



Caravan Park Annual Site-holders Development Controls



Revised January 2016

Definitions

- Flyover** - means an approved structure made of durable canvas by a supplier approved in writing by JCMHP, and does not include free standing removable or temporary plastic carport covers or lightweight sunshades or temporary pergolas or wrought iron structures;
- Landowner** -Goulburn Murray Water **and** Department of Environment and Primary Industries
- JCMHP** - means Jerusalem Creek Marina & Holiday Park as Landlord and Lessor;
- Lessee** - means, individual that leases and occupies an annual lease to JCMHP;
- Park Plan** - means a plan agreed between the Lessee and JCMHP outlining those structures approved to be constructed on an annual site holder's site;
- Regulations** - means the Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010;
- Site** - means an annual site holder's site;
- Storage** - means that reservoir, dam or watercourse that the caravan park is situated at, on or near;
- UMD** - means Unregistered Movable Dwelling as defined by the Regulations
- GMW** - Goulburn Murray Water

Permission Granted

1. Any person that wants to develop a structure on the land or modify an existing structure on the land **must first request permission from the land owner** who's representative is JCMHP.
2. They must **not** develop, extend, alter, modify or attach any fixtures to any site or dwelling within the holiday park without first obtaining the permission from the land owner whose representative is JCMHP.
3. JCMHP reserves the right as the land owner's representative to refuse permission for Development, Alterations, and Modifications to any site without giving reason.
4. Occupants who do not request permission will be ordered to stop work immediately until permission has been granted or be ordered to remove any structure and return the land back to its original state.
5. They must **not** excavate or modify the land without obtaining permission from the land owner whose representative is JCMHP.
6. Jerusalem Creek Marina & Holiday Park is located on National Park and Crown Land. If occupants ignore or dismiss the approval process, they will be issued with a breach notice and referred to the relevant authority on the first instance.
7. Occupants may be prosecuted under the Crown Land Act, and or, the National Parks Act at the discretion of the landowner who is Goulburn Murray Water **and** Department of Environment and Primary Industries **and** the Victorian State Government.

Not permissible

- Stand alone Rigid Annexes
- Containers
- Site sheds
- Buses
- Tents
- Granny flats
- Non-compliant UMDS
- Owner built UMDS
- Caravans over 25 years old
- Free Standing Carports
- Hard Roofs

General requirements for structures

1. Caravans

A caravan, (and flexible annex) may be placed on an endorsed site without the need for further Council approval. Nominated setback distances (normally 2 metres) must be maintained as clear space between adjoining developments (i.e. on adjacent sites).

2. U.M.Ds (Cabins)

Formal approval pursuant to the Caravan Park legislation is required for U.M.Ds etc. Planning Permits may also be required.

To gain approval, written applications must be made by the Park Owner to Council and be supported by:

- a) a site plan showing any existing structure and details of that proposed together with the distance to developments on all adjoining sites.
- b) the structural design for the development and the installation/erection detail. The legislation provides that the supplier of U.M.Ds must provide this information to the purchaser. Pre-existing structures (as at November 1993) are deemed to structurally comply and their re-erections needs to comply with installation/erection details and siting requirements.

A copy of Council's approval to proceed will be issued to the park owner applicant together with a copy to the site occupier if known.

The design requirements that apply to U.M.Ds are contained within Schedule 3 of the regulations which detail such things as:

- Must be structurally sound
- Must be designed
- Must have its own chassis (U.M.Ds)
- Must be provided with anchor points (for attaching tie down gear).
- Must be designed to AS1170.1 and AS1170.2 except that a design wind speed of not less than 41 metres / second wind speed must be used for wind loadings
- Nominated minimum room sizes, moisture prevention, lighting and ventilation

Upon completion,

- a manufacturer compliance plate must be attached to all U.M.Ds
- the installer must provide the (caravan) owner with a "Statement of Compliance" concerning the installation.

This installation Certificate states that:

- All necessary approvals have been obtained
- The installation complies with the approvals and the manufacturer's instructions
- Service connections ie water, gas, sewer, electricity all meet the requirements of those authorities.

An owner must then provide a copy of the Installation Certificate to Council and to the park owner within 7 days of practical completion.

Council has developed application / notification forms for applicants use and a template for the subsequent completion certificates. The completion certificate template will accompany the permits authorizing commencement of works.

3. Building Works

Building permits must be obtained for constructions (unless exempted) that do not constitute

“movable dwellings”.

Such works would comprise of:

- Retaining walls
- Houses, flats and cabins
- Swimming pools and fences
- Carports and veranda's – incl. carport style structures over caravans & annexes
- Decking, awnings, storage sheds etc.

