



St Georges Basin
NSW 2540

18th December 2012

Reference: **06_0315 Shaolin Tourist and Residential Development Sth Nowra**

Please find my comments on the proposed development proposal

The proposal for the Shaolin Tourist Development at Comberton Grange should not be approved due to a number of issues.

Some of the issues are:

- 1) Does not fill the Governor General's Requirements
 - (i) Against the conditions/recommendations of the South Coast Sensitive Lands Review
 - (ii) Against the South Coast Regional Strategy requirements
- 2) Negative impacts on waterways of Currumbene Creek and Jervis Bay with concerns for inadequate stormwater controls
 - (i) Negative impacts on sensitive wetlands with
 - (ii) Change to groundwater and threats with proposed golf course
- 3) Threats to the biodiversity of the sensitive bushland on Eastern portion
 - (i) Loss of connectivity for important habitat corridor
- 4) Incomplete environmental assessment
- 5) Aircraft noise from HMAS Albatross
- 6) Unacceptable traffic light proposals on the Princes Highway
- 7) Non financial gain via taxes or Council land rates

1) Governor Generals Requirements

It is difficult to see how this proposal fills the Governor General's Requirements specifically #2 (dot point 2) *"Justification for the facility taking into consideration any environmental impacts of the project, the suitability of the site and whether the project is in the public interest"*

Most of the issues related below relate to the Governor General's Requirements Page 7 (GGR's requirements) Consultation

You should undertake an appropriate and justifies level of consultation with the following agencies during the preparation of the environmental assessment

- (a) Agencies or other authorities:
- (b) Public:

Comment

This should surely have been the correct time for community consultation, given the size, bulk and impacts with this proposal.

At this point in time there has been **no** community consultation. Many residents within and visitors to the Shoalhaven are unaware that this proposal is out for comment with no knowledge of size or impacts.

Nothing has come through from the proponents.

Knowledge of the proposal and submission time has only been through the Department of Planning's web site.

i & ii) South Coast Sensitive Lands Review and South Coast Regional Strategy

The proposal by Shaolin clearly goes against the conditions/recommendations applied to the development by the Minister via the South Coast Sensitive Lands Review (SCSLR) and the South Coast Regional Strategy (SCRS).

** Consideration of any statutory and non-statutory provisions and identification of any non-compliances with such provisions in particular relevant provision arising from environmental planning instruments, Regional Strategies (including draft Regional Strategies) and Development Control Plans"*

Included in SCSLR and SCRS:

"The eastern portion of the site (east of the existing quarry and including SEPP 14 wetland in the southern corner of the site) should be added to the Jervis Bay National Park on the grounds of its conservation value".

The (Shaolin Environmental Assessment 2012) states: ***"it is not the intention of the Shaolin Foundation to dedicate the eastern portion of the site to be added to the Jervis Bay National Park".***

And ***"as compensation for clearing part of the corridor, the habitat corridor could be modified to include forest in the east".***

And, ***"the area (eastern forest) will be retained and conserved as an environmentally sensitive area but with the ability to have eco-trails and managed camping facilities for engagement with the local environment".***

And

* The SCSLR statement "no new towns or villages will be supported unless compelling reasons are presented".

Comment

The stated proposal for the eastern corner of the site shows non-compliance with

the Governor General's Requirements.

Impacts are inevitable given the statements re **eco trails and camping facilities** and also show a complete lack of regard and knowledge of the important protections required for the environmentally sensitive area stated.

Any future development should not be approved unless it complies with the conditions/recommendations that this Eastern portion be added to the Jervis Bay National Park and an assurance that no plans are in place to invade or impact the true values of our national parks systems.

Proposed School.

This does not comply with the GGRs *"the development will be released in an orderly and coordinated manner, with the tourist component being the dominant use."*

The Kung Fu Academy appears to have become (or is in addition to) a school for which: "it is anticipated that there will be an ultimate accreditation with the NSW Department of Education similar to independent schools. It is anticipated that 80% of these students will come from China to learn English and gain an education for future settlement".

Comment

This appears to form part of a new village not a tourist development.

Why is there a requirement for a school for younger people, given that the residential component of the development will comprise mainly Chinese nationals and retirees?

"80% of students from China" statement should be investigated. Inclusion of an educational facility such as promoted would give rise to the belief that the proposal is to be a whole new village and goes against the NSW Department of Planning document 'South Coast Regional Strategy' (2010) that states "no new towns or villages will be supported unless compelling reasons are presented".

