



Environment - Growth - Community

Attachment Folder

Ordinary Meeting

30th October, 2007

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FINANCE AND CORPORATE SERVICES

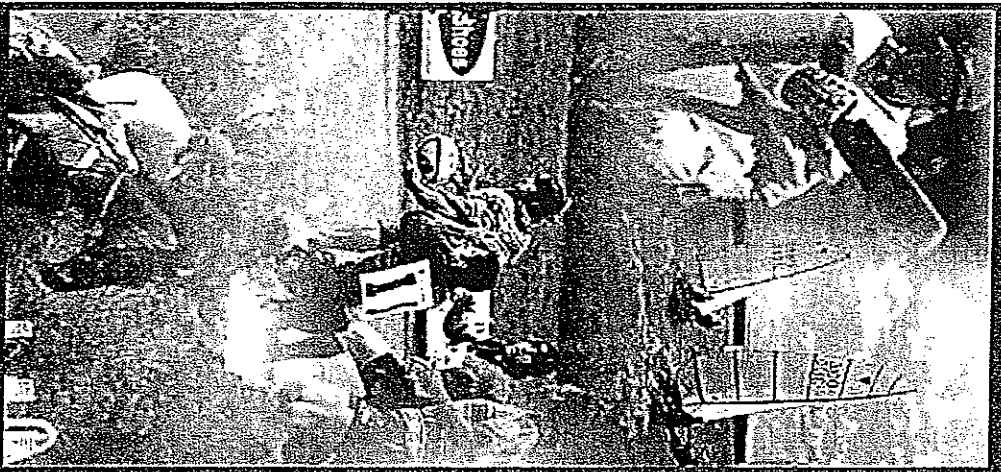
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SHOALHAVEN
SPORTS BOARD

Welcome to the

Shoalhaven Sports Board

website



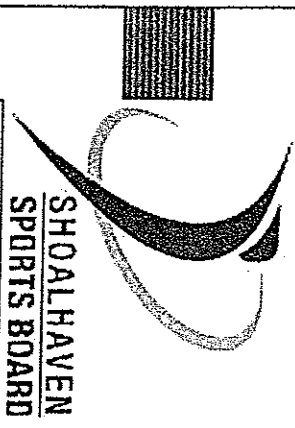
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Contacts



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CONTACTS

Sports Board Community Members:

- David Chapple
- Sid Weller
- David Goodman
- John Dyball
- Rodger Walker
- Andrew Johnstone
- Clive Robertson
- Gary Pudney
- Kaye Diver
- Keith Wallace (NSW Sport & Rec)

Council contacts

- Gary Girdlestone 44293425 - sportsground operational matters
- Lila Sawko 44293152 - strategic planning
- After hours - 44213100

