

An aerial photograph of a large, calm lake surrounded by rolling hills and greenery. A small boat is visible on the water, leaving a wake. The shoreline is dotted with trees and some structures.

## WYANGALA WATERS HOLIDAY PARK

# PLANNING PROPOSAL

PREPARED BY

VERSION

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NSW

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# A PART

## INTRODUCTION

## 1. INTRODUCTION

### 1.1. INTRODUCTION

This Planning Proposal has been prepared by Water NSW in accordance with the requirements of Section 3.33 of the Environmental Planning & Assessment Act 1979 (EP&A Act) and the NSW Department of Planning, Industry and Environment's (DPIE) 'A Guide to Preparing Planning Proposals' and 'Guide to Preparing Local Environmental Plans'.

The Planning Proposal seeks to amend Cowra Local Environmental Plan 2012 (Cowra LEP) by rezoning part of Lot 75 in DP 46453 from E2 Environmental Conservation to SP3 Tourist. It is proposed for this land to be used as a caravan park, subject to development consent. Part of Wyangala Waters Holiday Park (Holiday Park) needs to be relocated to part of Lot 75 in DP 46453 because of the extension to Wyangala Dam wall which is being carried out by Water NSW.

A Gateway Determination is requested from DPIE in accordance with Section 3.34 of the EP&A Act.

### 1.2. PLANNING ISSUE

Water NSW is proposing to raise the dam wall at Wyangala by a nominal 10m, although the exact level is still to be determined. This will increase the capacity of the existing dam by approx. 53%. The need to deliver the project is critical to the State's drought recovery process and the security of town water users and associated industries in the Central West region reliant on the delivery of reliable water for ongoing viability.

A significant portion of the infrastructure within the existing Holiday Park would be impacted via inundation once the new dam is operational. It is therefore necessary to relocate the Holiday Park to the Site, which is higher ground about one kilometre north of its current location. Additionally, the existing site has been nominated as a preferred construction compound and potential construction camp. The relocation of the existing Holiday Park will be required prior to October 2021.

Water NSW is working with Reflections to develop and deliver a new Holiday Park before construction of the dam starts.

Water NSW, acting as agents on behalf of NSW Crown Holiday Parks (an incorporated entity of NSW Crown Holiday Parks Land Manager) (Reflections), has completed a pre-development application with Cowra Council with respect to the relocation of the existing Holiday Park at Wyangala Dam. As a result of this consultation, it is understood that:

- a. The existing Holiday Park is located within an SP3 Tourist zone under the Cowra LEP. The nature of this zone allows the existing Holiday Park to obtain approval for a wider range of land and community uses which are required as part of the operation of a Holiday Park.
- b. The site that has been planned for the relocation of the Holiday Park is zoned E2 Environmental Conservation. Development for the purposes of a Caravan Park is prohibited in the zone.

The proponent has considered the potential suitability of characterising the development as eco-tourist facility (which is permissible in the E2 zone with consent), however this would affect the ongoing viability of this recreational resource by limiting its functions and changing its offering to its target tourist market.

To address this issue, the proposal is to expand the current SP3 Tourist zone to the extent necessary to accommodate the planned relocation of the Holiday Park.



1.3. SITE DESCRIPTION

The ‘Reflections’ Holiday Park occupies the land described as

- a. Lot 126 DP 750378
- b. Lot 74 DP 46453
- c. Part Lot 11 DP 1187055
- d. Part Lot 2 DP 235927
- e. Part Lot 75 DP 46453.

The Holiday Park was constructed in 1950 and has serviced the Cowra (and wider) community since that time. The Site and the Holiday Park is located about 30 kilometres southeast of Cowra and adjacent to Wyangala town, in Central West region of NSW.

The Site represents a large holding of Crown Land surrounded by large rural land holdings of developed agricultural and resource lands situated to the west, and the Wyangala Dam adjacent to the east.

Lot 75 in DP 46453 comprises a single property lot that is 162 hectares (Ha). The area of land intended to be used for newly relocated Holiday Park is approximately 80 hectares in size. The site is accessed from the intersection of Wyangala Road and Reg Hailstone Way via the existing Holiday Park site entrance.

The existing Holiday Park is located on the western shoreline of Lake Wyangala, in the Wyangala State Recreation Area and totals around 30 Ha. It is an established tourist destination; its close proximity to Sydney makes it a desirable destination for a wide tourism market, including international visitors. The broad range of nature-based recreational activities available at the Holiday Park also make it appealing for a variety of users and maximises opportunities that the Holiday Park presents. Some uses are temporary (e.g. weekend fishing and boating festivals), whilst other uses are of a more permanent nature with some fixed structures (e.g. cabin stays) and semi-permanent moveable accommodation structures (e.g. holiday vans).

As well as recreational values, the surrounding areas are environmentally important land, being relatively isolated, with limited access, and characterised by a cleared valley floor with vegetated hillsides and ridge-lines. The Site comprises discrete pockets of Threatened Ecological Communities (TEC) and regionally significant vegetation throughout. The dam site is located on the Lachlan River and there are some small watercourses which run into it, in particular Bills Gully which is situated at the northern extent of the Site.

Being adjacent to the existing Holiday Park, the Site is ideal for the relocation of that part of the Holiday Park which is required for the Wyangala Dam project. The proposed area where structures will be constructed is relatively clear of vegetation and suitable for the proposed use.

A map showing the location of property lots and the existing land-use is included on the following page.





## 1.4. OVERVIEW OF PROPOSAL

The land currently zoned SP3 Tourist under Cowra Local Environmental Plan 2012 is described as follows.

- a. Lot 126 DP 750378
- b. Lot 74 DP 46453
- c. Part Lot 11 DP 1187055
- d. Part Lot 2 DP 235927
- e. Part Lot 75 DP 46453.

The proposal is to expand the current SP3 Tourist zone to the extent necessary to accommodate the planned relocation of the Holiday Park. This will require the rezoning of land currently in the E2 Environmental Conservation zone.

