

Joint Regional Planning Panel (Southern Region) - 2 December 2010

JRPP Reference No.	2010STH021
DA No.	RA10/1008 - 24 Short Term Camping Sites for the provision of tents only
Property	Lot 7001 DP 1114517, Lot 1 DP 650295, Lot 1 DP 113214 & Lot 94 DP 755928), Woollamia Road, Woollamia
Applicant	Allen Price & Associates
Report By:	Craig Crompton, Shoalhaven City Council

ASSESSMENT REPORT AND RECOMMENDATION

EXECUTIVE SUMMARY

Reason for Consideration by Joint Regional Planning Panel

The submitted development application (DA) has been referred to the Joint Regional Planning Panel (JRPP) pursuant to the State Environmental Planning Policy (Major Development) 2005 as the development will provide additional tourist accommodation for 10 persons or more on a parcel of land that is in a sensitive coastal location outside of the metropolitan coastal zone.

Proposal

The DA seeks approval for 24 short-term camping sites at Jervis Bay Caravan Park, Woollamia Road, Woollamia, and on adjacent Crown land (Lot 7001 DP 1114517). The camping sites vary in area from 65m² to 86m².

Permissibility

The proposed development covers two sites and is subject to two zonings (2(e) Residential "E" (Village) Zone, and 6(a) Open Space – Recreation "A" (Existing) Zone) pursuant to the Shoalhaven Local Environmental Plan 1985 (SLEP 1985). The proposal is a permissible land use within both zones with development consent.

Consultation

The application was notified in accordance Council's Community Consultation Policy. One (1) submission was received by Council after the conclusion of the notification period. Additional details on this submission are contained in the attached Assessment Report.

RECOMMENDATION

It is recommended that RA10/1008 (JRPP Reference 2010STH021) be approved subject to the conditions contained in Attachment 'A'.

ASSESSMENT REPORT

1. Background

The following provides details on pre-lodgement discussions, post lodgement actions and general site history:

- a) **Pre-lodgement:** No pre-lodgement meeting (i.e. Development Advisory Unit (DAU) meeting) was had with Council staff prior to the lodgement of the application.
- b) **Post Lodgement:** The current application was lodged on 27 July 2010. Council officers during the assessment of the application have requested additional information from the applicant on one occasion (i.e. letter dated 24 September 2010 advising of requirement for a full flood assessment including sea level rise consideration). The requested additional information was immediately supplied by the applicant.
- c) **Site History:** A review of Council's computer records and files indicate that the following previous development and applications and subdivisions have been lodged on the subject sites. A summary of each application is provided below:
 - BA73/0809 – Office Additions. Approved 8 June 1973;
 - BA73/2234 – Swimming Pool. Approved 20 December 1973;
 - BA81/0244 – Garage/Laundry. Approved 9 March 1981;
 - BA83/2317 – Amenities Block. Approved 5 December 1983;
 - DA83/2638 – Extensions to Existing Caravan Park. Approved 14 November 1983;
 - BA90/4274 – Carport in Car Park. Approved 14 January 1991;
 - BA92/2219 – Carport in Car Park. Approved 8 April 1992;
 - DP650295 – Subdivision. Created 14 April 1993;
 - DA01/2286 – BBQ and Recreation Area. Approved 17 September 2001;
 - DA03/2937 – Garage (Detached). Approved 22 September 2003;
 - DA07/1233 – Inground Concrete Swimming Pool. Approved 21 March 2007;
 - DP1114517 – Subdivision. Created 20 June 2007.

2. Subject Site and Surrounds

Three (3) sites are subject to the proposed development:

- Lot 1 DP 650295, 785 Woollamia Road, Woollamia;
- Lot 94 DP 755928, Woollamia Road, Woollamia;
- Lot 7001 DP 1114517, Woollamia Road, Woollamia.

The subject sites:

- Are located approximately 2.2 kilometres north of Huskisson town centre;
- Lie adjacent to Currambene Creek on its southern bank;
- Is adjoined to the south and west by Crown land (Lot 7003 DP 1110743 and Lot 7036 DP 1094568) zoned 6(a), to the north by a detached dwelling (783 Woollamia Road, Woollamia – Lot 2 DP 633380) and has an eastern frontage with Currambene Creek and a small lot of waterfront Crown land (Lot 7002 DP 1100412);
- Is zoned 6(a) (Recreation “A” (Existing) Zone) pursuant to the Shoalhaven Local Environmental Plan 1985 (SLEP 1985);
- Combined have a total area of approximately 41,113 m²;
- Consist of flat land;
- Are identified as bushfire prone land;

- Are located within the 1 in 100 year flood line pursuant to the Currumbene Creek Flood Study;
- Currently contains 70 caravan sites (4 long-term accommodation sites and 66 short-term accommodation sites), a manager's dwelling/office, garage, two amenities blocks, covered BBQ area, a sewer pump station and septic tank.

In addition, the proposed camp sites to be located on Crown land will be located on land that is mostly cleared of native vegetation. The remainder of the Crown land is dense vegetation with native species.

Refer to **Attachment 'B'** for additional details on the site's location.

In summary, the site has no significant features that would inhibit the construction of the proposed development.

3. Proposal

The submitted DA proposes the creation of 24 short term camping sites featuring (summary only);

- 22 short term camping sites to be located within a cleared portion of Crown land (Lot 7001 DP 1114517) adjacent to the Jervis Bay Caravan Park;
- Two (2) short term camping sites located on Lot 94 DP 755928 within the Jervis Bay Caravan Park;
- Sites of varying sizes ranging from 65m² to 86m²;
- A post and wire fence 1.2 metres high to delineate the boundary between the camp sites and vegetated portion of Crown land;
- A new water tap on Lot 1 DP 650295 to cater for the proposed short term camping sites.

Refer to **Attachment 'C'** for a copy of the development application plans.

4. Community Consultation

In accordance with Council's Community Consultation Policy, the development application was notified as follows:

- Individual property owners within a 150 metre radius of the site were notified of the proposal (35 letters sent). The notification period was from 11 August 2010 to 10 September 2010 (31 days);
- The proposal was advertised in the local press on two occasions (South Coast Register on 11 and 25 August 2010); and
- The application and supporting documentation were on display at Council's City Administrative Centre, Nowra as well as on Council's website.

One (1) submission was received by Council during the community consultation period. Additional details on the submission received are provided in Section 6 (Statement of Compliance/Assessment) of this report.

5. Statutory Considerations

The following planning instruments and controls apply to the proposed development:

- i) State Environmental Planning Policy (Major Development) 2005;
- ii) State Environmental Planning Policy No.21 – Caravan Parks;
- iii) State Environmental Planning Policy No.55 – Remediation of Land;
- iv) State Environmental Planning Policy No.71 – Coastal Protection;
- v) Deemed State Environmental Planning Policy – Jervis Bay Regional Environmental Plan;
- vi) Shoalhaven Local Environmental Plan 1985 (as amended);
- vii) Development Control Plan No.18 – Car Parking;
- viii) Development Control Plan No.93 – Waste Minimisation and Management;
- ix) Development Control Plan No.106 – Floodplain Management; and
- x) Shoalhaven City Council Section 94 Contributions Plan (as amended).

Additional information on the proposal's compliance with the above documents is detailed below in Section 6 (Statement of Compliance/Assessment) of this report.

6. Statement of Compliance / Assessment

The following provides an assessment of the submitted application against the matters for consideration under Section S79C of the Environmental Planning and Assessment Act 1979 (EP&A Act).

