

Appendix 5:

Detailed Response to Agency Submissions

DETAILED RESPONSE TO AGENCY SUBMISSIONS

Government agencies providing submissions of response to the exhibited Project Application comprise:

1. Southern Rivers Catchment Management Authority
2. Department of Primary Industries – Catchments & Lands (Crown Lands)
3. Department of Defence
4. Department of Primary Industries – Fisheries NSW
5. Department of Primary Industries – Agriculture NSW
6. Department of Primary Industries – NSW Office of Water
7. NSW Planning & Infrastructure – Southern Region
8. NSW Trade & Investment – Resources & Energy
9. Environmental Protection Authority (EPA)
10. Forests NSW
11. NSW Marine Parks Authority
12. NSW Office of Environment & Heritage
13. NSW Roads & Maritime Services (RMS)
14. NSW Rural Fire Services
15. Shoalhaven City Council

Responses to key issues raised are as follows:

Key issues raised	Applicant response
AGENCY SUBMISSIONS	
1. Southern Rivers Catchment Management Authority	
Subdivision <ul style="list-style-type: none"> Southern Rivers CMA supports retaining the development as a whole with multiple dwellings, rather than subdividing into individual allotments. Division of the site into individual allotments could lay the ground work for future subdivision as identified in 17.9.2, which is not consistent with the recommendations of the <i>South Coast Sensitive Urban Lands Review</i>, which is to keep the development in one ownership. 	<p>Acknowledged.</p> <p>Dwellings are proposed to be sited on individual allotments, which are not legal subdivisions.</p>
Number of dwellings <ul style="list-style-type: none"> Residential Precinct D allows for an unidentified amount of dwellings which may take the total amount of dwellings for the site far in excess of 300, which is inconsistent with the recommendations of the <i>South Coast Sensitive Urban Lands Review</i> and is not supported by the Southern Rivers CMA. 	<p>The development in the Village Centre precinct, supports the tourism component of the site. The development is proposed to be serviced apartments for the accommodation of tourist families and for temporary stay (e.g. for treatment purposes in the Traditional Chinese Medicine Centre or for rest and recreation purposes).</p>
Environmental <ul style="list-style-type: none"> The Southern Rivers CMA does not support the claim in 8.3.2 of the EA report that the loss of forest and woodland in the REP Habitat Corridor is not of high importance. The State Forest is not a conservation area and is considered a resource that may be utilised in the future. Therefore if the State Forest is harvested this corridor would form a critical linkage. Most of the golf course should be moved outside of the identified habitat corridor into the current Village Centre precinct location. This would reduce fragmentation of the corridor as identified in the <i>Jervis Bay Regional Environment Plan</i> and make the proposed development more consistent with the areas identified as suitable for development in part 8.3.1 of the EA. 	<p>The proposed development is sited within the area deemed “suitable for development” by the Independent Assessment Panel, which includes portions of the western forest area NOT on the floodplain of Currembene Creek (p.39 & 41 IRP).</p> <p>The golf course is sited predominantly within the pine plantation portion of the site, which is not within the Jervis Bay Habitat Corridor. Only a small portion (along with the link road) incurs on the Western forest area of the Habitat Corridor (map p.160 of EA report). Whilst there will be a loss of approx. 34.5 ha (approx. 3.5%) of the delineated corridor, there are vast areas surrounding the development that maintains the extensive habitat link.</p> <p>Moving of the golf course into the Village Centre precinct is a design issue and would impact on the potential development area of the site and hence its economic viability. With sensitive clearing for the golf course, the function of that part of the corridor can remain viable for most species.</p>

Key issues raised	Applicant response
<ul style="list-style-type: none"> Reduction in the footprint for residential areas (where allotments areas are 1500m²/lot) would ensure that the golf course can be built without impacting on the surrounding high quality bushland environment. This would minimise the impact on the habitat corridor. 	<p>The residential areas with allotments at 1500m²/lot are located in areas of high visual sensitivity, within the cleared land overlooking Currumbene Creek. These larger sized allotments are to enable the planting of vegetation and tall trees to occur to integrate development within landscape and to reduce the visual impact of development on the rural landscape.</p> <p>Allotments within the proximity of the golf course (in Residential Precincts A & B) are approx. 760m²/allotment. Any reduction in size would compromise the landscaped ambience of the precincts and the Asset Protection Zones within each allotment.</p>
<p>Landscaping</p> <ul style="list-style-type: none"> Consideration should be given to developing a detailed plan that evaluates the suitability of individual flora species for the site and give consideration to appropriate methods of riparian management, as the species listed in 7.18.8 and 7.18.9 for planting represent a landscaping approach to these areas, which may not be appropriate. 	<p>A detailed Landscape Plan will be developed as part of the detailed design of the proposed development, which will be assessed by consent authorities. Concern with plant species listed in 7.18.8 (for the Georges Creek corridor) and 7.18.9 (for the Currumbene Creek corridor) is noted and will be evaluated at that stage.</p> <p>The Department of Primary Industries has identified a number of endemic species suitable along the banks of Currumbene Creek.</p>

Key issues raised	Applicant response
2. Department of Primary Industries Catchment and Lands (Crown Lands)	
Crown Reserve <ul style="list-style-type: none"> The main EA document for the site states at 9.12(h) that the Crown reserve is not within the development, whereas in the Master Plan drawings and documents, the reserve is included as part of the site. No authorisation of any activity within the Crown reserve, or inclusion of the reserve in the development has been given by Crown Lands. Until authorisation is sought and given, no activities associated with the development can occur on the reserve. 	<p>9.12(h) states that development is not within the Crown Land reserve, which is located 30.5m on both sides of Currumbene Creek. The portion of the reserve on the north-eastern side of the Creek is within the Comberton Grange site.</p> <p>No organised activity by the development will occur within the reserve. Should activities occur, authorisation will be sought from Crown Land. The applicant/ developer will inform Shoalhaven City Council (who is responsible for the management of the reserve) and Crown Land on any activities proposed within the reserve. Management of the reserve will be in conjunction with Council.</p>
Vegetation <ul style="list-style-type: none"> Any plantings or manipulation of vegetation within the reserve must be authorised by the manager of that land (SCC) prior to any physical works being undertaken. 	<p>The endemic species identified by the Department will be planted along the reserve in the Detailed Landscape Design of the site. Species include:</p> <ul style="list-style-type: none"> – Swamp Mahogany (<i>E. robusta</i>); – Bangalay (<i>E. botryiodes</i>); – Blackbutt (<i>E. pillularis</i>); – Lilly Pilly (<i>Acmena smithii</i>); – Sandpaper Fig (<i>Ficus corontata</i>); – Parramatta Green Wattle (<i>A. parramattensis</i>); – Yellow Wood (<i>Acronychia oblongifolia</i>); – Blueberry Ash (<i>Eleocarpua reticulatus</i>); – Pickly-leaved Paperbark (<i>Melaleuca stypheloides</i>; <i>M.ericifolia</i> and <i>M. linariifolia</i>). <p>The detailed Landscape Design of this corridor will be submitted to Shoalhaven City Council at the development application stage of this precinct.</p>

Key issues raised	Applicant response
3. Department of Defence	
<p>Noise Impacts</p> <ul style="list-style-type: none"> The capability of HMAS Albatross will significantly increase in the future through the introduction of the Australia Defence Force Helicopter Aircrew Training System in 2017 and the acquisition of an increased number of new Maritime Combat Helicopters. The increased activity at the Base will produce more frequent flying activity in the local area and over the site which is located along the flight corridor between HMAS Albatross and the Jervis Bay Training Area. The introduction of Night Vision Devices will also increase low level night flying. Defence is concerned about the aircraft noise impacts that may affect the proposed development. Defence has previously undertaken noise assessment on the site which concluded that a significant proportion of the development site is within the 70dB(A) contour. Defence will not be responsible for any future liabilities for future noise complaints in relation to military aircraft noise. 	<p>Acknowledged.</p>
<p>Noise Assessment Recommendations</p> <ul style="list-style-type: none"> The Wilkinson Murray Noise and Vibration Assessment report recommends that the noise levels predicted by The Acoustic Group (58-70dBA) be adopted for design purposes. Defence is supportive of this approach. 	<p>The noise levels of 58-70dBA are to be adopted in the design of dwellings along this corridor.</p> <p>The development will be attenuated from aircraft noise with:</p> <ul style="list-style-type: none"> Residential Precinct A (at the northern portion of the site, within the former pine plantation) – will be attenuated up to 60dBA; Residential Precinct B, Village Centre, Health & Wellness and Education Precincts – will be attenuated up to 65dBA; and Residential Precinct C & Hotel Precinct – will be attenuated up to 70dBA. <p>The development will be designed to achieve the optimum indoor design sound levels in building envelope, as recommended by Wilkinson Murray and identified in Section 8.13.2 of the EA Report.</p> <p>Habitable buildings will be insulated against aircraft noise in accordance with AS 2021 (2000): <i>Acoustics – Aircraft noise intrusion – Building siting and consideration</i>.</p>

Key issues raised	Applicant response
	<p>The use of appropriate building design and construction attenuation mitigation measures include:</p> <ul style="list-style-type: none"> ▪ Insulation to walls and roof to suite the attenuation measures required; ▪ Minimum 3mm thick glass; and ▪ Seals to windows and acoustic seals to external doors.
<ul style="list-style-type: none"> ▪ Defence does not object to the proposal, provided that conditions to attenuate the development from aircraft noise be included in any approval of the Concept Plan and that attenuation requirements are fully considered in the design stage of the proposal, and appropriate notations should be incorporated into planning certificates that may be issued under section 149 of the EP&A Act. 	<p>The development will be attenuated from aircraft noise and that attenuation requirements are considered at the detailed design stage of the development.</p>

