

137-139 Oberon Street
PO Box 84
Oberon NSW 2787

Telephone: (02) 6329 8100
Fax: (02) 6329 8142
Email: council@oberon.nsw.gov.au



*Agenda and Business Papers
Oberon Council Special Meeting
Tuesday 7 August 2012
4.30pm Council Chambers*

01	OPENING OF MEETING	2
02	RECORD OF ATTENDANCE	2
03	DECLARATIONS OF INTEREST	2
04	REPORTS	3
04.01.01	AMENDMENT TO DRAFT LAND USE STRATEGY – FINAL DOCUMENT FOR ENDORSEMENT	3
05	CLOSED SESSION REPORTS	7
05.01.01	BLUE MOUNTAINS TOURISM BOARD MEETING – 19 JULY 2012	7
05.01.02	TASMAN ESTATE LAND OFFER	7

01 Opening of Meeting

The Mayor welcomed members and declared the meeting open at ...

02 Record of Attendance

Members	Cr Don Fitzpatrick, Mayor Chair Cr John McMahon, Deputy Mayor Cr Ian Doney Cr Keith Sullivan Cr Neil Francis Cr Kerry Gibbons Cr Clive McCarthy Cr Bob O’Bernier
Officers	Alan Cairney, General Manager John Chapman, Director of Corporate Services Gary Wallace, Director of Development Aruna Wickramasinghe, Director of Engineering Sharon Swannell, Executive Assistant
Apologies	Nil

03 Declarations of Interest

Pecuniary	-
Conflicts	-
Staff	-

04 Reports

04.01.01 AMENDMENT TO DRAFT LAND USE STRATEGY – FINAL DOCUMENT FOR ENDORSEMENT

File No: Land Use and Planning/Land Management/Land Use Strategy

Author: Gary Wallace, Director of Development

Summary

Council has considered reports at its 19 June 2012 and 17 July 2012 Ordinary Meetings in relation to additional information supplied as part of an amendment to the original Draft Land Use Strategy (LUS), specifically in relation to the O'Connell Urban Conservation Area (UCA). This report provides options as to how Council can progress the current draft document.

Recommendation:

1. That Council endorse the amendment to the Draft Land Use Strategy, including the O'Connell Urban Conservation Area, and forward the document to the Department of Planning and Infrastructure for final endorsement. **OR**
2. That Council postpone any proposal associated with the O'Connell Area and undertaken a Heritage Study of the area to consider appropriate options for the precinct and forward the document to the Department of Planning and Infrastructure for comment. **OR**
3. Council endorse the current Draft strategy without the inclusion of an Urban Conservation Area for O'Connell and forward the document to the Department of Planning and Infrastructure for comment.

Comment

Over the past two months Council has held concerns over the inclusion of an Urban Conservation Area for O'Connell. Previous reports have been tabled outlining the proposed affects of a UCA and the provisions available under current legislation in an attempt to alleviate concerns raised.

Given the outcomes of previous motions direction is being sought from Council as to a proposed way forward so the document can more towards finalisation.

Recommendations have been listed with 3 options suggested to progress the document. However, given the potential substantial change proposed for the O'Connell UCA from that previously exhibited and support generated from submissions during the exhibition phase, further substantial work will be required to be undertaken should Recommendation 2 or 3 be considered as an appropriate option, thus delaying the finalisation of the document.

ATTACHED is correspondence from the Minister for Planning and Infrastructure, the Hon Brad Hazzard MP indicating urgency to progress the document in its draft form. The correspondence seeks Councils assistance in finalising the Standard Instrument Local Environmental Plan (SI LEP) in an attempt to move towards a new planning system for NSW.

It is suggested that Recommendation 1 be endorsed and the amendment in its entirety, as submitted to the June Ordinary Meeting, be forwarded to the Department for final endorsement.

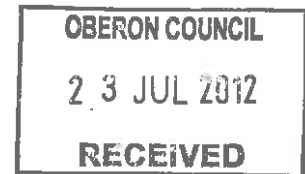
Attachments

Correspondence received from the Hon Brad Hazzard MP, Minister for Planning and Infrastructure.