Water NSW are arranging to complete a subdivision of the site with the aim of creating a purposefully defined area for the construction and operation of the new Holiday Park. It is this resulting lot that will need to be zoned SP3 Tourist. Based on preliminary master-planning completed for the site, it is estimated that only 80 hectares of the total site area (162 ha) will be required for rezoning.

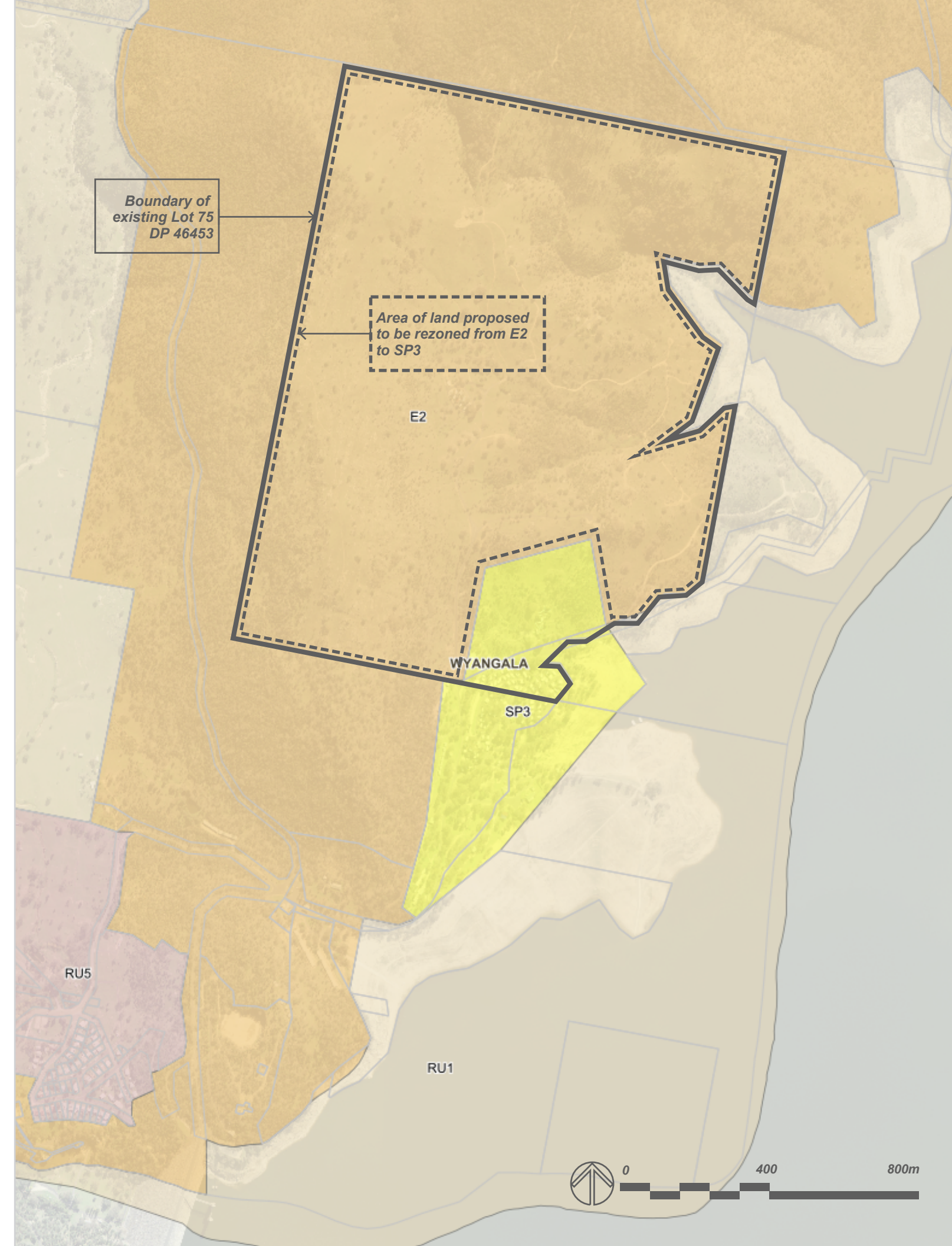
However, because the subdivision of the land has not been completed at this early stage in the process, the Planning Proposal is seeking to rezone the whole of Lot 75 DP 46453 as SP3 Tourist.

**Cowra Council and the NSW Department of Planning and Environment is asked to accept this approach on the understanding that the subdivision exercise will have been completed prior to the finalisation of the amendment to Cowra Local Environmental Plan 2012, enabling the final zoning boundary for the new SP3 Tourist zone to align with the newly created lot.**

A map showing the current extent of the existing SP3 Tourist Zone as well as the area proposed for rezoning is included on the following page.

The rezoning will permit the approval of a forthcoming development application for a caravan park use which will be lodged. This is justified based on the significant contribution the Holiday Park provides for regional tourism, and the suitability of the Site for the proposed caravan park use.

A daft master-plan / concept layout of the proposed relocated Holiday Park is provided in Part E of this Planning Proposal.





# B PART

EXPLANATION OF INTENDED OUTCOME

## 2. INTENDED OUTCOMES

Section 3.33(2)(a) of the EP&A Act requires the Planning Proposal to include a statement of the objectives or intended outcomes of the proposed instrument. This statement is included below.

TO AMEND COWRA LOCAL ENVIRONMENTAL PLAN 2012 TO ENABLE THE USE OF LOT 75 DP 46453 FOR THE PURPOSES OF A CARAVAN PARK.



# C

# PART

## EXPLANATION OF PROVISIONS

### 3. EXPLANATION OF PROVISIONS

Section 3.33(2)(b) of the EP&A Act requires the Planning Proposal to include an explanation of the provisions that are to be included in the proposed instrument.

The explanation of provisions is a more detailed statement of how the objectives or intended outcomes are to be achieved by means of amending the Cowra LEP.

**THE INTENDED OUTCOME OF THE PLANNING PROPOSAL IS TO BE ACHIEVED BY AMENDING THE LAND ZONING MAP (MAP SHEET LZN\_004B) TO SHOW THE WHOLE OF LOT 75 DP 46453 AS BEING ZONED SP3 TOURIST**

No other maps or provisions of the Cowra LEP require amendment.



