

Wollongong Local Planning Panel Assessment Report | 20 September 2022

WLPP No.	Item No. 1
DA No.	DA-2020/1179
Proposal	Continued Use of the South Pacific Caravan Park
Property	138 Windang Road, Windang
Applicant	Mr Sylvio Pirotta
Responsible Team	Development Assessment & Certification - City Centre and Major Development Team (RW)
Prior WLPP meeting	N/A

ASSESSMENT REPORT AND RECOMMENDATION

Executive Summary

Reason for consideration by Local Planning Panel - Determination

The proposal has been referred to Local Planning Panel for determination pursuant to clause 2.19(1)(a) of the Environmental Planning and Assessment Act 1979. Under Schedule 2(1)(a) of the Local Planning Panels Direction of 30 June 2020, a portion of the land that the proposed development relates to is Council owned land.

Proposal

Approval is sought for the continued use of the site as a caravan park (South Pacific Caravan Park), comprising 35 long term sites, and 15 short term sites.

Some upgrade works to existing structures and road conditions are proposed as detailed in the applicant's remedial works program. The applicant has stated that structures encroaching over Crown land are proposed to be relocated to ensure they are wholly within the subject site.

Caravan parks also require an approval to operate under section 68 of the Local Government Act. Any reference to an "approval to operate" in this report relates to that approval. At the time of writing this report, an approval to operate was also being assessed by Council building inspector but relies on the relevant development consent being in place, which triggered the lodgement of the current application.

Permissibility

The site is zoned RE1 Public Recreation and RE2 Private Recreation pursuant to Wollongong Local Environmental Plan 2009. The proposal is categorised as a caravan park which is permissible in both the RE1 and RE2 zones with development consent. There are a number of structures that have encroached upon adjoining land zoned RE1 Public Recreation and owned by Council fronting Lake Illawarra foreshore. Where encroaching structures are permitted to remain, the encroachments will be subject to a licence agreement with Council. The western portion of the site is zoned W1 Natural Waterways, which is Crown Land. Some structures encroach into this W1 zoned land, where caravan parks are not permitted.

Consultation

The proposal was notified in accordance with Council's Community Participation Policy and did not receive any submissions. Comments from Council's Stormwater Engineer, Building, Environmental, Property and Recreation officers were sought. There have been ongoing concerns regarding flooding which have not been adequately addressed. External comments from TfNSW were sought who requested additional information which has not been provided.

Main Issues

Determinative issues that remain outstanding are as follows:

- The site is identified as being subject to coastal hazards under the Lake Illawarra Coastal Management Plan, specifically tidal inundation. Sites 813, 814, 815, 816, 817, 818, 819, 820, 821, 822 and 823 have been identified unsuitable for long term residential use having regard to coastal hazards.
- The long-term residential character of the caravan park is considered to be inconsistent with Wollongong Local Environmental Plan Clause 7.3 flood planning as it does not adequately address how risks to life and property will be mitigated.
- The long-term residential character of the caravan park is inconsistent with State Environmental Planning Policy (Housing) 2021, clause 133(a) in that the suitability of the site for predominantly long-term residence has not been adequately demonstrated.
- The site layout does not comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 in respect to setbacks, car parking, vehicle access, landscaping, drainage and community facilities.
- The encroachments into the Council owned land zoned RE1 Public Recreation in the western portion of the site and the occupation of this strip of land for long-term sites is inconsistent with the RE1 zone objectives and removes opportunity for public access along the lake's foreshore. These encroachments may generally be manageable through a licence arrangement whereby they can be removed over time.
- The caravan park encroaches over Crown land and zoned W1 Natural Waterways to the west of Lot 102 (being Council owned land). Caravan parks are not a permitted use in that zone. Although the applicant has indicated the encroaching structures will be relocated so that they are outside Crown land, no plans showing the resulting site layout have been provided.
- Multiple sites are within the nominated foreshore building line (FSBL) under Clause 7.7 of Wollongong Local Environmental Plan 2009. The submitted written documentation is ambiguous as to whether these sites will be relocated outside the FSBL, however the site plan shows all sites remaining in their current location.

RECOMMENDATION

It is recommended that the application be refused for the reasons outlined in Attachment 9.

1 APPLICATION OVERVIEW

1.1 PLANNING CONTROLS

The following planning controls apply to the development:

State Environmental Planning Policies

- State Environmental Planning Policy (Housing) 2021
- SEPP (Resilience and Hazards) 2021
- SEPP (Transport & Infrastructure) 2021
- SEPP (Koala Habitat Protection) 2021

Local Environmental Planning Policies:

- Wollongong Local Environmental Plan (WLEP) 2009

Development Control Plans:

- Wollongong Development Control Plan (WDCP) 2009

Other policies

- Wollongong City Wide Development Contributions Plan 2020
- Wollongong Community Participation Plan
- Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021
- Lake Illawarra Coastal Management Plan 2020

1.2 DETAILED DESCRIPTION OF PROPOSAL

The development application relates to “South Pacific Caravan Park”, currently operating at 138 Windang Road Windang. This development application seeks consent for the continued use of the caravan park, comprising 35 long term sites, and 15 short term sites.

As described in the Statement of Environmental Effects (SEE), the development application “...seeks to retain the existing structures on the site and enable the continued provision of affordable housing for the existing residents within the ‘South Pacific Village Caravan Park’”

The caravan park is made up of 50 sites* comprising 35 long-term sites and 15 short-term sites (including 2 caravans). Also located on the site are an amenities block, an office, a bbq area and a site manager’s residence.

**Site identified as #839 has no structure indicated on the updated site map however it is unclear whether this is a camp site (as originally proposed).*

The submitted site map shows the existing indicative layout (also in Attachment 2):



Figure 1: Site map

Upgrade works

Various upgrade works are proposed as detailed in the Remedial Works Program (refer Appendix D to the SEE included as Attachment 3), including privacy screening, upgrading running gear for unregistrable sites, cross flow ventilation, sanitary facilities, laundry facilities, upgrading road surfaces, vehicle safety measures (speed humps and signage) and upgrading of hose reels and hydrants.

Structures over Crown land

A number of structures encroach into Crown land, to the west of Lot 102 DP 1005245). Encroaching structures are associated with sites numbered 814, 815, 816, 818, and 819. Crown Lands have advised the landowner that they are unable to grant a licence over these structures. The applicant has noted in their letter dated 25 July 2022 that these structures are to be relocated to ensure they are located wholly within the subject site. The updated site plan indicates the structures as they currently exist but does not indicate how or where they will be relocated to.

Structures over Council land

All the western sites (814-821 and part of 822) encroach into Lot 102 DP 1005245, which is Council owned land. Sites 822 and 823 also encroach over an unformed laneway that adjoins the site's northern boundary and the north-western corner of the site. Council consented to the lodgement of the development application and the proposal seeks to retain these encroaching structures as long-term sites as shown on the site plan. Acknowledging these structures have encroached for numerous years, the appropriateness of allowing these encroaching structures to remain is questionable given these particular sites are identified as being subject to tidal inundation (refer Part 2.1.3 of this report) and also removes the opportunity for public land to be available for access along the lake's foreshore.

1.3 BACKGROUND

There is no development consent for the use of the site as a caravan park in its current form or layout.

In 1959 conditional approval was granted for a caravan park for twenty (20) concrete caravan bays, seventeen (17) one bedroom motel units, enclosed children's playground, amenities building, television and games room, residence and a boat shed (Health and Parks and Gardens Committee Report dated 3 March 1959). Of relevance to the current application, it was noted that the approval was recommended subject to *"no development take place beyond 259' [78.9m] on the northern boundary and 244' [74.4m] on the southern boundary from Windang Road..."*

It was also recommended that the establishment of the caravan park also be subject to the following condition

(a) that no caravan is to be allowed to remain in the Caravan park for more than three months in any twelve month period....

Council records do not include plans reflecting this 1959 approval.

Since 1959 there is no development consent for the use of the site for long term residential use.

There is an extensive development history relating to the site as detailed at Table 1 below, mainly comprising applications under section 68 of the Local Government Act.

Caravan parks also require an approval to operate under section 68 of the Local Government Act. Any reference to an "approval to operate" in this report relates to that type of approval.

The most recent application for renewal to operate a caravan park/camping ground under section 68 of the Local Government Act 1993 is LG-2019/82 which has been deferred for a number of matters to be addressed. One of those issues is the lack of development consent which triggered lodgement of the current application. Prior to that, the latest approval to operate was issued in 2008 (CP-2003/5) for 37 long term and 17 short term sites which lapsed on 31 August 2008. There have been other LG approvals for minor structures since then, the most recent being LG-2012/45 for a carport for site 823.

Table 1: Detailed development history

Application	Description
BA-1954/404	Dwelling and restaurant – approved 5 October 1954
BA-1959/1789	Laundry and toilet block – approved 7 October 1959
BA-1977/1102	Amenities building – approved 25 May 1977
BA-1977/272	Additions to Amenities block – withdrawn 7 March 1977
CP-2003/5	Approval to Operate (issued 24 April 2008 for 53 sites (37 long term/17 short term) LAPSED 31 August 2008)
LG-2002/10	Manufactured home - approved 19 March 2003
LG-2002/7	Manufactured home and associated structure – approved 19 March 2003
LG-2002/8	Manufactured home - approved 19 March 2003
LG-2002/9	Associated structure – Annexe standfast – approved 9 December 2002
LG-2003/2	Construction of relocatable dwelling – approved 20 February 2003
LG-2003/43	Relocatable dwelling – approved 28 April 2003
LG-2003/44	Relocatable dwelling – approved 28 April 2003
LG-2004/7	Relocatable home – site 820 – Refused 15 September 2006

Application	Description
LG-2004/8	Relocatable home – site 831 – Refused 15 September 2006
LG-2009/34	Free standing carport (Site 843) - Withdrawn
LG-2012/15	Site 822 – Moveable dwelling – alteration to existing carport – Refused 21 October 2019
LG-2012/45	Carport – site 823 - Approved 18 December 2012
LG-2014/10	Carport and Pergola – Site 829 – Withdrawn
LG-2015/39	Application to operate caravan park – Refused 29 August 2018
RD-2015/39/A	Application to operate caravan park – Withdrawn 13 May 2019
LG-2019/82	Operation of caravan park comprising 37 long term and 17 short term – under assessment

No pre-lodgement meeting was held for the proposal.

DA-2020/1179 - timeline

- **27 October 2020 – DA lodged**
- 19 November 2020 - 3 December 2020 – public exhibition period
- 11 February 2021 – all internal referrals complete
- 12 May 2021 - TfNSW referral comments received (sent late April)
- **23 June 2021 – Council's request for information (RFI) letter issued**
- 10 August 2021 – Meeting with applicant (MS teams) to discuss issues raised in Council's request for information (RFI) letter
- 23 September 2021 – applicant e-mail advising respond should be provided in next 3-4 weeks
- 27 October 2021 – Council e-mail sent checking progress
- 10 November 2021 – applicant e-mail advising response on way forward likely to be by 19 November
- 13 December 2021 – Council e-mail to applicant requesting update
- 10 January 2022 – Council e-mail requesting how they intend to proceed, response same day advising should be provided by end of January
- 13 January 2022– applicant e-mail advising they may need to engage another design firm to prepare plans and will advise after 31 January with updated timeline for submission
- 9 February 2022 – Council e-mail sent requesting update
- 10 February 2022 – applicant e-mail advising they have engaged a new surveyor to prepare the plans which is underway, should be ready to submit at beginning of March
- 30 March 2022 – Council e-mail requesting update
- 6 April 2022 – e-mail sent to owner and applicant inviting withdrawal of DA as no further information had been provided
- 26 April 2022 – Assessing officer contacted owner to follow up on previous e-mail who stated the development application would not be withdrawn noting that consultant reports were being prepared
- 17 May 2022- e-mail to applicant advising any revised plans and additional information would be required to be submitted to Council by 17 June 2022 and that the application would be assessed on the information we had at that date.
- **26 July 2022 - Revised plans and additional information submitted** comprising updated site plans, supporting legal advice and further flooding information.
- 5 September 2022 – Supporting documentation uploaded to the planning portal comprising letter regarding swept paths and letter regarding acoustic issues

Customer service actions

There are no outstanding customer service requests of relevance to the development.

1.4 SITE DESCRIPTION

The site is located at 138 Windang Road, Windang which encompasses two parcels of land with the title references Lot 101 DP 1005245 and Lot 1 DP 720027. The site has an area of 9575sqm and a 76m frontage to Windang Road. The site adjoins Lake Illawarra to the west, zoned W1 Natural Waterways, being Crown land. The majority of the site is zoned RE2 (Lot 101 DP 1005245) with RE1 Public recreation land in the northern portion of the site (Lot 1 DP 720027).

Although not formally part of the subject site, there are also encroaching structures over Council owned land described as Lot 102 DP 1005245 bordering the western boundary of the site. This parcel of land is zoned RE1 Public Recreation and is Community land categorised as Operational land.

The site is regular in shape, low lying with a fall of up to 2m from the front (Windang Road) to the rear (Lake Illawarra foreshore). Access to the site is from Windang Road.

Adjoining development is as follows:

- North: unformed laneway (Bakers Lane)
- East: Windang Road
- South: Oasis Caravan Park (140-146 Windang Rd)
- West: Lake Illawarra foreshore

The locality is characterised by a mix of recreational uses and low-density housing to the north and east with Windang Town Centre approximately 1.6km to the south.

An aerial photo and zoning map form Attachment 1 to this report.

Property constraints

Council records identify the land as being impacted by the following constraints:

- Flooding: The site is identified as being located within a medium and high flood risk precinct.
- Acid sulphate soils (Class 2 within the subject site and Class 1 on Lot 102 – Council land).
- The western portion of the site is affected by the foreshore building line under Wollongong LEP 2009 as discussed in part 2.1.6 of this report.
- The site is affected by coastal hazard(s): 2010-2100 Coastal inundation as shown below

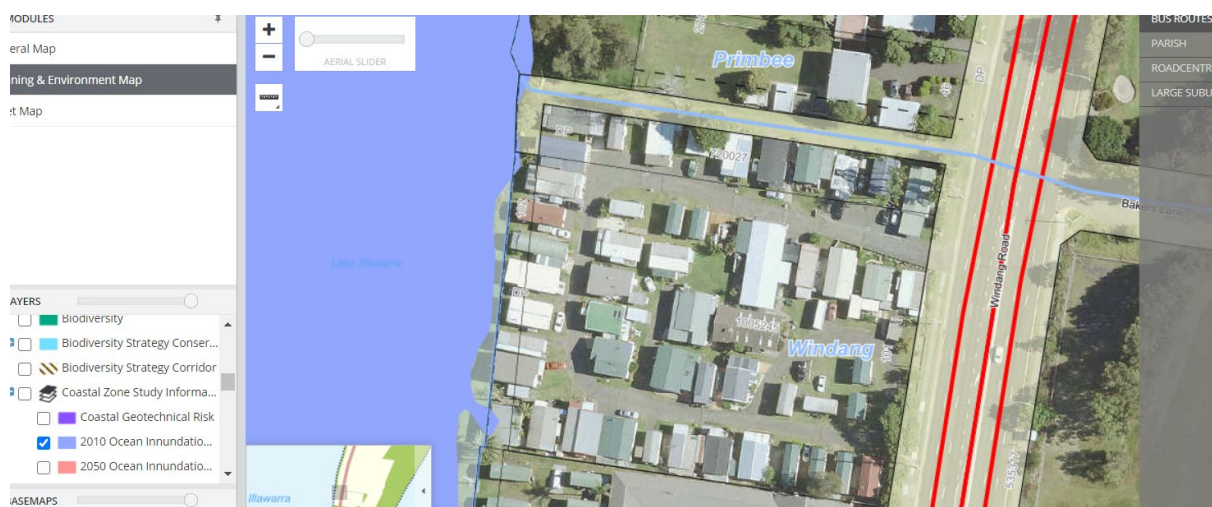


Figure 2: 2010 ocean inundation

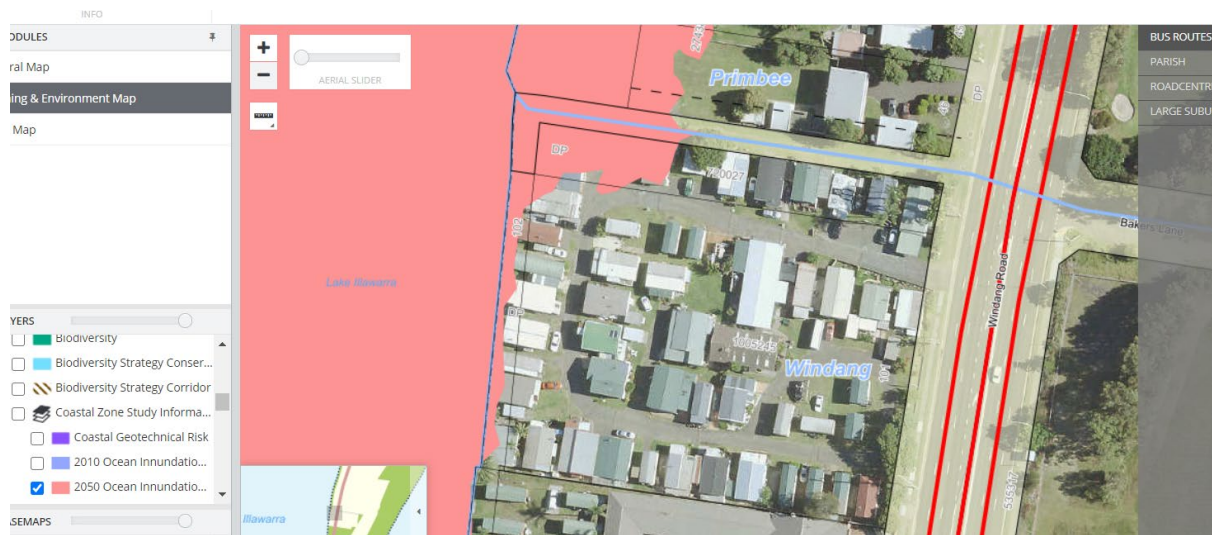


Figure 3: 2050 ocean inundation



Figure 4: 2100 ocean inundation

- There are no restrictions on the titles under DP 1005245 or DP 720027.

1.5 SUBMISSIONS

The application was notified in accordance with Council's Community Participation Plan 2019 between 19 November 2020 and 3 December 2020. No submissions were received. The updated site plan and accompanying information received on 26 July 2022 did not require re-notification under Schedule 3, point 3 which states, *Minor amendments to undetermined Development Applications which are, in the opinion of Council, unlikely to impact any adjoining property.*



Figure 5: Notification map

1.6 CONSULTATION

1.6.1 INTERNAL CONSULTATION

Stormwater Engineer

Council's Stormwater Engineer reviewed the application as originally lodged and provided an unsatisfactory referral based on the flooding constraints of the site and also requesting additional information. The additional information received on 26 July 2022 that sought to address the flooding concerns has been reviewed and considered. This additional information does not resolve the matters identified in the previous stormwater assessment. This is discussed in more detail under part 2.3 of this report (Chapter E13 Floodplain Management).

Environment

Council's Environment Officer has reviewed the application and requested additional information regarding Coastal management. Consideration has been given to the Lake Illawarra Coastal Management Plan (Lake Illawarra CMP) and supporting documents. A number of sites have been identified as unsuitable for long-term residential use having regard to coastal hazards, specifically tidal inundation (sites numbered 813, 814, 815, 816, 817, 818, 819, 820, 821, 822 and 823). Additional information was requested of the applicant detailing the removal of the relocatable homes and associated structures on these sites within five (5) years. This matter has not been specifically responded to.

The Lake Illawarra CMP also identifies the following actions at the development application site: Manage unauthorised clearing and structures and improve mowing practices on public land and the following action adjacent to the development application site: Rehabilitate estuarine and riparian vegetation. Details of the proposed revegetation of this area with species consistent with the locally occurring Swamp Oak Floodplain Forest endangered ecological community was requested of the applicant but not provided, noting that no changes to the existing landscaping was proposed.

Based on tidal inundation risk, the referral noted that any consent granted should be time limited, and not extend beyond the 2040 planning horizon. Future development applications could be considered within the context of the development controls for coastal hazards at that time.

Statutory Property

It was noted that there are approximately 10 structures that encroach onto Council owned land (Lot 102 DP 1005245 which is classified as Operational Land) for which a licence from Council would be required for these structures to remain. It was also noted that several structures encroach over Crown Land for which their consent will be required*.

**Note no owners consent from Department of Lands has been granted as outlined in Part 1.4.2 below.*

Property Management

The referral noted that the applicant would need to enter into a licence with Council for the encroachment of structures over Council land. There is no existing or prior licence agreement over Lot 102 DP 1005245.

Recreation Officer

Recreation has noted that a small portion of RE1 land is impacted by the proposal, noting that Council does have any current or future plans for the reserve indicating low priority for embellishment. This is contrary to the Lake Illawarra CMP which identifies certain actions at the development application site: Manage illegal clearing and structures and improve mowing practices on public land and the following action adjacent to the development application site: Rehabilitate estuarine and riparian vegetation as outlined in the Environment referral.

BCA Officer

Council's BCA Officer has identified the development is non-conforming with various provisions of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 (the Regulation). The submission seeks departures from the Regulation which are considered not to be well founded and the extent of departures proposed are not supported.

Issues have been identified with encroachments over the site boundaries and non-compliant provision of parking, entry/exit widths and internal road widths, visitor parking, forecourt area, inadequate buffers and separation requirements, privacy screening, noise attenuation and other requirements. No details have been provided relating to disposal of roof/surface water and waste management.

Numerous areas of non-compliance and additional information relating to the Regulations were relayed to the applicant in Council's RFI letter. Some additional information has been submitted, however this has not resolved all the issues identified. There is a current application lodged for an approval to operate the caravan park that has been deferred for assessment pending the outcome of this application. As identified through the rest of this report there are significant non-compliances with the regulations that would need to be resolved through the assessment phase of the approval to operate application. Some of the non-compliances may be capable of being conditioned where consent is granted, however there are numerous issues that would alter the overall site layout, which should be reflected on the DA plans prior to determination.

1.6.2 EXTERNAL CONSULTATION

Department of Lands – Crown land.

Although direct consultation between Council and DPIE – Lands was not carried out, the applicant provided correspondence from DPIE – Lands responding to their request for Landowners consent relating to Crown Land adjoining Lot 102 DP 1005245 to the west. This correspondence dated 15 February 2021 identified that the Crown land is subject to a native title claim, for which a licence cannot be granted and therefore the licence application is not proceeding. The applicant has identified that any encroaching structures over this parcel of Crown land would need to be removed.

Transport for NSW (TfNSW)

The application was referred to TfNSW on 28/4/21 given the site has frontage to a classified road. TfNSW requested additional information on 11 May 2021 relating to adequate sight distances at the access to Windang Road, and a swept path analysis on scaled plans to demonstrate the largest vehicle likely to utilise the access can enter and exit the driveway in a forward direction and enter and exit the site simultaneously. As the request for additional information was not responded to for a considerable amount of time, correspondence from TfNSW was received on 26 April 2022 advising that the proposed development cannot be supported.

*Note – The applicant submitted additional information on 25 July 2022, however the swept path analysis was submitted on 5 September 2022. The submission of this information did not allow sufficient time to consult with TfNSW prior to finalising this report and did not include the requested detail.

Natural Resources Access Regulator (NRAR)

The caravan park is located within 40m of waterfront land (Lake Illawarra) however the development application was not identified as Integrated Development. It is noted that the scope of upgrade works may trigger the requirement for a Controlled Activity Approval under the Water Management Act 2000.

2 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

1.7 Application of Part 7 of Biodiversity Conservation Act 2016 and Part 7A of Fisheries Management Act 1994

This Act has effect subject to the provisions of Part 7 of the Biodiversity Conservation Act 2016 and Part 7A of the Fisheries Management Act 1994 that relate to the operation of this Act in connection with the terrestrial and aquatic environment.

NSW BIODIVERSITY CONSERVATION ACT 2016

Where threshold not triggered

Section 1.7 of the Environmental Planning and Assessment Act 1979 (EP&A Act) provides that Act has effect subject to the provisions of Part 7 of the Biodiversity Conservation Act 2016 (BC Act).

Part 7 of the BC Act relates to Biodiversity assessment and approvals under the EP&A Act where it contains additional requirements with respect to assessments, consents and approvals under this Act.

Clause 7.2 of the Biodiversity Conservation Regulation 2017 provides the minimum lot size and area threshold criteria for when the clearing of native vegetation triggers entry of a proposed development into the NSW Biodiversity offsets scheme. For the subject site, entry into the offset scheme would be triggered by clearing of an area greater than 0.25 hectares based upon the minimum lot size of the WLEP 2009 R2 zoned land (i.e. less than 1 hectare minimum lot size).

No native vegetation is proposed to be cleared for the development. The site is not identified as being of high biodiversity value on the Biodiversity Values Map.

No further assessment is required.

2.1 SECTION 4.15(1)(A)(1) ANY ENVIRONMENTAL PLANNING INSTRUMENT

2.1.1 STATE ENVIRONMENTAL PLANNING POLICY (HOUSING) 2021

State environmental planning policies (SEPPs) were consolidated from 45 existing SEPPs into 11 new SEPPs commencing on 1 March 2022 with transitional provisions making them applicable to the application. The application was lodged prior to this date, however the provisions within the repealed SEPPs were transferred into the new SEPPs and the intent and provisions remain largely unchanged.

SEPP No 21—Caravan Parks applied at the time this development application was lodged. However, the Housing SEPP has replaced SEPP 21 as identified in Clause 12 below:

12 Transferred provisions

The Interpretation Act 1987, section 30A is taken to apply to the following provisions transferred to this Policy on the commencement of this Policy in the same way as it applies to provisions transferred from a statutory rule to another statutory rule—

(a) Chapter 3, Parts 8 and 9,

(b) Schedules 4, 5 and 6.

Note—

The Interpretation Act 1987, section 30A provides—

(a) the transfer of a provision does not affect the operation or meaning of the provision, and

(b) a transferred provision is to be construed as if it had not been transferred.

Part 8 Manufactured home estates

Part 8 is not applicable to the application as approval is not sought for a manufactured home estate.

Part 9 Caravan Parks

126 Aims, objectives etc

(1) The aim of this policy is to encourage:

(a) the orderly and economic use and development of land used or intended to be used as a caravan park catering exclusively or predominantly for short-term residents (such as tourists) or for long-term residents, or catering for both, and

(b) the proper management and development of land so used, for the purpose of promoting the social and economic welfare of the community, and

(c) the provision of community facilities for land so used, and

(d) the protection of the environment of, and in the vicinity of, land so used.

(2) The strategies by which that aim is to be achieved are:

(a) by requiring that development consent be obtained from the local Council for development for the purposes of caravan parks, and

(b) by providing that development consent may be granted that will authorise the use of sites for short-term stays (whether or not by tourists) or for long-term residential purposes, or for both, and

(c) by requiring that development consent be obtained from the local Council for the subdivision of land for lease purposes under section 289K of the Local Government Act 1919. The development proposal is considered to be inconsistent with these objectives noting that development consent has not been obtained for the use of the caravan park in its current layout.

Comment – The current application seeks development consent for the continued use of the caravan park to authorise 35 long-term and 15 short-term sites.

131 Development consent required for caravan parks

(1) Development for the purposes of a caravan park may be carried out only with the development consent of the Council.

(2) Before granting development consent to the use of land for the purposes of a caravan park, a Council must determine:

(a) the number of sites (if any) within that land that the Council considers are suitable for long-term residence, within the meaning of the Local Government (Caravan Parks and Camping Grounds) Transitional Regulation 1993, and

Comment

The *Transitional Regulation 1993* has been repealed and now replaced by *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021*. This regulation defines long term residence as follows:

long-term site means a dwelling site that is specified in the approval for a caravan park as being a long-term site.

The primary concern regarding the suitability of the site for long vs short term residence is in regard to flood risk and coastal hazards such as tidal inundation.

This is discussed in greater detail at clause 7.3 of WLEP 2009 and in relation to the coastal management provisions under the SEPP (Resilience and Hazards) 2021. Generally speaking, the proposed number of long term sites is considered unsuitable having regard to the flooding constraints and coastal hazards of the site.

(b) the number of sites (if any) within that land that the Council considers are not suitable for long-term residence, but are suitable for short-term residence, within the meaning of that Regulation.

Comment

Short term is defined as follows under *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021*

short-term site means a dwelling site on which a moveable dwelling that is ordinarily used for holiday purposes may be installed and that is specified in the approval for a caravan park as being a short-term site.

As discussed at (a) above, the primary concern with suitability of the land is in respect of flooding and coastal hazards (tidal inundation). A large proportion of the site is considered unsuitable for long-term residence and therefore the mix of short and long term sites as proposed in its current form is not supported.

Insufficient information to address how those parts of the development classified as 'Recreation or Non-urban Uses', and those parts of the development classified as 'Residential' development that are within the Medium Flood Risk Precinct, satisfy the relevant flood planning controls and objectives.

(3) A Council must not grant development consent to the use of land for the purposes of a caravan park unless it imposes as a condition of that consent a condition specifying the maximum number of sites (if any) within that land that may be used for long-term residence.

Comment

A condition of consent stipulating the maximum number of sites that may be used for long-term residence would apply where consent is granted.

(4) The holder of an approval under Part 1 of Chapter 7 of the Local Government Act 1993 to operate a caravan park or camping ground on land must not, without the development consent of the Council, allow a person to occupy a site within that land:

(a) for a continuous period of more than 3 months, except as provided by paragraph (b), or

(b) for a continuous period longer than the period (if any) for which the person is allowed to be accommodated within the land by an extension that has been granted under clause 19 (6) of the

Local Government (Caravan Parks and Camping Grounds) Transitional Regulation 1993, if such a use of that site was not lawful under the Environmental Planning and Assessment Act 1979 when this Part commenced.

Comment

There is no current Approval to Operate, the latest approval being granted on 24/4/2008 for 37 long term/17 short term sites (CP-2003/5). It is this requirement that has triggered the need for development consent to be sought for the continued use of the caravan park in its current arrangement.

(4A) Except as provided by subclause (4), nothing in this Part or any other environmental planning instrument requires separate development consent to be obtained for the installation or placement of a moveable dwelling on land on which development for the purposes of a caravan park is being lawfully carried out.

Comment

Currently, the development for the purpose of a caravan park on the Site is not lawful because no development consent has been obtained for the number of short and long term sites that currently occupy the Site.

(5) This clause does not apply to any land that is authorised to be used for the purposes of a manufactured home estate by a development consent granted pursuant to State Environmental Planning Policy No 36—Manufactured Home Estates or dedicated or reserved under the National Parks and Wildlife Act 1974.

N/A

132 Subdivision of caravan parks for lease purposes

N/A

133 Matters to be considered by Councils

A Council may grant a development consent required by this Policy only after it has considered the following:

(a) 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,

Comment

A primary concern in respect of the suitability of the site for long vs short term residence has been the issue of whether long term residence presents a greater risk to and from flooding and tidal inundation as compared to short term tourist accommodation. This is discussed in greater detail at clause 7.3 of WLEP 2009, Chapter E13 of WDCP2009 and in relation to Coastal management under Chapter 2 of the SEPP (Resilience and Hazards) 2021.

Generally speaking, the proposed proportion of long term sites is considered unsuitable having regard to the existing and increasing flooding and coastal risks.

(b) 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,

Comment

Existing tourist accommodation will not be displaced by the proposal as the park is currently utilised for predominantly long-term accommodation. The proposed continued use of the land for long-term sites will reduce the immediate availability of use of the land for tourist accommodation. Whether that results in a significant adverse impact on the overall availability

of tourist accommodation in the locality would require an understanding of supply and demand and changing nature of tourist travel, both of which are outside the scope of this assessment.

(c) whether there is adequate low-cost housing, or land available for low-cost housing, in that locality,

Comment

As at point b), the availability of low cost housing in the locality is a strategic planning matter rather than one that can be assessed for this individual DA. It is broadly acknowledged that access to low cost housing across the LGA is limited.

In their submission, the applicant noted that the site has been used for numerous years for low cost housing which demonstrates the need and demand for this form of housing.

The need for low-cost housing is acknowledged. The provision of both short term and long-term sites does contribute to the provision of low cost housing in the locality. The reasonableness of the proposed development contributing to this need also requires consideration of the suitability in the context of the Site constraints.

(d) 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,

Comment

Being longer term residential in nature, dwellings will largely be self-contained and there will not be a reliance on communal laundry facilities.

Recreational opportunities within the boundaries of the site are limited to a communal bbq area and direct access to Lake Illawarra to the west.

In regard to public transport, a bus stop is available within 50m of the entry/exit driveways for the park.

Windang village provides a small corner shop, takeaway food outlets and a number of other independent shops, services and recreational opportunities within 1.6km of the subject site. Additional services are available in Warilla and Warrawong, all within 5km radius and connected by public and private transport options.

(e) any relevant guidelines issued by the Director, and

None applicable

(f) the provisions of the Local Government (Caravan Parks and Camping Grounds) Transitional Regulation 1993.

Comment

This regulation was repealed by *Local Government (Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 1995*, which was then repealed by *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021*. An assessment against this regulation is provided in Attachment 5.

2.1.2 LOCAL GOVERNMENT (MANUFACTURED HOME ESTATES, CARAVAN PARKS, CAMPING GROUNDS AND MOVEABLE DWELLINGS) REGULATION 2021

A full compliance table for this policy is provided in Attachment 5 of this report however non-compliant matters are addressed below:

Division 3 Caravan parks and camping grounds

Subdivision 1 Land and site requirements	
--	--

83 Minimum size of caravan park or camping ground

- (1) A caravan park must not have an area of less than—
- (a) 1 hectare, or
- (b) if a lesser area is permitted on the land by an environmental planning instrument—the lesser area.

Not achieved

Site area is 9575sqm which is below the minimum one(1) hectare. The caravan park is existing and where reasonable amenity and facilities are available, no objection would be raised to the reduced site area .

84 Community amenities

- (1) A minimum of 10% of the total land area of a caravan park or camping ground must be reserved for recreation or other communal activities.
- (2) The council may allow a lower percentage, not less than 6% of the total land area of the caravan park or camping ground, to be reserved for recreation or other communal activities.
- (3) Before allowing a lower percentage, the council must consider—
- (a) the type and range of amenities to be provided, and
- (b) other matters the council considers relevant.

Not achieved

The site plan indicates a recreational area of approximately 150sqm where BBQs are provided, representing 1.5%.

The proportion of long-term sites would warrant improvement to the available recreation or communal facilities, however it is acknowledged that the caravan park appears to have operated without such facilities for a number of years.

89 Setbacks of dwelling sites and camp sites from road frontages

- (1) A dwelling site or camp site must not be located closer than—
- (a) 10 metres to a public road, or
- (b) 3 metres to another boundary of the caravan park or camping ground.
- (2) The council may allow a lesser distance if satisfied the dwelling site or camp site has been or will be properly screened, fenced, enclosed or otherwise treated.

Not achieved

The setback of long term dwelling sites from the road reserve for Windang Road does not comply. The minimum distance to the front boundary to Windang Road is 2.1m (Site 833).

The setback of sites to the northern and southern boundaries is varied, between a zero (0m) setback and up to 2.2m.

The development application relates to the overall site layout with specific assessment of setbacks being undertaken in the approval to operate and other section 68 applications for installations.

The applicant states the existing screening is to be upgraded however Council is not satisfied of this as no details have been provided.

91 Separation distances

(1) A moveable dwelling must not be installed within the following distance of another moveable dwelling—

- (a) if located on a long-term site—3 metres, or
- (b) if located on a short-term site or camp site—2.5 metres.

Not achieved

The minimum 3m and 2.5m is separation distances are not achieved for all sites as shown on the site map.

This is a matter for consideration under the Local Government Act approval, noting that the applicant is seeking a Section 82 objection under the Local Government Act 1993 to this requirement on the basis that the moveable dwellings have had these setbacks for numerous years without safety or amenity issues.

92 Entrance and exit roads

(1) A road that forms an entrance to or exit from a caravan park or camping ground must be at least 7 metres wide.

Not achieved

Additional information requested but not provided. Vehicle entry measured off plans at approximately 5.5m wide.

Additional information requested but forecourt area is not dimensioned.

93 Forecourt

A caravan park must have an area—

- (a) to accommodate incoming vehicles, and
- (b) measuring at least 4 metres by 20 metres.

Not achieved

Additional information requested but not provided.

94 Width of roads

(1) The width of an access road must be:

- (a) at least 6 metres for a two-way access road, and
- (b) at least 4 metres for a one-way access road.

Not achieved

6m not achieved at all areas
4m not achieved at all areas

96 Resident parking

(1) A caravan park or camping ground must contain at least 1 resident parking space for each dwelling site or camp site.

(5) An off-site parking space must have minimum dimensions of—

- (a) for angle parking—5.4 metres by 2.5 metres, and
- (b) otherwise—6.1 metres by 2.5 metres.

(3) Each parking space must have minimum dimensions of—

- (a) for angle parking—5.4 metres by 2.5 metres, or
- (b) otherwise—6.1 metres by 2.5 metres.

Not achieved

Not achieved for all sites noting many of the car spaces that do show the dimensions are significantly undersized eg 825, 826, 830, 831

Not achieved

Numerous spaces are undersized

99 Road surfaces

All access roads, including all passing and parking bays, must—

- (a) have an all-weather sealed or other surface finish specified in the approval, and
- (b) be adapted to the land to enable adequate drainage and remove excessive grades.

Not achieved

Suitable surface for the access road is capable of being conditioned, however a drainage plan has been requested but not provided.

103 Drainage

- (1) A caravan park or camping ground must be provided with a stormwater drainage system.

Not achieved

A drainage plan was requested but not provided

2.1.3 STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

State environmental planning policies (SEPPs) were consolidated from 45 existing SEPPs into 11 new SEPPs commencing on 1 March 2022 with transitional provisions making them applicable to the application. The application was lodged prior to this date, however the provisions within the repealed SEPPs were transferred into the new SEPPs and the intent and provisions remain largely unchanged.

Clause 1.4 of the SEPP identifies that the provisions of SEPP (Coastal Management) 2018 and SEPP (Remediation of Land) which applied at the time of DA lodgement were transferred to this SEPP.

Chapter 2 Coastal Management

Part 2.2 Development controls for coastal management areas

Division 1 Coastal wetlands and littoral rainforests area

N/A - The site is outside the area identified as having coastal wetlands or littoral rainforests as shown in Figure 6 below:

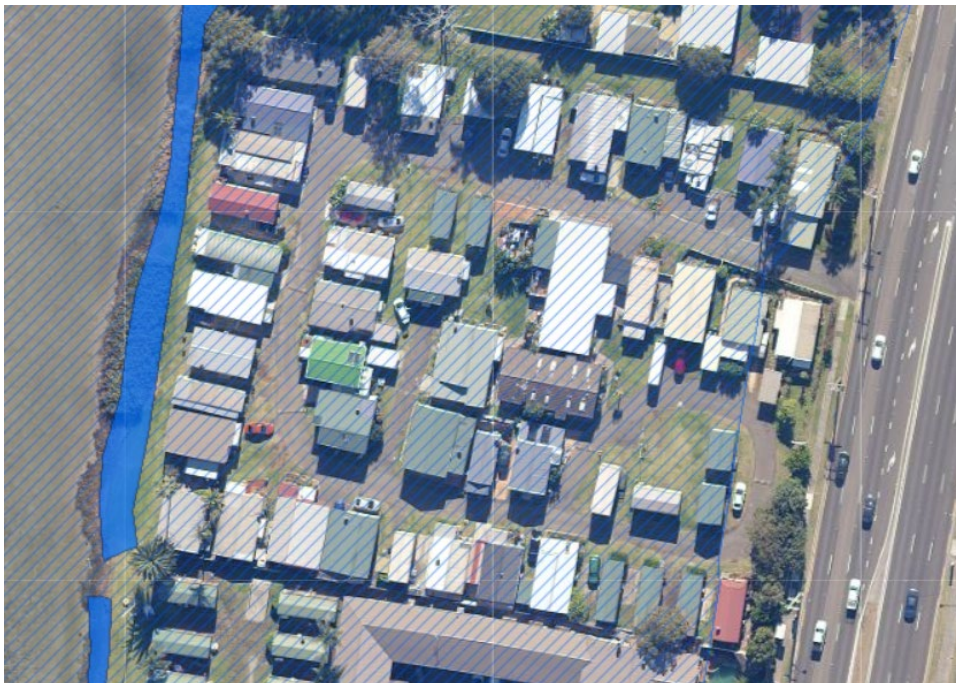


Figure 6: Coastal map showing coastal wetlands (solid blue) and proximity area for coastal wetlands (hatched area)

2.8 Development on land in proximity to coastal wetlands or littoral rainforest

(1) Development consent must not be granted to development on land identified as “proximity area for coastal wetlands” or “proximity area for littoral rainforest” on the Coastal Wetlands and Littoral Rainforests Area Map unless the consent authority is satisfied that the proposed development will not significantly impact on:

(a) the biophysical, hydrological or ecological integrity of the adjacent coastal wetland or littoral rainforest, or

(b) the quantity and quality of surface and ground water flows to and from the adjacent coastal wetland or littoral rainforest.

Comment: The majority of the site is identified as being within the Proximity Area for Coastal Wetlands as shown in Figure 6 above. Wetland vegetation separated by mown grass occurs close to the western most park sites. The continued use of the South Pacific Village Caravan Park would not be expected to significantly impact on the biophysical, hydrological or ecological integrity of the adjacent coastal wetland, or the quantity and quality of surface and ground water flows to and from the adjacent coastal wetland.

(2) This clause does not apply to land that is identified as “coastal wetlands” or “littoral rainforest” on the Coastal Wetlands and Littoral Rainforests Area Map.

Comment: N/A - The area mapped as coastal wetlands (solid blue shading above in Figure 6) is outside the subject site boundaries.

Division 2 Coastal vulnerability area

Note. At the commencement of this Policy, no Coastal Vulnerability Area Map was adopted and therefore no coastal vulnerability area has been identified.

Division 3 Coastal environment area

2.10 Development on land within the coastal environment area

(a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,	The development application is for the continued use of the caravan park. No works are proposed. Overall, the proposed development is expected to cause minimal impact on the environment.
(b) natural coastal processes,	The continued use of the South Pacific Village Caravan Park is not expected to have an adverse impact on coastal processes.
(c) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,	The continued use of the South Pacific Village Caravan Park would not be expected to have an adverse impact on the water quality of Lake Illawarra. Lake Illawarra is not identified as a sensitive coastal lake in Schedule 1
(d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,	The continued use of the South Pacific Village Caravan Park would not be expected to cause an adverse impact on marine vegetation, native vegetation and fauna and their habitats and undeveloped headlands and rock platforms.

Division 4 Coastal use area

2.11 Development on land within the coastal use area

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

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

- (i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
- (ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,*
- (iii) the visual amenity and scenic qualities of the coast, including coastal headlands,*
- (iv) Aboriginal cultural heritage, practices and places,*
- (v) cultural and built environment heritage, and*

(b) is satisfied that:

- (i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or*
- (ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
- (iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and*

(c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.

Comment:

The site is not identified as having heritage significance. The encroaching structures within the Council owned RE1 zoned land limit wider public access along the lake foreshore, therefore the proposal to retain existing structures outside the site boundaries is not sited to minimise this impact. Removal of the structures encroaching into this land (Lot 102 DP 1005245) would best resolve this issue.

Division 5 General

2.12 Development in coastal zone generally—development not to increase risk of coastal hazards

Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.

Comment: The continued use of South Pacific Village Caravan park is not expected to increase the risk of any coastal hazards.

2.13 Development in coastal zone generally—coastal management programs to be considered

Development consent must not be granted to development on land within the coastal zone unless the consent authority has taken into consideration the relevant provisions of any certified coastal management program that applies to the land.

Comments:

NSW Coastal Management Act 2016 and Wollongong Coastal Zone Management Plan

The Wollongong Coastal Zone Management Plan (Wollongong CZMP) was certified on 20 December 2017 and applies to the Wollongong LGA.