(a) Any planning instrument, draft instrument, DCP and regulations that apply to the land:

i) State Environmental Planning Policy (Major Development) 2005 (SEPP 2005):

The provisions of SEPP 2005 apply to the proposed development. The clause contained in SEPP 2005 that has relevance to this application is:

- Clause 13C: As indicated previously, in accordance with the requirements of Clause 13C (a) (i), the submitted application is classified as „regional development’ with the determining authority for the application being the JRPP (Southern Region).

ii) State Environmental Planning Policy No.21 – Caravan Parks (SEPP 21): The provisions of SEPP 21 apply to the proposed development. The clauses/matters contained in SEPP 21 that have relevance to this application are overviewed below:

- a) Clause 10: Council may grant development consent only when it has considered the following:

- *Whether because of its location or character, the land concerned is particularly suitable for use as a caravan park for tourists or for long-term residence;*

The subject site currently contains a caravan park with a mix of short-term sites and long-term sites. The proposed development involves the addition of

24 short-term camping sites, and does not propose any changes to existing long-term sites. The site is considered suitable in terms of its location and character.

- *Whether there is adequate provision for tourist accommodation in the locality of that land, and whether existing or potential tourist accommodation will be displaced by the use of sites for long-term residence;*

The existing facility based on information provided by the applicant has a high occupancy rate particularly at holiday times. No additional long term sites or changes to the existing provision of long term sites are proposed under this application and as such, the current proposal will not result in the displacement of tourist accommodation.

- *Whether there is adequate low-cost housing or land available for low-cost housing, in that locality;*

This application, 24 new short-term camping sites will not compete with the availability of low-cost housing in the area.

- *Whether necessary community facilities and services are available within the caravan park to which the development application relates or in the locality (or both), and whether those facilities and services are reasonably accessible to the occupants of the caravan park;*

The existing caravan park provides adequate community facilities and services which are spaced through the site to provide reasonable access to the occupants.

- *Any relevant guidelines issued by the Director;*

No relevant guidelines at this time could be located.

- *The provisions of the Local Government (Caravan Parks and Camping Grounds) Transitional Regulation 1993;*

An assessment has been undertaken and the development generally complies.

In summary, the proposed development does not conflict with the aims and applicable provisions of SEPP 21.

iii) State Environmental Planning Policy No.55 – Remediation of Land (SEPP 55):

The provisions of SEPP 55 apply to this site. Consideration has been given to the requirements of Clause 7 (Contamination and remediation to be considered in determining development application) of SEPP 55. As the current application does not involve a change in land use as specified by the requirements of SEPP 55 and as Council is not aware of any previous investigations about contamination on the land (i.e. no records exist at Council to indicate/identify the land is contaminated), Council is not required to consider a Stage 1 Preliminary Contaminated Land Assessment /Investigation Report. There is no reason to suspect contamination and the land is suitable from a contamination perspective for the proposed development/use.

In summary, the proposed development does not conflict with the aims and applicable provisions of SEPP 55.

iv) State Environmental Planning Policy No.71 - Coastal Protection (SEPP 71):

The provisions of SEPP 71 apply to the site as it is located within the 'coastal zone' and within a 'sensitive coastal location' as defined by the SEPP. SEPP 71 requires Council to take certain matters into account when determining a development application that is located within the coastal zone. The clauses/matters contained in the SEPP71 that have relevance to this application are overviewed below:

- a) Part 2, Clause 7: In accordance with subclause (b) as SEPP 71 applies to the site, the matters in Clause 8 are to be taken into consideration in determining this application;
- b) Part 2, Clause 8: The proposal is consistent with the requirements of this clause as:
 - It is not inconsistent with the aims of the policy (i.e. (a) to (l) in Clause 2);
 - It does not impact or impinge on public access to or along the coastal foreshore. No existing access points are being blocked/closed and no new access points are proposed;
 - To be suitable development having regard to surrounding land uses;
 - It will not lead to excessive overshadowing of foreshore areas or loss of views from a public place due to the existing natural topography;
 - It will not diminish the scenic qualities of the area/adjacent coast;
 - It will not impact upon wildlife corridors;
 - It will not impact upon items of heritage, archaeological or historical significance;
 - It will not lead to a conflict between land based and water based coastal activities;
 - It will not impact upon the water quality of coastal waterbodies; and
 - The proposal, will not impact upon known aboriginal heritage.
- c) Part 4 Clause 13 (Flexible zoning provisions): Flexible zoning provision clauses in the Shoalhaven Local Environmental Plan do not impact upon/apply to this development site;
- d) Part 4 Clauses 14 (Public access): Part of the proposed development is located on Crown land (Crown Reserve R78757 for Public Recreation, Community Purposes, Environmental Protection, Tourist Facilities and Services) which fronts onto Currumbene Creek to the east. The proposed development will not impact or impinge on public access to the Crown land and foreshore to Currumbene Creek;
- e) Part 4 Clause 15: Effluent disposal is to be via an existing reticulated system and, as such, it is not considered that it will have a negative impact on water

quality of the sea, a beach, or an estuary, a coastal lake, a coastal creek or other similar body of water, or onto a rock platform;

Other parts of SEPP 71 which relate to “significant coastal development” and “master plans” do not apply to the proposed works. In summary, the proposed development does not conflict with the aims and applicable provisions of SEPP 71.

- v) ***Deemed State Environmental Planning Policy – Jervis Bay Regional Environmental Plan (JBREP):*** The subject land is affected by the provisions of JBREP.

An assessment against the requirements of the JBREP has indicated that the subject land is not identified as an area of landscape quality or cultural heritage, a habitat corridor, or a new urban release area.

As the proposed development does not involve construction works or any physical alterations, does not conflict with the aims and provisions of the JBREP.

- vi) ***SLEP 1985:*** The provisions of SLEP 1985 apply to this site. The clauses/matters contained in SLEP 1985 that have relevance to this application are overviewed below:

- a) Clause 2: The proposed development satisfies the general aims and objectives as outlined in subclause 1(a) to 1(c), 2(a) to 2(w), and 3(a), 3(c) and 3(d) of this clause;
- b) Clause 9: The development sites are subject to two zonings, 2(e) Residential “E” (Village) Zone and 6(a) Open Space – Recreation “A” Existing Zone under SLEP 1985. In accordance with clause 9(3) of SLEP 1985 in determining this development application Council has taken into account the objectives of the zone within which the development is proposed. The proposal is considered to fit the definition of a „caravan park’ under SLEP 1985. In terms of permissibility a „caravan park’ is listed as a permissible use with development consent with land zoned 6(a), and is not listed as a prohibited use with land zoned 2(e) and is a permissible use with development consent;
- c) Clause 26: The proposed development is located in an area that has sewer and water services/infrastructure and therefore, satisfies the requirements of this clause. The development will not adversely impact upon public health, surface water, ground water or community amenity;
- d) Clause 29: Council’s mapping indicates that the portion of the site to be developed is affected by flooding. A flood certificate and a copy of the Jervis Bay Caravan Park Draft Flood Evacuation Plan were submitted. The flood certificate for the property indicates a Flood Planning Level (FPL) of 3.0m AHD,

with the camping sites varying in height between 1.57m and 1.82m AHD, well below the FPL. The application was assessed against the draft Flood Risk Management Policy for Manufactured Home Estates, Caravan Parks, Camping Grounds and Movable Dwellings. As a result, any issued development consent will be conditioned to finalise the Jervis Bay Caravan Park Draft Flood Evacuation Plan;

- e) Clause 37A: The submitted application was notified in accordance with Council's Community Consultation Policy. Refer to Section 4 (Community Consultation) for further details.

