

HEALTH INFRASTRUCTURE

Addendum Review of Environmental Factors

Eurobodalla Hospital
Princes Highway, Moruya

14/11/2023

Version Number: 2



Declaration

This Addendum Review of Environmental Factors (Addendum REF) has been prepared for NSW Health Infrastructure (HI) and assesses the potential environmental impacts which could arise from soil conservation works and the construction of an ancillary road at the site legally described as Lot 2 DP 1281576 on Princes Highway, Moruya.

A REF for soil conservation works and construction of an ancillary road into and around the site to facilitate construction access was endorsed by HI on 3 February 2023. This Addendum REF has been prepared in accordance with the relevant provisions of *the Environmental Planning and Assessment Act 1979* (EP&A Act), *the Environmental Planning and Assessment Regulation 2021* (EP&A Regulation) and *State Environmental Planning Policy (Transport and Infrastructure) 2021* (TI SEPP).

This Addendum REF provides a true and fair review of the activity in relation to its likely impact on the environment. It addresses to the fullest extent possible, all the factors listed in Section 3 of the Guidelines for Division 5.1 Assessments (June 2022), the EP&A Regulation and the *Commonwealth Environmental Protection and Biodiversity Conservation Act 1999* (EPBC ACT).

Based upon the information presented in this Addendum REF, it is concluded that, subject to adopting the recommended mitigation measures, it is unlikely there would be any (additional) significant environmental impacts associated with the activity. Consequently, an Environmental Impact Statement (EIS) is not required.

Declaration	
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A	S10.7 Report	Eurobodalla Shire Council	13/12/2022
B	Civil Drawings	TTW	Revision A
C	Revised Heritage Assessment	Comber Consultants	08/12/2022
D	Traffic Assessment	Bitzois Consulting	31/08/2023
E	Acoustic Assessment	ARUP	04/09/2023
F	Heritage Assessment	Comber Consultants	01/09/2023
G	Contamination and Salinity Report	JK Environments	01/09/2023
H	Prescribed Ecological Assessment Report	Abel Ecology	29/09/23
I	Bushfire Assessment	Abel Bushfire	29/09/23
J	Aboriculture Report	Abel Ecology	29/09/23

Abbreviations

Abbreviation	Description
BC Act 2016	Biodiversity Conservation Act 2016
CMP	Construction Management Plan
DPE	Department of Planning and Environment

Abbreviation	Description
EIS	Environmental Impact Statement
ELEP 2012	Eurobodalla Local Environmental Plan 2012
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
EPBC Act (Cwth)	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
HI	Health Infrastructure
LEP	Local Environmental Plan
LGA	Local Government Area
Proponent	NSW Health Infrastructure
REF	Review of Environmental Factors
Resilience and Hazards SEPP	State Environmental Planning Policy (Resilience and Hazards) 2021
SEPP	State Environmental Planning Policy
TI SEPP	State Environmental Planning Policy (Transport and Infrastructure) 2021

Executive Summary

Amended Proposal Overview

This Review of Environmental Factors (REF) relates to the undertaking of soil conservation works at the site on Princes Highway, Moruya that is legally described as Lot 2, DP 1281576. The amended works will facilitate the ongoing management of the greenfield lot. The proposed amendments to the endorsed REF comprise of the following:

- Realignment of the approved ancillary road into and on the site to facilitate construction access into the site.
- Construction of two additional sediment basins, ranging between 60m³ and 152m³.
- Changes to location and orientation of the three already approved sediment basins.
- Construction of two site sheds and one gravel hardstand.

Need for Amended Proposal

The proposed works will provide protection in the event that prolonged periods of nil or minimal rainfall and/or the further reduction of vegetation occurs across the site. The proposed amended works will seek to manage this event which would leave the site in a state where it had the potential to pollute, with unprotected areas subject to erosion risk. The sediment basins are located to capture site runoff from as much of the site as possible.

The proposed amendments identified in this REF Addendum are necessary to deliver site management and construction access. Specifically, the proposed amendments are required for following reasons:

- The relocation of the basins aims to reduce the amount of clean water crossing the disturbed areas, relocating them away from the overland flows.
- The introduction of new detention basins should result in less disturbance of areas.
- The site sheds are proposed to be relocated to a less culturally sensitive location on the site. At present, they are located on the highest part of the site, and it is proposed to relocate them to a lower location.
- The new road alignment reduces the impacts on existing trees within the site, including several hollow trees of value.
- Culverts have been included to let clean water pass through the road and not cross disturbed areas.

Amended Proposal Objectives

The amended proposal objectives are to facilitate the ongoing management of the greenfield lot until such time as the future use and development of the site is resolved. Ultimately, the overall objective of the amended proposal remains the same, that is; to avoid, manage and mitigate the potential effects of erosion.

Options Considered

Three options were considered, as summarised below.

- Option 1 – Take no actions to address the issue of erosion and top soil loss. The existing approved arrangement would continue to provide some level of erosion and top soil management, however not to the greatest extent possible.
- Option 2 – Amend the proposal to undertake improved soil conservation works along with the ancillary internal vehicle access road. This amended proposal is considered to be the most appropriate as it will both address the potential issue of erosion and topsoil loss through the construction of the erosion and sediment basins, whilst ensuring the construction works do not result in their own erosion impacts. This option also mitigates other environmental impacts by ensuring construction vehicles only traverse dedicated parts of the site.

Site Details

The site is located along the Princes Highway, Moruya which is legally described as Lot 2 DP 1281576 and is owned by the Health Administration Corporation. The site has an approximate area of 21.94 hectares and currently comprises vacant greenfield land.

A small portion of the works proposed are located outside of the boundary, on the adjacent highway land, which is owned by Transport for NSW (TfNSW). Engagement with TfNSW is ongoing, and it is not anticipated that the works in this location outside of the boundary will have any implication on the operation of the Princes Highway.

Planning Approval Pathway

The site is zoned part R2 Low Density Residential one and part RU1 Primary Production zone under the Eurobodalla Local Environmental Plan 2012 (LEP 2012). However, it is noted that all soil conservation works, and the ancillary vehicle access will only be undertaken within the area of the site zoned R2 Low Density Residential.

The proposed soil conservation works are permitted to be undertaken by any public authority on any land without consent under Section 2.133 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021* (TI SEPP).

Furthermore, the amended provision of an ancillary unsealed, gravel road across the site to provide access to the construction areas for the soil conservation works is also permitted to be undertaken by any public authority on any land without consent under Section 2.109 of the TI SEPP.

