



Bega Valley Health Services Hospital Development

SSD 5307 - 2012: Response to Submissions

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1 Introduction

This Response to Submissions Report has been prepared by Urbis Pty Ltd on behalf of the Proponent, NSW Health Infrastructure, to provide a response to the submissions received during the exhibition period of State Significant Development Application SSD 5307_2012 for the Concept Approval and Stage 1: Construction Enabling Works proposed Bega Valley Health Services Hospital Development at Tathra Road, Bega.

The Environmental Impact Assessment (dated September 2012) was submitted to the NSW Department of Planning and Infrastructure (DOPI) and exhibited between 25 October and 23 November 2012.

This Response to Submissions Report provides a detailed response to the issues raised in the submissions, and includes modifications to the Mitigation Measures detailed within the EIS.

The application for the Stage 2 – Main Construction Works has been submitted to the DOPI for an adequacy review. The proponent is awaiting correspondence from DOPI and will proceed with lodgement of the Stage 2 application thereafter.

The Response to Submissions Report is structured as follows:

- Chapter 2: Response to Submissions

This Section outlines the Proponent's response to each individual submission from State and Local Government Departments, Agencies, and the Public.

- Chapter 3: Final Mitigation Measures

Amendments have been made to the Draft Mitigation Measures in response to submissions received.

- Chapter 4: Addendum Information

Concept approval sought for a geothermal ground source heat pump system associated with the main building works.

- Chapter 5: Conclusion

2 Response to Submissions

2.1 INTRODUCTION

This section of the report provides a response to submissions received during the statutory exhibition period between 25 October and 23 November 2012.

Submissions were received from the Bega Valley Shire Council, from State government agencies and 4 from the public.

2.2 DEPARTMENT OF PLANNING AND INFRASTRUCTURE

Table 1 provides the Proponent's responses to the issues raised by the Department of Planning and Infrastructure following its review of submissions received.

TABLE 1 – DEPARTMENT OF PLANNING AND INFRASTRUCTURE (DOPI) SUBMISSION

ISSUE	COMMENT	RESPONSE
Impact on Wetlands	The Department of Primary Industries (DPI) has advised that the stormwater management strategy for the site does not appear to meet the criteria for protection of wetlands quality as detailed in the NSW Wetlands Management Policy. In this regard, the submission from the DPI encourages management practices that maintain or rehabilitate wetland habitats. Further details should be submitted to demonstrate how the stormwater will be managed including to ensure that water entering the wetlands is of a quality that will not further degrade the wetlands.	The Stormwater Management Plan prepared by C&M Engineers and previously submitted details how stormwater will be treated to ensure that water quality will not result in degradation to the wetlands (specifically Sections 2 and 4).
Intersection Upgrades	The submission from the Roads & Maritime Services (RMS) has raised issue with the deficiency of sight lines at the intersections of Tathra Road with both Boundary Road and Kerrisons Lane. It is suggested that the road safety issues with these intersections will be exacerbated by increased traffic volumes as a result of the Bega bypass. Further consultation with Council is required to be undertaken to determine whether any additional intersection improvements are required to improve safety at these intersections. The RMS and Council submissions also identifies the need for the upgrade of the junction of Hospital Road and Tathra Road to a roundabout.	NSW Health Infrastructure is committed to working directly with BVSC to determine whether any additional intersection improvements are required. It is noted through analysis of the Transport Assessment prepared by Sinclair Knight Mertz that the proposal will not generate a significant increase in traffic to warrant changes to the Kerrisons Lane or Boundary Road Intersection. It is noted that the BVSC has not raised the need for additional intersection improvements at Boundary Road and Kerrisons Lane but is limited to the Howard Avenue Intersection.

ISSUE	COMMENT	RESPONSE
	It is understood that your consultant team is currently resolving the engineering requirements for this junction with Council including to provide opportunity for safe cycle and pedestrian access.	NSW Health Infrastructure supports the initiative of BVSC to reduce the speed limit to 60 km/hour along Bega – Tathra Road, however this is not seen as relevant to Stage 1.
Pedestrian and Cycle Access	RMS and Council have raised concerns in relation to the limited accessibility of the site. To address this issue, it has been recommended that a shared pathway for pedestrians and cyclists be constructed linking Hospital Drive at Tathra Road from Harry Scanes Avenue to Rose Street. This would be for a distance of approximately 700m. Your response to this recommendation is required.	NSW Health Infrastructure is committed to the provision of a footpath of approximately 700 metres to link the subject site with Rose Street. NSW Health Infrastructure are committed to working directly with BVSC to resolve the design details and timing associated with the construction of the proposed footpath. NSW Health Infrastructure have already initiated discussion with BVSC in relation to the proposed 700 metre footpath and are committed to the provision of this footpath in line with the scope discussed.
Archaeology	The submission from the Heritage Branch has requested further clarification regarding the potential for historic archaeological discoveries on the site and for an archaeological management strategy to be prepared. The department notes that the Heritage Branch has recommended a condition which covers the legislative requirements in the event that historic archaeological deposits/relics are discovered on the site. Notwithstanding this, department considers it to be pertinent that a brief statement is submitted to address the matters raised by the Heritage Branch.	Consultation with RPS (who prepared the Cultural Heritage Impact Assessment submitted with the application) has confirmed that the potential for discoveries is considered to low to nil. The recommended management strategy, in the case of the discovery of relics, has been updated to specifically reference the Heritage Act. A statement has been prepared by RPS confirming the above and is submitted with this report at Appendix A.
Ecology	Council's submission has recommended that all hollow bearing trees proposed to be removed should be stagwatched during the breeding period (November- March) for threatened microbats. Council is of the view that the loss of the 16 hollow bearing trees is significant and will result in the further decline of this valuable habitat type. The department notes that it is advantageous that the breeding period is current and therefore, provides an opportunity for immediate survey work to be undertaken to address this matter.	A microbat survey has been commissioned and will take place during the week ending 14th December. The results of the survey and a management plan (if required) will be provided to Bega Valley Shire Council at the conclusion of the survey.

ISSUE	COMMENT	RESPONSE
	The department suggests that you consult your project ecologist and provide a further report to outline the additional survey work undertaken (albeit, that the survey works might be for a limited term considered to be sufficient by your ecologist to document the microbats during the breeding period).	

2.3 BEGA VALLEY SHIRE COUNCIL

Table 2 provides the Proponent's responses to the issues raised by the Bega Valley Shire Council in their submission.

TABLE 2 – BEGA VALLEY SHIRE COUNCIL (BVSC) SUBMISSION

ISSUE	COMMENT	RESPONSE
Zoning and Permissibility	The subject site is zoned 1(a) Rural General under the provisions of the Bega Valley Local Environmental Plan 2002. Hospitals are permissible in the zone with development consent. It is noted that Council currently has its draft Local Environmental Plan 2012 (a Standard Instrument LEP) with the Minister for gazettal. The draft LEP proposes to rezone the land SP2 Infrastructure. SP2 is a prescribed zone for the purpose of Clause 56 of the Infrastructure SEPP 2007.	Noted.
Building Height	As part of the draft LEP 2012 process, the exhibited Height of Building Map indicated a maximum height limit of 10 metres. In order to facilitate the hospital development however Council resolved to exclude the subject site from the Map, and hence once the LEP is gazetted there will be no maximum height limit for the building, the bulk and scale of which can be assessed on merit (as part of the Stage 2 development application). Council estimates that gazettal should take place early in the new year. Please note that the current height limit under LEP 2002 (currently in force) is 10 metres above natural ground level, in accordance with Clause 85. The building envelope presented as part of this Stage 1 development application indicates a maximum building height of 18.3 metres. Council does not raise objection to the proposed variation in building height, in principle, however as part of the Stage 2 development application (which will provide greater detail of the design and impact of the building), a suitable view impact analysis and bulk and scale assessment should be undertaken.	Noted.

ISSUE	COMMENT	RESPONSE
Setbacks	Councils Development Control Plan No. 6 – Minimum Setbacks to Roads and Nominated Waterways applies to the subject land. The minimum setback from a public road is required to be 20 metres. The nominated development envelope would comply with this requirement.	Noted.
Ecology	The Flora and Fauna assessment is generally sound however assessment of the potential impacts of the proposal on threatened microbats is inadequate. A microbat survey during the appropriate season is required to adequately assess the impact of the removal of 16 hollow bearing trees on threatened microbat species. The removal of 16 hollow bearing trees is a significant loss of this valuable and declining habitat type. The mitigation measure of replacement of removed hollows with nest boxes goes some way to compensate for this loss however no details of the number of hollows to be removed or the size of these hollows is given and it is not clear if the proposed nest boxes accurately reflect the number of hollows to be removed.	Noted.
<i>Recommended Ecology Condition</i>	<i>Prior to commencement of any onsite works, all hollow bearing trees proposed to be removed are stagwatched during the breeding period for threatened microbats found in the Bega Valley (November to March) to identify if any colonies inhabit these trees.</i>	A microbat survey has been commissioned and will take place during the week ending 7th December. The results of the survey and a management plan (if required) will be provided to Bega Valley
<i>Recommended Ecology Condition</i>	<i>If colonies are found, the species of microbat is to be identified and works are to be postponed until the significance of the removal of the hollow on local threatened micro bats is assessed.</i>	Noted. If microbats are found on site, a management plan will be put in place to isolate the affected trees from construction until the microbats are no longer affected.
<i>Recommended Ecology Condition</i>	<i>A nest box plan including maintenance/monitoring schedule is to be adopted to ensure the boxes are sited appropriately and remain functional.</i>	Noted.

