



Planning Proposal Schedule 1 amendment Cabonne Local Environmental Plan 2012

The Planning Proposal seeks to undertake a Schedule 1 amendment to the Cabonne Local Environmental Plan 2012, to permit a *centre-based child care facility* on part of the Eugowra Showground site. The subject land is zoned RE2 Private Recreation (which will remain the same) and the additional permitted land use of *centre-based child care facility* will be permitted on the land via the Schedule 1 amendment. The subject land is described as Lot 150 DP 750182, being 21 Noble Street, Eugowra.

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Introduction

The Cabonne Local Environmental Plan (LEP) 2012 was implemented on 18 January 2013.

The proposed change to the LEP is to make an amendment to Schedule 1 of the Cabonne Local Environment Plan (LEP) 2012 to permit a *centre-based child care facility* on part of the Eugowra Showground site, being upon land described as Lot 150 DP 750182, 21 Noble Street, Eugowra.

The Planning Proposal as follows addresses each of the items under its various Parts in the following report.

Part 1 – Objectives or intended outcomes

The objective of the Planning Proposal is to permit development for the purpose of a centre-based childcare facility on the subject land, being Lot 150 DP 750182, 21 Noble Street, Eugowra, being part of Crown land under the trustee of Cabonne Council as public recreation for the Eugowra Showground. This will be achieved through an additional permitted use clause under Schedule 1 (Additional permitted use) of the Cabonne Local Environmental Plan 2012 (CLEP 2012).

The subject land is currently zoned RE2 Private Recreation, which will remain the same.

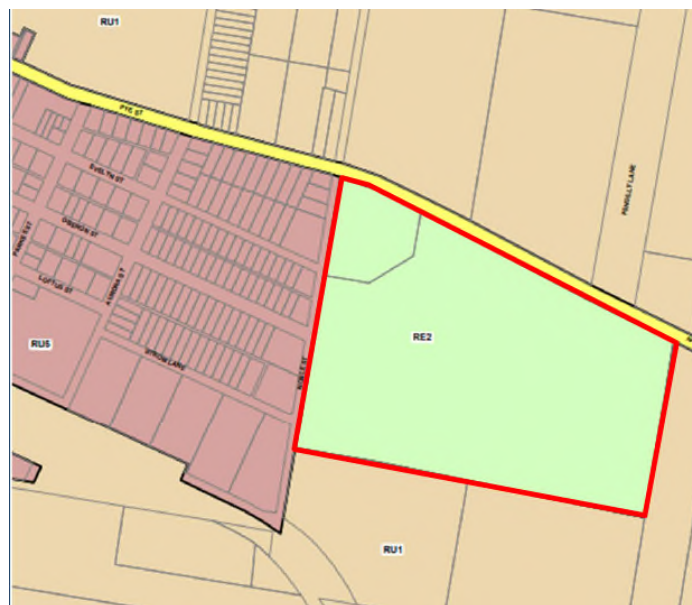


Figure 1 CLEP 2012



Figure 2 Location plan

Part 2 – Explanation of provisions

The objective of the Planning Proposal is to permit an additional permitted use (centre-based child care facility) under schedule 1 of the CLEP 2012 for the subject site.

Under the standard instrument a centre based child care facility means:

centre-based child care facility means—

(a) a building or place used for the education and care of children that provides any one or more of the following—

- (i) long day care,
- (ii) occasional child care,
- (iii) out-of-school-hours care (including vacation care),
- (iv) preschool care, or

(b) an approved family day care venue (within the meaning of the *Children (Education and Care Services) National Law (NSW)*),

Note—

An approved family day care venue is a place, other than a residence, where an approved family day care service (within the meaning of the *Children (Education and Care Services) National Law (NSW)*) is provided.

but does not include—

(c) a building or place used for home-based child care or school-based child care, or

(d) an office of a family day care service (within the meanings of the *Children (Education and Care Services) National Law (NSW)*), or

(e) a babysitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or

(f) a child-minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium) to care for children while the children's parents are using the facility, or

(g) a service that is concerned primarily with providing lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or providing private tutoring, or

(h) a child-minding service that is provided by or in a health services facility, but only if the service is established, registered or licensed as part of the institution operating in the facility.

Note—

Centre-based child care facilities are a type of **early education and care facility**—see the definition of that term in this Dictionary.

The planning proposal will seek to amend the Cabonne Local Environmental Plan 2012 by:

Adding a clause in Schedule 1 Additional permitted use, to permit a centre based child care facility on Lot 150 DP 750182, 21 Noble Street, Eugowra, subject to development consent.

No changes to mapping is required by the Planning Proposal proceeding.

Future development applications would be required to be submitted for determination post gazettal of the Planning Proposal.

There is no text required to be amended in the LEP (other than an amendment to Schedule 1) on the basis that the objectives of the zone and the land uses permitted with, without consent and prohibited, by virtue of the land use tables for the RE2 zone, would remain the same.

The Planning Proposal will provide a flood free location for the rebuilding of the community-based Eugowra childcare facility at the Eugowra Showground, while retaining the overall use of the showground land for showground related uses.

Part 3 – Justification

This section of the Planning Proposal sets out the justification for the proposed outcomes and provisions, and the process for their implementation. The questions to which the information has been provided are taken from the Department of Planning and Environment's 'A guide to preparing Planning Proposals'.

Background

Prior to 2022 the Eugowra childcare facility was located at 41 Nanima St, Eugowra being Crown land dedicated for public recreation and under the care and control of Cabonne Council. The pre-school was located within Lot 7009 DP 1021063 (as below) and was within a distance of 120m to the Mandagery Creek.

On 14 November 2022 a major flood event was experienced in the Eugowra township. Due to its proximity to the creek, the childcare facility was inundated with flood waters and debris and experienced extensive irreparable damage, as identified subsequently in the NSW Public Works (PWA) assessment report.



Figure 3 Namina Street site of Eugowra Community Childrens Centre prior to November 2022

Due to the NSW Public Works findings and the inability to have a temporary building on the site, the Eugowra showground was identified as a potential temporary site for the childcare facility. DA 2023/185 was lodged with council for a community facility pre school and approval for a maximum term of 3 years was granted 25 July 2023 whilst a potential permanent site was investigated, identified, and constructed. The community has identified land at the Eugowra Showground as the preferred location for the permanent childcare facility due to this being significantly less flood liable land, and funding has been sought from State and Federal agencies to enable the facility to be constructed. Council is assisting the community, the community based childcare centre group, and the Eugowra Showground trust to facilitate the relocation of the childcare centre at Eugowra.