In summary, the proposed development does not conflict with the aims and relevant provisions of SLEP 1985.

- vii) **Development Control Plan No.18 - Car Parking Code (DCP 18):** The provisions of DCP 18 apply to this development. The provisions of DCP 18 in terms of car parking numbers being the same as the Local Government (Manufactured Home Estate, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005. The following provides an assessment against the applicable requirements of DCP 18:

- a) *Car parking requirements for the proposed development:*

Attachment 'D' provides a summary, in table form, of the car parking that is required for the proposed development based on the numerical requirements of DCP 18. The car parking requirements in DCP 18 being the same as those contained in the Local Government (Manufactured Home Estate, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005. As outlined in **Attachment 'D'**, the proposed development can meet the requirements of DCP 18 in terms of total car spaces required for resident car parking for each camp site (i.e. sufficient space within each individual site) and for visitor car parking. Further details on visitor car parking are provided in part 7(i) of this report.

- viii) **Development Control Plan No. 93 - Waste Minimisation and Management (DCP 93):** The provisions of DCP 93 apply to this development. No details were provided addressing the amount of waste to be generated resultant from the camp sites, how this waste would be managed and disposed. Any consent will be conditioned to provide a revised Waste Minimisation and Management Plan prior to the use commencing.
- ix) **Development Control Plan No. 106 – Floodplain Management (DCP 106):** The provisions of DCP 106 apply to this development. As the proposed development best fits the definition of „tourist accommodation in Schedule 2 of DCP 106, „tourist accommodation' is assessed as a „residential' land use category. The submitted flood certificate states that the subject site is a Low Hazard Floodway.

In a referral response, Council's Natural Resources and Flooding Unit (NRFU) advised that the provisions of the draft Flood Risk Management Policy for Manufactured Home Estates, Caravan Parks, Camping grounds and Movable Dwellings applies to the proposed development. Any issued development consent will be subject to conditions relating to the finalisation of the Jervis Bay Caravan Park Draft Flood Emergency Plan and the implementation of a flood warning system.

x) Shoalhaven City Council Section 94 Contribution Plan 1993 (as amended):

The provisions of Council's Section 94 Plan apply to the proposed development. Having regard for the works proposed, the following Section 94 projects are applicable to the application:

- a) CW FIRE 0001: Citywide Fire & Emergency Services;
- b) CW FIRE 0002: Shoalhaven Fire Control Centre; and
- c) CWMGMT 2001: Section 94 Administration.

The 24 short-term camping sites as proposed as part of the application would be levied based on 9.6 Equivalent Tenements (ET's) (i.e. 0.25 ET per short-term accommodation a caravan park). The total contribution applicable to the proposed development is \$3,932.13. If the application is approved, any development consent issued should be conditioned to reflect the above.

(b) Likely impact of that development on the natural and built environment and social and economic impacts in the locality.

- i) Context and setting:** The works proposed will result in the expansion of the existing caravan park. The expansion is a tourist related use which is compatible/consistent with the current use of the site. A condition is to be imposed in any issued development consent to prohibit the permanent installation of manufactured homes, cabins and moveable dwellings. This is also believed to be a pre-requisite of the LPMA in granting a lease over the affected land.
- ii) Economic impact:** The proposed development will have a positive economic impact in that it will provide additional low cost tourist accommodation which has the potential to provide additional financial benefits (i.e. increased patronage) to local businesses, particularly during holiday periods.
- iii) Flooding:** Part of the subject site is identified under SLEP 1985 as flood affected. The application was referred to Council's NRFU for comment. Additional information was sought in requesting the submission of a flood certificate and a full flood assessment including sea level rise consideration. A flood certificate and a draft flood evacuation plan were subsequently submitted. Any issued development will be subject to flood conditions relating to the *Jervis Bay Caravan Park Draft Flood Evacuation Plan* and the establishment of a flood warning system.

- iv) **Noise:** As the proposed development will increase the number of people that will utilise the subject land, it is expected that noise generated by the development may increase. Given the separation that exists to the nearest sensitive receiver/residential property (approximately 150m) and the land uses that exist between the proposed development and the nearest sensitive receiver/residential property (i.e. heavily vegetated bushland), any noise generated should not adversely impact adjoining lands or occupants. However, any adverse impact can be minimised through the imposition of a condition on any issued development consent limiting noise levels (i.e. 5dBA above the background noise at the boundary of the closest sensitive noise receiver).
- v) **Sediment and erosion control:** The proposed development (short-term camping sites) involves limited construction water service and all weather access and, as such, sediment and erosion control measures are required.
- vi) **Social impacts:** The proposed development will provide additional tourist accommodation within the area. Given the location of the site and the infrastructure that has been provided to support the existing development (i.e. controlled vehicle entry/exit point), the proposed development will have minimal adverse social impact on surrounding lands or the adjoining community.
- vii) **Threatened species:** A review of Council records has indicated that there are two threatened species sightings (Yellow Bellied Gliders) identified approximately 350 metres west of the proposed camp sites, and one Endangered Ecological Community (EEC) identified as Bangalay Sand Forest located approximately 200m to the south. Given that the proposed development involves the use of a cleared area for camp sites and does not propose the removal of vegetation, the above identified flora and fauna species and their habitats will not be impacted on directly or indirectly as a result of this development.
- viii) **Traffic and access:** Access to and from the site is via one access point off Woollamia Road. The access as currently provided is constructed to a suitable standard and is of a sufficient width to allow vehicles to enter and exit the site at the same time. This application proposes no changes to this access point. It is, however, acknowledged that the proposed development will result in an increase in the number of vehicles utilising the adjoining road network.
- The surrounding road network is considered able to handle the increase of traffic expected to be generated by the proposed development/use and, as such, no additional works are required.
- ix) **Visual / scenic impact:** A site inspection was undertaken to visually assess any impacts that may arise from the proposed development. As the proposed

development does not involve the removal of vegetation and does not involve new structures, existing visual and scenic amenity will be maintained.

(c) Suitability of the site for the development

With regard to zoning permissibility, surrounding land uses and topographical constraints, the subject sites are considered suitable for the proposed development, consistent with the current land use conducted on-site and will not adversely impact upon adjoining lands.

(d) Submissions made in accordance with the Act or Regulations

The application was notified by way of public notification in accordance with Council's Community Consultation Policy. Council received one (1) submission after the conclusion of the notification period from an adjoining land owner.

Lack of parking was the primary concern raised in the submission, with particular emphasis placed on the overflow parking on the verge fronting Woollamia Road.

The Local Government (Manufactured Home Estate, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 (LG Regulation) provides guidelines for the provision of parking on camping sites and visitor parking. The camping sites are large enough to accommodate parking requirements.

Given the licensed caravan park was in existence prior to 1985, the park benefits from exemptions to the provision of visitor parking in accordance with Ordinance 71 and the LG Regulation. In 1985, three (3) visitor car parking spaces located adjacent to the manager's residence/office area were provided. The 24 proposed camping sites generate the requirement for one (1) additional car parking space within the caravan park. In an email dated 10 November 2010, the applicant has nominated the required visitor parking space be located on Site 23 on the current Community Map (Ref. No.6958.7, dated 22 June 2005). Any issued development consent shall be conditioned to ensure the visitor parking space is included as part of an updated community place on Site 23.

(e) The public interest

While the proposed camping sites will result in an intensification of development on the subject sites, and encroach onto Crown land, it is unlikely the public will be impacted given the proposed development:

- a) Complies with the zone and does not impact on the local character;
- b) Does not impede public access to adjoining Crown land;
- c) Will not result in a significant increase in traffic; and
- d) Does not impact on the privacy of adjoining properties.

