



Planning &  
Infrastructure

**STATE SIGNIFICANT DEVELOPMENT  
ASSESSMENT REPORT:**

**Bega Valley Health Services  
Redevelopment: Stage 2 Main  
Construction Works, 1614 Tathra Road,  
Bega (SSD 5729\_2012)**



Director-General's  
Environmental Assessment Report  
Section 89H of the  
*Environmental Planning and Assessment Act 1979*

September 2013

## ABBREVIATIONS

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Applicant	Health Infrastructure
CIV	Capital Investment Value
Department	Department of Planning and Infrastructure
DGRs	Director-General's Requirements
Director-General	Director-General of the Department of Planning and Infrastructure, or his delegate.
EA	Environmental Assessment
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPI	Environmental Planning Instrument
LEP	Local Environmental Plan
Minister	Minister for Planning and Infrastructure
PAC	Planning Assessment Commission
Regulation	Environmental Planning and Assessment Regulation 2000
RtS	Response to Submissions
SEPP 2011	State Environmental Planning Policy (State and Regional Development) 2011
SEPP	State Environmental Planning Policy
SEE	Statement of Environmental Effects
SSD	State Significant Development

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Cover Photograph: Rendered 3D Aerial View prepared by BVN

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Published September 2013  
NSW Department of Planning and Infrastructure  
[www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)

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## EXECUTIVE SUMMARY

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Health Infrastructure NSW seeks approval for Stage 2 of the Bega Valley Health Services redevelopment, including the main hospital building, a geothermal energy storage system, a helipad and associated works at 1614 Tathra Road, Bega.

The Executive Director, Development Assessment Systems & Approvals, as delegate of the Minister for Planning and Infrastructure, granted development consent for a concept proposal for the staged development of the new integrated health services facility for the Bega Valley Health Services and for Stage 1 construction enabling works (SSD 5307) on 26 March 2012. This consent anticipated two (2) stages of construction.

The Bega Valley Hospital Services Redevelopment will respond to growing community needs for a higher scope of clinical care and a broader range of acute and sub-acute health services to better meet the current and future needs of the community. The development is proposed to replace outdated services in Bega Hospital, Pambula Hospital and a number of community health services, and will align with the Commonwealth and State Health and Hospital Reform agenda. It is expected to create 627 (full-time equivalent) operational jobs.

In accordance with section 89F of the EP&A Act and clause 83 of the Regulation, the application was exhibited and notified to surrounding landowners and relevant public authorities for consideration. The department received seven (7) submissions from public agencies and one (1) submission from Bega Valley Shire Council during the statutory exhibition period for the application. Two (2) submissions were also received from members of the public objecting to the proposal.

The key issues raised in agencies submissions relate to potential impacts on groundwater, heritage and stormwater. Sewer and water provision were also raised in Council's submission. The key issues raised in public submissions relate to site selection, car parking, flooding impacts and protection of wetlands.

The proposed development is consistent with key objectives of the relevant State, regional and local planning strategies, and represents an increased investment in health infrastructure that would provide for improved services and increased employment opportunities. In this regard, the department considers the infrastructure, health and employment benefits generated by the proposed development to be in the public's interest.

The department is satisfied that the proposed development satisfactorily responds to the issues raised in submissions and recommends that the SSD application for the proposed Bega Valley Health Services Development be approved. The department's recommended conditions of consent will ensure that the construction and future operation of the Hospital (Stage 2 works) will maintain the environmental and residential amenity of the surrounding environment.

In accordance with the Ministerial delegations issued on 27 February 2013, the application can be determined by the Executive Director, Development Assessment Systems and Approvals.

## 1. PROPOSED PROJECT & SITE DESCRIPTION

### 1.1 The Proposal

The Executive Director, Development Assessment Systems & Approvals, as delegate of the Minister for Planning and Infrastructure, granted development consent for a concept proposal for the staged development of a new integrated health services facility for Bega Valley Health Services and for Stage 1 construction enabling works (SSD 5307) on 26 March 2012.

The current State Significant development application (SSD 5729) was lodged by Health Infrastructure NSW on 4 March 2013 and seeks approval for the Stage 2 main construction works, including the construction of the main hospital building, a geothermal energy storage system, a helipad and associated works.

The project site is legally described as Lot 1 in DP1176012 and is located approximately 2km south-east of the Bega Town Centre.

The proposal for the Bega Valley Hospital Services Development is a contemporary health care facility that will replace outdated services in Bega Hospital, Pambula Hospital and a number of community health services, and will align with the Commonwealth and State Health and Hospital Reform agenda.

### 1.2 Site Description

The subject land is predominantly agricultural in nature and is currently used as grazing land (diary cattle). Tathra Road and Boundary Road form the western and southern boundaries of the site, respectively. The nearest dwelling house is located at 1556 Tathra Road, directly to the south-west of the site. Bega River is located approximately 400 metres to the east of the site.

The project site is shown in **Figure 1** below including the site's location in relation to the Bega Town Centre. The site is located in the Bega Valley Local Government Area.

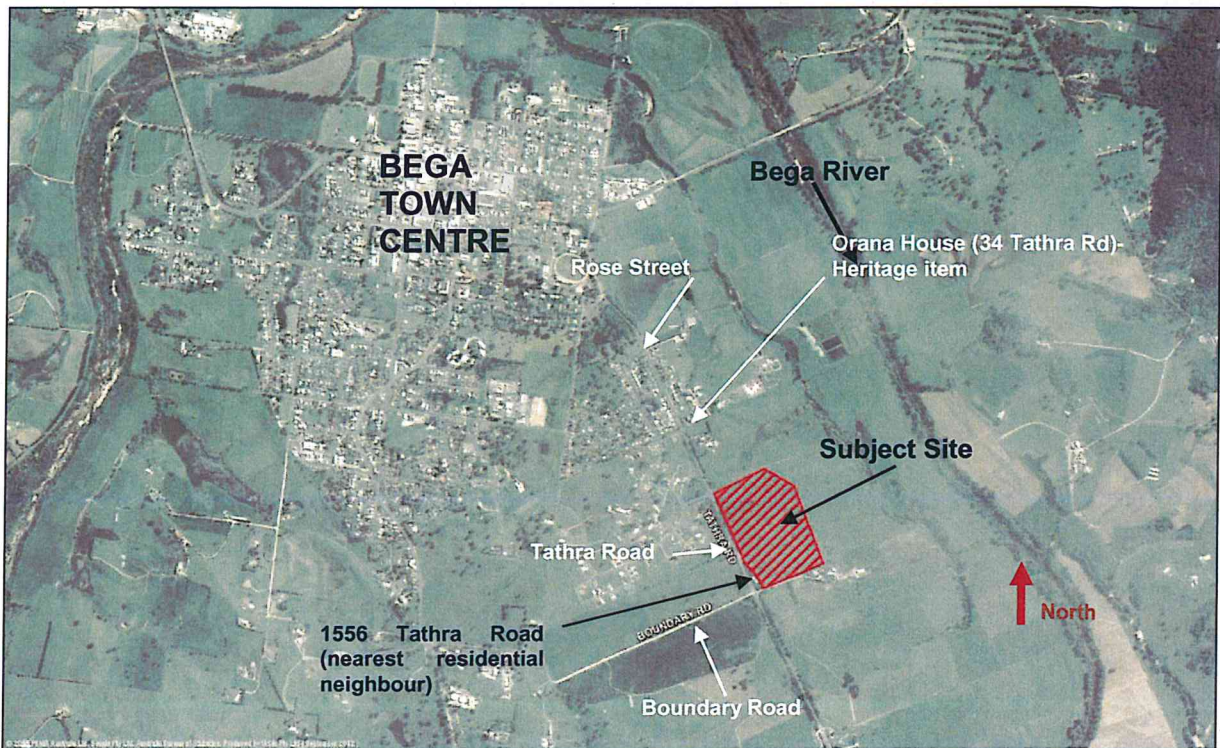


Figure 1: Project Location

The site is located at an elevation of between 10m and 36m above the Australian Height Datum (AHD). The highest section of the site, near the central western site boundary (adjacent to Tathra Road), is approximately 36m AHD. The site generally slopes to the east, with localised sloping to the south and the north-east towards Bega River.

There is a shallow ground water aquifer in the general area at depths of 5.6 to 8.2 metres below ground level, which flows in an easterly direction towards Bega River.

There is very little remnant vegetation on the site and it is largely confined to scattered paddock trees (typically, Forest Red Gum *Eucalyptus tereticornis* and Rough-barked Apple *Angophora floribunda*). A number of these trees are hollow bearing (approximately 36) providing potential nesting and roosting habitat. The site is generally covered in grass with scattered areas of granodiorite outcrops and boulders.

Current access to the site is via a farm track off Tathra Road, which is located adjacent to the site's northern boundary.

### 1.3 Site History

Prior to 1896, the use of the land is unknown. However, since this time the site has been used predominantly for agricultural purpose, including cattle grazing. The history of these site uses has meant that the landscape is largely unmodified with the exception of a number of silage pits, concrete troughs and water tanks scattered around the site.

