

29 August 2019
Ref No: 2682-1190

The Secretary
Department of Planning, Industry and Environment
PO Box 39
SYDNEY NSW 2001

Attention: Secretary of Department of Planning, Industry and Environment

Dear Mr Jim Betts

**Modification to Development Consent SSD 9575 – Tweed Valley Hospital
Stage 1 Early and Enabling Works**

On 11 June 2019 ministerial approval was granted for SSD 9575 comprising a Concept Proposal and Stage 1 Early and Enabling Works for the new Tweed Valley Hospital located at 771 Cudgen Road, Cudgen (Lot 11 DP1246853).

Health Infrastructure NSW (HI), pursuant to Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), is applying to modify Development Consent SSD 9575 relating to the Stage 1 Early and Enabling Works component for the new Tweed Valley Hospital.

The Section 4.55(1A) modification application seeks to modify Development Consent SSD 9575 by way of amending the approval applicable to the Stage 1 Works and associated vegetation clearing. An inconsistency has been noted in the proposed vegetation clearing areas to be undertaken as part of the Stage 1 Works (SSD 9575). The inconsistency is in the areas presented in the Stage 1 Biodiversity Development Assessment Report (Stage 1 BDAR), the SSD 9575 Conditions Schedule 3 B33(c), and the latest detailed design information prepared by Robert Bird Group (Project Civil Engineers). To clarify this inconsistency, we have included the most recent (Stage 2) BDAR for the project.

The modification application is accompanied by:

- A revised Tree Removal and Preservation Plan by Turf Design Studio (Dwg No. LS-DWG -02-001 Rev 5 - dated 27/08/2019)
- An assessment by Greencap (Native Vegetation Clearing for Stage 1 SSD - dated 29/08/2019) that further explains and assesses the modification
- The current (Stage 2) BDAR for the project.

The following additional detailed drawings have also been attached to show the original extent of clearing, compared to the revised extent of clearing, required to facilitate the construction of approved access points A and D as part of Stage 1 Works:

- Auxiliary Lane (Access A) Tree Clearance Plan by Robert Bird Group (dated 26/08/2019)
- Roundabout (Access D) Tree Clearance Plan by Robert Bird Group (dated 26/08/2019)

ABN 79 896 839 729
ACN 101 084 557

Return address:
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NSW 2450

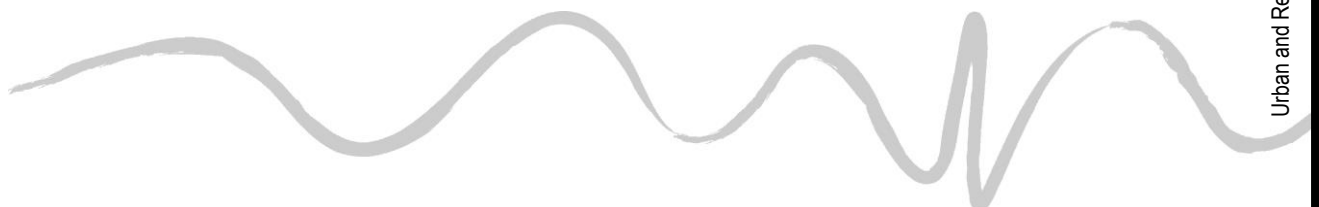
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The updated Turf Design Studio Drawing No LS-DWG-02-001 Tree Removal and Preservation Plan (dated 27/08/2019) incorporates the recent detailed designs by Robert Bird Group for the roundabout and auxiliary lane and the main entrance.

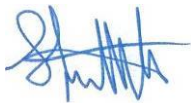
Greencap (Project Ecological Consultant) has prepared an assessment of the inconsistencies and amended clearing areas (attached to this application). This assessment includes further detail on the proposed modification and consideration of biodiversity matters. Importantly, this assessment confirms that the modified clearing areas do not exceed the area of clearing approved under the Stage 1 BDAR, and this area has previously been addressed by a payment into the Biodiversity Conservation Fund on 5 July 2019. The affected vegetation (within Zone 8) is a windrow that is noted to be in very low condition as per the assessment in the Stage 1 BDAR.

Since the inconsistencies in clearing areas are relevant to a single vegetation zone (Zone 8), are minor in nature, are within the offset requirement that has already been met, and are not significantly different in location of clearing, Greencap has assessed that there are no detrimental implications nor additional biodiversity impacts to be addressed. Hence, the modification is of minimal environmental impact, consistent with Section 4.55(1A) of the EP&A Act.

