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General Manager

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Mayor

**A1. LEGAL FEES**

**Staff Report to the 17 February 2009 Ordinary Meeting**

**File No. A6.2**

**Prepared by Ralph Tambasco on 6 February 2009**

At Council's 20<sup>th</sup> January 2009 Ordinary Meeting, Councillor McCarthy requested details concerning an amount of \$4,290 that was paid as legal fees in the matter involving "McMahon/Chemcoag – Use of Premises".

A search of the relevant vouchers has disclosed the following:

1. An amount of \$2,412.30 was paid to McIntosh, McPhillamy Solicitors as a result of dealing with matters over the period 31 October 2007 to 14 November 2007 concerning the unauthorised use of premises at 59-61 Carrington Avenue, Oberon and advice requesting whether development consent is required for the use of the premises. Mark Ireland Lawyers, acting for the owners, submitted a letter to Council dated 24 October 2007 concerning "existing use rights" on the premises. Council's Solicitors then sent a letter to Mark Ireland Lawyers refuting the allegations made by them concerning "existing use rights" of the premises.
2. An amount of \$2,306.70 was paid to McIntosh, McPhillamy Solicitors as a result of dealing with matters over the period of 5 December 2007 to 25 May 2008 concerning unauthorised use of premises due to there being no "existing use rights". During this period a Development Application was submitted by the McMahon's which was subsequently withdrawn prior to its determination. Also letters received from Messenger and Messenger Solicitors acting on behalf of the applicants' during this period required intervention by Council's Solicitors.

It should be noted that the legal fees would not have been accrued by Council if the applicant had responded to Council's requests without the involvement of his Solicitors.

Council was kept fully informed of staff's actions in respect to this matter in various reports that were submitted to Council during these periods.

**Recommendation**

That the information being received and noted.

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General Manager

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Mayor

**A2. MODIFICATION APPLICATION 72/09 – 18 LOT RESIDENTIAL SUBDIVISION FOR OBERON COUNCIL**

**Staff Report to the 17 February 2009 Ordinary Meeting**

**File No. C16.1**

**Prepared by Ralph Tambasco on 6 February 2009**

Property: Lots 1 and 2 in DP 1068573, and Lot 1 in DP 1126275, 16-28 Tasman Street, Oberon

Applicant: Oberon Council

Zone: 2(v) Village

Reason for Submission to Council

Clause H3.10.1 of Council's Development Control Plan 2001 states:

*"If a written submission is an objection then the submission and the application will be referred to the Council for consideration."*

The Proposal

A copy of the assessment report for the proposed modified development prepared by Planning Ingenuity Pty Ltd was received by Council on the 3<sup>rd</sup> February 2009 (**Attachment A2a**). A copy of the proposed amended subdivision layout is also attached (**Attachment A2b**). Also attached are the recommended modifications to the original conditions of consent (**Attachment A2c**).

As Council would be aware, the first sketch plan submitted was for a total of 20 residential lots and the amended sketch plan is for a total of 18 residential lots.

At the end of the notification period for the amended proposal, a total of four (4) submissions were received. Three of the four submissions were objections to the amended proposal and one submission did not raise any objections to the amended proposal.

A copy of these submissions are attached (**Attachment A2d**).

The concerns raised by the submissions, together with the comments on the submissions, are shown on pages 8 and 9, Section "5.0 Consultation" of the Consultant's report (**Attachment A2a**).

Staff are of the opinion that the Consultant has satisfactorily addressed the concerns raised in the submissions.

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General Manager

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Mayor

## Preparation of a Development Control Plan (DCP)

At its 20<sup>th</sup> January Ordinary Meeting, Council resolved as follows:

*“That:*

- 1. The Tasman Street development lots be auctioned by March 2009 with the lower prices submitted being the reserve price.*
- 2. The Development Control Plan for the Cunynghame Estate be extended to include this area pending the review of all Development Control Plans.*
- 3. Quotations be obtained from local agents for marketing and auction of the land.”*

In respect to Item 2 of the resolution, a Draft DCP titled “Cunynghame Park Estate 2” has been prepared and is currently on exhibition until the 5<sup>th</sup> March 2009, which is the statutory 28 day period. The DCP, when adopted by Council, will be known as Part P of Council Development Control Plan 2001. A report for adoption of this new DCP will be submitted to Council's 17 March 2009 Ordinary Meeting. Hence, the new DCP will be in operation by the time the new lots are auctioned.

## Conclusion

It is assessed that the amended proposal is consistent with the objectives of the 2(v) Village zone in Council's Local Environmental Plan 1998 (LEP). The amended proposal is compatible with the existing residential development of the neighbourhood, is fully compliant with the LEP and is also fully compliant with the relevant sections of Council's DCP 2001.

## **Recommendation**

That Modification Application 72/09 for a proposed 18 Lot residential subdivision of Lots 1 and 2 in DP 1068573, and Lot 1 in DP 1126275, 16-28 Tasman Street, Oberon be approved subject to the modifications to the conditions of the original Development Application (DA 116/08) as proposed in the report prepared by Planning Ingenuity Pty Ltd – Consultant Town Planners, dated 20 January 2009.

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General Manager

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Mayor

**A3. DEVELOPMENT APPLICATION 23/09**  
**Staff Report to the 17 February 2009 Ordinary Meeting**  
**File No. PR22.173**  
**Prepared by Jaclyn Burns on 9 February 2009**

Application: Construction of a Dwelling

Applicant: NDF Building Certification

Owner: Mr H & Mrs S Webb

Zone: Rural 1(a)

Property: Lot 12 in DP: 603429, 173 Titania Road, Oberon

Reason for the Submission to Council

On the 14<sup>th</sup> August 2008 Council staff received Development Application 23/09 for a proposed dwelling on the abovementioned property. Development Application 23/09 has been referred to Council for determination in accordance with Clause H.3.10.1, as a submission has been received by way of objection.

Furthermore, the applicant has requested a variation to Clause A.2.6 of Development Control Plan 2001 (DCP) in respect to the siting of the dwelling within the 500m buffer from an extractive industry.

At the 20 January Ordinary Meeting of Council it was resolved:

*“That the matter be deferred to the February 2009 Ordinary Meeting following a further site inspection to be carried out by Councillors, the applicants and Mudgee Stone Company.”*

As a consequence of the walk over on the 29 January 2009 Council received correspondence on the 3<sup>rd</sup> February, 2009 from Mr and Mrs Webb (**Attachment A11a**), indicating that they are willing to enter into a formal agreement with Mudgee Stone Company and also ensure that the orientation of the building, wall construction, size and location of windows, location of sleeping areas and habitable areas to address noise issues associated to the proximity of the dwelling to the quarry.