Accordingly, the works can be undertaken by Health Infrastructure as a public authority as 'Development without consent'. As per Part 5 of the *Environmental Planning and Assessment Act* (EP&A Act), the proposal is identified as an 'activity' and is therefore subject to an environmental assessment (REF) as presented in this report.

Statutory Consultation

There is no statutory requirement for consultation to be undertaken under the relevant sections of the TI SEPP. Notwithstanding this, consultation with the community and Eurobodalla Shire Council has been ongoing for several months in relation to the future operation of the site and will continue throughout the process of undertaking these works.

Environmental Impacts

This amended REF considers the requirements of Part 5 of the EP&A Act, as well as clause 171 of the *Environmental Planning and Assessment Act 2021*. Section 6.1 outlines the potential impacts of the works on the environment, including traffic management, biodiversity and ecology, and heritage impacts, however, there is no change from the endorsed REF.

The environmental impacts from the amended development proposal are considered to be temporary and negligible. Mitigation measures remain the same as the endorsed REF's Section 6.3. Mitigation measures manage and minimise potential impacts arising from the development.

Justification and Approval

This REF describes the proposed amended development and has fully examined all possible matters affecting or likely to affect the environment as a result of the works. Potential impacts can reasonably be mitigated and managed, with reference to Section 6.3 of the endorsed REF, through the adoption of suitable site practices and adherence to accepted industry standards.

The proposed amendments can be justified as it responds to an existing need to appropriately manage potential impacts of erosion of the greenfield lot until such time as it is developed. By undertaking these soil conservation works, the impacts of erosion can adequately be avoided, managed or mitigated. All endorsed and amended REF proposals comply with all legislation, plans and policies and will have minimal environmental impacts and will incorporate adequate mitigation measures where necessary. Given the planning merits and compliance of the proposed works, the development warrants approval.

1. Introduction

NSW Health Infrastructure (HI) propose to amend the endorsed development comprising of soil conservation works, construction of three erosion and sediment basins, and the ancillary construction of an unsealed, gravel road around the site to facilitate construction access (the Proposal) at the Lot 2 DP 1281576, Princes Highway, Moruya (the site). The works are being undertaken as part of their delivery of infrastructure solutions and services to support the healthcare needs of the NSW communities. The additional works to be undertaken as part of the proposal are as follows:

- Construction of two additional erosion and sediment basins;
- Realignment of the ancillary road throughout the site;
- Changes to the location and orientation of the three approved sediment basins; and
- Construction of two site sheds and one gravel hardstand (amended proposal).

This Addendum Review of Environmental Factors (REF) has been prepared by Ethos Urban on behalf of HI to determine any changes to the environmental impacts as identified within the REF 3/2/2023. For the purposes of these works, HI is the proponent and the determining authority under Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The purpose of this Addendum REF is to describe the amended proposal, to document the likely altered impacts of the amended proposal on the environment and to detail any changes to the protective measures, identified in the REF, to be implemented to mitigate impacts.

The description of the additional proposed works and associated altered environmental impacts have been undertaken in the context of the Guidelines for Division 5.1 Assessments (June 2022), the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation) and the Australian Government's *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The assessment contained within the Addendum REF has been prepared having regard to:

- Whether the amended proposed activity (the amended proposal) is likely to have a significant impact on the environment and therefore the necessity for an EIS to be prepared and approval to be sought from the Minister for Planning and Homes under Part 5 of the EP&A Act; and
- The potential for the amended proposed activity (the amended proposal) to significantly impact *Matters of National Environmental Significance* (MNES) on Commonwealth land and the need to make a referral to the Australian Government Department of Environment and Energy for a decision by the Commonwealth Minister for the Environment on whether assessment and approval is required under the EPBC Act.

The Addendum REF helps to fulfil the requirements of Section 5.5 of the EP&A Act, which requires that HI examine, and take into account to the fullest extent possible, all matters affecting, or likely to affect, the environment by reason of the proposed activity.

Proposal overview

The endorsed REF relates to the undertaking of soil conservation works at a site on Princes Highway, Moruya that is legally described as Lot 2 DP 1281576, to facilitate the ongoing management of the greenfield lot until such time as its redeveloped for another use.

The endorsed REF overview is comprised of:

- Construction of three erosion and sediment basins, ranging between 507m² and 990m² in area; and
- Construction of an ancillary road into the site off Princes Highway to facilitate construction access into the site.

Amended proposal need and alternatives

The amended proposal is required for the following reasons:

- Improve and realign the ancillary road through the site to avoid existing trees of value on the site, and to better reflect the topography of the site.
- Addition of two sediment basins to increase the total from three to five basins.
- Relocation and reorientation of three approved sediment basins.
- Amendment to the construction areas to introduce two site sheds and one gravel hardstand.

An overview of the alternatives, and an identification of the preferred alternative, for the amended proposal are provided within Table 1.

Table 1: Alternatives considered for the amended proposal

Alternative description	Advantages and disadvantages	Preferred alternative
Take no actions to address the issue of erosion and top soil loss.	The existing approved arrangement would continue to provide some level of erosion and top soil management, however not to the greatest extent possible.	Proposal is preferred.
Amend the proposal to undertake improved soil conservation works along with the ancillary internal vehicle access road. The amended proposal is approved and works can be carried out.	This amended proposal is considered to be the most appropriate as it will better address the potential issue of erosion and topsoil loss through the construction of the erosion and sediment basins, whilst ensuring the construction works do not result in their own erosion impacts. The realignment of the road will avoid objects of value on the site and best reflects the topography of the site. This option also mitigates other environmental impacts by ensuring construction vehicles only traverse dedicated parts of the site.	Proposal is preferred.

2. Site Analysis and Description

2.1 The Site and Locality

Table 2: Description of the site

Details	Proposal (endorsed REF)	Amended proposal (this REF)
Address	Princes Highway, Moruya	Princes Highway, Moruya
Legal Description	Lot 2, DP 1281576	Lot 2, DP 1281576
Site Area	21.94 hectares	21.94 hectares
Owners	Health Administration Corporation	Health Administration Corporation
Heritage	No	No

2.1.1 Existing Development

The site's existing development has not changed as indicated by Section 2.1.1 of the endorsed REF.

