



**Statement of Environmental Effects in relation to**

**Alterations and Additions to Caravan Park  
71-81 Lions Drive, Mudgee**

**December 2021**

## TABLE of CONTENTS

<b>1.</b>	<b><i>INTRODUCTION</i></b> .....	<b>1</b>
<b>1.1</b>	<b>OVERVIEW OF PROPOSAL</b> .....	<b>1</b>
<b>1.2</b>	<b>SCOPE OF REPORT</b> .....	<b>1</b>
<b>1.3</b>	<b>HISTORY</b> .....	<b>1</b>
<b>2.</b>	<b><i>SITE AND SURROUNDING LOCALITY</i></b> .....	<b>1</b>
<b>2.1</b>	<b>SITE DETAILS</b> .....	<b>1</b>
<b>3.</b>	<b><i>THE PROPOSED DEVELOPMENT</i></b> .....	<b>4</b>
<b>4.</b>	<b><i>PLANNING CONTROLS AND LEGISLATION</i></b> .....	<b>5</b>
<b>4.1</b>	<b>ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979</b> .....	<b>5</b>
<b>4.1.1</b>	<b>INTEGRATED DEVELOPMENT</b> .....	<b>5</b>
<b>4.1.2</b>	<b>EXISTING USE RIGHTS</b> .....	<b>5</b>
<b>4.2</b>	<b>STATE ENVIRONMENTAL PLANNING POLICY NUMBER 21 – CARAVAN PARKS</b> .....	<b>5</b>
<b>4.3</b>	<b>LOCAL GOVERNMENT (MANUFACTURED HOME ESTATES, CARAVAN PARKS, CAMPING GROUNDS AND MOVEABLE DWELLINGS) 2021</b> .....	<b>7</b>
<b>4.4</b>	<b>MID-WESTERN REGIONAL LOCAL ENVIRONMENTAL PLAN 2012</b> .....	<b>10</b>
<b>4.5</b>	<b>MID-WESTERN DEVELOPMENT CONTROL PLAN 2013</b> .....	<b>11</b>
<b>5.</b>	<b><i>ENVIRONMENTAL IMPACTS</i></b> .....	<b>11</b>
<b>5.1</b>	<b>CONTEXT AND SETTING</b> .....	<b>11</b>
<b>5.2</b>	<b>HYDROLOGICAL IMPACTS</b> .....	<b>11</b>
<b>5.3</b>	<b>TRAFFIC AND ACCESS</b> .....	<b>12</b>
<b>5.4</b>	<b>VEGETATION</b> .....	<b>12</b>
<b>5.5</b>	<b>CULTURAL HERITAGE</b> .....	<b>12</b>
<b>5.6</b>	<b>SOCIAL AND ECONOMIC IMPACTS</b> .....	<b>12</b>
<b>6.</b>	<b><i>SUITABILITY OF THE SITE</i></b> .....	<b>12</b>
<b>7.</b>	<b><i>THE PUBLIC INTEREST</i></b> .....	<b>13</b>

**8. CONCLUSION ..... 13**

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## **1. Introduction**

### **1.1 Overview of Proposal**

The proposal seeks consent for alterations and additions to the existing Mudgee Holiday Park. The proposal involves the redesignation of certain sites within the park, as well as the addition of fourteen (14) additional short term sites for tourist accommodation.

### **1.2 Scope of Report**

This report has been prepared to accompany the application and addresses relevant matters as detailed under Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

### **1.3 History**

The park was approved by Mudgee Shire Council in September 1990 and provided for expansion of the caravan park on the land. The park was established generally in accordance with the consent and has been operational for many years under different ownerships.

The current owners purchased the park in 2009 and have satisfied the special conditions of the approval to operate under the *Local Government Act 1993*, which included a requirement to provide a scaled community map of the park. The plan indicated some anomalies with the approved plan and the consent was modified in March 2020 to recognise the new community map.