As a consequence of the modification, SSD 9575 Condition Schedule 3 B33(c) also requires amendment to reference the revised Tree Removal and Preservation Plan submitted with this application.

Approval of the modification will allow the approved Stage 1 Works (construction of the approved access points) to continue and would not result in additional environmental impact.

Yours sincerely
GeoLINK



Simon Waterworth
Director/Senior Planner

LEGEND

- EXISTING LAND BOUNDARY
- PROPOSED LAND BOUNDARY
- PROPOSED EXTENT OF TREES TO BE CLEARED
- ORIGINAL EXTENT OF TREES TO BE RETAINED
- ORIGINAL EXTENT OF TREES TO BE CLEARED

FUTURE INTERNAL WORKS

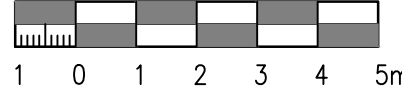
ORIGINAL AREA OF EXISTING TREES TO BE CLEARED = 417m²

PROPOSED AREA OF EXISTING TREES TO BE CLEARED = 679m²

1.0m (TYP.)

CUDGEN ROAD

SCALE 1:125



Rev	Revision Description	By	App	Date
1	ISSUED FOR INFORMATION	MC	CR	13.08.19
2	ISSUED FOR INFORMATION	MC	CR	14.08.19

Rev	Revision Description	By	App	Date
1	ISSUED FOR INFORMATION	MC	CR	13.08.19
2	ISSUED FOR INFORMATION	MC	CR	14.08.19

REVISION IN PROGRESS

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Structural, Civil & Construction Engineering Consultant

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Title
AUXILIARY LANE TREE CLEARANCE PLAN

Project
**TWEED VALLEY HOSPITAL
TWEED SHIRE, GREENFIELD SITE,
NORTHERN RIVERS, NSW 2485**

Scale at A1
AS SHOWN
Date
26.08.19

Drawn
M.CLAVEL
Designer
M.CLAVEL
Job Number
19005

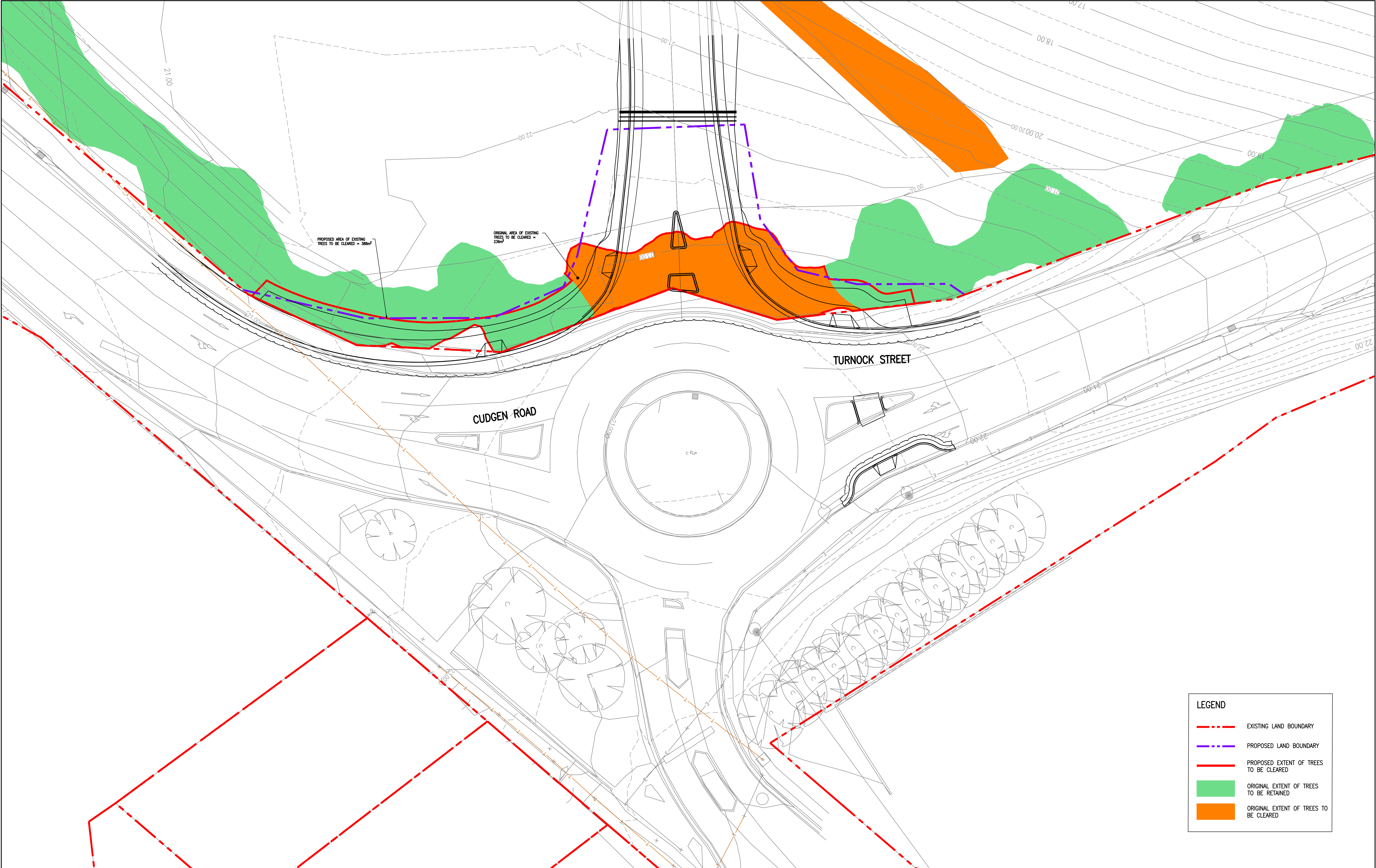
Design Checker
D. BARNES
Job Number
19005