The Lake Illawarra Coastal Management Plan 2020-2030 (Lake Illawarra CMP) (BMT, 2020a) was certified on November 2020 and also applies to the subject site. The Lake Illawarra CMP is supported by the *Lake Illawarra Synthesis Report* (BMT, 2020b) and *Lake Illawarra Community Uses, Values, Threats and Opportunities Report* (BMT, 2020c).

The Lake Illawarra CMP states that the existing coastal inundation (storm event) and tidal inundation modelling and mapping, and other relevant estuary hazard information fit the specifications of what councils can consider when assessing the risk of a current or future coastal hazard (BMT, 2020, pp19-20).

Coastal inundation refers to elevated water levels during a coastal storm that may overtop dunes or penetrate estuaries, causing flooding of adjacent properties. The Wollongong CZMP identifies the level of coastal inundation risk at this development application site currently (ie at 2010) is low, is predicted to be medium by 2050 and medium by 2100 (Refer Figures 2-4 of this report).

Tidal inundation is the permanent inundation which occurs on daily high tides due to sea level rise.

Tidal inundation risks are different to coastal inundation (storm event) risks in that the tidal inundation water level occurs so frequently as to be considered permanent (eg daily high tides), and the existing land use can no longer be supported.

The Lake Illawarra Community Uses, Values, Threats and Opportunities Report (BMT, 2020c) identifies parts of this development application site have varying levels of risk (medium, high and very high) of major impact by tidal inundation over the different timeframes of 2016, 2040, 2070 and 2100, with the risk generally increasing in the future as due to predicted sea level rise and increases in tidal range. Maps indicating this form Attachment 6.

Therefore sites 813, 814, 815, 816, 817, 818, 819, 820, 821, 822 and 823 (located in the western portion of the site) are unsuitable for long term residential use having regard to coastal hazards.

For this DA, based on tidal inundation risk, any consent should not extend beyond the 2040 planning horizon. Future development applications can be considered within the context of the development controls for coastal hazards at that time.

The Lake Illawarra CMP also identifies the following actions at the development application site: Manage illegal clearing and structures and improve mowing practices on public land and the following action adjacent to the development application site: Rehabilitate estuarine and riparian vegetation.

Chapter 4 Remediation of Land

Clause 4.6 Contamination and remediation to be considered in determining development application

Council records do not indicate that the site is contaminated land or within an investigation area. The aerial photos indicate the site has been used for the purpose of a caravan park since the 1970s. The development does not involve a change of use and no earthworks are proposed.

Council records indicate that conditional approval was granted in 1957 for a 'Petrol Filling Station' (24.4.57 Min.264). It is unclear whether this approval was acted upon and it is noted that there is a service station on the adjoining lot approximately 40m south of the subject site which appears on Council's aerial photography in 1961 in the approximate location that the current service station is located. The applicant was asked to address Clause 7 (of the then SEPP 55). Further comments were provided in the applicant's letter dated 25 July 2022, stating that the caravan park use has operated continually since 1959, does not represent a change of use, is not located within an investigation area and that there is no evidence of any potentially contaminating uses or works occurring on the site and on this basis no further investigation is required. However, Clause 4.6(4) states (own emphasis added):

(4) *The land concerned is—*

(a) *land that is within an investigation area,*

(b) *land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,*

(c) *to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land—*

(i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and

(ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).

For completeness, given the development history identifies a service station approval which is a use referred to in Table 1 of the contaminated land planning guidelines, further investigated is likely to be required to satisfy the provisions of Clause 4.6.

2.1.4 STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021

2.119 Development with frontage to classified road

The access from Windang Road is existing. The current application does not seek to alter that nor is it considered to result in an intensified use of the land that would generate additional traffic. Refer comments under Part 1.4.2 relating to referral to TfNSW.

(b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:

(i) the design of the vehicular access to the land, or

Unresolved – dimensions at access point and swept paths showing vehicles entering and exit the site simultaneously have not been provided.

(ii) the emission of smoke or dust from the development, or

None expected.

(iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and

No significant changes to the nature, volume or frequency of vehicles are anticipated.

(c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.

The South Pacific caravan park is of a type that would be sensitive to traffic noise and vehicle emissions. Whilst it is accepted that the historic use of the land and the general layout of the site has existed in its current form for many years, the proposal seeks consent to make the majority of the site residential in character. Some long-term sites are located closer to the front boundary than is permitted. This raises greater concern in respect of the likely amenity impacts described under this clause.

Additional information was requested of the applicant, including an acoustic report. An acoustic statement from Koikas Acoustics dated 10 August 2022 was submitted on 5 September 2022 which (in summary) concluded that there is no legislative requirements for the development to provide any specific acoustic treatment.

This clause is not considered to be satisfied due to the minimal setbacks and lack of detail regarding mitigation measures for those sites close to Windang Road.

2.120 Impact of road noise or vibration on non-road development

This clause does not specifically apply noting that caravan parks are expressly excluded from the definition of residential accommodation.

2.1.5 STATE ENVIRONMENTAL PLANNING POLICY (KOALA HABITAT PROTECTION) 2021

The State Environmental Planning Policy (Koala Habitat Protection) 2021 applies to the Wollongong Local Government Area, identified as being in the South Coast koala management area.

Development assessment process—other land

Consent can be issued for development on the subject land if Council is satisfied that the land is *not* core koala habitat.

The land has not been assessed by a suitably qualified and experience person as being highly suitable koala habitat, and Council has no record of the presence of koalas on the site currently or within the previous 18 years. The proposal does not include the removal of extensive native vegetation and the land is not considered to comprise core koala habitat.

2.1.6 WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

Clause 1.4 Definitions

caravan park means land (including a camping ground) on which caravans (or caravans and other moveable dwellings) are, or are to be, installed or placed.

moveable dwelling has the same meaning as in the Local Government Act 1993.

Note—

The term is defined as follows—

moveable dwelling means—

- (a) any tent, or any caravan or other van or other portable device (whether on wheels or not), used for human habitation, or
- (b) a manufactured home, or
- (c) any conveyance, structure or thing of a class or description prescribed by the regulations (under the Local Government Act 1993) for the purposes of this definition.

Under Local Government Act:

manufactured home means a self-contained dwelling (that is, a dwelling that includes at least one kitchen, bathroom, bedroom and living area and that also includes toilet and laundry facilities), being a dwelling:

- (a) that comprises one or more major sections, and
- (b) that is not a motor vehicle, trailer or other registrable vehicle within the meaning of the Road Transport Act 2013,

and includes any associated structures that form part of the dwelling.

Part 2 Permitted or prohibited development

Clause 2.2 – zoning of land to which Plan applies

The zoning map identifies the land as having a split zoning, being zoned RE2 Private Recreation and RE1 Public Recreation (refer Attachment 1).

The sites adjoins the W1 Natural Waterways zone (Lake Illawarra foreshore), noting that some existing structures encroach over the W1 zoned land.

Clause 2.3 – Zone objectives and land use table

The objectives of the zone are as follows:

RE1 Public Recreation zone

Objectives:

- *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 cater for the development of a wide range of uses and facilities within open spaces for the benefit of the community.*

The northern portion of the site is zoned RE1 (i.e. adjacent to the unformed laneway). The proposal is satisfactory with regard to the above objectives for this portion of land, noting that a greater proportion of short term uses would enhance the recreational uses and activities available within the caravan park site.

Supporting the continued use of the RE1 zoned strip of land that is owned by Council (Lot 102 DP 1005245) to allow the encroaching structures to remain for a private purpose is considered contrary to the zone objectives.

The land use table permits the following uses in the zone:

2 Permitted without consent

Nil

3 Permitted with consent

Aquaculture; Boat sheds; Camping grounds; Caravan parks; Centre-based child care facilities; Community facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Helipads; Information and education facilities; Kiosks; Markets; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Restaurants or cafes; Roads; Signage; Take away food and drink premises; Water recreation structures

4 Prohibited

Any development not specified in item 2 or 3

The proposal is defined as a caravan park as outlined above which is permissible with consent.

In order for the development to be capable of being categorised as a caravan park, it would require a minimum of 2 caravans that meet the definitions above. Two sites are identified as short-term sites containing caravans.

RE2 Private Recreation zone

Objectives:

- *To enable land to be used for private 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.*

The proposal provides some short term sites for recreational use, with the majority being long term sites which are a compatible land use.

The land use table permits the following uses in the zone:

2 Permitted without consent

Nil

3 Permitted with consent

Animal boarding or training establishments; Aquaculture; Boat building and repair facilities; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Centre-based child care facilities; Community facilities; Entertainment facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Function centres; Kiosks; Markets; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Restaurants or cafes; Roads; Signage; Take away food and drink premises; Water recreation structures

4 Prohibited

Any development not specified in item 2 or 3

The proposal is categorised as a caravan park as defined above and is permissible in the zone with development consent.

W1 Natural Waterways zone

Objectives:

- *To protect the ecological and scenic values of natural waterways.*
- *To prevent development that would have an adverse effect on the natural values of waterways in this zone.*
- *To provide for sustainable fishing industries and recreational fishing.*

The encroaching structures are contrary to the zone objectives and are proposed to be relocated out of the W1 zone.

The land use table permits the following uses in the zone:

2 Permitted without consent

Nil

3 Permitted with consent

Aquaculture; Environmental facilities; Environmental protection works; Moorings pens; Moorings; Recreation areas; Water recreation structures

4 Prohibited

Business premises; Hotel or motel accommodation; Industries; Local distribution premises; Multi dwelling housing; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

Caravan parks are not permitted in the W1 zone.

Clause 2.7 Demolition requires development consent

No demolition works are proposed.

Part 4 Principal development standards

Clause 4.3 Height of buildings

No buildings are proposed.

Clause 4.4 Floor space ratio

No floor space ratio applies to the site as identified on the Floor Space Ratio Map under this clause.

Part 5 Miscellaneous provisions

5.7 Development below mean high water mark

No work below the mean high water mark is proposed.

Part 7 Local provisions – general

7.1 Public utility infrastructure

No particular concerns are raised in regard to utility provision. Connection to utilities for the dwellings is managed under the Local Government Act approvals.

7.3 Flood planning

This clause is now repealed however applied at the time of lodgement.

The provisions of this clause have not been satisfied as outlined below.

(1) The objectives of this clause are as follows:

(a) to maintain the existing flood regime and flow conveyance capacity,

Insufficient information has been provided to enable an assessment

(b) to enable evacuation from land to which this clause applies,

The submitted Flood Emergency Response Plan for the facility has been assessed as unsatisfactory.

(c) to avoid significant adverse impacts on flood behaviour,

Insufficient information has been provided to enable an assessment

(d) to avoid significant effects on the environment that would cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, Satisfactory.

(e) to limit uses to those compatible with flow conveyance function and flood hazard.

The proposed long-term sites in areas of high flood risk is not considered acceptable in regard to risk to life and property.

(2) This clause applies to:

(a) land identified as “Flood planning area” on the Flood Planning Map, and

(b) other land at or below the flood planning level.

The site is identified as being below the flood planning level.

(3) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied in relation to all the following matters:

(a) all habitable floor levels of the development will be above the flood planning level,

Existing and proposed floor levels to Australian Height Datum were requested but have not been provided.

(b) the development will not adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties,

Insufficient information has been provided to enable an assessment

(c) the development will not significantly alter flow distributions and velocities to the detriment of other properties or the environment of the floodplain,

(d) the development will not affect evacuation from the land,

The submitted Flood Emergency Response Plan for the facility has been assessed as unsatisfactory.

(e) the development will not significantly detrimentally affect the floodplain environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses,

No concerns.

(f) the development will not result in unsustainable social and economic costs to the community as a consequence of flooding,

The risk to property as it relates to the predominantly long term residential character of the development has not been suitably addressed.

(g) if located in a floodway area—the development will not be incompatible with the flow conveyance function of, or increase a flood hazard in, the floodway area.

Insufficient information has been provided to enable an assessment

7.5 Acid Sulfate Soils

The site is mapped as having Class 1 and 2 Acid Sulfate Soils. Although the applicant states the development does not involve any physical works, the Remedial Works Program identifies works (eg upgrading moveable homes within the foreshore area) and also removing encroaching structures from Crown land. In this regard an Acid Sulfate Management Plan is likely to be required where the nature of physical works involved is properly understood.

7.7 Foreshore building line

Fifteen sites are either wholly or partly within the foreshore building line (FSBL), as shown below. The affected sites are identified as 812-820, 832, 822, 832 and 840-844.



Consideration of those encroachments against this clause is outlined below.

(1) The objective of this clause is to ensure that development in the foreshore area will not impact on natural foreshore processes or affect the significance and amenity of the area.

(2) Development consent must not be granted for development on land in the foreshore area except for the following purposes—

(a) the extension, alteration or rebuilding of an existing building wholly or partly in the foreshore area,

- (b) the erection of a building in the foreshore area, if the levels, depth or other exceptional features of the site make it appropriate to do so,*
- (c) development for the purposes of boat sheds, sea retaining walls, wharves, slipways, jetties, waterway access stairs, swimming pools, fences, cycleways, walking trails, picnic facilities or other recreation facilities (outdoor).*

The proposal does not involve development for the purposes referred to in subclause (2).

(3) Development consent must not be granted under subclause (2) unless the consent authority is satisfied that—

- (a) the development will contribute to achieving the objectives for the zone in which the land is located, and*
- (b) the appearance of any proposed structure, from both the waterway and adjacent foreshore areas, will be compatible with the surrounding area, and*
- (c) the development will not cause environmental harm such as—*
 - (i) pollution or siltation of the waterway, or*
 - (ii) an adverse effect on surrounding uses, marine habitat, wetland areas, flora or fauna habitats, or*
 - (iii) an adverse effect on drainage patterns, and*
- (d) the development will not cause congestion of, or generate conflicts between, people using open space areas or the waterway, and*
- (e) opportunities to provide continuous public access along the foreshore and to the waterway will not be compromised, and*
- (f) any historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of the land on which the development is to be carried out and of surrounding land will be maintained, and*
- (g) in the case of development for the alteration or rebuilding of an existing building wholly or partly in the foreshore area, the alteration or rebuilding will not have an adverse impact on the amenity or aesthetic appearance of the foreshore.*

The encroachments into the FSBL restricts opportunities for continuous public access along the lake foreshore under subclause (e), and also compromises the ability for the revegetation of this area with species consistent with the locally occurring Swamp Oak Floodplain Forest endangered ecological community (identified in the Lake Illawarra Coastal Management Plan actions).

The applicant's SEE states "Where sites are located within the foreshore building line, these will be removed. This is detailed within the remedial works program" (p3 of Appendix B of the SEE). This action is not reflected on the submitted plans. The Remedial Works Program (RWP) identifies sites 814-820, 832 and 822 and 823 as sites located on the coastal foreshore area with proposed remedial works being to 'Upgrade moveable homes to achieve compliance with the relevant development standards and the provisions of SEPP (Coastal management) 2018 within 16 weeks of issue of an approval to operate'. Not all sites within the nominated FSBL are identified in the RWP and it is unclear whether these structures are proposed to be upgraded or relocated out of the FSBL entirely.

2.2 SECTION 4.15(1)(A)(II) ANY PROPOSED INSTRUMENT

State environmental planning policies (SEPPs) were consolidated from 45 existing SEPPs into 11 new SEPPs commencing on 1 March 2022 with transitional provisions making them applicable to the application. The application was lodged prior to this date, however the provisions within the repealed SEPPs were transferred into the new SEPPs and the intent and provisions remain largely

unchanged. The Department has advised that these changes do not affect applications that have already been lodged.

2.3 SECTION 4.15(1)(A)(III) ANY DEVELOPMENT CONTROL PLAN

2.3.1 WOLLONGONG DEVELOPMENT CONTROL PLAN 2009

A full assessment under the DCP forms Attachment 4. Specific areas of concern are discussed below:

CHAPTER A2 – ECOLOGICALLY SUSTAINABLE DEVELOPMENT

Development controls to improve the sustainability of development throughout Wollongong are integrated into the relevant chapters of this DCP. The objectives under Part 1.2 state that the design, siting and construction of the development should consider the principles of ESD, which includes the objective that developments can adapt to climate change. In its current layout, the development does not adequately respond to this objective given the increased frequency and extent of tidal inundation over time.

CHAPTER C4: CARAVAN PARKS, CAMPING GROUNDS AND MANUFACTURED HOME ESTATES

The objectives of this chapter are:

- (a) To outline the statutory approval process framework for the establishment and operation of caravan parks, camping grounds and manufactured home estates;*
- (b) To provide development guidelines which support the provisions of State Environmental Planning Policy No. 21 – Caravan Parks and State Environmental Planning Policy No. 36 – Manufactured Home Estates,*
- (c) To ensure that sufficient services and community support facilities are provided to any long-term permanent residents within a caravan park or manufactured home estate and / or are within close proximity to the site.*

An assessment of this chapter forms Attachment 4 to this report. The proposal in its current form involves a number of variations to the controls which are outlined in the detailed assessment. The variations relate to setbacks, car parking, driveway widths, community facilities, flooding and landscaping. These variations have not been adequately justified.

CHAPTER E13 FLOODPLAIN MANAGEMENT

1. The key objectives of this chapter are to:

- a) Maintain the existing flood regime and flow conveyance capacity;*
- b) Maintain the function of floodway and flood storage areas;*
- c) Reduce the impact of flooding and flood liability on individual owners and occupiers of flood prone land;*
- d) Reduce private and public losses from flooding;*
- e) Improve public safety with respect to flooding;*
- f) Minimise the potential impact of development and other activity upon the aesthetic, recreational and environmental value of the waterway corridors;*
- g) Increase public awareness of the hazard and extent of land affected by the full range of potential floods;*
- h) Ensure new development must, as far as practical, reduce the existing flood risk, and in no circumstances should the flood risk be worsened;*
- i) Ensure new development (with the exception of waterway crossings) does not encroach within*

areas susceptible to channel erosion, migration, bank failure and slumping; and

j) Deal equitably and consistently with all matters requiring Council approval on flood affected land, in accordance with the principles within the latest version of the NSW Floodplain Development Manual or its update.

The site is identified as being within the medium and high flood risk precincts.

Under Chapter E13 (Floodplain Management) of the Wollongong DCP2009, the long-term sites are classified as 'Residential' development, and the short-term sites are classified as 'Recreation or Non-urban Uses', as per Appendix A: Land Use Categories. The proposed long-term sites located within the high flood risk precinct is contrary to Schedule 9a: Prescriptive Controls - Lake Illawarra – Windang Peninsula, which stipulates that Residential development is an unsuitable land use within the High Flood Risk Precinct. This is also contrary to a number of objectives and performance criteria under Chapter E13 and does not satisfy Clause 7.3 of Wollongong LEP.

Insufficient information has been submitted with the proposal to assess where the proposed long-term and short-term sites are located in relation to the High and Medium Flood Risk Precincts, therefore there is insufficient information to complete an assessment of the proposal against the relevant floodplain management related controls, objectives, and performance criteria under this chapter.

The following concerns were raised:

- Based on the information submitted residential development (i.e. long term sites) appears to be located within the high risk areas where the controls identify this as an unsuitable land use and contrary to the objectives and performance criteria in this chapter. A variation would not be supported.
- Further information was requested detailing how the recreation or non-urban uses as well as the long-term sites within the medium risk precincts satisfy the relevant flood planning controls and objectives.
- Significant amendment to the development would be required to satisfy the provisions of this chapter

Further information was requested as part of Council's RFI letter to address the above.

A flood evacuation strategy prepared by Milano Stewart accompanied the application, however numerous concerns were raised with the strategy, including the reliance on a private flood plan to mitigate risk when granting development consent which is considered inappropriate.

The provisions of this chapter are not satisfied.

2.3.2 WOLLONGONG CITY WIDE DEVELOPMENT CONTRIBUTIONS PLAN

The estimated cost of works was nominated as \$0 on the application form. It is likely that works would be required to address the concerns raised with the proposed development, for which a levy may apply under this plan where consent is granted.

2.4 SECTION 4.15(1)(A)(IIIA) ANY PLANNING AGREEMENT THAT HAS BEEN ENTERED INTO UNDER SECTION 7.4, OR ANY DRAFT PLANNING AGREEMENT THAT A DEVELOPER HAS OFFERED TO ENTER INTO UNDER SECTION 7.4

There are no planning agreements entered into or any draft agreement offered to enter into under S7.4 which affect the development.

2.5 SECTION 4.15(A)(IV) THE REGULATIONS (TO THE EXTENT THAT THEY PRESCRIBE MATTERS FOR THE PURPOSES OF THIS PARAGRAPH)

The 2000 Regulation continues to have effect as the application was lodged prior to 1 March 2022

92 What additional matters must a consent authority take into consideration in determining a development application?

N/A- no demolition proposed

93 Fire safety and other considerations

Not applicable

94 Consent authority may require buildings to be upgraded

Requirements are to be managed through approvals under section 68 of the Local Government Act.

2.6 SECTION 4.15(1)(B) THE LIKELY IMPACTS OF DEVELOPMENT

The proposal is not considered acceptable in regard to the likely impacts in respect of flooding, coastal hazards and residential amenity.

There is potential for social and economic impacts on existing residents of the caravan park, due to disruptions associated with necessary upgrades to existing structures, relocation of long-term sites and the potential for displacement of residents in the longer term due to the flooding and coastal constraints. These impacts are acknowledged and need to be balanced with the longer term social and economic impacts of not properly responding to the constraints of the site in relation to ongoing flood risk and coastal hazards, which are identified to increase over time.

2.7 SECTION 4.15(1)(C) THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT

Does the proposal fit in the locality?

Based on the information at hand, the proposal is unsuitable in regard to the zoning and site constraints.

Are the site attributes conducive to development?

The site constraints, namely flooding and coastal hazards are not conducive to the development in its current form, particularly with regard to the prevalence of long-term sites.

2.8 SECTION 4.15(1)(D) ANY SUBMISSIONS MADE IN ACCORDANCE WITH THIS ACT OR THE REGULATIONS

No submissions were received.

2.9 SECTION 4.15(1)(E) THE PUBLIC INTEREST

The application is not considered to be in the public interest for the reasons outlined in the draft refusal at Attachment 9.

3 CONCLUSION

This application has been assessed as unsatisfactory having regard to the Heads of Consideration under Section 54.15(1) of the Environmental Planning and Assessment Act 1979, the provisions of Wollongong Local Environmental Plan 2009 and all relevant Council DCPs, Codes and Policies.

The proposal is categorised as a caravan park which is permissible in both the RE1 and RE2 zones with development consent. However, several structures encroach upon adjoining land zoned RE1 Public Recreation and owned by Council and will require a licence agreement. The western portion

of the site is zoned W1 Natural Waterways, which is Crown Land. Some structures encroach into this W1 zoned land, where caravan parks are not permitted.

The proposal features several departures from the relevant controls as outlined in this report. The variations have not been appropriately justified and additional information remains outstanding therefore the application cannot be supported. Internal and external referral bodies have concluded that the proposal is not supportable in its current form based on the information at hand. No submissions were received following notification.

4 RECOMMENDATION

It is recommended that the development application be refused for the reasons outlined in Attachment 9.

Attachments

- 1 Aerial photograph and WLEP zoning map
- 2 Plans
- 3 Statement of Environmental Effects (includes the Remedial Works Program)
- 4 Wollongong DCP assessment
- 5 Assessment table for Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021
- 6 Lake Illawarra Coastal Zone Management Plan maps
- 7
 - a. Flood Emergency Response Plan – Molino Stewart
 - b. Letter from Rienco Consulting in response to flooding issues
- 8 Swept paths
- 9 Reasons for refusal

Attachment 1- LEP zoning map and aerial photo



Figure a: Aerial photograph

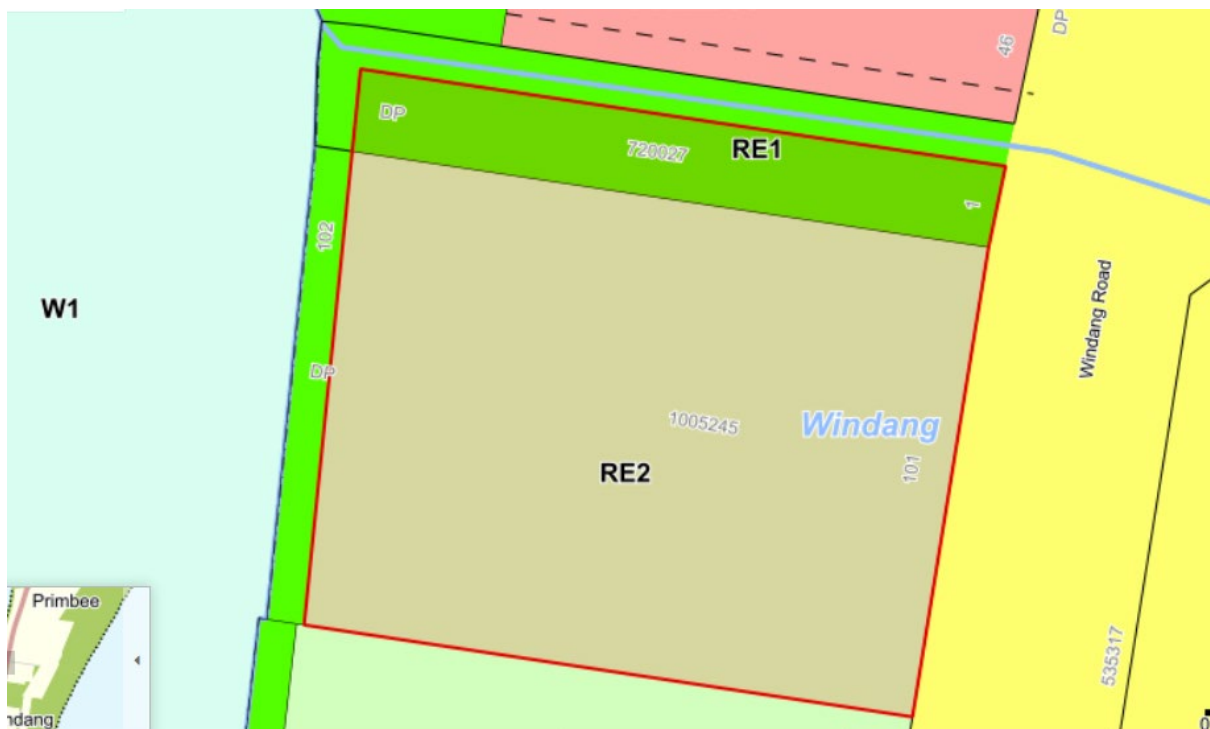


Figure b: WLEP 2009 zoning map

NOTE:

BOUNDARIES HAVE BEEN DETERMINED BY SURVEY ON 4/4/2022.

PRIOR TO ANY CONSTRUCTION WORK, SURVEY MARKS SHOULD BE PLACED TO DEFINE THE PROPERTY BOUNDARIES.

LAND IS ENCUMBERED BY DEALINGS & EASEMENTS THAT HAVE NOT BEEN INVESTIGATED.

Attachment 2

MGA

TN

APPROX.
1"



LEGEND

FIRE HYDRANT	■
CLOTHING LINES	□

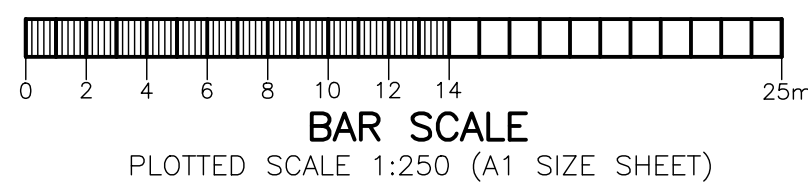
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REVISION No. REVISION DATE: COMMENT:

LEGEND:

CS - CAR SPACE
CP - CAR PORT
CLO - CLOTHES LINE
V - VERANDAH
VCS - VISITOR CAR SPACE
NUMBER - UNIT NUMBER
W-W - WALL TO WALL DISTANCE
W-BDY - WALL TO BOUNDARY DISTANCE



PLAN SHOWING DETAIL AND PROPOSED UNIT AREAS
IN DP1005245 & DP720027

CLIENT: ON TWO WHEELS
PROJECT: SOUTH PACIFIC PARK VILLAGE, WINDANG
ADDRESS: 138 WINDANG ROAD, WINDANG, NSW 2528

JOB No.: 220161	LGA: WOLLONGONG
PLAN No.: 220161 - 1	DATUM: NA
DATE: 06/04/2022	SCALE: 1:250@A1
DRAWN: EJ	CONT. INTERVAL: n/a
CHK: AE	SHEET 1 OF 2

Dharmendra Singh
Registered Surveyor
N° 8592

NOTE:

BOUNDARIES HAVE BEEN DETERMINED BY SURVEY ON 4/4/2022.

PRIOR TO ANY CONSTRUCTION WORK, SURVEY MARKS SHOULD BE PLACED TO DEFINE THE PROPERTY BOUNDARIES.

LAND IS ENCUMBERED BY DEALINGS & EASEMENTS THAT HAVE NOT BEEN INVESTIGATED.

MGA

TN

APPROX.
1"



NOTE:

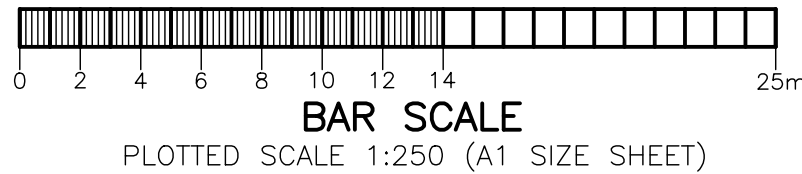
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REVISION No.	REVISION DATE:	COMMENT:
1	15/6/2022	ADDITION OF SITE FEATURES, AND UNIT AREAS

LEGEND:

CS - CAR SPACE
CP - CAR PORT
CLO - CLOTHES LINE
V - VERANDAH
VCS - VISITOR CAR SPACE
NUMBER - UNIT NUMBER

W-W - WALL TO WALL DISTANCE
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CHK: AE	SHEET 2 OF 2

Dharmendra Singh
Registered Surveyor
N° 8592

Attachment 3

THE PLANNINGHUB

by Hansen & Jones

STATEMENT OF ENVIRONMENTAL EFFECTS

Continued Use of South Pacific Village
Caravan Park at 138 Windang Road, Windang

CONTACT INFORMATION

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Director

DOCUMENT INFORMATION

Prepared For:	Sylvio Pirotta
Project Name:	138 Windang Road, Windang
Job Reference:	20/079 V2
Date Approved:	15 October 2020

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5.4	Public Interest	19
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Appendices

- A** Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds And Moveable Dwellings) Regulation 2005 – Compliance Table
The Planning Hub
- B** Wollongong Local Environmental Plan 2009 – Compliance Table
The Planning Hub
- C** Wollongong Development Control Plan 2009– Compliance Table
The Planning Hub
- D** Remedial Works Program
The Planning Hub
- E** Section 82 Variation Request
The Planning Hub
- F** Site Plan
Land Team
- G** Community Map
Land Team
- H** Flood Evacuation Management Plan
Molino Stewart
- I** Tabulated Summary
Land Team
- J** Section 89 Local Government Assessment Report and Recommendation & Notice of Determination
Wollongong City Council

1.0 Introduction

This Statement of Environmental Effects (SEE) accompanies a Development Application (DA) and Local Government Act Approval application submitted to Wollongong Council by Sylvio Pirotta. This application proposes the continued use of the existing Caravan Park at 138 Windang Road, Windang.

This SEE provides a detailed description of the site and the proposal and provides an assessment of the proposal against the relevant heads of consideration set out in Section 4.15 of the *Environmental Planning and Assessment Act, 1979 (EP&A Act)*. That assessment has found that the proposal:

- Meets the current objectives of the SEPP, LEP, DCP and Regulations where applicable;
- Will not result in significant negative impacts on surrounding land uses and environment;
- Is responsive to site context and presents a positive visual relationship with surrounding uses; and
- Is strongly in the public interest.

The SEE forms part of a suite of documents that are submitted in support of the application attached as **Appendices A-J**.

1.1 Planning Framework and Referrals

The site is located in the Wollongong Local Government Area (LGA). The cost of development for the proposed works is under \$20 million, and as such, the determining authority will be

In preparation of the development, consideration has been given to the following planning instruments:

- Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005;
- The State Environmental Planning Policy (Coastal Management) 2018;
- State Environmental Planning Policy No 21—Caravan Parks;
- State Environmental Planning Policy No.55 – Remediation of Land;
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- Wollongong Local Environmental Plan 2009; and
- Wollongong Development Control Plan 2009.

1.2 Project Context

The site is located to the east of Windang Road and is located in the local government area of Wollongong City Council. The land is described as 138 Windang Road, Windang and commonly known as South Pacific Village Caravan Park. The site is currently registered as Lot 101 DP 1005245 and Lot 1 720027. The site is square in shape, covering an area of approximately 9575m².

1.3 Background and Project Aims

The subject site has been in operation as a caravan park since circa 1954 as this was the date in which approvals for first sought for the use of the subject site. Since this time, the subject site has become used as a permanent residential address for a number of residents. These residents rely on the subject site for

the provision of affordable housing. Of note, several the residents do not have access to conventional market housing due to their socio-economic status. Further, the residents have developed a tight knit community over this period.

Therefore, this application seeks to retain the existing structures on site and enable the continued provision of affordable housing for the existing residents within the South Pacific Village Caravan Park/. The specific aims of the proposed development are as follows:

- Provide for ongoing residential security for the existing residents through retaining 37 long-term sites.
- Provide visitors accommodation through retaining 17 short term sites.
- Provide enhanced amenity and on-site safety for residents, visitors and employees through the provision of various upgrade works as detailed within the Remedial Works Program (**Appendix D**)

1.4 Recent Development History

Approval for the operation of the Caravan Park has been previously sought under **LG-2015/39**. This application was refused by Council on 29 August 2019. A review of determination was then lodged under RD **2015/39/A**, which was withdrawn on 13 May 2019.

Subsequently, the subject application (**LG 2019/82**) was lodged 28 August 2019. The landowner has engaged the Planning Hub to address the issues raised by Council within this application.

The purpose of this revised application is to respond to the Request for Additional Information Request issued by Council on 04 Approval 2019 and provide updated information to gain operation approval for the subject site.

It is noted that in accordance with the documents provided in **Appendix J**, the last operational approval for the premises (CP-2003/5) lapsed on 31 August 2008. This approval permitted a maximum of 37 long term sites, 17 short term sites and 0 camp sites.

Section 1.5 of the Assessment Report provided in **Appendix J** details the relevant development history. Since the lapsing of this approve, Council have taken no further action, therefore the premise has continued to operate as per the last approval.

Table 1 below details the additional information requested by Council and how each issue is to be addressed by this application.

Table 1: Response Additional Information Request	
RFI Requirement	Response
Crown Lands Approval Matter 1 of the RFI Relates to Owners Consent Issued by Crown Lands.	A formal request has been submitted to Crown Lands for consent to lodge the Development Application, based on previous operational (LG Act) approvals on the site.

<p>Owners consent issued by Crown Lands is necessary to lodge the DA for the use of sites 814, 815, 816, 818 and 819 as these sites encroach into Crown Lands.</p> <p>Crown Lands will not accept DA lodgement without a Local Government Act Approval.</p>	
<p>SEPP 21 - Matter 2 of Council's RFI states that it has not been established that the caravan park has been granted development approval for long term residential sites.</p> <p>Pursuant to Clause 8 of SEPP 21, Council cannot issue development consent for long term residents, unless previous approval has been sought.</p>	<p>It is proposed that a Development Application will be submitted for the approval of long-term sites on the subject site. As demonstrated in the compliance assessment provided below, the proposed development is capable of Complying with SEPP 21 and Council's DCP.</p>
<p>Council's DCP Flood Planning Controls Matter 3 of the RFI states that the caravan park does not comply with Flood Planning controls set out in Chapter 13 of Council's DCP.</p>	<p>A Flood Evacuation Management Plan has been prepared by Molino Stewart (Appendix H).</p>
<p>Flood Planning - Matters 4 and 5 of Council's RFI relate to flood planning and associated issues with the flooding.</p>	<p>An Emergency Flood Evacuation Plan prepared by Molino Stewart accompanies this application as Appendix H.</p>
<p>Coastal Foreshore building line - Matter 6 of Council's RFI relates to units in the eastern portion of the site. Council identifies that that units 814, 815, 816, 817, 818, 819, 820, 832, 822 and 823 are not suitable for development.</p>	<p>The State Environmental Planning Policy (Coastal Management) 2018 will be addressed as part of the joint DA and LG Act Application. An assessment is provided against the SEPP in this SEE below.</p> <p>It should be noted that the abovementioned sites are located on land within the foreshore building area on Council's Foreshore Building Line Map. Pursuant to Clause 7.7 development consent may be granted to alterations and additions to dwellings in the foreshore building line.</p>
<p>Fire Safety - Matter 7 of Council's RFI relates to the requirement to provide a Fire Safety Statement.</p>	<p>As detailed in the remedial works program, a fire safety statement is to be provided within 8 weeks post conditional approval to operate.</p>
<p>Plans - Matter 8 of Council's RFI relates to insufficient detail provided in the community map.</p>	<p>Refer to the remedial works program Appendix D.</p>

<p>Local Government Regulations 2005 - Matter 9 of Council's RFI relates to insufficient information provided in relation to the <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i>.</p> <p>.</p>	<p>The Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 is addressed in Appendix B,</p> <p>Of note, where there is merit, variations can be sought to the standards set out within section 82 of Local Government Regulations.</p>
<p>Remedial Works Program</p> <p>Additionally, Council requires a remedial works program to be submitted to address compliance with matters 2, 3, 4, 6 and 9(c) – (t).</p>	<p>The remedial works program accompanies this application as Appendix D.</p>

2.0 Site Analysis

2.1 Location and Context

The site is located in Windang and is approximately 10km south of the Wollongong CBD. The area is characterised by predominantly by public, private recreation and special infrastructure land uses. The surrounding area also has some low-density residential development to the north of the subject site.

A range of developments, amenities and facilities are also in close proximity as listed below:

- Port Kembla Golf Course
- Oasis Village Caravan
- Jetty's by the Bay Over 50s Resort
- PCYC Lake Illawarra
- Lake Illawarra Hotel
- Windang Public School
- Lake Illawarra South Public School
- Lake Illawarra Highschool

The site's locational context is demonstrated in **Figures 1 & 2** below.



Figure 1: Locality Plan demonstrating the site outlined in red (Source – Sixmaps).



Figure 2: Location Plan demonstrating the site area outlined in blue (Source: Nearmap).

2.2 Site Description

The site is commonly known as 138 Windang Road, Windang and is legally described as Lot 101 DP 1005245 and Lot 1 DP 720027. The site has a total area of 9575m² and has a frontage of 76m to Windang Road. The site area to be developed under this DA is lands identified as RE1 and RE2 zoned land only.

An aerial photo of the subject site is shown as **Figure 3** below. Works are contained to the subject site.



Figure 3: Site aerial demonstrating the exact development area defined in blue (Source: Nearmap).

2.3 Existing Site Conditions

Specific details on analysis is provided as follows:

Landform	The subject site has a gentle slope from the south to north.
Existing Structures	37 relocatable dwellings (long term) and 14 cabins (short term), 1 Caravan (long term), 1 motorhome, park office building, park residence, 2 camp sites (short term), amenities block and ancillary structures including carports, sheds and annexes.
Access	Vehicular access is via Windang Road.

3.0 Proposed Development

3.1 Overview

This application seeks consent for the ongoing operation of the existing caravan park.

Specifically, the proposed development involves a total of 54 sites comprising:

- 37 long term sites; and
- 17 short term sites.

Associated Structures

- Park office building,
- Park residence,

- Amenities block; and
- Ancillary structures including carports, sheds, and annexes.

4.0 Assessment of Environmental Impacts

4.1 Statutory Planning Framework and Compliance

An assessment of the proposal has been made against the relevant planning instruments applicable to the land and the proposal. These are:

- Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005;
- The State Environmental Planning Policy (Coastal Management) 2018;
- State Environmental Planning Policy No 21—Caravan Parks;
- Wollongong Local Environmental Plan 2009; and
- Wollongong Development Control Plan 2009.

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

The Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 aims to provide opportunities for affordable alternatives in short-term and long-term accommodation.

The proposed ongoing use of the Caravan park accords with the objectives of the Regulation in that it provides for short term and long-term accommodation to suit the needs of the existing community.

Clause 71 of the regulation Factors for Consideration before Approval is Granted requires:

- (1) *The council must not grant an approval to operate a caravan park or camping ground unless it is satisfied that it will be designed, constructed, maintained and operated—*
 - (a) *in accordance with the relevant requirements of Subdivisions 1–8 of Division 3, or*
 - (b) *in the case of a primitive camping ground, in accordance with the relevant requirements of Subdivision 9 of Division 3.*
- (2) *In deciding whether or not the approval for a caravan park or camping ground should allow the installation of a relocatable home, rigid annexe or associated structure on flood liable land, the council must have regard to the principles contained in the Floodplain Development Manual*

An assessment of the relevant requirements of Subdivisions 1-8 of Division 3 is provided in **Appendix A**.

As demonstrated in the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 compliance table (**Appendix A**), the proposed development is generally compliant with the relevant requirements set out in the regulation. Where there are non-

compliances a section 82 Variation Request has been prepared in support of the non-compliances (**Appendix E**). In situations where compliance cannot be reasonably achieved based on the site constraints, these issues have been addressed as part of the Remedial Works Program (**Appendix D**).

5.1.2 State Environmental Planning Policy (Coastal Management) 2018

The State Environmental Planning Policy (Coastal Management) 2018 (Coastal Management SEPP) aims to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the Coastal Management Act 2016,

The subject site is identified as lands on the Coastal Wetlands and Littoral Rainforest Area Map, Coastal Wetlands Area Maps, The Coastal Environment Area Map and the Coastal Use Areas Map on the NSW Planning Portal. Pursuant to Clause 5 of the Coastal Management SEPP, the SEPP applies to land within the coast zone. Pursuant to Clause 6 of the Coastal Management SEPP, Coastal zones means the area of land comprised of the following coastal management areas:

- (a) the coastal wetlands and littoral rainforests area,*
- (b) the coastal vulnerability area,*
- (c) the coastal environment area,*
- (d) the coastal use area.*

Given the above, the Coastal Management SEPP applies to the subject site.

Pursuant to Clause 10 for development within the Coastal wetlands and littoral rainforests area the development authority:

must not grant consent for development referred to in subclause (1) unless the consent authority is satisfied that sufficient measures have been, or will be, taken to protect, and where possible enhance, the biophysical, hydrological and ecological integrity of the coastal wetland or littoral rainforest.

Comment

The proposed development will not have any adverse impact on the biophysical, hydrological and ecological integrity of the coastal wetland.

Pursuant to Clause 13 of the Coastal Management SEPP:

Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following—

- (a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,*
- (b) coastal environmental values and natural coastal processes,*

- (c) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,*
- (d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,*
- (e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
- (f) Aboriginal cultural heritage, practices and places,*
- (g) the use of the surf zone.*

Comment

The proposed development will have any adverse impact on the matters listed above.

Pursuant to Clause 14 of the Coastal Management SEPP consent must not be granted to development on land that is within the coastal use area unless the consent authority—

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

- (i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
- (ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,*
- (iii) the visual amenity and scenic qualities of the coast, including coastal headlands,*
- (iv) Aboriginal cultural heritage, practices and places,*
- (v) cultural and built environment heritage, and*

(b) Council is satisfied that:

- (i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or
- (ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or
- (iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and

(c) Council has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.

Comment

Given that the development does not propose physical works it is considered that the continued use of the Caravan Park will not cause an adverse impact on the matters listed above.

Furthermore,

Pursuant to Clause 15 of the Coast Management SEPP

Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land

Comment

Given that the proposed development does not incorporate physical works and the existing structures are sited and appropriately elevated, the development is not likely to cause increased risk of coastal hazards on that land or other land.

Given the above the proposed development complies with all the relevant requirements of the Coastal Management SEPP.

5.1.3 State Environmental Planning Policy No 21—Caravan Parks

SEPP 21 applies to the proposed development. SEPP 21 requires that development consent be obtained from Council for development for the purposes of caravan parks. Of note, development consent may be granted that will authorise the use of sites for short-term stays (whether or not by tourists) or for long-term residential purposes, or for both.

