

Appendix 6:

Detailed Response to Public Submissions

DETAILED RESPONSE TO PUBLIC SUBMISSIONS

Public submissions of response to the exhibited Project Application comprise:

1	Kelli Hooper	776 Woollamia Road, Huskisson, NSW	Objection
2	Garry Kelson, Chairman of HWCV		Objection
3	Gregory Westlake	48 Catherine Street, Myola, NSW	Support
4	Rod Chittenden	775C Falls Road, Falls Creek, NSW	Concerns
5	Michael and Nina Strachan	261B Woollamia Road, Woollamia, NSW	Concerns
6	Melinda Phelps	jimandemel@bigpond.com	Objection
7	Unnamed	St Georges Basin, NSW	Objection
8	Jenny Packwood, Secretary – Wildlife Rescue South Coast Inc	PO Box 666, Nowra, NSW	Objection
9	Sommer O'Connell		Objection
10	Frances Bray	53 Silvermere Street, Culburra Beach, NSW	Objection
11	Bailey & Hannon	39 Woodlands Avenue, Lugarno, NSW	Objection
12	Rob Pollock – Chair, Regional Development Australia, South Coast	81 North Street, Nowra, NSW	Support
13	Unnamed	Parma, NSW	Objection
14	Leighan Kerr	1 Cartwright Street, Myolla, NSW	Support
15	Peter McManus, CMCG Callala Marina Consultancy Group		Concerns
16	Joanna Gash MP, Federal Member for Gilmore	24 Berry Street, Nowra, NSW	Support
17	Steven Murphy	Huskisson, NSW	Concerns
18	Roger I. Hart	33 Edendale Street, Woollamia, NSW	Concerns
19	Gregory Westlake, President, Callala Beach Progress Association	PO Box 2, Callala Beach, NSW	Support with concerns
20	Judith Gjedsted	10 Excellent Street, Vincentia, NSW	Objection
21	Dr Jack Baker, Garry Daly, Dr Will Osborne, Dr Rebecca Pirzl, Leslie Mitchell, Rebecca Rudd, Heather Moorcroft	387 Elizabeth Drive, Vincentia NSW	Objection
22	Alan Moore		Concerns
23	Alan Stephenson	Nowra, NSW	Objection
24	Daniel McConell	Jervis Bay, NSW	Objection
25	Judith Clark	Erowal Bay, NSW	Objection
26	Kellie Hooper	Huskisson, NSW	Objection
27	Kerry Wright	Huskisson, NSW	Objection
28	Jervis Bay Regional Alliance	Vincentia, NSW	Objection
29	Frances Bray, PSM BA B Ed Dip ED		Objection
30	Ofer Engel	Vincentia, NSW	Objection
31	Susan Cavill	Falls Creek, NSW	Objection

32	Veronica Kroon	Sussex Inlet, NSW	Objection
33	Jeffrey Ewers	Falls Creek, NSW	Objection
34	Unnamed		Objection
35	Suzette Willis	Vincentia, NSW	Objection
36	Tim Brikich	Coledale, NSW	Support
37	Unnamed	St Georges Basin, NSW	Objection
38	Unnamed	North Nowra, NSW	Objection
39	Unnamed	Bomaderry, NSW	Objection
40	Unnamed	Woollamia, NSW	Objection
41	Unnamed	St Georges Basin, NSW	Objection
42	Leonie McCann	Tomerong, NSW	Objection
43	Sue Josephsen	Vincentia, NSW	Objection
44	Unnamed	St Georges Basin, NSW	Objection
45	Unnamed	Vincentia, NSW	Objection
46	Unnamed	Woollamia, NSW	Objection
47	Gregory Westlake	48 Catherine Street MYOLA NSW 2540	Concerns
48	Rod Chittenden	775c Falls Rd, Falls Creek, NSW, 2540	Concerns
49	Michael & Nina Strachan	261B Woollamia Rd, Woollamia NSW 2540	Concerns

In summary, 49 public submissions were received, with:

- Objections: 34 objections;
- Concerns: 9 concerns; and
- Support: 6 in support.

Responses to key issues raised are as follows:

