated NSW Health Engineering Services Guidelines must be provided to the Certifying Authority and the Planning Secretary.~~

Unless otherwise agreed by the Planning Secretary, within six months of commencement of operation, Green Star certification must be obtained demonstrating the development achieves a minimum 4 star Green Star Design & As Built rating. If required to be obtained, evidence of the certification must be provided to the Certifying Authority and the Planning Secretary. If an alternative certification process has been agreed to by the Planning Secretary under Condition B16, evidence of compliance of implementation must be provided to the Planning Secretary and Certifying Authority.

End of modification

(SSD 8766 MOD 4)