
PLAN OF MANAGEMENT

Cudgegong Waters Park



15 March 2023

Council is proud to acknowledge and respect the Wiradjuri people as the Traditional Custodians of the Mudgee Area and to pay respect to the elders past, present and emerging.

Version Control

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15 / 03 / 2023	Cudgegong Waters Park Plan of Management adopted (V3)

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SUMMARY

Cudgegong Waters Park (The Park) is on a Crown land reserve owned by the State Government of New South Wales, managed by the Mid-Western Regional Council (Council) for the benefit of the community. The Park is located 230 km north west of Sydney and within a short drive of the towns of Mudgee, Rylstone and Kandos in central western New South Wales (see Figure 1). It offers visitors a range of facilities including cabins, camp sites, amenities and a store and the opportunity to experience scenic inland vistas of ranges and lakes, fishing, water sports and walking.

The Park was created after the construction of Windamere Dam (completed in 1984). Providing water for downstream towns, stock and domestic supplies, and irrigated agriculture, Windamere Dam has a capacity of 368,120 megalitres (about half of the volume of Sydney Harbour)¹, is stocked with silver and golden perch, trout and Murray cod, providing impressive fishing and powered boating opportunities. The Park is located on its south-western foreshore, around 13 km upstream from the dam wall.

This Plan of Management (PoM) works towards the following vision:

“A regional recreation destination where the community can enjoy the Cudgegong’s natural assets”.

The intention of this PoM is to provide Council with a framework that enables decisions in regard to the site to be made on an informed, consistent and equitable basis over the next decade. Specifically, it will provide a strategic framework to:

- direct the operation and development of the land
- manage and conserve the environmental significance of the land
- identify and address the legal and policy requirements of managing the land
- identify and manage risks
- promote and protect the intended use of the land occupied by the Park.

This PoM meets all of the requirements of the *Local Government Act 1993* (the LGA). Under this PoM, the land at the Park is categorised under the LGA as:

- General Community Use
- Natural Area – Bushland.

A description of each category of land as it exists at the Park is provided.

The current use patterns, built and natural assets and their condition, emerging trends, constraints and influences, have been considered within this PoM.

¹ Windamere Dam Factsheet; waternsw.com.au.

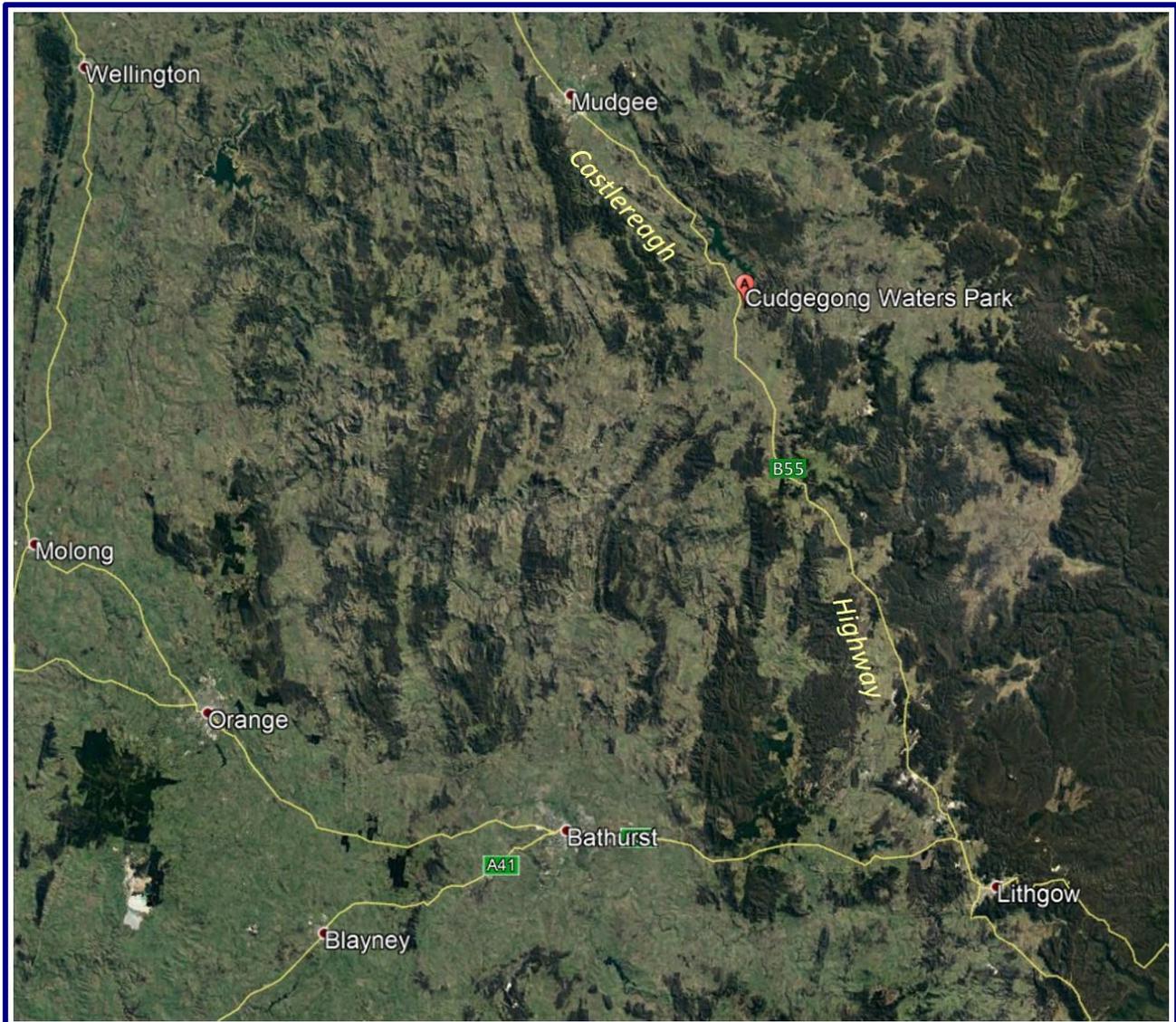


Figure 1 – Locality Diagram, Cudgegong Waters Park

Key challenges for the Park are to:

- generate new sources of income through improved and additional infrastructure
- maintain facilities and services whilst contending with high costs associated with the management of aging infrastructure
- improve the aesthetic appeal of the built infrastructure components
- ensure adoption of appropriate approval processes for required works, coupled with administrative and legislative requirements
- manage facility capacity and user influxes at peak times (Easter, fishing competitions etc.)
- ensure tenures and their conditions are adequate and appropriate
- ensure compliance with legislative requirements

- ensure community access where appropriate, is unimpeded, and
- manage environmental values where relevant.

Issues raised in discussions with Council officers and tenure holders at Cudgegong Waters Park have been considered in developing a range of appropriate responses for its management, including works, approvals, accountabilities, communication and revenue.

This PoM for the Park therefore presents modified strategies as well as new directions which will drive revenue raising through on-ground improvements designed to attract new business. The PoM responds appropriately to all regulatory requirements over the next 10 years, whilst considering the needs of current and longer-term users and visitors, and their interaction with the built and natural environment.

This PoM is presented in two principal sections:

Part A – BACKGROUND; defines and describes the Park in terms of the required policy and legislative framework, the built and the natural environment, and current use patterns.

Part B – THE PLAN; describes what is determined for the future of the Park, including accountabilities, opportunities for increased income, and a Development Plan which addresses and depicts the needs and priorities of the Park into the next decade. An Implementation Plan provides the strategies, actions and accountabilities required to achieve this PoM.

PART A – BACKGROUND

1 HISTORY

The first European to enter *Wiradjuri* indigenous lands of the Cudgegong River Valley and cross that river, was believed to have been James Blackman in 1821. Blackman was born in Kent, England in 1759 and spent some years in the early times of the colony surviving the floods of the Hawkesbury River in the 1807 period, before he grabbed the chance given to him by Governor Macquarie to be one of ten farmers to settle the Bathurst area in 1818.

Blackman was shortly followed to the Cudgegong Valley by William Lawson, a member of the first European party to cross the Blue Mountains in 1813. Lawson took up 6,000 acres along the Cudgegong River. The Cox brothers Henry and George (sons of William Cox who built the first road over the Blue Mountains) were next to follow and are accredited as the first Europeans to settle permanently in the valley².

Although initial relationships between the local tribe of the *Wiradjuri* and the early Europeans were amicable, friction inevitably arose between the groups. By 1824, martial law was declared and by 1848, the local tribe had been decimated with William Cox claiming that the last local aboriginal had died in 1876.

Under Crown Lands legislation, there has been a complex history of dedications and appointments made over the lands now comprising the Park. Prior to and during the construction of the Windamere Dam in the late 1970s-early 1980's, the government commenced the process of the resumption of privately held lands for that purpose. The rural land was acquired for the dam's major infrastructure (dam wall, roads, and its required works and buffers), the area of the water body below Top Water Level (TWL) and the adjoining lands which became known as the dam foreshores – the immediate catchment of the dam. This was necessary for the government to regulate land management of those areas to avoid unnecessary soil erosion and damage to infrastructure including a reduction of dam capacity. It is from the foreshore area, that the Park was created.

Figure 2 shows an old title map which includes the title holders³ at the time and covering the lands that are now the Cudgegong Waters Park. The names of Wilkins, Bowman and Morris are well known earlier settlers of the Cudgegong valley⁴. The village which served these early communities and farms, Cudgegong, now lies submerged under the waters of Windamere Dam, just downstream from the Park.

In 1985 Deposited Plan (DP) 713654 was registered relocating Cudgegong Road to its current position.

The registration of DP 737226 in 1986 created the current lots and stipulated that the land described be surrendered to the Crown and Reserved for Public Recreation.

On 30 January 1987, Lots 1, 2 and 3 DP 737226 Parish Bocoble, County of Roxburgh (totaling 55.06 hectares) were reserved from sale for the Purpose of Public Recreation, to be called *Cudgegong Waters Park*, and allocated Reserve No R.190025. The (former) Rylstone Shire Council was appointed

² Magical Mudgee – History of Mudgee: www.mudgee.net.au.

³ In 1888 the land within the Cudgegong Waters Park was held by W Bowman, W Readford, T Morris, G McQuiggin and W Wilkins.

⁴ Cudgegong Valley History Wiki.

as Trust Manager⁵.

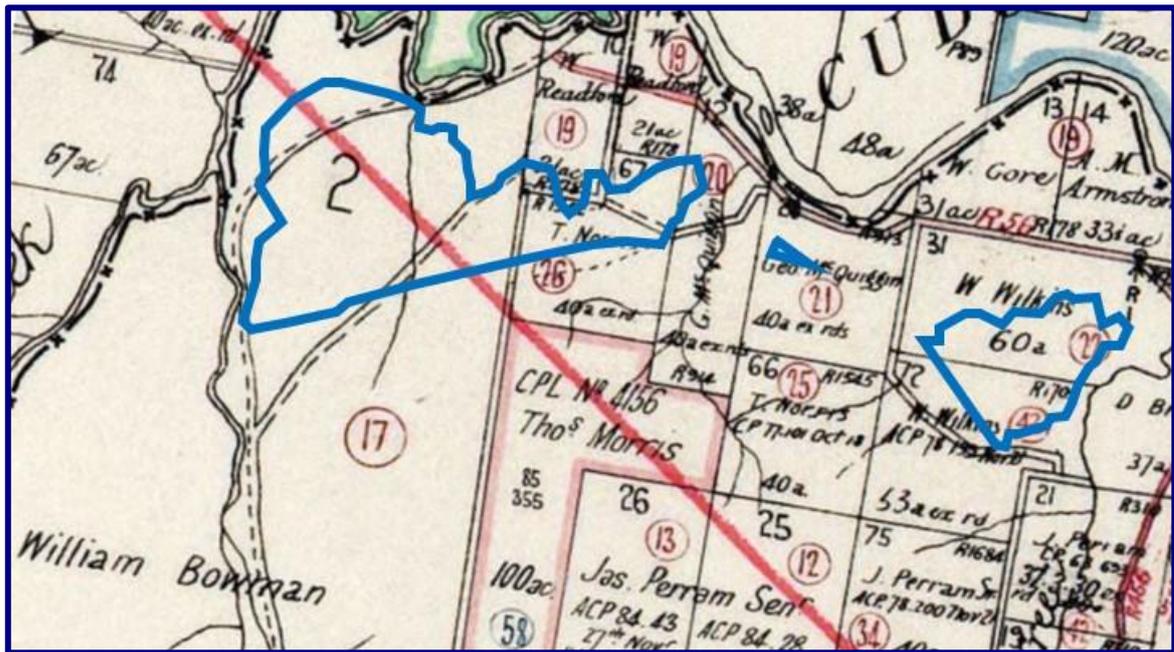


Figure 2 – Part 1st Edition Parish of Bocoble County of Roxburgh 1888 map showing Cudgong Waters Park bound in blue.

The first Plan of Management for Cudgong Waters Park was prepared and exhibited in 1999 under Division 6 Part 5A of the (then) *Crown Lands Act 1989*.

⁵ Following various legislative changes in the management of Crown land, and changes in the areas and names of local government authorities Mid-Western Region Council is now Crown land manager of Cudgong Waters Park under the *Crown Land Management Act 2016*.

2 LEGAL FRAMEWORK

Crown 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* (CLMA). The CLMA provides that a council manager⁶ is authorised to classify and manage its dedicated or reserved Crown land as if it were public land within the meaning of the *Local Government Act 1993* (LGA).

The CLMA requires councils to prepare Plans of Management for Crown reserves as per the requirement of the LGA.

The LGA provides the legislative framework for Council's day to day operations. It identifies Council's responsibility to actively manage land and to involve the community in developing a strategy for management.

The operation of the Holiday Park (see section 3.1) is subject to *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021* and the *Local Government (General) Regulation 2021*.

This PoM has been prepared in order to achieve a balanced, responsible and ecologically sustainable use of the land and to ensure that it addresses the needs of the local area, the broader community and the environment. It has been prepared to meet the requirements of the LGA, as amended by the *Local Government Amendment (Community Land Management) Act 1998*.