The site was acquired by Health Infrastructure NSW in 2010, and was earmarked for the hospital redevelopment. Prior to this time, the site was owned by Applegum Investments Pty Ltd and used as grazing land.

### 1.4 Surrounding land uses

The site is surrounded by predominantly rural land uses (grazing) to the north, east and south. Such lands include detached dwellings and outbuildings which are likely to be used in association with the agricultural uses, including dairy farming.

As detailed above, an irregular shaped lot (1556 Tathra Road) adjoins part of the south-western boundary of the site and has direct frontage to Tathra Road. The property contains a dwelling house and a number of outbuildings. It is located on a high section of land and has an outlook over the hospital site and further beyond to the east through a dense and mature copse of trees which are located on the western boundary of the hospital site.

Land on the western side of Tathra Road has been subdivided for residential purposes and is currently being developed.

The proximity of the surrounding land uses to the site can be seen in the aerial photograph at **Figure 1** above.

### 1.5 Key Project Components and Features

#### Scope of Approved Works (SSD5307 2012)

**Table 1** below provides a summary of those works approved under SSD 5307, including the concept proposal and the scope of the construction enabling works. **Figure 2** below illustrates the approved site layout and concept.

**Table 1:** Key Components of SSD 5307: Concept Proposal and Stage 1 construction enabling works

<b>Approved Concept Proposal and Stage 1 construction enabling works (SSD 5702)</b>	
<b>The Concept Proposal</b>	<p>A new hospital facility including:</p> <ul style="list-style-type: none"> <li>• a building envelope for a three (3) storey hospital building of approximately 26,000sqm containing 136 beds;</li> <li>• a building envelope with a maximum height of 3 storeys (RL 34.60) with a roof plant zone above (RL 38.80). The building footprint (excluding car parking) is contained within an area of approximately 90m x 180m. The detailed design will be the subject of a future Stage 2 development application;</li> <li>• the new facility is proposed to support acute and sub acute, primary health care, community and ambulatory care services, and clinical support services;</li> <li>• building services and associated works including a Geothermal Energy Storage System;</li> <li>• new access road and associated car parking;</li> <li>• a helipad; and</li> <li>• earthworks, civil infrastructure and landscaping.</li> </ul>
<b>Landscaping</b>	<p>Site-wide landscape works, including new soft landscaping, paving and furniture are illustrated in the landscape concept.</p>
<b>Stage 1 Construction Enabling Works (SSD 5702)</b>	
<b>Stage 1 construction</b>	<ul style="list-style-type: none"> <li>• bulk earthworks;</li> <li>• piling and foundations;</li> </ul>

<b>enabling works</b>	<ul style="list-style-type: none"> <li>services location and reticulation;</li> <li>a helipad (site works only);</li> <li>new access road and associated car parking; and</li> <li>other civil infrastructure and associated works.</li> </ul>
<b>New Access off Tathra Road</b>	<ul style="list-style-type: none"> <li>Construction of a roundabout at the intersection of Harry Scanes Avenue and Tathra Road to facilitate access to the site. Works include road widening and minor localise alignment adjustments;</li> <li>Construction of a new access road (referred to as Hospital Drive) running along the northern boundary of the site from Tathra Road. Hospital Drive is proposed to be constructed on public land and will operate as a 'public' road; and</li> <li>The existing entry/access track off Tathra Road will be closed and landscaped.</li> </ul>
<b>Landscaping</b>	Installation of nesting boxes to compensate for the loss of 16 hollow bearing trees and associated landscaping.
<b>Car Parking</b>	Construction of 485 car parking spaces on the site and temporary parking for construction purposes.
<b>Value [CIV] / Jobs</b>	<ul style="list-style-type: none"> <li>\$151,684,000 capital investment value comprising: <ul style="list-style-type: none"> <li>Stage 1 Construction Enabling Works: \$8,962,000</li> <li>Stage 2 Main Works: \$142,722,000</li> </ul> </li> <li><b>Creation of 627 (full-time equivalent) operational jobs.</b></li> </ul>

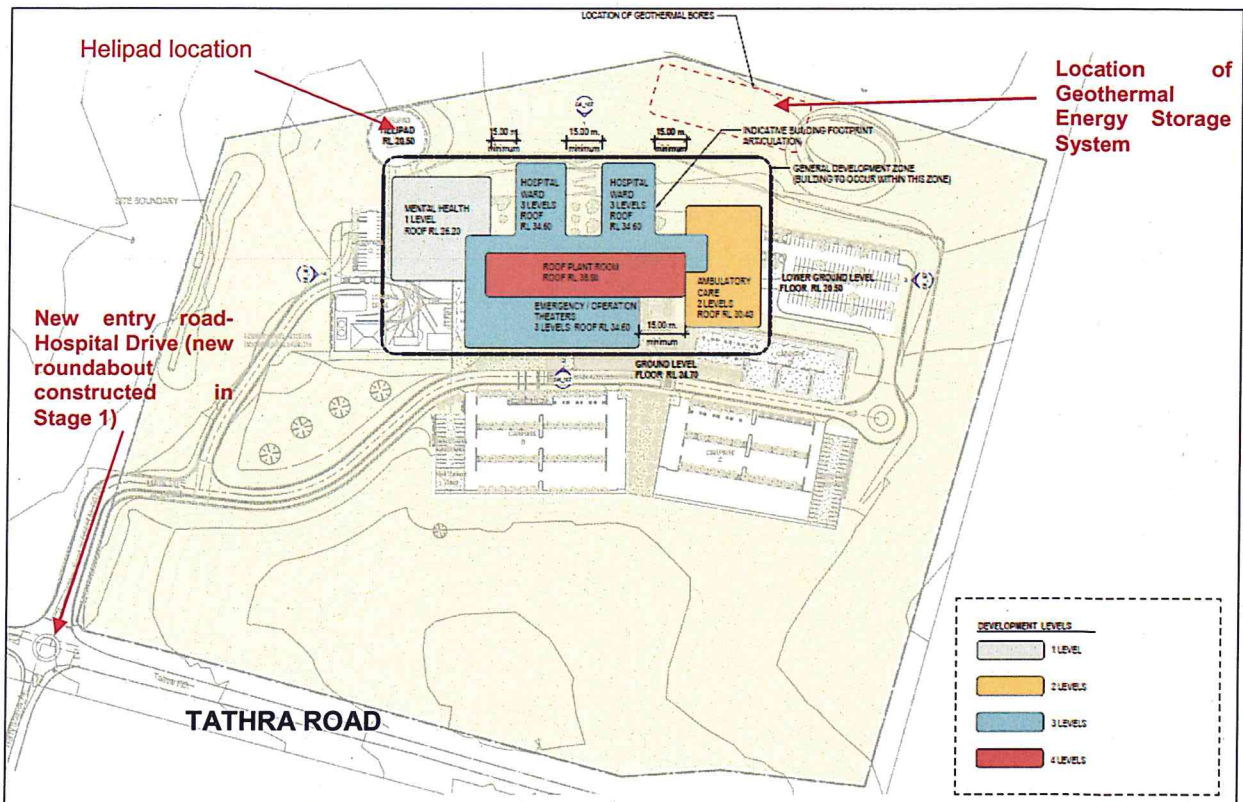


Figure 2: The approved Site layout and Concept (SSD 5307- Source: BVN)

**Scope of proposed Stage 2 works (SSD 5729)**

The scope of the Stage 2 construction works (subject of this assessment report) are detailed in Table 2 below.

Table 2: Key Components of SSD 5729: Stage 2 main hospital construction works

<b>Stage 2: Main Hospital Construction Works (SSD 5729)</b>	
<b>Stage 2 Works</b>	<ul style="list-style-type: none"> <li>a new three (3) storey hospital building of approximately 26,000sqm of floor space and associated building services;</li> <li>a geothermal ground heat pump system;</li> <li>a helipad; and</li> <li>landscaping and associated works.</li> </ul>
<b>Value [CIV] / Jobs</b>	<ul style="list-style-type: none"> <li>The capital investment value of the Stage 2 Main Construction Works is \$142,722,000</li> <li>Creation of 627 (full-time equivalent) operational jobs.</li> </ul>

The building has been designed to attain a maximum height of RL38.80m AHD and accords with the maximum height for the building envelope defined in the concept approval (SSD 5307). Photomontages of the proposed health services development are provided at **Figures 3** and **4** below.



Figure 3: 3D aerial perspective of the proposed Bega Valley Health Service Development (Source: BVN)



Figure 4: 3D Impression of the entry approach from the main access street to the Hospital (Source: BVN)

The Design Statement submitted with the application and prepared by the project's architects, BVN, notes that the design approach includes the creation of an appropriate identity and a sense of spaces for the hospital.