# D

# PART

## JUSTIFICATION OF PROPOSAL

## 4. JUSTIFICATION

Section 3.33(2)(c) of the EP&A Act requires the Planning Proposal to include justification for the objectives, outcomes and provisions and the process for the implementation (including whether the proposed instrument will comply with relevant directions under Section 9.1 of the EP&A Act).

In accordance with the Department's 'Guide to Preparing Planning Proposals', the justification for the Planning Proposal has been provided below:

### 4.1. NEED FOR THE PLANNING PROPOSAL

#### 4.1.1. Is the Planning Proposal a result of any strategic study or report?

This Planning Proposal is not supported by a strategic study or report.

However, Water NSW has carefully considered and recommended to Council that the most appropriate location for the Holiday Park will be at the Site.

The relocation is necessary for the Wyangala Dam project, which is critical state significant infrastructure and will secure the supply of water for the region. In addition, the relocation will facilitate long term certainty as to the continued and future operations of the Holiday Park by permitting a range of recreational and tourist related activities, whilst protecting the environmental quality of the Site.

The current 'E2 Environmental Conservation' zoning of the Site is too restrictive and will not permit the Holiday Park to continue with its current operations. The rezoning of the proposed Site will also allow for the on-going development and enhancement of a significant tourist facility in the Cowra local government

area and ensure it remains intrinsically linked to the protection and management of the environment by facilitating development at an appropriate scale.

#### 4.1.2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Water NSW has completed a pre-development application with Cowra Council with respect to the relocation of the existing Holiday Park at Wyangala Dam. As a result of this consultation, it is understood that:

- The existing Holiday Park is located within an SP3 Tourist zone under the Cowra LEP. The nature of this zone allows the existing Holiday Park to obtain approval for a wider range of land and community uses which are required as part of the operation of a Holiday Park.
- The site that has been planned for the relocation of the Holiday Park is zoned E2 Environmental Conservation. Development for the purposes of a Caravan Park is prohibited in the zone.



The proponent has considered the potential suitability of characterising the development as eco-tourist facility (which is permissible in the E2 zone with consent), however there are a number of current uses which the Holiday Park enjoys at its current location which is incompatible with the definition of ‘eco-tourist facility’ which is defined as:

- a building or place that—
- a. provides temporary or short-term accommodation to visitors on a commercial basis, and
  - b. is located in or adjacent to an area with special ecological or cultural features, and
  - c. is sensitively designed and located so as to minimise bulk, scale and overall physical footprint and any ecological or visual impact.
- It may include facilities that are used to provide information or education to visitors and to exhibit or display items.

The Holiday Park currently comprises a number of areas, including (but not limited to):

- a. short term tourist sites - serviced sites (power, water, sullage) that guests bring their own caravan, RV, camper-van or tent;
- b. holiday van sites - serviced sites (power, water, sullage) that have a moveable dwelling. The owner of the caravan/cabin pays Reflections a yearly fee and may use the site for a maximum of 180 days a year;
- c. cabin sites - licensed as shorter term sites, but have a cabin permanently placed on them for the use of guests and are serviced by power, water and sewer;
- d. primitive camp areas - unserviced areas of the park where guests can camp;

- e. bunkhouses – buildings comprising four rooms each;
- f. function centre and/or community hall to service the Holiday Park;
- g. camp kitchen;
- h. playground and outdoor activities;
- i. bbq shelters;
- j. amenity blocks;
- k. office and reception;
- l. manager’s residence;
- m. workshop;
- n. linen shed and laundry facilities;
- o. general store;
- p. fuel supply;
- q. boat ramps and vehicle boat wash bays; and
- r. car parking.

The most appropriate characterisation of the Holiday Park is as a ‘caravan park’ under the Cowra LEP, which has the following definition:

caravan park means land (including a camping ground) on which caravans (or caravans and other moveable dwellings) are, or are to be, installed or placed.

Other ancillary or associated uses, such as a ‘camping ground’, ‘function centre’, ‘boat launching ramp’ and ‘boat shed’ may also appropriate to accommodate the Holiday Park and are permissible in the ‘SP3 Tourist’ zone.

**WITHOUT A REZONING OF THE LAND, COUNCIL WOULD BE UNABLE TO GRANT CONSENT TO A DEVELOPMENT APPLICATION FOR THE RELOCATION (AND CONTINUED USE) OF THE WYANGALA WATERS HOLIDAY PARK**

4.2. RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

4.2.1. Is the Planning Proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy?

The Central West and Orana Regional Plan 2036

Water NSW is proposing to raise the dam wall at Wyangala to increase the capacity of the existing dam by approx. 53%. The need to deliver the project is critical to the State’s drought recovery process and the security of town water users and associated industries in the Central West region reliant on the delivery of reliable water for ongoing viability. The relocation of the Holiday Park is a key requirement of this critical infrastructure project. These project works generally align with the following Directions of the Central West and Orana Regional Plan 2036:

- Direction 1: Protect the region’s diverse and productive agricultural land.
- Direction 4: Promote and diversify regional tourism markets.
- Direction 11: Sustainably manage water resources for economic opportunities.
- Direction 13: Protect and manage environmental assets.
- Direction 14: Manage and conserve water resources for the environment.
- Direction 15: Increase resilience to natural hazards and climate change.
- Direction 23: Build the resilience of towns and villages.

4.2.2. Is the Planning Proposal consistent with council’s local strategy or other local strategic plan?

Cowra LSPS

Cowra Council has commenced the preparation of a Local Strategic Planning Statement for the Shire’s villages, including Wyangala and the surrounds. The plan focus will be on land use and the management of growth and change in Cowra’s villages over the next 20 years. Infrastructure planning, natural resource management, economic development, village tourism will all feature in this review and will have relevant consideration to Wyangala Dam and the associated Holiday Park. The Reflections Holiday Park is an important part of the local landscape and an important economic driver for the village and the Shire.