Whilst these measures would be of benefit in noise attenuation the application has not been formally amended and specific details have not been provided. As such Council staff can only consider the application and plans as submitted. Furthermore the issue of a “formal agreement” has not been legally considered and should be up to the applicant to demonstrate that such an agreement is appropriate.

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General Manager

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Mayor

In response to the letter from Mr and Mrs Webb and the walk over, Mudgee Stone Company forwarded correspondence to Council on the 9<sup>th</sup> February, 2009. (**Attachment A11b**) (Please note the correspondence submitted as an attachment does not include the file notes from Mr Scott Murdoch of the walk over).

### History

On the 23<sup>rd</sup> June 2003, Development Application 110/03 was lodged with Council for a " Dwelling Entitlement" by the owner at the time, Luss Pty Ltd. Lot 12 at the time of assessment was part of a substantial original holding and Development Application 110/03 was one of three development applications (DA 110/03, DA 75/05 and DA 76/05) submitted for " Dwelling Entitlements" by Luss Pty Ltd on other lots forming the original holding

Furthermore, Council was at the same time assessing Development Application 126/03 for a Granite Quarry (Mudgee Stone Company) on the adjoining land, Lot 13.

Development Application 110/03 was subsequently approved on the 8<sup>th</sup> August 2003 with six conditions of Development Consent (**Attachment A11c**). Of particular interest is Condition 3 'Location and Design of Dwelling'.

Development Application 110/03 had a lapsing date of 8<sup>th</sup> August 2008.

Assessment of this application also reveals that both lots 12 and 13 were created as concessional lots under the Oberon Interim Development Order No.1 for the purpose of dwellings and, as such, a dwelling is permissible under clause 18 of Oberon Local Environmental Plan 1998 (OLEP 1998).

### Development Application 23/09

On the 14<sup>th</sup> August 2008, Council staff received Development Application 23/09 for the construction of a future dwelling on Lot 12 (**Attachment A11d**).

During the determination of the proposed development, the application was notified to the adjoining land owner, Mudgee Stone Company, due to the proximity of the proposed dwelling to the existing quarry.

On the 28<sup>th</sup> October 2008 Council staff received a submission from Mudgee Stone Company to the proposed development (**Attachment A11e**), which outlined a number of issues that were not addressed by the applicants' Statement of Environmental Effects, as summarised:

- The application does not address Clause 13 of the State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 (extract reproduced below).
- The application requests the dwelling be located within Council's 500m buffer distance from the extractive industry without proposing any measures to avoid potential land use conflict.

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- The application does not address the fact that the dwelling is located on an acknowledged and delineated Alaskite resource. Please refer to the attached map (**Attachment A11f**).
- The Statement of Environmental Effects does not justify the location of the proposed building envelope and misquotes the Development Control Plan by stating that a 150m buffer is required from the adjoining property boundaries.
- The application does not address Condition 3 of Development Application 110/03, which required any future dwelling to take into account the presence and impacts of the quarry operations on the adjoining land. Please refer to **Attachment A11c** for reference to this condition.

Mudgee Stone, in their objection however, also suggested that the dwelling be relocated to a more appropriate location, “*eg. the northwest or southwest corners of lot 12 in DP 603429*”. It was also suggested that Mudgee Stone were willing to discuss with the applicant and their representatives options, to still achieve their desired outcomes.

On the 28<sup>th</sup> October 2008, Council staff sent a letter to the applicants and owner regarding a number of issues that needed to be addressed prior to the determination of the application (**Attachment A11g**). The applicant’s response to both the objection and Councils correspondence are attached (**Attachment A11h**).

In an effort to mediate a resolution to the objection received by Mudgee Stone, as they appeared willing to consider in consultation with the application, alternative building sites, Council staff contacted the owners to seek their cooperation to an on-site meeting. The land owners, unfortunately, were not at first willing to seek mediation and, as such, Council contacted Mudgee Stone (**Attachment A11i**) requesting clarification of their suggestions of alternative compliance. Their response is attached (**Attachment A11j**). The response was emailed to H Webb on the 9<sup>th</sup> December 2008. Further correspondence was also submitted from Mr and Mrs Webb, attached (**Attachment A11k**).

A walk over of lot 12 was carried out on the 22<sup>nd</sup> December 2008 with Council’s Director of Development, Senior Development Control Officer, Councillor McCarthy, Mudgee Stone Representative Mr Scott Murdoch and Mr Hugh and Mrs Sue Webb.

During the walkover it was indicated that the main concerns of Mudgee Stone was the location of the proposed dwelling in respect to the existing quarry and the 35dBa noise contour. The walkover revealed a number of alternative dwelling locations on the site that were considered acceptable to Mudgee Stone Company as they were located outside the 35dBa noise contour. Accordingly, it was resolved that Mudgee Stone would provide a plan of the land indicating the 35dBa noise contour relative to the proposed dwelling location.

On the 9<sup>th</sup> January 2009 a plan was provided by Mudgee Stone Company regarding suitable alternative building sites outside the 35dBa noise contour (**Attachment A11l**) and this information was forwarded to the owners for consideration. Mr Hugh Webb advised Council’s Senior Development Control Officer, via telephone, at 11.00 am on Monday, 12<sup>th</sup> January 2009

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that they would like their Development Application determined as submitted (site three) and do not consider the alternative building sites to be appropriate for various reasons.

Accordingly, Council staff recommendation will be made on the house site nominated by the land owners.

### Site Considerations

There are many pieces of legislation that govern development adjoining an existing extractive industry. The *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 – Clause 13*, requires Council to consider the impacts of the proposed dwelling on the mineral resource which includes current or future extraction.

- “(1) This clause applies to an application for consent for development on land that is, immediately before the application is determined:*
- (a) In the vicinity of an existing mine, petroleum production facility or extractive industry....*
- (2) Before determining an application to which this clause applies, the consent authority must:*
- (a) Consider:*
- (i) the existing uses and approved uses of land in the vicinity of the development, and*
- (ii) whether or not the development is likely to have a significant impact on current or future extraction or recovery of minerals, petroleum or extractive materials (including by limiting access to, or impeding assessment of, those resources), and*
- (iii) any ways in which the development may be incompatible with any of those existing or approved uses or that current or future extraction or recovery, and*
- (b) evaluate and compare the respective public benefits of the development and the uses, extraction and recovery referred to in paragraph (a) (i) and (ii), and*
- (c) evaluate any measures proposed by the applicant to avoid or minimise any incompatibility, as referred to in paragraph (a) (iii).”*

In the assessment of Development Application 23/09, Council must therefore consider the existing quarry as approved and also the proposed expansion of the white granite quarry which is currently before the Department of Planning who have indicated a number of issues that require clarification in the submitted Environmental Assessment.

