On Public Exhibition

Shellharbour Beachside
Holiday Park Draft Plan of Management

Exhibition period

From 21 October to 2 December 2026

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PLAN OF MANAGEMENT

Shellharbour Beachside Holiday Park

Lot 81 DP 726748

Version Control

Date	Comment
13/10/2026	Draft for Public Exhibition

Shellharbour City Council acknowledges the traditional custodians of Dharawal Country and recognises their continued connection to the land. Council pays its respects to Elders past, present and emerging and the contribution they make to life in this city.

Plan of Management Report prepared by
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EXECUTIVE SUMMARY

A Plan of Management (POM) is required to be prepared for public land which is owned and/or managed by a Council and classified as *community land* under the *Local Government Act 1993* (LG Act). A POM on *community land* is a document that provides for and directs the use and management of that land. It describes the current purposes and uses of the community lands and their values, assigns them to one or more categories and sets out objectives and performance targets for active land management and use.

The Shellharbour Beachside Holiday Park (SBHP) near Shellharbour on the south coast of NSW, the land to which this POM applies, is a unique area of Crown land. This land is owned by the State of New South Wales for the benefit of all persons. Local Government Authorities manage Crown land on behalf of the State, as Crown Land Managers, under Division 3.4 of the *Crown Land Management Act 2016* (CLM Act).

The majority of Crown land, managed by Council as a Crown land manager, is authorised to be managed as *community land* under the LG Act. *Community land* is categorised under the LG Act as either park, sportsground, general community use, natural area or area of cultural significance. The land at SBHP has been categorised in this POM, as General Community Use.

The intention of this POM is to provide Shellharbour City Council (Council) with a framework that enables decisions in regard to SBHP to be made on an informed, consistent and equitable basis. The POM meets all of the requirements of the LG Act.

The current uses, built and natural assets, emerging trends, constraints and influences have been considered in this POM. Appropriate management objectives and actions for successful implementation are key outcomes provided by the POM.

In defining the future use of SBHP, this POM draws on the historical directions for past development and the way it now functions. However, changes in state legislative requirements for the management of community lands, including Crown lands, has occurred resulting in new requirements and actions. Also, in response to legislative requirements, Council and the NSW government have produced a number of broader strategies and guides which promote new expectations as well as opportunities, for the management of its local government area. Some of these strategies will influence the management of community land such as that at SBHP. They include:

- Community Strategic Plan 2025-2035 | Shellharbour Council
- Shellharbour Resourcing Strategy 2025-2035
- Shellharbour Local Strategic Planning Statement | Shellharbour Council

Although this POM has been developed cognisant of these emerging requirements and influences, it also proposes changes to the management of SBHP that are based on physical information gathered on site during the compilation of the plan, and discussions with Council staff. New directions for the management of Crown lands such as SBHP, will meet emerging needs of the community and the land. Commercial considerations into the future are important in ensuring the effectiveness of Crown lands to be used by the community, especially for those adjacent to the sea.

A vision of this POM will be delivered through ongoing management strategies which have generally worked well, but in some cases, require new thinking and appropriate amendment. This will ensure the future recreational uses by tourists are well provided for, and appropriately managed.

The vision proposed for SBHP is:

"Shellharbour Beachside Holiday Park – Shellharbour's premier provider of mixed tourist accommodation with quality facilities for the whole community"

The POM is presented in two principal sections being:

- The site description **(A)** covering the physical attributes, the legal framework, and the constraints of SBHP.
- The fundamental components of the Plan **(B)** which describes what is planned for the site's future.

PART A – THE SITE

1 INTRODUCTION

The Shellharbour Beachside Holiday Park (SBHP) is located to the east of the central business district of the City of Shellharbour, on the South Coast of NSW in the Illawarra region (see Figure 1). The SBHP is less than two hours from Sydney, while iconic towns of Kiama and Gerringong are within a 10-minute drive to the south.

Situated on an elevated landform overlooking Shellharbour to the north, SBHP is bounded by John Street to the west and the curved rocky coastal platform meeting the ocean along its eastern section and Shellharbour South beach on the southeast. Hockey Esplanade meets Darley Street near the northwestern corner of SBHP.

Figure 1 – Location.

1.1 Brief History of Shellharbour and the Shellharbour Beachside Holiday Park

Original Inhabitants

Archeological evidence indicates that Aboriginal people resided in the Illawarra region for at least 20,000 years prior to the arrival of Europeans in 1788.[1] The acknowledged Traditional Custodians are the *Wodi Wodi* and *Elouera*, part of the larger *Dharawal* Nation.

The Dreaming lies at the core of Aboriginal spiritual belief – it has no beginning, no end, and does not recognise time linearly – as in days, months and years. Rather time is part of everyday life encompassing totems, ceremony, the division of labour, social structure and story-telling. A number of creation stories are linked to the country on which Shellharbour City resides including Gang-Man-Gang (Windang Island), Gurangaty (Lake Illawarra and waterways), Oola-boola-woo (the Five Islands), Merrigong (Illawarra Escarpment), Dienbella (Mount Kembla), and Djeera (Mount Keira).[2]

Today, the Aboriginal community in Shellharbour has a strong affinity with its cultural heritage and Aboriginal places remain significant to the community.

European Settlement

Although observed from afar by Captain Cooke in 1770 from his ship *Endeavour,* the first Europeans to arrive in the area were the explorers George Bass and Matthew Flinders in March 1796 who befriended local aboriginal people as reported in Flinders' writings. From that time, major events in the European settlement of the Shellharbour area were:[3]

- In 1803, a Captain Isaac Nicholls shipped cattle from Sydney to fertile plains behind Shellharbour.
- In 1812, George Evans the explorer camped nearby which preceded the Surveyor General John Oxley establishing land grants with the first of twenty-two, being granted to Andrew Allan near the current Shellharbour airport.
- Cedar-getters commenced activities in the area in 1812, which preceded the creation of a port at Shellharbour.
- By 1828, D'arcy Wentworth owned most of the land south of Lake Illawarra. Wentworth established the first private village between Shell Harbour Swamp and Barrack Swamp which he named Peterborough as shown in Figure 2, officially changed to Shellharbour in 1885.

1 Organ M. and Speechley C. (1997) Illawarra Aborigines – An Introductory History. *University of Wollongong Pub.*
2 Shellharbour City Museum document – Discover Shellharbour.
3 Shellharbour NSW -Aussie Towns *www.aussietowns.com.au/town/shellharbour-nsw*

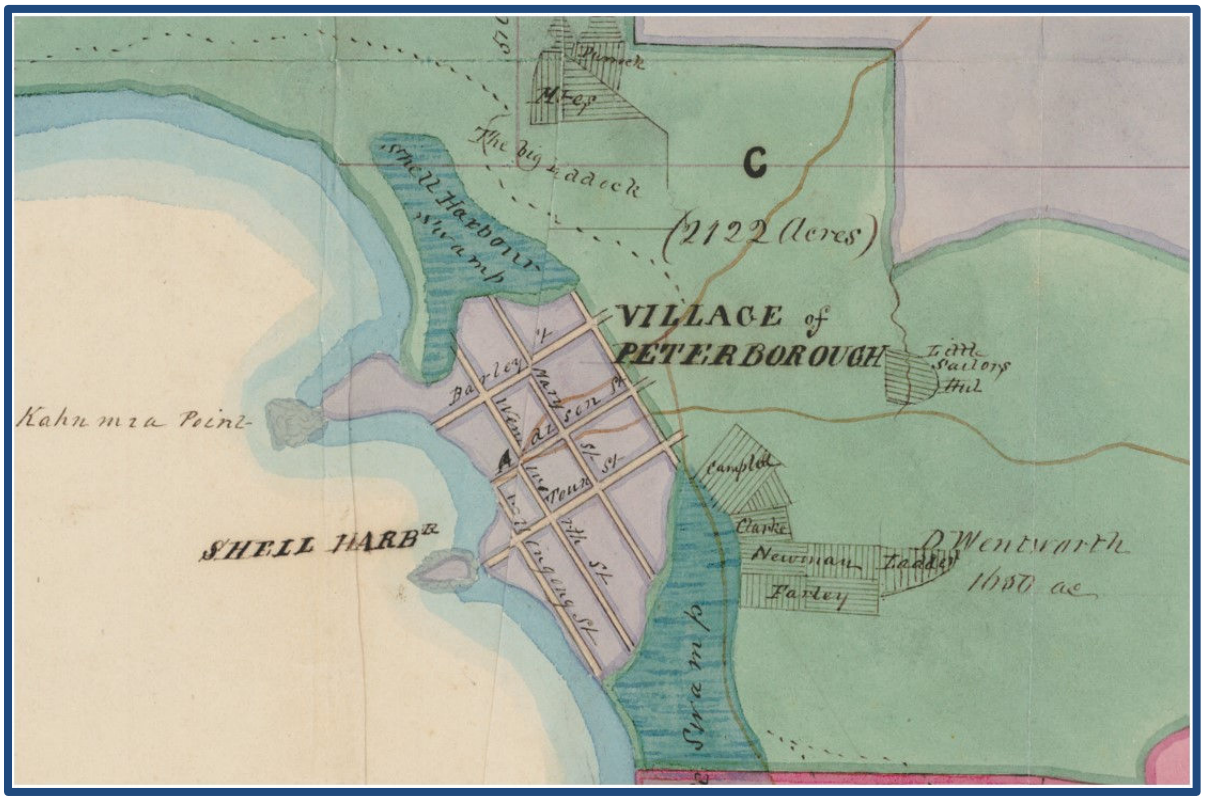

Figure 2 - Extract from Peterborough Estate Plan 1827-1860[4]

- In 1868 gold was discovered at Bass Point and mining of blue metal commenced at Bass Point Quarry in 1880.
- The railway reached Albion Park in 1887 which heralded the arrival of day trippers and tourists.
- In 1996, Shellharbour was proclaimed a city with a population of over 50,000.

1.2 Shellharbour Beachside Holiday Park

At the site of the area now known as SBHP, the sequence of land identification, allocation and gazettal follows:

- In 1821, Governor Lachlan Macquarie made treble grants to D'arcy Wentworth of 1500, 1650 and 2000 acres which included the area now occupied by the SBHP. (Wentworth was an Irish surgeon, the first paying passenger to arrive in the new colony of New South Wales).
- Early maps denote the land on which the SBHP is now located as being part of a Reserve for Burial Grounds and a Public Drift Way (see Figure 3).
- The NSW Government Gazette of 31 May 1889 notifies the resumption of land, including that now occupied by the Shellharbour Holiday Park, for the purpose of Public Recreation.

[4] (1827). [Map of the Peterborough Estate, Illawarra] – also titled Ferguson Collection. Map 73. Libraries Australia.

Figure 3 - Extract from Village of Peterborough 1827-1860[5]

- The land now occupied by SBHP was included in an 1890 survey (see Figure 4) depicting the area located to the east of the junction of Darley and John Street, bounded by the coast. The area was in the main described as a 'hillock formed by drifting sand', also detailing an 'old burial ground' in its mid-section (which was used for that purpose between 1829 to 1897). A creek is shown to exit the ocean across the beach near the southeastern boundary of the land.

- The land, including the area now occupied by SBHP, was dedicated for the purpose of Public Recreation on 23rd November 1892. On January 4, 1893 the area was included in land for which the first Trustee, The Council of the Borough of Shellharbour was appointed responsible for its management.

- On 19 October 1973, under the *Geographical Names Act 1966,* the previously allocated geographical name of the gazetted area was discontinued, replaced by the geographical name of *Bassett Park* which includes the land now occupied by SBHP.

- In April 1988, Lot 81 DP 726748 (2.385 hectares) - the area now occupied by SBHP - was created and drawn, within the Municipality of Shellharbour, Parish of Terragong, County Camden.

- The Government Gazette of 6 July 2018 issues revised business rules for the management of SBHP (Bassett Park), specifying required gross income returns (5% of annual gross income), rentals (10% of annual rent returns) and lease and licence transfer returns (20% of any premium received), all to be paid to the Public Reserves Improvement Fund.

[5] (1827). Village of Peterborough - also titled Ferguson Collection. Map 74. Libraries Australia.

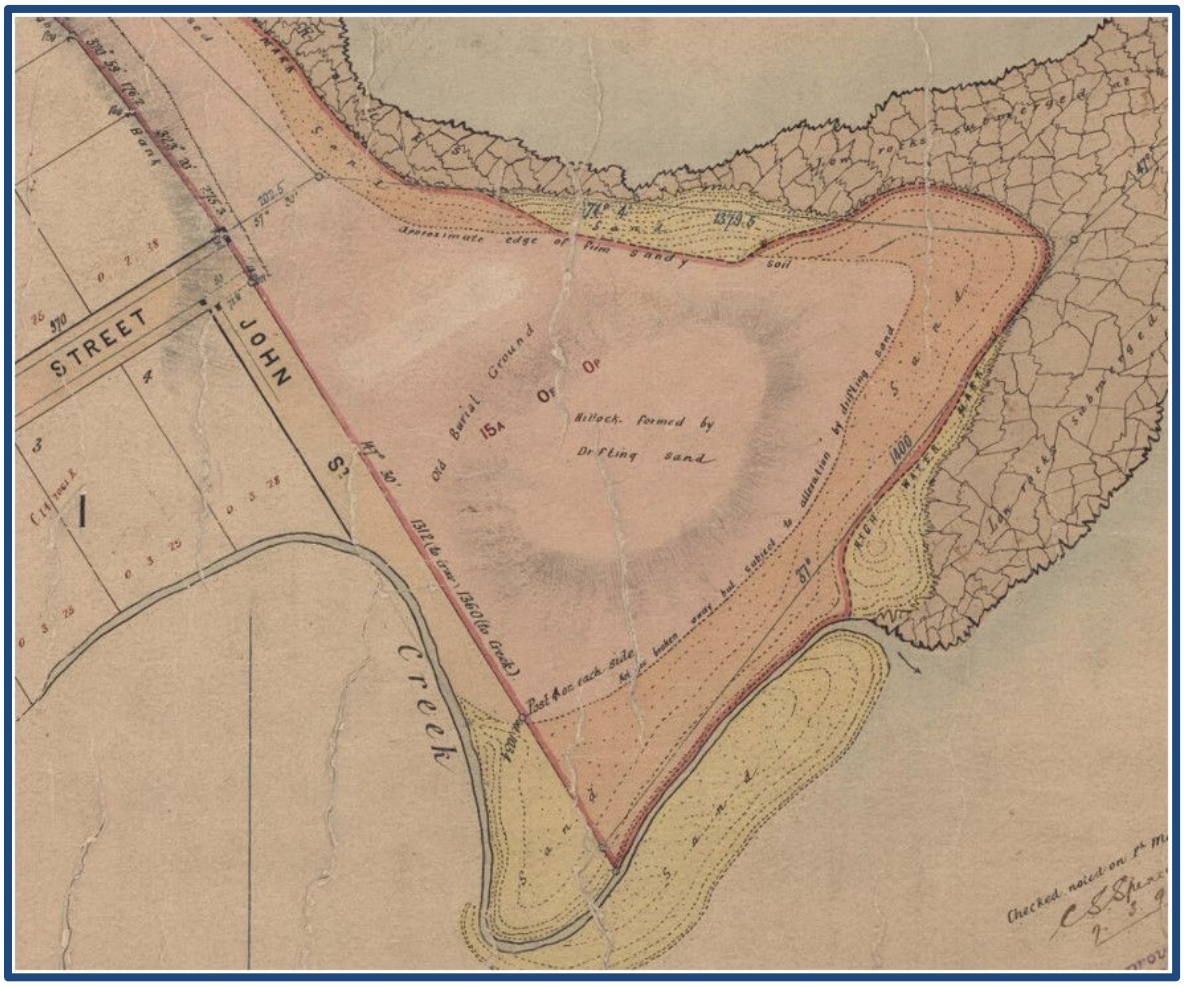

Figure 4 - Extract from Crown Plan Ms 408 Sy

Figure 5 – Camping in the 1950s
Shellharbour Camping Ground (Shellharbour Holiday Park/Bassett Park)

- On 2 October 2020, Council appointed *NRMA Parks and Resorts* as site manager of SBHP, for a five-year term. Council has extended the Management Agreement with NRMA for a further five years, commencing on 1 October 2025.