4.2.3. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

An assessment of the Planning Proposal against relevant State Environmental Planning Policies has been included as follows.

The following SEPPs have been reviewed and are identified as either not applying to the Planning Proposal, or no inconsistencies have been identified:

- SEPP 19 - Bushland in Urban Areas
- SEPP 33 - Hazardous + Offensive Development
- SEPP 36 - Manufactured Home Estates
- SEPP 47 - Moore Park Showground
- SEPP 50 - Canal Estate Development
- SEPP 64 - Advertising and Signage
- SEPP 65 - Design Quality of Residential Apartment Development
- SEPP 70 - Affordable Housing (Revised Schemes)
- SEPP (Aboriginal Land) 2019
- SEPP (Affordable Rental Housing) 2009
- SEPP (BASIX) 2004
- SEPP (Coastal Management) 2018
- SEPP (Gosford City Centre)
- SEPP (Housing for Seniors or People with a Disability) 2004
- SEPP (Infrastructure) 2007
- SEPP (Koala Habitat Protection) 2019
- SEPP (Kosciusko National Park) 2007
- SEPP (Educational Establishments and Child Care Facilities) 2017

- SEPP (Kurnell Peninsula) 1989
- SEPP (Mining, Petroleum Production and Extractive Industries) 2007
- SEPP (Penrith Lakes Scheme) 1989
- SEPP (State Significant Precincts) 2005
- SEPP (Sydney Drinking Water Catchment) 2011
- SEPP (Sydney Region Growth Centres) 2006
- SEPP (Three Ports) 2013
- SEPP (Urban Renewal) 2010
- SEPP (Western Sydney Employment Area) 2009
- SEPP (Western Sydney Parklands) 2009

The following SEPPs have been reviewed and are identified as being relevant to the assessment of the Planning Proposal:

SEPP 21 - Caravan Parks

The Planning Proposal aims to amend the provisions of Cowra Local Environmental Plan 2012 by rezoning Lot 75 DP 46453 to enable the use of the land for a Caravan Park.

The use of the land for the purposes of a Caravan Park is subject to the lodgment of a future Development Application with Cowra Council. As part of the preparation of this DA, Water NSW will ensure that the development is consistent with the requirements of SEPP 21. Further consideration is not considered necessary as part of the Planning Proposal, however no inconsistencies are identified at this stage.

SEPP 55 - Remediation of Land

A review of Council records indicates the land has not been previously been used for a purpose

identified in Table 1 of the Managing Land Contamination Planning Guidelines SEPP No. 55 – Remediation of Land 1998 which could have involved the use of contaminants.

A preliminary site investigation (PSI) has been carried out at the Site. No areas of contamination were visible at the site and the site has not historically been used for any purposes which would have been likely to have caused contamination. The DA for the caravan park will make an assessment and ensure that appropriate protocols are in place in the unlikely event contamination is found.

No inconsistencies identified.

SEPP (Exempt and Complying Development Codes 2008

The Caravan Park development may rely on the exempt and complying development provisions of the SEPP in the future, but at this stage the SEPP is not applicable to the proposed rezoning.

No inconsistencies identified.

SEPP (Primary Production and Rural Development) 2019

The proposal is to rezone Lot 75 DP 46453 from E2 Environmental Conservation to SP3 Tourist (noting that a small portion of this parcel is already zoned SP3).

Lot 75 DP 46453 is a single property lot of approximately 162 hectares in total land area. Based on master-planning, the area required to accommodate the new Holiday Park is around 80 hectares. It can therefore be expected that around 80 hectares of land will be lost to potential agricultural production. Given the topography, location and Crown ownership of the site, it is not currently being used or capable of being used for productive agricultural purposes.

Any perceived impacts associated with the loss of agricultural land are considered offset, or minimised by the importance of the Wyangala Dam critical state infrastructure project and subsequent need to relocate the Holiday Park

which is a key tourism asset for the Central West of NSW.

SEPP (State and Regional Development) 2011

Without a rezoning of the land, council would be unable to grant consent to a development application for the relocation (and continued use) of the wyangala waters holiday park. The need to relocate the Holiday Park is a part of the NSW Government’s critical state infrastructure project related to the raising of the dam wall.

SEPP (Vegetation in Non Rural Areas) 2009

This policy applies to the Cowra Local Government Area, however there is no proposal to clear native vegetation in a non-rural area.



4.2.4. Is the Planning Proposal consistent with applicable Ministerial Directions?

Assessment of the Planning Proposal against relevant Section 117 Ministerial Directions has been included in the table below:

1. EMPLOYMENT AND RESOURCES

1.1 Business and Industrial Zones

The Ministerial Direction does not apply to the Planning Proposal.

1.2 Rural Zones

The Ministerial Direction does not apply to the Planning Proposal.

1.3 - Mining, Petroleum Production and Extractive Industries

The Ministerial Direction applies as the Planning Proposal will have the effect of prohibiting or restricting mining activities by permitting a use (i.e. Caravan Park) that is incompatible with such development.

Consultation with relevant State Government agencies will be completed as part of the exhibition of the Planning Proposal, however it is requested that the inconsistency with the Ministerial Direction be considered on the grounds of minor significance. The following information supports this:

- Without a rezoning of the land, council would be unable to grant consent to a development application for the relocation (and continued use) of the wyangala waters holiday park. The need to relocate the Holiday Park is a part of the NSW Government’s critical state infrastructure project related to the raising of the dam wall.
- Any perceived impacts associated with the loss of mining potential is considered offset, or minimised by the importance of the Wyangala Dam critical state infrastructure project and subsequent need to relocate the Holiday Park which is a key tourism asset for the Central West of NSW.

1.4 - Osyter Aquaculture

The Ministerial Direction does not apply to the Planning Proposal

1.5 - Rural Lands

This direction applies where a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed environment protection zone.

