

Memorandum

To Sally Munk, A/Team Leader
cc. Kim Johnston, Senior Planner
From Brett Whitworth, General Manager
Southern Region, Growth Planning & Delivery
Phone 4224 9455 Fax 4224 9455 brett.whitworth@planning.nsw.gov.au
Date 21 February 2014 **File no** **File**

Subject: Integrated Residential and Tourist Development, Comberton Grange, Nowra (MP06_0135).

I refer to your request for comment on the Response to Submissions and Preferred Project Report for the above Major Project Concept Plan. I would like to provide comment on the following matters:

1. Proposed zonings

The proposed land use zoning plan for the site provided in the Preferred Project Report (PPR) (Figure 2) is of concern because the proposed R1 General Residential, R2 Low Density Residential, E4 Environmental Living and B4 Mixed Use Zones, suggests that the site will be a standalone settlement that could potentially be subdivided and lots individually sold at a future time. This is inconsistent with the recommendation of the South Coast Sensitive Urban Lands Review Panel that development of Comberton Grange comprise a "fully integrated tourist facility with associated residential development and that the land developed for tourism and residential purposes should be retained in one ownership" (p.41). The proposed land use zoning plan is also inconsistent with the requirement of the South Coast Regional Strategy (SCRS) that "no new towns or villages will be supported unless compelling reasons are presented and they can satisfy the Sustainability Criteria" (p.23).

An SP3 Tourist Zone would be a preferred SI LEP zone for the Buddhist Temple Sanctuary, Health and Wellness Centre and Village, Hotel and Information, and Residential Precincts consistent with the Panel and SCRS. An SP3 Zone would permit the range of landuses suitable for a fully integrated tourist facility with associated residential.

The Proponent's proposed E4 Environmental Living Zone for land located east of the quarry, that was recommended by the Panel to be dedicated to the Jervis Bay National Park (JBNP) due to its high conservation value, is not a suitable zone for this land. The Office of Environment and Heritage and NPWS's preference not to dedicate this land to National Parks but to seek an environment protection zoning of environmentally sensitive land within the site and other conservation mechanisms such as a voluntary conservation agreement, is noted. In view of the OEH/NPWS position, an E2 Zone would be an appropriate zone for high conservation land located east of the quarry. An E4 zone is a residential zone and would not be appropriate. A revised proposed land use zoning plan is attached.

It is unclear how the proposed land use zones relate to the proposed zones for the site under the draft Shoalhaven LEP 2014. The draft LEP is currently with PC and is soon to be finalised in March 2014. It would be preferable if the Concept Approval did not seek to establish new SI LEP zonings for the site, rather provided general precinct based land use controls. Shoalhaven

City Council may choose to rezone the site at a future time once the development is completed via a future planning proposal to amend the Shoalhaven LEP 2014.

It is recommended that the Concept Approval provide general precinct based land use controls for the site rather than establish new Standard LEP Instrument zones.

2. Property ownership and residential development.

It is noted that the proponent has agreed that there will be no subdivision of residential and tourist development on the site and no community title arrangement (p.16) which is consistent with the Panel's recommendations.

It is, however, noted that the proponent's agreement not to pursue subdivision at a later stage is not included in the Statement of Commitments. It is, also noted that no legal mechanism is proposed to ensure that the site is not able to be subdivided at a future time.