The Design Statement also indicates that the planning for the new facility employs a number of overlay strategies that provide legibility and clarity to enable the separation of uses within the building. In this regard, broadly, the hospital has been separated into three major levels, as follows:

- **The lower level:** housing the low acuity wards, gyms, and mental health unit. These places require direct access to the outdoor courtyards;
- **The mid level:** including the public entry and provides good proximity to the levels above and below. Given its public nature, no inpatient wards are located on this level; and
- **The upper level:** this level is a 'high acuity' level and accommodates wards such as the surgical and integrated critical care. Co-located on this level, are the peri-operative units, including the theatres and day surgery areas.

Detailed plans prepared by BVN illustrating the development and the Design Statement are provided at **Appendix A**.

The department notes that matters in relation to the construction of sewer and water infrastructure, traffic, parking and access were fully considered in the determination of SSD 5307. Additionally, relevant conditions were imposed on the development consent to address the engineering design and construction of the sewer, water and road infrastructure.

## 2. STATUTORY AND STRATEGIC CONTEXT

### 2.1 SEPP (State and Regional Development) 2011

The proposal is State significant development pursuant to clause 14 of Schedule 1 of State Environmental Planning Policy (State and Regional Development) 2011 because it is development for the purpose of a hospital with a capital investment value (CIV) in excess of \$30 million. Therefore, the Minister for Planning and Infrastructure is the consent authority.

### 2.2 Approval Authority

On 27 February 2013, the Minister for Planning and Infrastructure delegated responsibility for the determination of State significant development under Division 4.1 of Part 4 of the *Environmental Planning and Assessment Act 1979* to the Executive Director, Development Assessment Systems & Approvals. The proposal complies with the terms of the delegation as council has not objected to the proposal, a political disclosure statement has not been made and there were fewer than 25 submissions in the nature of objections.

### 2.3 Permissibility and Zoning under Local Environmental Plan

Bega Valley Local Environmental Plan 2013 (BVLEP 2013) was gazetted on 2 August 2013. Notwithstanding this, Clause 1.8A of BVLEP 2013 includes savings provisions relating to development applications which have been made (i.e. or lodged) prior to the commencement of the Plan. These provisions require that such an application be determined as if the BVLEP 2013 had not commenced. This means that the provisions in Bega Valley Local Environmental 2002 (BVLEP 2002) apply to this development application.

The site is zoned 1(a)- *Rural General* under BVLEP 2002. The proposed development is permissible with consent.

There are a number of development standards and related provisions in BVLEP 2002 which apply to the site, including general principles for the development and use of land and buildings, development along arterial roads, land filling and excavation, ESD, flood liable land and building height. These development standards and related provisions are considered in **Table 1** at **Appendix B**, and where relevant, are discussed in **section 4.0** of this report.

The department is satisfied that the proposal is generally consistent with the relevant provisions of BVLEP 2002. Clause 85 of BVLEP 2002 restricts the building height on the subject land to 3 storeys and 10 metres. SSD 5307 included a concept proposal for the development of the site, which includes a building envelope to accommodate a three (3) storey building and a separate rooftop plant level. The roof top plant level is not technically calculated as a storey and therefore, is not included in the overall calculation of building height.

The approved building envelope (SSD 5307) attains a maximum height of 14.1 metres when measured from the established lower ground floor level of RL 20.50m AHD to the roof of Level 3 at RL 34.60m AHD and therefore, exceeded the height limit specified in BVLEP 2002 by 4.1 metres. The maximum height of the approved building envelope is RL38.80m AHD and this is reinforced by Condition A8 of the Development Consent SSD 5307. The applicant submitted a SEPP No.1 Objection in support of the variation to the height standard in BVLEP 2002, which was subsequently approved as part of the determination of the SSD 5307.

The Stage 2 building design attains a maximum height of RL 38.80m AHD consistent with the approved Stage 1 building envelope. This application (SSD 5729) is also supported by a new SEPP No.1 objection.

Having considered the SEPP No.1 objection, the department is satisfied that the impact of the additional building height (4.1 metres) is appropriately mitigated by the re-profiling of the site which was approved under SSD 5307. Additionally, the existing topography of the land, which generally

slopes away from Tathra Road, will result in the development having minimal visual impact when viewed from Tathra Road and neighbouring properties, as illustrated in the view analysis submitted with the application (refer to **Appendix A**).

The department is satisfied that the design of the hospital is of a high quality and furthermore, that the palette of materials and finishes selected (including variations and colour) are appropriate given the rural context. The department is satisfied that no adverse environmental impacts will result from the additional building height and notes that the building height is consistent with the concept proposal's building height. It is also noted that Council has not raised any concerns regarding the height non-compliance. Accordingly, the departure from the building height standard is supported in this instance. Matters relating to the building form and height of the proposal are given further consideration in **section 4.2.1**.

As stated above, BVLEP 2013 has now been gazetted. Pursuant to the provisions of BVLEP 2013, the site is zoned *SP2- Infrastructure*. The Land Zoning Map nominates the 'new Bega Hospital' as development being permitted on the land with consent. There is no height limit specified for the site on the relevant Height of Buildings Map. The proposal has been assessed as being generally consistent with the provisions of BVLEP 2013. Consideration of the relevant provisions of BVLEP 2013 is provided in Table 2 in **Appendix B**.

## 2.4 Environmental Planning Instruments (EPIs)

The department's consideration of relevant EPIs (including SEPPs) is provided in **Appendix B**. The proposal is generally consistent with the relevant requirements of the EPIs.

## 2.5 Objects of the EP&A Act

Decisions made under the EP&A Act must have regard to the objects of the EP&A Act, as set out in section 5 of the EP&A Act. The department considers that the proposal is consistent with the objects of the EP&A Act for the following reasons:

- it will provide social and economic benefits to the community through the provision of additional health services;
- it represents the orderly and economic use of public land;
- it provides essential public services and infrastructure; and
- it is proposed to be constructed in an ecologically sustainable manner.

## 2.6 Ecologically Sustainable Development

The EP&A Act adopts the definition of Ecologically Sustainable Development (ESD) found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes.

The department has considered the project in relation to the ESD principles. The Precautionary and Inter-generational Equity Principles have been applied in the decision making process via a thorough and rigorous assessment of the environmental impacts of the project.

The proposal is considered to be consistent with ESD principles as described in section 9.2 of the applicant's EIS, which has been prepared in accordance with the requirements of Schedule 2 of the Regulation.

## 2.7 Environmental Planning and Assessment Regulation 2000

Subject to any other references to compliance with the Regulation cited in this report, the requirements for Notification (Part 6, Division 6) and Fees (Part 15, Division 1AA) have been complied with. The submissions received as a result of notification are detailed in **section 3.0**.

## 2.8 Strategic Context

The department considers that the proposal is consistent with and/or supports the following State/regional and local strategies:

- Key policy commitments of NSW 2021, including the following:
  - to increase investment in infrastructure that will provide for improved health services;
  - to increase employment opportunities; and

- to stimulate the growth of critical industries that will support the growth of NSW.
- The proposal will assist in meeting the South Coast Region Strategy job targets and support the growth of Bega Town centre.
- The commitment of Council to support a regional hospital in Bega Valley, as set out in Bega Valley 2030 which establishes key policy directions for BVSC.

## 2.9 Director-General's Requirements

Section 2.0 of the applicant's EIS addresses compliance with the Director-General's Requirements. The department is satisfied that these matters have been adequately addressed in the EIS. In conjunction with the Applicant's Response to Submissions, the EIS has provided a thorough consideration and assessment of the proposal for determination purposes.

## 3. EXHIBITION CONSULTATION AND SUBMISSIONS

### 3.1 Exhibition

In accordance with section 89F of the EP&A Act and clause 83 of the Regulation, the Director-General has made the application and accompanying information publicly available for at least 30 days following the date of the first publication, in accordance with the Regulation and the department's policy, as detailed in **Table 3** below.

**Table 2: Exhibition Details**

Exhibition/Notification	Medium	Dates
Publicly exhibited	DPI Information Centre, Bega Valley Shire Council Administration Centre, Bermagui Branch Library, Eden Branch Library, Merimbula Branch Library and on the department's website.	14 March 2013 to 16 April 2013
Newspaper notice	Merimbula News	Published 13 March 2013
Newspaper notice	Bega District News	Published 8 March 2013
Newspaper notice	Eden Imlay Magnet	Published 7 March 2013
Written notices to	Adjoining landholders Relevant public agencies and BVSC	Dated 13 March 2013 Dated 12 March 2013

The department received ten (10) submissions during the exhibition of the application – seven (7) submissions from public agencies, one (1) submission from BVSC and two (2) submissions from the general public. A summary of the issues raised in submissions is provided below.

### 3.2 Public Authority Consultation and Submissions

Eight (8) submissions were received from public authorities, as detailed below in **Table 4**. No objections to the proposed development were raised, however detailed comments and recommended conditions were provided by Bega Valley Shire Council.