Figure 4: Flood damaged former pre school site – Nanima St, Eugowra



Figure 5: Temporary site of pre school – Noble Street, Eugowra



Figure 6: Proposed site for the permanent pre school facility, Noble Street, Eugowra

The Eugowra Showground is a Crown reserve owned by the State of NSW for the purpose of public recreation and managed by Cabonne Council for the benefit of the community for the purposes of the Crown Land Management Act 2016. The showground land contains two allotments being Lot 150 DP 750182 which is the land subject to this planning proposal and is vacant land located on the corner of Noble Street and Nanima Road, and the main showground land being Lot 71 DP 750182. Combined the area of the public recreation reserve is 40 ha, while Lot 150 has an area of 3.2ha.

A draft Plan of Management prepared in June 2023 applies to the Eugowra Showground (Reserve D590015) and identifies both allotments of the showground land as categorised as Showground and General Community Use. The land is classified as community land under the Local Government Act 1993 and s3.22(1) of the Crown Land Management Act 2016.

The draft Plan of Management for the Eugowra Showground includes both the temporary location of demountable buildings to house a temporary childcare centre (contained within Lot 71), while also recognizing the Eugowra community's need for a permanent childcare facility and identifies a long-term site within Lot 150 DP 750182.

The Eugowra Community Childcare Committee and the wider community have identified an area of vacant Crown showground land situated at the southern end of Lot 150 DP 750182 for the proposed replacement childcare centre, with frontage to Noble Street. Also to be located upon the subject land, to the north of the allotment will be a new Rural Fire Service depot, as the current RFS depot location, adjacent to the flood impacted Namina Street former childcare site, also requires relocation to land less impacted by flood risk.

The current use of the main showground site (Lot 71) as shown in the Figure 8 below includes public recreation, showground, community purposes and rural services. The site includes a trotting track (racecourse), showground facilities and amenities, ancillary purposes including pony club and sheep dog trial areas. The local SES unit is also housed on the site. In 2021 a flood mitigation levee bank known as the Puzzle Flat Levee was constructed along the southern boundary of the showground land. Currently a multipurpose community centre, including an emergency evacuation centre, is under construction on the main showground site.

Lot 51 is vacant land and is used intermittently for agriculture purposes. In the aftermath of the 2022 natural disaster that impacted Cabonne and in particular Eugowra, an area of land towards the southern boundary of Lot 150 was utilised as a compound for the temporary offices and depot for the NSW Reconstruction Authority and contractor Lipman, and EPA's contractor Avcon. Currently the temporary compound is being decommissioned.

