



HALIFAX HOLIDAY PARK PLAN OF MANAGEMENT

FEBRUARY 2024



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PREAMBLE



INTRODUCTION

This Plan of Management establishes objectives, strategies and performance targets for the ongoing operation and development of Halifax Holiday Park.

Successful implementation of the Plan will:

- ❖ Improve sustainable resource management
- ❖ Improve facilities for guests
- ❖ Increase capacity to address changing market demands
- ❖ Improve the Park's commercial operating position
- ❖ Increase visitation and local economic activity
- ❖ Improve park amenity and facilities, without compromising the existing character

KEY MANAGEMENT ACTIVITIES

This Plan of Management establishes the actions by which Port Stephens Council will address the requirements and expectations of the NSW Government, visitors, residents, businesses, community groups and the wider regional community.

The key management activities addressed in this Plan include:

- ❖ Providing additional and improved amenities and recreational facilities
- ❖ Providing a mix of accommodation types that respond to current and changing demand
- ❖ Ongoing compliance with the applicable technical standards and regulations
- ❖ Implementing strategies to improve occupancy rates in the shoulder and low seasons
- ❖ Incorporating environmental sustainability practices into development and management activities
- ❖ Introduce energy efficient products and renewables and reduce plastic waste
- ❖ Implementing a high standard of risk management practices
- ❖ Exploring opportunities to increase revenue and reduce operating costs

VISION STATEMENT

To conserve and maintain the natural environment of the Holiday Park while providing a range of recreation and accommodation opportunities for visitors and optimise a return to the community

THE PLAN OF MANAGEMENT PROCESS

A Plan of Management is a statutory instrument that provides strategic planning and governance for the management and use of Crown and Community Land.

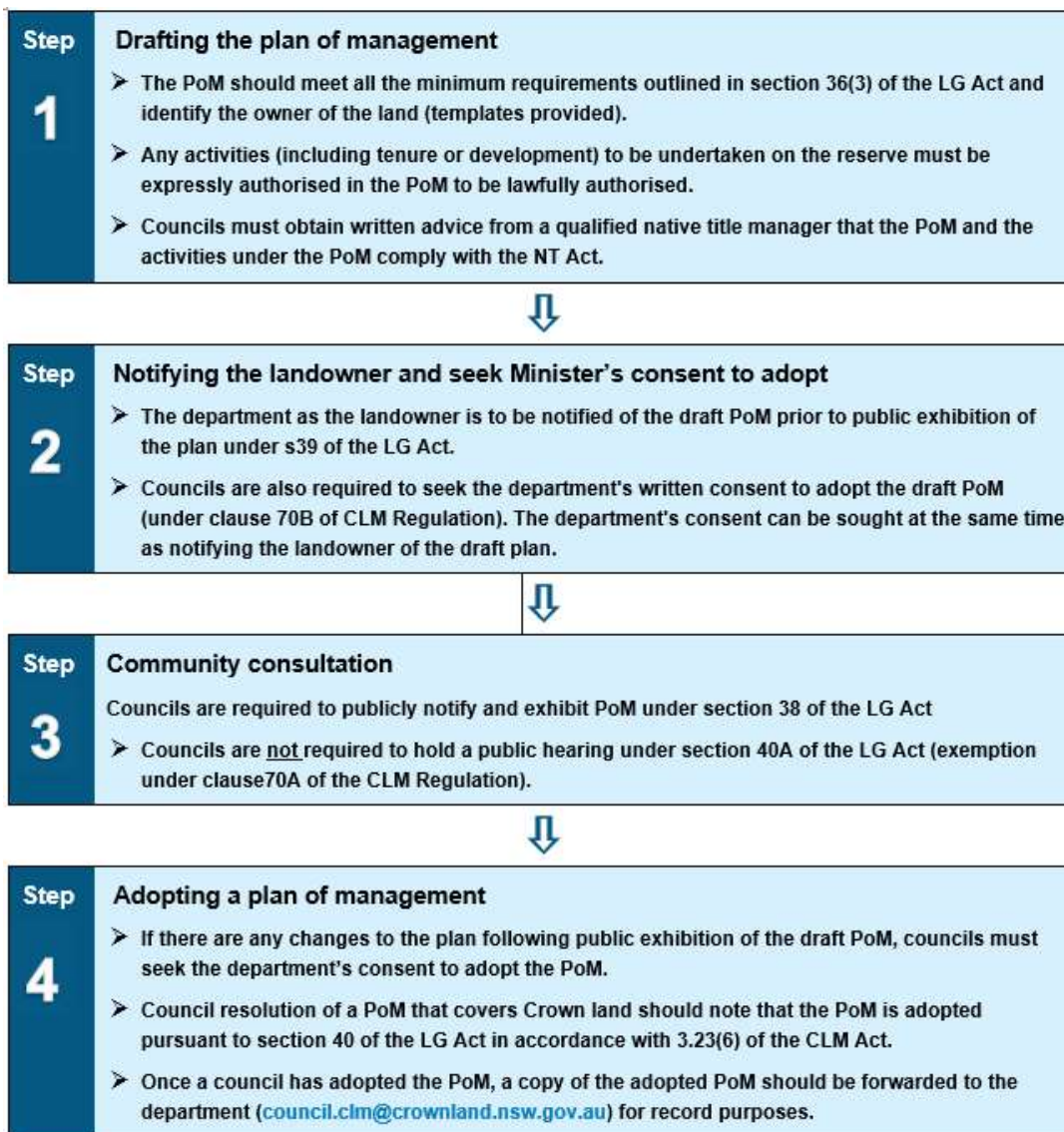
Plans of management set out objectives and performance targets and provide for active land management and use, including the issuing of tenures over the land.

A Plan of Management must be prepared in accordance with the Crown Land Management Act (2016) and adhere to the specific requirements stated in Division 3.6 of the Act. This requires Port Stephens Council, as Crown Land Manager of Halifax Holiday Park, to adhere to the following requirements:

- ❖ The Crown Land Manager must undertake community engagement on a draft plan of management, including the preparation of a community engagement strategy in accordance with the Crown Land Management Act.
- ❖ The Minister must review and approve the Plan of Management prior to adoption. Once adopted, developments and activities conducted on site must be carried out in accordance with the final Plan of Management.



- ❖ Any future amendments to the adopted Plan of Management require community consultation and engagement.