ISSUE	COMMENT	RESPONSE
Landscape Plan	The Landscape Strategy and Design Statement is currently at insufficient detail to finalise comments. However, in general the concept is sound. No complete species list has been supplied.	Noted. The BVHS Hospital Development Stage 2 – Main Construction Works application will further detail the Landscape Strategy for the site.
<i>Recommended Landscape Condition</i>	<i>Stage 2 landscape detail should note that species chosen should endeavour to be: indigenous to the area; provide appropriate function (i.e. not a risk to the public from limb fall, or must be able to deliver stormwater quality outcomes) and create the amenity referred to in the Landscape Concept.</i>	Noted. Species detail will be included as part of the Stage 2 application and will endeavour to be indigenous to the area.
<i>Recommended Landscape Condition</i>	<i>The 'fire egress and maintenance' path (27), when connecting to the south-eastern roundabout, should link to a footpath. This footpath should connect in a clockwise direction around the roundabout and join the footpath running along the right hand side of the most southerly car park. This linkage will provide better connection across the site for maintenance personnel and for fire egress.</i>	Noted. The 'fire egress and maintenance' path will be designed in accordance with BVSC recommendation.
Stormwater	It is noted that the MUSIC modelling supports a stormwater on site detention design (OSD) for the site based on an ARI of only 1:2. While this is lower than the normal 1:5 OSD design requirements, the methodology within the MUSIC model is accepted as being sufficient to maintain environmental outcomes for smaller storm events. However, no rainwater harvesting scheme for reuse has been presented as part of the proposal. There are excellent opportunities to incorporate appropriate rainwater collection and reuse throughout the site and therefore should be included.	Noted. This is not considered relevant to Stage 1.
<i>Recommended Stormwater Condition</i>	<i>Detailed design of stage 2 must include significant provision of rainwater harvesting and reuse for appropriate applications within SEHR. This design should also be reflected in the MUSIC model developed.</i>	The BVHS Hospital Development Stage 2 – Main Construction Works application will consider the provision of rainwater harvesting and reuse for appropriate applications within the Hospital.

ISSUE	COMMENT	RESPONSE
Noise Impacts	The Environmental Noise Impact Assessment by SLR indicates that there may be possible impact on residential receivers for some site activities and particularly some activities if conducted outside of acceptable construction times. In this regard, suitable conditions of consent are recommended to address this issue.	Noted.
<i>Recommended Noise Condition</i>	<i>Construction works shall be undertaken between the hours of 7.00am to 6.00pm Monday to Friday and 8.00am to 1.00pm on Saturday. No construction work shall be undertaken on Sundays and Public Holidays without consultation and approval of Council.</i>	NSW Health Infrastructure does not support the proposed condition recommending construction hours between 8.00am and 1.00pm on Saturday. Given the distance of the subject site from nearby sensitive land uses it is considered to be appropriate to allow construction hours on Saturdays to continue until 4pm. NSW Health Infrastructure are committed to preparation of a Construction Noise Vibration Management Plan prior to the commencement of construction which will demonstrate the minimal impact resulting from an additional 3 hours of construction on Saturdays.
<i>Recommended Noise Condition</i>	<i>Prior to commencement of construction, a site specific Construction Noise and Vibration Management Plan (CNVMP) shall be prepared and approved by Council.</i>	NSW Health Infrastructure is committed to preparation of a Construction Noise Vibration Management Plan prior to the commencement of construction. The appointed contractor will produce the CNVMP to be submitted to BVSC for approval.
<i>Recommended Noise Condition</i>	<i>In regard to the helicopter flight path, it is recognised that there would be some impact however this is confined to a small percentage of time and the Environmental Noise Impact Assessment report details the activity that minimises impact including shutdown of aircraft once landed etc. While the flight path does seem to consider minimising impact on existing residential locations, Council staff are of the opinion that impact could be further reduced if the flight path</i>	NSW Health Infrastructure does not agree to the proposed condition to amend the flight path of helicopters currently from the north to the north east to further reduce the impact on any nearby noise sensitive development.

ISSUE	COMMENT	RESPONSE
	<i>indicated currently to the north could be relocated to access the site from the north east, across mainly agricultural zoned lands. Prior to finalisation of the flight path, consideration of this alternative by the proponent should be requested.</i>	The proposed flight paths require a 150 degree separation between the paths for safety reasons and as such there is no opportunity to amend the flight paths. NSW Health Infrastructure notes that the flight paths currently traverse rural zoned land, much of which is below the 1 in 100 year flood level. Helicopter movements are expected to average between 5 and 10 per month, based on current movements from Bega and Pambula hospitals.
Bega – Tathra Road Speed Environment	It is noted that, in consultation with Roads and Maritime Services, the speed zone along Bega-Tathra Road is proposed to be altered to a 60km/h zone to encompass the new roundabout only. Council strongly believe that the 60km/h speed zone should be extended further south past the intersection of Bega-Tathra Road and Boundary Road. There is an existing dairy farm which utilises the eastern leg of Boundary Road and as a result there are movements by slow moving farm machinery often at this intersection. Concerns were raised by Council in discussions with the proponent's consultants SKM and the RMS during the preparation of the Transport Assessment. Maintaining a 100km/h speed zone in this location, with the proposed increased traffic generation of the regional hospital, would likely increase the risk of collision at this intersection. In assessing this proposal, it is considered critical that the speed environment at this dangerous intersection be reconsidered and a pro-active approach be taken to minimise the risk of serious injury or fatality.	NSW Health Infrastructure supports the initiative of BVSC to reduce the speed limit to 60 km/hour along Bega – Tathra Road. However, this does not appear to be relevant to this application at this Stage.
Howard Avenue Intersection Treatment	Currently the intersection of Bega-Tathra Road and Howard Avenue is restricted by a 'no right turn'. With the increase in traffic in this area, Council staff believe more vehicles will arrive at this intersection along Howard Avenue and wish to make the prohibited right turn onto Bega-Tathra Road.	Noted.

ISSUE	COMMENT	RESPONSE
	Consideration should be given to either permanently closing the connection to Bega-Tathra Road from Howard Avenue, or physically banning both right and left hand movements onto Howard Avenue from Bega-Tathra Road. It would appear from the data provided in the SKM Transport Assessment that left turns from the Bega-Tathra Road onto Howard Avenue are minimal and the preferred route is through the "Glen Mia" Estate via Harry Scanes Avenue.	
Sustainable Transport	The transport plan makes good reference to dedicated paths and various infrastructure within the site (e.g. appropriate bus stop) and the current consultation process with key stakeholders regarding the importance of public transport (bus) services. Within the DGR's there is a requirement for "an assessment of pedestrian and cycling linkages to and within the site". As such, it is considered that the potential 700m shared pathway link back to Bega is fundamental to the project. It is noted that there is a proposed installation for 10 bicycle racks at SEHR. However, this is considered a minimum number that should be provided for <i>public use</i> and there must be consideration and appropriate design which can allow for further expansion of this infrastructure in the future. This initial allocation is neither adequate nor appropriate for staff use. To this end given the projected FTE staff at SEHR is 5641 (in 2016) rising to 6272 (in 2021) there must be an additional allowance for adequate and appropriate staff bicycle parking.	Noted.
Recommended Sustainable Transport Conditions	<i>A separate and specific staff bicycle parking facility must be included in the design and:</i> <i>a) be located in a secure (i.e. caged / lockable) and weatherproofed (i.e. covered) area separate to the public bicycle parking and close to the change / shower / toilet facilities and building access point for staff.</i> <i>b) promote the safety of the users and their bicycles at the bicycle racks (i.e. in a well-lit area with excellent passive surveillance).</i>	Noted. Detail of the provision of bicycle racks and bicycle storage will be subject to the Stage 2 Main Construction Works application.

