NSW GOVERNMENT
Department of Planning

Attachment 1
Director-General's Environmental Assessment Requirements

Section 75F of the *Environmental Planning and Assessment Act 1979*

Application number
06_0135
Project
Concept Plan Application - Mixed tourist, residential and commercial development comprising: Buddhist temple sanctuary; kung-fu academy; agricultural and herbal farm; 500 bed, 4 star hotel with ancillary room for staff accommodation (up to 30 rooms); up to 300 dwellings (self-contained independent living villas/adaptable housing for the aged; detached and medium density residential developments); and retail, commercial, professional and community services.
Location
Lot 1 DP725955, Lot 1 DP550098, Lot 4 DP63405, and Lots 59, 60 and 61 of DP 755928, Comberton Grange Road, Comberton Grange, South Nowra, Shoalhaven Local Government Area.
Proponent
Conybeare Morrison International Pty Ltd (on behalf of Shaolin Temple Foundation (Australia) Ltd).
Date issued
13 October 2010.

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General requirements

The Environmental Assessment (EA) for the **Concept Plan** must include:

1. An executive summary;
2. An outline of the scope of the project including:
   - any development options;
   - justification, including consideration of any environmental impacts, site suitability and whether the project is in the public interest;
   - outline of staged implementation, if applicable;
3. A thorough site analysis, including constraints mapping and description of the existing environment;
4. Consideration of any relevant statutory and non-statutory provisions and identification of any non-compliances with those provisions, particularly relevant provisions in environmental planning instruments, Regional Strategies (including draft Regional Strategies) and Development Control Plans;
5. Consideration of consistency of the project with the objects of the *Environmental Planning and Assessment Act 1979;*
6. Consideration of impacts, if any, on matters of National Environmental Significance under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth);
7. An assessment of the project's potential impacts and provision of a draft Statement of Commitments which outlines environmental management, mitigation and monitoring measures to be implemented to minimise the project's potential impacts;
8. The plans and documents at **Attachment 2**;
9. A signed statement from the author of the EA certifying that the information contained therein is neither false nor misleading; and
10. An assessment of the key issues specified below and a table referencing their discussion in the EA.

Key Issues

1. Strategic Planning

1.1	Justify the proposal with reference to relevant local, regional and State planning strategies, including the proposed *Draft Shoalhaven Comprehensive Local Environmental Plan*, and the *South Coast Regional Strategy*. Provide justification for any inconsistencies with the strategies.
1.2	Demonstrate consistency with the recommendations of the Independent Review Panel *South Coast Sensitive Urban Lands Review* (October 2006) (outlined in Appendix 2 of the *South Coast Regional Strategy)*.
1.3	Demonstrate consistency with the *South Coast Regional Strategy* Sustainability Criteria (Appendix A1).

2. Urban Design, Layout and Future Character

2.1	Demonstrate the suitability of the proposal with the surrounding area regarding bulk, scale, amenity (including noise), visual amenity, aesthetics, energy and water efficiency, and safety.
2.2	Discuss the desired future urban form including: public domain/built form interface, building envelopes, building heights, floor space ratios and other design controls.
2.3	Demonstrate consistency with the *Coastal Design Guidelines of NSW* 2003, *NSW Coastal Policy 1997,* and *State Environmental Planning Policy 71 – Coastal Protection*.
2.4	Outline the long-term management and maintenance of open space areas, including ownership and control, management and maintenance funding, public access, revegetation and rehabilitation works.
2.5	Demonstrate capacity for future residential buildings to comply with *State Environmental Planning Policy 65 - Design Quality of Residential Flat Development* and *State Environmental Planning Policy (Building Sustainability Index:BASIX) 2004*.