**Unfortunately, the application for the construction of a dwelling still fails to address any current or proposed impact of the extractive industry, such as specific noise mitigation measures, and, as such, makes a favourable determination by staff extremely difficult. The applicant has been advised on numerous occasions that should they wish for the development to be favourably considered at site three (3) then THEY must demonstrate to Council that their proposal will have negligible effect on the surrounding existing land use.**

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In respect to the SEPP, Council staff may have considered the application favourably had it been located in a position well away from the quarry (such as those indicated by Mudjee Stone during the walkover).

It is very important to note that the application itself fails to even indicate the approximate position of the dwelling from the quarry and, as such, staff have had to try and approximate the distance. The distance of the proposed dwelling from the site plan submitted indicates an approximate distance of 225 metres from the existing quarry and 210 metres from the proposed extension.

However, Mudjee Stone indicate that the dwelling site location Number Three (3) is approximately 295 metres from the existing quarry and 280 metres from the proposed extension.

**So this raises the Question of: What site are Council determining?**

In consideration of either location council need to be aware that the buffer distance specified by Clause A.2.6 in Development Control Plan 2001 requires a 500 metre buffer from the quarry, in order to minimise land use conflicts and to avoid undue interference with the living amenity of residents.

Discussions and correspondence from the applicants and owners have attempted to justify the location of the dwelling in the proposed location as a result of their perception that other dwellings have been determined within the 500 metre buffer. Council staff have assessed the buffer zone, the area of identified mineral resource and the noise contour and can identify the following:

- No dwellings have been approved within the buffer zone since its adoption; the only dwelling existing inside the buffer is that of Mr M and Mrs J Armstrong. An excised lot was approved in 2005 in consultation with the quarry owner; however the dwelling location is actually approximately 1 km away from the extraction site at the time of determination. (applicant: Australian Feldspar P/L)
- No dwellings have been approved within the mineral resource area since the Section 117 direction indicating its existence. A subdivision was approved in 2004 for an excised lot within the resource area, outside the extractive industry buffer. (applicant K. Richardson for Luss P/L)
- No dwelling has been approved within the 35dba noise contour since the drafting of the Environmental Assessment in September 2007. A dwelling was approved in October 2006 inside the noise contour. (applicant: Sutfol P/L)

Further conjecture has also been raised as to the similarities of this application to that of Oberon Shire Council and Hynes Urban Planners in the proceedings at the Land and Environment Court in 2001 concerning Nodtronics Pty Ltd. In this case the dwelling was located Approx. 400 metres from the quarry. In this case, due to the marginal variation in the buffer setback distance of the dwelling to the quarry the acoustic engineer estimated the noise impact to be minimal, approximately 1 or 2 dBL due to the distance and topographic shielding. This case has minimal similarities to the development application currently for determination for Webb.

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The Oberon Local Environmental Plan, within the aims and objectives, also requires Council to:  
*“(b) To encourage the proper management, development and conservation of natural and built resources within the Oberon local government area by protecting, enhancing or conserving:  
(ii) Timber, minerals, soil, water and other natural resources, and...”*

Furthermore the Rural 1 (a) Zone objectives require *“...the proper management and utilisation of resources by:*

- (a) Protecting, enhancing and conserving:*
- (iii) Forests of existing and potential commercial value for timber production, and Valuable deposits of minerals, coal, petroleum and extractive materials, by controlling the location of development in order to ensure the efficient extraction of those deposits...”*

Part 3 Special Provisions of OLEP Clause 10 – *“General considerations for development within rural zones”*, requires

*“(1) The Council must not consent to development on land within Zone No 1 (a), 1 (c) or 1 (e) unless it has taken into consideration, if relevant, the effect of the carrying out of the proposed development on:*

- (c) The future recovery from known or prospective areas of valuable deposits of minerals, coal, petroleum, sand, gravel or other extractive minerals...”*

Section 79C of the Environmental Planning and Assessment Act also requires Council to consider:

- “(b) The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (c) The suitability of the site for the development,*
- (d) Any submissions made in accordance with this Act or the regulations,*
- (e) The public interest.”*

Council staff in the preparation of this report have given consideration to the impact of the construction of a dwelling in close proximity to an existing extractive industry in light of the above legislation.

Lot 12 in DP 603429 has been identified as a concessional lot created under the Oberon Interim Development Order and, as such, the permissibility of a dwelling under clause 18 of the Oberon Local Environmental Plan 1998 is not being argued. As such, Council staff have also taken into serious consideration the options presented by the Mudgee Stone Company in their proposal to alternative building locations.

Unfortunately the information provided by the applicant and owner in their submissions does not adequately address the information required for Council staff to consider their development to have minimal impact on the existing development or the recovery of future resources. Accordingly, Council staff have made the following recommendation.

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This is Page No. 11 of the Staff Report as presented to the duly convened Ordinary Meeting of Oberon Council to be held at the Council Chambers, Oberon on Tuesday, 17 February 2009 commencing at 5.30 pm.

**Recommendation:**

That Development Application 23/09 for the construction of a dwelling at Lot 12 in DP 603429, 173 Titania Road, Oberon be refused for the following reasons:

- 1) Council is not satisfied that the development complies with the objectives of the Rural 1(a) Zone in the Oberon Local Environmental Plan 1998;
- 2) The application does not disclose information which enables Council to form the opinion that the carrying out of the development is consistent with the objectives of the Oberon Local Environmental Plan 1998;
- 3) The application does not disclose sufficient information that enables Council to take properly into consideration the effect of carrying out of the proposed development on the future recovery from known prospective areas of minerals, pursuant to State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 – Clause 13.
- 4) Council cannot be satisfied that the proposed location of the dwelling is suitable, having regard to adjoining land uses and, in particular, the existing and future operations of the quarry in the locality.
- 5) The proposed dwelling is located within the 500 metre buffer zone of the Oberon White Granite Quarry, contrary to clause A.2.6 of Development Control Plan 2001.