Key issues raised	Applicant response
4. Department of Primary Industries – Fisheries NSW	
Water quality <ul style="list-style-type: none"> Parts of Currambene Creek and Georges Creek and their tributaries are located in or adjacent to the proposed development area, which drain to Jervis Bay, and have the potential to be impacted by the proposed development. 	<p>Acknowledged. All safeguards will be applied in the design and construction of the development to ensure that the site's active waterways are not compromised by the development.</p>
Land dedication <ul style="list-style-type: none"> Fisheries NSW recommends that any approval of the development require dedication of the land in the eastern and south-eastern portions of the site, especially those areas containing SEPP 14 wetlands and saltmarsh, to the Jervis Bay National Park, as recommended by the <i>South Coast Independent Review Panel's South Coast Sensitive Urban Lands Review</i> (Oct 2006). 	<p>The request that the areas comprising the:</p> <ul style="list-style-type: none"> eastern portion, east of the quarry; and south-eastern portion of the site containing SEPP 14 wetlands and saltmarsh <p>be dedicated to the Jervis Bay National Park is not being considered by the Proponent, particularly in light of the State government's action to permit shooting within National parks as this is not in harmony with the proposed religious activities and themes for development of the land owner.</p>
Safeguards and mitigation actions <ul style="list-style-type: none"> All the proposed safeguards and mitigation actions listed in the EA's Statement of Commitments and Appendices should be included in any project approval and listed in the subsequent Management Plans for Construction, Environmental Management, Integrated Water Cycle Management, and Golf Course Pollution Management, and fully implemented by the proponent and its contractors. 	<p>Acknowledged.</p>
Construction of crossings <ul style="list-style-type: none"> Fisheries NSW recommends that any project approval require that the design and construction of all new or upgraded road and pedestrian crossings of Georges Creek and its tributaries be undertaken in accordance with the <i>Fisheries NSW Policy and Guidelines for Fish Friendly Waterway Crossings</i> (2004) and <i>Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings</i> (2004). 	<p>Despite Georges Creek being a dry creek bed, the design and construction of all new or upgraded road and pedestrian crossings of Georges Creek and its tributaries will be undertaken in accordance with:</p> <ul style="list-style-type: none"> <i>Fisheries NSW Policy and Guidelines for Fish Friendly Waterway Crossings</i> (2004); and <i>Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings</i> (2004).

Key issues raised	Applicant response
5. Agriculture NSW	
<ul style="list-style-type: none"> Agriculture NSW does not raise any issues in respect to the agricultural aspects of the proposal. 	Acknowledged.
6. NSW Office of Water	
<p>Water courses, wetlands and riparian land</p> <ul style="list-style-type: none"> Clarification is required as to whether a 50m wide riparian setback is proposed to be established along either side of Georges Creek and whether a 100m wide riparian setback is proposed to be established along Currumbene Creek. For clarity, it is recommended the Statement of Commitments (SOC) be amended to specify the riparian corridor widths proposed to be established along either side of: <ul style="list-style-type: none"> Curumbene Creek, The main tributaries of Georges Creek, The minor creek lines of Georges Creek, The SEPP 14 wetlands. It is also recommended a scaled plan is provided which clearly shows the proposed footprint of the development and the riparian corridor widths to be established, and if necessary rehabilitated either side of the creeks and around the SEPP 14 wetlands on the site. Where riparian vegetation has previously been disturbed, degraded or cleared on the site, it is recommended the riparian corridors are rehabilitated with a diversity of local native plant species. 	<p>A riparian setback is proposed to be established:</p> <ul style="list-style-type: none"> At least 50m clear of each side of the Georges Creek tributaries as an environmental corridor (40m fully vegetated and 10m buffer); At least 20m clear of each side of minor creeklines of the Georges Creek tributaries to prevent accelerated rates of soil erosion and to enhance water quality; and At least 100m from Currumbene Creek and SEPP 14 wetlands and flood plains along the creek. <p>Acknowledged.</p> <p>Whilst the riparian corridor has been illustrated in the various site constraint maps and masterplans of the development, the Masterplan overlaid with setbacks from riparian corridors has been provided with this submission. we will further notate the width of riparian corridors and SEPP 14 wetlands.</p> <p>Acknowledged.</p>
<p>Golf course</p> <ul style="list-style-type: none"> Maintenance of the golf course adjacent to the riparian corridor of Georges Creek (figure 7.31) could result in accidental encroachment into the riparian corridor by slashing and mowing. It is recommended a permanent physical barrier such as fencing, bollards, logs etc. is provided 	<p>Measures to prevent accidental encroachment into the riparian corridors will be implemented at Detailed Design of the development and its future applications.</p>

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Key issues raised	Applicant response
<ul style="list-style-type: none"> Volumes of water to be used. The function and location of all existing and proposed storages ponds on the site. The design, layout, pumping and storage capacities, all associated earthworks and infrastructure works must be clearly shown and explained. Details need to be provided to the Office of Water on the volume of water proposed to be extracted from stormwater and groundwater aquifers. All proposed groundwater works must be identified and any necessary approvals be obtained from the Office of Water prior to their installation. Details also need to be provided to the Office of Water on the function, capacity and location of all dams on the site to determine water licensing requirements, and any licensing or approvals required for water supply works or use of water will be subject to the applicable legislation at the time, either the <i>Water Act 1912</i> or the <i>Water Management Act 2000</i>. 	<p>Hydraulic consultant, Umow Lai, anticipates the expected water consumption of 301 kL/ day for the development, which amounts to 109,938 kL/ year. With the assisted use of reclaimed and recycled within the development, the anticipated demand would be reduced to 177.7 kL/ day and 64,860 kL/ year. Non-potable use would include toilet flushing, domestic clothes washing, irrigation and mechanical cooling. These numbers would be refined at the detailed design of the development and in future development applications.</p> <p>The locations of surface water storage ponds are indicative. The ponds will be used for irrigation.</p> <p>The design, layout and storage capacity and associated construction works will be determined at the Detailed Design of the ponds.</p> <p>Currently, no groundwater extraction is proposed for the development.</p> <p>Proposed dams on the site are to be used for landscape and agricultural irrigation. The capacity and final location of the dams will be determined at the Detailed Design of the development.</p> <p>Approvals will be sought from the Office of Water.</p>
<p>Groundwater</p> <ul style="list-style-type: none"> No details have been provided on the number of levels of basement car parking that are required or if the basements are likely to intercept the water table. 	<p>Basement parking (one level) is proposed in the:</p> <ul style="list-style-type: none"> Village Centre Precinct for parking associated with retail, commercial and tourist uses; and Hotel Precinct. <p>Geotechnical investigates (which included test pits and bores to 6m in depth) did not encounter ground water. The Hotel Precinct is located above Currumbene Creek and is not anticipated to encounter groundwater issues.</p>

Key issues raised	Applicant response
<ul style="list-style-type: none"> ▪ If the excavations intercept or use groundwater, a licence may be required from the Office of Water pending further information on the magnitude of groundwater inflows. ▪ The construction of any structure that may be impacted by groundwater is requested to incorporate a water proof/ fully tanked retention system/ structure. ▪ The technical documentation required by the conditions of approval must be provided to the Office of Water at the time of application for a Water Licence for temporary construction dewatering. The Office of Water's recommended conditions of approval with respect to temporary groundwater dewatering (Attachment C of their submission). 	<p>Should groundwater be encountered, dewatering for construction would be highly localised and continuous dewatering post-construction is not proposed.</p> <p>Acknowledged.</p> <p>Acknowledged.</p> <p>Acknowledged.</p>

Key issues raised	Applicant response
7. NSW Planning & Infrastructure – Southern Region	
<p>Property Ownership</p> <ul style="list-style-type: none"> The proposal appears to be inconsistent with the recommendation of the <i>South Coast Sensitive Urban Lands Review</i> that, "the land developed for tourism and residential purposes should be retained in one ownership". The EA states that "the site will be subdivided under the community land legislation of the <i>Community Land Development Act 1989</i>" and that "the residential component of the land will be divided into individual allotments with each lot owners responsible for the care and maintenance of their homes and lots". (p.137) Subdivision of the residential component through a community title scheme undermines the Panel's recommendation that "development of the land is supported only if it comprises a fully integrated tourist facility with associated residential development, on the grounds of the potential employment benefits to the Shoalhaven". It is recommended that if the development is approved, a condition or covenant requiring single ownership be imposed. It is also recommended that this single ownership not be in the form of a Community Development Corporation. 	<p>The site will be developed as a fully integrated tourist facility with associated residential development under the ownership of the Shaolin Temple Foundation (Australia). Whilst the site was considered to have an arrangement under the <i>Community Land Development Act 1989</i>, the allotments will not be "subdivided" into property titles, but provided with an occupation curtilage for each allotment to enable each allotment occupant be responsible for the care and maintenance of their tenanted dwelling and land.</p> <p>The development will not be legally subdivided. The allotment lines indicated in the residential development are merely to indicate site allocation for each dwelling for its development and private open space.</p> <p>A condition or covenant requiring one ownership can be imposed on the development. However, the viability of the development must be ensured.</p>
<p>Sustainability Criteria (p.243)</p> <ul style="list-style-type: none"> The proposed subdivision, and resulting stand-alone urban development, would also be inconsistent with the action in the <i>South Coast Regional Strategy</i> that states, "any additional development proposed will need to demonstrate that it can satisfy the Sustainability Criteria", in particular: <ul style="list-style-type: none"> Infrastructure provision; Access; and Environmental protection. 	<p>Infrastructure provision: <i>Measures in place to ensure utilities, transport, open space and communications are provided in a timely and efficient way.</i></p> <p>Council has indicated that appropriate infrastructure will be in place to service the development.</p> <p>Access: <i>Accessible transport options for efficient and sustainable travel between homes, jobs, services and recreation to be provided.</i></p> <p>Whilst there is not viable direct public transport (rail and bus services) near the site, we acknowledge that as the development grows, the site will require public transport servicing. The development additionally will provide a private bus service to transport its occupants to Nowra. These services</p>