Key issues raised	Applicant response
PUBLIC SUBMISSIONS	
Water Quality	
<ul style="list-style-type: none"> The development will affect the high water quality of Jervis Bay which is attributed to largely undeveloped catchments which spare the waters of the Bay from the sediments, nutrients and other pollutants normally exported from developed or developing catchments. 	<p>The development is to be set back at least:</p> <ul style="list-style-type: none"> 50m from each side of major tributaries of Georges Creek; 20m from each side of minor tributaries of the Georges Creek; and 100m from Currumbene Creek; <p>in order to preserve major tree and riparian vegetation, and quality of the water courses, all buildings are sited away from and above flood lines and overland paths (minor natural channels that drain towards the larger waterways).</p> <p>Proposed development is sited well clear of both the 100year ARI and PMG flood contours. Floor levels for all buildings are to be at least 500mm above the 100 year ARI flood level. The golf course may extend within the 100 year ARI flood extents but no associated structures are to be located within this zone.</p>
<ul style="list-style-type: none"> Negative impacts on sensitive wetlands. The wetlands of Currumbene Creek are essential to the effective functioning of the broader Jervis Bay ecosystem. Currumbene Creek is the only major waterway leading into Jervis Bay. Large scale development has the potential to deleteriously affect wetland areas. These assets need safeguarding for future generations. 	<p>A minimum 100m setback from Currumbene Creek will be maintained, with the riparian corridor and wetlands rehabilitated and augmented.</p>
<ul style="list-style-type: none"> The environmental impact of the project must be contained to the site. Any runoff from the site which enters Currumbene Creek must be treated so that there is no additional pollution or sediment entering the waterway. Negative impacts on waterways of Currumbene Creek and Jervis Bay with concerns for inadequate stormwater controls. Any approved development will require stringent safeguards to prevent nutrients, sediments and pollutants entering Currumbene Creek and Jervis Bay. 	<p>The development is kept well away from Currumbene Creek. The 100m setback from the creek will contribute to the ability of stormwater absorbed by riparian vegetation. Additionally, Water Sensitive Urban Design (WSUD) Strategies will be implemented to ensure the quality of stormwater runoff will not impact receiving downstream environments and receiving waters.</p>

Key issues raised	Applicant response
<ul style="list-style-type: none"> Change to groundwater and threats with proposed golf course. The problem of pollution with pesticides and herbicides required to maintain and upkeep of the grounds of the course. 	<p>A Golf Course Pollution Management Plan will be prepared in the detailed design of the course, which will include procedures for maintenance of water quality control devices. This will be subject to a future DA for the detailed design of the golf course. Additionally, selection of grasses that are pest resistant and thrive on low nutrient environments will be implemented.</p>
<ul style="list-style-type: none"> No evidence has been provided to demonstrate that the measures to manage water quality would be effective. 	<p>WSUD measures will be implemented to manage water quality, with primary, secondary and tertiary treatment of stormwater.</p>
<ul style="list-style-type: none"> It is likely that by re-using collected stormwater runoff for irrigation of vegetated areas and the golf course, that the additional pollutants would simply be recycled and would accumulate in the soil, changing the composition of native vegetation, polluting ground water and creeks. 	<p>Stormwater quality will be maintained via 3 stages, which will remove both suspended and dissolved pollutants, being:</p> <ul style="list-style-type: none"> Primary; Secondary; and Tertiary – comprising absorption of nutrients by vegetation.
<ul style="list-style-type: none"> The proposal is inconsistent with the ESD principles particularly the precautionary principle as it fails to consider the sensitivity of the receiving waters and no assessment has been made of existing water quality to enable objectives for water quality management to be established. 	<p>With regards to stormwater quality, the standard nominated exceeds the requirements of ANZECC for urban environments, in that the consultant undertook to treat runoff at rates up to 65% of the 1-year ARI (ANZECC required 25-50%).</p> <p>To achieve the stated aim of improving or at least not worsening creek water quality would require undertaking some water quality sampling in both creeks to establish the benchmarks. This issue will be resolved in the detail design of the development.</p>
<ul style="list-style-type: none"> Sufficiency of water supply to the development, particularly as it is expected to support an 18-27 hole golf course, with golf courses requiring copious amounts of water and fertiliser. 	<p>Dams will be created within the site for rainwater harvesting to irrigate the golf course.</p>
<ul style="list-style-type: none"> If aquifers are part of the development then the <i>NSW Aquifer Interference Policy</i> which came into effect in September 2012 will need to be addressed which indicates a license to extract water from an aquifer will be judged on a case basis and one of the requirements will be to predict the amount of water required. 	<p>Currently, there is no intention to harvest from aquifers.</p>