**B1. O'CONNELL REST AREA**  
**Staff Report to the 17 February 2008 Ordinary Meeting**  
**File No. R253.2**  
**Prepared by Ian Tucker on 15 January 2009**

There is a worsening problem with disposal of rubbish at the O'Connell Rest Area adjacent to the Fish River.

Six 240 litre wheelie bins are provided in this rest area. They are frequently full to overflowing, with additional rubbish left on the ground nearby. The rest area is serviced weekly, and more often during peak periods.

There is no doubt that the majority of rubbish is coming either from local residents, or from people commuting between Bathurst and Oberon to avoid the time and cost of going to the tip. One bin would be ample to cater for legitimate travellers using the rest area.

Additional bins, or providing a large skip bin, will make the problem worse by effectively giving the message that it is an acceptable place to dispose of household rubbish. It would become a defacto transfer station, but unattended. (Forests NSW have this problem with skip bins at

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General Manager

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Mayor

Millionth Acre, the bins fill up in a couple of days, and it costs many thousands per year to empty them. They are considering removing them).

Signs saying 'No Domestic Rubbish' or similar are very unlikely to have any significant effect. While bins are provided and the area is unattended, people will use them.

It is recommended that all bins be removed from the rest area, and signs installed saying 'Rubbish Dumping Prohibited – Please Take Your Rubbish With You'. This will be only a minor inconvenience for legitimate users of the rest area, who can dispose of small quantities in bins in Oberon or Bathurst.

It is possible the removal of bins may transfer the problem to Flat Rock, especially from residents in the O'Connell area. If this occurs those bins will also be removed and replaced with signs. Drums could perhaps be provided for limited periods at peak camping times.

**Recommendation:**

That all bins be removed from the O'Connell Rest Area and appropriate signs installed, with similar measures to be taken at Flat Rock if necessary.

**B2. WORKS COMMITTEE**

**Staff Report to the 17 February 2008 Ordinary Meeting**

**File No. A2.3**

**Prepared by Ian Tucker on 22 January 2009**

At the January Council meeting, the need to hold a meeting and inspection by the Works Committee was raised. This will then feed into the budget deliberations for **2009/10**.

Tuesday 10 March is suggested for this meeting and inspection, commencing at 10.00 am, with a stop for lunch.

The following locations may be included in the inspection:

2008/09 Projects

- Burroughs Crossing Bridge
- Edith Bridge
- Shooters Hill Road
- Mt Werong Road
- Duckmaloi Road, Oberon East Project
- Ferndale Road
- Gingkin Road
- Burruga Road

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General Manager

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Mayor

- Tasman Street Subdivision
- The Common Extension
- Parkes Street Park Pedestrian Bridge

#### Possible 2009/10 Projects

- Shooters Hill Road
- Blue Road
- Beaconsfield Road
- Carlwood Road
- Hazelgrove Road
- Sloggetts Road Intersection

Councillors are requested to suggest other locations they wish to have included in the itinerary, especially any projects to be considered for 2009/10.

#### **Recommendation:**

That a Works Committee meeting and inspection be arranged for Tuesday 10 March 2009 commencing at 10.00 am.

### **B3. POLICY REVIEWS**

**Staff Report to the 17 February 2008 Ordinary Meeting**

**File No. A1.2.7**

**Prepared by Toni Dwyer on 27 January 2009**

Council has recently reviewed the majority of its policies with the intention of having a regular review cycle. Generally policies will be reviewed each 2 years unless there is a specific legal requirement to do otherwise.

The below policies (**Attachments B3a & B3b**) are provided for Council's review and consideration as they have reached their review cycle date.

- Policy 1111 – Annual Fees
- Policy 4414 – Water Restrictions

There have been no changes to the abovementioned policies.

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General Manager

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Mayor

**Recommendation:**

1. That Policy Number 1111 – Annual Fees be adopted as presented in **Attachment B3a**.
2. That Policy Number 4401 – Water Restrictions be adopted as presented in **Attachment B3b**.

**B4. 2009/14 MANAGEMENT PLAN**  
**Staff Report to the 17 February 2009 Ordinary Meeting**  
**File No. C15.4 and C15.5**  
**Prepared by John Chapman on 28 January 2009**

Work is under way on preparation of the draft Management Plan 2009-14 (which includes Estimates 2009-14, Revenue Policy 2009-10, and Fees and Charges 2009-10). The following schedule outlines deadline dates and target dates for consideration of the Management Plan:

	<u>Deadline</u>	<u>Proposed Date</u>
Distribution to Council of Preliminary Draft of Management Plan		28 April 2009
Discussions by Council on Preliminary Draft of Management Plan		5 May 2009 (Special Meeting 6:00pm)
Consideration & adoption of Draft Management Plan	02 June 2009	19 May 2009 (Ordinary Meeting)
Advertise Draft Management Plan	02 June 2009	20 May 2009
First day for public exhibition of Draft Management Plan	02 June 2009	20 May 2009
Last day for public exhibition of Draft Management Plan	30 June 2009	16 June 2009
Final adoption of the Management Plan	30 June 2009	16 June 2009 (Ordinary Meeting)

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General Manager

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Mayor

It is proposed that the 5 May 2009 discussions be in the form of a special meeting. This will enable staff to present the preliminary draft with explanations of major variations, if any, from previous formats or practices in preparation of the plan. It also gives Councillors the opportunity to seek details or advice in respect of the plan. Comments from this discussion/workshop will then be taken into consideration when preparing the final draft management plan for consideration at the May Ordinary Meeting.

**Recommendation:**

That the schedule outlined above be adopted for consideration of the 2009-2014 Management Plan.

**B5. HUME STREET TREE**  
**Staff Report to the 17 February 2008 Ordinary Meeting**  
**File No. E34.10**  
**Prepared by Ian Tucker on 4 February 2009**

A letter has been received requesting Council to remove a tree in Hume Street, which has branches overhanging a property. (*Attachment B5a*)

One large branch was previously removed from this tree. A report on the tree has now been obtained (*Attachment B5b*). It states the tree is healthy and the likelihood of branch failure in normal conditions is low.

It is not possible for anyone to say whether any particular tree will fall or not fall. When concerns are expressed, Council can only obtain reports and treat each case on its merits. It is not obliged to remove a tree based purely on those concerns, as many trees would then be removed unnecessarily. The cost to remove the tree would be \$3,300.

**Recommendation:**

That no action be taken to remove the eucalyptus tree in Hume Street behind 24 Bligh Street.

