



Statement of Environmental Effects

Installation of New Camp Kitchen and Modifications to Existing Community Plan Reflections Holiday Park Hawks Nest 115 Booner Street Hawks Nest

November 2024

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1 Introduction

1.1 Summary

Site Details	
Address	115 Booner Street NSW 2428
Property Description	Lot 7319 DP 1162737 and Lot 7025 DP 1056917
Area	13.94 ha approximately
Local Government Area	Mid Coast Council (Great Lakes LEP)
Current Use	Holiday Park (Caravan Park)

General Details	
Applicant	Lands Advisory Services
Proposal	Installation of new camp kitchen and modifications to existing community plan
Application Type	Development Application
Level of Assessment	Local Application
Consent Authority	Mid Coast Council
Key Applicable Codes	Great Lakes LEP 2014 SEPP Resilience and Hazards SEPP Housing Great Lakes DCP Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021

1.1 Preamble

This Statement of Environmental Effects (SEE) has been prepared by Lands Advisory Services Pty Ltd (Landsas) to accompany a Development Application (DA) to Mid Coast Council (Council) seeking approval for the installation of a new camp kitchen and modifications to the existing community plan at Reflections Hawks Nest, 115 Bonner Street, Hawks Nest, NSW (the site).

The purpose of this report is to describe the proposed development and review the relevant planning requirements relating to the proposal. It provides an assessment of the proposed development in terms of the Evaluation Criteria prescribed under Section 4.15 (1) of the *Environmental Planning and Assessment Act, 1979*.

In the preparation of this SEE for the Site and the locality has been considered, along with the survey plans produced for the one lot subdivision.

The merits of the proposal have been considered with reference to the relevant State, Regional and Local Council planning instruments, codes and policies.

The proposed development is considered appropriate and worthy of obtaining development consent.

1.2 Site & Locality Description

The Site is located towards the end of Booner Road Hawks Nest. The Park is part of a broader Crown land reserve and is located within walking distance of Bennetts Beach. The legal description of the Park is lot 7319 DP 1162737 and lot 7025 DP 1056917 and has an area of 13.94 hectares.

The Site is currently being used as a holiday park containing tourist and camping sites. Location maps showing the Site in a regional and local context are set out below in Figures 1 and 2.