Revision
2

REVISION IN PROGRESS

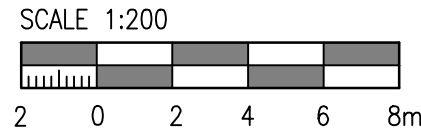
OR CONSTRUCTION

RBC-CV-DWG-RIE-83-151



LEGEND

- EXISTING LAND BOUNDARY
- PROPOSED LAND BOUNDARY
- PROPOSED EXTENT OF TREES TO BE CLEARED
- ORIGINAL EXTENT OF TREES TO BE RETAINED
- ORIGINAL EXTENT OF TREES TO BE CLEARED



Rev	Revision Description	By	App	Date
1	ISSUED FOR INFORMATION	MC	CR	13.08.19
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ACN 010 580 248



ROUNDABOUT TREE CLEARANCE PLAN

Project
**TWEED VALLEY HOSPITAL
TWEED SHIRE, GREENFIELD SITE,
NORTHERN RIVERS, NSW 2485**

Scale at A1
AS SHOWN
Date
26.08.19

Drawn
M.CLAVEL
Designer
M.CLAVEL

Design Checker
D.ROSE
Job Number
19005

Revision
2

REVISION IN PROGRESS

OR CONSTRUCTION

RBG-CV-DWG-RIE-81-101

TSA Management
Tweed Valley Hospital
771 Cudgen Road
Cudgen NSW 4895

29 August 2019

To Sue Folliott,

Re: Native Vegetation Clearing for Stage 1 SSD

An inconsistency has been noted in the proposed vegetation clearing areas to be undertaken as part of the Stage 1 works (SSD 18_9575). The inconsistency is in the areas presented in the Stage 1 Biodiversity Development Assessment Report (Stage 1 BDAR), the SSD 18_9575 Conditions Schedule 3 B33c, and the latest detailed design information. The total areas for clearing native vegetation occur within:

- The Tweed Valley Hospital Site Boundary (Lot 11 DP 1246853) (Project Site).
- The Tweed Coast Road Crown Road Reserve (TCR Site).

The Stage 1 BDAR was finalised and issued to HI on the 25th of January 2019 in which the direct impacts (cleared native vegetation) proposed were based on *Drawing L-CD-12* from the Tweed Valley Hospital Draft Landscape Concept Design Report (19th January 2019, Turf Design Studio) (**0.95 ha, Table 1**).

Prior to submission of the Stage 1 EIS, the vegetation clearing plans were updated but not reflected in the previously completed Stage 1 BDAR assessment. The relevant plans, as approved in SSD 18_9575, are:

- *Drawing No L-EIS-1 Rev F Tree Removal and Preservation Plan* (3rd May 2019, Turf Design Studio).
- *Preliminary Arboricultural Report* (17th October 2018, ArborSafe).

Georeferencing of these plans by Greencap and application to vegetation mapping from the BDAR indicate that a total of **0.84 ha** of native vegetation was to be cleared (**Table 1**).