ISSUE	COMMENT	RESPONSE
	c) be designed with respect to the NSW Planning Guidelines for Walking and Cycling and as referred to in the DGR's for the project. http://www.planning.nsw.gov.au/planning-guidelines-for-walking-and-cycling d) be of sufficient size and number to meet those specified in the NSW Planning Guidelines for Walking and Cycling. On initial calculations these indicate 28-56 bicycle spaces would be required for in 2016 and up to 31-62 racks in 2021 (based on projected staff numbers).	
Recommended Sustainable Transport Conditions	The public bicycle parking area should: a) provide convenience to the appropriate SEHR main entrance and proposed shared bike/walking path. b) promote the safety of the users and their bicycles at the bicycle racks (i.e. in a well-lit area with excellent passive surveillance). c) be designed with regards to NSW Planning Guidelines for Walking and Cycling and as referred to in the DGR's for the project. d) have the ability to be expanded in the future if demand warrants. e) include an open covered roof area to protect bicycles and users from inclement and extreme (e.g. hot) weather.	Noted. Detail of the provision of bicycle racks and bicycle storage will be subject to the Stage 2 Main Construction Works application.
Recommended Sustainable Transport Conditions	The proposed shared pathway throughout the site is supported, as is the 700m connection back to Bega. It should be noted that in order to safely and effectively link to the proposed 700m connection to Rose St, Bega, that there be a safe crossing point at a distance back from the proposed Hospital Drive roundabout. The safety of pedestrians and cyclists is paramount and as such it is not appropriate to have pedestrians or cyclists negotiating crossing Hospital Drive at the point of the roundabout in order to access the shared path into Bega (proposed on east side of Bega/Tathra Rd).	Noted. Detail of the provision of bicycle racks and bicycle storage will be subject to the Stage 2 Main Construction Works application.
Recommended Sustainable Transport Conditions	The property boundary frontage along the Bega-Tathra Road should also be considered for walking and cycling and made safe to do so. This may be in the form of a shared user path as it would support further work to link Tathra to Bega with a walking and cycling access track.	NSW Health Infrastructure has commenced discussions with BVSC on the design of the footpath and is committed to providing approximately 700 metres of footpath in accordance with these discussions to link the subject site with Rose Street.

ISSUE	COMMENT	RESPONSE
		NSW Health Infrastructure is committed to working directly with BVSC to resolve the design details and timing associated with the construction of the proposed footpath.
Accessibility Considerations	Consideration needs to be given to ensure a high level of accessibility to and throughout the site. For the purpose of this Stage 1 development application the following matters need to be addressed in the final civil works design; Designated parking for 'Parents with prams' and 'Seniors' parking needs to be provided at accessible locations An accessible path of travel needs to be provided throughout the carparking areas Appropriate way finding signage and tactile ground surface indicators to be provided throughout the site Parking spaces for oversized vehicles is recommended to cater for the access needs of the travelling public.	Noted. A parking strategy is currently being prepared to cater to the needs of the hospital users and will form part of the Stage 2 application. NSW Health Infrastructure notes that some designated parking areas such as 'Parents with Prams' are not a priority for a hospital facility.
Flooding Impacts	Council staff concur with the recommendations of the ARUP Flood Report and the conclusions of the WMA Water report in relation to flooding impacts on the subject site. During the course of the investigations, the relevant consultants referred to Councils flood inundation map from the 1971 flood. The 1:100yr flood height at this site is RL14.00m AHD. The highest recorded flood data in this area is from the 1971 flood (of which the flood inundation map was derived). Although some localised flooding may occur on the Bega-Tathra Road during a flood event of less than a 1:100yr, detours are set in place to provide alternate access to the CBD area, to and from both the Princes Highway and surroundings arterial roads. There would be no adverse impact on the proposed hospital site due to flooding other than minor inconvenience through detours.	Noted.

ISSUE	COMMENT	RESPONSE
Groundwater Impacts	Council staff have reviewed the Groundwater Report and conclude that the site is elevated from the Bega River alluvial plain and unconsolidated sediments of the development area are much less permeable than the Bega River alluvium on the lower plains. The Bega Town water supply is located a significant distance from the site and will not be affected by the proposal. The strata beneath the hospital site has limited interaction with the adjacent Bega River alluvial aquifer. Water quality in the alluvial aquifer is likely to be controlled by the quality of the river water, noting that runoff from surrounding land onto the floodplain also controls aquifer water quality. The greatest risk of contamination therefore probably arises during construction. In this regard, suitable stormwater management will need to be designed to minimise potential impacts on aquifer water quality in the vicinity of the site. Any risks which arise during construction need to be fully mitigated through the adoption of appropriate site soil and water management arrangements.	Noted. A Soil and Water Management Plan will be prepared prior to commencement of construction.
Section 94 Contributions	Contribution Plan No. 1 – Existing Rural Roads applies to all land zoned 1(a) Rural General on which traffic generating development is proposed. The contribution is calculated based on the number of Annual Average Daily Traffic Movements (AADT) and the distance to a Class 5 road. The subject site has direct frontage to a Class 5 road, being Bega-Tathra Road. As the developer will be required to upgrade Bega-Tathra Road to suitably accommodate the proposed hospital, Council considers that the construction works would suitably address the purpose of the Contribution Plan.	Noted.
Water and Sewerage Provisioning and Contributions	The subject land and development application proposal is outside the Bega Valley Development Servicing Plan (DSP) boundary for Water Supply and the Development Servicing Plan (DSP) boundary for Sewerage. Currently, no Water and/or Sewerage infrastructure exists to accommodate this development.	Noted.

ISSUE	COMMENT	RESPONSE
	In accordance with Section 306 of the Water Management Act 2000, as a precondition to granting a Certificate of Compliance for development, a Water Supply Authority may, by notice in writing served on the applicant, require the applicant to do either or both of the following: (a) to pay a specified amount to the Water Supply Authority by way of contribution towards the cost of such water management works as are specified in the notice, being existing works or projected works, or both, (b) to construct water management works to serve the development. Council is prepared to make available town water supply and reticulated sewerage subject to the conditions provided in the schedule attached to this correspondence. Critical to this project is the development of a detailed long-term masterplan for the complete development of this site. A concept sewerage strategy is required to accommodate the ultimate proposed development of the site without reducing levels of service to existing customers within Councils DSP for Sewerage boundary.	
Recommended Consent Conditions	<i>1. Construction works shall be undertaken between the hours of 7.00 am to 6.00 pm Monday to Friday and 8.00 am to 1.00pm on Saturdays. No construction work shall be undertaken on Sundays and Public Holidays without consultation and approval of Council.</i>	NSW Health Infrastructure do not support the limitation of Saturday working hours from 8am-1pm. After taking into account time for setting up and packing up equipment, it leaves little time to advance construction during this shortened Saturday timeframe. A modest 3 hour extension will provide much greater efficiency and will in turn enable the development to be constructed sooner, reducing the overall disturbance of the development on the surrounding area.

ISSUE	COMMENT	RESPONSE
		Further, the site is recognised as being a considerable distance from any nearby sensitive land uses that may potentially be disturbed by an additional 3 hours of construction on Saturdays. The proponent will provide a Construction Noise & Vibration Management Plan prior to construction that seeks to extend Saturday working hours to 4pm.
	<i>2. Prior to commencement of construction a site specific Construction Noise and Vibration Management Plan (CNVMP) shall be prepared and approved by Council.</i>	Noted.
	<i>3. All filling shall be in accordance with Council's Development Design Specification D6 Site Regrading (D6.07). All works shall be designed and certified by a suitably qualified Engineer. A copy of the design plans and engineers certification shall be submitted to Council for its records.</i>	Noted.
	<i>4. Approval of detailed construction plans and specifications for road, water, sewerage and drainage works by Council's Director of Engineering Services of Bega Valley Shire Council or his delegate.</i> <i>These works shall be designed and specified in conformity to the standards set out in Council's Technical Specifications (or other documents formally adopted by Council for the purpose of specifying standards for construction works, DCP No.2) as current at the date of approval, and sound engineering practice.</i> <i>These detailed construction plans must include all erosion and sediment control works necessary to ensure that the quality of stormwater discharged from these works, both during and after the construction period, will not result in erosion, sedimentation or pollution of any land or water. These plans shall be in accordance with Council's Development Design Specification D7, Erosion Control and Stormwater Management.</i>	Noted.

ISSUE	COMMENT	RESPONSE
	5. No work shall be carried out within three metres of or adjacent to the carriageway of a public road subject to motor vehicle traffic until Council has approved a satisfactory Traffic Control Plan relating to that work, and the Roads and Maritime Services has approved any associated Road Works Speed Limit. The Traffic Control Plan shall be prepared by a person who is authorised by the Roads and Maritime Services to prepare these plans. The Traffic Control Plan must bear the name, signature and Traffic Control at Worksites Certificate Number of the person who prepared it. All measures described in the Traffic Control Plan shall be implemented and maintained for the duration of any work within or adjacent to the road carriageway.	Noted.
	6. Lodgement of security with Council in an amount of \$100,000.00 (Allocation No.19755.9755.9800) as security for remedying any defects in any public work required in connection with this consent (such as road work, kerbing and guttering, footway construction, stormwater drainage, water supply and sewerage works and environmental controls) that arise within six months after the works are completed, and for making good any damage caused to Council property as a consequence of the doing of anything to which the consent relates. The security lodged with Council shall be either in money or unconditional bank guarantee in a form acceptable to Council. The funds realised from this security may be paid out by Council to meet any costs referred to in this condition. A Bond Administration Fee may be payable to Council.	Noted.
	7. Qualifications and insurance of engineering designers (Public Works) All public works (such as road work, kerbing and guttering, footway construction, stormwater drainage, water supply and sewerage works and environmental controls) shall be designed by persons holding suitable qualifications for the design of works of this type and current professional indemnity insurance.	Noted.

