RECOMMENDATION

That Council:

1. receive the report by the Manager, Strategic Planning on the Draft Mid-Western Regional Local Strategic Planning Statement - Post Exhibition; and

2. adopt the Mid-Western Regional Local Strategic Planning Statement attached to this report.

Executive summary

At Council’s 18 March 2020 meeting, Council resolved to place the Draft Local Strategic Planning Statement (Draft LSPS) on public exhibition.

The purpose of this report is to consider the submissions received. During the exhibition period 8 community submissions and 6 government department submissions were received. The submissions have been provided as Attachment 1.

The Mid-Western Regional Local Strategic Planning Statement (LSPS) outlines the vision for land use planning in the Mid-Western Region and details Planning Priorities along with Land Use Planning Actions to achieve the Planning Priorities. The Land Use Actions outline where Council will focus its strategic land use planning project work in the future.

Matters raised in the community submissions have been summarised, a staff comment provided and detail of any changes made to the Draft LSPS is provided in the body of the report. A copy of the updated LSPS is provided as Attachment 2.

If the final LSPS is adopted by Council, it will be uploaded to the NSW Planning Portal as required by the NSW Department of Planning, Industry and Environment no later than 1 July 2020.

The LSPS must be reviewed every seven (7) years.

Disclosure of Interest

Nil.

Detailed report

Background
In March 2018, amendments to the Environmental Planning and Assessment Act 1979 (EP&A Act) introduced new requirements for Council to prepare a Local Strategic Planning Statement. The EP&A Act now recognises the critical role of strategic land use planning in a local area.

Council considered the Mid-Western Regional Local Environmental Health Check at the December 2019 Council meeting. The Health Check demonstrated how Council is satisfying the Directions of the Central West and Orana Regional Plan 2036 (Regional Plan). The Regional Plan is the highest order strategic land use document and has been fundamental in the drafting of the LSPS. The Regional Plan will also support future amendments to planning controls. The applicable Directions of the Regional Plan have been referenced in the LSPS.

Further, the drafting of the LSPS has given Council the opportunity to implement the Mid-Western Region Community Plan Towards 2030 (Community Plan Towards 2030) Strategy Items into land use actions.

The LSPS Planning Priorities and Land Use Actions provide the rationale for decisions about how we will use our land to achieve the community’s goals.

**Mid-Western Regional Local Strategic Planning Statement Structure**

The LSPS is presented in the following structure:

1. Introduction
2. Context
3. Land Use Vision
4. Our Themes and Planning Priorities
5. Implementation, Monitoring and Reporting

The LSPS includes 12 Planning Priorities under each of the 5 Themes of the Community Plan Towards 2030. The Planning Priorities align to the strategy items of the Community Plan Towards 2030. 37 Land Use Action Items are included that detail how the Planning Priorities will be achieved.

As a result of the public exhibition, two additional Land Use Actions have been included in the Draft LSPS, increasing the total to 37. However, no material changes have been made to the Draft LSPS.

The two additional Land Use Actions area:

Under Theme 1 Looking After Our Community:
1(c) Investigate the best means of achieving heritage conservation in Kandos.

Under Theme 4 Connecting Our Region:
10 (c) Update the Roads Asset Management Plan to reflect newly developed areas.

**Community Engagement**

Although there was no formal requirement for Council to undertake community engagement as part of the preparation of the LSPS, Council did develop five surveys to capture community input on Land Use Vision, Growth, Town Centres, Design Considerations and Tourism. These surveys were available online during January and February 2020, and promoted on Council’s website, through Facebook and utilising the Mid-Western YourSay communication tool. A media release was also distributed to local media outlines including radio and newspaper. 286 responses were received and have helped inform the preparation of the LSPS.
A number of community submissions raised the extent of community engagement undertaken to prepare the LSPS. In reviewing the feedback, there may be some confusion between the community engagement requirements for the Mid-Western Region Community Plan - Towards 2030. Those who mentioned community engagement in their submissions will have opportunities to participate when the relevant Land Use Action is undertaken. For example, relevant stakeholders and individual community members will have the opportunity to participate in the Land Use Action relating to the preparation of local character statements. Similarly, community participation will play a key role in conducting land use surveys and understanding the future needs and opportunities for land to support tourism, industrial and commercial use.