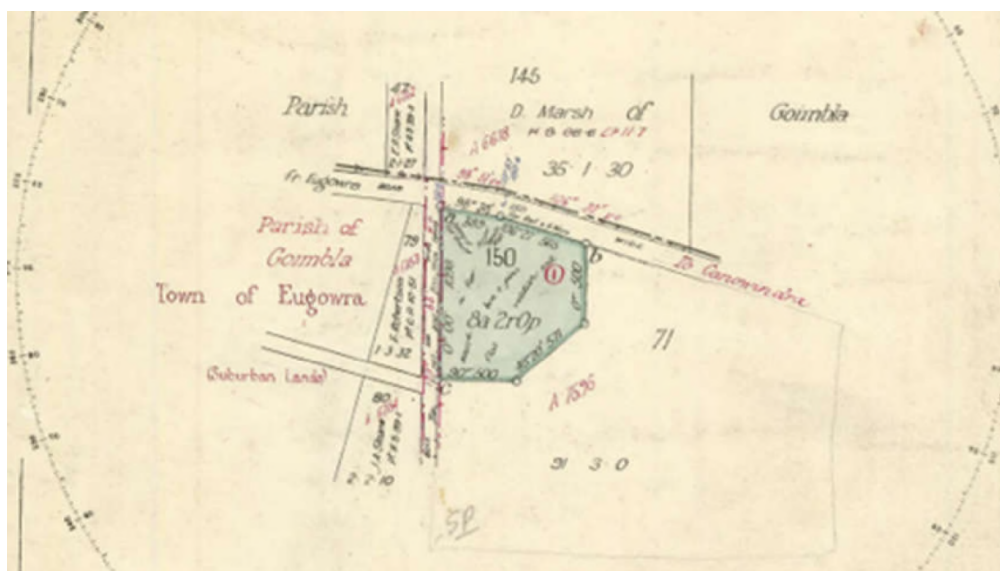


Figure 7: Crown land plan for Lot 150

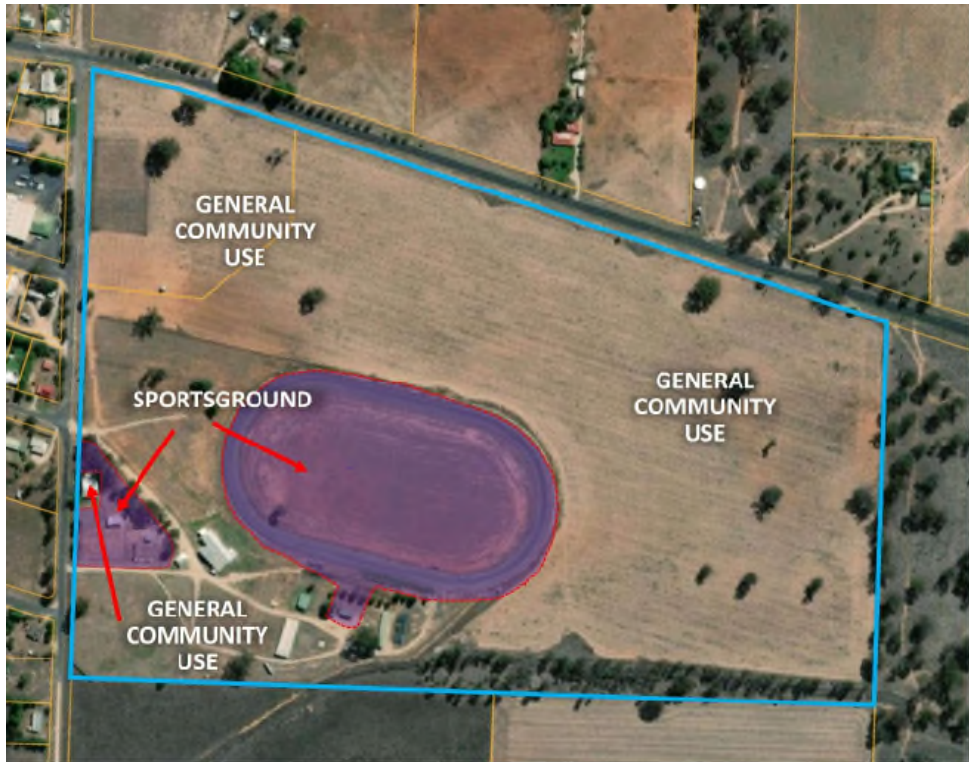


Figure 8: Extract from draft POM Eugowra Showground



Figure 9: Concept plan – child care centre, Noble Street, Eugowra

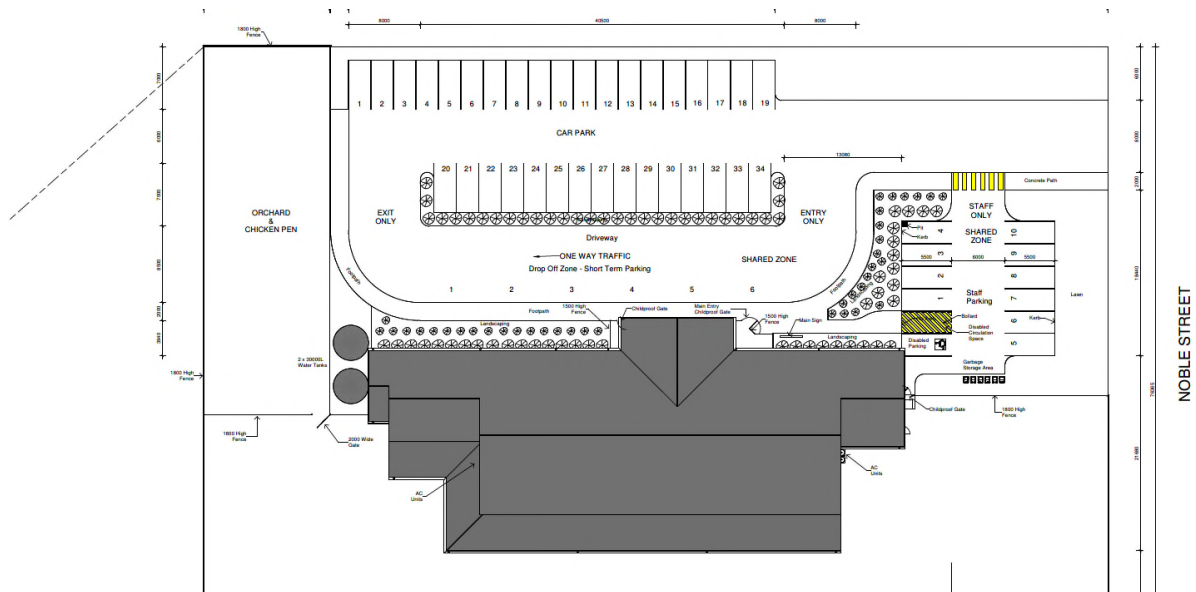


Figure 10: Concept plan layout

The Nanima location for the initial pre school facility was licenced for the attendance of 45 children, while the temporary site at the showground currently hosts 44 children with a waiting list of 5 local families. The proposed permanent facility is to be designed for 87 local children with 75 of those being pre school and 12 places for long day care. Changes to NSW education legislation now requires attendance at preschool prior to a child commencing kindergarten, hence the increased demand at Eugowra for pre school placements.

Section A – Need for the Planning Proposal

Q.1 Is the Planning Proposal a result of any strategic study or report?

The planning proposal is not the result of a specific study or report. The need for the facility is an outcome of the Cabonne Flood Recovery Plan, and a key issue for the Eugowra community as part of its flood recovery measures.

Q.2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The subject land is currently zoned RE2 Private Recreation and is situated adjacent on the eastern edge of the village of Eugowra. The site and the adjacent Crown land allotment is the location of the Eugowra Showground and trotting track.

The objective of enabling the relocation of the community-based Eugowra pre-school to the site can only be achieved by an amendment to the Cabonne Local Environmental Plan 2012 via a Planning Proposal.

It is noted that while the temporary facility was provided development consent on a temporary basis as a community facility (pre-school) that this definition does not

provide flexibility in its management/operation, and as such is a restrictive definition suitable for a short term only until the land use definition of a centre based child care facility can be permitted on the site via a planning proposal.

Section B – Relationship to strategic planning framework

Q3 Will the Planning Proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plan or strategies)?

The Central West and Orana Regional Plan 2036 came into effect in June 2017 and applies to the Cabonne LGA. The proposed planning proposal for an additional permitted use of centre-based child care facility upon the subject land is not specifically discussed in the Central West & Orana Regional Plan. However, the proposal is not contrary to the actions outlined in the plan, which are discussed below.

Central West and Orana Regional Plan 2041

The planning proposal is consistent with the actions of the Central west and Orana Regional Plan 2041 as follows:

Direction	Assessment
Part 1 Region shaping investment	
Objective 1 – Deliver the Parkes Special Activation Precinct and share its benefits across the region	The provision of childcare services supports housing and land use strategies associated with the regional benefit of the Parkes SAP.
Objective 2 – Support the State’s transition to Net Zero by 2050 and deliver the Central West Orana Renewable Energy Zone	The CWO REZ does not include most of Cabonne, Eugowra or the subject land, however solar energy and energy efficiency measures can be incorporated in the development of the child care facility and infrastructure.
Objective 3 – sustainably manage extractive resource land and grow the critical minerals sector	There is low risk to extractive industries or mineral resource lands as the subject land adjoins residential land and is not near any existing extractive industries or known mineral resource areas.
Objective 4 – Leverage inter-regional transport connections	The proposal supports the growth and wellbeing of the local community. The proposal has no adverse impact upon objectives for developing efficient inter regional rail, road and logistics networks.

Part 2 Sustainable and resilient place	
Objective 5 – identify, protect and connect important environmental assets	The subject land is a modified landscape, being part of the Eugowra showground land. The area has been cleared of native vegetation and is open grassland and cropping land. The site is not identified as having environmental or biodiversity value.
Objective 6 – support connected and healthy communities	The use of the site for a childcare centre will not compromise the use of the surrounding showground land for private recreation, and will enhance the community access to, and use of the adjacent recreational areas.
Objective 7 – plan for resilient communities	<p>The establishment of a childcare facility on the subject land is primarily in response to siting development away from high-risk flood land (and to protect vulnerable members of the local community from risk).</p> <p>The proposal addresses this issue throughout the report. In particular, the 1:2000-year flood event that impacted Eugowra so severely and tragically on 14 November 2022 from Mandagery Creek, did not reach the Eugowra showground. The construction of the Puzzle Flat Levee successfully protected the showground land from overland flow from the Puzzle Flat Creek catchment northeast of the town. The subject land is mapped as grassland and bushfire prone. A bushfire assessment report has been prepared for the site and indicates that any future development can be managed with appropriate design measures.</p>
Objective 8 – Secure resilient regional water resources	The development proposes connection to the reticulated Central Tablelands Water supply and is unlikely to place significant load on the network. Roof catchment of water as an alternative