This POM has been prepared in order to achieve a balanced, responsible and ecologically sustainable use of the land and to ensure that the land addresses the needs of the local neighbourhood, the broader community and the environment. It has been prepared to meet the requirements of the LG Act and the CLM Act.

Figure 6 – Site Diagram
The land subject to this POM is bound by red outline

2 LEGAL FRAMEWORK

2.1 Public Land

The public land at SBHP is Crown land, owned by the State of New South Wales, managed by Council for the benefit of all persons. Local Government Authorities manage Crown land on behalf of the State, as Crown Land Manager, under Division 3.4 of the CLM Act, which provides that Council should manage the land under the LG Act.

Under the LG Act, all public lands must be classified as either Community or Operational land. SBHP shown in Figure 6, has been previously classified 'Community' land, with the initial categorisation being for *General Community Use*.[6]

The purpose of the classification of Public land is to clearly delineate which land should be kept for use by the general public (Community land) and which land need not be kept for that purpose (Operational land). The major consequence of the classification is that it determines the ease or difficulty by which the land may be alienated by sale, lease or other means. Community land would ordinarily comprise land such as a sportsground, hall, public park, beach precinct etc.[7] Operational land would consist of land which facilitates carrying out of a public service, such as works depots, or land held as a temporary asset or investment.

Community land:

- cannot be sold.
- cannot be leased, licensed or any other estate granted over the land for more than 21 years.
- must have a POM prepared for it.

2.2 What is a Plan of Management?

The LG Act requires that in the development of a POM, Council consider the views of the community in identifying the important features of the land and determining how the land will be managed, used, or developed. Until a POM for Community Land is adopted, the nature and use of the land cannot be changed. Otherwise, the POM must be revised.

In its management of the Crown land of SBHP, Council will also undertake the required process as per Section 36 of the LG Act and Section 3.23 of the CLM Act.

Specifically, the LG Act requires that a POM must identify the:

- category of the land.
- objectives and performance targets of the Plan with respect to the land.

[6] The classification and initial categorisation was assigned by the Minister by letter dated 22 August 2022.
[7] See the note to Chapter 6, Part 2 of the LG Act.

- means by which the council proposes to achieve the Plan's objectives and performance targets.
- manner in which the council proposes to assess the objectives and performance targets.
- condition of the land, and any buildings or other improvements on the land, as at the adoption of the Plan.
- use of the land and any such buildings or improvements as at adoption.
- purposes for which the land, and any such buildings or improvements, will be allowed to be used.
- purposes for which any further development of the land will be permitted, whether under lease or licence or otherwise.
- scale and intensity of any such permitted use or development.

2.3 Types of Plans

The LG Act allows a POM to cover one or multiple parcels of land.

Where multiple parcels of land are covered in one POM (Generic Plans), the LG Act specifically states what needs to be included. Where a POM covers one parcel of land (Specific Plans), like this POM, there is greater detail on what has to be prescribed. A Generic Plan sets the framework of how the land is to be managed. A Specific Plan clearly outlines precise management proposals.

POMs for community land are periodically reviewed to enable changing social, economic and ecological conditions to be taken into account and consequently amendments to the POM may occur. This POM replaces a prior POM adopted by Council in 1997.

2.4 Categorisation and Objectives

As required under Section 36 of the LG Act, *community land* is categorised as one of the following:

- Natural Area
  - Bushland
  - Wetland
  - Watercourse
  - Escarpment
  - Foreshore
- Sportsground
- Park
- Area of Cultural Significance
- General Community Use

Once categorised, community land is also subject to specified objectives which are outlined in the LG Act and in **Appendix 1.**

3 SITE DESCRIPTION

3.1 Land Parcels

SBHP consists of Lot 81 Deposited Plan (DP) 726748, with an area of 2.385 hectares. SBHP is part of Crown Reserve D.580065 (Bassett Park) which has a total area of 5.596 hectares.

Figure 6 shows the lot location for the land which is subject to the POM. Figure 7 shows the location of SBHP as a component of the area of Bassett Park.

Table 1 – Site Description

Reserve	Reserve D.580065 for Public Recreation
Description	Lot 81 DP 726748 (Part of D.580065 known as Bassett Park – see Figure 7)
Address	John Street Shellharbour NSW 2529
Initial Category	General Community Use
Proposed Category	General Community Use

3.2 Ownership and Management

Crown Land

SBHP is on Crown land owned by the State of New South Wales and subject to Crown Reserve D.580065 for Public Recreation, dedicated on 23 November 1892

Council was first appointed trustee of D.580065 under Section 106 of the *Crown Lands Act 1884* on 4 January 1893.

Following various legislative changes in the management of Crown land, and changes in the areas and names of local government authorities Council is now Crown land manager of D.580065 for the purposes of the CLM Act.

All assets on SBHP are owned by Council, the appointed Crown Land Manager.

D.580065 is subject to *Crown Land Management Rule 2024 (No.1)* requiring that certain funds be paid by Council into the Crown Reserves Improvement Fund.

Native Title

Crown land in Australia is subject to native title under the *Native Title Act 1993* (Commonwealth). On Crown land native title rights and interests must be considered unless:

- Native title has been extinguished; or
- Native title has been surrendered; or
- Determined by a court to no longer exist.

Figure 7 – Crown Reserve D.580065
Shellharbour Beachside Holiday Park (shaded yellow) occupies part of Crown Reserve D.580065 known as Bassett Park (bound in cyan).

Some examples of acts[8] which may affect native title on Crown land or Crown reserves managed by Council include:

- the construction of new buildings and other facilities such as toilet blocks, walking tracks, tennis courts, grandstands and barbecues.

[8] An *act* is defined in Section 226 of the *Native Title Act 1993* (Cwlth). An *act affecting native title* is defined in Section 227 of the *Native Title Act 1993* (Cwlth).

- the construction of extensions to existing buildings.
- the construction of new roads or tracks.
- installation of infrastructure such as powerlines, sewerage pipes, etc.
- the issue of a lease or licence.
- the undertaking of major earthworks.

When proposing any act that may affect native title on Crown land or Crown reserves the act must be authorised through Part 2 Division 3 of the *Native Title Act 1993 (Cwlth).*

The SBHP is subject to Native Title Claim (NSD 1331/2017) filed by the South Coast People with the Federal Court of Australia on 3 August 2017.

Under Section 8.7(1)(d) of the CLM Act, prior to adoption of this POM, Council is required to obtain written advice from one of its native title managers that it complies with the applicable provisions of the native title legislation.

Aboriginal Land Rights

The *Aboriginal Land Rights Act 1983* (ALRA) seeks to compensate Aboriginal peoples for past dispossession, dislocation and loss of land in NSW. The lodgment of an Aboriginal land claim (ALC) under Section 36 of the ALRA, over Crown land creates an inchoate interest in the land for the claimant pending determination of the claim. The Department of Planning, Housing and Infrastructure – Crown lands advises that, if the land is subject to an undetermined ALC, any works, development or tenures authorised by the POM should not go ahead if:

- the proposed activity could prevent the land being transferred to an ALC claimant in the event that an undetermined claim is granted.
- the proposed activity could impact or change the physical/environmental condition of the land, unless:
    - the council manager has obtained written consent from the claimant Aboriginal Land Council to carry out the proposed work or activity, and/or
    - the council manager has obtained a written statement from the Aboriginal Land Council confirming that the subject land is withdrawn (in whole or partial) from the land claim.
- the proposed activity is a lease to be registered on title unless the council manager has obtained written consent from the claimant Aboriginal Land Council.

SBHP is subject to ALCs 42453 and 42492, lodged by New South Wales Aboriginal Land Council in their own right in December 2016.

4 PLANNING INSTRUMENTS AND POLICIES

4.1 Land Zoning and Planning Control

The subject land is zoned RE2 – Private Recreation under the *Shellharbour Local Environmental Plan 2013* (LEP) (See Figure 8).

Figure 8 – Zoning Plan
Shellharbour Beachside Holiday Park – boundary shown in yellow.

SBHP is an irregular concave hexagon shaped area which is bounded on the west by John Street, and in the northwest by Hockey Esplanade. The northern, northeastern, eastern, and southeastern boundary sections are bounded by the coastal dune system of sands overlying an extended rock shelf which reaches the Pacific Ocean to the east. The area west of John Street is zoned R2 (Low Density Residential) from its northern section, and R3 (Medium Density Residential) to the south of the SBHP entrance. The area beyond the eastern, northern and southern boundaries within Bassett Park, is zoned RE1 (Public Recreation).

<u>RE2 – Private Recreation</u>

The objectives for RE2 land described within the LEP, are:

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

Activities permitted without consent for land zoned RE2 are shown as:

- Nil

Activities permitted with consent for land zoned RE2 are shown as:

- aquaculture
- backpackers' accommodation
- camping grounds
- caravan parks
- community facilities
- educational establishments
- environmental facilities
- environmental protection works
- extensive agriculture
- farm buildings
- flood mitigation works
- function centres
- hotel or motel accommodation
- information and education facilities
- kiosks
- places of public worship
- recreation areas
- recreation facilities (indoor)
- recreation facilities (major)
- recreation facilities (outdoor)
- registered clubs
- restaurants or cafes
- roads
- signage
- water reticulation systems

The following activities are prohibited:

- Any developments other than those permitted with or without consent are prohibited on this land.

4.2 State Environmental Planning Policies

State Environmental Planning Policies can specify planning controls for certain areas and/or types of development. They can also identify the development assessment system that applies and the type of environmental assessment that is required. SBHP is subject to the State Environmental Planning Policies. Important amongst these in the development of SBHP is *State Environmental Planning Policy (Transport and Infrastructure) 2021*.

Section 2.73 of the T&I SEPP provides that development for any purpose may be carried out without consent on Crown managed land, by or on behalf of a Crown land manager of the land if the development is for the purposes of implementing a POM adopted for the land in accordance with the LG Act.[9]

All other impacting State Environmental Planning Policies are listed below. Those that are considered more relevant to the future of SBHP and this POM are underlined below and briefly described in **Appendix 2**:

- *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*

[9] A Review of Environmental Factors will be required where Council is undertaking development utilising the T&I SEPP.

- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Industry and Employment) 2021*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*
- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Housing) 2021*
- *State Environmental Planning Policy (Resources and Energy) 2021*
- *State Environmental Planning Policy (Primary Production) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*

4.3 Council Policies

In addition to state planning policies and the directions of the LEP, Council has developed a number of plans and general policies which have either direct or indirect relevance to planning, management and maintenance of community land, more specifically, SBHP. Of particular relevance are the:

- ***Shellharbour Community Strategic Plan 2025-2035 (SCSP) –*** a suite of planning and reporting documents that make up the Integrated Planning and Reporting Framework. This provides Council with the opportunity to work with the community to develop a long-term plan for respective areas focusing on: *Where we Want to Go*; *How we Plan to Get There*; and *How we will Measure Progress?*
  The SCSP objective of significance to this POM, is to *support a strong local community*, by:
  - contributing to a local employment and business hub that contributes to local employment and business support,
  - ensuring the city is loved by locals and desired by others; and
  - providing development, tourism and community opportunities.
- ***Shellharbour Resourcing Strategy 2025-2035 –*** ensures sufficient financial and human resources exist to provide services and infrastructure assets expected by the community. The Long-Term Financial Plan, Strategic Assets Management Plan and the Workforce Management Plan are contained within the strategy address all strategies and actions contained within the Delivery Program and Operational Plan.
- ***Shellharbour Local Strategic Planning Statement (LSPS) –*** building on the SCSP, the LSPS creates a land use vision for the future of Shellharbour City Local Government Area. It provides details on which Council can base planning decisions and drive future land use planning and management of the growth of the city based on social, economic and environmental needs over the next twenty years.

- ***Your Vision, Our Actions Delivery Program 2025-2029 and Operational Plan 2025-2026 –*** is a statement of commitment to the community from each newly elected Council that translates the community's strategic goals and strategies. It is the primary reference point for all activities undertaken by Council during the term of office, allowing Council to determine what is achievable over the next four years. The combined Delivery Program and Operational Plan are developed in conjunction with the CSP, Resourcing Strategy and LSPS.

- ***Shellharbour Open Space and Recreation Strategy 2020 (OSR)–*** guides Council's decision making in respect to planning, investment and use of its open space and recreational facilities. It covers activities such as sports as well as passive activities including walking and enjoying nature, aquatics and associated infrastructure, to be implemented between 2020 and 2030.

- ***Shellharbour Open Space and Recreation Needs Study 2020 –*** contains the evidence and analysis that was used to create the OSR.

Full details of Council's relevant policies and plans as listed above can be found at Council's website at: www.shellharbour.nsw.gov.au

4.4 Biodiversity

Under the LG Act, Council has obligations for conservation issues as determined by the *Biodiversity Conservation Act 2016* and the *Fisheries Management Act 1994*. The LEP notes that there are no significant biodiversity issues present or critical habitat notified at SBHP. There is no biodiversity certified land or biobanking agreement associated with this land as per the *Biodiversity Conservation Act 2016.*

Any proposed impacts to biodiversity values both terrestrial and aquatic, which result from development, including threatened species and ecological communities and their habitats, require proper consideration in accordance with the applying legislation.

4.5 Native Vegetation

Land zoned RE2 is covered by the State Government's native vegetation laws aimed at protecting the biodiversity values of trees and other vegetation in non-rural areas of NSW and is included within the *State Environmental Planning Policy (Biodiversity and Conservation) 2021*[10] and also considered within the *Biodiversity Conservation Act 2016.* Any clearing of native vegetation requires consideration and possible authorisation under these policies.