Other Organisations and Clubs



New Page 1

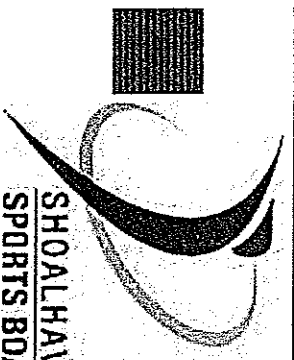


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Tools

Links

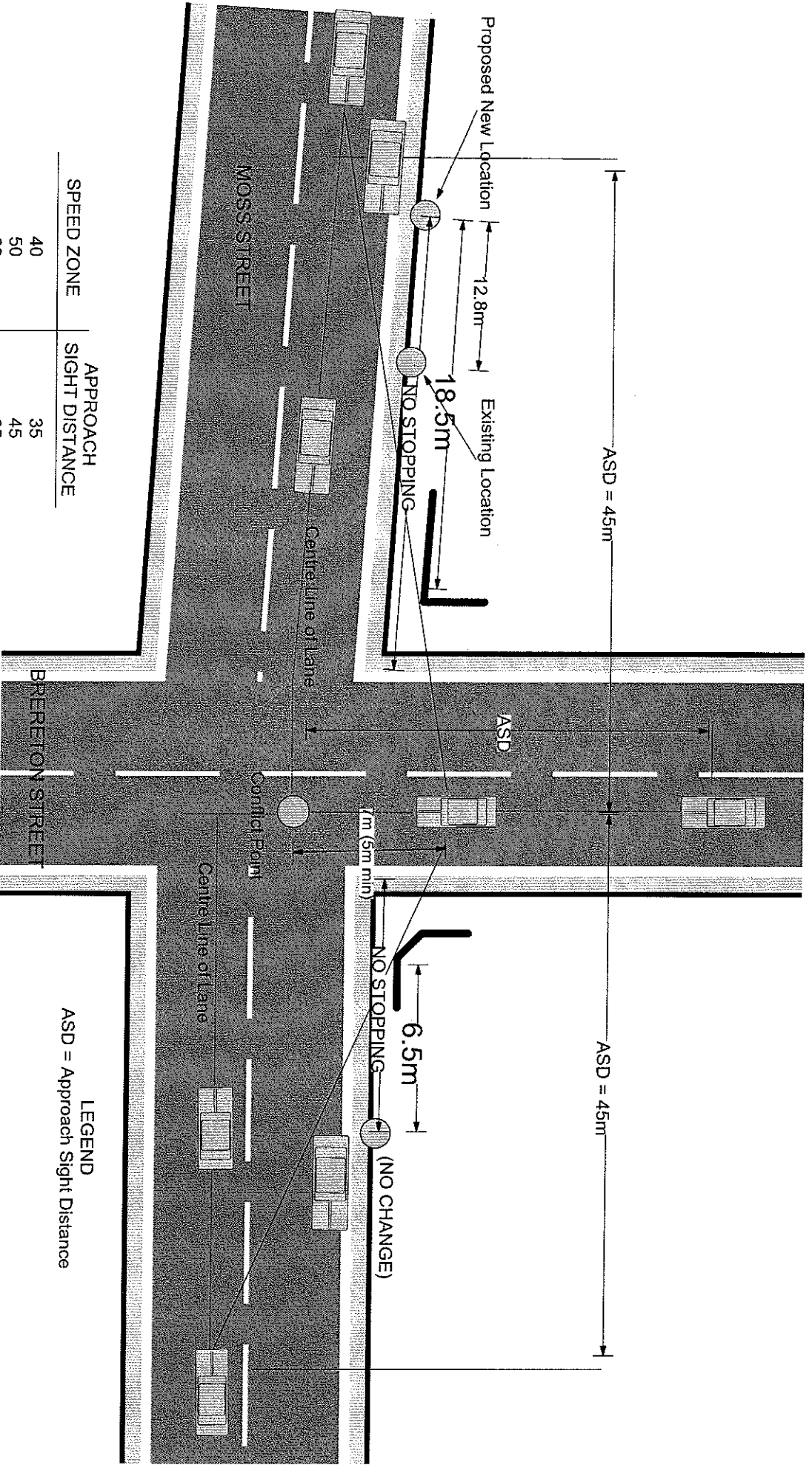


SHOALHAVEN SPORTS BOARD

SHOALHAVEN SPORTS BOARD


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SPEED ZONE	APPROACH SIGHT DISTANCE
40	35
50	45
60	65
70	85
80	105
90	130
100	160
110	190

LEGEND
ASD = Approach Sight Distance




Date: 1/1/10/07 **Author:** M Poulton **Project:** Minimum Approach Sight Distance Requirements

Comments:
Intersection of Brereton & Moss Streets, Nowra

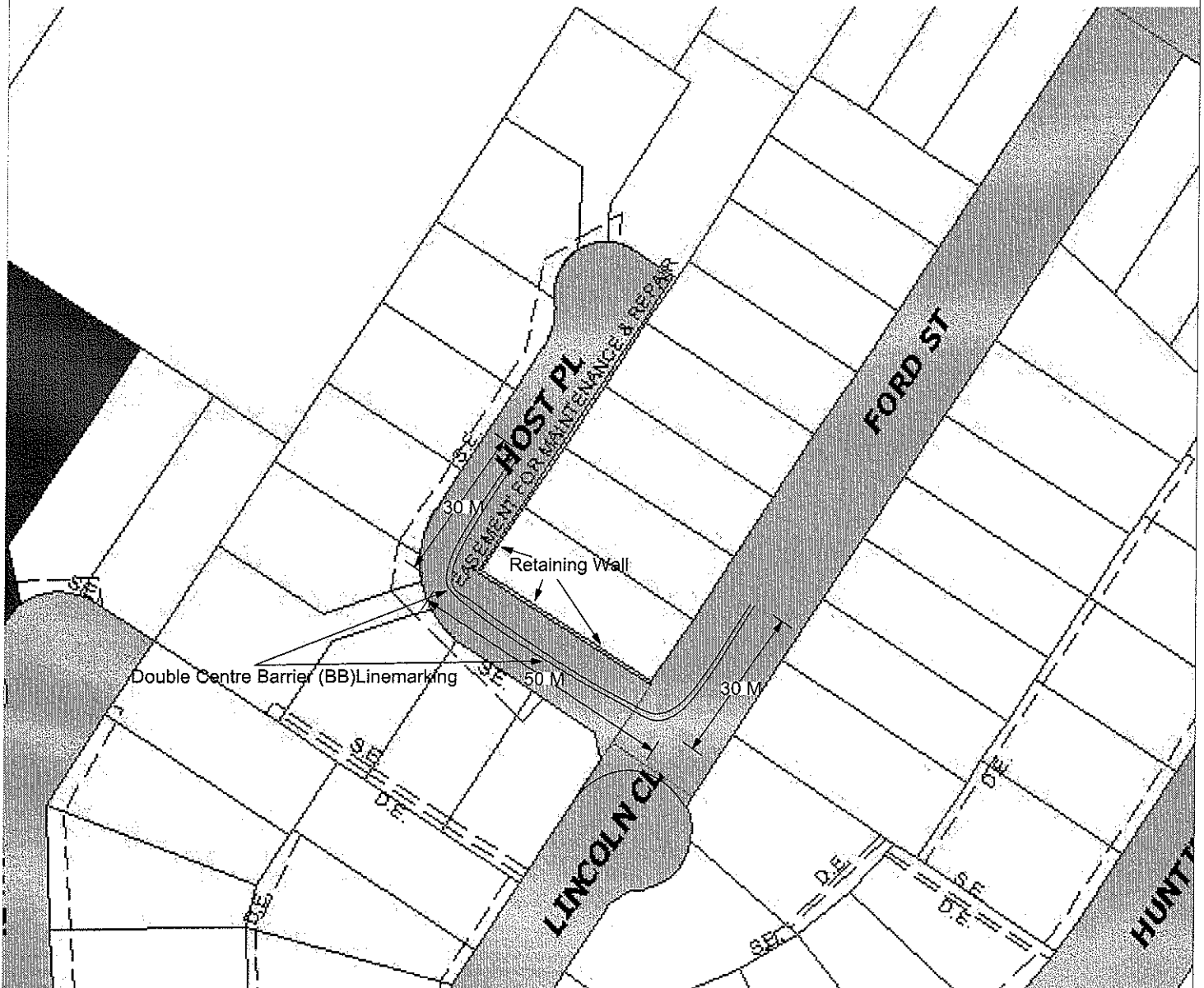
Based on
AUSTROADS - Guide to Traffic Engineering Practice
Part 5 - Intersections at Grade
(Table 5.1 / Figure 5.2)