	supply and for fire requirements may be considered and will be addressed at Development Application stage.
Objective 9 – ensure site selection and design embraces and respects the region’s landscapes, character and cultural heritage	The proposal addresses Aboriginal heritage and non-indigenous heritage sites and places. The proposal will not impact any heritage site or detract from the visual amenity of the town of Eugowra. The proposal will add to visual amenity of the character of the showground lands and surrounding village housing.
Objective 10 – Protect Australia’s first Dark Sky Park	The site is in excess of 200km from the Sidings Springs Observatory and therefore outside the Dark Sky area. However, light spill will be addressed at Development Application stage.
Part 3 People, centres, housing and communities	
Objective 11 – Strengthen Bathurst, Dubbo and Orange as innovative and progressive regional cities	The proposal provides opportunity for flow on effects from regional growth, including opportunities for employment and housing to support the region.
Objective 12 – Sustain a network of healthy and prosperous centres	The proposal supports the economic growth and development of the locality and the contribution that has to the region.
Objective 13 – Provide well located housing options to meet demand	Not applicable. However, the proposal is consistent with the Cabonne Settlement Strategy and suitably located to avoid conflict with future housing growth.
Objective 14 – Plan for diverse, affordable, resilient, and inclusive housing	Not applicable. The proposal however does support residential and employment strategies
Objective 15 – Manage rural residential development	Not applicable
Objective 16 – Provide accommodation options for seasonal, temporary, and key workers.	Not applicable. However, the provision of childcare strongly supports employment opportunities for families, parents and carers utilising the proposed development
Objective 17 – Coordinate smart and resilient utility infrastructure	The site is located adjacent the urban area of Eugowra and will utilise existing

	available utility services including reticulated water, sewer, electricity, and the existing local road system.
Part 4 Prosperity, productivity, and innovation	
Objective 18 – Leverage existing industries and employment areas and support new and innovative economic enterprises	The proposal supports diversity of employment and economic growth to improve the sustainability of Eugowra.
Objective 19 – Protect agricultural production values and promote agriculture innovation, sustainability and value add opportunities.	Not applicable
Objective 20 – Protect and leverage the existing and future road, rail and air transport networks and infrastructure	The site is not near any rail or air infrastructure. The site fronts an existing local road.
Objective 21 – Implement precinct-based approach to planning for higher education and health facilities	Not applicable
Objective 22 – Support a diverse visitor economy	Not applicable
Objective 23 – Supporting Aboriginal aspirations through land use planning	The proposal is unlikely to have impact on Aboriginal cultural or and heritage and aspirations due to the altered environmental landscape of the showground precinct.
Part 5 Local Government priority – Cabonne – economic diversity of towns and villages.	
The economic diversity of towns, villages and commercial centres	The proposal supports the economic diversity of Eugowra and surrounding area
Appropriate development in villages	The proposal is consistent with the Cabonne Settlement Strategy
Ensuring long-term benefits for the LGA from the mining & agribusiness sectors, & associated businesses	The proposal supports the growth of the area
Protecting agricultural land from residential development	The proposal is consistent with the Cabonne Settlement Strategy
The local, regional, & state transport network	Addressed in objective 20 and section 3 of the report

Using rural character to diversify the economy in areas such as tourism	Supports the diversity of the economy
Implementing the Blayney, Cabonne, & Orange Subregional Rural & Industrial Lands Strategy	The Cabonne Settlement Strategy applies to this land and the proposal is consistent with the strategy. The proposal is not inconsistent with the aims and objectives of the sub regional plan
Managing growth pressures associated with the growth of Orange	Addressed in objectives 11 and 12 above.
Identifying opportunities for the LGA as the wider region's economy diversifies, and leveraging its accessibility to Dubbo, Orange and the Parkes SAP.	Addressed throughout the assessment above and in Section 3 of this report.

The planning proposal is consistent with the regional plan as the proposed establishment of the Eugowra childcare facility will provide invaluable social and community support to the district's young families, while building community resilience in the town's flood recovery efforts. The proposed development is estimated to be in excess of \$6m and will support employment and investment in the town, provide a much-needed facility, will enhance the economic growth and diversity of the town and support and social connectivity of the community.

Q4 – will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

Local Strategic Planning Statement (LSPS)

The Cabonne Local Strategic Planning Statement sets out the 20-year vision for land use planning across the shire and outlines how growth and change will be managed. In conjunction with the Cabonne LEP 2012 and the Community Strategic Plan the LSPS gives effect to the Central West and Orana Regional Plan.

The following planning priorities are relevant to the planning proposal and include:

Planning Priority 4: Support and promote sustainable development within our villages and celebrate our history,

Strategic Direction: Encourage sustainable development within the villages to support the local economies.

The provision of a childcare facility at the Eugowra Showground site will provide a service that is essential to the wellbeing of the community in its flood recovery program and fosters sustainable development into the future.

Planning priority 6: Ensure infrastructure and facilities cater for the changing needs of our community.

Strategic Direction: Provide appropriate infrastructure for the communities of Cabonne to ensure that it meets the needs of our community.

The proposal will require services and infrastructure to support future development of the site. Such services would be provided as part of the development and will not impose a burden on the community.

Planning priority 7: Protect and enhance our landscape, biodiversity, and waterways.

Strategic Direction: Avoid, minimise, mitigate impacts to biodiversity to ensure it is available for future generations.

The subject land is cleared pasture land, and the development of the area for the proposed pre school will not have an adverse impact on biodiversity, waterways or the landscape.

Planning priority 8: minimise natural hazards to mitigate their impacts on our communities.

Strategic Direction:

Provide appropriate mechanisms to ensure public awareness of natural hazards.

Ensure that new development is appropriate for the known natural hazards of the area.

The site is mapped as partially flood liable and Category 3 grassland bushfire prone. Appropriate building design and use of compatible materials can be utilised to address these matters and will be assessed in detail as part of future development applications for the subject land.

Planning priority 9 – mitigate and adapt to climate change.

Strategic Direction: Mitigate the adverse impacts of increased temperatures as a result of climate change.

Energy efficiency of the building will be assessed at both development and construction phases of the project.

Cabonne Settlement Strategy 2021 – 2041

The strategy aims to guide council and NSW government decision making on areas for future business and residential expansion over the next 20 years.

The strategy identifies the western edge of the Eugowra Showground land as suitable for community purposes. The planning proposal is consistent with this strategic vision.