[10] Part 2.3 (1)(b) of the *State Environmental Planning Policy (Biodiversity and Conservation) 2021.*

4.6 Acid Sulfate Soils

Acid sulfate soils are natural sediments that contain iron sulfides, often at depth. The objective of the LEP relating to the presence of acid sulfate soils is to ensure that any proposed development which may disturb, expose or drain them, is accounted for to avoid environmental damage.

The LEP indicates that small areas of Class 3 and Class 5 acid sulfate land is likely to occur at SBHP (see Figure 9, southern corner boundary). It is required that consent considerations account for development which will disturb, expose or drain the acid sulfate accumulations which occur naturally. Although not present at SBHP, Class 2 land is also a consent consideration because of the definition of Class 5 which is distance-based.

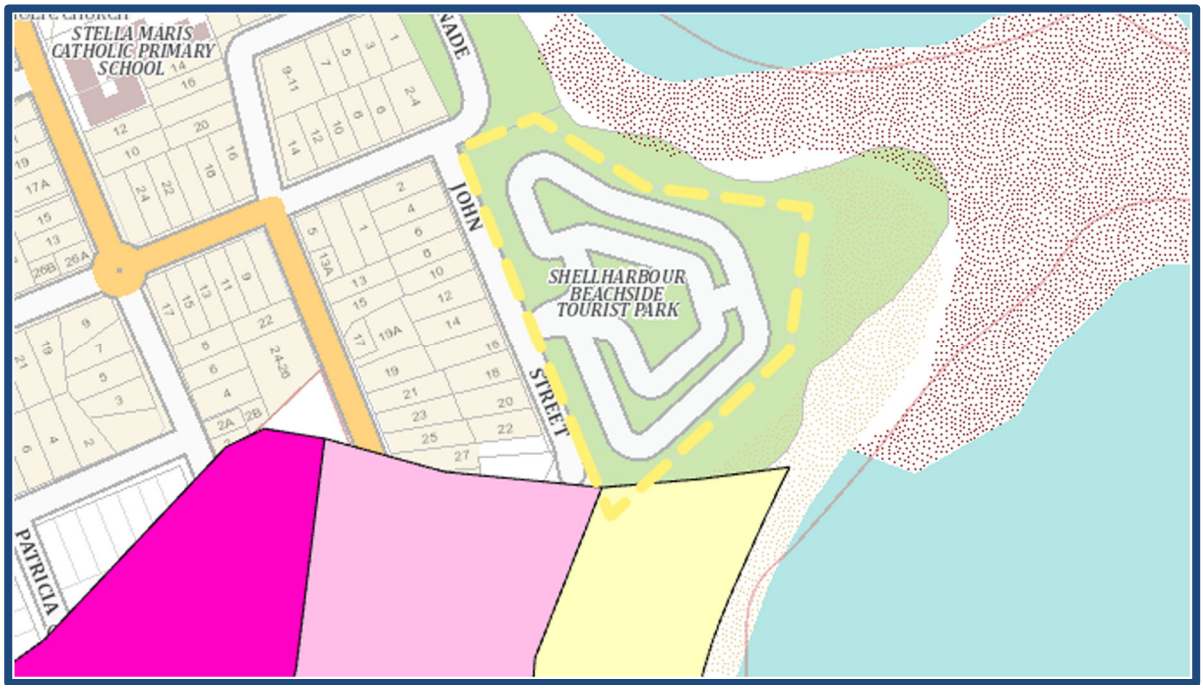

Figure 9 – Acid Sulphate Soils at Shellharbour Beachside Holiday Park
Mauve **– Class 3**; Yellow – **Class 5**; Pink- **Class 2**

Developments of varying intensity at SBHP must comply with the following hazard scale:

Class 3: Works more than 1 metre below the natural ground surface by which the water table is likely to be lowered more than 1m below the ground surface.

Class 2: Works below the natural ground surface by which the water table is likely to be lowered.

Class 5: Works within 500 metres of adjacent Class 3 land that are below 5 metres (Australian Height Datum) which means the water table is likely to be lowered below 1 metre on Class 3 land.

4.7 Flood Planning and Floodplain Risk Management

The objectives of the flood planning clause in the LEP are:

- to minimise the flood risk to life and property associated with the use of land.
- to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change.
- to avoid adverse or cumulative impacts on flood behaviour and the environment, and
- to enable the safe occupation and efficient evacuation of people in the event of a flood.

The LEP does not indicate flooding hazard is an issue at SBHP.

4.8 Aboriginal Significance

A search of the *NSW Government's* AHIMS Web Services revealed that:

- two open sites were originally entered and accepted onto AHIMS as valid sites
- after further investigations it was decided these sites were NOT Aboriginal sites.
- no Aboriginal places have been declared in or near SBHP.

Council will carefully follow the *Due Diligence Code Practice for the Protection of Aboriginal Objects in New South Wales*[11] when considering development in these areas.

Any construction undertaken by Council will need to meet the cultural heritage requirements of the *National Parks and Wildlife Act 1974*.

SBHP does not contain any items listed in the LEP as being of known Aboriginal archaeological sites, nor places of indigenous heritage significance.

4.9 Heritage Significance

The objectives of environmental heritage designations in the LEP are:

- to conserve the environmental heritage of Shellharbour.
- to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views.
- to conserve archaeological sites.

[11] Published by the Department of Environment, Climate Change and Water – 1 September 2010.

- to conserve Aboriginal objects and Aboriginal places of heritage significance.

A requirement for consent is required for any of the following:

- demolishing or moving any of the following or altering the exterior of any of the following:
  - a heritage item
  - an Aboriginal object
  - a building work, relic or tree within a heritage conservation area to conserve the environmental heritage of Shellharbour.
- altering a heritage item that is a building by making structural changes to its interior.
- disturbing or excavating an archeological site while knowing or having reasonable cause to suspect that the disturbance or excavation will or is likely to result in a relict being discovered, exposed, damaged or destroyed.
- disturbing or excavating an Aboriginal place of heritage significance.
- erecting a building on land on which a heritage item is located or that is within an Aboriginal place of heritage significance.
- subdividing land on which a heritage item is located within a heritage conservation area, or on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

The LEP also lists provisions where consent is not required, including a requirement of notification from the applicant to the consent authority that impact of a development will be minimal, including where Aboriginal objects or Aboriginal places of heritage significance, or trees of heritage significance, exist.
The LEP indicates that SBHP is of local heritage significance (Beachside Tourist Caravan Park and trees) noted as item I125 (Figure 10). The State Heritage Register (see **Appendix 4**) provides that the SBHP is:

> *One of the oldest and continuously used camping grounds in the Illawarra. Camping started here informally in the 1880s, on the site of the first cemetery in Shellharbour, on 'The Driftway'. In 1895, the cemetery moved to higher ground following a series of storms that destroyed many graves.*
>
> *By the 1950s the site had become a formally arranged caravan park managed by Council. Very strongly associated with the tradition of summer beach holidays that began to emerge in the late 19th century. Continually used as such throughout the 20th and into 21st centuries. Relates to the development of the local tourism industry, an important component of Shellharbour's economic development.*

The trees date from Arbor days of the late 19th century. They remain major local landmarks in the wider scenic coastal scape, reinforcing the ambience of Shellharbour Village, and provide amenity to users of the park. The trees are a valuable local fauna habitat.

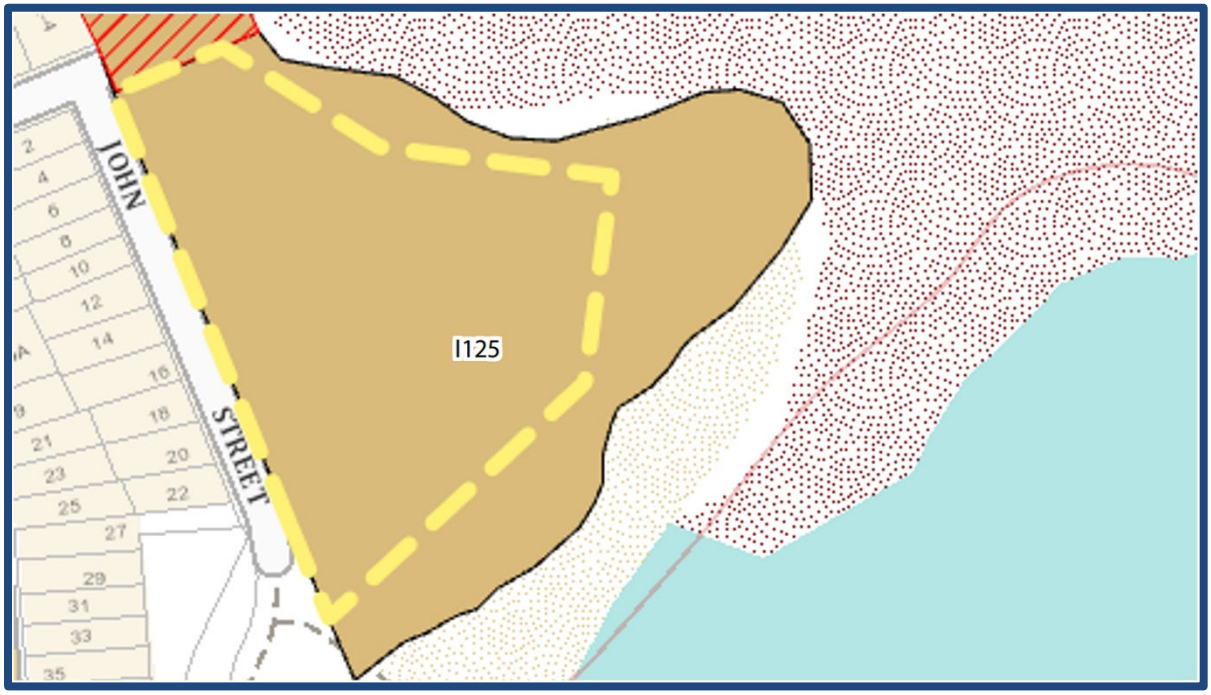

Figure 10 – Areas of Environmental Heritage
The whole of Shellharbour Beachside Holiday Park (yellow boundary) is noted in the LEP as being of local heritage significance (Beachside Tourist Caravan Park and trees).

The LEP contains no indication of Aboriginal heritage or items of significance for SBHP. An Aboriginal Heritage Management Plan completed on the site of SBHP[12] concluded that due possibly to significant site disturbance which had occurred on the site since European settlement (see 5.3) no intact archaeological deposits were found. Nevertheless, guidelines for the protection of unexpected cultural heritage items being disturbed during development involving excavation, particularly the layer deeper than 500mm, were proposed in this study. This may involve input from a qualified archeologist and the Aboriginal community, in accordance with the requirements of legislation.

4.10 Bush Fire Planning

SBHP has some land which is designated Bushfire prone. Bushfire prone land is defined as an area of land that can support a bush fire or is likely to be subject to bush fire attack, as designated on a bush fire prone land map.[13] Bushfire prone land is allocated categories of risk, which range from Bushfire Vegetation Buffer to Bushfire Categories 1 to 3.

[12] Shellharbour Beachside Tourist Park Aboriginal Heritage Management Plan and Construction Guidelines (2012) – *Austral Archaeology Pty Ltd. (May 2012).*

[13] Guide for Bush Fire Prone Land Mapping Version 5b November 2015: *NSW Rural Fire Service.*

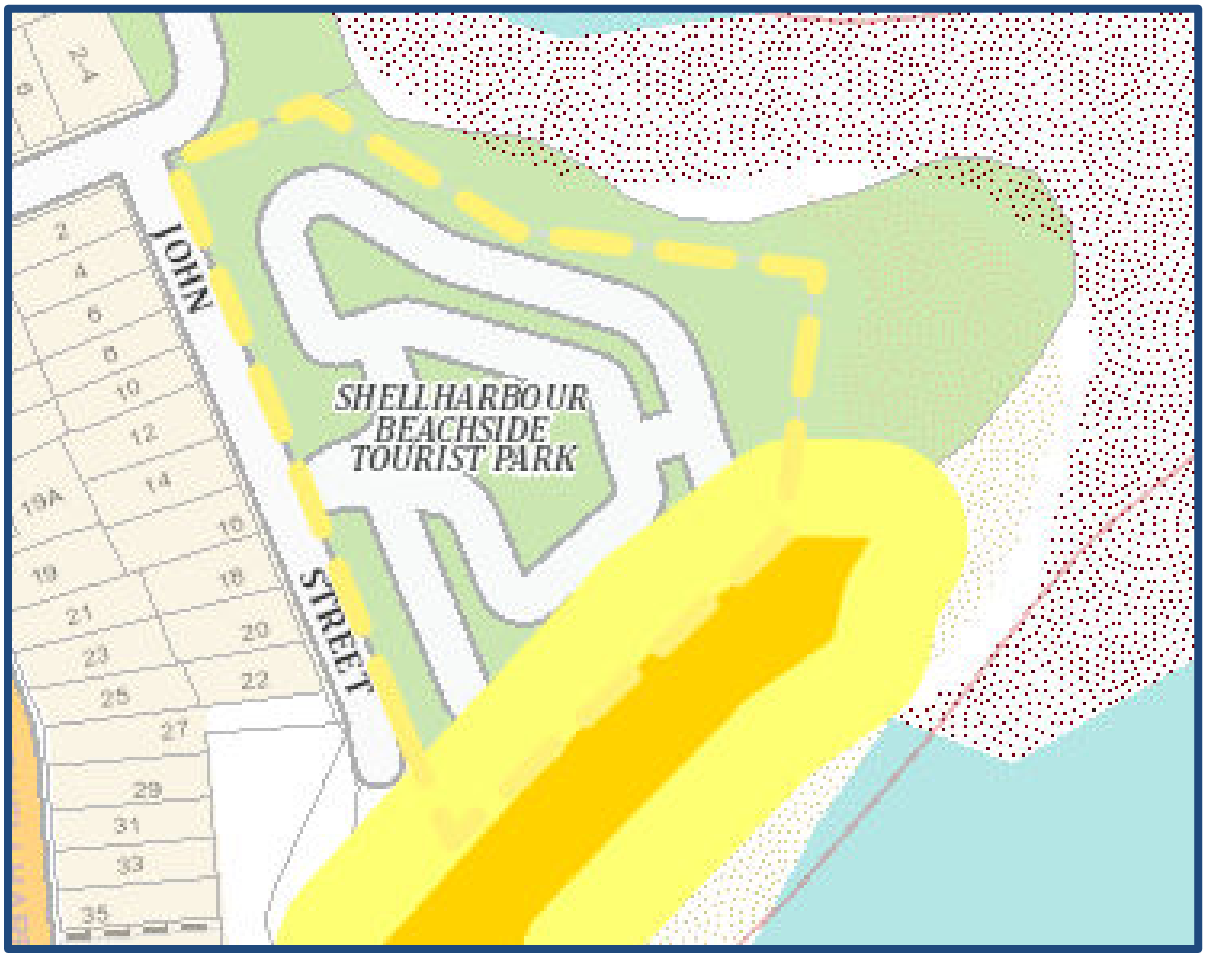

Figure 11 – Bushfire Prone Land
Vegetation Category 2 VC2 (orange) is located just beyond the SBHP boundary to the southeast; Vegetation Buffer (yellow) is a required management zone (30m) located adjacent to VC2 and within the SBHP boundary.