Key issues raised	Applicant response
	<p>are not uncommon in Asian residential developments and will reduce traffic around the site.</p> <p>Moreover, the project provides an integrated development offering employment, housing and recreational opportunities.</p> <p>Environmental protection: <i>Protect and enhance biodiversity, air quality, heritage and waterway health.</i></p> <p>The development will maintain ecological corridors, areas of heritage and archaeological sensitivity with an environmental curtilages to its natural waterways. Water sensitive urban design (WSUD) and bushland management measures will be implemented to preserve the natural waterways and ecology of the site. These measures are outlined in relevant sections of the EA report.</p>
<p>State Infrastructure</p> <ul style="list-style-type: none"> ▪ The assessment of the financial arrangements is inadequate, as this has potentially significant financial implications, particularly for Council regarding connection to water and sewerage and to RMS for traffic management measures. This includes details of Council's and other authorities' contributions for water, sewerage, communications and traffic management. ▪ It is recommended that the Applicant provide further details regarding financial arrangements for provision of infrastructure and services for the development. Alternatively, the Statement of Commitments should recognise the need to enter into (e.g V.P.A.) arrangements for the funding or delivery of these services. 	<p>Funds will be available to fund infrastructure requirements when required.</p>
<p>Land dedication</p> <ul style="list-style-type: none"> ▪ The proposal is inconsistent with the <i>South Coast Sensitive Urban Lands Review</i> which recommends that the eastern portion of the site should be added to the Jervis Bay National Park on the grounds of its high conservation value. 	<p>It is only a recommendation of the SCSULR that the eastern portion of the site be added to the Jervis Bay National Park.</p> <p>The land owner acknowledges the high conservation value of the land, and will retain the land under the Shaolin Foundation's ownership.</p>

Key issues raised	Applicant response
8. NSW Trade and Investment – Mineral Resources Branch (MRB)	
<p>Geological</p> <ul style="list-style-type: none"> ▪ The Branch has raised the issue of the quarry on the subject land and the dolerite and sandstone resources associated with the quarry, which are considered to be regionally significant. However, the economic viability of extracting the dolerite remains uncertain due to the limited geological assessment undertaken to date. ▪ The quarry is well placed to supply construction materials for use in the proposed development. It is important that access to resources remaining at the site is maintained for the benefit of the local and regional community. ▪ The Chinese Garden Precinct is located within the buffer zone of the quarry, which may be impacted by future quarrying. 	<p>It is currently not the intention of the Proponent to mine the quarry due to the absence of economic viability to do so, such as the restarting of the mining procedure, etc.</p> <p>Under the ownership of Council, the mining of the quarry had already ceased as Council did not consider the future mining financially viable.</p> <p>The Chinese Garden Precinct will not be used until the issue of quarrying is resolved and that no future quarrying will take place. The construction of the Chinese Garden Precinct does not preclude the future use of the quarry as the use of the Chinese Garden by visitors can be suspended should the quarry be required to be harvested.</p>
<p>Land dedication to National Parks</p> <ul style="list-style-type: none"> ▪ The MRB is greatly concerned that dedication of this area to the National Parks Reserve Estate would preclude future extraction of these resources, resulting in permanent loss of access to remaining dolerite and sandstone resources on the site. ▪ The Branch considers that the resource area should remain available for further assessment and possible future extraction. 	<p>The eastern portion of the site will not be dedicated to National Parks. It is not the intention of the Proponent that the dolerite and sandstone resources be lost, if required in future.</p> <p>A Biodiversity Banking (or 'BioBanking'), introduced by the State government to help address the loss of biodiversity values, including threatened species, can be implemented.</p> <p>Bio-Banking is an offsetting scheme that provides an opportunity for landowners to generate income by managing land for conservation. The scheme enables 'biodiversity credits' to be generated by landowners who commit to enhance and protect biodiversity values on their land through a bio-banking agreement. These credits can then be sold, generating funds for the management of the site. Credits can be used to counterbalance (or offset) the impacts on biodiversity values that are likely to occur as a result of development. The credits can also be sold to those seeking to invest in conservation outcomes, including philanthropic organisations and government.</p>

Key issues raised	Applicant response
9. Environmental Protection Agency (EPA)	
<p>Quarry operations</p> <ul style="list-style-type: none"> ▪ The Chinese Garden Precinct is within the 1000m buffer zone of the quarry, proposed to be sited around the existing sedimentation dam. ▪ Although the EA indicates the operations of the quarry "is likely" to cease after completion of construction, it is unclear whether and/or when the quarry is actually going to be closed down. 	<p>It is anticipated that the quarry will be closed down due to the poor economic viability of keeping it open. It is the intention of the proponent to continue to hold the licence, but due to poor economic viability, the quarry will not be reopened.</p>
<ul style="list-style-type: none"> ▪ EPA considers the operation of a quarry, which includes noisy activities such as blasting and the operation of heavy machinery is incompatible with the quiet, passive activities of the proposed Chinese Garden Precinct. Possible solutions to resolve this include: <ul style="list-style-type: none"> – Compliance with Chapter 8 of the <i>Industrial Noise Policy</i> (EPA 2000) in relation to any future activities of the quarry; – The holder of the EPA licence for the quarry make a commitment to close the quarry and surrender the licence after completion, but before occupation & use of the development. 	<p>These solutions can be complied with.</p>
<ul style="list-style-type: none"> ▪ The EPA suggests that the proponent consider amending its Statement of Commitments in this regard to ensure either that the future operation of the Comberton Grange Quarry is not compromised by the proposed development, or that the EPA licence for the quarry is surrendered before occupation of the development. 	<p>The Statement of Commitments can be amended to ensure that:</p> <ul style="list-style-type: none"> ▪ The quarry is not compromised by the proposed development (via noise impacts); or <p>The EPA does not wish the license for the quarry to be surrendered.</p>

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10. Forests NSW	
<p>Environment</p> <ul style="list-style-type: none"> ▪ The EA does not appear to have adequately considered compatibility of forestry operations in the vicinity of such a development. The areas to the northern and eastern boundaries of the development will be subject to General Management Operational activities. ▪ The impact of truck traffic and industrial noise from timber harvesting, as well as hazard reduction burning in close proximity to the development should be considered, especially the proposed Buddhist Temple Sanctuary Precinct area directly adjoining these areas of activity. ▪ Timber harvesting activities will occur intermittently over 10-20 years, however, may last for a period of 3-6 months at a time when active. FNSW proposes to conduct hazard reduction burns in all areas of State forest approximately every 7 years. 	<p>These concerns relating to noise and burning are acknowledged. As the proposed development will be developed under a single ownership, the occupants will be advised when these occur with education on the diverse activities that occur when residing near a State forest.</p>
<p>Forest Road</p> <ul style="list-style-type: none"> ▪ Forests NSW was led to believe, during negotiations with Shoalhaven City Council, that the Forest Road access was a secondary auxiliary access only. 	<p>Forest Road will be the principal access to the development, with Comberton Grange Road being a secondary access.</p>

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11. Marine Parks Authority	
<p>Support:</p> <ul style="list-style-type: none"> Retention of vegetated areas in the eastern and SE portions of the site; 100m setback from Currambene Creek; Use of an integrated water management approach and WSUD strategies to maintain and improve receiving water quality; Location of golf course away from Currambene Creek which will minimise impacts of pollutants. 	Acknowledged.
<p>Environment</p> <ul style="list-style-type: none"> The vegetated areas in the eastern and south-eastern portions of the site should be dedicated or managed for ongoing protection, as proposed in the SCSULR to ensure that catchment and other biodiversity benefits are maintained. Mitigation and management measures proposed in relation to ecology, water cycle management and water quality (Section 8); and environmental benefits of the development should be incorporated in their entirety into the Statement of Commitments (SOC) and the Statement revised accordingly to ensure that the original intention is carried across. 	<p>Acknowledged.</p> <p>Acknowledged.</p>
<p>Plan of Management</p> <ul style="list-style-type: none"> The proposed Plan of Management (pp.160-162) should include a section addressing management of the interface between the development and the aquatic areas within and adjacent to the site, including Georges Creek and Currambene Creek, and address a similar range of issues including passive recreation and rehabilitation. The proposed Golf Course Pollution Management Plan, should as a minimum address the points outlined in s.5.6 of the Water Management Report (WMR) and should be maintained and updated during the life of operation of the golf course. Sediment and erosion control should be addressed in the Environmental Management Plan/s for construction and for operation of the project. 	<p>Acknowledged.</p> <p>Acknowledged.</p> <p>Acknowledged.</p>

Key issues raised	Applicant response
<p>Water quality</p> <ul style="list-style-type: none"> It appears that the water quality objectives nominated for pollution removal from stormwater (s.5.4 & 6.4 of WMR) do not relate in any way to the water quality objectives relevant to the receiving waters as per the NSW Water Quality and River Flow Objectives, consistent with the ANZECC 2000 Guidelines. This issue should be re-examined and water quality objectives set out for the Statement of Commitments to ensure receiving water quality maintained or improved (as per s.7.13.8 that the stormwater drainage design solution will maintain or improve the water quality of water bodies and prevent its degradation, to protect ecosystem and habitats.) 	<p>The standard that was nominated for pollution removal from stormwater comprising primary, secondary and tertiary treatment methods exceed the requirements of ANZECC for urban environments, in that treatment of runoff at rates up to 65% of the 1-year ARI was undertaken (ANZECC required 25-50%). To achieve the aim of improving or at least not worsening creek water quality water quality sampling in both creeks is required to establish the benchmarks.</p>

Key issues raised	Applicant response
12. Office of Environment and Heritage (OEH)	
OoEH commends the overall design of the development has focussed on cleared land Environment.	Acknowledged.
Environmental <ul style="list-style-type: none"> Development of certain parts of the site would be considered acceptable provided adequate measures were taken to ensure that: <ul style="list-style-type: none"> Riparian vegetation is rehabilitated and protected; 	<p>The development will ensure that these measures outlined are maintained.</p> <p>The riparian areas are along Currumbene Creek and the watercourses through the former pine plantation, namely Georges Creek and its tributary.</p> <ul style="list-style-type: none"> The development is well away from Currumbene Creek and its 30m public reserve (Crown land). The watercourses through the former pine plantation have a 40m setback on both sides, within which native vegetation is to be retained where present, and enhanced through appropriate management activities.
<ul style="list-style-type: none"> There is no significant disturbance to saltmarshes and mangroves along the banks of Currumbene Creek; 	These areas of saline habitat are well away from the development and will not be impacted in any way by the development. It is proposed to manage these areas to improve their condition over time.
<ul style="list-style-type: none"> There is no significant disturbance to other EECs on the site; 	The EECs present are all types of wetland and are away from the developed areas. The riparian areas through the pine plantation are likely to meet the criteria for Swamp Sclerophyll Forest. These areas are within a protected corridor through the development land. The EECs will be maintained and enhanced through appropriate management.
<ul style="list-style-type: none"> Water quality of Currumbene Creek is maintained; 	The water quality will be maintained as no development will occur within 100m of the Creek. Moreover, all safeguards will be applied in the detailed design and construction of the development to ensure that the site's waterways are not compromised by the development. Water quality measures will be adopted for pollution removal from stormwater.
<ul style="list-style-type: none"> There is no significant disturbance to areas with high cultural heritage values; and 	The development area avoids disturbance to areas with high cultural heritage values.
<ul style="list-style-type: none"> Sufficient natural vegetation is retained within habitat corridors on the site to maintain the integrity of these corridors. 	The proposed golf course and access road intrudes into the Jervis Bay REP Habitat Corridor. Significant natural vegetation will be retained within

