

A1.2.1 BF:SS

March 2009

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General Manager

Mayor

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General Manager

Mayor

A1. STATE ENVIRONMENTAL PLANNING POLICY (EXEMPT AND COMPLYING DEVELOPMENT CODES) 2008
Staff Report to the 17 March 2009 Ordinary Meeting
File No. D52.1
Prepared by Ralph Tambasco on 25 February 2009

The above SEPP (the Codes SEPP) was gazetted on the 12th December 2008 and will commence operation on 27th February 2009. A copy of the complete Codes SEPP is included as a separate document. The Original Codes SEPP has been amended since its gazettal; however the amended version is not yet available on the NSW Legislation website. The amendments are only minor in nature. A copy of the amended SEPP will be distributed to Councillors when available.

EXEMPT DEVELOPMENT

Part 2 of the Codes SEPP comprises the General Exempt Development Code. It specifies 40 types of development that may be carried out as Exempt Development, that is, not requiring development consent.

Reference to Council's Exempt Development DCP will indicate that the exempt developments listed in the SEPP are less than those contained in Council's DCP 2001.

Therefore, some types of development that are currently exempt under Council's DCP will no longer be exempt after 27th February 2009 under the SEPP and will therefore require development consent.

For example, in Council's DCP 2001, development such as farm sheds, hay sheds and machinery sheds were exempt development provided they complied with certain criteria, one being not greater than 300 square metres in floor area. Under the SEPP, these types of developments fall under the "Farm buildings and structures" section and the floor area maximum is only 200 square metres.

Therefore, under the arrangements in the SEPP if the same development type is exempt in the SEPP and in Council's DCP, then the SEPP requirements prevail.

In the case where our DCP specifies Exempt Development (or Complying Development) that is not contained in the SEPP as Exempt (or Complying), then our existing DCP provisions will still apply until such time as the SEPP specifies it as Exempt or Complying.

Therefore, in our case, owing to the fact that the SEPP does not include as many exempt developments as Council's DCP, Council will need to keep both documents operational. Instead of having two documents, staff will incorporate the SEPP requirements into our existing DCP.

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General Manager

Mayor

Under the SEPP, the number of similar developments that can be constructed is included in the appropriate requirements. For example, under "Aviaries" the SEPP states that there must not be more than 2 of them per lot. If more than two are requested, a Development Application will be required to be submitted. However, if an Exempt Development is not found in the SEPP but is in Council's DCP, only one of the same development is allowed as Exempt.

COMPLYING DEVELOPMENTS

This type of development is different to exempt development. This is development that requires an application (Complying Development Certificate) to be lodged for certain works with Council or a Private Certifier. The development must comply with specified predetermined development standards and a Complying Development Certificate does not involve merit based Development Application approval, and therefore simplifies the approval process. The development standards preserve neighbour amenity through appropriate side and rear setbacks, height and privacy controls, and landscaping standards.

Part 3 of the Codes SEPP contains the first stage of the General Housing Code. It specifies the following as Complying Development:

- Detached single and two storey dwellings
- Alterations and additions to dwellings
- Other ancillary developments such as swimming pools, demolition or removal of dwellings and numerous other works defined under "ancillary development" at the front of the SEPP

and it can proceed in certain zones on lots 450 square metres and greater.

Council's current Complying Development DCP lists the following types of development as Complying:

- (a) Single dwelling houses
- (b) Additions to shops, commercial and industrial premises
- (c) Additions to dwellings
- (d) Boundary adjustment subdivisions.

The SEPP allows for many more types of Complying Development than the four in Council's DCP.

Therefore, under the arrangements in the SEPP:

- If the SEPP specifies a development as Complying and Council's DCP also specifies the same development as Complying, applicants can, until 27 February 2010 choose to use either of the provisions.

This is Page No. 4 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 March 2009 commencing at 5.30 pm.

General Manager

Mayor

- If the SEPP specifies a development as Exempt and Council's DCP specifies the same development as Complying, applicants can, until 27 February 2010 choose to use either of the provisions.
- If the SEPP specifies a development as Complying and Council's DCP specifies the same development as Exempt, then the SEPP prevails.
- If a Council's DCP specifies a development as Exempt or Complying and the SEPP does not include that development, then the Council's DCP prevails.

TRANSITION PERIOD

During the transition period between commencement of the SEPP and 27th February 2010, applicants will be required to nominate on their application for a Complying Development Certificate which planning controls they would like to use.