2) Stormwater Controls

"Erosion and sediment control (SCC):

An Erosion and Sediment Control Plan (for each stage of construction) to be prepared in accordance with Managing Urban Stormwater: Soils and Construction, Landcom, 4th Edition, 2004."

Comment

While the Erosion and Sediment Control Plan is to be prepared in accordance with requirements, it is well known that there are no known erosion and sediment

controls that will ensure adequate control of stormwater (public meeting South Coast Sensitive Lands Review). This means inadequate protection for all waterways within (and adjacent to) the Comberton Grange site.

During the past twenty years there have been 3 major stormwater pollution events from development sites into the sensitive waterway of St Georges Basin due to the inadequacies of stormwater controls and human error/mismanagement. It appears Council, developers, contractors are unable to ensure/protect the health of the Shoalhaven waterways.

"The high water quality of Jervis Bay is attributed to largely undeveloped catchments which, as a consequence, spared the waters of Jervis Bay from the sediments, nutrients and other pollutants normally exported from developed and developing catchments" (Jervis Bay Territory Land Use / Development Blueprint, 1996)

"most of the site drains towards the Creeks, Currumbene and Georges Creek, (with) a small portion draining towards the upper reaches of Bid Bid Creek". (Shaolin Environmental Assessment - Volume 1, August 2012)

The Shaolin developer proposes a five (5) to twenty (20) year construction period. That is - up to twenty years of clearing, construction and occupation on a site bounded by the important waterway of Currumbene Creek.

Currumbene Creek forms some 72% of the Jervis Bay catchment and "The Currumbene Creek wetlands should be considered distinctive and unique within the Jervis Bay natural ecosystem. Their well-being should be regarded as essential to the effective functioning of the broader Jervis Bay ecosystem". "Any major changes, particularly large scale development has the potential to deleteriously affect wetland areas".

i) Groundwater

With such a huge development proposal the groundwater will be changed to such an extent that there will be detrimental impacts to the surrounding bushland, wetlands and waterways.

Proposed 18 hole Golf course

Financial There has been a down turn in the popularity of golf courses and their financial viability. There are a number of golf courses within the Shoalhaven having financial difficulty.

Figures from local golf courses

Shoalhaven Ex-Servicemens' Club end of March 2011 report.

- Total profit for club, \$414, 522.
- Golf course loss \$452, 254 (this loss includes expenditure on course improvements)

Vincentia Golf Course. February 2011 report.

- Total loss \$131,945
- Golf trading loss \$118,053

Callala Country Club. December 2010 report.

- Total loss \$200, 835
 - Golf course trading \$75,402 loss.
- Difficult trading reported due to weather and clearing and construction.

Nowra Golf Club November 2011 report.

- Operating loss of \$ 54, 440

Environmental There is also the problem of pollution with the pesticides and herbicides required to maintain and the upkeep of the grounds of the course eg greens and fairways.

This is seen as a major hurdle for the proposal, given the probable impacts of a golf course on the sensitive vegetation and waterways within and adjacent to the Comberton Grange site.

Flora and Fauna

Comment

Kevin Mills and Associates Assessments of the Comberton Grange site show clearly the high conservation value of this property with its forests, natural woodland, saltmarsh, wetlands and Endangered Ecological Communities.

The Shaolin proposal poses a real threat to the connectivity of Habitat Corridors and unacceptable impacts on the bushland surrounding the development.
There will also be impacts for the Habitat Corridors linking this existing corridor.

It is disturbing to read that part of the golf course will see a 34.5 km section of the Habitat Corridor cleared. While the report suggests the use of forested areas not listed as part of the Habitat Corridor this forest area must already form its own part in the biodiversity of the site so clearing of sections of the recognised Habitat Corridor should not be permitted. Sections of Habitat Corridor cannot be moved whenever it suits a developer.

“The eastern and western forest areas (see Figure 3) will remain intact except for the incursion for a roadway and part of the golf course in the far north-western corner near the pine plantation”

Comment

This is an unacceptable conclusion.

‘The incursion of a roadway’– It is well known that roads contribute to changes in water flow patterns and also bring threats from introduced plant species so placing

the high conservation bushland within the forests at greater risk and remove existing protection controls.