2.1 Public Land

This land, briefly described above, is Crown land managed by Mid-Western Regional Council.

Under the LGA, all public lands must be classified as either community or operational land. The land shown in Figure 3 has been classified 'Community' land under the provisions of the LGA and Section 3.22(1) of the CLMA.

The purpose of the classification 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 etc.,⁷ and 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, licenced or any other estate granted over the land for more than 30 years
- must have a Plan of Management prepared for it.

⁶ A council manager is a local council which has been appointed crown land manager of a reserve under Section 3.3 of the *Crown Land Management Act 2016*.

⁷ See the note to *Chapter 6, Part 2 of the Local Government Act 1993*.



Figure 3 – Site Plan

2.2 Plans of Management

The LGA requires that Council prepare a PoM in conjunction with the community to identify the important features of the land, clarify how Council will manage the land and how the land may be used or developed. Until a PoM for community land is adopted, the nature and use of the land cannot be changed. To change this, the Plan must be revised.

Council will undertake the required process as per Section 36 of the LGA and Section 3.23 of the CLMA for this PoM.

Specifically, the LGA requires that a PoM must identify:

- Category of the land
- Objectives and performance targets of the Plan with respect to the land
- 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 of 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
- Specific purposes for which the land, and any such buildings or improvements, will be allowed to be used
- Specific purposes for which any further development of the land will be permitted, whether under lease or licence or otherwise
- A description of the scale and intensity of any such permitted use or development.

2.3 Categorisation and Objectives

As required by legislation for the purposes of the PoM, 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 LGA, and in this PoM (see Section 9).

2.4 Types of Plans

The LGA allows a PoM to cover one or multiple parcels of land.

Where multiple parcels of land are covered in one plan (Generic Plans), the LGA specifically states what needs to be included. Where a PoM covers one parcel of land (Specific Plans), like this plan, there is greater detail on what has to be prescribed in the Plan. A Generic Plan sets the framework of how the land is to be managed. A Specific Plan clearly outlines very 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 Plan may occur. There has been one previous attempt at developing a Plan of Management for the Park. This was in 1999 and was compiled in accordance with the requirements of the (former) *Crown Lands Act 1989*.

The location of the Park is shown in Figure 1 and a more detailed site map, Figure 3.

3 THE SITE

3.1 Land Parcels

The lands for which this PoM is compiled, lies on the foreshores of Windamere Dam within the Mid-Western Regional Council Local Government Area, approximately 38 km south east of Mudgee, and 20 km west of Rylstone in Central Western New South Wales.

The property address of Cudgegong Waters Park is 1858 Cudgegong Road, Cudgegong 2850, covering the following Lots and Deposited Plans (DP) in the Parish of Bocoble, County of Roxburgh (see Figure 3):

- Lot 1 DP 737266 (41.79 ha)
- Lot 2 DP 737266 (0.3313 ha)
- Lot 3 DP 737266 (12.94 ha).

Lot 1 includes the Holiday Park, being the land subject to an approval to operate a caravan park and camping ground under section 68 of the *Local Government Act 1993*, the *Holiday Parks (Long Term Casual Occupation) Act 2002* and the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021*. The area of the Holiday Park is shaded blue on Figure 3.

Although the Park consists of three unattached lots, its southern-most extremity is Cudgegong Road and it is bounded on all other sides by the State Water land of Windamere Dam. These boundaries approximate the banks of Cudgegong Creek in the west and Oakey Creek to the east.

The total area of the Park is 55.06 hectares.

3.2 Ownership and Management

The Park is on Crown land owned by the State of New South Wales. The land is subject to a Reserve (R.190025) for Public Recreation, under the *Crown Land Management Act 2016* (CLMA), established on 30 January 1987. All assets on the Reserve are owned by the State of New South Wales.⁸

Rylstone Shire Council was initially appointed trustee on 30 January 1987 under the *Crown Lands Consolidation Act 1913*. Cudgegong Waters Park (R.190025) Reserve Trust was later assigned as trustee for R.190025 on 1 September 1995, under Section 95 of the *Crown Lands Act 1989* on the same day.

Following various legislative changes in the management of Crown land and to geographic boundaries, Mid-Western Regional Council is now Crown land manager of R.190025 for the purposes of the CLMA.

Section 3.21 of the CLMA authorises Council to manage the land as if it were public land within the meaning of the *Local Government Act 1993* (LGA). Under the LGA, all public lands must be classified as either community or operational land and this land has been classified 'Community' land.

⁸ Some removable assets are owned by tenures holders. These assets will be removed at the termination of the respective tenures.

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.

Some examples of acts 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
- 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)*.

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 and Environment – Crown lands (DPE-CL) 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.

4 PLANNING INSTRUMENTS AND POLICIES

The Park is managed and developed subject to this PoM, environmental planning instruments and Council policies.

4.1 State Environmental Planning Policies

The Park is subject to the State Environmental Planning Policies. Important amongst these in the development of the Park is the *State Environmental Planning Policy (Infrastructure) 2007* or the Infrastructure SEPP.

Section 65 of the Infrastructure 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 plan of management adopted for the land in accordance with the *Local Government Act 1993*.

Other State Environmental Planning Policies are listed below. Those that are considered more relevant to the future of the Park and this PoM are underlined below and briefly described in **Appendix 2**.

- *State Environmental Planning Policy (Affordable Rental Housing) 2009*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*
- *State Environmental Planning Policy (Infrastructure) 2007*
- *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*
- *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*
- *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*
- *State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007*
- *State Environmental Planning Policy No 21—Caravan Parks*
- *State Environmental Planning Policy No 33—Hazardous and Offensive Development*
- *State Environmental Planning Policy No 36—Manufactured Home Estates*
- *State Environmental Planning Policy No 55—Remediation of Land*
- *State Environmental Planning Policy No 64—Advertising Signage*
- *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development*
- *State Environmental Planning Policy (Concurrences and Consents) 2018*

- *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017*
- *State Environmental Planning Policy (Koala Habitat Protection) 2020*
- *State Environmental Planning Policy (Koala Habitat Protection) 2021*
- *State Environmental Planning Policy (Primary Production and Rural Development) 2019*
- *State Environmental Planning Policy No 50—Canal Estate Development*

4.2 Land Zoning

Under the Mid-Western Regional Council *Local Environmental Plan 2012* (LEP), the Park is zoned:

- RE1 – Public Recreation (Lot 1)
- RU1 – Primary Production (majority Lot 3)
- SP2 – Water Infrastructure (Lot 2 and part Lot 3).

The three separate sections of the Park are shown accordingly in Figure 4 (see red boundaries with RE1 Green; RU1 Brown; SP2 Yellow).

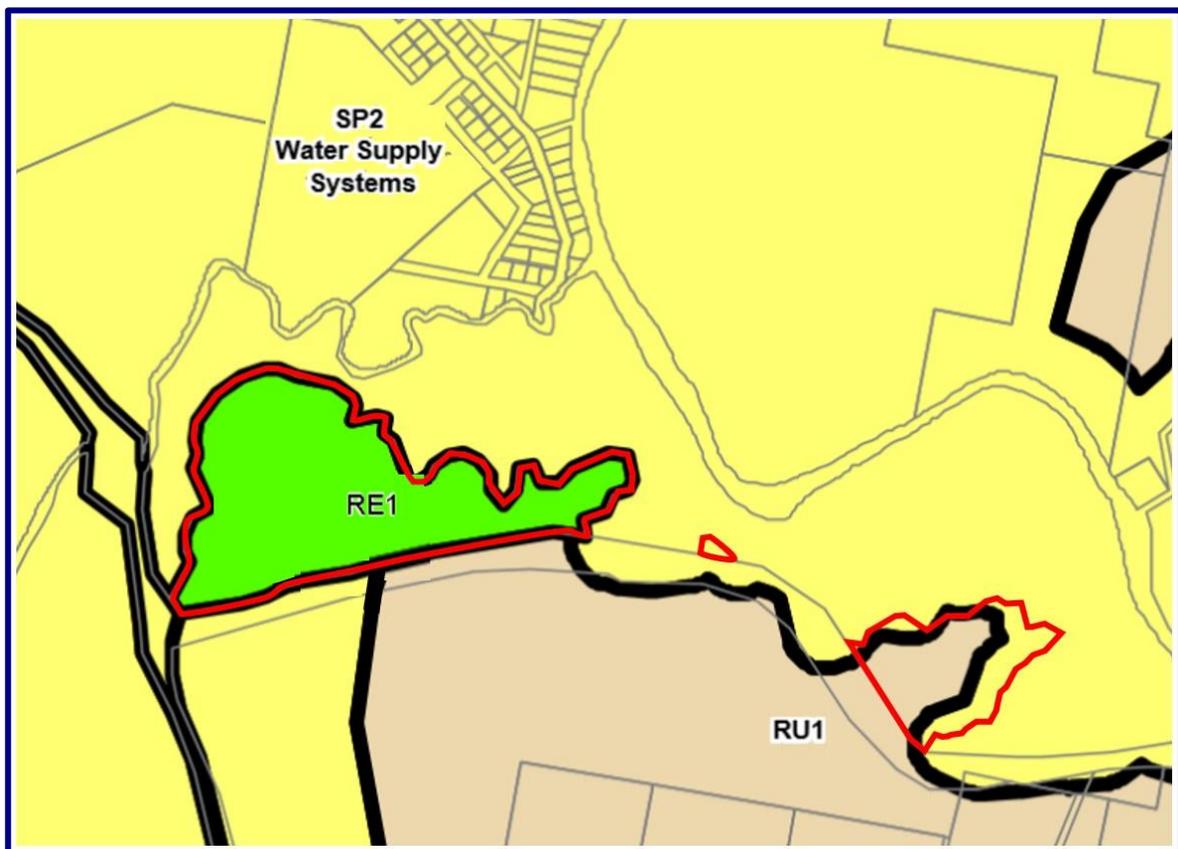


Figure 4 – Land Zones at Cudgegong Waters Park

Zone RE1 Public Recreation

The objectives of the RE1 – Public Recreation zone are:

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

On land zoned RE1, the following activities are permitted without consent.

- Environmental protection works
- Roads
- Water reticulation systems.

On land zoned RE1, the following activities are permitted with consent:

- Boat launching ramps
- Boat sheds
- Charter tourism and boating facilities
- Community facilities
- Environmental facilities
- Flood mitigation works
- Helipads
- Information and education facilities
- Kiosks
- Markets
- Recreation areas
- Recreation facilities (indoor)
- Recreation facilities (major)
- Recreation facilities (outdoor)
- Research stations
- Restaurants and cafes
- Sewerage systems
- Signage
- Water recreation structures.

On land zoned RE1 all other development is prohibited, subject to State and Regional Environmental Planning Policies that apply to this land.

Zone RU1 Primary Production

The objectives of the RU1 – Primary Production:

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base
- To encourage diversity in primary industry enterprises and systems appropriate for the area
- To minimise the fragmentation and alienation of resource lands
- To minimise conflict between land uses within this zone and land uses within adjoining zones
- To maintain the visual amenity and landscape quality of the Mid-Western Regional Council area by preserving the area's open rural landscapes and environmental and cultural heritage values

- To promote the unique rural character of the Mid-Western Regional Council area and facilitate a variety of tourist land uses.

On land zoned RU1, the following activities are permitted without consent.

- Environmental protection works
- Extensive agriculture
- Home businesses
- Home occupations
- Intensive plant agriculture
- Roads
- Water reticulation systems.

On land zoned RU1, the following activities are permitted with consent:

- Building identification signs
- Business identification signs
- Cellar door premises
- Dwelling houses
- Extractive industries
- Farm buildings
- Home industries
- Intensive livestock agriculture
- Landscaping material supplies
- Markets
- Open-cut mining
- Plant nurseries
- Restaurants and cafes
- Roadside stalls
- Other developments.

On land zoned RU1 all other development is prohibited, subject to State and Regional Environmental Planning Policies that apply to this land.

Zone SP2 Infrastructure

The objectives of the SP2 –Infrastructure are:

- To provide for infrastructure and related uses
- To prevent development that is not compatible with or that may detract from the provision of infrastructure
- To protect the water storage of Windamere and Burrendong Dams.

On land zoned SP2, the following activities are permitted without consent.

- Extensive agriculture
- Roads
- Water reticulation systems.

On land zoned SP2, the following activities are permitted with consent:

- Aquaculture

- Water Supply Systems (specific for this land) and any development that is incidental and ancillary to Water supply systems.

On land zoned SP2 all other development is prohibited, subject to State and Regional Environmental Planning Policies that apply to this land.

4.3 Native Vegetation

Land at the Park zoned RE1 and SP2 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 (Vegetation in Non-Rural Areas) 2017*⁹ and also considered within the *Biodiversity Conservation Act 2016*. Any clearing of native vegetation requires consideration and possible authorisation under these policies.

Where clearing of native vegetation on land zoned RU1 is required, the Crown Land Manager (CLM) may apply to the relevant Local Lands Services (LLS) region for either development consent or approval of a Property Vegetation Plan (PVP). A PVP is a voluntary but binding agreement with an LLS that nominates and approves clearing and also incorporates positive land management requirements. The CLM should consult the relevant LLS to determine which process is best suited to the reserved land, and the process to obtain approval. Before a PVP can be approved by an LLS, written consent from the Department is required.

Similarly, all land at the Park is covered by *State Environmental Policy (Koala Habitat Protection)* (See 4.4).

4.4 Biodiversity

Under the LGA, 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 the Park. There is no biodiversity certified land or biobanking agreement associated with this land as per the *Biodiversity Conservation Act 2016*.

4.5 Bush Fire Planning

The LEP indicates that the Park is impacted by bushfire prone land (Vegetation Category 2) as shown on the Mid-Western Regional LGA Bushfire Prone Land Map (Figure 5). The NSW Rural Fire Service Guide for Bushfire Prone Land¹⁰ enables the following definition for bushfire prone land at the Park being Vegetation Category 2.

The partially cleared mid-slopes of the Park are considered to be a lower bush fire risk than Category 1. The mapped Category 2 land on the Park 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.

⁹ Part 1 S. (1) (b) of the *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*.