## **2. Site and Surrounding Locality**

### **2.1 Site Details**

The following data is provided in relation to the site:

<b>Title Description</b>	Lot 15 DP 1116874
<b>Property Address</b>	71-81 Lions Drive, Mudgee
<b>Site Area</b>	6.791 hectares
<b>Zoning – Mid-Western LEP 2012</b>	B5 – Business Development

## Big 4 Mudgee Holiday Park

The subject site is located in the south eastern parts of the Mudgee township on the northern side of Lions Drive. The site in its local context is shown in Figure 1 below.

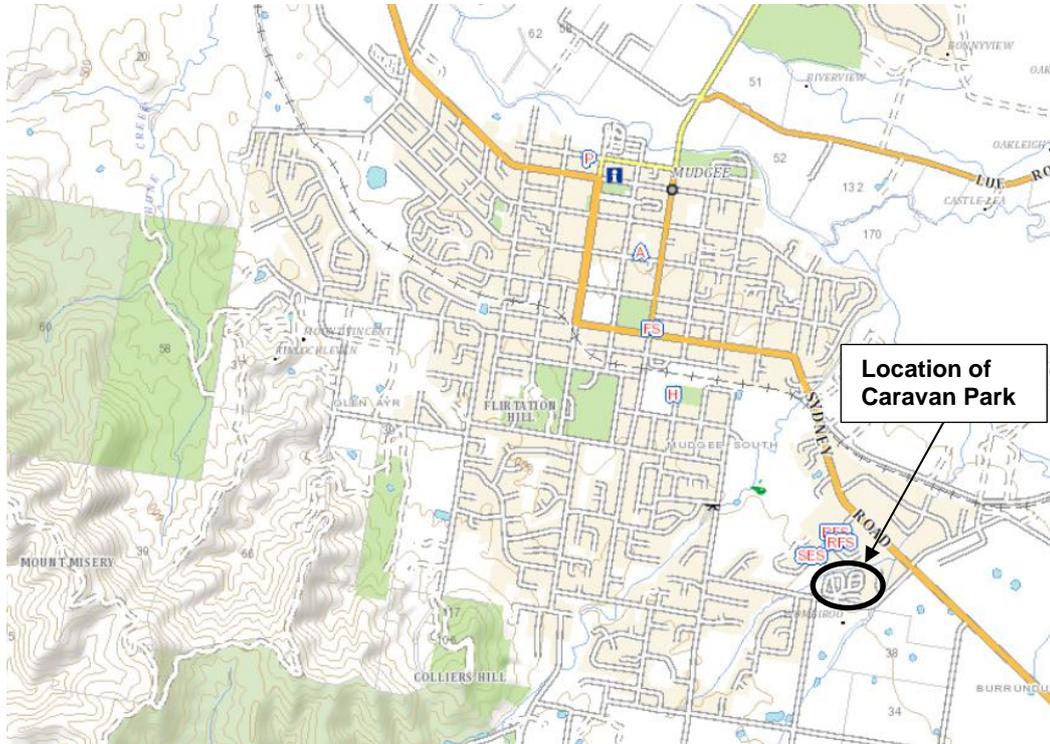


Figure 1 – Location of Site

[Source: LPMA SIX Maps]

The site and surrounding area is depicted in Figures 2 and 3 below and on the following page.