**Table 4: Public Authority Submissions**

Agency	Comments	Department Comment
<b>Bega Valley Shire Council</b>	<p>Council has not raised an objection to the proposal but has identified a number of matters which require further consideration:</p> <ul style="list-style-type: none"> <li>• <b>Rainwater harvesting:</b> the provision of rainwater harvesting has not been included in the application. An Integrated Water Management Plan has not been provided.</li> <li>• <b>Bicycle parking Facilities:</b> the stage 2 DA has not adequately addressed bicycle parking provision for staff and the public including safety for users.</li> <li>• <b>Disabled parking:</b> disabled parking should be provided close to the entrance to the Mental Health Unit.</li> </ul>	<p>Refer to comments made against Condition A12 in Appendix C.</p> <p>Refer to comments made against Condition A13 in Appendix C.</p> <p>A condition is recommended</p>

	<ul style="list-style-type: none"> <li>• <b>Sewer/Water:</b> Council has advised that matters relating to sewer and water (as conditioned on the Stage 1 approval) are currently being addressed by the applicant.</li> </ul>	<p>to address this matter.</p> <p>Refer to section 4.2.7</p>
<b>Department of Primary Industries (DPI)</b>	<p>DPI raised no objection to the proposal. However, DPI has raised the following issues which require further consideration:</p> <ul style="list-style-type: none"> <li>• The proposed loop heat exchange system is deemed to be an aquifer interference activity under the Water Manager Act 2000 and therefore, a licence is required under Part 5 of the Water Act 1912 to authorise the construction and operation of the closed loop heat exchange system.</li> <li>• DPI has confirmed that a Controlled Activity Approval under s.91 of the Water Management Act is not required for works (road construction) within 40m of the watercourse. It is however recommended that vegetation of the riparian corridor be established either side of the watercourse to improve the bed and bank stability, water quality and the downstream environment.</li> <li>• The drainage corridor to the north of the site receives runoff from the upstream Glen Mia subdivision and should be managed to protect the stability and filtering provided by the existing grassed waterway/drainage line.</li> <li>• The project should demonstrate that the discharge structures for the stormwater detention systems are capable of dealing with flow velocities to minimise impacts on hydraulic and geomorphic functions of the downstream system. The discharge velocities should mimic the natural flows.</li> <li>• A comprehensive Flood Report should be undertaken to clearly identify the impact and enable consideration of measures to minimise potential impacts of development on the hydrologic, hydraulic and geomorphic functions.</li> </ul>	<p>The matters raised by DPI have been addressed in sections 4.2.4 and 4.2.5.</p> <p>Refer to Appendix B.</p>
<b>NSW Rural Fire Services</b>	<ul style="list-style-type: none"> <li>• Raised no objections or comments on the proposal.</li> </ul>	Noted
<b>Heritage Branch- Office of Environment and Heritage</b>	<ul style="list-style-type: none"> <li>• Raised no objection to the proposal.</li> <li>• The Heritage Branch recommends that a standard condition be imposed relating to the discovery of historic archaeological deposits/relics.</li> <li>• The Heritage Branch requested clarification as to whether the proposal will impact on any heritage items in the vicinity of the site.</li> </ul>	Refer to section 4.2.3.
<b>Conservation &amp; Regulation Division- Office of Environment and Heritage</b>	<ul style="list-style-type: none"> <li>• Raised no objections or comments on the proposal.</li> </ul>	Noted.
<b>Environmental Protection Authority NSW</b>	<p>The EPA has raised no objection to the proposal but has provided the following comments on the proposal:</p> <ul style="list-style-type: none"> <li>• Contamination: once fibro fragments (potentially asbestos material) have been removed from the site, sampling should be undertaken to ensure there is no risk of contamination.</li> <li>• Groundwater Assessment: adequate control measures should be in place during construction to divert/reduce runoff into the wetlands and Bega River. These measures should be confirmed.</li> <li>• Soil and Sediment Control Plan: soil and sediment control measures including dust control measures should be confirmed.</li> </ul>	<p>Refer to Appendix B.</p> <p>Refer to section 4.2.4.</p> <p>Refer to section 4.2.6</p>
<b>Transport for NSW</b>	<ul style="list-style-type: none"> <li>• Transport NSW has raised no objection to the proposal subject to the fulfilment of the conditions of the Stage 1 consent (SSD5307_2012) prior to occupation.</li> </ul>	Refer to Appendix C.

### 3.3 Public Submissions

Two (2) submissions were received from members of public in objection to the application. Key issues raised in the public submissions are listed in **Table 5**.

**Table 5: Public Submissions**

Sub.	Issue	Department comments
1.	<ul style="list-style-type: none"> <li>The site selection is too remote from the general population.</li> </ul>	<p>These comments are noted. Health Infrastructure has determined that the site is suitable for a regional hospital and that it meets its site selection requirements. This matter was considered in the determination of the concept proposal (SSD 5307) and on balance, it was concluded that the site was appropriate for a regional hospital.</p>
	<ul style="list-style-type: none"> <li>There is a lack of public transport to the site. This will result in reliance on private vehicle use.</li> </ul>	<p>The proposal incorporates access for bus services to the site. A bus drop-off area is included adjacent to the main public entry to the hospital.</p> <p>The applicant is currently negotiating with service providers to resolve servicing arrangements.</p>
	<ul style="list-style-type: none"> <li>The number of carparking spaces detailed in Condition E23 is inconsistent with recommendations of the the Bega Valley health Service Consumer Group in 2009/2010.</li> </ul>	<p>The number of car parking spaces conditioned in the Stage 1 Development Consent was negotiated in consultation with Council and the RMS. Based on the provision of a 136-bed hospital and the associated patient support, staffing and visitor requirements, the provision of 485 spaces was determined to be sufficient to meet the daily demands of the hospital.</p>
	<ul style="list-style-type: none"> <li>The proposal is more efficient (cheaper) if the new primary health care facilities are co-located with other facilities in the new Hospital. However, the need to provide adequate and efficient emergency health services has not been met.</li> </ul>	<p>These comments are noted. The department is satisfied that the site is suitable and the new hospital will provide improved health care for Bega and the surrounding communities.</p>
2.	<ul style="list-style-type: none"> <li>There has been no comprehensive flood study undertaken for the site.</li> </ul>	<p>Conditions were placed on the Stage 1 consent to require the completion of a comprehensive flood risk assessment prior to the commencement of the Stage 1 works. This report was also required to consider alternative access routes to the site during a PMF event. Refer to further discussion in <b>Appendices B &amp; C</b>.</p>
	<ul style="list-style-type: none"> <li>Further consideration needs to be given to on-site detention in terms of protection of the wetlands. The proposal does not satisfy the requirements of the Office of Water regarding degradation of wetlands and the proposed 1 in 2 storm event for detention.</li> </ul>	<p>Relevant conditions were included on the Stage 1 Development Consent to ensure that the Office of Water was consulted with respect to the design of the stormwater drainage system and specifically, to ensure that the final engineered solution would not degrade the wetlands and associated water courses of the Bega River.</p> <p>The department accepts the advice from Council that the stormwater on-site detention design based on an ARI of 1 in 2 is acceptable, subject to the matters raised by the Office of Water being suitably addressed.</p>
	<ul style="list-style-type: none"> <li>The site selection did not meet the required criteria from the outset. It is suggested that 75% of patients are now transported by fixed wing aircraft.</li> </ul>	<p>The applicant has advised that the site will only be serviced by helicopter and not fixed wing aircraft. All other access to and from the site will be by vehicle. The emergency access plan for the site will make provision for access to the site in the event of a flood emergency.</p>
	<ul style="list-style-type: none"> <li>There are inconsistencies in the reports submitted with the application.</li> </ul>	<p>The department is satisfied that sufficient information has been submitted to enable a thorough and rigorous assessment of the application in accordance with the DGR's. The proposal has also been referred to key government agencies for their consideration. Any submissions received from government agencies have been duly considered and incorporated into the recommended Conditions of Approval, as relevant.</p>

The department has fully considered the issues raised in submissions in its assessment of the project. As relevant, the matters raised are considered in **section 3.4** and **section 4** below.

### **3.4 Applicant's Response to Submissions**

Urbis on behalf of Health Infrastructure NSW provided a response to the issues raised in the submissions (RTS) on 17 May 2013. The RTS is supported by a number of new technical reports which respond to issues raised in submissions including the following:

- A letter from GeoAustralia Pty Ltd responding to concerns raised by DPI with respect to the interaction of the Geothermal Heat System with the local aquifer and the process for testing and repair/mitigations strategies for the Geothermal Heat System;
- A revised Geothermal Energy Storage System Report prepared by Steensen Varming responding to Condition A16 of Project Approval SSD 5307\_2012;
- Details of the security measures to be employed at the Hospital in response to concerns raised by Council in relation to general site security management;
- A submission from C&M Consulting Engineers responding to issues raised by DPI in relation to water quantity, water quality and flooding on the site;
- A Soil & Water Management Plan prepared by C&M Consulting Engineers responding to issues raised by the EPA requesting further details in respect to sediment control protection measures;
- A submission from SLR Consulting Australia Pty Ltd providing further information regarding environmental noise impacts arising from the construction;
- A submission from Coffey Geotechnics Pty Ltd responding to comments made by the EPA in relation to groundwater impacts;
- A letter from RPS Australia East Pty Ltd responding to comments made by the OEHL in relation to impact upon any heritage items in the vicinity of the site including visual impacts; and
- An amended site plan prepared by BVN Architects and 360 Degree Landscape Architects Pty Ltd detailing the location of the staff and public bicycle facilities. The amended plan responds to concerns raised by Council in relation to the inadequacy of bicycle parking facilities provision for staff and the public including safety for users. This plan also confirms the location of the bus stop.