2.1.2 Site Considerations and Constraints

Section 10.7 Planning Certificate No.PL1152/23, dated 13 December 2022 (Appendix A), identifies that the site is located within the R2 Low Density Residential zone and partly within the RU1 Primary Production zone under the ELEG 2012. Since the endorsed REF, there have been no changes to the certificate, thus please reference Section 2.1.2 of the endorsed REF.

3. Proposed Amended Activity

3.1 Proposal Overview

This REF relates to the undertaking of soil conservation works to facilitate the ongoing management of the greenfield lot until the site is redeveloped for another use. The proposed amendments are as follows:

Road Realignment

It is proposed to realign the approved road that enters the site from the Princes Highway. This includes the removal of two approved side roads which joined the main road to the sediment basins. The road will also be adjusted from the approved entry of the site from the Princes Highway to a temporary access point that will be removed following the delivery of the adjacent roundabout on the Princes Highway (subject to a separate REF process).

The road alignment has been adjusted to better reflect the topography of the site, curving more in line with the existing hill on the northern part of the site. The revised alignment also reduces the impact on existing trees on the site, including some hollow trees in particular.

Two Additional Sediment Basins

The amended proposal includes the addition of two smaller sediment basins located along the road. This will result in the total number of sediment basins increasing from three to five.

The number of sediment basins has been increased to improve the capture of sediment and erosion on the site, resulting in less disturbance across the site.

Relocation and Reorientation of Sediment Basins

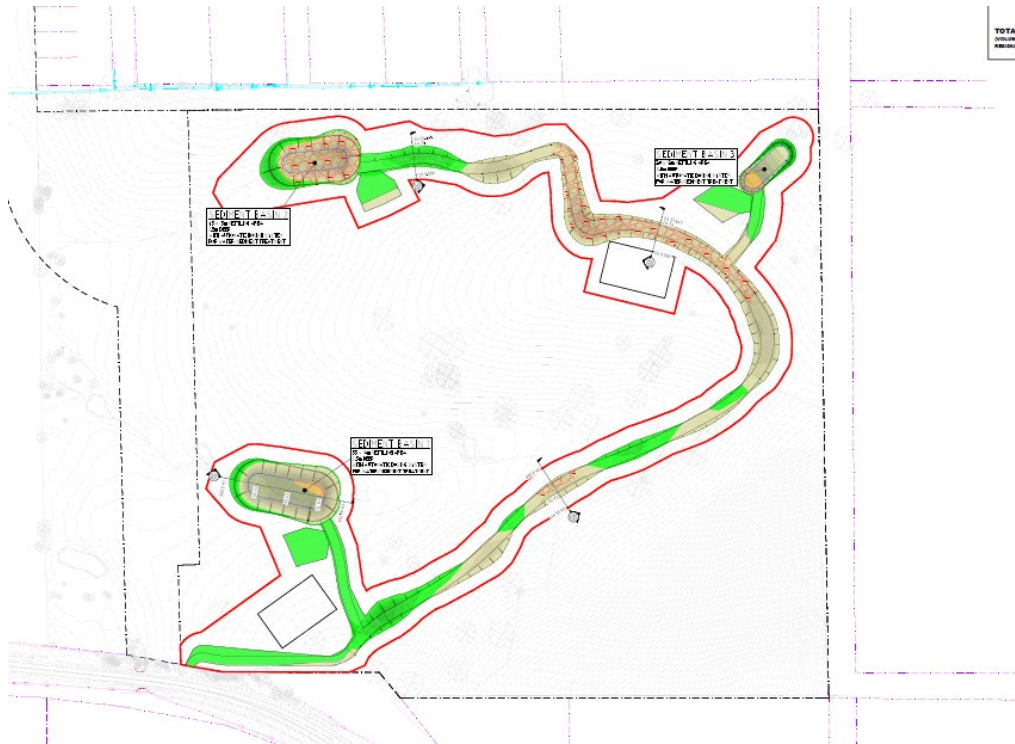
The amended proposal includes minor changes to the location of the three already approved sediment basins. This will include the rotation and minor relocation of all three approved sediment basins.

Similar to the addition of new basins, the existing sediment basins have been amended to provide a greater sediment and erosion outcome on the site. The movement of the basins will avoid the line of overland flows across the site and reduce the amount of clean water crossing the disturbed areas.

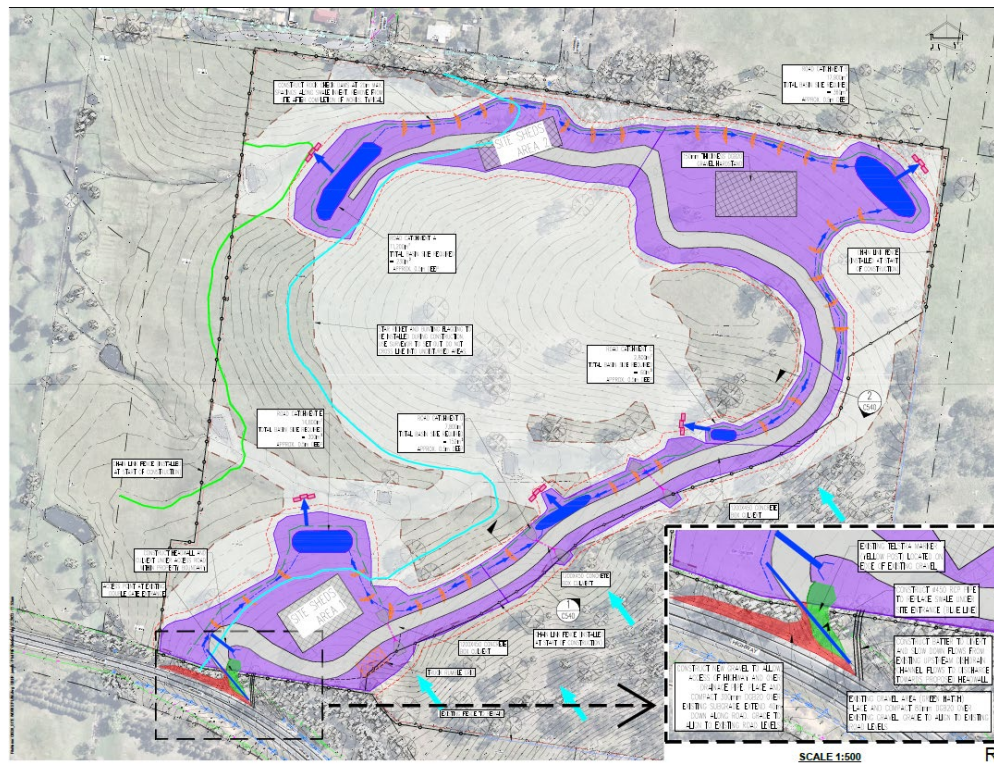
Construction Area and Hardstand

The amended proposal incorporates new construction areas and the addition of site sheds and a gravel hardstand. The construction areas have been removed and amended to be replaced with a gravel hardstand at the northern end of the site. There is also the addition of two site sheds. The sheds are located at the northern and southern ends of the site. This relocates the sheds to a lower elevation on the site, avoiding the more culturally sensitive areas of higher topography.

