

11	Palm Beach Caravan Park Extension Lot 80 DP 16557 101 Ethel Street, Sanctuary Point 	<u>Location:</u> Located within the urban area of Sanctuary Point. <u>Current zoning:</u> Residential 2(a1) <u>Exhibited zoning - LEP 2013</u> R2 Low Density Residential (deferred from adopted draft LEP 2013). <u>Site Characteristics:</u> This 765m² lot is owned and used by the owner/operator of the existing Palm Beach Caravan Park where the adjoining 7 lots are proposed to be zoned SP3 Tourist. The site is within the coastal zone and currently has a structure on it which is ancillary to the adjoining caravan park use.
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1.2 Background

The caravan park sites 1-10 are all or partially located in existing environment protection zones under Council's current Shoalhaven LEP 1985. These existing environment protection zones currently allow 'caravan parks' as a permissible use with consent.

During the draft Shoalhaven LEP 2013 process, a number of the existing environmental protection zones in LEP 1985 were transferred and compressed into the Standard Instrument's E3 Environmental Management zone (see Table 2 below). As a result, the subject caravan sites 1 – 10 were proposed to be transferred to the E3 zone where 'caravan parks' are a proposed prohibited use.

Table 2 - Excerpt from draft Shoalhaven Local Environment Plan 2013 – Fact Sheet 6 Zone Conversion tables.

Environmental Protection Zones	
Shoalhaven LEP 1985	Draft Shoalhaven LEP 2013
Environment Protection 7(d1)(Scenic)	E3 Environmental Management
Environment Protection 7(f1)(Coastal)	E3 Environmental Management
Environment Protection 7(f2)(Coastal Reservation)	E2 Environmental Conservation
Environment Protection 7(f3)(Foreshores Protection)	E3 Environmental Management

Under the proposed E3 Environmental Management zone, the subject caravan parks would have to rely on existing use rights to continue operating at their current capacity and potential expansion / diversification could be constrained. Thus the intention of the planning proposal is not to necessarily increase development potential over these sites but the proposed E3 zone limits any opportunity for future expansion where sites have not reached development capacity.

During the re-exhibition of draft LEP 2013, five (5) submissions were received by or on behalf of caravan park owners objecting to the E3 zoning of their land given it does not permit 'caravan parks' and the potential impact on land value or ability to obtain continued finance (see Attachment D – Submissions to draft SLEP 2013). This issue was reported to Council during the post re-exhibition period and Council resolved to defer the subject sites and commence a planning proposal to seek to rezone the sites to SP3 Tourist to ensure that they were appropriately rezoned and not unduly restricted/constrained in the future (Attachment A – Council Report and Resolution).

In regards to Caravan Park Site No.11, the owner/operator of Palm Beach Caravan Park submitted a request as part of the re-exhibition of draft LEP2013 to rezone the lot adjoining the caravan park (Lot 80 DP 16557, 101 Ethel Street, Sanctuary Point) from the proposed R2 Low Density Residential to SP3 (see Attachment D – Submissions to draft SLEP 2013) consistent with the remainder of their holding. The adjoining seven (7) lots comprise the existing Palm Beach Caravan Park which is proposed to be zoned SP3 Tourist in LEP 2013. The purpose of the request was to enable the relocation of five approved powered sites currently situated on the adjacent property to a more appropriate location. The request is not intended to increase the current existing 55 approved sites. It appears that Lot 80 has been part of the overall caravan park holding for some time, albeit in a different zone, and used informally as such.

The request for the SP3 zoning over Lot 80 DP 16557, Ethel Street, Sanctuary Point was also reported to Council during the draft LEP 2013 post exhibition period and Council resolved to include the proposal to amend the zoning of Lot 80 DP 16557 in the overall Planning Proposal for the Caravan Park rezoning, to ensure a timely resolution of this matter (Attachment B – Council Report and resolution)

As such this Planning Proposal seeks to implement the aforementioned Council resolutions.

