

## Eurobodalla – Soil Conservation Works

### Project Details

<b>Project Name</b>	Eurobodalla – Soil Conservation Works
<b>Project Location</b>	Princes Highway, Moruya - Lot 2 DP 1281576
<b>REF Prepared by</b>	Ethos Urban dated 11 January 2023
<b>Activity Description</b>	<p>The undertaking of soil conservation works to facilitate the ongoing management of the greenfield lot. The proposed activity comprises the following:</p> <ul style="list-style-type: none"> <li>- Construction of three erosion and sediment basins, ranging between 507m<sup>2</sup> and 990m<sup>2</sup> in area.</li> <li>- Construction of an ancillary road into the site to facilitate construction access into the site.</li> </ul>

NSW Health Infrastructure is proposing soil conservation works under the provisions of *State Environmental Planning Policy (Transport & Infrastructure) 2021* (T&I SEPP) which requires determination under Part 5 of the *Environmental Planning & Assessment Act 1979* (EP&A Act). This Statement of Compliance demonstrates that the Review of Environmental Factors (REF) for the proposed activity has met the requirements of Part 5 of the EP&A Act and the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulations).

The REF has identified and considered the following matters:

#### 1. The activity is “development without consent” under the T&I SEPP

The activity is development without consent under the T&I SEPP for the following reasons:

- Soil conservation works are permitted to be undertaken by any public authority on any land without consent under Section 2.133 of the T&I SEPP.
- The provision of an ancillary unsealed, gravel road across the site to provide access to the construction areas for the soil conservation works is permitted to be undertaken by any public authority on any land without consent under Section 2.109 of the T&I SEPP.

#### 2. The notification requirements of the T&I SEPP have been met.

- There is no statutory requirement for consultation to be undertaken under the relevant sections of the T&I SEPP.

#### 3. Consideration of other environmental planning instruments

- Consideration of the applicable instruments is provided at Sections 4.5 and 4.6 in the REF.

#### 4. The requirements of Section 5.5 of the EP&A Act and Section 171 of the EP&A Regulations have been met:

- Pursuant to Section 5.5(1) of the EP&A Act, the REF has examined and taken into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of the proposed activity.
- The factors to be taken into account under Section 171 of the EP&A Regulations as listed in Section 3 of the *Guidelines for Division 5.1 Assessments* (June 2022) (the Guidelines), noting the Guidelines were prepared for the purposes of Section 170 of the EP&A Regulation 2021, have been fully considered in the REF in determining the likely impact of the proposed activity on the environment and measures to mitigate potential singular and cumulative impacts associated with the proposed activity have been identified.

- As demonstrated in the completed Section 5.5 checklist (Section 4.3 of the REF) and the Environmental Factors under Section 171 of the EP&A Regs (in accordance with Section 3 of the Guidelines) checklist (Section 6.1 of the REF), the proposed activity will not have significant effects on the environment or threatened species and as a result, an Environmental Impact Statement is not required before a decision is made whether or not the proposed activity can proceed.

### 5. Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

- The activity will not have any impacts on matters of national significance including impacts on Commonwealth land, listed threatened species, migratory species protected under international agreements, national heritage places, world heritage properties/areas, or Ramsar wetlands of international importance. An approval under the EPBC Act is therefore not required.

### 6. Approvals, authorisations and notifications under other Acts

- As detailed in the REF, any approvals, authorisations or notifications that are required under other Acts before the activity can proceed have been obtained, or where applicable, have been included in the identified requirements.

## Certification

I certify that I have reviewed and endorsed the contents of this REF document, and, to the best of my knowledge, it is in accordance with the *Environmental Planning & Assessment Act 1979* (EP&A Act), the *Environmental Planning & Assessment Regulation 2021* (EP&A Regulation) and the Guidelines approved under Section 170 of the EP&A Regulation, and the information it contains is neither false nor misleading.

## Author and endorsements

Author	Position	Date
Nicholas Dowman	Senior Planning Advisor	19/1/2023
Endorsed by	Position	Date
Rachel Mitchell	Manager, Planning	19/1/2023