

# PLAN OF MANAGEMENT

for

**Part of RESERVE 84107  
for PUBLIC RECREATION and RESTING PLACE  
(SHAWS BAY HOLIDAY PARK)**

at

**BALLINA**



Prepared for the

**NSW Crown Holiday Parks Trust**



**Trade &  
Investment  
Crown Lands**

September 2014

# **PLAN OF MANAGEMENT**

for

## **Part of RESERVE 84107 for PUBLIC RECREATION and RESTING PLACE (SHAWS BAY HOLIDAY PARK)**

Prepared by

### **Integrated Site Design Pty Ltd**

701/247 Coward Street

**MASCOT NSW 2020**

**PO Box 6396**

**ALEXANDRIA NSW 2015**

Phone: 02 8338 1722

fax: 02 8338 1733

email: [isd@i-site.com.au](mailto:isd@i-site.com.au)

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**September 2014**



On behalf of the Board of the NSW Crown Holiday Parks Trust and our management team I am pleased to present this Plan of Management for the Shaws Bay Holiday Park.

In August 2013, the Deputy Premier, the Honourable Andrew Stoner MP announced the appointment of an external Board of Directors to oversee the recently formed NSW Crown Holiday Parks Trust on behalf of the people of NSW.

The Trust was formed to consolidate the operations of twenty six coastal and eight inland holiday parks and reserves located on Crown Land throughout NSW in some of the State's most iconic locations.

Under the Crown Lands Act (1989) (the principal Act governing the administration of Crown Land in NSW) land resources are to be shared equitably in accordance with the principles of environmental protection, conservation and ecological sustainability, public use and enjoyment as well as encouraging multiple use of the land.

The Trust Boards' role is to set the framework and oversee the management of and provide accountability for these holiday and recreational reserves which are enjoyed by hundreds of thousands of domestic and international visitors each year and are an important part of local and regional communities and economies. This role is particularly relevant given the competitive recreational and tourism market and complex regulatory requirements facing holiday parks not only in NSW but also throughout Australia today.

The Board recognises the economic, environmental and social importance of Crown Land to local communities and to the State. It also recognises the ongoing need to improve existing facilities and develop new ones, providing for the sustainability of Crown Land assets for the benefit of the people of NSW - now and into the future.

The Board understands that the ongoing use and management of Crown Land is an important issue for local communities. It is committed to ensuring that local communities and other stakeholders are well informed about plans for the upgrade of Holiday Parks and public recreation areas in their area which come under the management of the Board.

It is important for local communities to be aware of the need to plan for the sustainability - both economically and environmentally - of that Crown Land.

This Plan of Management for Shaws Bay Holiday Park represents the Trust's proposals to ensure the sustainability of the Park in the longer term. Improvements have been designed to provide for the longevity of the Park, for the convenience and comfort of its users and to continue to meet safety and other regulatory requirements, as well as recognising the role of the Park in the local community.

Some of the key aspects of the Plan of Management include:

- Improving amenity and safety of the Holiday Park for users

- Providing more car parking within the park and less reliance on street parking
- Modifications to the entry precinct to provide a more efficient check in area and reduce congestion in the car parking area at the front of the park.
- Alteration to the layout of roads and sites in the hilltop precinct to resolve compliance concerns, improve traffic flow and provide more generous sites.
- Modification of the two storey amenities overlooking Shaws Bay to provide a new guest lounge on the upper level
- Creation of a new recreation area on the lower foreshore precinct including a pool
- Adaptive re-use of the heritage listed former ambulance station as a guest lounge
- Adaptive re-use of the laundry to provide a riverfront café
- Provision of high quality modern guest facilities and amenities
- Provision of additional wheelchair accessible accommodation and facilities and amenities that facilitate equity of access.

It is the Board's belief that Holiday Parks that are well designed and managed have the best potential to support local economies and communities. Shaws Bay Holiday Park has been part of the Ballina community for many decades. However, in order to keep pace with forecast user need, regulatory and safety requirements and maintain competitive standards it is essential that the Park undergoes continuous improvement.

The directions outlined in the Plan of Management will underpin the sustainability of the Holiday Park into the future. In doing so, it will also ensure the Park is able to provide needed funding for recreation facilities, community infrastructure and environmental projects in local reserves and ultimately provide a continuing sustainable economic and environmental asset for the community, visitors to the region and the people of NSW.

Yours sincerely

*Alan A Revell*

**Chair  
NSW Crown Holiday Parks Trust**

# CONTENTS

<b>1. PREAMBLE.....</b>	<b>1</b>
1.1 Introduction .....	1
1.2 Land Status.....	1
1.3 Basis for Management .....	4
1.4 North Coast Holiday Parks .....	4
1.5 Public Exhibition of this Plan and Submissions – also see Appendix B.....	5
1.6 Changes to the Draft Plan .....	6
1.7 Purpose of this Plan .....	7
<b>2. STATUTORY AND POLICY FRAMEWORK.....</b>	<b>9</b>
2.1 Introduction .....	9
2.2 Crown Lands Act 1989 .....	9
2.3 Ballina Coastal Reserve Plan of Management 2004 .....	10
2.4 Environmental Planning and Assessment Act 1979 .....	11
2.5 Local Government Act 1993 .....	11
2.6 Holiday Parks (Long Term Casual Occupation) Act 2002.....	12
2.7 Residential (Land Lease) Communities Act 2013.....	12
2.8 Relevant Environmental Planning Instruments .....	13
2.9 Policies and Guidelines .....	18
2.10 Other Statutory and Policy Documents .....	20
2.11 Summary .....	20
<b>3. CONTEXT AND EXISTING DEVELOPMENT.....</b>	<b>21</b>
3.1 Location.....	21
3.2 Recreation and Camping at Shaws Bay.....	21
3.3 Management Precincts .....	23
3.4 Easton Park - Western Precinct .....	24
3.5 Shaws Bay Holiday Park .....	24
3.6 Strategic Assessment .....	27
3.7 Tourist Economy in NSW .....	30
3.8 Caravan Parks on Crown Land .....	30
3.9 Summary .....	31
<b>4. VISION AND OBJECTIVES.....</b>	<b>33</b>
4.1 Introduction .....	33
4.2 The Vision Statement.....	33
4.3 Objectives.....	34
<b>5. PROPOSED HOLIDAY PARK IMPROVEMENT PROGRAM .....</b>	<b>36</b>
5.1 Introduction .....	36
5.2 Proposed Improvement Program .....	37

5.3	Improvement Plan – see Drawings SB-02, SB-03 and SB-04 .....	37
5.4	Proposed Improvements to Shaws Bay Holiday Park.....	38
5.5	Conservation Management Plan .....	42
5.6	Financing Improvements .....	42
<b>6.</b>	<b>MANAGEMENT ACTIONS AND STRATEGIES .....</b>	<b>43</b>
6.1	Plan Objectives, Strategies and Actions.....	43
6.2	Regulatory Compliance .....	43
6.3	Health, Safety and Risk Management.....	44
6.4	Business Management.....	45
6.5	Environmental Management .....	46
6.6	Sustainability.....	48
6.7	Facilities for Management and Guests .....	49
6.8	Tourist Sites and Accommodation .....	50
6.9	Integrated Land Management .....	50
6.10	Authorised Activities and Works .....	51
6.11	Holiday Vans .....	52
<b>7.</b>	<b>IMPLEMENTATION AND REVIEW.....</b>	<b>53</b>

**APPENDIX A**            S68 Approval to Operate the Shaws Bay Holiday Park

**APPENDIX B**            Submissions Report, July 2014

**REFERENCES**

**DRAWINGS**            SB-01 – Existing Site Plan and Analysis  
                                   SB-02 – Proposed Improvements – Option B  
                                   SB-03 – Proposed Improvement Concepts  
                                   SB-04 – Proposed Improvements – Option A

## **1. PREAMBLE**

### **1.1 Introduction**

This Plan of Management has been prepared in accordance with the provisions of the *Crown Lands Act 1989* to provide a framework for the future management, use and development of reserved Crown at Ballina in the Ballina Shire. The reserved Crown land covered by the Plan comprises several land parcels and includes the Shaws Bay Holiday Park. The Holiday Park represents a community resource in a coastal setting that provides holiday accommodation and recreation opportunities for the enjoyment of the community.

The land covered by this Plan of Management is managed by the NSW Crown Holiday Parks Trust and the New South Wales government for the benefit of the community. The Plan of Management outlines a management direction for the next 5 to 10 years for the reserved land in accordance with the requirements of the *Crown Lands Act 1989*.

### **1.2 Land Status**

The Crown land covered by this Plan of Management is described as Part of Reserve 84107 for Public Recreation and Resting Place. The relevant land parcels are located on both the eastern and western sides of Hill Street (see Figure 1).

The area on the eastern side of Hill Street supports the Shaws Bay Holiday Park and comprises an area of approximately 1.7 hectares which can be described as follows:

- Lot 1 DP 604570,
- part Lot 7022 DP 1050837,
- part Lot 7015 DP 1064316,
- part Lot 6, section 87, DP 758047 and
- Lot 5, section 87, DP 758047

The area on the western side of Hill Street is open space and comprises an area of approximately 0.69 hectares and can be described as follows:

- Lot 2, section 89 DP 758047, and
- Lot 15, section 89 DP 758047

Some of the adjoining land is also Crown land comprising the remainder of Reserve 84107 and other Crown land. The balance of Reserve 84107 is managed by Ballina Shire Council as the appointed corporate manager of the Ballina Coastal Reserve Trust. The land managed by Ballina Shire Council is not covered by this Plan of Management but is subject to the Ballina Coastal Reserve Plan of Management which was adopted by the Minister for Lands on 5 June 2003.



**North Coast  
Accommodation Trust**

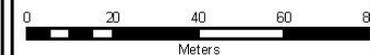
Red edge showing

**Shaws Bay  
Caravan Park**

Part Reserve 84107 for  
Public Recreation,  
Resting Place notified  
14 December 1962



Reduction Ratio 1:1,500



Projection: Transverse Mercator  
Zone: 56 Datum: GDA84  
Aerial Photography: LPI Orthoview  
Date of Photography: (undated)

Prepared by:  
Crown Lands Division, Grafton  
Date: 14/09/2010



Disclaimer:  
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**Figure 1 – Status Information with Respect to Land Referenced in this Plan of Management.**

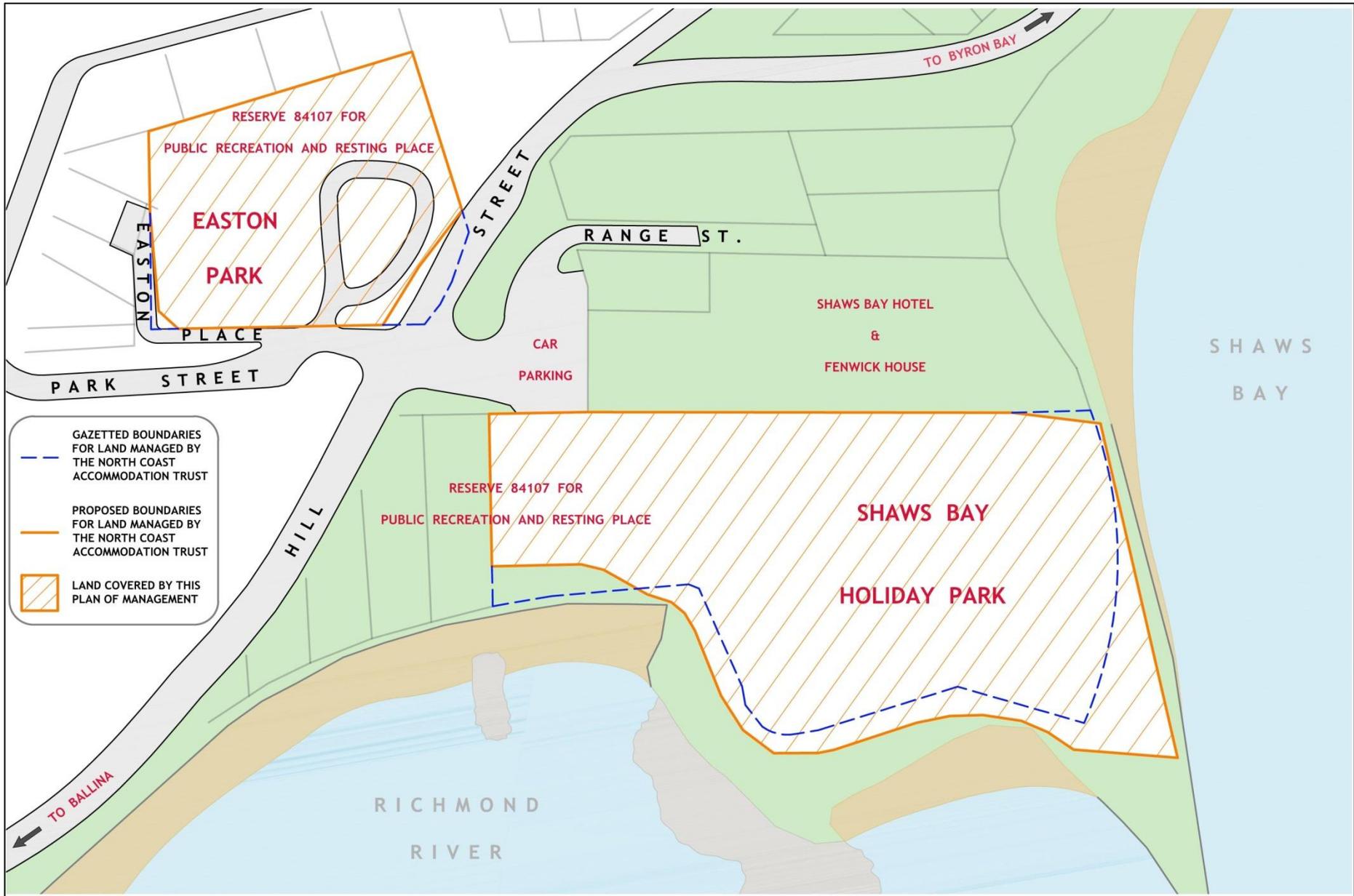


Figure 2 - Land Covered by this Plan of Management

The North Coast Accommodation Trust was appointed to manage the land in April 2010 and was replaced in May 2013 by the NSW Crown Holiday Parks Trust. It is noted that the land identified in the original gazettal of the appointment of the North Coast Accommodation Trust did not accurately represent the operational boundaries of the Holiday Park. Further, there are aspects of Council infrastructure that are within the boundaries of the Reserve. These anomalies will be corrected by way of boundary adjustments which have been agreed on the basis of consultation with Crown Lands and the Ballina Shire Council (see Figure 2).

### **1.3 Basis for Management**

The care, control and management of this part of Reserve 84107 is to be in accordance with the objects and principles of Crown land management described in Sections 10 and 11 of the *Crown Lands Act 1989* and the land management provisions of Part 5 of the Act. The land will therefore be used and managed in accordance with the following:

- The Plan of Management applying to the land;
- *Crown Lands Act 1989*;
- *Environmental Planning and Assessment Act 1979* and any planning instrument permitting the use of the land for a specified purpose or otherwise regulating the use of the land;
- *Local Government Act 1993*;
- *Residential (Land Lease) Communities Act 2013*;
- *Holiday Parks (Long-term Casual Occupation) Act 2002*; and
- The provisions of the *Local Government (Manufactured Home Estates, Caravan Park, Camping Grounds and Moveable Dwellings) Regulation 2005*;
- Any other relevant or applicable legislation.

The preparation of this Plan of Management has included, over a period of time, site inspections, consultation with the Trust, discussions with the caravan park manager, reviews of relevant Crown Lands reports, policies and data and reviews of relevant Council reports, policies and data.

### **1.4 North Coast Holiday Parks**

North Coast Holiday Parks is the trading name that has been adopted for the management and marketing of a number of caravan parks and reserves on the North Coast of New South Wales. A majority of these properties are managed by the NSW Crown Holiday Parks Trust which is a land management corporation established by the Minister for Lands under the provisions of the *Crown Lands Act 1989*.

While a key focus of North Coast Holiday Parks relates to the operation of caravan parks there is a range of wider land management responsibilities addressed. In this context the

operational and administrative framework of North Coast Holiday Parks has been structured to ensure;

- the Crown and the community assets are used in accordance with legislative provisions, policy goals and best practice commercial management;
- accurate information is available to the government on the performance of the Reserves and the caravan parks;
- financial and human resources are used efficiently;
- environmental impacts are minimised;
- probity is achieved in the operation of each reserve and/or caravan park;
- contractors and employees comply with established policies and procedures including legal requirements with respect to work health and safety, industrial relations, etc;
- the value of the assets of the community and the Crown are safeguarded and enhanced; and
- the administration and management of the Reserves and the associated commercial activities delivers ecological sustainability, intergenerational equity and identifiable public benefits.

### **1.5 Public Exhibition of this Plan and Submissions – also see Appendix B**

The draft version of this Plan of Management for Shaws Bay Holiday Park and adjacent land on the eastern and western side of Hill St, Ballina (part of Reserve 84107 for Public Recreation and Resting Place) was placed on public exhibition in accordance with the requirements of Part 5 of the *Crown Lands Act 1989* and the *Crown Lands Regulation 2006*. The exhibition period commenced on Monday 26 May 2014 and concluded on Monday 23 June 2014. In addition the Trust implemented the following actions;

- Individual letters were sent to major stakeholders advising them of the exhibition of the documents. The letter contained information on the Trust and on the process for making submissions and seeking further information from the Trust;
- Holiday van owners with sites in the Holiday Park were notified;
- A copy of the draft Plan of Management was provided to Ballina Shire Council along with a formal invitation to provide Councillors and Management with a briefing and to respond to any questions prior to the completion of the exhibition period; and
- The CEO and Trust staff met with Ballina Shire Council representatives on 1 July 2014 to discuss their submission. A number of the recommendations are based on Council's submission and the outcome of the meeting.

Nine submissions were received raising 56 individual issues. The issues raised have been summarised into 30 categories. The submissions received were dominated by Holiday Van owners and their representatives who accounted for seven (7) of the nine (9) submissions

and 48 of the 56 issues raised (86%). The two remaining submissions were from the Ballina Shire Council and NSW DPI – Fisheries.

In general a majority of submissions from holiday van owners were critical of the proposal to remove holiday vans and of any aspect the proposed upgrade that affected holiday van sites or reduced the number of sites. There was little or no recognition in the submissions on the legal terms on which their holiday vans are permitted in the park, and in some cases it is evident that there is a belief that some form of tenure or right to the site exists. The proposed changes will have a significant impact on holiday van owners, however, the loss of holiday van sites is as a result of location of infrastructure and the Trusts decision to free up holiday van sites for year round use as tourist sites. The removal of holiday vans does not preclude those families from continuing to stay in the park.

### 1.6 Changes to the Draft Plan

The following actions and amendments are proposed following consideration of the submissions.