SEPP 21 aims to encourage:

- (a) the orderly and economic use and development of land used or intended to be used as a caravan park catering exclusively or predominantly for short-term residents (such as tourists) or for long-term residents, or catering for both, and*
- (b) the proper management and development of land so used, for the purpose of promoting the social and economic welfare of the community, and*
- (c) the provision of community facilities for land so used, and*
- (d) the protection of the environment of, and in the vicinity of, land so used.*

Comment

It is considered that the proposed development complies with the objectives of SEPP 21. Of note, the caravan park is an existing use that caters for both the needs of long term and short term residents in that a number of the residents on site have been using the caravan park as their long-term residential accommodation for a number of years., which has created a sense of place for the residents and promoted the social welfare of these residents.

A full assessment of the relevant matters of consideration are provided in **Table 2** below.

Table 2: SEPP 21 Compliance Table		
SEPP Clause	Requirement	Complies - Comment
Clause 5 - State Environmental Planning Policy No 21— Caravan Parks	Nothing in State Environmental Planning Policy No 36— Manufactured Home Estates prevents development consent from being granted pursuant to this Policy for the use of land as a caravan park in which manufactured homes are or are to be installed or placed.	Noted.
Clause 8 - Development consent required for caravan parks	<p>(1) Development for the purposes of a caravan park may be carried out only with the development consent of the Council.</p> <p>(2) Before granting development consent to the use of land for the purposes of a caravan park, a Council must determine—</p> <p>(a) the number of sites (if any) within that land that the Council considers are suitable for long-term residence, within the meaning of the Local Government (Caravan Parks and Camping Grounds) Transitional Regulation 1993, and</p> <p>(b) the number of sites (if any) within that land that the Council considers are not suitable for long-term residence, but are suitable for short-term residence, within the meaning of that Regulation.</p> <p>(3) A Council must not grant development consent to the use of land for the purposes of a caravan park unless it imposes as a condition of that consent a condition specifying the</p>	<p>Noted. This application seeks development consent from Council.</p> <p>This application seeks development consent for 37 long term sites. As demonstrated in the relevant compliance tables the proposed 37 long-term sites are deemed reasonable based on general compliance with the relevant development standards and controls and the fact that the caravan park as been in operation for a significant period.</p> <p>The proposed development seeks consent for 14 short term sites.</p> <p>The maximum number of long term sites proposed under this application is 37.</p>

Table 2: SEPP 21 Compliance Table		
SEPP Clause	Requirement	Complies - Comment
	<p>maximum number of sites (if any) within that land that may be used for long-term residence.</p> <p>(4) The holder of an approval under Part 1 of Chapter 7 of the Local Government Act 1993 to operate a caravan park or camping ground on land must not, without the development consent of the Council, allow a person to occupy a site within that land—</p> <p>(a) for a continuous period of more than 3 months, except as provided by paragraph (b), or</p> <p>(b) for a continuous period longer than the period (if any) for which the person is allowed to be accommodated within the land by an extension that has been granted under clause 19 (6) of the Local Government (Caravan Parks and Camping Grounds) Transitional Regulation 1993,</p> <p>if such a use of that site was not lawful under the Environmental Planning and Assessment Act 1979 when this Policy commenced.</p> <p>(4A) Except as provided by subclause (4), nothing in this Policy or any other environmental planning instrument requires separate development consent to be obtained for the installation or placement of a moveable dwelling on land on which development for the purposes</p>	<p>It is intended that that the long terms sites are used by residents for a period longer than 3 months. Extension to this time period has been sought under Clause 19(6) of the Local Government (Caravan Parks and Camping Grounds) Transitional Regulation 1993.</p> <p>Noted.</p>

Table 2: SEPP 21 Compliance Table		
SEPP Clause	Requirement	Complies - Comment
	of a caravan park is being lawfully carried out.	
10 – Matters to be considered by Councils	<p>(a) 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,</p> <p>(b) 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,</p> <p>(c) whether there is adequate low-cost housing, or land available for low-cost housing, in that locality,</p> <p>(d) 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.</p>	<p>The proposed development is appropriately sited for longterm and short term residential and tourist use. As noted, the site has been used by long-term residents for a number of years and a high standard of residential amenity has been maintained. Moreover, potential safety issues posed by flooding have been effectively mitigated through the provision of an up-to-date Flood Evacuation Emergency Response Plan (Appendix H).</p> <p>Given that the subject site caters for predominant long-term existing residents the proposed continued use will not displace tourist use of the site.</p> <p>The subject site has been used for a number of years for the purposes of low cost housing. This demonstrates that there is a need and demand for low-cost housing on the subject site.</p> <p>The subject site contains appropriate facilities in the form of on site amenities. Furthermore, as demonstrated in Section 2.1 above there are a number of facilities and amenities with the locality that are capable of serving the needs of occupants of the Caravan park.</p>

5.1.4 Wollongong Local Environmental Plan 2009

Permissibility

The site is situated within the Wollongong City Council Local Government Authority (LGA) and is subject to the provisions of the Wollongong Local Environmental Plan (2009) (WLEP).

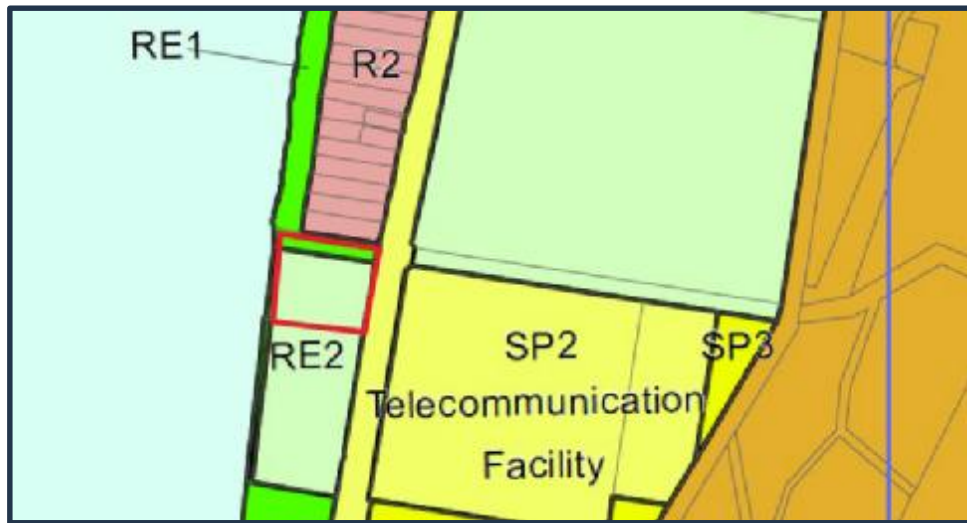


Figure 4: Land Zoning Map demonstrating the subject site as outlined in blue (Source – Wollongong Council).

The site is zoned RE1: Public Recreation and RE2: Private Recreation.

Comment:

Caravan Parks are permitted with consent in both land use zones.

Zone Objectives

The objectives of the RE1 zone are:

- *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 cater for the development of a wide range of uses and facilities within open spaces for the benefit of the community.*

The objectives of the RE2 zone are:

- *To enable land to be used for private 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*

Comment:

The proposed development involves the continued use of an existing caravan park on land zoned RE1 and RE2. The proposed development satisfies the objectives of the relevant land use zones in that the

continued operation of caravan park enables the provision of a variety of land uses and facilities that have a demonstrated benefit for the community. The benefit to the community is derived from the fact that the continued operation of the caravan park enables low-cost residential accommodation and the provision of short-term tourist accommodation.

A full assessment against the relevant controls of the WLEP is provided in **Appendix B**. The proposal meets generally meets the requirements of the WLEP and is therefore satisfactory.

5.1.5 Wollongong Development Control Plan 2009

Wollongong DCP 2009 is broken down into several parts. The following chapters apply to the proposed development:

- Chapter C4: Caravan Park Camping Ground and Manufactured Home Estates; and
- Chapter E13: Floodplain Management

A full assessment of the proposal against the relevant development controls is **Appendix C**. The proposal meets the requirements of the Wollongong DCP and is therefore satisfactory.

5.2 Social and Economic Impacts

The continued use of the subject site as a Caravan Park will bring with it a number of important environmental benefits for the local and wider community as outlined below.

- The development will provide additional residential accommodation within the site in an area where demand outstrips supply in an affordable manner; and
- The proposal enables the continued residential use of the Caravan park and will maintain the existing tightknit community that currently reside in the long-term structures.
- The proposal enables the continued provision of tourist accommodation in a unique and geographical location with direct access to Lake Illawarra and in proximity to a number of tourist attractions within the Wollongong Locality.

5.3 Site Suitability

Having regard to the characteristics of the site and its location in Windang, the proposed development is considered appropriate in that:

- The zoning of the site permits the proposed uses;
- The size and dimensions of the land are appropriate for accommodating the proposal;
- The site is considered suitable for that development as it satisfies the need for a variety of housing in the area; and
- It is generally consistent with the site-specific objectives and provisions of the Wollongong DCP.

5.4 Public Interest

The proposal will facilitate the development of the site by continuing the provision of affordable residential land uses and short-term tourist accommodation on the subject site. Generally, the proposal provides the following public benefits:

- The continued use of the caravan park provides affordable residential accommodation to the existing residents;
- The continued use of the caravan park enables the maintenance of the existing community that have forged vital connections of their long-term residency; and
- Removing the operational approval would tear apart the existing community and the social fabric of the caravan park through removing access to the only means of affordable accommodation available to the residents.

6.0 Conclusion

This proposal seeks approval for the continued use of the existing caravan park on land at 138 Windang Road, Windang.

The proposal is generally consistent with the relevant environmental planning instruments, SEPP 21, the Wollongong Local Environmental Plan 2009 and satisfies both the relevant objectives and controls of Wollongong Development Control Plan (2009). Further, the proposed development complies with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

Having regard to the above, the proposed development satisfies the relevant heads of consideration listed under Section 4.15 of the *Environmental Planning and Assessment Act 1979*. Furthermore, the proposed development complies with the relevant matters for consideration under the Local Government Act 1993. Therefore, proposal is reasonable and appropriate and warrants favourable consideration.



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APPENDIX A

LOCAL GOVERNMENT (MANUFACTURED HOME ESTATES, CARAVAN PARKS, CAMPING GROUNDS AND MOVEABLE DWELLINGS) REGULATION 2005

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Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005– Compliance Table
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Clause	Requirement	Comment	Complies
Part 3 Caravan parks, camping grounds and moveable dwellings			
71 Factors for consideration before approval is granted	<p>(1) The council must not grant an approval to operate a caravan park or camping ground unless it is satisfied that it will be designed, constructed, maintained and operated—</p> <p>(a) in accordance with the relevant requirements of Subdivisions 1–8 of Division 3, or</p> <p>(b) in the case of a primitive camping ground, in accordance with the relevant requirements of Subdivision 9 of Division 3.</p> <p>(2) In deciding whether or not the approval for a caravan park or camping ground should allow the installation of a relocatable home, rigid annexe or associated structure on flood liable land, the council must have regard to the principles contained in the Floodplain Development Manual.</p>	<p>Noted. An assessment of subdivision 1-8 of Division 3 in addition to the relevant Clauses of Division 4.</p> <p>Noted.</p>	✓
72 Matters to be specified in approval	<p>(1) In addition to any other matters it must contain, an approval to operate a caravan park or camping ground must specify the following—</p> <p>(a) whether the approval allows—</p> <p>(i) the operation of a caravan park only, or</p> <p>(ii) the operation of a camping ground only, or</p> <p>(iii) the operation of both a caravan park and a camping ground,</p>	<p>The proposal seeks approval for the operation of both a caravan park and camping ground.</p>	✓

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	<p>(b) in the case of an approval that allows the operation of a caravan park—</p> <p>(i) the number, size and location of long-term sites allowed by the approval, and</p> <p>(ii) the number, size and location of short-term sites allowed by the approval, and</p> <p>(iii) the number, size and location of dwelling sites (whether long-term or short-term) to be reserved for self-contained moveable dwellings, and</p> <p>(iv) the location of any off-site parking spaces for dwelling sites,</p> <p>(c) in the case of an approval that allows the operation of a camping ground—</p> <p>(i) whether the camping ground is to be a primitive camping ground, and</p> <p>(ii) in the case of an approval for the operation of a primitive camping ground that designates camp sites, the number, size and location of the camp sites allowed by the approval, and</p> <p>(iii) in the case of an approval for the operation of a primitive camping ground that does not designate camp sites, the maximum number of caravans, campervans and tents that are permitted to use the camping ground at any one time, and</p> <p>(iv) the location of any off-site parking spaces for camp sites,</p> <p>(d) the location of any flood liable land in the caravan park or camping ground.</p>	<p>As noted, this application seeks approval for the operation of 37 long term sites and 17 short term sites. The location of these sites is identified in the Community Map, which accompanies this application as Appendix G.</p> <p>The application seeks approval for two camp sites.</p> <p>The proposed development is located on flood liable land, however, a Flood Emergency Evacuation Strategy accompanies this application as Appendix H. This strategy</p>	<p>✓</p> <p>✓</p> <p>✓</p>
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Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 – Compliance Table
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	<p>(2) The numbers, sizes and locations referred to in subclause (1) must be specified by reference to a community map.</p> <p>(3) The approval is to specify that, in the calculation for the purposes of subclause (1)(c)(iii) of the number of tents using a camping ground, 2 or more tents occupied by a group of not more than 12 persons camping together as a group are to be counted as only one tent.</p>	<p>identifies the relevant trigger events for evacuation and an overall strategy to mitigate flooding issues.</p> <p>A community map accompanies this application as Appendix G.</p> <p>Noted.</p>	<p>✓</p> <p>✓</p>
<p>73 Conditions of approval to operate caravan park or camping ground</p>	<p>(1) An approval to operate a caravan park or camping ground is subject to the following conditions—</p> <p>(a) the caravan park or camping ground must be designed, constructed, maintained and operated—</p> <p>(i) in accordance with the relevant requirements of Subdivisions 1–8 of Division 3, or</p> <p>(ii) in the case of a primitive camping ground, in accordance with the relevant requirements of Subdivision 9 of Division 3,</p> <p>(b) a person must not be permitted to stay in a moveable dwelling that occupies a short-term site or camp site for a total of more than 150 days in any 12 month period, unless the moveable vehicle is a holiday van and the person is the owner of that holiday van,</p> <p>(c) the owner of a holiday van that occupies a short-term site or camp site must not be permitted to stay in the holiday van for a total of more than 180 days in any 12 month period,</p>	<p>An assessment against the relevant Clauses are detailed below.</p> <p>Noted, the application does not seek approval for a moveable dwelling that occupies a short-term site or camp site for more than 150 days over a 12-month period.</p> <p>Noted.</p>	<p>✓</p> <p>✓</p>

Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 – Compliance Table
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	<p>(d) a person must not be permitted to stay in a moveable dwelling in a primitive camping ground for a total of more than 50 days in any 12 month period.</p> <p>(2) For the purposes of this clause, only overnight stays are to be counted in calculating the number of days a person spends in a moveable dwelling.</p> <p>(3) This clause does not apply to the operation of a caravan park or camping ground for a period of not more than 6 weeks if the caravan park or camping ground is being operated solely in connection with the use of the land for a sporting, recreational or cultural event.</p> <p>(4) An owner, manager, operator or caretaker of a caravan park or camping ground may authorise a person to stay in the caravan park or camping ground for a longer period than that specified in subclause (1) (up to a maximum period of 2 years) if the owner, manager, operator or caretaker is reasonably satisfied that the person has been displaced because of a bush fire.</p> <p>(5) Subclauses (1)(b), (c) and (d) and (2) do not apply to the following—</p> <p>(a) a resident owner, manager, operator or caretaker of the caravan park or camping ground,</p> <p>(b) a person who is authorised under subclause (4) for the caravan park or camping ground.</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p>	
Subdivision 1 – Land and Site Requirements			
Clause 83 Minimum size of caravan park or camping ground	<p>(1) A caravan park must not have an area of less than one hectare or, if a lesser area is prescribed by a relevant environmental planning instrument, that lesser area.</p>	<p>The subject site has a total site area of 9575m². Given that the caravan park has been in operation for a considerable period of time and there are no apparent amenity issues raised by the current residents the proposed area is deemed</p>	On Merit

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		reasonable. Refer to the Section 82 Variation Request (Appendix E)	
84 Community amenities	<p>(1) Of the total land area of a caravan park or camping ground—</p> <p>(a) at least 10 per cent, or</p> <p>(b) such lesser proportion (but not less than 6 per cent) as the approval for the caravan park or camping ground may allow, must be reserved for recreation or other communal activities.</p> <p>(2) In deciding whether to allow a lesser proportion, the council must have regard to the type and range of amenities to be provided and to such other matters as it considers relevant.</p>	<p>As demonstrated in the Community Map (drawing no. 208644-CP01) The caravan park includes the provision of 1,186m² of Communal area, which equates to 12% of the total site area.</p> <p>Regardless of Council's contention that in the Request for Additional Information Dated April 4, the proposed communal open space area is deemed reasonable given that the majority of long-term residents use their own open space and verandas on site for recreational purposes. Furthermore, the demand for amenities is low given that the both long term and short-term sites have access to their own amenities, facilities, sullage water and parking spaces. Refer to the tabulated summary prepared by Land team which accompanies the Community Map. Refer to the Section 82 Variation Request (Appendix E)</p>	On Merit
85 Size of dwelling sites and camp sites	<p>(1) A long-term site must have an area of at least 80 square metres.</p> <p>(2) A short-term site must have an area of at least 65 square metres.</p> <p>(3) A camp site must have an area of at least—</p> <p>(a) 40 square metres, in the case of a camp site for which a separate parking space is provided within 30 metres of the camp site, or</p> <p>(b) 50 square metres, in any other case.</p>	<p>As demonstrated in the tabulated summary, each long-term site has an area exceeding 80m² and each short term site has an area exceeding 65m².</p> <p>The two campsites exceed 50m² and include parking spaces.</p>	On Merit

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86 Site identification	<p>(1) A dwelling site or camp site must be numbered or identified and its site boundaries clearly delineated.</p> <p>(2) The site identification must be conspicuous.</p>	<p>As demonstrated in the community map which accompanies this application as Appendix G, the existing sites are numbered accordingly.</p> <p>In terms of physical identification on site, this will form part of the remedial works program and it is estimated that site identification in accordance with the Community Map will be achieved in 3-6 months pending availability of tenants.</p>	
Subdivision 2 – Setbacks			
87 Dwelling sites to have road frontage	A dwelling site must have vehicular access to an access road.	Each dwelling site has vehicular access to an access road.	✓
88 Setbacks of community buildings	<p>(1) A community building must not be located closer than 10 metres to the boundary of a caravan park or camping ground, or to the boundary of a dwelling site or camp site, unless the approval for the caravan park or camping ground so allows.</p> <p>(2) The approval for a caravan park or camping ground must not allow a lesser distance than 10 metres unless the council is satisfied that the community building has been or will be properly screened, fenced, enclosed or otherwise treated.</p> <p>(3) A community building must not in any case be located closer than 3 metres to the boundary of a caravan park or camping ground or 5 metres to the boundary of a dwelling site or camp site.</p>	With the exception of site no. 835-6 each site is appropriately setback 10m from community buildings. Of note, the amenities block has been decommissioned and does not constitute a community building. Furthermore, in accordance with sub-clause 2 of Clause 88 the buildings within 10m to site 835-6 will be appropriately screened and fenced to support adequate delineation. This is detailed in the remedial works program.	On Merit
89 Setbacks of dwelling sites and camp sites from road frontages	(1) A dwelling site or camp site must not be located closer than 10 metres to a public road or 3 metres to any other boundary of the caravan park or camping ground unless the approval for the caravan park or camping ground so allows.	Sites 832, 833 and 801-2 are located within 10 metres from a public road. The existing screening is proposed to be upgraded to achieve compliance with Sub-Clause 2 of Clause 89. Refer to the remedial works program (Appendix D).	On Merit

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	(2) The approval for a caravan park or camping ground must not allow a lesser distance unless the council is satisfied that the dwelling site or camp site has been or will be properly screened, fenced, enclosed or otherwise treated.		
90 Use of buffer zones	Nothing in this Regulation prevents land within a buffer zone arising from the setbacks required by this Division from being used— (a) for community amenities, access roads, car parking spaces, footpaths or landscaping, or (b) for any similar purpose allowed by the approval for the caravan park or camping ground.	Noted. Buffer zones will continue to be used in compliance with this clause.	✓
91 Separation distances	(1) A moveable dwelling must not be installed closer to any other moveable dwelling than— (a) 3 metres, if it is situated on a long-term site, or (b) 2.5 metres, if it is situated on a short-term site or camp site. (2) This clause does not prohibit the installation of semi-detached relocatable homes on adjoining dwelling sites so long as they are separated by construction conforming to the fire safety and sound insulation provisions relating to class 1 buildings contained in Section 3.7.1 and 3.8.6 of Volume Two of the Building Code of Australia.	There are a number of minor non-compliances with the required separation distances. These issues are being addressed in Section 82 Variation Request (Appendix E)	On Merit
Subdivision 3 – Roads			
92 Entrance and exit roads	(1) A road that forms an entrance to or exit from a caravan park or camping ground must be at least 7 metres wide. (2) In the case of a divided road, the width of the sealed portion of the road on either side of the median strip must be at least 5 metres. (3) The arrangement for the width of an entrance or exit road to taper into or meet the width of the sealed portion of the access roads leading	As demonstrated in the site plan provided by Land Team (Appendix F), the divided road width is 5m. Noted.	✓

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	to the entrance or exit must be as specified in the approval for the caravan park or camping ground.		
93 Forecourt	A caravan park must have a forecourt, measuring at least 4 metres by 20 metres, to accommodate incoming vehicles.	A forecourt area is not provided. As demonstrated in the Variation request (Appendix E), given that the site is predominantly for long-term accommodation and there are minimal new tenants, a forecourt area is not deemed necessary.	On Merit
94 Width of roads	(1) The width of an access road must be— (a) at least 6 metres for a two-way access road, and (b) at least 4 metres for a one-way access road. (2) The direction of travel for a one-way access road must be indicated by means of conspicuous signs.	Given that the site does not experience heavy vehicle traffic, the non-compliance with Clause 94 is deemed reasonable. Refer to the section variation request submitted with this application (Appendix E).	On Merit
95 Speed limits	The speed limit applicable to an access road— (a) must not exceed 15 kilometres per hour, and (b) must be indicated by means of conspicuous signs.	Speed limits will be appropriately identified throughout the subject site and will be monitored by management. Refer to the Remedial Works Program (Appendix D)	On Merit
96 Resident parking	(1) A caravan park or camping ground must contain at least one resident parking space for each dwelling site or camp site. (2) The parking space for a dwelling site or camp site may be on-site (that is, forming part of the site) or off-site (that is, not forming part of the site).	The caravan park comprises 1 space per long term site, short term site and camp site, as demonstrated in the tabulated summary (Appendix I). Parking space are demonstrated in the Community Map. Off site parking spaces are not proposed.	✓

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	<p>(3) An off-site space must be marked (for example, by means of line marking, marker pegs or similar means) to identify the particular dwelling site or camp site to which it relates.</p> <p>(4) An off-site parking space for a dwelling site or camp site must be situated in the location specified in the approval for the caravan park or camping ground.</p> <p>(5) Each off-site parking space is to have, at minimum, dimensions of—</p> <p>(a) 5.4 metres by 2.5 metres, in the case of angle parking, and</p> <p>(b) 6.1 metres by 2.5 metres, in any other case.</p>	<p>The parking spaces for sites 834, 828, 821, 819, 818, 816, 813, 812, 809, 807, 805, 804, 803, 852, 854, 845, 844 and 838 do not comply with this Clause. These non-compliances are addressed in the Section 82 Variation Request (Appendix E)</p>	On Merit
97 Visitor parking	<p>(1) A caravan park or camping ground must contain no fewer visitor parking spaces than the following—</p> <p>(a) one visitor parking space for each 10 (and any remaining fraction of 10) long-term sites in the caravan park or camping ground,</p> <p>(b) one visitor parking space for each 20 (and any remaining fraction of 20) short-term sites in the caravan park or camping ground,</p> <p>(c) one visitor parking space for each 40 (and any remaining fraction of 40) camp sites in the caravan park or camping ground.</p> <p>(2) The minimum number of visitor parking spaces to be provided is 4.</p> <p>(3) Each parking space is to have, at minimum, dimensions of—</p> <p>(a) 5.4 metres by 2.5 metres, in the case of angle parking, and</p> <p>(b) 6.1 metres by 2.5 metres, in any other case.</p> <p>(4) Visitor parking spaces must be clearly identified as such.</p>	<p>The caravan park requires 5.6 visitor spaces (rounded to 6). This is based on the following calculation:</p> <p>1 visitor space per 10 long time sites ($37/10 = 3.7$) +</p> <p>1 visitor space for each 20 short term sites ($17/20 = .85$) +</p> <p>1 visitor space per each 40 campsite ($2/40 = 1.05$).</p> <p>The caravan park provides 6 visitor spaces in accordance with the relevant dimensions.</p>	✓

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98 Visitor parking for people with disabilities	<p>(1) A caravan park or camping ground must contain at least one visitor parking space for people with disabilities.</p> <p>(2) A caravan park or camping ground that contains more than 100 sites must contain at least one visitor parking space for people with disabilities for each 100 sites or fraction of 100 sites.</p> <p>(3) Such parking is to be provided in accordance with AS/NZS 2890.1:2004 Parking facilities—Off street parking.</p> <p>(4) Visitor parking spaces for people with disabilities must be clearly identified as such.</p> <p>(5) Visitor parking spaces provided under this clause may be counted for the purposes of clause 97.</p>	1 disabled space is provided for people with disabilities. This is labelled as AP on the Community Map, which accompanies this application as Appendix G .	✓
99 Road surfaces	All access roads, including all passing and parking bays, must have an all-weather sealed or other surface finish specified in the approval for the caravan park or camping ground, and must be adapted to the topography to allow for adequate drainage and to eliminate excessive grades.	Refer to the remedial works program (Appendix D).	✓
100 Lighting	All access roads must be adequately lit between sunset and sunrise.	Adequate lighting is provided, where necessary.	
Subdivision 4 – Utility Services			
101 Lighting	<p>(1) A caravan park or camping ground—</p> <p>(a) must be connected to a mains water supply, or</p> <p>(b) must be provided with an alternative water supply service as specified in the approval for the caravan park or camping ground.</p> <p>(2) A dwelling site must be connected to the water supply service for the caravan park or camping ground.</p>	Adequate lighting is provided, throughout the subject site.	✓

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	<p>(3) A camping ground must have water supply connections for the camp sites at the rate of one connection for every 4 camp sites. Connections must be located so that no camp site is more than 30 metres from a connection.</p> <p>(4) The water supply connections must include a standpipe and hose tap.</p> <p>(5) The water supply service must comply with—</p> <p>(a) the Plumbing and Drainage Act 2011 and any regulations under that Act, and</p> <p>(b) the requirements of any relevant statutory body.</p> <p>(6) The water supplied for human consumption or domestic purposes must comply with the Australian Drinking Water Guidelines published in 2004 by the National Health and Medical Research Council</p>		
102 Sewerage	<p>(1) A caravan park or camping ground—</p> <p>(a) must be connected to a main sewer, or</p> <p>(b) must be provided with an alternative sewage disposal system as specified in the approval for the caravan park or camping ground.</p> <p>(2) A long-term site must be provided with a connection to the sewage disposal system for the caravan park or camping ground.</p> <p>(3) A caravan park or camping ground that includes any short-term sites or camp sites must be provided with at least one common soil waste dump point for the disposal of closet waste from caravan holding tanks and the like. The common soil waste dump point must be located so as to permit adequate access by caravans and campervans.</p> <p>(4) A short-term site must be provided with a disposal point, as specified in the approval, for the disposal of sullage (that is, domestic waste from baths, basins, showers, laundries and kitchens, including</p>	<p>The subject site has appropriate utility infrastructure connections.</p> <p>A common soil waste dump is not proposed. Justification for this non compliance is provided in the Section 82 Variation Request (Appendix E)</p>	<p>✓</p> <p>On Merit</p>

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	<p>floor wastes from those sources) from any moveable dwelling installed on the site. More than one short-term site may be provided with the same disposal point.</p> <p>(5) The sewage disposal system must comply with—</p> <p>(a) the Plumbing and Drainage Act 2011 and any regulations under that Act, and</p> <p>(b) the requirements of any relevant statutory body.</p>	<p>As demonstrated in the tabulated summary (refer to Appendix I), each site is equipped with a disposal point for the disposal of sillage.</p> <p>No issues have been raised about the existing sewage system.</p>	✓
103 Drainage	<p>(1) A caravan park or camping ground must be provided with a stormwater drainage system.</p> <p>(2) All dwelling sites and camp sites must be adequately drained</p>	<p>The subject site is provided with a stormwater drainage system and all dwelling sites and camp sites have appropriate drainage infrastructure.</p>	✓
104 Electricity supply	<p>(1) A dwelling site must be supplied with electricity from a reticulated electricity service.</p> <p>(2) In the case of a long-term site, the electricity must be supplied by means of an electrical circuit connected to a separate electricity meter.</p> <p>(3) Any such electrical circuit must be installed in accordance with the requirements of—</p> <p>(a) the Electricity Code of Practice, in the case of a long-term site, and</p> <p>(b) AS/NZS 3001:2001, Electrical installations—Relocatable premises (including caravans and tents) and their site installations, as in force on 1 September 2005, in the case of a short-term site.</p> <p>(4) If a dwelling site is provided with electricity otherwise than by way of direct connection to the local electricity supply authority's electricity main, the maximum amount that may be charged for the supply of electricity during a particular period is the amount that the standard retail electricity supplier for the relevant district would have charged</p>	<p>Adequate electrical supply in accordance with this clause is provided throughout the subject site.</p>	✓

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	under a standard form customer supply contract for that supply during that period.		
105 Common trenches	A common trench may be used for the installation of services in accordance with guidelines set out in AMCORD.	Noted.	✓
Subdivision 5 – Shower and toilet facilities			
106 Modification of calculations under this Subdivision	In calculating the facilities to be provided in accordance with this Subdivision— (a) 2 camp sites are taken to be the equivalent of one dwelling site, and (b) dwelling sites reserved for use by self-contained moveable dwellings, and dwelling sites provided with ensuite facilities, are to be disregarded.	Noted.	✓
107 Number of showers and toilets to be provided	(1) A caravan park or camping ground with fewer than 200 dwelling sites must be provided with facilities specified in the Table to this clause according to the number of dwelling sites in the caravan park or camping ground. Note: As per the table in Clause 107 the required number of showers and toilets are as follows: Water Closets: Female: 6 and Male: 4 Urinals: 2 Showers: Female: 4 and Male 4 Hand basins: Female: 3 and Male: 3	The subject site complies with the number of facilities required by this Clause.	✓

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108 Facilities for people with disabilities	<p>(1) A caravan park or camping ground must be provided with shower, toilet and associated facilities, designed in accordance with AS 1428.1—2001, Design for access and mobility Part 1: General requirements for access—New building work, as in force on 1 September 2005.</p> <p>(2) A caravan park or camping ground with fewer than 100 dwelling sites must be provided with—</p> <p>(a) one of each facility for each sex, or</p> <p>(b) one of each facility for use by both sexes.</p> <p>(3) A caravan park or camping ground with 100 dwelling sites or more must be provided with—</p> <p>(a) two of each facility for each sex, or</p> <p>(b) two of each facility for use by both sexes, or</p> <p>(c) one of each facility for each sex and one of each facility for use by both sexes.</p> <p>(4) Facilities provided in accordance with this clause may be counted for the purposes of clause 107.</p> <p>(5) This clause applies in respect of a caravan park or camping ground only if it has at least one dwelling site (other than a dwelling site that is disregarded under clause 106(b)) or at least one camp site.</p>	<p>Refer to the remedial works program (Appendix D).</p>	<p>On Merit</p>
109 Other facilities	<p>(1) All showers and handbasins required by this Subdivision must be supplied with hot and cold running water.</p> <p>(2) A mirror must be provided—</p> <p>(a) for each handbasin provided, or</p> <p>(b) if 2 or more handbasins are provided together, for each pair of handbasins.</p>	<p>The subject site complies with all the provisions listed in this Clause.</p>	<p>✓</p>

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	(3) Means for sanitary napkin disposal must be provided in each communal facility that contains water closets for female use and, in a facility containing 10 or more water closets, must be provided at the rate of one for each 10 (or remaining fraction of 10) water closets.		
110 Construction of shower blocks and toilet blocks	<p>(1) Except as otherwise provided by the approval for the caravan park or camping ground, the shower and toilet facilities provided for a caravan park or camping ground must be housed in a shower block or toilet block—</p> <p>(a) that is constructed of brick or concrete masonry block, and</p> <p>(b) that has a non-slip floor of tile or other impervious material adequately drained to outlets, and</p> <p>(c) that has smooth, hard, durable and water-resistant interior finishes, and</p> <p>(d) that has shower recesses with tile or other impervious finishes to a height of at least 1.8 metres, and</p> <p>(e) that has tile or other impervious skirtings around water closet cubicle walls, and</p> <p>(f) that has tile or other impervious finish around wash basins, and</p> <p>(g) that has adequate lighting (both inside and outside) and adequate ventilation at all times, and</p> <p>(h) that has all its walls, ceilings and floors, fixtures, fittings and appliances maintained in a clean and sanitary condition at all times.</p> <p>(2) Subject to clause 108(2) and (3), if male and female shower or toilet facilities are located in the same building, that building must be divided for separate use by each sex.</p>	Each site has a dedicated shower facility thus negating the need to provide additional amenities. Given that Council has not raised issues with these arrangements in the additional information requested dated 3 April 2020, no further action is deemed necessary and the existing operations are deemed to comply with the requirements of this clause.	On Merit

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	(3) Water closets must be provided in individual cubicles having a minimum floor area of 1.1 square metres and a minimum width of 0.8 metre.		
111 Proximity of dwelling sites to shower blocks and toilet blocks	<p>(1) A long-term site must not be situated more than 75 metres (measured in a straight line) from a shower block or toilet block.</p> <p>(2) A short-term site or camp site must not be situated more than 100 metres (measured in a straight line) from a shower block or toilet block.</p> <p>(3) This clause does not apply in respect of dwelling sites reserved for use by self-contained moveable dwellings and dwelling sites provided with ensuite facilities.</p>	<p>As demonstrated in the community map, which accompanies this application as Appendix G, the long term and short-term sites are located within 75m and 100m of shower and toilet block.</p> <p>As noted above, the self-contained dwellings have their own facilities.</p>	✓
Subdivision 6 – Laundry Facilities			
112 Modification of calculations under this Subdivision	In calculating the facilities to be provided in accordance with this Subdivision, 2 camp sites are taken to be the equivalent of one short-term site.	Noted.	✓
113 Washing machines	<p>(1) A caravan park or camping ground must be provided with—</p> <p>(a) at least one washing machine for each 25 (and any remaining fraction of 25 greater than 12) long-term sites, and</p> <p>(b) at least one washing machine for each 30 (and any remaining fraction of 30 greater than 15) short-term sites.</p> <p>(2) The minimum number of washing machines to be provided is 2.</p>	Given that Council has not raised issues with these arrangements in the additional information requested dated 3 April 2020, no further action is deemed necessary and the existing operations are deemed to comply with the requirements of this clause.	✓
114 Laundry tubs	<p>(1) A caravan park or camping ground must be provided with—</p> <p>(a) at least one laundry tub for each 50 (and any remaining fraction of 50) long-term sites, and</p>	Given that Council has not raised issues with these arrangements in the additional information requested dated 3 April 2020, no further action is deemed necessary and the	✓

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	(b) at least one laundry tub for each 60 (and any remaining fraction of 60) short-term sites. (2) The minimum number of laundry tubs to be provided is one.	existing operations are deemed to comply with the requirements of this clause.	
115 Clothes dryers	(1) A caravan park or camping ground must be provided with— (a) at least one mechanical clothes dryer for each 60 (and any remaining fraction of 60 greater than 30) long-term sites, and (b) at least one mechanical clothes dryer for each 80 (and any remaining fraction of 80 greater than 40) short-term sites. (2) The minimum number of mechanical clothes dryers to be provided is one.	Given that Council has not raised issues with these arrangements in the additional information requested dated 3 April 2020, no further action is deemed necessary and the existing operations are deemed to comply with the requirements of this clause.	✓
116 Drying areas	(1) A caravan park or camping ground must be provided with clothes line space at the rate of 2 metres of line for each dwelling site. (2) The minimum length of clothes line space to be provided is 50 metres.	Given that Council has not raised issues with these arrangements in the additional information requested dated 3 April 2020, no further action is deemed necessary and the existing operations are deemed to comply with the requirements of this clause.	✓
117 Water supply	Washing machines and laundry tubs required by this Subdivision must be supplied with both hot and cold water.	Adequate water supply is provided to each washing area.	
118 Ironing facilities	A caravan park or camping ground must be provided with ironing boards, electric irons and power points available for connection to electric irons at the rate of one for every 60 (or remaining fraction of 60) short-term sites.	Given that Council has not raised issues with these arrangements in the additional information requested dated 3 April 2020, no further action is deemed necessary and the existing operations are deemed to comply with the requirements of this clause.	✓
Subdivision 7 – Management			

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121 Maximum number of persons per dwelling site or camp site	(1) No more than 12 persons may be allowed to stay overnight at a dwelling site or camp site at any one time.	Noted. Management will not enable more than 12 persons to stay overnight at a dwelling site or camp site at any one time.	✓
122 Register of occupiers	<p>(1) A register of occupiers must be kept for a caravan park or camping ground.</p> <p>(2) Each person who alone occupies a dwelling site or camp site, must be registered under this clause.</p> <p>(3) However, if more than one person occupies the same dwelling site, or camp site only one such person must be registered (although the other persons may be registered).</p> <p>(4) The register must include the following particulars in relation to a person whose occupation of a site is registered under this clause—</p> <p>(a) the person's name and address,</p> <p>(b) the dates of arrival and departure of the person,</p> <p>(c) the site identification of the site occupied by the person,</p> <p>(d) the registration number (if any) of the moveable dwelling, in the case of a caravan or campervan,</p> <p>(e) particulars of the relevant compliance plate, in the case of a relocatable home.</p> <p>(5) The register must be available for inspection by any authorised person without cost during normal working hours.</p>	A register will be kept ongoingly pursuant to the requirements of this clause.	✓
124 Use of caravan parks and camping grounds	<p>(1) A caravan park or camping ground must not be used—</p> <p>(a) for any commercial purpose other than a caravan park or camping ground or an associated purpose, or</p>	Management will continue to ensure that the caravan park is used in accordance with the requirement provided in this clause.	✓

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	(b) for the manufacture, construction or reconstruction of moveable dwellings. (2) This clause does not prevent the carrying out of work on a moveable dwelling that is installed in a caravan park or camping ground for the purpose of its renovation, maintenance or repair (such as painting, replacement of wall cladding or roof sheeting and the like).		
125 Community map	The council must be given a copy of the current community map— (a) as soon as practicable after any amendment is made to the map, and (b) at such other times as the council may reasonably require.	A community map accompanies this application as Appendix G .	✓
126 Access to approval and community map	(1) The holder of an approval to operate a caravan park or camping ground must ensure that copies of the following documents are readily available for inspection without cost in a location in the caravan park or camping ground specified in the approval for the caravan park or camping ground— (a) the approval for the caravan park or camping ground, (b) the current community map, (c) this Regulation. (2) A copy of the current community map must also be displayed in a prominent position in the caravan park or camping ground.	Noted. Management will continue to ensure that the relevant documents are readily available for inspection.	✓
127 Garbage removal	Arrangements specified in the approval for the caravan park or camping ground must be instituted and maintained for the removal of garbage and for the maintenance of garbage receptacles in a clean and sanitary condition.	Noted. The ongoing maintenance garbage facilities will accord with this Clause.	✓

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128 Fire hydrants	<p>(1) No part of a dwelling site, camp site or community building within a caravan park or camping ground may be situated more than 90 metres from a fire hydrant.</p> <p>(2) Any fire hydrant located within a caravan park or camping ground must—</p> <p>(a) be a double-headed pillar-type fire hydrant, and</p> <p>(b) be maintained to the standard specified in the approval for the caravan park or camping ground.</p>	<p>As detailed in the remedial works program (Appendix D), fire hydrants and fire hose reels are to be upgraded within 10 weeks post operational approval. The fire hydrants will be sited pursuant to sub-clause 1 and will be designed and maintained in accordance with sub-clause 2.</p>	On Merit
129 Fire hose reels	<p>(1) Fire hose reels must be installed so that each dwelling site or camp site in the caravan park or camping ground can be reached by a fire hose.</p> <p>(2) The fire hose reels must be constructed in accordance with AS/NZS 1221:1997, Fire hose reels and installed in accordance with AS 2441—1988, Installation of fire hose reels, as in force on 1 September 2005.</p> <p>(3) The holder of the approval for the caravan park or camping ground must cause the council to be given a certificate (a fire hose reel certificate) in relation to the fire hose reels once every calendar year. If a fire hose reel is newly installed, the certificate must be provided within 7 days of the completion of its installation.</p> <p>(4) A fire hose reel certificate is to state, in relation to each fire hose reel installed in the caravan park or camping ground—</p> <p>(a) that the fire hose reel has been inspected and tested by a person (chosen by the holder of the approval) who is properly qualified to carry out such an inspection and test, and</p> <p>(b) that, as at the date on which the fire hose reel was inspected and tested, the fire hose reel was found to have been capable of</p>	<p>As detailed in the remedial works program fire hydrants and fire hose reels are to be upgraded within 10 weeks post operational approval. The fire hose reels will be sited pursuant to sub-clause 1 and will be designed and maintained in accordance with sub-clause 2. A fire hose reel certificate will be sought pursuant to sub-clause 3 and 4.</p>	On Merit

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	performing to a standard not less than that required by this Regulation.		
130 Car washing bay	A caravan park must be provided with an area for use for washing vehicles.	Given the existing use of the site, a vehicle washing bay is deemed unnecessary. This is detailed in the Section 82 variation request, which accompanies this application as Appendix E .	On Merit
131 Buildings	<p>(1) A building must not be erected in a caravan park or camping ground unless the approval for the caravan park or camping ground so allows.</p> <p>(2) The approval for a caravan park or camping ground is to allow community buildings to be erected only in the caravan park or camping ground.</p> <p>(3) The approval for a caravan park or camping ground is not to allow the erection of a community building (other than an ensuite facility) on a dwelling site or camp site.</p> <p>Note. The erection of a building (including a community building or brick or masonry wall) may require development consent under the Environmental Planning and Assessment Act 1979.</p>	This application does not seek approval for the erection of a building.	✓
Division 4 Relocatable homes and associated structures			
Subdivision 1 General			
133 Specifications for design, construction, installation, modification and extension of relocatable homes	<p>(1) The Minister may, by order published in the Gazette, issue specifications (not inconsistent with this Division) for the design, construction, installation, modification and extension of relocatable homes and associated structures.</p> <p>(2) The specifications may adopt, with or without modification, the provisions of any rule, standard or code of practice.</p>	Noted.	✓

