



11 September 2023

Department of Planning and Environment,
Activation Precincts – Regions, Industry and Key Sites
Level 4, 6 Stewart Avenue, Newcastle West, NSW 2302

Attention: Lee McCourt, Principal Planning Officer

RE: – STATEMENT OF INTENT: TRANSITION ARRANGEMENTS FOR EXISTING RESIDENTS OF THE OASIS CARATEL CARAVAN PARK, KANWAL

Dear Ms McCourt

This statement of intent is a commitment between the Minister for Planning and Public Spaces and Vivacity (Land Lease SPV). The purpose of this statement is to provide a summary of the existing tenants / residents currently living within the Oasis Caratel Caravan Park in Kanwal and establish a framework for the transition of residents from the park, should the redevelopment be approved.

Through this framework, we aim to offer existing residents clear and transparent information about the redevelopment and assure them of our commitment to assisting in their transition to new housing, including supporting services.

It should be noted that this statement is not legally binding and does not limit any legal rights afforded to the park operator or residents under the Residential (Land Lease) Communities Act 2013 (The Act).

Current Composition of Park

The Oasis Caratel Caravan Park (caravan park) is a mixed-use park, meaning there is a mix of short-term and long-term home sites. The park is not used for tourism and has evolved over time to provide short-term, low-cost rental housing to people in the locality. The park is not a manufactured home estate.

The caravan park was established before the 1960's. The park infrastructure is dated and there are costs associated with the continued upkeep of ageing infrastructure and services, which are privately operated by the park owner. It is generally acknowledged by the local community that the park is past its operational life.

Since acquiring the park in 2020, Vivacity has carried out improvements and maintenance work including removing illegal dumping and contaminated material such as asbestos, maintenance of roads, utilities, and stormwater management. We have also worked with NSW Police to address illegal





activities at the park and have demolished several homes that were abandoned or not in a liveable condition.

In 2022, before starting the rezoning process for the site, Vivacity submitted a redevelopment application to Central Coast Council (council) to increase the number of home sites by 101. The intention of this application was to provide additional short-term rentals, which would also assist in funding the ongoing maintenance of the park. The application has been with council for 12 months and no determination has been issued. The application (if approved) could provide short term rental or crisis accommodation very quickly to the local area as people could bring their mobile vehicles and caravans and these sites could operate in the interim period until the redevelopment occurs.

The park currently has 145 approved home sites (100 long terms and 45 short terms). Not all sites are currently occupied or have homes. The breakdown of the types of tenancies are summarised below:

- Total of 93 occupied home sites (combination of moveable dwellings, caravans, and cabins)
- 33 sites are occupied by permanent residents (37 people)
- 60 sites are occupied by short term tenants on 3-month leases (72 people)
- There are no annual sites (tourism)

As noted above, 33 home sites (37 people) have a permanent 'residency right' under the Residential (Land Lease) Communities Act 2013 (RLLC Act). Refer to below for a summary of the RLLC Act.

The homes occupying the 33 permanent sites are privately owned by the residents. Vivacity owns all the homes that are being used for short term rentals.

The Residential (Land Lease) Communities Act 2023

The RLLC Act (the Act) provides the overarching legal framework for caravan parks, manufactured home estates and other types of communities under the land lease model. The Act sets out the rights and responsibilities of tenants and operators. The operator may terminate a site agreement under very specific circumstances, one of which is a change of use to the community, which requires the approval of a development application. The following requirements of the Act apply:

- A DA for change of use must first be approved.
- The Tribunal grants authorisation to the operator to grant a termination notice.
- The termination notice has a minimum notification period of 12 months.
- The homeowner has a right to apply to the Tribunal to postpone the termination date.
- The operator must use reasonable endeavours to obtain or assist the homeowner in finding alternative accommodation that:
 - Is of the same standard and requires no greater financial outlay than the current residential site; and
 - Is acceptable or reasonably ought to be acceptable to the homeowner.





- In determining a termination order, the Tribunal will consider the operators' efforts to seek alternative accommodation.
- The operator provides compensation to the residents for relocation costs.

As noted above, 37 residents have a permanent 'residency right' and the provisions of the Act above will apply.

The residents on short term leases do not have the same rights under the RLLC Act and are treated according to their lease terms.

While the operator has no legal obligation to find alternative housing for short-term tenants, Vivacity considers that we have a moral obligation to support all residents within the community.

Project Timeframes

The following table provides estimated timeframes for the redevelopment. These timeframes are indicative and may be impacted by other circumstances such as external upgrades and authority approvals.

Based on the estimated timeframes residents would not be required to relocate from the caravan park until late 2026. This provides Vivacity with over two years to support residents in finding alternative accommodation. A minimum of 12- months' notice would need to be provided to the residents and as the project progresses, the date for relocations will become more certain.

Milestone	Estimated Timeframe
Rezoning and Gazettal	Mid 2024
Development Application (Including preparation of documents)	Mid to Late 2025 (12 to 18 months)
Construction Certificate, Authority Approvals, Tender	Late 2026 (12 months)
Commencement of Construction (Early Works, Lead in Services, External Road Upgrades, First Stage)	Late 2026

Statement of Intent

Vivacity is an experienced owner and operator of land lease communities. Our staff and partners have significant experience managing residential parks within the Central Coast LGA and the wider region.

We have relationships with community housing providers and have successfully worked with housing providers, the NSW government and council to facilitate the re-housing of residents from parks closed by other operators.

In relation to the existing residents at the Oasis Caratel Caravan Park in Kanwal, we provide the following statements of intent:





- The park will continue to operate as normal until construction commences and existing site agreements and leases will be maintained.
- As required by the Act, existing residents will receive a minimum of 12-months' notice before relocation. We will make every effort to provide residents with as much advance notice as possible as timeframes become more certain.
- Timely and transparent information will be shared with residents concerning the redevelopment. This communication will include information relating to the redevelopment, the relocation process, available support services and the expected timeframes.
- We will establish a point of contact to assist residents with contacting Vivacity to ask questions, seek information, and provide feedback about the redevelopment and relocation. This will serve as a direct and accessible means of communication to keep residents informed and engaged throughout the redevelopment process.
- We will collaborate with community housing providers, the NSW Government, and other support organisations to ensure residents receive the necessary support services throughout the relocation process.

Next Steps

Vivacity will commence engagement with the existing residents to provide information on the proposed redevelopment, including the timeframes noted above. Through this initial engagement, we will seek to inform and educate the residents and establish an understanding of the needs of residents, including the types of support services they would be seeking or benefit from.

If you require any further information with respect to the above, please feel free to contact me.

Kind Regards
Tom Copping
Planning Manager
Vivacity Property