The NSW Government's Planning portal[14] indicates a range of bushfire hazard rankings at SBHP:

Vegetation Category 1 – considered to be the highest risk for bush fire and will be given a 100m buffer. This vegetation category has the highest combustibility and likelihood of forming fully developed fires including heavy ember production.[15] (This corresponds with the more heavily vegetated areas on the slopes and footslopes to the north-east of SBHP).

Vegetation Category 2 – considered to be a lower bush fire risk than Category 1 and Category 3 but higher than the excluded areas **and will be given a 30-metre buffer**. This vegetation category has lower combustibility and/or limited potential fire size due to the vegetation area shape and size, land geography and management practices.

Vegetation Category 3 – considered to be medium bushfire risk vegetation. It is higher in bushfire risk than Category 2 (and excluded areas) but lower than Category 1.

Vegetation Buffer (see definition Category 2)

Note that Bush fire hazard reduction work authorised by the *Rural Fires Act 1997* may be carried out on any land without development consent.

Bushfire prone land at SBHP is shown in Figure 11.

4.11 Operating Approvals

SBHP is operated in accordance with approval under Section 68 of the LG Act.

SBHP is subject to an extended 5-year management agreement between Council and NRMA Parks and Resorts, commencing 1 October 2025.

32 Annual site agreements are currently in place.

[14] www.planningportal.nsw.gov.au/spatialviewer/#/find-a-property/lot.
[15] Guide for Bush Fire Prone Land Mapping Version 5b November 2015: *NSW Rural Fire Service.*

5 THE PHYSICAL ENVIRONMENT

5.1 Coastal Geomorphology

In general terms, the present coastline topography which encapsulates Bassett Park and SBHP has formed since the end of the last Ice Age and mainly over the last 6,500 years. Sea levels rose from 120m below present, to 1 – 2m above present around 6,500 years ago. Between 6,500 and 3,000 years ago, sea levels fell to around their present level and have remained fairly stable ever since. *Pleistocene*[16] and *Holocene*[17] barriers were created by *aeolian*[18] sand deposits along the coastline to create the morphology of the coastal zone.

5.2 Geology and Soils

The geology of the site occupied by SBHP is described as *Quaternary (Holocene) well sorted marine, coarse quartz sands with well sorted coarse sized abraded shell fragments.*[19] This essentially comprises of the small sand blown hillock as described on an 1890 map of the area (see Figure 4 – 'Hillock formed by Drifting Sand')[20] which is an overlay of the bedrock platform seen to protrude towards the ocean part of the eastern boundary of the SBHP. The sand overlay rarely rises above 2.5m meters above the bedrock substrate at that point.

The sandy soils present at the SBHP are described as belonging to the foredunes of the *Wollongong Soils Landscape.*[21] These soils are of loose pale-brown siliceous sands of greater than 2 meters depth, with little profile development.

The best descriptions of the range of sandy soils now present on the site of SBHP are provided by the Aboriginal Heritage Management Plan[22] which conducted 23 test pit sites across SBHP. Variations of exposed soil profiles differed greatly between those north and south of the amenities block, although they were generally representative of the geomorphology of the site as described above, being uniformly sandy. Layering with depth down the profile depends on levels of (post European) disturbance which has been considerable, on occasions resulting in the presence of imported unrelated (clayey) materials. However, generally soils were found to be sands, commonly with a darkened humic topsoil layer, then with various bleached or darkened zones with depth also indicating influence of organic materials.

Crushed shell and shell gravel is common at depth. Soil structure is therefore apedal (structureless), with a sandy fabric and neutral to alkaline soil reaction (PH 7-9) trend due to the influence of decomposing shell materials.

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16 1.6 million years ago, to Holocene.
17 10,000 years BP to present.
18 Wind deposited.
19 Shellharbour-Kiama 1:50,000 Coastal Quaternary Geology Map. *NSW Department of Trades and Investment Resources and Energy.*
20 Also evident is the extension of the bedrock substrate which extends towards the sea, and an old burial ground in the northern section which was in use between 1829 and 1897.
21 eSPADE map in: https://espade.environment.nsw.gov.au
22 Shellharbour Beachside Tourist Park Aboriginal Heritage Management Plan and Construction Guidelines (2012) *Austral Archaeology Pty Ltd (May 2012).*

5.3 Landform Modification and Clearing

The landform and vegetation at SBHP are a product of both natural and man-made modifications. The original native vegetation prior to modification and development is likely to have consisted of moderate establishments of coastal heath (*Monotco elliptical*) and scrub[23]. Constant pressures on the site due to natural ongoing coastal forces including the deposition of sandy materials due to wind, and their subsequent cyclic stripping by the same forces, would have created a vegetation coverage in a state of constant transition. For instance, there is no description on an 1890 Crown Land map of any significant vegetation (Figure 4), and an early aerial photographic image of the site shows little to no woody vegetation (Figure 12).

Figure 12 – Early Aerial Photo.
Early aerial photo shows minimal development of the area of SBHP. The image also shows minimal woody vegetation, as well as an incursion within the current boundary caused by coastal erosion of the foredune, an area which is now stabilised and reclaimed by established shrubs and trees.

In more recent times, both natural and introduced species have been introduced to create shade, improve aesthetics, stabilise particularly the ocean side boundary area and beyond towards the beach and rocky substrate area, and provide wind protection for residents and infrastructure (Figures 13 and 14).

Modification of the landform was in some way impacted by the use of the site as a burial ground, commencing in 1829, and lasting for that purpose until 1897 (Figure 15).

Since development as a camping ground, additional modification to the site has been ongoing, with the implementation of infrastructure (shaping of sites including minor cutting and filling, road construction, landscaping, installations etc).

[23] eSPADE map in: https://espade.environment.nsw.gov.au

The Aboriginal Heritage Management Plan[24] used an analysis of 23 soil pits dug across the site of SBHP. This study confirmed a significant level of post-European disturbance with the presence of foreign materials assumed to have accumulated since the site was used continuously for the current purpose in the 1960s. In fact, no pit examined was completely free of modern materials.

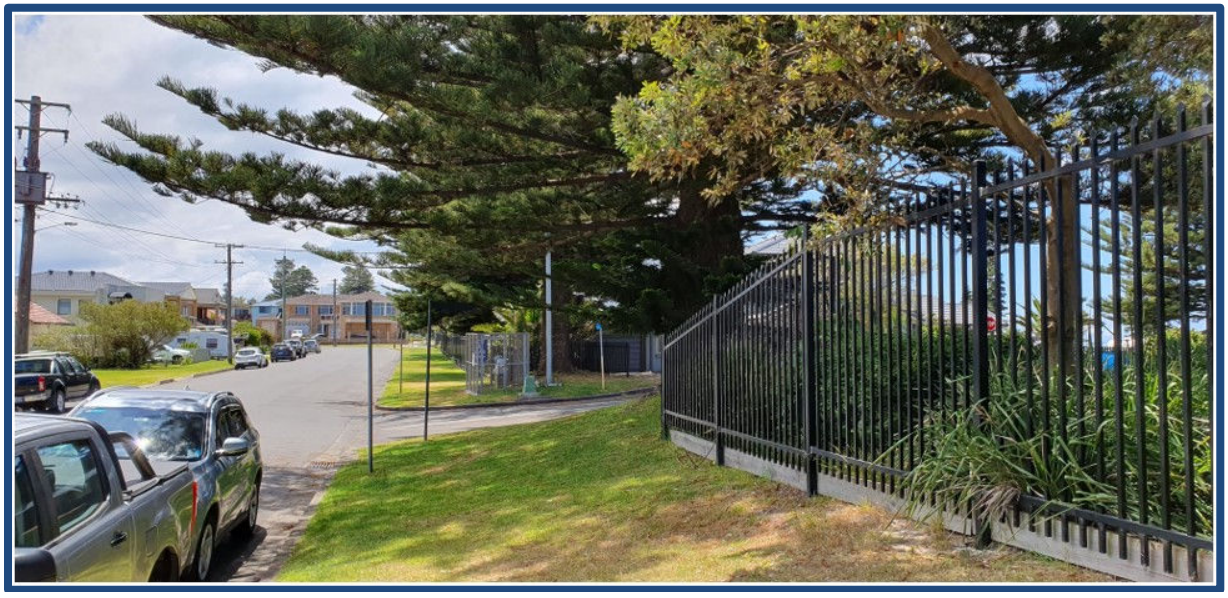

Figure 13 – Introduced Species at SBHP.
Norfolk Pines and other native and introduced species at SBHP are used for shade and aesthetics.

Figure 14 – Native Species at SBHP
Native species at SBHP are used near and beyond the eastern boundaries to reclaim and stabilise the coastal landform as well as provide shade and wind protection.

[24] Shellharbour Beachside Tourist Park Aboriginal Heritage Management Plan and Construction Guidelines (2012) *Austral Archaeology Pty Ltd (May 2012).*

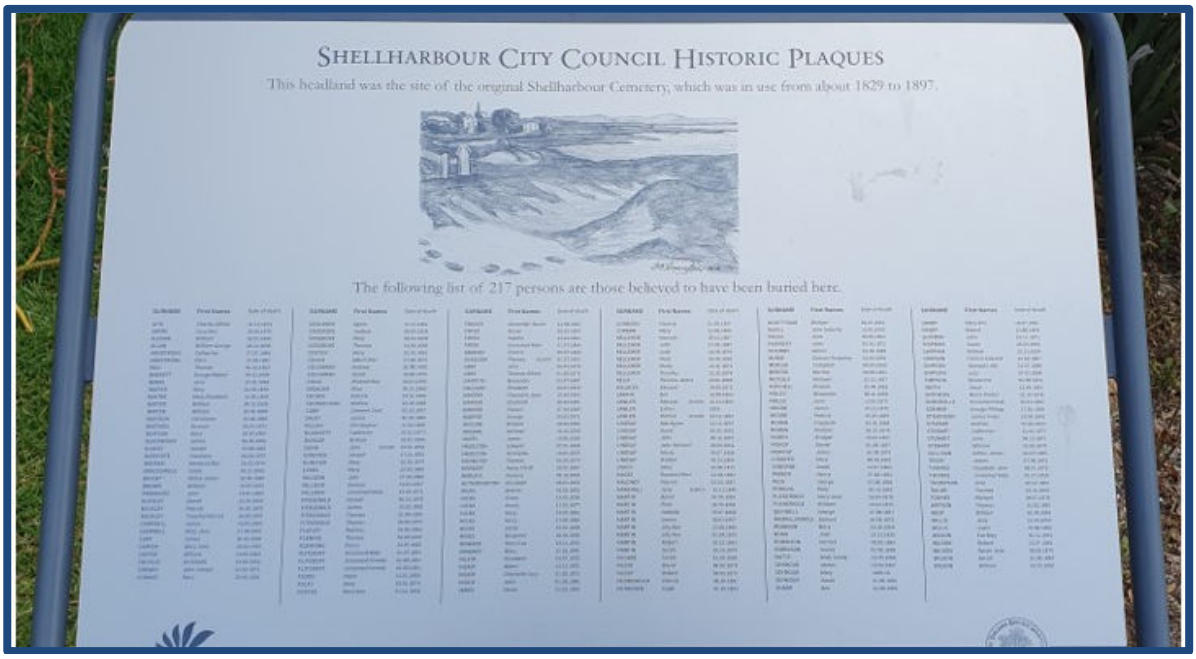

Figure 15 – Historic Plaques
The SBHP was used as a burial ground between 1829 to 1897.

6 CURRENT USES

6.1 Holiday Accommodation Visitations for Paying Customers

The LEP zoning and historic use of the site means that the SBHP provides private holiday accommodation for visitors who pay to occupy the various cottages, cabins and huts, and tourist holiday van sites and camping sites. Onsite facilities include amenities, camp kitchen, landscaping and other essential services such as power, water and sewerage. Pedestrian access directly to the beach to the south and north, including the ocean baths is provided through and beyond the boundaries of SBHP (see Figures 14 and 16).

Figure 16 - Access to Shellharbour Beach

6.2 Annual or long-term casual occupation

SBHP currently provides for limited annual[25]- long term casual occupation. The use of holiday vans for long-term casual occupation for holiday purposes in caravan parks is subject to the *Holiday Parks (Long-term Casual Occupation) Act 2002* (HPLCO Act) and the associated regulations. The HPLCO Act sets out the rights and obligations of long-term casual occupants of moveable dwellings in caravan parks providing for an occupation agreement. Such an agreement, between the manager of a caravan park and the owner of a moveable dwelling for the use of a site, runs for at least 12 months.

Occupation of short term sites under annual - long term casual occupation is currently managed under the provisions of the HPLCO Act. Occupants are required to comply with the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021,* specifically in regard to any additions to moveable dwellings.

[25] An annual or long-term casual occupant is defined under the *Holiday Parks (Long-term Casual Occupation) Act 2002* as a person who has the right to occupy a site (within a holiday park) under an express or implied occupation agreement.

The HPLCO applies to any occupation agreement in relation to a site:

a. entered into by an occupant who has a principal place of residence somewhere other than the site, and

b. under which the occupant installs the occupant's own moveable dwelling on the site and leaves it there all of the time that the occupation agreement continues in force, and

c. under which the occupant can occupy the site for no more than 180 days in any 12-month period (in a continuous or broken period), and

d. under which—

   i. the occupant agrees, with the consent of the park owner, to be an occupant on a casual basis for at least 12 months, or
   ii. the occupant has, with the consent of the park owner, been an occupant on a casual basis for at least 12 months.

Some of the principal matters addressed by the HPLCO 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 NSW Civil and Administrative Tribunal (NCAT)
- The fate of abandoned goods (i.e. moveable dwelling) and sites.

There are currently 32 long-term casual occupant occupation agreements in place on the SBHP.