(NB - NOT TO SCALE)

TRAFF 2007/20

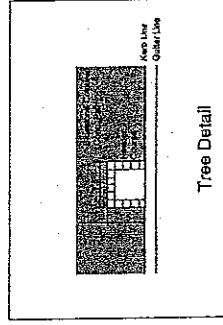
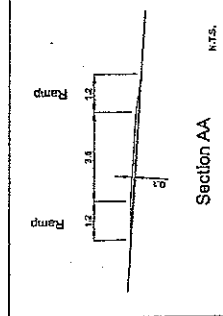
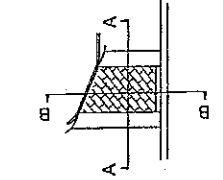
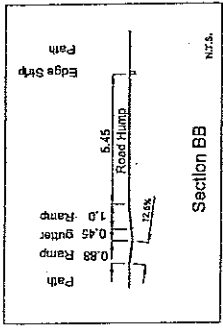
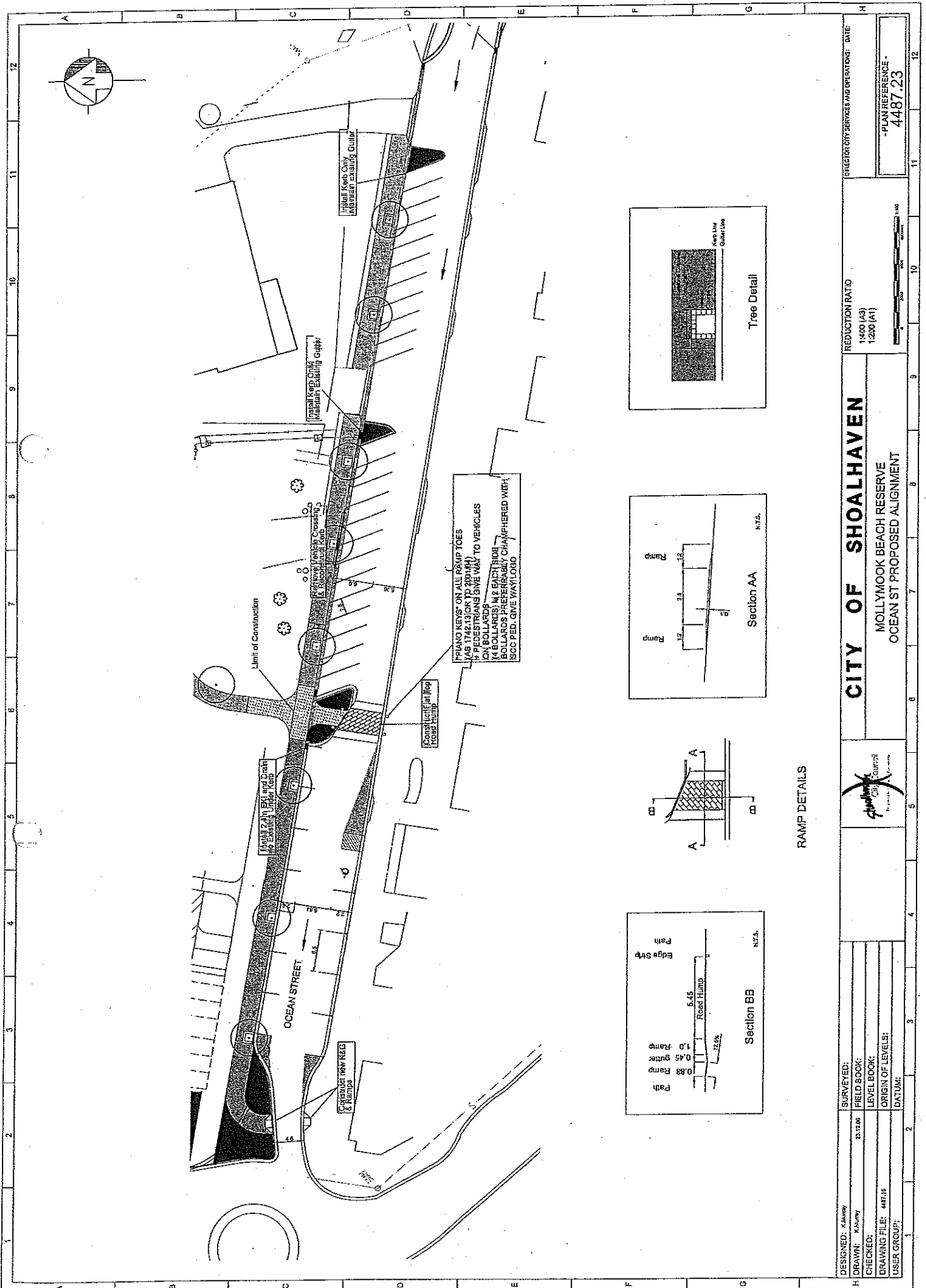