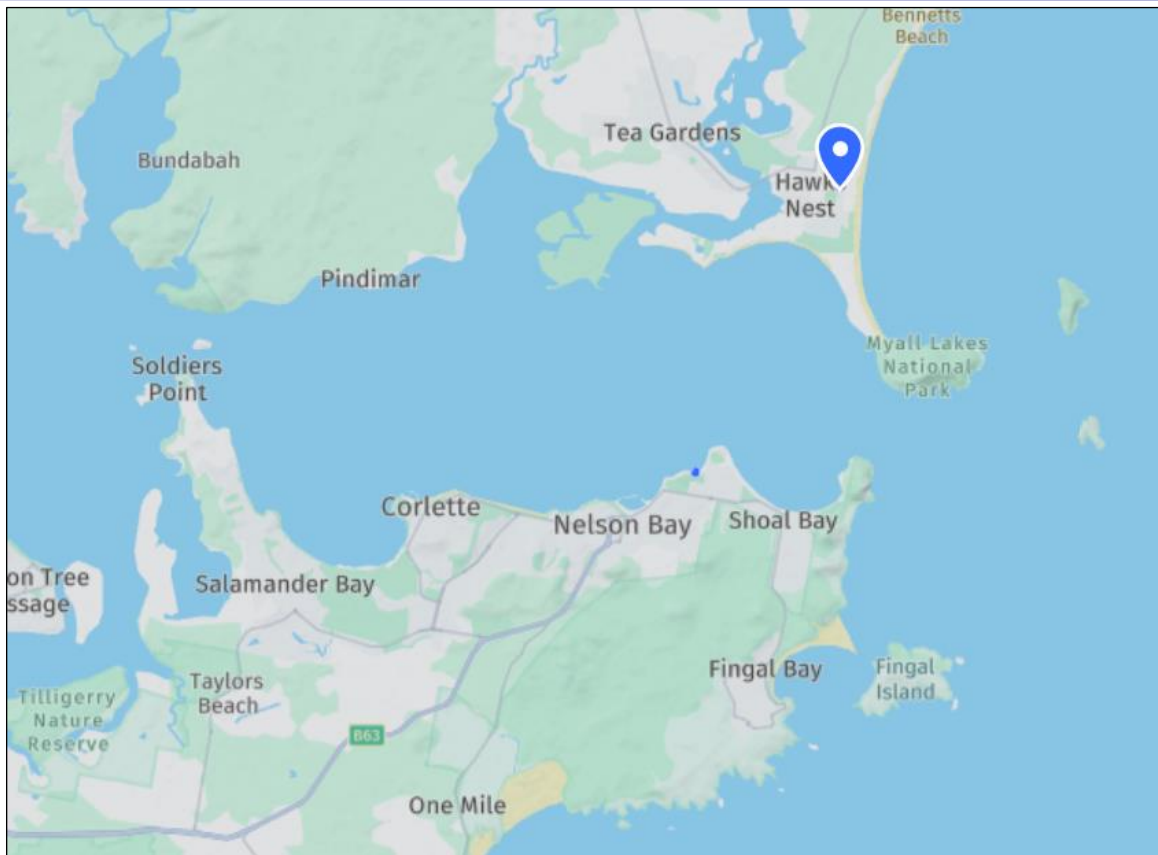


Figure 1: Locality Diagram Regional Context (Source: Nearmap)

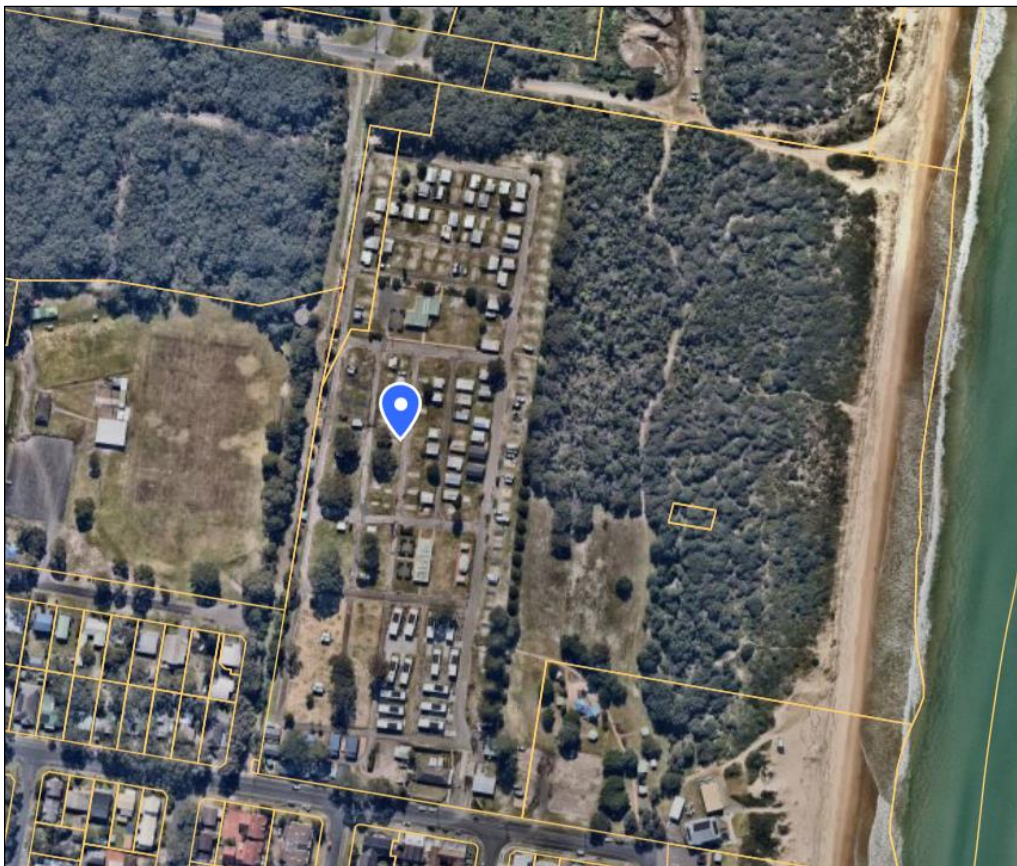


Figure 2: Locality diagram Park located indicated by pink marker (source: Nearmaps)

1.3 Existing Development

Located on the Site is a holiday park known as Reflections Hawks Nest Holiday Park; the holiday park is operated by Reflections Holiday Parks. The Park currently operates with an approval to operate that provides for 257 short term sites.