<u>The rights and obligations of long-term casual occupants</u>

The rights of the long-term casual occupants are related to:

- Possession of the site
- Occupant's right to no interruption

- Cleanliness – Park owner to make sure the site, everything provided with the site for use by the occupant, and the common areas of the holiday park, are reasonably clean and fit to occupy or use
- Tradespeople allowed to come in
- Permitting family members of occupant and others to temporarily occupy a site
- Park owner's access to the site – only access the site for specific described reasons
- Park rules for casual occupants - occupant has a right to a copy of any park rules for casual occupants that are in force for the holiday park and that the park owner will take all reasonable steps to make sure that the park owner's other occupants do not contravene any park rules

The obligations of the long-term casual occupants are related to:

- Offensive behaviour – not to interfere with other occupants
- Use of the site – no illegal activity or nuisance
- Cleanliness of and damage to the site
- Alterations and additions to the site – only with the park owner's prior written permission.
- Occupant's responsibility for the actions of others – that they allow on the site
- Keys and opening devices
- Selling the moveable dwelling - only with the park owner's prior written permission or a NCAT order
- Agreement not to transfer without consent - only with the park owner's prior written permission
- Moveable dwellings must comply with law – the moveable dwelling must comply with any regulations under the Local Government Act 1993 with which it is required to comply
- Condition of moveable dwelling and other structures - the moveable dwelling and any other structure that the occupant is permitted to erect is kept in a condition allowing it to be moved.
- Not to carry on business
- Change of Address
- Surveillance - closed circuit television, or any other surveillance device, may be installed in any part of the park, other than in the shower and toilet areas of the amenity park
- Public liability insurance

- Fire Safety - The occupant must obtain and keep current an assessment of fire safety measures in relation to the site and to regularly maintain the roof, gutters and site to ensure that build up of combustible materials, such as leaves and twigs does not occur

- Electrical testing and tagging

Termination of Occupation Agreements

Occupation Agreements can be terminated in the following circumstances:

(a) if the park owner or the occupant gives notice of termination under this Part

(b) if the NCAT makes an order terminating this agreement

(c) if a person having superior title to that of the park owner becomes entitled to possession of the site

(d) if a person succeeding to the title of the park owner (for example, a purchaser) becomes entitled to possession of the site to the exclusion of the occupant

(e) if a mortgagee in respect of the site becomes entitled to possession of the site to the exclusion of the occupant

(f) if the occupant abandons the site

(g) if the occupant delivers up vacant possession of the site with the prior permission of the park owner, whether or not that permission is subsequently withdrawn

(h) by merger (that is, where the interests of the park owner and the occupant become vested in the one person)

(i) by disclaimer (for example, on repudiation by the occupant accepted by the park owner).

The Occupation Agreement can be terminated by the occupant:

- Termination by occupant on breach of agreement - the occupant may give the park owner a notice of termination if the park owner has breached a term of the agreement with at least 7 days' notice

- Notice of termination by occupant without any reason - the occupant may give the park owner a notice of termination without reason with at least 30 days' notice.

The Occupation Agreement can be terminated by the by the park owner:

- Termination on breach of agreement - the park owner may give notice of termination of this agreement to the occupant if the occupant has breached a term of the agreement with at least

7 days' notice. A termination on the basis of breach of agreement cannot be given for non-payment of occupation fees has remained unpaid for 14 days

- Notice of termination by park owner without any reason - the park owner may give the occupant a notice of termination without reason with at least 3 months' notice.

Disputes

Disputes relating to a breach of an occupation agreement or to a disagreement are addressed by applications to the NCAT where not later than 30 days after becoming aware of the breach or the disagreement:

a. a park owner or an occupant under an occupation agreement claims that a breach of a term of the agreement has occurred, or

b. a disagreement occurs between a park owner and an occupant concerning a matter that could form the basis of a breach of the occupation agreement (other than an increase in the occupation fee or any other matter of a kind prescribed by the regulations).

NCAT may, following an application make one or more of the following orders—

a. an order that—

   i. restrains any action in breach of the occupation agreement or the cause of the disagreement, or
   ii. requires any action in performance of the agreement or to resolve the disagreement,

b. an order for the payment of an amount of money,

c. an order that the park owner give the occupant the correct notice of termination of the occupation agreement,

d. an order that a party to the occupation agreement perform any work or take any other steps that the order specifies to remedy a breach of the agreement or to resolve the disagreement,

e. an order as to compensation, including (without limiting the Tribunal's power to make such an order)—

   i. compensation for loss of occupation fees, and
   ii. compensation where a park owner withholds or refuses consent to the removal of any fixture owned by the occupant, and
   iii. compensation for any other breach of the occupation agreement or for any other loss,

f. an order terminating the occupation agreement and an order for possession of the site.

6.3 Environmental Services

The SBHP provides limited environmental protection against the eroding elements of water and wind. Biodiversity is encouraged by the established trees and shrubs which form part of the woody vegetation buffer located on the hind dune beyond the boundary of SBHP.[26]

[26] It is noted that the vegetation buffer and the sandy dunes and scarp immediately east, southeast and northeast of SBHP offers a more significant environmental service. Its management is critical to placating coastal erosion (wind, water), and maintaining a stable coastal environment with additional biodiversity values.

7 RESERVE ASSESSMENT

7.1 Assessment of Infrastructure

Development of the assets at SBHP has escalated in recent years to meet new market demands. Notable, are the additions of the office and residence near the main entrance, the Camp Kitchen area and its various kitchen utilities including seating and pizza area, a separate covered BBQ area, a modern amenities block, covered playground, and sealed curbed driveways – most of which were constructed prior to 2017.

A subsequent Business Plan[27] was developed to project future development proposed two stages of new works. These initiatives have in part, been implemented including four new cottages in two positions (Stage 1) - at The Point (northeastern corner), and the southern coastal boundary.

The main items of infrastructure now present are highlighted spatially on Figure 17.

Figure 17 – Accommodation Location Plan

[27] Shellharbour Beachside Holiday Park Business Plan 2017-2021

Figures 18-28 depict the range of assets by description, present at SBHP.

Figure 18 – Beachside Villas

Figure 19 – Beach Huts

Figure 20 - Annual Sites

Figure 21 – Park Cabins and Powered Sites
Park cabins (right) with powered sites (left and foreground)

Figure 22 – Waterfront Powered Sites

Figure 23 – Recreation and Common Area
Meal preparation and gathering areas include kitchen and washing-up sections (top left); Camp Kitchen with pizza oven (bottom left); and separate sheltered BBQ area with seating (right)

Figure 24 - Recreation and Common Area
Playground (top); Amenities Block (middle); waste disposal depot (bottom)

Figure 25 – Management Area
Major improvements at SBHP include an office complex and residence (left); sealed access with signage (top right); and visitors car park area (bottom right).

Figure 26 – Boundary Fences

Figure 27 – Landscaping

Figure 28 - Miscellaneous Assets
Outdoor Showers (left and top right); dump site (centre); and Outdoor Lighting (bottom right)

Table 2 provides a listing of the main assets present at SBHP, each with an indicative condition rating (1 – Very Good to 5 – Very Poor)[28] which guides maintenance requirements.

Table 2 – Condition of Assets at SBHP

ASSET	Cond.	ASSET	Cond.	ASSET	Cond.
Park Cabins (7), Villas (8), Huts (8)	2	Annual Sites (32)	3-4	Powered sites (waterfront and park) (81)	2
Camp Kitchen incorporating Pizza Oven, washing areas, kitchen facilities and seating	1	Amenities block, waste depot	1	Covered BBQ picnic area, seating	1
Entrance, office and residence	1	Sealed paths, tracks roads	2	Fences – steel – timber/treated pine	 1 4
Playground	2	Landscaping	2	Dump site	1
Outdoor lights and other installations	2	Outdoor showers	3		

7.2 Maintenance Requirements

General maintenance of the built assets at SBHP is required on an ongoing basis throughout the year to ensure it is kept visually attractive, functional and clean. This should include a thorough maintenance check and upgrade as required.[29] The seaside location results in high levels of corrosion which can add to maintenance costs and accelerate deterioration of assets.

Overall, the condition of most built assets at SBHP is fair to good, especially several major items which are relatively new such as the amenities block, camp kitchen and covered BBQ area. The exceptions include the treated pine fencing along several of the boundaries to the east and south which are not critical yet require immediate attention.

A large number of Annual Sites (32) which occupy the southwestern section of SBHP are generally tidy, yet some temporary infrastructure (especially annexes[30]) associated with some of these sites are showing signs of age and require maintenance. Several sites have accumulated excess items of private property which detracts from the aesthetics and values of the SBHP.

Some minor infrastructure such as outdoor showers (non-enclosed) are in need of maintenance and repair.

Outsourcing of substantial maintenance such as major plumbing or electrical work, will occur as required.

[28] **1. Very Good** - Excellent overall condition.
2. Good - Very good overall – early stages of deterioration – normal maintenance, minor repairs.
3. Fair - Condition deterioration obvious, serviceability affected, significant maintenance required.
4. Poor - Serviceability heavily impacted, maintenance cost high and significant renewal/major maintenance.
5. Very Poor - Severe serviceability problems, immediate rehabilitation, requires over 50% asset renewal.

[29] Shellharbour Beachside Holiday Park Business Plan 2017-2021.

[30] Ancillary items such as annexes are privately owned.

PART B – THE PLAN

8 A VISION FOR SHELLHARBOUR BEACHSIDE HOLIDAY PARK

In order to articulate an appropriate vision statement for SBHP, it is helpful to first review Council's past and current thinking regarding the future of Shellharbour City and the Local Government Area, including an analysis of the themes of progress, how success can be achieved, and questioning in what form does that occur. For instance, the Council's Community Strategic Plan[31] provides a roadmap for the future, providing a description of the means to achieve the vision, reflecting the aspirations of the Community. Budgets and other constraints at a Council level will contain and control the roll-out of changes as they occur on the ground for all community lands.

The vision created for the Community Strategic Plan is:

Naturally balanced, vibrant and connected community.

The themes of Community, Environment, Economy and Leadership are important considerations in the achievement of the Vision.

To scope more broadly, the NSW government's Marine Tourism Strategy for the South Coast[32] provides the following vision, most relevant to the operations and future of SBHP:

To attract and deliver a compelling range of visitor experiences which maximise sustainable economic benefits and position the South Coast as a premier marine tourism[33] destination.

From the above, the vision for the management of SBHP into the future is therefore proposed as:

"Shellharbour Beachside Holiday Park – Shellharbour's premier provider of mixed tourist accommodation with quality facilities for the whole community"

[31] Your Vision, Our Future, Community Strategic Plan 2022 – 2032; Community Strategic Plan of Shellharbour City Council.
[32] New South Wales Marine Tourism Strategy 2019. *NSW government pub.*
[33] Defined as "activities based in proximity to the marine environment including land and water-based activities in coastal areas." NSW Marine Tourism Strategy 2019. *NSW government pub.*

9 OBJECTIVES, CLASSIFICATION AND CATEGORY OF LAND

The land occupied by SBHP is classified as Community Land under the LG Act.

Under Section 36(4), all Community Land must be categorised as one of the following categories:

- Natural Area - (further categorised as either Bushland, Wetland, Escarpment, Foreshore, Watercourse)
- Sportsground
- Park
- Area of Cultural Significance; or
- General Community Use.

The Core Objectives for all community land categories vary according to the categorisation of the land. All objectives are defined in Sections 36E to 36N of the LG Act and also appear in **Appendix 1**, of this POM.

In accordance with the guidelines set out in the *Local Government (General) Regulation 2021* and *Practice Note 1: Public Land Management* (Department of Local Government Amended 2000) and the derived management directions and planning principles presented above, the land at SBHP is categorised as **General Community Use**.[34]

9.1 General Community Use

The Core Objectives for management of community land categorised as **General Community Use**[35] are to promote, encourage and provide for the use of the land, and to 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).

[34] The proposed categorisation in this POM is based on the current and projected use of all of the land within the boundary of SBHP being land for which the management objectives of General Community Use land most apply. This accords with the initial categorisation assigned by the Minister by letter dated 22 August 2022.

[35] Section 36I of the LG Act – NSW Legislation.

Description and Location

The categorisation General Community Use applies to the whole of the area occupied by SBHP.

Management Objective and Strategies

The overall management objective of SBHP's General Community Use area is to improve equity of access by provision of a range of fit-for-purpose and flexible accommodation opportunities and facilities for an increased number of customers. This will also require an improved level of amenity and presentation of infrastructure and grounds addressing the poorer quality assets, including a commitment to routine and general maintenance, which reflects a more ambitious approach to business.

The strategies required will be to:

- complete new works in accordance with all required approvals, available resources and as prioritised by Council
- continue to manage and maintain all assets with approvals as required to appropriate standards
- manage the land component for improved and appropriate outcomes
- monitoring and compliance
- improve coordination and communication with all visitors to SBHP
- build relationships with new and existing users in order to draw more people to SBHP.

10 DEVELOPMENT AND MANAGEMENT OF SHELLHARBOUR BEACHSIDE HOLIDAY PARK

10.1 Management of SBHP

Council reserves the right to control the use of community land including SBHP.

To meet the management objectives and strategies noted in section 9, Council intends to:

- Reduce the number of sites made available for long term casual occupants (Annual sites) in favour of alternate short-term accommodation that delivers broader and more flexible accommodation options for the community and the wider visitor market. Council reserves the right to terminate long term casual (Annual) site agreements without reason in accordance with the *Holiday Parks (Long-term Casual Occupation) Act 2002.* Council will be informed by the *Shellharbour Resourcing Strategy 2025-2035* when determining the timing of works and actions in the POM, including any reduction in the number of long term casual sites.

- Complete new works with a minimum of disturbance and in accordance with all required approvals, available resources and as prioritised by Council.

- Consider and attempt to balance the need for community recreation facilities with the impact development that such sites will have on local residents.

- Provide an efficient method and process for approval of all agreed improvements and developments which meet the needs of a growing community.

- Consider access to recreational facilities for all users/visitors.

- Ensure all formal use of SBHP is authorised through appropriate documentation.

- Consider how use of the site and financial returns can provide funding for the maintenance and improvements of facilities at SBHP and the surrounding reserve.

- Recognise that the ongoing viability of SBHP is dependent on the ongoing viability of the tourism in the area.

- Facilitate a system whereby enquiries and complaints from the public can be efficiently and promptly dealt with.[37]

Any works and actions identified in this Plan of Management are authorised works for the purposes of implementing a plan of management under Division 12 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021* (T&I SEPP) and fall within the definition of development that does not need consent under Part 4 of the *Environmental Planning and Assessment Act 1979*.

[36] Council allocates resources for development works in accordance with this Strategy.
[37] Complaints in relation to the Reserve will be addressed consistent with Council's established management process.

Any works and actions identified in this Plan of Management that meet the requirements of the T&I SEPP for exempt development will proceed as exempt development. A Review of Environmental Factors will be required where Council is undertaking development utilising T&I SEPP.

Council will issue leases and licences as described in Section 10.3

Restrictions on Use and Development

Restrictions of use and development of certain parts of SBHP are described in Section 3.2 under the subheading 'Native Title'.

Management Structure

Council currently manages SBHP via a management agreement with a third party operator. Generally, Council can manage the SBHP through a third party operator or alternatively, internally managed.

10.2 Permitted Uses and Activities at SBHP

Access by the public will be permitted and encouraged at SBHP, subject to signage and usage protocols established by Council.

Authorised and Permissible Uses

Table 3 lists the permissible uses of the land to which this POM applies, subject to Council assessment, approvals, together with the scale and intensity of the permissible use relating to the land category.