The planning proposal must:

- a. Be consistent with any applicable strategic plan, including regional and district plans endorsed by the Secretary of the Department of Planning and Environment, and any applicable local strategic planning statement

*The Planning Proposal is not inconsistent. The proposal aligns with various Directions of the Central West and Orana Regional Plan and is a project identified in the Cowra LSPS.*

- b. Consider the significance of agriculture and primary production to the State and rural communities.

*Considered. The subject land is not considered to be highly productive agricultural land. Potential impacts are offset by the importance of the Wyangala Dam critical state infrastructure project and subsequent need to relocate the Holiday Park.*

- c. Identify and protect environmental values, including but not limited to, maintaining biodiversity, the protection of native vegetation, cultural heritage, and the importance of water resources

*Considered. The DA for the Caravan Park will*

*consider the siting of structures to ensure that the environmental values of the Site are largely maintained. Biodiversity and Aboriginal Heritage Studies will be carried out at the DA state to ensure that this achieved.*

- d. Consider the natural and physical constraints of the land, including but not limited to, topography, size, location, water availability and ground and soil conditions

*Considered.*

- e. Promote opportunities for investment in productive, diversified, innovative and sustainable rural economic activities.

*Considered. Response similar to item b.*

- f. Support farmers in exercising their right to farm.

*Considered. The proposal is not inconsistent.*

- g. Prioritise efforts and consider measures to minimise the fragmentation of rural land and

*Considered. The proposal is not inconsistent.*

- h. Reduce the risk of land use conflict, particularly between residential land uses and other rural land uses.

*Considered. The risk of land-use conflict is low. The Holiday Park is an existing use in the area and has operated for many years without causing significant land-use conflict issues for Council to manage.*

- i. Consider State significant agricultural land identified in State Environmental Planning Policy (Primary Production and

Rural Development) 2019 for the purpose of ensuring the ongoing viability of this land,

*Considered in previous section of this report.*

- j. consider the social, economic and environmental interests of the community

*The need to relocate the Holiday Park is a part of the NSW Government’s critical state infrastructure project related to the raising of the dam wall. The project is considered to be in the best social, economic and environmental interests of the community. Negative impacts are considered unlikely.*

2. ENVIRONMENT AND HERITAGE

2.1 - Environment Protection Zones

This Ministerial Applies as the Planning Proposal intends to reduce the amount of land that is currently zoned for environmental protection purposes.

The inconsistency is considered justified on the grounds of minor significance. Although there will be additional land uses permissible on the Site once the land use is changed from ‘E2 Environmental Conservation’ to ‘SP3 Tourist’, any development proposed on the Site will be designed to ensure that the environmental protection values of the Site are maintained. A master-planning approach to the Caravan Park has been undertaken to ensure any potential impacts are avoided, or minimised as much as possible. A copy of the Master-plan for the site is included with this Planning Proposal.

2.2 - Coastal Management

The Ministerial Direction does not apply to the Planning Proposal

### 2.3 - Heritage Conservation

This Ministerial Direction applies and requires the Planning Proposal to contain provisions that facilitate the conservation of environmental, European and Aboriginal Heritage.

The Planning Proposal does not affect land that has been identified in Schedule 5 of Cowra Local Environmental Plan 2012 as being of heritage significance.

Provisions are already included in Cowra LEP which facilitate the conservation of items and places of European and Aboriginal heritage significance.

Detailed studies in relation to European and Aboriginal Heritage will be carried out at the DA stage and appropriate measures incorporated into the design and management of the Caravan Park to mitigate or minimise potential impacts.

### 2.4 - Recreation Vehicle Areas

The Planning Proposal does not aim to enable the land to be used for purpose of a recreation vehicle area.

### 2.5 - Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs

The Ministerial Direction does not apply to the Planning Proposal

### 2.6 - Remediation of Contaminated Land

A review of Council records indicates the land has not been previously been used for a purpose identified in Table 1 of the Managing Land Contamination Planning Guidelines SEPP No. 55 – Remediation of Land 1998 which could have involved the use of contaminants.

A preliminary site investigation (PSI) has been carried out at the Site. No areas of contamination were visible at the site and the site has not historically been used for any purposes which would have been likely to have caused contamination. The DA for the caravan park will make an assessment and ensure that appropriate

protocols are in place in the unlikely event contamination is found.

No inconsistencies identified.

### 3. HOUSING, INFRASTRUCTURE AND URBAN DEVELOPMENT

#### 3.1 - Residential zones

The Ministerial Direction does not apply to the Planning Proposal

#### 3.2 - Caravan Parks and Manufactured Home Estates

The Planning Proposal is not inconsistent with the terms of the Ministerial Direction.

The planning proposal retains existing provisions that permit development for the purposes of a caravan park to be carried out, and retains the zoning of existing caravan parks. In fact, the zoning of the Site is being changed to expressly permit caravan parks to be carried out on the Site.

As manufactured homes estates (MHEs) are now permissible on the Site by virtue of SEPP 36, the planning proposal has identified that the Site is suitable for MHEs by considering the categories of land set out in Schedule 2 of SEPP 36, as well as clause 9 of SEPP 36.

At the DA stage, Reflections will consider the matters set out in clause 9 of SEPP 36 if MHEs are proposed, including:

- that each of the sites on which a manufactured home is or will be installed within the manufactured home estate is or will be adequately provided with reticulated water, a reticulated sewerage system, drainage and electricity, and
- that the manufactured home estate is or will be provided with adequate transport services, and
- that sufficient community facilities and services, whether situated within or outside

the estate, are or will be available and reasonably accessible to the residents of the manufactured home estate, and

- that the development will not have an adverse effect on any—
  - conservation area
  - heritage item
  - waterway or land having special landscape, scenic or ecological qualities,

which is identified in an environmental planning instrument applicable to the land concerned.

No changes to subdivision provisions relating to MHEs are proposed.

#### 3.3 - Home Occupations

The Ministerial Direction does not apply to the Planning Proposal

#### 3.4 - Integrating Land-use and Transport

The Planning Proposal is not inconsistent with the terms of the Ministerial Direction.

The Planning Proposal will have negligible impact in terms of integrating land-use and transport. All access roads to the Holiday Park will be provided at the DA stage.