2.6	Demonstrate whether the proposal complies with the objectives of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 for* the self-contained independent living/adaptable housing for the aged component.
2.7	Provide details of orderly and co-ordinated staging, with the tourist component being the dominant use.
3. Visual Impact	
3.1	Address the visual impacts of the proposal in the context of surrounding development and relevant mitigation measures, particularly, foreshore amenity, overshadowing of and loss of views from public places, and cumulative impacts; with the use of visual aids such as scale models and photomontages. Address amelioration of visual impacts through design, use of appropriate colours and building materials, landscaping and buffer areas.
4. Ownership of the Project	
4.1	Identify proposed ownership/titling arrangements, for example, leasehold, with regard to the *South Coast Regional Strategy*.
5. Infrastructure Provision	
5.1	Address existing capacity and proposed requirements for water and sewerage (including effluent and wastewater reuse/recycling, alternatives to town water supply, and use of farm dams), electricity, waste disposal, telecommunications and gas in consultation with relevant agencies. Identify and describe any staging of infrastructure works.
5.2	Address and provide the likely scope of any planning agreements and/or development contributions with Council/Government agencies (including relevant community/state infrastructure contributions).
6. Socio-economic Impacts	
6.1	Provide a social impact assessment which addresses the social and economic context for the tourist and residential components in terms of infrastructure requirements, public transport, community services and facilities (including schools and medical services).
6.2	Provision of affordable housing should be considered and included into the development, where appropriate.
7. Traffic and Access	
7.1	Prepare a traffic impact study in accordance with Table 2.1 of the RTA's *Guide to Traffic Generating Developments*, based on the maximum development potential for the site, which addresses the following matters: • Access to and within the site, with consideration of one site access only (either Forest Road or Comberton Grange Road); • Need for junction upgrades. Appropriate intersection analysis (for Princes Highway with Comberton Grange Road/Forest Road) using SIDRA to determine projected traffic growth for the next 10 years with and without the development; AM and PM peak volumes and recreation peak volumes. • Identify road infrastructure required to ameliorate the impacts of the development at the junctions of Princes Highway/Comberton Grange Road, Princes Highway/Forest Road, Princes Highway/Parma Road, and Princes Highway/BTU Road. Provide a concept plan (notating property boundaries) of any proposed treatments. (Note: suitable agreement with affected property owners will be required where treatments are located outside of the road reserve). • Capacity of the road network to safely and efficiently cater for the additional traffic generated; • Servicing and parking arrangements. Prepare a parking needs study which investigates parking demand generated by each component of the proposed development; • Connectivity to existing developments; • Impact on public transport, including school bus routes; and • Provision of access for pedestrians and cyclists to, through and within the site.

8. Hazard Management and Mitigation	
Contamination	
8.1	Provide a Preliminary Contamination Assessment, identifying any contamination on site and appropriate mitigation measures in accordance with the provisions of *SEPP 55 – Remediation of Land.*
Acid Sulfate Soils	
8.2	Identify the presence and extent of acid sulfate soils on the site and, where relevant, appropriate mitigation measures. Identify the need for an Acid Sulfate Management Plan (prepared in accordance with ASSMAC Guidelines).
Bushfire	
8.3	Address the requirements of *Planning for Bush Fire Protection 2006* (RFS).
Geotechnical	
8.4	Provide a detailed assessment of any geotechnical limitations that may occur on the site and, if necessary, appropriate design considerations addressing the limitations
Flooding	
8.5	Prepare a site specific flood study in accordance with Shoalhaven City Council's Flood Risk Management Policy, and Development Control Plan No. 106 – Floodplain Management, and any relevant provisions of the *NSW Floodplain Development Manual 2005*. The study should include, but not be limited to, the identification of the 10 year Annual Recurrence Interval (ARI), 100 year ARI, and Probable Maximum Flood (PMF) extent associated with the Currambene Creek and Georges Creek. The study is to include the identification of floodways, flood storage and flood fringe areas along with a determination of high and low hazards areas as defined by the NSW Floodplain Development Manual 2005. The study should reference flood levels outlined in Council's Currambene Creek and Moona Moona Creek Flood Studies.
8.6	Assess the potential impacts of sea level rise and an increase in rainfall intensity on the flood regime of the site and adjacent lands with consideration of *Practical Consideration of Climate Change – Floodplain Risk Management Guideline (DECC, October 2007);* NSW Government Sea Level Rise Policy Statement, (DECCW, October 2009); Draft Coastal Risk Management Guide: Incorporating sea level rise benchmarks in flood risk assessments (DECCW, 2009); and NSW Coastal Planning Guideline: Adapting To Sea Level Rise (DoP, Aug 2010).
9. Water Cycle Management and Water Quality	
9.1	Prepare an Integrated Water Cycle Management Strategy which considers water supply, sewage, stormwater and catchment management interactions of the urban water cycle issues.
9.2	Address stormwater management based on Water Sensitive Urban Design principles, including impacts on the surrounding environment, drainage/on-site detention and water quality controls for the catchment, and erosion and sedimentation controls at construction and operational stages.
9.3	Assess the impacts on surface and groundwater hydrology and quality during construction and occupation. Demonstrate adequate protection of receiving waters, including SEPP 14 Wetlands and groundwater aquifers.
10. Flora and Fauna	
10.1	Assess the potential direct and indirect impacts of the development on flora and fauna, including impacts on any threatened species, populations, ecological communities and/or critical habitat, groundwater dependent ecosystems, and any relevant recovery plan, in accordance with the *Draft Guidelines for Threatened Species Assessment* (DECC and DPI 2005), *Threatened Biodiversity Survey and Assessment Guidelines Working Draft* (DEC, 2004), and *Threatened Species Assessment Guidelines: The Assessment of Significance*