Table 3- Authorised and Permissible Uses

Use	Scale	Intensity
Access roads	Limited to the physical constraints of the facility	24 hours a day, 7 days a week
Acoustic entertainment	Limited to the physical constraints of the facility	8.00am – 10.00 pm, 7 days a week
Amenities	Limited to the physical constraints of the facility	24 hours a day, 7 days a week
Alternate energy technology	Limited to the physical constraints of the facility	24 hours a day, 7 days a week
Art and cultural classes and events	Limited to the physical constraints of the facility and/or to the requirements of the activity	24 hours a day, 7 days a week subject to any Hire Agreement, Tenure and/or Development Application conditions for a specific event
Business operations	Limited to the physical constraints of the facility	24 hours a day, 7 days a week subject to Tenure or Hire Agreement
Café, canteen or kiosk	Limited to the physical constraints of the facility and conditions in tenure and/or approval	Operating hours of the establishment subject to Tenure or Hire Agreement
Camping and caravanning	Limited to the physical constraints of the facility and conditions of use	24 hours a day, 7 days a week subject to Tenure
Car parking	Limited to the physical constraints of the facility	24 hours a day, 7 days a week

Use	Scale	Intensity
Playing of games (such as trivia games)	Limited to the physical constraints of the facility	8.00am – 10.00 pm, 7 days a week
Drainage and irrigation	Limited to the physical constraints of the facility	24 hours a day, 7 days a week
Emergency use	Limited to the physical constraints of the facility	24 hours a day, 7 days a week
Emergency Service and community service use	Limited to the physical constraints of the facility and/or to the requirements of the activity	24 hours a day, 7 days a week subject to Tenure
Filming and photography (commercial, amateur)	Limited to the physical constraints of the facility and conditions in tenure or approval	24 hours a day, 7 days a week subject to Tenure
Holiday accommodation	Limited to the physical constraints of the facility and conditions of use	24 hours a day, 7 days a week subject to Tenure
Landscaping	Limited to the physical constraints of the facility	24 hours a day, 7 days a week
Licensed bar, bistro and café	Limited to the physical constraints of the facility and conditions in tenure and/or approval	Operating hours of the establishment subject to Tenure or Hire Agreement
Maintenance buildings and infrastructure	Limited to the physical constraints of the facility	24 hours a day, 7 days a week
Mobile food vendors	Limited to the physical constraints of the facility and conditions in tenure and/or approval	Operating hours subject to Tenure or Hire Agreement
Outdoor film screening	Limited to the physical constraints of the facility and conditions in tenure and/or approval	Operating hours subject to Tenure or Hire Agreement
Passive recreation	Limited to the physical constraints of the facility and/or to the requirements of the activity	7 days a week, sunrise – 10.00pm
Paths	Limited to the physical constraints of the facility	24 hours a day, 7 days a week
Public utility infrastructure	Limited to the physical constraints of the facility	24 hours a day, 7 days a week
Remediation works	Subject to noise, workplace health and safety and relevant legislation	24 hours a day, 7 days a week
Shade structures	Limited to the physical constraints of the facility and/or to the requirements of the activity	24 hours a day, 7 days a week
Sponsorship signage (temporary)	As per section 10.10	24 hours a day, 7 days a week
Storage facilities	Limited to the physical constraints of the facility	24 hours a day, 7 days a week subject to Tenure or Hire Agreement
Telecommunication facilities	Subject to relevant legislation	24 hours a day, 7 days a week
Temporary structures (i.e., marquees, tents, stages)	Limited to the physical constraints of the facility	Temporary structures (no pegs, weighted only)

It is an express provision of this POM that Council shall provide from time to time as circumstances may require, the construction and maintenance of utility services, provision and maintenance of vehicular access ways and the granting of easements.

10.3 Leases, Licences and other Estates

For this section, please see the Explanation of Terms[38] set out below.

The *Local Government Act 1993* provides that tenures (leases, licences, or any other estates) or easements may be granted over all or part of community land. Council may allow use of community land by a casual user for any permissible use (see Section 10.2). However, Council may require a form of authorisation for a permissible use to be undertaken.

The authorisation in a POM gives 'in principle' support for activities, uses and developments consistent with the objectives for land categorisation to proceed to development assessment under the *Environmental Planning and Assessment Act 1979,* if required.

This POM does not in itself imply or grant consent for activities, uses or developments. Any proposed uses and developments which are consistent with this POM must still be referred for development consent and where required, be advertised widely for information and invitation to comment. Any subsequent application for development consent would be supported by and assessed against this POM.

Tenures may be held by:

- community organisations and sporting clubs, or
- by private/commercial or government organisations or
- individuals providing facilities and/or services for public use.

The maximum period for leases and licences on community land allowable under the LG Act is 30 years (with the consent of the Minister for Local Government for a period over 21 years) for purposes consistent with the categorisation and core objectives of the particular area of community land.

Community land may only be leased or licensed for periods of more than 5 years if public notice is given according to the requirements of Sections 47 and 47A of the *Local Government Act 1993*.

<u>Leases</u>

A lease will be generally required where exclusive use or control of all or part of community land is

[38] Explanation of Terms

Tenure	A lease, licence or other estate issued by Council in accordance with Section 46 of the *Local Government Act 1993* or Section 2.20 of the *Crown Land Management Act 2016.*
Hire Agreement	An estate issued by Council or its authorised representative.
Holder	The company, organisation, individual or group of individuals who have been issued with a Tenure.
Hirer	The company, organisation, individual or group of individuals who have been issued with a Hire Agreement.
Regular hirer	A hirer who regularly uses the SBHP through a Hire Agreement or has an ongoing Hire Agreement.
Singular hirer	A Hirer who has a Hire Agreement as a once off or irregularly.
Casual user	A person or group of people using the SBHP for passive recreation, non-commercial purposes without a Tenure or Hire Agreement.
User	The collective term for a holder, hirer and casual user.

desirable for effective management. A lease may also be required when the scale of investment in facilities, necessity for security measures, or where the relationship between a holder and facilities on community land justifies such security of tenure.

Leases issued by Council will require:

- that subleases or any other supplementary tenures can only be issued by the Holders with the approval of Council, and consistent with Section 47C of the LG Act.
- maintenance of the facility be the responsibility of the Lessees.

Licences

Licences allow multiple and non-exclusive use of an area. A licence may be required where intermittent or short-term use or control of all or part of the community land is proposed. A number of licences for different holders can apply to the same area at the same time, provided there is no conflict of interest.

Hire Agreements

An agreement for use of the land subject to this POM may be issued by Council for any purpose listed below, subject to the approval of Council. A hire agreement may be issued to a regular hirer or a singular hirer for formal use. Any legal requirements as determined by Council will include the requirement for adequate public liability insurance cover.

Purposes for which Tenures may be issued

In accordance with Section 46A of the LG Act, a Plan of Management for community land is to specify and authorise any purpose for which a lease, licence or other estate may be granted over community land during the life of a POM.

This POM authorises a tenure to be issued:

- for any permissible use in Table 3.
- for purposes consistent with SBHP;
    - categorisation (see Section 9.1), and
    - zoning (see Section 4.1) under Section 46 of the LG Act, and
    - reserve purpose of Public Recreation as required under the CLM Act.

However, the CLM Act allows that Council may also issue short term licences (for a period of less than one year) consistent with Section 2.20 of the CLM Act. This section provides that licences may be

issued, inconsistent with the reservation purpose, for prescribed purposes currently being:[39]

a. access through a reserve
b. advertising
c. camping using a tent, caravan or otherwise
d. catering
e. community, training or education
f. emergency occupation
g. entertainment
h. environmental protection conservation or restoration or environmental studies
i. exhibitions
j. filming (as defined in the LG Act)
k. functions
l. hiring of equipment
m. holiday accommodation
n. markets
o. meetings
p. military exercises
q. mooring of boats to wharves or other structures
r. sales
s. shows
t. site investigations
u. sporting and organised recreational activities
v. storage.

Council may grant a lease, licence or other estate in respect of Community Land for:

- a purpose prescribed by Sections 36E, 36G, 36I and 36N as a core objective of the categorisation of the land and subject to being consistent with the SBHP; or

- for the provision of goods, services and facilities, and the carrying out of activities, appropriate to the current and future needs within the local community and of the wider public in relation to public recreation and community purposes.

This POM expressly authorises[40] the following tenures:

a. A lease, licence or management agreement to NRMA Parks and Resorts for operational management of the SBHP

b. A licence to mobile food venders

c. Annual occupation agreements

d. Casual occupation or hire agreements of all cabins, safari tents, villas, huts, ensuite sites and powered sites.

A tenure or hire agreement on Crown land may impact native title rights and interests. Apart from the tenure/hire agreements authorised above[41], which are valid acts under Section 24JA of the *Native Title Act 1993,* any use agreement issued on Crown land must be issued in accordance with the future act provisions of the *Native Title Act 1993* and in accordance with Part 8 of the CLM Act unless native title is extinguished. For Crown land which is not *excluded land* this will require written advice from

[39] *Crown Land Management Regulation 2018 Section 31.*
[40] Express Authorisation in Section 46 (1)(b) of the LG Act permits tenures to be granted in accordance with and subject to such provisions of a Plan of Management.
[41] This does not include business operations, commercial premises, advertising (business) or storage (business).

one of Council's native title managers that it complies with any applicable provisions of the native title legislation.

Council at any time in the future, reserves the right to prohibit the taking or consumption of alcohol on the SBHP. This will be indicated by conspicuously displayed signs in accordance with Section 632 and Section 670 of the LG Act (as amended).

Direction of Funds

Income produced from SBHP will be distributed to manage community land in a fashion directed by Council.

10.4 Other Approvals

An approval to occupy land or facilities for a specific purpose does not remove the need to obtain approval under other legislation. These approvals may include to:

- obtain a liquor licence
- engage in a trade or business
- direct or procure a theatrical, musical or other entertainment for the public
- construct a temporary enclosure for the purpose of entertainment
- play a musical instrument or sing for fee or reward
- set up, operate or use a loudspeaker or sound amplifying device
- deliver a public address or hold a religious service or public meeting with the use of a loudspeaker
- install or operate amusement devices
- operate a caravan park or camping ground
- use a standing vehicle or any article for the purpose of selling any article in a public place.

10.5 Allocation

SBHP may potentially be used by a variety of users and individuals for purposes previously noted. Council will endeavor to generate greater utilisation of the SBHP for tourism accommodation purposes with the provision of a range of accommodation options aimed at a broad section of the community.

10.6 Fees

Council applies fees for the use of Council reserves.

The fees associated with the hiring of Council reserves for various purposes are detailed in Council's *Fees and Charges* on Council's website.[42]

Where SBHP is to be hired for a purpose not within Council's *Fees and Charges Policy*, the fee will be set by Council.

10.7 Easements

Council reserves the right to grant easements as required for utilities and access, bearing in mind the impact of such easements on the site.

The granting of easements over Crown land will be subject to the provisions of the *Native Title Act 1993* and Division 8.7 of the *Crown Land Management Act 2016.*

10.8 Development at Shellharbour Beachside Holiday Park

Under this POM, Council reserves the right to control the use of all land categorised at SBHP as General Community Use.

Council may also approve and/or undertake development of works as shown in Section 10.9 and to facilitate the use and activities listed in Table 3, consistent with the requirements of the LG Act and the CLM Act and corresponding regulations.

Council approval is required prior to any development or improvement made to community land.[43] All major developments and improvements to be funded (solely or partially) by Council will be subject to Council approval.[44]

To facilitate the establishment of the new and restored infrastructure, Council may issue tenders to design and establish additional car parks, access roads, land development and landscaping, and installation of associated and required facilities at SBHP. Note that existing Council plans will guide many of the new developments at SBHP.

Recognising that the site is a former burial ground Council will put in place practices which minimise the impact and disturbance of any remains during excavation. Excavation will take place carefully and in accordance with the *principles set out in the Shellharbour Beachside Tourist Park – Aboriginal*

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42 See https://www.shellharbour.nsw.gov.au/council/fees-and-charges

43 Section 2.73(2) of the *State Environmental Planning Policy (Transport and Infrastructure) 2021* provides that development for any purpose may be carried out without consent on Crown managed land, by or on behalf of a Crown land manager of the land if the development is for the purposes of implementing a plan of management adopted for the land in accordance with the *Local Government Act 1993* (see Appendix 2). *Should proposed development meet the requirements of Section 2.11(1) consultation with Council must be undertaken in accordance with Section 2.11(2).*

44 The term approval refers to approval as Crown land manager of the land rather than consent under the *Environmental Planning and Assessment Act 1979.*

Heritage Management Plan & Construction Guidelines[45] and the protocols established in that document. Detailed requirements prior and during construction are provided.

Council will also:

- consider how use of the site can provide funding for the maintenance of the facilities at SBHP to reduce costs to Council and employ human services as required.
- issue leases, licences and other estates for appropriate activities at SBHP, as described in Section 10.3.
- create opportunities for community consultation and participation in the planning and development at SBHP as required.

Native Title and Aboriginal Land Claims

Where it is proposed to construct or establish a public work[46] on reserved or dedicated Crown land where native title is not extinguished, prior to approval Council will notify and give an opportunity for comment from any representative Aboriginal/Torres Strait Islander bodies, registered native title bodies corporate and registered native title claimants in relation to the land or waters covered by the reservation or lease as required under the *Native Title Act 1993.*

Where a proposed update of a Capital Works Program, Facilities Asset Management Plan or any other plan is the approving documentation for a public work on Crown land, that approval will not be given unless the requirements of the *Native Title Act 1993* have been addressed including the notification and opportunity to comment noted above.

Where land is subject to an undetermined Aboriginal land claim, Council will consult with the claimant before undertaking any new development that may alter the physical condition of the claimed land.

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[45] The Shellharbour Beachside Tourist Park – Aboriginal Heritage Management Plan & Construction Guidelines (page ii) provides that the main principles for managing disturbance at the SBTP are:

1. The top 500 millimetres of soil throughout the SBTP is highly disturbed and does not require an AHIP under *the National Parks and Wildlife Act 1974*, a Permit or Exception under the *Heritage Act 1977* or an archaeologist to be present during earthworks.
2. Work occurring in the top 500 millimetres must stop immediately if Aboriginal cultural heritage is identified.
3. Work occurring in the top 500 millimetres must stop immediately if historical cultural heritage relating to human burials, or an item likely to be of State heritage significance, is identified.
4. Below 500 millimetres there is a possibility of an intact soil profile and/or human remains from the former cemetery and work must not proceed without following the protocols outlined in Sections 5.4 , 5.6 and 5.9.

[46] A public work is defined as:

(a) any of the following that is constructed or established by or on behalf of the Crown, or a local government body or other statutory authority of the Crown, in any of its capacities:
(i) a building, or other structure (including a memorial), that is a fixture; or
(ii) a road, railway or bridge; or
(iia) where the expression is used in or for the purposes of Division 2 or 2A of Part 2--a stock-route; or
(iii) a well, or bore, for obtaining water; or
(iv) any major earthworks; or
(b) a building that is constructed with the authority of the Crown, other than on a lease.

Major earthworks are defined as:

earthworks (other than in the course of mining) whose construction causes major disturbance to the land, or to the bed or subsoil under waters.