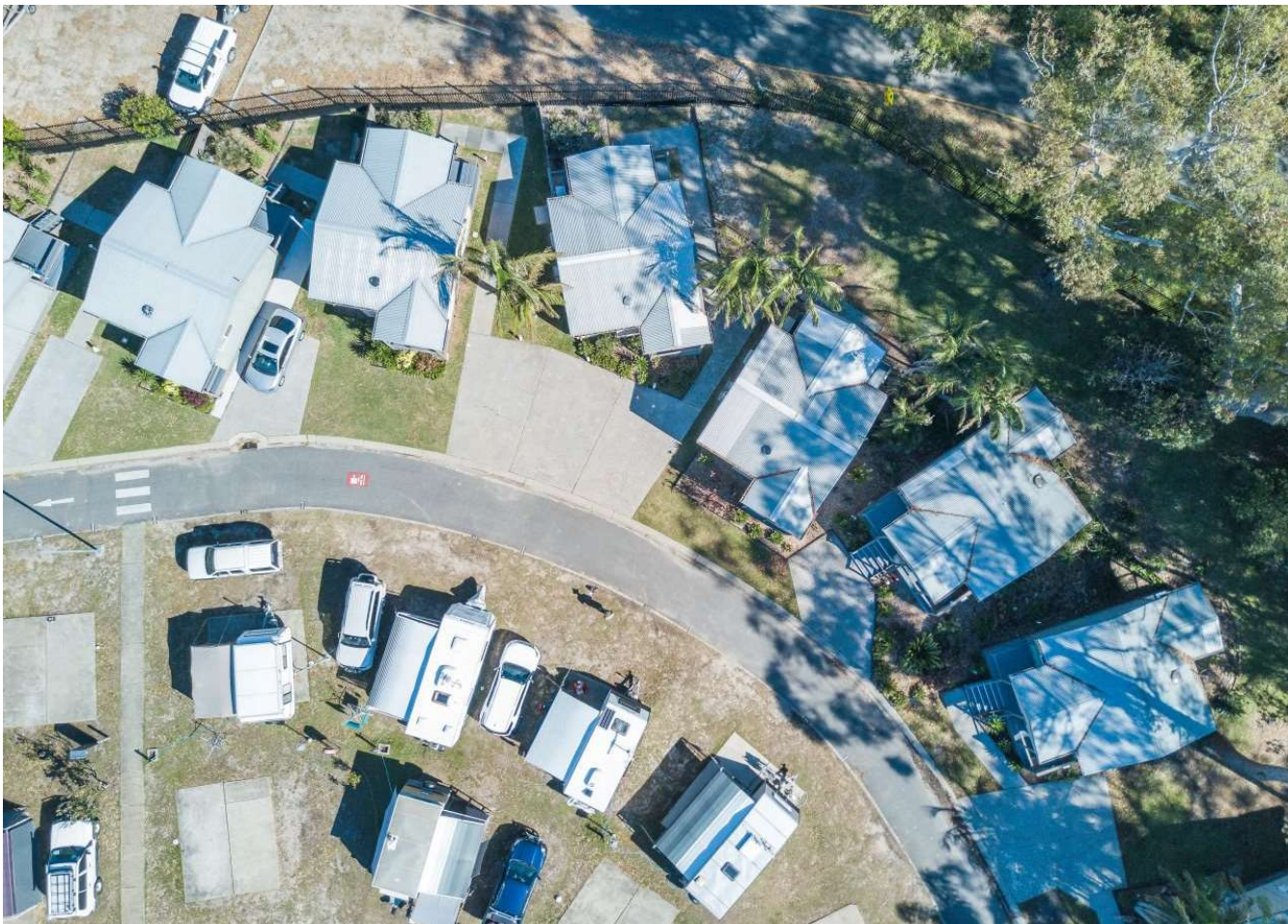
IMPLEMENTATION AND REVIEW

This Plan of Management provides a long-term strategy for the management of Halifax Holiday Park, Crown Reserve 91621. It is anticipated that the majority of the works described will be implemented over a five to seven-year period. Priorities for works and funding will be addressed on an annual basis to meet operational and stakeholder needs.

This plan is to be reviewed every five years, or as required to ensure that it remains relevant and useful.

COMMUNITY CONSULTATION

This Plan of Management was placed on public exhibition from 19 July 2019 and two public hearings held on 6 August 2019 and 10 August 2019 in accordance with the requirements of section 38 of the Local Government Act 1993. Submissions were received as detailed in the Post Exhibition report compiled by APP and reported to Council on 9 August 2022.





HISTORY AND DESCRIPTION OF HALIFAX HOLIDAY PARK

Halifax Holiday Park is located at on Crown Land at Nelson Head on the southern shores of the Port Stephens waterway, approximately half way between the settlements of Nelson Bay and Shoal Bay. The Holiday Park was established in 1946 and quickly became a favourite holiday destination for visitors to Port Stephens, spearheading tourism to the region during the 1950s.

Located in a natural bushland setting, Halifax Holiday Park is surrounded by two calm water beaches, Shoal Bay and Little Beach.

The park is a favourite destination for boating enthusiasts and is situated within close proximity to a deep-water boat ramp, calm waters and a marina. Additionally, the waters off Halifax Park and Fly Point are an aquatic reserve and are the most popular diving locations in Port Stephens.

CROWN LAND AND COUNCIL'S ROLE

Management Context

The land is owned by the State of New South Wales and Port Stephens Council has provided a long-standing function as Crown Land Manager for three Holiday Parks located within the Council area and Port Stephens Regional Crown Reserve. These parks are known as:

- ❖ Shoal Bay Holiday Park;
- ❖ Halifax Holiday Park, and
- ❖ Fingal Bay Holiday Park.

To ensure that these valuable properties are managed in a manner that will result in the optimum benefit to the community, Council in partnership with NSW Government, determined the need to undertake a review of the Holiday Park businesses. The purpose was to establish appropriate strategies to guide future improvement and development of the Holiday Parks in line with the principles of the Crown Land Management Act.

Port Stephens Regional Crown Reserve

The Port Stephens Regional Crown Reserve is a land area that has been set aside for current and future public uses for a variety of purposes. The Crown Reserve included Crown Lands from Fern Bay in the south, along the Tomaree Peninsula, extending north of Karuah.

The Reserve include an assortment of land uses and types throughout Port Stephens, including a large estuarine area featuring wetlands and mangroves, a variety of threatened and non-threatened species of flora and fauna, important Aboriginal sites and landscapes, areas connected with the military activities and abundant public space for community use. Nelson Head has historically provided navigational aids to shipping and supports an old Pilot's cottage as well as volunteer coastal patrol services and telecommunications facilities.

The Port Stephens Crown Reserve allows for efficient planning and management, enhancement of the area through targeted improvement works as well as heightening community awareness of the ongoing challenges and opportunities this unique natural landscape presents to the region.

Included in this Crown Reserve is Halifax Holiday Park and its connecting local beaches.

As Crown Land Manager, Port Stephens Council must manage this land in the public interest, considering the reserves position within the region and aligning with best practice for management of such land.

Area of Reserve 91621

Reserve 91621 occupies a total area of 3.627 hectares. Halifax Holiday Park covers a total 3.2 Hectares of this Reserve. The Reserve boundary, including the area occupied by Halifax Holiday Park, are shown by red outline in Diagram 1.

Reserve Status and Surrounding Lands

Reserve 91621 is defined by Lots 1 & 2 DP 1118650 and Lot 424 DP 39728. The surrounding lands particularly to the north,



east and west constitute other reserved lands and these can be set out as follows:

- ❖ Adjoining to the north and occupying most of the headland is Lot 4 DP 727756 which forms Reserve 67366 for Public Recreation. Other allotments to the west of the Holiday Park also constitute part of Reserve 67366.
- ❖ Within Lot 4 DP 727756 sits Lot 427 DP 39728 and this forms Reserve 170152

for Community and Heritage Purposes. This Lot and Reserve defines the area given over to the Pilot's Cottage, Museum, Café, Coastal Patrol and Telecommunications facilities.

- ❖ Also adjoining the Holiday Park to the north stretching up towards the headland and down to the south-east is Lots 7020 & 7021 DP 1126832 containing the balance of Reserve 81389 for Public Recreation.

Table 1: Information about reserve covered by this plan of management.

Reserve Number	91621
Gazettal Date	9 November 1979
Reserve purpose	Caravan and Camping Park
Land parcel/s	Lots 1-2 DP 1118650 and Lot 424 DP 39728
Area (Ha)	3.627 ha
LEP zoning	RE2 Private Recreation
Assigned category/categories	General Community Use



Diagram 1. Map of Crown Reserve 91621

STRATEGIC DIRECTIONS



GUIDING PRINCIPLES

Seven guiding principles define the way in which Halifax Holiday Park will be developed and managed into the future. These principles have informed the performance targets and objectives within this plan of management and are reflected throughout this document.

In its future ongoing operations and development, Halifax Holiday Park aims to:

1. Protect and enhance the surrounding environment.
2. Provide a range of recreational activities.
3. Be financially and operationally sustainable.
4. Respect cultural heritage.
5. Enhance accessibility to visitors.
6. Respond to the needs of new and existing customers.
7. Maintain or improve customer satisfaction.

STRATEGIC DIRECTIONS

The objectives for Halifax Holiday Park have been divided into three broad categories, or Strategic Directions. These Strategic Directions provide a framework which guides the development and operation of the Park and ensures the Park's vision and core principles are achieved.

STRATEGIC DIRECTION ONE: ENVIRONMENTAL PROTECTION AND LAND STEWARDSHIP

Aim

Improve the sustainability of Halifax Holiday Park's operations and the quality of the surrounding natural environment.

Objective 1 – Vegetation, Habitat and Natural Land Management

- ❖ Minimise disturbance to natural vegetation.
- ❖ Implement practices and procedures consistent with Beachside Holiday Parks Environmental Management Plan.
- ❖ Maintain and implement a current Vegetation Management Plan for the Holiday Park.
- ❖ Seek opportunities to maintain and restore natural vegetation.
- ❖ Implement management strategies to protect the habitats of important native species.

Objective 2 - Waterways, Catchments and Coastal Protection

- ❖ To manage coastal processes and climate change while allowing for natural occurrences.
- ❖ Develop specific climate change adaptation plans in conjunction with the rest of the local government area.
- ❖ Review existing stormwater management procedures and seek opportunities to make improvements.
- ❖ Seek opportunities to use ecofriendly chemicals throughout the Park and ensure all chemicals used satisfy relevant guidelines and industry best practice.

Objective 3 – Fire Protection

- ❖ Implement and maintain best practice fire management strategies.
- ❖ Provide and maintain adequate fire control access.
- ❖ Provide and maintain fuel free and fuel reduced zones where necessary.
- ❖ Ensure biannual fire safety inspections of the Park are completed and records maintained.
- ❖ Ensure an annual fire safety statement is provided and records kept.

Objective 4 – Aboriginal and Non-Aboriginal Cultural Values

- ❖ Identify and protect significant Aboriginal and Non-Aboriginal culture sites.
- ❖ Ensure access is provided to significant Aboriginal sites.
- ❖ Provide educational and interpretative signage where desirable and appropriate.