7. Other Issues:

- i) **LG Regulation:** The provisions of the LG Regulations apply to this site. Specifically, Division 3 (Caravan parks and camping grounds). It is important to note that some exemptions to the requirements of the LG Regulation have been carried through from the Local Government Act (1919) - Ordinance No.71. The clauses/matters contained in the LG Regulation, including exemptions, that have relevance to this application are overviewed below:
- a) Clause 83: The existing caravan park has an area of approximately 1.3 hectares and is therefore, greater than the minimum requirement of 1ha.
 - b) Clause 84: The existing caravan park has two amenities blocks, a barbeque area and a sizable playground area located in the centre of the Jervis Bay Caravan Park. In context with the size of the caravan park and proposed camping sites, the amenities available are considered appropriate.
 - c) Clause 85: Each proposed new short term site, based on information provided by the applicant, has an area of 65m² or greater.
 - d) Clause 86: All changed or proposed new sites have been clearly numbered and identified on plans provided as part of the application. The proposed sites shall be conditioned to be delineated and identified in any issued development consent.
 - e) Clause 89: All proposed new sites comply with the front setback requirement of 10m to a public road.
 - f) Clause 91: All proposed camp sites have a minimum width in excess of 5m as has been indicated on plans provided as part of the application.
 - g) Clause 96: All proposed camp sites are of a size that allows parking for each site to be provided on the site.
 - h) Clause 97: A formal visitor parking area containing three (3) car spaces is provided at the entrance to the caravan park. One (1) additional visitor car parking space is required to cater for the proposed camping sites, refer to Attachment "D" for further details. In an email dated 10 November 2010, the applicant has nominated the required visitor parking space be located on Site 23 on the current Community Map (Ref. No.6958.7, dated 22 June 2005). Any issued development consent shall be conditioned to ensure the visitor parking space is included as part of an updated community place on Site 23.
 - i) Clause 99: The applicant proposes no new roads as part of this application. Most existing roads within the site are of an all weather seal standard (i.e. asphaltic concrete or similar bitumen seal standard) which complies with the requirements of this clause. However the internal loop road providing access to

the proposed camping sites is currently unformed, asides from two gravel aprons that provide access to the adjoining sealed road. The unformed loop road accessing the subject sites does not require upgrading to a bitumen standard on account of the following:

- In the event of bushfire, the fire service would defend the permanent structures to the north. The existing sealed road provides a defensible space between the likely sources of a bushfire to the south adjacent to the proposed camping sites. The camping sites do not contain permanent structures. As such, the camping sites would most likely be first to evacuate in the event of an emergency;
 - In any issued development consent, the camping sites are limited to operate during the Easter holiday period, the last 3 weeks of January and any time the caravan park is operating to capacity. The camping sites will not be in use all year round. This is a stipulation of the LPMA.
- j) Clause 101: The existing caravan park is connected to the mains water supply. A water tap is proposed on the southern side of Lot 1 DP 650295 to ensure compliance with this clause (i.e. connections must be located so that no camp site is more than 30 metres from a connection).
- k) Clause 102: The existing caravan park is connected to a reticulated main sewer. All proposed camping sites currently have access to ablution facilities.
- l) Clause 107 -120: There are two communal amenity buildings provided throughout the site which provide the required number of showers, toilets and laundry facilities (i.e. washing machines, laundry tubs, clothes dryers, etc) to service the total number of sites as currently proposed under this application. This includes facilities for people with disabilities. The proposed development generally complies with the requirements of these clauses.
- m) Clause 128: A plan provided as part of the application indicates that not all sites proposed under this application are situated less than 90m from a fire hydrant. An additional fire hydrant will be required.
- n) Clause 129: Four (4) fire hose reels are located throughout the park. To accommodate for the proposed camping sites, any issued consent will be subject to the imposition of fire hose reel conditions to ensure compliance with this clause.

In summary, the proposed development does not conflict with the aims and relevant provisions of LG Regulation subject to the imposition of conditions on any issued development consent, as outlined in the dot points above.

- ii) **Climate Change:** No cumulative impacts are expected in regard to the proposed development that could further contribute to climate change. However, flood risks

are present on site that may impact on the proposed camp sites. With anticipated rising sea levels and more frequent flood events, could see the subject camp sites inundated more regularly. Any issued development consent is to be conditioned to ensure that the *Jervis Bay Caravan Park Draft Flood Evacuation Plan* is finalised.

8. Referrals

Internal:

- **Environmental Health Officer:** No objection to the proposal subject to the imposition of recommended conditions on any issued development consent (i.e. updated community map, compliance with the Local Government (Manufactured Home Estates, Caravan Park, Camping grounds and Movable Dwellings) Regulation 2005).
- **Development Engineer:** No objection to the proposal subject to compliance with the recommendations of the Land and Property Management Authority.
- **Strategic Planning Group (Natural Resources and Flooding Unit):** Additional information requested (i.e. full flood assessment including sea level rise consideration). It was subsequently determined that this wasn't necessary but there is a need to finalise the caravan park's flood evacuation plan. Recommended conditions to be inserted in any issued consent (i.e. finalisation of Jervis Bay Caravan Park Draft Flood Emergency Plan, implementation of flood warning system).
- **Shoalhaven Water:** No objection to the proposal subject to the imposition of recommended conditions (i.e. compliance with all requirements prior to the issue of a CC and prior to the issue of an Occupation Certificate) and the attachment of the provided Shoalhaven Water development application notice to any issued development consent.
- **Waste Management Manager:** Additional information requested in relation to how waste will be collected and stored on site and removed off site. Any consent will be conditioned to provide a revised Waste Minimisation and Management Plan prior to the use commencing.

External:

- **Land and Property Management Authority (LPMA):** No objection to the proposal subject to the imposition of special conditions on any issued development consent (i.e. no further infrastructure permitted on the Crown land, vegetation management, access, fencing, and restrictions to use of the Crown land).
- **RFS:** No objection to the proposal and has provided of a number of recommended conditions that should be imposed on any issued development consent (i.e. Asset Protection Zones, access, emergency and evacuation requirements).

9. Conclusion

This application has been assessed having regard to the Matters for Consideration under Section 79C of the Environmental Planning and Assessment Act 1979. Following a detailed assessment, Development Application No. RA10/1008 may be supported subject

to suitable conditions (refer to **Attachment 'A'**) being imposed on any issued development consent.

10. Recommendation

RECOMMENDED that, in respect of RA10/1008 (2010STH021) for 24 short-term camping sites at Lot 7001 DP 1114517, Lot 1 DP 650295, Lot 1 DP 113214 & Lot 94 DP 755928, Woollamia Road, Woollamia, the application be approved as an operational development consent subject to conditions as contained in Attachment 'A'.

Signed: Craig Crompton

Date: 18 November 2010

**NOTICE TO APPLICANT OF DETERMINATION OF APPLICATION
DEVELOPMENT CONSENT**

**Environmental Planning and Assessment Act, 1979
RA10/1008**

TO:

Allen Price & Associates
DX 5310
NOWRA

being the applicant(s) for RA10/1008 relating to:

Woollamia Rd,	WOOLLAMIA	-	Lot	94	-	DP	755928
Woollamia Rd,	WOOLLAMIA	-	Lot	1	-	DP	113214
785 Woollamia Rd,	WOOLLAMIA	-	Lot	1	-	DP	650295
Woollamia Rd, WOOLLAMIA - Lot 7001 - DP 1114517							

APPROVED USE AND OR DEVELOPMENT:

Creation of 24 Short Term Tent Camping Sites, to be located substantially on Crown Land (Part Lot 7001 DP 1114517), within a cleared area adjacent to the Jervis Bay Caravan Park

DETERMINATION DATE:

[#Determined#]

Pursuant to the Section 81 of the Act, notice is hereby given that the above application has been determined by granting consent, subject to the conditions listed below.