ISSUE	COMMENT	RESPONSE
	8. Contractor's insurance (Public Works) <i>Each contractor engaged in the construction of public works (such as road work, kerbing and guttering, footway construction, stormwater drainage, water supply and sewerage works and environmental controls) must hold current public liability insurance for an amount of not less than \$20,000,000.00 suitably endorsed to note the contractor and Council for their respective rights and interests.</i> <i>Prior to the commencement of the construction of these public works Council must be provided with evidence of the currency of this insurance.</i>	Noted.
	Roads & Drainage Civil Works <i>9. Design and construction of a suitably appropriate single lane four leg roundabout at the intersection of Bega-Tathra Road, Harry Scanes Avenue and the proposed access road to the development site in conformity with the standards specified in the Austroads Guide to Road Design, Part 4B:Roundabouts. The intersection treatment shall include all ancillary works associated with pavement marking, drainage, kerb and gutters, lighting and signage. The design shall ensure that no water is directed onto the formation of the roadways. The applicant will be required to provide suitable drainage, including structures if necessary, underneath the roadway.</i>	Noted.
	<i>10. Design (full engineering design plans) and construction of the following roadwork in the proposed new public road from its intersection with the Bega-Tathra Road to the intersection of the internal access spine road for the development site: 150mm upright kerb and gutter along both sides with a width of 11.0 metres between nominal kerb lines, pavement design in accordance with a minimum design ESA of 5x105 bitumen sealed road pavement extending for the full width between the kerbs and gutters, all associated stormwater and subsoil drainage works, grassing of footways, erection of street name sign, and all other works necessary to achieve the above.</i>	Noted.

ISSUE	COMMENT	RESPONSE
	11. Design (full engineering design plans) and construction of the following roadwork on the internal access spine road to the development site on Lot 1 DP 1176012: 150mm upright kerb and gutter along both sides with a width of 8.0 metres between nominal kerb lines, pavement design in accordance with a design ESA of 5x105. bitumen sealed road pavement extending for the full width between the kerbs and gutters, suitable vehicle turning facility at the end of this road, all associated stormwater and subsoil drainage works, grassing of footways, all other works necessary to achieve the above.	Noted.
	12. Design and construction of concrete footpath(s) connecting the existing network at Rose Street/Bega-Tathra Road intersection to the development site. It is recommended that the route design be discussed with Council prior to any formal design being submitted: concrete pavement not less than 1.2 metres wide minimum concrete thickness 100mm minimum concrete strength grade 20MPa.	Noted.
	13. Construction of stormwater drainage works as necessary to convey stormwater flows within the development and downstream. Any design shall be in accordance with Council's Development Design Specification, Stormwater Drainage Design D5. Note: Appropriate easements shall be created to contain all drainage works that are located outside of roads and drainage reserves. (Reason: to provide for the drainage of the development, to protect public and private assets from potential damage and to minimize the environmental impacts of this development.)	Noted.
	14. Construction of stormwater drainage works as necessary to convey stormwater flows downstream of the development. Any design shall be in accordance with Council's Development Design Specification D5, Stormwater Drainage Design. Note: Appropriate easements shall be created to contain all drainage works that are located outside of roads and drainage reserves. (Reason: to provide for the drainage of the development, to protect public and private assets from potential damage and to minimize the environmental impacts of this development.)	Noted.

ISSUE	COMMENT	RESPONSE
	15. Compliance Certificate(s) in relation to the inspection and testing of all public works associated with this consent (such as road work, kerbing and guttering, footway construction, stormwater drainage, water supply and sewerage works and environmental controls) must be obtained either from Council or from an Accredited Certifier to demonstrate that these works have been completed. <i>After placement of all signs in accordance with the approved Traffic Control Plan.</i> ▪ <i>After stripping of topsoil from roads and fill areas, all Soil & Water Management Plan controls shall be in place at this stage.</i> ▪ <i>After completion of road subgrade.</i> ▪ <i>After placement and compaction of each layer of gravel pavement material.</i> ▪ <i>Prior to the application of bitumen seal or asphaltic concrete wearing surface.</i> ▪ <i>After laying and jointing of all stormwater pipelines prior to backfilling.</i> ▪ <i>After completion of works.</i> ▪ <i>As otherwise required to confirm that the works are satisfactorily executed and in conformity with environmental controls.</i>	Noted.
	16. Works as executed plans Upon completion of all subdivision work, Council shall be provided with one complete copy of the plans to which the Construction Certificate relates, clearly marked up to show all variations of the completed works from the approved design in regard to alignment, levels and other details of the works. <i>The works as executed plans must be examined and accepted by Council's engineering staff prior to the endorsement of the Subdivision Certificate by the Principal Certifying Authority (Council).</i>	Noted.

ISSUE	COMMENT	RESPONSE
	<i>17. Establishment of inter-allotment drainage easement(s) not less than 1.0 metre wide across Lot 2 in DP 1176012 to contain stormwater drainage works to connect the development to a Council controlled drainage system. The easement(s) shall be established to benefit Lot 1 in DP 1176012. A copy of the plan registered by the NSW Land Titles Office creating this easement shall be provided to the Council to demonstrate compliance with this requirement.</i>	Noted.
	<i>18. Establishment of easements to drain sewage not less than 3.0 metres wide in favour of Bega Valley Shire Council to contain sewerage reticulation works that form part of the Council-controlled sewerage system (where not located within a road reserve). A copy of the plan registered by the NSW Land Titles Office creating this easement shall be provided to the Council to demonstrate compliance with this requirement.</i>	Noted.
	<i>19. Establishment of easements for services as necessary to provide for the connection of water supply, sewerage, electricity and telecommunications services to lot 1 in DP 1176012 (where not located within a road reserve). A copy of the plan registered by the NSW Land Titles Office creating this easement shall be provided to the Council to demonstrate compliance with this requirement.</i>	Noted.
	<i>20. Dedication as Public Road of splay corners 5 metres by 5 metres at the road junction of the Council Public Road with the internal access spine road to the development site. A copy of the plan registered by the NSW Land Titles Office dedicating this land as road shall be provided to the Council to demonstrate compliance with this requirement.</i>	Noted.
	<i>21. Dedication as Public Road of such land for road widening as is necessary to contain the constructed road in use (Road 20 wide and var.) over the frontages of lot 1 in DP 1176012. A copy of the plan registered by the NSW Land Titles Office dedicating this land as road shall be provided to the Council to demonstrate compliance with this requirement.</i>	Noted.

ISSUE	COMMENT	RESPONSE
	<i>22. Construction of stormwater drainage works as necessary to convey runoff from roof and paved areas of the development to public roads or Council controlled drainage systems. Any design shall be in accordance with Council's Development Design Specification, Stormwater Drainage Design D5.</i>	Noted.
	<i>23. Construction of stormwater drainage works as necessary to limit the peak stormwater discharge from the development to not exceed calculated flow rates for this site in an undeveloped state for rainfall events of up to a 1 in 2 year average recurrence interval. Any design shall be in accordance with Council's Development Design Specification D5, Stormwater Drainage Design, clause D5.15 – Retarding Basins.</i>	Noted.
	<i>24. Extended maintenance responsibility The developer shall perform all works necessary to maintain all civil engineering works for this development until all other development work has been completed, stabilised, revegetated and buildings (including regional hospital) have been completed for this development site. Particular attention is required to the regular removal of accumulated material in sediment traps and water quality control ponds. Prior to the endorsement of the Completion of Engineering Works Certificate, the developer shall lodge with the Council a security deposit or unconditional bank guarantee in a form acceptable to Council, in an amount of \$250,000.00 as security for satisfactory performance of the developer's responsibilities under this condition. The funds realised from this security may be paid out by Council to meet any costs incurred by Council in performing works referred to in this condition. A Bond Administration Fee may be payable to Council.</i>	NSW Health Infrastructure does not agree to provide a \$250,000 security to council for maintenance responsibilities. NSW Health Infrastructure is committed to comply with the applicable maintenance responsibilities.
	<i>25. A Certificate of Compliance issued under Section 307 of Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000 must be obtained to verify that all the necessary requirements for matters relating to water supply and sewerage for the development have been made with Bega Valley Shire Council.</i>	Noted.

ISSUE	COMMENT	RESPONSE
	<i>In the event that development is to be completed in approved stages or application is subsequently made for staging of the development, separate Compliance Certificates shall be obtained for each stage of the development.</i>	
	<i>26. Construct all sewerage works as defined in the Council adopted concept sewerage strategy</i>	Noted.
	<i>27. Pursuant to Section 64 of the Local Government Act and Water Management Act 2000, make payment to Council for contributions in accordance with Council's adopted Development Servicing Plan for Sewerage. This contribution will be determined at time of Certificate of Compliance application in accordance with Council's adopted Fees and Charges at that time. Note: Council's current contribution towards sewerage is \$9,448.00 (2012/13) per equivalent tenement (ET).</i>	NSW Health Infrastructure and BVSC will enter in negotiations in relation to Section 64 Contributions and would consider any direct cost impact on existing Council infrastructure. NSW Health Infrastructure considers that standard rates should not apply to the hospital given the net community benefit of the proposed hospital.
	<i>28. Develop a concept water supply strategy to accommodate the ultimate proposed development of the site without reducing levels of service to existing customers within Council's Water Supply DSP boundary. The concept sewerage strategy shall be submitted to and approved by Council. Note: this may be a staged strategy to accommodate the proposed long term site development.</i>	Noted.
	<i>29. Construct all water supply works as defined in the Council adopted concept water supply strategy.</i>	Noted.
	<i>30. Pursuant to Section 64 of the Local Government Act and Water Management Act 2000, make payment to Council for contributions in accordance with Council's adopted Development Servicing Plan for Water Supply. This contribution will be determined at time of Certificate of Compliance application in accordance with Council's adopted Fees and Charges at that time. Note: Council's current contribution towards water supply is \$12,430.00 (2012/13) per equivalent tenement (ET).</i>	NSW Health Infrastructure and BVSC will enter in negotiations in relation to Section 64 Contributions. NSW Health Infrastructure considers that standard rates should not apply to the hospital given the net community benefit of the proposed hospital.