STRATEGIC DIRECTION TWO: SITES AND ACCOMMODATION

Aim

Create, enhance or maintain a diverse range of recreational facilities, accommodation offerings and associated infrastructure. Successful achievement of this aim requires consideration of the changing demands and requirements of visitors.

Objective 1 – Recreational Facilities

- ❖ Maintain and upgrade designated recreation areas to cater for a range of recreational activities.
- ❖ Consider opportunities to improve the range of facilities offered to guests, such as the provision of a swimming pool or entertainment precinct.
- ❖ Ensure design, construction and maintenance of recreational facilities complies with the relevant regulations.

Objective 2 - Accommodation Upgrades and Improvements

- ❖ Consider opportunities to provide additional Sites and Cabin Spaces.
- ❖ Consider upgrades to existing tourist sites in general to ensure suitable surfaces and access.
- ❖ Consider opportunities to upgrade holiday van sites to cabins and powered tourist van sites.
- ❖ Ensure site presentation, maintenance and compliance standards are in place and enforced.
- ❖ Provide native vegetation and landscaping as determined by Council.
- ❖ Protect and enhance the visual amenity of the Park and adjoining land.
- ❖ Conduct upgrades in accordance with best practices for environmental responsibility and sustainability.

Objective 3 – Waste and Energy Management

- ❖ Implement strategies to reduce the incidence of litter and dumping.
- ❖ Design new and upgraded facilities to ensure the responsible use of resources.
- ❖ Design, construct and maintain the Park using ecologically sensitive materials.
- ❖ Seek opportunities to minimise maintenance and operational energy requirements.
- ❖ Consider the installation of solar collectors on Holiday Park buildings.
- ❖ Consider an upgrade of the street lighting network utilising solar structures where possible.

Objective 4 – Facility and Infrastructure Upgrades

- ❖ Consider opportunities to install synthetic turf on tourist sites to reduce wear and tear.
- ❖ Consider the need for additional toilet facilities.
- ❖ Consider opportunities to improve caravan access via road widening.
- ❖ Consider new technologies and infrastructure to improve guest security.
- ❖ Review essential services (water, sewer, power and stormwater) and upgrade if required.
- ❖ Avoid location of new services in or through natural areas.
- ❖ Ensure appropriate ongoing management and access regimes for public utilities.
- ❖ Consider an appropriate road and pathway layout to allow efficient movement within and through the Park, including to recreational facilities.
- ❖ Insure appropriate access and parking for emergency vehicles.
- ❖ Ensure disabled access is provided to community facilities and bathrooms consistent with the Australian Standards.



STRATEGIC DIRECTION THREE: SITE MANAGEMENT AND COMMERCIAL SUSTAINABILITY

Aim

Develop a sustainable revenue base to support the long-term management and development of Halifax Holiday Park. Sustainable revenue ensures that the Holiday Park contributes to the economy of the local region, providing amenity that will help make the region a great place to live, work and visit.

Objective 1 – Awareness of the Holiday Park

- ❖ Identify and consider potential to address new and emerging market opportunities.
- ❖ Prepare and implement an annual marketing and promotional strategy.
- ❖ Actively monitor the short-term holiday rental market within the Port Stephens area and take actions to remain competitive as a unique and attractive holiday offering.

Objective 2 – Improved Revenue Opportunities

- ❖ Design accommodation that responds to current and future demand and can generate a consistent income stream.
- ❖ Operate with the objective to self-fund the ongoing management of the Holiday Park and make a substantial contribution to the management of the reserved lands.
- ❖ Maintain existing cabins to provide affordable family holiday accommodation.
- ❖ Investigate opportunities to provide additional accommodation.
- ❖ Identify and investigate additional revenue sources.

Objective 3 - Safety and Risk Management

- ❖ Prepare and implement best practice health, safety and risk management plans.
- ❖ Explore opportunities to improve security measures within the Park.
- ❖ Ensure prohibited activities are adequately discouraged and implement suitable measures to address problems specific to particular areas.
- ❖ Carry out regular risk management inspections for all infrastructure and implement maintenance and repairs as required.
- ❖ Carry out regular inspections to ensure appropriate tree and vegetation maintenance and intervention is undertaken.

Objective 4 – Leases and Licences

To enable leases and licences for appropriate uses as detailed on pages 49-50.

Current leases issued:

- ❖ The kiosk in Precinct 1 has been leased to the Li Family Group Pty Ltd since 1 April 2013. The lease expired on 31 March 2023 and the lessee remains in occupation under holding over provisions. It is proposed to enter into a new leasing arrangement following adoption of the Plan of Management.



REVIEW PROCESS

The purpose of this Plan of Management is to provide a strategic and statutory basis for improvements, management and operations within Halifax Holiday Park.

To ensure that the key objectives and performance targets of the Holiday Park are adhered to over the life of the Plan of Management, the Crown Land Manager must periodically review the Park's improvements, management and operations in line with the adopted key objectives.

The Plan of Management is to be reviewed every 5 years, or as required, to ensure the

plan remains relevant to the operational direction of the park, in line with community's expectations for the land and consistent with any changes in legislation.

Prior to the drafting of the next Plan of Management, it is essential that the Crown Land Manager reviews the performance of the Holiday Park against the objectives and targets outlined in this Plan of Management.

SITE ANALYSIS & PRECINCT IMPROVEMENTS



OVERVIEW OF THE SITE

Assessment and evaluation of the Halifax Holiday Park site, operations and development potential has identified a range of opportunities to improve the performance of the Park.

This Plan separates Halifax Holiday Park into seven distinct precincts, each with its own unique character and values as defined by land use, function, character and location. This chapter outlines the current status and future potential for each precinct, and includes management actions to improve the commercial functional of each precinct.

These seven precincts are detailed in the Site Map below.

The Park provides a range of accommodation types from powered tent sites to 4 bedroom deluxe villas. The Park also includes accessible amenities, laundry, covered barbeque areas, camp kitchen and children's playground. All accommodation and other structures are in good condition.

The Park also includes some vegetated areas within the reserve boundary but not mapped within the precincts. This vegetation will be retained as a buffer between the Park and adjoining lands for the amenity of the Park patrons.

The Park is sited between Little Beach and Shoal Bay Beach and is adjoining a boat ramp and kiosk.



FIGURE 2: Site Map - Overview of Halifax Holiday Park's Precincts



KEY CONSTRAINTS AND OPPORTUNITIES

The following 'SWOT' analysis summarises the current status and future potential of Halifax Holiday Park. This has been used to inform and prioritise operational and development activities across all precincts.

Strengths

- ❖ Location within an established tourism area
- ❖ Proximity to Shoal Bay Beach and Little Beach
- ❖ Direct water and beach access
- ❖ Proximity to Nelson Bay town centre
- ❖ Access to Little Beach Boat Ramp and Carpark
- ❖ Established visitor base with continued re-visitation
- ❖ Variety of accommodation offerings and price-points
- ❖ Generally well maintained and serviced
- ❖ Positive reputation as a preferred holiday destination

Weaknesses

- ❖ Existing recreational facilities are aging and require improvement
- ❖ Multiple instances where the existing accommodation is not the highest and best use for the site it occupies
- ❖ Internal road layout creates difficulty manoeuvring large vehicles
- ❖ Significant wear and tear of sites caused by high turnover during peak seasons

Opportunities

- ❖ Additional revenue by converting low yielding sites, to high yielding villas/cabins/tourist sites
- ❖ Reconfiguration to increase total lettable accommodation
- ❖ Installation of additional cabins where appropriate, which generate the greatest return
- ❖ Upgrade of recreational facilities to provide competitive advantage over alternative short stay accommodation options

Threats

- ❖ Potential loss in revenue due to disruption created by improvement works

- ❖ "Check-In, Check-Out" process causes significant congestion during peak periods.
- ❖ Price point for cabin accommodation facing competition from other short-term stay options

OVERVIEW OF IMPROVEMENTS

The proposed improvements capitalise on the Park's existing strengths and address existing weaknesses. The intention is to address elements throughout the Park in stages, according to priority and impact. In this way the operational, environmental and financial sustainability of the Park will be progressively improved as budget and resourcing allows.

Services

Essential services such as water, sewer, power and stormwater are already found within the Park. Over time some of these services will need to be improved, extended or replaced depending upon other initiatives and needs within the Park and/or maintenance considerations. Opportunities for improved services will be explored to ensure they remain cost effective, efficient and where possible consistent with prevailing technologies, environmental best practice and greenhouse gas emission targets.

Ongoing stormwater management and modification will continue to be planned, consistent with changing infrastructure and development within the Park as well as surrounding land. As part of the ongoing management of the Park, other initiatives should be explored, including water minimisation strategies such as water meter monitoring, rain water capture and storage to provide water for toilet systems and irrigation.