Key issues raised	Applicant response
	the habitat corridors in the detailed design of the golf course to ensure that fauna movement and interaction can occur along the corridor. The provision of an access road through the corridor will not seriously compromise the corridor and will be constructed in a sensitive manner.
Environmental setbacks <ul style="list-style-type: none"> The OEH recommends that the eastern portion of the site, wetlands and riparian corridor be zoned E2, with a minimum 50m setback from Currumbene Creek and a 30m setback on either side of other creeks on the site. 	Acknowledged. The proposed development maintains at least these setbacks.
Zoning <ul style="list-style-type: none"> OEH considers that the RU2 zone for the eastern portion of the site is inconsistent with the recommendations of the Panel and the Strategy. The eastern section of the site should be zoned E2, with a minimum lot size that prevents future subdivision in order to mitigate and offset the direct and indirect impacts of the project on biodiversity. 	<p>The objective is to ensure that the eastern forested land is protected and managed appropriately for conservation values. As long as this objective is achieved, the zoning is of secondary importance.</p> <p>Whilst the eastern section of the site currently has a RU2 zone and the OEH recommends that this portion of the site is zoned E2 Environmental Conservation, it is proposed that this section of the site be zoned E4 Environmental Living.</p> <p>Objectives of the E4 zone are:</p> <ul style="list-style-type: none"> To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values. To ensure that residential development does not have an adverse effect on those values. <p>Permitted with consent are: Bed and breakfast accommodation; Bee keeping; Building identification signs; Business identification signs; Dual occupancies (attached); Dwelling houses; Eco-tourist facilities; Environmental facilities; Environmental protection works; Home-based childcare; Home businesses; Home industries; Roads; Roadside stalls; Water storage facilities.</p>
<ul style="list-style-type: none"> Other areas that should be subject to the E2 zoning include the wetlands and riparian corridor, including at least 50m setback from Currumbene Creek and 30m either side of the other creeks on the site. 	It is proposed that other riparian zones of wetlands and riparian corridors could be zoned E2 Environmental Conservation .

Key issues raised	Applicant response
<p>Plan of Management</p> <ul style="list-style-type: none"> ▪ The Plan of Management for the E2 zoned land should be site specific rather than adopt SCC's generic Plan of Management for Natural Areas. 	<p>The EAR states that the proposed Plan of Management, at the minimum, should comply with the core objectives for the various categories of:</p> <ul style="list-style-type: none"> ▪ natural areas; ▪ bushland; ▪ watercourses; ▪ foreshores; <p>as well as other issues for inclusion (section 8.3.3).</p> <p>As this is a Concept Project Application, the preparation of a Plan of Management can be undertaken at detailed development application stages.</p>
<ul style="list-style-type: none"> ▪ The Proponent should enter into a management plan and permanent protection of the lands in the E2 zone with a: <ul style="list-style-type: none"> – Voluntary Conservation Agreement under the <i>National Parks and Wildlife Act 1974</i>; – Trust Agreement under the <i>Nature Conservation Trust Act 2001</i>; – Conservation Property Vegetation Plan under the <i>Native Vegetation Act 2003</i>; or – Similar mechanism. 	<p>Acknowledged.</p>
<p>Biodiversity Assessment Report (Kevin Mills & Associates)</p>	
<p>General:</p>	
<p>The aims of the "<i>Biodiversity Assessment Proposed Shaolin Temple and Associated Developments Comberton Grange</i>, Kevin Mills and Associates (2012), should be more than to provide a list of species and descriptions of habitat. It should be to provide sufficient information on the threatened biodiversity of the area to enable thorough impact assessment.</p>	<p>The Biodiversity Assessment Report's survey methods is in accordance with <i>Threatened Species Survey and Assessment Guidelines for Developments and Activities</i> (DECC 2004).</p> <p>A list of threatened plants and animals known to occur in the general district were identified along with targeted survey methods.</p> <p>A total of 393 plant species were recorded on the Comberton Grange site. Despite targeted surveys, no threatened species were found in current or in previous surveys of the land (p.30)</p> <p>Over 2,500 individual fauna records were made in or adjacent to the study area. Dominant fauna habitats on the site are in forest, wetlands (fresh and saltwater) and cleared land covered by exotic grasses.</p>

Key issues raised	Applicant response
	<p>The report states that no critical habitat (as listed in the Registers of Critical Habitats) has been declared on or in the vicinity of the study area. (p.39)</p> <p>Key fauna and flora species, habitats and occurrences are identified in Table 13. An assessment of each threatened species recorded in the study is outlined in Appendix 13. The impact assessment provides a thorough analysis of the potential effects of the proposal on the threatened species and their regimes. Overall, the development does not impact on the habitats of the individual threatened species as the small area of forest removed is unlikely to seriously impact on these species due to the abundance of surrounding forests in the locality.</p>
The maps of the study site should include the proposed development footprint overlain on mapped vegetation communities and threatened species record locations.	<p>The proposed development is predominantly located within secondary growth forest (former pine plantation) and cleared grazing land. There is minimal incursion of several fairways into Scribbly Gum – Bloodwood Woodland and Blackbutt-Turpentine forest, with internal road crossing Blackbutt-Turpentine forest.</p> <p>An overlay map has been prepared. Note that because of scale differences, overlaying the Vegetation Map and the Development Masterplan has proved difficult. Residential Precinct C and Hotel are located on the cleared land and not in the nearby forest.</p>
Information presented in Table 13 regarding advice and actions to minimise impacts to specific threatened species is too general and needs more detail.	Table 13 is to be read in conjunction with Appendix 13, which shows that there is no serious impact of the development on the habitat of the fauna in the area. The more detailed impact on threatened species can be addressed in the detailed design and development application stages.
Surveys:	
Additional background information about other wildlife records and previous surveys should be provided.	Figure 7: Location of recorded Threatened Animal Species in the Biodiversity Assessment identifies survey locations. The Biodiversity Assessment Report contains all of the threatened biota records that the Ecological Consultant could find.

Key issues raised	Applicant response
<p>There is not sufficient detail in the documentation of the survey effort, methods and locations of survey sites to properly assess the adequacy of the survey. The survey effort for each species listed in Table 3 should be detailed in Table 10 including:</p> <ul style="list-style-type: none"> ▪ Survey methods/ techniques; ▪ No. of transects; ▪ Traps, baits and trap nights; ▪ Location of survey sites, dates, time and weather of survey. 	<p>Survey methods and techniques are outlined in Table 10. The table sets out the survey effort for relevant threatened species during surveys undertaken in 2009 and 2010. Number of transects, hours of observation, traps, extensive spotlighting are identified. 37.4 hours of observations were carried out in the study area.</p> <ul style="list-style-type: none"> ▪ Appendix 1 sets out the dates, times and activities undertaken during the survey period of 2009-2010. ▪ The graph at Figure 6 indicates that bird surveys have achieved a satisfactory level of survey. ▪ p.32 of the Report sets out the total number of species and individuals recorded, which is a high level of survey effort – with indigenous species to include 28 species of mammals, 103 species of birds, 9 reptiles and 6 frogs. Over 2,500 individual fauna records were made in and adjacent to the study area. ▪ Further formation is found in Section 3.1.7. ▪ Appendix 6 provides Fauna Survey Sheets of date, time and method of survey, and contains the results of 40 hours of dedicated observation over 47 bird surveys. <p>No threatened species were found within the Study Area.</p>
<p>The location of each the survey sites should be mapped in relation to vegetation communities and the proposed development footprint.</p>	<p>The location of recorded Threatened Animal Species is noted in Figure 7 of the Report.</p>
<p>Fauna:</p>	
<p>The survey effort for Eastern Pygmy Possum, Koala, Green and Golden Bell Frog and Giant Burrowing Frog is not documented in Table 10, with:</p> <ul style="list-style-type: none"> ▪ Surveys for Green and Golden Bell Frog were not adequate and were poorly documented. ▪ Surveys for Giant Burrowing Frog should also include foot or road based transects on nights during or immediately following rain. 	<p>These species were specifically targeted, even though they are not likely to occur on the development area.</p> <ul style="list-style-type: none"> ▪ The Eastern Pygmy Possum's closest identified location is at Vincentia (NSW Wildlife Atlas). Spotlighting and box traps were used. ▪ The Koala is extremely rare and likely to be absent from the Jervis Bay region, with closest previous records (NSW Wildlife Atlas) are from Myola and HMAS Albatross. No koalas have been spotted on the site. ▪ Green and Golden Bell Frog have no suitable habitat in the study area, with closest record (NSW Wildlife Atlas) is from Falls Creek, on the southern & opposite side of Currumbene Creek.

Key issues raised	Applicant response
	<ul style="list-style-type: none"> ▪ Giant Burrowing Frog has its closest record (NSW Wildlife Atlas) at Vincentia, about 10km to the south.
<p>The survey should include identifying and mapping all hollow bearing trees and YBG (Yellow-bellied Gliders) feed trees within and adjacent to the development.</p> <p>.</p>	<p>For the Concept Stage, it is not considered necessary to document every single matter in relation to flora and fauna. Until the final design of the development is documented, it is of little value to specifically identify hollow bearing trees that may or may not be within the footprint of the development.</p> <p>The Report has identified that the removal of hollow-bearing trees has the potential to impact on some species. Identifying all hollowing bearing trees over this area would be exhaustive. Given the huge number of trees locally, the loss of trees in this development would not seriously impact on these species.</p> <p>No feed trees were found on the site and no Yellow-bellied Gliders were found. One record of calling gliders to the NE of the pine plantation (in the State forest). One feed tree was found along the entry road from the highway, but well away from the property. Grey Gum, a favoured feed tree, is almost completely absent from the property.</p>
<p>Given that both Glossy Black Cockatoo and Gang-gang Cockatoo were recorded on the subject site, breeding season surveys should have been conducted between March, May, September, and December with the focus on the area of forest proposed to be cleared.</p>	<p>The development area is very unlikely to support these species. The wetlands are all avoided by the development and are proposed to be protected and managed. The Report additionally states for the:</p> <ul style="list-style-type: none"> ▪ Gang-gang Cockatoo – there are large areas of forest more suitable in the locality for breeding of this species. Whilst the area of forest/ woodland proposed to be impacted does contain some hollows, given the large extent of surrounding forest, it is unlikely that the loss of these hollows would seriously impact breeding. In terms of dispersal ability, bushland links are in all directions from the subject land. Moreover, the cockatoo crosses cleared and urbanised land. ▪ Glossy Black Cockatoo – the abundance of its foraging habits of the <i>Allocasuarina littoralis</i> trees on the site that could provide food for the cockatoo far outweighs the removal of this tree species scattered within the development site. Moreover, there is taller forest in the locality that would provide hollows.