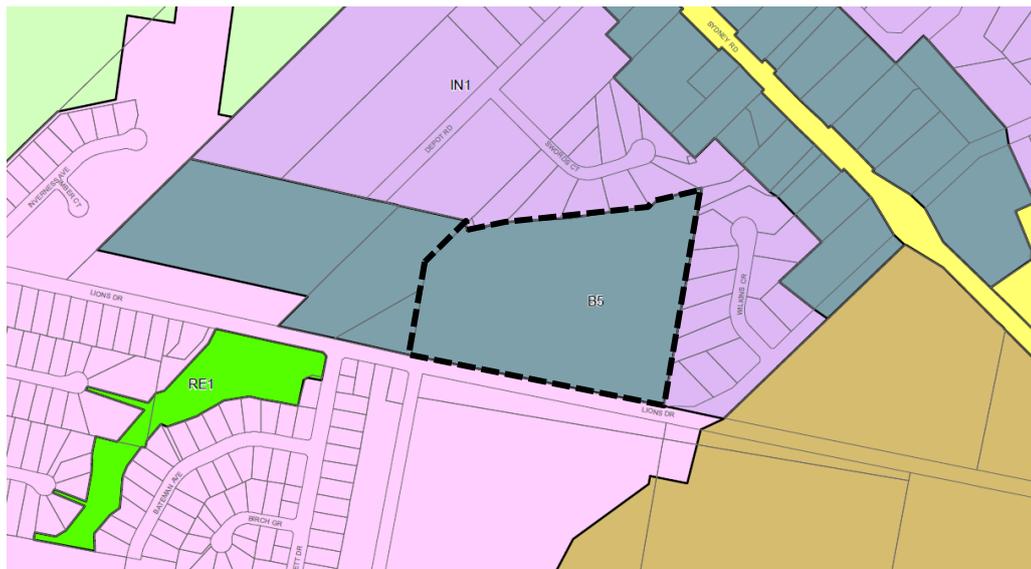


Figure 2 - Site Locality Plan (Zoning)

[Source: [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)]



**Figure 3 - Site Locality Plan (Satellite)**

**[Source: LPMA Six Viewer]**

The site contains the existing caravan park known as Big 4 Mudgee Holiday Park.

The park (as per the current approval) provides:

- 99 Long Term Sites
- 61 Short Term Sites
- 12 Camp Sites

The sites in the caravan park provide a range of accommodation options, including:

- Sites with Manufactured Homes used for permanent accommodation.
- Sites with park cabins providing tourist and other short term accommodation.
- Powered and non-powered sites for caravans and tents.

The park includes significant community facilities, including:

- Amenities buildings (x2)
- BBQ areas
- Kiosk/Convenience store
- Function room
- Games room
- Jumping pillow
- Kids play areas

- Pool
- Sauna
- Large open recreation areas

### **3. *The Proposed Development***

The proposal involves alterations and additions within the existing caravan park. There are three (3) components to the alterations as follows:

- Changing eight (8) of the existing camp sites into short term sites.
- Modifying an area containing four (4) camp sites to create a new park road and twelve (12) short term sites and visitor parking.
- Creating two (2) new short term sites adjacent to the park entry.

A plan showing the amended layout is included in Appendix A.

#### **3.1 Reallocation of Camp Sites**

The reallocation of the eight camp sites has been identified to allow greater flexibility for the use of those areas and not be limited by the restrictions applying to camp sites. The sites are all of sufficient size to meet the requirements for short term sites. The area will remain as powered sites, with water and sullage connection as required for short term sites.

#### **3.2 New Road and twelve (12) sites**

There is a gap between the existing cabins on sites 20 and 21 which contains a sealed road that leads to four (4) unpowered camp sites. To better utilise this area, it is proposed to further improve the sites' access road and create twelve (12) short term tourist sites, as well as five (5) visitor parking spaces.

#### **3.3 Additional Sites adjacent to Entrance**

There is a vacant area west of the entrance to the caravan park that previously contained a small fibreglass pool that has been filled in. The area has sufficient space to provide two (2) additional short term sites between site 157 and the entrance road.

## **4. Planning Controls and Legislation**

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

#### **4.1.1 Integrated Development**

Section 4.46 of the *Environmental Planning and Assessment Act 1979* provides for certain approvals to be obtained concurrently with development consents. The list of approvals includes approvals for *controlled activities* under the *Water Management Act 2000*.

The proposal involves works within 40m of the drainage line that drains the upstream stormwater management facilities and runs along the northern perimeter of the site and would involve a *controlled activity* as described under the *Water Management Act 2000*.