Where Council's DCP specifies a development to be Complying but it is not covered by the SEPP, then the DCP provisions will continue to apply after the 27th February 2010 until the developments are covered by future amendments to the SEPP.

EXCLUSIONS

1. General Exclusions

The SEPP identifies general exclusions that apply across NSW and the exclusions are usually listed in LEPs, Regional Environmental Plans, SEPPs or other legislation.

- a. Exempt Development is excluded on land that is identified as being "environmentally sensitive": which is defined in Clause 1.19(4) of the SEPP
- b. In addition, some types of Exempt Development are excluded or restricted, for example:
 - If it is constructed or installed on, in, or in relation to a heritage item or a draft heritage item
 - If it is in a heritage conservation area or a draft heritage conservation area
 - If it is designated development.
- c. Complying Development is also excluded on land that is identified as being:
 - Environmentally sensitive (as defined)
 - Comprised of, or on which there is an item listed on the State Heritage Register or that is subject to an interim heritage order
 - Land that comprises, or on which there is, a heritage item or a draft heritage item
 - Land within a heritage conservation area or a draft heritage conservation area

This is Page No. 5 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 March 2009 commencing at 5.30 pm.

- Land within a wilderness area
 - Land reserved for a public purpose
 - Unsewered land to which the Drinking Water Catchments Regional Environmental Plan No 1 applies (**Note:** as far as Council is concerned, this is generally the area east of Mount Werong Road, Edith/Gingkin Roads and the Great Dividing Range – mostly the Kanangra Boyd National Park, a section of the Blue Mountains National Park, Gurnang State Forest and part of Jenolan State Forest)
 - Land that is bush fire prone land
 - A flood control lot
 - Excluded land identified in an LEP (as defined in the SEPP)
- d. In addition, the development must not:
- Be designated development
 - Be exempt development under the SEPP
 - Be on land that is less than the minimum lot size for the erection of a dwelling under an LEP
 - Be development that requires concurrence
 - Be on land that is critical habitat of an endangered species, population or ecological community identified under the Threatened Species Conservation Act 1995 or the Fisheries Management Act 1994
- e. Also, Complying Development must:
- Be permissible with consent in the zone in which it is proposed
 - Meet the relevant requirements of the Building Code of Australia
 - Have a prior approval (if required) for:
 - An onsite effluent disposal system
 - An onsite stormwater drainage system
 - Works to be done in relation to a road under the Roads Act 1993

2. Local Exclusions

Apart from the general or standard exclusions in the SEPP for Exempt and Complying Developments, the SEPP also allows Councils to seek additional local exclusions by a nomination process. These can be zone based, or in an environmental planning instrument (eg LEP) or be an area that is identified in a policy or plan as having unique attributes that may need a merit-based assessment of any proposal by the submission of a Development Application.

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Where there is such an area that Council would like to be excluded from the Complying Development section of the SEPP, Council may nominate it and then seek approval from the Minister for Planning for the area to be excluded from the application of the SEPP.

The requirements for a local exclusion are:

- The area to be excluded must be a lot and
- The lot must be mapped electronically and
- The lot must be identified within an LEP or Local Environmental Study or in a DCP.

It is the opinion of staff that Council should make an application for additional local exclusions for Complying Development only for the following buffer distances as per Council's DCP 2001:

- (a) All properties located within the 750 metre "buffer" of the Oberon Timber Complex (OTC). A map showing the extent of the OTC 750m "buffer" zone is attached **(Attachment A1)**
- (b) All properties located within the 500 metre "buffer" distance from extractive industry (as defined in the Standard LEP)
- (c) All properties located within the 500 metre "buffer" distance from garbage tips
- (d) All properties located within the 400 metre "buffer" distance from the Oberon Sewerage Treatment Plant.

If these areas are not excluded from the Complying Development section of the SEPP, it has the potential of creating land use conflicts and interference with the living amenity of residents located near these land use activities which have a nuisance potential.

Therefore, if the local exclusion application is approved, any properties located in these areas will not be able to obtain a Complying Development Certificate, but will instead require a Development Application to be submitted for a merit-based assessment.

However, properties located in the "buffer" distances will still be able to lodge Exempt Development notifications to Council.

VARIATIONS

An area's local character results from a combination of topography, natural features, streets, public open spaces, private houses on their lots and the relationship of individual lots to the street. As well as the dwellings themselves, other things that influence the streetscape are:

- The size of the front setback from the front boundary (building line)
- The size of the side setbacks
- The amount of landscaped area on the lot

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General Manager

Mayor

To enable an area to maintain its local character, the SEPP enables variations to the General Housing Code section.