Further basic services provided in the Park include the internal road system. Where necessary and consistent with other initiatives, some internal roads may be altered or possibly closed. The overall aim is to provide enhanced amenity for Park guests while maintaining appropriate levels of servicing and access



consistent with the requirements of the Regulations.

Accommodation and Site Types

The Holiday Park currently supports a range of high-quality cabin accommodation. Where necessary and consistent with current market expectations, older cabins will be refurbished or replaced. Additional cabins will be introduced in identified sections of the Park. Tourist van sites with ensuite facilities are now a sought-after option for many guests. In addition, the Park provides sites suitable for short-term tented lodging. Accommodation sites which currently contain holiday van accommodation will become available for drive-on tourist uses or cabins once vacated. In some circumstances, the conversion of former holiday van sites to tented lodging may be a suitable short-term opportunity to generate revenue until it is deemed appropriate for the installation of other permanent lettable accommodation in these locations.

Guest Facilities

Halifax Holiday Park currently provides a range of amenities and recreational facilities for visitors. To remain competitive as a holiday destination, some of these facilities require refurbishment and/or expansion consistent with anticipated guest usage and prevailing marketplace expectations. Additional recreation facilities are proposed as part of future development works. In addition, a new amenities building has been installed which has greatly improved the quality of facilities within Halifax Holiday Park.

Works for consideration may include establishment of a second amenities block to service the eastern portion of the Park, improving barbecues and associated facilities, and expansion of the recreational area including the addition of a swimming pool or other appropriate facilities.

Landscaping

The Park has remnants of native vegetation which provide a basis for ongoing landscaping programs. An opportunity exists to minimise ongoing maintenance by installing synthetic turf in some areas, enhancing the visual amenity of the Park whilst reducing the reliance on potable water usage and intensive daily maintenance.

The landscaping strategy may be extended to enhance accommodation areas, key pedestrian linkages, guest facility areas and Park boundary treatments.



PRECINCT 1



FIGURE 3: Precinct 1 – Halifax Holiday Park

Overview & Description

The area defined as Precinct 1 sits at the western-most end of Halifax Holiday Park. This precinct has direct access to Little Beach through an existing walkway, and currently features a mixture of accommodation, including quarterdeck villas and powered tourist van sites.

Key existing features of Precinct 1 include:

- ❖ 13 Quarterdeck Villas (self-contained moveable dwellings)
- ❖ 8 Powered tourist van sites (short-term sites)
- ❖ Reception
- ❖ Kiosk
- ❖ Groundskeepers Shed
- ❖ Housekeeping shed
- ❖ Beach access trail

Desired Future Character

As this precinct is closely located to the beach access trail, an opportunity exists to enhance the accommodation offerings and position this precinct as premium location. Relocation of existing back-of-house facilities in the south-western corner will support this intention and provide an opportunity to align the use of this area with the current accommodation stock.

Current Constraints

- ❖ Any future works that reconfigure or create new sites must comply with the applicable provisions of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Movable Dwellings) Regulation 2021 (LG Regs 2021), most notably Clause 111 requiring



new/reconfigured short-term sites to be within 100m of an amenities block (all sites within this precinct are currently within 100m of the existing amenities block).

- ❖ The existing villas are self-contained moveable dwellings and therefore do not need to be within 100 metres of the amenities block as per LG Regs 2021.
- ❖ Precinct 1 is partially constrained by high hazard flood fringe area (not currently identified in PSLEP, however it is included within Councils Flood Mapping) any future proposed work will need to meet the flood management requirements of the PSLEP.
- ❖ Darwin Drive becomes congested with people manoeuvring caravans onto sites. This is an issue given its location within the Park.

Key Management Priorities

Explore opportunities for additional revenue via enhanced accommodation offerings.
Upgrade entry gate infrastructure.

Improvement Opportunities

- ❖ An opportunity exists to relocate the existing groundskeeper shed to a smaller site in Precinct 5, directly adjacent to the existing housekeeping shed. The shed currently occupies a desirable location for accommodation and relocation of the shed would allow replacement with additional cabin accommodation.
- ❖ Existing tourist van sites 57 to 60 and 90 to 93 may be suitable for conversion to cabin accommodation. These sites are well located, with suitable access from both Darwin Drive and Brisbane Boulevard.
- ❖ There is opportunity to retain and reconfigure the former caretaker's accommodation to allow the installation of additional cabins.
- ❖ Upgrade entry gate infrastructure and technologies to improve guest security.



Figure 3A: Cabin H604 in Precinct 1



PRECINCT 2



FIGURE 4: Precinct 2 – Halifax Holiday Park

Overview and Description

The area defined as Precinct 2 sits as an island of tourist van sites between Brisbane Boulevard and Darwin Drive. The Precinct provides caravan access from both roadways.

Key existing features of Precinct 2 include:

- ❖ 28 powered tourist van sites (short-term sites).

Desired Future Character

This precinct is best served by the retention of tourist van sites in the short term.

Current Constraints

- ❖ Any future works that reconfigure or create new sites will need to comply with the applicable provisions of the LG Regs 2021, most notably new/reconfigured short-term sites must be within 100m of existing amenities block (all sites within this precinct are currently within 100m of the amenities block).
- ❖ Precinct 2 is within the identified 'flood prone land investigation area' (not currently identified in PSLEP, however it is included within Councils Flood Mapping) any future proposed work will need to comply with applicable flood management requirements of the PSLEP.



Improvement Opportunities

- ❖ Significant use and fast turnover in this Precinct during peak periods creates wear and tear of grassed areas and prevents effective maintenance. An opportunity exists to explore the installation on synthetic turf throughout this precinct.

Key Management Priorities

Provide a consistent precinct strategy through uniformity of accommodation types and enhance visual amenity and reduce maintenance burden by installing synthetic turf.





PRECINCT 3



FIGURE 5: Precinct 3 – Halifax Holiday Park

Overview and Description

The area defined as Precinct 3 features a mixture of accommodation sites and communal recreational facilities. The Precinct also features a new amenities block (completed October 2019), with toilets, showers and a laundry. The Precinct's location in the centre of the Park, and the presence of these key communal facilities, makes it the focal point for the Park and should be enhanced where applicable.

Key existing features of Precinct 3 include:

- ❖ 11 powered tent sites (short-term sites)
- ❖ 4 powered tourist van sites (short-term sites)

- ❖ Amenities block with toilets, showers and a laundry
- ❖ Shaded BBQ area
- ❖ Kids playground
- ❖ Camp kitchen
- ❖ Substation

Desired Future Character

Enhancement of the communal and recreational facilities within this precinct will benefit Halifax Holiday Park as a whole. As this precinct is the focal point for recreation within the Park, it is important that investment is made to ensure the Park is equipped with communal facilities that make it competitive as a short-stay holiday choice.



Current Constraints

- ❖ Construction of the new amenities block was completed in 2021 (see Figure 5A below).
- ❖ Any future works that reconfigure existing or create new sites will need to comply with the applicable provisions of the LG Regs 2021, most notably new/reconfigured short-term sites must be within 100m of existing amenities block (all sites within this precinct are currently within 100m of the amenities block).
- ❖ The existing retaining wall and substation should be considered as part of any redesign.
- ❖ Tent sites 102 - 108 unlikely to be able to be moved due to retaining wall.
- ❖ Precinct 3 is within the identified 'flood prone land investigation area' (not currently identified in PSLEP, however it is included within Councils Flood Mapping) any future proposed work will need to comply with applicable flood management requirements of the PSLEP.

Improvement Opportunities

- ❖ An opportunity exists in this precinct to reconfigure the existing playground, landscaping and BBQ area in order to facilitate the installation of a pool or splash area. Provision of this recreational feature would greatly enhance the marketability of the Holiday Park.
- ❖ Minimal opportunity exists to alter the accommodation within this precinct in the short term.

Key Management Priorities

Retention and enhancement of this area as the focal point of the Park and enhance recreational facilities to assist the Park's overall marketability.



Figure 5A. Amenities building



PRECINCT 4



FIGURE 6: Precinct 4 – Halifax Holiday Park

Overview and Description

The area defined as Precinct 4 features a bank of 18 villas, an accessible cabin and 3 powered tourist van sites located between Melbourne Mall and Perth Parade. This precinct is well located near the Park's entry, reception, amenities building and communal recreational facilities, providing premium accommodation options which capitalise on this proximity.

Key existing features of Precinct 4 include:

- ❖ 18 bay villas (self-contained moveable dwellings)
- ❖ 1 accessible cabin (self-contained moveable dwellings)

- ❖ 3 powered tourist van sites (short term sites)
- ❖ 1 residential parking site

Desired Future Character

Retention of premium accommodation options with strong visual linkages to adjacent communal facilities.