HOST PLACE & FORD STREET, BERRY



	Date: 11/10/07 Author: M Poulton Project: Sight Distance Deficiency - Host Place & Ford Street, Berry
	Comments: Install double centre barrier (BB) Linemarking in Host Place, Berry wrapping around eastern and western curves for a distance of approx. thirty (30) metres.
(NB - Not to Scale) STC 16/10/07	TRAF 2007/21





DESIGNED: K. Harvey	SURVEYED:	CITY OF SHOALHAVEN		REDUCTION RATIO: 1:400 (A3) 1:200 (A1)	DATE:
DRAWN: K. Harvey	23/12/06	MOLLYMOOK BEACH RESERVE		PLAN REFERENCE:	4487.23
CHECKED:		OCEAN ST PROPOSED ALIGNMENT			
DRAWING FILE: 4487.18		SHOALHAVEN CITY ENGINEERS			
USER GROUP:					



NSW GOVERNMENT
Department of Planning

ATTACHMENT 'A' 9

Shoalhaven City Council

Contact: Paulina Hon
Phone: (02) 9228 6106
Fax: (02) 9228 6540
Email: paulina.hon@planning.nsw.gov.au

Mr Darrel Conybeare
Conybeare Morrison
PO Box A866
Sydney South 1235

Received

22 OCT 2007

Our ref: MP 06_0135
Your ref:
File: 9042763

File No. 33378
Referred to: RP

Dear Mr Conybeare,

Subject: Shaolin Residential and Tourist Development, Comberton Grange, South Nowra (MP 06_0135)

Thank you for meeting with myself and Departmental officers on 27 August 2007 to discuss the Shaolin Tourist and Residential Development at Comberton Grange, South Nowra.

As you are aware, GHD acting on behalf of the Shaolin Temple Foundation (Australia) Ltd previously requested confirmation (in a letter dated 20 April 2006) that a proposal for a tourist and residential development at Comberton Grange is a Major Project to which Part 3A of the *Environmental Planning and Assessment Act, 1979* (the Act) applies. Authorisation for lodgement of a Concept Plan for the above project was also sought.

As discussed in our meeting, the Director-General has written to the Shaolin Foundation (Australia) Pty Ltd and GHD (letter dated 20 April 2007) and outlined the Department's view on the current proposal. I wish to reiterate the Department's position to you as the new representative for the proponent.

The current proposal is inconsistent with the recommendations of the Independent Review Panel (the 'Panel') for the *South Coast Sensitive Urban Lands Review* (October 2006). The Panel's recommendations indicate that the residential component should be limited to around 300 dwellings and be integrated with the tourism component, whilst ensuring tourism remains the predominant element of any development stage. The land developed for tourism and residential purposes should also be retained under one ownership.

The residential component of the proposal, submitted by GHD, comprises 350 self contained villa type units and 500 dwellings (totalling 850 residential dwellings) which exceeds the recommendations of the Panel report. As such, the Department will not progress the request for Major Project declaration until the above inconsistencies are considered and the request is adjusted accordingly.

I understand that you are intending to submit an amended request to the Department in line with the recommendations of the Panel. In light of this, I would like to clarify the additional information that will need to be included in the amended request which is outlined in **Attachment A**.

Should you have any further enquiries about this matter, please contact Paulina Hon, Senior Environmental Planner, Coastal Assessments on (02) 9228 6106 or via email on paulina.hon@planning.nsw.gov.au.

Yours sincerely

9.10.07

Chris Wilson
Executive Director
Major Project Assessments
cc: Mr Russ Pigg - General Manager (Shoalhaven City Council)

ATTACHMENT A

Additional information required in the letter seeking the Minister's Opinion under Clause 6 of SEPP (Major Projects) 2005 ('Clause 6 Request')

A review of the draft Clause 6 request letter (submitted in our meeting dated 27 August 2007) has been undertaken by the Department. The following additional information/amendments should be provided in the final Clause 6 request for the Comberton Grange site:

Sensitive Coastal Location

- Provide a map which clearly identifies the proposed subject site and development area and depicts any areas located in a 'sensitive coastal location'. 'Sensitive coastal location' is defined in Schedule 2, Clause 1 of the SEPP (Major Projects).
- Clearly specify the type of sensitive coastal location which the proposal is proximate to (i.e. as defined in items (a) to (h) of Schedule 2, Clause 1 of the SEPP (Major Projects)). This should include proximity to the Currumbene Creek and any SEPP 14 wetlands; and
- Explicitly state which development types will be located in the sensitive coastal location (e.g. tourist, residential, commercial and other).

Housing Numbers

- Clarify housing numbers in the development and confirm consistency with the recommendations of the Independent Review Panel for the *South Coast Sensitive Urban Lands Review* (October 2006).
- Specify the total number of dwellings and provide a breakdown on the housing types, if possible. Also, provide confirmation on whether permanent residential dwellings will be required in the tourist components of the development (Temple, Kung-Fu Academy and Hotel).

Preliminary Concept Plan

- Provide an updated Preliminary Concept Plan for the amended proposal. The plan should have a similar level of detail as provided in the plan entitled 'Attachment C: Preliminary Master Plan' which was submitted as part of the original clause 6 request by GHD (letter dated 20 April 2006).

SEPP (Major Project) Criteria

- Having established whether or not the development is located in a sensitive coastal location, identify the relevant criteria of the MP SEPP which the proposal would satisfy. Demonstrate how each criteria is satisfied using supporting documentation.
- Terminology used in the draft Clause 6 request should be consistent with the terminology defined in the SEPP (Major Projects):
 - A request is being made for the development to be considered as a 'Major Project' to which Part 3A of the Environmental Planning and Assessment Act 1979 applies. The development is a type identified in Schedule 1 or 2 in the SEPP (Major Projects).
 - For a project to be considered to be 'State Significance Development' it is defined in Schedule 3 of the MP SEPP. The Minister has not nominated nor declared the area to be a State Significance site.

Permissibility of Zoning in accordance with LEP

- Clarification should be provided to confirm the relevant land use zones that each proposed use is located in. All proposed uses should be outlined in a suitable compliance table to confirm

permissibility with regard to the respective land-use zonings. Any non-compliances with relevant provisions needs to be clearly highlighted and appropriately justified.

Requirements for a Rezoning

- Having identified whether the site is located in a sensitive coastal location, please indicate whether the proposal requires a rezoning.
- Recent amendments to the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulations 2000* will prevent the Minister from approving project applications that are wholly or partly permissible development on a site that is in a 'sensitive coastal location' or 'environmentally sensitive area of State significance'. Based on the information provided to date, it is understood that your development may be located in a 'sensitive coastal location', being potentially within 100m of the mean high water mark of the Currumbene Creek.

Height of the proposed buildings

- Confirm the anticipated maximum height of the buildings in the development, specifically the proposed Buddhist temple.

Capital Investment Value

- Confirm the Capital Investment Value for the proposal and provide a breakdown according to residential, commercial, retail or recreational purposes.