Key issues raised	Applicant response
<ul style="list-style-type: none"> ▪ The Proponent fails to provide any information about whether this project will bring forward the future augmentation of the treatment plant at Calalla and/or an extra sewer pumping station if it is required. 	<p>This issue will be resolved with Shoalhaven Water at the detailed design of the development, with details to be forwarded at submission of development applications for future designs of the development.</p>
<ul style="list-style-type: none"> ▪ Neither the sensitivity of the receiving waters that is, Currumbene Creek and Jervis Bay, nor the water quality objectives for Jervis Bay in the "NSW Water quality guidelines for Fresh and Marine Water Quality" (ANZECC 2000) have been taken into account. • Most of the discussion relating to Water Sensitive Urban Design is about what would be done, rather than what water quality outcomes would be achieved by comparison with existing quality. • The onsite water quality as well as Currumbene Creek does not appear to have been tested as there is no data available for benchmarks to identify current water quality, or for deciding whether quality should be maintained or improved or for monitoring and assessing impacts of the development during construction and towards completion. • Consideration has not been given to all the indicators of water quality appropriate for these aquatic ecosystems as there is no reference to chlorophyll-a, to turbidity or dissolved oxygen to chemical contaminants or toxicants or to assessment of biological indicators such as nuisance algae blooms. • No modelling appears to have been undertaken of existing or estimated runoff quality as the basis for predicting the effectiveness or otherwise of storm water pollution control measures. • The Water Report shows that the removal standards for pollutants most likely to affect water quality are so low that water quality would not be maintained. 	<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 sampling in both creeks is required to establish the benchmarks.</p> <p>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>The issues raised will be addressed at the detailed design of the development and submitted at Development Application stage.</p>

Key issues raised	Applicant response
<ul style="list-style-type: none"> Ground water impacts have not been adequately assessed as the "Water Management Report, Comberton Grange South Nowra", and the EA provide conflicting information on the location of ground water on the site. 	Currently, no groundwater extraction is proposed for the development.
<ul style="list-style-type: none"> The proposal to source irrigation water for landscaping and the golf course from Council's Reticulated Effluent Management Scheme (REMS) would involve water with extremely high levels of nutrients totally unsuitable to maintaining the water quality of the receiving waters and likely to result over time in nuisance algal blooms in Currumbene Creek. 	Stormwater harvested will receive primary, secondary and tertiary treatment prior to discharge into receiving waters.
<ul style="list-style-type: none"> The impacts for the aquatic ecosystem of Currumbene Creek in particular and potentially for Jervis Bay of the construction and fully developed site are likely to be; <ul style="list-style-type: none"> Increased sedimentation and turbidity, reducing water clarity. Increased nutrients resulting in increased algal growth and biomass with epiphytic growth on sea grasses, smothering them. Increased biodegradable organic carbon leading to lack of oxygen in the Creek waters and death of respiring organisms. Degradation of the SEPP 14 Wetlands along Currumbene Creek. 	WSUD strategies, with primary, secondary and tertiary treatment of stormwater will be employed to minimise impacts. These measures will be detailed in the detail development of the buildings and precincts.
Community consultation	
<ul style="list-style-type: none"> Lack of consultation with the community. Many residents within and visitors to the Shoalhaven are unaware that this proposal is out for comment with no knowledge of size or impacts. Knowledge of the proposal and submission time has only been through the Department of Planning's website. A copy of "The Shaolin Plan" should be made available in each and every Shoalhaven City Library including the Mobile Library for public viewing and convenience. "The Shaolin Plan" should be further interpreted and explained by the NSW Government and Private Interests; through a series of public 	Disagree. The development has been widely circulated through the media. Copies of the Project Application Reports have been widely circulated within the Shoalhaven LGA and made accessible to the public.

Key issues raised	Applicant response
meetings held in each of the affected towns and villages of the Shoalhaven City and the Jervis Bay Territory.	
Impact on existing infrastructure	
<ul style="list-style-type: none"> The Temple is a large project and will have a significant impact on the area, which will be accentuated by the fact that the nearby town and villages are quite small and the existing infrastructure is inadequate. 	Impacts on the existing infrastructure are addressed in the EA report. Shoalhaven City Council has advised that there is adequate infrastructure to meet the demands of this development. Additionally, the development is to be developed in stages.
Traffic issues	
<ul style="list-style-type: none"> Local roads and intersections will need to be upgraded to handle the extra traffic. 	The Proponent is addressing these issues with RMS and Council.
<ul style="list-style-type: none"> Drivers travelling along the Princes Highway should not be faced with traffic signals. 	Acknowledged.
<ul style="list-style-type: none"> The development is said to cater for 972 parking spaces for cars with no mention of parking for buses or heavy vehicles, which will be required to transport some goods into the development. 	Parking for buses and loading area are noted on the Concept Plan, with information augmented in future development applications.
<ul style="list-style-type: none"> There is insufficient public transport for the Bay and Basin area now, and the Proponent gives no strategies for overcoming this. 	Public transport will be addressed with local transport providers in future development applications.
Economic issues	
<ul style="list-style-type: none"> Local labour companies should be employed in the construction of the project and used where possible within the project once it is completed. 	It is the development's intention to source labour, and where possible, materials from local sources.
<ul style="list-style-type: none"> The development will not be in the best interest of the community as Comberton Grange will be in community title. The proprietor (the Shaolins) will control who buys the subdivisions. 	The development will improve regional, and in particular, overseas tourism into the region. The development is required by planning controls to be under one ownership. Occupancy of the development will be open to all.
<ul style="list-style-type: none"> As well, under federal and state legislation, this religious order may pay little or no tax rates which will not benefit the local Shaolin economy nor benefit Council's revenue from land rates. 	The development will be non-profit and funded through a religious organisation. The development is limited and will be predominantly for public benefit of tourism and culture. The high cost in construction and management of the facility far outweighs the revenue. The development will provide a long-term benefit tourism and employment to the region.