CONSENT TO OPERATE FROM:

[#ConsentFrom#]

CONSENT TO LAPSE ON:

[#LapseDate#]

DETAILS OF CONDITIONS

The conditions of consent and reasons for such conditions are set out as follows:

PART A

CONDITIONS OF A GENERAL NATURE, INCLUDING A DESCRIPTION OF THE PROPOSED DEVELOPMENT

General

1. This consent relates to the **Creation of 24 Short Term Tent Camping Sites, to be located substantially on Crown Land (Part Lot 7001 DP 1114517), within a cleared area adjacent to the Jervis Bay Caravan Park** as illustrated on the plans, specifications and supporting documentation stamped with reference to this consent, as modified by the following conditions.

Plan	Ref No.	Sheet No.	Date
Proposed Camping Ground Plan	25219-03	1 of 2	Revised 16 March 2010
Site Plan	25219-03	2 of 2	Revised 16 March 2010

The development shall be carried out in accordance with this consent.

Notes:

- *Any alteration to the plans and/or documentation shall be submitted for the approval of Council. Such alterations may require the lodgement of an application to amend the consent under s96 of the Act, or a fresh development application. No works, **other than those approved under this consent**, shall be carried out without the prior approval of Council.*
 - *Where there is an inconsistency between the documents lodged with this application and the following conditions, the conditions shall prevail to the extent of that inconsistency.*
2. The proposed development shall not be occupied or the use shall not commence until all relevant conditions of development consent have been met or unless other satisfactory arrangements have been made with council (i.e. a security).

PART B

LAND AND PROPERTY MANAGEMENT AUTHORITY – SPECIAL CONDITIONS

3. No further infrastructure beyond that incorporated into this consent is permitted on the proposed license area.
4. The license area must be kept in a clean and safe condition.
5. Native vegetation that has grown prior to 1 January 1990 must not be cleared within the proposed license area.
6. Native groundcover vegetation must not be cleared within the riparian zone for Currumbene Creek.

7. Revegetation and maintenance of degraded areas along the 20 metre riparian zone of Currumbene Creek must be undertaken with appropriate tube stock of *Casuarina glauca* (Grey (Swamp) She-oak) and other appropriate native vegetation.
8. No access along the reserve to Currumbene Creek is allowed for boat or vehicular access.
9. Fencing of post and wire construction is required along the entire length of the license boundary. Fencing along Currumbene Creek is required along the 20 metre riparian boundary.
10. No mooring of vessels or leaving same on the foreshore immediately adjacent to the reserve is allowed.
11. Tent camping is to be allowed only during peak times of the last 3 weeks in January and Easter. Tent camping at all other times is only allowed when all sites on the caravan park are fully utilised.

PART C

CONDITIONS THAT MUST BE COMPLIED WITH PRIOR TO THE USE COMMENCING

Community Map

12. The proponent must provide a community map detailing the size and type of all sites to ensure they meet the minimum requirements in accordance with Clause 85 of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds & Moveable Dwellings) Regulation 2005.
13. The community map must show the provision of a visitor car parking space on Site 23 (as shown on the current Community Map, Ref. No.6958.7, dated 22 June 2005).

Erosion Control Plan

14. A sedimentation and erosion control plan must be lodged with Council **prior to the use commencing**. The plan must be prepared by a suitably qualified professional. The plan must be approved by Council or an accredited certifier.

Flood Warning System

15. A site-specific flood warning system is required in parks located in flood prone areas. It is advised that the water level gauge on Currumbene Creek be used as a reference point in establishing a future flood warning system.

Refer to <http://www.bom.gov.au/fwo/IDN60234.568173.plt.shtml> for further details.

Flood Emergency Plan

16. The *Jervis Bay Caravan Park Draft Flood Emergency Plan* must be updated to show the approved camping sites and be finalised.

Contributions for Additional Services and/or Facilities

17. This development will generate a need for additional services and/or facilities as described in Council's Contributions Plan 1993, as itemised in the following table.

Project	Description	Calculation	Amount
CWFIRE0001	Citywide Fire & Emergency services	\$161.25 * 9.6	\$1,548.00
CWFIRE0002	Shoalhaven Fire Control Center	\$211.11 * 9.6	\$2,026.66
CWMGMT2001	Section 94 Administration	\$2.19 * 163.229	\$357.47
\$3,932.13			

Contribution rates are adjusted annually on 1st July in accordance with the indexation formula indicated in the Contributions Plan (currently the implicit price deflator) and the total contribution levied **will be adjusted accordingly at the time of payment** (i.e. contributions are calculated on the rate applicable at the date of payment, **not** the date of development consent.)

A total contribution, currently assessed at the sum of \$3,932.13 (i.e.2010/2011 rate) or as indexed in future years, shall be paid to Council **prior to the use commencing**.

Contributions Plan 1993 may be inspected at the Council Administrative Offices, Bridge Road, Nowra and Deering Street, Ulladulla.

Shoalhaven Water (Water and/or Sewer Contributions and related issues)

18. Prior to the approved development/use commencing all conditions listed on the Shoalhaven Water Development Application Notice under the heading "PRIOR TO OCCUPATION/USE OF THE APPROVED SITES" must be complied with and accepted by Shoalhaven Water. In addition, a Certificate of Compliance must be obtained from Shoalhaven Water prior to the occupation/use of the approved sites. This shall also apply to approved staged developments.

Note: Relevant details, including monetary contributions (where applicable) under the Water Management Act 2000, are given on the attached Notice issued by Shoalhaven Water.

For further information and clarification regarding the above please contact Shoalhaven Water's Development Unit on (02) 4429 3111.

Waste Minimisation and Management

19. A Waste Minimisation and Management Plan (WMMP) must be prepared in accordance with Development Control Plan No. 93 – Waste Minimisation and Management. The WMMP must be approved by Council **prior to the use commencing**.

Note: "Waste" has the same meaning as the definition of "Waste" in the Protection of the Environment Operations Act 1997.

PART D

CONDITIONS RELATING TO THE APPROVED WORK AND SITE MANAGEMENT

Camping Requirements

20. The camping sites must operate in accordance with the relevant provisions specified in the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds & Moveable Dwellings) Regulation 2005.
21. The installation of manufactured homes, cabins and moveable dwellings (caravans) on camping sites 1 to 24 as detailed on the approved site plan (Plan Reference 25219-03 (Proposed Camping Ground), Drawn: 20 August 2010) is prohibited. In this regard, the sites must only be occupied by tents and campervans on a short-term basis by tourists.
22. A minimum of 4 visitor car parking spaces (3 for the existing caravan park, 1 for the approved camping sites) must be provided within the Jervis Bay Caravan Park. These spaces must be in accordance with *AS2890.1-2009 Parking facilities off street parking* in terms of size, line marking and signage.

Asset Protection Zones

23. At the commencement of works and, in perpetuity, the entire caravan park must be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

Access

24. Internal roads shall comply with the following requirements of section 4.2.7 of 'Planning for Bush Fire Protection 2006'.
 - a) Internal roads are two wheel drive, sealed, unobstructed all weather roads.
 - b) A minimum vertical clearance of 4 metres to any overhanging obstructions, including tree branches, is provided.
 - c) Roads are clearly signposted.

