

APPENDIX A ENVIRONMENTAL ASSESSMENT

See the Department's website at

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=4783

APPENDIX B SUBMISSIONS

See the Department's website at

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=4783

APPENDIX C PROPONENT'S PREFERRED PROJECT REPORT

See the Department's website at

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APPENDIX D CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENTS

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 and that ESD can be achieved through the implementation of:

- (a) *if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation (the precautionary principle);*
- (b) *the principle of inter-generational equity - that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations (the inter-generational principle);*
- (c) *the conservation of biological diversity and ecological integrity should be a fundamental consideration in decision-making (the biodiversity principle); and*
- (d) *improved valuation, pricing and incentive mechanisms should be promoted (the valuation principle).*

The department has considered the proposed development in relation to the ESD principles and has made the following conclusions:

- **Precautionary Principle** – The application is supported by technical and environmental reports which conclude that the proposal's impacts would be minor and can be successfully mitigated. No irreversible or serious environmental impacts have been identified. No significant climate change risks are identified as a result of this proposal.
- **Inter-Generational Principle** – The location of the medical facility within the existing hospital precinct like to the city centre by main road and adequate bus services will enable patients and visitors to make sustainable travel choices which will protect the environment for future generations.
- **Biodiversity Principle** – There is no threat of serious or irreversible environmental damage as a result of the proposal. The proposal is confined to the redevelopment of a site already completely occupied by housing and hospital buildings and, as such, is unlikely to impact upon biological diversity or ecological integrity. The proponent has undertaken a flora and fauna assessment, which has revealed no evidence of the site containing any threatened or vulnerable species, populations, communities or significant habitats.
- **Valuation Principle** – The valuation principle is more appropriately applied to broader strategic planning decisions and not at the scale of this application. The principle is not considered to be relevant to this particular application.

The Proponent submitted an assessment of the ESD initiatives available to the development, including building materials, methods of heating and cooling, renewable energy and water conservation. On this basis, the department is satisfied that the proposal is consistent with the principles of ESD.

Section 75I(2) of the Act / Clause 8B of Regulations

Section 75I(2) of the Environmental Planning and Assessment Act 1979 and clause 8B of the Environmental Planning and Assessment Regulation 2000 provides that the Director General's

Report is to address a number of requirements. These matters and the department's response are set out below:

Section 75I(2) criteria	Response
Copy of the proponent's environmental assessment and any preferred project report	The Proponent's EA and PPR are located at Appendices A and C to this report respectively.
Any advice provided by public authorities on the project	All advice provided by public authorities on the project for the Minister's consideration is set out in Section 4 of this report.
Copy of any report of a panel constituted under Section 75G in respect of the project;	No statutory panel was required or convened in respect of this project.
Copy of or reference to the provisions of any State Environmental Planning Policy that substantially governs the carrying out of the project;	Each relevant SEPP that substantially governs the carrying out of the project is identified below, including an assessment of proposal against the relevant provisions of the SEPP.
Except in the case of a critical infrastructure project – a copy of or reference to the provisions of any environmental planning instrument that would (but for this Part) substantially govern the carrying out of the project and that have been taken into consideration in the environmental assessment of the project under this Division	An assessment of the development against relevant Environmental Planning Instruments is provided below.
Any environmental assessment undertaken by the Director General or other matter the Director General considers appropriate	The environmental assessment of the project application is this report in its entirety.
A statement of compliance with the environmental assessment requirements under this Division with respect to the project.	In accordance with section 75I of the EP&A Act, the department is satisfied that the Director-General's environmental assessment requirements have been complied with.
Clause 8B criteria	Response
An assessment of the environmental impact of the project	An assessment of the environmental impact of the proposal is discussed in Section 5 of this report.
Any aspect of the public interest that the Director-General considers relevant to the project	The public interest is discussed in Section 5 of this report.
The suitability of the site for the project	The site contains an existing hospital complex and adjoining residential building that is well located to support a re-development of the hospital facility. The site is adequately served by public transport. Overall the proposal is considered to be well suited to the proposed development..
Copies of submissions received by the Director-General in connection with public consultation under section 75H or a summary of the issues raised in those submissions.	A summary of the issues raised in the submissions is provided in Section 4 of this report. The Proponent's response to the submissions to the EA and PPR appear at Appendices A and C respectively. A copy of the submissions are provided at Appendix B .

State Environmental Planning Policy (Major Development) 2005

The Project remains a Part 3A project under the former provisions of Schedule 1, Clause 13, Group 5 of the Major Projects SEPP, “*residential, commercial or retail projects*” as DGRs

were issued prior to 23 June 2011. The project has a capital investment value (CIV) of more than \$50 million and has been determined as an important project in achieving State and regional planning objectives.

State Environmental Planning Policy 55 – Remediation of Land

A Preliminary Contamination Assessment was undertaken in respect of the proposed development.

The assessment concluded that the site is suitable for its intended use in accordance with SEPP 55. However, the report recommended that additional investigations be undertaken following demolition of existing buildings which present a potential source of contamination i.e. asbestos and lead.

A Construction Management Plan (CMP) (which includes an Environmental Management Plan) has been prepared (refer to Appendix N). The EMP includes procedures for the management of contaminated soil and hazardous waste. The EMP has been prepared by a suitably qualified person in accordance with relevant legislation and guidelines, including SEPP No. 55 – Remediation of Land, identifying any contaminants on site and the required procedure for removal of contaminants and remediation of the site.

The proponent has included a commitment in their Statement of Commitments that the recommendations of the Environmental Site Assessment will be implemented.

State Environmental Planning Policy (Infrastructure)

The proposal is accommodated by the demolition of the existing dwellings/hospital buildings in this location as well as a restructuring of the existing carpark layouts along Lewis Drive. The Proponent has determined to seek consent under the infrastructure SEPP for these particular works and they will have no part in any consent issue for the Phase 1 works. The proposal was referred to the Roads and Maritime Service due to its position on the Sturt Highway. The RMS provided general support of the Phase 1 proposal in response to the PPR subject to further peripheral road works being undertaken during the future stages. The RMS comments are discussed in **Section 4.2** and **5.1** of this report.

Wagga Wagga Local Environmental Plan (LEP) 2010

The provisions of Wagga LEP 2010 (LEP 2010) apply to the site. The site is zoned Special Uses and permits hospital related activities. Hence, the Phase 1 proposal is permissible within the zone.

The LEP2010 provides no specific controls for the development of Hospitals.

APPENDIX E RECOMMENDED CONDITIONS OF APPROVAL
