



Mr Alan Cairney
General Manager
Oberon Council
PO Box 84
OBERON NSW 2787

Our Ref: 13/11689

Dear Mr Cairney

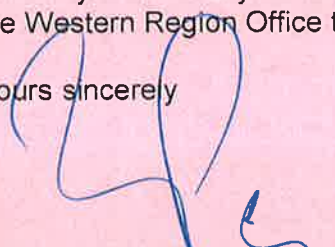
I refer to your letter of 28 June 2013 concerning Oberon Land Use Strategy 2011, including amendment 2012. I am pleased to advise that I have endorsed the Oberon Land Use Strategy 2011 ('Strategy') and subsequent amendment 2012 ('Strategy amendment').

It is noted that the Department of Primary Industries – Agriculture has supported the 100ha MLS for RU1 – Primary Production in both the Strategy and Strategy amendment, and the Oberon LEP. I understand that the Department of Primary Industries intends in the next 12 months to develop guidelines on variable and realistic minimum lot sizes in rural zones in the Oberon LGA, which was highlighted in its letter to the Department (copy attached for your reference). This review may result in amendments to minimum lot sizes in the Oberon LEP in the future.

I congratulate Council on its commitment to complete and implement the Strategy, prepared in conjunction with the community and the State Government. The Strategy will form the basis of future land use decisions within the Oberon Shire.

Should you have any further enquiries about this matter, I have arranged for Jenna McNabb of the Western Region Office to assist you. Ms McNabb can be contacted on 02 6841 2180.

Yours sincerely



Richard Pearson
Deputy Director General
Growth Planning & Delivery

Enclosed
DPI Letter dated 3 July 2013



Office of the Hon Katrina Hodgkinson MP

Minister for Primary Industries
Minister for Small Business

IM12/44621

- 3 JUL 2013

The Hon Brad Hazzard MP
Minister for Planning and Infrastructure
Minister Assisting the Premier on Infrastructure NSW
Level 31
Governor Macquarie Tower
1 Farrer Place
SYDNEY NSW 2000

Dear Minister

Thank you for your letter of 23 November 2012 to the Hon Katrina Hodgkinson MP concerning the appropriate minimum lot size that should be applied in the proposed Oberon RU1 Primary Production Zone. The Minister has asked that I respond on her behalf.

I acknowledge that the Department of Primary Industries' (DPI) position on minimum lot size has been a controversial one. I am also aware of the work undertaken over a number of years for the proposed minimum lot size of 100 hectares being nominated for the Primary Production Zone (RU1) by Oberon Shire Council. However, my concerns about the cumulative impacts of inappropriate development on the sustainability of agriculture remain.

Key consideration in relation to minimum lot size include:

- the agricultural productivity and suitability of the land in question;
- the nature and requirements of agricultural industries in the area being considered;
- the risk of creating land use conflict;
- the current distribution of property sizes and the agricultural industry they support;
- the trends in the size of properties engaged in agriculture; and
- the cumulative impacts e.g. gradual subdivision of agriculture becomes rural residential zone.

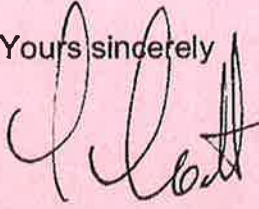
I agree with a reduction in the Oberon minimum lot size to 100ha prior to a further study over the next 12 months to look at both variable and realistic minimum lot sizes to be implemented in a future amendment of the local environmental plan. Oberon Shire Council has already committed to this study.

It is also my intention to instruct DPI to review the advice currently available to councils and if necessary develop a specific Minimum Lot Size PrimeFacts consistent with the key considerations outlined above. This advice will be issued to councils to inform their decisions about minimum lot size. It will reduce the delays in the development of local environmental plans, and enable local government to make informed decisions about minimum lot size without further inputs from DPI.

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I envisage that the proposed evidence-based Regional Growth Plans and Subregional Plans of the new planning system will also enable the identification and mapping of important agriculture, which should improve consideration of these issues across multiple local government areas.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Tim Scott', written over the words 'Yours sincerely'.

Tim Scott
Chief of Staff