A comparison of the approved scheme and the proposed scheme are provided at **Figure 1** below. Detailed civil drawings are provided at Appendix B.



Approved



Proposed

Figure 1 Comparison of the approved and proposed schemes

3.2 Construction Activities

The amended proposal does not change the work hours, plant equipment, source and quantity of materials, and traffic management arrangements identified within section 3.2 of the endorsed REF.

Table 3: Project Timeframes and Construction Activities

Construction Activity	Proposal (endorsed REF)	Amended proposal (this REF)
Commencement Date	Estimated Commencement Date: February 2023 Estimated Completion Date: June 2023	Indicative Commencement Date: Early 2024 Indicative Completion Date: February/March 2024
Work Duration/Methodology	5 months	8-10 weeks
Ancillary Facilities	<p>Site laydown / meeting areas will be established in the south western corner of the site and at the top of the hill, near the location of the soil conservation works. A vehicle access off Princes Highway (in the form of an unsealed, gravel road) to the site laydown area and around the site will also be constructed. These are essential to the soil conservation works as there is currently no vehicle access to the proposed basins and uncontrolled access around the site has the potential to result in adverse environmental impacts.</p> <p>A site amenities compound will also be erected at the site laydown / meeting area during the works. The compound is proposed to accommodate lunch, bathroom and change facilities for the duration of the works. This will be organised and managed by the Principal Contractor.</p>	<p>The proposal remains mainly unchanged except that the site lay downs will be relocated near the location of the soil conservation works. The site laydowns will also include two site shed areas and one gravel hardstand.</p>

3.3 Operational Activities

No changes have been made to the operational activities of the site. Please refer to the endorsed REF.

4. Statutory Framework

4.1 Activity Description under TI SEPP

Section 4.1 of the EP&A Act states that if an EPI provides that development may be carried out without the need for development consent, a person may carry out the development, in accordance with the EPI, on land to which the provision applies. However, an environmental assessment of the development is required under Part 5 of the Act.

The TI SEPP aims to facilitate the effective delivery of infrastructure across the State. Division 17, Section 2.109 of the TI SEPP outlines the approval requirements for general road and infrastructure facilities. General road and infrastructure facilities are defined as development without consent where works may be carried out by or on behalf of a public authority without consent on any land under this division.

Division 19, Section 2.133 of the TI SEPP outlines the approval requirements for soil conservation works. Soil conservation works are categorised as 'development without consent', whereby works may be carried out by or on behalf of a public authority without consent on any land.

The site is zoned R2 Low Density Residential zone and part RU1 Primary Production zone under the ELEP 2012. The R2 Low Density Residential is a prescribed zone under the TI SEPP.

Therefore, the proposed scope of works is considered an 'activity' for the purposes of Part 5 of the EP&A Act because of the land use and proposed carrying out of works. The development is therefore subject to an environmental assessment (REF).

There is no statutory requirement for consultation to be undertaken under the relevant sections of the TISEPP. Notwithstanding this, consultation with the community and Eurobodalla Shire Council has been ongoing for several months in relation to the future operation of the site and will continue throughout the process of undertaking these works.

Table 4: Description of proposed activities

Division and Section within TI SEPP	Proposal (endorsed REF)	Amended proposal (this REF)
Division 17, Section 2.109	In accordance with section 2.109 of the TI SEPP, development for the purposes of road or any road infrastructure facilities can be undertaken as development without consent by a public authority on any land. The proposed construction of vehicle access from Princes Highway and around the site falls under the categories of road or road infrastructure facilities, and therefore can be carried out by HI NSW as 'development with consent' in accordance with section 2.109 of the TI SEPP.	This pathway remains relevant for the amended proposal. This REF would be carried out by HI NSW as 'development without consent' in accordance with 2.109 of the TI SEPP.
Division 19, Section 2.133	In accordance with section 2.133 of the TI SEPP, development for the purposes of soil conservation works can be undertaken as development without consent by a public authority on any land. The proposed soil conservation works for the purpose of addressing the issue of erosion and top soil loss can be carried out by HI NSW as 'development without consent' in accordance with section 2.133 of the TI SEPP.	The pathway remains relevant for the amended proposal. This REF would be carried out by HI NSW as 'development without consent' in accordance with section 2.133 of the TI SEPP.

4.2 Environmental Protection and Biodiversity Conservation Act 1999

The provisions of the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act) does apply to the amended proposal, however it is not required to be referred to the Commonwealth. Further, it is not development carried out by a Commonwealth agency, nor does the proposed development affect any matters of national significance. An assessment against the EPBC Act checklist is provided at Table 6 of the REF.

The amended proposal does not trigger any additional aspects of the EPBC Act. An assessment of the proposal and the amended proposal against the EPBC Act checklist is provided at Table 6 below.

Table 5: EPBC Checklist

Consideration	Yes/No	
	Proposal	Amended proposal
Will the activity have, or likely to have, a significant impact on a declared World Heritage Property?	No	No
Will the activity have, or likely to have, a significant impact on a National Heritage place?	No	No
Will the activity have, or likely to have, a significant impact on a declared Ramsar wetland?	No	No
Will the activity have, or likely to have, a significant impact on Commonwealth listed threatened species or endangered community?	No	No
Will the activity have, or likely to have, a significant impact on listed migratory species?	No	No
Will the activity involve any nuclear actions?	No	No
Will the activity have, or likely to have, a significant impact on Commonwealth marine areas?	No	No
Will the activity have any significant impact on Commonwealth land ?	No	No
Would the activity affect a water resource, with respect to a coal seam gas development or large coal mining development?	No	No

4.3 Environmental Planning and Assessment Act 1979

Duty to Consider Environmental Impact

Part 5 of the EP&A Act applies to activities that are permissible without consent and are generally carried out by a public authority. Activities under Part 5 of the EP&A Act are assessed and determined by a public authority, referred to as the determining authority. HI is a public authority and is the proponent and determining authority for the proposed works.