¹⁰ Guide for Bushfire Prone Land Mapping; Version 5b (*NSW Rural Fire Service 2015*).

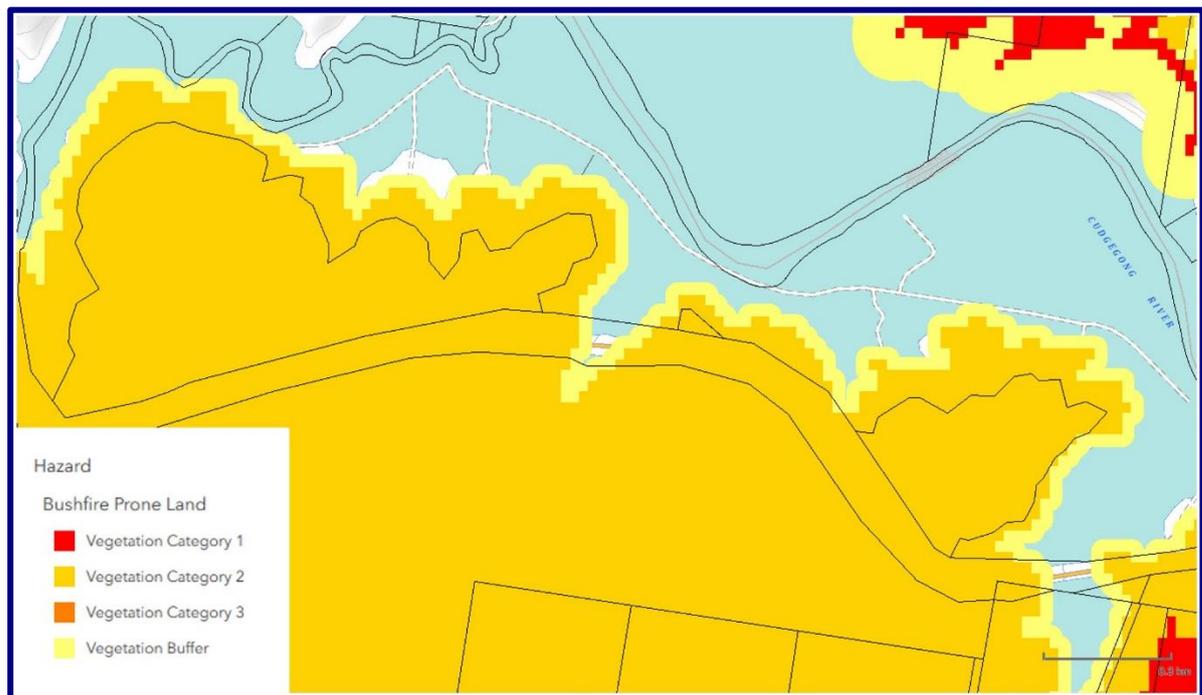


Figure 5 – Vegetation Category for Bushfire Control

Any development application for new works will require assessment in accordance with 79C and 79BA of the *Environmental Planning and Assessment Act 1979* or referral to the NSW Rural Fire Service in accordance with section 91 of the *Environmental Planning and Assessment Act 1979* as a Special Fire Protection Purpose. All development is required to comply with the provisions of “Planning for Bushfire Protection”, prepared by the NSW Rural Fire Service¹¹.

4.6 Flood Planning

The land occupied by the Park is not within the Flood Risk Precincts identified by the Mudgee Floodplain Management Study. The provisions of the Floodplain Management Plan may also apply to land that is affected by localised flooding.

4.7 Groundwater Vulnerability

The objectives of this clause are as follows:

- to maintain the hydrological functions of key groundwater systems
- to protect vulnerable groundwater resources from depletion and contamination as a result of development.

The LEP indicates that the Park is located within the Groundwater Vulnerability Map.

For proposals which if approved will access groundwater, the consent authority is required to ensure impacts such as contamination or others, are not caused by such development.

¹¹ www.rfs.nsw.gov.au/plan-and-prepare/

4.8 Aboriginal Significance

A search of the NSW Government's Office of Environment and Heritage AHIMS Web Services did not reveal that:

- aboriginal sites are recorded in or near the Park (1km buffer)
- aboriginal places have been declared in or near the Park (1 km buffer).

The Park 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

According to the LEP, the Park is not within a Heritage Conservation Area, nor do areas of Environmental Heritage exist.

4.10 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 and Council reserves and, more specifically, the Park. Of particular relevance to the Park:

- ***Towards 2030*** – Endorsing Council's vision of "A prosperous and progressive community we call home", the strategy presents goals, values, aspirations and a sustainable community. It is structured around a number of themes including: Looking After our Community; Protecting our Natural Environment; and Building a Strong Local Economy
- ***Open Space and Recreational Assets Management Plan – Towards 2030 (May 2017)*** – By making available open space and recreational infrastructure for residents and visitors, Council projects budgets and expenditure to operate, maintain and upgrade facilities ensuring good functionality over a ten-year period
- ***Recreational Strategy (2013)*** – Provides direction to Council and the community about the priorities for planning and development of recreational opportunities and facilities over the following 10-15 years. Although the Strategy tends to concentrate on town-based sporting facilities, Windamere Dam is acknowledged as an important Natural Area. The need for interpretational signage in these areas was decided, as was the importance of establishing picnic areas including seating, walking and mountain biking in natural areas
- ***Community Grants Program (February 2021)*** - Establishes criteria by which financial assistance requests from non-for-profit groups will be determined with equity
- ***Long Term Financial Plan 2019 – 29*** – Provides a framework to assist future decision making that will secure economic sustainability and ensure funding is adequate to achieve outcomes the community requires. The Plan is an integral component for the achievement of Council's *Mid-Western Regional Community Strategy Plan Towards 2030*

- ***Leases and Licences of Council Owned and Managed Land and Real Property Policy (2021)*** - Enables Council to consider applications for the leasing and licencing of Council controlled land assets, including Crown Land whilst ensuring Council is consistent and transparent, and complying with appropriate legislative requirements when determining each application
- ***Parks Usage Policy (2019)*** - Applies to all Council managed parks and sports fields and ensures parks are appropriately booked and used to avoid unnecessary excessive and costly damage due to misuse. It applies to a person or persons wishing to organise a passive or active activity within a park or sports field, erect any form of infrastructure (eg. marquee, temporary lighting, sun shelters etc.) or organise an activity for commercial or promotional purposes
- ***Assets Management Policy (2017)*** - Council is committed to a systematic asset management methodology to ensure appropriate asset management practices are applied across infrastructure managed by Council. The Policy ensures assets are planned, created, operated, maintained, renewed and disposed of in accordance with Council's priority of service delivery at the lowest life cycle cost
- ***Information and Direction Signage Policy (2012)*** – Provides a standard for consistent, professional and durable signage throughout the region to promote the region, enhancing visitors' ability to navigate the region using consistent directional signage to genuine tourist destinations.

This PoM draws on the information and direction of these policies and strategies.

5 THE PHYSICAL ENVIRONMENT

5.1 Topography, Hydrology and Drainage

Located between 550 and 595 m above sea level, the Park is positioned on the southern boundaries of the Windamere Dam, with a northerly aspect. It consists of a series of undulating to rolling low hills which range in slope from 2 - 3% on the foot-slopes and side-slopes to 45% at the steepest points. This provides the Park with spectacular views across the Cudgegong Valley (see Figure 6).

The landscape is not strongly dissected by creeks and gullies, although the Cudgegong Creek is located near its north-western boundary before it runs into the water body of the Windamere Lake, while Oaky Creek is just to the east of that boundary, also running north. Some un-named tributary drainage lines exist between the two mentioned creeks which dissect the Park.

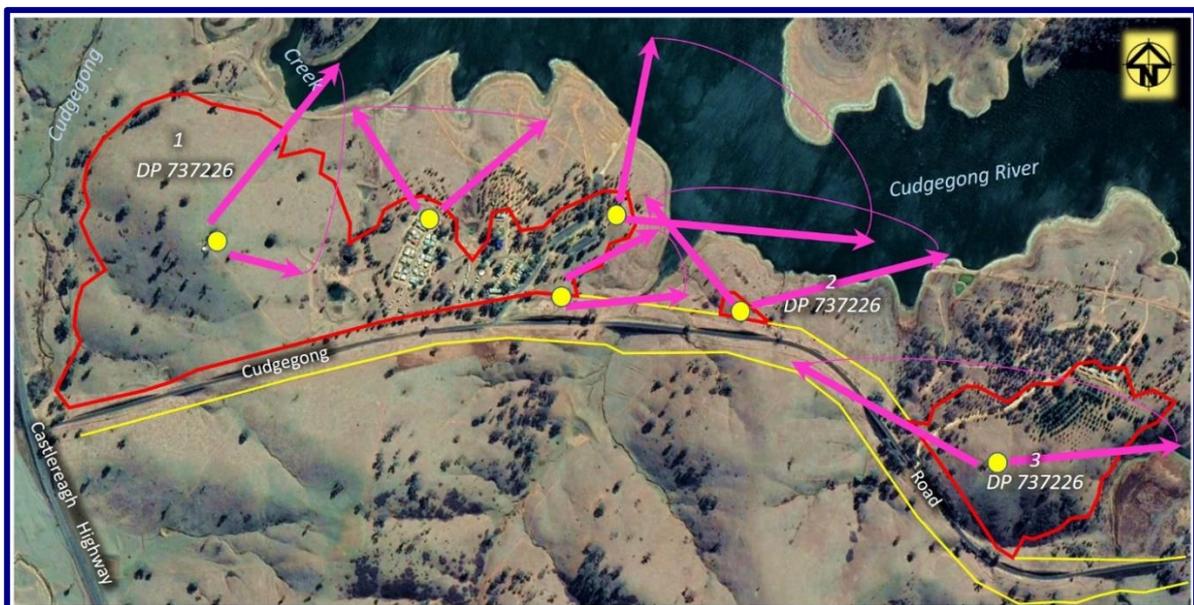


Figure 6 – View Locations

On the Park, several tributary drainage lines have been used for capturing runoff from the slopes providing a water source, complementing the on-site water treatment works, providing for land management maintenance, and fire management (Figures 7 and 8). This is facilitated by the constructions of several large graded banks in key positions, also protecting infrastructure (roads etc.) and confining flow and assigning it to the small dams within the drainage lines.



Figure 7 – Aerial View of the Holiday Park area

Shows the topography of rounded hills of lower, mid and upper slopes. Also shown are a number of water retention works (dams) constructed for purpose within a series of tributary drainage lines. The upper reaches of Cudgegong Creek can be seen in the distant top right.



Figure 8 – Topography, Hydrology and Drainage

Diversion banks and ponds used for sewer reticulation and supplying essential services at Cudgegong Waters Park.

5.2 Geology and Soils

The Park lies within the north eastern margins of the Lachlan Fold Belt, a significant geological subdivision of the east part of Australia. It is a zone of folded and faulted rocks of similar age dominating New South Wales and formed in the Middle Paleozoic (450 to 340 million years ago) now characterised by extreme faulting of what are mainly sandstones, shales and chert with some volcanics. The eastern section of the Park is within the Toolamanang Formation, whilst a fault-line separates it from the Roxburgh Formation towards the eastern sections, where the rock structures show stronger signs of folding, compression and distortion¹². Conglomerates and limestones may also be present.

Strong geological erosion and colluviation has created the current landscape at the Park, as well as a range of soils which belong to the *Buckaroo Soil Landscape*¹³. Shallow stony texture contrast sandy loam brown soils occurring on the mid-slopes, grading into shallow and gravelly loamy soils with nil or minimal subsoil formation on the upper slopes. On the lower slopes and foot-slopes (towards TWL) soil formation has been more complete due to both depth of weathering and colluviation. These slopes carry texture contrast soil profiles with clay subsoils (reddish to yellowish) extend from one to several metres depth, before encountering parent rock of well fractured metamorphosed sediments (Figure 9).

Most soils have hard-setting surfaces, and are slightly acid at the surface (Ph 5.5-6.0), while the subsoils where present merge towards neutral to slightly alkaline trends (Ph 7-7.5) especially where they may be influenced by limestone outcrops. The soils present, range from infertile to moderately fertile, are reasonably well drained, and have a high erosion hazard when exposed/disturbed.



Figure 9 – Geology and Soils at Cudgegong Water Park
Weathering rock structures showing strongly dipping metasediment beds, well weathered and fractured, producing shallow skeletal soils on the upper slopes, to a range of texture contrast soils with reddish – yellowish clay subsoils on the mid or lower slopes. All soils tend to be gravelly and of low to moderate agricultural capability.

¹² Geological Field Guide to the Cudgegong -Rylstone-Area, Lachlan Fold Belt (1994): G. Colquhoun, J. Pemberton, T. Wright Department of Geology, University of Wollongong.

¹³ Espade; Office of Environment and Heritage: [www.environment.nsw.gov.au/eSpadeWebapp//Soil Landscapes of Central and Eastern NSW](http://www.environment.nsw.gov.au/eSpadeWebapp//Soil%20Landscapes%20of%20Central%20and%20Eastern%20NSW).

5.3 Vegetation and Habitat

The native vegetation in the Cudgegong Valley land unit occurs as dry sclerophyll woodland with native and naturalised grass understorey. The canopy is dominated by varying combinations of inland scribbly gum (*Eucalyptus rossii*), grey gum (*Eucalyptus punctata*) and narrow-leaved stringybark (*E. sparsifolia*) on the mid-slopes. The foot-slopes carry a taller forest that has a mixed combination of eucalypts, including rough-barked apple (*Angophora floribunda*), Sydney peppermint (*E. piperita*), grey gum (*E. punctata*), scattered ribbon gum (*E. viminalis*) and Blakely's red gum (*E. blakelyi*) in depressions¹⁴.

However, the native vegetation at the Park has been modified by land management practices including clearing to the extent that it is now considered to represent a *derived* distribution, which is no longer well-structured or intact¹⁵. Lot 1 has been significantly cleared of woody vegetation in the past, although re-plantings for shade and aesthetics have occurred around the main Holiday Park area, access tracks and fence lines. There is more natural regrowth occurring on Lot 3, but the area is mostly devoid of well-structured open woodland, the exception being patches near the entrance to that lot, along the access track and in front of and behind the facilities that have been created there. Significant attempts to re-establish native and non-native trees and shrubs have been successful in parts.

Within the Park, Lot 3 currently offers the highest potential for valuable habitat for native species of birds, marsupials, and reptiles.



Figure 10 – Vegetation and Habitat
Mature Eucalypts along entrance drive into Lot 3; planted Eucalypts and introduced pines on the contour, Lot 3.

¹⁴ The Native Vegetation of North-West Wollemi National Park and Surrounds including Nullo Mountain, Coricudgy and Cudgegong Areas, Version 1 (2012). *Office of Environment and Heritage, NSW National Parks and Wildlife Service NSW Government.*

¹⁵ www.epa.nsw.gov.au/state-of-the-environment/native-vegetation.



Figure 11 – Vegetation and Habitat
Planting trees creates shade and improves aesthetics around camping grounds Lot 3.



Figure 12 – Vegetation and Habitat
Planted native shrubs above amenities area, Lot 3.



Figure 13 – Vegetation and Habitat

Top, pattern of tree plantings of native and introduced species, Lot 3; Left and Right, wildlife enjoying re-creation of habitat through native tree plantings and regrowth, Lot 3.



Figure 14 – Assets Holiday Park and adjoining land



Figure 15 – Assets Cudgegong Waters Park

6 CUDGONG WATERS PARK CONDITION ASSET ASSESSMENT

6.1 Assets

The major assets at the Park occur on and in conjunction with the main Holiday Park grounds on Lot 1 (see Figure 3). These are the built assets of residence, store, administration, cabins¹⁶, road network for Park user access, including long-term site residences¹⁷, serviced camp sites, amenities, water supply and required fire mitigation measures etc. Lot 3 contains a limited range of basic items of infrastructure which service the needs of basic campers at that site. There are no significant assets on the small Lot 2.

All assets at the Park have been inspected and recorded (see Table 1 and Figures 14 and 15), including a preliminary assessment of asset condition.

Table 1 – Condition of Land and Buildings

No	Asset	Condition
Apparent condition: G = Good; F = Fair; P = Poor O = Unusable; R = Requires Maintenance		
Lot 1		
1	Main entrance gate and signage	F
2	Sealed main internal roads	F
3	Cabins (sites 55-61) (<i>Appendix 3</i>)	F/P
4	Cabins (site 30-37) (<i>Appendix 3</i>)	F/P
6	Residence	P/R
7	Office	P/R
8	Amenities 1	F/P/R
9	Gravel service roads including around long-term sites (<i>see layout Appendix 4</i>) and Cabins 55 - 61	P/R
10	Sealed service roads	F/G
11	Former amenities (used as storage) to be removed	O
12	Playground	G
13	BBQs and seating	F/G
14	Water supply treatment works (new)	G
15	Amenities 2 & Camp Kitchen (new)	G
16	Work shed and yard	F/R
17	Fish cleaning table	O/R
18	Sewer pump equipment	G
19	Sewer reticulation pond	G
20	Water storage	G
	Fire hydrant system (new) (<i>Appendix 5</i>)	G
	Water supply	G
	Power installations	G
	Fencing	G
Lot 3		
22	Entrance gate and signage	G
23	All weather access road	G
24	Amenities, storage sheds etc.	F
25	Clubhouse	F

¹⁶ Cabins 30-37, and 55-61 - See layout Appendix 3.

¹⁷ Holiday van sites (29) are considered private assets and not considered as Park asset – see layout Appendix 5.

No	Asset	Condition
26	Tree establishment	F/R
	Fencing	G

Figures 16-22 depict a range of assets across the Park.



Figure 16 – Assets Holiday Park

Top LHS clockwise: Entrance boom gate and signage; cabins (30-37); Older amenities block; Residence / administration / store. Lot 1.



Figure 17 – Assets Holiday Park Internal Roads

Top LHS clockwise: Road connections long-term site residents; masonry drainage; curbed and sealed roadways. Lot 1.



Figure 18 – Assets Holiday Park Recreation Area
Top LHS clockwise: New amenities block; children’s playground; Camp Kitchen; bench seating, shade.

Some major items of key infrastructure have recently been upgraded at Lot 1, including the required fire hydrant network and water supply, and the grey water treatment plant. These are major capital items and will see the needs of the Holiday Park (Lot 1) well into the future.



Figure 19 – Assets Holiday Park: Water Infrastructure
Top LHS clockwise: Water treatment plant; fire hydrant.



Figure 20 – Assets Holiday Park

Left: Fish-cleaning table; boat ramp below main camping ground (outside Lot 1).



Figure 21 – Assets Anglers Club

Top LHS clockwise: Entrance gate and signage; all-weather access road; Clubhouse; Amenities/ sheds. Lot 3.



Figure 22 – Assets Encroaching on State Water Land
Top LHS clockwise: Water Supply Treatment Plant Storage Tank, Dam and Sewer reticulation pond, Dual Road to boat ramp and access road to Long-term site precinct.

6.2 Manager and User Assessment

Consultation for the preparation of this PoM was undertaken with:

- Council officers with executive and operational management responsibilities for the Park
- The licensee and current manager of the Holiday Park
- The licensee of the grazing area of Lot 1
- The Chairperson of the Rylstone Anglers Club
- Site holders of long-term sites and users of short-term and camping sites at the Holiday Park
- Users of the Anglers Club camping area.

The significant issues raised during this consultation and from site investigation were:

- The requirement that the PoM addresses growth, increased visitations, and enduring financial sustainability
- The Holiday Park and the grazing area to the west are a significant asset capable of being a significant tourism drawcard for the Region

- The Holiday Park is fully utilised in some periods and underutilised in other periods. The introduction of a greater variety of activities and accommodation grades and styles is likely to generate greater utilisation. However, this should not be undertaken at the expense of existing users
- The significant improvements to the Holiday Park that have recently been undertaken including new amenities facilities and water treatment plant and reticulation
- The entry statement to the Holiday Park, both along Cudgegong Road and at the actual entry is not appealing with:
 - the decrepit nature of vans in storage areas and the rubbish behind the maintenance depot
 - Council storage of road materials at the entrance
 - Dated signage at the entrance.
- Facilities require further improvement including:
 - the existing managers cottage requires replacement
 - roads in the long-term site area need to be made all weather
 - the old amenities needs to be either replaced or updated.
- The topography of the Park is constraining, however, opportunities exist on:
 - the edges of the Park for expansion
 - the Castlereagh Highway and Cudgegong Road for promotion of the Park.
- The occupation of neighbouring State Water land by the Holiday Park will require formalisation
- The vistas available across Windamere Dam are magnificent, however not fully taken advantage of
- The facilities constructed and maintained under licence to the Anglers Club appear to be well maintained
- An acknowledgement of the natural values of the vicinity, and their sustainable utilisation by all visitors.

7 CURRENT USES

7.1 Client Recreational Users

Short term camping, casual visitations

The Holiday Park provides for short-term stays for visitors with an interest in water sports, fishing, camping, recreational walking or simply relaxing and socialising. Visitors can either use the cabins available on-site or be self-contained using their own accommodation - either tents, vans etc. with the “great outdoors experience” in mind. The current approval to operate a caravan park and camping area permits 30 short-term sites and 30 camping sites.

The Lake is well stocked with fish from a range of species and fishing competitions and peak times such as Easter, attract large crowds and participation.

The Holiday Park also provides for day access to Windamere Dam.



Figure 23 – Recreational Uses
Activities at Cudgegong Waters Park – fishing, boating, camping.

Long term site accommodation

The current approval to operate a caravan park and camping area, under the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021*, permits 29 long-term sites.

The Holiday Park provides 29 powered sites for long-term site occupiers located as shown in Figure 14 and Appendix 4.¹⁸ These sites are occupied in accordance with the *Holiday Parks (Long Term Casual Occupation) Act 2002* and the *Local Government (Manufactured Home Estates, Caravan Parks,*

¹⁸ For the purposes of this Plan of Management a long term site occupier is an occupant of a long term site denoted in the approval to operate. Each occupant of these sites is authorised as a long-term casual occupant as defined in the *Holiday Parks (Long Term Casual Occupation) Act 2002*.

Camping Grounds and Moveable Dwellings) Regulation 2021. Occupation for all sites is due to expire on 30 June 2024 with long-term site occupiers permitted to stay for up to 180 days annually unless extraordinary conditions arise.

The caravan and auxiliary installations situated on these sites are owned by the long-term site occupiers.

7.2 Other Uses

The Holiday Park manager runs a van storage area, storing private mobile vehicles, in two sections of the Holiday Park.

The Park is also used for Anglers' club facilities, bush regeneration and grazing.

7.3 Existing Interests and Tenures

At the Park, licences and other agreements have been issued being:

- A licence for Caravan Park & Recreational Purposes for a term of 10 years (expiring 16 December 2023) to MA & DFL Rodgers over Part Lot 1 DP 737226 and Lot 2 DP 737226. This licence provides for the day-to-day management of the Holiday Park
- A licence for Grazing (expiring 30 December 2022) to MA & DFL Rodgers over Part Lot 1 DP 737226. This licence provides for the occupation of the part of Lot 1 not currently utilised for the Holiday Park
- A licence for Recreation – Day camping, private camping ground and access to Windamere Dam for fishing and boating activities (expiring 30 June 2024) to Rylstone Kandos Anglers Club INC over Lot 3 DP 737226
- Long-term site agreements ¹⁹
- Storage agreements.

7.4 Land Status

The Holiday Park has the following assets (see Figure 22) which are not within the Reserve Boundaries:

- Water supply treatment works
- Sewer pump & reticulation pond
- Road linking long-term sites to main Holiday Park area.

¹⁹ For the purposes of this Plan of Management a long-term site agreement is an *occupation agreement* as defined in the *Holiday Parks (Long Term Casual Occupation) Act 2002*.

PART B – THE PLAN

8 A VISION FOR THE LAND

In its Economic Development Strategy, Mid-Western Regional Council presents its Vision for the region as:

“A prosperous and progressive community that we are proud to call home²⁰”

The statement is a reflection of Council’s broad strategic intent and highlights fulfillment in a community moving forwards whilst creating opportunity. It therefore encompasses the way community lands are shared and used by people in the creation and maintenance of that prosperous environment.

A vision statement developed for a former (1999) Plan of Management for the Park (inclusive of Lots 1, 2 and 3) ²¹ was:

“To undertake ecologically sustainable development of the Reserve to provide a wide range of environmentally sensitive recreational opportunities and experiences for all visitors to the Reserve within the capability of the Reserve to provide such facilities as are appropriate, while conserving where possible, the natural and scenic features of the Reserve, and integrating the Reserve management within adjacent environs.”

This earlier Plan of Management responds to the objects and principles of the former *Crown Lands Act 1989 (now Crown Lands Management Act 2016)*. Subsequent changes in legislation requires that the PoM described in this document, categorises the subject land, then directs its management in accordance with the prescribed objectives for those categories (see Section 9).

Given the new legislative framework for the management of the Park, its various developments and its current and likely use patterns into the future, the following vision statement is proposed:

“A regional recreation destination where the community can enjoy the Cudgegong’s natural assets”.

²⁰ Economic Development Strategy of Mid-Western Regional Council – A 10 Year Plan. *Mid-Western Regional Council*

²¹ Plan of Management for Cudgegong Waters Park. *K. Richardson and Associates Pty Ltd 1999.*

9 OBJECTIVES, CLASSIFICATION AND CATEGORY OF LAND

The Park is classified as community land under the *LGA* as amended by the *Local Government Amendment (Community Land Management) Act 1998*.

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 through to 36N of the *LGA* and also appear in Appendix 1 of this PoM.

It is considered that 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 consistent with respective core objectives, land at the Park under this PoM is categorised as:

- **Natural Area – Bushland**
- **General Community Use**

Figure 24 shows the location of land categories across the Park.

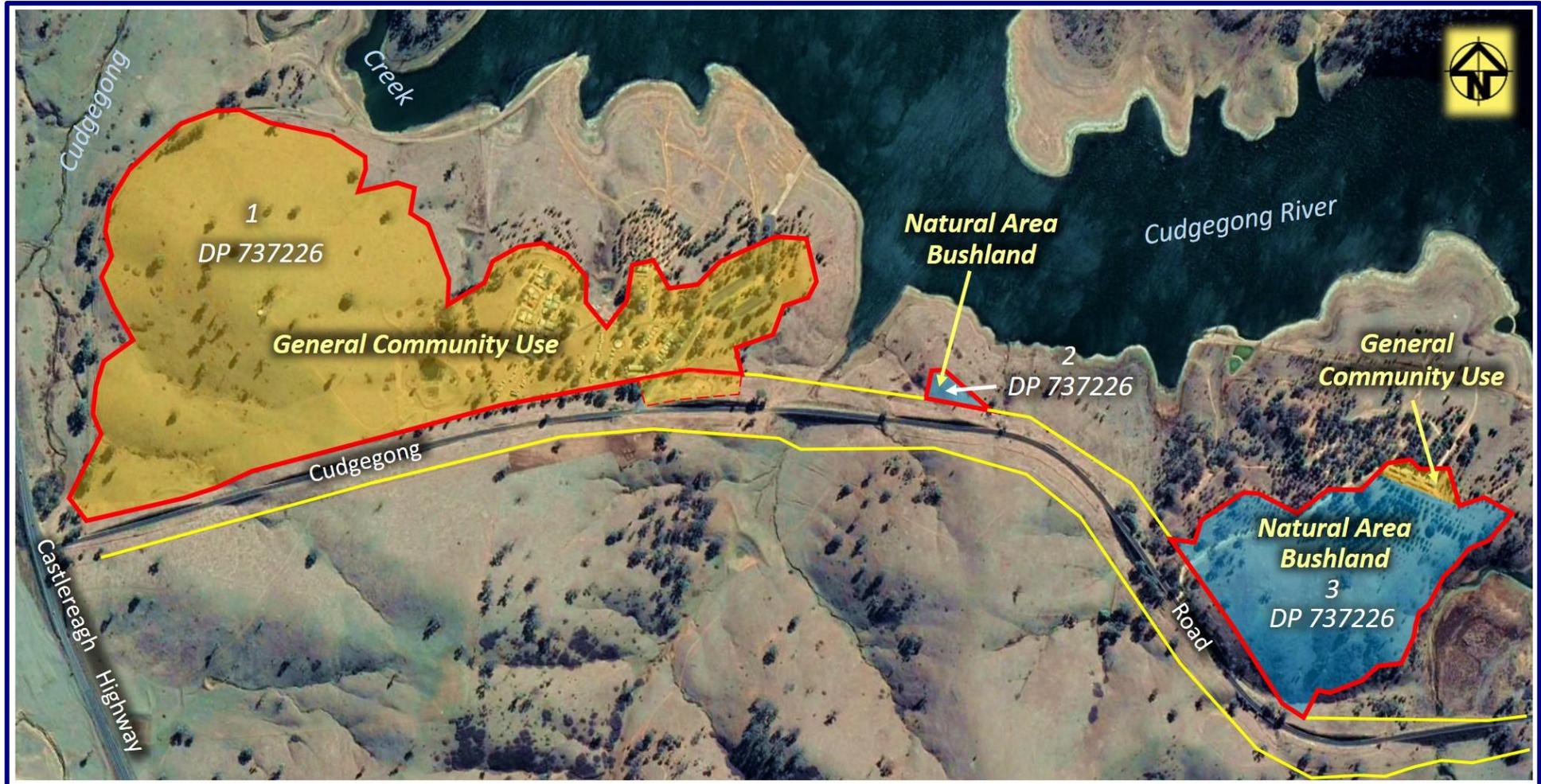


Figure 24 – Land Category

9.1 Natural Area – Bushland

The core objectives for management of community land categorised as a **Natural Area** are:

- 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
- to maintain the land, or that feature or habitat, in its natural state and setting, and
- to provide for the restoration and regeneration of the land, and
- 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
- 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 *Threatened Species Conservation Act 1995* or the *Fisheries Management Act 1994*.