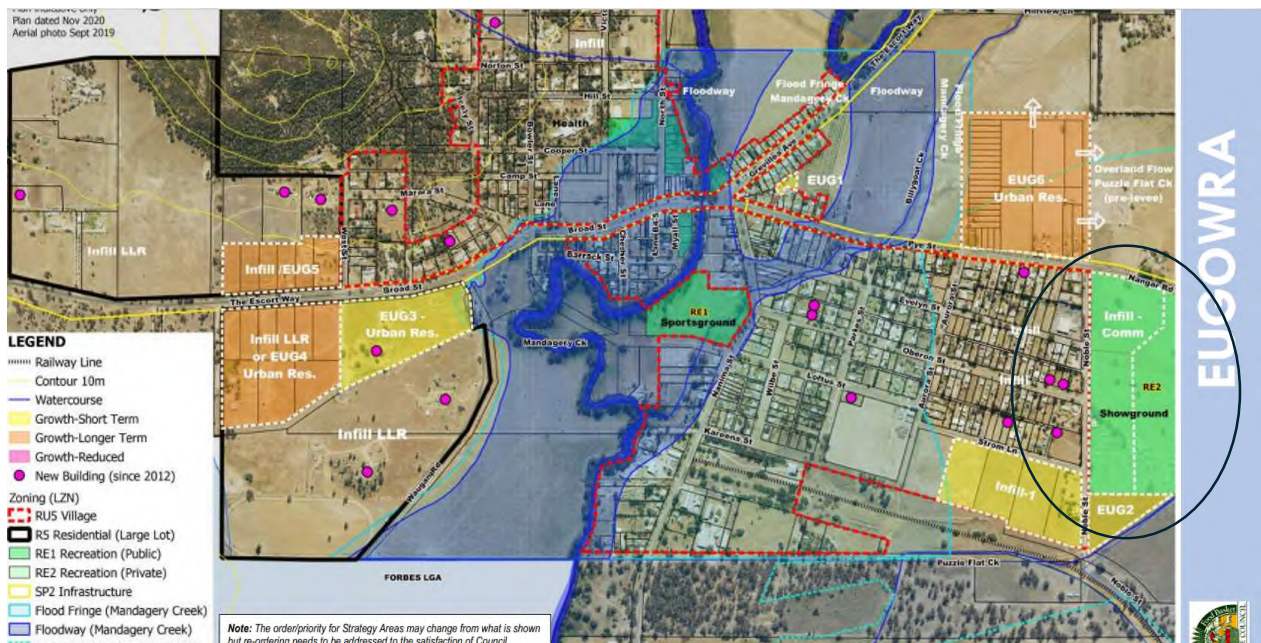


Figure 11: Eugowra map from Cabonne Settlement Strategy

'Showground Site (Zone RE2) – 'Infill-Comm' (Community Facilities) The community is interested in better utilisation of the Showground Site east of Noble St. One of the priorities is to seek funding to relocate the Rural Fire Service (RFS) and possibly the pre-school from the flood prone lands in/near the sportsground out to the Showground. Another priority is to have a multi-purpose community facility for events, meetings & emergency co-ordination & evacuation centre. If the Puzzle Flat Creek levee addresses overland flow issues east of Aurora St, then the western section of the Showground may be a suitable emergency evacuation centre away from the bushfire prone and flood prone lands. The SES/Ambulance is already located on the site. Zone RE2 already permits with consent 'community facilities' and 'emergency services facilities'. 'Child care' or 'educational facilities' are currently prohibited but could be ancillary to this or there would need to be amendment to CLEP2012'.

Community Strategic Plan 2025

The proposal is consistent with the Cabonne Community Strategic Plan and the Integrated Planning and Reporting framework which includes the following Future Directions;

Direction 1 – Connect Cabonne to each other and the world

Direction 2 – Build business and generate employment

Direction 3 – Provide and develop community facilities

Direction 4 – Grow Cabonne’s culture and community

Direction 5 – Manage our natural resources

Directions 2, 3 and 4 relate to the proposal, particularly Direction 3 – Provide and develop community facilities – CSP 3.5 Cabonne’s children have access to childcare and children’s services.

Cabonne Recovery Plan – building back a better Cabonne (adopted by council June 2023)

The Cabonne Recovery Plan outlines the actions the community and Cabonne Council are taking in response to the November 2022 flood event and breaks down the estimated costs to repair critical infrastructure throughout Cabonne, as well as the cost to local homes, businesses, the natural environment and the wellbeing of its communities.

Key projects and activities for Eugowra – The priority action for the Eugowra community, and an action supported strongly by council is action *4.7.2 Rebuild a new permanent Eugowra Community Childrens Centre out of the flood zone and in a suitable location.*

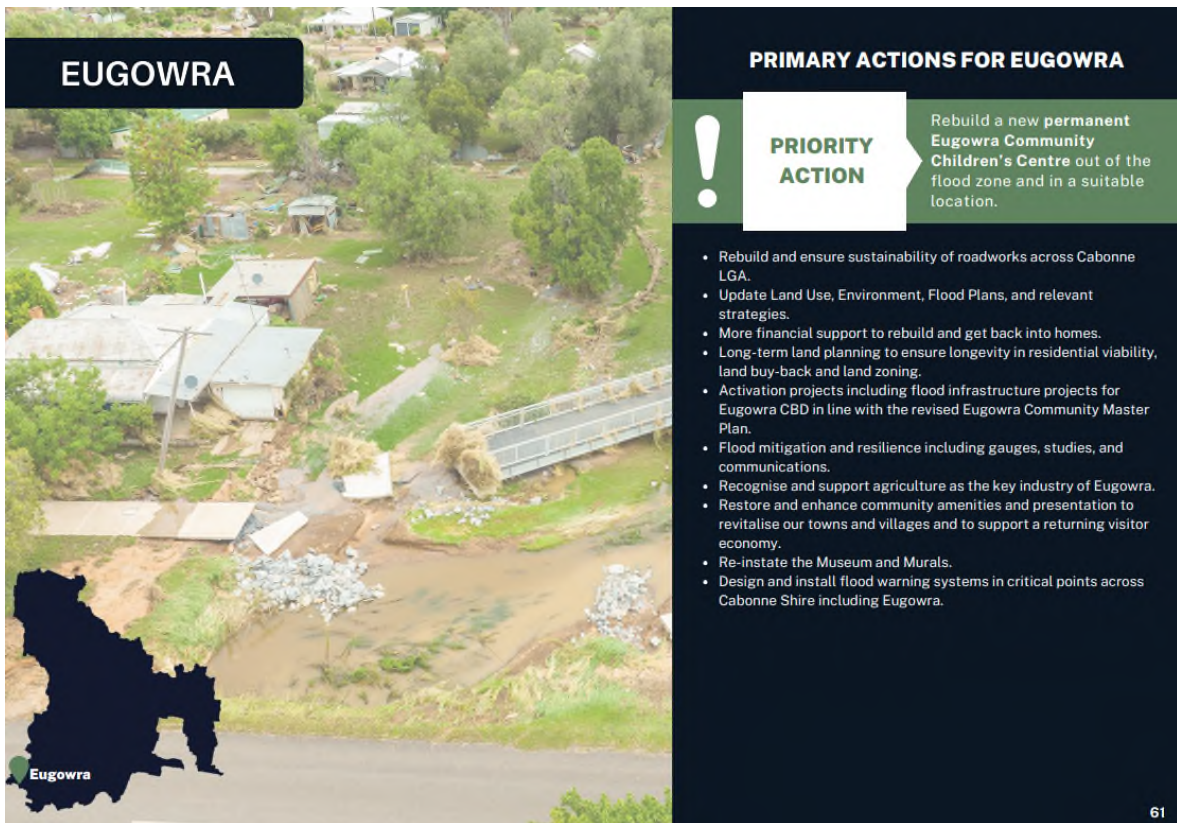


Figure 12: Action 4.7.2 Cabonne Recovery Plan

This planning proposal assists in achieving the action outcome.

Other reports relevant to this Planning Proposal

Investigation of flood behaviour at Eugowra – November 2022 flood event (Dept of Planning and Environment – Environment and Heritage group) September 2023.

An extract from Vol 2 of the above mentioned report is provided below and provides information on the flood behaviour of the November 2022 flood event and maps the extent and velocity of the flood waters. The subject site was impacted only in the NW corner of the allotment at the lowest point of the land. The proposed pre school can be accommodated upon the site to be clear of any potential risk from a similar event, as there is sufficient land area available for the siting of the facility and its support services to minimise or eliminate risk.

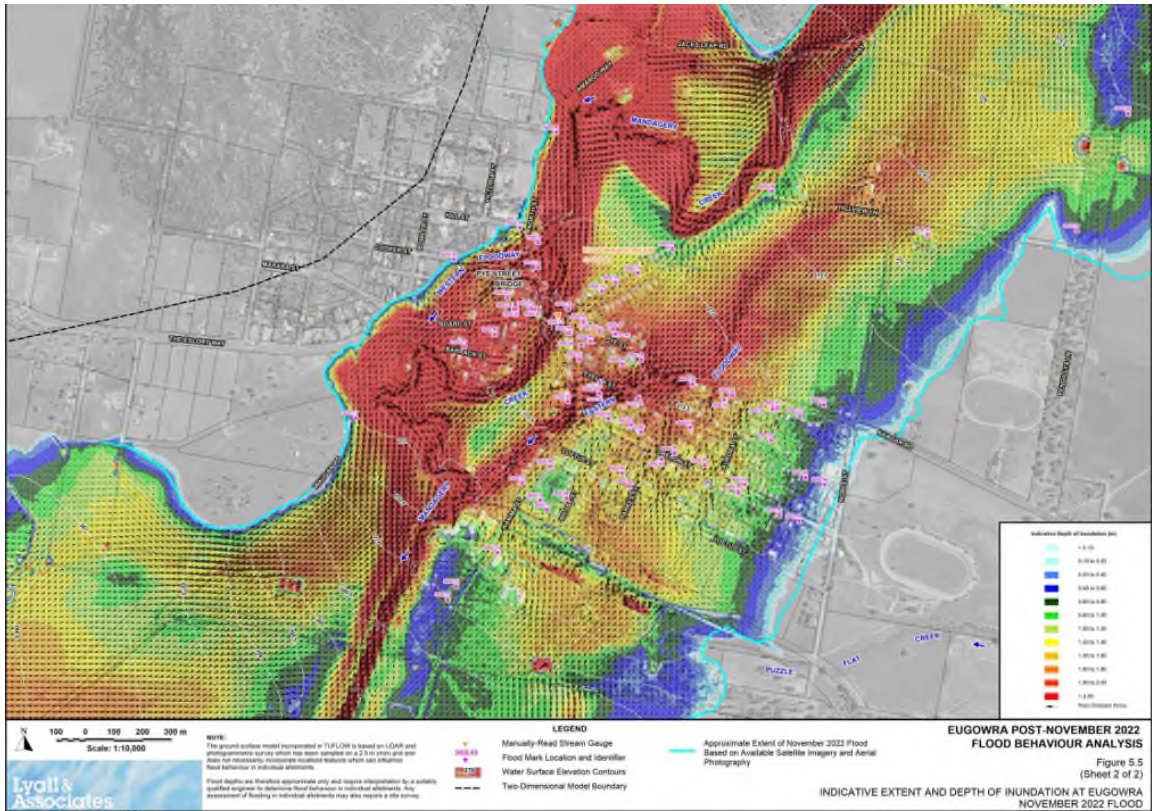


Fig 13: Indicative extent and depth of inundation at Eugowra, November 2022

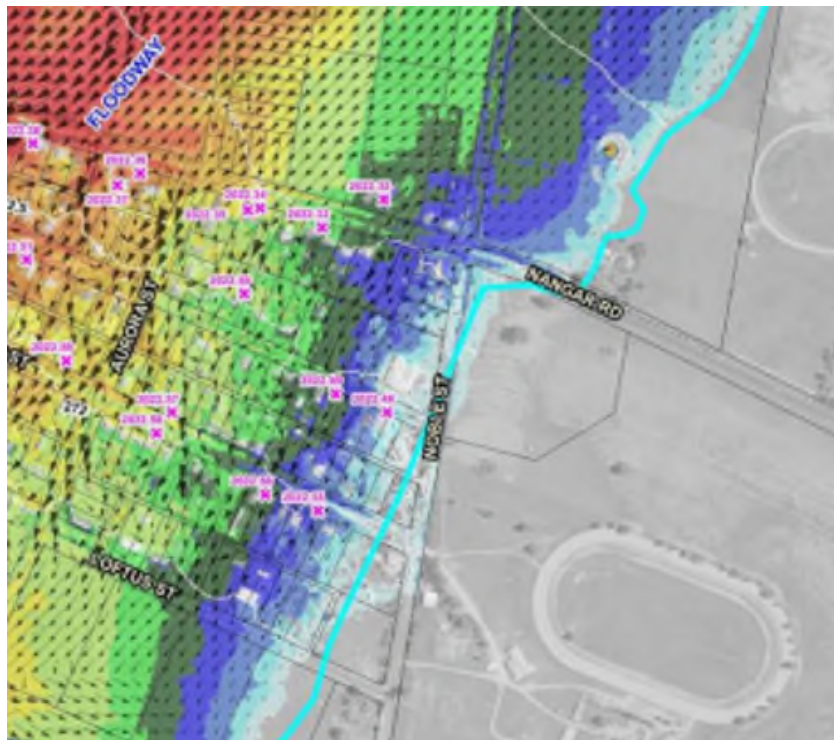


Fig 14: Indicative extent and depth of inundation at Eugowra Showground, November 2022

Q5 Is the planning proposal consistent with any other applicable State and regional studies and strategies?