1.4 Context and Surrounding Land uses

The Site is currently zoned RE1 Private Recreation under the *Great Lakes Environmental Plan 2014*. The Park forms part of a broader Crown Land Reserves which is also zoned RE1 Public Recreation. To the north and west of the site adjacent is land is zoned RE1 and RE2 being the Hawks Nest Golf Course; further the west land is zoned various residential zoning with a mixed use and conservation zone to the south.

The Park is located within the township of Hawks Nest and is within walking distance and has direct access to all services as provided in the town.

2 Description of Proposal

2.1 General Description

The current approval for the Park allows for a total of 257 short term sites. The proposed location of the new camp kitchen is along the eastern boundary of the Park on the corner of Grevillea and Boronia Avenue as shown in figure 3. The location of the camp kitchen will result in the loss of sites 9 – 11 and 27 to 29, six sites overall. Hence the remaining sites available for use throughout the Park will be reduced to 251.



Figure 3: Proposed location of new pool complex

The new camp kitchen is located adjacent to the newly installed swimming pool. The camp kitchen will provide for cooking, dining and recreational experiences at the Park that will further add to its overall tourism offer.

Detailed plans of the proposed camp kitchen are provided in section 6.

These much needed capital upgrades to the Park will provide for much needed improvements to the current tourism offerings in place at the park and will provide for an overall improved visitor experience at Reflections Hawks Nest.

2.2 Current Use of the Site

The sites subject to this development application have a long history of being used for a holiday park (caravan park). This proposal in no way impacts upon this current use. finalisation of this application

2.3 Heritage

Neither the site nor any buildings or features on the land subject to this development application are listed as heritage items as per the Great Lakes Local Environmental Plan. In addition, there are no state or national heritage listings.

2.4 Stormwater

There will be no impact to current stormwater management arrangements in relation to the operations of the holiday park.

2.5 Bushfire

The area is not mapped as being bushfire prone.

2.6 Ecology

No vegetation or trees of any significance will be required to be removed to enable the installation of the camp kitchen and amenities block.

2.7 Social and Economic Impacts

Due to the low impact nature of this proposal this proposal will have no negative social or economic impacts.

2.8 Excavation/ Demolition/ Contamination

The proposal involves minimal excavation which is limited to the excavation of the footing only.

There is no demolition required as part of this proposal.

Given the existing approved land use activities on the Site there is an extremely low

likelihood of any contamination being present on the site.

2.9 Access, Traffic and Parking

The Site currently has pedestrian and vehicular access from Booner Street.

There is no change to site access, internal traffic movements, traffic use or parking as a result of this proposed development. The proposed development will not result in any additional traffic generation than what is already in place at the Park.

Visitor car parking sites including disability parking spaces comply with the Local Government (Manufactured Home Estate, Caravan Parks and Camping Grounds) Regulation 2021.

2.10 Services

The Park contains adequate services to support the proposed development.

2.11 Waste Management

There will be no changes to the existing wastewater systems that already exist on site as a result of this proposal. A construction waste management plan has been prepared to support this development application.

3 Planning Controls

3.1 Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (The Act) is the principle planning and development legislation in New South Wales.

In accordance with Section 1.3, the objectives of the Act are: -

- (a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- (b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment*
- (c) to promote the orderly and economic use and development of land,*
- (d) to promote the delivery and maintenance of affordable housing,*
- (e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- (f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- (g) to promote good design and amenity of the built environment,*
- (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- (j) to provide increased opportunity for community participation in environmental planning and assessment.*

The stated objectives of the Act are satisfied by the proposed development as it:

- Will promote the social and economic welfare of the local community through the provision of tourist and recreational facilities;
- Creates additional jobs during the construction and operational phases;
- Utilises appropriate existing services; and
- Causes no adverse impacts on the environment.