2.4 ENVIRONMENTAL PROTECTION AUTHORITY NSW

Table 3 provides the Proponent's responses to the issues raised by the Environmental Protection Authority NSW in their submission.

TABLE 3 – ENVIRONMENTAL PROTECTION AUTHORITY (EPA) NSW SUBMISSION

ISSUE	COMMENT	RESPONSE
Construction Noise Management	The proponent must prepare and implement a detailed Construction Noise Management Plan ('CNMP'), prior to commencement of construction activities.	The proponent is committed to the preparation of a CNMP prior to the commencement of construction activities in accordance with the requirements of the EPA.
Non-Emergency Alarms	The use of non-emergency and audible movement warnings must be minimised by site design or by the use of alternative warning systems wherever feasible and reasonable.	The proponent is committed to this requirement.
Soil and Water Management Plan	The EPA has reviewed the 'Soil and Water Management Plan prepared by C & M Consulting Engineers and notes: <i>The SWMP does not include information, maps or diagrams regarding the number, type, dimensions or locations of proposed erosion and sediment control structures throughout Stage 1 and Stage 2 of the proposal, or any future stages. Furthermore, no information have been provided in support of the implementation of such structures in preference to other control measure.</i>	Detail of the number, type, dimensions and location of sediment and erosion control structures are provided within the Civil Engineering Drawings included as part of the submission. The proponent is committed to this requirement. The permanent plant species will be addressed as part of the Stage 2 planning submission. Noted. A Soil & Water Management Plan will be prepared prior to construction.
Waste Management Strategy	The EPA has reviewed the 'Waste Management Strategy' prepared by ARUP Pty Ltd and it is noted that further stages of construction and operational obligations are not covered in the strategy. <i>The EPA recommends that the following conditions are included in any planning approval for the proposal:</i> <i>Prior to under taking activities, a comprehensive Waste Management Plan to be submitted for review, prior to the Applicant undertaking any work at the premises;</i>	The proponent is committed to this requirement and prior to undertaking activities, a comprehensive Waste Management Plan to be submitted for review.

ISSUE	COMMENT	RESPONSE
	<i>Prior to undertaking activities, the Applicant submit to the EPA a Licence Application for the Scheduled Activity of 'Waste - Application to Land' OR demonstrate to the EPA that the fill material meet either the VENM Exemption of the ENM Exemption;</i> <i>That the Applicant demonstrate that the 1,649 cubic metres proposed to be cut and filled at the site will meet either the VENM or ENM exemption.</i>	
Contamination Assessment	The EPA requires clarification on the location of the ACM's in relation to the soils sampling regime undertaken by Coffey Environments Pty Ltd, including the depth of samples taken in the vicinity of the identified fibro fragments and whether the fibro fragments were tested for the presence of asbestos.	A statement prepared by Coffey Environments Australia Pty Ltd and submitted with this document at Appendix B which states <i>No potential ACM was observed on-site, nor were any asbestos fibres detected in the soil samples tested. As far as Coffey is aware, based on the site history study presented in the preliminary contamination report, it is considered unlikely that there were former structures located on the site that could have resulted in the potential deposition of ACM.</i>

2.5 NSW OFFICE OF WATER

Table 4 provides the Proponent's responses to the issues raised by the NSW Office of Water in their submission.

TABLE 4 – NSW OFFICE OF WATER SUBMISSION

ISSUE	COMMENT	RESPONSE
Wetland Degradation	The Office of Water requests additional to address the potential impacts of discharge of water from the site to adjacent watercourses and wetlands, and the requirements of the NSW Wetlands Management Policy. Despite the fact that the EIS notes the wetlands on Lot 2 are degraded, it is recommended the project ensure it is not going to further degrade the wetlands. The Office of Water encourages land use and management practices that maintain or rehabilitates wetland habitats and processes. It is recommended the project maintain or restore the natural water regime and water entering the wetlands is of a sufficient quality so as not to degrade the wetlands.	Analysis of the water quality of the water emissions entering the wetlands is found to be of a suitable quality. The Stormwater Management Plan prepared by C&M Engineers and previously submitted details how stormwater will be treated to ensure that water quality will not result in degradation to the wetlands (specifically Sections 2 and 4).
Stormwater Management Strategy	The EIS proposes on-site stormwater detention systems as mitigation measure to detain flows so they can be slowly released to ensure peak storm flows do not exceed that of the existing site for storm events up to an including a 1 in 2 year storm event. The Stormwater Management Strategy and Plan shows water from the detention basins is to be discharged into the watercourses which are connected to the wetlands. The proposed 1 in 2 storm event for detention does not appear to meet the criteria to protect the wetlands for quality and quantity purposes; hence further consideration of this issue is requested.	NSW Health Infrastructure have consulted extensively with BVSC in relation to the proposed detention capacity outlined within the Stormwater Management Strategy prepared by C&M to accompany the application. The proposed capacity is considered to be appropriate to handle a 1 in 2 year storm event.

2.6 TRANSPORT ROADS AND MARITIME SERVICES

Table 5 provides the Proponent's responses to the issues raised by the Roads and Maritime Services submission.

TABLE 5 – ROADS AND MARITIME SERVICES (RMS) SUBMISSION

ISSUE	COMMENT	RESPONSE
Sight Distance	RMS has strong concerns regarding deficient sight distance at the intersections of Tathra Road with Boundary Road and Kerrisons Lane. Safe Intersection Sight Distance (SISD) in accordance with Table 3.2 of <i>Austroads Guide to Road Design Part 4a: Unsignalised and Signalised Intersections</i> does not appear to be available at these intersections in both directions for a 10km/hr speed zone. This is a current road safety issue which will be exacerbated by increased traffic volumes as a result of the Bega bypass. Council should explore appropriate treatments to address this issue.	Noted.
Splitter Islands/Line Marking	RMS notes that the splitter islands and subsequent line marking at the intersection of Tathra Road and Hospital Drive do not comply with current design standards. The splitter islands and offsets to line marking must comply with Section 5 of <i>Austroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections</i> and RMS' supplement to the guide. This issue will need to be addressed at the detailed design stage.	Noted.
Speed Zones	RMS notes the speed zoning of the internal road network is unknown. The applicant should ensure that Approach Sight Distance is provided at all internal conflict points in accordance with <i>Austroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections</i> and RMS' supplement to the guide.	Noted.
Sight Distance	Batter construction should not obstruct sight distances from conflict points in the internal road network. In particular, sight distance to the roundabout at the intersection of Hospital Drive and Tathra Road should not be impacted by the batter on the southern side of the approach.	Noted.

ISSUE	COMMENT	RESPONSE
Alternative Modes of Transport	In the interests of encouraging greater use of alternate modes of transport, RMS highly recommends that the Department require the applicant to provide a shared pedestrian/cycle path along Tathra Road, linking from the proposed shared path on Hospital Drive and continuing along Tathra Road from Harry Scanes Avenue to Rose Street to the north.	Noted. As outlined above, NSW Health Infrastructure are committed to the provision of a footpath of approximately 700 metres to link the subject site with Rose Street in line with the scope of works outlined in discussion with BVSC.
Proposed Conditions of Development Consent	<i>Prior to the commencement of works, the developer shall obtain Section 138 consent under the Roads Act, 1993 from Council for all works on Tathra Road.</i>	Noted.
	<i>RMS will not permit direct vehicular access to Tathra Road from the subject property therefore all access must be via the proposed Hospital Road. All existing vehicular access points to Tathra Road shall be physically closed by fencing and revegetating the access.</i>	Noted.
	<i>Prior to any occupation, the developer shall upgrade the junction of Hospital Road and Tathra Road to be a roundabout in accordance with RMS' supplement to Austroads Guide to Road Design Part 48: Roundabouts titled Roundabouts - Geometric Design Method.</i>	Noted.
	<i>Where required, lighting shall be upgraded/provided in accordance with Australian Standard AS/NZS1158.</i>	Noted.
	<i>All roadworks, traffic control facilities and other works associated with this development, including any modifications required to meet RMS standards, will be at no cost to RMS. All works shall be completed prior to occupation.</i>	Noted.
	<i>Prior to occupation, the developer shall obtain formal notification from Council that the works on Tathra Road were designed and constructed to Council's satisfaction.</i>	Noted.