For the purpose of satisfying the objects of the EP&A Act relating to the protection and enhancement of the environment, a determining authority, in its consideration of an activity shall, notwithstanding any other provisions of the Act or the provisions of any other Act or of any instrument made under the EP&A Act or any other Act, examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of that activity (refer to Subsection 1 of Section 5.5 of the EP&A Act).

Section 171 of the EP&A Regulation defines the factors which must be considered when assessing the likely impact of an activity on the environment under Part 5 of the EP&A Act. Section 6 of this REF specifically responds to the factors for consideration.

Table 7 of the REF demonstrated the effect of the proposed activity on the matters listed for consideration in Subsection 3 of Section 5.5 of the EP&A Act. Table 7 below identifies any altered impacts identified as part of the amended proposal.

Table 6: Matters for consideration under Subsection 3, Section 5.5 of the EP&A Act

Matter for Consideration	Impacts of Amended Activity (altered from the Proposal)
<p><i>Subsection 3:</i></p> <p>Without limiting subsection 1, a determining authority shall consider the effect of any activity on any wilderness area (within the meaning of the <i>Wilderness Act 1987</i>) in the locality in which the activity is intended to be carried on.</p>	<p>No wilderness area is located on the site. Therefore, this is not applicable.</p>
<p>Note: If a biobanking statement has been issued in respect of a development under Part 7A of the <i>Threatened Species Conservation Act 1995</i>, the determining authority is not required to consider the impact of the activity on biodiversity values.</p>	

4.4 Environmental Planning and Assessment Regulation 2021

The Guidelines for Division 5.1 Assessments (DPE June 2022) provides a list of environmental factors that must be taken into account for an environmental assessment of the activity under Part 5 of the EP&A Act. These factors were considered in Section 6.1 of the REF for the proposal and are considered (as relevant) for the amended proposal at Section 6 of this Addendum REF.

In addition, Section 171A of the EP&A Regulations requires the consideration of the impact of an activity in a defined catchment. This is considered in Section 6.1 of the REF.

4.5 Other NSW Legislation

The amended proposal will not alter the consistency and compliance with the relevant legislative requirements assessed under Section 4.5, 4.6 and 4.7 of the REF.

5. Consultation

5.1 Statutory Consultation

Section 5.1 of the REF provides a summary of the statutory consultation undertaken for the proposal.

There is no statutory requirement for consultation to be undertaken under the relevant sections of the TI SEPP. Notwithstanding this, consultation with the community, Transport for NSW and Eurobodalla Shire Council was undertaken throughout the process of the approved REF being accepted.

6. Environmental Impact Assessment

6.1 Environmental Planning and Assessment Regulation 2021 – Assessment Considerations

Section 171 (1) of the Environmental Planning and Assessment Regulation (2021) notes that when considering the likely impact of an activity of the environment, the determining authority must take into account the environmental factors specified in the environmental factors guidelines that apply to the activity.

The Guidelines for Division 5.1 Assessments (June 2022) apply to the activity. A comparison of the impacts of the proposal and the amended proposal against Section 3 of these Guidelines is provided below in Table 12.

Table 7: Summary of Environmental Factors Reviewed in Relation to the Activity

Relevant Consideration	Response/Assessment	Impact	Proposal	Amended proposal
(a) Any environmental impact on a community	The likely impacts upon the community will be limited to minor construction-related noise and traffic impacts. These will be able to be suitably managed through detailed management plans to be prepared by the nominated contractor. These will be living documents regularly refined or updated as needed to address emerging or new environmental management issues as they arise.	-ve	✓	✓
		Nil		
		+ve		
(b) Any transformation of a locality	The works will not result in the transformation of the locality. The works are confined within the former farmland site and do not result in any built form changes.	-ve		
		Nil	✓	✓
		+ve		
(c) Any environmental impact on the ecosystem of the locality	The works have a limited impact on vegetation through the impact to 55 trees. No significant ecosystem or biodiversity impacts will result from the proposed works. It is noted that all trees proposed to be removed will be replaced by new tree planting in the south-west corner of the site.	-ve	✓ (short term)	✓ (short term)
		Nil	✓ (long term)	✓ (long term)
		+ve		
(d) Any reduction of the aesthetic, recreational, scientific or other environmental quality or value of a locality	The works are wholly civil related, and no built form works are proposed. The works are required to facilitate the ongoing management of the land, and do not seek to reduce or impact the aesthetic, recreational, scientific or other environmental quality of the site.	-ve		
		Nil	✓	✓
		+ve		

Relevant Consideration	Response/Assessment	Impact	Proposal	Amended proposal
(e) Any effect on a locality, place or building having aesthetic, anthropological, archaeological, architectural, cultural, historical, scientific, or social significance or other special value for present or future generations	A revised Heritage Assessment has been prepared by Comber Consultants (Appendix C). These assessments confirm that the proposed works will not impact upon any archaeological or cultural values on the site. No other aesthetic, anthropological, historic, scientific or social significance has been identified on the site.	-ve		
		Nil	✓	✓
		+ve		
(f) Any impact on the habitat of protected animals (within the meaning of the <i>Biodiversity Conservation Act 2016</i>)	There will be no adverse impacts on any fauna species or their habitats. All trees proposed to be removed are proposed to be replaced, and 13 habitat or hollow bearing trees are proposed to be relocated.	-ve		
		Nil	✓	✓
		+ve		
(g) Any endangering of any species of animal, plant or other form of life, whether living on land, in water or in the air	There will be no significant impacts upon any species of animal, plant or other form of life, whether living on land, in water or in air.	-ve		
		Nil	✓	✓
		+ve		
(h) Any long-term effects on the environment	There are no anticipated long-term effects upon the environment given the modest nature of the works.	-ve		
		Nil	✓	✓
		+ve		
(i) Any degradation of the quality of the environment	There will be no anticipated degradation to the environment during wither the construction or the operation. Mitigation measures will manage any potential impacts. The existing site has already been largely changed from its natural form.	-ve		
		Nil	✓	✓
		+ve		
(j) Any risk to the safety of the environment	There is no risk to the safety of the environment.	-ve		
		Nil	✓	✓
		+ve		
(k) Any reduction in the range of beneficial uses of the environment	The works will not reduce the beneficial use of the environment.	-ve		
		Nil	✓	✓
		+ve		
(l) Any pollution of the environment	Minor localised air quality impacts during the works are suitably addressed and will be mitigated by the detailed Construction Management Plan and its anticipated co-related management plans (Noise and Vibration Management; Dust, Sediment and Erosion Control measures; and the Construction Traffic Management Plan). No further polluting impacts are likely to result for the works.	-ve		
		Nil	✓	✓
		+ve		
(m) Any environmental problems associated with the disposal of waste	Disposal of any waste material will need to be appropriately classified and disposed of. No unusual circumstances are envisaged in this respect and typical waste handling policies will apply.	-ve		
		Nil	✓	✓
		+ve		