Issue Category	Number of Submissions	Recommendation
Loss of public access / parking - entry precinct	3	1. Collaborate with Ballina Shire Council to maximise public and visitor parking in and adjacent to the park entry/forecourt area.
Redesign Park Entry Precinct	2	2. Prepare an alternative design for the entry precinct in consultation with Council to improve parking and traffic outcomes and allow installation of additional cabin accommodation in prime locations. The Draft Plan of Management be amended to include an alternative entry precinct arrangement as Option A and the exhibited design as Option B.
Object to loss of public access to foreshore	1	3. Identify in the Plan of Management drawings the location and type of fencing to be used to demonstrate there is no loss of public access to and along the foreshore.
Retain western precinct as public open space, not part of the holiday park	2	4. Collaborate with Ballina Shire Council to provide improved pedestrian connection between the park/shops/foreshore on the eastern side of Hill street and the western precinct, to achieve better utilisation of the additional parking spaces in this area.
Facilitate approved mullet haul commercial fishers access to beaches	1	5. Consult with representatives of commercial fishers as part of the detailed design for the entry precinct.

Matters related to changes to legislation and policies that have occurred since the Draft Plan was exhibited have also been updated along with typographic and other minor editorial matters.

The Submissions Report prepared by the Trust is included at Appendix B.

### **1.7 Purpose of this Plan**

The purpose of this Plan of Management is to establish objectives, environmental and management strategies and actions and identify the means the Trust will employ in the care, control and management of the Reserve to meet the needs and expectations of the local and wider community.

The most significant issues to be addressed in relation to the ongoing management of the Reserve and the Holiday Park are:

- Ensuring the improvement of the Reserve and the Holiday Park addresses all relevant requirements of the Crown Lands Act 1989;
- Conservation and appropriate management of items of heritage significance;
- Maintaining and improving the financial performance of the Holiday Park by expanding the range of accommodation provided and exploring market opportunities particularly in the shoulder and low seasons;
- Ensuring sustainability principles are incorporated into the development and management practices adopted for the Reserve and the Holiday Park;
- Ongoing compliance with the technical standards and other provisions of the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005*;
- Meeting the needs of guests through the provision of additional and improved facilities;
- Authorising boundary adjustments and subdivision to accurately define the areas managed by the NSW Crown Holiday Parks Trust and Ballina Shire Council in their respective roles as the appointed Trust managers of reserved Crown land and rectify anomalies with respect to the position of existing public infrastructure in relation to land boundaries;
- Improving the presentation, entry and site layout of the Holiday Park;
- Vegetation management;
- Storm water management;
- Security; and
- Appropriate risk management.

The management actions in this Plan of Management will be formulated to address and achieve the following;

- **Social equity** – decision making that leads to greater physical, cultural and financial access in the delivery of services and facilities;
- **Environmental quality** – using only the resources that are required to deliver facilities and services and improving overall physical amenity while reducing detrimental impacts on natural assets;
- **Economic prosperity** - promoting the development of jobs, business improvement and market growth in a sustainable manner; and
- **Corporate governance** – managing assets and resources in a way that is accountable, transparent, responsive, efficient, equitable and complies with all applicable legislation.

## 2. STATUTORY AND POLICY FRAMEWORK

### 2.1 Introduction

This Plan of Management has been prepared in accordance with the *Crown Lands Act 1989*, to provide a framework for the future management, use and development of reserved Crown land at Ballina including the Shaws Bay Holiday Park. Other legislation including environmental planning policies, guidelines and strategies also require consideration especially where any new development proposals are contemplated.

### 2.2 Crown Lands Act 1989

The objects and principles of Crown land management are listed in Sections 10 and 11 of the *Crown Lands Act 1989* and form the starting point for the preparation of Plans of Management. The principles of Crown land management are that:

- Environmental protection principles be observed in relation to the management and administration of Crown land;
- The natural resources of Crown land (including water, soil, flora, fauna and scenic quality) be conserved wherever possible;
- Public use and enjoyment of appropriate Crown land be encouraged;
- Where appropriate, multiple use of Crown land be encouraged;
- Where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained in perpetuity; and
- Crown land be occupied, used, sold, leased, licensed or otherwise dealt with in the best interests of the State consistent with the above principles.

The *Crown Lands Act 1989* and existing policy for the management of Crown land has always encouraged the appropriate commercial use of reserved Crown land. Commercial activity can meet the needs of public users of a reserve as well as generate the financial means to contribute to the general management and improvement of the wider Crown Reserve system. A specific requirement of the Act is the proceeds of commercial activities on reserved Crown land are to be spent on the management of reserved Crown land.

Part 5 of the Act deals specifically with the management of Reserves and matters related to the appointment and responsibilities of Reserve Trusts. The purpose of establishing reserve trusts is to allow reserved Crown land and potentially other land (Crown and freehold) to be managed - to varying degrees of independence from the State Government - but subject to Ministerial direction. "Reserve" is a term for an area of land set aside for a public purpose in the sense used in Part 5 of the Act. A reserve trust can manage an unlimited number of reserves or parts of reserves. The affairs of a reserve trust can be controlled by any one of the following:

- The Minister;
- A board of Trustees (up to seven) plus any number of ex officio appointments;
- A corporation (including a Council); or
- An administrator.

Reserve trusts have a statutory responsibility to manage land in the public interest and to achieve the Principles and Objects of Crown Land Management as defined by the Act. The focus of a reserve trust's activities in relation to land under its control is generally defined by the public purpose(s) of the reservation. Where a Plan of Management has been adopted by the Minister for Lands the trust is required to implement the actions described in the Plan. In the absence of a Plan of Management the detail of how a reserve is developed and used is a matter for the trust provided always its actions are consistent with the purpose of the reservation and in conformity with the relevant requirements of the Act. Money generated from commercial activities on the reserve must be spent on the management or development of the reserve although the Minister may direct that money is applied for the improvement of other reserves.

Provided a trust complies with legislative and policy requirements, there is no limit placed on the activities of a trust, its organisational structure or the method of its operations. But, the Minister has the statutory right to review a trust's behaviour and performance and may terminate a trust's appointment. The Minister can issue directions in relation to the functions of a reserve trust and how funds are employed in relation to debt and where the proceeds of a sale or lease are applied. A trust can employ its own staff, use contactors or enter into agreements with other entities, organisations and individuals to manage the land.

### **2.3 Ballina Coastal Reserve Plan of Management 2004**

The Ballina Coastal Reserve Plan of Management Plan was prepared in 2002/2003 and adopted in April 2004. The following is taken from page 5 of the Plan under the discussion of the Purpose of that Plan:

*“The primary objective of the Ballina Coastal Reserve Plan of Management is the rationalisation of all vacant Crown lands and existing Crown reserves into a single coastal Crown reserve for the notified purpose of Public Recreation and Coastal Environmental Protection with the appointment of Ballina Shire Council as Reserve Trust Manager.*

*The P o M has been prepared by DLWC in partnership with Ballina Shire Council through Council's Coastal Committee. The Committee was established in 1999 primarily to oversee development of the Plan and adopt as its terms of reference ‘.....to assist Ballina Shire Council in achieving integrated, balanced, responsible and ecologically responsible development of the Ballina Shire coast.’”*

The Shaws Bay Holiday Park was excluded from the Plan of Management, however, other portions of Reserve 84107 were included.

## **2.4 Environmental Planning and Assessment Act 1979**

The *Environmental Planning and Assessment Act 1979 (EP&A Act)* provides the statutory basis for the development consent process in New South Wales. Section 79C of Part 4 of the *EP&A Act* outlines the factors a Council must consider when assessing a Development Application. These include:

- any environmental planning instrument;
- any draft environmental planning instrument that has been placed on public exhibition and details of which have been notified to the consent authority.
- any development control plan;
- the Regulations;
- the likely impacts of the development, including environmental impacts on both the natural and built environment, and social and economic impacts on the locality;
- The suitability of the site for the development;
- any submissions made in accordance with the Act or the Regulations; and
- the public interest.

As the Reserve and the Holiday Park are within the coastal zone they are subject to a number of State Environmental Planning Policies. Depending on the detail of any proposed development the consent or approval authority may be the Ballina Shire Council, the Planning Assessment Commission, a Joint Regional Planning Panel or possibly the Minister.

## **2.5 Local Government Act 1993**

The *Local Government Act 1993 (LG Act)* contains many provisions that have an impact on the improvement and management of the Reserve as well as technical standards that apply to range of construction issues. Provisions of particular importance are the regulatory and approval requirements for the design and operation of caravan parks that flow from Section 68 of the Act. Section 68 requires the owner or manager of a caravan park to seek an approval from Council to operate a caravan park and, in certain circumstances, the prior approval for the installation of moveable dwellings. Council can impose conditions on the operation and structure of a caravan park. The standards for caravan parks are defined in the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005*. The standards address such planning standards as site types, setbacks, size, and site coverage, road dimensions, amenities and the like.

Clause 74 of this Regulation provides that the prior approval of a council is not required for the installation of a relocatable home or an associated structure on a dwelling site within a caravan park so long as it is designed and constructed in accordance with the requirements

of the regulations. This exemption is modified by sub clauses 6 and 7 which deal with installation on flood-labile land and moveable dwellings of more than one storey.

## **2.6 Holiday Parks (Long Term Casual Occupation) Act 2002**

The *Holiday Parks (Long-term Casual Occupation) Act 2002* and the associated Regulations set out the rights and obligations of long-term occupants of moveable dwellings in caravan parks in New South Wales. The Act recognises that while the occupant has a right to occupy a site there is no interest in the land. In essence, the Act provides for an occupation agreement, which runs for at least 12 months, between the manager of a caravan park and the owner of a moveable dwelling for the use of a site for tourist purposes.

Some of the principal issues addressed by the Act include:

- Information that a park owner must provide prospective occupants;
- The form and content of agreements;
- What happens at the end of an agreement;
- Occupation fees and charges;
- The formation and amendment of Park Rules;
- Dispute resolution mechanisms and the role of the Consumer, Trader and Tenancy Tribunal constituted by the *Consumer, Trade and Tenancy Tribunal Act 2001*; and
- The fate of abandoned goods (i.e. moveable dwelling) and sites.

The former Department of Lands introduced an Information Sheet on the creation of occupation agreements which provides policy guidance on the principles to be followed where Crown reserves are involved. The State Government Policy provides that agreements for sites on reserved Crown land must be limited to no more than 12 months. The Trust will administer holiday van occupancy agreements for sites in Shaws Bay Holiday Park in accordance with the Act and under the prevailing Departmental guidelines.

## **2.7 Residential (Land Lease) Communities Act 2013**

The *Residential Parks Act 1998* was developed by the Government to ensure the rights of permanent park residents and obligations of park owners were clearly defined and appropriate processes and procedures were implemented which recognised these rights.

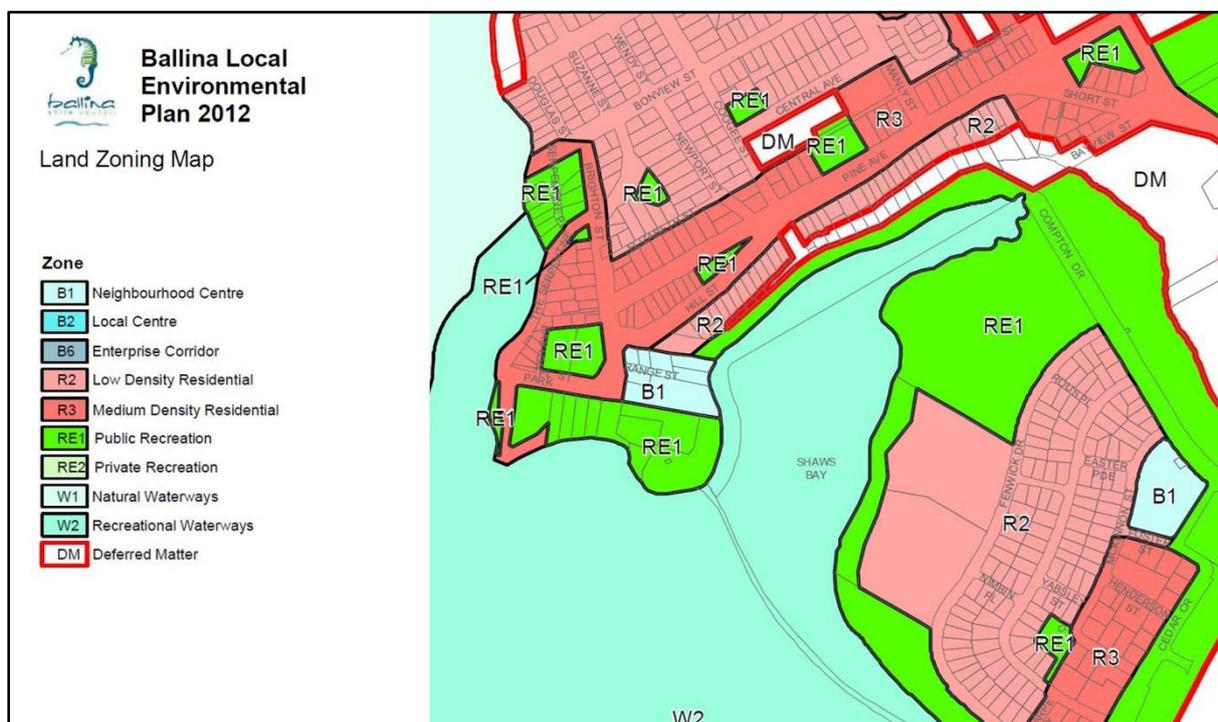
The Government has replaced the *Residential Parks Act 1998* with a new Act, including a new name, which responds better to the needs of both home owners and operators. The *Residential (Land Lease) Communities Act 2013* was passed by both houses of the parliament on 14<sup>th</sup> November 2013. The Act provides appropriate protections for home owners while recognising the needs of operators to develop and sustain efficient and effective business operations. Key reforms include:

- new rules of conduct for operators and sanctions for non-compliance;
- mandatory education for all new operators;
- a community-based approach to dealing with increases in site fees;
- improved processes for making, amending and enforcing community rules;
- new arrangements for disclosure of information to prospective home owners;
- and
- new rules to clarify and streamline the process for owners selling their home on site.

## 2.8 Relevant Environmental Planning Instruments

### Ballina Local Environmental Plan 2012

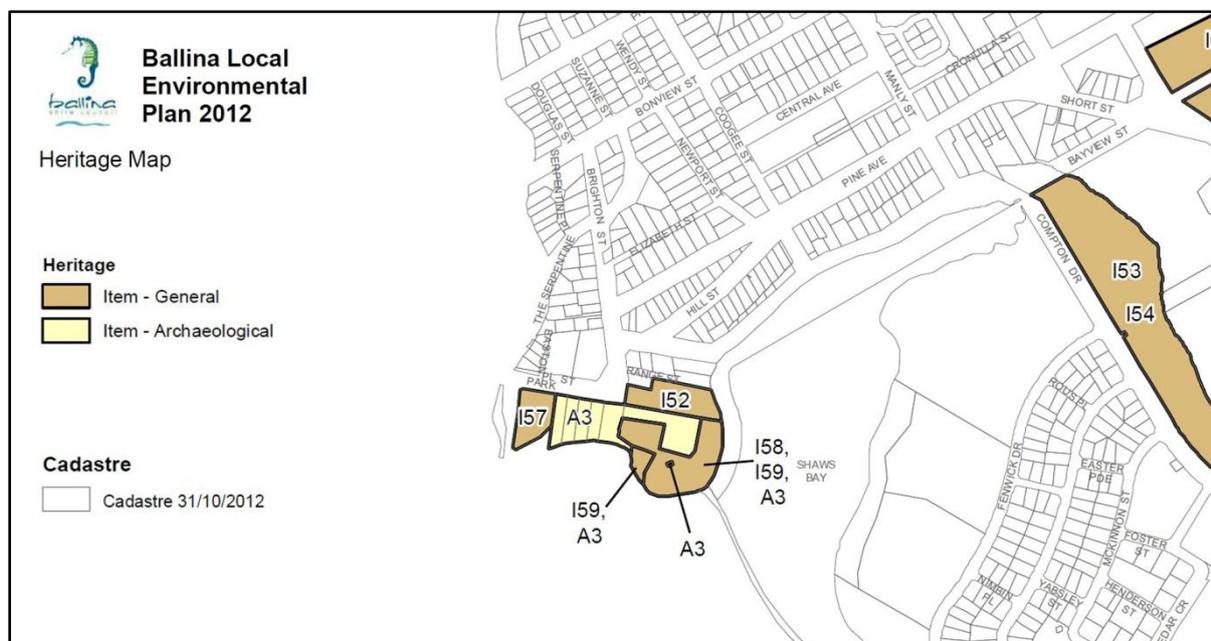
*Ballina Shire Local Environmental Plan 2012* was gazetted on 25<sup>th</sup> January 2013 and commenced on 4<sup>th</sup> February 2013. Under this instrument the land which is the subject of this Plan is zoned RE1 – Public Recreation Zone. Development for the purpose of a “caravan Park” is a permissible land-use in the zone with consent. The reserved land on the western side of Hill Street is also zoned RE1- Public Recreation. The zone permits a range of community, recreational and public open space uses with the consent of Council (see Figure 3).



**Figure 3 – Land Zoning** – Image compiled from published LEP 2012 mapping.

The land immediately to the north of the Holiday Park is occupied by Fenwick House which was constructed in the 1880’s. Under the LEP Fenwick House is listed as a local heritage item along with a number of other items in and adjacent to the Holiday Park. These include

the Pioneer Cemetery to the west, the former Laundry Building (in the Holiday Park) and the former Ambulance Station (in the Holiday Park). In addition the entire Holiday Park is within the Historic Shaws Bay Precinct which is listed as an Archaeological Site in Schedule 5, Environmental Heritage in the LEP – see Figure 4).



**Figure 4 – Heritage** – Image compiled from published LEP 2012 mapping.

### NSW Coastal Policy 1997

The *NSW Coastal Policy 1997* was released by the New South Wales Government to replace the 1990 Coastal Policy. The stated purpose of the Policy is:

*The main challenge for the Government and the community in the coastal zone is to provide for population growth and economic development without putting the natural, cultural and heritage values of the coastal environment at risk. In recognition of this challenge, the Coastal Policy incorporates the principles of ecologically sustainable development (ESD) into coastal planning. ESD aims to ensure that development occurs in such a way that the ecological processes on which life depends are maintained.*<sup>1</sup>

The definition of the coastal zone takes in areas within one kilometre of the ocean, as well as an area of one kilometre around coastal lakes, lagoons, islands, estuaries and rivers. The Policy is described as integrative based on the principles of ecologically sustainable development (ESD) and

- Conservation of biological diversity and ecological integrity;

<sup>1</sup> Coastal Policy, A sustainable future of the NSW Coast - Fact Sheet, 1997

- Intergenerational equity;
- Improved valuation, pricing and incentive mechanisms; and
- The precautionary principle.

The Policy sets out a hierarchy of goals, objectives and strategic actions which include an emphasis on improving water quality and maintaining public access to the coastline.

The Coastal Policy proposes a range of management planning approaches including catchment management plans be implemented in consultation with relevant agencies to ensure sustainable development and use of natural resources occurs in harmony with the protection of the environment. A Plan of Management under the Crown Lands Act 1989 is one of the most valuable management tools available to implement the Policy.

### **State Environmental Planning Policy No. 21 – Caravan Parks**

In 1986 the Government made changes to the prevailing legislation to allow both short-term and long-term accommodation to occur in caravan parks by way of moveable dwellings. This brought about a wider definition for caravan parks.

*State Environmental Planning Policy No. 21 – Caravan Parks (SEPP 21)* was prepared to ensure this wider meaning applied to all relevant planning instruments whether existing or proposed. In essence the SEPP stated that where caravan parks are a permissible land use they will take on this wider meaning.

In addition, the Policy makes development consent mandatory for all new caravan park proposals regardless of local instruments. Council's are also required to have regard to the impact of new long and/or short-term dwelling sites on residential and tourism land uses and operations in their local area.

A key element of the Policy is found in Clause 8, sub-clause (4A). The clause removes the effect of any other environmental planning instrument and the need for a development application with respect to the installation of moveable dwellings on land approved for use as a caravan park.

### **State Environmental Planning Policy No 71**

*State Environmental Planning Policy No 71 – Coastal Protection (SEPP 71)* was introduced in October 2002 as part of the NSW Government's Coastal Protection Package. *SEPP 71* applies to the coastal zone of the State as defined in the *Coastal Protection Act 1979*. The Policy gives statutory force to some of the elements of the *NSW Coastal Policy 1997* and makes the Minister for Planning the consent authority for certain developments. The Policy also defines a category of *sensitive coastal locations*. Finally, the Policy identifies master plan requirements for certain developments in the coastal zone.

While the policy primarily comes under consideration when a development application is submitted for determination the objectives and principles established in the *SEPP* should be recognised as relevant to any coastal planning exercise. The objectives of *SEPP 71* are:

- a) to protect and manage the natural, cultural, recreational and economic attributes of the New South Wales Coast, and*
- b) to protect and improve existing public access to and along coastal foreshores to the extent that this is compatible with the natural attributes of the coastal foreshore, and*
- c) to ensure that new opportunities for public access to and along coastal foreshores are identified and realised to the extent that this is compatible with the natural attributes of the coastal foreshore, and*
- d) to protect and preserve Aboriginal cultural heritage and Aboriginal places, values, customs, beliefs and traditional knowledge, and*
- e) to ensure that the visual amenity of the coast is protected, and*
- f) to protect and preserve beach environments and beach amenity, and*
- g) to protect and preserve native coastal vegetation, and*
- h) to protect and preserve the marine environments of New South Wales, and*
- i) to protect and preserve rock platforms, and*
- j) to manage the coastal zone in accordance with the principles of ecologically sustainable development (within the meaning of section 6(2) of the Protection of the Environment Administration Act 1991), and*
- k) to ensure that the type, bulk, scale and size of development is appropriate for the location and protects and improves the natural scenic qualities of the surrounding area, and*
- l) to encourage a strategic approach to coastal management.*

Clause 8 of the Policy establishes a list of the matters that a consent authority must take into consideration in assessing developments in the coastal zone.

### **State Environmental Planning Policy – Major Development and State Environmental Planning Policy (State and Regional Development) 2011**

*State Environmental Planning Policy (Major Development) 2005* commenced on 29<sup>th</sup> July 2005 and underwent a substantial revision which came into effect on 1<sup>st</sup> July 2009. Further amendments were made in 2011. The purpose of the Policy was to identify projects to which the development assessment requirements under Part 3A of the Act should apply and to set out the functions of Regional Planning Panels in determining specified development applications.

The changes which occurred in 2011 relate to the removal of Part 3A from the *EP&A Act* and consequently the *SEPP* now only contains some basic transitional provisions related to that

previous regime. *State Environmental Planning Policy State and Regional Development (SRD) 2011* commenced when Part 3A of the Act was repealed.

Among other things this Policy establishes what types of development constitute State Significant Development (SSD), State Significant Infrastructure (SSI) as well as Regional Development (in conjunction with Schedule 4A of the *EP&A Act*).

A review of the Policy highlights that for tourist caravan park development to be classified as State Significant Development the site has to be classified as a sensitive coastal location, the capital investment value of the work must be \$10 million or more and the facility must be considered to be a tourist related facility which is other than a 'commercial premises'.

The capital investment value for a project is determined to be the cost of establishment of the facility. In the case of a caravan park this value excludes components such as cabins. The facility comprises the creation of the infrastructure which includes the short term dwelling sites and all services but cabin accommodation is viewed as 'discretionary spending' as the sites can be utilised with or without cabins.

It is also possible proposed development work could constitute Regional Development. This occurs by way of Schedule 4A of the *EP&A Act* coupled with the provisions of the *SEPP*. The Schedule indicates that development with a capital investment value of more than \$20 million is classified as Regional Development and is determined by a Joint Regional Planning Panel. Similarly, a Crown Development (a particular type of development) having a capital investment value of more than \$5 million is classified as Regional Development and is determined by a Joint Regional Planning Panel.

The development program proposed as part of this Plan of Management for the Shaws Bay Holiday Park does not fall within the various provisions of the *State and Regional Development SEPP* outlined above.

### **State Environmental Planning Policy (Infrastructure) 2007**

*State Environmental Planning Policy (Infrastructure) 2007* provides that certain types of works do not require development consent under Part 4 of the *EP&A Act*. However, it does not prevail over *SEPP 14 – Coastal Wetlands*, *SEPP 26 – Littoral Rainforests* or *SEPP State and Regional Development* where there are inconsistencies. Further, the *SEPP (Infrastructure)* does not remove the requirement to obtain consent from the Minister in relation to State Significant Development.

Clause 20 of *SEPP (Infrastructure)* provides that a range of works are "exempt development" when carried out on behalf of a public authority. These works are itemised in Schedule 1 of the *SEPP* and include paths and ramps for disabled access, fencing, small decks, prefabricated sheds of up to 30 m<sup>2</sup> in area, retaining walls up to 2m in height, landscaping

including paving and access tracks, minor external and internal alterations to buildings, open car parks (size is not specified) and demolition of buildings covering an area of up to 100m<sup>2</sup>.

Clause 65 (2)(d) of the Policy provides that in respect of land reserved within the meaning of the *Crown Lands Act 1989*, development can be carried out without consent by or on behalf of the Director-General of the Land and Property Management Authority, a trustee of the reserve or the Ministerial Land Corporation, or an administrator of the reserve if the development is for purposes of implementing a plan of management adopted for the land. It should be noted that where this occurs, a review of environmental factors (REF) under Part 5 of the Act is usually undertaken.

Pursuant to the provisions of Clause 66(2) a number of additional works may be able to be undertaken as exempt development on a Crown reserve where a Plan of Management has been adopted.

Clearly the provisions of this *SEPP* are relevant to the future implementation of this Plan of Management as well as to the Trust's ongoing management of the Reserve lands.

## **2.9 Policies and Guidelines**

The following non-statutory policies and guidelines are relevant to the implementation of this Plan of Management. It is expected that the management of the Reserve will review policies and guidelines as they are updated or changed and will modify operational and development activities accordingly.

### **2.9.1 Sea Level Rise**

The NSW Government has in place a range of policies and programs that allow for ecologically sustainable growth in coastal areas while addressing the risk to life and property from coastal hazards and flooding.

In September 2012 the NSW Government made a number of significant changes to way in which the planning and development on the coast is managed. As part of the reform package the *2009 NSW Sea Level Rise Policy Statement* was withdrawn with a view to providing greater flexibility in considering local conditions in the determination of future hazards and preparing coastal management plans. The key components of the first stage of the NSW Government's coastal reforms have;

- Removed the recommendations in regard to statewide sea level rise benchmarks;
- Given support local councils in the determination and adoption of projections with specific relevance to the local conditions;
- Provided clarity with respect to the preparation and issue of Section 149 planning certificates; and

- Made it more straightforward for landholders to install temporary works to reduce the impacts of erosion.

In August 2010 the government also published a *Flood Risk Management Guide* and a *Coastal Risk Management Guide*. These documents have been prepared to assist local councils, the development industry and consultants to incorporate sea level rise planning benchmarks in risk management planning and risk assessments for new development. The Guides are to be read and applied in conjunction with existing relevant, manuals and policies.

Alterations and additions to existing buildings, construction of new buildings, installation of moveable dwellings and other works proposed within the Holiday Park will address the relevant and applicable recommendations of the above documents. In addition the Reserve Trust will be required to address emerging policy and regulatory provisions related to the impacts of climate change and sea level rise.

### **2.9.2 Crown Lands Caravan Park Policy**

In April 1990 the former Department of Lands issued the *Crown Lands Caravan Parks Policy*. The primary impetus for the creation of the Policy was to address issues of long-term residency, the numbers of holiday vans and to improve the appearance and management of caravan parks. The Policy establishes policies, objectives and strategies relevant to the future management and development of caravan parks on Crown land in NSW.

The objectives of the *Crown Lands Caravan Parks Policy* are:

- to develop a caravan park and camping ground system on Crown land which meets the needs of the community and provides a range of facilities for short-term use, long term use and camping.*
- to manage caravan parks on Crown land in an environmentally acceptable manner, to provide for the protection of important scenic, natural and cultural resources consistent with the objects and principles of the Crown Lands Act, 1989.*
- to ensure that caravan parks and camping grounds on Crown land are managed in a way that provides appropriately for the recreational and social needs of the community.*
- to encourage the entrepreneurial management of caravan parks on Crown lands in order to provide the community with an appropriate standard of facility and the government with an optimum financial return for the land it provides.*

It is clear, particularly from objective (d) above, the intent of the Crown Land Caravan Parks Policy is that there will be a commercial orientation in the management of Crown caravan

parks. However, this objective is one of a set of objectives of equal weight and therefore matters of environmental and community need must be addressed alongside financial considerations.

The policy for caravan parks on reserved Crown land is being reviewed by the Crown Lands Division of the Department of Trade and Investment. Recent assessment of the operation of caravan parks on Crown land has concluded little has changed in relation to the validity of the principles that shaped the 1990 policy, however, two further issues have emerged which are seen as adding weight to the position the Crown has consistently held;

1. Since 1990 the number of approved caravan parks in New South Wales has declined by around 10% with an accompanying reduction in the number of available approved sites; and
2. Demand for tourist sites in caravan parks has steadily increased.

Park management will need to address the requirements of the revised policy when it is finalised and adopted by Crown Lands.

## **2.10 Other Statutory and Policy Documents**

There are a number of other documents relevant to the ongoing management of the reserve that have been considered in the preparation of this Plan including;

- *Native Vegetation Conservation Act 1999;*
- NSW Estuary Management Policy;
- *Threatened Species Conservation Act 1995;*
- Disability (Access to Premises - Buildings) Standards 2010, *Disability Discrimination Act 1992*

## **2.11 Summary**

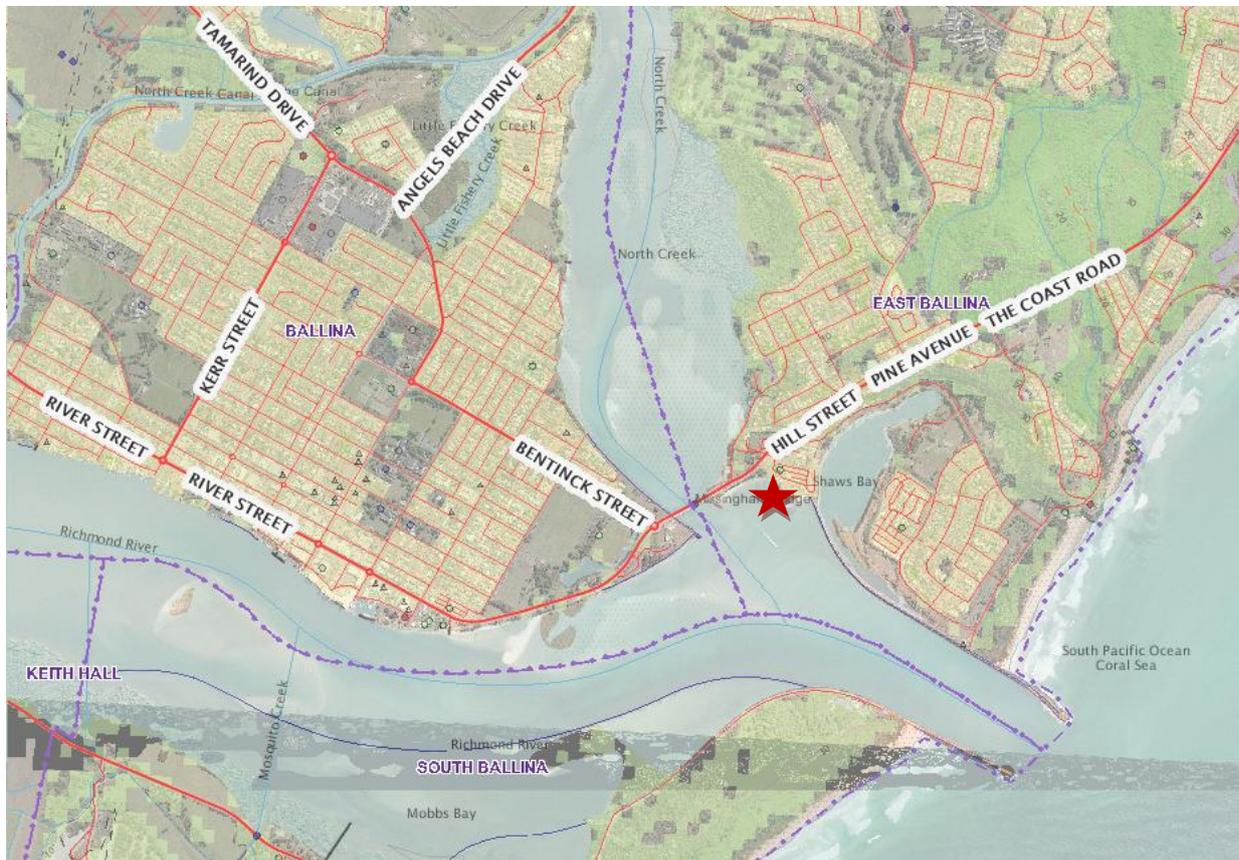
The management, operation and improvement of the Shaws Bay Holiday Park must take account of a range of statutory controls and policies. It is a fundamental requirement of this Plan of Management that the Reserve Trust Manager will comply with the requirements of applicable legislation, regulations, approvals and policies.

### 3. CONTEXT AND EXISTING DEVELOPMENT

#### 3.1 Location

The Shaws Bay Holiday Park constitutes a valuable community asset in its unique elevated position and bayside location. The Holiday Park and the adjoining public reserve are located approximately 2km east of the Ballina town centre on the northern side of the Richmond River estuary and on the coastal tourist route from Ballina to Byron Bay. Hill Street is located to the west of the Holiday Park and provides access to Brighton Street which then serves as the Park entrance.

The Reserved lands located to the west are also accessed from Hill Street by way of Park Street and Easton Place.



**Figure 5** The location of the Holiday Park in relation to Ballina town centre.

#### 3.2 Recreation and Camping at Shaws Bay

The land occupied by the Holiday Park and the adjoining foreshore areas have a long association with the leisure time pursuits of the residents of Ballina and visitors to the area. The natural assets of the location have always been in evidence. Over the years a variety of man made changes have occurred and features and facilities developed. In the early 1900's the areas around Shaws Bay were popular for walking and promenading. The need for

access for the construction of the breakwall resulted in the development of the first bridge across North Creek and this improved accessibility from the town. Quarrying to win basalt for the breakwall created a “pool” and its use for swimming was officially recognised by the Department of Lands in 1912.<sup>2</sup>

Records held by Council show camping occurred from as early as 1917. Each development brought more people to Shaws Bay. Council and private interests responded by steadily adding facilities to support and enhance the community’s enjoyment. Over the years these facilities included a kiosk, dressing sheds where in the 1950’s you could take a shower and dress in private for two pence, public toilets, a giant slippery slide, a dance hall known as The Waterfront and in 1958 a skating rink. The dance hall remained until it was demolished in 1966. It had become a popular tourist draw card, particularly in the 1930’s and 1940’s, bringing people from across the North Coast and further afield. In later years the kiosk was expanded and housed a restaurant known as the *Luana Room*. The building was demolished by Council in 2001 after it suffered severe storm damage.<sup>3</sup>

With such a variety of attractions the popularity of camping also increased. The former ambulance station and laundry are remnants from the period when the volume of visitors to Shaws Bay was at its peak. The ambulance station was constructed in 1941 and staffed during Christmas and Easter periods to treat the ills and injuries of campers and others who were there for holidays and enjoyment. The laundry serviced the needs of campers. *“The conservation of these buildings is made even more possible given their amenability to be adapted and re-used for the functioning of the caravan park.”*<sup>4</sup>



The Kiosk in 1960 at Low Tide (Courtesy Ballina Library)

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<sup>2</sup> The Hills Look Down to The Sea: A Thematic History of the Ballina Shire

<sup>3</sup> A Gourmet’s Guide to Lismore and District, Peter Tsicalas, 2008

<sup>4</sup> The Hills Look Down to The Sea: A Thematic History of the Ballina Shire

### **3.3 Management Precincts**

The existing and future management of the land included in this Plan of Management can be understood on the basis of management precincts which reflect the character of the existing use of the land as well as the longer term priorities for the management and improvement of the Reserve and the Holiday Park by the Trust.

#### **Western Precinct**

This Precinct provides passive open space to the community as well as informal use as a road side rest area. Park Street defines its southern limit. The adjoining lands are managed by Ballina Shire Council and include the Pioneer Memorial Park. In this way the Crown land areas to the west of Hill Street function to provide an essentially informal public open space character with an outlook over the river and to Ballina to the south.

#### **Holiday Park Entry Precinct**

This area takes in the western end of the Holiday Park and includes the road access from Hill Street, the public parking provided for day use and the Park entrance and management and administrative facilities (reception/office/residence). This Precinct is contiguous with reserved Crown land around the foreshore which is under the control of Ballina Shire Council. The lands managed by Council include the public toilet block located adjacent to the public parking area.

#### **Holiday Park Hillside Precinct**

The Hillside Precinct lies immediately to the east of the Entry Precinct and primarily provides tourist sites and cabin accommodation. Access from the Precinct down to the water's edge is available by way of Park roads as well as a system of pathways.

#### **Holiday Park Southern Precinct**

The Southern Precinct provides a number of recreational and communal facilities as well as management, maintenance and utility service infrastructure for the Park. It is based around the existing buildings which include the former Ambulance Station and the former Laundry which are listed local heritage items.

#### **Holiday Park Waterfront Precinct**

This Precinct lies to the east and south of the Hillside Precinct. It comprises short term dwelling sites arranged to allow for the enjoyment of the scenic values of the Reserve while retaining an appropriate distance from the water's edge to allow for continuity of the public open space system to the River foreshore.

### **3.4 Easton Park - Western Precinct**

The portion of the reserve on the western side of Hill Street, Lots 2 and 15, section 89 in DP 758047, rises to the west and north and adjoins residential development. Park Street provides access off Hill Street while Easton Place services the residential development beyond the western edge of the reserve. This elevated development looks out over The Serpentine to North Creek. Park Street also provides access to the Pioneer Memorial Park which includes the old cemetery. Residential development to the north of the reserve lands is accessed via Pine Avenue which is located to the north of Hill Street.

The portion of the reserve which is closest to and fronting Hill Street is much flatter. This area includes a small loop road which takes access off Park Street. It is understood that in the past this area included toilet facilities and has functioned as a road side rest and stopping point for travelers.

Apart from this loop road there are no other improvements to this portion of the reserve and it is largely given over to grass and some trees in selected areas and is known as Easton Park. Four car parking spaces are located at the western edge of the reserve and can be accessed from Easton Place.

### **3.5 Shaws Bay Holiday Park**

The topography of the Holiday Park falls generally to the south and east which provides outstanding views across the River and the Bay. The existing layout of the Park is shown in Drawing SB-01.

#### **Access and adjoining land use**

Access to the Holiday Park is via Hill Street off a well patronised public parking area, commonly used by recreational fisherman, people accessing the foreshore pathway and travellers passing through and using the public amenities. Most of the area of this public parking is under the management control of the NSW Crown Holiday Parks Trust.

Adjoining the Park to the north is the historic Fenwick House which was built in the 1880's and the Shaws Bay Hotel. Fenwick House is now managed and operated as part of the Shaws Bay Hotel. A large parking area is located in front of the Hotel with a small take away shop located on the northern side of the car park.

#### **Approval to Operate a Caravan Park**

The Section 68 Approval for Shaws Bay Holiday Park provides for a total of 104 dwelling sites comprising 4 long term sites, 98 short term sites and 2 camp sites. On a day to day operational basis 100 sites are in use. The Holiday Park has an AAAT rating of 3 ½ stars with some of the on-site cabins holding a 3 ½ star rating and others a 4 star rating. A copy of the Section 68 Approval for the Holiday Park is included in Appendix A.

## **Services**

All essential services are available to the Park although the condition of and location of parts of the reticulation systems within the Park is not well documented.

Some of the roads within the Park have been upgraded in recent years and provide for reasonable vehicular movement. However, there are sections of the Park's road network which make it difficult for larger vehicles, motorhomes and large caravans to manoeuvre especially during peak visitation periods.

### **3.5.1 Entry Precinct**

The dual use of the public car park and the Park Reception forecourt means it is difficult to achieve a clear sense of arrival to the Holiday Park. Confusion can easily arise for public users of the car park as well as caravan park patrons. Five parking spaces are provided for Park visitors adjacent to the Reception entrance, however, it is unclear whether these are available for public use or only for Holiday Park guests.

There is some potential for larger motor homes and vehicles towing caravans to pull over adjacent to the entry road near the boom gate but because this location is beyond the office and within the Park it is not clear to arriving guests. Consequently during peak periods the entry area can become congested which causes difficulty for general vehicular movements, use of the public car park and management of the arrival and departure of guests.

The Park reception building (also the manager's residence) has frontage to the public car park, is well shaded by large trees and is appropriately landscaped. The trees have been inspected and assessed by qualified arborists and unfortunately the health of these mature figs is in significant decline due to their poor tolerance of the saline conditions at Shaws Bay, soil compaction and insect attack. A ramp to the Reception Office ensures it is accessible to visitors with mobility constraints, wheelchairs and prams, although the internal area of the office is limited and as a result is not entirely functional.

### **3.5.2 Southern Precinct**

This area has frontage to the foreshore open space and has an excellent outlook across the Richmond River estuary. The Precinct is given over to utilitarian functions which make limited use of the intrinsic character of the land and its position. The Precinct is dominated by four existing buildings of disparate design which are close to but fenced from the foreshore public walkway;

- The largest of the Park's two amenity blocks which is becoming expensive to maintain and no longer delivers the quality of facilities that are expected in a contemporary coastal caravan park;

- The former Ambulance Station which functions as a Games and TV Room together with some general storage space;
- A brick garage which is used for storage; and
- The Laundry and Camp Kitchen.

There is a children's playground adjacent to the Laundry. Other spaces in and around these buildings are used for clothes lines, garbage collection, LPG Gas bottles and other maintenance items. A sewer pump station which services the Holiday Park and the surrounding area is also located adjacent to these buildings.

The former Ambulance Station and the Laundry/Camp Kitchen are listed as local heritage items and were constructed to support the earlier use of the land for camping. The Ballina Local Environmental Plan 2012 identifies and lists the buildings and as a consequence the Trust has a responsibility to preserve the integrity of their historic significance. In this regard the Trust commissioned the preparation of a Conservation Management Plan to identify appropriate adaptive re-use and correctly address future use and maintenance in the context of the ongoing operation of the Holiday Park. As such works will be carried out on identified structures and buildings in accordance with the recommendations of the plan.

### **3.5.3 Hillside Precinct**

The northern edge of the Precinct is defined by the boundary with Fenwick House and the Shaws Bay Hotel. The eastern edge is defined by a rock retaining wall with a change of level in the order of 3 metres down to the Waterfront Precinct.

The Hillside Precinct supports 67 short term sites and one long term site. Sites are serviced by the amenity block in the Southern Precinct and by a two storey amenity block at the eastern end of the Precinct. The two storey block straddles the Hillside and the Waterfront Precincts but only provides toilets. Again the quality and number of facilities provided is not commensurate with the expected standards for a contemporary Holiday Park and with its current form and finishes the building is expensive to maintain. A small covered barbecue with picnic table and seating is located adjacent to the amenity block within the Hillside Precinct. This is the only barbecue facility in this part of the Park. While the position has an attractive outlook it is unfortunately adjacent to the Park's sullage dump point.

There are 10 units of self contained cabin accommodation generally located on the southern side of the Precinct with views over the River. A number of cabins provide 2 bedrooms and accommodate up to 5 people. The newest cabins are in the order of five years old and are satisfy the higher end of the market with quality fit-out and furnishings and a four star AAAT rating.

The remaining 58 sites are powered and two have concrete slabs. Three sites are occupied by holiday vans. A number of sites back onto the fence line between the Park and the car

park of the Shaws Bay Hotel and are affected by car park noise and activity through the day and night. As a result these sites have lower occupancy rates.

### **3.5.4 Waterfront Precinct**

There are 31 sites in the Waterfront Precinct. Fourteen sites are powered and have concrete slabs and are in high demand due to their uninterrupted views of Shaws Bay and the Richmond River. Seven sites are occupied by holiday vans with the remaining site occupied by a long term resident. These sites are serviced by the lower level of the two storey amenity and by the amenity block in the Southern Precinct. There are no barbecues or other ancillary facilities in the Precinct. A low, black wire fence bounds the entire Waterfront Precinct and generally follows the alignment of the public foreshore walkway.

## **3.6 Strategic Assessment**

### **3.6.1 Easton Park**

These lands have for some time been maintained and used as public open space and also function as an informal rest area for travellers. Other uses are possible for this area subject to consistency with the intent of the land use zone and any applicable approvals and controls. Future use of the Reserve in relation to the requirements of the Holiday Park may emerge as demands on the existing Holiday Park increase. At this stage it is evident there are no particular requirements for additional or different facilities to be developed.

The Trust may require part of the reserve for future Holiday Park related uses such as car parking and signage. The ongoing maintenance must ensure matters such as drainage, vegetation management, rubbish removal and maintenance of signage related to the Holiday Park are appropriately addressed.

### **3.6.2 The Holiday Park**

The following assessment of the Shaws Bay Holiday Park summarises the main issues requiring consideration and has been used to identify actions and priorities required to ensure the long term commercial viability of the caravan park, address key compliance and operational issues and ensure environmental considerations are adequately addressed. The points have not been ranked and therefore do not indicate an order of priority.

#### **Strengths**

- Elevated and protected bayside and waterfront location provides guests with attractive views and an excellent place for an affordable holiday;
- Proximity to shops, hotel and other facilities;

- Proximity to the calm waters of Shaws Bay and the Richmond River estuary provides excellent opportunities for swimming, kayaking, fishing and other water based recreational activities;
- The Park is connected by a public pathway to a large children's playground and skate ramp on the southern side of the Missingham Bridge and to the Ballina town centre;
- The terraced sloping nature of the land enables most sites to take advantage of the elevated location;
- Some existing recreational facilities - Games Room, Camp Kitchen & Playground;
- The Park is on the main coastal tourist road from Ballina to Byron Bay and is easily accessed from the Pacific Highway. As such the location can attract casual check-ins as well as those who have booked ahead;
- Short drive to excellent surfing beaches including Angels Beach, Shelley Beach and Lighthouse Beach;
- Ballina is an established and recognised tourist and holiday destination;
- Access to the Park is controlled by boom gates at the entrance and exit;
- The Park has an established clientele and a strong cash flow; and
- Some of the cabin stock is relatively new and attract good occupancy rates.

### **Weaknesses**

- The amenities and other service buildings occupy some of the best land in the Park which could be better utilised;
- The internal fit-out of the shower and toilet amenities is not of the standard to enable an upgrade of the park's AAA rating from 3½ to 4 stars;
- The only barbecue facility is small and located adjacent to the sullage dump point;
- The sites occupied by Holiday Vans are in prime positions for tourist use and detract from the tourist orientation of the Park;
- A sense of arrival to the Park is difficult to achieve with the multiple functions of the areas at the Park entry;
- Dedicated parking for patrons checking in and out of the Park is in short supply in peak visitation periods;
- The lay-by areas near the entry for larger motor homes and vehicles towing caravans and boats are poorly positioned;
- The sewer pump station is located in the middle of a large open grassed area with no landscaping or screening treatment to soften the impact;
- The sites situated on the Hilltop adjoining the Shaws Bay Hotel car park can be affected by Hotel noise and car park disturbances and as a consequence have lower occupancy rates;
- Some internal roads are very narrow and traffic patterns can be challenging for guests towing larger caravans and recreational vehicles;
- Many sites are too small to accommodate contemporary caravans and camper vehicles and as a result adequate on-site parking is also difficult to provide; and

- Some of the existing Holiday Park development is outside the gazetted boundaries of the land managed by the NSW Crown Holiday Parks Trust.

## **Opportunities**

- Reduce the number of sites occupied by Holiday Vans to make additional sites available for year round tourist use;
- Introduce cabin accommodation that complies with requirements for disabled access;
- Reorganise the use of buildings and spaces to take better advantage of the prime location;
- Explore the adaptive re-use of the former Ambulance Station and Laundry to provide a guest lounge for Holiday Park patrons and a café/kiosk for guests and members of the public;
- Alter and renovate the existing two storey amenities to create a new Camp Kitchen on the upper level and improved ablution and laundry facilities on the lower level;
- Improve the children's playground area by adding seating, landscaping and shaded areas for children and carers;
- Implement a comprehensive approach to landscaping to provide better integration of the Holiday Park and the foreshore open space;
- Increase the number of sites with slabs for caravans;
- Improve the configuration of public parking, arrival bays and guest parking at the entry together with clear signage to clarify the situation for people arriving at the Park and for people accessing the foreshore public open space; and
- Implementation of strategies for promotion to expand market penetration.

## **Constraints**

- The initial and ongoing cost of improvements will be significant;
- The Reserve is identified as an Archaeological Site and the former Ambulance Station and the former Laundry are listed local heritage items;
- The Park is in a prominent coastal location and future improvements must be designed to adequately address coastal planning issues;
- Failure to address some of the basic presentation issues that can be easily and economically addressed;
- The relatively small land area of the Park limits the capacity to provide additional guest facilities and any further increase in facilities may require a reduction in the total number of sites for tourists;
- Planning priorities of relevant government instrumentalities; and
- Requirements of coastal planning legislation and policies.

### 3.7 Tourist Economy in NSW

**NSW 2021** is the Government's 10-year plan to rebuild the economy, provide quality services, renovate infrastructure, restore government accountability and strengthen our local environment and communities. Among the priorities for action in NSW 2021 tourism is identified as having a high potential for growth, with a key goal being **'to increase tourism in NSW with double the overnight visitor expenditure by 2020'**.

The recently released Visitor Economy Action Plan<sup>5</sup> outlines a number of key priority actions required to enable the achievement of the goal. A number of immediate actions outlined in the plan are pertinent to the supply of tourist accommodation and other visitor economy related facilities on Crown land. These include improving planning processes to encourage quality and appropriate accommodation on Crown land in locations of high natural amenity (Action 35D) and identifying and releasing land for visitor economy purposes (Action 6C).

The Plan also advocates the implementation of Destination Management Planning to enable a coordinated approach to addressing demand and supply, and policy and planning issues including infrastructure requirements and the role of Crown land within the identified zones (Action 18A).

In this context the Reserve Trust has a responsibility to respond to tourism demand and to be aware of the dynamic character of the tourist marketplace in the State and in the region.

### 3.8 Caravan Parks on Crown Land

In New South Wales there are approximately 900 caravan parks, camping grounds and primitive camping grounds of which about 30% are on Crown land managed by the Crown Lands Division of the Department of Trade and Investment. Caravan parks on Crown land supply a disproportionately large component of the available sites for tourists in New South Wales and occupy some of the State's premium tourist accommodation locations. Over the past 20 years the number of caravan parks in New South Wales has declined by about 10%. In the coastal zone there is often development pressure on existing caravan parks on freehold land. In many instances the strategic value of the land has increased resulting in re-zoning and re-development for residential or other forms of commercial and tourist land-use.

The number of tourist sites in the remaining caravan parks is also decreasing. Most parks were originally developed in the 1960's and 1970's. The design parameters from that time are no longer appropriate for many contemporary vans, 5<sup>th</sup> wheelers, motor-homes, cabins or even large tents. As a consequence the redesign and improvement of caravan parks to meet current and future consumer expectation can result in reductions in the total number

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<sup>5</sup> Visitor Economy Action Plan, Visitor Economy Taskforce, DestinationNSW, June 2012

of sites in any given park. At the same time there has been significant growth in the caravan, camper trailer, campervan and motor-home marketplace.

The provisions of the Crown Lands Act 1989 establish objects and principles which require Crown land to be managed for the benefit of the entire community. Reserved land is specifically set aside for the ongoing benefit of the people of New South Wales. As a consequence the development operation and management of caravan parks on Crown reserves must recognise that imperative. In this context there is a responsibility on the part of Reserve Trust Managers to optimise the supply of sites for tourist use. In these circumstances it is very difficult to sustain a sound business argument in support of holiday van occupancy as an essential income source on land reserved for “public recreation”.

### **3.9 Summary**

The reserved lands on the western side of Hill Street should be maintained in their current form and state until such time as preferred potential uses are identified. In this respect these lands do not require extensive consideration in this Plan of Management.

The Shaws Bay Holiday Park is an important tourist resource with a long history in the provision of holiday opportunities for visitors to Ballina. Shaws Bay is not a large Park when compared to others in the region, however, improvement to the Park’s facilities and accommodation will enable greater engagement with and benefit to the local community as well as provide an affordable holiday destination for its patrons. While the site topography is challenging more can be done to ensure the existing development is improved in a way that recognises the environmental and scenic significance of the Reserve and the location. This context provides a sound financial, administrative and management base from which to further improve the Park and enhance its financial contribution to the improvement and management of reserved Crown land.

A key issue to be addressed at an early stage in any improvement program is the layout and functionality of the entry forecourt. In particular there is a requirement to resolve the allocation of specific areas for guest check in and day use parking. A related matter is the area of the Park Reception and Office which needs to be increased to improve efficiency and functionality for required guest and Park management activities. The existing fig trees at the Park entry have been assessed and will need to be replaced as tree health declines.

Within the Park there is a need to change the alignment of sections of road in the Hillside Precinct to improve accessibility for larger vehicles and caravans and increase the area of a number of existing approved sites. These works are essential for the safe movement of vehicles but will result in a reduction in the number of sites provided in the Park. Given the high occupancy rates and the demand for powered tourist sites the continued allocation of sites for occupation by holiday vans cannot be justified.

The condition, design and location of existing amenities suggest a requirement for the development of new facilities that adequately reflect the quality and potential of the location and address the expectations of guests.

The capacity for the Shaws Bay Holiday Park to grow its clientele and achieve consistent income growth in the future will be constrained by a lack of ancillary facilities that could enable expansion of the Park's market targets. Rationalisation of the functions currently accommodated in the Southern Precinct has the potential to allow for the development of additional and improved ancillary facilities for guests. The former Ambulance Station and Park Laundry are suitable for adaptive re-use that recognises and conserves the historic values and characteristics of the buildings. Given the popularity of the Holiday Park and the foreshore open space the Trust should investigate the economic viability of re-establishing a café and kiosk for the enjoyment of visitors to the area.

The juxtaposition of day use and holiday accommodation creates some land management issues that should be addressed by the Trust in consultation with the Council so as future development and management can move forward with clarity and consistency.

**The following Sections describe objectives, strategies and actions required to address these and other essential issues.**

## 4. VISION AND OBJECTIVES

### 4.1 Introduction

In the first instance this Plan of Management recognises the Vision Statement for the Ballina Coastal Reserve Plan of Management which is:

***To provide a living and working example of a coastal reserve that successfully integrates conservation and managed human activities within its boundaries.***

The Ballina Coastal Reserve Plan of Management was formally adopted in 2004 and applies to parts of Reserve 84107 for Public Recreation and Resting Place which are managed by Ballina Shire Council and adjoin the land covered by this Plan of Management. The vision clearly seeks to provide a balanced response to conservation imperatives as well as the management of human activity.

Consistent with this clear goal, the approach which has been adopted for this Plan of Management for Shaws Bay Holiday Park is based on the following actions and initiatives:

- Ongoing management of environmental and heritage issues;
- Upgrading of recreation areas and facilities;
- Improvements to tourist accommodation facilities; and
- Improved income generation to support ongoing effective management of reserved Crown land.

These outcomes will be achieved through the implementation of a specific Vision Statement supported by appropriate management objectives, strategies and actions. The structure of the action plans will allow the Trust to be responsive to economic factors, new information, and social and technological change.

### 4.2 The Vision Statement

The specific Vision of the NSW Crown Holiday Parks Trust in managing this part of Reserve 84107 including the Shaws Bay Holiday Park will be:

***To promote, encourage and provide for the use of the Reserve by providing recreational and tourist facilities which meet the current and future needs of the community while conserving, maintaining and improving the natural, cultural and scenic environment of the Reserve.***

### 4.3 Objectives

The Vision for the Shaws Bay Holiday Park will be implemented in conformity with the following specific objectives:

Regulatory Compliance	To ensure the Holiday Park complies with all applicable statutory standards.
Health Safety and Risk Management	To provide and maintain facilities in a manner which minimises risk to caravan park users and park management and promotes a healthy lifestyle.
Business Management	To maintain a management and operational structure which ensures commercial viability, promotes timely and responsible decision-making, and is responsive to environmental, legal, social and technological imperatives.
Environmental Management	To ensure the natural and cultural environment and heritage values of the Reserve and the Holiday Park are managed, conserved and protected in accordance with all relevant legislative requirements and principles and for the enjoyment of guests.
Sustainability	To ensure principles of ecological and environmental sustainability are incorporated in the design and management of the accommodation, facilities and infrastructure within the Park with the ultimate goal that resources are used efficiently throughout their lifecycle and to meet the needs of the community.
Facilities for Management and Guests	To optimise the recreational and tourism potential of the Holiday Park and the Reserve consistent with principles of ecological sustainability while improving presentation and management facilities and providing a range of recreation and communal facilities for guests and where appropriate facilities for general public use.
Tourist Sites and Accommodation	To optimise income to the Holiday Park by providing a range of quality tourist accommodation including opportunities for family and traditional camping within the bounds of ecologically sustainable development.

Integrated Land  
Management

To promote and assist integrated coastal land management associated with the use of the Reserve and Shaws Bay Holiday Park.

In the development, improvement and management of the Shaws Bay Holiday Park the Reserve Trust will adopt sustainability principles and recognise the need for:

- (a) conservation of energy and reduction in carbon dioxide emissions,
- (b) building materials and building processes that involve low embodied energy;
- (c) building design and orientation that uses passive solar design, day lighting and natural ventilation;
- (f) energy efficiency and conservation;
- (g) water conservation and water reuse;
- (h) waste minimisation and recycling;
- (i) the use of landscaping to provide shade, shelter and screening; and
- (j) potential for adaptive reuse of structures and materials.

## 5. PROPOSED HOLIDAY PARK IMPROVEMENT PROGRAM

### 5.1 Introduction

Inspection and analysis of the Shaws Bay Holiday Park has resulted in identification of a range of desirable improvements, facilities and accommodation products which are required if the Park is to optimise its financial potential. Proposed improvements need to be assessed against their potential to enhance future financial and land management outcomes for the Reserve and its contribution to the community and the management of reserved Crown land. In formulating a practical development and improvement program, a number of factors have been considered including;

- Safety, security and regulatory compliance;
- The principles and parameters established in relevant legislation and policies of the New South Wales government;
- Potential to achieve environmental objectives;
- Potential to improve visitor amenity;
- Potential to generate income and profit;
- Potential to improve the day-to-day management of the Holiday Park and the interface with public access to and enjoyment of the adjoining reserved land; and
- Cost and contribution to the local economy.

Given budgetary constraints and operational considerations any program will, of necessity, take a number of years to implement. In terms of the future financial performance of the Shaws Bay Holiday Park the proposed improvement program has been formulated with four principal aims;

- To achieve a correct balance between responsible land management and achieving appropriate financial outcomes from a business enterprise on reserved Crown land;
- To recognise the heritage significance of the land and some of the existing buildings so as the future management and improvement of the Park conserves the essential characteristic and qualities of those features;
- To enable Shaws Bay Holiday Park to capture a fair share of the existing overnight tourist visitation to the region at tariff levels appropriate to the quality of the location; and
- To provide Shaws Bay Holiday Park with the opportunity to capture new visitation from recognised growth areas in the caravan park and tourist accommodation marketplace.

## 5.2 Proposed Improvement Program

The proposed program for the Park has been structured to build on existing strengths and attractions. There will be some redesign and redevelopment of the layout of parts of the Park road system. The structure of the program is designed to bring improvements on-stream in a way that will progressively enhance the income earning capacity and profitability of the business. Works will be undertaken within the context of an operating business environment and will be programmed for the period from May to November each year. While this will minimise the adverse impact of construction activity on occupancy rates and financial performance it is a significant restriction in terms of timing and planning.

Item	Stage 1	Stage 2	Stage 3	Stage 4
Entry forecourt and day use parking				
Storage and Maintenance Compound				
Renovate and Extend Reception				
Road-works at Entry and in the Hillside Precinct				
Fencing				
New Site and Service Upgrades				
Demolish Main Amenities				
Reconstruct Rock Retaining Wall				
Renovate and Upgrade Eastern Amenities and Construct Camp Kitchen/Lounge to Upper Level				
Install New Amenities				
Install New Cabins including Accessible Cabin				
Former Ambulance Station – adaptive re-use				
Former laundry – adaptive re-use to kiosk/cafe				
Small Amenities in Southern Precinct				
Playground				
Swimming Pool and Surrounds				

## 5.3 Improvement Plan – see Drawings SB-02, SB-03 and SB-04

The proposed improvements for Shaws Bay Holiday Park have been formulated to create a holiday experience that is directly linked to the intrinsic features and character of the reserve. The proposed works involve a number of changes to the Park to respond to the environment and the setting as well as current and future marketplace demands.

Business and management due diligence requires the investment process for Shaws Bay Holiday Park is subject to regular review with each area of expenditure implemented only after an assessment of the results achieved from investment in the previous year. The exact detail and timing of implementation may vary as a consequence of the review process.

The proposed changes will create a Park layout with a reduced number of better performing sites. It is anticipated there will be a total of 74 dwelling sites. Two of these will be long term sites and at least twelve will support cabin accommodation. The remaining sites will be available for drive on tourist use and will be serviced with power, water and sullage.

Most importantly the detailed design for each Precinct will ensure there is no loss of public access to the foreshore with fencing being installed only to the extent required to establish boundaries and facilitate appropriate management of the Holiday Park for the enjoyment of guests.

## **5.4 Proposed Improvements to Shaws Bay Holiday Park**

### **5.4.1 Western Precinct**

There are no specific improvements proposed for this precinct in the immediate term, and the area will continue to be used as an informal roadside rest area. Bollards or car barriers may be installed to formalise the provision of car parking to cater for overflow from the Holiday Park or day use reserves. Signage will be installed relating to the Holiday Park. Subject to the agreement of the Crown the boundaries of the Reserve will be adjusted to take account of the position of existing Council infrastructure, comprising part of Hill Street and part of Easton Place, which has been constructed within the boundary of the Reserve.

### **5.4.2 Entry Precinct**

A range of changes will be implemented to achieve a clearer arrival process for Park guests and improve operational efficiency. The entry forecourt will be re-organised to create a new lay-by space for incoming guest vehicles and caravans with clear definition between the areas associated with the operation of the Holiday Park and those related to day use and access to the foreshore. Replacement car parking spaces for day visitors will be created on the western side of the entry forecourt and to the north of the existing public amenities block. The detailed design of the Park entry and exit points will be modified in conjunction with these changes and boom gates will provide appropriate security for Park residents, guests and management. A new section of road will be constructed on the eastern side of the office and manager's residence to provide more straightforward access to sites in the Hillside Precinct. Holiday Park and Café signage will be installed in the entry precinct.

A new storage area and maintenance compound will be developed adjacent to the northern boundary and close to the manager's residence. These functions are currently located within the Southern Precinct and occupy land that should be allocated to recreational facilities and amenities for guests. In conjunction with these changes the office, reception area and manager's residence will be upgraded to provide appropriate space for staff and equipment and for more efficient management of guest arrivals and departures.

Two Options have been considered for the detailed design of the Entry Precinct and are illustrated in Drawings SB-02 and SB-04. Both plans propose what is essentially the same approach to the improvement of the Hillside, Southern and Waterfront Precincts. In finalising the detailed design for the entry the Trust will consult with representatives of commercial fishers to ensure appropriate provision is made to address access requirements.

**Option B which is shown in Drawing SB-02** provides a solution that endeavours to retain a substantial proportion of the existing development at the entry to the Holiday Park. This allows for a moderate increase in the supply of public parking within guest arrival and departure parking largely occurring within an area that is shared with day visitors who are not staying in the Park. Although this is the less expensive option it does involve some compromise.

**Option A which is shown in Drawing SB-04 is the preferred** solution because it provides for a greater number of parking spaces for public use including five(5) spaces which will be close to the proposed café. In addition this design provides for a more conventional arrival and departure arrangement with a better relationship to the reception, office and manager's residence. Importantly this will also provide greater separation between holiday park and day-use traffic movements. Three of the five existing fig trees at the entry will be required to be removed to construct the proposed roads and lay-bys. As noted previously all of these trees are in severe decline due to exposure to salt laden winds, soil compaction and insect attack. The work will be undertaken on the basis of a comprehensive vegetation management plan prepared by a qualified arborist with every effort made to extend the life of the remaining trees. There will also be a compensatory and replacement planting program which will focus on the locally occurring native species of Tuckeroo.

Minor adjustments will be made to the boundary between the reserved land managed by the NSW Crown Holiday Parks Trust and Ballina Shire Council to correctly define the areas managed by the respective Trusts. Subject to the agreement of the Crown the boundary of the reserve will be adjusted to resolve encroachments.

**The detailed design resolution for Option A will be undertaken in consultation with Council with the aim of arriving at acceptable solutions for the key constraints regarding vegetation, parking and traffic management. In the event that these factors cannot be satisfactorily addressed Option B will be implemented.**

#### **5.4.3 Hillside Precinct**

The existing alignment and width of the east/west roads in the Precinct will be altered to provide for improved access and to increase the depth of the existing approved sites along the northern boundary of the Holiday Park.

The existing stock of cabin accommodation has the capacity to address most guest requirements and satisfy demand in the medium term. If demand grows significantly in the short term the relevant regulations already allow for the installation of additional cabins on existing approved short term sites. While the existing cabins will be retained the Trust will budget for refurbishment and replacement of some cabins in the longer term.

A new relocatable communal amenity will be installed to provide more convenient access to shower and toilet facilities for the tourist sites in this Precinct. This facility will include a bathroom with shower and toilet facilities designed to comply with the requirements of AS 1428.1-2009, Design for Access and Mobility.

The existing two storey toilet block that straddles the Hillside and the Waterfront Precincts will undergo a substantial redevelopment which will establish;

- A guest lounge and camp kitchen on the upper level that takes advantage of the location of the building by providing a facility for the use and enjoyment of all of the Park's guests. The design will address the relevant requirements of AS 1428.1-2009, Design for Access and Mobility.; and
- Shower, toilet and laundry facilities on the lower level to service the tourist sites in the Waterfront Precinct.

The changes to the building will be designed to be integrated with and complementary to other facilities and structures in the Park and will include attention to minimising use of water and energy. Importantly the scale and detail of the proposed works will respect the presence of Fenwick House on the adjoining land with careful attention given to building form, materials and colour selections to achieve an outcome that is compatible with the identified heritage values of the location. External materials and surface finishes will also be of low reflectivity.

#### **5.4.4 Waterfront Precinct**

The principle change will be the improvement to the provisions of ablution facilities described above. In line with the focus on the provisions of sites for tourist use the holiday vans in the Precinct will be removed.

In May 2011 Federal legislation commenced which requires tourist accommodation establishments to make specific provision for people with disabilities when new construction is undertaken. At present Shaws Bay Holiday Park does not supply any fully compliant cabins for disabled access and therefore one accessible cabin will be installed as part of the proposed improvement program. This cabin will be close to the proposed pool complex and other ancillary recreational facilities. Two standard cabins will be installed to the east of the existing long term site.

An adjustment will be made to the gazetted boundary in the south eastern corner of the Precinct to accurately reflect the existing operational boundary of the Holiday Park.

#### **5.4.5 Southern Precinct**

This part of the Park currently supports a range of management and utility functions that can be relocated to other less prominent and less valuable locations. The existing buildings in the Precinct include the former Ambulance Station and Laundry which are listed local heritage items, a garage, a communal amenity building, drying area and a sewer pump station. It is proposed to redevelop the Precinct to provide a range of ancillary facilities for the enjoyment and use of the Park's guests in a way that recognises the heritage values of the existing buildings, the scenic quality of the land and the interface with the foreshore open space and the public domain. The proposed works include;

- Demolition of the existing communal amenity and garage;
- Construction of a modest contemporary swimming pool;
- Construction of a small building with wc's to support the use of the new facilities in this part of the Park and to house pool pumps and filtration equipment;
- Improvement of the existing children's playground;
- Adaptive re-use of the former Park Laundry to re-establish a kiosk and café on the foreshore for the enjoyment of Park guests and members of the public;
- Adaptive re-use of the former Ambulance Station to create a communal space for Park guests; and
- A comprehensive approach to landscaping so as buildings and spaces are integrated to create an appropriate interface between the Holiday Park and the foreshore.

The design process for the former Ambulance Station and Park Laundry has been undertaken as part of the Conservation Management Plan which will address the requirements of the Ballina Local Environmental Plan 2012. Importantly finishes, fixtures and colours will be selected to reflect the original character of the buildings and interpretive material will be included to inform visitors about the rich history of Shaws Bay.

Subject to the agreement of the Crown the boundary of the Reserve will be adjusted to reflect the actual position of Council infrastructure related to the sewer pump station and to establish a lot for the creation of a lease for the future operation of the proposed café and kiosk. An adjustment will also be made to the gazetted boundary of the Precinct to accurately reflect the existing operational boundary of the Holiday Park.

#### **5.4.6 Environmental Management**

Environmental initiatives cover vegetation management, water use controls and energy efficiency. There are opportunities for improved storage and recycling of wastes, including

green waste. In many cases environmental objectives can be achieved through design features of the roads, cabins and buildings generally.

To achieve an acceptable level of environmental management and ecological sustainability it is intended that the following issues be considered in relation to all aspects of the improvement of the caravan park;

- installation of solar collectors to provide energy requirements for the office and reception facilities;
- solar hot water systems to pre-heat water for use in amenities and laundry to reduce gas consumption;
- use of low ecological impact materials;
- use of renewable materials; and
- use of low embodied energy materials.

In addition a responsible approach to business management demands attention is given to minimising operational energy and water requirements, recycling and the collection and re-use of storm-water. Any new cabins and facilities will include rainwater tanks designed to collect roof-water for use in landscaping and toilet flushing where appropriate.

## **5.5 Conservation Management Plan**

A Conservation Management Plan has been prepared which addresses all items of heritage significance within the Holiday Park. While the plan focuses on the adaptive re-use of the former Ambulance Station and the Laundry Building it also references other heritage items in the reserve.

## **5.6 Financing Improvements**

The Shaws Bay Holiday Park generates income primarily from rental of tourist sites for holiday accommodation. The Holiday Park is trading profitably and each year contributes a levy equal to 5% of Gross Revenue to the Public Reserves Management Fund. Funding for new initiatives can therefore be made from two sources: net profit (gross profit less operational expenses, Public Reserves Management Fund contributions and depreciation) and loans. The only area where additional financial assistance may be considered relates to the application for grant funding to undertake environmental works and to contribute towards the cost of public facilities.

## 6. MANAGEMENT ACTIONS AND STRATEGIES

### 6.1 Plan Objectives, Strategies and Actions

A range of measures have been identified as required to implement this Plan of Management to ensure Shaws Bay Holiday Park and the associated reserved Crown lands are improved and managed in accordance with the principles of Crown Land Management. The following tables detail the Management Strategies and Management Actions which are to be implemented by the Reserve Trust.

In the first instance the Strategies and Actions are designed to achieve the Vision for the Reserve and address the Management Objectives outlined in Section 4. The implementation of the identified Actions will address the Management Issues identified in Section 3 and support the orderly implementation of the Improvement Program outlined in Section 5. Where further documentation is required the planning and design process will be guided by and comply with the Vision, Objectives and Strategies established by this Plan.

### 6.2 Regulatory Compliance

**Objective:** To ensure the Holiday Park complies with all applicable statutory standards.

Strategy	Actions
Sites and facilities to conform to relevant regulations.	<ul style="list-style-type: none"> <li>• Ensure sites are sized, located and provided with utility services and amenities in accordance with the <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i>;</li> <li>• Comply with the conditions of the current Section 68 Approval to Operate a Caravan Park;</li> <li>• Apply for renewal of the Section 68 Approval in a timely manner;</li> <li>• Design, construct and install moveable dwellings and submit documents as required by the Regulations;</li> <li>• Maintain the Park's Community Map to accurately reflect the current layout and use of sites;</li> <li>• Through sound design ensure proposed improvements comply with the requirements of the Regulations and any applicable statute, code or policy.</li> </ul>
Future management will address the relevant requirements of the <i>Ballina LEP 2012</i>	<ul style="list-style-type: none"> <li>• The local heritage significance of the land and existing buildings is addressed in the Conservation Management Plan to guide all aspects of the improvement of the Holiday Park.</li> </ul>

### 6.3 Health, Safety and Risk Management

**Objective:** To provide and maintain facilities, in a manner, which minimises risk to Holiday Park guests and staff and promotes a healthy lifestyle.

Strategy	Actions
Continue to provide health, safety and risk management for the public and for staff involved in maintenance and management activities.	<ul style="list-style-type: none"> <li>• Undertake ongoing comprehensive risk assessment of the Holiday Park on the basis of a structured Work Health and Safety Management Plan;</li> <li>• Minimise public risk through the ongoing implementation of a risk management strategy;</li> <li>• Ensure all staff and management are appropriately trained;</li> <li>• Maintain and use any equipment in accordance with regulations and manufacturer’s specifications;</li> <li>• Store and use chemicals as required by regulations and in accordance with manufacturer’s recommendations.</li> </ul>
Ensure the enjoyment and use of the reserve is not compromised by inappropriate behaviour.	<ul style="list-style-type: none"> <li>• Undertake ongoing review of the activities that should be prohibited or regulated on the reserve.</li> </ul>
Maintain facilities and accommodation to appropriate standards.	<ul style="list-style-type: none"> <li>• Continue to maintain an asset management register and fund the ongoing implementation of the Park’s asset management plan.</li> </ul>
Protect life and property from the consequences of natural events.	<ul style="list-style-type: none"> <li>• Maintain an adequate emergency evacuation and recovery plan.</li> </ul>
Ensure the Holiday Park, cabins and facilities are maintained and presented to a high standard.	<ul style="list-style-type: none"> <li>• Provide consistent supervision and review of the maintenance and cleaning responsibilities of the Park Manager.</li> </ul>
Ensure general improvements and facilities in the Reserve are maintained to an appropriate standard.	<ul style="list-style-type: none"> <li>• Carry out regular risk management inspections for areas accessed and used by members of the public and implement maintenance and repairs as required</li> </ul>

## 6.4 Business Management

**Objective:** To maintain a management system which ensures viability, promotes effective, informed and timely decision-making and is responsive to financial, industry, market, legal, social and technological imperatives.

Strategy	Actions
Continue to maintain a process for business planning and performance review.	<ul style="list-style-type: none"> <li>• Prepare an annual budget for the operation and improvement of the Park;</li> <li>• Establish financial performance targets and undertake regular review of the operation of the Holiday Park against targets, budget and other management objectives;</li> <li>• Report financial outcomes to Crown Lands, Department of Trade and Investment on an annual basis.</li> </ul>
Preserve the financial contribution the Holiday Park makes to the management of the Crown estate and to the local community.	<ul style="list-style-type: none"> <li>• Review and set tariffs for all sites and on-site accommodation in line with a comprehensive marketing plan on at least an annual basis;</li> <li>• Establish tariffs for sites, which reflect the market potential for the form of accommodation being offered.</li> </ul>
Market and promote the Park to achieve optimum commercial outcomes.	<ul style="list-style-type: none"> <li>• Identify new and emerging market opportunities;</li> <li>• Prepare and implement an annual marketing and promotional strategy.</li> <li>• Install signage the Reserve to promote the Holiday Park</li> </ul>
Provide competent day to day management.	<ul style="list-style-type: none"> <li>• Seek and engage competent and qualified contractors;</li> <li>• Create, implement and maintain policies and procedures to ensure best practice for all aspects of the operation of the business and maintenance of the Crown's asset;</li> </ul>
Provide high levels of customer service and asset and business management.	<ul style="list-style-type: none"> <li>• Maintain a human resource management strategy which ensures appropriate qualifications and skills are available;</li> <li>• Identify, prepare and implement training programs.</li> </ul>
Manage sites occupied by long term residents and holiday van owners in a consistent and transparent manner.	<ul style="list-style-type: none"> <li>• Ensure all occupancy agreements are current and in accordance with provisions of the <i>Residential (Land Lease) Communities Act 2013</i> and the <i>Holiday Parks (Long Term Casual Occupation) Act 2002</i>.</li> <li>• Ensure the process to remove holiday vans from the Park is in accordance with provisions of the <i>Holiday Parks (Long Term Casual Occupation) Act 2002</i>.</li> </ul>

## 6.5 Environmental Management

**Objective:** To ensure the natural and cultural environment and heritage values of the Reserve and the Holiday Park are managed, conserved and protected in accordance with all relevant legislative requirements and principles and for the enjoyment of guests.