**B6. BURRAGA SCHOOL**  
**Staff Report to the 17 February 2008 Ordinary Meeting**  
**File No. A3.3 & PR238.44-66**  
**Prepared by Bruce Fitzpatrick on 4 February 2009**

Following the re-opening of the Burraga School, the newly formed Burraga P & C held their inaugural meeting on Tuesday 3 February 2009 and Principal Jamie Medbury outlined the proposed program for integrating pupils with other local schools to broaden their exposure to their peers.

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This is Page No. 16 of the Staff Report as presented to the duly convened Ordinary Meeting of Oberon Council to be held at the Council Chambers, Oberon on Tuesday, 17 February 2009 commencing at 5.30 pm.

Via email, dated 4 February 2008 (**Attachment B6a**) Mr. Charles Lamburn has written on behalf of the Burruga P & C to request that Oberon Council provide a donation to assist with facilitating the program to integrate pupils with other local schools. A letter from the newly elected Vice President, Bronwyn Whalan (**Attachment B6b**) has also been received re-iterating the request.

Staff have assessed the request, and believe it complies with Council's Financial Assistance Policy. Council currently has \$2007 available in its annual donations budget.

**Recommendation:**

That a donation of \$\_\_\_\_\_ be provided to the Burruga P & C Association to assist with facilitating the program to integrate pupils with other local schools.

**B7. BOSWORTH FALLS ROAD**  
**Staff Report to the 17 February 2008 Ordinary Meeting**  
**File No. R6**  
**Prepared by Ian Tucker on 4 February 2009**

A letter has been received from the owners of a property on Bosworth Falls Road, requesting permission to install a gate across Bosworth Falls Road (**Attachment B7a**).

There was previously a gate across the road approximately 500 m from the Fish River crossing. It was removed at Council's insistence following a complaint from a nearby resident. A series of correspondence then followed, one relevant letter is attached (**Attachment B7b**).

As stated in that letter, Council is not aware of any legal impediment to vehicles crossing the Fish River at that point. It is therefore, inaccurate to describe it as a 'No Through Road' and the sign at the southern end is probably intended as a discouragement. A gate, especially a locked gate, would almost certainly be illegal and would have to be removed.

Extracts from the current Deposited Plan and Council's GIS are attached (**Attachment B7c**). They also strongly suggest that vehicle access through the river is legal. Note that the LGA boundary is on the south bank of the river, so any issues with the river crossing would be for Bathurst Council to address.

While sympathising with the various problems mentioned in their letter, most of them have little if anything to do with Council. Many of them may be alleviated by better fencing of their boundary adjoining Bosworth Falls Road, including the narrow section between the road and the river.

Other issues, such as maintenance of the road and the river crossing, are not their responsibility, and should be left for Oberon and Bathurst Council's to deal with. Even if they have carried out some road maintenance previously, this is not an argument to allow a gate to be installed.

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This is Page No. 17 of the Staff Report as presented to the duly convened Ordinary Meeting of Oberon Council to be held at the Council Chambers, Oberon on Tuesday, 17 February 2009 commencing at 5.30 pm.

Indeed, allowing the river crossing to deteriorate may be a means of discouraging traffic and overcoming many of their problems.

Note that the letter to the previous owners suggested they may wish to apply to install a grid. This could still be suggested, however it is unlikely to remedy the concerns they have raised.

**Recommendation:**

That the request to install a gate across Bosworth Falls Road be declined.

**B8. QUARTERLY BUDGET REVIEW AS AT 31 DECEMBER 2008**  
**Staff Report to the 17 February 2009 Ordinary Meeting**  
**File No. C15.3**  
**Prepared by John Chapman on 9 February 2009**

The Quarterly Budget Review Statements for the second quarter to 31 December 2008 have been distributed as a separate document.

All items in respect of which there are variations are noted on the detailed statements with brief comments. A summary of major variations is also provided with the statements.

**Recommendation:**

That the Quarter 2 Budget Review Statements for 2008/2009 be received and noted.

**B9. REVIEW OF MANAGEMENT PLAN – QUARTER 2, 2008/09**  
**Staff Report to the 17 February 2009 Ordinary Meeting**  
**File No. C15.5**  
**Prepared by John Chapman on 9 February 2009**

In accordance with the provisions of the Local Government Act 1993, a report is being distributed as a separate document on the progress made to 31 December 2008 with Council's Management Plan for the 2008/09 year.

**Recommendation:**

That the Quarter 2 Management Plan review for 2008/2009 be received and noted.

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This is Page No. 18 of the Staff Report as presented to the duly convened Ordinary Meeting of Oberon Council to be held at the Council Chambers, Oberon on Tuesday, 17 February 2009 commencing at 5.30 pm.

**B10. 2008/09 ROADS CAPITAL WORKS**  
**Staff Report to the 17 February 2008 Ordinary Meeting**  
**File No. E31.1**  
**Prepared by Ian Tucker on 9 February 2009**

At its Special Meeting on 5 February 2009, Council requested further information on the roads capital works program for 2008/09, with a view to the potential deferral of some projects. Further explanation of the various funding sources can be provided at the meeting.

Local Roads

Shooters Hill Road	Budget \$1,744,100 (Forests NSW \$1,065,959, Auslink \$371,017, FAG \$307,124) Expenditure \$1,209,281
Mt Werong Road	Budget \$679,725 (100% funded by Forests NSW) Expenditure \$502,824
Carlwood Road	Budget \$31,887 (100% funded from FAG) Expenditure \$23,069 Final seal required in 2009/10
Gingkin Road	Budget \$95,061 (100% funded from FAG) Expenditure \$26,500 Further works unlikely to commence during 2008/09
Purdons Lane	Budget \$80,000 (FAG \$25,536, R2R \$54,464) Expenditure \$0 Works scheduled for May/June, R2R funds must be spent by 30 June 2009.
Ferndale Road	Budget \$109,091 (Sect 94 – 33%, Owner contributions – 67%) Expenditure \$109,091 Works complete. Final seal required in 2009/10.
Beaconsfield Road	Budget \$100,000 (carried over from 2007/08) (100% funded from FAG) Expenditure \$0 Works unlikely to commence during 2008/09

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This is Page No. 19 of the Staff Report as presented to the duly convened Ordinary Meeting of Oberon Council to be held at the Council Chambers, Oberon on Tuesday, 17 February 2009 commencing at 5.30 pm.