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and associated structures	(3) Subject to this Division, a relocatable home or associated structure must be designed, constructed, installed, modified and extended in accordance with any specifications in force under this clause.	Noted. An assessment against the relevant specification provided in the provisions is detailed below. Where variations are proposed a section 82 variation request accompanies this application as Appendix E and justifies each proposed variation.	
134 Installation allowed only on dwelling sites	(1) A relocatable home must not be installed in a caravan park otherwise than on a dwelling site.	This application seeks approval for the continued use of relocatable homes on dwelling sites as identified in the Community Map.	✓
135 Relocatable homes to be constructed and assembled off-site	(1) A relocatable home must not be installed on a dwelling site unless each major section of the home has been constructed and assembled at, and transported to the caravan park from, a place of manufacture outside the caravan park. (2) However, the fixing of cornices, the setting of wall lining joints, the fitting of skirting boards and architraves and the grouting of tiles may be done on the dwelling site.	Each of the relocatable homes were built offsite and brought to the site. Noted.	✓
136 Installation allowed only if dwelling site is properly serviced	A relocatable home must not be installed on a dwelling site unless the requirements of Division 3 have been complied with in relation to the site.	Noted. An assessment against division 3 is provided in this table below.	✓
137 One relocatable home per dwelling site	No more than one relocatable home may be installed on a single dwelling site.	As demonstrated in the Community Map, no more than 1 relocatable home is located on 1 dwelling site.	✓
138 Setbacks for relocatable homes	A relocatable home and any associated structure must not be located— (a) closer than one metre to an access road, or	As demonstrated in the Community Map sites 835-6, 832, 830, 827, 821, 818, 803, 856, 850, 846-7, 845, 843 and 840 have structures that are less than 1.0 metre of the park	On Merit

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	(b) closer than 2 metres to the boundary of the caravan park.	<p>access road. A section 82 Variation request justifying non-compliance with this Clause is provided as Appendix E.</p> <p>As demonstrated sites 833, 821, 812 to 820 (inclusive) and 803 to 810 (inclusive) 802-3 have structures that are less than 2.0 metres from the park boundaries. A section 82 variation request justifying non-compliance with this clause is provided as Appendix E.</p>	
139 Site coverage	<p>(1) A relocatable home and any associated structure must not be installed on a single dwelling site if the floor plan area of the relocatable home (together with any associated structure or other building or structure on the site) is more than two-thirds of the area of the site.</p> <p>(2) For the purposes of this clause—</p> <p>(a) the floor plan area of a relocatable home is the area of the dwelling site occupied by the home, excluding the area of any associated structure forming part of the home that is not roofed, and</p> <p>(b) the floor plan area of any associated structure not forming part of the relocatable home is the area of the dwelling site occupied by the structure, excluding any area that is not roofed, and</p> <p>(c) if there is no carport or garage on the dwelling site, an area of 18 square metres must be added to the floor plan area of the relocatable home to account for the car parking space that is required by subclause (3) to be provided on the site.</p>	<p>As demonstrated in the Tabulation sheet which accompanies the community map as Appendix I, sites 807, 810, 812, 815, 817, 818, 821, 822, 825, 828, 829, 846-7 and 847-8 have a site coverage greater than 66%. A section 82 variation request justifying non-compliance with this clause is provided as Appendix E.</p>	On Merit

	<p>(3) If there is no carport or garage on the dwelling site, an area with minimum dimensions of 6 metres by 3 metres, accessible from an access road and useable for car parking, must be provided on the site.</p> <p>(4) Subclause (3) does not apply if the resident's parking space for that dwelling site is separate from the site.</p>		
140 Garages	<p>(1) A garage may abut a site boundary, a shared double carport or shared double garage may extend over a site boundary and adjacent garages may abut each other along a shared site boundary.</p> <p>(2) If a relocatable home and garage are situated on the same dwelling site such that the garage is situated closer than 900 millimetres to the relocatable home and closer than 900 millimetres to the site boundary of an adjoining dwelling site—</p> <p>(a) the external walls of the relocatable home that face the garage must comply with the provisions relating to class 1 buildings contained in Section 3 of Volume Two of the Building Code of Australia, or</p> <p>(b) the external walls of the garage that face the relocatable home must comply with the provisions relating to class 10 buildings contained in Section 3 of Volume Two of the Building Code of Australia.</p>	As demonstrated in the Tabulation sheet which accompanies the community map as Appendix G , sites 807, 810, 812, 815, 817, 818, 821, 822, 825, 828, 829, 846-7 and 847-8 have a site coverage greater than 66%. A section 82 variation request justifying non-compliance with this clause is provided as Appendix E . Of note, a variation to the fire safety standards is not sought. As demonstrated in the remedial works program Appendix D , the existing structures are to be upgraded to accord with the relevant fire safety standards.	On Merit
141 Carports	<p>(1) The roof covering and any ceiling lining, wall cladding or gable of a carport must be non-combustible.</p> <p>(2) A carport must have at least 2 sides open and at least one-third of its perimeter open. For the purposes of this subclause, a side is considered to be open if the roof covering of the carport is at least 500 millimetres from a relocatable home, annexe, associated structure or site boundary.</p> <p>(3) A carport must not provide direct vertical support to any part of a relocatable home.</p>	As demonstrated in the Tabulation sheet which accompanies the community map as Appendix I , sites 807, 810, 812, 815, 817, 818, 821, 822, 825, 828, 829, 846-7 and 847-8 have a site coverage greater than 66%. A section 82 variation request justifying non-compliance with this clause is provided as Appendix E . Of note, a variation to the fire safety standards is not sought. As demonstrated in the remedial works program Appendix D , the existing structures are to be upgraded to accord with the relevant fire safety standards.	On Merit

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	<p>(4) If a carport has a common roof structure with a relocatable home and the carport does not have a ceiling, the opening between the top of the wall of the relocatable home and the underside of the roof covering of the carport must be infilled with—</p> <p>(a) a non-combustible material, or</p> <p>(b) construction clad with non-combustible material on the carport side.</p>		
142 Associated structures not to contain habitable rooms	An associated structure must not be designed or modified so as to be useable as a habitable room.	The subject site does not include associated structures which are used as habitable rooms.	✓
Subdivision 2 Design			
143 Structural soundness	<p>(1) A relocatable home or associated structure must be of a design certified by a practising structural engineer to be structurally sound.</p> <p>(2) A certificate issued under this clause—</p> <p>(a) must indicate that the relocatable home or associated structure complies with any standards, codes and specifications with which it is, by this Regulation or by the Ministerial specifications, required to comply, and</p> <p>(b) must include specifications as to the manner in which the relocatable home or associated structure must be transported and installed and as to the nature of the footings (if any) on which it must be installed.</p> <p>(3) Any specifications with respect to footings or tie-down systems must have regard to the design gust wind speed, soil type and other design considerations applicable to the various locations in which the home or structure may be installed.</p>	The existing structures on site are structurally sound. As part of the remedial works program (Appendix D) a structural engineer's report will be provided to council with a certificate of structural soundness within 3 months of the approval to operate. If the structures on site are not up to standard, these will be addressed in the remedial works program and fixed within 6-12 months of the approval to operate.	On Merit

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	(4) This clause does not apply to fences or privacy screens.		
144 Design gust wind speed	<p>A relocatable home must be designed to resist loads as determined in accordance with the following design codes, as appropriate—</p> <p>(a) AS/NZS 1170.1:2002, Structural design actions Part 1: Permanent, imposed and other actions, as in force on 1 September 2005,</p> <p>(b) AS/NZS 1170.2:2002, Structural design actions Part 2: Wind actions, as in force on 1 September 2005, or AS 4055—1992 Wind loads for housing, as in force on 1 September 2005 (except that the design gust wind speed for the area where the manufactured home or associated structure is located is not to be taken to be less than 41 metres per second),</p> <p>(c) AS 1170.3—1990, Minimum design loads on structures Part 3: Snow loads, as in force on 1 September 2005,</p> <p>(d) AS 1170.4—1993, Minimum design loads on structures Part 4: Earthquake loads, as in force on 1 September 2005.</p>	Refer to Clause 143 above. Tie downs will be upgraded and maintained to demonstrate compliance with this clause.	On Merit
145 Floor area of relocatable home	The enclosed floor area of a relocatable home must be at least 15 square metres.	The floor area of each relocatable home exceeds 15m2.	✓
146 Floor area of certain rooms	<p>(1) The floor area of a bathroom of a relocatable home must be at least 2.2 square metres, plus an additional—</p> <p>(a) 0.6 square metre if the bathroom has a separate shower and bath, and</p> <p>(b) 0.7 square metre if the bathroom has a toilet, and</p> <p>(c) 1.6 square metre if the relocatable home does not include a separate laundry.</p>	Given that Council has not raised issues with these arrangements in the additional information requested dated 3 April 2020, no further action is deemed necessary and the existing operations are deemed to comply with the requirements of this clause.	✓

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	<p>(2) The additional requirement in subclause (1)(c) does not apply in respect of a relocatable home that is used or intended to be used as a holiday van or park van.</p> <p>(3) The floor area of a shower room must be at least 1.1 square metres.</p> <p>(4) If a toilet is installed in a separate room, the room in which it is installed must have an area of at least 1.1 square metres and a width of at least 0.8 metre.</p> <p>(5) The floor area of a laundry must be at least 1.6 square metres.</p>		
147 Ceiling height	<p>(1) The ceiling height of each habitable room (other than a kitchen) in a relocatable home must be at least 2.4 metres.</p> <p>(2) The ceiling height of a kitchen, laundry, hallway or other similar part of a relocatable home must be at least 2.1 metres.</p> <p>(3) In the case of a habitable room with a sloping ceiling, the ceiling height may be less than 2.4 metres if—</p> <p>(a) the floor area of the part of the room with a ceiling height of less than 2.4 metres does not exceed one-third of the floor area of the whole room, and</p> <p>(b) the ceiling height is suitable for, or does not unduly interfere with, the intended function of the room.</p>	Given that Council has not raised issues with these arrangements in the additional information requested dated 3 April 2020, no further action is deemed necessary and the existing operations are deemed to comply with the requirements of this clause.	✓
148 Separation of kitchen areas	A toilet must not be located in any room in a relocatable home that leads directly into a kitchen or other food preparation area unless the room containing the toilet is mechanically ventilated.	Given that Council has not raised issues with these arrangements in the additional information requested dated 3 April 2020, no further action is deemed necessary and the existing operations are deemed to comply with the requirements of this clause.	✓
149 Lighting and ventilation	(1) A relocatable home must have adequate provision for light and ventilation.	Given that Council has not raised issues with these arrangements in the additional information requested dated	✓

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	<p>(2) A habitable room must have natural lighting and natural ventilation provided by one or more windows to the outside air, or by one or more openings into an adjoining room, being windows or openings having—</p> <p>(a) a total area of at least 10 per cent of the floor area of the room, and</p> <p>(b) an area (being at least 5 per cent of the floor area of the room) that is capable of being opened.</p> <p>(3) If any part of the natural lighting or natural ventilation for a habitable room is provided by one or more openings into an adjoining room, the adjoining room must have natural lighting and ventilation provided by one or more windows that comply with subclause (2) in relation to the combined area of both rooms.</p>	3 April 2020, no further action is deemed necessary and the existing operations are deemed to comply with the requirements of this clause.	
Subdivision 3 Construction			
150 Termite shields	Shields, barriers or the like must be provided in accordance with AS 3660.1–2000 Termite management—new building work (as in force on 1 September 2005) to protect any structural members that are susceptible to attack by termites.	Given that Council has not raised issues with these arrangements in the additional information requested dated 3 April 2020, no further action is deemed necessary and the existing operations are deemed to comply with the requirements of this clause.	✓
151 Glazing	Glazing materials must be selected and installed in accordance with the relevant provisions of AS 1288—1994, Glass in buildings—Selection and installation and, to the extent to which those provisions require the use of safety glass, in accordance with the relevant provisions of AS/NZS 2208:1996, Safety glazing materials in buildings (each as in force on 1 September 2005).	Given that Council has not raised issues with these arrangements in the additional information requested dated 3 April 2020, no further action is deemed necessary and the existing operations are deemed to comply with the requirements of this clause.	✓
152 External waterproofing	The roof, external walls, door frames and window frames of a relocatable home must be constructed so as to prevent rain or dampness penetrating to the inner parts of the home.	Given that Council has not raised issues with these arrangements in the additional information requested dated 3 April 2020, no further action is deemed necessary and the	✓

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		existing operations are deemed to comply with the requirements of this clause.	
153 Internal waterproofing	<p>(1) The floor of a bathroom, shower room or room containing a toilet or washing machine in a relocatable home must consist of, or be covered by, material that is impervious to water.</p> <p>(2) The wall surface of a shower enclosure (or, in the case of a shower that is not enclosed, any wall surface within 1.5 metres of the shower fitting) must be impervious to water to a height of at least 1.8 metres above the floor.</p> <p>(3) Any wall surface within 75 millimetres of a bath, basin or other similar bathroom appliance must be impervious to water to a height of at least 150 millimetres above the appliance.</p> <p>(4) Compliance with AS 3740—2004, Waterproofing of wet areas within residential buildings (as in force on 1 September 2005) satisfies the requirements of this clause.</p>	Given that Council has not raised issues with these arrangements in the additional information requested dated 3 April 2020, no further action is deemed necessary and the existing operations are deemed to comply with the requirements of this clause.	✓
154 Plumbing and drainage	<p>(1) All pipes and fittings in a relocatable home that relate to water supply or sewerage must be installed in accordance with—</p> <p>(a) the Plumbing and Drainage Act 2011 and any regulations under that Act, and</p> <p>(b) the requirements of any relevant statutory body.</p> <p>(2) All pipes and fittings in a relocatable home that relate to stormwater drainage must be installed in accordance with—</p> <p>(a) the Plumbing Code of Australia, and</p> <p>(b) the requirements of any relevant statutory body.</p>	Given that Council has not raised issues with these arrangements in the additional information requested dated 3 April 2020, no further action is deemed necessary and the existing operations are deemed to comply with the requirements of this clause.	✓
155 Electrical wiring	The electrical wiring in a relocatable home must comply with the requirements of AS/NZS 3000: 2000, Electrical installations (known as	Given that Council has not raised issues with these arrangements in the additional information requested dated 3 April 2020, no further action is deemed necessary and the	✓

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	the Australian/New Zealand Wiring Rules) (as in force on 1 September 2005).	existing operations are deemed to comply with the requirements of this clause.	
Subdivision 4 Installation			
157 Footings	<p>(1) A relocatable home or associated structure must be installed on footings if the engineer's certificate for the home or structure so requires.</p> <p>(2) The footings and tie-down system for the relocatable home or associated structure must be constructed in accordance with the engineer's certificate for the home or structure.</p> <p>(3) In the case of a relocatable home or associated structure that is placed on footings, the clearance beneath the home or structure must be—</p> <p>(a) at least 400 millimetres, where termite shields are required to be installed, or</p> <p>(b) at least 200 millimetres, where termite shields are not required to be installed, or</p> <p>(c) such lesser clearance as the approval for the caravan park may allow, with adequate provision for underfloor cross-flow ventilation.</p> <p>(4) The clearance beneath the relocatable home is to be measured from the lowest point of the underside of the home's chassis or frame.</p>	An engineer's certificate is to be provided post approval to operate. In the event that the cross-flow ventilation issued raised by council in the Request for Additional Information dated 3 April 2020 is not adequate, this will form part of the remedial works for the site.	On Merit
158 Installation to comply with specifications	<p>A relocatable home or associated structure must not be installed on a dwelling site otherwise than in accordance with—</p> <p>(a) the specifications contained in the engineer's certificate issued in respect of the relocatable home or associated structure, or</p>	Given that Council has not raised issues with these arrangements in the additional information requested dated 3 April 2020, no further action is deemed necessary and the existing operations are deemed to comply with the requirements of this clause.	✓

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	(b) such other specifications as are specified in the approval for the caravan park.		
159 Compliance plates	<p>(1) A compliance plate must be attached to an accessible part of each of the following structures—</p> <p>(a) a relocatable home,</p> <p>(b) an associated structure that forms part of a relocatable home,</p> <p>(c) an associated structure that comprises a free-standing garage.</p> <p>(2) A compliance plate must specify the following—</p> <p>(a) the name of the manufacturer of the relocatable home or associated structure,</p> <p>(b) the unique identification number for each major section of the relocatable home,</p> <p>(c) the month and year during which the relocatable home or associated structure was constructed,</p> <p>(d) the design gust wind speed for the relocatable home or associated structure,</p> <p>(e) a statement to the effect that the relocatable home or associated structure complies with the requirements of this Division,</p> <p>(f) the name of the practising structural engineer by whom the engineer's certificate has been issued in respect of the relocatable home,</p> <p>(g) whether a relocatable home is intended for use as a park van or holiday van.</p> <p>(3) A unique identification number must be permanently marked on each major section of the relocatable home.</p>	Given that Council has not raised issues with these arrangements in the additional information requested dated 3 April 2020, no further action is deemed necessary and the existing operations are deemed to comply with the requirements of this clause.	✓

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	<p>(4) The Minister may, by order published in the Gazette, issue specifications for the design, construction, issue and registration of compliance plates for the purposes of this clause.</p> <p>(5) A compliance plate must be designed, constructed, issued and registered in accordance with any specifications in force under this clause.</p>		
160 Notice of installation of relocatable home or associated structure	<p>(1) The holder of an approval to operate a caravan park or camping ground must give the council written notice of the installation of a relocatable home or associated structure within 7 days after the completion of the installation.</p> <p>(2) The notice—</p> <p>(a) must indicate the site identifier of the dwelling site on which the relocatable home or associated structure has been installed, and</p> <p>(b) must include the particulars contained on each compliance plate relating to the relocatable home or associated structure.</p> <p>(3) The notice must also be accompanied by—</p> <p>(a) a copy of the engineer's certificate for the relocatable home or associated structure, and</p> <p>(b) a fully dimensioned diagram of the dwelling site on which the relocatable home or associated structure is installed, sufficient to indicate whether or not the setback, density, open space and site delineation requirements of this Part have been complied with.</p>	Noted. Council will be notified of any new installations in accordance with this Clause.	✓
Division 5 Division 5 Caravans, tents and annexes			
Subdivision 1 Caravans			
161 Setbacks for tents, caravans and	A tent or caravan (including any associated structure or annexe) must not be located—	As demonstrated in the Community Map sites 835-6, 832, 830, 827, 821, 818, 803, 856, 850, 846-7, 845, 843 and 840	On Merit

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associated structures and annexes	(a) closer than one metre to an access road, or (b) closer than 2 metres to the boundary of the camping ground or caravan park.	have structures that are less than 1.0 metre of the park access road. A section 82 Variation request justifying non-compliance with this Clause is provided as Appendix E . As demonstrated sites 833, 821, 812 to 820 (inclusive) and 803 to 810 (inclusive) 802-3 have structures that are less than 2.0 metres from the park boundaries. A section 82 variation request justifying non-compliance with this clause is provided as Appendix E	
162 Site coverage	(1) A tent or caravan (including any associated structure or annexe) must not be installed on a single dwelling site if the floor area of the tent or caravan (including any associated structure or annexe) is more than two-thirds of the area of the site. (2) If there is no carport or garage on the dwelling site, an area with minimum dimensions of 6 metres by 3 metres, accessible from an access road and useable for car parking, must be provided on the site. (3) Subclause (2) does not apply if the resident's parking space for that dwelling site is separate from the site.	As demonstrated in the Tabulation sheet which accompanies the community map as Appendix I , sites 807, 810, 812, 815, 817, 818, 821, 822, 825, 828, 829, 846-7 and 847-8 have a site coverage greater than 66%. A section 82 variation request justifying non-compliance with this clause is provided as Appendix X.	✓
163 Maintenance	A caravan (including any associated rigid annexe) that is installed in a caravan park must be maintained in a condition that is safe and healthy for persons to use.	Each caravan and annexe is maintained appropriately and will continued to be maintained.	✓
164 One caravan per dwelling site	(1) No more than one caravan may be installed on a single dwelling site. (2) A caravan must not be installed on a dwelling site on which a relocatable home is installed.	The site only has one caravan per site. Caravans are not installed on a dwelling site on which a relocatable home is installed.	✓

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165 Running gear	In the case of a caravan that is situated on flood liable land, the wheels, axles and draw bar of the caravan must not be removed, but must be maintained in proper working order.	The caravans located on site do not have adequate running gear. This issue is addressed in the remedial works program.	
Subdivision 2 Annexes			
166 Structural soundness	<p>(1) A rigid annexe must be of a design certified by a practising structural engineer to be structurally sound.</p> <p>(2) A certificate issued under this clause—</p> <p>(a) must indicate that the rigid annexe complies with any standards, codes and specifications with which it is, by this Part, required to comply, and</p> <p>(b) must include specifications as to the manner in which the rigid annexe must be installed and as to the nature of the footings (if any) on which it must be installed.</p> <p>(3) Any specifications with respect to footings or tie-down systems must have regard to the design gust wind speed, soil type and other design considerations applicable to the various locations in which the annexe may be installed.</p>	Given that Council has not raised issues with these arrangements in the additional information requested dated 3 April 2020, no further action is deemed necessary and the existing operations are deemed to comply with the requirements of this clause.	✓
167 Design gust wind speed	<p>A rigid annexe must be designed to resist loads as determined in accordance with the following design codes, as appropriate—</p> <p>(a) AS/NZS 1170.1:2002, Structural design actions Part 1: Permanent, imposed and other actions, as in force on 1 September 2005,</p> <p>(b) AS/NZS 1170.2:2002, Structural design actions Part 2: Wind actions, as in force on 1 September 2005, or AS 4055—1992 Wind loads for housing, as in force on 1 September 2005 (except that the design gust wind speed for the area where the manufactured home or associated structure is located is not to be taken to be less than 41 metres per second),</p>	As demonstrated in the remedial works program (Appendix D) tie downs will be upgraded to achieve compliance with the requirements of this Clause.	On Merit

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	(c) AS 1170.3—1990, Minimum design loads on structures Part 3: Snow loads, as in force on 1 September 2005, (d) AS 1170.4—1993, Minimum design loads on structures Part 4: Earthquake loads, as in force on 1 September 2005.		
168 Glazing	Glazing materials in an annexe must be selected and installed in accordance with the relevant provisions of AS 1288—1994, Glass in buildings—Selection and installation and, to the extent to which those provisions require the use of safety glass, in accordance with the relevant provisions of AS/NZS 2208: 1996, Safety glazing materials in buildings, each as in force on 1 September 2005.	Given that Council has not raised issues with these arrangements in the additional information requested dated 3 April 2020, no further action is deemed necessary and the existing operations are deemed to comply with the requirements of this clause.	✓
169 Floor area	(1) The enclosed floor area of all annexes that are attached to a caravan must not exceed the enclosed floor area of the caravan. (2) For the purposes of this clause, the floor area of a caravan that has a maximum internal width of less than 3.1 metres must be determined as if that width were 3.1 metres.	All annexes installed on the do not exceed the floor area of their ancillary caravan. Noted.	✓
170 Installation of rigid annexe	A rigid annexe must be installed in accordance with the specifications contained in the certificate issued under clause 166.	Noted.	✓
Subdivision 3 General			
171 Wind resistance	Any caravan that is installed on a long-term site for more than 150 days and any holiday van or park van that is installed on a dwelling site must be restrained in accordance with the specifications of a practising structural engineer to withstand the wind forces applicable to the terrain category in which the dwelling site is located.	As demonstrated in the remedial works program, (Appendix D) tie downs will be upgraded to achieve compliance with the requirements of this Clause.	✓
172 Compliance plates to be attached	(1) A compliance plate must be attached to an accessible part of any rigid annexe.	Given that Council has not raised issues with these arrangements in the additional information requested dated 3 April 2020, no further action is deemed necessary and the	✓

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	<p>(2) A compliance plate must specify the following—</p> <p>(a) the name of the manufacturer of the rigid annexe,</p> <p>(b) the month and year during which the rigid annexe was constructed,</p> <p>(c) the design gust wind speed for the rigid annexe,</p> <p>(d) a statement to the effect that the rigid annexe complies with the requirements of this Division,</p> <p>(e) the name of the practising structural engineer by whom the engineer's certificate has been issued in respect of the rigid annexe.</p>	existing operations are deemed to comply with the requirements of this clause.	
173 Notice of completion of installation	<p>(1) The holder of an approval to operate a caravan park or camping ground must give the council written notice of the installation of a rigid annexe within 7 days after its completion.</p> <p>(2) The notice—</p> <p>(a) must indicate the site identifier of the dwelling site on which the rigid annexe has been installed, and</p> <p>(b) must include the particulars contained on the compliance plate relating to the rigid annexe.</p> <p>(3) The notice must also be accompanied by—</p> <p>(a) a copy of the engineer's certificate for the rigid annexe, and</p> <p>(b) a fully dimensional diagram of the dwelling site on which the rigid annexe is installed, sufficient to indicate whether or not the setback, density, open space and site delineation requirements of this Part have been complied with.</p>	Noted. Council will be notified of any new installations in accordance with this Clause.	✓

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APPENDIX B

WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009 - COMPLIANCE TABLE

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Wollongong Local Environmental Plan 2009
138 Windang Road, Windang

Clause	Requirement	Comment	Complies
7.1 Public utility infrastructure	The objective of this clause is to ensure that sufficient infrastructure is available to service development.	The site is serviced by sufficient public utility infrastructure.	✓
7.3 Flood planning	<p>Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied in relation to all the following matters—</p> <p>(a) all habitable floor levels of the development will be above the flood planning level,</p> <p>(b) the development will not adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties,</p> <p>(c) the development will not significantly alter flow distributions and velocities to the detriment of other properties or the environment of the floodplain,</p> <p>(d) the development will not affect evacuation from the land,</p> <p>(e) the development will not significantly detrimentally affect the floodplain environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses,</p> <p>(f) the development will not result in unsustainable social and economic costs to the community as a consequence of flooding,</p>	The proposed development does not propose new structures which will adversely impacts the flood behavior of the site. Of note, a flood evacuation plan has been prepared by Molino Stewart and accompanies this application as Appendix H . This demonstrates the continued use of the caravan park is deemed appropriate as each resident and guest will be able to evacuate the site safely.	✓

	(g) if located in a floodway area—the development will not be incompatible with the flow conveyance function of, or increase a flood hazard in, the floodway area.		
7.7 Foreshore building line	The objective of this clause is to ensure that development in the foreshore area will not impact on natural foreshore processes or affect the significance and amenity of the area.	Where existing sites are located within the foreshore building line, these will be removed. This is detailed within the remedial works program (Appendix D).	On Merit

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APPENDIX C

WOLLONGONG DEVELOPMENT CONTROL PLAN 2009 - COMPLIANCE TABLE

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Wollongong Development Control Plan 2009 – Compliance Table
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Control	Requirement	Comment	Complies
6 DEVELOPMENT CONTROLS - CARAVAN PARKS & CAMPING GROUNDS			
6.1 Minimum Land Requirement for a Caravan Park	1 Hectare	The caravan park has a total site area of 9,575. Given that the park has been in operation for a number of years, the site area is deemed reasonable.	On Merit
6.2 Minimum Size of Dwelling Sites	1. A long –term site must have an area of at least 80 square metres. 2. A short –term site must have an area of at least 65 square metres. 3. A camping site must have an area of at least: (a) 40 square metres in the case of a camp site for which a separate parking space is provided within 30 metres of the camp site or (b) 50 square metres, in any other case.	Refer to the assessment provided against the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005– Compliance Table in Appendix A .	✓
6.3 Maximum Number of Short – Term and / or Long-Term Sites	Any Development Application for a caravan park must specify the number of short-term sites and the number of long-term sites proposed within the caravan park. The number of short-term and long-term sites shall be consistent with the minimum size requirements for both short–term and long-term sites.	This application seeks approval for 37 long term sites and 17 short term sites. As noted in the SEE the sites are tenanted and have been in use for a number of years.	✓
	The location of the short-term and long-term sites shall be clearly shown on the site plan. The siteplan shall also clearly number each dwelling and / or camping site and its site boundaries, as proposed within the park.	Both long term and short term sites are clearly labelled on the site plan and numbered accordingly.	✓

Wollongong Development Control Plan – Compliance Table – 138 Windang Road, Windang

<p>6.4 Minimum Building Line Setbacks to Public Roads, Foreshore</p> <p>Areas and Boundaries to other lots not associated with the Development</p>	<p>The minimum front building line setback for a caravan park or camping ground to any public road shall be 10 metres.</p> <p>A dwelling site or camping site must be setback at least 10 metres from any public road and at least 3 metres to any other boundary of the caravan park or camping ground.</p> <p>For sites adjacent to a waterway, a minimum building line setback of 10 metres is required for any dwelling site or community building from the mean high water mark or any prescribed foreshore building line under this plan or Wollongong Local Environmental Plan 2009, whichever is the greater.</p> <p>A community building must not be located closer than 10 metres to the boundary of a manufactured home estate or the boundary of a dwelling site within the estate, except where in the opinion of Council, the community building will be properly screened by way of fencing and / or dense landscaping along the perimeter boundary or boundary with a dwelling site. However, the absolute minimum building setback requirement from a perimeter property boundary or a boundary with dwelling site within the estate shall be 2 metres.</p> <p>The minimum driveway width for a combined entry / exit access point into / from a caravan park or camping ground is 8 metres. In the case of a divided road, the minimum width of the sealed road carriageway shall be 5 metres on either side of the median strip.</p>	<p>Sites 832, 833 and 801-2 are located within 10 metres from a public road. The existing screening is proposed to be upgraded to provide adequate acoustic and visual screening from Windang road. This is detailed in the remedial works program (Appendix D).</p> <p>As demonstrated in the community plan, sites 833, 821, 812 to 820 (inclusive) and 803 to 810 (inclusive) 802-3 have structures that are less than 2.0 metres from the park boundaries. These non-compliances are deemed reasonable given that the park has been in operation for a number of years and the dwellings are tenanted. Forcing compliance with this control would require the eviction of long-term tenants from the subject site and tear apart the social fabric that the tenants have established over a long period of time.</p> <p>With the exception of site no. 835-6 each site is appropriately setback 10m from community buildings. F note, the amenities block has been decommissioned and does not constitute a community building. Furthermore, in accordance with sub-clause 2 of Clause 88 the community buildings within 10m to site 835-6 will be appropriately screened and fenced to support adequate delineation. This is detailed in the remedial works program.</p> <p>Refer to the assessment provided against the Local Government (Manufactured Home Estates, Caravan</p>	<p>On Merit</p>
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Wollongong Development Control Plan – Compliance Table – 138 Windang Road, Windang

	The internal access road must be at least 6 metres for a two-way access road and at least 4 metres for a one-way access road. The direction of travel for a one-way access road must be indicated by means of directional signage.	Parks, Camping Grounds and Moveable Dwellings) Regulation 2005– Compliance Table in Appendix A.	
6.5 Community Amenities / Facilities	<p>A minimum of 10% of the total site area of the subject caravan park or camping ground shall be reserved for recreation or other communal activities.</p> <p>Each park shall make provision for children’s playground equipment (ie with equipment catering for a range of children’s ages) at a rate of 1 children’s playground per 200 metre walking distance radius from any dwelling site or camping site.</p> <p>At least one (1) community building (ie designed to function as a multi-purpose centre with kitchen and indoor recreation facilities) is required commensurate with the size and nature of the park.</p>	<p>Refer to the assessment provided against the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005– Compliance Table in Appendix A.</p> <p>Given the current use of the site is predominantly for ongoing residential uses, and short-term sites and camp sites are limited to 17 sites collectively, the provision of a children’s play areas is not deemed necessary.</p> <p>As noted above, Given the current use of the site is predominantly for ongoing residential uses, and short term sites and camp sites are limited to 17 sites collectively, the provision of multi purpose centre is not deemed necessary.</p>	<p>✓</p> <p>On Merit</p> <p>On Merit</p>
6.6 Car Parking	<p>A caravan park or camping ground shall provide a minimum of one (1) resident car parking space per dwelling site or camping site.</p> <p>The parking space for a dwelling or camping site may be provided on-site or off-site (not forming part of the dwelling or camping site boundaries). Any off-site resident parking space must be</p>	Refer to the assessment provided against the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005– Compliance Table in Appendix A .	✓

Wollongong Development Control Plan – Compliance Table – 138 Windang Road, Windang

	<p>clearly marked by hard-wearing labelling as a resident parking space attached to the particular dwelling site.</p> <p>A caravan park or camping ground must contain the following minimum visitor parking spaces:</p> <p>(a) 1 visitor parking space for each 10 (or part thereof) long-term sites in the caravan park or camping ground;</p> <p>(b) 1 visitor parking space for each 20 (or part thereof) short-term sites in the caravan park or camping ground;</p> <p>(c) 1 visitor parking space for each 20 (or part thereof) camp sites in the caravan park or camping ground;</p> <p>the minimum number of visitor parking spaces in a caravan park and / or camping ground is 4 visitor parking spaces.</p> <p>All visitor parking spaces must be clearly identified to ensure that visitors park in those spaces and do not take resident parking spaces.</p> <p>The visitor parking spaces should be provided throughout the park, in order to minimise the visitor walking distance to / from dwelling sites and / or camp sites within a park.</p> <p>A caravan park or camping ground must also provide at least one (1) visitor parking space for people with disabilities.</p>		
6.7 Development on Flood Liable Land	<p>A flood study will be required to be submitted with a Development Application for any proposed caravan park and / or camping ground upon flood liable land. The flood study is recommended to</p>	<p>A flood study prepared by Molino Stewart Flood Engineers accompanies this application as Appendix H.</p>	✓

Wollongong Development Control Plan – Compliance Table – 138 Windang Road, Windang

	be prepared by a suitably qualified civil engineer who is experienced in the preparation of flood studies.		
7 INFORMATION TO BE SUBMITTED WITH A DEVELOPMENT APPLICATION	<ul style="list-style-type: none"> • Site Plan • Statement of Environmental Effects • Flood Study • Landscaping Plans • Table of Compliance – Local Government (Manufactured Homes Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 	<ul style="list-style-type: none"> • A site plan prepared by land team accompanies this application as Appendix F • A Statement of Environmental Effects supports this application • A Flood Evacuation Plan accompanies this application as Appendix H • Landscaping Plans are to be prepared following operational approval for the subject site • A table of Compliance with the Local Government (Manufactured Homes Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2000 accompanies this application as Appendix A. 	✓
E13: Floodplain Management			
Objectives	This chapter of the DCP provides Council's requirements for development upon flood prone land and land below the flood planning level within the City of Wollongong Local Government Area (LGA).	The caravan park operates on land identified in a medium to high flood precinct. This application is supported by a Flood Evacuation Plan prepared by Molino Stewart (Appendix H). Furthermore, any non-compliance with flood resistance controls are addressed in the remedial works program.	✓

THE PLANNINGHUB

by Hames & Swan

APPENDIX D

REMEDIAL WORKS PROGRAM

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Remedial Works Program – 138 Windang Road, Windang

Issue	Remedial Work	Proposed Completion Date/Time Frame
Assessment Against Clause 8 of SEPP 21	Refer to Table 2 of the SEE.	Not Applicable
Development on Flood Prone Land	Not Applicable. A Flood Evacuation Management Plan prepared by Molino Stewart (Appendix X) demonstrates that the proposed development accords with the flood constraints on site and that subject to the recommendations of the Evacuation Plan, there are no adverse impacts on human safety.	Refer to Flood Evacuation Management Plan
Crown Lands Encroachment	Seek Crown Lands Approval	Within 2-weeks from issue of conditional approval to operate
Certification of Structures	Prepare and submit structural certification verifying for each site with permanent installations that the structural soundness of the footing/tie down system is adequate for the gust wind speed loading and achieves a minimum resistance of 41 metres per second. Of note, this will achieve compliance with Clauses 143, 167 and 171 of the regulation.	Within 12 weeks of issue of conditional approval to operate.
Conversion of Long-Term Sites	This DA seeks approval for 37 Long Term Sites and 14 Short-Term Sites. Should the DA be refused, conversion of the long term sites will take place in accordance with Council's request.	Not Applicable

Remedial Works Program – 138 Windang Road, Windang

Sites Located On Coastal Foreshore Area (814, 815, 816, 817, 818, 819, 820, 832, 822 and 823)	Upgrade moveable homes to achieve compliance with the relevant development standards and the provisions of State Environmental Planning Policy (Coastal Management) 2018.	Within 16 weeks of issue of conditional approval to operate.
Site Identification	Update on site identification to achieve compliance with Clause 86 of the Regulation.	Within 8 weeks of issue of conditional approval to operate
Setbacks of sites 835-6, 832, 830, 827, 821, 818, 803, 856, 850, 846-7, 845, 843 and 840 and 833, 821, 812 to 820 (inclusive) and 803 to 810 (inclusive) 802-3.	Refer to Section 82 variation request.	Not Applicable.
Site Coverage (Sites 807, 810, 812, 815, 817, 818, 821, 822, 825, 828, 829, 846-7 and 847-8.)	Refer to Section 82 variation request.	Not Applicable
separation from community buildings (Sites: 835-6 846-7, 847-8, 849 and 850)	Refer to Section 82 variation request.	Not Applicable

Remedial Works Program – 138 Windang Road, Windang

Screening (Sites: 832, 833 and 801-2)	Upgrade privacy screening to achieve compliance with Clause 89 of the Regulation.	Within 16 weeks of issue of conditional approval to operate.
Separation of Structures and Fire Safety Issues	Procure a fire safety statement to demonstrate compliance with relevant fire safety provisions. If upgrades are required, complete these upgrades as necessary.	Within 16 weeks of issue of conditional approval to operate.
Running Gear of Particular Sites	Inspect each caravan to determine insufficient running gear. Should unregistrable vehicles be found on site, notices will be issued to ensure that upgrades are mandated to achieve compliance with Clause 165 of the regulation.	Within 8 weeks of issue of conditional approval to operate.
Cross Flow ventilation of Site 806	Upgrade the existing structure on site 806 to achieve compliance with Clause 157 of the Regulation	Within 8 weeks of issue of conditional approval to operate.
Sanitary Facilities	Provide updated drawings to demonstrate appropriately sanitary and shower facilities available for each resident, employee and visitors. Should non-compliances remain, the existing facilities block is to be recommissioned and upgraded to achieve compliance with Part 3, Division 3, Subdivision 5 of the Regulation.	Within 20 weeks of issue of conditional approval to operate.
Laundry Facilities	Provide updated drawings to demonstrate appropriately laundry facilities available for each resident, employee, and visitors. Should non-compliances remain, the existing facilities block is to be recommissioned and upgraded to achieve compliance with Part 3, Division 3, Subdivision 6 of the Regulation	Within 20 weeks of issue of conditional approval to operate.
Common Dump point	Refer to Section 82 variation request.	Not Applicable

Remedial Works Program – 138 Windang Road, Windang

Vehicle Wash Bay	Refer to Section 82 variation request.	Not Applicable
Road Design	Refer to Section 82 variation request.	Not Applicable
Forecourt Area	Refer to Section 82 variation request.	Not Applicable
Road Conditions	Update Plan of Management, upgrade road surfaces and install appropriate vehicle safety measures including speed hump and signage.	Within 20 weeks of conditional approval to operate.
Visitor Parking	Refer to Section 82 variation request.	Not Applicable
Hose Reels and Hydrants	Upgrade hose reels and hydrants to achieve compliance with Clauses 128 and 129 of the Regulation. Provide onsite managers log-book to manage ongoing maintenance.	Within 10 weeks of conditional approval to operate.



THE PLANNINGHUB

by Hawes & Swan

OBJECTION UNDER SECTION 82 OF THE LOCAL GOVERNMENT ACT 1993

**Continued Use Of South Pacific
Village Caravan Park
138 Windang Road, Windang**

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Prepared For:	Sylvio Pirotta
Project Name:	138 Windang Road Windag
Job Reference:	20/079 V1
Date Approved:	08 September 2020

1.0 The Proposal

This request is written in support of a development application (DA) and Local Government Act Approval application that proposes the continued use of the existing caravan park at 138 Windang Road, Windang.

This Section 82 Objection relates to several variations to the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 (The Regulation).

1.1 Relevant Legislation

Section 82 of the Local Government Act 1993 allows the consent authority to grant consent for development even though the development contravenes a local policy or state regulation.

Section 82 states:

(1) *An applicant for an approval may lodge with the council an objection—*

- (a) that the regulations or a local policy adopted under Part 3 by the council relating to the activity for which approval is sought do not make appropriate provision with respect to that activity, or*
- (b) that compliance with any provision of those regulations or such a policy is unreasonable or unnecessary in the particular circumstances of the case.*

(2) *The applicant must specify the grounds of the objection.*

The clause aims to provide an appropriate degree of flexibility in applying certain development standards to achieve better outcomes for and from development.

2.0 Proposed Variations to The Regulation

The following provides each development standard proposed to be varied with a comment demonstrating that the public interest will be adversely affected by the variation and that any variation is consistent with the principles of ecologically sustainable development pursuant to Section 82(3B) of the Local Government Act.

Clause 83 - Minimum size of caravan park or camping ground

(1) *A caravan park must not have an area of less than one hectare or, if a lesser area is prescribed by a relevant environmental planning instrument, that lesser area.*

Comment

The subject site has a total site area of 9575m². Given that the caravan park has been in operation for a considerable period and there are no apparent amenity issues raised by the current residents nor visitors the proposed area is deemed reasonable.

Clause 84: Community Amenities

- (1) *Of the total land area of a caravan park or camping ground—*
- (a) *at least 10 per cent, or*
 - (b) *such lesser proportion (but not less than 6 per cent) as the approval for the caravan park or camping ground may allow, must be reserved for recreation or other communal activities.*
- (2) *In deciding whether to allow a lesser proportion, the council must have regard to the type and range of amenities to be provided and to such other matters as it considers relevant.*

Comment

As demonstrated in the Community Map (drawing no. 208644-CP01) (**Appendix G**) The caravan park includes the provision of 1,186m² of Communal area, which equates to 12% of the total site area. With respect to communal areas, Council's Additional Information request dated 3 April 2020 detailed that the calculation was incorrect as this calculation included parking areas.

Irrespective of this, the proposed communal open space area is deemed reasonable given that most long-term residents use their own open space and verandas on site for recreational purposes. Furthermore, the demand for amenities is low given that both long term and short-term sites have access to their own amenities, facilities, sullage water and parking spaces. Refer to the tabulated summary prepared by Land team which accompanies the Community Map (**Appendix I**).

Clause 93: Forecourt Area

- (1) *A caravan park must have a forecourt, measuring at least 4 metres by 20 metres, to accommodate incoming vehicles.*

Comment

The proposed development does not include the provision of a forecourt areas. Given that the site is predominantly for long-term accommodation and there are minimal new tenants, a forecourt area is not deemed necessary.

Clause 94 Width of Road

- (1) *The width of an access road must be—*
- (a) *at least 6 metres for a two-way access road, and*
 - (b) *at least 4 metres for a one-way access road.*
- (2) *The direction of travel for a one-way access road must be indicated by means of conspicuous signs.*

Comment

The access road south of sites 831 to 824, east of sites 814 to 822 and north of sites 807 to site 813 and east of site 846-7 and 847-8 is a two-way access road and less than 6.0 metres width. Given that the site

does not experience heavy vehicle traffic, the non-compliance with Clause 94 is deemed reasonable. Moreover, the existing internal road has been in operation for a number of years and it has not become apparent that there are any safety issues or otherwise associated with the road. Further, based on the number of cars entering and exiting the caravan park, safe evacuation is deemed possible. This is further supported by the evacuation management plan prepared by Molino Stewart (**Appendix H**).

Clause: 96 Resident parking

- (5) Each off-site parking space is to have, at minimum, dimensions of—*
- (a) 5.4 metres by 2.5 metres, in the case of angle parking, and*
 - (b) 6.1 metres by 2.5 metres, in any other case.*

Comment

The parking spaces for sites 834, 828, 821, 819, 818, 816, 813, 812, 809, 807, 805, 804, 803, 852, 854, 845, 844 and 838 include widths lower than the required rate.

Given that these sites have been in use for a number of years and no apparent safety issues have arisen, the continued provision of these spaces is deemed reasonable.

Clause 102: Sewerage

- (2) A caravan park or camping ground that includes any short-term sites or camp sites must be provided with at least one common soil waste dump point for the disposal of closet waste from caravan holding tanks and the like. The common soil waste dump point must be located so as to permit adequate access by caravans and campervans.*

Comment

A common soil dump is not provided on site. Given that the caravan park comprises predominantly long-term sites and that the short-term sites are equipped with their own waste dump points, the provision of a waste dump point is not deemed necessary. As demonstrated in the tabulated summary (refer to **Appendix I**), each site is equipped with a disposal point for the disposal of sullage. Therefore, a common waste dump point is not deemed necessary.

Clause 130: Car washing bay

- (1) A caravan park must be provided with an area for use for washing vehicles.*

Comment

The caravan park does not include the provision of a car wash bay. Given that a majority of the sites have onsite park, these spaces are deemed appropriate for low scale car washing. Furthermore, a dedicated carwash business, 'Windang Carwash' is located 1.4km (5-minute drive) to the south of the subject site. Given the above, the provision of a dedicated carwash bay is not deemed necessary.

138 Setbacks for relocatable homes:

A relocatable home and any associated structure must not be located—

- (a) closer than one metre to an access road, or*
- (b) closer than 2 metres to the boundary of the caravan park.*

As demonstrated in the Community Map sites 835-6, 832, 830, 827, 821, 818, 803, 856, 850, 846-7, 845, 843 and 840 have structures that are less than 1.0 metre of the park access road

As demonstrated sites 833, 821, 812 to 820 (inclusive) and 803 to 810 (inclusive) 802-3 have structures that are less than 2.0 metres from the park boundaries.

Given that these structures have been in use for a number of years and previous operational approvals have been issued for these sites, the proposed variations are deemed reasonable. Furthermore, it has not become apparent that any safety issues or amenity issues have arisen from these non-compliances. The residents relying on these structures for housing should not be subjected to the stress of relocating as there have not been any complaints issued or evidenced safety issues. Given the above, the proposed non-compliances are deemed reasonable.

Clause 139: Site coverage

(1) A relocatable home and any associated structure must not be installed on a single dwelling site if the floor plan area of the relocatable home (together with any associated structure or other building or structure on the site) is more than two-thirds of the area of the site.

Comment

As demonstrated in the Tabulation sheet which accompanies the community map as **Appendix I**, sites 807, 810, 812, 815, 817, 818, 821, 822, 825, 828, 829, 846-7 and 847-8 have a site coverage greater than 66%.

Given that these structures have been in use for a number of years and previous operational approvals have been issued for these sites, the proposed variations are deemed reasonable. Furthermore, it has not become apparent that any safety issues or amenity issues have arisen from these non-compliances. The residents relying on these structures for housing should not be subjected to the stress of relocating as there have not been any complaints issued or evidenced safety issues. Given the above, the proposed non-compliances are deemed reasonable.

Clause 140: Garages

(2) If a relocatable home and garage are situated on the same dwelling site such that the garage is situated closer than 900 millimetres to the relocatable home and closer than 900 millimetres to the site boundary of an adjoining dwelling site—

(a) the external walls of the relocatable home that face the garage must comply with the provisions relating to class 1 buildings contained in Section 3 of Volume Two of the Building Code of Australia, or

(a) the external walls of the garage that face the relocatable home must comply with the provisions relating to class 10 buildings contained in Section 3 of Volume Two of the Building Code of Australia

Comment

As demonstrated in the Tabulation sheet which accompanies the community map as **Appendix G**, sites 807, 810, 812, 815, 817, 818, 821, 822, 825, 828, 829, 846-7 and 847-8 have do not comply with this Clause.

Given that these structures have been in use for a number of years and previous operational approvals have been issued for these sites, the proposed variations are deemed reasonable. Furthermore, it has not become apparent that any safety issues or amenity issues have arisen from these non-compliances. The residents relying on these structures for housing should not be subjected to the stress of relocating as there have not been any complaints issued or evidenced safety issues. Given the above, the proposed non-compliances are deemed reasonable. As demonstrated in the remedial works program, the existing structures are to be upgraded to accord with the relevant fire safety standards.

141 Carports

- (1) The roof covering and any ceiling lining, wall cladding or gable of a carport must be non-combustible.
- (2) A carport must have at least 2 sides open and at least one-third of its perimeter open. For the purposes of this subclause, a side is considered to be open if the roof covering of the carport is at least 500 millimetres from a relocatable home, annexe, associated structure or site boundary.
- (3) A carport must not provide direct vertical support to any part of a relocatable home.
- (4) If a carport has a common roof structure with a relocatable home and the carport does not have a ceiling, the opening between the top of the wall of the relocatable home and the underside of the roof covering of the carport must be infilled with—
 - (a) a non-combustible material, or
 - (b) construction clad with non-combustible material on the carport side.

Comment

As demonstrated in the Tabulation sheet which accompanies the community map as **Appendix I**, sites 807, 810, 812, 815, 817, 818, 821, 822, 825, 828, 829, 846-7 and 847-8 do not comply with this Clause.

Given that these structures have been in use for a number of years and previous operational approvals have been issued for these sites, the proposed variations are deemed reasonable. Furthermore, it has not become apparent that any safety issues or amenity issues have arisen from these non-compliances. The residents relying on these structures for housing should not be subjected to the stress of relocating as there have not been any complaints issued or evidenced safety issues. Given the above, the proposed non-compliances are deemed reasonable. As demonstrated in the remedial works program, the existing structures are to be upgraded to accord with the relevant fire safety standards.

Clause 161: Setbacks for tents, caravans and associated structures and annexes

- (1) A tent or caravan (including any associated structure or annexe) must not be located—*
(a) closer than one metre to an access road, or
(b) closer than 2 metres to the boundary of the camping ground or caravan park.

Comment

As demonstrated in the Community Map sites 835-6, 832, 830, 827, 821, 818, 803, 856, 850, 846-7, 845, 843 and 840 have structures that are less than 1.0 metre of the park access road. Further, sites 833, 821, 812 to 820 (inclusive) and 803 to 810 (inclusive) 802-3 have structures that are less than 2.0 metres from the park boundaries

The proposed location of the above-mentioned sites is deemed reasonable as they have been in operation for several years. Furthermore, it has not become apparent that any safety issues or amenity issues have arisen from these non-compliances. The residents relying on these structures for housing should not be subjected to the stress of relocating as there have not been any complaints issued or evidenced safety issues. Given the above, the proposed non-compliances are deemed reasonable.

162 Site coverage

- (1) A tent or caravan (including any associated structure or annexe) must not be installed on a single dwelling site if the floor area of the tent or caravan (including any associated structure or annexe) is more than two-thirds of the area of the site.*
(2) If there is no carport or garage on the dwelling site, an area with minimum dimensions of 6 metres by 3 metres, accessible from an access road and useable for car parking, must be provided on the site.
(3) Subclause (2) does not apply if the resident's parking space for that dwelling site is separate from the site.

Comment

As demonstrated in the Tabulation sheet which accompanies the community map as **Appendix I**, sites 807, 810, 812, 815, 817, 818, 821, 822, 825, 828, 829, 846-7 and 847-8 have a site coverage greater than 66%.

Given that these structures have been in use for a number of years and previous operational approvals have been issued for these sites, the proposed variations are deemed reasonable. Furthermore, it has not become apparent that any safety issues or amenity issues have arisen from these non-compliances. The residents relying on these structures for housing should not be subjected to the stress of relocating as there have not been any complaints issued or evidenced safety issues. Given the above, the proposed non-compliances are deemed reasonable.

3.0 Conclusion

The proposed variations to the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 are deemed reasonable for the following reasons:

- The site has been in use for a number of years and no amenity impacts nor safety issues have arisen due to the non-compliances;
- Forcing compliance with the regulations would mean that the existing residents who rely on the site for affordable residential accommodation would be forced to vacate the site, which is not in the public interest.
- Notwithstanding the non-compliances, the existing operation of the Caravan park is in accordance with the public interest and the principles of ecological sustainable development.

In view of the above, it is considered that this written request has adequately addressed the matters required by Section 82 of the Local Government Act 1993.

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Attachment 4 – Wollongong DCP Assessment

CHAPTER C4: CARAVAN PARKS, CAMPING GROUNDS AND MANUFACTURED HOME ESTATES

<i>Controls/objectives</i>	<i>Comment</i>	<i>Compliance</i>
5 Planning controls / development controls – manufactured home estates		
<u>5.1 Minimum Land Requirement for a Manufactured Home Estate</u>	N/A – approval is sought for the use as a caravan park not a manufactured home estate	N/A
6 Planning controls / development controls caravan parks & camping grounds		
<u>6.1 Minimum Land Requirement for a Caravan Park</u>		
Minimum lot size is 1 hectare	Site area is 9575sqm, minor variation sought which could be considered where other issues are suitably addressed given the use as a caravan park has existed in some form for many years.	N/A - existing
<u>6.2 Minimum Size of Dwelling Sites</u>		
Long term sites – 80sqm	Long term sites meet 80sqm	Appears capable of complying.
Short - term 65sqm	Short terms sites meet 65sqm.	
Camping site – 40sqm where separate parking is available within 30m of the site or 50sqm in any other case	It is unclear what Site 839 is intended for (51sqm), but would comply with the minimum size for a camp site.	
<u>6.3 Maximum Number of Short –Term and / or Long-Term Sites</u>		
1. Any Development Application for a caravan park must specify the number of short-term sites and the number of long-term sites proposed within the caravan park. The number of short-term and long-term sites shall be consistent with the minimum size requirements for both short-term and long-term sites.	35 long term and 15 short terms sites are proposed and shown on the site plan. Site 839 has not been identified as a long term or short term site.	Unclear
2. The location of the short-term and long-term sites shall be clearly shown on the site plan. The site plan shall also clearly number each dwelling and / or camping site and its site boundaries, as proposed within the park.		

<i>Controls/objectives</i>	<i>Comment</i>	<i>Compliance</i>
<p><u>6.4 Minimum Building Line Setbacks to Public Roads, Foreshore Areas and Boundaries to other lots not associated with the Development</u></p> <p>1. The minimum front building line setback for a caravan park or camping ground to any public road shall be 10 metres.</p> <p>2. A dwelling site or camping site must be setback at least 10 metres from any public road and at least 3 metres to any other boundary of the caravan park or camping ground.</p> <p>3. For sites adjacent to a waterway, a minimum building line setback of 10 metres is required for any dwelling site or community building from the mean high water mark or any prescribed foreshore building line under this plan or Wollongong Local Environmental Plan 2009, whichever is the greater.</p> <p>5. The minimum driveway width for a combined entry / exit access point into / from a caravan park or camping ground is 8 metres. In the case of a divided road, the minimum width of the sealed road carriageway shall be 5 metres on either side of the median strip.</p> <p>6. The internal access road must be at least 6 metres for a two-way access road and at least 4 metres for a one-way access road. The direction of travel for a one-way access road must be indicated by means of directional signage.</p>	<p>Setbacks to road, boundaries and FSBL do not comply:</p> <p>2.1m min. setback to Windang Road. The applicant has stated that existing screening is proposed to be upgraded to provide adequate acoustic and visual screening from Windang Road. Although a variation may be considered, no further details have been provided.</p> <p><2m setback to side boundaries, for which a variation is sought. The reduced setbacks may be acceptable where additional landscape screening is provided.</p> <p>Structures encroach over rear/western boundary over Council and Crown land. The 10m setback is not achieved, with the applicant identifying that requiring compliance would require the eviction of long term residents from the site.</p> <p>The acoustic letter submitted states that no acoustic treatment is required.</p> <p>The driveway widths do not meet the minimum requirements. The road width varies within the site, and not all road widths have been shown on the plans. It is noted that this is an existing situation for which the applicant is seeking a variation.</p>	<p>No</p> <p>No</p>

<i>Controls/objectives</i>	<i>Comment</i>	<i>Compliance</i>
<p>6.5 Community Amenities / Facilities</p> <p>1. A minimum of 10% of the total site area of the subject caravan park or camping ground shall be reserved for recreation or other communal activities.</p> <p>2. Each park shall make provision for children's playground equipment (ie with equipment catering for a range of children's ages) at a rate of 1 children's playground per 200 metre walking distance radius from any dwelling site or camping site.</p> <p>3. At least one (1) community building (ie designed to function as a multi-purpose centre with kitchen and indoor recreation facilities) is required commensurate with the size and nature of the park. Part C – Specific Landuse Controls Chapter C4: Caravan Parks, Camping Grounds and Manufactured Home Estates 10 Wollongong Development Control Plan 2009</p> <p>4. The provision of other recreational facilities such as tennis courts and / or swimming pools is also encouraged provided such facilities are well lit and are enclosed by suitable enclosure fencing to prevent children gaining entry without parent supervision.</p>	<p>Additional information was requested with regard to improved recreational and communal facilities for both long-term and short term sites.</p> <p>It is recognised that the site has operated for numerous years without such facilities however there appears to be further opportunities to improve the community facilities within the site as part of the overall site planning to address flooding and coastal hazards.</p>	<p>No</p>

6.6 Car Parking

1. A caravan park or camping ground shall provide a minimum of one (1) resident car parking space per dwelling site or camping site.

2. The parking space for a dwelling or camping site may be provided on-site or off-site (not forming part of the dwelling or camping site boundaries). Any off-site resident parking space must be clearly marked by hard-wearing labelling as a resident parking space attached to the particular dwelling site.

3. A caravan park or camping ground must contain the following minimum visitor parking spaces: (a) 1 visitor parking space for each 10 (or part thereof) long-term sites in the caravan park or camping ground; (b) 1 visitor parking space for each 20 (or part thereof) short-term sites in the caravan park or camping ground; (c) 1 visitor parking space for each 20 (or part thereof) camp sites in the caravan park or camping ground;

4. The minimum number of visitor parking spaces in a caravan park and / or camping ground is 4 visitor parking spaces.

5. All visitor parking spaces must be clearly identified to ensure that visitors park in those spaces and do not take resident parking spaces.

6. The visitor parking spaces should be provided throughout the park, in order to minimise the visitor walking distance to / from dwelling sites and / or camp sites within a park.

7. A caravan park or camping ground must also provide at least one (1) visitor parking space for people with disabilities.

8. If a caravan park contains more than 100 sites, one (1) parking space for people with disabilities must be provided for each 100 sites or part thereof.

9. The disabled car parking spaces must be provided in accordance with Australian Standard 2890.1 – 2004 Parking Facilities – Off-street Parking and shall be clearly delineated as disabled parking spaces.

Car parking dimensions for residents and visitors are not met which means that compliant parking numbers are not achieved.

Parking spaces are required to be clearly marked which is capable of being conditioned.

No

6.7 Development on Flood Liable Land

1. A flood study will be required to be submitted with a Development Application for any proposed caravan park and / or camping ground upon flood liable land. The flood study is recommended to be prepared by a suitably qualified civil engineer who is experienced in the preparation of flood studies.

2. The required flood study must also take into consideration the provisions of Council's Development on Floodplain Management Chapter of this DCP, the NSW Floodplain Management Manual: The Management of Flood Liable Land 2001, the NSW State Government's Flood Prone Land Policy, any relevant State Environmental Planning Policy and Wollongong Local Environmental Plan 2009. Part C – Specific Landuse Controls Chapter C4: Caravan Parks, Camping Grounds and Manufactured Home Estates Wollongong Development Control Plan 2009 11 Note: Council will not support the placement of a dwelling site or camping site in any caravan park or camping ground upon any flood prone land which is classified as being within a high or low hazard floodway or flood storage area and / or the site is subject to velocities of 1.5 metres / per second or greater.

3. Any relocatable home proposed upon a dwelling site within a portion of site classified as flood prone (excluding high hazard or low hazard floodway or flood storage areas) shall be designed to withstand the likely flood water velocities as determined by the flood study.

4. In the event that Council ultimately supports an application for a caravan park and / or camping ground involving caravans / moveable dwellings upon land classified as flood fringe land, a condition of consent will be imposed requiring the removal of caravans / moveable dwellings up to flood free land, during flood periods.

5. Council will also require that each site occupant is provided with a flood information map for display in each long-term or short-term site which sets out

A Flood Emergency Response Plan (FERP) study was submitted with the original application, prepared by Molino Stewart (dated October 2020).

Council's Stormwater Engineer has considered this document and raised concerns over the FERP strategy as detailed in the body of the report, and in summary noted that the reliance on a private flood plan to mitigate flood risk for the purposes of granting development consent is contrary the NSW Government Floodplain Development Manual (FDM) dated 2005).

Additional information to enable a detailed assessment against the relevant planning controls was requested as part of Council's RFI.

Additional information was submitted by the applicant on 25 July 2022, including a letter by Rienco dated 21 September 2021.

This letter has been considered by Council's Stormwater Engineer who noted that the issues outlined have not been resolved.

No

<i>Controls/objectives</i>	<i>Comment</i>	<i>Compliance</i>
<p>information on water depths likely to be experienced in the park, public warning procedures in the park, evacuation routes from the park and advice on when to take appropriate action.</p> <p>7 INFORMATION TO BE SUBMITTED WITH A DEVELOPMENT APPLICATION</p> <p><u>7.1 Site Plan</u></p> <p>1. The site plan shall be at either a 1:100, 1:200 or 1:500 scale depending upon the size of the development site.</p> <p>2. The site plan shall include the following information:</p> <p>(a) North Point.</p> <p>(b) Legal property description of the site (including all Lot and Deposited Plan numbers).</p> <p>(c) Existing and proposed contour levels of the site at 2 metre contour intervals.</p> <p>(d) Proposed layout of the manufactured home estate, caravan park and / or camping ground, including the exact dimensions of each individual dwelling or camping site, open space recreation areas, amenities buildings etc.</p> <p>(e) The location of any existing access roads.</p> <p>(f) The location, number and identification of the tree species found within the site.</p> <p>(g) The location of amenities blocks and recreational facilities.</p> <p>(h) Proposed location of any water, sewage pumping stations or electricity substations.</p> <p><u>7.2 Statement of Environmental Effects (SEE) or Environmental Impact Statement (EIS)</u></p> <p>1. The Statement of Environmental Effects shall (ie prepared by a suitably qualified and experienced town planning consultant) provide a comprehensive review of the full nature of the proposed development and shall address the proposal's relationship with the following environmental planning instruments and the development control plan and provide a Part C – Specific Landuse Controls Chapter C4: Caravan Parks, Camping</p>	<p>The updated site plan shows most of the required detail, however the existing and proposed contour levels at 2m contour intervals has not been shown.</p> <p>The existing ground levels to Australian Height Datum around the perimeter of the buildings and contours of the site were requested to be shown on the plans for the purpose of assessing flooding impacts but this has not been provided.</p> <p>The relevant EPI's and planning policies have been addressed</p>	<p>No</p> <p>Yes</p>

<i>Controls/objectives</i>	<i>Comment</i>	<i>Compliance</i>
<p>Grounds and Manufactured Home Estates 12 Wollongong Development Control Plan 2009 comprehensive environmental impact assessment of the proposal with respect to the matters for consideration as listed under Section 79C of the Environmental Planning and Assessment Act 1979:</p> <p>(a) State Environmental Planning Policies;</p> <p>(b) Any relevant State Code;</p> <p>(c) Wollongong Local Environmental Plan 2009; and</p> <p>(d) Wollongong Development Control Plan 2009.</p> <p><u>7.3 Flood study</u></p> <p><u>7.4 Landscaping Plan</u></p> <p>1. A Landscaping Plan will be required to be submitted with the Development Application for any proposed new manufactured home estate or caravan park and / or any major alterations to an existing caravan park or manufactured home estate. The Landscaping Plan shall include the following matters:</p> <p>(a) Location of all existing trees (ie located by survey and identified by scientific name and common name);</p> <p>(b) Provision of suitable screen landscaping between dwelling sites including the possibility of using trellises with climbing plants;</p> <p>(c) Dense buffer screen planting along the perimeter of the caravan park / manufactured home estate;</p> <p>(d) Provision of landscaping to ameliorate prevailing adverse winds (ie westerly and southerly winds);</p> <p>(e) Provision of a shade tree for each dwelling site, wherever practicable; and</p> <p>(f) Restricting the landscaping of front setback areas to a maximum 1 metre height fronting internal roadways, in order to enable motorists to see any children when</p>	<p>Refer previous comments regarding additional information requested in respect of flooding.</p> <p>A landscape plan has been requested but has not been provided, with the applicant stating that the caravan park seeks approval for the continued use as a caravan park and landscape plans are therefore not required.</p> <p>Given the existing layout involves variations to front and side setbacks, the opportunities to provide for additional landscape screening is considered to be an element that would improve the amenity for occupants.</p> <p>It is noted that the Lake Illawarra CMP also identifies revegetation opportunities that should be reflected on a landscape plan.</p>	<p>No</p> <p>No</p>

Controls/objectives	Comment	Compliance
<p>reversing of motor vehicles out of each dwelling site.</p> <p><u>7.5 Table of Compliance – Local Government (Manufactured Homes Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</u></p> <p>1. As part of the Development Application stage, Council will require the preparation of a detailed assessment of the proposal against the requirements contained in the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.</p> <p>2. A table of compliance is required to be prepared in the Statement of Environmental Effects / Environmental Impact Statement which addresses the proposal's compliance with all of the requirements of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 for the development of either a manufacture home estate, caravan park and / or camping ground.</p>	<p>Provided as Appendix A to the SEE.</p>	<p>Yes</p>
<p><u>7.6 Visual Impact Assessment Report</u></p> <p>1. The preparation of a visual impact assessment report may be required in certain cases for a manufactured home estate or caravan park where Council is of the opinion that a proposal has the potential to pose a high visual impact upon the scenic environmental quality of the surrounding locality.</p>	<p>Not considered necessary noting the application is seeking continued use of the caravan park</p>	<p>N/A</p>

Windang

The existing tourist parks / caravan parks and manufactured home estates are likely to remain an important part of Windang and are encouraged to be upgraded. This may include the upgrading of moveable dwellings as well as the installation of elevated relocatable dwellings, taking into account the flood characteristics and behaviour in this locality.

CHAPTER E1: ACCESS FOR PEOPLE WITH A DISABILITY

Information was requested regarding the provision of an accessible toilet facility for employees and visitors, compliant with AS1428.1. The applicant has noted that the existing amenities block can be refurbished to provide for appropriate facilities which is acknowledged, however no details have been provided.

CHAPTER E2: CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

No specific issues under this chapter have been identified based on the information submitted.

CHAPTER E3: CAR PARKING, ACCESS, SERVICING/LOADING FACILITIES AND TRAFFIC MANAGEMENT

Some further information regarding car space dimensions and road widths have been provided following Council's RFI letter. However minimum road widths have not been indicated on the plans (only at certain points), not all sites have car spaces, and some car spaces are undersized.

CHAPTER E6: LANDSCAPING

A landscape plan showing the landscape screening and revegetation is required, and was requested however has not been provided on the basis that the applicant states that the existing landscaping will be retained on site. Given that additional landscaping is likely to be necessary for amenity and privacy reasons (eg. screening to the road and to site boundaries), and also for future revegetation of the foreshore area, it is considered appropriate for a concept landscape plan to be provided.

CHAPTER E7: WASTE MANAGEMENT

Information detailing the proposed waste storage, disposal and collection was requested but has not been provided.

CHAPTER E14 STORMWATER MANAGEMENT

A concept drainage design for the management and disposal of stormwater was requested however has not been provided.

CHAPTER E22 SOIL EROSION AND SEDIMENT CONTROL

Suitable measures are capable of being conditioned where consent is granted.

Attachment 5 - Assessment under Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021

2 Commencement

This Regulation commences on 1 September 2021.

Note—

This Regulation repeals and remakes the [Local Government \(Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings\) Regulation 2005](#) which would otherwise be repealed on 1 September 2021 by the [Subordinate Legislation Act 1989](#), section 10(2).

3 Object

The object of this Regulation is to provide opportunities for affordable alternatives in short-term and long-term accommodation by setting standards—

- (a) for the design of manufactured home estates, caravan parks and camping grounds, and*
- (b) for the design and construction of manufactured homes and other moveable dwellings, and*
- (c) for the siting of manufactured homes and other moveable dwellings, and*
- (d) to promote the health, safety and amenity of the occupiers of manufactured homes and other moveable dwellings.*

4 Definitions

camp site means an area of land—

- (a) within—*
 - (i) a camping ground, on which a campervan or tent may be installed, or*
 - (ii) a primitive camping ground, on which a campervan, tent or caravan may be installed, and*
- (b) designated as a camp site by the approval for the camping ground.*

caravan means a moveable dwelling that is designed so as to be capable of being registered (within the meaning of the Road Transport Act 2013) as a trailer, but does not include a camper trailer.

dwelling site means an area of land—

- (a) for a manufactured home estate—designated as a dwelling site by the approval for the manufactured home estate, and*
- (b) for a caravan park—*
 - (i) on which a moveable dwelling may be installed, and*
 - (ii) designated as a dwelling site by the approval for the caravan park.*

holiday van means a moveable dwelling, other than a tent—

- (a) usually located on a short-term site, and*
- (b) used primarily by the owner of the moveable dwelling for occasional occupancy for holidays.*

long-term site means a dwelling site that is specified in the approval for a caravan park as a long-term site.

self-contained moveable dwelling means a moveable dwelling that contains shower and toilet facilities.

short-term site means a dwelling site—

- (a) on which a moveable dwelling ordinarily used for holidays may be installed, and
- (b) specified in the approval for a caravan park as a short-term site.

Part 3 Caravan parks, camping grounds and moveable dwellings

Division 1 Application of Part

70 Application of Part

This Part applies to—

- (a) the operation of caravan parks and camping grounds, and
- (b) the installation of moveable dwellings, including manufactured homes, in caravan parks, camping grounds and a place other than a manufactured home estate.

71 Factors for consideration before approval is granted

- (1) *The council must not grant an approval to operate unless satisfied that it will be designed, constructed, maintained and operated-*

- (a) *in accordance with Division 3, Subdivisions 1-8, or*

The approval to operate a caravan park is the subject of a separate application and these matters will be assessed under that application.

- (b) *for a primitive camping ground - in accordance with Division 3, Subdivision 9.*

N/A

- (2) *In deciding whether or not the approval allows the installation of a relocatable home, rigid annexe or associated structure on flood liable land, the council must consider the principles contained in the Floodplain Development Manual.*

The development application does not involve any proposal to install. New installations are required to comply with this requirement under the relevant Local Government Act approvals.

72 Matters to be specified in approval

- (1) *An approval must specify the following-*

- (a) *whether the approval allows-*

- (i) *the operation of a caravan park only, or*

Yes, based on the information provided

- (ii) *the operation of a camping ground only, or*

No

- (iii) *the operation of both a caravan park and a camping ground,*

No

- (b) *for an approval that allows the operation of a caravan park-*

- (i) *the number, size and location of long-term sites allowed by the approval, and*

The latest approval to operate (CP-2003/5) related to 37 long term sites.

- (ii) *the number, size and location of short-term sites allowed by the approval, and*

The latest approval to operate (CP-2003/5) authorised 17 short term sites.

- (iii) *the number, size and location of dwelling sites, whether long-term or short-term, to be reserved for self-contained moveable dwellings, and*

A self-contained moveable dwelling is defined under this legislation as “a moveable dwelling that contains its own shower and toilet facilities”. It is unclear if all the long-term sites are self-contained moveable dwellings.

- (iv) *the location of any off-site parking spaces, if any, for dwelling sites,*

The site plan illustrates parking spaces but not for all sites.

- (c) *for an approval allowing the operation of a camping ground-*

- (i) *whether the camping ground is to be a primitive camping ground, and*

- (ii) *for an approval for the operation of a primitive camping ground that designates camp sites - the number, size and location of the camp sites allowed by the approval, and*

- (iii) *for an approval for the operation of a primitive camping ground that does not designate camp sites - the maximum number of caravans, campervans and tents that are permitted to use the camping ground at the same time, and*

- (iv) *the location of any off-site parking spaces for camp sites,*

- (d) *the location of any flood liable land, if any, in the caravan park or camping ground.*

Unclear

- (2) *The numbers, sizes and locations must be specified by reference to a community map.*

A community map has been provided indicating the number, size and location of long-term and short-term sites. It is unclear whether any camp sites are proposed (none are shown however site #839 appears vacant). Off-site parking spaces are also indicated.

- (3) *In calculating the number of tents permitted to use a camping ground, 2 or more tents occupied by a group of not more than 12 persons camping together must be counted as 1 tent.*

Capable of being conditioned.

73 Conditions of approval to operate caravan park or camping ground

- (1) *An approval is subject to the following conditions-*

- (a) *the caravan park or camping ground must be designed, constructed, maintained and operated-*

- (i) *in accordance with Division 3, Subdivisions 1-8, or*

See below

- (ii) *for a primitive camping ground - in accordance with Division 3, Subdivision 9,*

N/A

- (b) *a visitor must not be permitted to stay in a moveable dwelling occupying a short-term site or camp site for a total of more than 150 days in a 12 month period, unless –*

- (i) *the moveable dwelling is a holiday van, and*

- (ii) *the visitor is the owner of the holiday van,*

This is capable of being conditioned where approval is granted.

- (c) *a visitor who is the owner of a holiday van occupying a short-term site or camp site must not be permitted to stay in the holiday van for more than 180 days in a 12 month period,*

This is capable of being conditioned where approval is granted.

- (d) *a person must not be permitted to stay in a moveable dwelling in a primitive camping ground for more than 50 days in a 12 month period.*

N/A

- (2) *In calculating the number of days a visitor stays in a moveable dwelling, only overnight stays must be counted.*
- (3) *This section does not apply to the operation of a caravan park or camping ground if the caravan park or camping ground is being operated—*
- (a) *solely in connection with the use of the land for a sporting, recreational or cultural event, and*
- (b) *for a period of no more than 6 weeks.*
- (4) *The manager of a caravan park or camping ground may authorise a person to stay in the caravan park or camping ground for a period not exceeding 2 years if the manager is reasonably satisfied that the person has been displaced as a result of—*
- (a) *a natural disaster, or*
- (b) *a pandemic.*

Capable of being conditioned

- (5) *In this section—*
- manager** *of a caravan park or camping ground includes the owner, operator or caretaker of the caravan park or camping ground.*
- visitor** *does not include—*
- (a) *a displaced person, or*
- (b) *a resident manager of the caravan park or camping ground.*

73A Operation of caravan parks or camping grounds for which approval not required

- (1) *For the Act, section 68, the approval of the council is not required—*
- (a) *to install a moveable dwelling or associated structure on land used for the purposes of a caravan park or camping ground that is permitted without development consent under [State Environmental Planning Policy \(Housing\) 2021](#), Chapter 3, Part 10, or*
- (b) *to operate the caravan park or camping ground.*
- (2) *To avoid doubt, Division 3 does not apply to development that is permitted without development consent under [State Environmental Planning Policy \(Housing\) 2021](#), Chapter 3, Part 10.*

N/A – approval is required for the operation of the caravan park. Chapter 3, Part 10 of the Housing SEPP relates to Temporary Emergency Accommodation.

Subdivision 2 Installation of moveable dwellings and associated structures in caravan parks and camping grounds

N/A - No installations are proposed under the development application.

Subdivision 3 Installation of moveable dwellings elsewhere than in caravan parks or camping grounds

N/A

Division 3 Caravan parks and camping grounds

<p><u>Subdivision 1 Land and site requirements</u></p> <p><u>83 Minimum size of caravan park or camping ground</u></p> <p>(1) A caravan park must not have an area of less than—</p> <p>(a) 1 hectare, or</p> <p>(b) if a lesser area is permitted on the land by an environmental planning instrument—the lesser area.</p> <p>(2) A camping ground is not required to have a minimum area.</p> <p><u>84 Community amenities</u></p> <p>(1) A minimum of 10% of the total land area of a caravan park or camping ground must be reserved for recreation or other communal activities.</p> <p>(2) The council may allow a lower percentage, not less than 6% of the total land area of the caravan park or camping ground, to be reserved for recreation or other communal activities.</p> <p>(3) Before allowing a lower percentage, the council must consider—</p> <p>(a) the type and range of amenities to be provided, and</p> <p>(b) other matters the council considers relevant.</p> <p><u>85 Size of dwelling sites and camp sites</u></p> <p>(1) A long-term site must have an area of at least 80 square metres.</p> <p>(2) A short-term site must have an area of at least 65 square metres.</p> <p>(3) A camp site must have an area of at least:</p> <p>(a) for a camp site for which a separate parking space is provided within 30 metres of the camp site—40 square metres, or</p> <p>(b) otherwise—50 square metres.</p> <p><u>86 Site identification</u></p> <p>(1) A dwelling site must be numbered or identified with its site boundaries clearly outlined.</p>	<p>Not achieved</p> <p>Site area is 9575sqm which is below the minimum one(1) hectare. The caravan park is existing and where reasonable amenity and facilities are available, no objection would be raised to the reduced site area .</p> <p>N/A</p> <p>Not achieved</p> <p>The site plan indicates a recreational area of approximately 150sqm where BBQs are provided, representing 1.5%.</p> <p>The proportion of long-term sites would warrant some form of recreation or communal facilities above those provided, however it is acknowledged that the caravan park appears to have operated without such facilities for a number of years.</p> <p>Achieved</p> <p>Achieved</p> <p>It is unclear whether there are any campsites, however site #839 would meet the 50 sqm requirement</p> <p>This will be managed through the approval to operate.</p>
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(2) The site identification must be easily recognised.

As above.

Subdivision 2 Setbacks

87 Dwelling sites to have road frontage

A dwelling site must have vehicular access to an access road.

Existing vehicle access is available to/from Windang Road

88 Setbacks of community buildings

(1) A community building must not be located closer than 10 metres to the boundary of a caravan park, camping ground, dwelling site or camp site.

There is no community building.

The amenities building is located less than 10m from the boundary of sites numbers 846,848 and 850

(2) The council may allow the following distances if satisfied the community building has been or will be properly screened, fenced, enclosed or otherwise treated—

Upgrade of fencing or screening between the amenities building and the above sites is identified in Appendix A of the applicant's SEE which appears capable of being conditioned.

(a) 3 metres or more from the boundary of a caravan park or camping ground, and

(b) 5 metres or more from the boundary of a dwelling site or camp site.

89 Setbacks of dwelling sites and camp sites from road frontages

(1) A dwelling site or camp site must not be located closer than—

Not achieved

The setback of long term dwelling sites from the road reserve for Windang Road do not comply. The minimum distance to the front boundary to Windang Road is 2.1m (Site 833).

(a) 10 metres to a public road, or

(b) 3 metres to another boundary of the caravan park or camping ground.

The setback of sites to the northern and southern boundaries is varied, between a zero (0m) setback and up to 2.2m.

(2) The council may allow a lesser distance if satisfied the dwelling site or camp site has been or will be properly screened, fenced, enclosed or otherwise treated.

The development application relates to the overall site layout with specific assessment of setbacks being undertaken in the approval to operate and other section 68 applications for installations.

The applicant states the existing screening is to be upgraded however Council is not satisfied of this as no details have been provided.

90 Use of buffer zones

<p>Nothing in this Part prevents land within a required setback from being used for -</p> <ul style="list-style-type: none"> (a) community amenities, access roads, car parking spaces, footpaths or landscaping, or (b) a similar purpose allowed by the Council 	<p>Noted</p>
<p><u>91 Separation distances</u></p> <p>(1) A moveable dwelling must not be installed within the following distance of another moveable dwelling—</p> <ul style="list-style-type: none"> (a) if located on a long-term site—3 metres, or (b) if located on a short-term site or camp site—2.5 metres. <p>(2) This section does not prohibit the installation of semi-detached relocatable homes on adjoining dwelling sites if they are separated by construction complying with the fire safety and sound insulation provisions in the Building Code of Australia, Volume Two, section 3.7.1 and 3.8.6 for class 1 buildings.</p> <p>(2) This clause does not prohibit the installation of semi-detached relocatable homes on adjoining dwelling sites so long as they are separated by construction conforming to the fire safety and sound insulation provisions relating to class 1 buildings contained in Section 3.7.1 and 3.8.6 of Volume Two of the Building Code of Australia.</p>	<p>Not achieved</p> <p>The 3m and 2.5m separation distances are not achieved for all sites as shown on the site map.</p> <p>This is a matter for consideration under the Local Government Act approval, noting that the applicant is seeking a Section 82 objection under the Local Government Act 1993 to this requirement on the basis that the moveable dwellings have had these setbacks for numerous years without safety or amenity issues.</p> <p>N/A- no installation proposed</p>
<p>Subdivision 3 Roads</p>	
<p><u>92 Entrance and exit roads</u></p> <p>(1) A road forming an entrance to or exit from a caravan park or camping ground must be at least 7 metres wide.</p> <p>(2) For a divided road, the width of the sealed portion of the road on either side of the median strip must be at least 5 metres</p> <p>(3) The council may specify in an approval the way in which an entrance or exit road must meet the sealed portion of other access roads.</p> <p><u>93 Forecourt</u></p>	<p>Not achieved</p> <p>Additional information requested but not provided. Vehicle entry measured off plans at approximately 5.5m wide.</p> <p>N/A</p> <p>This is a matter for the approval to operate</p> <p>Not achieved</p>

A caravan park must have an area—

- (a) to accommodate incoming vehicles, and
- (b) measuring at least 4 metres by 20 metres.

94 Width of roads

(1) The width of an access road must be:

- (a) for a two-way access road—at least 6 metres, and
- (b) for a one-way access road—at least 4 metres.

(2) The direction of travel for a one-way access road must be indicated by means of conspicuous signs.

95 Speed limits

The speed limit on an access road must -

- (a) not exceed 15 kilometres per hour, and
- (b) be indicated by means of conspicuous signs.

96 Resident parking

(1) A caravan park or camping ground must contain at least 1 resident parking space for each dwelling site or camp site.

(2) The parking space for a dwelling site or camp site may be on-site or off-site

(3) An off-site space must be marked to identify the dwelling site or camp site to which it relates.

Example—

An off-site space may marked by line marking, marker pegs or other similar markings.

(4) An off-site parking space for a dwelling site or camp site must in the location specified in the approval

(5) An off-site parking space must have minimum dimensions of—

- (a) for angle parking—5.4 metres by 2.5 metres, and
- (b) otherwise—6.1 metres by 2.5 metres.

97 Visitor parking

(1) A caravan park or camping ground must contain at least 1 visitor parking space-

- (a) for every 10 long-term sites in the caravan park or camping ground, and

Additional information requested but a forecourt area is not dimensioned.

Additional information requested but not provided.

Not achieved

Not achieved

Capable of being conditioned

Capable of being conditioned.

Not achieved

Not achieved for all sites noting many of the car spaces that do show the dimensions are significantly undersized eg 825, 826830,831

On-site and off-site spaces are shown on the site map

Capable of being conditioned.

Capable of being conditioned.

Not all spaces meet the minimum dimensions (eg off-site spaces)

35 long-term sites proposed = 4 visitor spaces required

<p>(b) for every 20 short-term sites in the caravan park or camping ground, and</p> <p>(c) for every 40 camp sites in the caravan park or camping ground, and</p> <p>(d) for a remaining part, if any, of a number of sites specified in paragraphs (a)–(c).</p>	<p>15 short-term spaces proposed = 1 visitor space required</p> <p>Unclear if any camp sites are proposed</p> <p>N/A</p>
<p>Example—</p> <p>A caravan or camping ground containing 90 short-term sites must contain at least 5 visitor parking spaces.</p> <p>(2) At least 4 visitor parking spaces must be provided for a caravan park or camping ground.</p> <p>(3) Each parking space must have minimum dimensions of—</p> <p>(a) for angle parking—5.4 metres by 2.5 metres, or</p> <p>(b) otherwise—6.1 metres by 2.5 metres.</p> <p>(4) Visitor parking spaces must be clearly identified</p>	<p>A total of 6 visitor spaces are provided.</p> <p>N/A</p> <p>Not achieved for all spaces</p> <p>Capable of being conditioned.</p>
<p><u>98 Visitor parking for people with disabilities</u></p> <p>(1) A caravan park or camping ground must contain —</p> <p>(a) at least 1 visitor parking space for people with a disability (a disabled parking space), or</p> <p>(b) if the caravan or camping ground contains 100 sites or more—at least 1 additional disabled parking space for—</p> <p>(i) the first 100 sites, and</p> <p>(ii) every further 100 sites, and</p> <p>(iii) a remaining part, if any, of 100 sites.</p>	<p>Unclear - One space provided for people with a disability adjacent to park residence however no dimensions are shown to indicate it is of adequate size.</p> <p>N/A</p>
<p>Example—</p> <p>A caravan or camping ground containing 235 sites must contain at least 3 disabled parking spaces.</p> <p>(2) A disabled parking space must be—</p> <p>(a) provided in accordance with AS/NZS 2890.1:2004, Parking facilities, Part 1: Off-street parking, and</p> <p>(b) clearly identified as a disabled parking space.</p> <p>(3) A disabled parking space may be counted as a visitor parking space.</p>	<p>Capable of being conditioned.</p> <p>Noted</p>

<p><u>99 Road surfaces</u></p> <p>All access roads, including all passing and parking bays, must—</p> <p>(a) have an all-weather sealed or other surface finish specified in the approval, and</p> <p>(b) be adapted to the land to enable adequate drainage and remove excessive grades.</p> <p><u>100 Lighting</u></p> <p>All access roads must be adequately lit between sunset and sunrise.</p>	<p>Not achieved</p> <p>Suitable surface for the access road is capable of being conditioned, however a drainage plan has been requested but not provided.</p> <p>Capable of being conditioned.</p>
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Subdivision 4 Utility services

<p><u>101 Water supply</u></p> <p>(1) A caravan park or camping ground must be—</p> <p>(a) connected to a mains water supply, or</p> <p>(b) provided with an alternative water supply service as specified in the approval.</p> <p>(2) A dwelling site must be connected to the water supply service for the caravan park or camping ground.</p> <p>(3) Each water supply connection must—</p> <p>(a) be located within 30 metres of the 4 camp sites, and</p> <p>(b) include a standpipe and hose tap.</p> <p>(4) The water supply service must comply with—</p> <p>(a) the Plumbing and Drainage Act 2011 and the regulations made under that Act, and</p> <p>(b) the requirements of a relevant statutory body.</p> <p>(5) The water supplied for human consumption or domestic purposes must comply with the Australian Drinking Water Guidelines 6 published in October 2011 by the National Health and Medical Research Council.</p> <p><u>102 Sewerage</u></p> <p>(1) A caravan park or camping ground must be—</p> <p>(a) connected to a main sewer, or</p> <p>(b) provided with an alternative sewage disposal system as specified in the approval.</p> <p>(2) A long-term site must be connected to the sewage disposal system for the caravan park or camping ground.</p> <p>(3) Short-term sites and camp sites in a caravan park or camping ground must be provided with at least 1 soil waste dump point—</p> <p>(a) for the disposal of closet waste from caravan holding tanks, and</p>	<p>Yes</p> <p>Capable of being conditioned</p> <p>Capable of being conditioned</p> <p>Capable of being conditioned</p> <p>Capable of being conditioned</p> <p>Sites are capable of being connected to sewer. This is to be managed through the approval to operate.</p> <p>As above</p> <p>No common soil waste dump point is proposed. This is a matter for consideration under the</p>
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(b) located to permit adequate access by caravans and campervans.	Local Government Act approval, noting that the applicant is seeking a Section 82 objection under the Local Government Act 1993 to this requirement
(4) Short-term sites must be provided with a disposal point— (a) for the disposal of sullage from a moveable dwelling installed on the site, and (b) as specified in the approval.	Capable of being conditioned.
5) The sewage disposal system must comply with— (a) the Plumbing and Drainage Act 2011 and the regulations made under that Act, and (b) the requirements of a relevant statutory body. (6) In this section— sullage means domestic waste from baths, basins, showers, laundries and kitchens, including floor wastes.	Capable of being conditioned.
<u>103 Drainage</u>	Not achieved
(1) A caravan park or camping ground must be provided with a stormwater drainage system.	A drainage plan was requested but not provided
(2) All dwelling sites and camp sites must be adequately drained. Note. The Act requires stormwater drainage work to be carried out only with the approval of the council. The Local Government (General) Regulation 2005 specifies further requirements with respect to drainage.	Unclear
<u>104 Electricity supply</u>	
(1) A dwelling site must be supplied with electricity from a reticulated electricity service.	Sites are capable of being connected to electricity. This is to be managed through the approval to operate.
(2) In the case of a long-term site, the electricity must be supplied by means of an electrical circuit connected to a separate electricity meter.	
(3) Any such electrical circuit must be installed in accordance with the requirements of: (a) for a long-term site—the Electricity Code of Practice, and (b) for a short-term site—AS/NZS 3001:2008, Electrical installations—Transportable structures and vehicles including their site supplies.	
(4) If a dwelling site is provided with electricity otherwise than by a direct connection to the local electricity supply authority's	

electricity main, the occupant of the dwelling site may only be charged reasonable charges for the supply of the electricity.

105 Common trenches

A common trench may be used for the installation of services in accordance with guidelines set out in AMCORD.

Capable of being conditioned.

Subdivision 5 Shower and toilet facilities

106 Modification of calculations under this Subdivision

In calculating the facilities to be provided in accordance with this Subdivision:

- (a) 2 camp sites are taken to be the equivalent of 1 dwelling site, and
- (b) the following must not be included—
 - (i) dwelling sites reserved for use by self-contained moveable dwellings, and
 - (ii) dwelling sites provided with ensuite facilities.

Noted

107 Number of showers and toilets to be provided

- (1) A caravan park or camping ground with less than 200 dwelling sites must be provided with the facilities specified in the Table to this section.
- (2) A caravan park or camping ground with at least 200 dwelling sites must be provided with the facilities specified in the approval.
- (3) In considering the facilities to specify in the approval, the council must consider the quantities specified in the Table to this section.
- (4) In this section, a requirement for—
 - (a) a shower may be fulfilled by providing a bathtub, and
 - (b) a urinal may be fulfilled by providing—
 - (i) a urinal intended to be used by 1 person, or
 - (ii) a 600 millimetre length of a urinal facility.

The applicant has advised that the site complies with the number of facilities and the amenities can be upgraded to provide appropriate facilities for residents.

108 Facilities for people with disabilities

- (1) A caravan park or camping ground with at least 1, but less than 100 dwelling sites must have—
 - (a) at least 1 disabled bathroom for each sex, or
 - (b) at least 1 unisex disabled bathroom.

Capable of being conditioned.

(2) A caravan park or camping ground with at least 100 dwelling sites must have—

- (a) 2 disabled bathrooms for each sex, or
- (b) 2 unisex disabled bathrooms, or
- (c) 1 disabled bathroom for each sex and 1 unisex disabled bathroom.

(3) A disabled bathroom may be counted towards the required facilities for the caravan park or camping ground.

4) In this section—

disabled bathroom means a room with shower, toilet and other associated facilities designed in accordance with AS 1428.1:2021, Design for access and mobility, Part 1: General requirements for access—New building work.

109 Other facilities

(1) All showers and handbasins required by this Subdivision must be supplied with hot and cold running water.

(2) A mirror must be provided:

- (a) for each handbasin provided, or
- (b) if 2 or more handbasins are provided together, for each pair of handbasins.

(3) The following must be provided in a facility containing toilets for the use of females—

- (a) at least 1 sanitary napkin disposal unit, or
- (b) for a facility containing at least 10 toilets for the use of females— at least 1 additional sanitary napkin disposal unit for—
 - (i) every 10 toilets, and
 - (ii) a remaining part, if any, of 10 toilets.

110 Construction of shower blocks and toilet blocks

(1) Except as otherwise provided in an approval, the shower and toilet facilities in a caravan park or camping ground must be contained in a shower or toilet block—

- (a) constructed of brick or concrete masonry block, and
- (b) with a non-slip floor of tile or other impervious material adequately drained to outlets, and
- (c) with smooth, hard, durable and water-resistant interior finishes, and
- (d) containing shower recesses with tile or other impervious finishes to a height of at least 1.8 metres, and
- (e) with tile or other impervious skirtings around water closet cubicle walls, and

Capable of being conditioned.

Satisfactory given there is an existing amenities building.

Detailed design requirements capable of being conditioned.

<p>(f) with tile or other impervious finish around handbasins, and</p> <p>(g) with adequate lighting, both inside and outside, and adequate ventilation at all times, and</p> <p>(h) with all walls, ceilings and floors, fixtures, fittings and appliances maintained in a clean and sanitary condition.</p> <p>(2) A building containing both male and female facilities must be divided for the private use of each sex.</p> <p>(3) Toilets must be provided in individual cubicles having a minimum floor area of 1.1 square metres and a minimum width of 0.8 metre.</p>	
<u>111 Proximity of dwelling sites to shower blocks and toilet blocks</u>	
<p>(1) A long-term site must not be situated more than 75 metres, measured in a straight line, of a shower block or toilet block.</p>	Satisfactory
<p>(2) A short-term site or camp site must be located within 100 metres, measured in a straight line, from a shower or toilet block.</p>	Satisfactory
<p>(3) This section does not apply to a dwelling site—</p> <p>(a) reserved for use by self-contained moveable dwellings, or</p> <p>(b) provided with ensuite facilities.</p>	Noted
Subdivision 6 Laundry facilities	
<u>112 Modification of calculations under this Subdivision</u>	
<p>In calculating the number of facilities under this Subdivision, 2 camp sites are taken to be equivalent to 1 short-term site.</p>	Noted.
<u>113 Washing machines</u>	
<p>(1) A caravan park or camping ground must be provided with at least—</p>	<p>A breakdown of the sites that are self-contained (toilet, shower and laundry) was requested but not provided. It is likely that most long-term sites are self-contained, however laundry facilities are required for the short-term sites.</p>
<p>(a) 1 washing machine for every 25 long-term sites, and</p> <p>(b) 1 additional washing machine for a remaining part, if any, of 25 long-term sites exceeding 12, and</p>	
<p>(c) 1 washing machine for every 30 short-term sites, and</p> <p>(d) 1 additional washing machine for a remaining part, if any, of 30 short-term sites exceeding 15.</p>	

Subdivision 6 Laundry facilities

(2) At least 2 washing machines must be provided in a caravan park or camping ground.	Capable of being conditioned
114 Laundry tubs	
(1) A caravan park or camping ground must be provided with:	
(a) at least 1 laundry tub for each 50 long-term sites, and	1
(b) at least 1 laundry tub for each 60 short-term sites.	1
(2) At least 1 laundry tub must be provided in a caravan park or camping ground.	
115 Clothes dryers	
(1) A caravan park or camping ground must be provided with:	
(a) at least one mechanical clothes dryer for each 60 long-term sites, and	1
(b) at least one mechanical clothes dryer for each 80 short-term sites.	1
(2) At least 1 mechanical clothes dryer must be provided in a caravan park or camping ground.	Capable of being conditioned
116 Drying areas	
(1) A caravan park or camping ground must be provided with clothes line space at the rate of 2 metres of line for each dwelling site.	Capable of being conditioned however noted this is within the area identified as recreational area
(2) At least 50 metres of clothes line space must be provided in a caravan park or camping ground.	
117 Water supply	
Washing machines and laundry tubs required to be provided in a caravan park or camping ground must be supplied with both hot and cold water.	Capable of being conditioned
118 Ironing facilities	
A caravan park or camping ground must be provided with at least 1 of each of the following for every 60, and remaining part of 60, short-term sites—	Long-term sites are likely to have their own dedicated ironing facilities.
(a) an ironing board,	
(b) an electric iron,	
(c) a power point available for connection to an electric iron.	
119 Construction of laundry blocks	
Except as otherwise provided in an approval, the laundry facilities in a caravan park or camping ground must be housed in a laundry block—	Unclear
(a) constructed of brick or concrete masonry block, and	

Subdivision 6 Laundry facilities

- (b) with a non-slip floor of tile or other impervious material adequately drained to outlets, and
- (c) with smooth, hard, durable and water-resistant interior finishes, and
- (d) with adequate lighting, both inside and outside, and adequate ventilation at all times, and
- (e) with walls, ceilings and floors, fixtures, fittings and appliances maintained in a clean and sanitary condition, and
- (f) maintained in a serviceable and safe condition.

Subdivision 7 Management**120 Maximum number of persons per dwelling site or camp site**

- (1) No more than 12 persons may be allowed to stay overnight at a dwelling site or camp site at the same time.

Capable of being
conditioned

121 Register of occupiers

- 1) A register of occupiers must be kept for a caravan park or camping ground.
- (2) At least 1 person who occupies a dwelling site or camp site must be registered.
- (3) The register must include the following particulars for the registration of a person—
 - (a) the person's full name and address,
 - (b) the person's dates of arrival and departure,
 - (c) the site identification of the site occupied by the person,
 - (d) if the person occupies a caravan or campervan—the registration number, if any, of the moveable dwelling,
 - (e) for a relocatable home—details of the compliance plate.
- (4) The register must be available for inspection by an authorised person, free of charge, during normal working hours.

Capable of being
conditioned

122 Information to be given to prospective occupiers

- (1) The holder of an approval must enter an agreement with a person if—
 - (a) the person intends to occupy a dwelling site or camp site, or
 - (b) the person intends to occupy a long-term site for a holiday.
- (2) The holder of the approval must give the person written notice of the conditions of occupation before entering the agreement.
- (3) The notice must include the following information—

Capable of being
conditioned

Subdivision 7 Management

- (a) the site identification of the dwelling site or camp site allocated to the person,
- (b) the date, if any, on which it is agreed the person's occupation of the dwelling site or camp site will cease,
- (c) for an agreement relating to occupation of a short-term site or camp site— the maximum number of days the person may stay in a moveable dwelling on the site in a 12 month period,
- (d) the rules of the caravan park or camping ground,
- (e) a telephone number for contacting the holder of the approval, or their agent, in the event of an emergency,
- (f) whether or not pets may be kept in the caravan park or camping ground and, if so, on what conditions,
- (g) the nature and location of the amenities available for use by the person as an occupier of the dwelling site or camp site and the charges, if any, for use of the amenities,
- (h) the location of each fire extinguisher, fire hose reel and fire hydrant that is installed within the park or ground,
- (i) if the council has given written notice to the holder of the approval that land in the caravan park or camping ground is flood liable land or bush fire prone land—the location of the flood liable land or bush fire prone land,
- (j) other matters affecting the person's occupation of the dwelling site or camp site or use of the caravan park or camping ground and its amenities.

Note—

The Residential Parks Act 1998 and the regulations under the Act apply to certain residential tenancy agreements under which the residential premises consist of a moveable dwelling, or a site on which a moveable dwelling is situated, or both. (1) Before the holder of the approval for a caravan park or camping ground enters into an agreement with a person relating to the person's occupation of a dwelling site or camp site, the holder of the approval must ensure that the person is given written notice of the conditions of occupation.

123 Use of caravan parks and camping grounds

- (1) A caravan park or camping ground must not be used:
 - (a) for a commercial purpose other than a caravan park or camping ground or an associated purpose, or
 - (b) for the manufacture, construction or reconstruction of moveable dwellings.
- (2) A moveable dwelling installed in a caravan park or camping ground may be renovated, maintained or repaired.

Capable of being
conditioned

Subdivision 7 Management

<p>Example—</p> <p>Renovation, maintenance or repairs may include painting and the replacement of wall cladding or roof sheeting.</p> <p><u>124 Community map</u></p> <p>The council must be given a copy of the current community map:</p> <p>(a) as soon as practicable after any amendment is made to the map, and</p> <p>(b) at other times reasonably required by the council.</p> <p><u>125 Access to approval and community map</u></p> <p>(1) The holder of an approval must ensure copies of the following documents are available for inspection, free of charge, in the location specified in the approval—</p> <p>(a) the approval for the caravan park or camping ground,</p> <p>(b) the community map,</p> <p>(c) this Regulation.</p> <p>(2) A copy of the current community map must be displayed in a prominent position in the caravan park or camping ground.</p>	<p>Capable of being conditioned</p> <p>The caravan park does not have a current approval to operate.</p> <p>Capable of being conditioned</p>
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Subdivision 8 General

<p><u>126 Garbage removal</u></p> <p>Arrangements specified in an approval must be implemented and maintained—</p> <p>(a) for the removal of garbage, and</p> <p>(b) to keep garbage receptacles in a clean and sanitary condition.</p> <p><u>127 Fire hydrants</u></p> <p>(1) No part of a dwelling site, camp site or community building within a caravan park or camping ground may be located more than 90 metres from a fire hydrant.</p> <p>(2) A fire hydrant located within a caravan park or camping ground must—</p> <p>(a) be a double-headed pillar-type fire hydrant, and</p> <p>(b) be maintained to the standard specified in the approval.</p> <p><u>128 Fire hose reels</u></p> <p>(1) Fire hose reels must be installed so that each dwelling site or camp site in the caravan park or camping ground can be reached by a fire hose.</p> <p>(2) The fire hose reels must be—</p>	<p>Unclear - Additional information requested but not provided.</p> <p>Capable of being conditioned.</p> <p>Upgrade works are proposed in the Remedial Works Program</p> <p>Capable of being conditioned.</p>
--	---

Subdivision 8 General

<p>(a) constructed in accordance with AS/NZS 1221:1997, Fire hose reels, and</p> <p>(b) installed in accordance with AS 2441—2005, Installation of fire hose reels.</p> <p>(3) The holder of the approval must give the council a certificate (a fire hose reel certificate)—</p> <p>(a) 7 days after the installation of a fire hose reel, and</p> <p>(b) at least once each calendar year for each fire hose reel installed in the caravan park or camping ground.</p> <p>(4) The fire hose reel certificate must state that—</p> <p>(a) the fire hose reel has been inspected and tested by an appropriately qualified person, and</p> <p>(b) on the date of inspection and testing, the fire hose reel is capable of performing to the required standard.</p>	<p>Upgrade works are proposed in the Remedial Works Program</p>
<p><u>129 Car washing bay</u></p> <p>A caravan park must be provided with an area for washing vehicles.</p>	<p>Not provided.</p>
<p><u>130 Buildings</u></p> <p>(1) A building must not be erected in a caravan park or camping ground unless the approval allows the erection of the building.</p> <p>(2) An approval may allow—</p> <p>(a) the erection of a community building on land in the caravan park or camping ground that is not a dwelling site or camp site, and</p> <p>(b) the erection of an ensuite facility on a dwelling site or camp site.</p> <p>Note—</p> <p>The erection of a community building may require development consent under the Environmental Planning and Assessment Act 1979.</p>	<p>No buildings are proposed.</p> <p>Noted</p>

Attachment 6 – Maps from Lake Illawarra Community Uses, Values, Threats and Opportunities Report (BMT, 2020c)

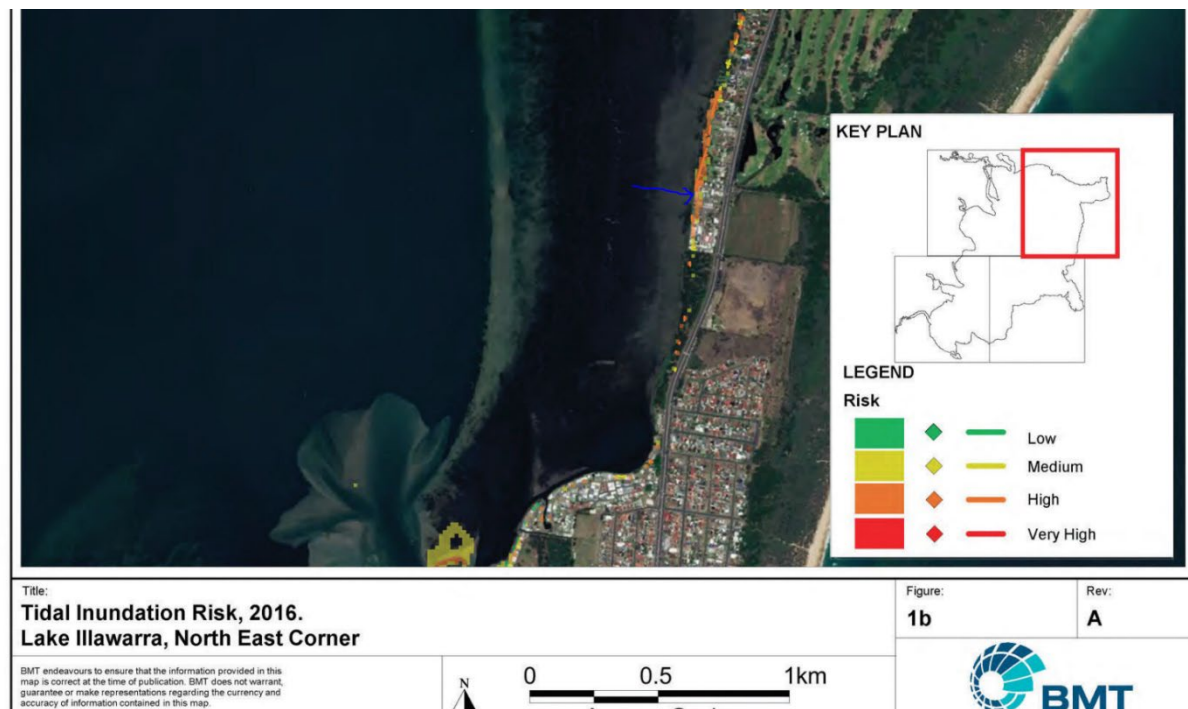


Figure a: 2016 Tidal inundation risk (Excerpt from Lake Illawarra Community Uses, Values, Threats and Opportunities Report (BMT, 2020c)

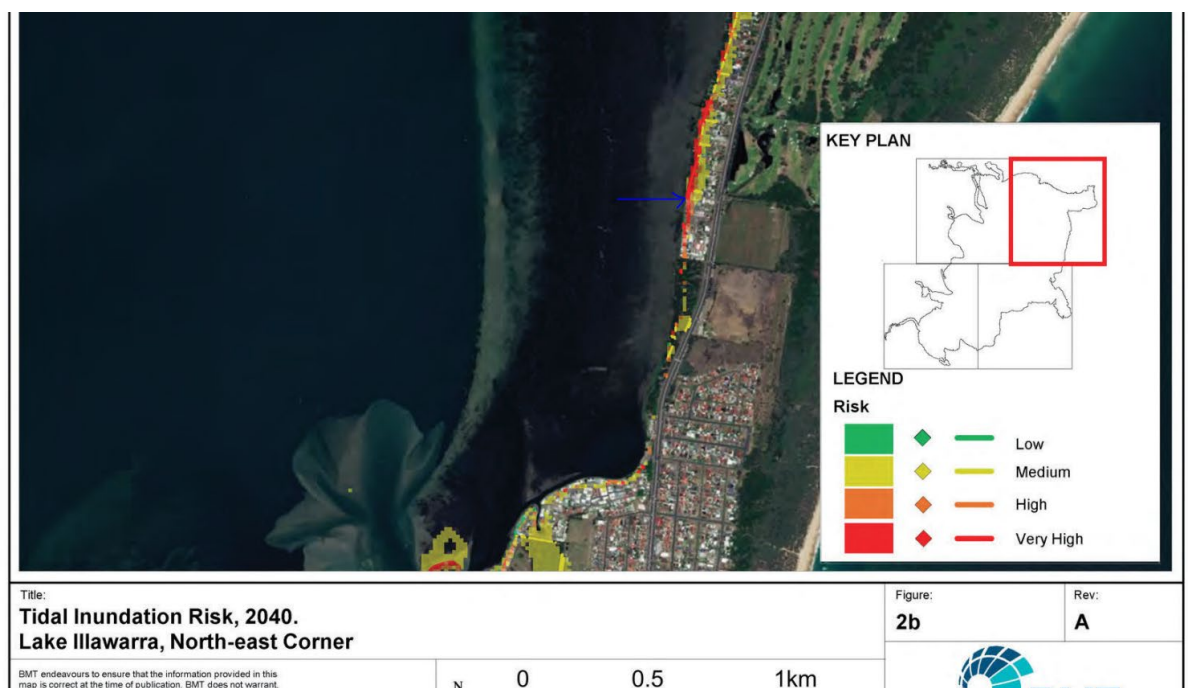


Figure b: 2040 Tidal inundation risk (Excerpt from Lake Illawarra Community Uses, Values, Threats and Opportunities Report (BMT, 2020c)

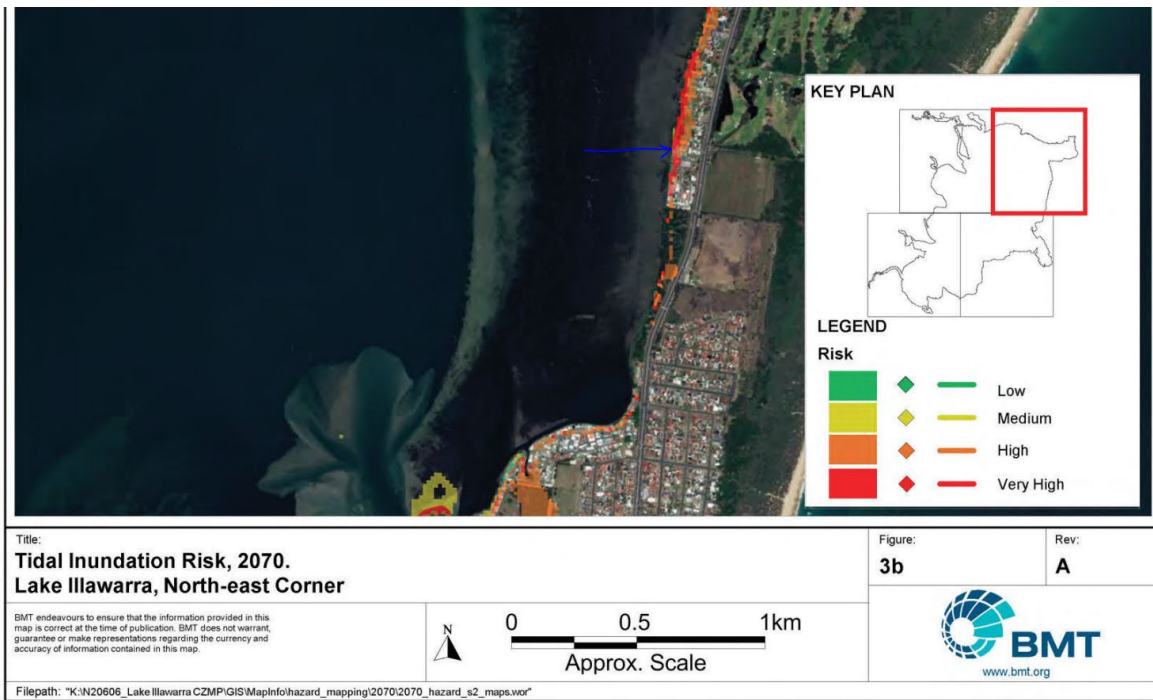


Figure c: 2070 Tidal inundation risk (Excerpt from Lake Illawarra Community Uses, Values, Threats and Opportunities Report (BMT, 2020c)

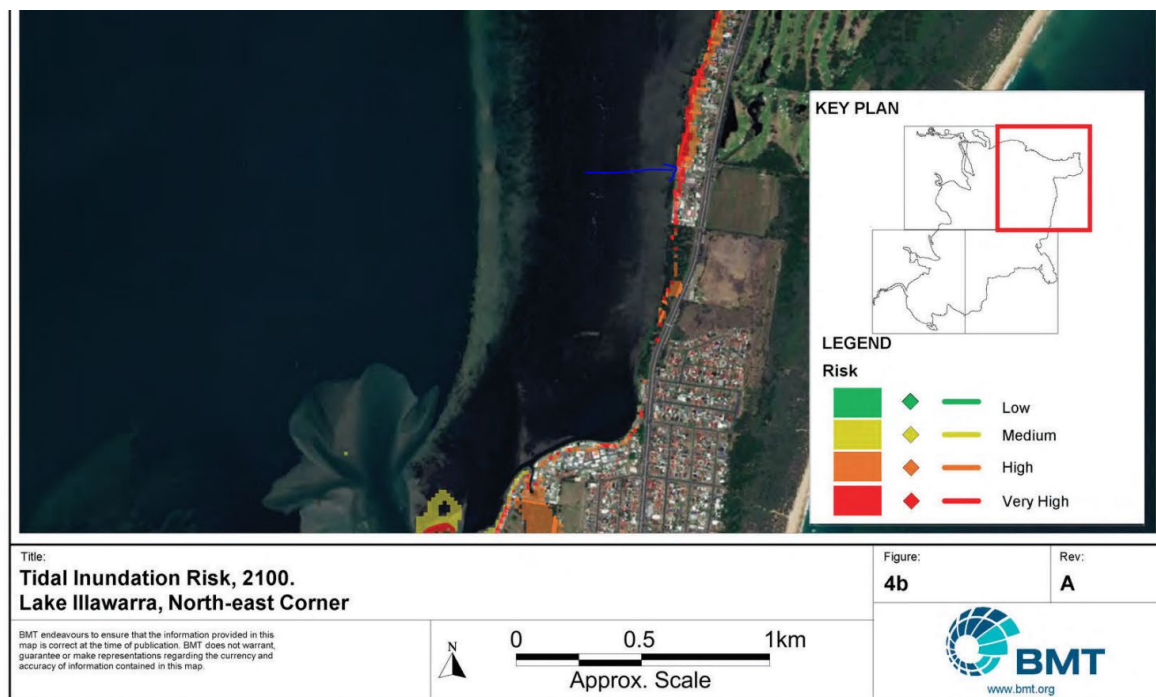


Figure d: 2100 Tidal inundation risk (Excerpt from Lake Illawarra Community Uses, Values, Threats and Opportunities Report (BMT, 2020c)

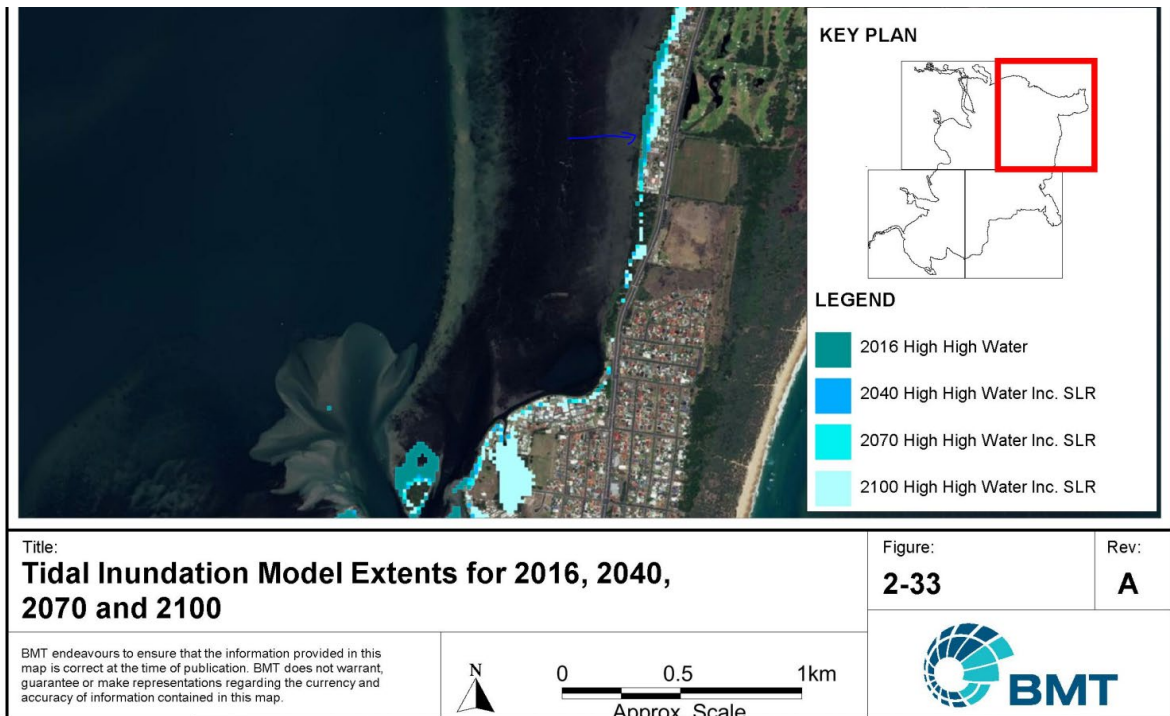


Figure e: 2016, 2040, 2070, 2100 Tidal inundation risk (Excerpt from Lake Illawarra Community Uses, Values, Threats and Opportunities Report (BMT, 2020c)

MOLINO STEWART

ENVIRONMENT & NATURAL HAZARDS

South Pacific Park Village

Flood Emergency Response Plan

Final Report





Flood Emergency Response Plan

FINAL REPORT

for

South Pacific Park Village

by

Molino Stewart Pty Ltd

ACN 067 774 332

OCTOBER 2020

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DOCUMENT APPROVAL

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1 INTRODUCTION

1.1 BACKGROUND

South Pacific Park Village is a caravan park located at 138 Windang Road, Windang NSW. The park is at risk of flooding from Lake Illawarra, and therefore it must meet the requirements of Clause 6.4.1 – Objectives and Clause 6.4.2 – Performance Criteria of Chapter E13 of the Wollongong Development Control Plan (DCP).

The last operational approval issued by Council to South Pacific Park Village was in 2003 and it granted permission for 37 long-term sites and 17 short-term sites. Following the expiration of this approval in 2009, no subsequent approval has been sought.

In 2019 Council requested to rectify this issue and South Pacific Park Village submitted a new application for operational approval to confirm the use of 37 long term sites and 17 short term sites.

In response to the above application, which included a Flood Emergency Response Plan (FERP), several issues were raised by Council. An Additional Information Request

was issued on April 2020 stating the reasons for which the submitted FERP was not supported.

One key issue was that the previously prepared FERP sought to demonstrate that all permanent buildings have their floor levels above the Flood Planning Level (FPL, the 100 year ARI flood level plus freeboard). In doing this, as stated by Council, it failed because it did not consider the impact of climate change on future flood levels and thus was inconsistent with the Lake Illawarra Floodplain Risk Management Study and Plan. In the Additional Information Request, Council specified that the long-term sites in the caravan park are considered residential development and are not allowed within the site, regardless of their FPL, due to the flood risk being classified as “medium” to “high”.

As such, Council required that all long-term sites be converted to short-term within 5 years. However South Pacific Park Village would like to retain the use of the long-term sites and avoid displacing residents who have been on site prior to 2003. A Development Application was prepared to this effect. This FERP assumes that the site will retain 37 long-term sites and 17 short-term sites as per the last operation approval issued by Council.



Figure 1. Location of South Pacific Park Village.

This document is an updated FERP that addresses Council's concerns with the flood risks associated with the site and contains the following components:

- Section 1 describes the site, surrounding topography and the operations and capacity of the site;
- Section 2 explains how the site and surrounds could be affected by flooding, the available flood warnings and the current flood emergency management arrangements;
- Section 3 includes an Evacuation Capability Assessment, explaining the factors which need to be considered in planning for flood emergencies, and demonstrating that with the appropriate triggers a site evacuation can safely be achieved under all circumstances;
- Section 4 provides a detailed list of triggers and associated actions to be undertaken before, during and after a flood emergency;

- Appendix A sets out the actions from Section 4 as a detailed checklist;
- Appendix B is a list of emergency contacts.

1.2 SITE DETAILS

1.2.1 Locality

Lake Illawarra is a shallow coastal lagoon located on the coastal plain between the Pacific Ocean and the Illawarra Escarpment. The lake body has an area of approximately 35 km², and has an average depth of 1.7 m with a 0.07 m tidal range. The lake is generally open to the ocean through an entrance channel, which has undergone works such as the construction of breakwaters around both sides of the entrance between 2001 and 2007.

The Lake Illawarra Catchment is approximately 250 km² and is generally low coastal plain that rises in elevation towards the western escarpment. Lands surrounding the lake are flat and have a mixture of residential, commercial and industrial uses.

three staff at any time. There are no hazardous materials kept on site.

1.2.2 Site Layout and Access

The site is located within the Lake Illawarra Floodplain, on the eastern bank of Lake Illawarra and approximately 1 km to the west of the Pacific Ocean.

This site location at 138 Windang Road, Windang NSW comprises Lot 101 and 102 in DP 1005245 and Lot 1 in DP 720027 (Figure 1). The majority of the area (approximately 7,500 km²) is located within Lot 102 in DP 1005245, which is under the ownership of Wollongong City Council. The site is accessed via Windang Road. South of the site, Windang Bridge crosses over the lake's entrance and leads into Lake Illawarra town. North of the site, Windang Road leads to Primbee via Primbee Bypass and further north to Port Kembla.

1.2.3 Topography and Drainage

Based on topographic and site survey data prepared by Land Team (Figure 2), the surface elevation of the site ranges from about 0.9 m AHD on the site western end, to 1.9 m AHD adjacent to Windang Road. The elevation of the driveway entrance to the park is 1.7 m AHD. The site generally slopes down from the north-east to the south-west.

1.2.4 Capacity and Operations

As shown in Figure 2, the park includes 54 sites that are a combination of long-term relocatable homes, long-term caravan sites, short-term cabins, short-term camp sites, and short-term motor home sites. Additional buildings include a park residence, an amenities block, and an office. The buildings floor level range between 1.65 m AHD to 2.41 m AHD. The site comprises 57 parking spaces, including 6 visitor spaces. The site can host a maximum of 105 guests/residents and

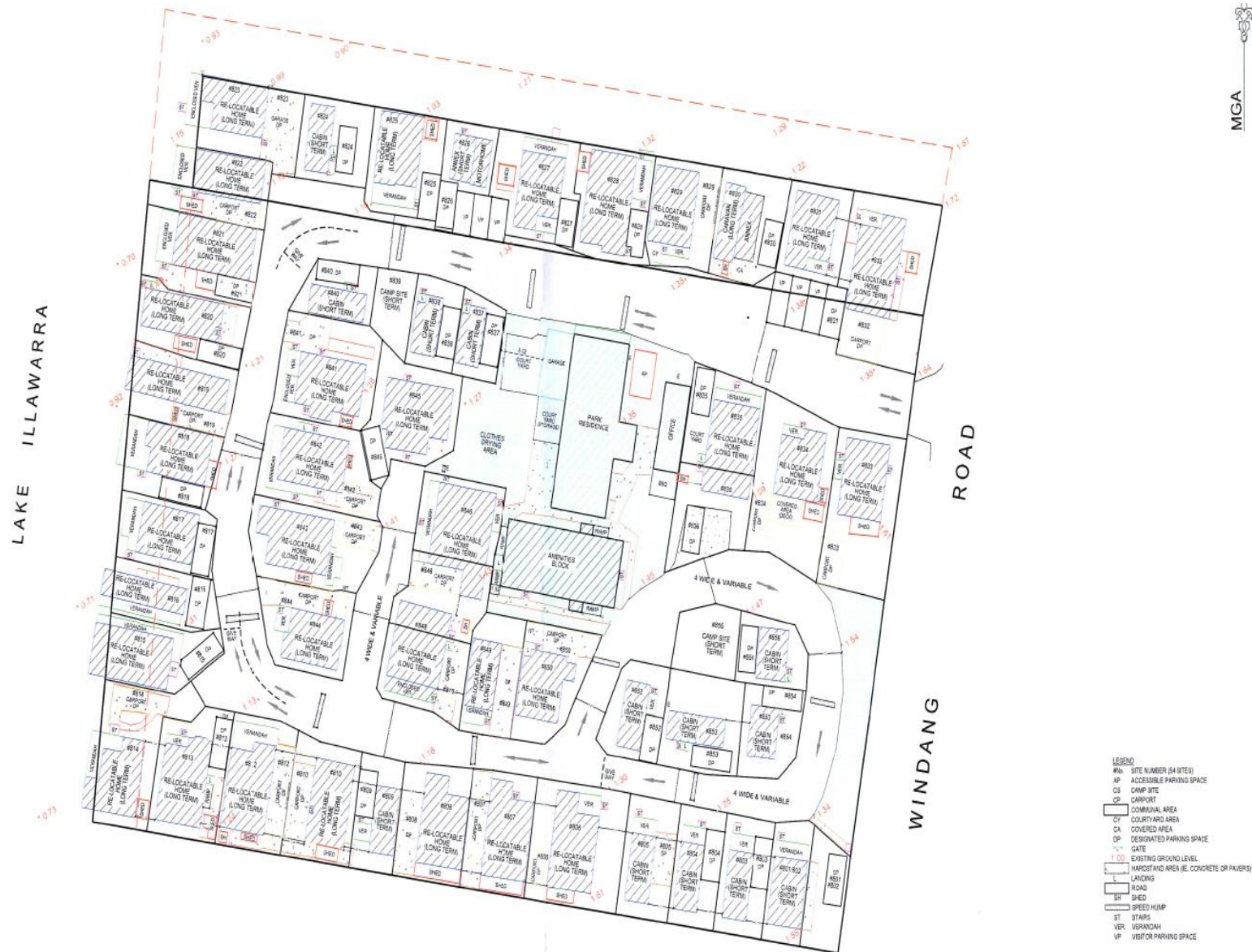


Figure 2. South Pacific Park Village site plan (prepared by Land Team).

2 FLOOD RISKS

2.1 FLOOD GENERATING WEATHER

Coastal areas of eastern Australia mostly receive flooding rains from so-called "east coast lows" that develop from time to time over the adjacent Tasman Sea. These are intense depressions off the coast and can produce thunderstorm activity associated with troughs.

Depressions can develop at any time of year, but are most likely when sea surface temperatures are high and the air is humid. Therefore, these events usually occur in the summer months and over the first half of the year.

Flooding can also be a winter-spring phenomenon, associated with unusually frequent or active extra-tropical depressions and fronts. However, some major events have occurred in the summer half-year as systems of tropical origin extend or move south. Flooding over inland areas is usually associated with southward-moving tropical systems, but in the cooler months, it may occur when well-developed cloud bands extend across the interior from the oceans north and northwest of Australia.

Rainfall patterns are also dependant on longer term weather patterns. Flooding is more prevalent in a La Nina year when rainfall is significantly greater than the mean average rainfall. Thunderstorms, which generally occur during the summer, can also result in localised flooding which could impact specifically on the site.

In summary, there are many different weather events which could cause flooding on the site.

2.2 FLOOD PROBABILITIES

Flood probability can be expressed in more than one way. For example, a flood may be described as having a 100 year Average Recurrence Interval (ARI). This means that over many thousands of years, a flood of this magnitude would occur on average once in 100 years. This does not mean that a flood of

this size only occurs once every 100 years. It is possible to have floods of this size in consecutive years or even two in the same year. This happened in several locations in Queensland and Victoria in 2010 and 2011.

Another way of expressing flood probability is in terms of Annual Exceedance Probability (AEP). A 100 year ARI flood has roughly a 1 in 100 AEP. That is, each year and every year it has a 1 in 100 or 1% chance of being reached or exceeded. This is perhaps a more helpful way of thinking about flood probabilities. A flood with a 1% AEP has about a 1 in 2 chance of being reached or exceeded in the average person's lifetime, the same probability of tossing a coin and getting a head. There were four floods of about this size on the Georges River between 1860 and 1889 but there has not been another since. This underlines the randomness of flood frequency.

Bigger floods can and do occur. There were several floods with greater than a 1% AEP experienced in Eastern Australia in early 2011. Some reached levels which have a 1 in 2,000 (0.05%) AEP. A flood with a 1 in 500 (0.2%) AEP has about a 1 in 6 chance of being reached or exceeded in the average person's lifetime, the same as tossing a die and getting a 6.

The largest flood that can occur is referred to as the Probable Maximum Flood (PMF). Although it has a very low probability of occurring in any one year (1 in 10,000 or less), events approaching a PMF have been recorded.

Flooding may occur at any time of year and at any time of day.

2.3 FLOODING OF THE SITE

The site is affected by flooding from Lake Illawarra, with parts of the site experiencing minor flooding from the 50% AEP event. Figure 3 and Figure 4 show the extents of the 1% AEP event and the PMF under current sea-level conditions. Historically, flooding has occurred along the lake's foreshore areas following heavy rainfall in the catchment. Runoff from the steeper western parts of the catchment drain towards the coastal floodplain, leading to characteristically deeper and lower

velocity floodwaters with a near horizontal water surface around the lake. Floodwaters increase in velocity closer to the lake's entrance channel, where they pass under the Windang Road Bridge towards the ocean. Flooding is controlled by both catchment runoff as well as the degree of shoaling of the lake entrance channel at Windang, and the coincident sea level.

With regard to flood affectation of the Windang Peninsula, the 2012 Lake Illawarra Floodplain Risk Management Study (FRMS) states that *"The majority of the Lake Illawarra floodplain is dominated by inundation of the foreshore and hence effective flood access is often not impeded significantly. However, the Windang Peninsula is an exception to this. In a 100 Year ARI flood event, the majority of the urban areas on the Peninsula are inundated including major and minor access roads. The inundation of the affected roads impacts not only on flood affected properties but also those which are not directly inundated by flood waters."*

2.3.1 Flood Levels and Depths

Table 1 shows the design flood levels for the Lake Illawarra catchment from the FRMS (2012). Based on this, the 1% AEP peak flood level at Windang Bridge is 2.15m AHD. At Windang Bridge, the current 5% AEP peak flood level is 1.63m AHD and the PMF level is 2.98m AHD.

The strip of land between the buildings on the western boundary of the site and Lake Illawarra is below the 50% AEP peak level of 1.08 m AHD at Cudgeree Island Channel. The highest elevation of the site (1.9 m AHD) is just below the 2% AEP flood level of 1.99 m AHD. Therefore, the site would experience flooding in events much more frequent than the 1% AEP and PMF, with areas close to the lake being flooded in events as frequent as the 50% AEP. In the 5% AEP flood, the access

driveway (at 1.7 m AHD) would be just above the peak flood level of 1.63m AHD, and the majority of the site would be inundated.

Based on predicted future sea-level rise due to climate change, the 1% AEP level is expected to rise to up to 2.64m AHD for the year 2050 and to up to 3.04m AHD by 2100. As such, the frequency with which the site floods may increase in the next decades, with levels of all design events rising by about the same SLR amount (i.e. up to +40 cm by 2050 and up to +80 cm by 2100). If the SLR benchmarks used in the 2012 FRMSP were to eventuate, the south-western portion of the site would be permanently flooded by 2050, and the entirety of the site would be submerged by 2100. However it should be noted that such a rise would occur slowly and there would be time to review and adjust the site's flood emergency response provisions accordingly. As such, it is a requirement of the site's Flood Emergency Response Plan (i.e. this report) that the FERP itself is to be revised every five (5) years to consider any changes in the mean sea level, in addition to changes in the layout of the site and its surroundings.

2.3.2 Flood Hazard

Flood hazard is a measure of the danger posed by flooding. There are many dimensions of hazard including contaminants and debris in the water. The dimension which is most easily quantified is hydraulic hazard which is measured as the product of flood depth and velocity.

Extracted from the FRMS (2012), Figure 5 and Figure 6 show the hydraulic flood hazard in the 1% AEP event and in the PMF respectively. The map shows that, in the 1% AEP event, the western section of the site has a high hazard level, and the eastern section has low hazard level. Figure 6 shows that the site falls entirely within the high hazard area in the PMF.

Table 1. Design flood levels from the Lake Illawarra FRMS (2012).

	Location*	Peak Flood Level (m AHD)								
		100 Year ARI	100 Year ARI (2050 SLR)	100 Year ARI (2100 SLR)	50 Year ARI	20 Year ARI	10 Year ARI	5 Year ARI	2 Year ARI	Extreme Event (PMF)
	Modelling Method / Date	Delft3D (2008)	Delft3D (2008)	Delft3D (2008)	MIKE11 (2001)	MIKE11 (2001)	MIKE11 (2001)	MIKE11 (2001)	MIKE11 (2001)	MIKE11 (2001)
1	Griffins Bay	2.24	2.63	3.04	2.03	1.81	1.57	1.40	1.11	3.24
2	Tallawarra Power Station	2.24	2.63	3.04	2.03	1.81	1.57	1.40	1.11	3.24
3	Horsley Inlet	2.24	2.63	3.04	2.03	1.81	1.57	1.40	1.11	3.24
4	Cudgerie Island Channel	2.24	2.64	3.04	1.99	1.81	1.54	1.40	1.08	3.19
5	Windang Bridge	2.15	2.55	3.01	1.83	1.63	1.42	1.26	0.99	2.98
6	Entrance Channel	1.71	2.25	2.32	1.74	1.55	1.35	1.20	0.95	2.84

* Locations illustrated on Figures 3.1 to 3.3
 2050 SLR – Sea Level Rise prediction for 2050.
 2100 SLR – Sea Level Rise prediction for 2100.