Key issues raised	Applicant response
<ul style="list-style-type: none"> The proposal would divert Council resources from the rest of the Shoalhaven Community. The development would place extreme pressure on Council funds, competing with existing requirements. The necessary infrastructure would include roads, power, sewerage and water supply. 	<p>For development to occur to inject economic growth the region, these infrastructure costs are necessary. The proposed development is non-profit and aims at bringing growth and economic development to the South Coast region.</p>
<ul style="list-style-type: none"> The quarry (1e) zoned site should be withdrawn from the contract of sale (and probably reopened as it a future roads maintenance resource). 	<p>The sale of land is in the jurisdiction of Shoalhaven City Council.</p>
<ul style="list-style-type: none"> The Proponent bases visitor numbers for the proposed hotel by suggesting an occupancy rate of 75%. According to the ABS, at June 2012 the overall tourist accommodation occupancy rate is about 66%, with hotels averaging 68.4%. Thus the outcomes from this proposed development are inflated and therefore the outcome in terms of the economy must be questioned. 	<p>The development will increase tourism to the Shoalhaven. It is required by agencies to base occupancy rates at a rate higher than 75%.</p>
<ul style="list-style-type: none"> Support for the development as it will contribute to the creation of hundreds of jobs in the construction, hospitality, tourism, retail, service industries and entertainment. Support for the development as it brings with it enormous social and economic potential for the Shoalhaven, with creation of direct and indirect job opportunities, business investment and stimulus to the local tourism industry. The development will raise the profile of the area overseas and be a catalyst for further opportunities. 	<p>Acknowledged.</p>
<ul style="list-style-type: none"> Concern about: <ul style="list-style-type: none"> the duplication of local services rather than a tourism benefit to the area; the scale of this development (could be smaller); and accessibility for locals (citing Nan Tien as very accessible). <p>However, welcomes the development as an attribute to the South Coast.</p>	<p>The facility and the Shaolin brand will draw people to the South Coast region, just as the Nan Tien Temple development has to boost tourism to the Illawarra/ Wollongong region, but offering broader facilities (of Traditional Medicines, cultural retail, Kung-fu performing arts, etc.) and attractions/ events. The facilities and gardens aim to be accessible to all, rather than just a temple complex. It will be also a cultural facility that brings the philosophy of harmony and healing to the complex.</p>

Key issues raised	Applicant response
<ul style="list-style-type: none"> Does the development need a pagoda, Chinese medicine practice, aged care, film and artists' studios, etc., explicit and implied in the application? 	<p>The development of integrated facilities is part of the Shaolin philosophy of health, nurturing and martial arts discipline. All these add to the cultural appeal of this facility.</p>
Social issues	
<ul style="list-style-type: none"> The Temple is to engage with the local community as much as possible to avoid any potential racial or other social clashes. 	<p>The Proponent has engaged with the local community throughout the years of the projects inception and development, particularly with local government's councillors.</p> <p>The development will highlight the site/ region's indigenous and European (pastoral) heritage and settlement, as well as Asian culture.</p>
<ul style="list-style-type: none"> The residential component of the development will house residents from China and not benefit the local community. 	<p>The residential component will not be discriminatory in its occupants. All residents are welcomed.</p>
<ul style="list-style-type: none"> It is unlikely that additional visitors would be attracted to the existing natural attractions associated with the Jervis Bay area. The development will not benefit local businesses as all services will be provided on-site. 	<p>The development aims at drawing overseas visitors to this development and to the attractions of the South Coast. The Proponent will work with local tourism to provide packages of attraction to local areas to enhance the overseas visitors' duration of stay at its hotel.</p>
<ul style="list-style-type: none"> There is no indication of how the Proponent is to assist with provision of the services that might be required in attending to the increased population this may attract. 	<p>The development will increase existing social as well as infrastructure services.</p>
<ul style="list-style-type: none"> If approved, tourism component must be part of Stage 1. 	<p>The tourism development will be part of the initial and subsequent stages of the development.</p>
<ul style="list-style-type: none"> Consent must specify that a bridge crossing across Currumbene Creek will not be approved in any future stage. 	<p>It is not the intention of this development to provide a bridge over Currumbene Creek.</p>
Bushfire issues	
<ul style="list-style-type: none"> Big bushfires historically pass through Comberton Grange. The development would be a massive drain on limited city rural fire protection resources. 	<p>The development will comply with the requirements for construction and asset protection zones of the NSW Rural Fire service. Moreover, a fire station is to be constructed within the site.</p>
<ul style="list-style-type: none"> It is difficult to accept the recommendations of the Kettle Report 2001 that there should be a minimum 20m fuel free zone and a 20m fuel reduced zone for buildings adjacent to the forest. 	<p>A minimum 50m APZ (being the golf course) is provided around the residential development at the northern portion of the site. Dwellings are additionally set back within their "allotments" with APZ within these allotments.</p>