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General Manager

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Mayor

Mayfield Road	Budget \$164,993 (R.C. Reserve \$85,000, R2R \$79,993) Expenditure \$164,993 Works complete
Burraga Road	Budget \$108,357 (Sect 94 \$45,000, R.C. Reserve \$5,000, c/f from 07/08 \$58,357) Expenditure \$62,582 Final seal yet to be applied, budget will be fully expended.
Harvey's Road Final Seal	Budget \$10,975 (100% funded from roads construction reserve) Expenditure \$10,975 Works complete
Bitumen Reseals	Budget \$259,464 (FAG \$69,464, Sect 94 \$90,000, R.C. Reserve \$100,000) Expenditure \$259,464 Works complete
Gravel Resheeting	Budget \$208,000 (100% funded from FAG) Expenditure \$149,450
Burrough's Crossing Bridge	Budget \$50,000 (100% funded from R2R) Expenditure \$13,000 (investigations and design) A report will be provided soon detailing the funds required for construction.
Junction Road	Budget \$110,000 (100% funded from Sect 94) Expenditure \$0
<u>Regional Roads</u>	
Hazelgrove Road	Budget \$73,790 (100% funded from Ex 3 x 3) Expenditure \$0 Ex 3 x 3 funds should be spent by 30 June 2009

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This is Page No. 20 of the Staff Report as presented to the duly convened Ordinary Meeting of Oberon Council to be held at the Council Chambers, Oberon on Tuesday, 17 February 2009 commencing at 5.30 pm.

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General Manager

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Mayor

Abercrombie Road  
2.4 – 4.2 km

Budget \$400,000  
(REPAIR Prog. \$200,000, R2R \$200,000)  
Expenditure \$640  
REPAIR Program and R2R funds must be spent by  
30 June 2009.

Abercrombie Road  
18.8 – 20.6 km

Budget \$400,000  
(REPAIR Prog. \$200,000, R2R \$152,000 R.C.  
Reserve \$48,000)  
REPAIR Program and R2R funds must be spent by  
30 June 2009.

Edith Bridge

Budget \$456,351  
(RTA Special Grants and R.C. Reserve)  
Expenditure \$456,351  
Works complete

Note: RTA Projects on State Roads, and Council projects in the town improvement fund, are not included in this report.

**Recommendation:**

Submitted for information.

**B11. VICTORIA FIRES**  
**Staff Report to the 17 February 2008 Ordinary Meeting**  
**File No. A3.3**  
**Prepared by John Chapman on 9 February 2009**

Following the tragic bushfires in Victoria, Councillor Handelsmann has suggested that Council consider making a financial contribution to the Victorian Bush Fire Appeal.

Staff have assessed the request, and believe it complies with Council's revised Financial Assistance Policy. The revised policy is currently advertised with submissions closing on 28 February 2009. There have been no submissions received to date.

Council currently has \$2007 available in its annual donations budget.

**Recommendation:**

That a donation of \$\_\_\_\_\_ be provided to the Victorian Bush Fire Appeal.

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This is Page No. 21 of the Staff Report as presented to the duly convened Ordinary Meeting of Oberon Council to be held at the Council Chambers, Oberon on Tuesday, 17 February 2009 commencing at 5.30 pm.

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General Manager

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Mayor

**B12. WASTEWATER (SEWERAGE) PRICING**  
**Staff Report to the 17 February 2009 Ordinary Meeting**  
**File No. E33.1**  
**Prepared by John Chapman on 9 February 2009**

At Council's September 2008 Ordinary Council Meeting, Councillor McMahon sought an explanation for the increase of \$84.50 in 2007/2008 in the annual charge for residential wastewater services. Council resolved *"that Staff be requested to provide a comprehensive report on the sewerage charges to the new council"*.

Council introduced best-practice pricing for wastewater services in 2005/2006, replacing the then traditional rates-based calculations for all properties connected to the wastewater service. The best-practice pricing method had been strongly recommended for a number of years by the (then) NSW Department of Land and Water Conservation.

The Department's Guidelines provided the following comments relating to best-practice pricing:  
*"Best-practice pricing...provides appropriate signals that are equitable, encouraging customers to use water and associated facilities efficiently. It assists in avoiding or deferring the need for new capital works and will protect the environment and water resources.*

*Best-practice pricing:*

- *Provides appropriate pricing signals enabling customers to balance the benefits and costs of their use of the service*
- *Raises the revenue required for business viability including investment in new and replacement infrastructure*
- *Ensures the removal of significant cross-subsidies*
- *Complies with IPART Pricing Principles and COAG Water Reforms*

*In addition, best-practice pricing is a pre-requisite to eligibility for financial assistance towards the capital cost of backlog...infrastructure..."*

Best-practice pricing for residential waste water services as calculated using two components:

1. Access Charge - the average cost per property of the provision of the infrastructure to provide the service.
2. Usage Charge – the average cost per property of the treatment and disposal of wastewater.

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General Manager

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Mayor

The annual residential charge levied since the implementation of best-practice pricing is summarised as follows:

	<u>2005/2006</u>	<u>2006/2007</u>	<u>2007/2008</u>	<u>2008/2009</u>
Usage Charge	155.55	161.15	242.00	252.00
Access Charge	93.00	96.35	100.00	100.00
	\$			
Total	\$ 248.55	257.50	\$ 342.00	\$ 352.00

*The initial charges (levied in 2005/2006) were calculated based upon a model prepared using estimates from 2003 data and was intended to be re-calculated for the 2006/2007 levy using more recent data, with a view to the phasing in of the new charges over a three year period. However, the standard increase for rates and charges (3.6%) was applied for 2006/2007 and the recalculated charge using the more recent data was not implemented until 2007/2008, resulting in a substantial increase but reflecting an appropriate charge in accordance with the best-practice guidelines and completing the phasing in of the new charges.*

*Thus, the second phase of the new charge was deferred and included with the third phase in 2007/2008.*

*The latest statistical information available from the Department of Water and Energy (for 2007/2008) provides the following comparisons of annual residential charges levied for wastewater services:*

Bathurst Regional Council	\$363
Blayney Shire Council	\$420
Cowra Shire Council	\$522
Dubbo City Council	\$455
Goulburn Mulwaree Council	\$600
Lithgow City Council	\$384
Mid Western Regional Council	\$447
<b>Oberon Council</b>	<b>\$342</b>
Orange City Council	\$283
Tamworth Regional Council	\$605
Upper Lachlan Shire Council	\$550
Wellington Shire Council	\$492

**Recommendation:**

That the information be received and noted.