3.1.1 Section 1.7 – Application of Part 7 of Biodiversity Conservation Act 2016

Due to low impact nature of this proposal and that no vegetation or significant trees are proposed to be removed it considered any impact on threatened species and/or endangered ecological communities would be negligible to non-existent. Therefore, assessment as per section 7.3 of the Biodiversity Conservation Act is considered to not be warranted.

3.1.2 Section 4.46 – Integrated Development

The application in our view does not trigger any integrated development requirements.

3.2 Provision of relevant SEPP

Section 4.15(1) of The Act requires consideration of all relevant State Environmental Planning Instruments at the Development Application Stage.

The proposed development has been prepared having regard to *State Environmental Planning Policy Resilience and Hazards, State Environmental Planning Policy Housing*. An assessment of the requirements of the relevant chapters of each SEPP is provided below.

State Environmental Planning Policy Resilience and Hazards Chapter 4 Remediation of Land

The SEPP Chapter 4 establishes State-wide provisions to promote the remediation of contaminated land. Clause 4.8 of the SEPP requires that a consent authority must not grant consent to a development if it has considered whether a site is contaminated, and if it is, that it is satisfied that the land is suitable (or will be after undergoing remediation) for the proposed use.

The subject site has a long history of use as a caravan park, hence as the development proposal only relates to the installation of two new buildings, we do not believe that there are any concerns or issues regarding contamination.

State Environmental Planning Policy Housing – Part 9 Caravan Parks

SEPP Housing Part 9 Caravan Parks establishes policy measures for the orderly and economic use and development of land intended to be used for a caravan park. Clause 131 of the SEPP details the development consent requirements for caravan parks. This SEPP has no impact on the proposed development.

State Environmental Planning Policy Resilience and Hazards Chapter 2 Coastal Management

The Coastal Management Act 2016, Section 5 classifies land within the coastal zone under the four following categories:

- The coastal wetlands and littoral rainforests area
- The coastal vulnerability area
- The coastal environment area
- The coastal use area

The aim of the SEPP Chapter 2 Coastal Management is *to promote an integrated and coordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the Coastal Management Act 2016, including management objectives for each coastal management area by:*

- *Managing the development in the coastal zone and protecting the environmental assets of the coast, and*
- *Establishing a framework for land use planning to guide decision making in the coastal zone*

- *Mapping the 4 coastal management areas that comprise the NSW coastal zone for the purpose of the definitions in the Coastal Management Act 2016*

Part 2 of the SEPP then goes onto to define development controls for each of the above management areas.

The online spatial planning viewer shows that the subject property partly falls within the Coastal Use Area (CUA), see figure 4 below. In assessment of the impacts of the development in relation to the SEPP is provided below.



Figure 4: Imagery showing Coastal Use Area (Orange)

Division 4 – Coastal Use Area

14(1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority:

14(1)(a) has considered whether the proposed development is likely to cause an adverse impact on the following:

<i>(i) existing, safe access to and along the foreshore area, beach, headland or rock platform for members of the public; including persons with a disability</i>	Nil impact, development is contained within existing operating caravan park that is removed from the coastal foreshore area.
<i>(ii) overshadowing, wind funneling and loss of views from public places to foreshores</i>	Nil impact, development is contained wholly within existing caravan park.
<i>(iii) the visual amenity and scenic qualities of the coast, including coastal headlands</i>	Nil impact, development is contained wholly within caravan park.