Key issues raised	Applicant response
Visual amenity	
<ul style="list-style-type: none"> ▪ The visual impact of the project from Currumbene Creek is to be minimised. • Concern over the visual impact of the development on nearby property. 	A majority of the development will occur within the former pine plantation which is surrounded by existing forests. Lower scale development will be visible from Currumbene Creek. The development will minimise the impact of the development from Currumbene Creek. However, it must be acknowledged that the current landscape has no habitable structures, only sheds.
<ul style="list-style-type: none"> ▪ Concerns about the impact of cumulative lighting on the rural night time landscape. 	Lighting within the development will be diffused by the surrounding forest.
Noise impacts	
<ul style="list-style-type: none"> ▪ There does not appear to be any consideration in the EA to noise impact on surrounding residences from the actual development. ▪ The proposed residential lots are as close as 100m to a working cattle property that uses noisy motor bikes, horses and stock whips at all times of the day and night, which seems to be incompatible with a Buddhist Temple and development. 	The development is well buffered by distance and forests. The closest farm house is located at least 1 km from the development. It is not anticipated that surrounding residences will be unduly impacted by the development.
<ul style="list-style-type: none"> ▪ The noise issue regarding flight zones of the Department of Defence has not been adequately addressed. Housing should not be permitted under the flight zone. ▪ Aircraft noise from HMAS Albatross. 	The flight path of the Department of Defence will generate a greater degree of noise than the development. The development is not specifically under the flight path, but can be impacted by noise, just as existing dwellings on the southern side of Currumbene Creek and along Comberton Grange Road will be impacted. The proposed dwellings will be designed to comply with AS 2021: <i>Acoustics – Aircraft noise intrusion – Building siting and construction</i> .
<ul style="list-style-type: none"> ▪ Included in the noise study should be what the noise generating activities in the development will be, particularly at night, and how this will affect the surrounding area. 	There will be little noise generating activity at night. Surrounding areas are located at a good distance from the development.
<ul style="list-style-type: none"> ▪ The site is located under a 2 nautical mile wide helicopter flight corridor. Naval operations should not be compromised under any circumstances. 	Naval operations will not be compromised by the development.

Key issues raised	Applicant response
Heritage impacts	
<ul style="list-style-type: none"> Heritage assessment does not make reference to the site of an old jetty on Currumbene Creek that was used to unload timber onto boats (Refer to old title plans). 	<p>The jetty is not in existence and therefore was not considered in the HIS. Reference to past European uses was made in regard to pastoral activities.</p>
Environmental issues	
<ul style="list-style-type: none"> The Shaolin proposal poses a real threat to the connectivity of Habitat Corridors and unacceptable impacts on the bushland surrounding the developments. There will also be impacts for the Habitat Corridors linking this existing corridor. The site forms part of an important habitat corridor system and should be protected. 	<p>The Jervis Bay Habitat Corridor does not currently include the former pine plantation, cleared land above Currumbene Creek and the eastern forested portion of the site. The development is kept predominantly within the portions of the site permitted for development, predominantly retaining the habitat corridor, but with incursion of approx. 34.5 hectares into the corridor for use as portion of the golf course. The development will be designed and landscaped such that ecological corridors are maintained.</p> <p>As compensation, the eastern portion of the site (not designated as a habitat corridor) is proposed to be incorporated into the habitat corridor.</p>
<ul style="list-style-type: none"> The proposal for the eastern corner of the site shows non-compliance with the requirements that the eastern portion of the site be added to the Jervis Bay National Park on the grounds of its conservation. 	<p>The eastern portion of the site will not be dedicated to National Parks and Wildlife. Moreover, National Parks does not wish for the land to be vested to this authority. The issue of land dedication does not imply that this portion of the site will not be conserved and maintained.</p>
<ul style="list-style-type: none"> Impacts are inevitable given statements on eco-trails and camping facilities show a complete lack of regard and knowledge of the important protections required for the environmentally sensitive area stated. 	<p>Currently there are bush trails into the eastern portion of the site. Augmenting and improving these trails and providing organised walks do not contravene the environmental sensitivity of the site. Camping facilities (should these occur) are likely to occur within controlled precincts dedicated for these facilities. These facilities are currently permissible within its designated zone of RU2 of Shoalhaven LEP. Approvals will be subsequently sought should these activities occur.</p>
<ul style="list-style-type: none"> Environmental surveys for threatened species should be reassessed, as some of the species listed have been spotted close to the development area. 	<p>Threatened species are spotted within the site have been the subject of an Impact Assessment (refer to Appendix 13 in the Biodiversity Assessment Report).</p>