Relevant Consideration	Response/Assessment	Impact	Proposal	Amended proposal
(n) Any increased demands on resources (natural or otherwise) that are, or are likely to become, in short supply	There is no impact of the works upon any natural resources in short supply.	-ve		
		Nil	✓	✓
		+ve		
(o) Any cumulative environmental effect with other existing or likely future activities	The proposed works will not result in any cumulative impacts on any existing or future activities.	-ve		
		Nil	✓	✓
		+ve		
(p) Any impact on coastal processes and coastal hazards, including those under projected climate change conditions	Given their location, the works will have no impact upon coastal process or contribute to coastal hazards.	-ve		
		Nil	✓	✓
		+ve		
(q) Any applicable local strategic planning statements, regional strategic plans or district strategic plans made under the Act, Division 3.1	The proposed works will have no bearing on the implementation of strategic plans.	-ve		
		Nil	✓	✓
		+ve		

6.2 Summary of Impacts

Any likely impacts relating to the amended proposal from those presented for the proposed activity (within the REF) have been considered and are discussed in Table 13 below. All issues relating to the amended proposal are minor and will not cause significant impact as a result of the proposed activity. All mitigation measures relating to the project are provided in Attachment 1.

Table 8: Summary of Impacts relating to the activity (as amended)

Issue	Discussion
Traffic	A revised Traffic Assessment has been prepared by Bitzios Consulting and is provided at Appendix D. The assessment concludes that, given the proposed changes are very minor in nature, it is not anticipated that the new proposal would result in significant traffic impacts or changes.
Acoustic	A revised Acoustic Assessment has been provided by ARUP and provided at Appendix E. This concludes that, as a result of the proposed changes outlined in this Addendum REF, there are no expected new noise or vibration impacts as compared to that previously approved.
Heritage, Archaeological, and Aboriginal Cultural Heritage	A revised Heritage Assessment has been prepared by Comber Consultants and provided at Appendix C. The assessment concludes that changes from the endorsed and amended civil layouts have not altered the results of the assessment or recommendations.
Contamination and Salinity	A revised Contamination and Salinity Report has been prepared by JK Environments (provided Appendix G). The report outlines that the previous report provided for the endorsed proposal can be relied upon in relation to the potential risk of acid sulfate soils. Due to the relocation of the south-west sediment basin, the basin will be further away from the potential acid sulfate soils risk area. Therefore, there is no longer a requirement to undertake an intrusive acid sulfate soils investigation or implement an acid sulfate soil management plan for the proposed soil conservation works as soil disturbance will not occur in the risk area.
Biodiversity	A Prescribed Environmental Assessment Report (PEAR) has been prepared by Abel Ecology and is provided at Appendix H. Despite the physical changes to the proposed under this Addendum REF, the conclusions of the PEAR remain consistent with that previously considered under the original REF. The mitigation measures also included remain consistent with the original proposal. No additional biodiversity impact is expected.
Bushfire	A Bushfire Assessment has been prepared by Abel Bushfire and is included at Appendix I. Largely, the proposed design remains consistent with the bushfire impacts envisaged in the original REF and the proposed works can meet the aims and relevant objectives of the Planning for Bushfire Prevention 2019.
Arboricultural Impact	A revised Arboricultural Report has been prepared by Abel Ecology (refer to Appendix J). Due to the change in design, a reduction in 14 trees (or 41 in total) are impacted by the proposal. In total, 22 trees will require

protection from root and structural damage, 12 hollow bearing fauna habitat trees and associated un-damaged hollow sections will need to be relocated and an additional seven non-hollow bearing trees will be removed.

No additional mitigation measures are required in addition to those previously included in the endorsed REF, which includes the replacement of any trees removed at a rate of 1:1.

7. Summary of Mitigation Measure

Additional or changes to the mitigation measures, presented in the REF for the proposal, in relation to the amended proposal are provided in Table 14. ***Bold italicised*** text identifies changes or an additional mitigation measures.

Please refer to Section 6.3 of the endorsed REF for all other mitigation measures as changes have only occurred in relation to contamination and salinity.

Table 9: Altered mitigation measures

Aspect	Mitigation measures
Contamination and Salinity	<i>Either an Intrusive ASS Investigation should be undertaken, or an ASS Management Plan should be implemented for the proposed soil conservation works, given that a small portion of the site is within an ASS risk area and this encroaches into the footprint of one of the sediment basins.</i>
Bushfire	<i>The design is to demonstrate compliance with all relevant performance criteria of the Planning for Bushfire Protection 2019, including ensuring access roads provide suitable turning areas in accordance with Appendix 3. This is to be completed to the satisfaction of a qualified bushfire consultant.</i>

Mitigation measures are to be implemented for the proposal to reduce impacts on the environment. The collated mitigation measures have been provided at Attachment 1 of this Addendum REF.

7.1 Summary of Impacts

Based on the identification of potential issues, and an assessment of the nature and extent of the impacts of the amended proposal, it is determined that:

- The extent and nature of potential impacts are low and will not have significant adverse effects on the locality, community and the environment.
- These identified impacts do not vary from those presented with the REF. Where these impacts vary changes to mitigation measures have been proposed.
- Potential impacts can be appropriately mitigated or managed to ensure that there is minimal effect on the locality, community; and
- Given the above, it is determined that an EIS is not required for the proposed development activity.

8. Justification and Conclusion

The amended proposal consists of the following scope of works at the site legally described as Lot 2 DP 1281576 on Princes Highway, Moruya and subject to assessment under Part 5 of the EP&A Act:

- Realignment to the road and entrance;
- Addition of two sediment basins;
- Relocation of the approved three sediment basins; and
- Addition of two sheds and one gravel hardstand.

A REF for soil conservation works and construction of an ancillary road into and around the site to facilitate construction access was endorsed by HI on 3 February 2023. This Addendum 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 amended proposed activity.