<i>(iv) aboriginal cultural heritage, practices and places</i>	An AHIMS search of the site has been conducted which revealed there are no listed sites or places of Aboriginal Cultural Heritage. Further previous and current use of the site would not indicate the presence of aboriginal sites or places.
<i>(v) cultural and built environment heritage</i>	The site does not contain any items of cultural and built environmental heritage hence there will no impact on such arising from this development.
<i>14(1)(b) is satisfied that</i>	
<i>(i) the development is designed, sited and will be managed to avoid and adverse impact referred to in paragraph (a)</i>	The development is within an existing caravan park thus avoiding any adverse impacts.
<i>(ii) if that impact cannot be reasonably avoided – the development is designed, sited and will be managed to mitigate that impact</i>	The development is within an existing caravan park thus avoiding any adverse impacts.
<i>(iii) if that impact cannot be minimised – the development will be managed to mitigate that impact</i>	The development is within an existing caravan park thus avoiding any adverse impacts.
<i>14(1)(c) has taken into account the surrounding coastal and built environments, and the bulk, scale and size of proposed development</i>	
	The development is within an existing caravan park thus avoiding any adverse impacts.
Division 5 General	
<i>(15) Development in the coastal zone generally – development not increase risk of coastal hazard</i>	Due to the location of this development proposal, it will no way increase the risk of coastal hazards
<i>(16) Development in coastal zone generally – coastal management programs considered</i>	The site is not subject to any actions identified in a draft and/or certified coastal management program

3.3 Great Lakes LEP 2014 (GLLEP)

Section 4.15(1) of The Act requires the consideration of all relevant Local Environmental Planning Instruments at the Development Application Stage.

The proposed development has been prepared having regard to GLLEP.

The Site is zoned RE1 Public Recreation pursuant to GLLEP.

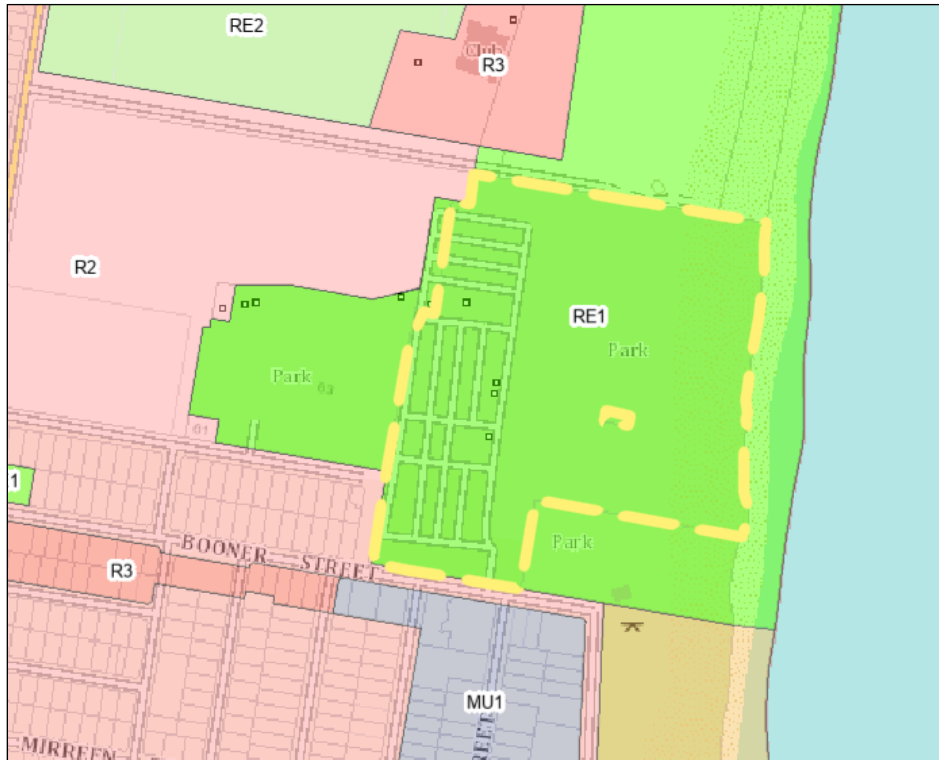


Figure 5: Site zoning map

The RE 1 Public Recreation zone objectives are as follows:

- *To enable land to be used for public open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*
- *To provide for a range of educational, environmental, community and cultural uses for the benefit of the community.*
- *To enable access to activities and businesses located within adjacent waterways*

The current use of caravan park is permitted with development consent, the installation of pool complex and associated amenities is considered ancillary to the operation of the holiday park.