The drainage line through the site is an open drainage corridor which is part of a highly modified natural drainage line. The drainage line is from a large stormwater detention basin established for urban development in the area and also connects with concrete lined channels and pipes downstream of the site. Whilst the corridor is highly modified and anthropogenic, the section through the site is an open grass lined channel with some native vegetation. The proposed new sites maintain a riparian setback from the channel and allow for enhanced vegetation management of the channel to provide better riparian function.

#### **4.1.2 Existing Use Rights**

As discussed below, the use of land for caravan parks is not permissible in the B5 zone. As discussed, the park has been established with consent and operates with relevant approvals under the *Local Government Act 1993*.

As such, it is apparent that existing use rights exist for the park where the use would otherwise be prohibited. The provisions of the Act and Regulations provide that an existing use can be altered, extended, intensified, etc., with consent.

### **4.2 State Environmental Planning Policy Number 21 – Caravan Parks**

SEPP 21 commenced in 1992 and the aims of the SEPP are:

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

Clause 4 provides that the policy applies to all land in the state that is within a local government area. Clause 8 of SEPP 21 provides that development for the purposes of a caravan park may only be carried out with development consent of Council, and provides that before granting a development consent for use of land as a caravan park, Council must determine the number of sites that are suitable for long term or short term use. The Clause also provides that Council must provide a condition on a consent specifying the maximum number of sites within the land that may be used for long term residence. Clause 9 of SEPP 21 provides that land may be subdivided for lease purposes with the development consent of the Council, and that those lots subdivided for long term lease purposes must be suitable for use as long term sites.

Clause 10 of SEPP 21 provides the matters that should be considered by councils in determining whether to grant a consent and also how many sites should be identified for long term and short term use. The matters listed in Clause 10 are as follows:

- (a) whether, because of its location or character, the land concerned is particularly suitable for use as a caravan park for tourists or for long-term residence,*
- (b) whether there is adequate provision for tourist accommodation in the locality of that land, and whether existing or potential tourist accommodation will be displaced by the use of sites for long-term residence,*
- (c) whether there is adequate low-cost housing, or land available for low-cost housing, in that locality,*
- (d) whether necessary community facilities and services are available within the caravan park to which the development application relates or in the locality (or both), and whether those facilities and services are reasonably accessible to the occupants of the caravan park,*
- (e) any relevant guidelines issued by the Director, and*

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

This Park is an existing mixed use park containing both long term sites and short term sites.

The proposed development will improve the provision of tourist and other short term accommodation at the site, for which there has been a growing demand.

The proposal will maintain the existing provision of long term sites in caravan parks as a means of providing affordable housing.

The Park is located in an area that has a high level of access to services and community amenities.

In relation to item (f), the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds, and Moveable Dwellings) Regulation 2005 has been addressed below.

### **4.3 Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) 2021**

This Regulation provides requirements for the development of Caravan Parks and Manufactured Home Estates in NSW. Part 3 of the Regulation deals with Caravan Parks, Camping Grounds and Moveable Dwellings. Division 3 of Part 3 is the most relevant consideration for this proposal as it provides the design and facility requirements for caravan parks. The following provides the requirements under Part 3 Division 3 of the Regulation that are relevant to the proposed sites, and comments on how the proposal complies with these requirements:

**Note:** In the following discussion *dwelling site* refers to a site upon which a caravan or other moveable dwelling can be placed.

- **Subdivision 1 – Land and Site Requirements**
  - Clause 83 – A site for a caravan park must have a minimum site area of 1 hectare. The subject site has an area of 6.791 hectares.
  - Clause 84 – Provides that 10% of a caravan park site should be set aside for recreational or other communal purposes and provides that

this area may be reduced (to no less than 6%) having regard to the type and arrangement of amenities provided. The caravan park provides large areas of open space and significant recreation/communal facilities occupying over 10% of the caravan park area.

- Clause 85 – Provides that short sites in a caravan park must be a minimum of 65m<sup>2</sup> (short term). All sites are larger than the minimum area.
- Clause 86 – Provides that each site must be numbered. Each site has been designated a number which will be displayed on the site.
  