The core objectives for management of community land further categorised as **Bushland** are:

- 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
- to protect the aesthetic, heritage, recreational, educational and scientific values of the land, and
- 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
- to restore degraded bushland, and
- to protect existing landforms such as natural drainage lines, watercourses and foreshores, and
- 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
- to protect bushland as a natural stabiliser of the soil surface.

Description and Location

The area categorised as Natural Area – Bushland occurs across the bulk of the area under licence to The Anglers Club, on Lot 3 (excluding areas which have been improved by the Fishing Club – amenities, clubhouse etc.) and the whole of Lot 2. Overall, it occupies the undeveloped area – essentially the area of native and naturalised grassland, and native woody vegetation on the undeveloped slopes above TWL. As much of the area has been previously cleared of native woody

vegetation there has been a program on Lot 3 to re-establish many native tree and shrub species.

Management Objective

The area categorised as Natural Area – Bushland will be managed to maintain and improve its environmental values consistent with legislative requirements and as an environmental buffer to additional development of the Reserve. Invasive woody weeds are present (eg. Blackberry), which will require management. Maintaining an effective age distribution of the woody (tree) component in conjunction with a well-established understory of native shrubs will enrich existing habitat values. A continuation of tree re-establishment (eg. On Lot 3) is recommended. All environmental values (such as tree management) will require care and consideration in accordance with policy and legislation.

Bushfire management of excessive dry vegetation will be an issue for routine management, especially in relation to adjoining facilities, infrastructure and human safety.

Provision for passive access by the public, respecting the exclusivity of the nearby amenities (eg. those created by the Anglers Club), is a requirement of the legislation as well as the conditions of tenure.

9.2 General Community Use

Relevant 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:

- 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).

Description and Location

The General Community Use area has a strong multi-purpose function and meets the physical, cultural and intellectual needs of the community, whilst also attracting and supporting activities which have a capacity for significant commercial return. It includes:

- Lot 1 with the established Holiday Park and its assets – the major facility of the Park – and the tenured grazing land part of which can be considered potential overflow for camping, and,
- Part of Lot 3 which includes the amenities of the Anglers Club, excluding the area categorised as Bushland.

Management Objective

The area identified as General Community Use (excluding the Holiday Park) will be managed to encourage free and unrestricted access for casual use including walking and exercising, picnicking and general short-term visits. The Holiday Park will provide access to authorised and/or paying visitors for use of built infrastructure and amenities, such as boat ramps, toilets, camping sites, cabins and long-term site dwellings.

The growing of the commercial aspects of the business and its accompanying required infrastructure will be a priority (in particular the recreational touring business). There will be an ongoing need to also address issues associated with aging infrastructure in many cases. Current limitations to allocated camp sites, amenities, storage of equipment including abandoned or partially used camping vans and vehicles will require continued management. Managing sites and services during peak usage times will also be a priority, as will improvements to site maintenance (internal roads etc.) and maintenance of visual amenities.

New commercial developments including new cabins and camp sites at the main Holiday Park, will be part of a Revised Business Plan, as will the relocation and enhancement of the current store and café.

The larger component of the land area categorised as General Community Use, the elevated ridge and slopes to the west of the Holiday Park, has in the past been used for grazing. However, this PoM will identify in this area where the mainstay camping activity can be expanded into the future, and walking and viewing encouraged. Bushfire hazard will be a significant consideration in this area, as grass swards require seasonable management to control fuel loads which will be achieved via short term tenures, supported by grazing levels which maintain a minimal surface cover standard.

All environmental values which occur across the General Community Use area will require management in accordance with policy and legislation.

10 MANAGEMENT AND DEVELOPMENT OF THE CUDGEGONG WATERS PARK

10.1 Reserve Management

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

Council intends to:

- Create opportunities for community consultation and participation in the planning and development as required
- Provide an efficient method and process for approval of all agreed improvements and developments
- Consider access to recreational facilities for users and allow casual informal use consistent with Council's policies and procedures
- Ensure all formal uses of the Park are authorised through appropriate documentation
- Consider how use of the site can provide funding for the maintenance of the facilities for the Park
- Recognise that the ongoing viability of the Park is dependent on meeting the needs of new and existing users
- Facilitate a system whereby enquiries and complaints from the public can be efficiently and promptly dealt with.

Council will issue leases and licences as described in Section 10.3

Management

Council will manage the Park consistent with this PoM, in accordance with its charter.

Council is responsible for the care, control and management of the Park using its powers for the proper pursuit of its objects. These are to:

- Determine and allocate the use of the facilities contained in the Park by tenure holders, hirers and casual users
- Determine the use of the Park in accordance with written applications, and consultation with impacted holders and hirers
- Collect fees for the use of the Park²². Fees set by Council will form part of the income of the Park

²² Council may permit tenure holders to collect fees as part of the tenure conditions.

- Be responsible for the maintenance and repair of the facilities²³
- Ensure the Park is maintained to a presentable standard.

10.2 Permitted Uses and Activities

The Holiday Park permits access for casual users/visitors to the Windamere Dam via areas designated not to conflict with those areas used by Holiday Park users.

Permissible Uses

Table 2 lists the permissible uses of the land to which this PoM applies, subject to Council assessment, approvals and booking/hire systems, together with their scale and intensity and the land category the permissible use relates to.

Table 2 – Permissible Uses

Use	Scale	Intensity	Permissible Category
Access roads	Limited to the physical constraints of the facility and/or to the requirements of the activity	24 hours a day, 7 days a week	All
Amenities	Limited to the physical constraints of the facility and/or to the requirements of the activity	24 hours a day, 7 days a week	GCU
Alternate energy technology	Limited to the physical constraints of the facility	24 hours a day, 7 days a week	All
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 hire agreement	All
Camping and caravanning	Limited to the locations specified in the approval to operate by Council	24 hours a day, 7 days a week subject to hire agreement	GCU
Café /Kiosk	Limited to the hours the facility is booked. Agreement via tenure or hire agreement	Operating hours subject to tenure	GCU
Car parking	Limited to the physical constraints of the facility and/or to the requirements of the activity	24 hours a day, 7 days a week	All
Casual playing of games or informal sporting activities	Limited to the physical constraints of the facility	7 days a week, 8.00am – sunset	All
Children’s programs and events	Limited to the physical constraints of the facility and/or to the requirements of the activity	8.00am – 10.00 pm, 7 days a week subject to tenure or hire agreement	All
Community events (fundraising/charity events, special events)	Limited to the hours the facility is booked. Agreement via tenure or hire agreement	7 days a week, 8.00am – 10.00pm	All
Drainage and irrigation	Limited to the physical constraints of the facility	24 hours a day, 7 days a week	GCU
Emergency 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	All

²³ Fee collection and maintenance responsibilities may delegate to tenure holder through conditions.

Use	Scale	Intensity	Permissible Category
Filming and photography (commercial, amateur)	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	All
Fitness and wellbeing programs	Limited to the physical constraints of the facility and/or to the requirements of the activity	7 days a week, sunrise – sunset	All
Landscaping	Limited to the physical constraints of the facility	24 hours a day, 7 days a week	GCU
Maintenance buildings	Limited to the physical constraints of the facility	24 hours a day, 7 days a week	All
Marquees, tents, stages and jumping castles	Limited to the physical constraints of the facility	Temporary structures	GCU
Mobile food vendors	Limited to the physical constraints of the facility	Operating hours subject to tenure or hire agreement	GCU
Outdoor film screening	Limited to the physical constraints of the facility	Operating hours subject to tenure or hire agreement	GCU
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	All
Paths	Limited to the physical constraints of the facility	24 hours a day, 7 days a week	All
Personal training	Non-exclusive use – up of 6-18 people maximum	7 days a week, sunrise – sunset subject to tenure or hire agreement	All
Public performance or education	Limited to the physical constraints of the facility and/or to the requirements of the activity	7 days a week, 10.00am – 10.00pm subject to tenure or hire agreement	All
Public utility infrastructure	Limited to the physical constraints of the facility	24 hours a day, 7 days a week	All
Remediation works	Subject to noise, workplace health and safety and relevant legislation	24 hours a day, 7 days a week	All
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	GCU
Sponsorship (temporary) and Park signage	As per section 10.10	24 hours a day, 7 days a week	All
Storage facilities	Limited to the physical constraints of the facility	24 hours a day, 7 days a week subject to tenure or hire agreement	GCU
Telecommunication facilities	Subject to relevant legislation	24 hours a day, 7 days a week	All
Youth programs and events	Limited to the physical constraints of the facility and/or to the requirements of the activity	8.00am – 10.00 pm, 7 days a week subject to tenure or hire agreement	All

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 floodways, cycle ways, vehicular access ways and the granting of easements.

10.3 Leases, Licences and other Estates

For this section please see the Explanation of Terms²⁴ 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 in accordance with Section 46.

Tenures may be held by:

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

The maximum period for leases and licences on community land allowable under the *Local Government Act 1993* is 30 years (with the consent of the Minister 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 licenced 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*.

Leases

A lease will be generally required where exclusive use or control of all or part of community land is desirable for effective management. A lease may also be required when the scale of investment in facilities, the 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 *LGA*.
- Maintenance of the facility will generally be the responsibility of the lessees however this will be defined in the lease agreement.

²⁴ 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 the Holiday Park Operator or Council.

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 Cudgegong Waters Park 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 Cudgegong Waters Park for passive recreation, non-commercial purposes without a tenure or hire agreement.

User – The collective term for a holder, hirer and casual user.

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 Cudgegong Waters Park or part, may be issued by Council for any purpose listed below. 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. The Holiday Park Operator may issue hire agreements in accordance with the tenure.

Permits

A permit may be issued by Council to undertake a particular activity on community land. Such a permit may or may not attract a fee.

Purposes for which tenures may be issued

In accordance with Section 46A of the LGA, 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 Plan of Management.

This PoM authorises a tenure to be issued:

- for any permissible use in Table 2
- for purposes consistent with the Park's:
 - categorisation (see Sections 9.1 and 9.2), and
 - zoning (see Section 4.2) under Section 46 of the LGA, and
 - reserve purpose of Public Recreation as required under the CLMA.

However, the CLMA allows that Council may also issue short term licences (for a period of less than one year) consistent with Section 2.20 of the CLMA²⁵. This section provides that licences may be issued, inconsistent with the reservation purpose, for prescribed purposes currently being:

- | | |
|--|--|
| (a) access through a reserve | (e) community, training or education |
| (b) advertising | (f) emergency occupation |
| (c) camping using a tent, caravan or otherwise | (g) entertainment |
| (d) catering | (h) environmental protection, conservation or restoration or environmental studies |

²⁵ Crown Land Management Regulation S.31

- | | |
|---|---|
| (i) equestrian events | (r) military exercises |
| (j) exhibitions | (s) mooring of boats to wharves or other structures |
| (k) filming (as defined in the <i>Local Government Act 1993</i>) | (t) sales |
| (l) functions | (u) shows |
| (m) grazing | (v) site investigations |
| (n) hiring of equipment | (w) sporting and organised recreational activities |
| (o) holiday accommodation | (x) stabling of horses |
| (p) markets | (y) storage. |
| (q) meetings | |

This PoM expressly authorises²⁶ the following tenures:²⁷

- (a) A lease or licence for the operation of the Holiday Park
- (b) A lease or licence to the Rylstone Kandos Anglers Club Inc over Lot 3 Club house and revegetation
- (c) A lease or licence for occupation of the Holiday Park's manager's residence
- (d) The booking and hiring of camp facilities on the areas designated in this PoM consistent with an operating approval under Section 68 of the LGA, the *Holiday Parks (Long Term Casual Occupation) Act 2002* and the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021*.
- (e) Short term (annual) licences for grazing over suitable areas within lots 1 and 3
- (f) Day use access agreements to Windamere Dam
- (g) Long-term site agreements consistent with the *Holiday Parks (Long Term Casual Occupation) Act 2002* and the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021*
- (h) A lease or licence for the operation of the café/kiosk
- (i) Van storage agreements.²⁸

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

- A purpose prescribed by Section 361 LGAct as a core objective of the categorisation of the land and subject to being consistent with the Reserve purpose; or

²⁶ Express Authorisation in Section 46 (1)(b) of the LGA permits tenures to be granted in accordance with and subject to such provisions of a Plan of Management.

²⁷ Consider any additional and/or appropriate improvements to conditions issued by Council, by the term end of the following tenures:

- i. Holiday Park (30 June 2024)
- ii. Rylstone/Kandos Anglers Club Inc (30 June 2024)
- iii. Short-term grazing (January 2021 and annual review thereafter).

²⁸ Van Storage agreements are provided to Van owners who regularly visit and stay at the Park for recreation as their sole or primary destination rather than for the sole purpose of storage.

- 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.

A tenure or hire agreement on Crown land may impact Native title rights and interests. Apart from the tenures/hire agreements specifically authorised above, 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 *Crown Land Management Act 2016* unless Native title is extinguished. For Crown land which is not *excluded land* this will require written advice from 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 this Reserve. This will be indicated by conspicuously displayed signs in accordance with Section 632 and Section 670 of the *Local Government Act, 1993* (as amended).

Direction of Funds

Income produced from the Park will be distributed to and for the management of community lands in the Mid-Western Region Council local government area 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:

- 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 ground²⁹
- use a standing vehicle or any article for the purpose of selling any article in a public place.

²⁹ Approval to operate a caravan park or camping ground is provided by Council under Section 68 of the LGAct consistent with Section 132 of the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021*.

10.5 Allocation

The Park will continue to be used by a variety of users for purposes previously noted. Council and the Holiday Park Operator will endeavor to generate greater utilisation of the Park for recreation and other activities consistent with the Park purpose.

Single Purpose Facility Use

Use of the Park, for a single specific use, will be allocated by Council by way of a tenure (see 10.3) subject to the provisions of the *Local Government Act*, and consistent with the Core objectives (as described in 9). This will allow the Holder to appropriately plan for the development and maintenance of the facilities that have been constructed for that purpose.

While Council will have a strong oversight role, everyday management of the facilities for that purpose, will be the role of the Holder.

Shared Facility Use

Any part of the Park not subject to a tenure issued by Council will be managed by Council. This will include those parts of the Park that are used by more than one user or those which are required for general community access.

Council shall manage the use of shared facilities to both Hirers by way of hire agreement and Casual Users in a fair and transparent manner.

Hire fees and rental will be utilised to contribute to the maintenance of the Park and facility upgrade and replacement.

Long Term Site Agreements

Council will undertake a review of long term sites within the Park and the continuance these sites will be managed on an opportune basis subject to:

- published policies of the DPE-CL
- the business plan and financial viability of the Park
- emergency and humanitarian response
- legislative requirements.

10.6 Fees

Council applies fees for the use of Council reserves. All applicable fees must be paid prior to the hire/use of the Park.

The fees associated with the hiring of Council reserves for major events, concerts, functions etc. are

detailed in Council's *Operational Plan – Fees and Charges*. Council's fee structure is reviewed on an annual basis.

Where the Park is to be hired for a purpose not within Council's *Operational Plan – Fees and Charges*, the fee will be considered and set by the Council after approval.

10.7 Communication in the Management of the Cudgegong Waters Park

Communication between Council, the Holders, Hirers and Casual Users is important to the success of this Plan. Council will establish and maintain clear lines of communication across all Park users, especially relating to the operations of and responsibilities within a (proposed) business model resulting from this PoM. This will include:

- Consolidating the new business model which includes a requirement that occupation, including that of Lessees, is on the basis of formal agreement
- Encouraging better use of the Park, by providing clarity to the Community and Users regarding the revised expectations concerning free and unrestricted access for casual use of the General Community Use area. The Council's Notice board and the website will be the vehicle for informing casual users of their rights and responsibilities in utilising the Park.

10.8 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*.

10.9 Development of New and Improvement of Existing Facilities

Council approval is required prior to any development or improvement made to community land.

All major developments and improvements to be funded (solely or partially) by Council will be subject to approval by Council.

Council will encourage community assistance in the development of new facilities as well as maintenance of existing facilities through the co-operation and assistance of the local community.

Future improvements, maintenance and management of Cudgegong Waters Park (see Development Plans Figure 25 and 26) are to include new works listed following.

The initiative addresses the issues condensed from Section 6.2 above, improving Holiday Park utilisation by a non-traditional client base, using a flat building site with good views, and providing a potential significant income stream whilst improving site aesthetics.

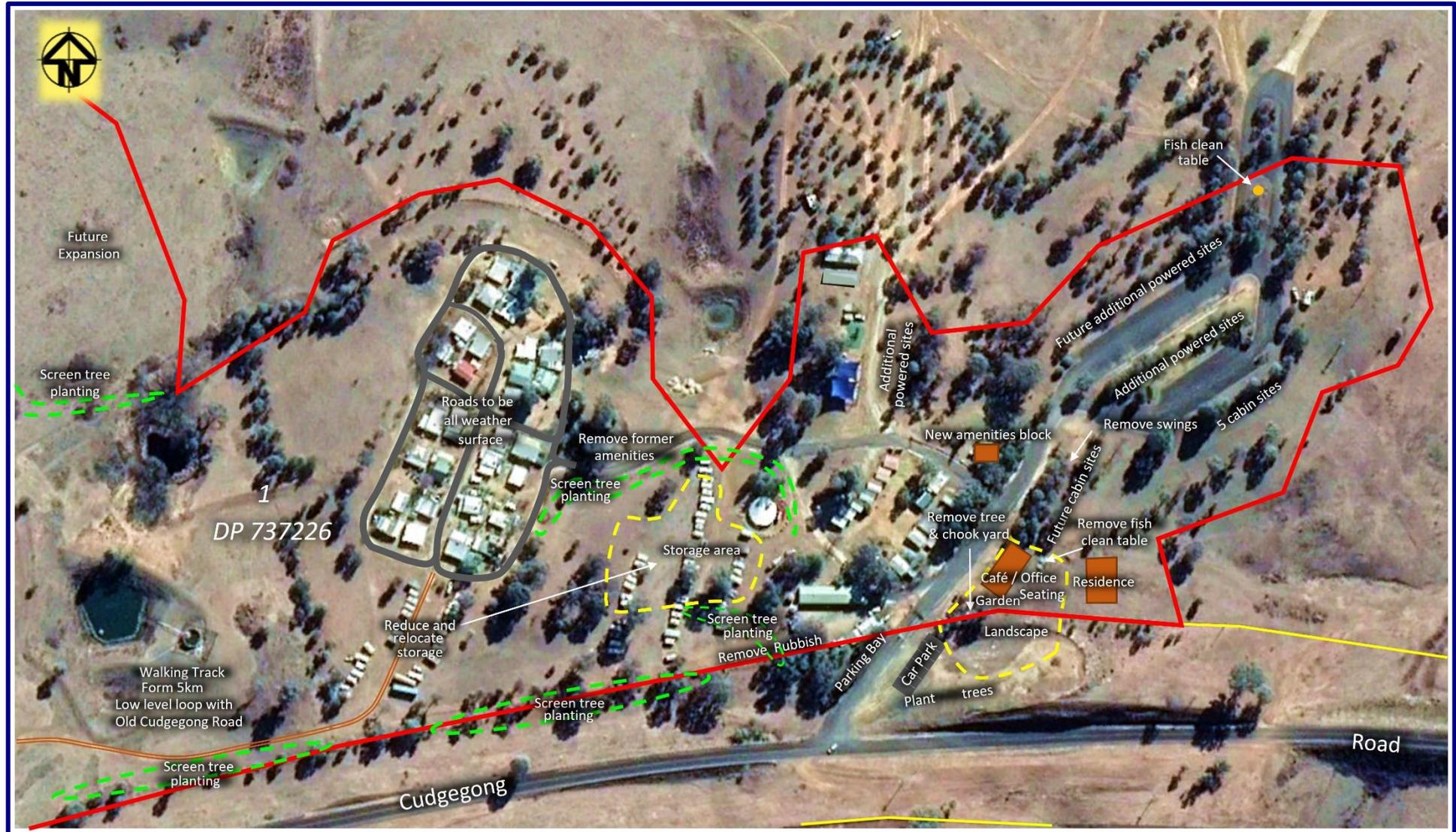


Figure 25 – Future Development Holiday Park
Proposed new works, and improvement and management of existing facilities and land.



Figure 26 – Future Development Cudgegong Waters Park
Proposed Walking Track will create a pedestrian linkage across the whole of the Cudgegong Waters Park

New Works

- Dismantle and replace existing Manager's Residence and position a replacement dwelling to the east of the current entrance as shown on Figure 25
- Design/construct café/office between the new residence and the entrance road, capitalising on lake views and aspect
- New landscaping around café/office
- Demolish and renew amenities block
- Establish additional powered camp sites, northwest of the parking area and in the island within the parking areas, as noted in Figure 25
- Construct modern cabin accommodation (5 units) on the elevated area east of the main entrance track
- Complete playground works
- Relocate the fish cleaning table/area. (Move closer to top water level near boat ramp and provide suitable waste disposal)
- Allocate future camping area extension into grazing area
- Create new walking track – “The Cudgegong Track” which links the facilities of Lots 1, 2 and 3, capitalising on views and utilising parts of the old Cudgegong Road and existing tracks where available due to seasonal reductions in dam water levels (see Figure 26)
- In conjunction with new walking track:
 - install bench seat in prominent spot at hilltop of grazing area of Lot 1, and at vantage point higher slope of Lot 2
 - install appropriate fence crossing mechanisms
- Install signage in accordance with Schedule 1 SEPP 64 and approved by Council (see Section 10.10) which provides for the needs and safety of all Park users for:
 - directions to existing and new facilities, pathways etc.
 - instructions (safety, unauthorised areas)
 - promotional (along the Castlereagh Highway and within the Holiday Park)
 - education (interaction with natural values including native vegetation on Lot 3 etc.).

Maintenance of existing infrastructure and services

- Tidy work/machinery/workshop by removing excess stored equipment and waste materials

from yard

- Improve internal Holiday Park Road network (re-seal surfaces to all weather and runoff management), especially near entrance and linking long-term site residents
- Continue to monitor compliance within long-term site residential area in accordance with tenure conditions
- Carry out essential repairs to amenities, facilities and other major infrastructure as per approved maintenance schedule
- Keep all premises on Lots 1 and 3, neat and tidy
- Manage the Holiday Park in accordance with the operating approval under Section 68 of the *Local Government Act 1993*, the *Holiday Parks (Long Term Casual Occupation) Act 2002* and the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021*
- Continue to monitor the condition of all major building structures (amenities, playground, BBQ areas etc.) and ensure effective maintenance schedule and procedures are in place
- Maintain boundary fences
- Maintain gate facility which will ensure unconstrained pedestrian access by general public to Lot 3.

Caravan Storage

- Rationalise caravan storage area from the current 67, to a manageable number (suggest 25), and proportionally reduce area of existing storage to a single area, depicted in dashed yellow on Figure 25, which is visually screened from Cudgegong Road and internal roads
- The Storage area will be subsequently reduced on an opportune basis subject to:
 - published policies of the DPE-CL
 - the business plan and financial viability of the Park
 - legislative requirements
- Caravan storage will be limited to registered vehicles only and, when in use, must be moved to a short-term site
- Van storage agreements will be issued to Van owners who regularly visit and stay at the Park for recreation as their sole or primary destination rather than for the sole purpose of storage.

Land Management

- Plant suitable trees/shrubs in strategic locations on Lot 1 to screen caravan storage area, and

also provide shade and improve aesthetics and future expansion camping area. (Water drippers may be required to assist establishment. Avoid power line)

- Continue shrub/tree planting and replacement with suitable species on Lot 3
- No burning off without consent of Licensor and in accordance with *Rural Fires Act 1997*
- Ensure efficient and appropriate use of pesticides, herbicides and fertilisers where required
- Ensure appropriate management and maintenance of all vegetated land across camping areas, including woody vegetation (trimming/removal for safety purposes), and groundcover (mowing/slashing at suitable time intervals)
- Develop plans to manage vermin and control weeds on all tenured areas
- In accordance with plans and as required, undertake a targeted control of priority (environmental and noxious) weeds on Lot 3, which threaten the native shrublands and trees
- Regularly manage rubbish and waste removal in accordance with needs
- Adequately consider any proposed development on or near the Bushland area (Lot 3), ensuring the objectives of management of this area are not compromised
- On the tenured grazing area within Lot 1, reduce stock numbers when groundcover falls below 70%
- No clearing of dead or green woody native vegetation and groundcover without the consent of the Crown Land Manager and the appropriate authorisation
- Manage all licence conditions issued by Council to their respective terms, for the following tenures:
 - The Holiday Park, Lot 1³⁰
 - Rylstone/Kandos Anglers Club Inc, Lot 3³¹
 - Short-term grazing, Lot 1³²

Improve Processes

- Prepare a safety audit of the site and repair or replace any areas that may impact on public

³⁰ Ensure maintenance of public access to all areas excluding improvements; no burning off without consent of Licensor and in accordance with Rural Fires Act 1997; manage vermin and control weeds; keep premises neat and tidy; assume responsibilities of all Environmental Law; maintain all plant, machinery, equipment, fixtures and fittings, fences, access ways, gardens and buildings; ensure all permissions and permits required by legislation are in place; erect barricades and signage around unsafe areas.

³¹ Ensure maintenance of public access to all areas excluding improvements; no burning off without consent of Licensor and in accordance with Rural Fires Act 1997; manage vermin and control weeds; keep premises neat and tidy; assume responsibilities of all Environmental Law.

³² Reduce stock numbers when groundcover falls below 70%; not clear dead or green woody native vegetation and groundcover without the consent of the Crown Land Manager.

safety

- Attract new visitations to the Holiday Park and the rest of Lot 1 by promoting the facility through Council papers and media
- Council officers to be present to monitor all issues of compliance and general site amenity
- Enable and promote free and unconstrained access to casual users whilst respecting the exclusivity of tenured infrastructure items reserved for paying public (Lot 1) and/or Anglers Club members (Lot 3)
- Establish relationships with relevant tourism industry-based groups such as Caravan and Camping Industry Association NSW, and Mudgee Region Tourism Incorporated.