#### 3.5 - Development Near Regulated Airports and Defence Airfields

The Ministerial Direction does not apply to the Planning Proposal

#### 3.6 - Shooting Ranges

The Ministerial Direction does not apply to the Planning Proposal

#### 3.7 - Reduction in non-hosted short term rental accommodation period

The Ministerial Direction does not apply to the Planning Proposal

### 4. HAZARD AND RISK

#### 4.1 - Acid Sulfate Soils

The Ministerial Direction does not apply to the Planning Proposal.

If studies reveal that the Site is subject to Acid Sulfate Soils, an acid sulfate soil study will be prepared at the DA stage and appropriately implemented.

#### 4.2 - Mine subsidence and unstable land

The Ministerial Direction does not apply to the Planning Proposal

#### 4.3 - Flood Prone Land

The planning proposal is not inconsistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas).

The planning proposal does not contain provisions that:

- permit development in floodway areas,
- permit development that will result in significant flood impacts to other properties,
- permit a significant increase in the development of that land,
- are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or
- permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development.

#### 4.4 - Planning for Bushfire Protection

The planning proposal is not inconsistent with Planning for Bushfire Protection 2019.



At the DA stage, appropriate studies, including a bushfire management plan, will be prepared to ensure that the proposed caravan park is built in accordance with Planning for Bushfire Protection 2006. In addition, the Site is large enough to accommodate an APZ, if one is required.

5. REGIONAL PLANNING

5.1 - Implementation of Regional Strategies

The Ministerial Direction does not apply to the Planning Proposal

5.2 - Sydney Drinking Water Catchments

The Ministerial Direction does not apply to the Planning Proposal

5.3 - Farmland of State and Regional Significance on the NSW Far North Coast

The Ministerial Direction does not apply to the Planning Proposal

5.4 - Commercial and Retail Development along the Pacific Highway, North Coast

The Ministerial Direction does not apply to the Planning Proposal

5.9 - North West Rail Link Corridor Strategy

The Ministerial Direction does not apply to the Planning Proposal

5.10 - Implementation of Regional Plans

The planning proposal is consistent with the Central West and Orana Regional Plan. The Holiday Park is an important tourist destination in the Cowra local government area. The relocation of the Holiday Park to the Site will ensure its continued operation once the Wyangala Dam project has been completed.

These project works generally align with the following Directions of the Central West and Orana Regional Plan 2036:

- Direction 1: Protect the region’s diverse and productive agricultural land.
- Direction 4: Promote and diversify regional tourism markets.
- Direction 11: Sustainably manage water resources for economic opportunities.
- Direction 13: Protect and manage environmental assets.
- Direction 14: Manage and conserve water resources for the environment.
- Direction 15: Increase resilience to natural hazards and climate change.
- Direction 23: Build the resilience of towns and villages.

5.11 - Development of Aboriginal Land Council land

The Ministerial Direction does not apply to the Planning Proposal.

6. LOCAL PLAN MAKING

6.1 - Approval and Referral Requirements

The Planning Proposal is not inconsistent with the terms of the Ministerial Direction.

The Planning Proposal does not seek to introduce provisions into Cowra LEP that require the concurrence, consultation or referral of DA’s to the Minister or other public authorities.

6.2 - Reserving Land for Public Purposes

The Ministerial Direction does not apply to the Planning Proposal

6.3 - Site Specific Provisions

The Ministerial Direction is relevant because the

Planning Proposal seeks to amend Cowra LEP in order to allow a particular development proposal to be carried out at the Site.

The Planning Proposal complies with the requirements of the Direction.

7. METROPOLITAN PLANNING

7.1 - Implementation of A Plan for Growing Sydney

The Ministerial Direction does not apply to the Planning Proposal

7.2 - Implementation of Greater Macarthur Land Release Investigation

The Ministerial Direction does not apply to the Planning Proposal

7.3 - Parramatta Road Corridor Urban Transformation Strategy

The Ministerial Direction does not apply to the Planning Proposal

7.4 - Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan

The Ministerial Direction does not apply to the Planning Proposal

7.5 - Implementation of Greater Parramatta Priority Growth Area Interim Land-use and Infrastructure Implementation Plan

The Ministerial Direction does not apply to the Planning Proposal

7.6 - Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan

The Ministerial Direction does not apply to the Planning Proposal

7.7 - Implementation of Glenfield to Macarthur Urban Renewal Corridor

The Ministerial Direction does not apply to the Planning Proposal

7.8 - Implementation of Western Sydney Metropolis Interim Land Use and Infrastructure Implementation Plan

The Ministerial Direction does not apply to the Planning Proposal

7.9 - Implementation of Bayside West Precincts 2036Plan

The Ministerial Direction does not apply to the Planning Proposal

7.10 - Implementation of Planning Principles for the Cooks Cove Precinct

The Ministerial Direction does not apply to the Planning Proposal

4.3. ENVIRONMENTAL, SOCIAL + ECONOMIC IMPACTS

4.3.1. Flora + Fauna

The land is affected by biodiversity resources as shown on the Terrestrial Biodiversity Map in the Cowra Local Environmental Plan 2012 (Cowra LEP).

A desktop assessment has been undertaken to identify threatened flora and fauna species, populations and ecological communities (threatened biota) listed under the NSW Biodiversity Conservation Act 2017 (BC Act) and Fisheries Management Act 1994 (FM Act), and Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC), that could be expected to occur at the Site and to obtain the necessary data to perform Biodiversity Assessment Method (BAM) calculations.

Information sources included:

- a. Office of Environment and Heritage (OEH) NSW BioNet (OEH 2020a) data including NSW Wildlife Atlas database records and Threatened Species Data Collection profiles of threatened species listed under the BC Act.
- b. OEH Threatened biodiversity profile search online database for threatened ecological communities listed under the BC Act (OEH 2020b).
- c. DEE online Species profiles and threats database (SPRAT) (DEE 2020b).
- d. NSW BioNet Vegetation Classification (OEH 2020c) to identify matching plant community types (PCTs) in the study area.
- e. Aerial photographs and satellite imagery of the study area.
- f. Available regional-scale vegetation mapping of the Central West / Lachlan Region (OEH 2016).