Public Exhibition

The Draft LSPS was placed on public exhibition commencing Friday 20 March and concluded Wednesday 29 April 2020 in accordance with Council’s Community Participation Plan 2019.

During the exhibition period 8 community submissions and 6 government department submissions were received.

Submissions were received from the following government departments:
- Western Region, NSW Department of Planning, Industry and Environment
- Heritage NSW, NSW Department of Premier and Cabinet
- Cancer Council
- NSW Department of Primary Industries, Fisheries
- Transport for NSW
- Resilience Planning, NSW Department of Planning, Industry and Environment

The 6 government department submissions outlined suggested LSPS inclusions, which resulted in one change. Land Use Action 1 (d) has been changed to reference Heritage NSW, Premier and Cabinet, rather than the NSW Department of Planning, Industry and Environment.

Matters raised in the community submissions have been summarised in the table below. A staff comment is provided and detail of any changes made to the Draft LSPS identified.

<table>
<thead>
<tr>
<th>Matter Raised in the Submission</th>
<th>Staff Comment</th>
<th>Change to LSPS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location of Glen Alice, Glen Davis and Newnes are incorrect.</td>
<td>Noted.</td>
<td>Figure 1 Our Region map updated.</td>
</tr>
<tr>
<td>Additional events provided for town descriptions.</td>
<td>Noted.</td>
<td>The town descriptions have been updated with additional events.</td>
</tr>
<tr>
<td>Clarification of the ‘place’ discussion in the visions.</td>
<td>Noted.</td>
<td>The LSPS has been updated to provide clarity around the meaning and discussion of sense of place.</td>
</tr>
<tr>
<td>Explanation of structure plans is unclear, limited detail on the structure plans.</td>
<td>Noted.</td>
<td>The purpose of the structure plans has been clarified and additional detail included on the four town structure plans.</td>
</tr>
<tr>
<td>Should the maps distinguish between current zones and future expansion?</td>
<td>The maps are designed to identify the current status. Future strategic land use planning work may result in additional land being identified for future land supply. Undertaking the relevant Land Use Actions will inform the location of</td>
<td>No change required.</td>
</tr>
<tr>
<td>Planning Priority 1:</td>
<td>Should the employment lands of the former cement works be removed?</td>
<td>The land zoning of the former cement works remains unchanged. Accordingly it is identified as employment lands.</td>
</tr>
<tr>
<td>--------------------</td>
<td>------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Heritage listing numbers are incorrect, rationale reads like a description.</td>
<td>The specific number of heritage items has been included. It is noted that the list requires updating, however to date the number of items is 482.</td>
<td>Rationale amended and specific number of heritage items included.</td>
</tr>
<tr>
<td>Heritage study for Kandos, proposed master planning.</td>
<td>Master planning has merit, however the Land Use Actions within the document deliver similar outcomes. Master planning of new release areas will continue to be promoted. Further, the rate of development within some of the urban settlements does not justify this investment in strategic land use work at this stage.</td>
<td>The following additional Land Use Action has been included 'Investigate the best means of achieving heritage conservation in Kandos'.</td>
</tr>
<tr>
<td>Planning Priority 2:</td>
<td>Strategic planning for seniors housing, affordable housing.</td>
<td>The State Environmental Planning Policies; Housing for Seniors or People with a Disability and Affordable Rental Housing provide for this form of development.</td>
</tr>
<tr>
<td>Urban Release Strategy for Rylstone and Kandos.</td>
<td>The current rate of development in Rylstone and Kandos does not warrant the preparation of an Urban Release Strategy at this stage. However, Council’s Land and Housing Supply Monitor could be updated to specify development by town.</td>
<td>No change required.</td>
</tr>
<tr>
<td>Planning Priority 3:</td>
<td>Description of Kandos and Rylstone contains errors, rationale reads like a description.</td>
<td>Noted.</td>
</tr>
<tr>
<td>Urban design framework or master planning should be considered.</td>
<td>Master planning has merit, however the Land Use Actions within the document deliver similar outcomes. Master planning of new release areas will continue to be promoted.</td>
<td>No change required.</td>
</tr>
<tr>
<td>Incorrect Central West and Orana Regional Plan reference.</td>
<td>Noted.</td>
<td>Relationship to other Plans: Direction 9 has been moved to Planning Priority 9.</td>
</tr>
<tr>
<td>Distribution and promotion the Rylstone Main Street Study.</td>
<td>The promotion and distribution of the Rylstone Main Street Study is an operational matter and does not require a Land Use Action.</td>
<td>No change required.</td>
</tr>
<tr>
<td>Special character documentation</td>
<td>Land Use Action 3 (c) addresses this matter.</td>
<td>No change required.</td>
</tr>
<tr>
<td>Planning Priority 4:</td>
<td>Future plans for sports facilities, entertainment venues, cultural activities, water security need to be considered.</td>
<td>These matters are relevant for Community Plan consideration and other relevant Council strategies and plans.</td>
</tr>
<tr>
<td>Land use action for local contexts eg. rear-lane access for Louee Street Rylstone.</td>
<td>Land Use Action 7(d) requires Council to undertake a land use survey, monitor and respond to future opportunities.</td>
<td>No change required.</td>
</tr>
<tr>
<td>Planning Priority 5:</td>
<td>Urban design guidance.</td>
<td>Urban design has merit, however the</td>
</tr>
</tbody>
</table>
**Planning Priority 6:**