Strategy	Actions
Maintain environmental integrity.	<ul style="list-style-type: none"> <li>• Formulate and implement an Environmental Management Strategy to identify, minimise and manage the environmental impacts of the Trust’s activities on the environment by systematically integrating environmental management into daily operations, long term planning and other quality management systems;</li> <li>• Undertake an independent Review of Environmental Factors before proceeding with implementation of proposed improvements and development;</li> </ul>
Promote and maintain the health of existing and proposed native vegetation.	<ul style="list-style-type: none"> <li>• Preserve and protect existing native vegetation in the Park when relocating sites or undertaking improvements;</li> <li>• Only use native species for landscaping and tree replacement;</li> <li>• Only use non invasive grass species when turfing areas of the Park;</li> <li>• Remove weeds and re-vegetate areas appropriate to land-use, design and management of facilities;</li> <li>• All arboricultural work in the Park shall be best practice and undertaken by a qualified arborist.</li> <li>• Do not permit attachment of signs, clothes lines or tent ropes to trees.</li> </ul>
Improve and maintain environmental and visual amenity.	<ul style="list-style-type: none"> <li>• Provide additional landscaping to the surrounds of the amenities building and clothes drying areas;</li> <li>• Implement a replacement planting program for any trees required to be removed and provide protection during establishment.</li> </ul>
Minimise disturbance to native vegetation.	<ul style="list-style-type: none"> <li>• Use appropriate sitings and alignments for facilities walkways;</li> <li>• Carefully manage pedestrian and vehicle access;</li> <li>• Define buffer areas and protect vegetation through mulching, edge planting and/or fencing as appropriate.</li> </ul>

<p>Implement effective catchment management to minimise impacts on water quality.</p>	<ul style="list-style-type: none"> <li>• Implement erosion control measures, litter and silt traps and drainage line filters where required to control storm water;</li> <li>• Use chemicals in accordance with approved Trust and AS guidelines;</li> <li>• Promote catchment management principles as appropriate.</li> </ul>
<p>Minimise fire hazard to property and appropriately manage natural coastal vegetation.</p>	<ul style="list-style-type: none"> <li>• Provide and maintain adequate fire control access;</li> <li>• Provide and maintain fuel free and fuel reduced zones where necessary. Minimise disturbance to natural vegetation;</li> <li>• Do not allow solid fuel campfires or cooking fires.</li> </ul>
<p>Manage coastal processes and climate change while allowing for natural occurrences.</p>	<ul style="list-style-type: none"> <li>• Ensure the land/water interface with Shaws Bay at the eastern end of the Park is properly maintained;</li> <li>• Close access and repair damage as necessary after storm events;</li> <li>• Develop specific climate change adaptation plans in accordance with government policy.</li> </ul>
<p>Recognise and conserve the heritage significance of the land and existing local heritage items</p>	<ul style="list-style-type: none"> <li>• Have regard to the Conservation Management Plan, prepared for the Trust, to guide the future management and improvement of the Shaws Bay Holiday Park;</li> <li>• Consult with Ballina Shire Council to ensure the proposals for improvement of the Reserve and the Holiday Park adequately address the applicable requirements of <i>Ballina LEP 2012</i>;</li> <li>• Develop appropriate proposals for the adaptive re-use of the former Ambulance Station and the former Laundry to provide facilities for Park guests and a kiosk and café that can also be used by day visitors;</li> <li>• Prepare and display interpretive material that will inform people about the rich history of Shaws Bay.</li> </ul>

## 6.6 Sustainability

**Objective:** To ensure that principles of ecological and environmental sustainability incorporated in the design and management of the accommodation, facilities and infrastructure within the Park with the ultimate goal that resources are used efficiently throughout their lifecycle and to meet the needs of the community.

Strategy	Actions
Sustainable Development	<ul style="list-style-type: none"> <li>• Assess improvement and development proposals in the light of sustainability principles;</li> <li>• Implement best practice approaches to achieving sustainable resource management.</li> </ul>
Resource Sustainability	<ul style="list-style-type: none"> <li>• Promote sustainability in the design, construction and management of assets including the use of low embodied energy materials, replaceable resources, plantation timbers, etc;</li> <li>• Price goods and services to recover the full life cycle costs of providing the goods and services including the use of natural resources and assets and disposal of waste.</li> </ul>
Reduce carbon footprint.	<ul style="list-style-type: none"> <li>• Progressively reduce dependence on high CO<sup>2</sup> energy sources by acquiring electricity from renewable energy sources.</li> </ul>
Minimise use of water and energy.	<ul style="list-style-type: none"> <li>• Manage resources with an emphasis on energy minimisation, water use minimisation, water harvesting and re-use, and environmentally responsible waste management;</li> <li>• Recycle waste where possible and appropriate.</li> </ul>

## 6.7 Facilities for Management and Guests

**Objective:** To optimise the recreational and tourism potential of the Holiday Park and the Reserve consistent with principles of ecological sustainability while improving presentation and management facilities and providing a range of recreation and communal facilities for guests and where appropriate facilities for general public use.

Strategy	Actions
Provide facilities that reflect the quality of the location, land management priorities and current industry and market benchmarks.	<ul style="list-style-type: none"> <li>• Improve the Holiday Park and develop facilities as described in this Plan of Management and as generally indicated on Drawings SB-02, SB-03 and SB-04;</li> <li>• Provide communal facilities within the Holiday Park in accordance with the relevant regulations and improve ancillary facilities for guests including barbecues and children’s play equipment;</li> <li>• Maintain an adequate supply of short term sites for caravans, tents and recreational vehicles.</li> <li>• Maintain and where possible improve the AAA Tourist rating for the Park.</li> </ul>
Implement a staged development process that is achievable in terms of planning and financial constraints.	<ul style="list-style-type: none"> <li>• Undertake improvements to the Park based on the internal capacity of the caravan park to support the funding of the works.</li> </ul>
Improve presentation and efficiency of the Park entrance and reception facilities.	<ul style="list-style-type: none"> <li>• Renovate the existing reception, office and storage areas;</li> <li>• Ensure signage and lighting throughout the park meets the safety needs of visitors, guests, residents and staff.</li> </ul>
Remove inefficient and redundant facilities and improve amenity for guests.	<ul style="list-style-type: none"> <li>• Re-arrange, install and construct new facilities for guests as detailed in Drawings SB-02, SB-03 and SB-04 including roads and sites, camp kitchen and renovation and upgrade of amenities, facilities and services as required.</li> </ul>
Develop an opportunity for the re-establishment of a café and kiosk.	<ul style="list-style-type: none"> <li>• Enable adaptive re-use of the former Laundry to provide a café and kiosk for use by guests and day visitors</li> </ul>

## 6.8 Tourist Sites and Accommodation

**Objective:** To optimise income to the Holiday Park by providing a range of market appropriate tourist sites and accommodation within the limits of the capacity of the land and principles of ecologically sustainable development.

Strategy	Actions
Provide additional on-site accommodation and site types.	<ul style="list-style-type: none"> <li>• Install additional quality on-site accommodation designed to complement the character of the coastal setting which is capable of generating a consistent income stream to finance the ongoing management of the Holiday Park and make a substantial contribution to the management of the adjoining reserved lands;</li> <li>• Provide an appropriate supply of accommodation products and facilities that are accessible to people with disabilities or limited mobility.</li> <li>• Move to 4 star AAA rating for existing and proposed self contained on-site accommodation.</li> </ul>

## 6.9 Integrated Land Management

**Objective:** To promote and assist integrated coastal land management associated with the use of Shaws Bay Holiday Park and the reserve.

Strategy	Actions
Implement the Plan of Management and relevant statutory requirements in an ongoing, co operative and timely manner within the available resources.	<ul style="list-style-type: none"> <li>• Liaise with other local, regional and state authorities with respect to the co-ordination of activity on adjoining lands;</li> <li>• Maintain awareness of the activities of other authorities particularly Ballina Shire Council;</li> <li>• Obtain approvals and consents as required;</li> <li>• Liaise with Crown Lands and Ballina Shire Council to achieve adjustments to the boundaries of the land to correctly reflect the respective responsibilities of Council and the NSW Crown Holiday Parks Trust;</li> <li>• Undertake subdivision for lease purposes to allow for the operation of the proposed café and kiosk; and</li> <li>• Continue liaison with Crown Lands, Department of Trade and Investment in relation to new and emerging government policy that impacts on the management of reserved Crown land.</li> </ul>

## 6.10 Authorised Activities and Works

A range of measures have been identified as required to implement this Plan of Management to ensure the reserve lands and the Shaws Bay Holiday Park are improved and managed in accordance with the principles of Crown Land Management. These improvements and actions are identified and described in Sections 5 and 6 of this Plan of Management and in Drawings SB-02, SB-03 and SB-04.

The improvements and works are itemised below under each of the relevant Management Precincts and are authorised pursuant to Clause 65(2) of *SEPP Infrastructure 2007*.

<b>Management Precinct</b>	<b>Authorised Activities and Improvements</b>
<b>Western Precinct</b>	Drainage and stormwater works, landscaping and vegetation management including removal of trees, earthworks, signage, roadworks and construction of car parking area; boundary adjustments to accurately reflect the position of existing Council infrastructure.
<b>Holiday Park Entry Precinct</b>	Realignment and extension of services; cut and fill and retaining works; road and pavement works; stormwater drainage; removal of trees; installation of lighting and signage; landscaping and earthworks; creation of new car parking; demolition; construction and or installation of Reception, Office and Manager's Residence; construction of workshop and shed for Park management and maintenance; Installation of and re-organisation of boom gates, security systems.
<b>Holiday Park Hillside Precinct</b>	Demolition; road works and car parking; reconfiguration of site layouts; storm water drainage; underground utility service installation and alterations; alterations, additions to and renovation of existing amenities block; installation of relocatable amenities constructed of materials other than brick or concrete masonry; fencing; landscaping and pathways; vegetation management; repair, replacement and extension of eastern retaining wall.
<b>Holiday Park Southern Precinct</b>	Demolition; road works; cut and fill and retaining works; storm water drainage; underground utility service demolition of existing communal amenity building; adaptive re-use of the former Ambulance Station and Laundry in accordance with a Conservation Management Plan; Café and kiosk; Subdivision to create a lot for the

	purposes of a lease for a future café and kiosk; Subdivision to create a lot to correctly identify the area occupied by the sewer pump station; Construction of a swimming pool and playground; Provision of lighting, security systems and fencing; landscaping and paving; vegetation management.
<b>Holiday Park Waterfront Precinct</b>	Road works; reconfiguration of site layout and site boundaries; demolition; construction of Communal Amenities; underground service installation; installation of relocatable homes in accordance with the caravan park regulations; vegetation management; and landscaping; adjustment to the gazetted boundary of the Holiday Park to accurately reflect the existing operational boundaries.

### 6.11 Holiday Vans

Holiday vans are those owned by individuals and families which, under agreement, are able to be located in the Holiday Park for the payment of an annual fee. The owner of a Holiday Van is entitled to a maximum of 180 days use in any 12 month period, with the Park Managers able to issue three (3) months notice at any time for the Van to be removed. The tenure arrangements for holiday vans are subject to the provisions of the *Holiday Parks (Long Term Casual Occupation) Act 2002*.

All existing holiday vans within the park will be required to be removed to allow for the proposed improvements to proceed. Notice will be given for all holiday vans to vacate their sites in accordance with the relevant provisions of the *Holiday Parks (Long Term Casual Occupation) Act 2002*.

## **7. IMPLEMENTATION AND REVIEW**

This Plan of Management has been prepared pursuant to the provisions of the Crown Lands Act 1989 to provide an appropriate statutory basis for the continuing management of the identified reserved Crown lands. It also serves to guide the management, improvement and operation of the Shaws Bay Holiday Park which is one of a number of caravan parks on reserved land managed by the NSW Crown Holiday Parks Trust.

This Plan provides a medium term strategy for the management and improvement of the Shaws Bay Holiday Park. It is anticipated a majority of the works described will be implemented over a number of stages which may span a 5 year period. Priorities for works and funding are to be addressed on an annual basis to meet development priorities and community needs.

Progress in relation to the implementation of the Plan will be monitored by the Trust and the Trust will report on an annual basis to Crown Lands, Department of Trade and Investment.

This Plan is to be reviewed approximately every five years or as required to ensure it continues to be relevant to the subject land and consistent with government legislation and policy and community expectation.



## Approval to Operate a Caravan Park/Camping Ground/ Manufactured Home Estate/Moveable Dwellings

The Council of **Ballina Shire** hereby grants, under Section 68 of the Local Government Act 1993, Approval to Operate a Manufactured Home Estate/Caravan Park/Camping Ground/Moveable Dwellings to:

<b>Full name of Applicant:</b>	North Coast Holiday Parks
<b>Address:</b>	PO Box 647, BALLINA NSW 2478
<b>In respect to premises known as:</b>	Shaws Bay Holiday Park
<b>Situated at:</b>	Lot 5 Section 87 DP 758047, Pt Lot 7015 DP 1064316, Pt Lot 7017 DP 1064314, Pt Lot 7022 DP 1050837, Pt Lot 6 Section 87 DP 758047, No. 1 Brighton Street, East Ballina

This Approval to Operate shall remain in force from the **26<sup>th</sup> of August 2013 to 26<sup>th</sup> of August 2018** until such time as it is amended, modified or revoked under the relevant provisions of the Local Government Act, 1993.

The Approval to Operate relates to a total of **100** sites and camp sites. These sites comprise **2** long-term sites, **96** short term sites and **2** camp sites. Approval also includes concessions under Clauses 110 and 119 to use timber framed buildings instead of brick or concrete masonry block. Concession is subject to all other requirements of the subject Regulation been complied with.

### Facilities Provided

#### **Toilet and Shower Facilities**

<b>Facility</b>	<b>No. of Male</b>	<b>No. of Female</b>
Toilets	6	7
Showers	6	5
Handbasins	5	5
Urinals	2	0

#### **Laundry Facilities**

<b>Facility</b>	<b>No. Provided</b>
Washing Machines	4
Laundry Tubs	2
Clothes Driers	4
Irons	1
Ironing Boards	1
Line Space (m)	200m

#### **Disabled Facilities**

<b>Showers</b>	<b>Toilets</b>
1	1 (unisex)

## General Conditions for a Caravan Park/Camping Ground:

- 1) This approval shall be prominently displayed on a part of the approved premises where it may be seen by all residents. The display shall be accompanied by details showing the identification number, designation, size and location of all approved sites and camp sites.
- 2) The operation of the caravan park/camping ground and any building or work associated with the operation of the caravan park must comply with any applicable standards established by the Local Government (Manufactured Home Estates, Caravan Parks Camping Grounds & Movable Dwellings) Regulation 2005.
- 3) It is a condition of this approval that the land is not to be used for the manufacture, construction or reconstruction of moveable dwellings (this condition does not prevent the on-site repair of movable dwellings).
- 4) It is a condition of this approval that inspections of the premises may be conducted by Council, to ensure continued compliance with the Regulations.
- 5) The holder of the approval to operate the caravan park must give written notice to the Council, within seven days, of the installation of a relocatable home or associated structure.
  - a) The notice:
    - i. must indicate the site identifier of the dwelling site on which the relocatable home or associated structure has been installed; and
    - ii. must include the particulars contained on each compliance plate relating to the relocatable home or associated structure; and
    - iii. must include a copy of the engineer's certificate for the relocatable home or associated structure; and
    - iv. must include 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 Regulation have been complied with.
- 6) Under Clause 73 of the Regulation:
  - (1) An approval to operate a caravan park or camping ground is subject to the following conditions:
    - (a) the caravan park or camping ground must be designed, constructed, maintained and operated:
      - i. in accordance with the relevant requirements of Subdivisions 1-8 of Division 3 of the *Regulations*, or
      - ii. in the case of a primitive camping ground, in accordance with the relevant requirements of Subdivision 9 of Division 3 of the *Regulations*,
    - (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,

- (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,
  - (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.
- (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.
  - (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 (separate approval from Council required).
  - (4) Subclauses (1) (b), (c) and (d) and (2) do not apply to a resident owner, manager, operator or caretaker of the caravan park or camping ground.

**Note.** The council may also impose conditions on the grant of an approval under Section 94 of the Act.

- 7) Under Clause 86 of the Regulation
  - 1) A dwelling site or camping site must be numbered or identified and its site boundaries clearly delineated.
  - 2) The site identification must be conspicuous.
- 8) Under Clause 100 of the Regulation

All access roads must be adequately lit between sunset and sunrise.
- 9) Under Clause 126 of the Regulation
  - 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 be also be displayed in a prominent position in the caravan park or camping ground.
- 10) Under Clause 128 and 129 of the Regulation (fire hydrants and hose reels)
  - 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.

- 2) Any fire hydrant located within a caravan park or camping ground must:
  - a) Be a double-headed pillar-type fire hydrant, and
  - b) Be maintained to the standard specified in the approval for the caravan park or camping ground.
- 3) 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.
- 4) The fire hose reel must be constructed in accordance with AS/NZ 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.
- 5) 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 reel 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.
- 6) A fire hose reel certificate is to state, in relation to each fire hose reel installed in the caravan park or camping ground:
  - b) 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
  - c) 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 performing to a standard not less than that required by this Regulation.

**Advisory Note: The following conditions are from the Environmental Planning and Assessment Regulation 2000 relating to Relocatable homes and Moveable dwellings:**

**186A Owners of existing buildings and dwellings must ensure smoke alarms are installed**

- (2) The owner of a class 1a building or relocatable home must ensure that the building or home is equipped with smoke alarms that are located, on or near the ceiling:
  - (a) in any storey of the building or home containing bedrooms—in every corridor or hallway associated with a bedroom, and if there is no such corridor or hallway associated with a bedroom, between that part of the building or home containing the bedroom and the remainder of the building or home, and
  - (b) in any other storey of the building not containing bedrooms.

**186AA Owners of moveable dwellings must ensure smoke alarms are installed**

- (1) This clause does not apply to any of the following:
  - (a) a moveable dwelling in which no person sleeps,
  - (b) a moveable dwelling to which clause 186A applies.

- (2) The owner of a moveable dwelling must ensure:
- (a) that the dwelling is equipped with a smoke alarm that is located on or near the ceiling between that part of the dwelling in which persons sleep and the remainder of the dwelling, and
  - (b) that the smoke alarm installed in the dwelling is repaired or replaced as soon as reasonably practicable after the owner becomes aware that the smoke alarm is not functioning properly.
- (3) This clause applies whether or not the moveable dwelling is capable of being registered under the Road Transport (Vehicle Registration) Act 1997.

- (4) In this clause:

**annexe, campervan, caravan, holiday van, and park van** have the same meanings as they have in the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

**associated structure** has the same meaning as in the Local Government Act 1993.

**moveable dwelling** includes the following:

- (a) campervans,
- (b) caravans,
- (c) holiday vans,
- (d) park vans,
- (e) annexes,
- (f) associated structures,
- (g) any other type of van or portable device used for human habitation, but does not include:
- (h) a tent or structure that has two or more walls and a roof or ceiling primarily constructed of flexible fabric or plastic material, or
- (i) a manufactured home, or
- (j) a relocatable home.

**relocatable home** has the same meaning as in clause 186A (9) of this Regulation.

#### **186B Specifications for smoke alarms**

- (1) A smoke alarm installed under this Division is to be functioning and is to comply with the requirements of AS 3786.
- (1A) A smoke alarm installed in a moveable dwelling under clause 186AA must be fitted with a hush button (being a button designed to silence false alarms).
- (2) Despite the requirements of AS 3786, a smoke alarm that is required under clause 186A to be installed in a class 1b, class 3 or class 9a building is to be powered:
- (a) from the mains electricity supply, or
  - (b) by a non-removable battery with a minimum life expectancy of 10 years that is connected to the smoke alarm.

**Note:** AS 3786 permits smoke alarms to be powered by batteries or mains electricity supply. Smoke alarms in buildings that are relocatable homes or class 1a or class 2 buildings or class 4 parts of buildings will be able to use any of the power sources specified by AS 3786.

- (3) Despite any other provision of this Division, a heat alarm may be used in the place of a smoke alarm in any kitchen or other area where it is likely to be inappropriately activated, other than in a moveable dwelling to which clause 186AA applies.

- (4) In this clause:

**AS 3786** means AS 3786—1993, *Smoke alarms* as in force from time to time.

(4A) A functioning smoke alarm installed in a class 1a or class 2 building, a relocatable home or a class 4 part of a building before the commencement of this clause is taken to comply with the requirements of this clause until such time as the alarm is removed or ceases to function.

- (5) A functioning smoke alarm installed in a moveable dwelling to which clause 186AA applies before the commencement of that clause is taken to comply with the requirements of this clause until such time as the alarm is removed or ceases to function.

### **186C Persons must not remove or interfere with smoke alarms**

- (1) A person must not, without reasonable excuse, remove or interfere with the operation of a smoke alarm or heat alarm that has been installed in a building in which persons sleep.

(1A) A person must not, without reasonable excuse, remove or interfere with the operation of a smoke alarm that has been installed in a moveable dwelling to which clause 186AA applies.

- (2) Without limiting subclause (1), a person does not commit an offence under this clause if the person removes or interferes with the operation of a smoke alarm or heat alarm to repair, maintain or replace the smoke alarm or heat alarm.
- (3) This clause applies to alarms installed before or after the commencement of this Division.

enquiries refer

**Peter Craig**  
in reply please quote

**PN: 6127 (njm)**

9 September 2013



North Coast Holiday Parks Trust  
PO Box 647  
BALLINA NSW 2478

Attention: Mr Colin Woodbury



Dear Sir

**Re: Approval To Operate a Caravan Park/Camping Ground/Manufactured Home Estate or Moveable Dwellings under Section 68 of the Local Government Act and Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005, at Shaws Bay Holiday Park, Lot 5 Section 87 DP 758047, Pt Lot 7015 DP 1064316, Pt Lot 7017 DP 1064314, Pt Lot 7022 DP 1050837, Pt Lot 6 Section 87 DP 758047, No. 1 Brighton Street, East Ballina**

Reference is made to your application for the licence renewal of the above (manufactured home estate, caravan park or camping ground) dated 8 August 2013.

Please find the attached "Approval to Operate" with attached conditions for your reference.

If you have any enquiries in regard to this matter please contact Peter Craig at the office on 02 6686 1415.

Yours faithfully

Vince Hunt  
**Manager Building Services**  
**Development and Environmental Health Group**

## REFERENCES

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Department of Lands, April 1990. *Crown Lands Caravan Parks Policy*.

Integrated Site Design Pty Ltd, 2006. *Options for Management Models for Crown Reserves on the North Coast of NSW*.

New South Wales Government, 1997. *NSW Coastal Policy 1997 – A Sustainable Future for the New South Wales Coast, Department of Urban Affairs and Planning*.

NSW Department of Planning 2006. *Far North Coast Regional Strategy*.

Department of Land and Water Conservation and Ballina Shire Council, *Ballina Coastal Reserve Plan of Management 2004*.

*Ballina Shire Local Environmental Plan 2012*

Ballina Shire Council, *The Hills Look Down to the Sea: A Thematic History of the Ballina Shire*

Tsicalas, Peter, 2008. *A Gourmet's Guide to Lismore and District*.

## RELEVANT DOCUMENTS AND PUBLICATIONS

The following can all be referenced on the Ballina Shire Council web site:

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Ballina Shire Community Facilities Strategy

Ballina Shire Open Space Strategy

Ballina Shire Social Plan

Ballina Shire Combined DCPs

Ballina Climate Change Action Plan

Shaws Bay Estuary Management Plan

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## **DRAWINGS**

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**Drawing SB-01** – Existing Site Plan and Analysis

**Drawing SB-02** – Proposed Improvements – Option B

**Drawing SB-03** – Proposed Improvement Concepts

**Drawing SB-04** – Proposed Improvements – Option A

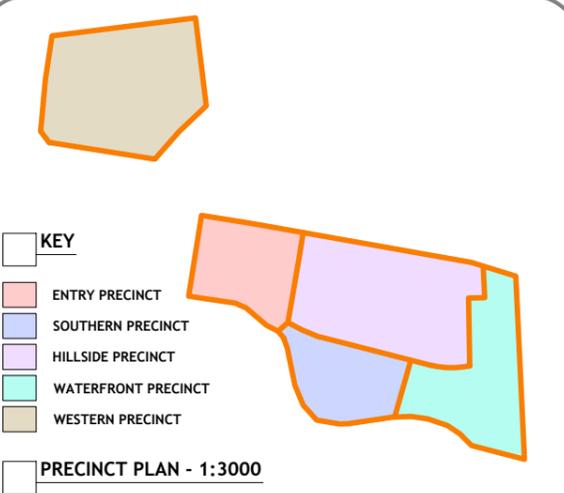
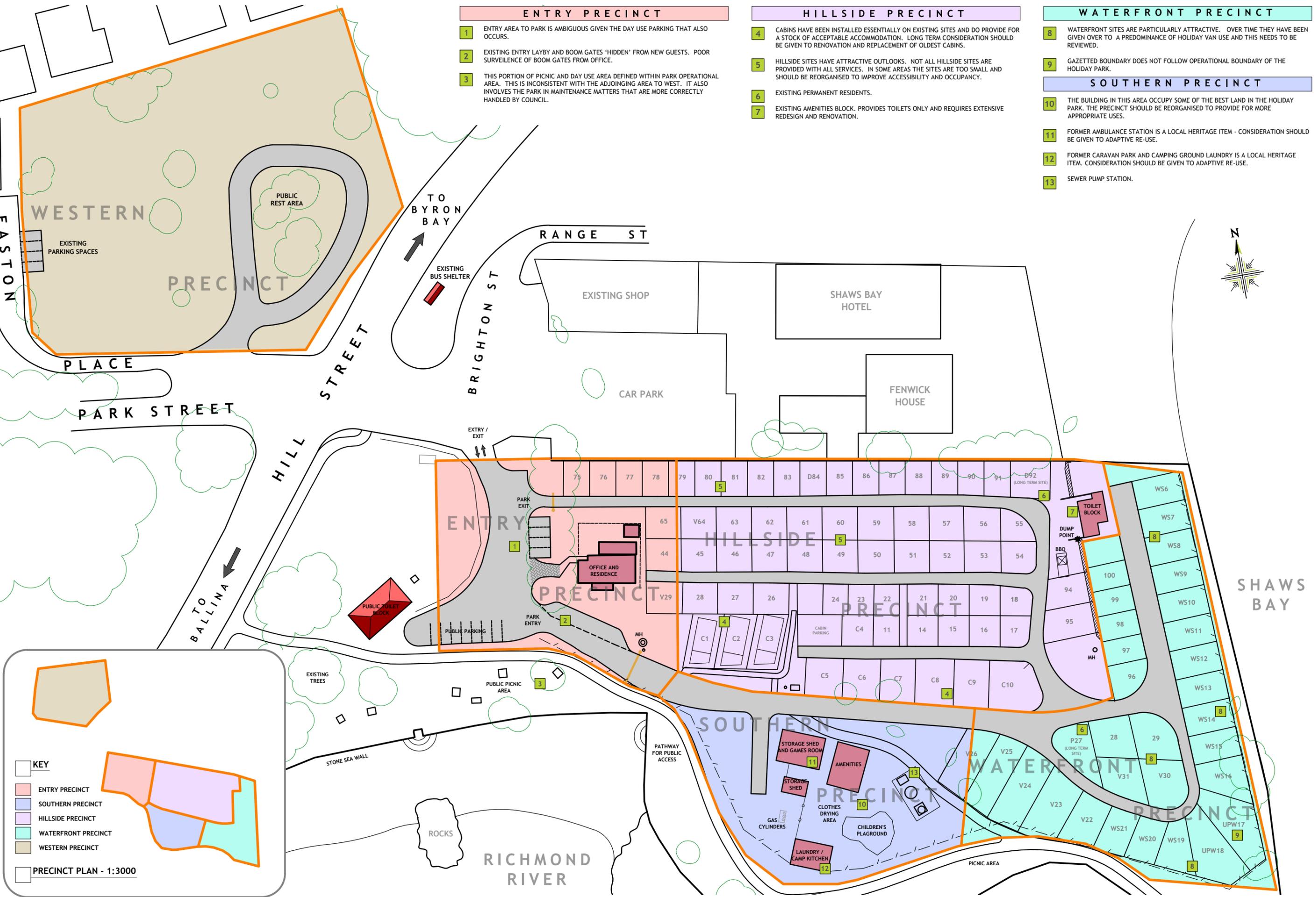
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 P.O. Box 6396, Mascot, NSW 2020  
 t: (02) 8338 1722 e: isd@i-site.com.au w: www.i-site.com.au

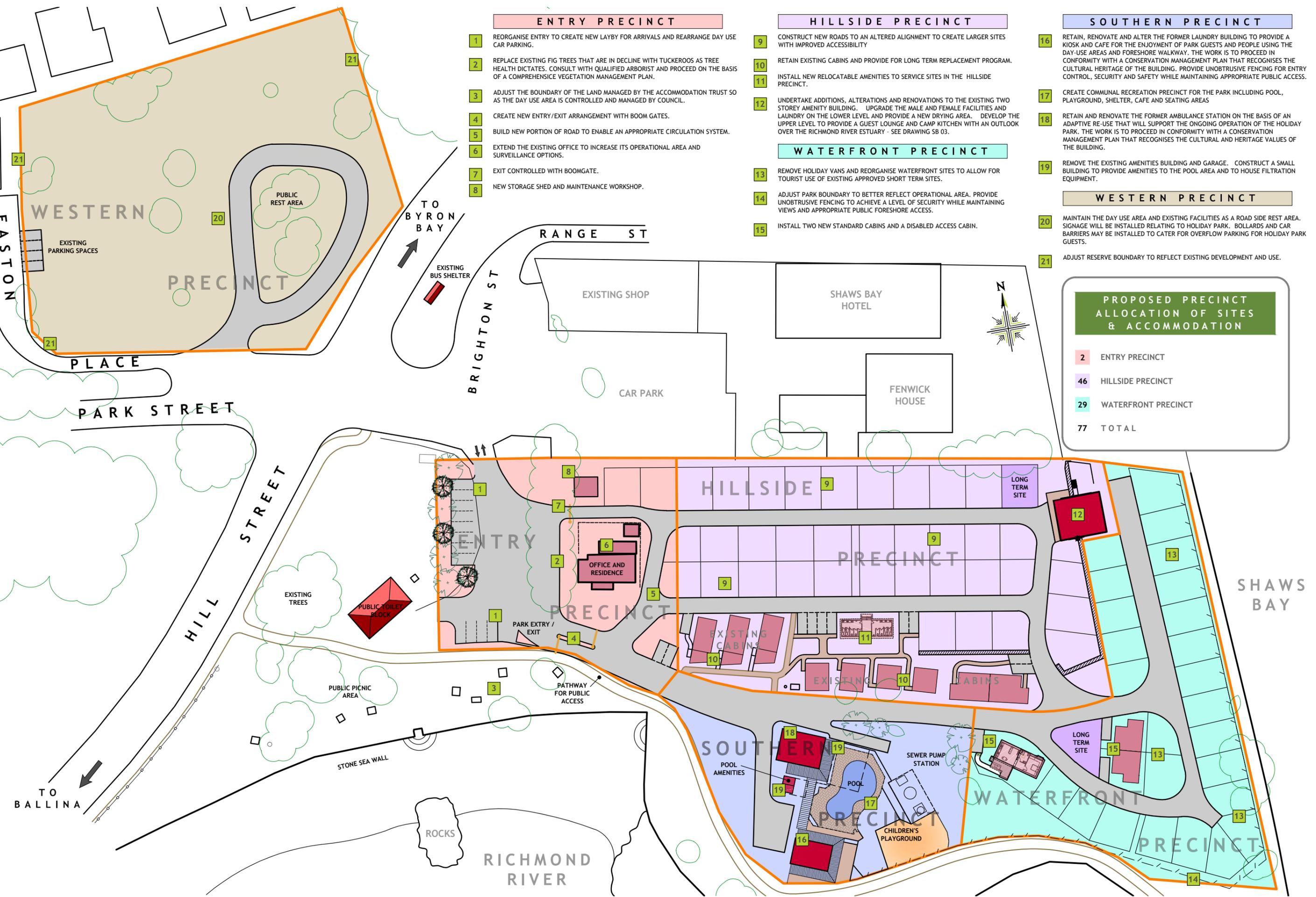
- ### ENTRY PRECINCT
- 1 ENTRY AREA TO PARK IS AMBIGUOUS GIVEN THE DAY USE PARKING THAT ALSO OCCURS.
  - 2 EXISTING ENTRY LAYBY AND BOOM GATES 'HIDDEN' FROM NEW GUESTS. POOR SURVEILLANCE OF BOOM GATES FROM OFFICE.
  - 3 THIS PORTION OF PICNIC AND DAY USE AREA DEFINED WITHIN PARK OPERATIONAL AREA. THIS IS INCONSISTENT WITH THE ADJOINING AREA TO WEST. IT ALSO INVOLVES THE PARK IN MAINTENANCE MATTERS THAT ARE MORE CORRECTLY HANDLED BY COUNCIL.

- ### HILLSIDE PRECINCT
- 4 CABINS HAVE BEEN INSTALLED ESSENTIALLY ON EXISTING SITES AND DO PROVIDE FOR A STOCK OF ACCEPTABLE ACCOMMODATION. LONG TERM CONSIDERATION SHOULD BE GIVEN TO RENOVATION AND REPLACEMENT OF OLDEST CABINS.
  - 5 HILLSIDE SITES HAVE ATTRACTIVE OUTLOOKS. NOT ALL HILLSIDE SITES ARE PROVIDED WITH ALL SERVICES. IN SOME AREAS THE SITES ARE TOO SMALL AND SHOULD BE REORGANISED TO IMPROVE ACCESSIBILITY AND OCCUPANCY.
  - 6 EXISTING PERMANENT RESIDENTS.
  - 7 EXISTING AMENITIES BLOCK. PROVIDES TOILETS ONLY AND REQUIRES EXTENSIVE REDESIGN AND RENOVATION.

- ### WATERFRONT PRECINCT
- 8 WATERFRONT SITES ARE PARTICULARLY ATTRACTIVE. OVER TIME THEY HAVE BEEN GIVEN OVER TO A PREDOMINANCE OF HOLIDAY VAN USE AND THIS NEEDS TO BE REVIEWED.
  - 9 GAZETTED BOUNDARY DOES NOT FOLLOW OPERATIONAL BOUNDARY OF THE HOLIDAY PARK.
- ### SOUTHERN PRECINCT
- 10 THE BUILDING IN THIS AREA OCCUPY SOME OF THE BEST LAND IN THE HOLIDAY PARK. THE PRECINCT SHOULD BE REORGANISED TO PROVIDE FOR MORE APPROPRIATE USES.
  - 11 FORMER AMBULANCE STATION IS A LOCAL HERITAGE ITEM - CONSIDERATION SHOULD BE GIVEN TO ADAPTIVE RE-USE.
  - 12 FORMER CARAVAN PARK AND CAMPING GROUND LAUNDRY IS A LOCAL HERITAGE ITEM. CONSIDERATION SHOULD BE GIVEN TO ADAPTIVE RE-USE.
  - 13 SEWER PUMP STATION.



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 P.O. Box 6396, Mascot, NSW 2020  
 t: (02) 8338 1722  
 e: isd@i-site.com.au  
 f: (02) 8338 1733  
 w: www.i-site.com.au



- ### ENTRY PRECINCT
- 1 REORGANISE ENTRY TO CREATE NEW LAYBY FOR ARRIVALS AND REARRANGE DAY USE CAR PARKING.
  - 2 REPLACE EXISTING FIG TREES THAT ARE IN DECLINE WITH TUCKEROOS AS TREE HEALTH DICTATES. CONSULT WITH QUALIFIED ARBORIST AND PROCEED ON THE BASIS OF A COMPREHENSIVE VEGETATION MANAGEMENT PLAN.
  - 3 ADJUST THE BOUNDARY OF THE LAND MANAGED BY THE ACCOMMODATION TRUST SO AS THE DAY USE AREA IS CONTROLLED AND MANAGED BY COUNCIL.
  - 4 CREATE NEW ENTRY/EXIT ARRANGEMENT WITH BOOM GATES.
  - 5 BUILD NEW PORTION OF ROAD TO ENABLE AN APPROPRIATE CIRCULATION SYSTEM.
  - 6 EXTEND THE EXISTING OFFICE TO INCREASE ITS OPERATIONAL AREA AND SURVEILLANCE OPTIONS.
  - 7 EXIT CONTROLLED WITH BOOMGATE.
  - 8 NEW STORAGE SHED AND MAINTENANCE WORKSHOP.

- ### HILLSIDE PRECINCT
- 9 CONSTRUCT NEW ROADS TO AN ALTERED ALIGNMENT TO CREATE LARGER SITES WITH IMPROVED ACCESSIBILITY
  - 10 RETAIN EXISTING CABINS AND PROVIDE FOR LONG TERM REPLACEMENT PROGRAM.
  - 11 INSTALL NEW RELOCATABLE AMENITIES TO SERVICE SITES IN THE HILLSIDE PRECINCT.
  - 12 UNDERTAKE ADDITIONS, ALTERATIONS AND RENOVATIONS TO THE EXISTING TWO STOREY AMENITY BUILDING. UPGRADE THE MALE AND FEMALE FACILITIES AND LAUNDRY ON THE LOWER LEVEL AND PROVIDE A NEW DRYING AREA. DEVELOP THE UPPER LEVEL TO PROVIDE A GUEST LOUNGE AND CAMP KITCHEN WITH AN OUTLOOK OVER THE RICHMOND RIVER ESTUARY - SEE DRAWING SB 03.