Other General Comments on draft Clause 6 request

- 'Sensitive urban land' as defined in the *South Coast Regional Strategy* does not necessarily indicate that the development is located in a 'sensitive coastal location'.
- Further elaborate on the SEPP (Major Projects) criteria on page 1 of the documentation. In order to satisfy Schedule 1, Clause 13(1) of the SEPP (Major Projects) you are required to demonstrate that your *proposal is of 'state and regional planning significance'*. Please refer to the guideline titled, '*Criteria for declaring development to be a Major Project under Clause 13 of Schedule 1 of the Major Projects SEPP*' which can be found on the Department's website at <http://www.planning.nsw.gov.au/assessingdev/duapsrole.asp>. A copy is also attached.
- Confirm if authorisation is requested for the proposal to be undertaken as a Concept Application.



NSW GOVERNMENT
Department of Planning

**Criteria for declaring development to be a Major Project under
Clause 13 of Schedule 1 of the Major Projects SEPP**

**Guidelines for Part 3A
of the Environmental Planning and Assessment Act 1979**

Major Residential, Commercial and Retail Projects

Introduction

The State of NSW has and will need to sustain significant growth in housing and employment in order to maintain a growing economy. The Metropolitan and other regional strategies will provide the framework for that growth and for ensuring state or regional planning objectives are achieved in these regions. A significant proportion of the growth will need to be in centres that can provide a diversity of opportunities and can be efficiently serviced by infrastructure, reducing the environmental impacts of growth.

Major Projects of State or regional planning significance

Clause 13 of Schedule 1 of the *State Environmental Planning Policy (Major Project) 2005*, (Major Projects SEPP) identifies residential, commercial or retail developments considered to be projects to which Part 3A applies with the Minister as the approval authority. This clause does not apply to projects that meet the major development criteria in section 31 of the *City of Sydney Act 1988*, and hence are determined by the City of Sydney Planning Committee.

Group 5 Residential, commercial or retail projects

13 Residential, commercial or retail projects

- (1) *Development for the purpose of residential, commercial or retail projects with a capital investment value of more than \$50 million that the Minister determines are important in achieving State or regional planning objectives.*
- (2) *This clause does not apply to major development within the meaning of section 31 of the City of Sydney Act 1988.*

Criteria for determining if the provisions apply to a project

The Minister has discretion about whether a project with a capital investment value of more than \$50 million is important in achieving State or regional planning objects and hence subject to clause 13 and therefore a major project. The Major Projects SEPP makes provisions for the Minister to publish guidelines from time to time to guide his decision as to what types of construction projects (which are more than \$50 million capital investment valued) are of importance in achieving State or regional planning outcomes. This guideline is for that purpose.

The capital investment value of a development includes all costs necessary to establish and operate the development including the design and construction of buildings, structures, associated infrastructure and fixed or mobile plant and equipment (but excluding land costs and GST). In some cases, this value will need to be verified in a Quantity Surveyor Report.

For the purpose of this clause, a major residential, commercial or retail construction project (with a capital investment value of more than \$50 Million) is likely contribute to achieving State or regional planning objectives if:

(a) Local impediments to urban renewal

The project is located in an area identified in the Metro Strategy or regional or sub-regional strategies for urban renewal or increased urban development and there are local impediments to the implementation of the development identified as a result of consultation with local council to implementing the project.

Check:

- *Is the development within a centre or urban renewal area nominated for growth in the Metro Strategy or a regional or sub-regional strategy?*
- *Are there provisions in the LEP which are likely to prevent or frustrate the implementation of the Metro or regional strategy?*
- *Does the council have the resources to assess and determine major projects?*
- *Do council practices demonstrate that projects important in implementing Metro or regional strategies can be determined on their merits?*

(b) Facilitate housing or job growth

The project will contribute to major employment or residential growth in centres or urban renewal areas identified in the Metro or regional strategies

Check:

- *Will the development directly result in significant growth in housing choice?*
- *Will the development directly result in permanent jobs in the area?*
- *Is the development in a centre identified in the Metro Strategy or Regional Strategy?*

(c) Transport accessibility

The project will contribute to increased accessibility to public transport services by providing quality housing or employment generating development within a transport corridor or in the vicinity of a transport hub

Check:

- *Is the development readily accessible to a railway, bus stop with frequent service, transitway station or ferry wharf? As an example within 800 metres from a station or transport node.*

(d) Improved infrastructure

The project will complement and enhance government infrastructure services or facilitate improved public service delivery outcomes or public spaces or foreshore access

Check:

- *Will the development result in additional public infrastructure or services?*
- *Will the development provide affordable housing or facilitate the delivery of health, education or other community service facilities?*
- *Will the development contribute a significant increase in public open space, additional foreshore access or improvements in the public domain?*

(e) Environmental Sensitivity

The project is likely to result in significant environmental benefits or the project is located in an environmentally sensitive area with risks to environmental or conservation values.