The Stage 1 Biodiversity Management Plan (Stage 1 BMP) was prepared by Greencap based on the Conditions Schedule issued for SSD 18_9575. Condition Schedule 3 B33c specified that the BMP must include details of measures to protect all trees identified for retention in these plans.

The updated Turf Design Studio *Drawing No LS-DWG-02-001 Tree Removal and Preservation Plan* dated 27th of August 2019 incorporates the recent detailed designs by Robert Bird Group for the roundabout and auxiliary lane dated the 26th of August 2019 and the main entrance dated the 16th of August 2019.

The Turf Design Studio *Drawing No LS-DWG-02-001 Tree Removal and Preservation Plan* dated 27th of August 2019, georeferenced by Greencap and applied to the vegetation mapping from the BDAR, indicates that a total of **0.93 ha** of native vegetation is to be cleared (**Table 1**). A visual representation of the differences in indicative clearing areas based on the best available information provided to Greencap is shown in **Figure 1**.

Table 1 Summary of Proposed Clearing for Tweed Valley Hospital Stage 1

Vegetation Zone	Stage 1 BDAR (ha)	Conditions Schedule 3 B33c (ha)	Actual Proposed Clearing (ha)
Zone 4 (PCT 1302)	0.55	0.55	0.55
Zone 8 (PCT 1302)	0.40	0.29	0.38
Total	0.95	0.84	0.93

It is noted that this total clearing area of **0.93 ha** marginally exceeds the **0.84 ha** area to be cleared as specified by the Conditions Schedule. However, it is recognised that the credit offset requirement determined as part of the Stage 1 BDAR assessment case met the requirements of the greater area of **0.95 ha**. This area has previously been addressed by a payment into the Biodiversity Conservation Fund on the 5th of July 2019.

The affected vegetation (Zone 8) is a windrow that is noted to be in very low condition as per the assessment in the Stage 1 BDAR.

Since the inconsistencies in clearing areas are relevant to a single vegetation zone (Zone 8), are minor in nature, are within the offset requirement that has already been met, and are not significantly different in location of clearing, Grencap believes that there are no detrimental implications nor additional biodiversity impacts to be addressed. However, from a due diligence perspective it is recommended that the inconsistencies with the references to approved clearing areas are addressed as a planning issue (i.e. application to modify the development consent) and thus ensure that the correct detailed design plans are referenced for the clearing that has been approved.

Regards,



Dr Damian Licari
Principal Consultant - Environment | Grencap

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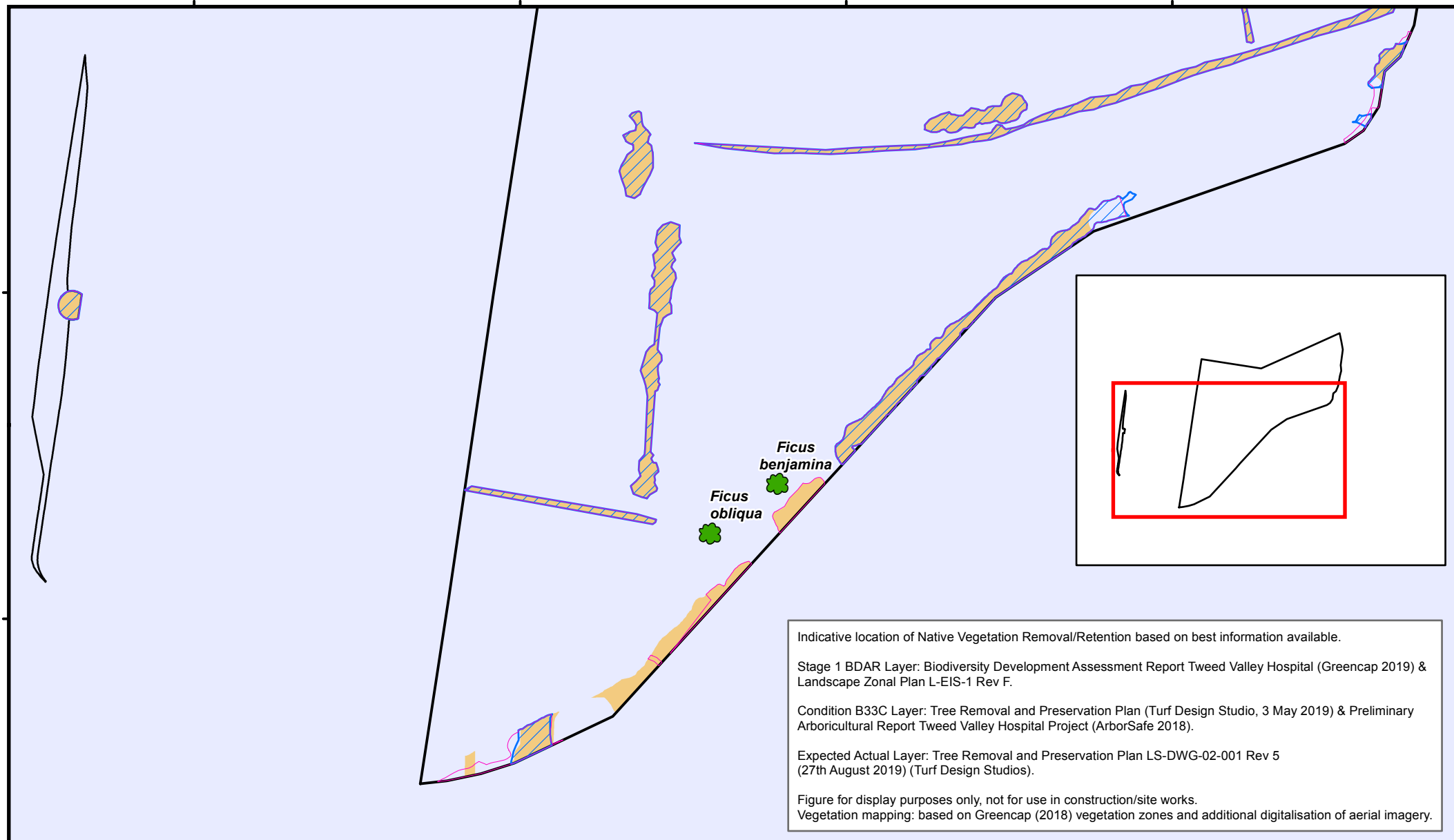
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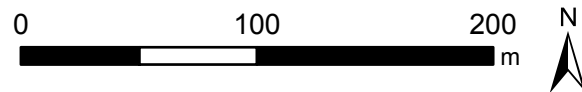
Client: C107778