Key issues raised	Applicant response
<ul style="list-style-type: none"> The Chinese Garden is located where there is the potential for species to seed into the surrounding wildlife corridor area which requires a high degree of protection to be preserved in its natural state. 	<p>The Chinese Garden is in a limited contained area. Ecological impacts will further be assessed at the development application stage for the detailed design of this precinct.</p>
<ul style="list-style-type: none"> Threatened species – Turquoise parrot. There have been recent sightings of numbers (over 20) of turquoise parrots on wires on Braidwood Road, less than 7km from the site. Survey for this species should be reassessed. 	<p>Ecology consultant, Kevin Mills, stated that the Turquoise Parrot was not targeted as they are rare in the region, but extensive dedicated bird surveys were undertaken throughout the study area. He has not sighted this species in his on-ground surveys of the site.</p>
<ul style="list-style-type: none"> Threatened species – Green and Golden Bell Frog. During the recent building of the Princes Highway near Forest Road, Green and Golden Bell frogs were discovered, causing a delay to ensure protection for this endangered species. The survey for this species must be reassessed. 	<p>Currently, surveys have not encountered the Green and Golden Bell Frog, even though they are not likely to occur on the development area.</p>
<ul style="list-style-type: none"> There are at least 14 threatened species (fauna) noted, and question the ability of the development to ensure that no impacts occur. The Gang Gang cockatoo, listed as vulnerable on the NSW species lists is known to inhabit local surrounding areas. The destruction of the bushland will greatly impact this species. 	<p>The development is predominantly within the areas allowed by the <i>South Coast Sensitive Lands Review</i> for development, being the site of the former pine plantation and the cleared grazing land above Currumbene Creek.</p> <p>Mitigation measures are to minimise removal of forested areas, which is the aim of the development proposal. Ecological corridors will be maintained as the golf course and road are predominant elements located within the habitat corridor.</p>
<ul style="list-style-type: none"> The only complete protection of our wildlife and sensitive eastern coastal bushland is for the whole site to be donated to the community through the National Estate. 	<p>The eastern coastal bushland will not be donated to the National Estate.</p>
<ul style="list-style-type: none"> The site is too sensitive for this kind of development in terms of traffic, noise, pollution into waterways. 	<p>The <i>South Coast Sensitive Lands Review</i> acknowledges that development can occur on the site, subject to certain conditions, which have guided this proposed development.</p>
<ul style="list-style-type: none"> The width of the proposed riparian buffer zones for Georges Creek and Currumbene Creek is inconsistent, with the total width ranging from 20m total to 40m. 	<p>Acknowledged. This will be clarified for buffer zones to be the width on each side to be at least:</p> <ul style="list-style-type: none"> 50m for major tributaries of Georges Creek; 20m for minor tributaries of Georges Creek; and 100m from Currumbene Creek.

Key issues raised	Applicant response
<ul style="list-style-type: none"> There is concern that there will be boat tours of Currambene Creek which will require boat ramps, increase boat traffic, and cause erosion to the banks of the Creek. 	There will be no boat tours along Currambene Creek.
<ul style="list-style-type: none"> Disturbance to Endangered Ecological Communities (EEC) on the southern parts of the site by polluted stormwater, weeds and degradation from close proximity to housing hotel and cabin/ camping precincts have not been taken into account in the EA. 	The impact of these developments will be mitigated by Water Sensitive Urban Design (WSUD) strategies with 3 stages of stormwater treatment.
<ul style="list-style-type: none"> The golf course should be withdrawn, to secure the integrity of the habitat corridor and reduce water quality impacts. 	Disagree. The golf course will not impact on the habitat corridor or reduce water quality impacts.
<ul style="list-style-type: none"> The wildlife surveys conducted for this proposal are not credible, as they cover less than 1 week in Spring in 2011. 	Surveys were undertaken seasonally and the consultant has undertaken previous studies for Council and the Kettle Report on the site and surrounds.
Legislative issues	
<ul style="list-style-type: none"> Proposed school appears to form part of a new village, not a tourist development. The DGR states that the tourist development must be the dominant use. The <i>South Coast Regional Strategy</i> states that "no new towns or villages will be supported unless compelling reasons are presented". 	Kung-Fu training is part of the cultural history of the Shaolin. Therefore, this facility is included in the development proposal.
<ul style="list-style-type: none"> The scale of the proposal represents over development of the site not anticipated by the <i>South Coast Sensitive Lands Review</i> and <i>South Coast Regional Strategy</i>. 	The scale of the development is in accordance with the development locations outlined in the <i>South Coast Sensitive Lands Review</i> .
<ul style="list-style-type: none"> The proposal is inconsistent with the Coastal Policy and SEPP 71 as it does not aim to "protect and conserve" the aquatic and marine environment or native plants and animals. The Water Report does not assess cumulative impacts taking into account what this development would add to known pollution from existing rural and rural residential properties along Currambene Creek. 	The standard that was nominated by the Civil Works Consultant for pollution removal from stormwater, comprising primary, secondary and tertiary treatment methods, exceed the requirements of ANZECC for urban environments. Treatment of runoff rates were undertaken up to 65% of the 1 year ARI, whereas NNZECC requires 25-50%.