Current Constraints

- ❖ Any future works that reconfigure or create new sites will need to comply with the applicable provisions of the LG Regs 2021, most notably new/reconfigured short-term sites must be within 100m of existing amenities



- ❖ block (all sites are currently within 100m of the existing amenities block). Precinct 4 is within the identified 'flood prone land investigation area'. (not currently identified in PSLEP, however it is included within Councils Flood Mapping) any future proposed work will need to comply with applicable flood management requirements of the PSLEP.

Improvement Opportunities

- ❖ Minimal opportunity exists to alter the accommodation within this precinct in the short term.

Key Management Priorities

Retain cabin accommodation and explore opportunities for further site conversion.





PRECINCT 5



FIGURE 7: Precinct 5 – Halifax Holiday Park

Overview and Description

The area defined as Precinct 5 runs along the north to north-eastern boundary of the reserve, abutting the neighbouring littoral rainforest. The Precinct features a mixture of site typologies, including holiday van sites, powered tourist van sites and large beach villas.

Key existing features of Precinct 5 include:

- ❖ 9 holiday van sites (short-term sites)
- ❖ 7 powered tourist van sites (short-term sites)
- ❖ 4 beach villas (self-contained moveable dwellings)

- ❖ Beach access trail

Desired Future Character

Removal of holiday van accommodation and replace with short-term accommodation such as powered tourist van or tent sites.

Current Constraints

- ❖ Sites to the west of site 26 are shallow which may limit their marketability and range of potential uses to smaller tourist sites.
- ❖ Any future works that reconfigure or create new sites will need to comply with the applicable provisions of the LG Regs 2021, most notably



new/reconfigured short-term sites must be within 100m of existing amenities block (all short-term sites within this precinct are currently within 100m of the existing amenities block).

- ❖ The littoral rainforest which exists on the neighbouring Crown Reserve site to the north must be considered in any future plans for the site.
- ❖ Precinct 5 is partially within the identified 'flood prone land investigation area'. (not currently identified in PSLEP, however it is included within Councils Flood Mapping) any future proposed work will need to comply with applicable flood management requirements of the PSLEP.

Improvement Opportunities

- ❖ An opportunity exists to convert the existing holiday van sites to the east of site 27 to a combination of cabins and powered tourist van sites. This

conversion may generate an increase in revenue for the sites.

- ❖ Conversion of the shallow holiday van sites west of Site 26 to tourist sites would allow short term use with minimal expense. In the long term, an opportunity exists to look at alternative accommodation and cabin types which could be supported on a shallow footprint.
- ❖ Explore the opportunity to convert the western-most holiday van site in the Precinct to the new groundskeeper shed, replacing the existing groundskeeper shed in Precinct 1 with additional cabins or tourist sites.

Key Management Priorities

Ensure that a mixture of accommodation types are retained and consider alternative short and long term uses of the former holiday van sites.





PRECINCT 6



FIGURE 8: Precinct 6 – Halifax Holiday Park

Overview and Description

The area defined as Precinct 6 contains a large group of powered van and tent sites, located adjacent to the road network bounded by Perth Parade and Hobart Highway, including Adelaide Avenue and Sydney Street. The area is bounded by a fence on the eastern end, which separates Precinct 6 from Precinct 7.

Key existing features of Precinct 6 include:

- ❖ 54 powered tourist van sites (short-term sites)
- ❖ 7 powered tent sites (short-term sites)
- ❖ 3 BBQs

Desired Future Character

Retain powered tourist van sites to ensure long term mix of accommodation types and consider the installation of ensuites to larger sites located along the boundary.

Current Constraints

- ❖ Any future works that reconfigure or create new sites will need to comply with the applicable provisions of the LG Regs 2021, most notably new/reconfigured short-term sites must be within 100m of existing amenities block.
- ❖ There are currently 9 short-term sites that are further than 100m from the existing amenities block (2 tourist van



- ❖ sites (164, 166) & 7 tent sites (40 to 45 and 165).
Precinct 6 is partially within the identified 'flood prone land investigation area'. (not currently identified in PSLEP, however it is included within Councils Flood Mapping) any future proposed work will need to comply with applicable flood management requirements of the PSLEP.

Improvement Opportunities

- ❖ Significant use and fast turnover in this Precinct during peak periods creates wear and tear of grassed areas and prevents effective maintenance. An opportunity exists to explore the installation on synthetic turf throughout this precinct.

- ❖ Consider the installation of ensuite pods in this location, creating a precinct for ensuite tourist van sites charged at a premium rate.
- ❖ The angled bays in this precinct reduce the efficiency of the site. Reorientation of these slabs may allow the installation of additional sites.

Key Management Priorities

Enhance visual amenity and reduce maintenance burden by installing synthetic turf.





PRECINCT 7



FIGURE 9: Precinct 7 – Halifax Holiday Park

Overview and Description

Precinct 7, defined as Lot 424, is a separate triangular portion of land to the east of Halifax Holiday Park. NSW Government identified that to increase the financial viability of Halifax Holiday Park, Lot 424 should be included into the park as a camping area. In 2013, the NSW Government added Lot 424 to the Halifax Holiday Park Reserve 91621. The Gazette notification was published on 27 September 2013 (Folio 4221).

As this section of land is incorporated as part of the Crown Land Reserve, it must be included in the Plan of Management for this reserve. The area is not directly connected to Halifax Holiday Park as a fence exists between

the two properties. Access exists via a separate driveway from Beach Road.

As the land is owned by the NSW Government, Council does not have the authority to re-gazette the allotment for Public Recreation.

Key existing features of Precinct 7 include:

- ❖ BBQ and picnic facilities

Desired Future Character

Open space, with additional recreational facilities such as a footpath to serve both the Holiday Park and the local community.



Current Constraints

- ❖ All proposed short-term sites will need to comply with the applicable provisions of the LG Regs 2021, most notably new short-term sites must be within 100m of existing amenities block. Currently this precinct is not within 100m of the existing amenities block.
- ❖ Existing vegetation on site, including coral trees (Exotic species) and native gums.
- ❖ General community use of the site for passive recreation.
- ❖ An opportunity exists to explore the installation of a playground or other community facilities such as a footpath for the use of the wider community. This would increase the amenity of Halifax Holiday Park whilst providing additional recreational space for the local community.

Key Management Priorities

Maintain area as open space.

Improvement Opportunities

- ❖ As this precinct is outside the 100 metre radius of the current amenities building, accommodation development within this area is not permissible without the construction of a new amenities building.





INTERNAL REVIEW PROCESS

This Plan of Management recommends several improvement projects for consideration over the coming 5 years.

The identified improvements serve as a guide to appropriate developments for Halifax Holiday Park over the life of this Plan of Management. It is essential that each improvement is reviewed and assessed against the relevant regulatory framework, key management and development objectives of the Holiday Park and current customer demands. After such a review is conducted, the Crown Land Manager must assess whether the improvement proceeds or is subject variation, postponement or cancellation.

The following are some of the key issues that should still be considered by the Crown Land Manager when deciding whether a particular land use or development is to proceed within the Reserve.

- ❖ The provisions of relevant state and local planning controls including the current Local Environmental Plan
- ❖ The compatibility of the proposal with the notified purpose of the reserve which is
Caravan and Camping Park
- ❖ The impact on the existing use of the Park and the wider reserve
- ❖ The compatibility with the Vision Statement and Management Principles for the Park
- ❖ The benefit the development would bring to the normal Park user
- ❖ The management responsibility and public availability of the development to Park users



IMPLEMENTATION PLAN

To facilitate the ongoing improvement of Halifax Holiday Park, it is necessary to implement capital works and operational improvements in a manner which best suits Park management, minimises disruption to business, adds value to the Park and safeguards its ongoing financial sustainability.

The below table prioritises some of the specific precinct improvements, which will assist with the programming and implementation of improvements over the life of the Plan of Management.

Priority will be given to items which:

- ❖ Have greater importance because of a safety or regulatory issues
- ❖ Are essential pre-cursors for an item to be implemented in a later year
- ❖ Demonstrate the benefits to existing guests as well as new clients
- ❖ Have the potential to make a substantial change to the presentation and competitiveness of the property

Precinct	Improvement	Priority
1	Relocate Groundskeeping Shed and Install New Cabins/Tourist Sites	High
1	Conversion of Sites to Cabins	Low
1	Reconfiguration of Former Caretakes Accommodation	Medium
2	Conversion of Holiday Van Sites to Powered Tourist Van Sites	Medium
2	Installation of Synthetic Turf	Medium
3	Installation of Pool or Splash Area	Low
4	Conversion of Powered Sites to Cabin Accommodation	Low
5	Convert Identified Holiday Van Sites to Cabins	Low
5	Convert Identified Holiday Van Sites to Tourist Sites	Medium
5	Installation of New Groundskeeping Shed	High
6	Installation of Synthetic Turf	Medium
6	Explore Installation of Ensuite Sites	Medium
6	Renovation and/or realignment of Angled Bays/Sites	Low
7	Installation/upgrade of Playground	Medium

FIGURE 10: Improvement Implementation Priority Matrix

STATUTORY FRAMEWORK



INTRODUCTION

This Plan of Management has been prepared in accordance with the Crown Lands Management Act 2016 to provide a framework for the future management, use and development of Halifax Holiday Park. Other legislation including environmental planning policies as well as guidelines and strategies also require consideration especially where any new development proposals are contemplated.