Evacuation and Emergency Management

25. An Emergency/Evacuation Plan is to be prepared for the entire caravan park consistent with the NSW Rural Fire Service document 'Guidelines for the Preparation of Emergency/Evacuation plan'.

Noise

26. Noise levels from the premises/approved development (measured using the L_{10} noise level descriptor) must not exceed the background noise level in any octave band (measured using

the L_{90} noise level descriptor) by more than 5 dB(A) when measured at the closest affected dwelling.

PART E

REASONS FOR CONDITIONS

Conditions of consent have been imposed to:

1. Ensure the proposed development:
 - a) achieves the objects of the Environmental Planning and Assessment Act, 1979;
 - b) complies with the provisions of all relevant environmental planning instruments;
 - c) is consistent with the aims and objectives of Council's Development Control Plans, Codes and Policies.
2. Ensure that the relevant public authorities and the water supply authority have been consulted and their requirements met or arrangements made for the provision of services to the satisfaction of those authorities.
3. Meet the increased demand for public amenities and services attributable to the development in accordance with Section 94 of the Environmental Planning and Assessment Act, 1979.
4. Ensure the protection of the amenity and character of land adjoining and in the locality of the proposed development.
5. Minimise any potential adverse environmental, social or economic impacts of the proposed development.
6. Ensure that all traffic, carparking and access requirements arising from the development are addressed.
7. Ensure the development does not conflict with the public interest.

PART F

OTHER COUNCIL APPROVALS AND CONSENTS

Section 68 Local Government Act, Section 138 Roads Act

Conditions that must be complied with before the operational approval issued under Section 68 of the Local Government Act is amended

1. Every site must be clearly numbered and its boundaries clearly delineated in accordance with Clause 86 of the Local Government (Manufactured Home Estate, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

2. One tap must be provided for every four (4) camp sites within 30 metres pursuant to Clause 101(3) of the Local Government (Manufactured Home Estate, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.
3. Fire hose reels must be provided so that every site can be reached pursuant to Clause 101(3) of the Local Government (Manufactured Home Estate, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.
4. Every site must be located within 90 metres of a fire hydrant pursuant to Clause 101(3) of the Local Government (Manufactured Home Estate, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

PART G

ADVICE ABOUT RIGHTS OF REVIEW AND APPEAL

Development Determination under Environmental Planning and Assessment Act, 1979

*Under section 82A of the Environmental Planning and Assessment Act, 1979 an applicant may request the council to review its determination except where it relates to a complying development certificate, designated development or integrated development. The request must be made **within twelve (12) months** of the date of the receipt of the determination, with a prescribed fee of 50% of the original DA fee.*

*Section 97 of the Environmental Planning and Assessment Act, 1979 confers on an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land and Environment Court which can be exercised **within twelve (12) months** after receipt of this notice.*

Approvals under Local Government Act, 1993

Section 100 of the Local Government Act, 1993 provides that an applicant may request Council to review its determination of an application.

*Section 176 of the Local Government Act, 1993 provides that an applicant who is dissatisfied with the determination of the Council may appeal to the Land and Environment Court. The appeal must be made **within twelve (12) months** of the date of determination.*

PART H

ADVICE ABOUT WHEN THIS CONSENT LAPSES

This consent is valid for five years from the date hereon.

In accordance with Section 95 of the Act, development consent of the erection of a building does not lapse if building, engineering or construction work relating to the building or work is physically commenced on the land to which the consent applies before the lapse date.

PART I

GENERAL ADVICE TO APPLICANT

PRIVACY NOTIFICATION

Personal information contained on this Development Consent and any associated documents will be published on Council's website as required by the *Government Information (Public Access) (GIPA) Act 2009*.

Commonwealth Environment Protection and Biodiversity Conservation Act 1999

The Commonwealth Environment Protection and Biodiversity Conservation Act 1999 provides that a person must not take an action which has, will have, or is likely to have a significant impact on

- a) A matter of national environmental significance (NES) matter; or
- b) Commonwealth land

without an approval from the Commonwealth Environment Minister.

This application has been assessed in accordance with the New South Wales Environmental Planning & Assessment Act, 1979. The determination of this assessment has not involved any assessment of the application of the Commonwealth legislation.

It is the proponent's responsibility to consult Environment Australia to determine the need or otherwise for Commonwealth approval and you should not construe this grant of consent as notification to you that the Commonwealth Act does not have application.

The Commonwealth Act may have application and you should obtain advice about this matter.

There are severe penalties for non-compliance with the Commonwealth legislation.

Disclaimer – s88B restrictions on the use of land

The applicant should note that there could be covenants in favour of persons other than Council restricting what may be built or done upon the subject land. The applicant is advised to check the position before commencing any work.

Under clause 37 of Shoalhaven Local Environmental Plan 1985 agreements, covenants or instruments that restrict the carrying out of the proposed development do not apply to the extent necessary to enable the carrying out of that development, other than where the interests of a public authority is involved.

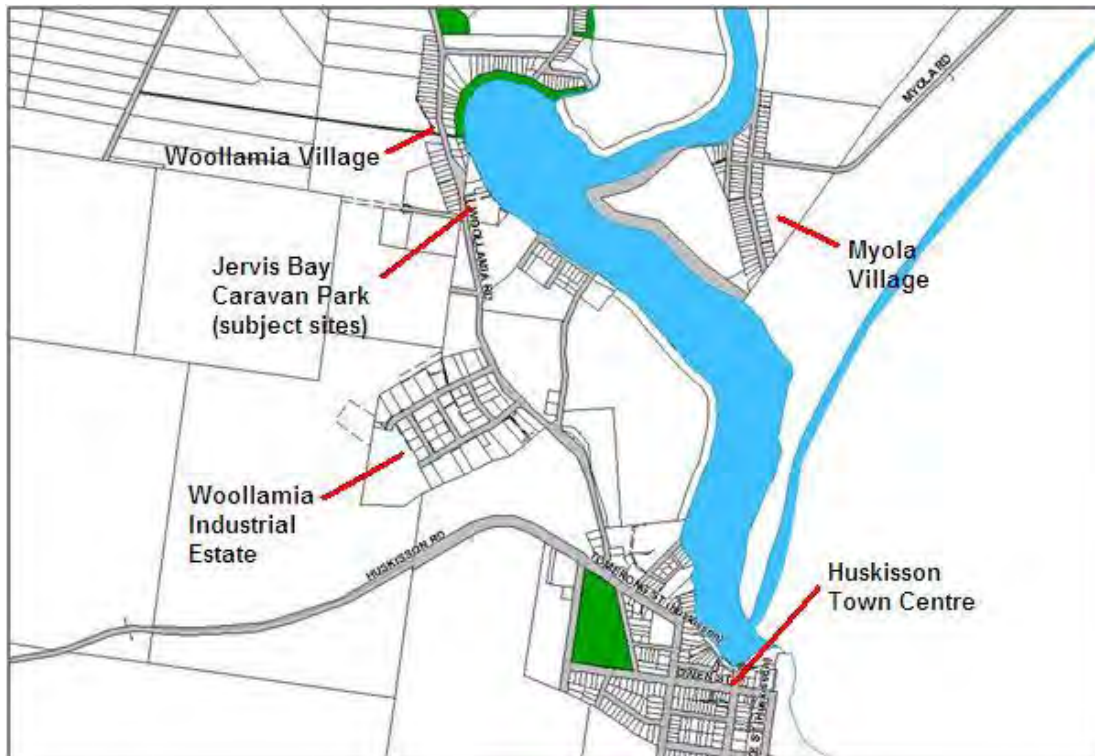
DBYD Enquiry - 'Dial Before You Dig'

In order to avoid risk to life and property it is advisable that an enquiry be made with "Dial Before You Dig" on 1100 or www.dialbeforeyoudig.com.au prior to any excavation works taking place to ascertain the location of underground services.