As discussed in detail in this report, the amended proposal will not result in any significant or long-term impacts. The potential impacts identified can be reasonably mitigated and where necessary managed through the adoption of suitable site practices and adherence to accepted industry standards.

As outlined in this Addendum REF, the amended proposed activity can be justified on the following grounds:

- It responds to an existing need within the community;
- It generally complies with, or is consistent with all relevant legislation, plans and policies;
- It has considered all potential impacts (changed from those identified within the REF) and has minimal environmental impacts; and
- Adequate mitigation measures have been proposed to address these impacts.

The environmental impacts of the amended proposal are not likely to be significant and therefore it is not necessary for an EIS to be prepared and approval to be sought for the proposal from the Minister for Planning under Part 5 of the EP&A Act. On this basis, it is recommended that HI determine the amended proposed activity in accordance with Part 5 of the EP&A Act and subject to the adoption and implementation of mitigation measures identified within this report.

Attachment 1 – Mitigation Measures

Aspect	Mitigation measure	Timing ¹
Construction noise and vibration	For all construction works, the contractor is to prepare a detailed Construction Noise and Vibration Management Plan (CNVMP). This plan should include but not be limited to the following: <ul style="list-style-type: none"> • Roles and responsibilities • Noise and vibration sensitive receiver locations • Areas of potential impact • Mitigation strategy • Monitoring methodology • Community engagement strategy. 	Prior to Commencement of Works
	Ensure the appropriate choice of low-noise construction equipment and/or methods	Prior to Commencement of Works
	Adhere to the standard approved working hours as outlined in the Project Approval.	During construction/Undertaking of works
	If any extenuating circumstances require works to be undertaken outside of standard working hours, ensure limiting of noise.	During Construction/ Undertaking of Works
	Locate stationary plant (concrete pumps, air-compressors, generators, etc.) as far away as possible from sensitive receivers	During Construction/ Undertaking of Works
	Use site sheds and other temporary structures or screens/hoarding to limit noise exposure where possible.	During Construction/ Undertaking of Works
	Modify construction equipment or the construction methodology or programme if necessary. This may entail programming activities to occur concurrently where a noisy activity will mask a less noisy activity, or, at different times where more than one noisy activity will significantly increase the noise. The programming should also consider the location of the activities due to occur concurrently.	During Construction/ Undertaking of Works
	Carry out consultation with the community during construction including, but not limited to; advance notification of planned activities and expected disruption/effects, construction noise complaints handling procedures.	During Construction/ Undertaking of Works
	Regularly train workers and contractors (such as at toolbox talks) to use equipment in ways to minimise noise.	During Construction/ Undertaking of Works
	Site managers to periodically check the site and nearby residences for noise problems so that solutions can be quickly applied.	During Construction/ Undertaking of Works
	Avoid the use of radios or stereos outdoors.	During Construction/ Undertaking of Works
	Avoid the overuse of public address systems.	During Construction/ Undertaking of Works

	Avoid shouting and minimise talking loudly and slamming vehicle doors.	During Construction/ Undertaking of Works
	Turn off all plant and equipment when not in use.	During Construction/ Undertaking of Works
	Comply with the recommended minimum working distances for vibration intensive plant as identified in the Noise and Vibration Management Plan prepared by Arup, dated 6 December 2022.	During Construction/ Undertaking of Works
Traffic management	A detailed Construction Traffic and Pedestrian Management Plan (CTPMP) is to be prepared and refined as appropriate in consultation with the nominated contractor, TfNSW and Eurobodalla Shire Council. This will address any potential traffic impacts relating to the works, as well as outline any relevant mitigation measures needed to address construction traffic impacts.	Prior to Commencement of Works
	Prepare and receive approval for a Traffic Control Plan which indicates the road worksite arrangements to ensure the safety of all road users as well as workers at the site.	Prior to Commencement of Works
	Engage the services of a qualified Traffic Control subcontractor to provide traffic control services, where necessary.	During Construction/ Undertaking of Works
	Ongoing inspections of the worksite and traffic management measures.	During Construction/ Undertaking of Works
	Monitoring and reporting of any incidences.	During Construction/ Undertaking of Works
Aboriginal Heritage	Undertake Aboriginal consultation and prepare an Aboriginal Cultural Heritage Assessment Report.	Prior to Commencement of Works
	Undertake Archaeological salvage in consultation with the Cobowra Local Aboriginal Land Council, the South Coast People and other Registered Aboriginal Parties.	Prior to Commencement of Works
	Apply for an AHIP to undertake the archaeological salvage and soil conservation works.	Prior to Commencement of Works
	Implement measures to actively manage and protect the three scarred trees.	Prior to Commencement of Works
	Develop and implement an Interpretation Strategy and Plan to showcase the Aboriginal history of Moruya and the site.	Prior to Commencement of Works
Non-Aboriginal Heritage	Prepare and implement an Interpretation Plan and Strategy which details the Aboriginal and non-Aboriginal history of Moruya and the site.	Prior to Commencement of Works
	If Aboriginal objects or human remains are unexpectedly uncovered during the soil conservation works, all work must cease in the vicinity of the object / human remains and an area of at least one metre around the object / human remains must be secured and cordoned off. The archaeological consultant must then be immediately contacted. Works cannot recommence until advised by the consultant in the case of aboriginal objects, or until suitable	During Construction/ Undertaking of Works

	management procedures are in place in the case of human remains.	
Geotechnical	Further geotechnical sampling and laboratory testing is to be undertaken to assess the suitability of the existing site soils for use in water retaining embankments used in the sediment basin construction.	Prior to Commencement of Works
	Excavated spoil for off-site disposal needs to be suitably classified for waste disposal purposes.	Prior to Commencement of Works
	All temporary excavations are to be inspected by the geotechnical engineers at not greater than 1.5m depth intervals and if there is any concern about the stability of excavations. The geotechnical engineers can provide specific advice during excavation. Geotechnical inspection of excavations is essential to identify any adverse defects present and to provide advice on stabilisation measures where required.	Prior to Commencement of Works
	To avoid the need for completing engineered earthworks to construct the embankments for the sediment basins, basins should be designed as 'in-cut' only. Should embankments be required, these will need to be appropriately designed by the civil engineers or embankment designer, and the design must include earthworks and compaction recommendations, material types, and assessment of embankment stability. Further geotechnical and laboratory testing will be required to identify the suitability of existing site materials for embankment construction.	Prior to Commencement of Works
	All excavation is to be carried out with reference to the latest version of 'Excavation Work – Code of Practice' by SafeWork NSW.	During Construction/ Undertaking of Works
	Excavation of the soils and any extremely weathered granite should be achievable using conventional earthmoving equipment. Excavation of granite bedrock or large core stones of low or higher strength will require rock excavation techniques.	During Construction/ Undertaking of Works
	Any seepage encountered during excavation should be controllable using conventional sump and pump techniques.	During Construction/ Undertaking of Works
	Surcharge loads such as construction traffic, site sheds etc. are to be no closer than 2H from the crest of any temporary batter, where H is the vertical height of the batter. Surface drainage should not be allowed to flow over the crest of temporary batters, and should be directed and discharged in a manner which avoids concentrated flows and erosion. Granitic materials can be particularly susceptible to	During Construction/ Undertaking of Works