10.9 Development of Facilities, Maintenance and Processes

Redevelopment

Council will continue the upgrade of the of the Shellharbour Beachside Holiday Park in accordance with this section. This will be implemented in accordance with the management objectives stipulated in legislation for the use of land categorised as General Community Use (Appendix 1), and those proposed in this POM (see 9.1). A reconfiguration, restyling and presentation of new and existing assets is required, involving a roll-out of new works to meet these challenges.[47]

Figure 29 – Proposed Works Shellharbour Beachside Holiday Park

These changes will meet the vision set out in this POM improving equity of access to Crown land by growing the number of sites available to the whole community. This in turn will allow for more visitations, especially overnight stays. In this way Council will be able to increase financial returns facilitating improvement of presentation and amenities and raising contributions to the local

[47] The changes proposed in this POM may require an alteration to Council's authorisation to operate a caravan park under Section 68 of the LG Act 1993

economy through general upgrading of community facilities.

During the life of this POM, the works will be undertaken, initially in two upgrade areas, shown in Figure 29. This will see the rearrangement of existing short-term accommodation, providing improvements to tourist accommodation available to the general public, which could facilitate the installation of cabins, villas, eco-accommodation, upgraded powered sites and/or ensuite sites.

Council is committed to improving the accessibility and inclusiveness of the Holiday Park.

Council specifically seeks to be flexible about how this is delivered to ensure it is meeting the community requirements at the time, within budgetary limitations.

However, it is Council's intent to develop a Masterplan or specific development plans for the site or specific areas of development. These will be publicly available once adopted.

Where, during the life of this plan other works are required, consistent with the reserve purpose and the land category, Council will develop a masterplan subject to public consultation.

General

- Minor civil works including establishment of new parking spaces and paths for accommodation.
- Install landscaping and buffers with John Street in the northern section of SBHP.

Maintenance

In accordance with the maintenance schedule of its asset management plans, building management plans and grounds management plans, and to measured targets within available resources, Council will ensure the facilities at SBHP are maintained to an appropriate standard.

Council will:

- conduct essential repairs and maintenance to all facilities.
- monitor the condition of structures and ensure effective maintenance procedures are in place through tenure conditions / management agreement.
- prepare a safety audit of the site and repair or replace any areas that may impact on public safety.
- ensure the efficient and conservative use of water, pesticides, herbicides and fertilisers where required.
- ensure regular collection of rubbish.
- ensure council officers continue monitoring for issues of compliance and general site amenity.

- ensure particular maintenance attention is directed to existing structures (1-3 years): Specifically, for SBHP, this should include a thorough maintenance check and upgrade of all built assets as required, including:
    - painting
    - regrouting and sealing of bathrooms
    - air conditioner maintenance
    - plastering work as required in cabins, huts and villas
    - general repair work required including reception area
    - lighting replacement e.g., bulbs, wiring
    - repair of pine treated fencing where it forms the boundary of SBHP
    - minor repairs as required
    - repair/replacement of outdoor showers
    - maintenance of curbed and guttered sealed roads and access ways, and walkway accesses (e.g., to beach)
- further (specific) maintenance is required on the non-built assets of SBHP, which includes:
    - maintenance of landscaped areas
    - mowing area on a regular basis (minimum 7-10 day intervals in summer, 14-21 days in winter)
    - controlling of weeds as required, safely and within required guidelines for use when chemicals are applied

<u>Encouraging Visitations</u>

The direction of this POM through its proposed new assets and facilities, is a response to the demands for new experiences and opportunities from current and potential visitors. This will provide a workable matrix of holiday assets on-site, which maintain ranges in quality and price. Improved cash flow is required to support the new works.

Improving patronage over time will be key to offsetting costs, especially in non-peak times. A number of innovative on-site events/services are proposed in order to attract and encourage more visitations during peak, shoulder and non-peak times, including but not limited to:

- food truck nights
- coffee van in school holiday periods
- outdoor evening cinemas
- morning tea meet and greet sessions
- trivia nights
- acoustic entertainment in Camp Kitchen.

10.10 Signage

Council uses signs to regulate the activities carried out on community land and to provide educational information so as to provide a safe and enjoyable place for passive and active recreational pursuits.

Whilst signs are a crucial source of information, they also have a significant impact on the aesthetics of SBHP. All signs must:

- meet a design standard and be approved by Council
- be sympathetic to their environment in their design, construction and location
- be placed in accordance with *State Environmental Planning Policy (Industry and Employment) 2021* (I&E SEPP) or *State Environmental Planning Policy (Exempt and Complying Development Codes)* 2008
- be consistent with Council's *Development Control Plan.*

Note that for issues of safety signage, Council uses the *Statewide Mutual Best Practice Manual – Signs as Remote Supervision.*

Where a sign requires development consent,[48] Council must approve as owner the lodging of a Development Application prior to assessment by Council in accordance with Schedule 5 Assessment Criteria of I&E SEPP.

Where a sign does not require development consent, Council must approve the sign before erection.

All Council signs erected under Section 632 of the *Local Government Act*, plus reserve name signs and traffic and safety signs, are permissible.

<u>Proposed Signage</u>

Council will ensure the following signage is at SBHP:

- directional signage for the purposes of guiding the community to required infrastructure and services
- signage for safety purposes including speed limitations, water safety and evacuation procedures.

[48] Development consent is not required if the sign is to be erected for the purposes of implementing this POM.

11 FINANCIAL SUSTAINABILITY

Income may be sourced from the following:

- **Council's General Revenue Fund (in accordance with annual operational budgets):** Where SBHP is being used for informal casual use, Council will contribute to the maintenance and development of infrastructure.

- **Section 7.11 (Environmental Planning and Assessment Act 1979) contributions specifically collected for community land:** This component occurs as developer's contributions for the general use of community land for community well-being.

- **User pays for minor infrastructure works associated with nominated facilities**: This occurs through fund raising by the relevant body including entry fees and sales.

- **Community contributions by way of sponsorships and community group projects (e.g., service clubs such as Rotary, Lions Club, Landcare etc):** This occurs through grants either sourced externally, and/or contributed locally by the group (e.g., for the purposes of environmental works, sporting facilities, shelters and seating, social and intellectual well-being etc. and other improvements).

- **Grant and loan funding from either Commonwealth or State Governments:** Primary users may apply for funds from a number of government bodies with the concurrence of Council. Council may also apply for these funds. Funding opportunities exist from government programs including the Crown Reserves Improvement Fund managed by the Department of Planning, Housing and Infrastructure – Crown lands.

- **Income from commercial operations:** Where tenures are involved, income will arise as per details in the corresponding agreement. For SBHP, legislative responsibilities require that a determined proportion of the returns from any commercial tenure or activity, is returned to either land manager and/or government. This is a current requirement of the terms of the tenure that exists for SBHP, between Council and the current tenure holder, *NRMA Parks and Resorts*.

The proposed new works, including a range of accommodation options, while providing an equity of opportunity for the whole community to utilise the site, will also increase visitation numbers and importantly return per site. This increase will improve Council's ability to further improve the facility and strengthen financial sustainability.

Income produced from SBHP will be distributed in a fashion directed by Shellharbour City Council.

12 IMPLEMENTATION PLAN

Table 4 sets out a number of actions which enable the identified Management Strategies and Performance Targets within SBHP. These actions are the means of achieving the objectives required by legislation, and by this POM. A clear indication of how the completion of the aims will be assessed is also provided in the table under Performance Evaluation.

Table 4 - Implementation Table

Management Objectives	Management Strategies	Actions	Performance Evaluation (how they will be assessed)
GENERAL COMMUNITY USE			
To promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public: i. in relation to public recreation and the physical, cultural and intellectual welfare or development of individual members of the public,	A. Complete essential works in accordance with all required approvals, available resources and as prioritised by Council.	• Preparation of works plans and/or masterplans for the redevelopment of the northern southern upgrade areas. • Rearrange existing short-term sites to introduce new cabins, villas, eco-accommodation, upgraded powered sites and/or ensuite sites. • Minor civil works including establishment of new parking spaces and paths for accommodation. • Install landscaping and buffers with John Street in the northern section of SBHP.	• All new works are completed to budget, in accordance with works plans. • Disruptions to delivery of services and community usage due to establishment of new works schedules are minimised. • Staged removal of remaining Annual Sites is of minimal disturbance to those current holders of these sites. • Increase in usage and visitations, cash flow is improved, profits increased. • Feedback from visitors that services delivered are satisfactory. • Car parking and traffic management is in accordance with current and increased visitation to SBHP. • Directional signage enhanced and effective.
	B. Continue to manage and maintain existing assets with approvals as required to appropriate standards.	• Monitor the condition of structures and ensure effective maintenance procedures are in place through tenure condition and conduct repairs as required. (This should include a thorough maintenance check and upgrade of all built assets). • Conduct routine maintenance on cabins and other buildings including painting, regrouting and sealing of bathrooms, air	• Built assets are managed in accordance with prescribed Council and State Government standards and community expectations. • Assets and open areas orderly, neat, well maintained.

Management Objectives	Management Strategies	Actions	Performance Evaluation (how they will be assessed)
		conditioner maintenance, plastering work as required, general repair work required including reception area, lighting replacement e.g., bulbs, wiring. • Repair damaged pine treated fencing where it forms the various boundaries of SBHP. • Repair/replace outdoor showers. • Maintain curbed and guttered sealed roads and access ways, and walkway accesses (e.g., to beach). • Work with holders of Annual sites to improve visual amenity including removal of excess property items and the general maintenance to fixed structures where required.	
	C. Manage the land for improved and appropriate outcomes.	• Ensure regular collection of rubbish. • Ensure the efficient and conservative use of water, pesticides, herbicides and fertilisers where required. • Maintain standards of landscaped areas. • Mow open areas on a regular basis (minimum 7-10 day intervals in summer, 14-21 days in winter). • Ensure required management actions of the local Bushfire Management Plan are carried out, particularly on the neighbouring vegetation buffer (beyond southeastern and eastern boundaries). • Ensure any proposed developments consider requirements for the management of acid sulfate soils and runoff, as required by the LEP. • Ensure the significance of heritage value trees are considered when alterations are proposed to the site, as required by the LEP. • Ensure protocols adopted by Council from the Aboriginal Heritage Management Plan continue to apply to SBHP particularly the >500mm excavation stipulation associated with new works and corresponding consultation requirements. • Prepare a safety audit of the site and repair or replace any areas that may impact on public safety.	• Grounds well maintained and operating effectively in accordance with use agreements and responsibilities, orderly, clean. • Positive feedback from user groups and individuals. • Aesthetic and environmental qualities and outcomes, improved. • Safety standards maintained. • All legislative requirements for land management (bushfire, acid sulfate soils, heritage areas) are followed and no errors.

Management Objectives	**Management Strategies**	**Actions**	**Performance Evaluation** (how they will be assessed)
	D. Monitoring and Compliance.	• Continue to monitor the condition of all structures and ensure effective maintenance schedule and procedures are in place. • Prepare a safety audit of the site and repair or replace any areas that may impact on public safety. • Continue to effectively administer Council's policy for occupation of community lands with users. • Council officers to be present to monitor all issues of compliance and general site amenity.	• Audit processes for safety and asset condition reporting developed and working well. • Tenures are well managed resulting in minimal complaints. • No confusion or inefficiencies regarding use and occupation exist. • No illegal use and abuse of facilities.
	E. Capitalise on good relationships and improve coordination and communication with occupiers of and visitors to SBHP.	• Establish appropriate tenure and hiring arrangements for existing and new hirers, at recommended/appropriate rent and hire fees where applicable. • Ensure that the requirements of any Tenure or Hire Agreement are met by establishing positive relationships between Council and tenure holder through clear expectations and communications. • Where necessary, develop guidelines which communicate the requirement for users to concur with all tenure conditions and occupation standards including the maintenance of orderly and tidy surrounds at all times. • Erect signage in accordance with Schedule 5 I&E SEPP and approved by Council.	• Good cooperation regarding maintenance responsibilities. • Areas well signed for appropriate and safe community use. • Visitations increase.

Management Objectives	**Management Strategies**	**Actions**	**Performance Evaluation** (how they will be assessed)
ii. in relation to purposes for which a lease, licence or other estate may be granted in respect of the land.	A. Build relationships with new and existing users in order to draw more people to SBHP.	• Oversee tenure maintenance responsibilities of tenure holders. • Ensure regular communication with tenure holders avoiding misunderstandings regarding tenure terms and conditions. • Encourage new visitations by boosting fun-creation activities and experiences, including the following considerations: ▪ food truck nights ▪ coffee van in school holiday periods ▪ outdoor evening cinemas ▪ morning tea meet and greet sessions ▪ trivia nights ▪ acoustic entertainment in Camp Kitchen.	• User groups are content with tenure arrangements and plan is working well with all, including improved clarity and communication. • Efficient and timely issuing of consents as required. • Tenure compliance problems non-existent. • All tenured occupations are working well, no issues. • Good client feedback of experiences at SBHP. • Returning visitations increase, general visitations increase.

13 CONSULTATION DURING THE PREPARATION OF THIS PLAN

Community consultation is an important source of information necessary to provide an effective POM for Community Land and is a requirement under Section 38 of the LG Act. As such, Council is committed to the principles and activities within the participating community which guide Council's decision-making processes. Such participation creates the opportunity for interested parties to become actively involved in the development of a plan which reflects the needs, opinions and priorities of people using SBHP.

Section 38 of the LG Act requires that:

- Council must give public notice of a draft POM.
- The period of public exhibition of the draft plan must be not less than 28 days.
- The public notice must also specify a period of not less than 42 days after the date on which the draft plan is placed on public exhibition during which submissions may be made to Council.
- Council must, in accordance with its notice, publicly exhibit the draft plan together with any other matter which it considers appropriate or necessary to better enable the draft plan and its implications to be understood.

This POM was placed on public exhibition from [XX/XX/XXXX to XX/XX/XXXX], in accordance with the requirements of Section 38 of the LG Act.

A total of [XX] submissions were received. Council considered these submissions before adopting the POM. In accordance with Section 39 of the LG Act, prior to being placed on public exhibition, the draft POM was referred to the Department of Planning, Housing and Infrastructure – Crown Lands, as representative of the State of New South Wales, which is the owner of the Reserve. Council has included in the plan any provisions that have been required by the Planning, Housing and Infrastructure – Crown Lands.

In accordance with Section 70B of the *Crown Land Management Regulation 2018* Council will obtain consent of the Minister administering the CLM Act prior to adopting this POM (see Appendix 3).

14 APPENDICES

1. Core Objectives for Categories of Community Land.
2. Relevant State Environmental Planning Policies.
3. Key steps in preparing the first POM for Crown Reserves.
4. Extract from the State Heritage Register.

15 REFERENCES

Commonwealth Government, *Native Title Act 1993,* www.legislation.gov.au/Browse/Results/ByTitle/Acts/InForce/Na/0/0/principal

Crown Land Management Act 2016*:* www.industry.nsw.gov.au/lands/what-we-do/legislation-policies/the-crown-land-management-act-2016

Crown Land Management Regulation S.31*:* *https://www.legislation.nsw.gov.au/#/view/regulation/2018/88*

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Shellharbour-Kiama 1:50,000 Coastal Quaternary Geology Map. *NSW Department of Trades and Investment Resources and Energy.*

Shellharbour NSW -Aussie Towns *www.aussietowns.com.au/town/shellharbour-nsw*

Your Vision, Our Future, Community Strategic Plan 2025 – 2035; Community Strategic Plan of Shellharbour City Council.