Net Zero Plan Stage 1: 2020 – 2030

The Net Zero Plan Stage 1: 2020-2030 is the foundation for NSW's action on climate change and goal to reach net zero emissions by 2050. It outlines the NSW Government's plan to protect our future by growing the economy, creating jobs and reducing emissions over the next decade.

The proposed childcare centre would support appropriate design and sustainable building materials where possible and will assist in reducing running costs and reduce carbon footprint. These measures support the plan.

20 Year Economic Vision for Regional NSW

A 20-Year Economic Vision for Regional NSW is the NSW Government's plan to drive sustainable, long-term economic growth in regional NSW. It seeks to build on NSW Government investment in commercial, economic, environmental, and social infrastructure by committing to further develop regional NSW's key enablers of economic growth.

The plan aims to support transport and freight infrastructure, digital connectivity, and secure and sustainable access to water and energy, and foster increased economic growth highlighting Orange, Blayney and Cabonne as a growth centre.

The proposal supports the continued growth of regional NSW through connection to its community, supporting the health and wellbeing of its community members.

Regional Development Framework

The framework's main principles include improved regional structures to facilitate regional development, building evidence based investment in regional development, attracting investment and co-investment and building regional workforce capability.

The framework supports the 20 Year Economic Vision for Regional NSW. The implementation of these frameworks, policies and plans supports the planning proposal and its outcomes which continues to support the economic growth of regional NSW and in particular the Cabonne Local Government Area.

Q6 Is the Planning Proposal consistent with applicable State Environmental Planning Policies (SEPPs)?

The planning proposal is consistent with applicable State Environmental Planning Policies (SEPPs).

Policy	Assessment
State Environmental Planning Policy (BASIX) 2004	The proposal does not affect the application of BASIX
State Environmental Planning Policy (Biodiversity & conservation) 2021 Chapter 3 – Koala Habitat Protection 2020	The site does not contain koala habitat
State Environmental Planning Policy (Energy & Resources) 2021	The site is not known to contain any resources that are state or regionally significant
State Environmental Planning Policy (Resilience and hazards) 2021 Chapter 4 – Remediation of land	In accordance with clause 4.6 of the SEPP, the subject land has been considered in respect to the likelihood of contamination. The land is not listed on the NSW EPA register of contaminated sites or sites notified to the EPA. A Preliminary Contamination Investigation assessment has been prepared and included in the submitted documentation which indicated that the subject land is suitable for the proposed use as a childcare centre.
State Environmental Planning Policy (Transport and Infrastructure) 2021	The proposal is site specific and does not require significant infrastructure upgrades or require referral to Transport for NSW based on size or capacity of the proposed development. The proposal is not considered to impact upon any regional transport corridors.

Q7 Is the planning proposal consistent with applicable Ministerial Directions (s9.1 directions)?

The planning proposal is consistent with relevant Ministerial Directions (s9.1 directions).

No.	s9.1 Ministerial Direction	Comment
1.1	Implementation of Regional Plans	<p>Consistent</p> <p>Central West and Orana Regional Plan applies. The proposal is consistent with the regional plan, its goals and objectives</p>
1.2	Development of Aboriginal Land Council land	Applies to central coast only
1.3	Approval and referral requirements	<p>Consistent</p> <p>No change to referrals proposed</p>
1.4	Site specific provisions	<p>Consistent</p> <p>The proposal does not propose to create, alter or reduce existing zones or reservations of land for public purposes, and aims to add by way of an additional permitted land use the inclusion of a childcare facility as permissible activity upon the subject land. This action is supported by identified strategies being the Cabonne Settlement Strategy and the Cabonne Recovery Plan.</p>
1.5	Parramatta Road Corridor Urban Transformation Strategy	NA
1.6	Implementation of North West Growth Area Land Use and Infrastructure Implementation Plan	NA
1.7	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	NA
1.8	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	NA

1.9	Implementation of Glenfield to Macarthur Urban Renewal Corridor	NA
1.10	Implementation of the Western Sydney Aerotropolis Plan	NA
1.11	Implementation of Bayside West Precincts 2036 Plan	NA
1.12	Implementation of Planning Principles for the Cooks Cove Precinct	NA
1.13	Implementation of St Leonards and Crows Nest 2036 Plan	NA
1.14	Implementation of Greater Macarthur 2040	NA
1.15	Implementation of Pymont Peninsula Place Strategy	NA
1.16	North West Rail Link Corridor Strategy	NA
1.17	Implementation of the Bays West Place Strategy	NA
3.1	Conservation zones	Consistent The site does not have a conservation zone – no further assessment required
3.2	Heritage	Consistent The site and surrounding area is not within a heritage conservation area. No further assessment is required.
3.3	Sydney Drinking Water Catchments	N/A The site is not located within the Sydney Drinking Water Catchment
3.4	Applications of C2 and C3 zones and Environmental Overlays in Far North Coast LEPs	NA

3.5	Recreation Vehicle Areas	NA
4.1	Flooding	<p>Consistent</p> <p>Part of the area is identified as being flood prone, being on the fringe of the town area that was the subject of the 2011 Eugowra Flood Study. The flood study area did not extend beyond the village boundary of Noble Street, Eugowra, and did not include the Eugowra Showground.</p> <p>The 2022 natural disaster flood event (an exceedance of the 1:100 year flood and identified as a 1 in 2000 year event) did not impact the site.</p> <p>Flood mapping of the natural disaster flood event of 14 November 2022 identifies the subject site as being clear of the inundation area. An extract of the flood event mapping is included earlier in this Planning Proposal report and is shown in Fig 13 and Fig 14.</p> <p>A review of the Eugowra Flood Study is to be undertaken in 2025 and will also assess the mitigation works achieved by the installation of the Puzzle Flat flood levee constructed along the southern boundary of the Eugowra Showground land.</p>
4.2	Coastal Management	NA
4.3	Planning for bushfire protection	<p>Consistent</p> <p>The land is mapped as bushfire prone. Council's Bushfire Prone Land map identifies the site as category 3. A bushfire assessment report has been undertaken as part of the planning proposal, and a further assessment would be required as part of any DA</p>

		for future development of the sites to manage risk and to comply with Planning for Bushfire Protection 2019.
4.4	Remediation of contaminated land	<p>Consistent</p> <p>The potential for contamination has been addressed within the SEPP (Resilience and Hazards) 2021, Chapter 4 – Remediation of land.</p> <p>The site is not listed on the NSW EPA register of contaminated sites, or sites notified to EPA.</p> <p>A preliminary contamination investigation assessment has been undertaken for the site which demonstrates that no further studies are required, and the land is suitable for use as a childcare facility</p>
4.5	Acid sulphate soils	<p>N/A</p> <p>The land is not mapped as acid sulphate prone land</p>
4.6	Mine subsidence and unstable land	<p>N/A</p> <p>The land is not located within a mine subsidence area</p>
5.1	Integrated land use and transport	<p>N/A</p> <p>The proposal does not include land for urban purposes</p>
5.2	Reserving land for public purposes	<p>Consistent</p> <p>The gazetted purpose of the existing public reserve to which this planning proposal applies remains unaltered.</p>
5.3	Development near regulated airports and defence airfields	<p>N/A</p> <p>The site is not located near an airport</p>
5.4	Shooting ranges	N/A