2.7 HERITAGE COUNCIL OF NSW

Table 6 provides the Proponent's responses to the issues raised by the Heritage Council submission.

TABLE 6 – HERITAGE COUNCIL OF NSW SUBMISSION

ISSUE	COMMENT	RESPONSE
Archaeological Management	It is recommended that the Department of Planning and Infrastructure seek clarification as to whether the proposed development site has any potential for historic archaeology and if so what archaeological management strategies are proposed.	Noted.
Proposed Conditions of Development Consent	<i>The Applicant must ensure that if historic archaeological deposits/relics are discovered, the Heritage Council must be notified in writing in accordance with section 146 of the Heritage Act.</i> <i>Work must cease in the affected area(s) and a suitably qualified and experienced archaeologist must be contacted to assess the archaeological material. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.</i>	The recommendations of the Heritage Council of NSW have been reviewed by RPS who prepared the Cultural Heritage Impact submitted with the application. In the event that historic archaeological deposits/relics are discovered, the Heritage Council will be notified in writing in accordance and work will cease in the affected area(s) and a suitably qualified and experienced archaeologist will be contacted to assess the archaeological material. Where additional assessment and approval are required, this will occur prior to works continuing in the affected area(s) based on the nature of the discovery.

2.8 NSW RURAL FIRE SERVICE

Table 7 provides the Proponent's responses to the issues raised by the NSW Rural Fire Service submission.

TABLE 7 – NSW RURAL FIRE SERVICE SUBMISSION

ISSUE	COMMENT	RESPONSE
Bushfire Protection	The Service has reviewed the submitted application and raises no objections to the proposal in its representation by the application documentation	Noted.

2.9 AIR SERVICES AUSTRALIA

Table 8 provides the Proponent's responses to the issues raised by the Air Services Australia submission.

TABLE 8 – AIR SERVICES AUSTRALIA SUBMISSION

ISSUE	COMMENT	RESPONSE
Building Height	With respect to procedures promulgated by Air Services in accordance with ICAO PANS-OPS and Document 9905, at a height of 38.8m (128ft) AHD, the Bega Hospital complex will not affect any sector or circling altitude, nor any instrument approach or departure procedure at Merimbula aerodrome. This Hospital Complex at the following locations - 36.688850950, 149.857922958 and to a maximum height of 40 m AHD will not adversely impact the performance of Air Services Precision/Non-Precision Nav Aids, HF/VHF Comms, A-SMGCS, Radar, PRM, ADS-B, WAM or Satellite/Links.	Noted

2.10 DEPARTMENT OF PRIMARY INDUSTRIES

Table 9 provides the Proponent's responses to the issues raised by the Department of Primary Industries submission.

TABLE 9 – DEPARTMENT OF PRIMARY INDUSTRIES SUBMISSION

ISSUE	COMMENT	RESPONSE
Approval for use of Crown road from DPI.	It is noted that there is a Crown road adjacent to the southern boundary of the site. The proponents need to be aware that any proposed use of this road, either for construction purposed, or within any future stages of the development, will require approval from the Catchment and Land (Crown Lands) division of the DPI,	Noted.

2.11 PUBLIC SUBMISSIONS

Tables 10, 11, 12 and 13 provide the Proponent's responses to the issues raised in the 4 anonymous public submissions.

TABLE 10 – PUBLIC SUBMISSION ONE

ISSUE	COMMENT	RESPONSE
Flood Prone Land	Submission states that: <i>The site for the New Regional Hospital is Flood Prone.</i>	The two flood studies prepared in support of the proposed BVHS Hospital Development (prepared by ARUP and WMA Water) found that the proposed hospital has been appropriately sited outside the probable maximum flood level and as such the proposed development is not at risk from flooding.
Purchase of Land	Submission states that: <i>The process leading to the purchase of the site was to benefit a Bega land owner/developer, no matter where the Greenfield site was in Bega.</i>	This matter is not a planning consideration to be assessed as part of SSD 5307-2012.
Subdivision	Submission states that: <i>The DA consent given for subdivision by the Bega Valley Shire Council uses conflicting reports to obtain its conclusion.</i> <i>These conflicting reports were obtained by the NSW Department of Health now owner of 'site' and placed on the NSW Department of Planning, for exhibition.</i>	This matter is not a planning consideration to be assessed as part of SSD 5307-2012.
Forecast Demographics	Submission states that: <i>That projected population and site criteria figures used re: Coffey report of November 2007.</i>	The Coffey report 2007 does not form part of this planning submission. Consequently this matter is not a planning consideration to be assessed as part of SSD 5307-2012.

TABLE 11 – PUBLIC SUBMISSION TWO

ISSUE	COMMENT	RESPONSE
Access	Will the area situated at the entrance to our property be used at any time as an access point to the development? There is, at present, a gate to the site that has been utilised in recent times.	NSW Health Infrastructure will not utilise the existing gate as a point of access during construction or during the operation of the hospital unless required for emergencies.

ISSUE	COMMENT	RESPONSE
		The existing gate may be used for grazing.
Buffer Zone	Will there be a sufficient buffer zone between our property and the Hospital boundary with re-vegetation so as to provide an acceptable degree of privacy and attractive screening.	NSW Health Infrastructure will develop a detailed landscaping strategy as part of the Stage 2 – Main Construction Works. NSW Health Infrastructure will endeavour to respond to the needs of all users and adjoining properties to ensure privacy is maximised.
Security	Will a fence be constructed of sufficient height and durability as to prevent access to our property from the Hospital site?	The site fencing will be stock fencing similar to the existing fencing. Security fencing is not proposed to be installed as part of the BVHS Hospital Development.
Speed Zone	As the speed limit on Tathra road around our property is presently 100km, will this area be re-zoned to accommodate for the increased volume of vehicle and pedestrian traffic and would a reduced speed limit commence east of boundary road allowing for the crest of a hill at this intersection	NSW Health Infrastructure supports the initiative of BVSC to reduce the speed limit to 60 km/hour along Bega – Tathra Road.

TABLE 12 – PUBLIC SUBMISSION THREE

ISSUE	COMMENT	RESPONSE
Location of Community Health Care (CHC)	Submission states that: <i>In my view the requirements for the communities of Bega, Tathra and Bermagui to have access to the (single) CHC would be better if the CHC were located close to services already provided by Bega's Doctors. Their (20) Surgeries are all located in Canning, Carp, Church and Hill Streets.</i> <i>If my proposal to change the proposed location of the new CHC is accepted I can support the other features covered in SSD 5307-2012</i>	The location of Primary health care has been assessed as part of the project service model. Locating Primary Health Care/CHC at the new hospital was found to provide the optimum outcome for service delivery.

TABLE 13 – PUBLIC SUBMISSION FOUR

ISSUE	COMMENT	RESPONSE
Location of Helipad	Request moving the helipad location as the current location is different to the proposed sites shown prior to land sale and will affect Ray Miller's ability to build a house on the rural zoned land surrounding the hospital	The building and helipad location have undergone an extensive planning and review process to ensure that the best outcome is achieved for all stakeholders. The helipad must be located within 75m of the emergency department to comply with NSW Health guidelines. Moving the helipad so that it still complies with the flight path requirements would require the helipad to be moved to further than 75m. NSW Health Infrastructure notes that the flight paths currently traverse rural zoned land, much of which is below the 1 in 100 year flood level. Helicopter movements are expected to average between 5 and 10 per month, based on current movements from Bega and Pambula hospitals.

3 Final Mitigation Measures

This Section of the Report provides the original Mitigation Measures that were provided within Section 13 of the EIS and any updated Mitigation Measures as a result of the public exhibition and submissions. Proposed deletion to the original Mitigation Measures are shown as **bold strike through**. Any amendments or new additions are shown as **bold italics**.

TABLE 14 – MITIGATION MEASURES

KEY ISSUE	MITIGATION MEASURE
Prior to Construction	
Flora and Fauna	▪ Tree Protection: – Before any site works commence tree exclusion fencing must be installed around all trees to be retained. ▪ Habitat enhancement and removal of tree with hollows: – All hollow-bearing trees must be removed after the exclusion fencing has been installed and before any other earth works commence. – Two weeks prior to tree removal we recommend that four nest/roosting boxes be installed for each tree or stag containing hollows to be removed. Two of the boxes must be suitable for birds or arboreal mammals and two for microbats. – <i>A microbat survey has been commissioned and will take place during the week ending 14th December.</i> – <i>The results of the survey and a management plan (if required) will be provided to Bega Valley Shire Council at the conclusion of the survey.</i> – <i>If microbats are found on site, a management plan will be put in place to isolate the affected trees from construction until the microbats are no longer affected.</i> – An ecologist must be present during the tree removal process to protect any fauna inhabiting the hollows. ▪ Indigenous species for landscape plantings: – The following is a list of suitable species. – Trees and Small Trees: <i>Angophora floribunda</i>, <i>Eucalyptus tereticornis</i>, <i>Allocasuarina littoralis</i>. – Herbs and Grasses: <i>Dichondra repens</i>, <i>Lomandra longifolia</i>, <i>Poa labillardierei</i>, <i>Themeda australis</i>.