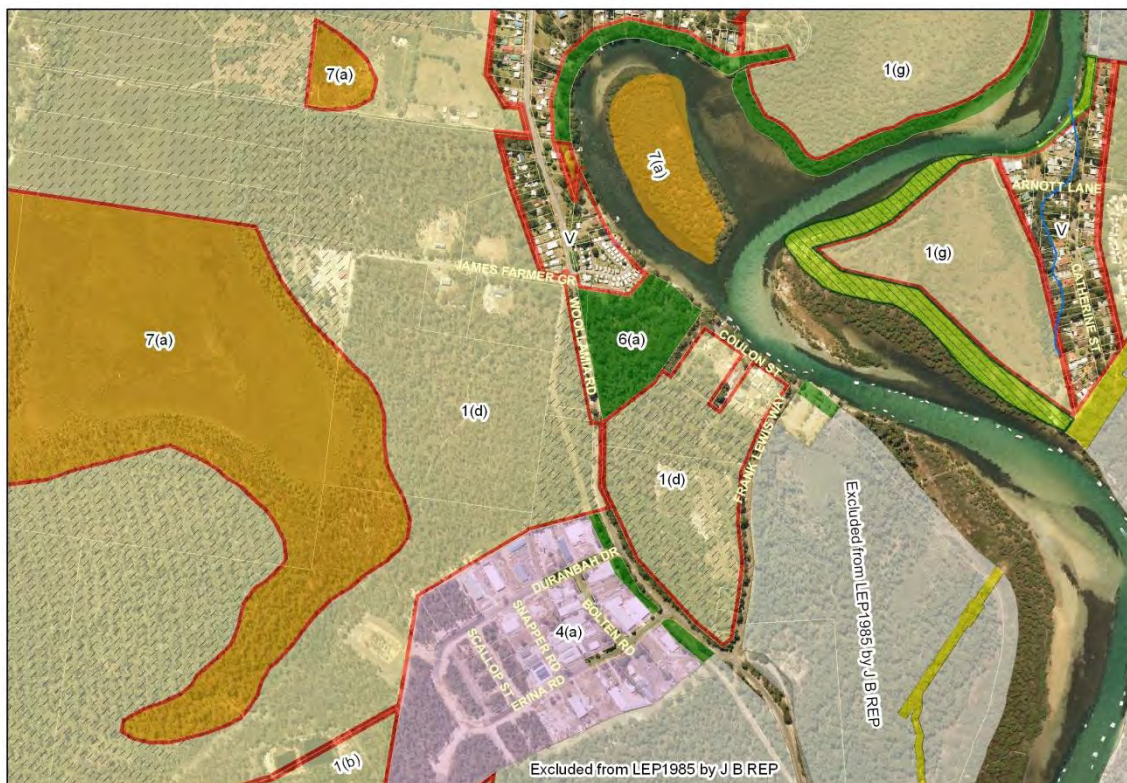
SIGNED on behalf of Shoalhaven City Council:

Signature

**Name Craig Crompton
Development Planner
Development & Environmental Services Group**



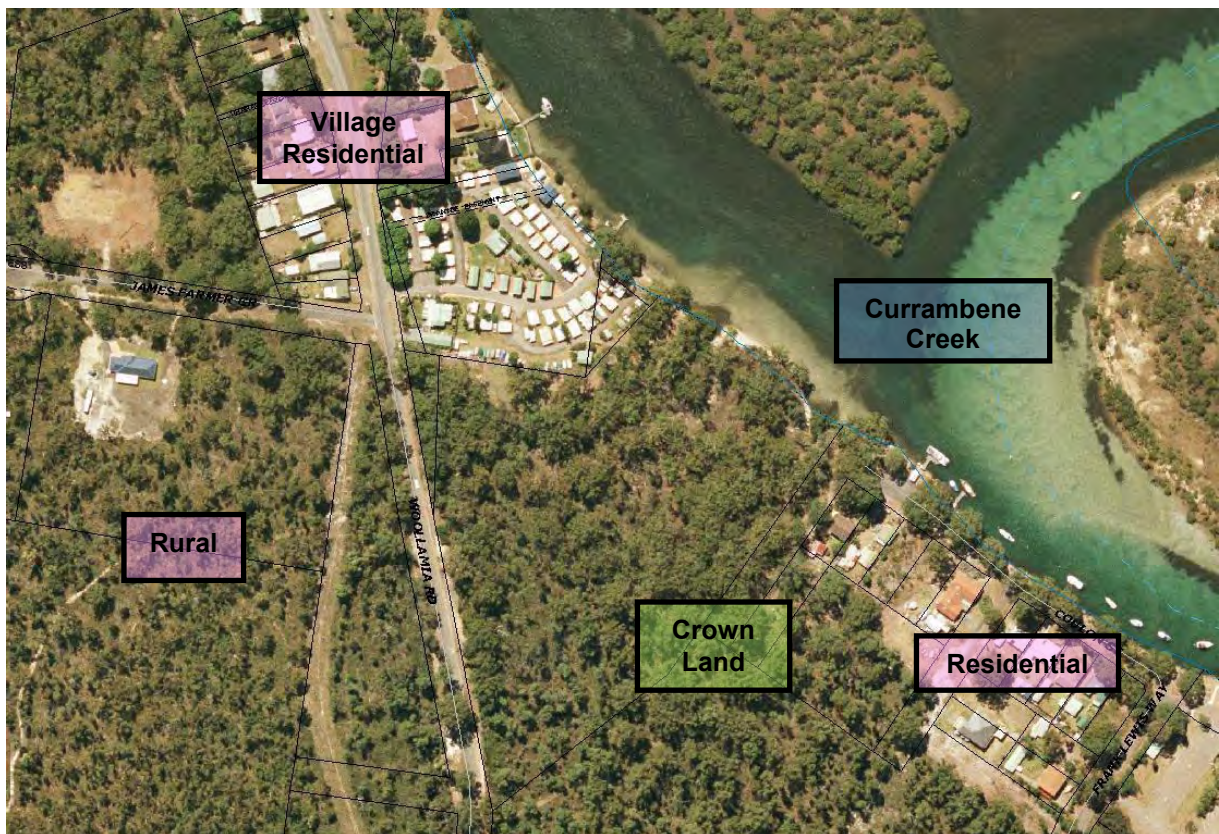
MAP OF SUBJECT SITE IN CONTEXT OF LOCALITY