Job #: J156455-13

Author: D. Correa

Checked: C. Maloney

Date: 29/08/2019



Coordinate System: GDA 1994 MGA Zone 56

Doc. Name: J156455_13_vege_letter_F01_ChangeClearing_190829

Ficus benjamina (to be retained) and *Ficus obliqua* (to be retained)

Indicative Vegetation Removal Expected Actual (27/08/2019)

Indicative Vegetation Removal Condition B33C

Site Boundary

Indicative Vegetation Removal - Stage 1 BDAR

Indicative Location of Changes in Native Vegetation Removal

Tweed Valley Hospital
771 Cudgen Road
Cudgen NSW

**Figure
1**

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0 20 40 60 80 100
SCALE - 1:1500 @ A1, 1:3000 @ A3

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**FOR
COORDINATION
27.08.2019**

5	16.08.2019	ISSUED FOR SSD2	AR	MC
4	09.08.2019	ISSUED FOR SSD2	AR	MC
3	02.08.2019	ISSUED FOR SSD2	AR	MC
2	19.06.2019	70% SCHEMATIC DESIGN	AR	MC
1	18.06.2019	FOR REVIEW	HH	MC

Rev	Date	Description	Drawn	Checked
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Phone (+61 2) 9527 3380, Fax (+61 2) 9527 2307
Email: sydney@turfdesign.com

Client



Project

**TWEED VALLEY HOSPITAL
DEVELOPMENT**

Drawing Title

**Tree Removal and Preservation
Plan**

Drawing Status

DRAFT ONLY

Scale: As indicated @A1 Plot Date: 27/08/19 10:06:42 AM

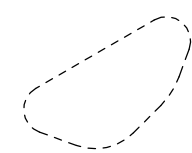
Project No. Drawing No. Revision

1719 LS-DWG -02-001 5

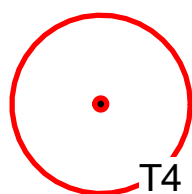
LEGEND



Existing trees to be retained in accordance with
BMP (Biodiversity Management Plan).
(TPZ in accordance with arborist report and AS 4970-2009)



Existing trees to be removed (due to development
footprint and road works)



High retention value tree - to be retained
(TPZ in accordance with arborist report and AS 4970-2009)



Moderate retention value tree
- to be retained if possible
(TPZ in accordance with arborist report and AS 4970-2009)



Moderate retention value tree - to be removed



Moderate retention value tree - to be salvaged
and relocated on site.



Existing fruit tree orchard to be retained



Site Boundary

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