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This is Page No. 23 of the Staff Report as presented to the duly convened Ordinary Meeting of Oberon Council to be held at the Council Chambers, Oberon on Tuesday, 17 February 2009 commencing at 5.30 pm.

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General Manager

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Mayor

**B13. INDUSTRY LINKS PROGRAM**  
**Staff Report to the 17 February 2009 Ordinary Meeting**  
**File No. A3.2**  
**Prepared by Mike Massey on 9 February 2009**

By letter, dated 19 December 2008, (**Attachment B13**) the NSW Department of Education has written to stakeholders in respect to continuing and expanding the Industry Links Program. It has been requested by the Industry Links Program for Council to consider making a contribution of \$500.00 towards this program this year 2009-2010 so that these mutual benefits may continue.

Investigations into the needs of the local businesses during the later part of 2007 provided information on the critical shortage of skilled workers in the area. Due to a lack of business diversity in the Shire, the Oberon community is heavily reliant on the timber industry for both employment and flow on expenditure in the town. Establishing the Pre Trade Program (Industry Links) in Oberon for Metal Trades will have significant benefits for the future growth, diversity and prosperity of the community.

Local Engineering & Trade Industries around the Oberon District have embraced the Industry Links Program with enthusiasm. To date six (6) local Engineering Companies and major stakeholders such as Carter Holt Harvey (Structaflor), JELD-WEN, Moorehead Engineering, Oberon Engineering, Still Engineering and Carter Holt Harvey (MDF), have engaged in the program.

With the implementation of the Industry Links Program, students in Year 10 & 11 have the opportunity to engage in the industry of their choice, while still completing the existing school curriculum. To achieve a positive outcome for both the student and the employer it is imperative that quality, professional mentoring is obtained for the students. Introducing the "Buddy Partnership" students have access to:

- a fully qualified experienced trade's person,
- the opportunity to use specialised industrial equipment and
- the day to day experiences of the workplace.

During the year the students are rotated through the local businesses which provide them with a clearer picture and a more diverse range of engineering opportunities. On completion of the 2007-2008 program three (3) of the six (6) students that embarked on the project obtained apprenticeships within the local area.

With the future development of the Oberon Trade Centre and the continuation of the Industry Links Program it was agreed upon by the committee to expand the program in 2009-2010 to now include both Metal Trades and Hospitality.

**Recommendation:** Submitted for Council's consideration.

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This is Page No. 24 of the Staff Report as presented to the duly convened Ordinary Meeting of Oberon Council to be held at the Council Chambers, Oberon on Tuesday, 17 February 2009 commencing at 5.30 pm.

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General Manager

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Mayor

**B14. UNDERSTANDING SUSTAINABILITY FOR COUNCILLORS**  
**Staff Report to the 17 February 2009 Ordinary Meeting**  
**File No. A1.3.3**  
**Prepared by Bruce Fitzpatrick on 9 February 2009**

The LGSA will be providing training on Understanding Sustainability for Councillors on Friday 6 March 2009 from 9am to 4pm to be held in Sydney (**Attachment B14a**).

The broad aim of the workshop is allow participants to develop a better understanding of sustainability concepts as they relate to local government practice.

The cost of participating in the training is \$135 per person.

The LGSA will also be offering weekend Councillor Training programs to be run throughout the year. A course outline, including the cost of the program and scheduled dates is attached for Council's information (**Attachment B14b**).

**Recommendation:**

That Councillors wishing to attend the LGSA Understanding Sustainability for Councillors training to be held on 6 March 2009 nominate their interest.

**B15. COUNCILLOR INFORMATION SEMINARS**  
**Staff Report to the 17 February 2009 Ordinary Meeting**  
**File No. A1.3.3**  
**Prepared by Bruce Fitzpatrick on 9 February 2009**

By letter, received on 4 February 2009 (**Attachment B15**), the Department of Local Government have written in respect to the Department's Councillor Information Seminars held between October and December 2008. No Oberon councillors attended the Department of Local Government Councillor Information Seminars.

The DLG have advised that two further catch-up seminars are being planned for late February in a regional location and late March in Sydney. This is to enable attendance by councillors who were not able to attend a previous seminar.

A report providing feedback from the seminars provided by Councillors who attended and completed a feedback form has also been provided.

**Recommendation:**

That Councillors wishing to attend the Department of Local Government Councillor Information Seminar nominate their interest.

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General Manager

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Mayor

**B16. WATER REFORMS IN NSW**  
**Staff Report to the 17 February 2009 Ordinary Meeting**  
**File No. E32.1**  
**Prepared by Bruce Fitzpatrick on 9 February 2009**

By email, dated 9 February 2009 (**Attachment B16**), Mr. Warwick Bennett, General Manager, Mid-western Regional Council has written in respect to the State Governments proposal for water reforms in NSW.

The State Government's report proposes an alliance with member Council's being Bathurst Regional, Mid-Western Regional, Lithgow City and Oberon.

Council at its 20 January 2009 Ordinary Meeting considered this matter and resolved that the information be received and noted.

Mid-western Regional Council would like to host a political forum on the water reforms, to be held in Mudgee with a view to generating a political response to the reforms. It is suggested that one representative from each Council (either political or staff member) make a presentation.

It is suggested that the meeting be chaired by the 4 Mayors from each alliance member Council. The proposed dates to hold the forum are:

- Thursday 26 February 2009
- Thursday 5 March 2009
- Friday 6 March 2009

**Recommendation:**

That the Mayor be nominated to attend a political forum hosted by Mid-western Regional Council and the preferred date for the forum be nominated.

**B17. ENTERPRISE RISK MANAGEMENT PROGRAM**  
**Staff Report to the 17 February 2009 Ordinary Meeting**  
**File No. A1.1.2**  
**Prepared by John Chapman on 10 February 2009**

Council will recall correspondence (**Attachment B17**) received from the Department of Local Government in 2008 in relation to the Better Practice Review undertaken in 2007. Investigations have been undertaken into the preferred method of development of a comprehensive risk management plan and, following enquiries made, a proposal has been received from Echelon Australia Pty Ltd to develop a diagnostic review program as the initial process leading to the establishment of a comprehensive Enterprise Risk Management Program.

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General Manager

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Mayor

The cost to Council will be \$10,000 and, as Council's commitment to the process is essential, it is considered that an address to Council by representatives from Echelon would assist in determination of the acceptance (or otherwise) of the proposal.