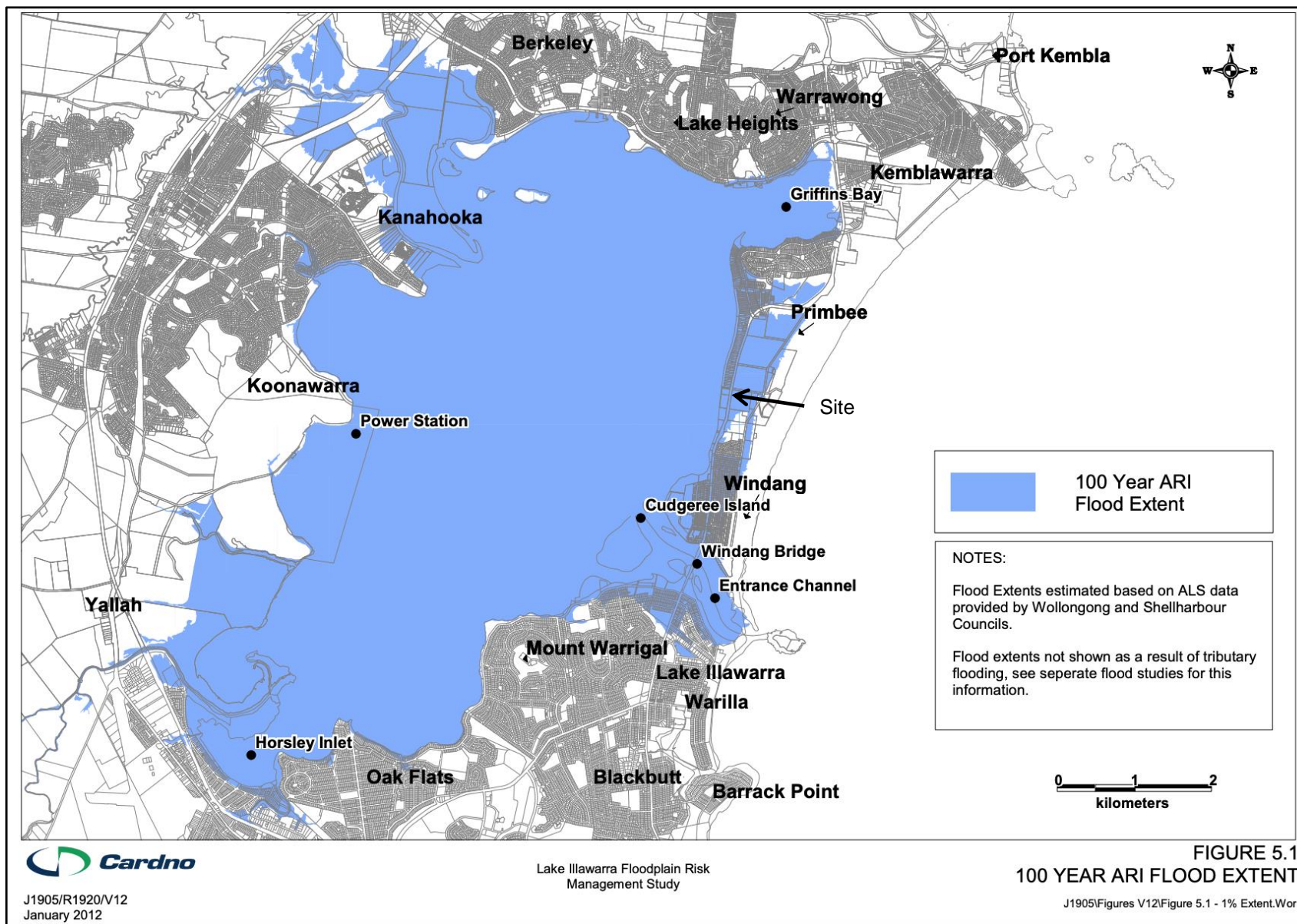


Figure 3. 1% AEP flood extent from Lake Illawarra FRMS (2012).

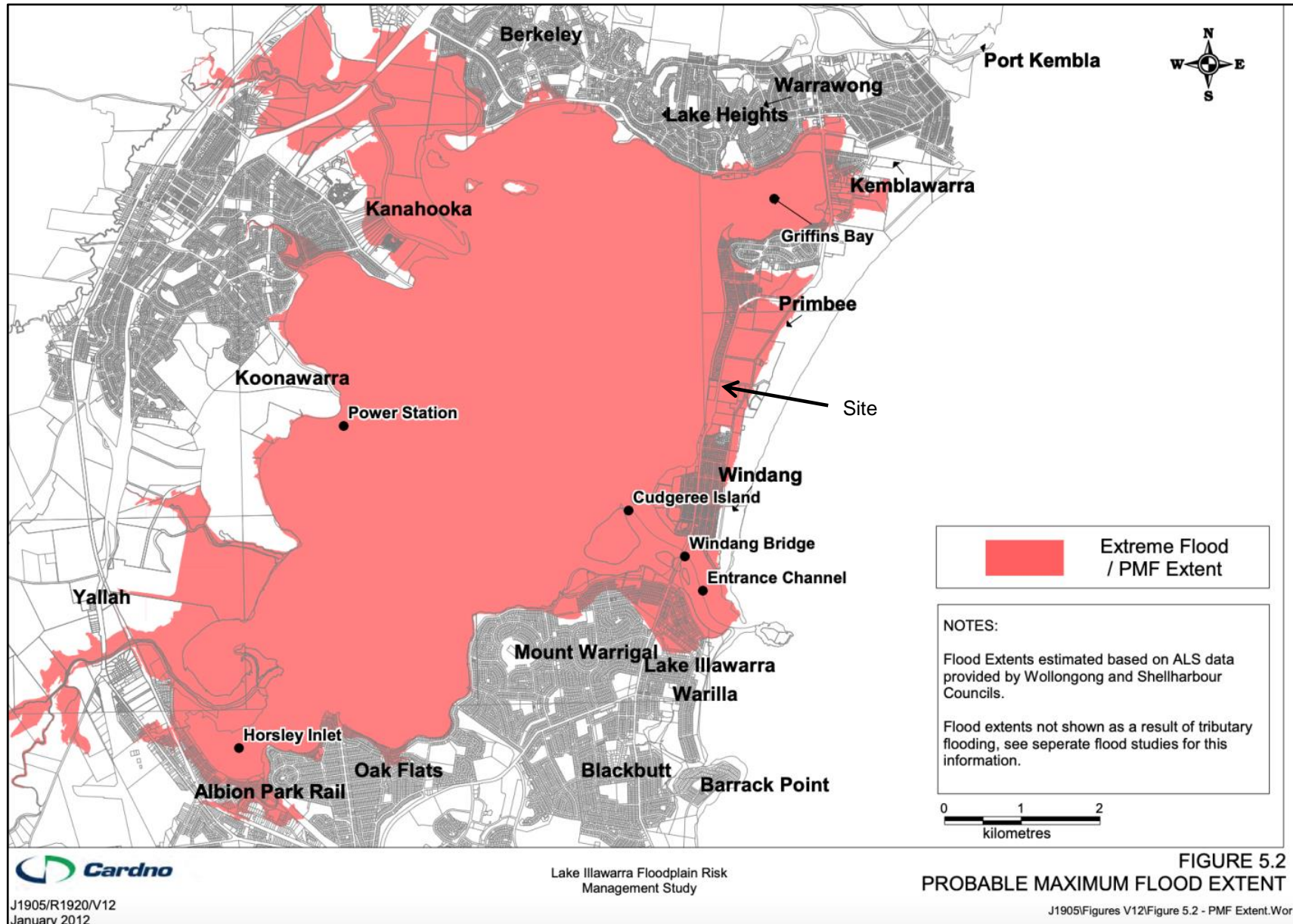


Figure 4. PMF extent from Lake Illawarra FRMS (2012).

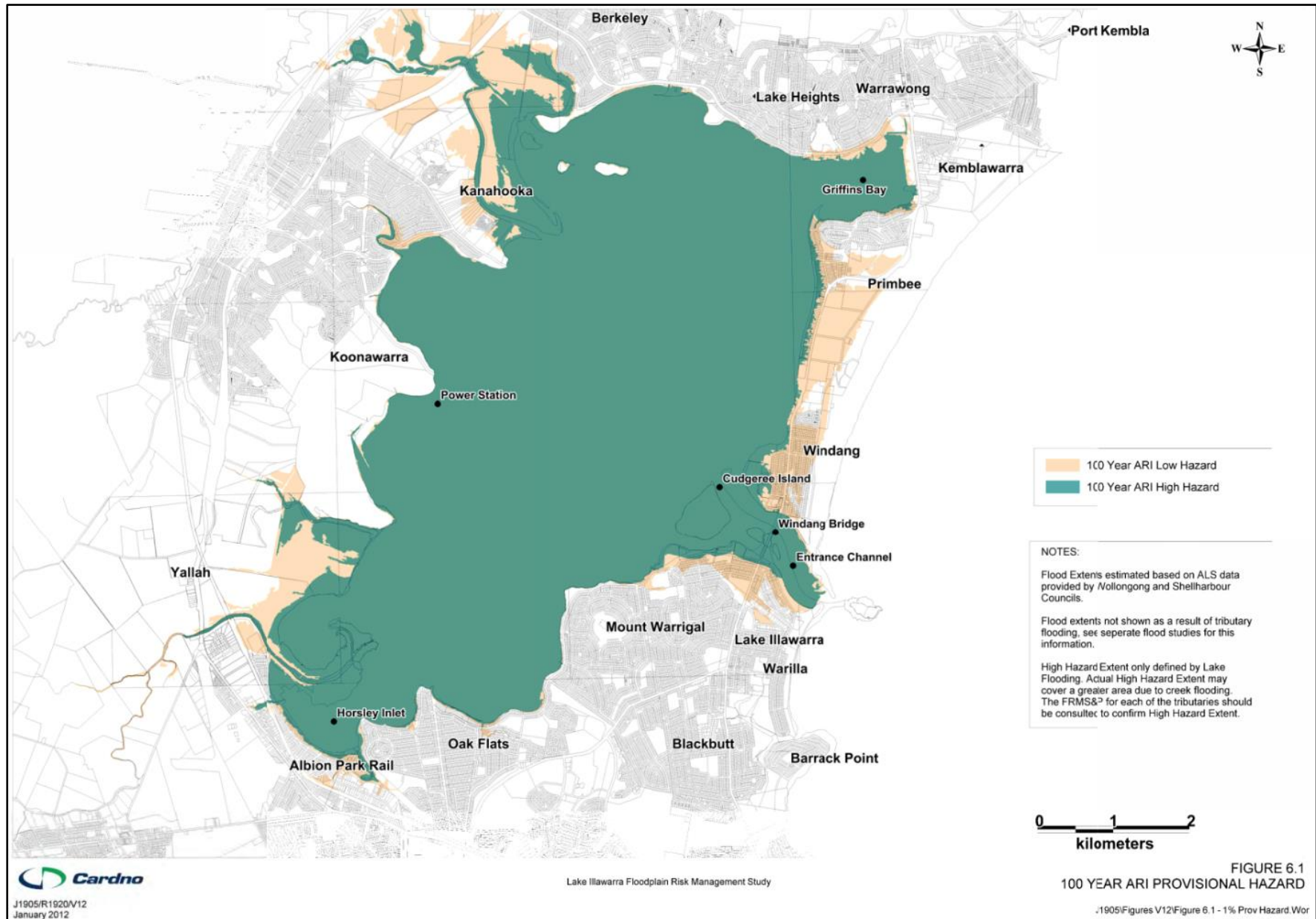


Figure 5. 1% AEP flood hazard from Lake Illawarra FRMS (2012).

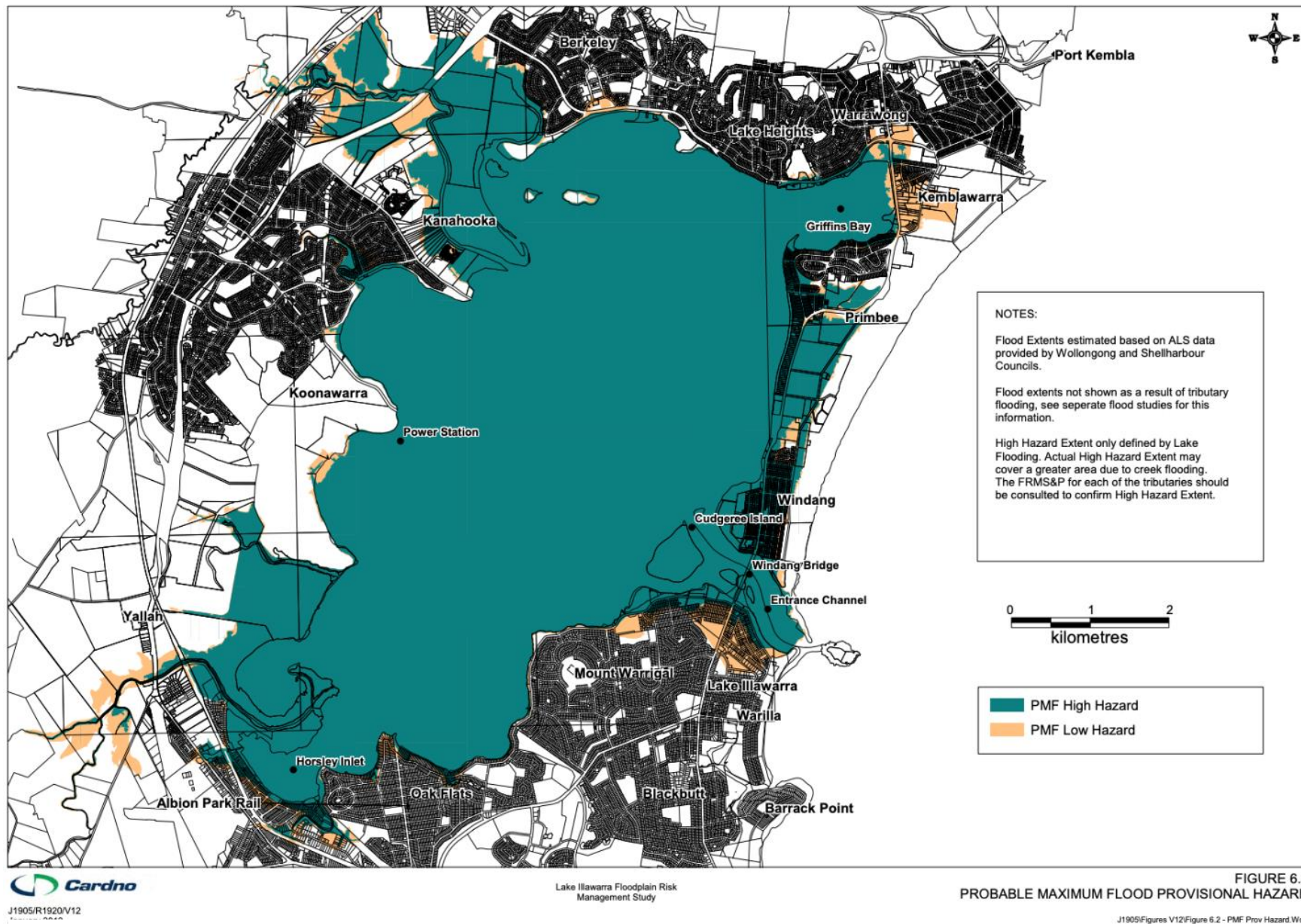


Figure 6. PMF hazard from Lake Illawarra FRMS (2012).

2.3.3 Duration and Rate of Rise

The duration of flooding can control the associated impacts of a flood. In general, Lake Illawarra is a large and flat floodplain that experiences low rates of rise, but long flood durations. Immediately adjacent to the lake, inundation can last for up to 40 hours. In the 2012 FRMS, areas of the catchment that experienced greater than 24 hours of flooding were defined as high hazard. In general, flood levels of 1.3m AHD in the 1% AEP event, and 1.7m AHD in the PMF correspond with flood duration of over 24 hours.

Figure 7 shows the duration of flooding at the site in the 1% AEP and PMF. In the 1% AEP, the section of the site next to the lake is flooded for over 24 hours, and the rest of the site is flooded for 18 hours. In the PMF, the entire site is flooded for 24 hours or more.

The average rate of rise of Lake Illawarra is approximately 0.1m per hour for the 1% AEP flood and 0.17m per hour in the PMF. The latter rate of rise represents the worst-case scenario and as such it was used in this report to assess evacuation capability at the site.

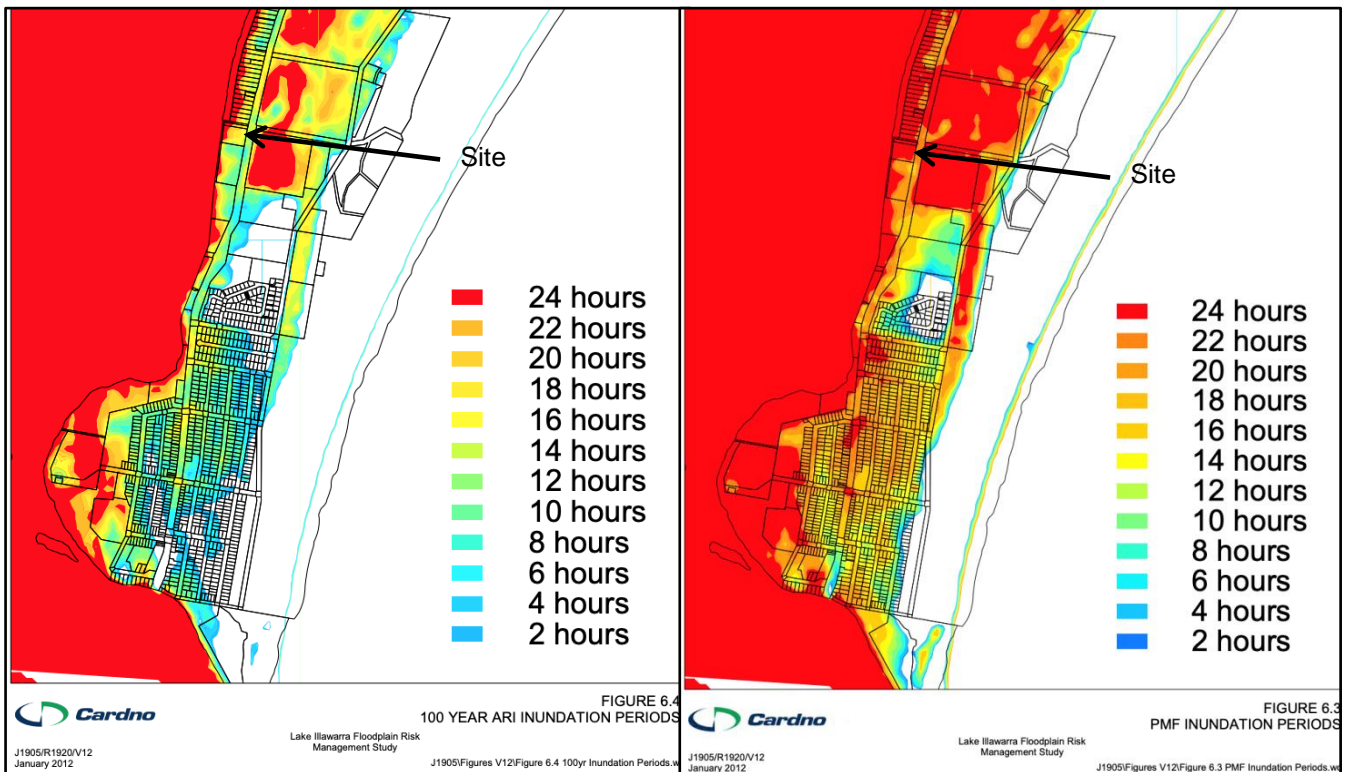


Figure 7. 1% AEP (left) and PMF (right) inundation periods along Windang Road from Lake Illawarra FRMS (2012).

2.4 FORECASTS AND WARNINGS

Monitoring the weather forecasts and warnings will be an integral step in managing the flood risk of the site. This will be critical to being able to evacuate the site before flooding commences.

2.4.1 Bureau of Meteorology

a) Available products

The Bureau of Meteorology (BoM) has forecast rainfall maps which can be used to estimate the amount of rain expected to fall over the next eight and four days, as well as the next 24 hours. This information is available at: www.bom.gov.au/jsp/watl/rainfall/pme.jsp

The BoM also issues weather warnings for NSW and these can be found at the following link: <http://www.bom.gov.au/nsw/warnings/>. These include a number of generalised warning products that could provide an indication of an increased flood threat at the site, namely:

- Severe Weather Warnings
 - The BoM issues Severe Weather Warnings whenever severe weather is occurring in an area or is expected to move into an area. The warnings describe the area under threat and the expected hazards. Warnings are issued with varying lead-times, depending on the weather situation, and range from just an hour or two to 24 hours or sometimes more. The key subtype of Severe Weather Warning to be monitored for the site are warnings with reference the Illawarra Area. Severe Weather Warnings may also include other conditions such as damaging winds.
- Severe Thunderstorm Warnings
 - A severe thunderstorm may produce intense rain and flash floods, hail, damaging winds, and even tornadoes. The BoM provides two types of Severe Thunderstorm Warnings:
 - Detailed Severe Thunderstorm Warnings. These are issued for capital cities only with up to 60

minutes of notice, and provide more specific information on individual severe thunderstorm locations;

- Broad-based State-wide Warnings. These are based on broad areas such as the Bureau's weather forecast districts, and are issued with up to 3 hours' notice.
- Flood Watches
 - Flood watches are an early advice of increased flood risk over a catchment by the Bureau up to four days in advance of large-scale weather systems that have the potential to cause flooding. Flood Watches are distributed to the media by the Bureau and are published on the Bureau website. The BoM Flood Watch Area relevant to the site is area 52 "Illawarra Coast". A map of the BoM Flood Watch Areas for NSW can be found at the following link: http://www.bom.gov.au/water/floods/image/BOM_Flood_Watch_Areas_map_NewSouthWales_2017.pdf?v3
- Flood Warnings
 - A BoM Flood Warning provides advance notice that a flood may occur in the near future at a certain location or in a certain river basin or catchment. Unfortunately, the BoM does not currently provide flood warnings for Lake Illawarra.

The Bureau of Meteorology also has rainfall and river gauges which show the amount of rainfall that has fallen in the previous 24 hour period and stream gauges which indicate water heights. While the BoM does not have water level gauges in Lake Illawarra, there is a rainfall gauge at Port Kembla (Station number 568186) for which readings are available at this webpage:

<http://www.bom.gov.au/nsw/flood/greatersydney.shtml>

2.4.2 Local Flood Warning System

The 2012 FRMS states that "*Flood warning and evacuation plans are already in place for specific areas within the Lake Illawarra floodplain, primarily the caravan parks on the foreshore, in particular Oaklands, Lake*

Illawarra Village, The Oasis and South Pacific. The warning systems established for these parks also serve to assist the Councils' and the SES with emergency response activities."

A flood warning system for the caravan parks around Lake Illawarra was implemented as a condition of development consent specified by Wollongong City Council. This system was prepared by integrating flood warning triggers that were developed for the Oaklands Village Flood Emergency Evacuation Program, which was reviewed by the State Emergency Service (SES) and Wollongong City Council. The Oaklands Village is a retirement village located approximately 2 km south of South Pacific Park Village.

This telemetered flood warning system has been in place since 1993, and monitors the levels of Lake Illawarra every 15 minutes based on water level recorders at three lake level gauges. These are operated by Manly

Hydraulics Laboratory (MHL), and are the Cudgerie Bay Gauge (214416), the Koonawarra Point Gauge (214440), and the Lake Illawarra Entrance Gauge (214417).

The local NSWSES has confirmed that the gauge of reference for the site is the Cudgerie Bay Gauge (214416), for which readings are available at the following link:

<https://www.mhlfit.net/Station-214416>

The NSWSES are pre-warned by MHL of rising lake levels during heavy rain, and are sent an alert when three pre-defined trigger lake levels are reached.

Table 2 shows the trigger levels for the Cudgerie Bay Gauge, and the relevant actions of the NSWSES Wollongong City Unit.

Table 2. Flood trigger levels relevant to the site and corresponding NSWSES actions.

Level at the Cudgerie Bay Gauge (214416)	NSWSES Actions for South Pacific Park Village
<i>Trigger #1 = 0.8 m AHD</i>	Notify park management. Door-knock all residents at South Pacific Park Village to warn them about risk of flooding and ask to move their vehicles to higher ground.
<i>Trigger #2 = 1.2 m AHD</i>	Evacuation Warning or Order issued, depending on weather forecast.
<i>Trigger #3 = 1.5 m AHD</i>	Evacuation Order issued.

3 EVACUATION CAPABILITY ASSESSMENT

3.1 EMERGENCY RESPONSE PHILOSOPHY

This FERP recognises that protection of life is of critical and primary importance.

Consistent with any emergency protocol, the protection of all lives is the first priority, the comfort of staff and visitors is second, and protection of site property is third.

Whilst there may be financial consequences arising from flood events, the site is operating in full knowledge that there is a likelihood that flooding can occur.

It is incumbent on the owners and operators to take all necessary measures outside of this Plan to manage the financial risks which flooding poses. This plan is principally concerned with the safety and comfort of residents, visitors and staff on the site. All flood emergency responses undertaken by the centre staff are to recognise the primacy of life and wellbeing over profitability.

3.2 ASSUMPTIONS

The capability of the site to safely evacuate was calculated under the following assumptions:

- Evacuation must be possible in the worst case scenario. If it is possible in the worst case, it is possible in any other scenario;
- The worst case scenario was assumed to be a PMF from Lake Illawarra rising at a

rate of 0.17 m/hr, and occurring when the site is at full capacity;

- Evacuation can be safely achieved when the time available to evacuate exceeds the time required to do so, according to the assumptions used in the NSWSES Timeline Evacuation Model (Oppen et al., 2009).

3.3 AVAILABLE EVACUATION TIME

The evacuation time available corresponds to the time between the evacuation trigger and when evacuation is not possible anymore because the evacuation route is cut by floodwaters.

This FERP has adopted the key flood emergency response triggers shown in Table 3. These are consistent with the triggers currently in use by the NSWSES (Table 2), with the exception of Trigger #3. This was excluded because by the time the lake level has reached 1.5 m AHD at the Cudgerie Bay Gauge, the site will be almost entirely flooded and it will be too late to evacuate.

The triggers make use of the live readings of the lake water level at the Cudgerie Bay Gauge, as well as of a set of alternative triggers based on observation of the water level at the site.

These “visual” triggers were provided because there is a small probability that the telemetered gauge system may fail during a flood. This may be because the severe storms or flooding damage the gauges, or there is damage to the telecommunications or electricity infrastructure needed to transmit data and disseminate warnings, or there may be human error in interpreting data and issuing warnings.

Table 3. Key flood emergency response and evacuation triggers for South Pacific Park Village.

Triggers	On-Site Visual Triggers	Actions for South Pacific Park Village
<i>Severe Weather Warning or Flood Watch for Lake Illawarra</i>	Heavy rainfall	At least two staff members are to be onsite and inspect the lake level at the Cudgerie Bay gauge and in the strip of land between the site and the lake every 30 minutes
<i>Trigger #1 = 0.8 m AHD at the Cudgerie Bay gauge</i>	The strip of land between the river and the caravan park is mostly flooded, and additional rainfall is forecasted.	At least two staff members door-knock all residents to warn them about risk of flooding and ask to pack their belongings and move their vehicles to higher ground (park in Windang Road).
<i>Trigger #2 = 1.2 m AHD at the Cudgerie Bay gauge</i>	The site's main internal road is flooded along the southern and western parts of the site, and additional rainfall is forecasted.	The evacuation order is issued via automated siren or public announcement system. All guests to walk to their vehicles and drive north along Windang Road until past the intersection with Northcliffe Drive.

Figure 8 shows that the preferred evacuation route from the site to an area outside the reach of the Probable Maximum Flood is to travel north along Windang Road. The lowest point along such route is 350 m north of the site, and has a level of 1.57m AHD. There is also a second low point further north, before the intersection with Northcliffe Drive, however this point is at a level of 2.11m AHD and would be cut several hours later.

In the worst-case scenario of a flood rising at a rate of 0.17m per hour, Windang Road will be cut about 4.5 hours after Trigger #1, and about 2.2 hours after Trigger #2.

The available evacuation time is no less than 4.5 hours from Trigger #1.

3.4 TIME REQUIRED FOR EVACUATING THE SITE

The NSWSES has developed an evacuation model, named the Timeline Evacuation Model (Oppen et al, 2009) to generate realistic estimates of evacuation times. The NSWSES uses the Timeline Evacuation Model to draft or assess evacuation plans. The model is based on the following assumptions:

- Emergency services will be mobilised ahead of an evacuation order being given and six hours will be required for that mobilisation;
- Communicating an evacuation order will take, on average, five minutes per team (of two people) per door for door knocking;
- After an evacuation order is communicated, evacuees may take up to one hour to accept that they must evacuate and to make a decision to do so. This is referred to as Warning Acceptance Factor;
- After a decision to evacuate is made, evacuees may take up to one hour to get ready before they actually leave the site. This is referred to as Warning Lag Factor;
- Vehicular evacuation proceeds at a rate of 600 cars per lane per hour;
- Traffic delays due to congestion are estimated as a proportion of the evacuation time, but a minimum of one hour is recommended (Traffic Safety Factor).

These assumptions were analysed in the context of the site and the following observations were made:

- The NSWSES assumes that a team of two people is required to door-knock at

residential properties and communicate the evacuation warning. Two people per property are required to ensure staff safety. The context of South Pacific Park Village is to some extent different from a residential neighbourhood, where people are unlikely to be willing to leave their homes. The nature of the site, which has in part short-term accommodation, may not require two people per team to communicate the evacuation warning, provided that long-term residents are prepared to leave their premises as soon as they are requested to do so. While this would prove difficult in an ordinary residential context, it may be achievable within the Park if the emergency preparation measures set in this FERP are put in place. These include: (a) all residents are made aware of the flood risk and potential need to quickly evacuate the site if told to do so by management or the NSWSES; (b) all residents, including any new residents, are given a copy of this FERP and are asked to familiarise with the flood emergency response; (c) all residents will prepare their own evacuation plan considering their own abilities and consistently with this FERP; (d) all residents prepare and maintain a pre-packed ready-to-go evacuation kit as recommended by the NSW SES (<https://www.ses.nsw.gov.au/floodsafe/prepare-your-home/emergency-kit/>), including personal effects, medications and valuables; (d) all residents identify and communicate to the Park management an alternate accommodation outside the floodplain where they can evacuate to at any time and stay for up to two weeks.

It should also be noted that the short distance between sites would require much less than 5 minutes for the Park staff or NSWSES to move from site to site to communicate the evacuation warning. As such, in this FERP, it was assumed that a single NSWSES or Park Management staff member would be able to door-knock and communicate the evacuation warning at a pace of 3 minutes per site. This FERP requires that at least two staff members are on site at all times when there is an active BoM Severe Weather Warning or Flood Watch. These staff members will work independently when door-knocking, at a cumulative minimum rate of 2 sites every 3 minutes. As such, it is estimated that

door knocking would be completed in the following times:

- All sites below 1.2 m AHD (to be notified first) = 63 minutes;
- All sites above 1.2m AHD = 18 minutes;
- Total door knocking time = 81 minutes

It is noted that this represents a rather unrealistic worst-case scenario in which the caravan park is at full capacity even though intense rain is forecasted, in addition to the NSWSES being unable to arrive on site in time to help the caravan park staff complete the door knocking procedure.

- The warning acceptance factor of one hour is allowed for people to determine whether the evacuation order applies to them and whether they need to leave their homes when there are disincentives to them to do so. In this situation, they would be staying in a caravan park immediately adjacent to a lake, during intense rainfall, being told by the caravan park staff or the NSWSES that they need to prepare for a possible evacuation and move their vehicles to higher ground due to flood risk. It would be reasonable to assume, in this case, that people do not need much time to determine if they will do what they are being asked to do.
- The warning lag factor of one hour is reasonable given that people will need to pack up their belongings or camping gear and load these in their vehicles before moving these to higher ground. As all long-term sites are to be replaced with short term ones within 5 year as per Council directions, once this process is completed, the average warning lag factor is likely to become even less than one hour.
- Once all of the vehicles are parked along Windang Road, should floodwaters keep rising and reach Trigger #2 (i.e. 1.2m AHD) an evacuation order may be issued. Such an order will need to be issued using either a siren or a Public Announcement System, and the installation of such a system is a requirement of this FERP. Once the evacuation order is issued, it would take only a few minutes for all guests to walk to their vehicles and leave the site.

- It was estimated that when the lake level reaches 1.2m AHD (i.e. Trigger #2) there could be significant traffic evacuating north from Windang. According to the 2016 ABS census there are 1,362 dwellings in Windang, and an average of 1.4 vehicles per dwelling. This results in a total of 1,900 vehicles. An analysis of recent aerial imagery shows that there are approximately 650 temporary accommodation sites in caravan parks and tourist parks. It is reasonable to assume that a significant proportion of these sites would have been included in the dwelling count in the 2016 Census. However, some of these sites, particularly short terms sites and tourist park facilities, may not have been considered. If 300 temporary accommodation sites identified in Windang were not included in the census, and each of these had one vehicle, there could be about 300 additional vehicles evacuating. In total, there could be up to about 2,200 vehicles travelling north from Windang when an evacuation order for the South Pacific Park Village is issued.
- The NSWSES Timeline Evacuation model recommends using a vehicular evacuation rate of 600 cars per lane per hour. As Windang Road has three lanes in each direction, it can cater for up to 1,800 cars per hour. Under these assumptions, it would take up to 1.2 hours for all vehicles in Windang south of the low point in Windang Road to evacuate north.
- An additional Traffic Safety Factor of one hour would need to be considered to allow for road congestion.

Based on the preceding analysis, it was estimated that the maximum time required for a full evacuation of the site is 4.5 hours.

This corresponds to:

- Up to 81 minutes (or 1.3 hours) required for door knocking;
- One hour of Warning Lag Factor time;
- Up to 1.2 hours of travel time; and
- Up to one hour of Traffic Safety Factor time.

3.5 SUMMARY

Based on the timeline analysis discussed in the previous sections, it is concluded that all residents, guests and staff in the South Pacific Park Village may be able to safely evacuate the site by vehicles in the worst case scenario of a flood rising as fast as the Probable Maximum Flood, provided that:

- This Flood Emergency Response Plan (FERP) is adopted by the site management and reviewed every five years to implement any changes in the site layout and increases to the mean lake level caused by sea-level rise occurring due to climate change;
- Long-term residents are aware of this FERP and have made the relevant arrangements to be able to leave the site by vehicle immediately when told to do so;
- A minimum of two staff members are on site at all times when a BoM Severe Weather Warning or a Flood Watch for Lake Illawarra are issued; and
- A warning siren or a public announcement system with back-up power supply is installed on site.

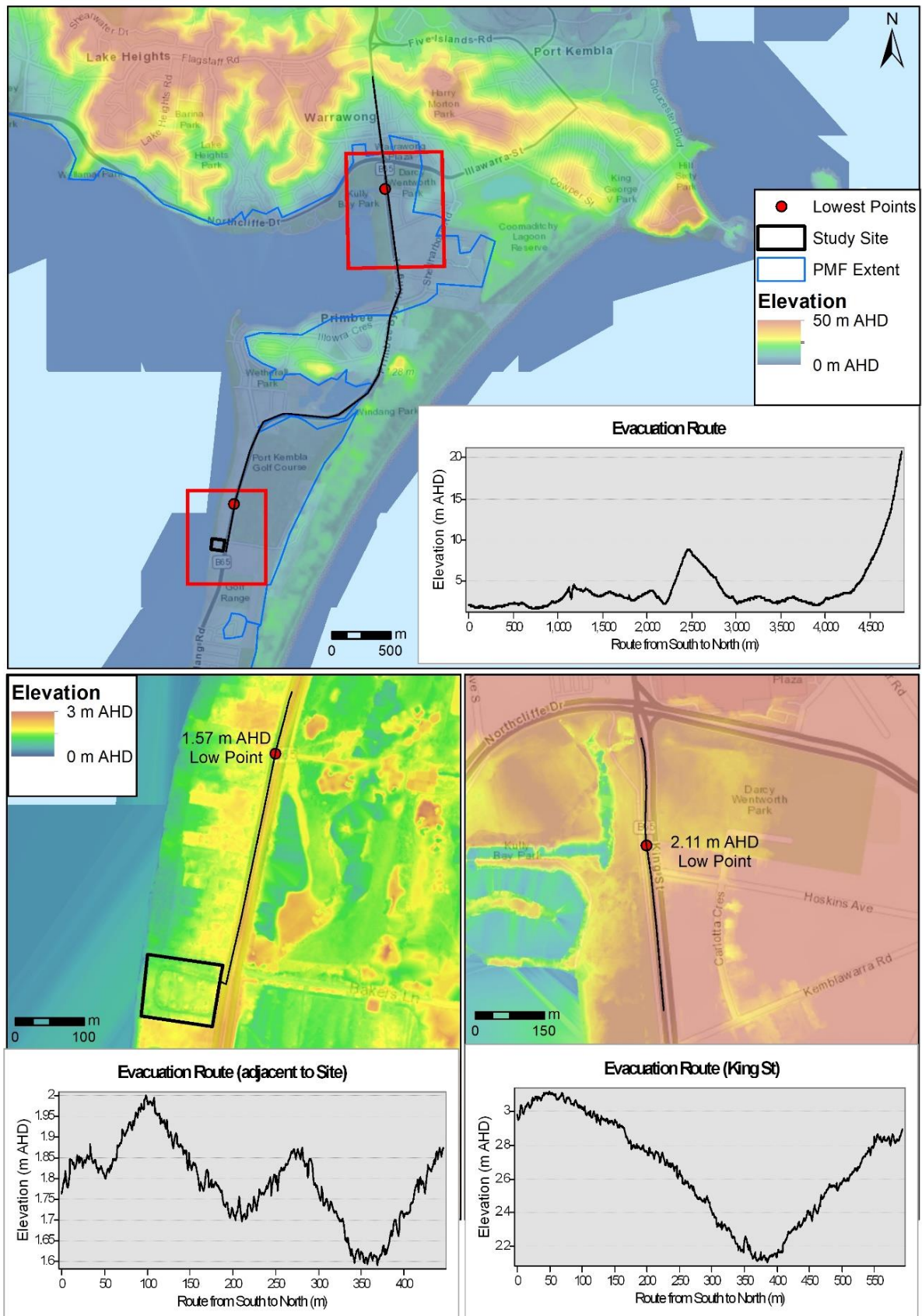


Figure 8. Evacuation route from the site and identification of low points (elevation source: Geoscience Australia 1m LIDAR surveys Wollongong201304 and Kiama201304).

4 FLOOD EMERGENCY RESPONSE PLAN

This section describes the actions to be undertaken before, during and after a flood to reduce risks to the caravan park occupants to an acceptable level. Appendix A summarises these actions as a check list and should be used as a guide in flood emergencies.

4.1 BEFORE A FLOOD

Trigger for action: Always

Actions

- The park management will review this FERP every five years to account for changes in mean sea level, frequency of flooding, the layout of the site and its surroundings;
- All the caravan park staff will be made aware of the possibility of flooding and the procedures to be followed during staff inductions;
- A flood emergency information sheet summarising the actions and triggers of this Flood Emergency Response Plan (FERP) for the park guests will be printed in hard copy and provided to all guests upon check in. The information sheet will need to include a copy of the evacuation route map;
- The Park Management will provide a copy of this FERP to all existing and new residents and will ask them to familiarise with flood risks and the evacuation procedures;
- All long-term residents will prepare their own evacuation plans, considering their own needs and abilities but consistent with this FERP. This will include maintaining a ready to go emergency kit at all times. Guidelines to prepare an emergency kit can be found at this link: <https://www.ses.nsw.gov.au/floodsafe/prepare-your-home/emergency-kit/>.

The evacuation plan will need to consider that the Park may remain closed for two weeks or more and a suitable accommodation outside of the floodplain must be organised in advance (e.g. relative or friend's house) as there will be

no time to do so after an evacuation order is issued;

- All staff and long-term residents will undertake annual flood emergency response drills;
- Position descriptions will identify specific responsibilities in a flood emergency;
- A warning siren or a Public Announcement (PA) system with a minimum back-up power supply of 8 hours will be installed on site, and its correct functioning will be checked annually;
- A computer, tablet or smartphone with 3g/4g internet access and at least 8 hours independent power supply will be kept on site, fully charged, at all times. Links to the BoM warning age and Cudgerie Bay gauge readings will be saved in the device for easy access;
- An emergency contact sheet will be kept on site. A suggested format for these details and other necessary contact details is provided in Appendix B;
- Management will keep an updated list of the residents, guests and visitors who are on site at all times, including those who do not have access to own vehicle (if any). The list will have to include as a minimum name, contact details of the guest, emergency contact details and availability of own vehicle on site;
- Management will maintain an emergency kit including a portable radio and torch with spare batteries and a first aid kit;
- The Bureau of Meteorology weather forecast and warnings will be checked each morning. At the time this report was prepared, the BoM weather forecast and warnings relevant to Windang were available at the following link:
 - <http://www.bom.gov.au/nsw/warnings/>

4.2 WHEN A FLOOD IS POSSIBLE

Triggers for action:

The Bureau of Meteorology issues a Severe Weather Warning for Illawarra or a Flood Watch for area 52 "Illawarra Coast"

OR

The BoM website is not accessible and there is intense rainfall

Actions:

- The park management will make sure that there are at least two staff members on site at all times (including during the night) until the BoM warnings are withdrawn;
- The park management will test the PA system or siren and the relevant alternate power supply;
- The park management will make sure that all staff are familiar with this FERP and the actions to be undertaken should a flood eventuate;
- The park management will inform all guests and residents that a flood is possible and will ask to review the flood emergency information sheet or the FERP;
- The park management will ensure that any guests or residents without own vehicle can be evacuated using spare seats in other guest's cars. If this is not possible, the park management will inform the local NSWSES and provide the exact number of people without access to a car;
- The caravan park person responsible for forecast and observation monitoring will keep checking the BoM relevant webpages for rainfall forecasts and warnings and water levels at the Cudgerie Bay gauge (214416) every 30 minutes. At the time this report was prepared the link to see the gauge level was:
<https://www.mhlfir.net/Station-214416>
- In case of power or internet outage, the caravan park nominated person will go inspect the strip of land between the site and the river every 30 minutes to check for any flooding.

4.3 DURING A FLOOD

Trigger for action:

The Cudgerie Bay gauge level readings reach 0.8m and there is additional forecasted rainfall;

OR

The strip of land between the river and the site is flooded with ankle-deep water, and there is intense rainfall;

OR

The NSWSES makes contact with the park management and requires door knocking to be undertaken.

Actions:

- The two nominated park staff members will begin door-knocking to all the sites, starting from those at the end of the park's main internal road and making their way back toward the park entrance. Each of the two staff members will proceed individually, at a pace of about three (3) minutes per site.
- All the caravan park guests and residents will be:
 - Warned about the increased risk of flooding and that an evacuation may be necessary;
 - Asked to pack their belongings and emergency kits within 1 hour, put these in their cars and move their vehicles to higher ground (park in Windang Road). This is necessary because the caravan park internal road will become cut by flooding before most sites are affected;
 - Told that, if an evacuation is necessary, the trigger will be a message from the caravan park PA system (or the park siren, depending on which alert system the park management decides to install). No more door knocking will occur;
 - Told that as soon as the evacuation is triggered all residents and guests will have to walk to their cars and drive north along Windang Road until they have driven past Northcliffe Drive in Warrawong;
 - Should any residents or guest not have access to own vehicle, the staff management will make sure these are willing and able to evacuate with the pre-assigned car of other residents/guests.
- The nominated person responsible for forecast and observation monitoring will

contact the local NSWSES office to inform them that a door-knocking exercise to warn guests of the risk of flooding is ongoing;

- The nominated person responsible for forecast and observation monitoring will keep checking the water level readings at the Cudgerie Bay gauge and the BoM warnings and rainfall forecasts every 30 minutes;
- In case of power or internet outage, the nominated person will go inspect the southern end of the site's main internal road every 30 minutes to check for any flooding over the road.