KEY ISSUE	MITIGATION MEASURE
	- Any works within 40 m of the watercourse north of the proposed access road require a Controlled Activities Approval from the NSW Office of Water. - Erosion and sediment control structures are to be installed prior to any earthworks commencing and cleared after any storm event.
Heritage	The following recommendations have been formulated to inform the practice of cultural heritage management on site: <i>Recommendation 1</i> <i>The proponent will need to develop a Cultural Heritage Management Plan before on site excavation or construction activity begins that takes into account the following:</i> <i>Salvage and/or management of AHIMS site# 62-6-0724;</i> <i>Test pitting of Spur 1 & 2 landforms where impact is to occur under OEH Code of Practice methodology guidelines (September 2010);</i> <i>Opportunity for monitoring by BLALC during trenching and other related construction works to the spur landform;</i> <i>Mechanism for ongoing Aboriginal cultural input into the proposed hospital development; and</i> <i>Should the proposed hospital plan change, it should identify if impact to spur landforms will increase and if so appropriate mitigation measures be put in place to ameliorate these.</i> <i>Recommendation 2</i> <i>All relevant staff, i.e. contractors and subcontractors, should be made aware of their statutory obligations for heritage under NSW National Parks and Wildlife Act (1974) and the NSW Heritage Act (1977).</i> <i>Recommendation 3</i> <i>If, during the course of development works, suspected European cultural heritage material is uncovered, work should cease in that area immediately. The OEH Enviroline 131 555 should be contacted and works only recommence when an appropriate and approved management strategy instigated.</i> <i>The Applicant must ensure that if historic archaeological deposits/relics are discovered, the Heritage Council must be notified in writing in accordance with section 146 of the Heritage Act. Work must cease in the affected area(s) and a suitably qualified and experienced</i>

KEY ISSUE	MITIGATION MEASURE
	<i>archaeologist must be contacted to assess the archaeological material. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.</i> <i>In relation to Aboriginal cultural heritage, the CHA report recommends the proponent will need to develop a Cultural Heritage Management Plan in conjunction with the Aboriginal Stakeholders identified for the project before on site excavation or construction activity begins that takes into account the spur landforms present that will be partially impacted.</i>
Bushfire	▪ A need to provide adequate internal access for emergency service vehicles including Fire and Rescue NSW and NSW Rural Fire Service Appliances. ▪ The proposed Hospital site is to be located more than 100 metres from the Category 2 Bushfire Prone Vegetation which is mapped as being located adjacent to the watercourse located within the central north-eastern portion of the development site – within proposed Lot 2. This separation width removes the need to apply bushfire construction standards to the proposed Hospital buildings/assets are required by A.S. 3959 – 2009. ▪ Fire Hydrant spacing, sizing and pressures of mains shall comply with A.S. 2419.1 – 2005. ▪ The proposed Hospital site is unlikely to come under bushfire attack and therefore not requirement exists for the preparation of a specific Evacuation Plan that addresses a bushfire emergency. However, there shall be prepared an Evacuation Plan which establishes the relevant protocols for the management of other specific emergencies including a fire in a building; severe storm and storm damage; hazardous material incident within the Hospital or on surrounding land, etc.
Flooding	▪ Critical electrical infrastructure such as backup generators, should be stored at a minimum above the 500 year ARI flood level (preferably the PMF). Backup generators should also be designed to operate for up to several weeks (that is, sufficient fuel, etc). ▪ A Hospital Emergency Management (Response and Evacuation) Plan needs to be in place and ensure that it accounts for several possible scenarios during a flood, including restricted or cut-off access due to flood waters, inundation of low lying parts of the site and extended periods of isolation. It will also need to consider the transfer of equipment and patients to other hospitals. ▪ The minimum floor level of any new hospital building must be raised to the PMF, including wards, operating theatres and the Emergency Department, and non-essential services/area, such as car parks and recreation areas, should be located in the lower lying areas of the property below the PMF.

KEY ISSUE	MITIGATION MEASURE
	▪ The PMF should be adopted as the flood planning level of the site. If this is not possible, the development should be located at as high an elevation as possible with a minimum requirement to be above the 1000 year ARI maximum flood level. In such circumstances the hospital should be protected d up to the PMF level. Initial review of the site contours suggests that such protection would be achievable. ▪ A further allowance on top of the 1000 year ARI or PMF event flood levels for climate change is not considered necessary at this stage, due to the extreme and uncertain nature of these events. However, this approach should be discussed with relevant representatives from OEH and re-visited following a detailed flood risk analysis. ▪ An access route should be available to the hospital which will remain free of flooding, including during a PMF event. ▪ There are no current flood risk management requirements relating to off-site impacts for land above the 100 year ARI maximum flood level.
During Construction	
Noise and Vibration	▪ <i>Use of localised acoustic hoarding and/or earth bunds around significantly noise generating items of plant (eg rock breaker), where practicable. This would be expected to provide between 5 dB and 10 dB of additional noise attenuation, if adequately constructed to ensure line of sight between all receivers and the construction equipment is broken.</i> ▪ <i>Briefing of the work team in order to create awareness of the locality of sensitive receivers and the importance of minimising noise emissions.</i> ▪ <i>Ensuring any spoil is placed and not dropped into awaiting trucks.</i> ▪ <i>Establishing load points as far as practicable from sensitive receivers.</i> ▪ <i>Use of less noise-intensive equipment, where reasonable and feasible.</i> ▪ <i>Non-tonal reversing alarms fitted on construction vehicles.</i> In order to minimise the potential noise and vibration impacts upon nearby sensitive receivers, most construction works are proposed to be undertaken during the OEH's standard daytime construction periods (7.00 am to 6.00 pm Monday to Friday and 8.00 am to 1.00 pm on Saturdays). Prior to construction, when more specific information is available in relation to the proposed construction works, a site specific Construction Noise and Vibration Management Plan (CNVMP) would be prepared. ▪ It is envisaged that the mechanical plant noise sources will be controllable by common engineering methods that may consist of judicious location, barriers, silencers and/or acoustically lined ductwork noting that the cumulative noise emissions from all hospital noise sources should be considered when determining appropriate mitigation options.

KEY ISSUE	MITIGATION MEASURE
	The noise predictions for the specified car parking use (including ambulance arrivals) show no exceedance of the operational noise goals at the nearby representative residential receiver locations.
Transport and Accessibility	Traffic, access, servicing and layout arrangement are to be in accordance with the Transport Assessment prepared by SKM. A construction Traffic Management Plan is to be prepared prior to construction.
Drainage	<i>A pipe network system to collect minor storm runoff from surface areas which will minimise nuisance flooding.</i> <i>On-site stormwater detention system(s) to detain storm flows so that they can be slowly released over time to ensure that peak storm flows do not exceed that of the existing site for storm events up to and including a 1 in 2 year storm event. This will assist with maintaining environmental flows and reduce the likelihood of scouring and instability within downstream waterways.</i> <i>Bio-retention basins (constructed within the on-site stormwater detention basins) to provide significant water quality treatment to runoff from impervious areas while at the same time providing additional stormwater detention.</i> <i>Stormwater Quality Improvement Devices (SQIDs) including hydrodynamic separation via Vortex Device(s) or equal to provide water quality treatment to runoff from road and car park areas by removing sediment, oils and hydrocarbons.</i> <i>Vegetated swales or bio swales to convey storm flows from car park areas while providing water quality treatment via filtration.</i> <i>Overland flow paths (such as roads and swales) to carry major storms through the site without causing damage to property from flooding.</i>
Sediment, Erosion and Dust Controls	<i>Bio-retention basins (constructed within the on-site stormwater detention basins) to provide significant water quality treatment to runoff from impervious areas while at the same time providing additional stormwater detention.</i> <i>Stormwater Quality Improvement Devices (SQIDs) including hydrodynamic separation via Vortex Device(s) or equal to provide water quality treatment to runoff from road and car park areas by removing sediment, oils and hydrocarbons.</i> <i>Vegetated swales or bio swales to convey storm flows from car park areas while providing water quality treatment via filtration.</i>
Servicing and Waste	Before commencement of works on site, a Construction Waste Management Plan will be prepared to outline the exact procedures during construction.

4 Addendum Information

This application relates to the Concept Approval and Stage 1 – Construction Enabling Works for the development of a new hospital for the Bega Valley LGA.

The Staged application seeks approval for the development of the hospital in two stages. The Stage 2 – Main Construction Works are subject to a separate application.

As part of the Staged Development, approval is sought for the Concept design of the hospital including building height, massing and building envelopes for the Hospital building. Key features of the hospital concept to be approved with this staged application include:

- The building pad of the hospital building, which has been located having close regard to the topography of the site to limit the dominance of the building on Tathra Road.
- Identifying the location of hospital related land uses across the site, including the location of the helipad.
- The building envelope, including:
 - A building of generally 3 storeys with a pad level of RL 20.50.
 - Approximately 24.000sqm of GFA.

Further to the above, we seek concept approval for Geothermal Energy Storage System.

Due to the lack of natural gas supply to the site, NSW Health Infrastructure have had to look at alternative fuel sources to deliver the thermal energy necessary to provide a base energy source for the mechanical system.