Appendix 1

CORE OBJECTIVES FOR CATEGORIES OF COMMUNITY LAND (*Local Government Act 1993*):

36E Core objectives for management of community land categorised as a natural area

The core objectives for management of community land categorised as a natural area are:

(a) to conserve biodiversity and maintain ecosystem function in respect of the land, or the feature or habitat in respect of which the land is categorised as a natural area, and
(b) to maintain the land, or that feature or habitat, in its natural state and setting, and
(c) to provide for the restoration and regeneration of the land, and
(d) to provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion, and
(e) to assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in a recovery plan or threat abatement plan prepared under the *Biodiversity Conservation Act 2016* or the *Fisheries Management Act 1994.*

36F Core objectives for management of community land categorised as a sportsground

The core objectives for management of community land categorised as a sportsground are:

(a) to encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games, and
(b) to ensure that such activities are managed having regard to any adverse impact on nearby residences.

36G Core objectives for management of community land categorised as a park

The core objectives for management of community land categorised as a park are:

(a) to encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities, and
(b) to provide for passive recreational activities or pastimes and for the casual playing of games, and
(c) to improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.

36H Core objectives for management of community land categorised as an area of cultural significance

(1) The core objectives for management of community land categorised as an area of cultural significance are to retain and enhance the cultural significance of the area (namely its Aboriginal, aesthetic, archaeological, historical, technical or research or social significance) for past, present or future generations by the active use of conservation methods.

(2) Those conservation methods may include any or all of the following methods:

(a) the continuous protective care and maintenance of the physical material of the land or of the context and setting of the area of cultural significance
(b) the restoration of the land, that is, the returning of the existing physical material of the land to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material
(c) the reconstruction of the land, that is, the returning of the land as nearly as possible to a known earlier state
(d) the adaptive reuse of the land, that is, the enhancement or reinforcement of the cultural significance of the land by the introduction of sympathetic alterations or additions to allow compatible uses (that is, uses that involve no changes to the cultural significance of the physical material of the area, or uses that involve changes that are substantially reversible or changes that require a minimum impact)
(e) the preservation of the land, that is, the maintenance of the physical material of the land in its existing state and the retardation of deterioration of the land.

(3) A reference in subsection (2) to land includes a reference to any buildings erected on the land.

36I Core objectives for management of community land categorised as general community use

The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:

(a) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and
(b) 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).

36J Core objectives for management of community land categorised as bushland

The core objectives for management of community land categorised as bushland are:

(a) to ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna (including invertebrates, fungi and micro-organisms) of the land and other ecological values of the land, and
(b) to protect the aesthetic, heritage, recreational, educational and scientific values of the land, and
(c) to promote the management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures directed to minimising or mitigating any disturbance caused by human intrusion, and
(d) to restore degraded bushland, and
(e) to protect existing landforms such as natural drainage lines, watercourses and foreshores, and
(f) to retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term, and
(g) to protect bushland as a natural stabiliser of the soil surface.

36K Core objectives for management of community land categorised as wetland

The core objectives for management of community land categorised as wetland are:

(a) to protect the biodiversity and ecological values of wetlands, with particular reference to their hydrological environment (including water quality and water flow), and to the flora, fauna and habitat values of the wetlands, and
(b) to restore and regenerate degraded wetlands, and
(c) to facilitate community education in relation to wetlands, and the community use of wetlands, without compromising the ecological values of wetlands.

36L Core objectives for management of community land categorised as an escarpment

The core objectives for management of community land categorised as an escarpment are:

(a) to protect any important geological, geomorphological or scenic features of the escarpment, and
(b) to facilitate safe community use and enjoyment of the escarpment.

36M Core objectives for management of community land categorised as a watercourse

The core objectives for management of community land categorised as a watercourse are:

(a) to manage watercourses so as to protect the biodiversity and ecological values of the instream environment, particularly in relation to water quality and water flows, and
(b) to manage watercourses so as to protect the riparian environment, particularly in relation to riparian vegetation and habitats and bank stability, and
(c) to restore degraded watercourses, and
(d) to promote community education, and community access to and use of the watercourse, without compromising the other core objectives of the category.

36N Core objectives for management of community land categorised as foreshore

The core objectives for management of community land categorised as foreshore are:

(a) to maintain the foreshore as a transition area between the aquatic and the terrestrial environment, and to protect and enhance all functions associated with the foreshore's role as a transition area, and
(b) to facilitate the ecologically sustainable use of the foreshore, and to mitigate impact on the foreshore by community use.

Appendix 2

STATE ENVIRONMENTAL PLANNING POLICIES WHICH ARE RELEVANT TO SHELLHARBOUR BEACHSIDE HOLIDAY PARK

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (SEPP Exempt) provides that certain types of works do not require development consent under Part 4 of the EP&A Act. The General Exempt Development Code is set out in Division 1 of the SEPP Exempt, providing the limitations and conditions of the exemptions. They include:

- access ramps
- advertising and signage
- aerials, antennae and communication dishes
- air-conditioning units
- animal shelters
- aviaries
- awnings, blinds and canopies
- balconies, decks, patios, rotundas, terraces and verandahs
- barbecues and other outdoor cooking structures
- bollards
- charity bins and recycling bins
- earthworks, retaining walls and structural support
- fences
- flagpoles
- footpaths, pathways and paving
- fowl and poultry houses
- garbage bin storage enclosure
- hot water systems
- landscaping structures
- minor building alterations
- mobile food and drink outlets
- playground equipment
- screen enclosures
- sculptures and artworks
- temporary uses and structures
- waste storage containers

Section 1-16 of Division 2 of the SEPP Exempt provides the General Requirements for exempt development.

State Environmental Planning Policy (Resilience and Hazards) 2021

The *State Environmental Planning Policy (Resilience and Hazards) 2021* (R&H SEPP) commenced in New South Wales on 1 March 2022 consolidating three earlier SEPPs focused on employment and advertising. The R&H SEPP focuses on:

- Coastal management for land use planning within the coastal zone consistent with the *Coastal Management Act 2016* and defines the coastal zone and establishes state-level planning priorities and development controls to guide decision-making for development within the coastal zone.

  The aim of this Policy is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the *Coastal Management Act 2016*, 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 four coastal management areas that comprise the NSW coastal zone for the purpose of the definitions in the *Coastal Management Act 2016*.

- the management of Hazardous and offensive development.
- the provision of a state-wide planning framework for the remediation of contaminated land and to minimise the risk of harm.

State Environmental Planning Policy (Transport and Infrastructure) 2021

The *State Environmental Planning Policy (Transport and Infrastructure) 2021* (T&I SEPP) commenced in New South Wales on 1 March 2022 consolidating four earlier SEPPs focused on employment and advertising. The T&I SEPP focuses on:

- planning rules and controls for infrastructure in NSW, such as for hospitals, roads, railways, emergency services, water supply and electricity delivery.

  The T&I SEPP provides that certain types of works do not require development consent under Part 4 of the *Environmental Planning and Assessment Act 1979.*

  Section 2.20 of the T&I SEPP provides that a range of works are 'exempt development' when carried out for or on behalf of a public authority (including Shellharbour City Council). These works are itemised in Schedule 1 of the SEPP and include paths and ramps for disabled access, fencing, firefighting emergency equipment, small decks, prefabricated sheds of up to 30m^2 in area, retaining walls up to 2m in height, landscaping including paving and access tracks, minor external and internal alterations to buildings, open car parks (size is not specified) and demolition of buildings covering an area of up to 100m^2.

  Section 2.73 of the T&I SEPP further provides that development for any purpose may be carried out without consent on Crown managed land, by or on behalf of a Crown land manager of the land if the development is for the purposes of implementing a plan of management adopted for the land in accordance with the LG Act. Further, any of the following development may be carried out by or on behalf of a council without consent on a public reserve under the control of or vested in the council:

  a. development for any of the following purposes:

     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 artwork) and irrigation systems

vi. amenities for people using Shellharbour Beachside Holiday Park, including toilets and change rooms
vii. food preparation and related facilities for people using Shellharbour Beachside Holiday Park
viii. maintenance depot
ix. portable lifeguard towers.

b. environmental management works

c. demolition of buildings (other than any building that is, or is part of, a state or local heritage item or is within a heritage conservation area).

- Educational establishments and childcare facilities containing planning for child-care centres, schools, TAFEs and Universities

- Major infrastructure corridors containing planning controls and reserves land for the protection of the 3 North South Rail Lines, South West Rail Link extension and Western Sydney Freight Line corridors.

- Three ports containing the land-use planning and assessment framework for Port Botany, Port Kembla and the Port of Newcastle.

State Environmental Planning Policy (Industry and Employment) 2021

The *State Environmental Planning Policy (Industry and Employment) 2021* (I&E SEPP) commenced in New South Wales on 1 March 2022 consolidating two earlier SEPPs focused on employment and advertising. The I&E SEPP focuses on:

- Western Sydney employment area containing planning rules and controls for the employment land within Western Sydney

- advertising and signage ensuring that signage (including advertising):

  (i) is compatible with the desired amenity and visual character of an area, and
  (ii) provides effective communication in suitable locations, and
  (iii) is of high-quality design and finish.

- to regulate signage (but not content) under Part 4 of the Act, and

- to provide time-limited consents for the display of certain advertisements, and

- to regulate the display of advertisements in transport corridors, and

- to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.

This Policy does not regulate the content of signage and does not require consent for a change in the content of signage.

Appendix 3

KEY STEPS IN PREPARING THE FIRST POM FOR CROWN RESERVES.

(from Page 5 – Developing plans of management for community land Crown reserves - NSW Department of Planning, Industry and Environment).

Step 1 — Drafting the plan of management

- The PoM should meet all the minimum requirements outlined in section 36(3) of the LG Act and identify the owner of the land (templates provided).
- Any activities (including tenure or development) to be undertaken on the reserve must be expressly authorised in the PoM to be lawfully authorised.
- Councils must obtain written advice from a qualified native title manager that the PoM and the activities under the PoM comply with the NT Act.

⇩

Step 2 — Notifying the landowner and seek Minister's consent to adopt

- The department as the landowner is to be notified of the draft PoM prior to public exhibition of the plan under s39 of the LG Act.
- Councils are also required to seek the department's written consent to adopt the draft PoM (under clause 70B of CLM Regulation). The department's consent can be sought at the same time as notifying the landowner of the draft plan.

⇩

Step 3 — Community consultation

Councils are required to publicly notify and exhibit PoM under section 38 of the LG Act

- Councils are not required to hold a public hearing under section 40A of the LG Act (exemption under clause70A of the CLM Regulation).

⇩

Step 4 — Adopting a plan of management

- If there are any changes to the plan following public exhibition of the draft PoM, councils must seek the department's consent to adopt the PoM.
- Council resolution of a PoM that covers Crown land should note that the PoM is adopted pursuant to section 40 of the LG Act in accordance with 3.23(6) of the CLM Act.
- Once a council has adopted the PoM, a copy of the adopted PoM should be forwarded to the department (council.clm@crownland.nsw.gov.au) for record purposes.

Appendix 4

STATE HERITAGE INVENTORY - BEACHSIDE TOURIST CARAVAN PARK AND TREES[49] - EXTRACT

Shellharbour LEP 2013 – Listing Number I125 - Gazette Date 5/4/2013.

PHYSICAL DESCRIPTION

Beachside Tourist Caravan Park located on the foreshores south of Shellharbour Village.

Trees include several Norfolk Island pines ('Araucaria heterophylla') and form a continuation of the Reserve at Little Park planting's.

Includes the coastal area through to the intertidal zone, which is integral to the visual curtilage surrounding the harbour, that became birthplace of Shellharbour.

HISTORICAL PROVENANCE

Part of the Beachside Tourist Caravan Park was once the former Shellharbour Sand Cemetery, on what was then known as 'The Driftway' on the foreshore at Shellharbour Village.

The cemetery is marked on an 1851 deed of partition, however it is presumed the cemetery was used prior to this date, when the European settlers first lived and worked in the area. The cemetery became damaged and eroded by rough seas, and in 1889 the NSW government resumed the land on which the 'Driftway' cemetery was located for a recreational reserve. The reserve land, and old sand cemetery then came under the management of Shellharbour Council.

As the new Shellharbour General Cemetery was not dedicated until 1895, it is assumed the old sand cemetery was used until at least this time.

The old sand cemetery remained derelict for many years. During the summer months the foreshores south of Shellharbour around Bassett Park and Bass Point, developed as popular camping grounds, and from about the 1890s people began to informally camp in the area.

In the 1930s campgrounds began to include caravans. By the 1950s this site had developed into a formal caravan park managed by Shellharbour Council and has been known as several variations on its current name.

STATEMENT OF SIGNIFICANCE

One of the oldest and continuously used camping grounds in the Illawarra. Camping started here informally in the 1880s, on the site of the first cemetery in Shellharbour, on 'The Driftway'. In 1895, the cemetery moved to higher ground following a series of storms that destroyed many graves.

[49] www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2380125

By the 1950s the site had become a formally arranged caravan park managed by Council. Very strongly associated with the tradition of summer beach holidays that began to emerge in the late 19th century. Continually used as such throughout the 20th and into 21st centuries. Relates to the development of the local tourism industry, an important component of Shellharbour's economic development.

The trees date from Arbor days of the late 19th century. They remain major local landmarks in the wider scenic coastal scape, reinforcing the ambience of Shellharbour Village, and provide amenity to users of the park. The trees are a valuable local fauna habitat.

The Driftway location itself is integral to, and provides both a visual boundary for the Shellharbour historic precinct, and views to and from Bass Point.

ASSESSMENT OF SIGNIFICANCE

Historical Significance - Historically connected to the earliest local European burial ground.

Historical Association - Historic associations with the earliest European activities in the Shellharbour area and use as a holiday camping site since the late 19th century.

Aesthetic Significance - Aesthetically located on an outstanding location on the Shellharbour foreshore, and arguably one of the most spectacular caravan park sites in the Illawarra with clear view lines from Bass Point in the south, to Cowrie Island north of the harbour. The trees remain as local landmarks on the foreshore and within the park and are highly contributory within the wider scenic landscape. They are part of the ambience that is Shellharbour Village.

Social Significance - Major social significance for many persons within the local and much wider communities. Noted by the local communities in recent research.

Research Significance - Given its history and sediment type, it has the potential to yield archaeological data and continues to demonstrate the historic theme of 'holidaying' and 'holiday culture', that developed over a long period of time. The trees provide amenity to all who use the park and habitat for local fauna.

Rare Assessment - Rare at a local level for its use over more than a century as a campground and caravan park, and increasingly scarce as a camping ground that remains on the seaside foreshore.

Representative Assessment - An excellent representative local example of a caravan park, and of one still located on a beachside.

Integrity/Intactness - Intact and high level integrity of its type.