2 Part 1 –Intended Outcome

The intended outcome of this planning proposal is to provide certainty to the affected landowners by permitting the continuing use of the approved caravan parks and their landholdings through a zoning that specifically allows caravan parks. It is not the intention of the planning proposal to dramatically increase development potential over the sites.

3 Part 2 – Explanation of Provisions

For caravan park sites 1-10, the Planning Proposal seeks to only zone the whole or part of each site which was exhibited as E3 during the draft LEP 2013 exhibition and “deferred” by Council in the finalisation of the LEP.

The proposed outcome will be achieved by amending the Land Zoning Map under clause 1.7 of draft LEP 2013 as described in the table below and the corresponding maps for each site. It is noted that specific map overlays that correspond to each site will be amended, these are identified in Table 3 below and in the attached *Planning Proposal Maps*.

Table 3 - Planning Proposal - Proposed Changes

Site	Name	Draft Shoalhaven LEP 2013- Planning Proposal Proposed Map Layers	
1	Shoalhaven Ski Park Lot 1 DP 725938 70 Rockhill Road, North Nowra	LZN	SP3 Tourist
		ASS	Acid Sulfate Soils
		WCL	Natural Resource Sensitivity - Watercourses
		SCP	Natural Resource Sensitivity – Scenic Protection
2	Grady's Riverside Retreat Part of Lot 1 DP 840803 674 Burrier Road, Burrier	LZN	SP3 Tourist
		WCL	Natural Resource Sensitivity - Watercourses
3	Bushy Tail Caravan Park Lot 81 DP 755907 29 Deakin Street, Wrights Beach	LZN	SP3 Tourist
		ASS	Acid Sulfate Soils
		CLS	Local Clause 7.15
4	Erowal Bay Holiday Co-op Part of Lot 76 DP 755907 66 Wrights Beach Road, Bream Beach	LZN	SP3 Tourist
		ASS	Acid Sulfate Soils
		CLS	Local Clause 7.15

5	Conjola Lakeside Van Park Lot 1 DP 1041770 1 Norman Street, Lake Conjola	LZN	SP3 Tourist
		ASS	Acid Sulfate Soils
		WCL	Natural Resource Sensitivity - Watercourses
		FLD	Flood Planning Area
6	Lake Conjola Deepwater Resort Lot 250 DP 1125372 Garrad Way, Lake Conjola	LZN	SP3 Tourist
		ASS	Acid Sulfate Soils
		WCL	Natural Resource Sensitivity - Watercourses
		FLD	Flood Planning Area
7	Dolphin Point Tourist Park Part of Lot 12 DP 1104789 Dolphin Point Road, Dolphin Point	LZN	SP3 Tourist
		ASS	Acid Sulfate Soils
		FLD	Flood Planning Area
8	Wairo Beach Caravan Park Lots 153 & 149 DP 755972 F425 Princes Hwy, Lake Tabourie	LZN	SP3 Tourist
		ASS	Acid Sulfate Soils
		WCL	Natural Resource Sensitivity - Watercourses
9	Racecourse Beach Tourist Park Lot 30 DP1183066 (formally Lot 1 DP 579750) 381 Murramarang Road, Bawley Point	LZN	SP3 Tourist
		ASS	Acid Sulfate Soils
10	Wairo Beach Bush Missionary Society Caravan Park - Burrill Pines Lots 157, 160 & 161 DP 755972 F275A Princes Hwy, Burrill Lake	LZN	SP3 Tourist
		ASS	Acid Sulfate Soils
11	Palm Beach Caravan Park Lot 80 DP 16557 101 Ethel Street, Sanctuary Point	LZN	SP3 Tourist
		ASS	Acid Sulfate Soils
		LSZ	Minimum Lot Size
		CLS	Local Clause 7.15

It is assumed this amendment will occur after or in conjunction with the finalisation of the draft LEP 2013, dependent on timing.

4 Part 3 – Justification

4.1 Need for the planning proposal (Section A)

4.1.1 Is the planning proposal a result of any strategic study or report?