Relevant provisions under the GLLEP are considered in the table below:

Clause	Clause Description	Relevance to Proposal
Zoning	RE1 Private Recreation	Use is permissible within the zone
5.21 Flood Planning		The park is not mapped as being flood prone.
7.1 Acid Sulfate Soils	Class 4	The area subject to this proposal is mapped as class 3 and 4 land (acid sulphate soils). Despite this classification it is considered the work is of a minor nature (installation of footings), will involve the excavation of less than 1 metre in depth and will not be likely to lower the water table.
7.4 Coastal Risk Planning		The location of the proposed development is outside of the mapped coastal risk area.
7.5 Stormwater Management		The new buildings will connect to the Parks existing stormwater management system.

Table 1: Relevant GLLEP Provisions

This development proposal is consistent with the above objectives and the relevant clauses of the GLLEP.

3.4 Provision of Draft Environmental Planning Instruments

Section 4.15(1) of the Act requires Council to consider the Provisions of relevant Draft Environmental Planning Instruments.

The Mid Coast Draft LEP has been placed on public exhibition with Clause 1.8A providing saving provisions relating to development applications.

Clause 1.8A If a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this Plan (being the MidCoast LEP) had not commenced.

The site is currently zoned RE1 Public Recreation. The MidCoast LEP proposes no changes to this existing zone.

3.5 Provisions of Relevant Development Control Plans

Section 4.15(1) of the Act requires the consideration of Great Lakes Development Control Plan 2010 (GTDCP).

Specifically, Section 4.15(3A) clarifies the way in which a Development Control Plan (DCP) is to be considered when assessing and determining a development application under section 4.15 of the Act. In particular, this subsection clarifies that:

- If a development application does not comply with standards or performance criteria in the DCP, the consent authority should be flexible in applying those

provisions and allow reasonable alternative solutions that achieve the objectives of those standards. Thus, consent authorities should not refuse a development application purely based on noncompliance with a standard in the DCP.

- A consent authority should only consider the standards and performance criteria in a DCP in connection with a specific development application. This is to ensure consent authorities do not refuse development applications purely because it will set a precedent or is contrary to a precedent or established practice of the consent authority.

As such, the consent authority will be required to give less weight and significance to provisions of a DCP than those of an EPI and will no longer be permitted to place determinative weight on DCP controls because of their prior consistent application.

There are few specific GTDCP provisions that relate to the proposed development. A summary of relevant and significant GTDCP controls is provided below

Great Lakes DCP 2013 Compliance Table

4.1 Ecological Impacts	No vegetation removal is required to enable this development application. In addition, the site of the proposed development is within an existing caravan park.
4.2 Flooding	The caravan parks subject of this development application is not mapped as being flood affected.
4.3 Coastal Planning Areas	This section is not applicable to this development proposal
4.4 Effluent Disposal	The proposed buildings will connect to the Parks existing sewer system.
4.5 Poultry Farms Buffer	Not relevant to this proposal
4.6 Contaminated Land	Not relevant to this proposal.
4.7 Bushfire	The site is not mapped as being bushfire prone.
8 Heritage	No heritage items are contained within the boundaries of the caravan park.
Part 10 Car Parking, Access, Alternative and Active Transport	Proposed development will have nil impact on existing traffic conditions in and around the site as it does not involve any increase in site capacity.

Part 11 Water Sensitive Design	No new buildings are proposed apart from shade and BBQ shelters.
Part 12 Vegetation Management	Not applicable to this proposal
Part 13 Landscaping Requirements	Details on landscaping associated with the installation of the new buildings is provided in section 6 as part of the provided plans.
Part 14 Waste Management	A waste management plans has been provided to support this development application.
Part 15 Advertising and Signage	Consent is not being sought for the erection of advertising signs.
Part 17 Manufactured Home Estates and Caravan Parks	The site subject to this development application is an existing approved caravan park. The addition of a new pool complex post development consent will not alter the caravan park in any way to cause it to be in contravention of this part of the DCP.

Table 2: Great Lakes DCP 2010 Analysis

3.6 Agreements & Provisions of Regulations etc.

Section 4.15(1)(a) of the Act requires consideration of:

- any planning agreement entered into under Section 7.4
- the regulations

3.6.1 Planning Agreements

There is no planning agreement or draft agreements included in this proposal.

