

Submission to Draft SLEP 2013 – Planning Proposal Site 6



G.A. BEASLEY PTY. LIMITED TRADING AS

RYGATE & WEST

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Our Ref – U14250

15 May 2013

The General Manager
Shoalhaven City Council
PO Box 42
NOWRA NSW 2541

Dear Sir

Re : Draft Shoalhaven Local Environmental Plan 2013...

We act for the proprietors of Lot 250 DP 1125372 being the Lake Conjola Deepwater Resort, Garrad Way, Lake Conjola and have been instructed to make a submission objecting to the provisions of the exhibited zone for the subject land.

While we understand the draft SLEP 2013 is primarily for the translation of the SLEP 1985 into the standard template format, the impacts caused by the new zones and permissible land use tables affect our client's land in a dramatic fashion and have serious economic consequences for our client.

The subject land is currently zoned 7(f3) (Environmental Protection "F3"(Foreshore Protection) Zone) under SLEP 1985 and caravan parks are a permissible use in this zone. A caravan park has operated on the subject land for many decades and will continue to operate. The draft SLEP 2013 proposes to zone the subject land E3 Environmental Management. Under the draft plan provisions caravan parks are not a permissible use in this zone. This is obviously our clients main objection to the exhibited zone and whilst we recognise that caravan parks may not be an acceptable permitted use in the majority of land to be zoned E3 throughout the City, a caravan park has operated successfully on the subject land for many years without compromising the current zone objectives and could continue to operate without compromising the objectives of the proposed E3 zone.

Given this, it would be appropriate to recognise the existing lawful use of the land as a caravan park by including a clause in Schedule 1 of the draft SLEP 2013 to allow a caravan park as an additional permissible use in the zone on the subject land. This would ensure the continued economic viability of the existing caravan park for the current owners and ongoing tourist use for the Shoalhaven.

Alternatively, we would ask that Council recognise the dominant lawful established land use through the translation process to determine the appropriate zone for the subject land. This would

BRANCH OFFICE: 164 JACOBS DRIVE SUSSEX INLET 2540
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The General Manager
Shoalhaven City Council...

In this regard we believe the RE2 Private Recreation Zone which includes caravan parks as a permissible use would be an appropriate alternative to the E3 zone.

It does not seem equitable through the translation process that caravan parks on nearby public land (many of which are operated by Council) and which are in similar locations to the subject land will remain a permissible use on the proposed RE1 Public Recreation Zone via the translation, but caravan parks on nearby private lands because of the zoning changes through the translation, will become a prohibited use and therefore have to rely on existing use rights.

In conclusion, by establishing a reference to caravan parks as a permissible additional use for the subject land in Schedule 1 the translation from an existing environmental zone to a new environmental zone would be reasonable, but a better and more equitable outcome may be to zone the subject land RE2 in recognition of the existing use and to enable the existing caravan park to continue to provide a valuable tourist facility in the local area and in the City as a whole.

We trust you will give due consideration to our submission and we would welcome the opportunity to discuss our submission with Council in more detail prior to the adoption of the SLEP 2013.

Yours faithfully
RYGATE & WEST



Graham Beasley B.Surv (Hons)
Surveyor registered under the
Surveying and Spatial Information Act, 2002

Submission to draft SLEP 2013 – Planning Proposal Site 8



G.A. BEASLEY PTY. LIMITED TRADING AS

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Our Ref – U15475

15 May 2013

The General Manager
Shoalhaven City Council
PO Box 42
NOWRA NSW 2541

Dear Sir

Re : Draft Shoalhaven Local Environmental Plan 2013...

We act for the proprietors of Lots 149 and 153 DP 755972 being the Wairo Beach Caravan Park, No F425 Princes Highway, Lake Tabourie and have been instructed to make a submission objecting to the provisions of the exhibited zone for the subject land.

While we understand the draft SLEP 2013 is primarily for the translation of the SLEP 1985 into the standard template format, the impacts caused by the new zones and permissible land use tables affect our client's land in a dramatic fashion and have serious economic consequences for our client.

The subject land is currently zoned 7(f1) (Environmental Protection "F1"(Coastal) Zone) under SLEP 1985 and caravan parks are a permissible use in this zone. A caravan park has operated on the subject land for many decades and will continue to operate. The draft SLEP 2013 proposes to zone the subject land E3 Environmental Management. Under the draft plan provisions caravan parks are not a permissible use in this zone. This is obviously our clients main objection to the exhibited zone and whilst we recognise that caravan parks may not be an acceptable permitted use in the majority of land to be zoned E3 throughout the City, a caravan park has operated successfully on the subject land for many years without compromising the current zone objectives and could continue to operate without compromising the objectives of the proposed E3 zone.