The RTS also included a response to conditions that were imposed in Part B Schedule 2 of the Development Consent SSD5307. These conditions specifically relate to the matters required to be addressed in the future development application for the Stage 2 building works. The applicant's response to these conditions and the Department's consideration of each condition is provided at **Appendix C** to this report.

The RTS was referred to key agencies and Council for consideration and comment. Following the close of submissions on the RTS, Council and the Office of Water/DPI provided the following further comments on the project:

#### **Council**

Council reiterated its concerns raised in relation to rainwater harvesting, staff and general parking facilities, water and sewer. Council has recommended a number of standard conditions to address these matters.

Council also provided the following final comments in relation to the proposal:

- The assessment of the proposal should include a visual impact assessment on the neighbouring residence (Lot 1 DP 782781);
- No objection is raised to the proposed variation in building height. However, a suitable view impact analysis and bulk and scale assessment should be undertaken;
- The upgrade of Bega-Tathra Road suitably offsets any Section 94 contributions;
- The hours of construction should be restricted to 7.00am to 6.00pm Monday to Friday and 8.00am to 1.00pm on Saturdays; and
- All Stage 1 works (SSD5307\_2012) should be completed prior to the commencement of Stage 2 works.

#### **Office of Water:**

The Office of Water has reconfirmed the requirement for the applicant to obtain a licence under Part 5 of the *Water Act 1912* for the Geothermal Ground Heat Pump System. Additionally, it has been requested that final plans for the construction of the geothermal system be submitted for review and comment by the Office of Water prior to construction.

Further consideration to the RTS and the issues raised by Council and the Office of Water are provided in **section 4** of this report below.

## 4. ASSESSMENT

### 4.1 Section 79C Evaluation

**Table 5** identifies the matters for consideration under section 79C that apply to State significant development, in accordance with section 89H of the EP&A Act. **Table 6** also represents a summary for which additional information and consideration is provided for in **section 4.2** and relevant appendices or other sections of this report and the EIS. The EIS has been prepared by the applicant to consider these matters and those required to be considered in the DGRs and in accordance with the requirements of section 78A(8A) of the EP&A Act and Schedule 2 of the Regulation.

**Table 6: s79C(1) Matters for Consideration**

s.79C(1) Evaluation	Consideration
(a)(i) any environmental planning instrument	Consideration of relevant EPIs has been undertaken at <b>Appendix B</b> . The proposed development achieves a satisfactory level of compliance.
(a)(ii) any proposed instrument	As noted in <b>section 2.3</b> above, BVLEP 2013 was gazetted on 2 August 2013. BVLEP 2013 has been considered in the assessment of this application. BVLEP 2013 rezones the hospital site <i>SP2- Infrastructure</i> . Pursuant to Part 2 of BVLEP 2013, the New Bega Hospital is identified on the relevant Land Zoning map as a permissible land use with consent. The Height of Buildings Map and the Floor Space Ratio Map do not identify any development standards applying to the site. Accordingly, it can be concluded that the proposal to accommodate a regional hospital on this site is consistent with the instrument.
(a)(iii) any development control plan	Clause 11 of State Environmental Planning Policy (State and Regional Development) 2011 provides that development control plans do not apply to State significant development. Notwithstanding, consideration of relevant controls has been provided at <b>Appendix B</b> . The proposal has been assessed as being generally consistent with the relevant development control plans.
(a)(iiia) any planning agreement	A planning agreement is not required in this instance. Bega Contribution Plan No.1- <i>Existing Rural Roads</i> applies to all land zoned 1(a)- <i>Rural General</i> under BVLEP 2002 where traffic generating development is proposed. In this instance, Council has advised that the contribution is suitably offset by the works required to be undertaken by Health Infrastructure to upgrade Bega-Tathra Road to accommodate the hospital development (refer SSD 5307).
(a)(iv) the regulations	The development application satisfactorily meets the relevant requirements of the Regulation, including the procedures relating to development applications (Part 6 of the Regulations), public participation procedures for SSDs and Schedule 2 of the Regulation relating to environmental impact statements.
(a)(v) any coastal zone management plan	Not applicable.
(b) the likely impacts of that development	The department's assessment report has given due consideration to the likely impacts of the proposed development.
(c) the suitability of the site for the development	The site selection process was considered in the assessment of SSD5307_2012 and it was determined that the subject site satisfied the functional design requirements for a Regional Hospital now and into the future.
(d) any submissions	Consideration has been given to submissions received during the exhibition of the development application, as detailed in <b>Table 3</b> and <b>Table 4</b> above. Key issues raised include: amenity impacts, impacts on groundwater, heritage, stormwater management, construction impacts (soil and sediment control) and sewer and water provision. These issues have been comprehensively addressed in section 4.2 and <b>Appendices B</b> and <b>C</b> of this report.

(e) the public interest.	Refer to Conclusion.
Biodiversity values exempt if: (a) On biodiversity certified land? (b) Biobanking Statement exists?	Not applicable. Not applicable.

**4.2 Key and Other Issues**

The department considers the key environmental issues for the application to be:

- built form and urban design;
- amenity impacts;
- heritage;
- GES System;
- stormwater management;
- construction impacts; and
- other matters.

**4.2.1 Built form and urban design**

**Hospital Building**

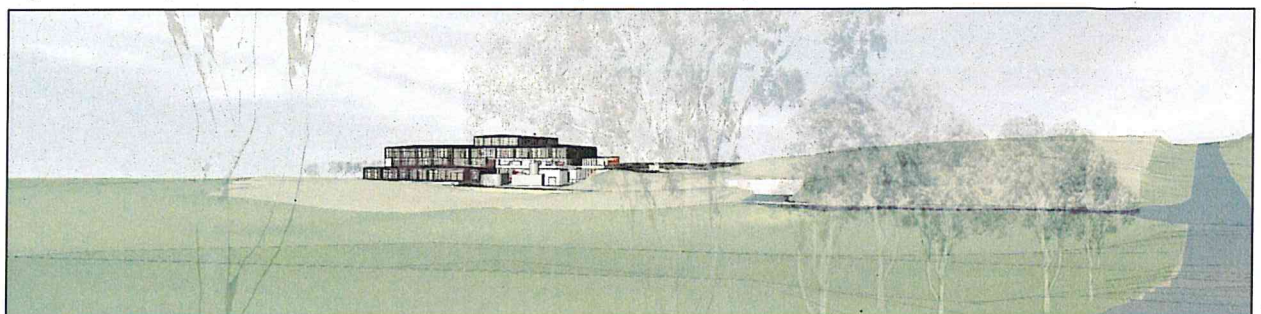
As detailed in section 2.2 of this report, SSD 5307 approved the concept proposal for the development including the building envelope for the hospital and the general site layout. The approved building envelope was entabulated to accommodate a three (3) storey hospital building with a floor area of approximately 26,000m<sup>2</sup> and an upper level of rooftop plant, and has a maximum height of 14.1m when measured in accordance with BVLEP 2002 (i.e. excluding the rooftop plant level). The construction enabling works approved in SSD 5307 included the re-profiling of the site to accommodate the development. An RL of 20.5m AHD is proposed for the lower ground floor level and has been established to ensure the building is above the Probable Maximum Flood (PMF) level for the site.

The Stage 2 building design complies with the approved building envelope. The hospital building has been sited to maximise outlook over the flood plain and Bega River. Its position in conjunction with the re-profiling of the site will mean that the development nestles into the landform and is well setback from neighbouring residential development (refer **Figure 5 to 8** below).

Extensive site landscaping is proposed around the perimeter of the site and will further assist in reducing the visual impact of the development.



**Figure 5:** 3D Impression of the Hospital taken from the entry on Tathra Road (Source: BVN)



**Figure 6:** 3D Impression of the Hospital taken from Tathra Road- northern end (Source: BVN)



Figure 7: 3D Impression of the Hospital taken from Tathra Road- southern end (Source: BVN)



Figure 8: Impression of two of the eastern wings of the hospital building. (Source: BVN)

The height of the hospital building exceeds the 10 metre height limit specified in clause 85 of BVLEP 2002 by 4.1 metres and accordingly, the application is supported by a SEPP No.1 objection. As detailed in Section 2.3, the department is satisfied that despite the height non-compliance, the detailed design of the building, including the selection of materials and finishes will ensure that the hospital building sits comfortably in its rural setting. In this regard, the proposed materials and finishes include a selection of metal wall panels, rendered surfaces, masonry and timber cladding to break-up and visually articulate the building mass (refer **Figures 8** and **9**). Additionally, the building form is punctuated by landscape courtyards, which will provide a green edge to the development, and in time, will assist in embellishing the rural setting.