Following collation of database records and threatened species and community profiles, a list of threatened species requiring assessment was compiled according to the ‘steps for identifying habitat suitability for threatened species’ presented in the BAM.

Staged surveys of the Site have been conducted with reference to the BAM and appropriate threatened species survey guidelines for targeted species. Site surveys included:

- a. Initial site stratification and vegetation mapping.
- b. Sampling of vegetation integrity plot/ transects.
- c. Habitat assessments.
- d. Targeted surveys for threatened flora.
- e. Targeted surveys for threatened fauna.

The surveys confirmed the presence of native vegetation including threatened communities listed under the BC Act and EPBC Act.

Adequate studies and survey have been completed to inform a Planning Proposal.

4.3.2. Bushfire

The land is mapped as bushfire prone land and is predominantly classified as Vegetation Category 1 with small areas classified Vegetation Category 2.

The planning proposal is not inconsistent with Planning for Bushfire Protection 2019.

At the DA stage, appropriate studies, including a bushfire management plan, will be prepared to ensure that the proposed caravan park is built in accordance with Planning for Bushfire Protection 2019. In addition, the Site is large enough to accommodate an APZ, if one is required.

4.3.3. Water Resources

The land is mapped as Groundwater Vulnerable on the Groundwater Vulnerability Map, along

with the majority of land surrounding the western perimeter of the Wyangala Dam at Wyangala.

The Planning Proposal is unlikely to generate unacceptable impacts on the vulnerable groundwater system, provided any new on-site waste management system is engineered appropriately having regard to site conditions. It is appropriate to deal with this issue as part of the Development Application process.

4.3.4. Infrastructure and Servicing

The Site has sewer, water (not potable) and electricity connections.

The Planning Proposal would generate a demand to augment/upgrade existing infrastructure and services. The specific infrastructure and servicing requirements for the relocated Caravan Park will be properly investigated as part of the preparation of the DA.

4.3.5. Flooding

The Site is not mapped as flood prone, although there is recognition that parts of the broader site may be subject to inundation from peak storage in Lake Wyangala. The need to ensure that the relocated Caravan Park is above the identified water level will be properly investigated as part of the preparation of the DA.

4.3.6. Heritage

The Planning Proposal does not affect any land that is identified in Schedule 5 of Cowra Local Environmental Plan 2012 as being of heritage significance.

A search of the Aboriginal Heritage Information Management System (AHIMS) database has identified several items or places of Aboriginal heritage significance that could be affected by the Planning Proposal.

Field verification and mapping of Aboriginal heritage Potential Archaeological Deposits (PADs) was carried out in April and May 2020.

Further studies in relation to potential Aboriginal heritage impacts would appear warranted as part of the preparation of the Development Application for the Caravan Park.

4.3.7. Land-use Conflict

The Site is within the Wyangala Waters State Park.

The Planning Proposal is unlikely to generate unacceptable land-use conflict issues. The proposal to allow the land to be used for tourist purposes is consistent with the existing site adjoining Wyangala Dam.

4.3.8. Social and Economic Impacts

The Planning Proposal is of social and economic significance to the wider community. The tourism sector is an important industry in the Central West and Orana Region, which supports a growing service economy that strengthens community vibrancy and creates more diverse job opportunities (DPIE, 2017).

Promotion and diversification of the regions regional tourism markets is one of several directions for the region. These regional tourism markets include eco-tourism, agri-tourism, events and festivals, recreation, Aboriginal cultural and historic heritage. As noted in the Regional Plan the stronger the connections across the region with centres in adjoining regions and with Sydney and Canberra, the greater will be the region’s ability to capitalise on tourism opportunities (DPIE, 2017).

Without an amendment to the Cowra Local Environmental Plan 2012, the relocation of the entire Wyangala Waters Holiday Park is not permissible.

4.3.9. Traffic Access

The existing Reflections Wyangala Waters Holiday Park is primarily accessed from Cowra via Darby Falls Road or from the Mid Western



Highway to the north of Wyangala Dam via Woodstock and Reg Hailstone Way. The roads are all local Council controlled roads.

Within the Holiday Park there are a number of bitumen sealed roads (without kerb and gutter infrastructure) as well as unsealed roads. All roads within the Holiday Park are private roads.

The existing road system within the Holiday Park would be upgraded to accommodate the modest increase in traffic that would likely result from the Planning Proposal as well as addressing the Planning for Bush Fire Protection requirements.

4.3.10. Contamination

The proposal is to rezone the land SP3 Tourist and grant development to a relocated Holiday Park.

A review of Council records indicates the land has not previously been used for a purpose identified in Table 1 of the Managing Land Contamination Planning Guidelines SEPP No. 55 – Remediation of Land 1998 which could have involved the use of contaminants.

Immediately adjoining land holdings include the Wyangala Dam (east) and land zoned Environment Conservation to the north, west and south does not pose a potential land contamination threat.

As part of a preliminary site investigation, a site inspection of the existing Holiday Park and its' proposed relocation area was carried out on in May 2020. Discrete areas have been identified as requiring further investigation to assess contamination. These areas are the mechanical workshop and surrounding area and the former water slide compound.

Further investigations into potential contamination would appear unwarranted as part of the preparation of the Planning Proposal.

4.4. STATE AND COMMONWEALTH INTERESTS

4.4.1. Is there adequate public infrastructure for the Planning Proposal?

Reg Hailstone Way provides the main transport access to the Site. Public infrastructure would be provided in the form of access roads throughout the site and services to the amenities. These involve mainly an upgrade to an existing road or service extension.

4.4.2. What are the views of state and commonwealth public authorities consulted in accordance with the gateway determination?

Without a rezoning of the land, council would be unable to grant consent to a development application for the relocation (and continued use) of the wyangala waters holiday park.

The need to relocate the Holiday Park is a part of the NSW Government's critical state infrastructure project related to the raising of the dam wall. The Planning Proposal is therefore of importance to the NSW Government (Water NSW).