	(DECC, 2007). Provide measures for the conservation of flora and fauna, where relevant.
10.2	Outline measures for the conservation and long term management of existing wildlife corridors and the connective importance of any vegetation on the site. Explore the potential for the re-establishment of corridors along drainage lines to wetlands and Currambene Creek.
10.3	Demonstrate suitable riparian corridor management and appropriate corridor widths/buffering between the development and adjacent waterways/drainage lines or SEPP 14 wetlands, in accordance with DECCW's stream classification system.
10.4	Investigate the opportunity to permanently conserve the eastern portion of the site (east of the existing quarry and including the SEPP 14 wetland in the southern portion of the site).
11. Heritage and Archaeology	
11.1	Identify whether the site has significance to Aboriginal cultural heritage and identify appropriate measures to preserve any significance. The assessment must address the information and consultation requirements of the draft *Guidelines for Aboriginal Cultural Heritage Assessment and Community Consultation (*DEC 2005*)*. The cultural heritage assessment should include areas not previously surveyed including the former pine plantation. Note, that the personal/contact details of any individual should not be publicly disclosed without first making it known to those concerned that their details may be publicly disclosed in the EA.
11.2	Identify any items of non-indigenous heritage significance and, where relevant, provide measures for the conservation of such items. Submit a Heritage Assessment of the non-indigenous heritage values of the site, including any built, archaeological, landscape and moveable items of potential significance. Submit a draft Statement of Heritage Impact detailing and evaluating any likely impacts from the proposal on the site's non-indigenous heritage significance.
12. Noise	
12.1	Address potential noise impacts (existing and proposed) on the development particularly from road traffic, quarry operations and aircraft. Address appropriate mitigation measures to ameliorate noise impacts. Note: the site is located beneath the flight corridor between the HMAS Albatross and the Jervis Bay Training Area.
13. Mineral Resources	
13.1	Assess the viability of the site's existing dolerite and sandstone mineral resources. Ensure appropriate buffers between those resource areas and any proposed residential development.
14. Agriculture	
14.1	Address the suitability for that portion of the site classified, 'Class 3' Agricultural land (in the western portion to the north of Currambene Creek) to be maintained for agricultural purposes.
15. Native Vegetation	
15.1	Assess proposed clearing of native vegetation, including potential impacts and, if applicable, details of an offset strategy or other suitable mitigation measures to ensure no net loss of native vegetation values.
16. Ecologically Sustainable Development (ESD)	
16.1	Identify how the proposal will incorporate ESD principles in design, construction and ongoing operation.
Consultation	