Crown Land Management Act 2016

The objects and principles for the management of Crown Land are listed in Sections 1.3 and 1.4 of the Crown Land Management Act 2016 (CLMA) and form the starting point for the preparation of Plans of Management. The principles of Crown Land Management are:

- a) that environmental protection principles be observed in relation to the management and administration of Crown land, and
- b) that the natural resources of Crown land (including water, soil, flora, fauna and scenic quality) be conserved wherever possible, and
- c) that public use and enjoyment of appropriate Crown land be encouraged, and
- d) that, where appropriate, multiple use of Crown land be encouraged, and
- e) that, 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
- f) that 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 CLMA 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 manage and improve the Crown Reserve system generally. A specific requirement of the CLMA is that the proceeds of commercial activities on reserved Crown land are to be spent on the management of reserved Crown land.

The CLMA deals specifically with the management of reserves and matters related to the appointment and responsibilities of land managers. The purpose of establishing land managers is to allow reserved Crown land to be managed within a statutory framework.

Crown Land Managers have responsibility for the care, control and management of the Crown Land for the purposes for which the land is reserved or dedicated, or any other purpose authorised by a plan of management (section 3.38 of the CLMA).

The 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 4.15 of Part 4 of the EP&A Act outlines the factors that 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.

The EP&A Act has a range of other provisions that may take effect depending upon the nature of a development proposal and the issues that may be encountered.

Notwithstanding the provisions of Part 4 of the Act, a public authority may take the role of determining authority where a Plan of Management has been adopted (refer to SEPP (Infrastructure) 2007).



Under Part 5 of the EP&A Act, a public authority is a "determining authority" for development that is permissible without consent and is being carried out by it or someone else on its behalf. This development is called an "activity". Within Part 5, section 5.5 requires a determining authority to "examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of that activity".

Typically, the section 5.5 duty is addressed by way of an assessment report known as a Review of the Environmental Factors (REF). If the Part 5 planning pathway applies, CHPLM would need to consider all relevant environmental impacts, and set out ways in which it proposes to avoid and minimise adverse impacts on the environment. A REF may include matters such as impacts on the community, ecosystems, the environmental quality of a locality, pollution, safety and the cumulative environmental effect.

The Local Government Act 1993

Section 68 (Part F in the Table) of the Local Government Act 1993 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. A 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 2021. 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-liaible land and moveable dwellings of more than one storey.

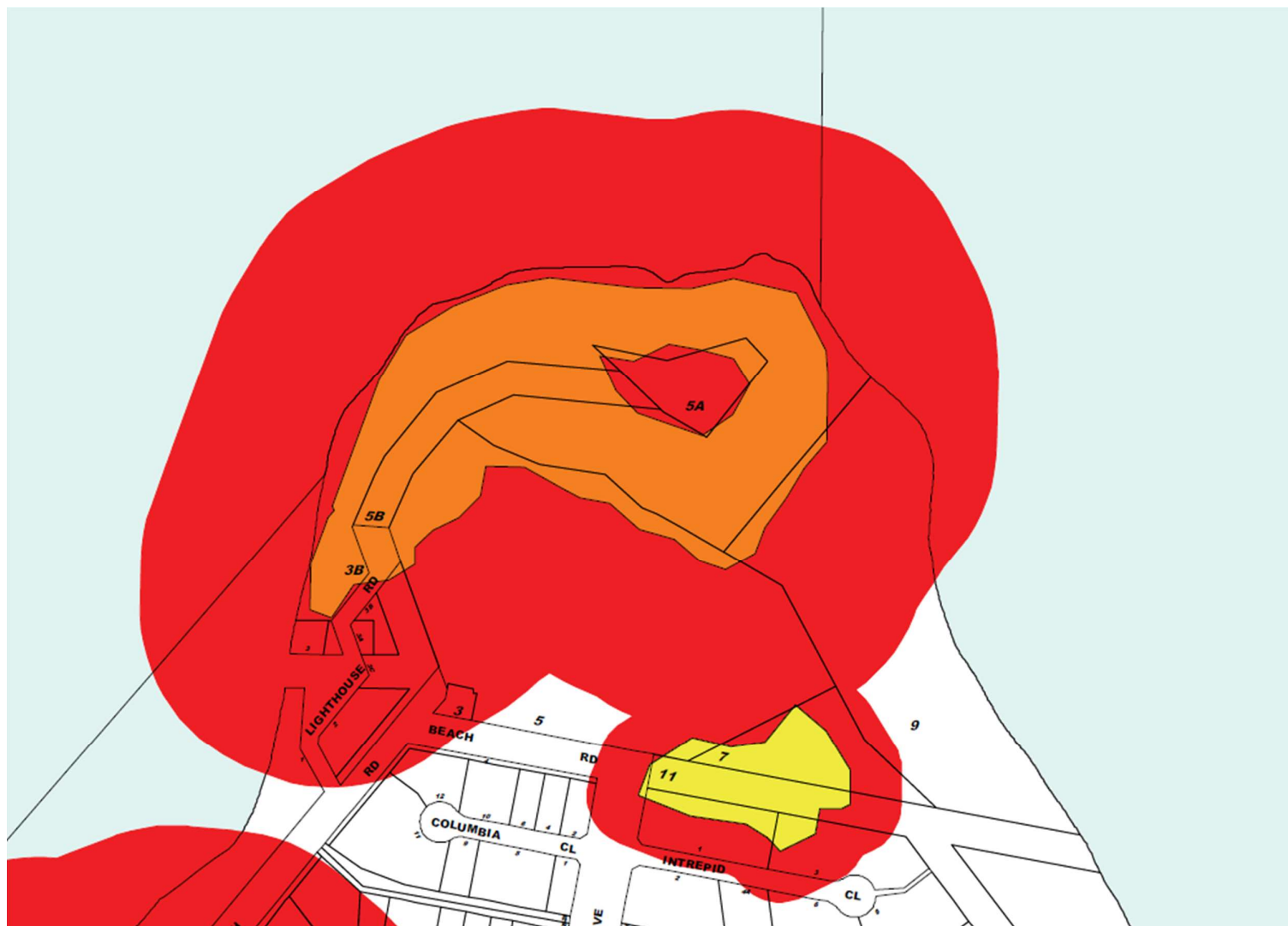
The Crown Land Management Act 2016 specifies that approvals of activities under the Local Government Act 1993 must comply with Plans of Management. A local council cannot grant an approval for an activity on dedicated or reserved Crown land under Part 1 of Chapter 7 (including Section 68) of the Local Government Act 1993 that contravenes a plan of management for the land.

Crown Lands Division granted concurrence to the Trust prior to the current operational approval being issued by Port Stephens Council for Halifax Holiday Park.

Rural Fires Act 1997

Amendments to the Rural Fires Act 1997 have led to the mapping of bush fire prone lands and a requirement for development proposals to respond to the requirements of the "Planning for Bushfire Protection 2006" Guidelines. In addition, the Act now defines several different land uses including tourist accommodation within the category of "special fire protection purpose". Development proposals coming within this category need to respond to a more restrictive set of requirements in the guidelines.

Bushfire Prone Land mapping found on the Port Stephens Council web sites indicates that much of the Reserve is designated as fire prone land. Where this designation occurs, and a proposal is for a special fire protection purpose, a bushfire safety authority must be obtained from the Rural Fire Service. This is usually achieved by way of a report prepared by a bushfire specialist and usually accompanies a development application. The below map shows these designated bushfire prone areas and they categorisation.



Bushfire Prone Land - Certified 11/07/2004



Vegetation Category 1



Vegetation Category 2



Vegetation buffer - 100m & 30m

FIGURE 11: Bushfire Prone Land



Residential (Land Lease) Communities Act 2013

The Residential (Land Lease) Communities Act 2013 is the new act which repeals the Residential Parks Act 1998. 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 Residential (Land Lease) Communities Act 2013 was passed by both houses of the parliament on 14th November 2013. This Act provides appropriate protections for home owners while recognising the needs of operators to develop and sustain efficient and effective business operations. Key elements of the legislation include:

- ❖ 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;
- ❖ Processes for making, amending and enforcing community rules;
- ❖ Arrangements for disclosure of information to prospective home owners; and
- ❖ Rules to clarify and streamline the process for owners selling their home on site.

