



ABN 29 057 616 896

**PRELIMINARY ASSESSMENT
MAJOR PROJECT – PART 3A
ENVIRONMENTAL PLANNING
AND ASSESSMENT ACT 1979**

**ADDITIONS TO AN EXISTING CARAVAN PARK
TO PROVIDE AN ADDITIONAL 23 SHORT TERM SITES
AND 93 CAMP SITES**

**KIOLOA BEACH CARAVAN PARK
LOT 128 DP 40869
NO. 635 MURRAMARANG ROAD, KIOLOA**

Prepared for:
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APRIL 2006

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1.0 INTRODUCTION

This report provides a preliminary assessment regarding the development of additions to an existing caravan park on land within the village of Kioloa in the City of Shoalhaven. The application seeks consent to extend the caravan park by allowing an additional 23 short term sites (caravans) and 93 camping sites (tents).

The additional sites the subject of this application have been in existence since at least 1990 and no additional development or site disturbance is proposed as a result of the application, which only seeks to legitimise those sites that are already in use.

The site is zoned Special 6(a) Open Space (Existing) under Shoalhaven Local Environmental Plan 1985 and the development is permissible with consent.

Formal correspondence has been received from the Department of Planning acknowledging that the application is a Major Project.

2.0 BACKGROUND

Initial correspondence was provided to the Department of Planning on 19th December 2005 seeking Departmental opinion under Clause 6 of the Major Projects State Environmental Planning Policy as to whether the development constitutes a major project, under Part 3A of the Environmental Planning and Assessment Act, 1979 (the Act).

By letter dated 13 January 2006, the Department advised that the proposal is a Project and Part 3A of the Act would apply. In addition to this decision, information to accompany the Preliminary Assessment was outlined. The Major Project application number is 05_0141.

This Preliminary Assessment addresses the matters raised in the Department's correspondence.

3.0 PRELIMINARY ASSESSMENT – INFORMATION TO BE ADDRESSED

3.1 DESCRIPTION OF THE PROPOSAL

The Kioloa Beach Holiday Park is an existing caravan park with an approval from Shoalhaven City Council for the provision of 220 short term sites (ie. caravan and relocatable dwellings) and 50 camp (tent) sites.

For some years however, at least since 1990, the Kioloa Beach Holiday Park has contained more short term sites and camp sites than that outlined in Council's approval for the site. As a result, the owners are seeking to lodge a development application that would in effect seek approval to legitimise these existing sites.

The development proposal seeks approval for an additional 23 short term sites (providing a total of 243 short term sites) and an additional 93 camp sites (providing a total of 143 camp sites).

The proposal does not seek approval for any additional structures, nor is there any tree or vegetation clearing or earth works envisaged, as the sites the subject of this application are already in existence.

Appendix 1 is a plan depicting the layout of the existing caravan park, which also shows the sites the subject of this project. The sites that are the subject of this application are notated by hatching, and it can be seen that the majority of these are located in amongst other existing approved sites.

3.2 THE LOCATION OF THE SITE

The subject property is situated within the local government area of Shoalhaven City. The property comprises the Kioloa Beach Holiday Park, legally described as Lot 128 DP 40869, which is known as 635 Murramarang Road, Kioloa.

Kioloa is a coastal village, which according to the 2001 Census¹, has a population of 207 persons. In the main, Kioloa generally provides weekender and holiday accommodation, as evidenced by its housing stock, 59% of which is unoccupied as at the 2001 Census¹.

Kioloa is located approximately 25 km south of the Township of Ulladulla and 25 km to the north-east of Batemans Bay, located within the Eurobodalla LGA. The land is an

¹ 'Population Profile 2001' published by Shoalhaven City Council Based on Information contained in the Australian Bureau of Statistics 2001 Census

irregular shaped allotment situated along Murramarang Road with an area of 9.214 ha. The site is adjacent to the northern expanse of Kioloa Beach. A foreshore reserve is situated between the caravan park site and the beach area. A combination of residential development, general store and community facilities (bushfire brigade building and tennis courts) are located opposite the site along Murramarang Road.

The village of Kioloa, and therefore the subject site, is not serviced by a reticulated sewerage scheme. As a consequence, the site is provided with an on-site effluent disposal system.