A general exemption is granted for minor works where structures are less than 10 square metres in surface area (see item 4 below):

To obtain a building approval, an application form must be obtained, completed and returned to a Private Building Practitioner (Building Surveyor) with his fee.

The formal building permit must be obtained prior to works commencing and will be issued by the private building practitioner with a copy forwarded to Council.

Note: Council endorsement under the Regulations will be needed and in some cases a planning permit may also be required as a prerequisite to the issue of a building permit.

3. Minor works

Works which fall outside the above categories such as small porches and decking of up to 10 square metres, small garden shed, flyover etc must also receive consent prior to work proceeding.

In the case of such minor works the main consideration is to

- ensure setback/separation distances of 2 metres are retained between adjoining site developments for fire safety and amenity considerations and
- to ensure the development is structurally stable and
- to record the development for future reference.

As such, the application needs to be supported by a site plan showing existing and proposed developments and distances to adjoining site developments and sketch plans or descriptions of the proposal.

Where consent is granted, a copy of the approved plan will be returned to the park owner / applicant together with an extra copy for the site-holder. Notification of completion of the works is also required for this category .

General

In all cases the prior approval of the park owner must be obtained. In most instances a setback distance of 2 metres from developments on adjoining sites will be required. Very small structures which do not impact upon the setback (such as built in BBQ's etc) do not require Council approvals.

Any queries should in the first instance be directed to the park owner, then to Council Officers.

All caravans, annexes & UMDs are required to be fitted with a functional smoke detector in accordance with Australian Standards – hard wired for annexes & UMDs where reticulated power is available.

Site occupiers (and the Park Owner) are obliged to keep the Park and its surrounds in a clean & tidy condition at all times. Fencing that limits access between and around a site need to be avoided.

A Park owner is required to plan for emergencies and meet fire safety requirements as determined by Council in consultation with Regional CFA. This includes

- adequate separation between and around developments,
- fire fighting equipment such as extinguishers, hose reels.

Development Standards

The Development Standards will be introduced from 1 July 2011 unless the park has developed more stringent rules or the park is located on Crown Land in which case the relevant Park Rules or Crown policy will apply.

Where doubt arises over a structure the matter is to be referred to GMW for consideration who shall, as landowner and landlord have the sole right of determination as to acceptance.

The Development Standards are as follows;

1. New Sites

- 1.1 Any new site that was previously undeveloped but is proposed to be developed must ensure that any new development meets all the criteria outlined below, as follows;
 - 1.1.1 Must meet all requirements of the Regulations and any Building Regulations for any and all structures proposed;
 - 1.1.2 If a Caravan is to be installed then it can not be older than 25 years of age at time of installation;
 - 1.1.3 No gardens are allowed however potted plants are permitted;
 - 1.1.4 Site set-back from Full Supply Level (FSL) of Lake Eildon is to be no less 50 metres from the closest point between the site (or structure) and FSL.
 - 1.1.5 Unregistered movable dwellings (UMD) are to be permitted (refer UMR section) subject to Council approval.
 - 1.1.6 Flyovers to be approved by JCMHP (Green or Beige), with the maximum area of any caravan, annex, verandah and flyover combination to be 80 square metres;
 - 1.1.7 Decking to be free standing, on slides, situated only to one aspect (one side) of the van and annex or UMD, no wider than 5 metres (unless approval is granted by JCMHP for a wider or more substantial deck), with a maximum area of 30 square metres, engineered (with specifications sighted and approved by JCMHP in writing) and structurally sound;
 - 1.1.8 Paving to be of no more than 20m² in total for a site, each paver to be a minimum size of 50mm x 50mm, easily removable, level and well installed;
 - 1.1.9 Concrete pads (where constructed) are to be constructed under a van and/or annex only or UMR, and engineered to withstand the weight/traffic area (No steel framed floors are permitted);
 - 1.1.10 Retaining walls are not permitted unless approved by JCMHP, they must be constructed to relevant standards, and an acknowledgement signed by the site-holder than should replacement be required that the site-holder accepts responsibility for the retaining wall and replacement if required by JCMHP;
 - 1.1.11 Shade structures are not permitted other than a permanent fixture as covering to a decking area or where a flyover is proposed;
 - 1.1.12 Air-conditioners or parts of a split system must be attached to the caravan or annex only, with no electrical cabling onto or under the land;
 - 1.1.13 Sheds are not permitted unless a Park Plan has been developed with the lessee to ensure a single unified approach to sheds, including colour design construction and cladding material;
 - 1.1.14 Fencing is not permitted in general unless it meets the design criteria outlined under the Fencing section;
 - 1.1.15 No buses are permitted onto a Site; and
 - 1.1.16 Fixed barbecues are not allowed.