A Council can apply to the Department of Planning (DoP) for a local variation to specific Complying Development standards, but these are limited to:

- The size of the front setback (building line)
- The size of the side setbacks (only on lots greater than 900 square metres)
- The amount of landscaped area on the lot.

Any nominated variation must be based on a requirement in Council's LEP, DCP or other planning document that defines a local front or side setback or landscaped area unique to the settlement type of the area.

At this stage, staff do not feel that there is a need to apply to the DoP for any local variations.

EQUIVALENT ZONES

The SEPP relies on land use zones established under the Standard Instrument template. Only 2 Councils have new LEPs based on the Standard Instrument, therefore all other Councils have to give their current zones new equivalent land use zone classifications as they will be given in their new LEPs.

Our current land use zones and their equivalent for the purposes of the SEPP only will be as follows:

Oberon LEP 1998 Zone	Equivalent Land Use Zone for Codes SEPP
Rural 1(a)	RU1
Rural 1(c)	R5
Rural 1(d) (Jenolan Caves)	Not applicable – No Exempt or Complying Development permissible – see Clause 1.19(4)(e) and (h) of SEPP
Rural 1(e)	RU1
Village 2(v)	RU5
8 (National Parks)	Not applicable – No Exempt or Complying Development permissible – see Clause 1.19(1) and 1.19(2)(a), (b), (c) and (h) of SEPP

FURTHER HOUSING AND COMMERCIAL TYPES

Future amendments to the Codes SEPP will introduce other development types including single detached dwellings on lots less than 450 square metres, attached dwellings, dwellings on rural lots and commercial development.

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General Manager

Mayor

SUMMARY

A table summarising the different development scenarios is provided below:

SEPP	Council's DCP	Comment
Complying	Complying	Applicants have choice until 27 February 2010
Exempt	Complying	Applicants have choice until 27 February 2010
Complying	Exempt	SEPP prevails
Nil	Exempt or Complying	Council's DCP prevails
Exempt	Exempt	SEPP prevails
Exempt or Complying	Nil	SEPP prevails

CONCLUSION

A thorough assessment of the impact of the Codes SEPP on the Oberon Council LGA will be reported to the 21st April 2009 Ordinary Council Meeting as it will take a significant amount of staff time and resources to prepare the assessment and report to Council.

Recommendation

That:

- (a) the information be received and noted, and
- (b) staff make an application to the Minister for Planning for the following local exclusions to the Complying Development section of the Codes SEPP:
 - i.) All properties located within the 750 metre "buffer" of the Oberon Timber Complex (OTC).
 - ii.) All properties located within the 500 metre "buffer" distance from extractive industry (as defined in the Standard LEP).
 - iii.) All properties located within the 500 metre "buffer" distance from the Oberon Sanitary Landfill Depot.
 - iv.) All properties located within the 400 metre "buffer" distance from the Oberon Sewerage Treatment Plant.

This is Page No. 9 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 March 2009 commencing at 5.30 pm.

General Manager

Mayor

A2. DRAFT LAND USE ISSUES PAPER (VERSION 4)
Staff Report to the 17 March 2009 Ordinary Meeting
File No. D52.2.5
Prepared by Ralph Tambasco on 4 March 2009

Council's Planning Consultant is nearing completion of Version 4 of the Draft Land Use Issues Paper (LUIP). When completed, the LUIP will be re-exhibited concurrently with the Land Use Strategy, including seeking comments from State Government Agencies. However, prior to this occurring, the NSW Department of Planning (DoP) must first "sign off" on the latest LUIP.

In conjunction with the LUIP, the Consultant has prepared a "Review of Public Comments" made in respect to Version 3 of the LUIP. A copy of this review is attached (**Attachment A2**).

This review document will form an Appendix of Version 4 of the LUIP. The Consultant is continuing to work on the Land Use Strategy and proposes to re-exhibit Version 4 of the LUIP and the Land Use Strategy concurrently. By doing this, it will reduce the timing of the project. The DoP also concur with this proposal.

Another area where Council will be able to save time is to overlap the exhibition of the Land Use Strategy and the Section 62 State Government Agency Consultations. This will be discussed with the Consultant.