See **Figure 1** over page which details a site locality plan which shows the location of the village within the district, and the location of the site within the village.

3.3 PLANNING PROVISIONS APPLYING TO THE SITE

Local

The subject site is affected by the provisions of the Shoalhaven Local Environmental Plan 1985, which zones the site 6(a) Open Space (Existing). See **Figure 2** below.

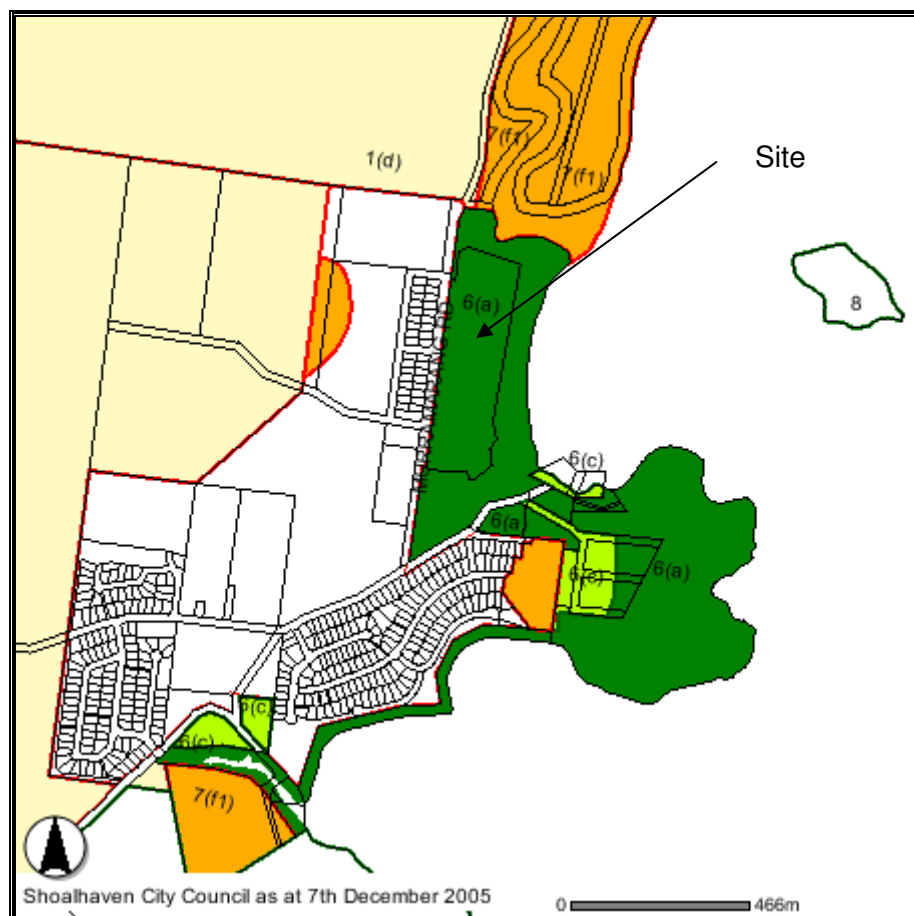


Figure 2: Zoning Extract from Shoalhaven City Council's GIS

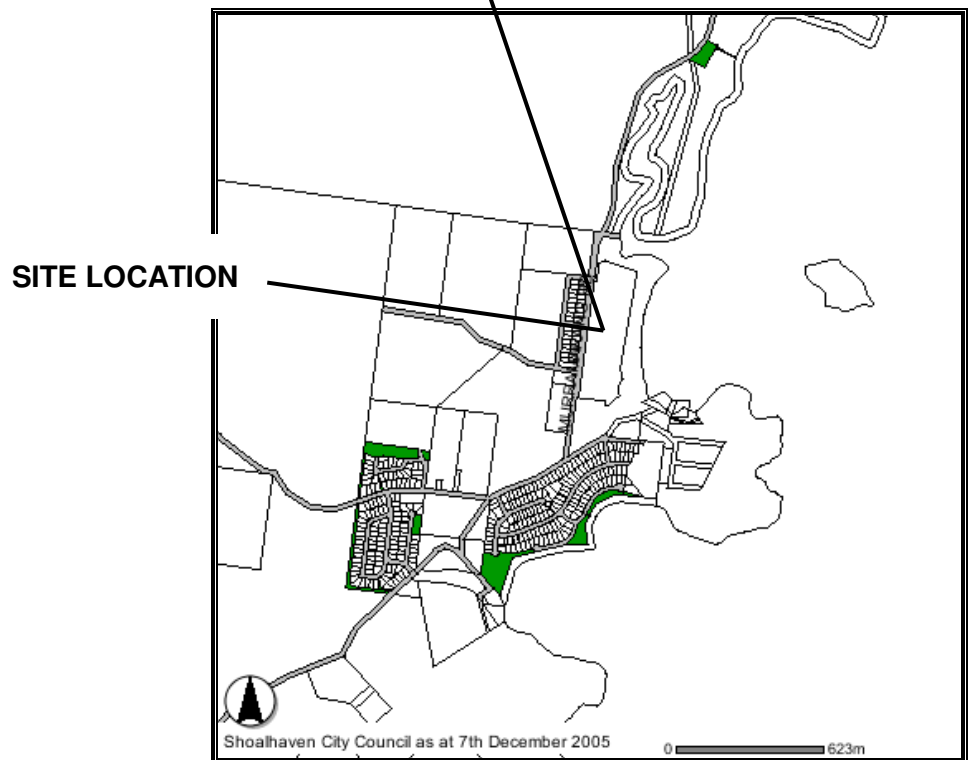
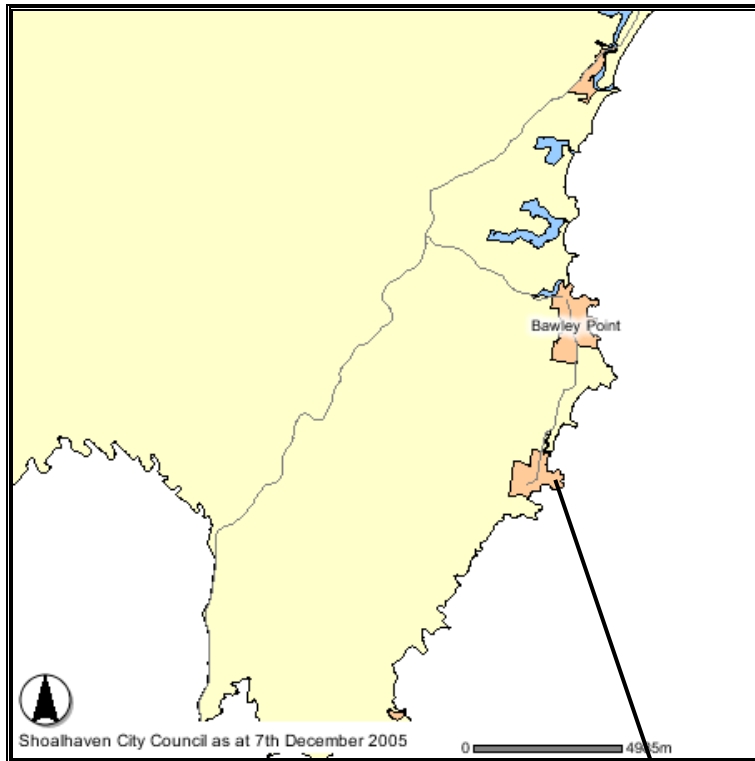


Figure 1 – Site Locality Plan

The objective of this zone is:

“To identify land where existing recreation facilities for the general use of the community are provided.”

Caravan Parks are defined as tourist facilities under the EP&A Model Provisions (adopted under SLEP at Clause 5) which are a permissible use within the 6(a) zone subject to development consent under Clause 10 of SLEP.

The locality is not subject of a special place based Development Control Plan.

Shoalhaven Council does not have a land use based Development Control Plan applying to Caravan Parks.

The provisions of DCP 18 – Car Parking Code would apply and this provides car parking requirements having regard to the number of spaces that need to be provided, along with the dimension and manoeuvrability specifications.

The provisions of DCP 78 – On Site Effluent Disposal would require consideration given the development will rely on the on site disposal of effluent as it is not serviced by a reticulated system.

Regional

The site is affected by the provisions of the Illawarra Regional Environmental Plan No.1 (IREP). Any application would be required to address the requirements of this plan.