Key issues raised	Applicant response
Camera traps better for White-footed Dunnart, Spotted-tailed Quoll and Eastern Pygmy-Possum	Targeted trapping was used for these species.
Flora:	
The exact method of survey for the targeted threatened plants has not been specified. Several targeted threatened flora are cryptic orchids which are hard to detect. <i>Calochilus pulchellus</i> is another potential orchid on the site that was listed in the last couple of years.	<p>List of threatened plant species are identified in Table 2. The threatened plant species known to occur in the general district was compiled from previous studies, the NSW Wildlife Atlas and DECC's submission to DoPI (2008). Targeted orchid searches for at least 6 species were undertaken (Appendix 4).</p> <p>Appendix 4 sets out the results of the orchid surveys and further formation is found in Section 3.1.7. The methods used are those approved by OEH. The methods involves identifying suitable habitat for the terrestrial orchids, i.e. generally no shrubs to low density of shrub cover, and walking transects back and forth across the area, 5m apart. The surveys were undertaken every 2 weeks during the flowering season of the target orchids. The area searched was the land between the Pine Plantation, the clearing above Currumbene Creek and along the edge of the Spotted Gum Forest to the south. No orchids were found within the proposed area of development.</p>
Assuming that there are no threatened plants within the areas to be cleared, the significance of the proposed development will largely depend on the impacts on threatened fauna.	<p>The Biodiversity Assessment Report identifies that no plant/ flora species are located and none are expected to occur within the development footprint (p.47). Impacts on threatened fauna are outlined in Table 13, with recommendations that:</p> <ul style="list-style-type: none"> ▪ All wetlands must be avoided by the development – complies. ▪ Minimise clearing of forest and woodland and avoid clearing stands of <i>Allocasuarina littoralis</i> trees – the development affects small areas with these trees. There are large areas, untouched by development within the site. ▪ Maximise retention of forest – complies. <p>The probability of rare orchids occurring in highly disturbed land that has had a pine forest on it for decades appears slim. It seems less likely given the dense shrub growth that dominates the land today. Good habitat adjacent to the pine area that was surveyed did not produce any rare orchids.</p>

Key issues raised	Applicant response
	Threatened animals are predominantly airborne with great capability of flying to surrounding forested areas.
These issues should be addressed in a supplementary biodiversity report that clearly demonstrates its findings and demonstrates that the actions adequately offsets, direct and indirect impacts, inducing the reduction of the corridor width on the western edge.	These issues have already been comprehensively addressed in the Biodiversity Assessment Report, as well as offsets, direct and indirect impacts.
It is recommended that the eastern forested parts of the site, including the wildlife corridor, riparian and wetland areas, be managed for conservation of biodiversity.	The eastern forested parts of the site, riparian and wetland areas will be managed for biodiversity conservation.
Aboriginal Cultural Heritage:	
<p>Endorsed are:</p> <ul style="list-style-type: none"> ▪ The conclusions and recommendations made in respect of the survey, significance assessment and recommendations outlined in the Aboriginal & Archaeological report are endorsed. ▪ The recommendations at the 3 isolated sites; ▪ Recommendation that Aboriginal sites CG3, CG4, CD5 and CG7 are conserved without further development impact. ▪ All future planning decisions made in respect of the Aboriginal heritage sites should be undertaken in full consultation with the Jerrinja Local Aboriginal Land Council. 	Acknowledged.

Key issues raised	Applicant response
13. Roads and Maritime Services (RMS)	
RMS supports the development as it has potential benefits to the local economy, employment rates and tourism to the region; as long as appropriate road and transport infrastructure is provided to adequately cater for the impact of development on the surrounding road network.	Acknowledged.
Traffic signalisation <ul style="list-style-type: none"> RMS objects to the proposed traffic signals at the intersections of the Princes Highway with Jervis Bay Road and Forest Road, as: <ul style="list-style-type: none"> Both intersections are within 100km/hr speed zones and traffic signals are not permitted within speed zones above 80km/hr in accordance with RMS <i>Traffic Signal Design</i> guidelines; The Princes Highway at this location is a rural environment where traffic signals are not appropriate and not be intuitive for drivers; Traffic signals are not consistent with RMS strategy for the Princes Highway at this location. RMS advises it would not provide the necessary approvals required under Section 87 and Section 138 of the <i>Roads Act 1993</i> for the proposed traffic signals on the Princes Highway. 	Acknowledged.
Roundabout <ul style="list-style-type: none"> A roundabout at this location would equally be inappropriate in a 100km/ hr speed zone, given the existing road environment and surrounding land uses, and would not be supported by RMS. 	Acknowledged.
Grade separated interchange <ul style="list-style-type: none"> A grade separated interchange at the intersection of the Princes Highway and Forest Road would need to be provided to cater for the significant increase in traffic volumes through this junction as a result of the proposed development. A grade separated interchange would separate conflict points between traffic movements and thereby provide a much safer access to the 	The SIDRA analysis in the Traffic Report shows that the right turn from Forest Road under the existing 120 th Highest Hour traffic volumes in 2011 is operating at Level of Service D in the PM peak hour. The Report indicates that, under future 2021 120 th HH plus Stage 1 tourist development, the delay on the critical right turn from Forest Road at its worst trafficable period (4-5pm, peak period) is calculated to be 60.9 seconds (average), and at its worst, 1240 seconds. There is, therefore, no spare

Key issues raised	Applicant response
<p>development than 2 signalised at grade intersections.</p>	<p>capacity to cater for this proposed development without traffic signals or grade separation of the right turn into the Princes Highway.</p> <p>This delay is comparable with the right turn from Jervis Bay Road in its heaviest period (4-5pm peak period), being 129.7 seconds (average), and at its worst, 1176.1 secs. However, traffic generated by the proposed development has no impact on Jervis Bay Road.</p> <p>In conclusion, both the Forest Road and Jervis Bay Road intersections with the Princes Highway will experience delays at the future 2021, with Jervis Bay Road experiencing worse delays than Forest Road.</p> <p>Based on the Princes Highway/ Forest Road intersection operating close to Level of Service D (operating near capacity) at the right turn from Forest Road, and anticipated to reach Level of Service F in future 2021 intersection performances at the end of Stage 1 development, we acknowledge that a grade separated interchange would be required at this intersection prior to reaching the end of Stage 1 development.</p>
<ul style="list-style-type: none"> A concept plan of the grade separated interchange of the Princes Highway and Forest Road should be provided including property boundaries. If the treatment does not fit within the existing road reserve the applicant should attain suitable agreements with affected property owners to ensure that the works can be completed pending approval. 	<p>A Concept Plan for the grade separated interchange is Sheet 1 of Drawing No. 3005/1/13 and the Cost Estimate prepared in 2012 attached. The Estimate of Cost for the right turn grade separated roadway is in the order of \$1.51 million and the road pavement required for the northbound and southbound merging lanes to the Princes Highway is estimated to be an additional \$131,000 (excluding GST).</p> <p>Irrespective of this proposed development, grade separation of the right turn exit from Forest Road will be required due to the annual growth in traffic as a contributory result of other developments.</p>
<p>General:</p> <ul style="list-style-type: none"> Traffic generation rates for the Hotel and Serviced Apartment components should be based on 100% occupancy. 	<p>Traffic generation for the Hotel was generated for:</p> <ul style="list-style-type: none"> Stage 1 (100 rooms/ 200 persons at 80% occupancy rate); and Ultimate (500 persons at 85% occupancy rate).

Key issues raised	Applicant response
	<p>The mode of operation for the Hotel is catering for overseas visitors and hence, bookings. These users will travel predominantly by coach with average duration of stay of 2 days. Calculations are made for 70% travel by car and 30% by coach. This is not an unrealistic assumption that the hotel will be occupied based on less than 100% occupancy, as accommodation in this regional area is not anticipated to be as high as Sydney CBD areas.</p> <p>In the RMS publication, <i>Guide to Traffic Developments</i>, Section 3.4.1 – Motels state that “the 85th percentile occupancy on the busiest day of the week is reasonable for estimates of traffic generation and parking.” This assumption is commonly used by transport planners.</p>
<ul style="list-style-type: none"> RMS disagrees with the statement in Section 3.3 of the Traffic Impact Assessment (TIA) that <i>"all traffic generated by the proposed tourist residential development will be to and from Nowra Bomaderry"</i>. Justification should be provided for this assumption. 	<p>The AM and PM peak hour and midday traffic counts at Jervis Bay Road/ Princes Highway MR 312 intersection indicate that over 95% of traffic travelled to and from Nowra/ Bomaderry area. A report prepared by Shoalhaven City Council's Traffic and Transport Unit (7.11.2008) which stated that current and predicted traffic patterns, as a best case scenario for mitigating impacts of this proposed development, would be approximately:</p> <ul style="list-style-type: none"> 70% of traffic having origin/ destination to the north; 15% to the east; and 15% to the south. <p>Based on the intersection traffic volume counts made on 28.10.2011 at Jervis Bay Road (MR312) and Princes Highway in the 8:00-9:00am peak hour, 97.5% of traffic exited from Jervis Bay Road and travelled north on the Princes Highway. In the 4:00-5:00pm peak hour, 96.7% of traffic turned left into Jervis Bay Road.</p> <p>The proposed development is close to the Princes Highway and the assumption that 95% of traffic movements to and from the proposed development is justified.</p>
<ul style="list-style-type: none"> RMS disagrees with the statement in Section 4.1 of the TIA that the anticipated residents "are not likely to have work commitments in Nowra or the surrounding area to require a daily 	<p>It is anticipated that the residential component of the development will attract predominantly Chinese Nationals wishing to live/ retire in a precinct with an Asian culture, or Australian/</p>