Where it is proposed to construct or establish a public work³³ 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 Park Master Plan, Capital Works Program 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.

Any development must comply with the scheme contained in the *National Parks and Wildlife Act 1974* for the protection of Aboriginal cultural heritage.

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 have a significant impact on the aesthetics of a park. All signs must:

- meet a design standard and be approved by Council

³³ 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.

- be sympathetic to their environment in their design, construction and location
- be placed in accordance with *State Environmental Planning Policy No 64 – Advertising and Signage* or *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*
- be consistent with the *Mid-Western Regional Development Control Plan 2013*
- be consistent with Council’s wayfinding and signage strategy.

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, Council must approve as owner, the lodging of a Development Application prior to assessment by Council in accordance with Schedule 1 Assessment Criteria of SEPP No 64.

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.

11 FINANCIAL SUSTAINABILITY

11.1 Funding Options

A major challenge in the future management of the Park, will be to generate income to address increasing costs associated with critical maintenance, as well as permit the implementation of new developments which aim at increasing revenue by attracting different people, and in greater numbers. These new initiatives (as outlined in 10.9 and the Implementation Plan below), aim also at providing a more even distribution of revenues received between seasons and throughout the year, rather than the current reliance on several peaks in visitations associated with major events (see 11.2 below).

Income may be sourced from the following:

- **Council's General Revenue Fund (in accordance with annual operational budgets):** Council will contribute to the maintenance and development of Infrastructure, as per agreement with manager and tenure conditions
- **Section 7.11 Contributions specifically collected for community land:** This component occurs as developer's contributions to the expansion of land and facilities available for the general use of the community and for community well-being
- **User pays for minor infrastructure works:** This occurs through fund raising by the relevant body including memberships, minor sales and raffles etc., and aims at achieving tailoring surrounds and layout which suit and are compatible with the event or activity
- **Community contributions by way of community group projects (eg., Landcare, various service and sporting clubs etc.):** This occurs through grants either sourced externally, and/or contributed locally by the group (eg. for the purposes of environmental works, social and intellectual well-being etc.)
- **Grant and loan funding from either Commonwealth or State Governments:** The implementation of the management structure will allow Primary users to 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 and Environment – Crown lands.
- **Income from commercial operations:** Where tenures are involved, income may arise as per details in the revenue-split in the corresponding agreement. Within the main tenure covering the main camping ground and its facilities, income will result directly from: casual occupation and use of the Reserve such as day visitations, camping fees and motor home visits. It will also come from revenue generated by the proposed cafe and store, and new cabin occupation.

11.2 Emerging Opportunities to Increase Income

Council records indicate the Park is not meeting revenue generation expectations. Hence, consideration of new and emerging opportunities to grow site utilisation and income is required.

As well as consolidating existing arrangements for existing paying users of the Reserve, the Park will modify its services to attract new business from an additional and new clientele. Essentially, these

are visitors/users who may not necessarily require a strong association with the activities of the Lake (such as fishing, boating etc.). These are visitors who may be more interested in the tourist activities the town of Mudgee and its region have to offer, such as the scenic environs, regional history, the Mudgee wineries, other activities and functions. These clients may be attracted to the campground facilities in-passing, or by the improved facilities and improved overnight accommodation available at a more premium level which are proposed in this PoM. Note that the “three-four- hour travel window” from the main centres of the state’s population (Sydney, Newcastle areas), places Mudgee and its region in a strong strategic position to develop this market.

For the benefit from increased patronage to be realised infrastructure will need to be enhanced in several main areas. The following is proposed:

- A new kiosk/café and store which is scenically located and more directly accessible by travelers on the Mudgee-Sydney road and the Rylstone Road, paying visitors to the main campground, and the local community
- Additional services including camp sites for motor homes and vans, and a limited number of well-located stylish cabins
- A rationalisation of some storage issues (eg. disused vans and campers, stored materials and rubble) which otherwise detracts strongly from the visual amenity of the Park
- A linked walking track – “The Cudgegong Track”.

12 IMPLEMENTATION PLAN

Table 3 sets out a number of actions required to implement the identified Management Strategies and Performance Targets within the Park. These actions are the means of achieving the objectives of 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 3 - Implementation Table

Management Objectives	Management Strategies	Actions (A) Council (B) Holder (Park) (C) Holder (Anglers Club)	Performance Evaluation (how they will be assessed)
NATURAL AREA - BUSHLAND			
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	Retain and enhance all native vegetation within the Bushland area by: controlling invasive weeds; managing bushfire hazards; avoiding unnecessary clearing of native plants; maintaining the native vegetation by managing any interventions which would otherwise lead to its degradation.	<ul style="list-style-type: none"> • No clearing of dead or green woody native vegetation and groundcover without the consent of the Crown Land Manager and the appropriate authorisation. (BC) • Adequately consider any proposed development on or near the Bushland area, ensuring the objectives of management of this area are not compromised. (A) • Continue shrub/tree planting and replacement with suitable species to maintain bushland values. (BC) • Ensure efficient and appropriate use of pesticides, herbicides and fertilisers where required. (BC) • Ensure rubbish is routinely removed. (BC) • No burning of native vegetation except with the consent of the Licensor and in accordance with <i>Rural Fires Act 1997</i>. (BC) • Implement the relevant components of Bushfire Management Plan. (ABC) • Regular inspection by Council officers. (A) 	<ul style="list-style-type: none"> • All burning of native vegetation occurs with the consent of the Licensor and in accordance with <i>Rural Fires Act 1997 -no breaches</i>. • Key aspects of the current Bushfire Management Plan have been implemented by relevant authority including required hazard reduction strategies. • Natural habitat maintained and/or showing positive responses to on-ground actions. • No breaches of environmental legislation.

Management Objectives	Management Strategies	Actions (A) Council (B) Holder (Park) (C) Holder (Anglers Club)	Performance Evaluation (how they will be assessed)
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	Manage the way humans access and use the Bushland area.	<ul style="list-style-type: none"> • Maintain fences. (BC) • Provide and maintain gate facility which will ensure unconstrained pedestrian access by general public to Lot 3. (C) • Install signage at prominent points at Lot 3 to show areas where access by the general public is authorised and unauthorised (eg. areas excluding improvements). (C) • Signpost acceptable behaviour regarding interaction with native vegetation. (BC) • Erect barricades and signage around unsafe areas. (BC) • Create walking track which links the facilities of Lot 1,2 and 3. (A) • Ensure rubbish is routinely removed. (BC) • Regular inspection by Council officers. (A) 	<ul style="list-style-type: none"> • Casual access and use of the Bushland area are occurring. • Access and use by people do not compromise bushland values. • Casual access by people to non-exclusive areas is not impeded.
To restore degraded bushland, and	Protect native vegetation within the Bushland area by: controlling invasive weeds; managing bushfire hazards; avoiding unnecessary clearing of native plants; maintaining the native vegetation by managing any interventions which would otherwise lead to its degradation.	<ul style="list-style-type: none"> • Continue shrub/tree planting and replacement with suitable species to maintain bushland values. (BC) • No clearing of dead or green woody native vegetation and groundcover without the consent of the Crown Land Manager and the appropriate authorisation. (BC) • Develop plans to manage vermin and control weeds. (BC) • In accordance with plans and as required, undertake a targeted control of priority (environmental and noxious) weeds, which threaten the native shrublands and trees. (BC) 	<ul style="list-style-type: none"> • Weed control, re-establishment of bushland maintained and/or showing positive responses to on-ground action. • Feral rodents well maintained and under control. • No breaches of environmental legislation.

Management Objectives	Management Strategies	Actions (A) Council (B) Holder (Park) (C) Holder (Anglers Club)	Performance Evaluation (how they will be assessed)
To protect bushland as a natural stabiliser of the soil surface.	Improve all native vegetation within the Bushland area by: controlling invasive weeds; managing bushfire hazards; avoiding unnecessary clearing of native plants; maintaining the native vegetation by managing any interventions which would otherwise lead to its degradation.	<ul style="list-style-type: none"> • Develop plans to manage vermin and control weeds. (BC) • In accordance with plans and as required, undertake a targeted control of priority (environmental and noxious) weeds, which threaten the native shrublands and trees. (BC) • Regular inspection by Council officers. (A) 	<ul style="list-style-type: none"> • Stability of soil surface is not impaired by use, and/or showing positive responses to on-ground actions through the management of native species (woody and groundcover). • Weed control, re-establishment of bushland maintained and/or showing positive responses to on-ground action. • Feral rodents well maintained and under control.

Management Objectives	Management Strategies	Actions (A) Council (B) Holder (Park) (C) Holder (Anglers Club)	Performance Evaluation (how they will be assessed)
GENERAL COMMUNITY USE			
<p>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:</p> <ul style="list-style-type: none"> in relation to public recreation and the physical, cultural and intellectual welfare or development of individual members of the public, and 	<p>Complete essential works in accordance with required approvals.</p>	<ul style="list-style-type: none"> Dismantle and replace existing Manager’s Residence and position a replacement dwelling to the east of the current entrance. (A) Design/construct café/office between the new residence and the entrance road. (A) New landscaping around café/office. (A) Demolish and renew amenities block. (A) Establish additional powered camp sites to east of track to main amenities (7). (Minimal levelling and filling may be required, power, water.) (AB) Construct modern cabin accommodation (5 units) on the elevated area east of the main entrance track Lot 1. (AB) Complete playground works. (B) Relocate the fish cleaning table/area. (Move closer to top water level near boat ramp and provide suitable waste disposal.) Lot 1 (B) Allocate future camping area extension into grazing area. Lot 1 (AB) Create new walking track (“The Cudgegong Track”) which links the facilities of Lots 1, 2 and 3, capitalising on views and utilising parts of the old Cudgegong Road where available due to seasonal reductions in dam water levels. (A) In conjunction with new walking track, install bench seat in prominent spot at hilltop of grazing area of Lot 1, and at vantage point on elevated slope of Lot 2. (A) Install signage which provides for the needs (especially directions to new facilities, pathways etc.) and safety of all campers and Park users in accordance with Schedule 1 SEPP 64 and approved by Council. (ABC) 	<ul style="list-style-type: none"> All new works are completed in accordance with works plans. Manager ensconced successfully in new dwelling. Greater numbers of customers are now using the Community Use area, enjoying all newly installed facilities. Increased cash flow/profit attributed to more visitations. Feedback from user groups and individual passive users to licence holder and Council is positive. Compliance for RV/Caravan use has been achieved and use and cash flow has been significantly improved. Community enjoying unfettered access for casual use of new recreational facilities, particularly the aged and disabled. Visitors are aware of and using new Cudgegong Track. Appropriate signage clearly directs visitors. Grounds are kept tidy and orderly. All feedback from visitors/customers is positive.

Management Objectives	Management Strategies	Actions (A) Council (B) Holder (Park) (C) Holder (Anglers Club)	Performance Evaluation (how they will be assessed)
	Continue to manage and maintain existing assets with approvals as required to appropriate standards.	<ul style="list-style-type: none"> • Rationalise caravan storage area from the current 67, to a manageable number (suggest 25), and proportionally reduce area of existing storage to a single area, Lot 1. (B) • Tidy work/machinery/workshop by removing excess stored equipment and waste materials from yard, Lot 1. (B) • Improve internal road network (surfaces and runoff management), especially near entrance and linking long-term site residents, Lot 1. (B) • Carry out essential repairs to amenities, facilities and other major infrastructure as per approved maintenance schedule. (BC) • Regularly manage rubbish and waste removal in accordance with needs. (BC) • Install signage in accordance with the needs and safety of all campers and Park users in accordance with Schedule 1 SEPP 64 and approved by Council. (ABC) • Manage the Caravan Park - Camping area (Lot 1) in accordance with the approval under Section 68 of the Local Government Act. (B) • Manage all licence conditions issued by Council, for the tenures at Lots 1, 2 and 3. (A) 	<ul style="list-style-type: none"> • Aesthetics of Cudgegong Waters (Lot 1) from main road and entrance, significantly improved. • Stored caravans rationalised and well managed within discrete area allocated. • Built assets are managed in accordance with prescribed standards and community expectations. • General Community Use area orderly, neat, well maintained. • Feedback from user groups including long-term site residents and individual passive users to licensee and Council, is positive. • Efficient signage, no confusion. • Efficient and timely issuing of consents as required. • Tenures being managed appropriately by holders.
	Manage the land for improved and appropriate outcomes.	<ul style="list-style-type: none"> • Maintain boundary fences. (BC) • Ensure efficient and appropriate use of pesticides, herbicides and fertilisers where required. (BC) • Ensure appropriate management and maintenance of all vegetated land across camping areas, including woody vegetation (trimming/removal for safety purposes), and groundcover (mowing/slashing at suitable time intervals.) (BC) • No burning of native vegetation except with the consent of the Licensor and in accordance with Rural 	<ul style="list-style-type: none"> • Improved environmental management outcomes and no breaches of environmental law. • Grounds well maintained in accordance with use agreements and responsibilities, orderly, clean. • Positive feedback from users' groups and individuals. • Grounds well managed and maintained at all times.