- **Subdivision 2 – Setbacks**
  - Clause 87 – Requires each site to have frontage to an access road. Each site has frontage to an internal road.
  - Clause 88 – Requires any community building to be setback 10 metres from the caravan park boundary or a dwelling site boundary. The community building setbacks are maintained and exceed 10 metres from sites and boundaries.
  - Clause 89 – Requires dwelling and camp sites to be setback 10 metres from boundaries which form road frontages and 3 metres from other boundaries. The setback may be reduced where suitable fencing/screening is provided. The twelve (12) new short term sites maintain a 3 metre setback from the western boundary. The two (2) sites adjacent to the entrance have a setback of 5 metres from the road frontage which matches the setback of the existing sites in that area. Existing screen planting is provided along the site frontage.
  - Clause 90 – Provides that setback areas may be used for parking, roads, landscaping and other purposes.
  - Clause 91 – Provides separation requirements for moveable dwellings. These are matters for compliance during the operation of the park.
  
- **Subdivision 3 – Roads**
  - Clause 94 – Requires two (2) way roads to be 6 metres wide and one (1) way roads 4 metres wide. The proposed new road is 6 metres wide.

- Clause 96 – Requires provision of a parking space for each site. Each of the new sites is of sufficient dimension to provide for a car parking space.
  - Clause 97 – Requires the provision of visitor parking at the rate of one (1) space per 20 short term sites. Visitor parking is provided throughout the park and an additional five (5) spaces are proposed which more than caters for the requirements for the new sites.
  - Clause 98 – Provides that at least two (2) of the visitor spaces must be parking spaces suitable for persons with a disability. Suitable shared areas can be provided to create at least two spaces compliant with AS 2890.6.
  - Clause 99 – Requires all roads to have an all-weather sealed surface. All the existing roads have a bitumen sealed or concrete surface.
  - Clause 100 – Requires all access roads to be lit between sunset and sunrise. Suitable lighting is provided throughout the Park to meet this requirement and can be provided for the new road.
- **Subdivision 4 – Utility Services**
- Clause 101 – Provides that a caravan park and each dwelling site must be connected to a suitable water supply. The Park is connected to the reticulated supply and each site will be connected to this supply.
  - Clause 102 – Requires that the Park and all short term sites must be provided with a sullage connection. The Park is connected to reticulated sewer and each site will be provided with a suitable connection.
  - Clause 103 – Provides that a park must be provided with a stormwater drainage system and that all sites must be adequately drained. The Park has an existing stormwater drainage system. The new site will be provided for suitable drainage.
  - Clause 104 – Requires that each dwelling site must have an electrical service. Each site will be provided with an electricity service connection.
  - Clause 105 – Allows the use of common trenches for the installation of services.

▪ **Subdivision 5 – Shower and Toilet Facilities**

- Clause 106 – Provides that dwelling sites which are reserved for self-contained moveable dwellings are disregarded from the calculation of facilities. It is proposed that the proposed sites will be reserved for self-contained moveable dwellings and, as such, no toilet and shower facilities will be necessary for the proposed sites.

▪ **Subdivision 6 – Laundry Facilities**

The existing park provides communal laundry facilities as per the approval to operate. Additional washing machines, dryers and line space can be provided as necessary to achieve compliance.

▪ **Subdivision 7 – Management**

- These requirements relate to the management of the Park and must be observed in the operation of the Park.

▪ **Subdivision 8 – General**

- Clause 127 - Provides that arrangements must be made for the disposal of garbage and the maintenance of bins in a clean and sanitary condition. A waste collection service providing internal collection by management and external collection (by a contractor) is provided in the existing Park.
- Clause 128 – Requires the provision of fire hydrants. There are existing hydrants within the Park that will provide coverage for the existing and proposed sites.
- Clause 129 - Requires the provision of fire hose reels throughout the Park. Fire hose reels are provided throughout the Park and additional reels can be provided to cover the new sites.
- Clause 130 – Requires the provision of a carwash bay. An existing carwash bay is provided within the Park.