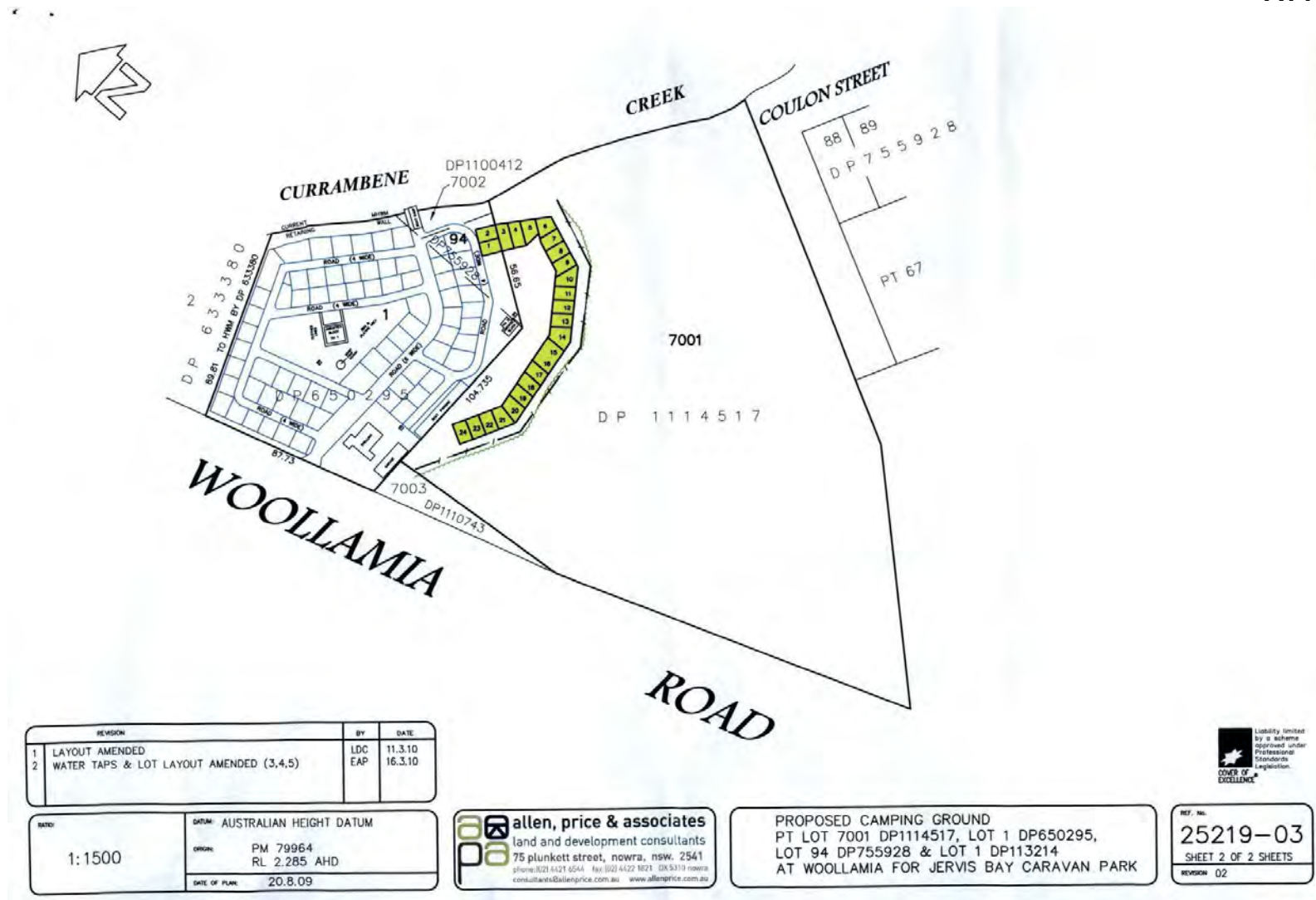
ZONING MAP OVERLAY



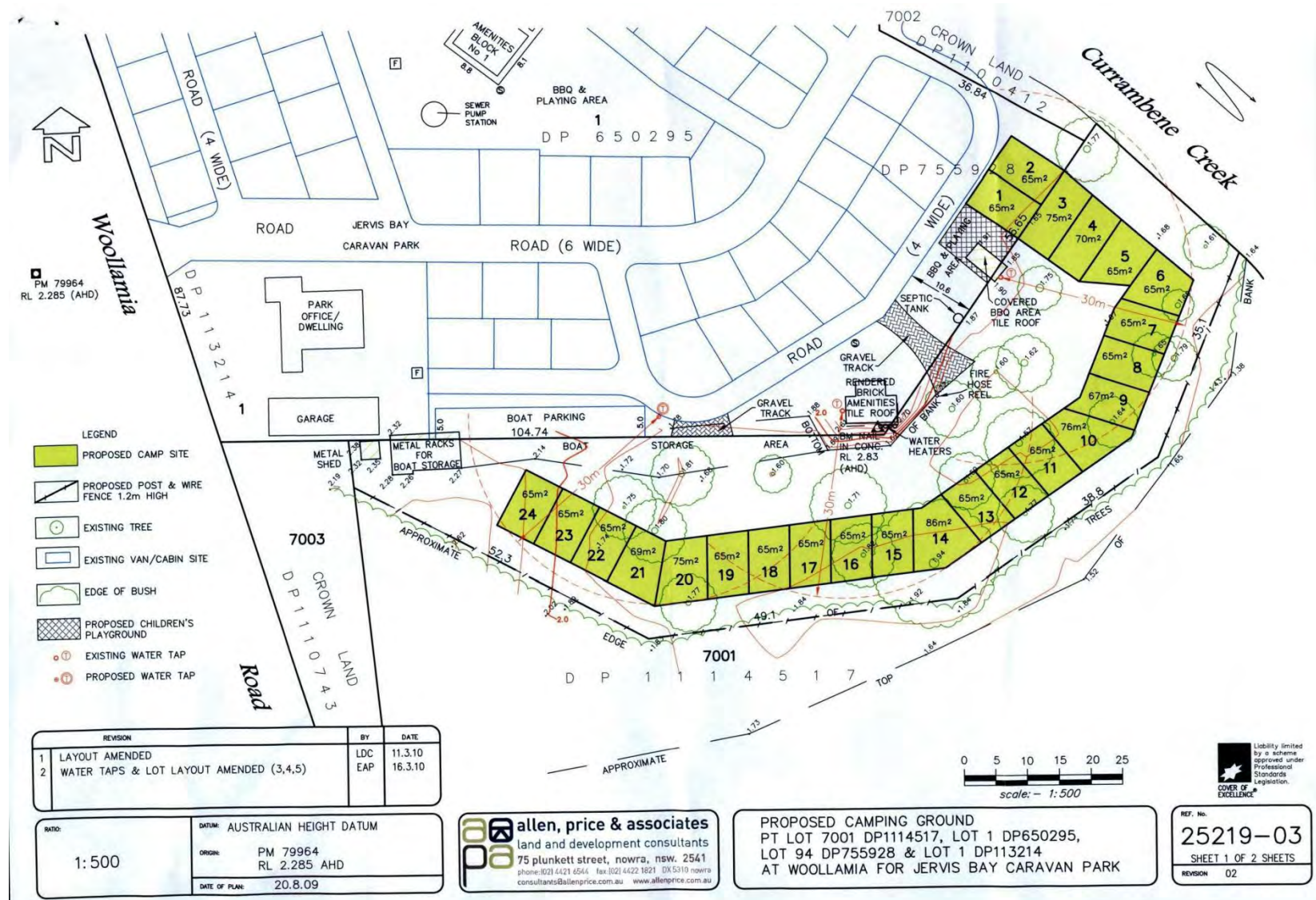
DEVELOPMENT AREA



ADJOINING LAND USES



SITE PLAN



CAMPING GROUNDS PLAN

LAND USE	DCP 18 REQUIREMENT	TOTAL PROPOSED SITES	TOTAL SPACES REQUIRED		TOTAL SPACES PROVIDED
			Resident	Visitor	
Caravan Park	1 car space per camp site (resident parking)	24	24		24 spaces to be provided on each camp site.
	1 car space per 40 camping sites (visitor parking)	24		1	1 visitor car parking space to be provided on Site 23.
TOTAL		24	25		25 (24 on-site car spaces, 1 visitor car space).