Check:

- *Is the project likely to significantly contribute to conservation outcomes? As an example, result in protection and enhancement of important wetlands or other important ecological communities?*
- *Is the project located in an area of high conservation significance and is likely to put at risk conservation values? As an example, located in or adjacent sensitive coastal locations, important wetlands, critical habitat, World Heritage areas, or areas of high cultural heritage or landscape significance?*



City Administrative Centre
Bridge Road (PO Box 42), Nowra NSW Australia 2541 - DX 5323 Nowra
Phone: (02) 4429 3111 - Fax: (02) 4422 1816

Southern District Office
Deering Street, Ulladulla - Phone: (02) 4429 8999 – Fax: (02) 4429 8939

Email: council@shoalhaven.nsw.gov.au

Website: www.shoalhaven.nsw.gov.au

For more information contact the Finance & Corporate Services Group

Administrative Policy and Procedure for Referring Complaints to the Community Justice Centre

Policy Number: POL07/114 • Adopted: 10/7/2001 • Minute Number: MIN01.935 • File: 22119 • Produced By: Finance & Corporate Services Group • Review Date: 12/10/2013

1. PURPOSE

The purpose of this Policy is to provide a means where complaints about third parties that cannot be resolved by Council to the satisfaction of the parties are dealt with.

2. STATEMENT

This policy statement is based on Council Minute of 31 July 2001 and 30 October 2007 which establishes a process for referring complaints to the Community Justice Centre.

3. PROVISIONS

Shoalhaven City Council has an arrangement with the Community Justice Centre to refer community members to seek a mediated solution for disputes between members of the public, businesses, neighbours, community organisations etc.

The Community Justice Centre offers a free mediation service to help people solve their problems together. Mediation involves people coming together voluntarily, sitting down with mediators and settling their conflict in a fair and acceptable manner to all. Many complaints received by Council may be suitable for mediation. Research has shown that mediation results in better, more lasting solutions between the parties.

4. IMPLEMENTATION

This policy shall apply to all complaints received by Council concerning third parties that cannot (for whatever reason) be resolved within Council. Those cases shall be referred to the Community Justice Centre with a view to the following objectives:

- To achieve lasting resolutions to disputes between members of the community.
- To provide staff with appropriate training in making referrals to the Community Justice Centre
- To minimise cost to Council of dealing with disputes between community members

5. REVIEW

This policy will be reviewed by the Finance and Corporate Services Group in October 2013

6. APPLICATION OF ESD PRINCIPLES

None Applicable

Procedure for making a referral to the Community Justice Centre

Disputes which may be suitable for referral include:

- Repeat complaints about the same neighbour for the same or different matters e.g. barking dogs, noise, rubbish, etc.
- Matters where Council has tried to assist in a resolution previously.
- Matters outside Council's jurisdiction.

Matters which should not be referred include:

- Complaints against Council where no resolution process has been attempted previously.
- Initial complaints against parties other than Council which are clearly in Council's jurisdiction, where Council has not yet investigated eg initial complaints about barking dogs etc.
- Matters involving domestic violence/abuse.

The following questions will help you determine the suitability of the issue for referral.

If the answer to any of these questions is "Yes", it may be suitable to refer to the Community Justice Centre.

- Is the complaint against a neighbour, community organisation, business, sports club, or management committee?
- Has the same complaint been made by this person before?
- Has Council attempted to resolve this matter before?
- Was an agreed outcome achieved on the earlier complaint?

To make a referral

1. Complete the attached referral slip.
2. Give the client a copy of the Community Justice Centre fact sheet.
3. Advise the client to contact the Community Justice Centre on the number located on the back of the fact sheet.
4. Fax the referral slip to the Community Justice Centre central office.

Please note: No person is obliged to use the service of the Community Justice Centre.



Community Justice Centres
Attorney General's
Department of Law

REFERRAL FORM

Fax Referral Form to: (02) 4925 0300

or

Email Referral Form to: cjc_northern@agd.nsw.gov.au

Referrer Name:	Contact Referrer before contacting parties: <input type="checkbox"/>
Organisation:	
Address:	P/Code:
Phone:	Fax:

So that the Community Justice Centres (CJCs) can assist you in a timely manner, I need your consent to collect your personal details.

1. This information will be sent to the Community Justice Centres.
2. This information will be kept by us and the Community Justice Centres for auditing purposes only.
3. If you wish to access or amend your personal details you provide, you can contact us or the Community Justice Centres. By law we have to respond to your request.

NB: Only provide contact details for party/ies that consent.

Party A Details			
Name:			
Address:			P/Code:
Phone (H):	Phone (W):	Mobile:	

Do you consent _____ signature

Party B Details (if Known)			
Name:			
Address:			P/Code:
Phone (H):	Phone (W):	Mobile:	

Do you consent _____ signature

* Please provide additional party details on separate sheet

Dispute Type:

Please provide a brief description of the dispute:

Is there any current legal action? Yes No Unsure

If Yes, please provide details:



Contact CJCs On 1800 990 777

TTY 1800 671 964 - Website www.cjc.nsw.gov.au - Email: cjc_northern@agd.nsw.gov.au
Reply Paid Mail: Community Justice Centres, Reply Paid 61824, NEWCASTLE NSW 2000



Community Justice Centres
Attorney General's
(Department of Justice)

FACT SHEET

Mediation at Community Justice Centres

What do Community Justice Centres do?