3.6.2 Regulations

This application will be subject to compliance with the *Local Government Act 1993* and the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021* (LG Regulation) *as they apply to the Site*. The LG Regulation provides standards for the design of manufactured home estates, caravan parks and camping grounds. While relevant to the operation of caravan parks this Regulation has no bearing in relation to this development application as the park itself including number of sites etc., is not impacted by this development.

This development application will be subject to key clauses of the LG Regulation as it relates to the design of caravan parks relevant clauses of the regulation are dealt with in the table below.

All building work will be carried out in accordance with Clause 98 of the EPA Regulations 2000 which requires the consent authority to consider the provisions of the Building Code of

Australia.

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

Clause	Response
83 – Minimum size of caravan park	Complies
84 – Community amenities	Complies
85 – Size of dwelling sites and camp sites; short term sites must have a minimum area of 65m² and camp sites 50m² including a car space	All sites comply with the requirements of clause 85
86 – Site Identification	The numbering for new sites will be clearly marked on ground
87 – Dwelling sites to have a road frontage	All sites have the required road frontage
88 – Setbacks of community buildings	Complies
89 – Setbacks of dwelling sites and camp sites from road frontages	Complies
91 – Separation Distances	Not relevant to this development application.
94 – Width of roads	Roads have been designed to be 6m wide to allow for two way access and 4m if one way
95 – Speed limits	Signs are installed limiting speed to not exceed 15 km per hour
96 – Resident Parking	Each dwelling and camp site has onsite car parking available
97 – Visitor Parking	Adequate carparking will be provided to comply with the regulation.
98 – Visitor Parking for People with Disabilities	As per above comment
99 – Road Surfaces	Access roads will have all weather access and be designed and built to appropriate grades
100 - Lighting	New roads will be adequately lit as required
101 – Water Supply	Complies
102 - Sewerage	Complies
103 - Drainage	Complies
104 – Electricity Supply	Complies
107 – Number of showers and toilets to be provided	Complies
108 – Facilities for people with disabilities	Complies
110 - Construction of	Complies

shower block and toilets blocks	
111 – Proximity of dwelling sites to shower blocks and toilet blocks	Complies
Clause 113 – 118 Laundry Facilities	Complies
Clause 126 – Garbage Removal	Appropriate waste management facilities are in place across the Park
Clause 127 Fire Hydrants	Complies
Clause 128 - Fire Hose Reels	Complies
Clause 129 – Car Wash Bay	Complies

4 Impacts and Site Suitability

4.1 Likely Impact of Development

Section 4.15(1)(b) of the Act requires consideration of the likely impact of the development. Detailed impact analysis has been carried out in consideration of the GLLEP and GLDCP as noted above. The development proposal is considered to have very little impact as the installation of the new pool and associated amenities are a low impact development and within an existing caravan park. Further the modification of the community plan to reflect the installation of the new buildings again has no environmental impact.

Overall, we consider the impact of this development proposal to be negligible.

4.2 Suitability of the Site

Section 4.15(1)(c) of the Act requires consideration of the suitability of the Site.

Zoning

The Site is currently zoned as RE1 Public Recreation under GLLEP, the current use of the site as a caravan park is permitted with consent under this zoning. The installation of the camp kitchen is ancillary to this use. The proposed community plan is compliant with the requirements of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.

Therefore, the site is considered appropriate for the proposed development.

4.3 Submissions

Section 4.15(1)(d) of the Act requires assessment by Council following exhibition if required.

4.4 The Public Interest

Section 4.15(1)(e) of the Act requires the public interest to be considered. Issues of public interest relevant to this application are unknown at this stage.

5 Conclusion

This proposal seeks approval for the installation of a camp kitchen and modification to the existing community plan by removal of 6 short term sites to reflect the new building installations.

The features within the proposal all comply with local and state policies and are consistent with the character of the area.

The proposal will not have any unacceptable impact on the site or the natural or build environment and is consistent with the current use of the site.

It is also considered that the proposal is not contrary to the public interest and is compliant with Council policies and regulation and as is worthy of approval by Mid Coast Council.



6 Attachments

6.1 Plan – Amended Community Plan

6.2 Plans – Site Plan Location of New Buildings

6.3 Plans – Camp Kitchen and Amenities

6.4 Reports – Cost Summary