You should undertake an appropriate and justified level of consultation with the following agencies during preparation of the EA:

(a) *Agencies or other authorities:*

- Shoalhaven City Council;
- Department of Environment, Climate Change and Water;
- Land and Property Management Authority;
- Industry and Investment;
- Office of Water;
- Roads and Traffic Authority;
- NSW Rural Fire Service;
- Southern Rivers Catchment Management Authority;
- Heritage Council of NSW;
- Jervis Bay Marine Park Authority;
- Commonwealth Department of Defence;
- Department of Education and Training;
- NSW Health;
- NSW Police Service;
- Shoalhaven Water;
- Integral Energy;
- State Emergency Service;
- Department of State and Regional Development;
- Tourism NSW; and
- Relevant Local Aboriginal Land Council/s and other Aboriginal community groups.

(b) *Public:*

Document all community consultation undertaken to date or discuss the proposed strategy for undertaking community consultation. This should include any contingencies for addressing any issues arising from the community consultation, and an effective communications strategy. The consultation process and the issues raised should be described in the EA.

Deemed Refusal Period
120 days

Attachment 2
Plans and Documents to accompany the Application

Plans and Documents of the development	The following plans, architectural drawings and diagrams of your proposal and relevant documents must be submitted for your application: **1.** The **existing site survey plan** to 1:500 scale (or other appropriate scale): • location of the site, the measurements of the boundaries of the land, the size of the land and north point; • Title showing the description of the land and lot and DP numbers; • existing levels to AHD of the site in relation to buildings and roads; • location and height of existing structures on the site; and • location and height of adjacent buildings and private open space; and • Mean High Water Mark. **2.** An **aerial photograph** of the subject site with the site boundary superimposed. **3.** A **Site Analysis Plan** must be provided which identifies existing natural elements of the site (including all hazards and constraints), existing vegetation, property dimensions, footpath crossing levels and alignments, existing pedestrian and vehicular access points and other facilities, slope and topography, natural features such as watercourses, rock outcrops, utility services, boundaries, orientation, view corridors and all structures on neighbouring properties where relevant to the application (including windows, driveways etc.). **4.** A **locality/context plan** drawn to 1:500 scale (or other appropriate scale) should be submitted indicating: • Significant local features such as parks, community facilities and open space, water courses and heritage items; • The location and uses of existing buildings, shopping and employment areas; • Traffic and road patterns, pedestrian routes and public transport nodes; and • The existing site plan and locality plan should be supported by a written explanation of the local and site constraints and opportunities revealed through the above documentation. **5.** **Conceptual Layout Plans** are to be drawn to scale and illustrate the following general features: • Location, boundary dimensions, site area and north point of the land, and names of roads fronting the land; • Title showing the description of the land with lot and DP numbers etc; • Location of any existing building envelopes or structures on the land; • Location of all structures proposed and retained on site; • Proposed dwelling types; • Location of proposed public open space; • Public domain works, proposed communal facilities and servicing points; • Indicative building heights shown as building envelopes in elevation, significant level changes; • FSR, building separations and setbacks;