The proposed floorplan for the hospital specifically reflects its functional requirements and provides for clear way finding. The entry to the hospital is directly off the main access street. Access to the public parking areas, the bus drop-off and bicycle parking areas are all located to be easily accessed from the main access street through the site. The maintenance and services areas, ambulance access have been separated from the public area.

The department has assessed the built form and design of the proposal to be consistent with the approved concept proposal (SSD 5307). A condition of consent is recommended to ensure that the building height is limited to RL 38.80m AHD (excluding rooftop plant and the like) and furthermore, to ensure that the materials and finishes composition illustrated in the architectural drawing set (refer to plan at **Attachment A**) are carried through into the constructed building. In this regard, any variations to the materials and finishes will require the separate written approval of the Director-General. Subject to compliance with these requirements, the department finds the design of the project to be of a high standard and it is recommended for approval.



Figure 9: 3D impression of entry to the Hospital from the public car park (Source: BVN)

#### 4.2.2 Amenity Impacts

##### Acoustic

Potential acoustic impacts to neighbouring properties as a result of the construction and operation of the hospital have been assessed in the Environmental Noise Impact Assessment (ENIA) prepared by SLR. The construction period for the hospital, including fit-out and commissioning, is anticipated to be 30 months.

Monitoring for the purposes of establishing the background levels has identified that the ambient noise levels are largely dominated by traffic noise along Tathra Road.

The noise levels associated with the construction period have been predicted based on the worst case scenario with all construction equipment operating simultaneously. The noise levels during the construction period estimate that the daytime noise management levels for the Stage 2 works (SSD 5729) will be exceeded by up to 8 dBA when measured at the nearest affected residential receivers. There is also likely to be additional noise associated with construction traffic and any concurrent Stage 1 works (ie. construction enabling works approved in SSD 5307).

The ENIA concludes that whilst the noise levels associated with the Stage 2 works do exceed the daytime noise management levels, they do not exceed 75dBA, and therefore, they are not considered to be 'highly noise affected', as defined by the Interim Construction Noise Guidelines. Mitigation measures are recommended to assist in reducing the noise levels during construction, including the use of localised hoarding, less noise-intensive equipment and non-tonal reversing alarms.

The operational noise impacts have also been predicted in the ENIA and the following conclusions are made:

- That noise emissions from mechanical plant associated with the operation of the hospital should be controlled to minimise impacts to nearby sensitive receivers. The department is satisfied that a standard condition can be imposed to address this matter;
- The use of the car parking area is unlikely to cause an adverse impact at nearby sensitive receivers. In this regard, the ENIA predicts that the internal noise levels within the nearest sensitive receivers will not exceed 65dBA; and
- The noise emissions associated with the use of the helicopter are predicted to be 96dBA at the Helicopter Landing Site. Given the low level of usage predicted for the helicopter (ie. it will be for patient retrieval only and has assumed one helicopter event in any of the daytime, evening or night time periods ie. 3 movements per 24 hours), the ENIA has predicted that the sound pressure level at the nearest residential receiver will not exceed LAeq(15 minutes) 35dBA.

The department concurs with the findings of the ENIA that a detailed Construction Noise and Vibration Management Plan be required to be prepared prior to the commencement of construction. The department notes that the nearest affected residential receivers have been identified on Boundary Road to the south of the site (approx. 200 metres to the south), 23 Glen Mia Drive to the west of the

site and 10 Taronga Street to the north of the site. However, the ENIA has not included an assessment of the noise impacts on 1556 Tathra Road, the residential property located approximately 150m to the south-west of the subject site. Whilst the department submits that it is inevitable that construction will result in some noise impacts, given the rural character of the area, the department is satisfied that the careful management and application of all feasible and reasonable noise mitigation measures can be employed to maintain construction related noise to acceptable levels. A condition is recommended to address this requirement in this regard.

Further to the above, to ensure that mechanical plant associated with the hospital development does not adversely impact nearby residential properties, a condition is also recommended to ensure that mechanical plant associated with the operation of any plant, machinery or other equipment on the subject site, does not exceed 5dB(A) above the background noise level when measured at the boundary of the subject site or causes an offensive noise as defined in the *Protection of the Environment Operations Act 1997*.

The department notes that the location of the helipad and associated flight paths were considered in the determination of SSD 5307, as the associated earthworks for the helipad formed part of the Stage 1 construction enabling works. In this assessment, it was determined that the helipad was appropriately located to avoid noise impacts to surrounding residential properties, largely due to its location in the north-eastern corner of the site and the predicted infrequent use of the helicopters (refer **Figure 2**).

The department notes that conditions were imposed on the Stage 1 development consent requiring the applicant to develop a community consultation strategy to provide a mechanism to facilitate communication between the applicant (and its contractors) and community stakeholders (particularly adjoining owners and occupiers) during construction. Given the limited noise impacts anticipated with the Stage 2 construction works, the department does not consider that this condition needs to be imposed on the Stage 2 consent.

### **Other Amenity impacts**

#### **Lighting**

The applicant has submitted details of the external lighting strategy for the site as part of the security measures to be installed. All outdoor lighting for Stage 2 of the development is to comply with, where relevant, AS/NZ1158.3: 1999 Pedestrian Area (Category P) Lighting and AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting. A condition has been included in the recommended development consent to address this requirement.

The department notes that the landscape strategy for the site has been amended to include significant landscaping in the south-western corner of the hospital site. The department is satisfied that this will assist in reducing any light spill to neighbouring properties as a result of the operation of the hospital and the use of the car parking areas.

#### **Safety and Security**

Details have been submitted in the applicant's RTS outlining the security measures to be installed on the site. These include closed circuit TV cameras, external lighting and sensor lighting, fixed and mobile duress alarms in risk areas and compliance with crime prevention through environmental design principles. The department notes that the perimeter of the hospital grounds to the south-west are set well within the site boundaries and will be fenced (refer **Figure 10** below). The land beyond the fenced hospital grounds to the site boundary is to continue to be used for cattle grazing. Having regard to the security measures proposed, the department finds this aspect of the application to be acceptable.

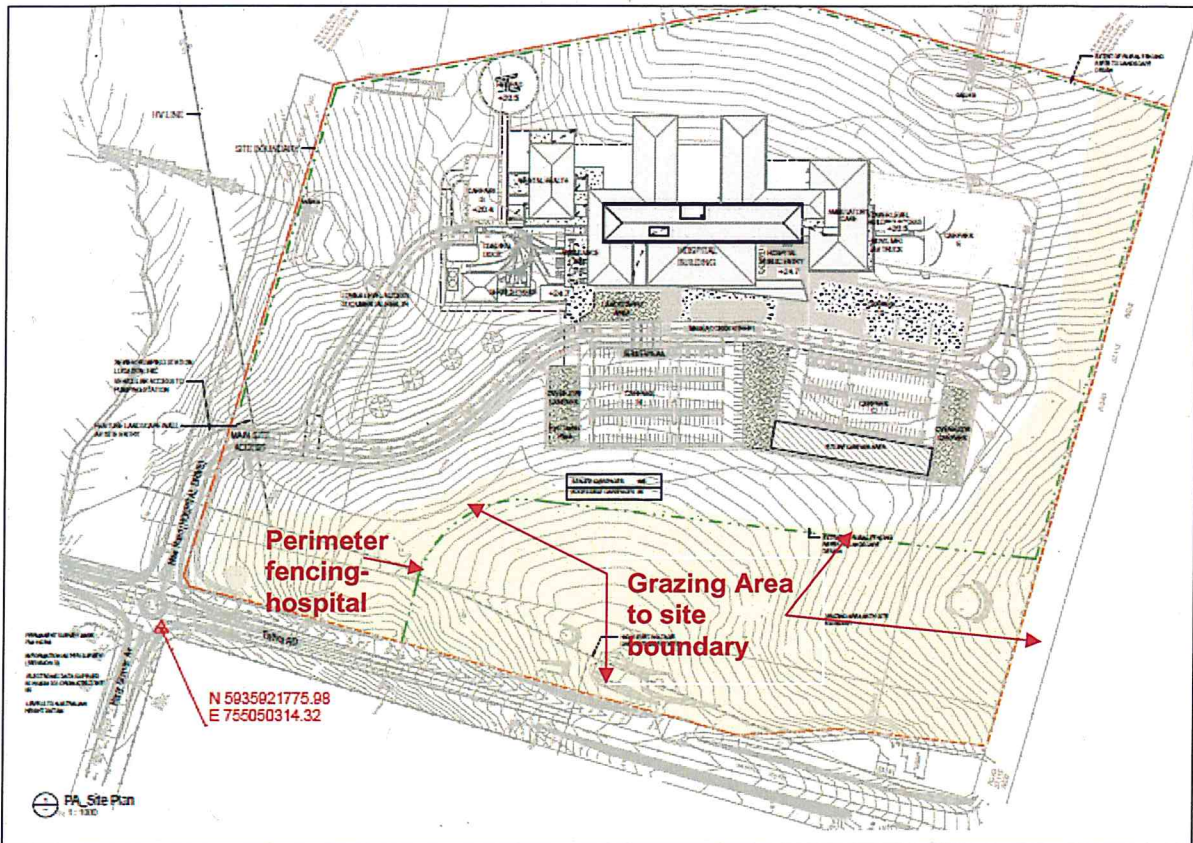


Figure 10: Hospital perimeter fencing.