1.2 Sheds

1.2.1 JCMHP would prefer no sheds to be situated at a Site.

1.2.2 Where agreement between JCMHP and the Lessee has been reached to allow a shed at a site (no more than one shed per site will be considered) they must be no more than 3 metres by 3 metres and must be constructed of material that is consistent with the Park Plan.

1.3 Fences

1.3.1 JCMHP would prefer no fences.

1.3.2 Where agreement has been reached between JCMHP and the Lessee to allow fences then they must meet the following criteria;

1.3.2.1 The fence can not be constructed from colorbond, brick, bamboo or solid metal construction;

1.3.2.2 The fence must be open slatted and preference is for a the fence to be constructed in the design and material for a pool fence;

1.3.2.3 The fence can be no more than 1.5 metres in height;

1.3.2.4 The fence can only be constructed between sites where there is more than 2 metres between the fence and the nearest structure on either side of the fence unless JCMHP approval has been granted to allow for the fence to enclose an area on the Site to secure a dog or for child safety reasons and then only if a suitable non-lockable gate is installed that does not impact on access to the site; and

1.3.2.5 The fence must not enclose the Site.

1.4 Roller Doors

1.4.1 JCMHP would prefer roller doors not be constructed on a site.

1.4.2 Where JCMHP and the Lessee have agreed to allow roller doors they must never be lockable, must only be used on sheds and must not enclose any approved flyover or patio area.

1.5 Verandahs

1.5.1 JCMHP would prefer no verandahs to be attached or freestanding on a Site;

1.5.2 Where a verandah is requested then it must meet Building Act 1993 requirements, must be limited to 20m², must be rigid, and must not impact upon the free and unrestricted access requirements of 2 meters between structures; and

1.5.3 The verandah can only be located either to the front or rear of the caravan or to one longitudinal side of the annex.

1.6 Effluent / grey water

1.6.1 Effluent and grey water must be managed under the requirements of the Regulations and Building Act 1993, and in line with any requirements of GMW.

1.7 Other Conditions

1.7.1 JCMHP would prefer no boats or vehicles to be stored at a Site

1.7.2 No brick structures including bbq's, brick heaters, or brick walls are allowed to be constructed.

1.7.3 No tents are to be erected on a Site.

1.7.4 No fire pits/places are allowed unless approved by JCMHP or CFA.

2. Existing Sites

- 2.1 Any existing site that is proposed to have any development work undertaken then the work must be undertaken such that the following criteria is met, as follows;
- 2.1.1 All upgrades must meet the new Regulation requirements;
 - 2.1.2 No additional gardens are allowed however potted plants are permitted (if a park plan has been agreed then this position may alter);
 - 2.1.3 Site set-back from Full Supply Level (FSL) of Lake Eildon is to be no less 50 metres from the closest point between the site (or structure) and FSL;
 - 2.1.4 Unregistered movable dwellings (UMD) are to be permitted (refer UMR section) subject to Council approval;
 - 2.1.5 Flyovers to be approved by JCMHP (Green or Beige), with the maximum area of any caravan, annex, verandah and flyover combination to be 80 square metres;
 - 2.1.6 Decking to be free standing, on slides, situated only to one aspect (one side) of the van and annex or UMD, no wider than 5 metres (unless approval is granted by JCMHP for a wider or more substantial deck), with a maximum area of 30 square metres, engineered (with specifications sighted and approved by JCMHP in writing) and structurally sound;
 - 2.1.7 Paving to be of no more than 20m² in total for a site, each paver to be a minimum size of 50mm x 50mm, easily removable, level and well installed;
 - 2.1.8 Concrete pads (where constructed) are to be constructed under a van and/or annex only or UMR, and engineered to withstand the weight/traffic area;
 - 2.1.9 Retaining walls are not permitted unless approved by JCMHP, they must be constructed to relevant standards, and an acknowledgement signed by the site-holder that should replacement be required that the site-holder accepts responsibility for the retaining wall and replacement if required by JCMHP;
 - 2.1.10 Shade structures are not permitted other than covering to a decking area or where a flyover is proposed;
 - 2.1.11 Air-conditioners or parts of a split system must be attached to the caravan or annex only, with no electrical cabling onto or under the land;
 - 2.1.12 Sheds are not permitted unless a Park Plan has been developed with the lessee to ensure a single unified approach to sheds, including colour design construction and cladding material;
 - 2.1.13 Fencing is not permitted in general unless it meets the design criteria outlined under the Fencing section;
 - 2.1.14 All UMRs and Caravans must be compliance plated;
 - 2.1.15 Annexes are to be of rigid construction; and
 - 2.1.16 Fixed barbecues are not allowed.

2.2 Sheds

- 2.2.1 JCMHP would prefer no sheds to be situated at a Site.
- 2.2.2 Where a shed exists then subject to it not affecting the Regulations it will be able to remain in its current form;
- 2.2.3 Only one shed per site is permissible;
- 2.2.4 Where any alteration occurs to the Shed it must be upgraded in line with these Standards and to meet the Park Plan.