A series of maps accompany the IREP however the subject site is NOT identified in any of these maps as having special characteristics or constraints requiring consideration. In this regard, it is worth noting that the site is:

- NOT identified as having any special environmental/landscape attributes; and
- NOT identified as comprising a wildlife corridor.

State

Rural Fires Act

The site is identified by Council mapping as being bush fire prone. **Figure 3** below is an extract from Council’s GIS which shows the extent of bush fire prone lands affecting the site.

This shows that although some of the site is not identified as being bushfire prone, the majority of the site is. Some short term sites and camping sites are located on bushfire prone land.

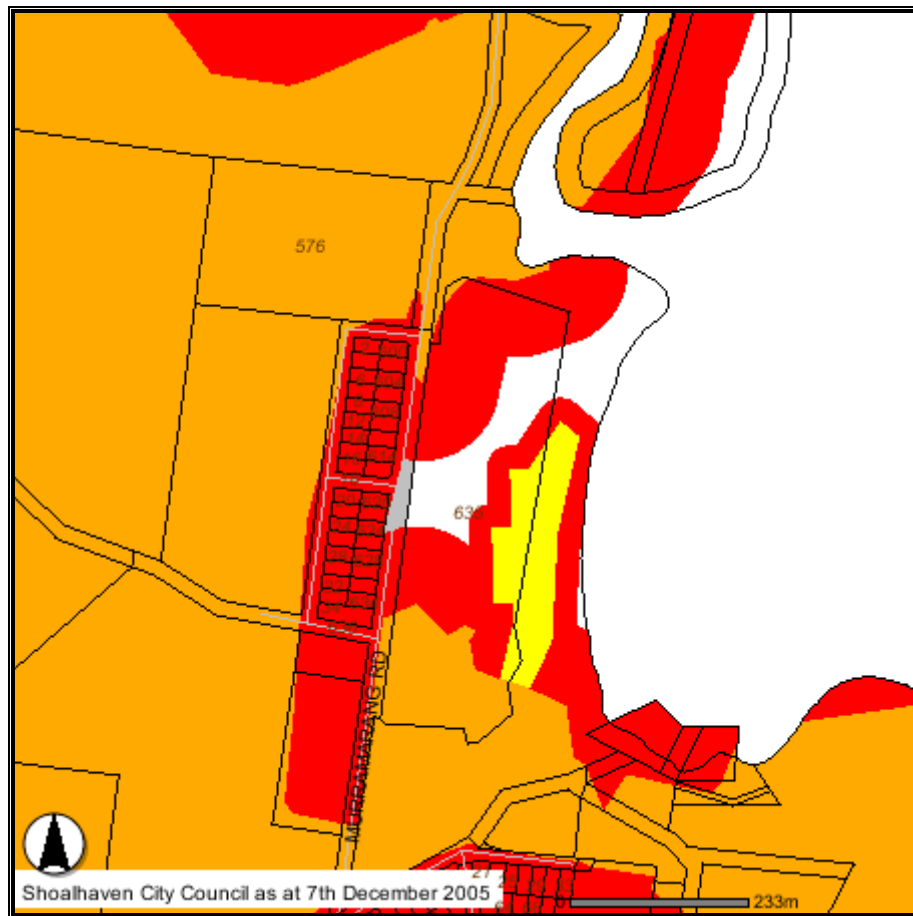


Figure 3: Extract from Shoalhaven Council's GIS showing Bushfire Prone Lands

State Environmental Planning Policy - Major Projects

The Department of Planning, by letter dated 13 January 2006 advised that the development is a 'major project' and Part 3A of the Act applies. As such, the Minister for Planning is the consent authority for the development.

State Environmental Planning Policy 11 – Traffic Generating Developments

This development will not generate any additional traffic given the proposal simply seeks to legitimise long standing sites that have been in existence for at least 16 years. Consequently SEPP 11 should have no impact on this assessment.

State Environmental Planning Policy 21 - Caravan Parks

The application is affected by the provisions of SEPP 21 which aims to encourage the use of caravan parks for short term tourist purposes, rather than providing permanent

accommodation. This application proposes short term sites and camp sites only, and as such, will be entirely consistent with the aims and other requirements of the SEPP

State Environmental Planning Policy - 71 Coastal Protection

The property is located within the area affected by State Environmental Planning Policy No 71 - Coastal Protection. As such, the provisions of this SEPP, along with the NSW State Coastal Policy applies to the development.

Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005

As the development involves additions to a caravan park, the provisions of the above regulation applies, the objects of which are to provide opportunities for affordable alternatives in short-term and long-term accommodation through the implementation of standards for the design of manufactured home estates, caravan parks and camping grounds, and to promote the health, safety and amenity of the occupiers of manufactured homes and other moveable dwellings. It operates by specifying certain locational criteria for establishing caravan parks, specifies certain requirements relating to minimum site size and the like, along with certain facilities that are required to be provided.

Other

The application is unlikely to be affected by the Threatened Species Conservation Act or the Native Vegetation Conservation Act as no actual development is proposed in this application.

3.4 VIEWS OF OTHER AGENCIES, THE LOCAL COUNCIL AND COMMUNITY GROUPS.

The proposal was formally referred to The Department of Environment and Conservation (DEC), the NSW Rural Fire Service (RFS), and the Department of Natural Resources (DNR) on 21st February 2005. At this time, written response has been received by the RFS, and the DEC, however no correspondence has been received from the DNR. Copies of these submissions are included as **Annexure 2**.

The proposal was referred to Shoalhaven Council on 21st February 2006 and their submission is included as **Annexure 3**.

In relation to Community Consultation, Shoalhaven Council has a register of Principal Community Bodies (PCB) on its internet site. PCBs are the formal consultative bodies recognised by Shoalhaven Council. This register was checked on 13th March 2006 and no groups representing Kioloa were identified. In addition, Council provides access to its

community directory, which identifies all community groups, including those that are not necessarily registered as PCBs. This register was checked on 11th April and no group representing Kioloa was listed.

3.5 STUDIES/INVESTIGATIONS REGARDING LOCAL OR REGIONAL STRATEGIES THAT MAY AFFECT THE PROJECT

Although the locality is currently subject to a number of strategies, including the Draft South Coast Regional Strategy and the Draft Shoalhaven Housing Strategy, these do not have any implications for this application which only seeks to legitimise existing short term tourist sites and does not propose any permanent accommodation.

4.0 KEY ISSUES

The following key issues have emerged from consideration of the above:-

4.1 BUSHFIRE

The subject site is identified by Shoalhaven Council as being bushfire prone. It is intended to provide a Bushfire Protection Assessment with any Environmental Assessment that is ultimately undertaken with such assessment to have regard to the requirements of '*Planning for Bushfire Protection 2001*'.

Development is to be appropriately sited to ensure that adequate bushfire mitigation is provided, particularly having regard to setbacks, access/egress, and the provision of water for fire fighting purposes, in the context of the sites being located in and amongst existing sites that would also require a certain level of protection.

4.2 COASTAL POLICY

Application would require consideration of the NSW State Government Coastal Policy, State Environmental Planning Policy 71 and the Coastal Design Guidelines.

4.3 TRAFFIC

An application would require consideration of the impacts within the park and at the entry and exit point. However, as the proposal seeks only to legitimise sites that have been developed and in use for over 15 years, additional traffic is not expected to result from the proposal.

4.4 CARAVAN PARK REGULATIONS

Any application would need to demonstrate compliance with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

4.5 EFFLUENT DISPOSAL

The site is not serviced by reticulated sewerage, relying upon the on site disposal of effluent. In addition, Council has advised that a significant portion of the effluent disposal fields are located on Crown Land, protected by a lease or licencing arrangement. Accordingly, consultation with the Department of Lands may be required.

Any application would need to consider the adequacy of the existing system and its ability to accept the effluent waste generated by the total development, upgrading that may be required and the environmental impacts of any upgrade.

4.6 OTHER ISSUES

The Department of Environment and Conservation raised the issue of Aboriginal Cultural Heritage in their correspondence resulting from our initial consultation with us. Under the circumstances, it is considered that this will NOT be an issue given that no works or additional site disturbances are proposed, or are likely to result, as a consequence of the application.

Stuart Dixon

TOWN PLANNER MPIA

ANNEXURES

ANNEXURE 1

Site Layout

ANNEXURE 2

Copies of Submissions from State Government Agencies

ANNEXURE 3

**Copy of Submission
from Shoalhaven City Council**