#### **4.4 Mid-Western Regional Local Environmental Plan 2012**

The subject land is zoned B5 – Business Development under the provisions of *Mid-Western Regional Local Environmental Plan 2012* (LEP).

Whilst the land use table for the B5 zone indicates that caravan parks are a prohibited use in the zone, the existing caravan park has an existing consent and benefits from existing use rights.

It is noted that the land is not mapped as affected by the following matters under the LEP:

- Heritage Conservation
- Flood Planning
- Terrestrial Biodiversity
- Visual Sensitivity

The land is mapped on the Groundwater Vulnerability Map; however, the proposal involves minimal physical change to the land and would not have any impacts identified in clause 6.4.

#### **4.5 Mid-Western Development Control Plan 2013**

There are no provisions under the *Mid-Western Regional Development Control Plan* (DCP) which relate to caravan parks and no provisions relevant to the proposal.

### **5. Environmental Impacts**

#### **5.1 Context and Setting**

The proposed changes occur within an existing caravan park and do not involve any major changes to the Park layout or external appearance. The Park is located in an urban fringe area and the proposed changes will not alter the established setting of the Park in the surrounding environment. The existing drainage corridor through the site will be maintained providing a separation between the Park and adjoining industrial land uses.

#### **5.2 Hydrological Impacts**

The *Mudgee Flood Study 2021* shows that flooding on the site in the 1% AEP event is limited to the drainage corridor and does not impact the area of the site containing existing or proposed sites.

The existing Park has a stormwater drainage system which serves the Park. The proposed works will not alter this system. Stormwater from the additional 12 sites

in the western part of the Park can be collected and discharged to the existing system.

### **5.3 Traffic and Access**

The proposal will not alter any of the approved access arrangements and will not generate significant additional traffic that would impact on local roads or intersections.

### **5.4 Vegetation**

The subject site is a cleared site containing a caravan park with managed lawn and garden areas.

The site does contain an area of native vegetation along the drainage corridor. The drainage corridor will be managed and existing vegetation retained and enhanced through vegetation management of the corridor.

### **5.5 Cultural Heritage**

The site does not contain any items of European Heritage identified in Mid-Western Local Environmental Plan, or the State Heritage Register.

An AHIMS Search for the site did not reveal any Aboriginal sites or places on the site or adjoining areas. The works are undertaken within the existing developed footprint of the park and further disturbance of cultural materials is unlikely.

### **5.6 Social and Economic Impacts**

The proposed development will have positive social impacts in the area by maximising opportunities for tourists and other forms of short term accommodation. The short term sites within the Park also provide short term accommodation for workers and travellers in the area and support economic activity in the region. The proposal delivers additional sites in a park with existing services and will have positive impacts for the local economy..

## **6. Suitability of the Site**

The proposed site is currently used for the purposes of a caravan park and contains sites providing permanent and tourist accommodation in the area. The

proposed sites are located within the existing caravan park footprint and maintain the existing park setting.

The site is identified as being subject to minor flooding hazards. The issues in relation to flooding are relatively minor and are contained within the narrow drainage corridor and do not affect existing or proposed sites and the site is suitable for the proposed additional sites.

## **7. The Public Interest**

The proposal provides for the highest and best use of sites within the Park using the existing infrastructure. The proposal will have positive social and economic effects and is in the public interest.

## **8. Conclusion**

The proposal relates to an existing caravan park located at 71-81 Lions Drive, Mudgee.

The proposal involves alterations and additions to the existing caravan park to convert eight (8) camp sites into short term sites and create ten (10) additional sites overall (14 Short Term sites less 4 camp sites)

The existing caravan park operates under existing use rights with the use being prohibited in the current B5 zoning. The existing rights allow alterations and additions to the caravan park in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* and regulations.

The proposal is consistent with relevant development controls for the land and area and can be established to comply with the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) 2021*.

The proposal does not result in any significant detrimental impacts to the surrounding natural or built environment and the site is suitable for the proposed development. The proposal results in positive social and economic outcomes and is in the public interest.