#### 4.2.3 Heritage

##### Cultural Heritage Impact- Spurs

A Cultural Heritage Impact Assessment prepared by RPS was prepared for both the Stage 1 and Stage 2 applications. The key findings of the report were relevant to SSD 5307 and are summarised below:

- A search of the OEH Aboriginal Heritage Information Management System (AHIMS) identified a total of 66 sites within a 5km radius of the site, including two sites within the project site (AHIMS sites 62-6-0724 and 62-6-0707). The 2 sites listed were identified to be the same site and comprised an isolated artefact described as a 'grey volcanic flake'. It has been determined that the location of the site will be unaffected by the project;
- Two elevated spur landforms were located on the site during an archaeological site survey. These were identified as potentially forming part of a natural pathway connecting to Bega River. These spurs were identified as being partially affected by the project and in particular, the early site works associated with SSD 5307. Accordingly, conditions were included in the Development Consent for SSD 5307 to require further archaeological test excavations in accordance with the Code of Practice (DECCW 2010) and the preparation of a Heritage Management Plan prior to site excavation or construction activities commencing on the site; and
- There are no registered heritage items on or within the vicinity of the site and therefore, there are no European heritage constraints associated with the project.

The location of the AHIMS site and the spurs are shown on **Figure 11** below.

With respect to the SSD 5307, OEH recommended that the potential for historic archaeology be further investigated and furthermore, that an archaeological management strategy be developed. Consequently, Condition C41 imposed on Development Consent SSD 5307 required that a Cultural Management Plan be prepared prior to the commencement of works and furthermore, for the Management Plan to be prepared in accordance with the recommendations in the Cultural Heritage Impact Assessment prepared by RPS (as outlined above). Condition A22 was also imposed on the Development Consent requiring that the Stage 2 building works be designed to minimise impacts on the spur landforms.

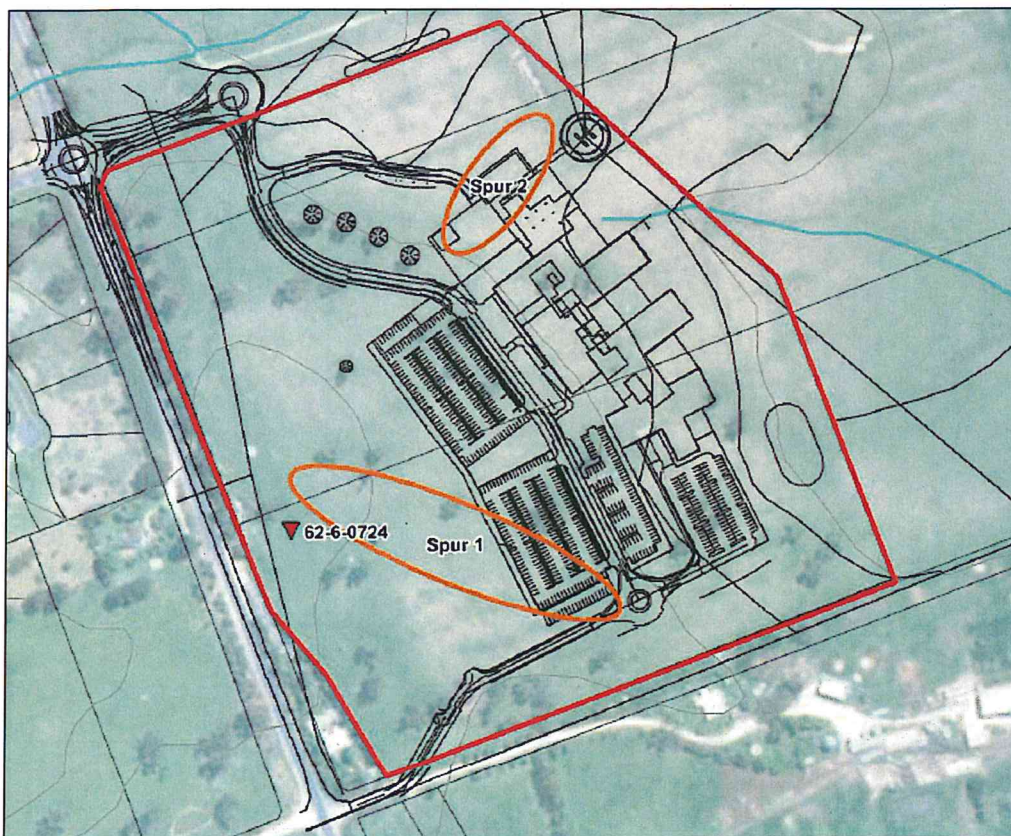


Figure 11: Location of the AHIMS site and the spurs (Source: RPS)

The applicant's RTS has advised that the Stage 2 building design has complied with the recommendations of the RPS Cultural Heritage Impact Assessment. Given the Cultural Heritage Management Plan is required to be prepared prior to the commencement of the Stage 1 works and given the footprint of the Stage 2 building works will fit within the extent of the Stage 1 site establishment works, the department is satisfied that the Condition A22 has been adequately addressed.

#### Site Archaeology

As detailed in Section 4 of this report, the NSW Heritage Branch has recommended that a standard condition be imposed relating to the discovery of historic archaeological deposits/relics on the site. The department concurs with the recommendation of the Heritage Branch and has recommended that a condition be included in the development consent pertinent to the discovery of historic archaeological deposits/relics, including to set out the statutory requirements regarding notification of the Heritage Council in accordance with section 146 of the *Heritage Act 1977*.

#### Impacts on Neighbouring Heritage Items

The applicant's RTS includes an additional submission from RPS responding to the submission from OEH, which requests clarification regarding the potential for the project to impact on any heritage items in the vicinity of the site. RPS has advised that the proposal is unlikely to adversely affect any neighbouring heritage items due to the significant distance separating the site and the heritage items, noting that the closest has been identified as Orana House which is located some 400 metres to the north of the site (refer **Figure 1**).

The department concurs with the advice of RPS and notes that BVSC has not raised any concerns in relation to heritage impacts arising from the proposal. Accordingly, no further conditions are recommended in relation to this matter.



### Ground Water Impacts

The impacts of the development on groundwater were considered in detail in the assessment of the SSD 5307 and were informed by a Groundwater Assessment Report prepared by Coffey Geotechnical submitted with the application. A subsequent condition was imposed on the development consent to require groundwater monitoring to be undertaken during and post construction of the Stage 1 works and furthermore, for a groundwater assessment report to be submitted with the future Stage 2 application. This Stage 2 report was to specifically address any potential impacts from the construction and operation of the GES system on groundwater and groundwater dependent ecosystems and the nearby watercourses and wetlands.

The Addendum to the Groundwater Assessment prepared by Coffey Geotechnics Pty Ltd has been submitted with the RTS to specifically address concerns raised by the EPA in relation to potential impacts from the construction of the GES System. As detailed in section 4.2.5 below, a condition has been recommended to require the applicant to consult with the EPA regarding the soil and sediment control measures to be employed for during construction.

In order to ensure that any impacts on groundwater resulting from the construction and operation of the final design of the GES System are fully considered, and having regard to submission received by DPI (refer sections 3.2 and 3.4 of this assessment report), the department considers it pertinent for final details for the construction and operation of the GES System to be submitted to the DPI for consideration and comment prior to construction commencement. Specifically, the details to be addressed include the following:

- Measures to mitigate potential impacts of construction and operation of the geothermal system on groundwater and groundwater dependent ecosystems and the nearby watercourses and wetlands;
- any proposal to intercept groundwater, or use and extract surface water or groundwater during construction and operation;
- any potential for the construction and/or operation of the geothermal system to impact on the nearby watercourses and wetlands located on the adjacent Lot 2; and
- any aquifer interference implications.

Further to the above, DPI has advised that the GES system is deemed to be an aquifer interference activity under the *Water Management Act 2000* and therefore, a licence is required under Part 5 of the *Water Act 1912* to authorise the construction and operation of the GES System. An appropriate condition has been included in the development consent to reinforce this requirement.

The department also considers it pertinent for groundwater monitoring to continue during the construction and post construction of the Stage 2 works, consistent with the Stage 1 consent and in accordance with the recommendations of Coffey Geotechnical. A relevant condition is recommended to reflect this requirement.

Subject to the above conditions being complied with, the department is satisfied that potential impacts on groundwater can be appropriately addressed and regulated by DPI.