Key issues raised	Applicant response
<p>pattern of travel to work". This assumption should be justified and modelling should be based on a worst case scenario.</p>	<p>Chinese-Australian retirees seeking a retirement opportunity to be in a "gated" community that provides specific attractions and care. These residents are not likely to have work commitments in Nowra or in the surrounding area. This is due to:</p> <ul style="list-style-type: none"> ▪ The location of this development; ▪ The specific nature of this development, being an integrated Buddhist tourist and residential development, with residential being a minor component; and ▪ The singular ownership requirement of the site/ development. <p>The justification of this assumption is that this is the predominant marketing aim of this development, i.e. to cater predominantly to specific seniors and ethnic groups, with accompanying services and lifestyle provision. The traffic modelling is based on this scenario.</p> <p>As the development is under one ownership (by the Shaolin Foundation), the Foundation has the right to determine the overall mix of residential occupancy in the development.</p>
<ul style="list-style-type: none"> ▪ In reference to Section 4.3 of the TIA, estimated car occupancy rates for the subject development should be justified including the reasons for a person per vehicle rate of 3 for the subject development which is significantly higher than the estimated 2.14 persons per vehicle based on the survey of visitors to the Nan Tien Temple in 2009. 	<p>The estimated car occupancy rates for the Nan Tien traffic counts during their Dharma Festival (which is a significant international and regional event) in 2009, was originally estimated at 2.14 persons per car from the 1 hour survey taken from 11:00am-12:00pm. However, the report states that, <i>"based on patronage counts and car parking accumulation surveys, the car travel mode is estimated to be 3 persons/ vehicle."</i> (p.25 of TIA)</p> <p>The inconsistency between the original estimation of 2.14 persons/ car and the actual counts and parking surveys required the occupancy rate per car to change. Hence the reason the 3 persons/ vehicle was adopted.</p>
<ul style="list-style-type: none"> ▪ Justification should be provided for the assumption that 50% of shop owners will live within the development. 	<p>The Report assumes that 50% of shop owners will live within the development, the TIR estimates for:</p> <ul style="list-style-type: none"> ▪ Stage 1: 42 vehicular counts/ day (for 50 staff, with anticipated staff of 100); and ▪ Ultimate: 67 vehicular counts/ day (for 200 staff, with anticipated staff of 400). <p>These numbers are not unrealistic. It is anticipated that shop owners would live locally and</p>

Key issues raised	Applicant response
	<p>probably be Chinese. In Section 4.2, the number of retail staff is estimated to be 100 in Stage 1 and 400 in the Ultimate Development. In Section 4.3.8, the estimated number of peak hour trips in (in the AM peak hours) and out (in the PM peak hours) is 542 in Stage 1 and 67 in the Ultimate Development. In the absence of any other data, we believe that this assumption is justified.</p> <p>Opportunity also presents for the managers of this development to encourage the use of public transport by arranging a mini-bus service to pick up/ drop off staff at peak AM/PM periods. Moreover, the grade separated right turn from Forest Road will alleviate the flow of traffic from the development.</p>

Key issues raised	Applicant response
14. Rural Fire Services	
<p>The Bushfire Assessment Report submitted as part of the application prepared by Conacher Environmental Group does not currently provide adequate information to determine whether the proposed development can comply with the requirements of <i>Planning for Bush Fire Protection 2006 (PBP)</i>. It is recommended that an amended bush fire report be prepared by a suitable qualified person.</p>	<p>The development proposal is only at Concept Design stage. The Bushfire Assessment Report has undertaken a bushfire attack assessment on the development and has recommended certain APZ widths around each development precinct that must be complied with.</p> <p>The provision of car park areas, roads, gardens and golf courses provides suitable defensible areas and APZs for buildings within each precinct.</p> <p>The Report outlines the rationale for the assessment of each development precinct. The Report assessed the Concept Masterplan to be able to comply with <i>Planning for Bush Fire Protection 2006</i> and with <i>AS 3959 (2009)</i> and recommends that future dwellings be constructed to achieve construction levels of between BAL 40 and BAL 12.5, depending on the extent of APZs implemented.</p>
<p>Classification of Buildings</p> <ul style="list-style-type: none"> Currently the use and class of all components/buildings within the development is not clear. In addition it appears that some components of the development have not been addressed in the bush fire report, such as the Chinese Gardens and Heritage Precinct. 	<p>The uses of the buildings are described in Section 7.6 of the EA Report. The classification of the buildings are as follows:</p> <ul style="list-style-type: none"> Residential Precincts A, B & C: <ul style="list-style-type: none"> Class 1a – single dwellings. Buddhist Temple Precinct: <ul style="list-style-type: none"> Class 9b – assembly building of a public nature; and Class 3 – residential building for long term or transient living for a number of unrelated persons; Information Precinct: <ul style="list-style-type: none"> Class 6 – building for the retail sale of goods or the supply of services to the public; Class 9b – assembly building; with Open car parking areas. Education Precinct: <ul style="list-style-type: none"> Class 9b – assembly building; Class 3 – residential portion of a school; and Open car parking areas. Village Centre Precinct: <ul style="list-style-type: none"> Class 5 – office for professional or commercial purposes; Class 6 – buildings for retail sale of goods or supply of services direct to the public;

Key issues raised	Applicant response
	<ul style="list-style-type: none"> – Class 2 – building with 2 or more separate dwelling to be used as serviced accommodation for tourist purposes; – Class 7a – car park integrated with the development; and – Open car parking areas. <ul style="list-style-type: none"> ▪ Hotel Precinct: <ul style="list-style-type: none"> – Class 3 – residential part of the Hotel; – Class 6 – portion of the building for retail sale of goods or supply of services direct to the public (dining areas, bars, shops and kiosks part of a hotel); – Class 7a – car park integrated with the Hotel. ▪ Health and Wellness Precinct: <ul style="list-style-type: none"> – Class 9a – health care building; – Open car parking areas. ▪ Chinese Garden Precinct: <ul style="list-style-type: none"> – Class 10a – non-habitable building. <p>The Chinese Garden precinct comprises gardens and open pavilions and covered walkways around the existing lake/ dam. The construction of buildings and APZs around this precinct will comply when a future Development Application is submitted for development within this precinct.</p>
<ul style="list-style-type: none"> ▪ An amended Bushfire Report should include: <ul style="list-style-type: none"> – A list of all buildings and components proposed as part of the development; – The use of each component or building; – The class of each building as identified by the BCA; and – Which section of PBP the building/ component has been assessed under. 	<p>The Hotel, Temple Sanctuary, Information, Health and Wellness, Village Centre and Education Precincts will be assessed under section 4.2 – <i>Planning Controls for Special Fire Protection Purposes (SFPP) of Planning for Bushfire Protection (PfBP)</i>. Specific objectives for SFPP developments are to:</p> <ul style="list-style-type: none"> ▪ Provide for the special characteristics and needs of the occupants; ▪ Provide for safe emergency evacuation procedures, with a bushfire emergency management plan to be implemented; ▪ Increase setbacks/ APZs. <p>The APZs nominated in section 8.7.2 of the EA report have been assessed to comply with Appendix 2 – <i>Determining Asset Protection Zones of PfBP</i>. The vegetation within and surrounding the precincts is to comply with Appendix 5 – <i>Bushfire Provisions on Landscaping and Property Maintenance of PfBP</i>.</p>

Key issues raised	Applicant response
	<p>The Residential Precincts (A, B & C) will be assessed under section 4.1 – <i>Planning Controls for Residential and Rural Subdivisions</i> of PfPB.</p> <p>Additionally, further Bushfire Reports will be submitted with development applications for each building/ precinct which will describe in detail the use and classification of each building and its construction materials.</p>
<p>Asset Protection Zones</p> <ul style="list-style-type: none"> It is not clear whether the proposed development complies with the requirements of PBP with regards to Asset Protection Zones (APZs). The proposal does not identify APZs for all components of the development. 	<p>The proposed development will comply with <i>Planning for Bush Fire Protection</i> (PBP) as stated in Section 8.7.2 of the EA Report. This section identifies the:</p> <ul style="list-style-type: none"> Width of the APZ for each precinct. Within each precinct, the landscape will be a modified landscape and an APZ; Bushfire Attack Level (BAL) required for buildings within each precinct; Construction standard for each Bushfire Attack Level (Section 7.17 – Bushfire Construction Requirements in the EA Report).
<ul style="list-style-type: none"> To ensure compliance with PBP – Asset Protection Zones, the amended Bush Fire Report should provide the following information: <ul style="list-style-type: none"> Proposed APZs for all elevations of all components of the proposed development. Where APZs are not proposed, adequate justification should be provided. Details of proposed vegetation management on community land, including whether this will be managed through a Plan of Management for the site or through some other means. 	<p>This information will be provided at the detailed design of each precinct, which will be subject to further development applications. At this stage, the detailed design, function and building materials have not been determined.</p>
<ul style="list-style-type: none"> Many of the proposed APZs for the residential subdivisions are located outside the lot boundaries. PBP requires that APZs are wholly located within the boundaries of the development unless exceptional circumstances apply in accordance with Clause 3.3 of PBP. 	<p>The development is within one site boundary. The residential subdivisions indicate the occupant boundary for each dwelling and not legal property boundaries. Within each residential precinct (e.g. Residential Precinct A, B & C), the landscape will be modified to be APZs.</p>