Arrangements have been made for Echelon representatives to attend for a presentation to Council on 24<sup>th</sup> February 2009.

**Recommendation:**

That a Special meeting be held on Tuesday 24<sup>th</sup> February 2009 commencing at 5.30 pm to receive a presentation from Echelon Australia Pty Ltd in relation to their proposal to conduct a diagnostic review.

**M1. TRAFFIC ADVISORY LOCAL COMMITTEE MEETING MINUTES  
Staff Report to the 17 February 2009 Ordinary Meeting  
File No. A2.2  
Prepared by Ian Tucker on 5 February 2009**

The minutes of the Traffic Advisory Local Committee Meeting held on 4 February 2009 are attached. (*Attachment M1*)

**Recommendation:** That

1. Large T-Junction warning signs be erected on the Butterfactory Lane approach to Edith Road as well as at both ends of Titania Road.
2. The following roads be approved for use by 19 metre B-Doubles exceeding 50 tonnes gross mass:
  - Isabella Rd, from Blue Rd to Abercrombie Rd
  - Abercrombie Rd, from Isabella Rd to O'Connell Rd
  - Mt Werong Rd, from Banshea Rd to Shooters Hill Rd
  - Shooters Hill Rd, from Mt Werong Rd to Butterfactory Lane
  - Butterfactory Lane, from Shooters Hill Rd to Edith Rd
  - Edith Rd, from Butterfactory Lane to Titania Rd
  - Titania Rd, from Edith Rd to Duckmaloi Rd
3. Abercrombie Rd, from O'Connell Rd to Paling Yards (No 7056) be approved for use by 25 metre B-Doubles.

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4. The following roads be approved for use by 25 metre B-Doubles:
  - Albion St, from Endeavour St to Duckmaloi Rd
  - Titania Rd, from Duckmaloi Rd to Edith Rd
  - Edith Rd, from Titania Rd to "Lochgarry" (No 1233)
5. The cul-de-sac in O'Connell Rd south of Carrington Avenue be installed for a trial period.
6. The proposed alterations to the intersections of Curtis St/Dudley St and Curtis St/Raleigh St be referred to the budget estimates for 2009/10.
7. Council reconsider whether it should rejoin the Road Safety Officer program.
8. Council again write to the RTA requesting an on-site inspection at The Mount, with a view to developing a strategy to improve it.

**M2. PROMOTIONS COMMITTEE MEETING MINUTES**  
**Staff Report to the 17 February 2009 Ordinary Meeting**  
**File No. A2.17**  
**Prepared by John Chapman on 5 February 2009**

The minutes of the Promotions Committee Meeting held on 5 February 2009 are attached.  
**(Attachment M2)**

**Recommendation:**

That it be noted that the first draft of the Oberon Tourism Strategy 2009-2014 has been prepared and the process of consultation is in progress.

**M3. EVENTS COMMITTEE MEETING MINUTES**  
**Staff Report to the 17 February 2009 Ordinary Meeting**  
**File No. A2.5**  
**Prepared by John Chapman on 9 February 2009**

The minutes of the Events Committee Meeting held on 3 February 2009 are attached.  
**(Attachment M3)**

**Recommendation:**

That it be noted that the Events Committee endorses the creative work done for the Oberon and Villages Summer Festival.

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This is Page No. 28 of the Staff Report as presented to the duly convened Ordinary Meeting of Oberon Council to be held at the Council Chambers, Oberon on Tuesday, 17 February 2009 commencing at 5.30 pm.

**M4. HERITAGE COMMITTEE MEETING MINUTES**  
**Staff Report to the 17 February 2009 Ordinary Meeting**  
**File No. A2.22**  
**Prepared by John Chapman on 9 February 2009**

The minutes of the Heritage Committee Meeting held on 2 February 2009 are attached. **(Attachment M4)**

**Recommendation:** That:

1. In relation to the establishment of geographical boundaries for the Urban Conservation Area at O'Connell:
  - a) staff investigate the effect of the difference between a radius of 800 metres and 900 metres,
  - b) five groups of buildings be included, and
  - c) property boundaries and buildings of influence be identified.
2. A formal letter be forwarded to John and Marilyn Baxter in appreciation of their hospitality in hosting this meeting of the Heritage Committee.

**M5. TIMBER HERITAGE WALK COMMITTEE MEETING MINUTES**  
**Staff Report to the 17 February 2009 Ordinary Meeting**  
**File No. A2.27**  
**Prepared by Ralph Tambasco on 10 February 2009**

The minutes of the Timber Heritage Walk Committee Meeting held on 2 February 2009 are attached. **(Attachment M5)**

**Recommendation:** That:

- a) Staff be authorised to carry out a site assessment of the site proposed for the Timber Heritage Walk Interpretive Centre, which would include things such as levels, drainage characteristics and other features, together with a possible indication of site costs.
- b) Staff investigate a possible alternative location for the Interpretive Centre, such as at the top end of the site, due to the environmental constraints.
- c) Site information / site analysis be collected and a concept plan be prepared which will form the basis of a grant application to undertake research and inventory works.
- d) The Grants Officer be asked to evaluate funding opportunities for research information into the history of the Timber Industry in Oberon.

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This is Page No. 29 of the Staff Report as presented to the duly convened Ordinary Meeting of Oberon Council to be held at the Council Chambers, Oberon on Tuesday, 17 February 2009 commencing at 5.30 pm.

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General Manager

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Mayor

**M6. LIBRARY COMMITTEE MEETING MINUTES**  
**Staff Report to the 17 February 2009 Ordinary Meeting**  
**File No. A2.8**  
**Prepared by John Chapman on 9 February 2009**

The minutes of the Library Committee Meeting held on 3 February 2009 are attached.  
**(Attachment M6)**

**Recommendation:** That:

1. The Director of Corporate Services' report on the "Review of Oberon Library Operations" be adopted.
2. Upon the incorporation of The Friends of Oberon Library, Council release the funds held in trust on behalf of the Friends.
3. The Library Committee be retained as provided in the 2008/2009 Management Plan, and
4. Ms Jill Evans be appointed to the Library Committee.

Submitted,

Bruce Fitzpatrick  
**GENERAL MANAGER**

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This is Page No. 30 of the Staff Report as presented to the duly convened Ordinary Meeting of Oberon Council to be held at the Council Chambers, Oberon on Tuesday, 17 February 2009 commencing at 5.30 pm.

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General Manager

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Mayor