Community Justice Centres (CJCs) provide mediation and conflict management services to help people resolve their own disputes. Our service is FREE, voluntary, timely and easy to use.

What is mediation?

Mediation sessions at CJCs are conducted by two impartial, trained mediators who help people to understand each other's point of view and to work together to reach agreement acceptable to both parties.

What happens in mediation?

The mediators' role is to facilitate discussion so that people can reach their own common sense solution to their dispute.

The process typically takes between 2 and 4 hours and generally follows these steps:

- Mediators and the people involved introduce themselves and mediators explain the process and "ground rules" for the mediation.
- Each person in turn outlines their concerns and each person is listened to without interruption.
- Mediators encourage and facilitate discussion between the people on issues they have identified.
- Mediators see each person privately, while the other has time to think about their options.
- All participants are then brought back together and encouraged to negotiate future arrangements.
- If all agree, Mediators write up an agreement and give a copy to each person as a record of what was decided.

Why mediate?

Mediation provides a safe and informal environment for people to talk to each other to sort out problems.

Over 80% of mediations result in an agreement being reached. People are more committed to the outcome because they take part in the decision making.

Even if agreement cannot be reached there has been

The opportunity to clarify the issues and understand each other's point of view.

What disputes are suitable for mediation?

A wide range of disputes are suitable for mediation including

- neighbours
- families
- business
- civil and small claims matters
- workplace
- incorporated associations
- between and within communities

If you're not sure, please contact our staff.

When and where are the mediations held?

There are no waiting lists. Mediation sessions are arranged at times that suit everyone and are held at our offices or a place near you.

Who can come to a mediation?

All people involved must agree on who is attending the mediation before the session is held.

All people involved in the dispute should be encouraged to attend and participate.

People who are involved in making decisions should attend.

"Support people" may attend if required, though they do not participate in the session.

Witnesses are not necessary as the mediators are not there to assess the situation and make decisions.

Can my lawyer attend?

Lawyers and solicitors are not required as mediation is not a legal process, people involved should seek legal advice before mediation if necessary.

We ask that you do not bring children to mediation.

Is the agreement legally binding?

Agreements are made by both parties in "good faith". CJCs cannot enforce agreements which have been reached at mediation.



Community Justice Centres
Attorney General's
Department of Law

CLIENT CHARTER

Community Justice Centres Information for Clients

Community Justice Centres (CJCs) provides mediation and conflict management services to the people of NSW. The services are free, impartial and culturally appropriate.

What you can expect from CJCs staff and mediators

You can expect our staff and mediators to be:

- Courteous, professional and confidential
- Culturally appropriate
- Respectful, honest and flexible

What we expect from you

We expect you to:

- Be courteous, honest and respectful
- Adopt a good faith approach to the service we provide you
- Inform CJCs staff of your intentions to attend or cancel any appointments
- To be unaffected by alcohol or drugs when using our services
- Read any letters and fact sheets we provide you (we can arrange for you to have access to an Interpreter for free if English is not your first language)
- Comply with any requirements for mediation
- If the information is not clear, please ask the staff for more information

Privacy

In order to assist CJCs staff will need to collect some personal details from you. Information collected is kept for auditing and statistical purposes and with your consent, may be provided to an organisation CJCs refers you to. Please contact CJCs to amend your personal details if required.

Confidentiality

Generally everything you say in mediation is confidential. However, there are occasions where our mediators might need to disclose something they have seen or heard. For example, if something happens or is said that makes the mediator fear for someone's safety, especially a child's safety, then that mediator might need raise those concerns with a Supervisor. A decision about how to proceed will then be made.

Feedback

We welcome your feedback and we encourage you to use our feedback form and complaints process.

If you want to register your feedback and/or complaint you may do so through the following procedure:

Contact CJCs on 1800 990 777 and ask to speak with the Supervisor. If calling is not an option you can also email or write to the Supervisor or fill out a "Have Your Say" form available on the CJC website.

If you are still not satisfied with the outcome you can contact the Director of CJCs.

Contact Details

Phone: 1800 990 777

Fax: (02) 49259300

Website: www.cjc.nsw.gov.au

TTY: 1800 671 964

Email: cjc_northern@agd.nsw.gov.au

Lot 353 DP 778613, 869 Woodstock Road,
Woodburn



Lot 3 DP 1084210, Currowar Lane, Yatte Yattah

