

## Amendment of REF 05/2023

### Project/Portfolio

Eurobodalla Soil Conservation Works / Rural & Regional

### Topic

To seek approval for amendments to REF 05/2023 for the undertaking of soil conservation works at Lot 2 DP 1281576 Princes Highway, Moruya. The addendum proposal involves design revisions to the approved works.

## Recommendation

Acting as a delegate of the Health Administration Corporation and in accordance with Section 5.5 of the *Environmental Planning and Assessment Act 1979*, having taken into account to the fullest extent possible all matters likely to affect the environment as a result of the proposed activity, I hereby determine the Review of Environmental Factors by granting approval subject to the Mitigation Measures contained in the approval dated 3 February 2023, subject to the amendments below:

### Development in Accordance with Plans and Documentation

1. The proposal must be carried out generally in accordance with the Review of Environmental Factors dated 11/01/2023 and prepared by Ethos Urban on behalf of NSW Health Infrastructure (including accompanying appendices A - Q) ) **and as amended by the Addendum Report prepared by Ethos Urban, dated 14/11/2023 (including associated appendices A-J)** and generally in accordance with the following plans/documentation as modified below and by any of the under-mentioned measures:

Drawing Title	Drawing Ref	Revision	Date	Prepared by
<del>Drawing Register and Locality Plan</del>	<del>DD-01-PW-501</del>	<del>B</del>	<del>November, 2022</del>	<del>Meinhardt Bonacci</del>
<del>Construction Notes</del>	<del>DD-01-PW-502</del>	<del>B</del>	<del>November, 2022</del>	<del>Meinhardt Bonacci</del>
<del>Sediment &amp; Erosion Control Plan</del>	<del>DD-01-PW-507</del>	<del>B</del>	<del>November, 2022</del>	<del>Meinhardt Bonacci</del>
<del>Bulk Earthworks Plan</del>	<del>DD-01-PW-510</del>	<del>B</del>	<del>November, 2022</del>	<del>Meinhardt Bonacci</del>
<del>Bulk Earthworks Site Sections</del>	<del>DD-01-PW-524</del>	<del>B</del>	<del>November, 2022</del>	<del>Meinhardt Bonacci</del>
<del>Site Works Plan</del>	<del>DD-01-PW-530</del>	<del>B</del>	<del>November, 2022</del>	<del>Meinhardt Bonacci</del>
Drawing Register and Locality Plan	DR-CI-0501	A	18/8/2023	TTW
Construction Notes	DR-CI-0502	A	18/8/2023	TTW
Site Works Plan	DR-CI-0530	G	7/9/2023	TTW
Details and Sections Sheet 1	DR-CI-0540	B	18/8/2023	TTW
Details and Sections Sheet 2	DR-CI-0541	A	18/8/2023	TTW

~~40.1 Either an Intrusive Acid Sulphate Soils (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.~~

HI Chief Executive's signature  
Rebecca Wark



Date  
8 February 2024

## Key reasons

REF Approval 05/2023 was issued on 3 February 2023 for the undertaking of soil conservation works at Lot 2 DP 1281576 Princes Highway, Moruya. While the soil conservation works are yet to commence, an archaeological salvage has been undertaken across the site under an associated Aboriginal Heritage Impact Permit (AHIP).

Upon further detailed design of the project, some amendments to the scope of works are being sought. These generally include 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 60m<sup>3</sup> and 152m<sup>3</sup>.
- Changes to location and orientation of the three already approved sediment basins.
- Relocation of two site sheds and provision of one gravel hardstand.

The amended proposal will better address the potential issue of erosion and topsoil loss through the design and construction of the revised erosion and sediment basins. The realignment of the road will reduce impact on trees on the site, including hollow bearing trees, and better responds to the topography of the site. The relocation of the site sheds has been undertaken to avoid the culturally sensitive areas of higher topography and better reflects the proposed road realignment.

Mitigation measure 10.1 is also proposed to be removed, in relation to an Intrusive Acid Sulfate Soils Investigation. Due to the relocation of the south-west sediment basin, the basin will be further away from the potential acid sulfate soils risk area. JK Environments have reviewed the revised scheme and advised that 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 (see Appendix G of the REF Addendum).

## Bushfire

The Ethos Urban REF Addendum Report (dated 14/11) recommends an additional bushfire mitigation measure to ensure the design demonstrated compliance with the relevant performance criteria of the Planning for Bushfire Protection 2019. It is noted that the designs have been completed to the satisfaction of the bushfire consultant prior to submission of the addendum REF and this is satisfactorily addressed in the revised Bushfire Report at Appendix I.

## Aboriginal Heritage

The revised design has been assessed by Comber Consultants and an addendum Heritage Assessment letter has been prepared for this Addendum REF (dated 1 September 2023). The assessment confirms that the proposed works will not impact upon any archaeological or cultural values on the site and the findings of the previous heritage assessments remain valid.

## Ecology

A revised Prescribed Environmental Assessment Report (PEAR) has been prepared by Abel Ecology to address the design revisions. Despite the physical changes to the proposed activity, the conclusions of the PEAR remain consistent with that previously considered under the original REF. It concludes that the proposal is not likely to significantly affect any threatened species or ecological communities. The mitigation measures also included remain consistent with the original proposal.

## Financial Implications

Nil

Risk & Environmental Impacts

Risks have been mitigated through measures included in the original REF and no additional measures are considered necessary given the small scale and negligible impact of the changes. The addendum REF addressed any potential environmental factors and concluded that the proposed changes will not adversely affect or increase any impacts. There is no intensification of the use as a consequence of the amendments.

Consultation

There was no statutory requirement for consultation to be undertaken under the relevant sections of the TI SEPP for the original REF process. Notwithstanding this, consultation with the community, Transport for NSW and Eurobodalla Shire Council was undertaken. It is not considered necessary to notify the Activity, given the minor nature of the proposed modifications and absence of statutory triggers.

Author and endorsements

Author	Position	Date
Nicholas Dowman	Senior Planning Advisor	14 December 2023
Endorsed by	Position	Date
Rachel Mitchell	Planning Manager	22/01/2024
Kylie Makins	A/Director	25/01/2024
Amanda Bock	Executive Director	29/01/2024
Troy Harvey	Executive Director	5/2/2024

Attachments

Tab	Title
A	Workflow Approval History