Consultation with relevant State and Commonwealth agencies will be carried out as part of the exhibition of the Planning Proposal and in accordance with any specified requirements of the Gateway Determination issued by the NSW Department of Planning, Industry and Environment.

# E PART

## MAPPING

## 5. MAPPING

The Planning Proposal is supported by the following maps:

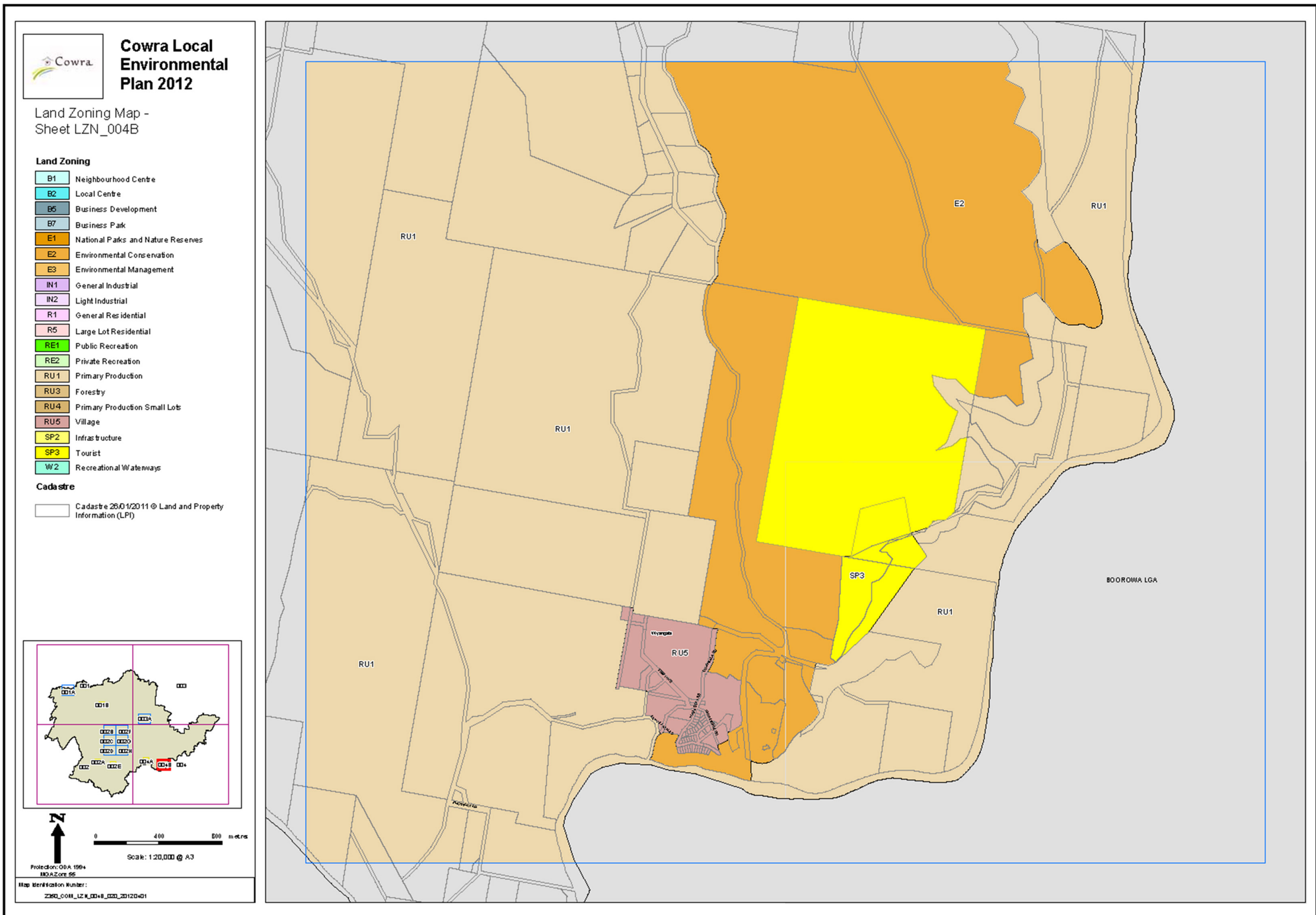
- a. Draft Master Plan for Caravan Park at Lot 75 DP 46453
- b. Draft Zoning Map showing the area of land that is intended to be rezoned from E2 Environmental Conservation to SP3 Tourist.







## DRAFT ZONING MAP





# F

# PART

## COMMUNITY CONSULTATION

## 6. COMMUNITY CONSULTATION

In accordance with Section 3.33 of the EP&A Act, this planning proposal must be approved prior to community consultation is undertaken by the local authority.

The following consultation strategy will be adopted by Cowra Council for the Planning Proposal:

- a. Advertisement on Council's website for 28 days in accordance with the Cowra Council Community Participation Plan 2020 or a longer period if specified in the conditions of the Gateway Determination from the NSW Department of Planning.
- b. Advertisement in the Cowra Guardian on at least two occasions.

The following material will be made available for inspection throughout the exhibition period:

- a. The Planning Proposal, in the form approved for community consultation by the Secretary of DPIE.
- b. The Gateway Determination.
- c. Any studies or reports relied upon by the Planning Proposal.

# G

# PART

## PROJECT TIMELINE

## 7. PROJECT TIMELINE

A project timeline has been developed as part of the Planning Proposal and is shown in the table below.

MILESTONE	ANTICIPATED COMPLETION DATE
Report to Cowra Council	June 2020
Request for Gateway Determination	June 2020
Gateway determination	July 2020
Preparation of technical information	Completed. It is anticipated that sufficient technical information will have already been supplied to the Gateway.
Government agency consultation	As part of public exhibition
Public exhibition	July / August 2020
Public hearing	No Public Hearing is anticipated unless conditioned by NSW DPE
Consideration of submissions	August / September 2020
Consideration of proposal post exhibition	August / September 2020
Submission to Department to finalise LEP	September 2020
Making of the plan	October 2020