Key issues raised	Applicant response
<ul style="list-style-type: none"> The proposal does not meet the aims of the <i>Jervis Bay Regional Environmental Plan</i>, to: <ul style="list-style-type: none"> Protect the natural and cultural values of Jervis Bay; and To allow proposals that contributes to the natural and cultural values of the area. 	Disagree with these comments. Refer to s.9.4 of the EA report.
<ul style="list-style-type: none"> The EA submitted to Council does not address water traffic nor state how water access may be used. 	It is not anticipated that water traffic/ boating will occur in Currumbene Creek. Should such activity arise, discussion will be undertaken with the owner of the reserve adjacent to the Creek (being Crown Land) and with Shoalhaven City Council (managers of the reserve on behalf of Crown Land).
<ul style="list-style-type: none"> The development is far too large for the proposed location. 	The development is consistent with the recommendations of the <i>South Coast Sensitive Lands Review</i> & the <i>South Coast Regional Strategy</i> .
<ul style="list-style-type: none"> The development does not meet the "compelling reasons" test required by the <i>South Coast Regional Strategy</i> for new towns and villages. This proposal fails to address the sensitivity of the receiving waters and sets targets for pollutants that would not maintain water quality values. 	The development has been sited and designed to comply with the recommendations for Comberton Grange site as outlined in the <i>South Coast Regional Strategy</i> .
Director General's Requirements:	
General requirement 4: <ul style="list-style-type: none"> The proposal does not demonstrate the maintenance of the high conservation values and sensitive environments of Jervis Bay, Currumbene Creek, listed threatened species, EECs, the habitat corridor, and the wetlands. 	Disagree with this comment.
<ul style="list-style-type: none"> The proposal is in contrast with <i>The South Coast Sensitive Urban Lands Review's</i> recommendations for the conservation of the eastern portion of the site by suggesting the possibility of nature trails and camping, which would add to any potential impact and increase the accommodation capacity of the site overall. 	The eastern portion of the site will be preserved through land use zoning. It is not intended for camping to occur in high environmentally sensitive areas. Moreover, the current zoning for this portion of land (Shoalhaven LEP) states camping as a permissible land use within its currently designated zoning of RU2.
<ul style="list-style-type: none"> The main footprint of the proposed development is within the northern portion of the site and straddles the two main tributaries of Georges Creek which supports at least two of the known EECs on the site and is a SEPP 14 wetland, 	There is no SEPP 14 wetland within the northern portion of the site. Riparian corridors of Georges Creek will have no development.

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<p>however the SCRS states "no new urban development occurs in these important areas and their catchment".</p> <ul style="list-style-type: none"> A significant portion of the site is covered by a JBREP identified habitat corridor. The Proponent suggests changing the boundaries of the regional habitat corridor to take in another portion of the site which is not within the main footprint of the development. This action will not compensate for the connectivity fragmentation of the existing regional corridor. 	<p>The intrusion of development into the REP Habitat Corridor is only in the form of open space (road and golf course) with minimal development. Fauna will be able to traverse these areas.</p>
<ul style="list-style-type: none"> The proposed development is within the catchment of Jervis Bay and has a direct impact on the catchment with the main development straddling the tributaries of Georges Creek, which flows into Currumbene Creek. This contradicts the JBREP objective to protect and restore the natural qualities of the Bay. 	<p>The SCRS does not inhibit development within the site, but within specific environmental parameters, which are met by this development.</p>
<p>General requirement 5:</p> <ul style="list-style-type: none"> The proposal does not meet the objects of the EP&A Act as it fails to demonstrate how it will properly manage and conserve the natural areas, and protect the environment including native animals and plants such as threatened species, and habitats. Monitoring and mitigation measures as part of conservation and management of the natural areas are subsequently not addressed. 	<p>Refer to Biodiversity Report. The development is within the development area identified in the Independent Panels' Report.</p> <p>The natural areas will be managed in a Plan of Management that will be developed at the detailed design stages of the development.</p>
<ul style="list-style-type: none"> The Proponent's biodiversity assessment does not consider all impacts across the study area, during all stages of development, and on all potential threatened species that may occur or use the study area. The assessment has serious limitations in regard to both the scope of potential threatened species it surveyed for, and the actual survey methodology. 	<p>The development is sited within the former Pine Plantation and within the cleared areas above Currumbene Creek. These areas have been ecologically assessed. No threatened species were identified within the surveys.</p>
<p>General requirement 6:</p> <ul style="list-style-type: none"> The Proponent's assessment under the EPBC Act is inadequate in relation to this requirement. The Grey-headed Flying Fox and "migratory species" are the only matters of NES under the EPBC that the Proponent assessed. 	<p>The Biodiversity Report has assessed the development under the EPBC Act.</p>