2.3 Fences

- 2.3.1 JCMHP would prefer no fences.
- 2.3.2 Where a fence already exists it will be allowed to remain subject to the fence not impacting upon the Regulations but excluding where a fence encloses a Site in which case the fence must be altered immediately in line with these Standards and the Regulations;
- 2.3.3 Any fence that is repaired must meet the following criteria;
 - 2.3.3.1 No fence can be constructed from colorbond, brick, timber, bamboo or solid metal construction;
 - 2.3.3.2 The fence must be open slatted such as a pool fence or open metal web lattice;
 - 2.3.3.3 The fence can be no more than 1.5 metres in height;
 - 2.3.3.4 The fence can only be constructed between sites where there is more than 2 metres between the fence and the nearest structure on either side of the fence unless JCMHP approval has been granted to allow an area on the Site to be enclosed to secure a dog or for child safety reasons and then only if a suitable non-lockable gate is installed that does not impact on access to the site; and
 - 2.3.3.5 The fence must not enclose the Site.

2.4 Roller Doors

- 2.4.1 JCMHP would prefer roller doors not be constructed on a site.
- 2.4.2 Where an existing roller door is constructed on a site then they must never be lockable, must only be used on sheds and must not enclose any approved flyover or patio area.

2.5 Verandahs

- 2.5.1 JCMHP would prefer no verandahs to be attached or freestanding on a Site; and
- 2.5.2 Where a verandah is requested then it must meet Building Act 1993 requirements, must be limited to 20m², and must not impact upon the free and unrestricted access requirements of 2 meters between structures.

2.6 Effluent / grey water

- 2.6.1 Effluent and grey water must be managed under the requirements of the Regulations and Building Act 1993, and in line with any requirements of GMW.

2.7 Other Conditions

- 2.7.1 JCMHP would prefer no vehicles or boats are to be **left** at a Site;
- 2.7.2 One boat is allowed to be left per Site subject to adequate space and the boat not impacting upon free and open access of 2 meters between Sites;
- 2.7.3 Up to one non-powered water craft can be left at a Site subject to adequate space at the Site and it not impacting upon the free and open access of 2 meters between Sites;
- 2.7.4 No tents are to be erected on an annual Site;
- 2.7.5 Fire places/pits must meet the Regulations and be upgraded as advised by the CFA;
- 2.8.5 Only single storey UMRs are allowed; and
- 2.8.6 No under decking storage or under decking parking is permissible.

3. Unregistered Movable Dwellings

- 3.1 The following Standards apply to Unregistered Movable Dwellings (UMRs).
 - 3.1.1 UMRs must meet, in the first instance, all requirements under the Regulations;
 - 3.1.2 UMRs must be no longer than 9.2 metres (unless approved by JCMHP under the Park Plan);
 - 3.1.3 UMRs must be no wider than 4.5 meters (unless approved by JCMHP under the Park Plan);
 - 3.1.4 UMRs can have an annex only to one side of the UMR such that the overall length is no more than 9.2 meters; and
 - 3.1.5 The annex attached to a UMR can be no more than 3.02 meters wide.

4. Exemptions

- 4.1 Under certain circumstances JCMHP will allow exceptions to the Development Standards. This will include;
 - 4.1.1 Where the site has been purchased between 30 June 2009 and 1 July 2011 then any works of a minor nature, that is, not altering the external aspects of the caravan, UMR or annex will be allowed to complete those works, so long as they meet the approval of JCMHP.

5. General Requirements

- 5.1 The Lessee is to ensure that the Caravan Park's site holders' agreement indicates that, where a site does not meet the Regulations then when it is to be upgraded that it must be upgraded in line with Regulations and these Development Standards;
- 5.2 Where a Site is to be transferred then the Site must be upgraded to meet the Development Standards within 5 years from transfer or sooner if any upgrade is proposed.
- 5.3 By 1 July 2020 all sites that have not previously been transferred or upgraded must be upgraded to meet the Development Standards outlined in this document without exception.

As part of the sale the purchaser is to be advised of the requirement of the guidelines above and they are required to sign acknowledgement of their acceptance to undertake the works outlined.

6. Other

JCMHP proposes to undertake annual audits to ensure that these requirements are implemented.

These rules are to be implemented as part of the park rules to all annual site holders, commencing from July 1 2011. The site holder is to sign acceptance of these standards.

Every five years, or as appropriate, JCMHP staff will determine the age of each site van, and if older than 30 years may, where appropriate, request the van to be removed or replaced. A reasonable time frame is to be granted for any upgrade in line with the redevelopment proposed.