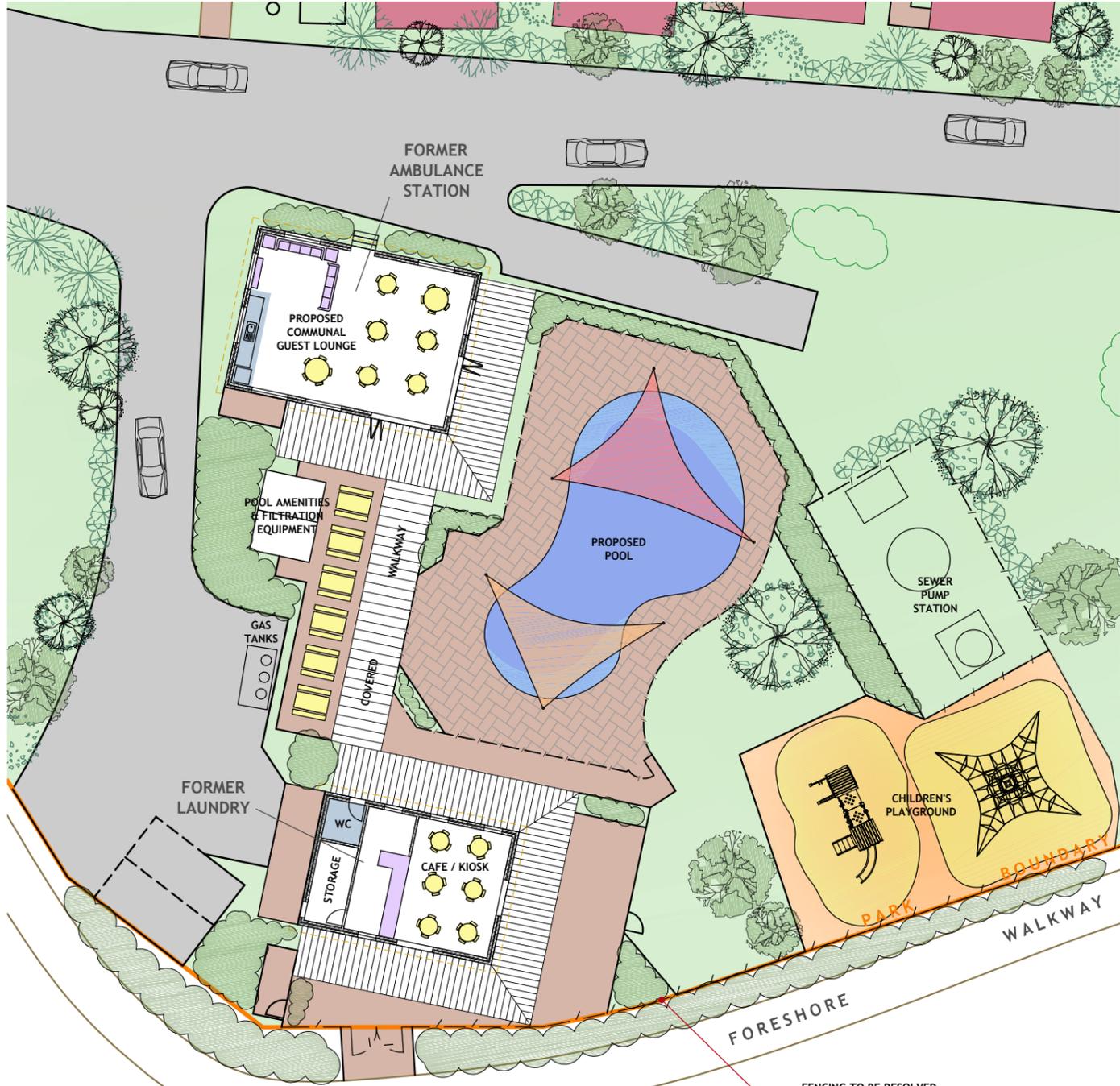
- ### WATERFRONT PRECINCT
- 13 REMOVE HOLIDAY VANS AND REORGANISE WATERFRONT SITES TO ALLOW FOR TOURIST USE OF EXISTING APPROVED SHORT TERM SITES.
  - 14 ADJUST PARK BOUNDARY TO BETTER REFLECT OPERATIONAL AREA. PROVIDE UNOBTUSIVE FENCING TO ACHIEVE A LEVEL OF SECURITY WHILE MAINTAINING VIEWS AND APPROPRIATE PUBLIC FORESHORE ACCESS.
  - 15 INSTALL TWO NEW STANDARD CABINS AND A DISABLED ACCESS CABIN.

- ### SOUTHERN PRECINCT
- 16 RETAIN, RENOVATE AND ALTER THE FORMER LAUNDRY BUILDING TO PROVIDE A KIOSK AND CAFE FOR THE ENJOYMENT OF PARK GUESTS AND PEOPLE USING THE DAY-USE AREAS AND FORESHORE WALKWAY. THE WORK IS TO PROCEED IN CONFORMITY WITH A CONSERVATION MANAGEMENT PLAN THAT RECOGNISES THE CULTURAL HERITAGE OF THE BUILDING. PROVIDE UNOBTUSIVE FENCING FOR ENTRY CONTROL, SECURITY AND SAFETY WHILE MAINTAINING APPROPRIATE PUBLIC ACCESS.
  - 17 CREATE COMMUNAL RECREATION PRECINCT FOR THE PARK INCLUDING POOL, PLAYGROUND, SHELTER, CAFE AND SEATING AREAS
  - 18 RETAIN AND RENOVATE THE FORMER AMBULANCE STATION ON THE BASIS OF AN ADAPTIVE RE-USE THAT WILL SUPPORT THE ONGOING OPERATION OF THE HOLIDAY PARK. THE WORK IS TO PROCEED IN CONFORMITY WITH A CONSERVATION MANAGEMENT PLAN THAT RECOGNISES THE CULTURAL AND HERITAGE VALUES OF THE BUILDING.
  - 19 REMOVE THE EXISTING AMENITIES BUILDING AND GARAGE. CONSTRUCT A SMALL BUILDING TO PROVIDE AMENITIES TO THE POOL AREA AND TO HOUSE FILTRATION EQUIPMENT.
- ### WESTERN PRECINCT
- 20 MAINTAIN THE DAY USE AREA AND EXISTING FACILITIES AS A ROAD SIDE REST AREA. SIGNAGE WILL BE INSTALLED RELATING TO HOLIDAY PARK. BOLLARDS AND CAR BARRIERS MAY BE INSTALLED TO CATER FOR OVERFLOW PARKING FOR HOLIDAY PARK GUESTS.
  - 21 ADJUST RESERVE BOUNDARY TO REFLECT EXISTING DEVELOPMENT AND USE.

#### PROPOSED PRECINCT ALLOCATION OF SITES & ACCOMMODATION

2	ENTRY PRECINCT
46	HILLSIDE PRECINCT
29	WATERFRONT PRECINCT
<b>77</b>	<b>TOTAL</b>

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 701 / 247 Coward Street, Mascot, NSW 2020  
 P O Box 6396, Alexandria, NSW 2015  
 t : (02) 8338 1722 e : isd@i-site.com.au w : www.i-site.com.au



**RECREATION FACILITIES**  
1:200

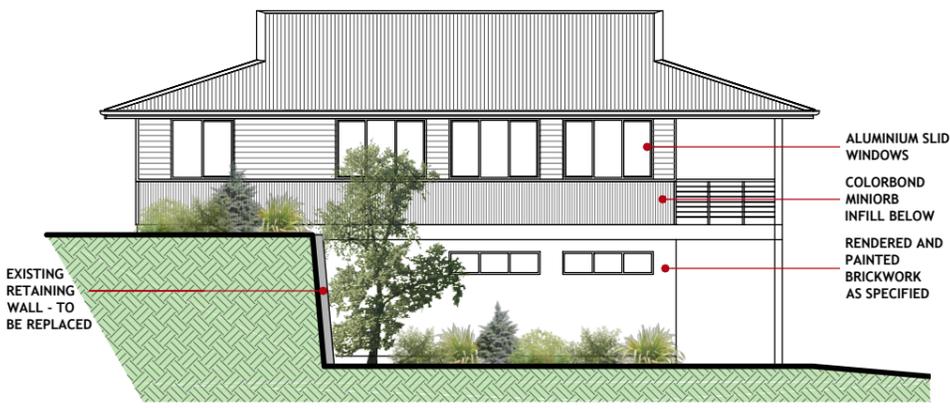
**RECREATION FACILITIES  
CONCEPT PLAN - SOUTHERN PRECINCT**

(FINAL WILL BE SUBJECT TO DETAIL DESIGN AND REQUIREMENTS OF CONSERVATION MANAGEMENT PLAN)

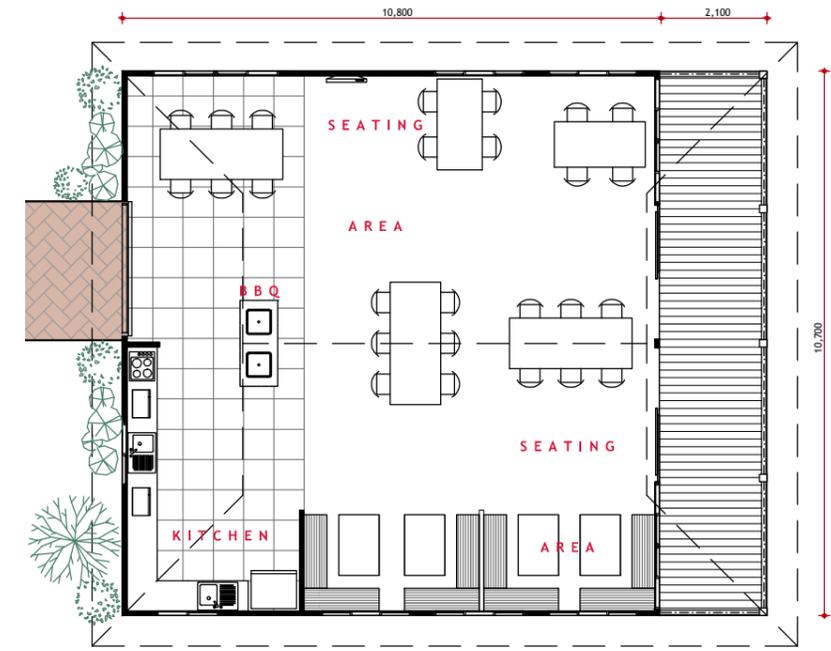
FENCING TO BE RESOLVED AT DETAILED DESIGN STAGE TO PROVIDE ENTRY CONTROL WHILE PRESERVING VIEWS FROM THE CAFE



**EAST ELEVATION**  
1:100



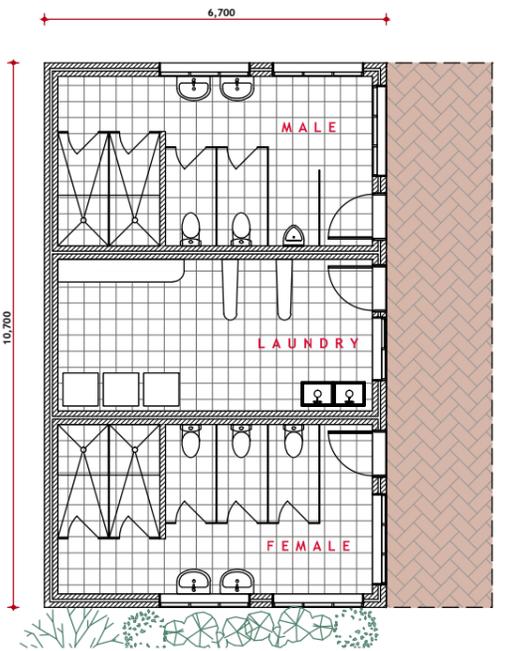
**SOUTH ELEVATION**  
1:100



**FIRST FLOOR PLAN**  
1:100

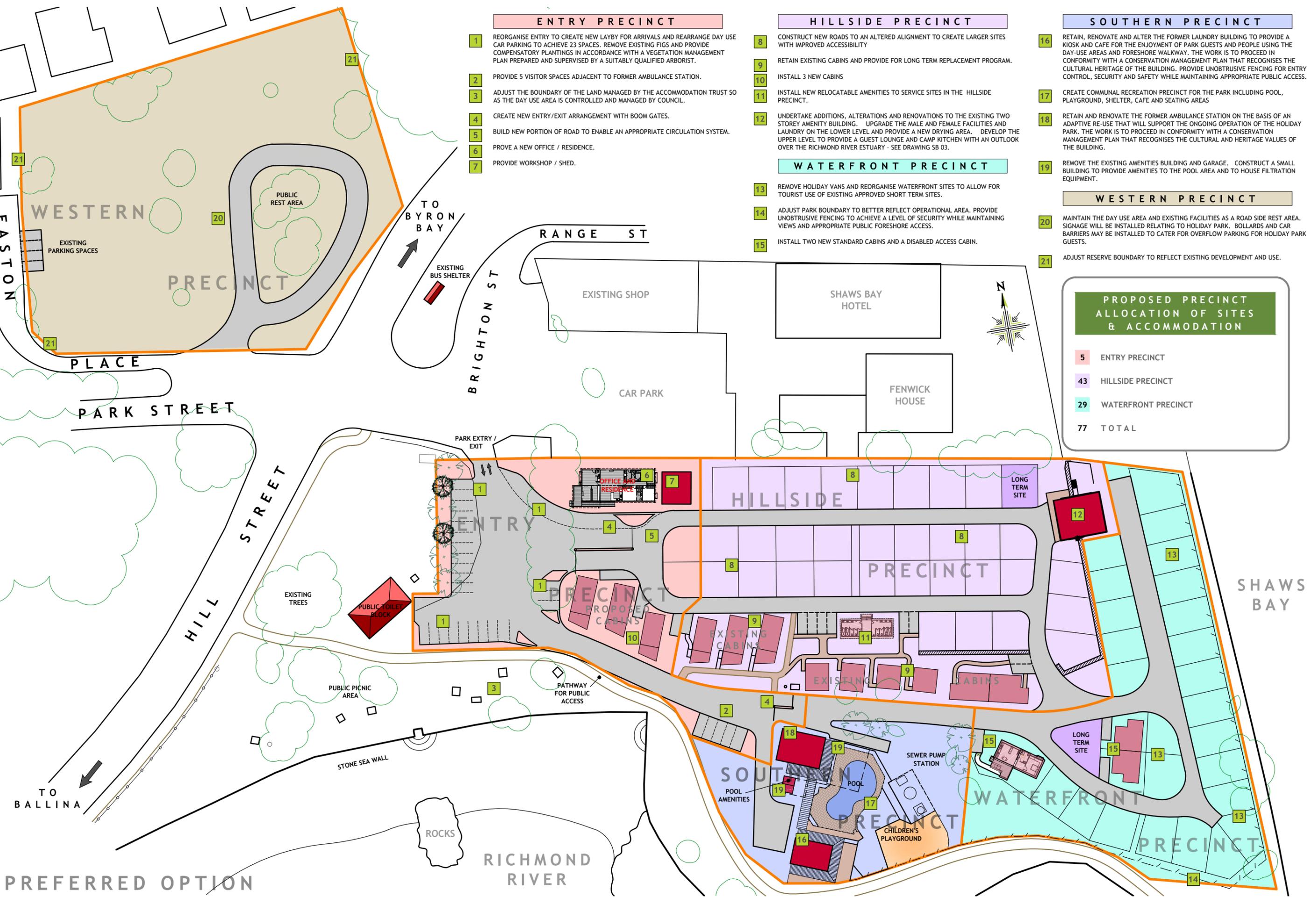
**PROPOSED AMENITIES, CAMP KITCHEN AND GUEST LOUNGE - HILLSIDE AND WATERFRONT PRECINCT**

(FINAL WILL BE SUBJECT TO DETAIL DESIGN VARIATIONS)



**GROUND FLOOR PLAN**  
1:100

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 P.O. Box 6396, Mascot, NSW 2020  
 t: (02) 8338 1722  
 e: isd@i-site.com.au  
 f: (02) 8338 1733  
 w: www.i-site.com.au



- ### ENTRY PRECINCT
- 1 REORGANISE ENTRY TO CREATE NEW LAYBY FOR ARRIVALS AND REARRANGE DAY USE CAR PARKING TO ACHIEVE 23 SPACES. REMOVE EXISTING FIGS AND PROVIDE COMPENSATORY PLANTINGS IN ACCORDANCE WITH A VEGETATION MANAGEMENT PLAN PREPARED AND SUPERVISED BY A SUITABLY QUALIFIED ARBORIST.
  - 2 PROVIDE 5 VISITOR SPACES ADJACENT TO FORMER AMBULANCE STATION.
  - 3 ADJUST THE BOUNDARY OF THE LAND MANAGED BY THE ACCOMMODATION TRUST SO AS THE DAY USE AREA IS CONTROLLED AND MANAGED BY COUNCIL.
  - 4 CREATE NEW ENTRY/EXIT ARRANGEMENT WITH BOOM GATES.
  - 5 BUILD NEW PORTION OF ROAD TO ENABLE AN APPROPRIATE CIRCULATION SYSTEM.
  - 6 PROVE A NEW OFFICE / RESIDENCE.
  - 7 PROVIDE WORKSHOP / SHED.

- ### HILLSIDE PRECINCT
- 8 CONSTRUCT NEW ROADS TO AN ALTERED ALIGNMENT TO CREATE LARGER SITES WITH IMPROVED ACCESSIBILITY
  - 9 RETAIN EXISTING CABINS AND PROVIDE FOR LONG TERM REPLACEMENT PROGRAM.
  - 10 INSTALL 3 NEW CABINS
  - 11 INSTALL NEW RELOCATABLE AMENITIES TO SERVICE SITES IN THE HILLSIDE PRECINCT.
  - 12 UNDERTAKE ADDITIONS, ALTERATIONS AND RENOVATIONS TO THE EXISTING TWO STOREY AMENITY BUILDING. UPGRADE THE MALE AND FEMALE FACILITIES AND LAUNDRY ON THE LOWER LEVEL AND PROVIDE A NEW DRYING AREA. DEVELOP THE UPPER LEVEL TO PROVIDE A GUEST LOUNGE AND CAMP KITCHEN WITH AN OUTLOOK OVER THE RICHMOND RIVER ESTUARY - SEE DRAWING SB 03.

- ### WATERFRONT PRECINCT
- 13 REMOVE HOLIDAY VANS AND REORGANISE WATERFRONT SITES TO ALLOW FOR TOURIST USE OF EXISTING APPROVED SHORT TERM SITES.
  - 14 ADJUST PARK BOUNDARY TO BETTER REFLECT OPERATIONAL AREA. PROVIDE UNOBTUSIVE FENCING TO ACHIEVE A LEVEL OF SECURITY WHILE MAINTAINING VIEWS AND APPROPRIATE PUBLIC FORESHORE ACCESS.
  - 15 INSTALL TWO NEW STANDARD CABINS AND A DISABLED ACCESS CABIN.

- ### SOUTHERN PRECINCT
- 16 RETAIN, RENOVATE AND ALTER THE FORMER LAUNDRY BUILDING TO PROVIDE A KIOSK AND CAFE FOR THE ENJOYMENT OF PARK GUESTS AND PEOPLE USING THE DAY-USE AREAS AND FORESHORE WALKWAY. THE WORK IS TO PROCEED IN CONFORMITY WITH A CONSERVATION MANAGEMENT PLAN THAT RECOGNISES THE CULTURAL HERITAGE OF THE BUILDING. PROVIDE UNOBTUSIVE FENCING FOR ENTRY CONTROL, SECURITY AND SAFETY WHILE MAINTAINING APPROPRIATE PUBLIC ACCESS.
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### PROPOSED PRECINCT ALLOCATION OF SITES & ACCOMMODATION

5	ENTRY PRECINCT
43	HILLSIDE PRECINCT
29	WATERFRONT PRECINCT
<b>77</b>	<b>TOTAL</b>

PREFERRED OPTION