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<p>General requirement 7:</p> <ul style="list-style-type: none"> ▪ The Proponent's draft SoC does not outline environmental management, mitigation and monitoring measures to be implemented to minimise the project's potential impacts. ▪ The Proponent's SoC does not include adequate detail on how the sensitive riparian zones of Georges Creek, and Currambene Creek, are going to be managed. ▪ The Proponent's SoC does not include any commitments specifically in relation to protection and conservation of threatened species, nor on how impacts on threatened species will be addressed. 	<p>The Statement of Commitments has been augmented to include required management and mitigation measures to minimise the projects potential impacts. Moreover, the development is within the permissible development areas outlined in the Independent Panels' Report.</p>
<p>General requirement 10:</p> <ul style="list-style-type: none"> ▪ The Proponent's assessment of threatened species does not comply with the guidelines and is inconsistent and deficient in a number of matters. These issues raise serious concerns about the overall assessment of the impacts of the proposed development on flora and fauna. 	<p>The Biodiversity Assessment Report identifies that no threatened plant/ flora species are located and none are expected to occur within the development footprint (p.47 of 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>
<ul style="list-style-type: none"> ▪ The Proponent's assessment does not include an assessment of direct impacts at the different development stages. There is no impact assessment for the construction and operation stages of the development. 	<p>A thorough analysis of the potential effects of the proposed development on threatened species and their regimes has been carried out. Overall, the development does not impact on the habitats of individual threatened species.</p>
<ul style="list-style-type: none"> ▪ The Proponent's assessment is deficient in its assessment of indirect impacts of numerous matters associated with fragmentation of a regional habitat corridor and the identified riparian corridors with vegetation clearing and the construction and maintenance of several roads, paths and crossing. 	<p>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
<ul style="list-style-type: none"> ▪ The Proponent's biodiversity assessment does not include any consideration of specific recovery plans for threatened species. 	<p>Survey methods and techniques are outlined in Table 10 of the Biodiversity Assessment Report.</p>

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<ul style="list-style-type: none"> The Proponent's methodology for assessment of flora and fauna does not include information on some of the minimum reporting requirements under the guidelines. The Proponent's survey design, including effort and area surveyed, is not adequate to gain a sound appreciation of the potential status of threatened species occurrence or use of the study area of the site. Although habitat requirements for threatened species in the initial assessment are described, there is no indication that any effort was made to determine if such habitat occurs at or near the site. 	<p>A total of 393 plant species were recorded on the site and despite targeted surveys, no threatened species were found.</p> <p>Over 2,500 individual fauna records were made in or adjacent to the study area. Assessment of each threatened species recorded is outlined in Appendix 13 of the Biodiversity Report. The assessment provides a thorough analysis of the potential effects of the development on the threatened species and their regimes. Overall, the development does not impact on the habitats of threatened species.</p>
<ul style="list-style-type: none"> The Proponent does not outline measures for the conservation and long term management of wildlife corridors and connectivity importance. The Proponent has not explored the re-establishment of corridors down drainage lines to wetlands and Currumbene Creek. 	<p>Measures for the conservation and long term management of wildlife corridors will be addressed in a Plan of Management (PoM) for ecologically sensitive areas, in the detailed design of the development. The PoM will be submitted at development application stage for the detailed development of the site.</p>
<ul style="list-style-type: none"> The Proponent does not investigate the opportunity to permanently conserve the eastern portion of the site. The Proponent's intention is contrary to this requirement noting that it has no intention to dedicate this portion for addition to Jervis Bay National Park. 	<p>The Eastern portion of the site will be zoned appropriately to ensure its permanent conservation. E4 Environmental Living zone is proposed. In discussions with NSW National Parks and Wildlife, the authority indicated that vesting land to National Parks is not preferred and is receptive to the appropriate zoning of environmentally sensitive land of E2, E3 or E4 zonings, depending on the specific areas of the land's sensitivity and desired future uses of the land.</p>
<ul style="list-style-type: none"> The Proponent wishes the area to be divided into separate titles to enable separate ownership. This goes against the recommendation of the South Coast Independent Review Panel that stated "The land developed for tourism and residential purposes should be retained in one ownership". 	<p>The development cannot 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>