Trigger for action:

The Cudgerie Bay gauge level readings reach 1.2m and there is additional forecasted rain;

OR

Floodwaters of any depth are sighted over the park's main road, and there is intense rainfall;

OR

The NSWSES issues and evacuation order

Actions:

- The caravan park staff responsible for forecast and observation monitoring will trigger the evacuation order via the PA system or the siren. The message/signal will have to be repeated every minute;
- The caravan park staff responsible for forecast and observation monitoring will contact the Wollongong NSWSES to communicate that evacuation of the site has begun;
- All the caravan park guests/residents will switch off electricity and gas mains and will make their way to their cars in Windang Road;
- Any guests/residents with no own vehicle will join the guests/residents they have been assigned to and walk together to their cars;
- All guests/residents will then drive north along Windang Road until they exit the floodplain (i.e. north of the intersection with Northcliffe Drive in Warrawong);

- The park management will supervise the evacuation process and will make sure that no one is left on site;
- The park management will shut off electricity, water and gas mains, secure any large loose objects, close the site and evacuate;
- After evacuation is completed, the park management will let the Wollongong NSWSES office know that evacuation has now completed and that the site is closed until further notice.

4.4 AFTER A FLOOD

Trigger for action:

The NSWSES communicate that the flood emergency has now passed and that it is safe to go back to the caravan park.

Actions

- The staff management will organise access to the site making sure that any precautionary measures recommended by the NSWSES are put in place;
- Extra care will be taken of potential slips on a muddy floor if floodwaters have entered the ground floor of buildings;
- All flood-affected parts of the premises will be appropriately cleaned and utilities checked by professionals before guests can return;
- A hazard assessment will be undertaken for the clean-up, safe work methods statements will be prepared and personal protective equipment supplied consistent with the known hazards which can be associated with floods:
 - Slips, trips and falls;
 - Sharp debris;
 - Venomous animals;
 - Contaminated water and sediments.
- Following the re-commencement of caravan park activities, a de-brief will be held with key management staff and may involve Council flood staff or the local NSWSES. The flood event and response including the use of this FERP and any emergency procedures will be reviewed;

- Changes may be made to the Plan and the requirements for future emergency response should the review identify any improvements which may be made.

5 REFERENCES

Cardno (2012). Lake Illawarra Floodplain Risk Management Plan.

Opper, S.; Cinque, P.; Davies, B. (2009). Timeline Modelling of Flood Evacuation Operations, Proceedings of the First International Conference on Evacuation Modelling and Management, Den Haag, The Netherlands, 23-25 September.

Wollongong City Council (2009). Wollongong Development Control Plan.

APPENDIX A – FLOOD ACTIONS CHECKLIST

Before a Flood			
Trigger for action	Action	Who responsible	What is needed
<i>Always</i>	<ul style="list-style-type: none"> The park management will review this FERP every five years to account for changes in mean sea level, frequency of flooding, and the layout of the site and its surroundings 	Management	This FERP Updated estimate of the frequency of flooding due to climate change
	<ul style="list-style-type: none"> All the caravan park staff will be made aware of the possibility of flooding and the procedures to be followed during staff inductions; 	Management	Flood Emergency Response Plan Staff induction
	<ul style="list-style-type: none"> The Park Management will provide a copy of this FERP to all existing and new residents and will ask them to familiarise with flood risks and the evacuation procedures; 	Management	Flood Emergency Response Plan Staff induction
	All long-term residents will prepare their own evacuation plans, considering their own needs and abilities but consistent with this FERP. This will include maintaining a ready to go emergency kit at all times. Guidelines to prepare an emergency kit can be found at this link: https://www.ses.nsw.gov.au/floodsafe/prepare-your-home/emergency-kit/ . The evacuation plan will need to consider that the Park may remain closed for two weeks or more and a suitable accommodation outside of the floodplain must be organised in advance (e.g. relative or friend's house) as there will be no time to do so after an evacuation order is issued;	Residents	Flood Emergency Response Plan Emergency Kit
	<ul style="list-style-type: none"> All staff and long-term residents will undertake annual flood emergency response drills; 	Management	Flood Emergency Response Plan

Before a Flood			
Trigger for action	Action	Who is responsible	What is needed
	<ul style="list-style-type: none"> Position descriptions will identify specific responsibilities in a flood emergency; 	Management	Flood Emergency Response Plan Position descriptions
	<ul style="list-style-type: none"> A flood emergency information sheet summarising the actions and triggers of this Flood Emergency Response Plan (FERP) for the park guests will be printed in hard copy and provided to all guest upon check in. The information sheet will need to include a copy of the evacuation route map; 	Management	Flood Emergency Response Plan printed out and copies for all arriving guests
	<ul style="list-style-type: none"> A warning siren or a Public Announcement (PA) system with a minimum back-up power supply of 8 hours will be installed on site, and its correct functioning will be checked annually; 	Management	Public Announcement (PA) system and back-up power supply
	<ul style="list-style-type: none"> A computer, tablet or smartphone with 3g/4g internet access and at least 8 hours independent power supply will be kept on site, fully charged, at all times. Links to the BoM warning age and Cudgeree Bay gauge readings will be saved in the device for easy access; 	Management	Laptop or tablet with sufficient battery capacity and 3g/4g internet connectivity plus working sim card
	<ul style="list-style-type: none"> An emergency contact sheet will be kept on site. A suggested format for these details and other necessary contact details is provided in Appendix B; 	Management	Appendix B of this Plan printed out x 1 copies
	<ul style="list-style-type: none"> Management will keep an updated list of the residents, guests and visitors who are on site at all times, including those who do not have access to own vehicle (if any). The list will have to include as a minimum name, contact details of the guest, emergency contact details and availability of own vehicle on site; 	Management	Guest and visitor list with contact details and availability of own vehicle

<i>Before a Flood</i>			
<i>Trigger for action</i>	<i>Action</i>	<i>Who is responsible</i>	<i>What is needed</i>
	<ul style="list-style-type: none"> Management will maintain an emergency kit including a portable radio and torch with spare batteries and a first aid kit; 	Management	Emergency kit x 1
	<ul style="list-style-type: none"> The Bureau of Meteorology weather forecast and warnings will be checked each morning. At the time this report was prepared, the BoM weather forecast and warnings relevant to Windang were available at the following link: http://www.bom.gov.au/nsw/warnings/ 	Management	Internet access via 3g/4g Laptop/tablet/smartphone

<i>When a Flood is Possible</i>			
<i>Trigger for action</i>	<i>Action</i>	<i>Who is responsible</i>	<i>What is needed</i>
<p><i>The Bureau of Meteorology issues a Severe Weather Warning for Illawarra or a Flood Watch for area 52 "Illawarra Coast"</i></p> <p><i>OR</i></p> <p><i>The BoM website is not accessible and there is intense rainfall</i></p>	<ul style="list-style-type: none"> The park management will make sure that there are at least two staff members on site at all times (including during the night) until the BoM warnings are withdrawn; 	Management	Internet access Laptop This Plan
	<ul style="list-style-type: none"> The park management will test the PA system or siren and the relevant alternate power supply; 	Management	Internet access Laptop This Plan
	<ul style="list-style-type: none"> The park management will make sure that all staff are familiar with this FERP and the actions to be undertaken should a flood eventuate; 	Management	This Plan
	<ul style="list-style-type: none"> The park management will inform all residents/guests that a flood is possible and will ask to review the flood emergency information sheet or the FERP; 	Management	This Plan
	<ul style="list-style-type: none"> The park management will ensure that any residents/guests without own vehicle can access spare any spare seats in other resident's or guest's cars. If this is not possible, the park management will inform the local NSWSES and provide the exact number of people without access to a car; 	Management	Contact list Telephone
	<ul style="list-style-type: none"> The caravan park person responsible for forecast and observation monitoring will keep checking the BoM relevant webpages for rainfall forecasts and warnings and water levels at the Cudgerie Bay gauge (214416) every 30 minutes. At the time this report was prepared the link to see the gauge level was: <ul style="list-style-type: none"> https://www.mhlfir.net/Station-214416 	Nominated staff member	Internet access Laptop

	<ul style="list-style-type: none">• In case of power or internet outage, the caravan park nominated person will go inspect the strip of land between the site and the river every 30 minutes to check for any flooding.	Nominated staff member	
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<i>During a Flood</i>			
<i>Trigger for action</i>	<i>Action</i>	<i>Who is responsible</i>	<i>What is needed</i>
<p><i>The Cudgerie Bay gauge level readings reach 0.8m and there is additional forecasted rainfall;</i></p> <p><i>OR</i></p> <p><i>The strip of land between the river and the site is flooded with ankle-deep water, and there is intense rainfall;</i></p> <p><i>OR</i></p> <p><i>The NSWSES makes contact with the park management and requires door knocking to be undertaken.</i></p>	<ul style="list-style-type: none"> The two nominated park staff members will begin door-knocking to all the sites, starting from those at the end of the park main internal road and making their way back toward the park entrance. Each of the two staff members will proceed individually, at a pace of about three (3) minutes per site. <p>All the caravan park residents/guests will be:</p> <ul style="list-style-type: none"> Warned about the increased risk of flooding and that an evacuation may be necessary; Asked to pack their belongings and emergency kits within 1 hour, put these in their cars and move their vehicles to higher ground (park in Windang Road). This is necessary because the caravan park internal road will become cut by flooding before most sites are affected; Told that, if an evacuation is necessary, the trigger will be a message from the caravan park PA system (or the park siren, depending on which alert system the park management decides to install). No more door knocking will occur; Told that as soon as the evacuation is triggered all residents/guests will have to walk to their cars and drive north along Windang Road until they have driven past Northcliffe Drive in Warrawong; Should any residents/guest not have access to own vehicle, the staff management will make sure these are willing and able to evacuate with the pre-assigned car of other residents/guests. 	Nominated staff members	
	<ul style="list-style-type: none"> The nominated person responsible for forecast and observation monitoring will contact the local NSWSES office to inform them that a door-knocking exercise to warn residents/guests of the risk of flooding is ongoing; 	Nominated staff member	Telephone
	<ul style="list-style-type: none"> The nominated person responsible for forecast and observation monitoring will keep checking the water level readings at the Cudgerie Bay gauge and the BoM warnings 	Nominated staff member	Internet access Laptop

<i>During a Flood</i>			
<i>Trigger for action</i>	<i>Action</i>	<i>Who is responsible</i>	<i>What is needed</i>
	and rainfall forecasts every 30 minutes;		
	<ul style="list-style-type: none"> In case of power or internet outage, the nominated person will go inspect the southern end of the site's main internal road every 30 minutes to check for any flooding over the road. 	Nominated staff member	
<i>The Cudgerie Bay gauge level readings reach 1.2m and there is additional forecasted rain;</i> <i>OR</i> <i>Floodwaters of any depth are sighted over the park's main road, and there is intense rainfall;</i> <i>OR</i> <i>The NSWSES issues and evacuation order</i>	<ul style="list-style-type: none"> The caravan park staff responsible for forecast and observation monitoring will trigger the evacuation order via the PA system or the siren. The message/signal will have to be repeated every 5 minutes; 	Nominated staff member	Public Announcement (PA) system Siren
	<ul style="list-style-type: none"> The caravan park staff responsible for forecast and observation monitoring will contact the Wollongong NSWSES to communicate that evacuation of the site has begun; 	Nominated staff member	Telephone
	<ul style="list-style-type: none"> All the caravan park residents/guests will switch off electricity and gas mains and will make their way to their cars in Windang Road; 	Management	
	<ul style="list-style-type: none"> Any residents/guests with no own vehicle will join the residents/guests they have been assigned to and walk together to their cars; 	Management	Contact list
	<ul style="list-style-type: none"> All residents/guests will then drive north along Windang Road until they exit the floodplain (i.e. north of the intersection with Northcliffe Drive in Warrawong); 	Management	Internet access Telephone
	<ul style="list-style-type: none"> The park management will supervise the evacuation process and will make sure that no one is left on site; 	Staff on site	Contact list

<i>During a Flood</i>			
<i>Trigger for action</i>	<i>Action</i>	<i>Who is responsible</i>	<i>What is needed</i>
	<ul style="list-style-type: none"> The park management will shut off electricity, water and gas mains, secure any large loose objects, close the site and evacuate; 	Management	
	<ul style="list-style-type: none"> The park management will let the Wollongong NSWSES office know that evacuation has now completed and that the site is closed until further notice. 	Management	Telephone

<i>After a Flood</i>			
<i>Trigger for action</i>	<i>Action</i>	<i>Who is responsible</i>	<i>What is needed</i>
<i>The NSWSES communicate that the flood emergency has now passed and that it is safe go back to the caravan park.</i>	<ul style="list-style-type: none"> The staff management will organise access to the site making sure that any precautionary measures recommended any the NSWSES are put in place; 	Management	PPE
	<ul style="list-style-type: none"> Extra care will be taken of potential slips on a muddy floor if floodwaters have entered the ground floor of buildings; 	Management	
	<ul style="list-style-type: none"> All flood-affected parts of the premises will be appropriately cleaned and utilities checked by professionals before guests can return; 	Cleaning contractors organised by management	PPE
	<ul style="list-style-type: none"> A hazard assessment will be undertaken for the clean-up, safe work methods statements will be prepared and personal protective equipment supplied consistent with the known hazards which can be associated with floods: <ul style="list-style-type: none"> Slips, trips and falls; Sharp debris; Venomous animals; Contaminated water and sediments. 	Management	PPE
	<ul style="list-style-type: none"> Following the re-commencement of caravan park activities, a de-brief will be held with key management staff and may involve Council flood staff or the local NSWSES. The flood event and response including the use of this FERP and any emergency procedures will be reviewed; 	Management	Flood Emergency Response Plan
	<ul style="list-style-type: none"> Changes may be made to the Plan and the requirements for future emergency response should the review identify any improvements which may be made. 	Management	Flood Emergency Response Plan

APPENDIX B – EMERGENCY CONTACTS LIST

Note: This Emergency Contacts List needs to be completed and maintained by management

Name	Organisation	Role	Contact
	Emergency Services	Fire/ambulance/police	000 – Landlines 112 - Mobiles
	Local Police	Emergency help	000 Direct Police Line 131 444
	Live Traffic NSW	Live Traffic NSW provides live updates and traveller information for NSW roads.	13 27 01
	State Emergency Service	Emergency help	132 500
	Bureau of Meteorology	Weather and Flood Warnings	1300 659 210
	Shellharbour Hospital	Medical	02 4295 2500
	Wollongong Hospital	Medical	02 4222 5000
	Wollongong City Council	Incl. After hours emergencies	02 4227 7111
	Sydney Water	Water Supply	13 20 90
	TBA	Gas Supplier	TBA
	TBA	Electricity Supplier	TBA
	TBA	Telecommunications	TBA
	TBA	Waste Disposal	TBA



Managing Director

A J Barthelmess

Dip. Eng MEng. MIEAust CPEng RPEQ NER

**South Pacific Caravan Park
c/- The Planning Hub
Suite 3.09, Level 3, 100 Collins Street,
ALEXANDRIA NSW 2015**

Your Ref: N/A

Our Ref: 22031 Letter 001 Rev 0

Date: 21st September 2021

Attn: Mairead Hawes (Director)

**RE: RESPONSE TO WOLLONGONG CITY COUNCIL REQUEST FOR
ADDITIONAL INFORMATION DA-2020/1179 – SOUTH PACIFIC CARAVAN PARK
138 WINDANG ROAD, WINDANG**

Further to your request, we are pleased to provide you the additional information requested by Wollongong City Council (WCC) in their letter dated 23rd June 2021. This letter provides the additional information with specific regard to the flood related issues described at Item 5 in WCC's letter. Each WCC item/theme has been replicated in this letter for ease of review, followed by the additional information requested.

Council's records indicate that the property is Flood Affected – Medium and High Flood Risk Precinct

1. On 16th March 2020, Council endorsed an updated DCP Chapter (E13). This updated DCP provides practitioners with Council's new methodology for quantifying flood hazard and risk on floodplains. When applying that new methodology, the site is principally contained within a Medium Flood Risk Precinct, within minor portions contained within a High Flood Risk Precinct. See **Figure A** overleaf showing the extents of both precincts.
2. The 2012 *Lake Illawarra Flood Risk Management Plan* recommends (our emphasis added) that this Plan should be regarded as a dynamic instrument requiring review and modification over time. The catalysts for change could include new flood events and experiences, legislative change, alterations in the availability of funding, reviews of either Councils planning strategies and importantly, the outcome of new studies, particularly those relating to climate change. In any event, a thorough review every five years is warranted to ensure the ongoing relevance of the Plan.
3. This ensures that fundamental policy changes by Council and industry, as well as updated engineering advice, can be incorporated into the Study and Plan. In this regard, the 2012 Study and Plan are well overdue for updating and we question their ongoing relevance at this time, and to this development application.
4. The *Lake Illawarra Flood Risk Management Study* (2012) designates approximately half the site as a High Flood Risk Precinct, however it does so based on:

- a. The use of an outdated hazard identification methodology that has been abandoned by Council.
- b. An assessment of isolation that is now known to be incorrect in Windang, as accepted by Council and the SES (and subsequently the L&EC) in *Neate v Wollongong City Council* (Appeal 11377 of 2005 NSWLEC Consent Dated 4th April 2006).

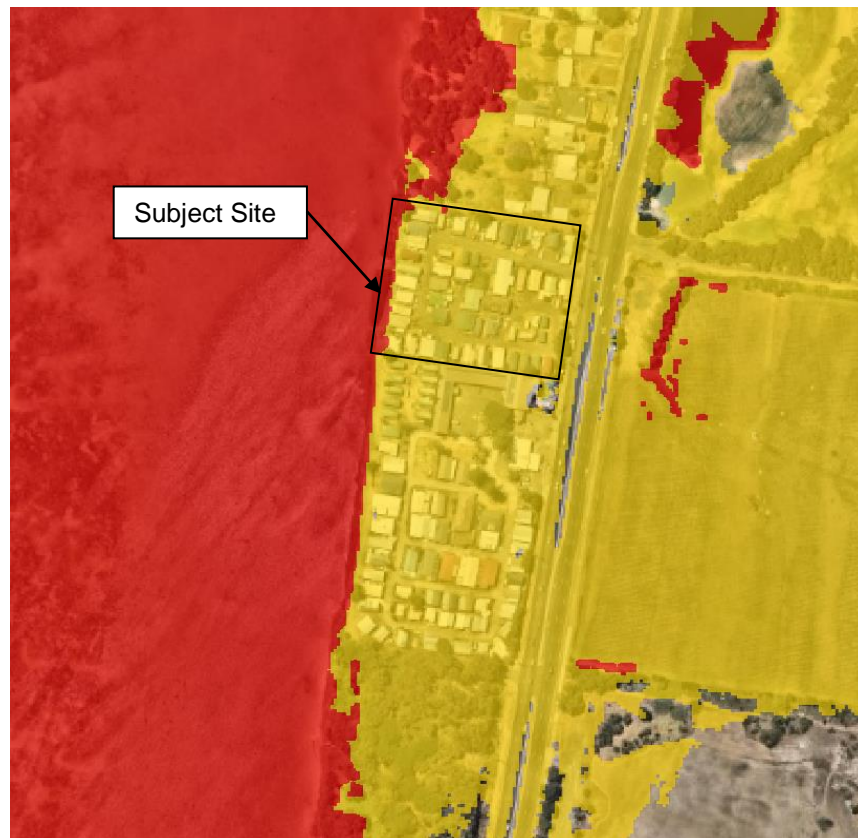


Figure A – Subject Site Flood Risk Precinct Plan

Note: Red shading denotes high hydraulic hazard and therefore a High Flood Risk Precinct, and the orange shading denotes the extent of the Medium Risk Precinct on the site only.

5. Under the provisions of the 2020 DCP Chapter E13, and taking into account the adopted flood behaviour in the 2001 Lake Illawarra Flood Study, the site is principally a Medium Flood Risk Precinct.
6. It is noted that the site could still be considered a High Flood Risk Precinct due to what the 2012 Plan denotes as 'isolation hazard'. However, as accepted by Council and the SES (and subsequently the L&EC) in *Neate v Wollongong City Council* (Appeal 11377 of 2005 NSWLEC Consent Dated 4th April 2006), any land that has access to an evacuation route not lower than RL +1.3m AHD:
 - a. Can be evacuated, and
 - b. Is never isolated, under the definition of isolation in the Lake Illawarra Floodplain Risk Management Study (2012).
7. Therefore, the site is principally a Medium Flood Risk Precinct.

It appears that the proposal includes 'Residential' development located within the High Flood Risk Precinct. This is contrary to the controls in Schedule 9a: Prescriptive Controls - Lake Illawarra – Windang Peninsula, which stipulates that Residential development is an unsuitable land use within the High Flood Risk Precinct

8. As the proposed development is categorised (in the context of DCP Chapter E13 Schedule Appendix A) as 'Residential', such uses are encouraged by Council under the DCP's planning control matrix in a Medium Flood Risk Precinct.
9. Even where the development was categorised as 'Residential' and determined to be within a High Flood Risk Precinct, this is not determinative, because:
 - a. As stated by Roseth SC (NSW L&EC Appeal No 10337 of 2006) *Council's Flood Risk DCPs must be the focal point in the assessment of flood risk and should be given significant weight, however such weight is not determinative.... And that Council is obligated to give 'genuine, realistic and specific attention to the disqualifying provision of the DCP in the context of the particular circumstances'*. This was with specific regard to flood risk in Lake Illawarra.
 - b. In *Neate v Wollongong City Council* (Appeal 11377 of 2005 NSWLEC Consent Dated 4th April 2006), the Court approved a seniors living development in Windang in a High Flood Risk Precinct based on suitable ameliorative measures being incorporated into the proposal. This acknowledges that even where the hazard might be high, sufficient risk controls can reduce the residual risk to acceptable.
 - c. Council recently approved a 21 lot subdivision in a High Flood Risk Precinct in Windang. Again, this acknowledges that even where the hazard might be high, sufficient risk controls can reduce the residual risk to acceptable.
10. The overarching consideration is: Is the site safe? We consider that it is, as described in further detail throughout this opinion.

A proposal for Residential development within the High Flood Risk Precinct is considered contrary to a number of the objectives and Performance Criteria in Chapter E13 of the Wollongong DCP2009, and does not satisfy Clause 7.3 of the Wollongong LEP2009. As such, a variation to the prescriptive controls that involved Residential development within the High Flood Risk Precinct, would not be supportable

11. This statement by WCC makes clear WCC's view: that the application *is considered contrary to a number of the objectives and Performance Criteria in Chapter E13 of the Wollongong DCP2009, and does not satisfy Clause 7.3 of the Wollongong LEP2009.*
12. WCC are aware that the proposal is seeking to formalise an existing use, and utilise existing structures to do so. Both parties are well aware that the existing structures do not meet certain 'modern day' DCP requirements.
13. Not being able to demonstrate consistency with a DCP controls is not in itself determinative, and the consent authority must give genuine and reasonable consideration of the mitigating circumstances surrounding the merits of the application.

14. Material to the merits of the application is the fact that the site has operated consistent with its current use since the 1970's. Over the last ~50 years, it has been exposed to 11 floods that would give rise to potential evacuation, risk to life and property damage.
15. However, such instances have been managed by the site owners and there have been no reported issues with evacuation by the SES or operator, nor any loss of life. This demonstrates that the hazard can, and is, being managed. The proposal improves the ability to respond to the hazard, by the introduction of a formal and well-considered evacuation plan.
16. The site can be evacuated, as demonstrated by:
 - a. The Molino Stewart Evacuation Plan, and
 - b. *Neate v Wollongong City Council* (Appeal 11377 of 2005 NSWLEC Consent Dated 4th April 2006). The supporting demonstration of no isolation and no evacuation limitations in Windang was developed with the SES (Mr Oppen) and WCC. Written approval was provided by all parties.
 - c. The many other WCC-approved evacuation plans for caravan parks in Windang.
17. The Lake Illawarra Floodplain Risk Management Plans (2012) only recommendation with regard to evacuation *is recommended that the current flood warning system in place at the Caravan Park areas be expanded to be publicly accessible and to allow residents to register for an email or SMS alert.*
18. The proposed development improves on the minimum standard nominated in the Lake Illawarra Floodplain Risk Management Plans (2012).
19. I consider the practical operation of the site over 50 years, and the extensive and location specific engineering research supporting *Neate v Wollongong City Council* to clearly demonstrate the site is fit for the occupation proposed.

As per Section 9(3) of Chapter E13, a survey plan showing... The position of the existing building/s or proposed building/s, the existing ground levels to Australian Height Datum around the perimeter of the buildings and contours of the site; and the existing or proposed floor levels to Australian Height Datum.

20. A plan describing this information is attach as **Attachment A**.

A plan clearly showing the location of each proposed long-term and short-term site, overlain with mapping of the High Flood Risk Precinct and Medium Flood Risk Precinct, as delineated by Council's adopted Lake Illawarra Floodplain Risk Management Study dated January 2012 (refer to image above).

21. This can be observed in **Figure A**.
22. However, the risk precinct mapping from the 2012 Study is not appropriate to use in the context of this application, given:
 - a. It uses of an outdated hazard identification methodology that has been abandoned by Council.
 - b. An assessment of isolation that is now known to be incorrect in Windang, as accepted by Council and the SES (and subsequently the L&EC) in *Neate v*

Wollongong City Council (Appeal 11377 of 2005 NSWLEC Consent Dated 4th April 2006).

A report from a suitably qualified civil engineer demonstrating how all aspects of the proposal satisfy the controls in Schedule 9a: Prescriptive Controls - Lake Illawarra – Windang Peninsula, including controls relating to Floor Levels, Building Components, Structural Soundness, Evacuation, and Management & Design, and also the controls and objectives in Section 6.5 (Car Parking – Flood Related Requirements), of Chapter E13.

23. It is unlikely that any of the existing structures satisfy the DCP's prescriptive controls for residential development within a Medium Flood Risk Precinct. WCC are well aware of this. Requesting a report from a suitably qualified civil engineer demonstrating how all aspects of the proposal satisfy the controls is professionally inappropriate. WCC recognize that no such report could be provided.
24. That said, it is unlikely that many, many other older developments in Wollongong would survive an audit against the current DCP's prescriptive controls. The haphazard way in which the DCP is updated, adding and then removing the same control, means even development constructed within the most recent planning horizon may not comply.
25. In any case, the lack of ability to satisfy prescriptive controls in a guideline is not determinative. The overarching consideration is: Is the site safe?
26. We consider that it is, based on:
 - a. The site has operated consistent with its current use since the 1970's. Over the last ~50 years, it has been exposed to 11 floods that would give rise to potential evacuation, risk to life and property damage.
 - b. Such instances have been managed by the site owners and there have been no reported issues with evacuation by the SES or operator, nor any loss of life. This demonstrates that the hazard can, and is, being managed. The proposal improves the ability to respond to the hazard, by the introduction of a formal and well-considered evacuation plan.
 - c. The site can be evacuated, as demonstrated by:
 - i. The Molino Stewart Evacuation Plan, and
 - ii. *Neate v Wollongong City Council* (Appeal 11377 of 2005 NSWLEC Consent Dated 4th April 2006). The supporting demonstration of no isolation and no evacuation limitations in Windang was developed with the SES (Mr Opper) and WCC. Written approval was provided by all parties.
 - iii. The many other WCC-approved evacuation plans for caravan parks in Windang.
 - d. The Lake Illawarra Floodplain Risk Management Plans (2012) only recommendation with regard to evacuation *is recommended that the current flood warning system in place at the Caravan Park areas be expanded to be publicly accessible and to allow residents to register for an email or SMS alert.*
 - e. This is being improved by the application as a detailed flood evacuation plan is provided.

27. I consider the flood risk espoused in the Lake Illawarra Floodplain Risk Management Plans (2012) is overstated, given the reality of a development that has successfully (by any measure) managed this hazard and risk for over 50 years,
28. A condition of consent could be considered by WCC, requiring any new developments on the site to meet whatever current DCP requirements relate to it.

The reliance on a private flood plan to mitigate flood risk for the purposes of granting development consent is contrary the NSW Government Floodplain Development Manual (FDM) dated 2005, which states that (page L-3, paragraph 4).... In the context of the above advice, the adopted management plan (the Lake Illawarra Floodplain Risk Management Plan dated 2012) stipulates that residential development is an unsuitable land use within the High Flood Risk Precinct. Section N-7 of the FDM further reiterates that it is not appropriate to rely on private flood plans to mitigate flood risk when granting development consents.

29. The Site is not isolated and can be evacuated via an approved evacuation plan. This is consistent with the Lake Illawarra Floodplain Risk Management Study (2012) which notes:

Flood warning and implementation of an evacuation procedure by the State Emergency Service (SES), is widely used throughout NSW to reduce flood damages and protect lives..... Flood warning and evacuation plans are already in place for specific areas within the Lake Illawarra floodplain, primarily the caravan parks on the foreshore.... The warning systems established for these parks also serve to assist the Councils' and the SES with emergency response activities.

30. The same Study (2012) also notes that *currently a flood warning system is in place for the Caravan Park areas which has been implemented as part of the conditions of consent for the development by Wollongong City Council.*
31. It is not clear to us how either the existing or proposed evacuation arrangements are unsuitable given the above.

The flood water trigger level specified in the submitted evacuation strategy (RL 0.8 metres AHD) is very low, being below the 2 year ARI flood level, and likely to be below the 1 year ARI flood level (although not modelled in the LIFRMS) in Lake Illawarra. Therefore, the strategy would be triggered at a high frequency, with a high rate of 'false alarms' between significant flood events. This will be disruptive to site users and reduce the likelihood of occupants responding to future evacuation orders.

32. The flood water trigger contained within the Molino Stewart Flood Evacuation Plan is consistent with other trigger levels in other caravan parks in Windang.
33. Further, the trigger level is also consistent with a recently approved Flood Evacuation Plan for another caravan park, which was agreed to by WCC during the preparation of the (Court-determined) consent.
34. It is therefore not clear to us why such a trigger level is appropriate on other nearby caravan park sites, but not this site.
35. Further, the nominated trigger level is not determinative – if Council consider another level is more appropriate, this could be conditioned with the consent.

36. We consider this issue entirely resolvable.

In relation to the above matter, it is noted that the evacuation time facilitated by the flood water trigger level of RL 0.8 metres AHD is 4.5 hours, which equals the calculated time required for evacuation. Therefore, increasing the flood water trigger level is not an option to resolve the issue. It appears that the site is too low lying to enable a safe, practical, effective, and sustainable permanent flood evacuation strategy.

37. This statement is disingenuous by WCC who have approved other, much larger caravan parks from evacuating using similar routes at similar trigger levels.

38. If WCC were so concerned about trigger levels and warning residents of impending flooding, they would have implemented a Flood Warning System for Lake Illawarra in their *Lake Illawarra Floodplain Risk Management Study and Plan (2012)*.

39. Instead, WCC assessed the hazard and only saw fit to recommend that *the current flood warning system in place at the Caravan Park areas be expanded to be publicly accessible and to allow residents to register for an email or SMS alert.*

40. If WCC only deem the problem of sufficient risk to limit the advice to residents to a simple SMS, why does WCC mandate that the landowner needs to *enable a safe, practical, effective, and sustainable permanent flood evacuation strategy?*

41. And when the landowner does provide precisely that (via the Molino Stewart report), WCC then makes the statement that *“the reliance on a private flood plan to mitigate flood risk for the purposes of granting development consent is contrary the NSW Government Floodplain Development Manual (FDM)”*.

42. This approach by WCC needs better consideration by a suitably qualified civil engineer who has specialist skills in the fields of hydrology, hydraulics and floodplain management. Until this occurs, it is very difficult for us to respond to such an ambiguous position on this issue.

The strategy proposes that vehicles park on Windang Road during a flood, which is not supported for the following reason.... Parking is not allowed on Windang Road within the vicinity of the site frontage; and there is no certainty that there will be an adequate number of available parking spaces on Windang Road.

43. This is an accepted historic practice during the inundation of roads during flooding in Windang.

44. Ironically, the very photograph on the cover of WCC’s *Lake Illawarra Floodplain Risk Management Study and Plan (2012)* are vehicles parked up on the high point of Windang Road.

45. Moving property to higher ground is a key aspect of any flood mitigation proposal. This issue appears to be improperly considered by WCC and we would request WCC reconsider its statement.

The strategy includes a link to MHL gauge ‘Cudgerie Bay Gauge (214416)’, however when the link is clicked, the resulting webpage does not display any water level readings.

46. The following link (which was not onerous to find) is as follows: [Cudgerie Bay Station](#)

Yours faithfully

For and on behalf of
Rienco Pty Ltd

A handwritten signature in black ink, appearing to read 'A Barthelmess', with a long horizontal flourish extending to the right.

Anthony Barthelmess
Managing Director
0416 274447
anthony.barthelmess@rienco.com.au

LAKE ILLAWARRA

LANDS

CROWN

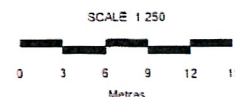
ROAD

WINDANG



ENCROACHMENTS ON CROWN RESERVE

- LEGEND**
- #81 SITE NUMBER
 - AP ADDITIONAL HARDSTAND
 - AP ACCESSIBLE PARKING SPACE
 - CS CAMP SITE
 - CP CARPORT
 - CY COURTYARD AREA
 - CA COVERED AREA
 - DP DESIGNATED PARKING SPACE
 - GATE
 - HARDSTAND AREA (IE CONCRETE OR PAVERS)
 - L LANDING
 - SH SHED
 - SPEED HUMP
 - STAIRS
 - VER VERANDAH
 - VP VISITOR PARKING SPACE



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ISSUE	AMENDMENT	DRAWN	DATE
A	PRELIMINARY ONLY	NH	09/04/2015
B	SITE PLAN - EDITION 3	JAK	4/05/2015

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SOUTH PACIFIC PARK VILLAGE
 SITE PLAN
 SOUTH PACIFIC PARK VILLAGE
 No. 138 WINDANG ROAD WINDANG

DATUM	AHD	CONTOUR INTERVAL	0.5m	DATE	SURVEYED	2015
-------	-----	------------------	------	------	----------	------

SURVEYED: NH SP
 DRAWN: NH
 CHECKED: GG
 DRAWING No.
206844-CP01
 SHEET 1 OF 1 SHEET(S)

A1
 SHEET
 B

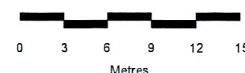
LAKE ILLAWARRA

ROAD

WINDANG

- LEGEND
- #B1 SITE NUMBER
 - AP ADDITIONAL HARDSTAND
 - CS ACCESSIBLE PARKING SPACE
 - CP CAMP SITE
 - CY CARPORT
 - CA COURTYARD AREA
 - CO COVERED AREA
 - DP DESIGNATED PARKING SPACE
 - GATE
 - HA HARDSTAND AREA (IE. CONCRETE OR PAVERS)
 - L LANDING
 - SH SHED
 - ST SPEED HUMP
 - ST STAIRS
 - VER VERANDAH
 - VP VISITOR PARKING SPACE

SCALE 1:250



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ISSUE	AMENDMENT	DRAWN	DATE
A	PRELIMINARY ONLY	NH	09/04/2015
B	SITE PLAN - EDITION B	JAK	4/09/2015

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SOUTH PACIFIC PARK VILLAGE

SITE PLAN
SOUTH PACIFIC PARK VILLAGE
No. 138 WINDANG ROAD, WINDANG

DATUM AHD CONTOUR INTERVAL 0.5m DATE SURVEYED 2015

SHEET
ISSUE
B
DRAWING No.
206844-CP01
SHEET 1 OF 1 SHEET(S)

Attachment 8

TRAFFIX

TRAFFIC AND TRANSPORT PLANNERS

Suite 2.08, 50 Holt St
Surry Hills, NSW 2010
PO Box 1124
Strawberry Hills NSW 2012

t: (02) 8324 8700
w: www.traffix.com.au
acn: 065132961
abn: 66065132961

Reference: 22.388r01v01

29 August 2022

Sylvia Pirotta
C/- The Planning Hub
Suite 3.09, Level 3, 100 Collins Street
Alexandria NSW 2015

Attention: Sylvia Pirotta

Re: 138 Windang Road, Windang
Response to Request for Information

Dear Sylvia,

We refer to the subject property and the development application to continue using the site as a caravan park. TRAFFIX has been requested to prepare swept path analysis for the existing development as part of Council's assessment of the application to demonstrate all vehicles can enter and exit the site in a forward direction.

The swept path analysis of the existing development, provided in **Attachment 1**, demonstrates vehicles can enter and exit the site in a forward direction with the main circulation roadway providing a one-way loop at the end. This allows vehicles to circulate through the site without being required to perform a three-point turn. The dead-end aisle provides access to a small number of parking spaces and swept path analysis of the last space demonstrates there is sufficient area for vehicles to turn around and exit in a forward direction. Therefore, the existing development allows for all vehicles to enter and exit the site in a forward direction.

We trust the above is of assistance and please don't hesitate to contact the undersigned should you have any queries.

Yours faithfully,

Traffix



Hayden Dimitrovski
Senior Engineer

Encl. Attachment 1: Swept Path Analysis

ATTACHMENT 1

Swept Path Analysis



Notes:

This drawing is prepared for information purposes only. It is not to be used for construction.

TRAFFIX is responsible for vehicle swept path diagrams and/or drawing mark-ups only. Base drawing prepared by others.

Vehicle swept path diagrams prepared using computer generated turning path software and associated CAD drawing platforms. Vehicle data based upon relevant Australian Standards (AS/NZS 2890.1:2004 Parking facilities - Off-street car parking; and/or AS2890.2:2002 Parking facilities - Off-street commercial vehicle facilities). These standards embody a degree of tolerance, however the vehicle characteristics in these standards represent a suitable design vehicle and do not account for all variations in vehicle dimensions / specifications and/or driver ability or behaviour.

Rev.	Revision Note	By.	Date
A	Swept Path Analysis	HD	29-08-22

Swept Path Legend

- Wheel Path
- Vehicle Body Envelope
- Clearance Envelope (300mm)

Architect

Client

On Two Wheels Motorsport

Scale / Plan Orientation

0 4 8 12 16m

1:400 @ A3

Project Description

Residential Flat Building

10-12 Chapman Street, STRATHFIELD NSW 2135

Drawing Prepared By

TRAFFIX

TRAFFIC AND TRANSPORT PLANNERS

Suite 2.08, 50 Holt Street t: +61 2 8324 8700

Surry Hills, NSW 2010 f: +61 2 9830 4481

PO Box 1124 w: www.traffix.com.au

Strawberry Hills, NSW 2012

Drawing Title

Swept Path Analysis

B99 Vehicle

Entry Movement

Drawn:	HD	Checked:	-	Date:	29-08-22
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22.388d01v01 TRAFFIX [220818 Plans] Design Review.dwg			
Project No.	Drawing Phase	Drawing No.	Rev.
22.388	DA	TX.01	A



Notes:

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Rev.	Revision Note	By.	Date
A	Swept Path Analysis	HD	29-08-22

Swept Path Legend

- Wheel Path
- Vehicle Body Envelope
- Clearance Envelope (300mm)

Architect

Client

On Two Wheels Motorsport

Scale / Plan Orientation



Project Description	
---------------------	--

Residential Flat Building
10-12 Chapman Street, STRATHFIELD NSW 2135

Drawing Prepared By

TRAFFIX
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Drawing Title

Swept Path Analysis
B99 Vehicle
Exit Movement

Drawn: HD	Checked: -	Date: 29-08-22
-----------	------------	----------------

22.388d01v01 TRAFFIX [220818 Plans] Design Review.dwg			
Project No.	Drawing Phase	Drawing No.	Rev.
22.388	DA	TX.02	A



Notes:

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Rev.	Revision Note	By.	Date
A	Swept Path Analysis	HD	29-08-22

Swept Path Legend

- Wheel Path
- Vehicle Body Envelope
- Clearance Envelope (300mm)

Architect

Client

On Two Wheels Motorsport

Scale / Plan Orientation

01234m

1:100 @ A3

Project Description

Residential Flat Building
10-12 Chapman Street, STRATHFIELD NSW 2135

Drawing Prepared By

TRAFFIX

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Strawberry Hills, NSW 2012

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f: +61 2 9830 4481
w: www.traffix.com.au

Drawing Title

Swept Path Analysis
B99 Vehicle
left: Entry Movement
Right: Exit Movement

Drawn: HD	Checked: -	Date: 29-08-22
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22.388d01v01 TRAFFIX [220818 Plans] Design Review.dwg			
Project No.	Drawing Phase	Drawing No.	Rev.
22.388	DA	TX.02	A

Attachment 9 – Reasons for refusal

- 1 Pursuant to the provisions of Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979, it is considered that the proposed development is inconsistent with the State Environmental Planning Policy (Housing) 2021 with respect to clause 133(a). It is considered that the suitability of the site for long term residence has not been adequately demonstrated.
- 2 In accordance with Section 4.15(1)(a)(i) of the Environmental Planning & Assessment Act 1979, in the opinion of Council, it has not been demonstrated that the land is suitable for the proposed development having regard to Clause 4.6 of State Environmental Planning Policy (Resilience and Hazards) 2021.
- 3 In accordance with Section 4.15(1)(a)(i) of the Environmental Planning & Assessment Act 1979, in the opinion of Council, the development does not adequately respond to the relevant provisions of the Coastal management program that applies to the land under Clause 2.13 of the SEPP (Resilience and Hazards) 2021. Long-term sites are proposed within areas that are subject to tidal inundation risk under the Lake Illawarra Coastal Management Plan 2020.
- 4 In accordance with Section 4.15(1)(a)(i) of the Environmental Planning & Assessment Act 1979, Council cannot be satisfied of the various matters required to be considered, as prescribed by Clause 7.3 – Flood Planning of Wollongong Local Environmental Plan 2009.
- 5 In accordance with Section 4.15(1)(a)(i) of the Environmental Planning & Assessment Act 1979, Council cannot be satisfied of the various matters required to be considered, as prescribed by Clause 7.7 – Foreshore Building Line of Wollongong Local Environmental Plan 2009.
- 6 In accordance with Section 4.15(1)(a)(iii) of the Environmental Planning & Assessment Act 1979, the proposed development does not comply with the provisions of Wollongong Development Control Plan 2009 in a number of areas:
 - a The development does not adequately respond to the following provisions of Chapter C4 Caravan Parks:
 - i Clause 6.4 (Minimum Building Line Setbacks to Public Roads, Foreshore Areas and Boundaries to other lots not associated with the Development) - due to sites not complying with the front building line setbacks, boundary setbacks, and setbacks to foreshore areas. The minimum driveway width and internal access roads are also not achieved.
 - ii Clause 6.5 (Community Amenities/Facilities) – due to limited community facilities being available for residents for recreation.
 - iii Clause 6.6 (Car Parking) – in relation to many identified car spaces being undersized.
 - iv Clause 6.7 (Development on Flood Liable land) – in relation to the suitability of the Flood Emergency Response Plan and insufficient information being provided.
 - v Clause 7.4 (Landscaping Plan) – in relation to a landscape plan not being provided.
 - b The development fails to demonstrate compliance with the provisions within Chapter E13 – Floodplain Management, including suitable evacuation strategy and unsuitable residential land use within the high flood risk.
 - c The development does not adequately respond to the provisions of Chapter E14 - Stormwater Management.
 - d The development does not adequately respond to the objectives of Chapter A2 – Ecologically Sustainable Development in that the design, siting and construction of the development should consider the principles of ESD, which includes the objective that developments can adapt to climate change.
- 7 Insufficient information has been provided to enable a full and proper assessment to be carried out. Specifically, the following information requested in Council's letter dated 23 June 2021 has not been provided:

- a Information addressing flooding matters under Chapter E13;
 - b Plan details including (but not limited to) site levels and floor levels to Australian Height Datum, driveway access dimensions, vehicle entry widths;
 - c Stormwater drainage plan;
 - d Landscape plan;
 - e Waste storage, collection and disposal arrangements;
 - f Plans and detail reflecting the proposed Remedial Works Program.
- 8 In accordance with Section 4.15(1)(e) of the Environmental Planning & Assessment Act 1979, having regard to the above matters, it is considered that in the circumstances of the case, approval of the development would set an undesirable precedent for similar inappropriate development and is therefore not in the public interest.