Key issues raised	Applicant response
<p>Access</p> <ul style="list-style-type: none"> Currently it is not clear whether the proposal can meet the requirements of PBP with regards to access. It appears that all roads will be accessible to the public and therefore should meet the requirements of <i>Clause 4.1.3 - Access (1) - Public Roads</i>. An amended bushfire report should clearly outline whether the proposed roadways can meet the acceptable solutions for public road access. 	<p>The roads within the proposed development meet the requirements of:</p> <ul style="list-style-type: none"> Clause 4.1.3: Access (1) – Public Roads, Access (3) – Fire Trails; Clause 4.2.7: Access – Internal Roads. <p>Detailed Design of the development will further review the road network for compliance.</p>
<ul style="list-style-type: none"> In consideration of the scale of the development and the location adjacent to large areas of forest vegetation, all components of development should have through road and two points of access or dead end roads that are not more than 200m in length where appropriate. Submit further information demonstrating access and egress compliance for all components of the proposed development. 	<p>All components of the development have through roads with:</p> <ul style="list-style-type: none"> Residential Precinct A has 2 points of access; Residential Precinct B has one point of access with its cul-de-sacs linked to fire trails that accesses the road network; and Residential Precinct C has a perimeter road that fronts the residential allotments with a fire trail linking the cul-de-sacs to the perimeter road.
<ul style="list-style-type: none"> Clause 4.1.3 of PFBP recommends providing a perimeter road to provide for a separation between buildings and hazards. In addition a perimeter road can accommodate vehicles for hazard reduction activities and property protection in the case of a fire. Currently it appears that most of the development will not include a perimeter road. Provide additional information demonstrating how the proposal can achieve access to public areas in lieu of a perimeter road system. 	<p>Section 4.1.3 – <i>Standards for Bush Fire Protection Measures for Residential and Rural Residential Subdivisions</i>.</p> <p>Allotments in Residential Precincts A & B are bounded on one side by perimeter roads that front the allotments. These perimeter roads are accessed from the Ring Road system. The perimeter roads are of widths that comply with s.4.1.3. The golf course is accessed from these perimeter roads via open space linkages within the residential precincts that are clearings.</p> <p>Residential Precinct C is access by the Comberton Grange Road extension and the cul-de-sacs are linked by fire trails to enable secondary access for all dwellings in emergency situations.</p> <p>The Buddhist Temple Sanctuary, Health and Wellness, Education and Village Centre Precincts are surrounded by a perimeter road (Ring Road) that can accommodate vehicles for hazard reduction and fire protection. Internal pathways of minimum 6m in width will provide emergency access to buildings within these precincts.</p>

Key issues raised	Applicant response
<p>Services - Water, Electricity and Gas</p> <ul style="list-style-type: none"> Currently the proposed water, electricity and gas services for the development are not clear. The submitted Bush Fire Report has not identified whether the proposal can comply with the requirements of PBP with regards to services. An amended report should clearly identify whether the proposal can meet the requirements of <i>Clause 4.1.3 - Services - Water, Electricity and Gas</i> of PBP. 	<p>Infrastructure and building services will comply with the requirements of <i>Clause 4.1.3 – Services</i> for residential subdivisions and <i>Clause 4.2.7 – Services for Special Fire Protection Purpose Developments</i>.</p> <p>The Detailed Design of the development will address these requirements to ensure compliance.</p>
<p>Emergency and Evacuation Planning</p> <ul style="list-style-type: none"> The submitted Bush Fire Report recommends creating an Evacuation Plan for the site. However it is not clear as to whether the proposed development will comply with <i>Clause 4.2.7 - Emergency Evacuation and Planning</i> of PBP. In particular it has not been identified as to whether the proposed evacuation plan will apply to the entire site or to individual components of the development. 	<p>Emergency and evacuation planning strategies and measures will be addressed in the Detailed Design of the development to comply with <i>Clause 4.2.7 – Emergency and evacuation planning</i> of PfBP.</p>
<p>Construction</p> <ul style="list-style-type: none"> The Bush Fire Report recommends a minimum construction of a level of 12.5 for all residential buildings within the development. It is not clear whether construction levels are proposed for other buildings within the development. Please provide additional information that shows consideration of construction of all buildings in the development with regards to AS3959-2009. 	<p>The Detailed Design of the development will ensure compliance of the buildings with the required standard of construction.</p>

Key issues raised	Applicant response
15. Shoalhaven City Council	
Parking <ul style="list-style-type: none"> The EA Report (EAR) states that the car parking provision is 668 spaces less than DCP 18 requirements. Council requests a Statement of Commitment (SoC) be provided that will address the DCP 18 shortfall where occupation rates exceed the on-site parking facilities to avoid unregulated car parking within the development. 	<p>Statement of Commitment will be provided to address shortfall in parking areas where occupancy rate exceed on-site parking facilities to avoid unregulated car parking within the development.</p> <p>Overflow can be accommodated within grassed areas should demand occur in event or peak periods.</p>
Water and sewer connections <ul style="list-style-type: none"> Connections for water and sewer are to be made to Council's reticulated systems in the region. 	<p>Acknowledged. Discussions are already in place with Shoalhaven Water in regard to infrastructure requirements and connections.</p>
Road network <ul style="list-style-type: none"> The EAR does not include a SoC for any of the external Council local or State roads in the network and additional clarification should be requested to avoid any misunderstanding and/or unnecessary assumptions in respect of traffic impacts. Forest Road will be an acquisition by Council from NSW Forest, and will be dedicated as a public road. Council considers it is appropriate that Comberton Grange Road be closed within the site. 	<p>Local and State roads are subject to the jurisdiction of Council or the RMS.</p> <p>Acknowledged.</p> <p>Comberton Grange Road will be maintained as a secondary access road for emergency purposes. The road will be maintained within the site to access the Hotel, Residential Precinct C and connection to the northern portion of the site.</p>
Planning Controls	
Quarry: <ul style="list-style-type: none"> The development of the Chinese Garden Precinct should ensure that the future use of the quarry for extractive industries is not sterilised. 	<p>The Proponent does not intend to mine the quarry in the future as it will not be financially feasible. However, the licence for mining of the quarry will be retained.</p>
Visual impact of Residential Precinct C: <ul style="list-style-type: none"> Residential Precinct C will potential have a visual impact for the existing residences at Fall Creek and from the heritage listed remains of the Comberton Grange homestead. To minimise this impact, dwellings should be kept to low profile. 	<p>The EAR states that the maximum dwelling height will be 2 storeys, sited within large allotments, to enable planting of trees around the dwelling.</p>

Key issues raised	Applicant response
<p>Crown Reserve – Currumbene Creek:</p> <ul style="list-style-type: none"> It is requested that the 100m wide riparian buffer be revegetated in conjunction with Council having a revegetation program in place on the Crown Reserve along Currumbene Creek. 	<p>A 100m wide riparian buffer will be revegetated in conjunction with Council. The site has previously been used for grazing. Council does not currently undertake management actions along the Crown Reserve between Currumbene Creek waterway and the adjoining land. The approved development will provide some active management of the reserve. As a riparian area with important water quality values, Council has stated that its course of action is to provide protective riparian vegetation. This has not been possible previously for Council, as the site has been grazed and extensive fencing would have been required to protect the plantings. The scope of works for revegetation can be developed with Council.</p>
<p>Building height:</p> <ul style="list-style-type: none"> The proposed heights of parts of the temple precinct and particularly the 6 storeys proposed in the Village Centre Precinct exceed current controls. The draft SLEP 2009 currently proposes an 11m height limit for the area. DPI is requested to address this matter on merit and context of the proposal and size of property. 	<p>The proposed Temple buildings have building heights which will exceed the 11m height limit. The proposed Pagoda within the Temple Precinct is anticipated to have a height of 6 storeys (up to 16m). These structures will not be visible from surrounding areas as the development is surrounded by heavily forested areas with tall trees.</p>
<p>Development on Flood Prone Land:</p> <ul style="list-style-type: none"> The EAR does not address DCP 106 Amendment 1 (<i>Development on Flood Prone Land</i>). Part of the golf course and access roads are on flood prone land under the DCP. The assessment of these items (sections 8.10 & 12.8 of the EAR) should be addressed as part of the Detailed Design Project Application stage. 	<p>Acknowledged and agreed with. Development on flood prone land will be addressed in the Detailed Design Development Application stage. Recommendation by civil works consultant is that the golf course may extend within the 100 year ARI flood extents, but no associated structures be located within this zone. All buildings are located above the 1 in 100 year ARI flood level.</p>
<p>Bushfire prone land:</p> <ul style="list-style-type: none"> Bushfire prone land is adjacent to the development areas, particularly the residential precincts. While there is an APZ available via the golf course, it is considered an accessible fire trail or perimeter road system to enable fire fighting access for local fire brigades should be required in accordance with DCP 100 and <i>Planning for Bushfire Protection</i>. 	<p>An accessible fire trail is provided via the access route within the golf course to enable fire fighting access. This can be located closer to the residential allotments to comply with Figure 16: <i>Fire Policy Principles</i> of SCC's <i>DCP 100 – Subdivision Code</i>.</p>

Key issues raised	Applicant response
<p>Internal roads:</p> <ul style="list-style-type: none"> There are creek lines that flow through the development and some roads are impacted by potential flooding. All internal roads should be constructed above the 1 in 100 flood levels for all weather use in accordance with DCP 100. The EAR does not state whether the internal road system within the development is intended to have the legal status of private roads or as dedicated public roads. If roads are private roads, agreements may be necessary in regard to fire fighting arrangements. 	<p>All internal roads will be constructed above the 1 in 100 flood levels for all weather use. This will be complied with at the Detailed Design Development Application stage.</p> <p>The internal road network is still to be determined with Council.</p>
<p>Road Reserve and Acquisitions</p> <ul style="list-style-type: none"> Forest Road – the process to facilitate legal access to the site via a dedicated public road (being Charcoal Road) is being acquired from NSW Forest, with an appropriate road reserve that will be dedicated as a public road. Comberton Grange Road extends into the site in the vicinity of the Hotel and Residential C precincts. If this road is private, Council would recommend that this section within the development site, be formally closed. 	<p>Acknowledged.</p> <p>Acknowledged.</p>
<p>Traffic and Access</p> <ul style="list-style-type: none"> There are insufficient details provided to address all DGRs regarding traffic and access, being: <ul style="list-style-type: none"> No SoC in respect of external traffic and access measures for local or State roads; If internal roads are to be dedicated as public roads to Council, a more detailed review will need to be undertaken to ensure compliance with DCP 100 & AUSTROADS standards, including pedestrian pathways and networks, as this relates to the potential ongoing maintenance liability that Council may inherit. 	<p>Traffic generation and distribution, and access are addressed in detail in the Traffic Impact Assessment. This includes vehicular movements during average weekdays, weekends and at key events, as well as modes of transport.</p> <p>The status of internal roads (private or public) are still to be considered by the proponent.</p>
<p>Traffic Generation</p> <ul style="list-style-type: none"> A merit assessment that reflects the unique nature of the development should be undertaken. 	<p>The traffic generated by the precincts is based on the way the facilities are to be utilised. The development is a tourist development and will rely heavily on an international tourist market. The</p>