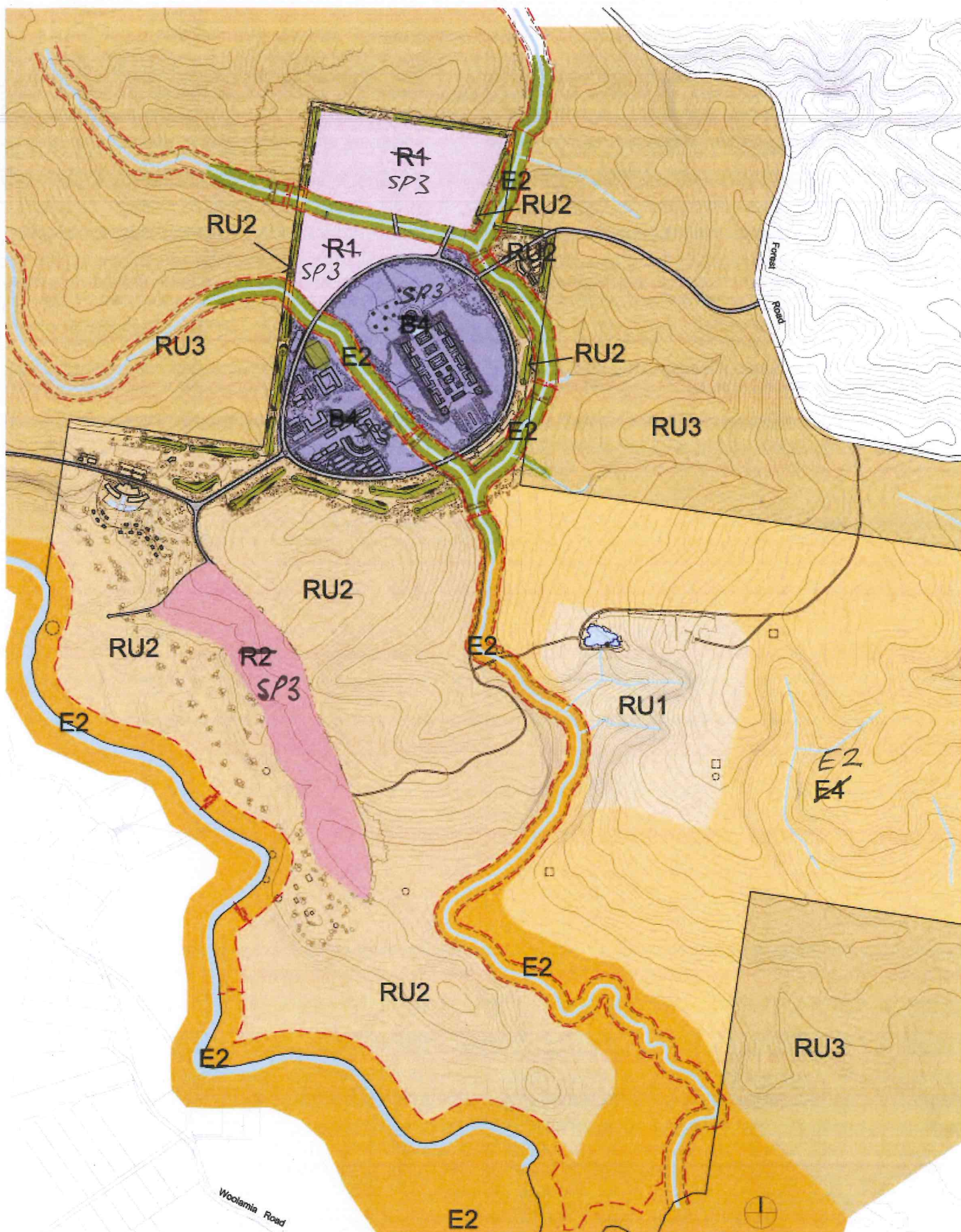
It is recommended that:

- 1. The no subdivision of the site is included in the Statement of Commitments.*
- 2. A condition or covenant requiring single ownership and no subdivision is imposed to the entire site as part of the Concept Approval.*

Please contact George Curtis, Senior Planner on telephone number 4224 9465 if you would like to discuss this matter further.



Brett Whitworth
General Manager
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CM⁺

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Shaolin Temple and Academy

Project Comberton Grange Nowra NSW

Client Shaolin Temple Foundation

Revised
Proposed Zoning
Title
Date 27-Nov-13
Dra/Ch nj/lat
Dwg No 07062 MP 31
Issue