	• Parking and vehicular access arrangements; • Pedestrian access to, through and within the site; • Location and details of all proposed roads and footpaths; • Cross sections of roads, including gradients, widths, road names, footpaths etc; • Existing and proposed finished levels in relation to roads, footpaths and structures; • Location and details of access points to the development; • Existing vegetation on the land and vegetation to be retained; • Location of services and infrastructure, and proposed methods of draining the land; • Any easements, covenants or other restrictions either existing or proposed on the site; and • Type of ownership proposed for the tourist and residential components of the development. **6. Stormwater Concept Plan** - plan showing concept for stormwater management from the site and must include details of any major overland flow paths through the site and any drainage/discharge points to the street drainage system. Site discharge calculations should be provided. Treatment methods to be used to maintain water quality must be identified. Where an on-site detention system is required, the type and location must be shown, be integrated with the proposed landscape design and have consideration for mosquito management. On-site detention for all storm events up to and including the 1:100 ARI to pre development levels (including supporting calculations) shall be provided; **7. Flood Extent Plan** – drawing showing floodways, flood storage, flood extents, high hazard and low hazard areas for the 10 year ARI, 100 year ARI and PMF; as well as peak flood levels for the 10 year ARI, 100 year ARI and PMF at critical cross sections across the proposed development site; **8. Erosion and Sediment Control Plan** – plan or drawing that shows the nature and location of all erosion and sedimentation control measures to be utilised on the site; **9. Landscape Concept Plan** – plan or drawing that shows the basic detail of planting design and plant species to be used, listing botanical and common names, mature height and spread, number of plants to be utilised and surface treatments (i.e. pavers, lawn etc); **10. Construction Management Plan** – a plan which outlines traffic and pedestrian management during construction and management of impacts on amenity of adjoining properties and appropriate mitigation measures including noise, dust and sediment and erosion controls; **11. View analysis** – artist's impression, photomontages, etc of the proposed development in the context of the surrounding development.
Specialist advice	Specialist advice, where required to support your Environmental Assessment, must be prepared by suitably qualified and practising consultants in relation to issues including, the following: • Flora and Fauna; • Bushfire; • Landscaping; • Aboriginal Archaeology and non-indigenous heritage; • Geotechnical and/or hydrogeological (groundwater); • Stormwater/drainage and Flood Management; • Urban Design/Architectural; • Traffic and Access; • Contamination; • Acid Sulfate Soils; • Social and Economic Impact;

	• Mineral Resources; • Agriculture; and • Noise.
Documents to be submitted	If the EA is bulky, please package each EA ready for distribution by the Department to key agencies.
Electronic Documents	Electronic documents presented to the Department for publication via the Internet must be approximately 5 Mb with large files of more than 5 Mb broken into different files.

Attachment 3

State Government technical and policy guidelines

The following list provides relevant technical and Policy Guidelines which may assist in the preparation of the EA. The list is not exhaustive as other documents and policies may need to be reviewed, and not all of the guidelines will be relevant to your proposal.

The majority of the documents can be found on the relevant Departmental Websites, the NSW Government's on-line bookshop at http://www.bookshop.nsw.gov.au or, on Commonwealth Government's publications website at http://www.publications.gov.au.

Aspect	Policy /Methodology
Biodiversity	
Flora and Fauna	Draft Guidelines for Threatened Species Assessment (DEC & DPI, 2005)
	Threatened Species Assessment Guidelines: The Assessment of significance - DECC 2007
	Guidelines for Development Adjoining DECC Land (DECC, 2008)
	Draft Threatened Biodiversity Survey and Assessment Guidelines (DEC, 2004)
	Policy and Guidelines: Aquatic Habitat Management and Fish Conservation (NSW Fisheries, 1999)
	Threatened Species, Populations and Ecological Communities of NSW Catchments (http://www.threatenedspecies.environment.nsw.gov.au)
Fish and Aquatic Ecosystems	Why do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings, NSW Fisheries, 2003.
	Threatened Species Management Manual, NPWS, 1998.
Bushfire	
	Planning for Bushfire Protection 2006, NSW Rural Fire Service
	Australian Standard AS3959-1999 *Construction of Buildings in Bush Fire Prone Areas*
Coastal Planning	
	NSW Coastal Policy 1997 - A Sustainable Future for the New South Wales Coast (NSW Government1997)
	Coastal Design Guidelines for NSW (PlanningNSW, February 2003)
	NSW Wetlands Management Policy (DLWC, March 1996)
	Coastline Management Manual (NSW Government 1990)
	Practical Consideration of Climate Change – Floodplain Risk Management Guideline (DECC, October 2007)
	NSW Government Sea Level Rise Policy Statement, (DECCW, October 2009)
	Draft Coastal Risk Management Guide: Incorporating sea level rise benchmarks in flood risk assessments (DECCW, 2009)
	Draft Coastal Risk Management Guide: Incorporating the sea level rise benchmarks in coastal hazard assessments (DECCW, 2009)
	NSW Coastal Planning Guideline: Adapting To Sea Level Rise (DoP, 2010)
Community Consultation	
	Guidelines For Major Project Community Consultation, (NSW Department of