After analysis of a number of fuel sources, Geothermal has been shown to provide the most benefits in terms of life cycle costs and carbon reduction.

The proposed installation of the Geothermal System is necessary to satisfy the servicing requirements of the hospital based on a cost benefit analysis of alternative energy sources and in the absence of gas supply being available to the site and broader Bega Valley.

Approval of the Geothermal Energy Storage System is sought as part of the Stage 2 – Main Construction works; however concept approval for the alternative fuel source is sought as part of the Concept Approval for the Hospital and the Stage 1 – Construction Enabling Works application.

An addendum concept site plan outlining the proposed location of the Geothermal Energy Storage System prepared by BVN is submitted with this report at **Appendix C**.

5 Conclusion

This report and appendices for the Response to Submission has addressed the issues raised within each submission during the public exhibition process. This document should be read in conjunction with the Environmental Impact Statement which demonstrates that the proposed development will be appropriately mitigated and designed to have minimal adverse environmental impacts.

In light of the benefits of the proposed development and the absence of any adverse environmental impacts, we have no hesitation in recommending approval for the Concept and Stage 1 Construction Enabling Works for the proposed Bega Valley Health Services Hospital Development at Tathra Road, Bega.

Appendix A

RPS Heritage Statement



Newcastle Office

Ground Floor, 241 Denison Street, Broadmeadow, NSW Australia 2292
PO Box 428, Hamilton, NSW Australia 2303

Our Ref: 112599
Date: 4 December 2012

Attn: Michael Brooks
Health Infrastructure
77 Pacific Highway, North Sydney,
NSW 2060

Dear Michael

We refer to the letter from the OEH dated 21-11-12 regarding State Significant Development Application (SSD 5307-2012) for a new hospital at 1614 Tathra Rd, Bega. We trust this information is sufficient for your purposes, however should you require any further details or clarification, please do not hesitate to contact the writer by telephone.

The CHA report submitted with the application details the history of Bega and notes that the closest listed Heritage item is 1.9 kilometres distant. It also states that there was no historic item(s) located in the project area when visually inspected. On this basis the potential for historic heritage is low to nil and subsequently there is no need for an archaeological management strategy to be prepared beyond this generic recommendation as prepared by the Heritage Council which will replace Recommendation 3 in the CHA report.

Recommendation 3 (Revised)

The Applicant must ensure that if historic archaeological deposits/relics are discovered, the Heritage Council must be notified in writing in accordance with section 146 of the Heritage Act. Work must cease in the affected area(s) and a suitably qualified and experienced archaeologist must be contacted to assess the archaeological material. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

In relation to Aboriginal cultural heritage, the CHA report recommends the proponent will need to develop a Cultural Heritage Management Plan in conjunction with the Aboriginal Stakeholders identified for the project before on site excavation or construction activity begins that takes into account the spur landforms present that will be partially impacted.

Yours sincerely

RPS

Darrell Rigby
Regional Cultural Heritage Manager, BArts, GDip URP.

Appendix B

Coffey Environments Australia Response to NSW EPA

6 December 2012

Health Infrastructure c/o Johnstaff Projects Pty Ltd
Level 8, 16 O'Connell Street,
SYDNEY NSW 2000

Attention: Michael Brooks

Dear Michael

RE: RESPONSE TO NSW EPA LETTER (REFERENCE DOC12/45126) - TATHRA ROAD, BEGA, NSW

1 INTRODUCTION

We refer to the letter from the NSW EPA dated 27th November 2012 (reference DOC12/45126) regarding State Significant Development Application (SSD 5307-2012) for a new hospital at 1614 Tathra Rd, Bega.

In relation to comments made on Page 4 of the letter, Coffey Environments (Coffey) considers that the preliminary contamination assessment report (report ref ENAUBRAD01194AA, dated 30 August 2012) is not contradictory in relation to Section 5.1 and 5.2 of the report.

As Section 5.1 indicates, no potential ACM was observed on-site. Section 5.2 relates to surrounding site features (i.e. off-site) and potential offsite sources of contamination. The location of the potential ACM is approximately 150m to the east of the site. This potential ACM may be associated with structures that were located in this area.

No potential ACM was observed on-site, nor were any asbestos fibres detected in the soil samples tested. As far as Coffey is aware, based on the site history study presented in the preliminary contamination report, it is considered unlikely that there were former structures located on the site that could have resulted in the potential deposition of ACM.

To re-iterate the point above, the potential ACM observed is located to the east of the site, i.e. not situated in an area that is likely to be trafficked across during construction of the hospital. As the fibro fragments were situated so far off-site, Coffey considers that it would not impact on the suitability of the site, from a contamination perspective, for the proposed land use. Therefore further clarity on the location and depth of the offsite potential ACM is considered unwarranted, at this stage.

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ENAUBRAD01199AA-L02

We trust that the information provided is suitable for your present needs. Please do not hesitate to contact James Boyle (02 4201 1400) or the undersigned if you have any questions.

For and on behalf of Coffey Environments Australia Pty Ltd

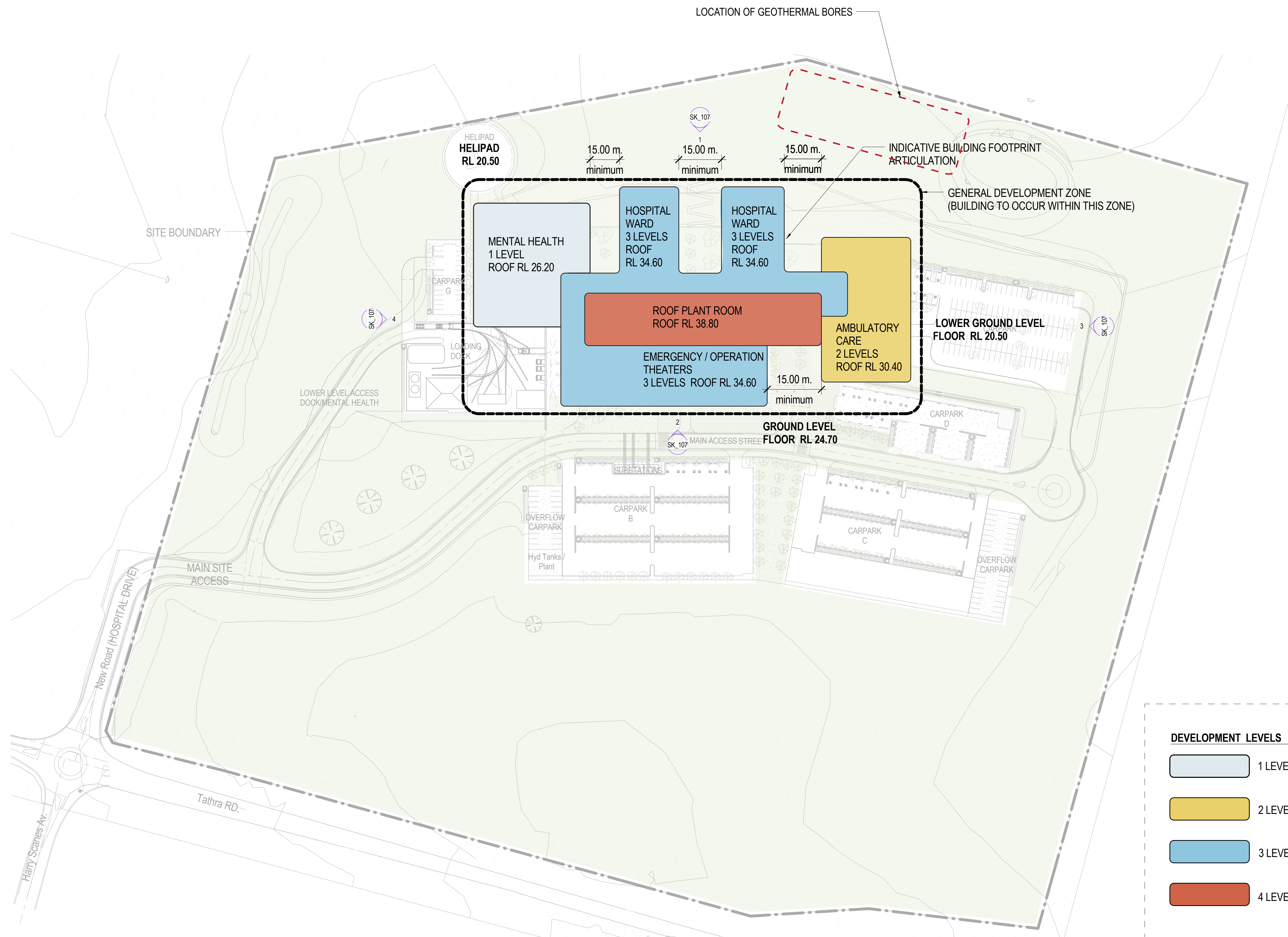
A handwritten signature in blue ink, appearing to be 'G. Bagwell', with a small dot at the end of the stroke.

GARY BAGWELL

Principal

Appendix C

Addendum Site Plan



DEVELOPMENT LEVELS

- 1 LEVEL
- 2 LEVELS
- 3 LEVELS
- 4 LEVELS

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