#### **4.2.5 Stormwater Management**

The existing site has no engineered stormwater system due to its underdeveloped nature. A Stormwater Management Strategy prepared by C & M Consulting Engineers was submitted with SSD 5307 and proposed short and long term management strategies to manage stormwater runoff from the site. The short-term strategies include erosion and sediments control measures to be implemented during construction that are aimed at limiting movement of sediment and the removal of sediment from runoff prior to discharge from the site. The long term strategies are focused on maintaining the stormwater drainage system and quality discharge from the site during operation of the hospital. These long-term strategies include the installation of rainwater tanks, a piped network system, on-site detention and overland flow-paths, vegetated swales and bio-retention tanks, which are particularly relevant to the Stage 2 development application (SSD 5729). A number of water quality improvement devices are also proposed to provide for water quality treatment of stormwater runoff.

The stormwater management system approved for the site (SSD 5307) has been designed to accommodate peak discharge from storm events up to and including a 1 in 2 year Average Recurrence Interval (ARI) post development and the maintenance of existing pre-development peak flows for the same storm event in accordance with Council requirements.

In response to the notification of SSD 5307 and SSD 5729, the Office of Water has suggested that additional consideration is required to ensure that the proposed on-site detention for the 1 in 2 year storm event does not adversely impact on the quality of the wetlands and further degrade their quality. Whilst a condition was imposed on SSD 5307 to address this matter, the comments of the Office of Water remain relevant for the hospital construction component of the development. The Office of Water has advised that the discharge structures for the proposed stormwater detention systems need to be capable of dealing with flow velocities to minimise impacts to the downstream environment and in this regard, mimic natural flows. The department concurs with the advice provided by the Office of Water. Accordingly, it is recommended that the applicant be required to consult with the Office of Water to ensure that the detailed construction plans and specifications for the stormwater detention system meet its requirements. This requirement is appropriately reflected in a recommended condition of consent.

#### 4.2.6 Construction Impacts

The applicant has submitted an 'Outline Construction Management Plan' prepared by Johnstaff with the application. In summary, the Plan proposes that:

- Construction access to the site for Stage 2 be via the new roundabout from Harry Scanes Avenue (constructed as part of the Stage 1 approved works) directly off Tathra Road (refer to **Figure 2**). Given Hospital Drive, and the associated road works on Tathra Road will be completed at Stage 1, it is then proposed that construction access to the site for Stage 2 will be via Hospital Drive;
- Measures will be implemented during construction to ensure compliance with relevant legislation requirements including *Protection of the Environment Operations Act 1997* and *Regulations and Occupational Health and Safety Act 1983*;
- Measures to minimise amenity and environmental impacts, including noise mitigation, dust management, odour control, protection of trees, vibration management and soil and erosion control measures;
- Traffic and pedestrian management measures for the duration of construction; and
- Waste management measures.

In order to ensure that residual construction impacts are fully considered and appropriate management and mitigation measures are employed for the term of construction, the department recommends that the following detailed plans be prepared prior to the commencement of the Stage 2 construction works:

- Construction Environment Management Plan;
- Construction Traffic Management Plans;
- Soil Erosion and Sediment Control Plan;
- Noise and Vibration Management Plan;
- Dust Management Plan; and
- Construction Waste Management Plan.

These Plans are required to be developed in consultation with the EPA, DPI, Council and the RMS, as relevant, to ensure that those matters outlined in the agency submissions (refer to section 3.2 above) are appropriately addressed and that relevant management and mitigation measures are employed during construction. The preparation of a Soil Erosion and Sediment Control Plan which incorporates appropriate site water management arrangements during construction is also considered appropriate to address the concerns raised by the EPA, and is included in the recommended conditions of consent.

The department notes that Council's standard working hours condition would restrict construction to 8am and 1pm on Saturdays. However, the department recommends the imposition of the department's standard working hours which would permit extended construction on the site until 5pm on Saturdays. This condition is imposed to ensure consistency in the regulation of construction activities for State significant projects and is consistent with the construction hours approved for the Stage 1 works.

#### 4.2.7 Other Matters

##### Sewer and Water Provisions

The subject site is located outside the area currently covered by both Council's Development Services Plan for Sewerage and Development Services Plan for Water. Council's submission has requested the following:

- That the applicant prepare both a concept sewer strategy and a concept water supply strategy for the proposed development for the approval of Council; and
- That the applicant undertake the works in the sewer strategy and water supply strategy approved by Council.

The department notes that conditions were included in the Development Consent for SSD 5307 to address the above requirements of Council, as the Stage 1 works included the construction of the site infrastructure including, sewer and drainage works. These works are required by condition to be completed to the satisfaction of Council and prior to the commencement of use of any part of this development.

Council has advised in its submission that water and sewer works remain unresolved, as details are yet to be finalised in relation to the conditions imposed on the SSD 5307. Subsequently, Council has recommended that the following conditions be imposed on the Stage 2 development consent:

1. *That all stage 1 works and conditions be satisfied prior to Stage 2 commencement.*

Comment: the department considers that this condition is unduly restrictive and will significantly delay the commencement of Stage 2 construction works, which could otherwise be undertaken concurrently with the Stage 1 works, as would have been the case if the development was not staged. In this regard, the sewer and water works need not be completed prior to the Stage 2 construction works being commenced.

Notwithstanding the above, it is considered reasonable that the concept sewer and water strategy be approved by Council. This is appropriately a pre-condition to the commencement of works associated with Stage 1 (SSD 5307).

2. *Construction of stormwater drainage works as necessary to convey stormwater flows within the development.*
3. *Construction of the stormwater drainage works as necessary to convey stormwater flow downstream of the development. Any design shall be in accordance with Council's Development Design Specification, Stormwater Drainage Design D5.*

Comment: as stated above in this report, the design and construction of the stormwater infrastructure relevant to this development was dealt with in SSD 5307. In subsequent discussions with Council, it has been agreed that these conditions are superfluous. Of relevance to SSD 5729 is the connection of the development to the sewer system. This matter is relevantly addressed by Condition 5 recommended by Council below.

4. *A Certificate of Compliance under Division 5 Part 2 of Chapter 6 of the Water Management Act 2000 must be obtained prior to the issue of a Subdivision/Construction/Occupation Certificate.*

Comment: Condition E10 of the development consent for SSD 5307 addresses this requirement to ensure that all necessary requirements relating to water supply and sewer for the development have been made with Council. This condition also requires in the event that development is staged, that separate Certificate of Compliance be obtained from Council (as the water authority). The condition recommended by Council is consistent with the terms of Condition E10 and therefore, it is recommended for inclusion in the Stage 2 development consent.

5. *A separate application to obtain approval to connect to council's sewerage system under section 68 of the Local Government Act 1993 must be submitted to Council for approval. A plumbing and drainage plan is to be submitted with the application to Council.*

Comment: The department considers it relevant and appropriate for approval to be obtained to connect to Council's sewerage system. The SSD 5307 only dealt with the construction of the infrastructure works and not the connection of the Stage 2 main building works to this infrastructure. Therefore, the imposition of this condition is supported and included in the recommended Stage 2 Development Consent.

## 5. CONCLUSION AND RECOMMENDATION

### 5.1 Conclusion

The proposed Bega Valley Health Services Development, comprising the construction of a new hospital building and associated works, will significantly benefit the regional and local community through the provision of increased and improved health services. The construction of the hospital building will complement and complete those works previously approved on the site pursuant to SSD 5307.

The proposed development is consistent with key objectives of State, regional and local planning strategies, and represents an increased investment in health infrastructure that would provide for improved health services and increased employment opportunities. In this regard, the department considers the infrastructure, health and employment benefits generated by the proposed development to be in the public's interest.

The department is satisfied that the proposed development satisfactorily responds to the issues raised in submissions and recommends that the SSD application for the proposed Bega Valley Health Services Development be approved. The department's recommended conditions of consent will ensure that the construction and future operation of the Hospital (Stage 2 works) will maintain the environmental and residential amenity of the surrounding environment.

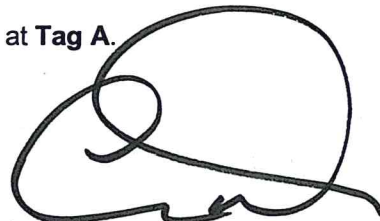
### 5.2 Recommendation

In accordance with section 89E of the *Environmental Planning and Assessment Act 1979*, it is recommended that the Executive Director, Development Assessment Systems & Approvals:

- (a) **considers** the recommendations of this report for Stage 2 of the Bega Valley Health Services Redevelopment (SSD 5729\_2012);
- (b) **form** the opinion that the SEPP 1 Objection is well founded and is also of the opinion that the granting of the consent to the State significant development is consistent with the aims of SEPP 1, notwithstanding the development standard the subject of the objection;
- (c) **approves** the development application, as outlined in the Environmental Impact Statement prepared by Urbis dated February 2013, as amended by the Response to Submissions report prepared by Urbis dated May 2013 and subject to the conditions of consent set out in the attached instrument at **Tag A**, under section 89E of the *Environmental Planning and Assessment Act 1979*; and
- (d) **signs** the attached development consent at **Tag A**.



Director  
Industry, Social Projects & Key Sites



Executive Director  
Development Assessment  
Systems & Approvals

9.9.13