		There are no know shooting ranges on the site. A range is located 3km SE of the subject land on privately owned rural land.
6.1	Residential zones	NA
6.2	Caravan parks and manufactured housing estates	NA
7.1	Business and industrial zones	NA
7.2	Reduction in non-hosted short-term rental accommodation period	N/A Applies only to Byron Bay
7.3	Commercial and retail development along the Pacific Highway, North Coast	NA
8.1	Mining, Petroleum Production and Extractive industries	Consistent There are no existing mines, petroleum production operations or extractive industries that occur in the immediate vicinity of the planning proposal. A gravel quarry and a granite quarry exist 2.5km to the SE and 3km to the south of the subject land
9.1	Rural zones	NA
9.2	Rural lands	NA
9.3	Oyster aquaculture	NA
9.4	Farmland of State and Regional Significance on the Far North Coast	NA

The proposal is considered to be acceptable in respect of the terms of the relevant directions.

Section C – Environmental, Social and Economic Impacts

Q8 Is there any likelihood that critical habitat or threatened species, population or ecological communities, or their habitats, will be adversely affected as a result of the planning proposal?

The planning proposal for an additional use of the subject land relates to a modified landscape, and it has been determined that there would be no impact on critical habitat or threatened species by the proposal proceeding. No additional fauna assessment is required. The site is highly modified, vacant land that has been used intermittently for agricultural cropping purposes.

Q9 Are there any other environmental effects as a result of the planning proposal and how are they proposed to be managed?

It is unlikely that the proposed amendments to the Cabonne LEP 2012 as discussed in the proposal would result in any environmental affects that cannot be managed or mitigated. Future development of the site will be undertaken in accordance with the relevant SEPPs and Cabonne LEP 2012.

The site is mapped as Category 3 bushfire prone land and future development with be assessed for compliance with Planning for Bushfire Protection 2019.

Part of the site is mapped as being flood prone. Future development will be assessed for compliance with the Eugowra Flood Study and relevant recommendations.

Q10 How has the Planning Proposal adequately addressed any social and economic benefits?

The change proposed will provide additional services and facilities to support the Eugowra and surrounding community. The provision of the child care centre will support employment, both for staffing at the centre and enabling return to work opportunities for parents and carers of the children who will be attending the centre. Short term economic benefit would include the employment of local trades and services businesses during the construction and fit out of the building (which has an estimated construction value in excess of \$6m).

Section D – State and Commonwealth interests

Q11 Is there adequate public infrastructure for the planning proposal?

The site is serviced by road Frontage to Noble Street which is a sealed local road), water, sewer, electricity, and telecommunications infrastructure (service connections are available from Noble Street). The site can be managed to address stormwater drainage.

The site has frontage to a sealed local road being Noble Street, and the proposed development will gain access to the street. A traffic impact assessment has not been provided for the proposal as the additional use would be within the site of the existing showground which already caters for a broad variety of community services and events. The proposal is unlikely to have an adverse impact upon the road network within the immediate vicinity of the site.

D2 What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Preliminary advice from the Department of Planning, Housing and Infrastructure has indicated that a Planning Proposal would be an appropriate process to implement the proposal. No formal consultation has been carried out of other agencies at this time. Should the Gateway Determination identify any additional consultations, these would be undertaken.

Crown Lands support the proposal, and there has been an amendment gazetted in May 2023 to the Crown Reservation purpose to include the childcare centre.

The Cabonne Flood recovery plan has been endorsed by council and provided to state agencies and relevant government Ministers.

Part 4 – Mapping

No changes are required to the Cabonne Local Environmental Plan 2012 mapping.

An amendment is required to Schedule 1 Additional Permitted uses. The amendment should include the following:

- (1) This clause applies to land at Noble Street, Eugowra, being Lot 150, DP 750182
- (2) Development for the purpose of a centre-based child care facility is permitted with development consent

Part 5 – Community consultation

For the purpose of public notification of the planning proposal it is considered that a 28 day exhibition period be held to ensure consultation with all stakeholders.

The community consultation will involve:

- Notice in the local media / newspapers at the start of the exhibition period
- Notice on council's web site for the duration of the exhibition period
- Written notification sent to landowners adjacent to the subject land

The written advice will contain:

- A brief description of the objectives or intended outcomes of the planning proposal
- An indication of the land affected by the planning proposal
- Information on where and when the planning proposal can be inspected
- The contact details of the council for receipt of submissions
- The closing date for submissions
- Advice on whether the Minister has chosen to delegate the making of the LEP amendment to the council

During the public exhibition period the following documents will be placed upon public exhibition:

- The planning proposal
- The Gateway Determination
- Relevant council reports

The above-mentioned documents will be available at the following locations during the public exhibition period:

- Cabonne Council office – 101 Bank Street, Molong,
- Cabonne Council office – Main Street, Cudal
- Canowindra library – Blatchford Street, Canowindra
- RTC office Broad Street, Eugowra

At the conclusion of the notification and public exhibition period council staff will consider any submissions made concerning the proposal and will prepare a report to council (if submissions are received).

A public hearing will not be required to be held upon conclusion of the public exhibition phase.

Public exhibition of the Planning Proposal would be carried out in accordance with the requirements of the Environmental Planning & Assessment Act, Environmental Planning Regulations and the Gateway Determination.

Part 6 – Project timeline (amended)

The anticipated project timeline for completion of the Planning Proposal is outlined below:

No	Task	Commencement	Completion
1	Gateway determination Obtain Gateway Determination	May 2024	June 2024
2	Public Exhibition Agency and community consultation to be undertaken as part of the formal public exhibition of the planning proposal in accordance with any conditions of the Gateway Determination	Nov 2024	Nov 2024
3	Consider submissions and document finalisation Council staff to consider, respond and report to council on any submissions received and issues raised, and make any relevant changes to the planning proposal. This process will determine amongst other things, the following: <ul style="list-style-type: none"> • Whether or not to endorse and/or support the planning proposal • Whether or not to endorse the planning proposal (as exhibited); or • Whether or not to endorse the planning proposal (as amended) 	Dec 2024	Dec 2024
5	Submission to the Department and/or Parliamentary Counsel	Dec 2024	Dec 2024

	Council to forward the planning proposal to the department and/or Parliamentary Counsel following public exhibition (including and changes made).		
6	Notification Notification of LEP amendment being made	January 2025	February 2025