3.2.3 Threatened Species Turquoise Parrot

Kevin Mills and Associates - Statement: *The following species were not especially targeted as they are so rare in the region that targeted surveys would not be very useful; however extensive dedicated bird surveys were undertaken throughout the study area. The Swift Parrot is only present during winter.*

- *Regent Honeyeater*
- *- Swift Parrot*
- *Turquoise Parrot*

Comment

It should be noted that there have been recent (2012) sightings of numbers (over 20) of Turquoise Parrots on wires on the Braidwood Road on more than one occasion. This is in a direct line and less than 7kms from the Comberton Grange site and it would seem they are visiting more often or may have moved into the area. The Turquoise Parrot survey should be reassessed with this development proposal. **Note: These sightings can be verified through the Shoalhaven birdwatchers and other bird enthusiasts.**

Green and Golden Bell frogs

Kevin Mills and Associates statement– *“Probably no suitable habitat is present in the study area, although the farm dams may provide a little potential habitat. **The closest record (NSW Wildlife Atlas) is from Falls Creek, on the southern, opposite side of Currumbene Creek.**”*

Comment

During the recent building of the new section of the Princes Highway (a section that finishes at the Forest Rd turnoff) Green and Golden Bell frogs were discovered causing a delay and subsequent actions to ensure protection for this endangered species.

It is very feasible that this Green and Golden Bell frog may inhabit the Comberton Grange site. They are not *only* ‘on the southern, opposite side of Currumbene Creek’. The survey for Green and Golden Bell frogs must be reassessed.

7) **F12 Noise** The statement *“Department of Defense’s anticipated air traffic should be updated at the time of detailed design of the development”*

Comment

This is an important issue that cannot adequately be addressed.

It seems ludicrous to permit housing under flight zones of the Department of Defence and then have residents lobbying to decrease noise levels.

The noise issue problem has not been adequately addressed. There are many

suburbs, within NSW, adjacent to airports where residents complain about noise levels and are lobbying for flight patterns and flight times to be changed. While this is not a major airport at this time, there can be no question or expectation for HMAS Albatross to, alter, reduce or change flight or time patterns to suit residents of this proposed new village.

The Department of Defence must be free to make/change zones at will as required in the future without pressure from residents.

There is an awareness of the Dept of Defence and its use of aircraft so to build a new village over existing or future flight paths so close to HMAS Albatross should not be considered.

8) F11 Traffic *"Visitors to the tourist development will arrive by private car as well as private coaches through booked tours and accommodation. It is anticipated that the residential component of the development will comprise mainly Chinese nationals and retirees, with these groups anticipated not likely to generate a daily pattern of travel to work".*

Comment

This statement clearly shows the proposal is NOT in the public interest and will not comply with GGRs 2.6 (*objects of the SEE - housing for Seniors or People with a Disability 2004*) that the local community will not benefit or be involved.

Does this mean that the residents will be from China and not local or Australian? There is a definite need across NSW (including the Shoalhaven) for 'over 50s' and aged care facilities - residential housing. The Shaolin proposal will do nothing to ease or support Australian citizens over 50.

This also poses the question for the need for a 'school' as noted in item (3) above

8) Traffic cont..

Mitigation measures proposed by the traffic consultant include the installation at:

▪ **Forest Road/ Princes Highway intersection:**

- – Traffic signals with dual right-turn lanes from Forest Road to the Princes Highway to improve the level of service; and
- – A left-turn slip lane in the Princes Highway as part of the RMS road improvements currently under construction.

▪ **Jervis Bay Road/ Princes Highway intersection:**

The statement – "Traffic generated by the Stage 1 and Ultimate development scenarios will have no impact on Jervis Bay Road/ Princes Highway intersection and delays." But then states.. *"Traffic signals with dual right-turn lanes to provide a comparable improvement in the level of service"*.

- 1) It cannot be 'in the public interest' to have traffic lights at the intersection of Forest Rd and the Princes Highway (**Mitigation measures proposed by the traffic consultant**)

Comment – Surely those drivers travelling along the Princes Highway (north or south) should not be faced with traffic signals. Drivers in motor vehicles travelling along the Princes Highway should not have to encounter traffic lights.

Traffic lights are only expected in built up areas.

9) Tax exemption

As a religious organisation, Shaolin can expect to gain:

- Significant exemptions from the payment of local government rates.
- Australian churches also benefit from tax exemptions. Shaolin could qualify for these exemptions.

Comment – These concessions are not usually available to other tourist operators. This is (supposedly) a tourist operation, set up only to generate and draw in tourist funds and there should be no tax exemptions.

Where is the financial benefit to our Shoalhaven ratepayers and to the country?

Thank you for the opportunity to comment