Given this, it would be appropriate to recognise the existing lawful use of the land as a caravan park by including a clause in Schedule 1 of the draft SLEP 2013 to allow a caravan park as an additional permissible use in the zone on the subject land. This would ensure the continued economic viability of the existing caravan park for the current owners and ongoing tourist use for the Shoalhaven.

Alternatively, we would ask that Council recognise the dominant lawful established land use through the translation process to determine the appropriate zone for the subject land. This would ensure the lawful established land use remains permissible into the future. This would appear the most reasonable approach given the zoning is used to determine the land use.

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The General Manager
Shoalhaven City Council...

In this regard we believe the RE2 Private Recreation Zone which includes caravan parks as a permissible use would be an appropriate alternative to the E3 zone.

It does not seem equitable through the translation process that caravan parks on nearby public land (many of which are operated by Council) and which are in similar locations to the subject land will remain a permissible use on the proposed RE1 Public Recreation Zone via the translation, but caravan parks on nearby private lands because of the zoning changes through the translation, will become a prohibited use and therefore have to rely on existing use rights.

In conclusion, by establishing a reference to caravan parks as a permissible additional use for the subject land in Schedule 1 the translation from an existing environmental zone to a new environmental zone would be reasonable, but a better and more equitable outcome may be to zone the subject land RE2 in recognition of the existing use and to enable the existing caravan park to continue to provide a valuable tourist facility in the local area and in the City as a whole. These matters were discussed with Council staff via e-mail in 2012 but no resolution was reached(see attached).

We trust you will give due consideration to our submission and we would welcome the opportunity to discuss our submission with Council in more detail prior to the adoption of the SLEP 2013.

Yours faithfully
RYGATE & WEST



Graham Beasley B.Surv (Hons)
Surveyor registered under the
Surveying and Spatial Information Act, 2002

Excerpt from Crown Lands Submission to Draft SLEP 2013 – Planning Proposal Site 10



**Trade &
Investment
Crown Lands**

Attention: Shoalhaven City Council Strategic Planning Section

Crown Lands Division submission being

Review of required changes to

Draft Shoalhaven Local Environmental Plan 2009

Section 65 consultation phase No. 2 re-exhibition

Crown Lands Division submit the following proposed land use table for the consideration of Shoalhaven City Council and the Department of Planning in accord with assessment processes as part of phase two of the SLEP Section 65 consultation.

Lot & DP	Locality	CL parcel Description	Prop osed zonin g	Comment	2013 review by CL
Lots 157, 160&161 DP 755972,	Wairo Beach	Parish reserve for Future public requirements Lease 78116 Bush Missionary Society – caravan park	E3	Cleared and modified block. Caravan Park on Crown land requires zoning RE1. E3 does not allow for caravan park and would limit future development of caravan park – RE1 zoning required. Land Assessment supports Recreation (Environmental Protection, Public Utilities and Tourism).	Crown Lands require RE1 zoning

If you have any further information or clarification requirements please contact me at the Nowra Crown Lands Office on 4428 9101.

Regards

A handwritten signature in black ink, appearing to read "Mark Edwards".

10.05.2013

Mark Edwards
Group Leader South Coast Area

Submission to Draft SLEP 2013 – Planning Proposal Site 11

To the General Manager,

My wife and I own and operate the Palm Beach Caravan Park in Sanctuary Point, (103-105 Ethel St Sanctuary Point) and also 101 Ethel St.

I would like to apply to have this block of land, adjacent and surrounded by the Park (101 Ethel St) re-zoned from 2(a1) to 2(d).

My intention is to relocate the 5 approved powered sites that surround the main residence at present, to this block of land.

I did make contact with Council some time ago, approx 6mths, to apply for re-zoning and was advised by Staff that Councillors would not be looking at any re-zoning applications until after the current LEP was completed. I have since been advised by Council Staff (Michael Park) that it would be beneficial to have this application for re-zoning included in the present LEP discussions.

If re-zoned to 2(d) and become part of the Caravan Park it would be used for the 5 relocated powered sites. At present, very few tourist's like the idea of setting up their vans outside my Lounge, Kitchen and Dining room windows (I can't blame them).

I have attached the current Council issued Community Map / Site Plan hoping this will clarify our situation. The intention is to relocate sites 51, 52, 53, 54 & 55 to the block adjacent (101). This will not increase the No of approved sites and the Park will remain @ 55 sites.

Hoping this is met favourably ,

Regards

Andy van den Oever.