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 for owners of moveable dwellings in holiday parks in New South Wales. This 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.

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)
- ❖ The fate of abandoned goods (i.e. moveable dwelling) and sites.

The Land Manager will administer the holiday van occupancy agreements in accordance with the Act and Crown Lands' policies and guidelines.

Native Title Act 1993 (Commonwealth)

Native Title is the legal recognition of traditional rights and interests of Aboriginal and Torres Strait Islander people to land and waters. Native Title is recognised under the common law and is governed by the Native Title Act 1993 (Cth).

Native title can exist on any Crown land where the traditional owners can prove an unbroken connection to the land through their traditional law and customs. As a result, Crown land can only be dealt with strictly in accordance with the provisions of the Native Title Act.

Council's certified native title manager has provided advice to Council on the pathways available under the Native Title Act for fulfilling the Improvement Opportunities and Key Management Actions set out in this document, and the legislative requirements and obligations required to be adhered to.

Aboriginal Land Rights Act 1983 (NSW)

In New South Wales, the Aboriginal Land Rights Act 1983 (ALRA) was introduced in 1983 to support Aboriginal communities' social and economic development.



The ALRA provides Land Councils with an opportunity to claim title to Crown land in NSW.

No works can be undertaken on any Crown land that is subject to a claim under the ALRA, without the express written consent of the claimant land council.

State Environmental Planning Policy (Coastal Management) 2018

State Environmental Planning Policy (Coastal Management) was introduced in April 2018 as part of the NSW Government's Coastal Reforms Package. The Coastal Management SEPP applies to the coastal zone of the State as defined in the Coastal Management Act 2016 (the CMA).

The aim of the Coastal Management SEPP is to promote an integrated and coordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the CMA, including the management objectives for each coastal management area, by:

- a) managing development in the coastal zone and protecting the environmental assets of the coast, and
- b) establishing a framework for land use planning to guide decision-making in the coastal zone, and
- c) mapping the 4 coastal management areas that comprise the NSW coastal zone for the definitions in the Coastal Management Act 2016.

The Coastal Management SEPP includes development controls for each of the specific coastal management areas being; Coastal wetlands and littoral rainforests area; coastal vulnerability area; coastal environmental area and coastal use area. Development in the coastal zone generally is not to increase the risk of coastal hazards and is to incorporate measures to manage risk to life and public safety from coastal hazards and respond to anticipated coastal processes.

Coastal Management Act 2016

The objectives of the CMA are to manage the coastal environment of New South Wales in a manner consistent with the principles of ecologically sustainable development for the

social, cultural and economic well-being of the people of the State, and in particular:

- a) to protect and enhance natural coastal processes and coastal environmental values including natural character, scenic value, biological diversity and ecosystem integrity and resilience, and
- b) to support the social and cultural values of the coastal zone and maintain public access, amenity, use and safety, and
- c) to acknowledge Aboriginal peoples' spiritual, social, customary and economic use of the coastal zone, and
- d) to recognise the coastal zone as a vital economic zone and to support sustainable coastal economies, and
- e) to facilitate ecologically sustainable development in the coastal zone and promote sustainable land use planning decision-making, and
- f) to mitigate current and future risks from coastal hazards, considering the effects of climate change, and
- g) to recognise that the local and regional scale effects of coastal processes, and the inherently ambulatory and dynamic nature of the shoreline, may result in the loss of coastal land to the sea (including estuaries and other arms of the sea), and to manage coastal use and development accordingly, and
- h) to promote integrated and co-ordinated coastal planning, management and reporting, and
- i) to encourage and promote plans and strategies to improve the resilience of coastal assets to the impacts of an uncertain climate future including impacts of extreme storm events, and
- j) to ensure co-ordination of the policies and activities of government and public authorities relating to the coastal zone and to facilitate the proper integration of their management activities, and
- k) to support public participation in coastal management and planning and greater public awareness, education and understanding of coastal processes and management actions, and
- l) to facilitate the identification of land in the coastal zone for acquisition by public or local authorities to promote the protection, enhancement, maintenance and restoration of the environment of the coastal zone, and
- m) to support the objects of the Marine Estate Management Act 2014.

The CMA defines the coastal zone as comprising four coastal management areas.



Each area has different characteristics and may at times overlap.

The four coastal management areas are:

1. Coastal wetlands and littoral rainforests area — areas which display the characteristics of coastal wetlands or littoral rainforests that were previously protected by SEPP 14 and SEPP 26
2. Coastal vulnerability area — areas subject to coastal hazards such as coastal erosion and tidal inundation
3. Coastal environment area — areas that are characterised by natural coastal features such as beaches, rock platforms, coastal lakes and lagoons and undeveloped headlands. Marine and estuarine waters are also included
4. Coastal use area — land adjacent to coastal waters, estuaries and coastal lakes and lagoon

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (State and Regional Development 2011 (State and Regional Development SEPP) commenced in October 2011. Among other things this SEPP 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).

For the purpose of this SEPP, caravan parks are not development for 'tourist related purposes' for the purposes of SSD.

Schedule 7 of the State and Regional Development SEPP specifies development that is considered to be regionally significant for the purposes of the EP&A Act. Among other types of development, development that has a capital investment value of more than \$30 million is regionally significant development under Clause 2. In accordance with Clause 3, development with a CIV of more than \$5 million is also regionally significant development if:

- a) a council for the area in which the development is to be carried out is the applicant for development consent, or

- b) the council is the owner of any land on which the development is to be carried out, or
- c) the development is to be carried out by the council, or
- d) the council is a party to any agreement or arrangement relating to the development (other than any agreement or arrangement entered into under the Act or for the purposes of the payment of contributions by a person other than the council).

The determining authority for these types of developments is the Regional Planning Panel.

State Environmental Planning Policy – Infrastructure

State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP) provides that certain types of works do not require development consent under Part 4 of the EP&A Act.

Clause 20 of the Infrastructure SEPP 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 30m² 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 and demolition of buildings covering an area of up to 100m².

Clause 65(2)(d) of the Infrastructure SEPP provides that in respect of land reserved within the meaning of the Crown Land Management Act 2016, development can be carried out without the consent of the Minister for Lands, a trustee of the reserve or the Ministerial Land Corporation, or an administrator of the reserve, if the development is for the 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 EP&A Act is usually undertaken.

Clause 65 (3) of the Infrastructure SEPP provides that development for any of the following purposes may be carried out by or on behalf of a council without consent, on a public reserve under the care or control of the council:



- (i) roads, pedestrian pathways, cycleways, single storey car parks, ticketing facilities, viewing platforms and pedestrian bridges,
- (ii) recreation areas and recreation facilities (outdoor), but not including grandstands,
- (iii) visitor information centres, information boards and other information facilities,
- (iv) lighting, if light spill and artificial sky glow is minimised in accordance with the Lighting for Roads and Public Spaces Standard,
- (v) landscaping, including landscape structures or features (such as art work) and irrigation systems,
- (vi) amenities for people using the reserve, including toilets and change rooms,
- (vii) food preparation and related facilities for people using the reserve,
- (viii) maintenance depots,
- (ix) portable lifeguard towers,
- (x) environmental management works,

The provisions of this Policy mean that Port Stephens Council as Land Manager can undertake a range of works in accordance with Clause 65 (3). It also means that if formal Plans of Management are in place, works set out in those Plans of Management can be undertaken without the need for planning consent – except when the matters fall within the provisions of the Major Development SEPP.

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. The provisions of this SEPP are relevant to the future implementation of the actions in this Plan of Management, as well as to the ongoing management of the reserved land.

State Environmental Planning Policy No. 21 – Caravan Parks

Development for the purpose of caravan parks and camping grounds is regulated under local environmental plans (LEPs) and State Environmental Planning Policy No 21 – Caravan Parks (SEPP 21).

An LEP regulates whether caravan parks or camping grounds are permitted or prohibited on any particular land. However, SEPP 21 overlays this by providing that on land where

development for a caravan park or camping ground is permitted with or without consent under an LEP, that development may only be carried out with the development consent of the council.

SEPP 21 requires a council to consider a range of social, economic and environmental matters in deciding whether to grant consent for development for a caravan park or camping ground. If the relevant LEP permits sites for long-term residence in a caravan park, then under the SEPP, the council must determine the number of sites (if any) that are suitable for long term residence and the number of sites that are suitable for short-term residence. In determining any DA for a park or ground, council is also required to consider all relevant matters under section 4.5 of the EP&A Act.

With limited exceptions, SEPP 21 allows moveable dwellings to be installed in caravan parks and camping grounds without development consent being required under clause 8(4A)).