How will the mapping of titles and resources be used.

Mapping within the LSPS will assist in guiding future development.  
No change required.

**Planning Priority 7:**

Actions c) and d) look the same.

- c) will focus on industrial land and
- d) will focus on commercial land.  
No change required.

Will Council strategically identify renewable energy opportunities?

- No. Council will continue to consider applications for renewable energy on specific sites as required and in accordance with relevant legislation.  
No change required.

Manufacturing nor quarrying are covered.

- Manufacturing and quarrying are considered industry. Land Use Action 7 (c) satisfies this matter.  
No change required.

**Planning Priority 9:**

Education should be considered.

Noted.  
The rationale has been amended to discuss education, the Land Use Action has been amended to identify future precincts, including education.

Expansion of educational opportunities.

This is a matter relevant for Community Plan consideration.  
No change required.

**Planning Priority 10:**

Re-opening of the Gulgong to Kandos/Gulgong to Rylstone railway line.

This is a matter for Transport for NSW.  
No change required.

Making Bylong Valley Way a State Road.

This is a matter for Transport for NSW.  
No change required.

Reviewing and updating State tourist drives.

This is a matter for Transport for NSW.  
No change required.

Heavy vehicle bypasses.

- Land Use Action 10 (b) stipulates the mapping of heavy vehicle bypasses.  
No change required.

- Noted.  

**Planning Priority 11:**

Suggested updates to the Pedestrian Access and Mobility Plan updates.

Any specific suggestions in relation to updating the PAMP should be made during its review and consultation period.  
No change required.

**Planning Priority 12:**

Community engagement.

Discussed above.  
No change required.
### Other matters raised:

<table>
<thead>
<tr>
<th>Matter</th>
<th>Description</th>
<th>Change Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Rylstone Council visioning exercise should be referenced.</td>
<td>This is not a land use matter.</td>
<td>No change required.</td>
</tr>
<tr>
<td>Use of ‘plain English’.</td>
<td>This is not a land use matter.</td>
<td>No change required.</td>
</tr>
<tr>
<td>Discussion reflects what is being done now, rather than plans for the future.</td>
<td>The purpose of the LSPS is to outline the strategic planning work to be undertaken in the future. Accordingly what is being done now is documented in the LSPS.</td>
<td>No change required.</td>
</tr>
<tr>
<td>Phasing out of coal-fired power generation.</td>
<td>Existing coal mine approvals extend beyond the review period of the document.</td>
<td>No change required.</td>
</tr>
<tr>
<td>Solar power for Council facilities.</td>
<td>This matter is relevant to other relevant Council strategies and plans including the Delivery Program 2017/21.</td>
<td>No change required.</td>
</tr>
<tr>
<td>Charging points for electric vehicles.</td>
<td>This is a matter relevant for Community Plan consideration.</td>
<td>No change required.</td>
</tr>
<tr>
<td>Communities post COVID 19 world.</td>
<td>This is a matter relevant for Community Plan consideration.</td>
<td>No change required.</td>
</tr>
<tr>
<td>Upgrade Perseverance Lane, Scotts Lane and Thompsons Lane to assist the residents in continuing and possibly expand their business / rural lifestyle.</td>
<td>This matter is relevant to other relevant Council strategies and plans including the Delivery Program 2017/21.</td>
<td>No change required.</td>
</tr>
<tr>
<td>Mudgee airport should be relocated due to noise pollution.</td>
<td>This is a matter relevant for Community Plan consideration.</td>
<td>No change required.</td>
</tr>
<tr>
<td>Open air velodrome should be constructed at Glen Willow.</td>
<td>This is a matter relevant for Community Plan consideration.</td>
<td>No change required.</td>
</tr>
<tr>
<td>‘tour de NSW’ commencing in Mudgee and ending in Sydney.</td>
<td>This is a matter relevant for Community Plan consideration.</td>
<td>No change required.</td>
</tr>
<tr>
<td>Vision for improving mobile phone.</td>
<td>This is a matter relevant for Community Plan consideration.</td>
<td>No change required.</td>
</tr>
<tr>
<td>Disconnect between Planning and Operations where heritage issues are concerned.</td>
<td>This is an operational matter of Council.</td>
<td>No change required.</td>
</tr>
<tr>
<td>Breaches of signage protocol.</td>
<td>This is an operational matter of Council.</td>
<td>No change required.</td>
</tr>
<tr>
<td>Public is unaware of its rights and obligations when undertaking works on sensitive buildings.</td>
<td>This is an operational matter of Council.</td>
<td>No change required.</td>
</tr>
<tr>
<td>Council appoint within Planning, advertised designated personnel to be single contact for the public so concerns are dealt with in an efficient and expedient manner.</td>
<td>This is an operational matter of Council.</td>
<td>No change required.</td>
</tr>
<tr>
<td>Communities should prepare their own ‘Community Strategic Plans Towards 2040’ as they have their own unique communities.</td>
<td>Council is required to prepare one Community Strategic Plan for the local government area in accordance with the Integrated Planning and Reporting Framework.</td>
<td>No change required.</td>
</tr>
</tbody>
</table>

If the final LSPS is adopted by Council, it will be uploaded to the NSW Planning Portal as required by the NSW Department of Planning, Industry and Environment no later than 1 July 2020.

### Community Plan implications

<table>
<thead>
<tr>
<th>Theme</th>
<th>Looking After Our Community</th>
</tr>
</thead>
<tbody>
<tr>
<td>Goal</td>
<td>Vibrant towns and villages</td>
</tr>
</tbody>
</table>
Strategy: Make available diverse, sustainable, adaptable and affordable housing options through effective land use planning

Strategic implications

**Council Strategies**
Mid-Western Region Community Plan Towards 2030  
Mid-Western Comprehensive Land Use Strategy 2010 Parts A, B and C

**Council Policies**
Mid-Western Regional Community Participation Plan 2019

**Legislation**
Mid-Western Regional Local Environmental Plan 2012  
Environmental Planning and Assessment Act 1979

Financial implications
Nil.

Associated Risks

All Councils in NSW are required to have prepared a Local Strategic Planning Statement and to publish it on the NSW Planning Portal by 1 July 2020. If Council has not prepared a Local Strategic Planning Statement in accordance with Division 3.9(1) of the EP&A Act 1979 it will be breaching its legislative requirement.

SARAH ARMSTRONG  
MANAGER, STRATEGIC PLANNING  
4 May 2020

JULIE ROBERTSON  
DIRECTOR DEVELOPMENT

Attachments:  
1. LSPS Submissions. (separately attached)  
2. Draft Local Strategic Planning Statement. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER