

Modification of Concept Plan

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning, I modify the Concept Plan Approval referred to in Schedule 1, subject to the requirements in Schedule 2.



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Key Sites and Regional Assessments

Sydney

25/09/2023

SCHEDULE 1

Concept Approval: **MP07_0166** granted by the Minister for Planning on 31 March 2010

For the following:

Wahroonga Estate Concept Plan comprising:

- An additional 28,000 sqm of floor space (providing a total of 94,000 sqm) for upgrade and expansion of the Sydney Adventist Hospital
- Up to a total of 500 private residential dwellings across the site
- 17,000 sqm for seniors living in the Mount Pleasant Precinct
- 16,000 sqm of commercial floor space in the Fox Valley Road East and Central Hospital Precincts
- 14,500 sqm of floor space for Student Accommodation / Hostels / Group Homes / Boarding Houses in the Central Precinct
- 9,000 sqm of floor space for a K-12 school in the Central Church Precinct
- 3,500 sqm for expansion of the Faculty of Nursing in the Central Hospital Precinct
- 3,200 sqm of floor space for church uses in the Central Hospital Precinct
- 2,000 sqm of retail floor space in the Central Hospital Precinct
- The provision of 31.4 hectares of environmental conservation lands

Modification:

MP 07_0166 MOD 6: the modification includes:

- deletion of a requirement to enter into a deed of agreement to resolve outstanding roadworks requirements and instead require the provision of specified roadworks and payment of contributions towards roadworks
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SCHEDULE 2

The above approval is modified as follows:

- (a) Schedule 2 Part A – Administrative Terms of Approval Condition A2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the struck out words/numbers as follows:

A2 Development in Accordance with Plans and Documentation

- (1) The development shall generally be in accordance with the following plans and documentation (including any appendices therein):
- (a) Wahroonga Estate Redevelopment Incorporating Sydney Adventist Hospital Environmental Assessment and Concept Plan dated April 2009, as amended by the Wahroonga Estate Redevelopment Incorporating Sydney Adventist Hospital Final Preferred Project Report and Concept Plan dated January 2010, and the appendices of the document titled Wahroonga Estate Redevelopment Incorporating Sydney Adventist Hospital Preferred Project Report and Concept Plan dated September 2009, prepared by Urbis.
 - (b) Section 75W Modification Request 'Claiming and Redistribution of Approved Wahroonga Estate Hospital Floorspace (07_0166)' dated 23 November 2012 and Response to Submissions letter dated 22 February 2013, prepared by MacroPlanDimasi.
 - (c) Section 75W Modification Request '(MP07_0166 MOD 4) Modification of Wahroonga Estate Concept Plan to better articulate residential and commercial development components' dated 18 September 2013 and Response to Submissions letter dated 19 November 2013, prepared by MacroPlanDimasi.
 - (d) Section 75W Modification Request '(MP07_0166 MOD 5) Modification to Building Footprints and Road Alignment at Precinct B: Central Church under the Wahroonga Estate Concept Plan' dated 12 November 2013 and Response to Submissions dated 14 April 2014, prepared by MacroPlanDimasi.
 - (e) Section 75W Modification Application (MP07_0166 MOD 8) Central Church Precinct, Wahroonga Estate dated 1 February 2018 and Response to Submissions dated 16 August 2018 and 10 December 2018, as amended by Response to Submissions dated 27 May 2019 prepared by Ethos Urban and additional information dated 15 October 2019, 2 April 2020 and 7 August 2020 prepared by Ethos Urban.
 - (f) Section 75W Modification Application (MP 07_0166 MOD 9) Environmental Assessment Report dated 8 October 2021 and Response to Submissions dated 27 April 2022 prepared by Ethos Urban, as amended by additional information dated 9 June 2022, 28 June 2022 and 15 August 2022 prepared by Ethos Urban.
 - (g) **Section 75W Modification Application (MP07_0166 MOD 6) San Hospital Wahroonga Roadworks dated 26 April 2017 prepared by Macro Plan Dimasi, as amended by Response to Submissions dated 3 November 2017 prepared by prepared by Macro Plan Dimasi and additional information dated 29 July 2019, 11 December 2020, 2 May 2022 and 20 May 2022 prepared by Memphis Strategic.**
- (2) In the event of any inconsistencies between the administrative terms of approval and further assessment requirements of this concept approval and the plans and documentation described in this Schedule, the administrative terms of approval and further assessment requirements of this concept approval prevail.
- (3) Future development subject to Part 4 of the Act is to be generally consistent with the terms of the approval of the Concept Plan, under section 75P(2)(a) of the Act.
- (b) Schedule 2 Part B – Further Assessment Requirement B7 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck out~~ words/numbers as follows:

B7 Agency Road Requirements

- (1) ~~A binding Deed of Agreement is to be entered into between the Proponent and the RMS prior to issue of the first Occupation Certificate for the staged expansion and refurbishment of the Clinical Services Building on the site. The Deed is to:~~
- ~~(a) detail the road upgrade works to be undertaken by the Proponent, including:
 - i. ~~reconstruction of (including upgrading of the existing traffic signals to) the intersection of The Comenarra Parkway and Fox Valley Road;~~
 - ii. ~~intersection improvements where Fox Valley Road intersects with site accesses;~~
 - iii. ~~widening The Comenarra Parkway to provide two traffic lanes in each direction between Fox Valley Road and Browns Road;~~
 - iv. ~~widening Fox Valley Road between The Comenarra Parkway and the northern boundary of the site to accommodate two travel lanes in each direction. In addition, two southbound travel lanes must be provided along Fox Valley Road from the Pacific Highway to the site.~~
 - v. ~~a monetary contribution or 'works in kind' (WIK) equivalent towards the estimated total cost of upgrading the Pacific Highway and Fox Valley Road intersection, comprising the equivalent of:
 - 1. ~~25% of the estimated total cost of traffic signal/civil upgrade works and land acquisition costs associated with the upgrade of the Pacific Highway and Fox Valley Road intersection; and~~
 - 2. ~~100% of the estimated total cost of upgrading The Comenarra Parkway and Kissing Point Rd intersection, being the following works:
 - a. ~~a left turn slip lane (min 50m storage) for the movement turning into Kissing Point Road (north);~~
 - b. ~~two eastbound through lanes;~~
 - c. ~~one right turn lane (min 50m storage) for the movement turning into Kissing Point Road (south); and~~
 - d. ~~a single westbound through lane;~~~~~~~~
- ~~(b) outline the arrangements for the Proponent and RMS to negotiate the scope, value and timing of any WIK towards the estimated total cost of upgrading the Pacific Highway and Fox Valley Road intersection referenced to above; and~~
- ~~(c) outline the extent of road upgrade works to be undertaken by the Proponent, including lane configuration, timing of works and estimated costs~~
- (1) Future Development Applications are to ensure the delivery of the following road upgrade works to be undertaken by the Proponent:**
- (a) reconstruction of (including upgrading of the existing traffic signals to) the intersection of The Comenarra Parkway and Fox Valley Road;**
 - (b) upgrade the main Hospital entry intersection on Fox Valley Road including traffic signals and associated roadworks;**
 - (c) provision of traffic signals and associated roadworks at the intersection of Fox Valley Road and the road adjacent to the school;**
 - (d) widening Fox Valley Road between The Comenarra Parkway and the northern boundary of the site to accommodate two travel lanes in each direction;**
 - (e) widening The Comenarra Parkway between Fox Valley Road and Browns Road to provide an eastbound kerbside approach of 210m to and a westbound kerbside departure of 85m from the Comenarra Parkway and Fox Valley Road intersection;**
 - (f) upgrade of the intersection of Browns Road and The Comenarra Parkway to a seagull arrangement where agreed by Council; and**
 - (g) upgrade of the existing intersections of Fox Valley Road with Lucinda Avenue and with Ada Avenue if needed to ensure satisfactory levels of service to the intersections.**
- (2) Future Development Applications are to ensure the delivery of the following contributions to TfNSW towards road upgrade works:**
- (a) A monetary contribution to TfNSW towards the upgrading the Pacific Highway and Fox Valley Road intersection, comprising an amount of \$309,833 (subject to indexation from the base date 1 July 2012 consistent with the Bureau of Transport and Communications Economics Road Construction and Maintenance Price Index);.**

- (b) A monetary contribution to TfNSW in the amount of \$670,000 (subject to indexation from the base date 1 July 2012 consistent with the Bureau of Transport and Communications Economics Road Construction and Maintenance Price Index) toward the upgrade of the Pacific Highway and Fox Valley Road intersection in lieu of upgrading The Comenarra Parkway and Kissing Point Road intersection.

End of Modification
(MP 07_0166 MOD 6)