The Hon Brad Hazzard MP
Minister for Planning and Infrastructure
Minister Assisting the Premier on Infrastructure NSW

Councillor Keith Sullivan
Mayor
The Oberon Council
PO Box 84
Oberon NSW 2787



Landuse / Planning /
LEP

DD(A)

Dear Councillor Sullivan

The NSW Government is determined to rebuild the economy, return quality services, renovate infrastructure, strengthen our local environment and communities, and restore accountability to government. A key element in achieving this ambitious goal is sound strategic planning coupled with rigorous fiscal discipline.

One of the clear goals of the State Plan **NSW 2021** is to build liveable centres and plan for towns and cities that are not only accessible and viable, but are great places for our communities to live and work. A critical component of achieving this goal is to deliver contemporary local land use controls. This can only be done through a collaborative approach between state and local government and your communities. It is in this regard that I write to you.

The completion of all standard instrument local environmental plans is one of my priorities. This will allow us to identify land use zonings and appropriate development outcomes to support the delivery of housing and employment.

There is a sense of urgency about this process as we move towards the development of a new planning system for NSW. The introduction of local environmental plans based on the standard template allows many benefits and opportunities. Most notably it gives certainty for our communities. The opportunities created by the introduction of standardised mapping for on-line planning are yet to be fully realised but will form a key platform for changes to the planning system in the future.

It concerns me that the benefits and opportunities offered by the standard template are not yet in place for Oberon Council. In the case of Oberon Council, I understand that the key challenges to finalising your LEP are the completion of strategic work to support proposed land use changes in the Shire. I understand that your Council has recently met with representatives of the Department to discuss the strategy and the LEP process.

Completion of a thorough strategic planning process will ensure that the final Oberon Land Use Strategy will be a reliable document that can be used to support Oberon's

future growth. This document will be used to inform the new Oberon LEP and as such it is important that it is completed and both the strategy and the draft LEP are placed on public exhibition as soon as possible. I would encourage these documents to be placed on exhibition concurrently as this represents the most time efficient process possible. I request that Council consider the completion of the LEP as a priority and that adequate resources be allocated to enable it to be finalised as soon as possible.

I have asked Mr Ashley Albury, Regional Director, Western Region to assist your council in every way possible to ensure delivery of your local environmental plan by the end of this year. It is an ambitious target with the upcoming local government elections, but one I believe is quite achievable with your Council's help. In this regard it would be appreciated if Council could submit to the department within a month a timetable detailing the time frames for completion of the LEP.

I appreciate the efforts your Council has made so far to progress your local environmental plan. My Department is keen to continue to work with you to achieve this target.

Please do not hesitate to contact Mr Neil McGaffin, Executive Director, Planning Operations, on Tel. 9228-6565, if you wish to discuss this matter further. Otherwise, I trust we can work together on this important strategic planning exercise.

Yours sincerely



HON BRAD HAZZARD MP
Minister

10 JUL 2012

05 Closed Session Reports

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

Set out below is section 10A(2) of the *Local Government Act 1993* in relation to matters which can be dealt with in the closed part of a meeting.

The matters and information are the following:

- (a) Personnel matters concerning particular individuals (other than Councillors)
- (b) The personal hardship of any resident or ratepayer
- (c) Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business
- (d) Commercial information of a confidential nature that would, if disclosed:
 - (i) Prejudice the commercial position of the person who supplied it, or
 - (ii) Confer a commercial advantage on a competitor of the Council, or
 - (iii) Reveal a trade secret
- (e) Information that would, if disclosed, prejudice the maintenance of law
- (f) Matters affecting the security of the Council, Councillors, Council staff or Council property
- (g) Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege
- (h) Information concerning the nature and location of a place or an item of Aboriginal significance on community land.

05.01.01 BLUE MOUNTAINS TOURISM BOARD MEETING – 19 July 2012

File No: Economic Development/Regional Tourism/BMLOT

Author: Sharon Swannell, Executive Assistant

This item is classified CONFIDENTIAL under section 10A(2)(d) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret

05.01.02 TASMAN ESTATE LAND OFFER

File No: Council Properties/Land Development and Sales

Author: John Chapman

This item is classified CONFIDENTIAL under section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.