Aspect	Policy /Methodology
	Planning, 2007) http://www.planning.nsw.gov.au/assessingdev/pdf/Dr3%20DOP%20GuideMajProjComConsult%20BRO.pdf
Contamination and Soils	
	Managing Land Contamination: Planning Guidelines SEPP 55 – Remediation of Land (DUAP & EPA, 1998)
	Best Practice in Contaminated Sites, Commonwealth DEH, 1999, ISBN 0 642 546460.
	Contaminated Sites – Guidelines for Consultants Reporting on Contaminated Sites, (EPA, 1997)
	Contaminated Sites – Guidelines for the NSW Site Auditor Scheme, (EPA 1998)
	Contaminated Sites: Sampling Design Guidelines, EPA, 1999.
	Acid Sulfate Soil Manual, NSW Acid Sulfate Soil Management Advisory Committee (ASSMAC),1998.
Environmental Management Systems	
	NSW Government Interim Water Quality and River Flow Environmental Objectives (DEC)
	Guidelines for the preparation of Environmental Management Plans, DIPNR, 2004.
Heritage	
Aboriginal	Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DEC July 2005)
	Interim Community Consultation Requirements for Applicants (DEC, 2004)
Non-Indigenous	Assessing Heritage Significance Update for Heritage Manual, NSW Heritage Office, 2000
	Statements of Heritage Impact, NSW Heritage Office 2002
	NSW Heritage Manual, NSW Heritage Office 1996
Noise	
	NSW Industrial Noise Policy, DEC, 2000
	Environmental Criteria for Road Traffic Noise, EPA, 1999
	Acoustics - Road traffic noise intrusion - Building siting and construction, Standards Australia, 1989, AS 3671-1989.
	Acoustics – Aircraft Noise Intrusion – Building Siting and Construction, 2000, AS 2021-2000.
Safety and Hazards	
	Electrical Safety Guidelines (Integral Energy)
Traffic and Transport	
	Guide to Traffic Engineering and Guide to Geometric Design of Rural Roads (Austroads, 2003, AP-G1/03)
	Guide to Traffic Generating Developments (RTA, 2002)
Water	
Water Quality	Water quality guidelines for the protection of aquatic ecosystems for upland rivers, (ANZECC, 2000).
	Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC 2000)

Aspect	Policy /Methodology
Water Management Structures/ Dams	Harvestable rights and the calculation of Maximum Harvestable Right Dam Capacity: Farm Dams Assessment Guide, DWE. (http://www.naturalresources.nsw.gov.au/water/farm_dams/index.shtml)
Effluent Reuse	Environmental Guidelines for the Utilisation of Treated Effluent by Irrigation (NSW DEC 2004)
Floodplain	NSW Government Floodplain Development Manual - the Management of Flood Liable Land, DIPNR, 2005.
	Floodplain Risk Management Guideline – Practical Consideration of Climate Change, (DECC 2007)
Groundwater	NSW Groundwater Policy Framework Document – General (DLWC 2000)
	NSW State Groundwater Quality Protection Policy (DLWC 1998)
	NSW Groundwater Dependent Ecosystem Policy (DLWC 2000)
Rivers and Estuaries	NSW State Rivers and Estuaries Policy (DLWC 1993)
Wetlands	NSW Wetlands Management Policy (DLWC 2000)
Stormwater	Managing Urban Stormwater: Soils & Construction, NSW Landcom, March 2004.
Waterways	Waterways Crossing Design & Construction, Version 4 – DIPNR/DNR Draft Guidelines.