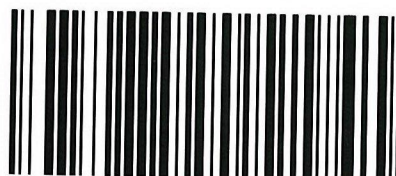




Office of
Environment
& Heritage



PCU55906

Your reference: SSD-6573
Our reference: DOC14/174699
Contact: Krister Waern (02) 66402503

Mr Daniel Keary
Director Industry, Key Sites and Social Projects
Department of Planning & Environment
GPO Box 39
Sydney NSW 2001

Department of Planning
Received
22 SEP 2014
Scanning Room

Attention: Ms Megan Fu

Dear Mr Keary

**Re: Byron Shire Central Hospital, Ewingsdale (SSD 6573)
Notice of Exhibition**

Thank you for your letter dated 15 August 2014 requesting comment from the Office of Environment and Heritage (OEH) on the above State Significant Development project. I appreciate the opportunity to provide input.

OEH's primary interest in the proposal relates to potential impacts on biodiversity, Aboriginal cultural heritage values, and flooding matters. I understand that the applicant is dealing with the Heritage Council directly in relation to historic heritage.

OEH has reviewed the Flora and Fauna Assessment and Arborist Report 14 August 2014 prepared by Advitech. On the basis of this review, OEH supports the mitigation measures within section 5 of that report.

With respect to Aboriginal cultural heritage, the *Desktop Heritage Assessment Byron Bay Hospital Site* prepared by Advitech for NSW Health Infrastructure dated 15 July 2014 that forms part of the documents on exhibition clearly states it is only a desktop survey. This type of survey does not meet requirement 9 of the Secretary's Environmental Assessment Requirements (SEAR) regarding Aboriginal consultation to determine the potential of the development to impact on Aboriginal cultural heritage. Hence further work should be undertaken to ensure that requirement 9 of the SEARs is adequately addressed. OEH notes that such work is currently occurring as Advitech obtained the OEH stakeholder list for the Byron local government area in late July 2014. Once this work is completed, OEH anticipates an opportunity to review the additional information required to address requirement 9 of the SEARs.

Section 5.13 of the EIS indicated that the hospital is required to sit above the 1% AEP flood height plus a freeboard of 0.5m. OEH advises that a higher flood planning level would be necessary for a hospital with particular evacuation and emergency response issues. OEH recommends that consideration be given to using the Probable Maximum Flood level when siting the hospital floor level. In addition a higher access road level, such as the 1% AEP flood level as a minimum, should be considered for Ewingsdale Road and the proposed Byron Bay bypass, Butler Street.

Should you require further information or clarification, or should Council be in possession of information that suggests that OEH's statutory interests may be affected, please contact Senior Operations Officer, Mr Krister Waern, on (02) 6640 2503.

Yours sincerely

 16 September 2014

DIMITRI YOUNG

Senior Team Leader Planning, North East Region

Regional Operations