PORT STEPHENS LOCAL ENVIRONMENTAL PLAN 2013

The Port Stephens Local Environmental Plan 2013 (LEP 2013) provides the primary planning framework for plan of management. The land-use zone for Halifax Holiday Park is RE1 Public Recreation Zone. The provisions in the LEP with respect to this Zone are as follows:

1 Objectives of zone

- ❖ To enable land to be used for public open space or recreational purposes.
- ❖ To provide a range of recreational settings and activities and compatible land uses.
- ❖ To protect and enhance the natural environment for recreational purposes.

2 Permitted without consent

Bee keeping; Environmental facilities; Environmental protection works; Flood mitigation works; Home occupations; Roads

3 Permitted with consent

Airstrips; Aquaculture; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Centre-based child care facilities; Community facilities; Depots; Educational establishments; Eco-tourist facilities; Emergency services facilities; Flood mitigation works; Function centres; Helipads; Heliports; Home-based child care; Information and education facilities; Jetties; Kiosks; Markets; Mooring pens; Moorings; Neighbourhood shops; Plant nurseries; Port facilities; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Research stations; Respite day care centres; Cafes; Tourist and visitor accommodation; Water recreation structures; Water supply systems; Wharf or boating facilities

4 Prohibited

Water treatment facilities; Any other development not specified in item 2 or 3

FIGURE 12: Land Use Zoning (Port Stephens LEP 2013)





OTHER PLANNING REGULATIONS, CONTROLS AND STRATEGIES.

Port Stephens Council has a range of other planning controls and guidelines in place. These take the form of a Development Control Plan (DCP) which provide additional detail through the guidelines on how permissible uses may be developed on sites. Depending upon proposed activities, works or development proposals that may emerge over time, it may be that these planning controls require consideration.

NSW Coastal Planning Guideline: Adapting to Sea Level Rise

The NSW Coastal Planning Guideline: Adapting to Sea Level Rise (August 2010) has been prepared to provide guidance on how sea level rise is to be considered in land use planning and development assessment in coastal NSW. The guideline applies to all coastal areas of the state with the term 'Coastal areas' used broadly to refer to all land fronting tidal waters including coastline, beaches, coastal lakes, bays and estuaries and tidal sections of coastal rivers. It also includes other low-lying land surrounding these areas that may be subject to coastal processes in the future as a consequence of sea level rise.

The aim of the guideline is to promote ecologically sustainable development (ESD), and in particular to encourage a precautionary approach to land use planning and development assessment in light of potential sea level rise impacts in coastal areas.

The guideline adopts six coastal planning principles for sea level rise adaption. The principles should be applied in decision-making processes for land use planning and development assessment in coastal areas.

- ❖ **Principle 1** Assess and evaluate coastal risks considering the NSW sea level rise planning benchmarks.
- ❖ **Principle 2** Advise the public of coastal risks to ensure that informed land use planning and development decision-making can occur.

- ❖ **Principle 3** Avoid intensifying land use in coastal risk areas through appropriate strategic and land use planning.
- ❖ **Principle 4** Consider options to reduce land use intensity in coastal risk areas where feasible.
- ❖ **Principle 5** Minimise the exposure of development to coastal risks.
- ❖ **Principle 6** Implement appropriate management responses and adaptation strategies, with consideration for the environmental, social and economic impacts of each option.

In August 2010 the government also published a Flood 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 movable dwellings and other works proposed within the Holiday Park will address the relevant and applicable recommendations of the above-mentioned documents. In addition, the Land Manager will be required to address emerging policy and regulatory provisions related to the impacts of climate change and sea level rise.

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;
- ❖ Threatened Species Conservation Act 1995;
- ❖ Disability (Access to Premises - Buildings) Standards 2010, Disability Discrimination Act 1992



Basis of Management



Categorisation of Land

All community land is required to be categorised as one or more of the following categories. Where the land is owned by the Crown, the category assigned should align with the purpose for which the land is dedicated or reserved.

The LG Act defines five categories of community land:

- **Park** – for areas primarily used for passive recreation.
- **Sportsground** – for areas where the primary use is for active recreation involving organised sports or the playing of outdoor games.
- **General community use** – for all areas where the primary purpose relates to public recreation and the physical, cultural, social, and intellectual welfare or development of members of the public. This includes venues such as community halls, scout and guide halls, and libraries.
- **Cultural significance** – for areas with Aboriginal, aesthetic, archaeological, historical, technical, research or social significance.
- **Natural area** – for all areas that play an important role in the area's ecology. This category is further subdivided into bushland, escarpment, foreshore, watercourse and wetland categories.

The land the subject of this Plan of Management is categorised as General Community Use.

Guidelines and core objectives

General Community Use land is defined in clause 106 of the LG (General) Regulation as land that may be made available for use for any purpose for which community land may be used, and does not satisfy the definition of natural area, sportsground, park or area of cultural significance.

The core objectives for community land categorised as general community use are to:

- promote, encourage and provide for the use of the land, and
- provide facilities on the land to meet the current and future needs of the local community and of the wider public:
 - in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and
 - in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

The current and proposed future uses of the lands detailed in pages 21-35 are consistent with the core objectives.



Express authorisation of leases and licences and other estates

Section 46 of the LG Act permits the granting of leases, licences and other estates over land classified as Community land. Any lease or licence must be for a use consistent with the reserve purpose(s), the assigned categorisation and zoning of the land and be authorised in the plan of management.

The Kiosk in Precinct 1 is currently leased as detailed on page 14 and it is proposed that the kiosk will continue to be leased in accordance with this document.

Leases and licences authorised by the plan of management

This plan of management expressly authorises the issue of leases, licences and other estates over the land covered by the plan of management, provided that:

- the purpose is consistent with the reserve purpose,
- the purpose is consistent with the core objectives for the category of the land,
- the lease, licence or other estate and the provisions of the lease, licence or other estate can be validated by the provisions of the *Native Title Act 1993* (Cth),
- where the land is subject to a claim under the *Aboriginal Land Rights Act 1983* the issue of any lease, licence or other estate will not prevent the land from being transferred in the event the claim is granted,
- the lease, licence or other estate is granted and notified in accordance with the provisions of the *Local Government Act 1993* or the Local Government (General) Regulation 2021, and
- the issue of the lease, licence or other estate will not materially harm the use of the land for any of the purposes for which it was dedicated or reserved.

Leasing and licensing fees will be charged in accordance with Council's adopted Fees and Charges.

Short-term licences and event bookings

Short-term licences may be issued for non-exclusive use of part of the premises for a maximum period of 12 months. Events are non-exclusive activities that take place a maximum of four times per year.

Fees for short-term casual bookings will be charged in accordance with the Council's adopted Fees and Charges at the time.

Native title and Aboriginal land rights considerations in relation to leases, licences and other estates

When planning to grant a lease or licence on Crown reserves, the council must comply with the requirements of the Commonwealth *Native Title Act 1993* (NT Act) and have regard for any existing claims made on the land under the NSW *Aboriginal Land Rights Act 1983*.

It is the role of the council's engaged or employed native title manager to provide written advice in certain circumstances to advise if the proposed activities and dealings are valid under the NT Act (see page 41 for more information).

Express authorisation of leases, licences and other estates – General Community Use

This plan of management expressly authorises the issue of leases, licences and other estates for the purposes set out in Table 3, or any other purpose Council deems appropriate having regard to this plan of management, legislation and Council Policy or Management Directive:



Type of tenure arrangement	Maximum term	Purpose for which tenure may be granted
Lease	<ul style="list-style-type: none"> • 21 years 	<ul style="list-style-type: none"> • kiosk, café and refreshment purposes • commercial retail uses associated with the facility (e.g. sale or hire of sports goods) • caravan parks and camping grounds
Licence	<ul style="list-style-type: none"> • 5 years 	<ul style="list-style-type: none"> • Educational or cultural purposes, including concerts, dramatic productions and galleries • recreational purposes, including fitness classes, dance classes • café/kiosk areas • sale of goods or services that are ancillary to community land use and reserve purpose
Short-term licences and events	<ul style="list-style-type: none"> • short term licences - 12 months • events – 1 day 	<ul style="list-style-type: none"> • public speeches, meetings, seminars and presentations, including educational programs • functions (including conferences and seminars, commemorative functions, book launches, film releases, balls, and similar activities) • displays, exhibitions, fairs, fashion parades and shows • events (including weddings, corporate functions, and community gatherings) • concerts and other performances, including both live performances and film (cinema and TV) • broadcasts associated with any event, concert, or public speech • engaging in an appropriate trade or business delivering a public address, community events; auctions, markets and similar activities
Other estates	n/a	Public utilities and works as per s46 of the LG Act.

Table 3: Express authorisations



*Prepared by APP Corporation in consultation with Port Stephens Council,
community and stakeholders.*