Key issues raised	Applicant response
<ul style="list-style-type: none"> When compared to the guidelines for Traffic Generating Development used by Council and RMS, the traffic generated by the precincts within the development is lower than would be expected. This potential underestimation could result in greater road network impacts that should be considered at this stage of the assessment process. Reliance on bus and coach traffic and applying RMS traffic generation standards is problematic. 	<p>Hotel will rely on overseas tourist packages. The development will have visitation at various hours of the day. It cites the event conditions of the Nan Tien Temple at South Wollongong which does not create significant traffic impacts during general visitation or on event occasions. It is therefore not unrealistic to rely on coach traffic.</p> <p>The development additionally aims at implementing sustainable outcomes in terms of modes of transport to the development.</p>
<ul style="list-style-type: none"> The Traffic Study should include the methodology for determining the 120th HH traffic assessment as this is considered critical to the outcome of the study. 	<p>The Traffic Study undertook analysis of road and intersection capacity based on the 120th HH criteria adopted by Council. There was no requirement for including the methodology.</p>
<ul style="list-style-type: none"> Although the majority of traffic will be to/ from the Princes Highway/ Forest Road intersection, in practice, it is not expected to be 100%. Consideration of traffic being distributed to the east should be considered as this will inform Council of any mitigation works required for the local road system in Forest Road. 	<p>As the development is based on the tourist market, it is anticipated that traffic will be travelling from Princes Highway (north and south bound) to the facilities, rather than from the coast.</p>
<p>Access from Forest Road</p> <ul style="list-style-type: none"> It is recommended that a non-mountable and landscaped rural road roundabout be provided on Forest Road with advanced warning and significant visual cues on both approaches. 	<p>Acknowledged.</p>
<p>Forest Road</p> <ul style="list-style-type: none"> The traffic study has not considered crash data which identifies Forest Road as a black spot; the study data should identify realistic impacts. The sealing of the road has made improvements, but increased generation of the proposed development should be addressed. 	<p>Access from Forest Road, and particularly this alignment, was preferred by Council to Comberton Grange Road, despite awareness that the road is a black spot.</p>
<p>Comberton Grange Road (CG Road)</p> <ul style="list-style-type: none"> Council requests further discussion with DPI and the proponent on the mechanisms to control the access from the site onto CG Road. To mitigate impacts on CG Road and on the Highway, clarification is sought on the agreed intensity of the use of CG Road. 	<p>Comberton Grange Road will be maintained, as an emergency access for the development.</p>

Key issues raised	Applicant response
From Forest Road: <ul style="list-style-type: none"> In regards to the Forest Road interface, the EAR suggests a signalised intersection with dual right turn lanes or a single lane grade separation for traffic turning in a northbound direction. The Princes Highway upgrade works do not consider the requirements at the intersection based on the Shaolin development. Council considers that the local traffic growth under conditions without the Shaolin development is suitable for a seagull intersection, as in the current upgrade works. 	<p>Acknowledged.</p> <p>Acknowledged.</p>
From Comberton Grange Road: <ul style="list-style-type: none"> Council supports the use of CG Road being for emergency use only. Council requests that the DPI require the proponent to provide a SoC about the CG Road design upgrade and construction. 	<p>Comberton Grange Road is to be used for emergency access.</p>
Environmental matters	
Acid sulphate soils (ASS): <ul style="list-style-type: none"> Council requests a SoC be included with an Acid Sulphate Soils (ASS) be detected through the development phases. 	<p>Acknowledged.</p>
Surface water quality: <ul style="list-style-type: none"> Council considers there should be on-site detention of flows for ecological flows and to minimise scouring of the natural watercourse embankments. 	<p>This has been and will be considered in Detailed Design Development Applications.</p>
Noise: <ul style="list-style-type: none"> Council requests DPI consider the inclusion of appropriate SoCs and conditions to ameliorate the impacts of noise. 	<p>Acknowledged.</p>
Flora and Fauna, and Biodiversity <ul style="list-style-type: none"> The vegetation descriptions provided within the EAR indicate that there is potential for threatened species to occur within areas impacted by the development that could require additional survey over time, particularly where staging occurs over a number of years. 	<p>The Biodiversity Assessment Report has stated that there are no threatened plant/ flora species located, and none are expected to occur within the development footprint. The Report states that there are threatened winged animals within the site that occurs in forests and woodlands. The Report additionally recommends that all wetlands are to be undeveloped, maximise retention and minimise</p>

Key issues raised	Applicant response
	removal of forest. The development occurs predominantly within secondary growth forests and cleared land. Development is not within the identified Endangered Ecological Communities within the site.
<ul style="list-style-type: none"> ▪ The SoC within the EA should include a commitment to ensuring there are no significant impacts to the threatened flora and fauna species known to occur at the site. This includes: <ul style="list-style-type: none"> – Fauna surveys in potential direct and indirect impacts; – Mapping of survey locations; – Survey of potential Green and Golden Bell Frog; – Assessment of hollow bearing tree resources with areas of impacts, particularly to discount potential for nesting/ denning resources of hollow dependant fauna, including the Powerful Owl, Masked Owl, Yellow-bellied Glider, Gang Gang Cockatoo and Glossy Black cockatoo to occur within these areas, and mitigation of potential impacts to these species; – Survey of riparian areas directly and indirectly impacted by development. Surveys may need to include nocturnal surveys and small mammal survey timed appropriately for the detection of the Eastern Pygmy Possum; 	<p>Fauna surveys have already been extensively undertaken and reported in Section 3 and Appendix 6 of the Biodiversity Assessment Report.</p> <p>Refer to:</p> <ul style="list-style-type: none"> ▪ Figure 4 – Distribution of Wetlands on the Study Area; ▪ Figure 5 – Distribution of Plant Communities in the Study Area; and ▪ Figures 7 – Location of recorded Threatened Animal Species. <p>No suitable habitat of the Green and Golden Bell frog was identified in the Study Area. The closest record (NSW Wildlife Atlas) is from Falls Creek on the southern, opposite side of Currumbene Creek. (p.14 of Biodiversity Assessment Report).</p> <p>Appendix 13 of the Biodiversity Assessment Report discusses the impact on individual threatened species on their habitat and breeding cycles by the removal of several areas of vegetation. The report assessed that given the large extent of surrounding forest to the development area, it is unlikely that the loss of hollow bearing trees could seriously impact the habitat and breeding cycles of the identified threatened species.</p> <p>The development generally avoids riparian areas and wetlands. The golf course which traverses various riparian areas aims at preserving existing trees. Nocturnal surveys were undertaken, as identified in the Report. Spotlighting and box traps were used to locate the Eastern Pygmy Possum, but apparently none were found. Refer to Table 10 – <i>Summary of survey effort for each threatened animal species.</i></p>

Key issues raised	Applicant response
<ul style="list-style-type: none"> – Further assessment of impacts based on results of further survey; – Preparation of management plan for riparian areas in consideration of any revised survey; – Further environmental assessment for any future managed camping facilities within the eastern portion of the site. 	<p>The Study Area has extensively undertaken day and night time surveys without the need for further surveys.</p> <p>Management plan for riparian is discussed in Section 6: Environmental Management, p. 57.</p> <p>This will be undertaken in the when this occurs in the future, and in future applications.</p>
<p>Infrastructure - Water and Sewer</p> <ul style="list-style-type: none"> ▪ Upon receipt of an operational consent/approval the applicant/developer is to apply under s.305 of Division 5 of Part 2 of Chapter 6 of the <i>Water Management Act 2000</i> for a Certificate of Compliance from Shoalhaven Water. ▪ A Certificate of Compliance shall be obtained from Shoalhaven Water after satisfactory compliance with all conditions as listed on the Development Application Notice and prior to the issue of an Occupation Certificates, Subdivision Certificate or Caravan Park Approval, etc. 	<p>Acknowledged.</p> <p>Acknowledged.</p>
<p>Water supply</p> <ul style="list-style-type: none"> ▪ Consult with Shoalhaven Water to determine the connection points for the development once the <i>City Wide Water Supply Servicing Strategy</i> has been completed. ▪ Detailed water supply designs are to be prepared by the Proponent and submitted to Shoalhaven Water for assessment and determination. ▪ Council's Water Supply Development Servicing Plan (DSP) will allocate all augmentation works and identify the timing and funding sources for those works. 	<p>The applicant has consulted with Shoalhaven Water as the <i>City Wide Water Supply Service Strategy</i> has been currently completed.</p> <p>Connection points located to the east and west of the site are available.</p> <p>Detailed water supply designs will be submitted to Shoalhaven Water in future DAs at the detailed design of the development.</p> <p>Acknowledged.</p>

Key issues raised	Applicant response
Sewerage servicing <ul style="list-style-type: none"> Shoalhaven Water has included the proposed development within the <i>City Wide Sewerage Servicing Strategy</i> which is due for release in January 2013. This will outline connection point for sewerage servicing and in consultation with Shoalhaven Water. Consult with Shoalhaven Water to determine the connection points for the development once the <i>City Wide Water Sewerage Servicing Strategy</i> has been completed. Detailed water supply designs are to be prepared by the Proponent and submitted to Shoalhaven Water for assessment and determination. Council's Sewerage Development Servicing Plan (DSP) will allocate all augmentation works and identify the timing and funding sources for those works. 	<p>Acknowledged.</p> <p>This has currently being undertaken.</p> <p>Detailed water supply designs will be submitted to Shoalhaven Water in future DAs at the detailed design of the development.</p> <p>Acknowledged.</p>
Council's policies: Consideration at detailed design stage: <ul style="list-style-type: none"> <i>Building Over Sewer Policy</i> <i>Cross Connection Control and Backflow Prevention Policy</i> <i>Liquid Trade Waste Discharge to the Sewerage System Policy</i> <i>Water Availability and Connection Policy</i> 	<p>Acknowledged.</p>