	erosion and careful attention to surface drainage and surface protection of works to reduce the adverse effects of erosion is recommended.	
	Permanent batters through the residual soils and all bedrock up to and including very low strength should be battered at not steeper than 1 Vertical (V) in 3 Horizontal (H).	During Construction/ Undertaking of Works
	Permanent batters through low or higher strength bedrock should be battered at not steeper than 1V in 1H, although steeper permanent batters may also be feasible subject to specific inspection and mapping by the geotechnical engineers.	During Construction/ Undertaking of Works
	Any permanent batters will need to be fully protected from erosion, in the long term, by a suitable and approved erosion protection measure. Suitable measures would include revegetation or shotcrete. Where revegetation is being proposed, consideration should be given to flattening the permanent batters even further than recommended above to assist with initial vegetation and topsoil establishment, to reduce the risk of topsoil washing from the face during heavy rainfall, and to provide for ease of maintenance.	During Construction/ Undertaking of Works
	Subgrade should be appropriately prepared for the filling along the access road, as per Section 6.3.4 of the Geotechnical Investigation Report prepared by JK Geotechnics.	During Construction/ Undertaking of Works
	Rectify any deformation that occurs to the proposed pavement profile for the access road should be rectified by the contractor to ensure access is maintained.	During Construction/ Undertaking of Works
Contamination	Develop and implement an unexpected finds protocol by a suitably qualified contaminated land consultant prior to commencement of earthworks and implement the protocol during earthworks and construction.	Prior to Commencement of Works & During Construction/ Undertaking of Works
	The waste classification of any material to be disposed off-site should be confirmed. The fill/topsoil in the vicinity of BH26 and BH133 is classified as General Solid Waste (non-putrescible) for off-site disposal purposes due to the detection of traces of hydrocarbons in these areas. If excavation and removal of soil in these areas is required, further testing should occur to confirm this classification.	Prior to Commencement of Works
Salinity	The aggressivity results of the soils and groundwater outlined in the Preliminary Salinity Assessment Result prepared by JK Environments	Prior to Commencement of Works

	should be reviewed and incorporated into the design of the proposal by the project team,	
	In the event that the proposed development includes excavation, crushing and re-use of excavated bedrock as fill on site as part of the development, the salinity/aggressivity conditions within the bedrock should be checked so that findings can be considered in the context of the earthworks and the built form of the development.	Prior to Commencement of Works
Arboricultural	Engage an arborist to ensure and certify that tree protection measures are satisfactorily implemented and to provide advice as applicable. The arborist will inspect the site at least once every six months during construction, and once upon completion of construction.	Prior to Commencement of Works
	Construct tree protection fencing around trees prior to construction to prevent unnecessary root damage and keep in place until construction is completed.	Prior to Commencement of Works & During Construction/ Undertaking of Works
	Where root damage is expected within the tree protection zone of a retained tree, consider installing a 'floating' footpath or road over the impacted area of the tree protection zone to avoid any disturbance of the soil, thereby protecting the roots and health of retained trees.	Prior to Commencement of Works
	Exclude all site activity from Tree Protection Zones during demolition, construction and demobilisation phases.	Prior to Commencement of Works & During Construction/ Undertaking of Works
	Apply mulch around retained trees prior to construction to stimulate growth of absorbing roots. Reapply mulch annually to compensate for root loss.	Prior to Commencement of Works
	Water trees during periods of low rainfall to boost the vitality and adaptability of the trees.	During Construction/ Undertaking of Works
	Cleanly cut roots encountered during excavation to reduce damage to roots.	During Construction/ Undertaking of Works
	Engage a qualified ecologist to inspect hollow-bearing trees before they are removed.	Prior to Commencement of Works
	Potential habitat trees are to be inspected for hollows by a qualified ecologist before removal.	Prior to Commencement of Works
	No construction work or vehicles are to be within 20 metres of the designated scar trees during demolition, construction and demobilisation phases.	During Construction/ Undertaking of Works

	All site activity must be excluded from the tree protection zones of retained trees during demolition and construction phases.	During Construction/ Undertaking of Works
	Route all trenching for underground services outside the tree protection zones of retained trees. If any installation of underground services will occur within tree protection zones, engage an arborist to supervise.	During Construction/ Undertaking of Works
	Crown pruning must comply with the appropriate class of pruning described in AS4373-2007 <i>Pruning of amenity trees</i> , and be undertaken by a qualified arborist in accordance with best practice.	During Construction/ Undertaking of Works
	Advice must be sought by an arborist wherever roots over 40mm diameter are encountered during excavation.	During Construction/ Undertaking of Works
	Any and all landscaping or gardening must use species that are native to the <i>Grassy Woodland in the Southeast Corner Bioregion</i> vegetation community.	During Construction/ Undertaking of Works
	An environmental offset area must be established to ameliorate the impacts of the proposal. The vegetation planted within the offset must be native to the Lowland Grassy Woodland vegetation community. Specifications can be finalised with a Vegetation Management Plan.	Following Completion of Works
Ecology	Revegetate exposed soils with native pasture grasses	Following Completion of Works
	Planting of replacement trees for those removed at a rate of 3:1	Following Completion of Works
	Conduct a pre-clearance survey for hollow-bearing trees to relocate resident fauna, and the hollows salvaged and relocated under the provisions of a Hollow Management Guideline document	Prior to Commencement of Works
	Supervise works daily by an ecologist	During Construction/ Undertaking of Works
	Preparation of a Vegetation and Fauna Management Plan, and implementation of the mitigation measures set out in it	Prior to Commencement of Works & During Construction/ Undertaking of Works