

Notice of decision

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State significant development
Application number and project name	SSD-56989722 New Eurobodalla Regional Hospital
Applicant	Health Administration Corporation
Consent Authority	Minister for Planning and Public Spaces

Decision

The Director, Social Infrastructure Assessments, under delegation from the Minister for Planning and Public Spaces has, under section 4.38 of the *Environmental Planning and Assessment Act 1979 (the Act)* granted consent to the development application subject to conditions.

A copy of the development consent and conditions is available [here](#).

A copy of the Department of Planning, Housing and Infrastructure's assessment report is available [here](#).

Date of decision

24 May 2024

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the department's assessment report;
- the prescribed matters under the Environmental Planning and Assessment Regulation 2021;
- the objects of the Act;
- the considerations under s 7.14(2) and 7.16(3) of the *Biodiversity Conservation Act 2016 (NSW)*;
- all information submitted to the Department during the assessment of the development application and any additional information considered in the Department's assessment report;
- the findings and recommendations in the Department's assessment report; and
- the views of the community about the project (see Attachment 1).

The findings and recommendations set out in the department's assessment report were accepted and adopted as the reasons for making this decision.

The key reasons for granting consent to the development application are as follows:

- the project would provide a range of benefits for the region and the State as a whole, including capital investment in health infrastructure, as well as the creation of 306 construction jobs and 518 full-time equivalent operational jobs, inclusive of new jobs and jobs relocated through the closure of existing hospitals at Batemans Bay and Moruya;
- the project is permissible with development consent, and is consistent with NSW Government policies including the NSW Premier's State Priorities, The South East and Tablelands Region Plan 2036, Transport for NSW's Future Transport Strategy 2056, Infrastructure NSW's State Infrastructure Strategy 2022-2042, Government Architect NSW's Connecting with Country Framework, and the Eurobodalla Shire Council Local Strategic Planning Policy;
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards. The consent authority has included conditions to ensure: good design is achieved and public domain works delivered, biodiversity offsets are delivered, and noise mitigation is delivered through design development to ensure noise targets are complied with and construction impacts are appropriately managed;
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through changes to the project and the conditions of consent. Engagement on the project is considered to be in line with *Undertaking Engagement Guidelines for State Significant Projects*, including the community participation objectives outlined in these guidelines; and
- weighing all relevant considerations, the project is in the public interest.

Attachment 1 – Consideration of Community Views

The Applicant engaged with the community during the preparation of the environmental impact statement (EIS) as a requirement of the Secretary's environmental assessment requirements. The EIS detailed the findings of the engagement and how it influenced the scope and design of the project.

The Department exhibited the EIS from 7 September 2023 until 4 October 2023 (28 days). Four submissions were received from the public, including two objections and two in support of the project. A submission was also received from Eurobodalla Shire Council (Council).

The Department also undertook a site visit.

The key issues raised by Council and the community (including in submissions) and considered in the Department's assessment report and by the decision maker include: helicopter noise impacts; workforce accommodation during construction and operation phases; bus servicing and pedestrian access to the site; biodiversity impacts; ecologically sustainable development (ESD) including greenhouse gas emissions; and construction impacts. Other issues are addressed in detail in the Department's assessment report.

Issue	Consideration
<p><i>Helicopter noise</i></p> <ul style="list-style-type: none"> location of helicopter landing site (HLS) within proximity to residents. noise and dust impacts. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> the Applicant amended the proposal to remove the HLS following concerns raised by Council and the Department regarding amenity and safety impacts. <p><i>Conditions stipulate:</i></p> <ul style="list-style-type: none"> no consent is granted for the helipad shown on the Applicant's architectural drawings and landscape plans.
<p><i>Social Impact Assessment (SIA) including workforce accommodation</i></p> <ul style="list-style-type: none"> purpose-built construction workforce accommodation should be provided to reduce impact on local housing supply. the SIA has not adequately considered the provision of family or carer accommodation, or childcare facilities for operational staff. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> the Applicant advised: <ul style="list-style-type: none"> a Heads of Agreement was signed between Southern NSW Local Health District (LHD) and Carers Accommodation Eurobodalla Regional Hospital, to progress work on accommodation facilities for carers and relatives on the hospital site. However, this does not form part of the SSD project. the LHD does not provide childcare services or facilities. the application does not include purpose-built workers accommodation; however, the Applicant provided an outline workforce accommodation strategy. the Department does not consider it reasonable to mandate the provision of additional housing, noting: <ul style="list-style-type: none"> the implementation of a workforce accommodation strategy will assist in reducing pressure on local housing supply. the LHD has programs in place to recruit and train locally. many operational staff would be existing residents of the local region. <p><i>Conditions include:</i></p> <ul style="list-style-type: none"> a requirement for the preparation and implementation of a final workforce accommodation strategy, to include the measures outlined in the preliminary strategy.
<p><i>Transport and accessibility</i></p> <ul style="list-style-type: none"> the hospital must be served by public transport. the project should include construction of a shared path along the Princes Highway connecting the hospital site to the TAFE Campus to the west. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> the proposal includes the provision of bus stop infrastructure adjacent to the hospital entrance, which would facilitate the extension of the existing bus route 860 beyond the nearby TAFE Campus the Applicant has agreed to continue discussions for service planning updates with relevant bus providers and TfNSW bus planning and contracts team. the Department accepts the Applicant's decision not to include a shared path along the Princes Highway in the scope of the proposal, noting: <ul style="list-style-type: none"> significant cost implications (likely \$1-2m). the site access roundabout, constructed under separate approval, has been designed to accommodate future shared path provision. it would be premature to require construction of the shared path prior to the provision of infill development between the TAFE Campus and hospital site. the project includes an upgraded shared path connection on Caswell Street that would provide more direct access to the Moruya Town Centre. <p><i>Conditions include:</i></p> <ul style="list-style-type: none"> requirements for the construction of the bus infrastructure prior to commencement of operation, and maintenance of internal roads to ensure continued public bus access for duration of operation.
<p><i>Biodiversity</i></p> <ul style="list-style-type: none"> the proposal does not consider offsite ecological impacts associated with the site access roundabout. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> the access road and roundabout do not form part of the SSD application. These were considered by the Applicant separately via an application under Part 5 of the EP&A Act. the Applicant provided revised plans to clearly demonstrate the proposed APZ.

<ul style="list-style-type: none"> • details of the proposed bushfire asset protection zone (APZ) are unclear. 	<p><i>Conditions</i></p> <ul style="list-style-type: none"> • no additional conditions are considered necessary.
<p><i>ESD</i></p> <ul style="list-style-type: none"> • the EIS does not fully assess the impacts of the proposal. It does not include any data on total estimated greenhouse gas emissions. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> • the project is consistent with the relevant objects of the EP&A Act (s1.3) including the provisions of ESD. The Applicant has demonstrated how the principles of ESD have been incorporated into the project to achieve the implementation of the precautionary principle, inter-generational equity, conservation of biological diversity and ecological integrity, and improved valuation, pricing and incentive mechanisms. • aligning with NSW Government's Net Zero Plan, which aims to achieve net zero emissions by 2050 with a 50 per cent reduction in emissions by 2030, the project is seeking to transition to a fully electric building to eliminate fossil fuel use on site. There will also be renewable energy source on site (Solar Photovoltaic system) from day one of the project, with potential to expand the system capacity in the future development. • the development will achieve 45 points out of 110 points per the Health Infrastructure ESD Evaluation Tool, which has previously been endorsed by the Planning Secretary and outlines a self-certification approach to achieve 'Australian best practice level'. The ESD Tool outlines minimum sustainable measures that must be provided for the project. • the Department is satisfied that the development is consistent with the objectives of the EP&A Act and principles of ESD. <p><i>Conditions include:</i></p> <ul style="list-style-type: none"> • a requirement for the ESD initiatives recommended by the Applicant's ESD report to be incorporated into the design of the development. • a requirement for the project to attain a minimum 45 points in accordance with the Health Infrastructure ESD Evaluation Tool.
<p><i>Construction impacts</i></p> <ul style="list-style-type: none"> • amenity impacts including noise and traffic. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> • the Department notes that noise levels are likely to exceed the Noise Management Limits (NMLs) established for the proposal. However, the Department is satisfied that some noise disruption is unavoidable and that all feasible mitigation measures will be implemented during construction activities. • during construction, a maximum of approximately 240 construction vehicle movements are anticipated. Access would be provided from the Princes Highway, away from the sensitive receivers to the north of the site. <p><i>Conditions include:</i></p> <ul style="list-style-type: none"> • a requirement for the preparation of a Construction Noise and Vibration Management Plan, outlining management and mitigations measures generally in accordance with the Applicant's Noise and Vibration Impact Assessment. • a requirement for the preparation of a Construction Traffic and Pedestrian Management Plan, providing details of construction vehicle movements, routes of travel, access arrangements, pedestrian movement and impact management measures.