Management Objectives	Management Strategies	Actions (A) Council (B) Holder (Park) (C) Holder (Anglers Club)	Performance Evaluation (how they will be assessed)
		<p>Fires Act 1997. (BC)</p> <ul style="list-style-type: none"> • Implement the relevant components of the Bushfire Management Plan.(ABC) • No clearing of dead or green woody native vegetation and groundcover without the consent of the Crown Land Manager and the appropriate authorisation. (BC) • Develop plans to manage vermin and control weeds. (BC) • As required, undertake a targeted control of priority (environmental and noxious) weeds. (BC) • Adequately consider any proposed development on or near the Bushland area (Lot 3), ensuring the objectives of management of this area are not compromised. (C) • Regularly manage rubbish and waste removal in accordance with needs. (BC) • Install signage which provide for the needs and safety of all campers and Park users in accordance with Schedule 1 SEPP 64 and approved by Council. (ABC) • Manage the Camping area (Lot 1) in accordance with the approval under Section 68 of the Local Government Act. (AB) • Manage all licence conditions issued by Council for the tenures at Lots 1, 2 and 3. (A) • Plant suitable trees/shrubs in strategic locations to screen caravan storage area, Lot 1. (B) • Continue shrub/tree planting and replacement with suitable species, Lot 3. (C) • On the tenured grazing area within Lot 1 (short term licence), reduce stock numbers when groundcover falls below 70%. (B) 	<ul style="list-style-type: none"> • Key aspects of the current Bushfire Management Plan have been implemented by relevant authority including required hazard reduction strategies. • Tenures being managed appropriately by holders. • No breaches of environmental and bushfire legislation. • Control of vermin and noxious and environmental weeds is adequate. • No overgrazing in accordance with 70% cover benchmark.
	Monitoring and Compliance.	<ul style="list-style-type: none"> • Consider any additional and/or appropriate improvements to conditions issued by Council. (BC) 	<ul style="list-style-type: none"> • Tenure compliance problems non-existent. • Good cooperation regarding maintenance

Management Objectives	Management Strategies	Actions (A) Council (B) Holder (Park) (C) Holder (Anglers Club)	Performance Evaluation (how they will be assessed)
		<ul style="list-style-type: none"> • Continue to monitor the condition of all major building structures (amenities, playground, BBQ areas etc.) and ensure effective maintenance schedule and procedures are in place. (ABC) • Continue to monitor compliance within long-term site residential area in accordance with S.68 approval and tenure conditions, Lot 1. (A) • Prepare a safety audit of the site and repair or replace any areas that may impact on public safety. (ABC) • Council officers to regularly monitor all issues of compliance and general site amenity. (A) 	<p>responsibilities.</p> <ul style="list-style-type: none"> • General usage has increased. • Community enjoying unfettered access for casual use of new recreational facilities, particularly the aged and disabled. • Audit processes for safety and asset condition reporting developed and working well.
<ul style="list-style-type: none"> • in relation to purposes for which a lease, licence or other estate may be granted in respect of the land. 	<p>Build relationships with existing and new users in order to draw more people to the General Community Use area, to maximise business and cash flow.</p>	<ul style="list-style-type: none"> • Enable and promote free and unconstrained access to casual users whilst respecting the exclusivity of tenured infrastructure items reserved for paying public (Lot 1 and 2) and/or Anglers Club members (Lot 3). (ABC) • Attract new visitations to Lot 1 by promoting the facility through Council papers and media. (AB) • Establish relationships with relevant tourism industry-based groups such as Caravan and Camping Industry Association NSW, and Mudgee Region Tourism Incorporated. (A) 	<ul style="list-style-type: none"> • Passive access of Lot 3 is occurring without compromising exclusivity of Anglers Club infrastructure. • Overflow provisions for primitive camping use in peak times, is working across the Reserve. • Overall increase in visitations.

13 CONSULTATION

Community consultation is an important source of information necessary to provide an effective Plan of Management for community land and is a requirement under Section 38 of the LGA. As such, Mid-Western Regional 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 the Park.

Prior to formal commencement of this PoM, discussions with all Council representatives and the current licensees (Holiday Park, grazing tenure holder and Anglers Club) were conducted, and views on a range of issues were documented. Many additional discussions were conducted between the authors of this PoM, Council officers and users of the site during site visits for the compilation of the PoM.

Council will undertake further consultation as necessary, in accordance with its communication policy, as required under the *LGA*.

14 REFERENCES

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Geological Field Guide to the Cudgegong -Rylstone-Area, Lachlan Fold Belt (1994): *G. Colquhoun, J. Pemberton, T. Wright Department of Geology, University of Wollongong.*

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The Native Vegetation of North-West Wollemi National Park and Surrounds including Nullo Mountain, Coricudgy and Cudgegong Areas, Version 1 (2012). *Office of Environment and Heritage, NSW National Parks and Wildlife Service NSW Government.*

Windamere Dam Factsheet; www.waternsw.com.au

15 APPENDICES

1. Core objectives for categories of community land.
2. State Environmental Planning Policies which are particularly relevant to the Cudgegong Waters Park.
3. Cudgegong Waters Park cabin layout: cabins 30-37; 55-61.
4. Layout of roadway connecting long term sites 1-29.
5. Fire hydrant location at Cudgegong Waters Park.

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 (MORE) RELEVANT TO CUDGEGONG WATERS PARK

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 provides that certain types of works do not require development consent under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A).

Clause 20 of SEPP (Infrastructure) provides that a range of works are “exempt development” when carried out for or on behalf of a public authority (including Mid-Western Regional 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 30m² in area, retaining walls up to 2m in height, landscaping including paving and access tracks, minor external and internal alterations to buildings, open car parks (size is not specified) and demolition of buildings covering an area of up to 100m².

Clause 65 of the SEPP (Infrastructure) 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*. 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 art work) and irrigation systems
 - (vi) amenities for people using the Reserve, including toilets and change rooms,
 - (vii) food preparation and related facilities for people using the Reserve
 - (viii) maintenance depots
 - (ix) portable lifeguard towers
- (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).

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, 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, pergolas, 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 provides the General Requirements for exempt development.

State Environmental Planning Policy No 21—Caravan Parks

The aim of *State Environmental Planning Policy No. 21 – Caravan Parks* is to encourage:

- the orderly and economic use and development of land used or intended to be used as a caravan park catering exclusively or predominantly for short-term residents (such as tourists) or for long-term residents, or catering for both, and
- the proper management and development of land so used, for the purpose of promoting the social and economic welfare of the community, and
- the provision of community facilities for land so used, and
- the protection of the environment of, and in the vicinity of, land so used.

The *strategies* by which that aim is to be achieved are:

- by requiring that development consent be obtained from the local Council for development for the purposes of caravan parks,
- by providing that development consent may be granted that will authorise the use of sites for short-term stays (whether or not by tourists) or for long-term residential purposes, or for both,
- by requiring that development consent be obtained from the local Council for the subdivision of land

for lease purposes under section 289K of the *Local Government Act 1919*.

State Environmental Planning Policy No 64—Advertising and Signage

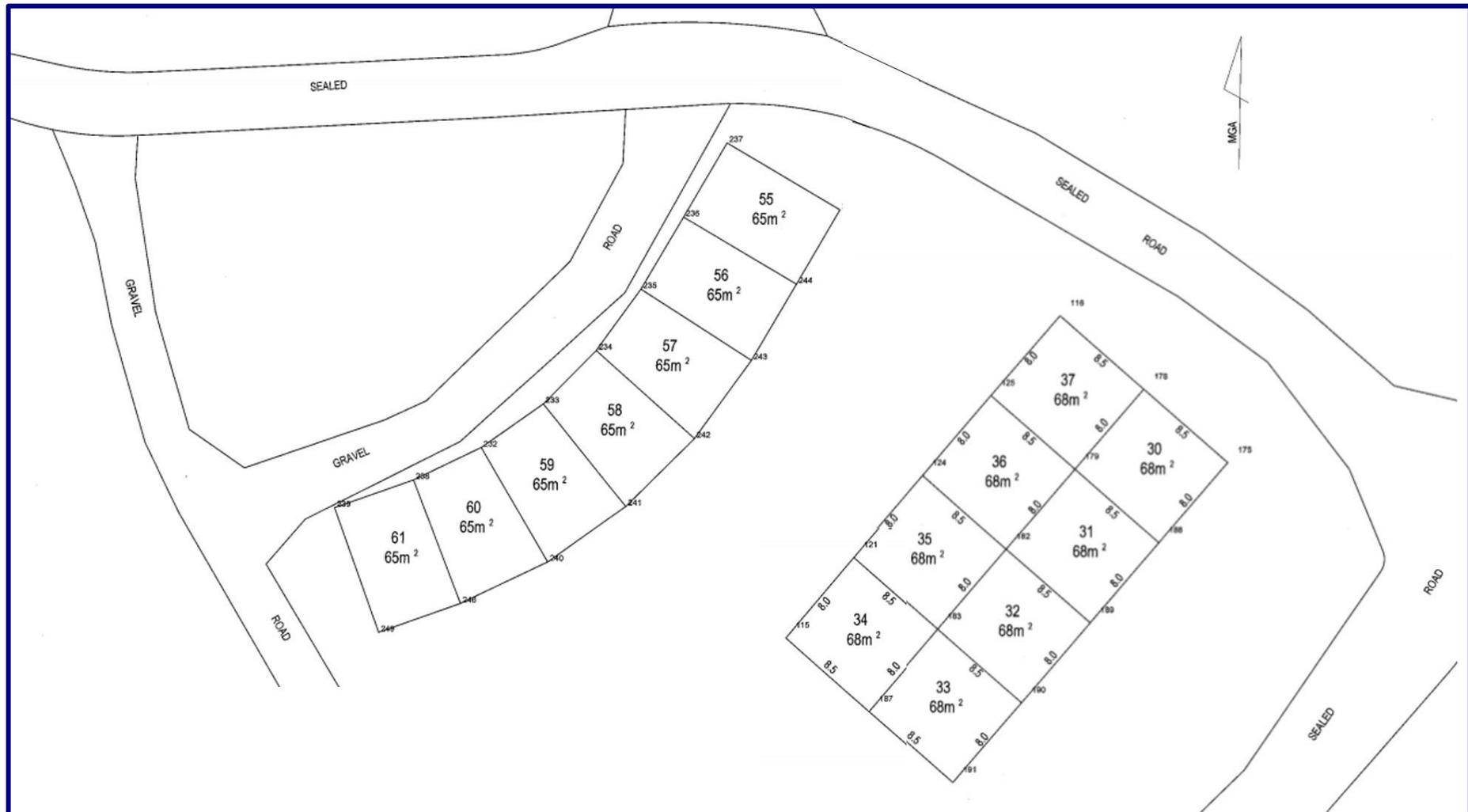
State Environmental Planning Policy No. 64 Advertising and Signage aims:

- to ensure 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.

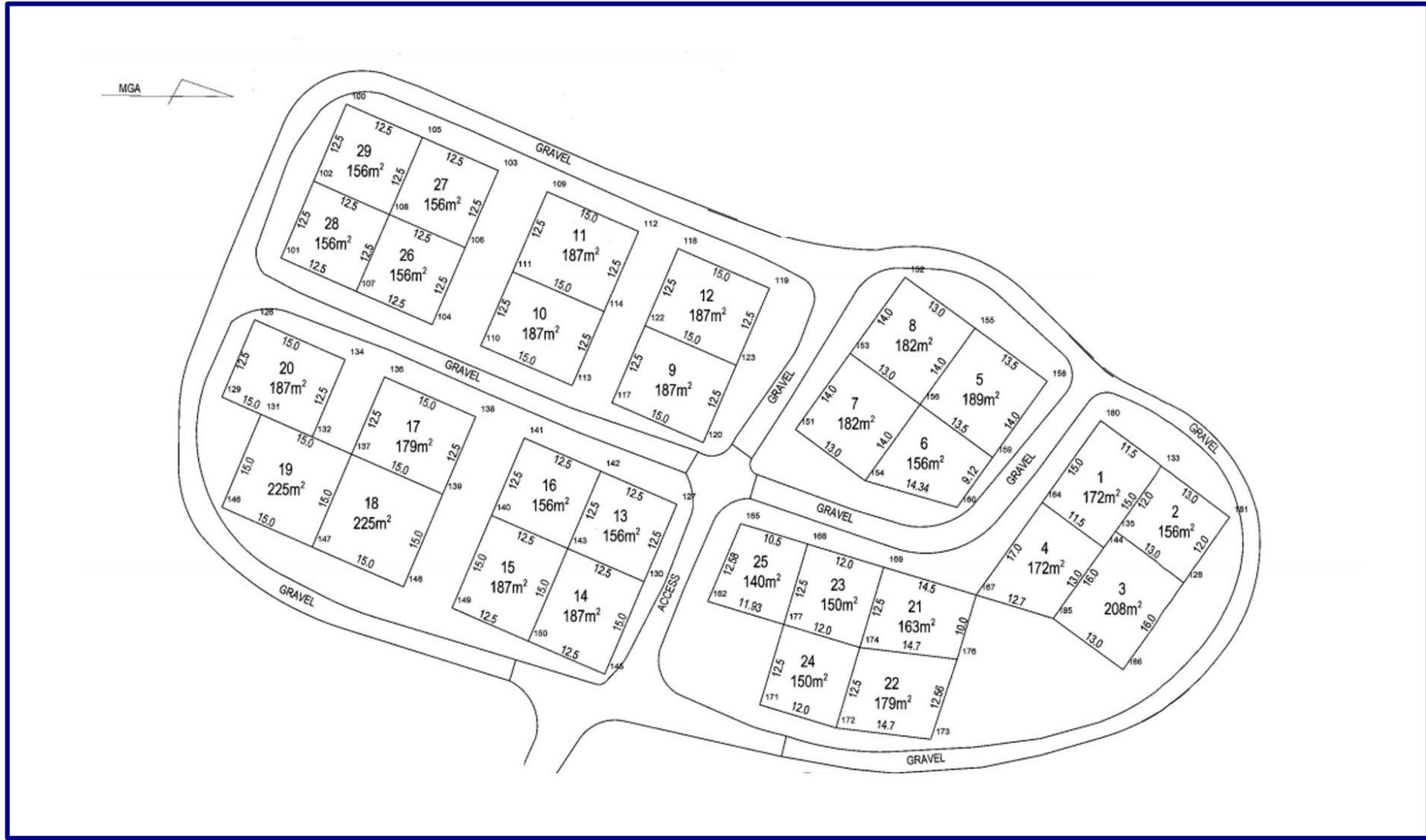
CUDGEGONG WATERS HOLIDAY PARK CABIN LAYOUT – CABINS 30-37; 55-61.

Appendix 3



LAYOUT OF LONG TERM SITES (1-29) AND CONNECTING ROADWAY NETWORK, CUDGONG WATERS HOLIDAY PARK.

Appendix 4



FIRE HYDRANT DESIGN AND LAYOUT AT CUDGONG WATERS HOLIDAY PARK.

Appendix 5