Should Version 4 of the Issues Paper be received by Council prior to the March Council Meeting, a copy will be provided to all Councillors. Also, by letter dated 4 March 2009, the Department of Planning have approved the amended completion date for the project as being the 31 December 2009 as none of the Council's who are due to have their LEP's in place by this month will meet their original deadline. The consultant has advised that he is endeavouring to complete the project by October/November of this year.

Recommendation

That:

- (a) the "Review of Public Comments Draft Land Use Issues Paper" document be received and noted.
- (b) Version 4 of the Land Use Issues Paper be re-exhibited with the Land Use Strategy concurrently.

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General Manager

Mayor

A3. COMBINED DEVELOPMENT APPLICATION AND CONSTRUCTION CERTIFICATE FEES

Staff Report to the 17 March 2009 Ordinary Meeting

File No. D55.6

Prepared by Ralph Tambasco on 4 March 2009

Staff are currently in the process of preparing budgets for the next financial year.

As an incentive to the general community, staff have considered offering a "flat rate" fee structure for the following types of works for the 2009/2010 Management Plan:

- (a) Building works up to a value of \$5,000
- (b) Building works between \$5,001 to \$12,000.

Fee Structure

It is proposed that for a building project having a value of up to \$5,000, the fee structure for a Combined Development and Construction Certificate Application would be as follows:

• Development Application fee	\$ 50
• Construction Certificate fee	\$100
• Compliance Certificates (Inspections)	\$100
• Occupation Certificate fee	Nil
• Application to carry out sewerage/drainage works	Nil
Total	\$250

Normally the fee would be \$438 or \$332 if there were no sewerage/drainage works to be carried out.

For works having a value of between \$5,001 to \$12,000, the fee structure would be as follows:

• Development Application fee	\$100
• Construction Certificate fee	\$100
• Compliance Certificates (Inspections)	\$200
• Occupation Certificate fee	Nil
• Application to carry out sewerage/drainage works	Nil
Total	\$400

Normally the fee would be between \$482 to \$534.

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General Manager

Mayor

Building works falling into these categories would include small alteration/additions, sheds, garages, and some pools.

Recommendation

That the following fee structure be adopted for Combined Development and Construction Certificate Applications in the 2009/2010 Management Plan:

(a) For works up to a value of \$5,000:

▪ Development Application fee	\$ 50
▪ Construction Certificate fee	\$100
▪ Compliance Certificates (Inspections)	\$100
Total	\$250

(b) For works having a value of between \$5,001 to \$12,000:

▪ Development Application fee	\$100
▪ Construction Certificate fee	\$100
▪ Compliance Certificates (Inspections)	\$200
Total	\$400

**A4. DEVELOPMENT CONTROL PLAN 2001 – PART P CUNYNGHAME PARK ESTATE 2
Staff Report to the 17 March 2009 Ordinary Meeting
File No.
Prepared by Ralph Tambasco on 9 March 2009**

At its 17 February 2009 Ordinary meeting, Council were advised that the Draft Cunynghame Park Estate 2 Development Control Plan was on public exhibition until the 5 March 2009.

Councillors were given a copy of the Draft DCP at the 17 February 2009 Ordinary Meeting and a copy is enclosed for Councillors information (**Attachment A4**).

At the end of the public exhibition period, no submissions were received in respect of the draft plan.

Recommendation:

That Development Control Plan 2001 – Part P – Cunynghame Park Estate 2 be adopted by Council in the format presented in **Attachment A4**.

This is Page No. 12 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 March 2009 commencing at 5.30 pm.

General Manager

Mayor

B1. POLICY REVIEWS

Staff Report to the 17 March 2008 Ordinary Meeting

File No. A1.2.7

Prepared by Toni Dwyer on 20 February 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.

Policy 2118 – Smoke Free Workplace (**Attachment B1a**) is provided for Council's review and consideration as it has reached its review cycle date. There are no changes to be made to this policy.

Policy 2119 – Drugs and Alcohol (**Attachment B1b**) is provided for Council's review and consideration after taking into account the Consultative Committee's recommendation to replace references to the NAPSA with the Local Government (State) Award 2007.

Recommendation:

1. That Policy Number 2118 – Smoke Free Workplace be adopted as presented in **Attachment B1a**.
2. That Policy Number 2119 – Drugs and Alcohol be adopted as presented in **Attachment B1b**.

B2. NOMINATION FOR APPOINTMENT TO THE EVENTS COMMITTEE – JOHN BROTCHE

Staff Report to the March 17 2009 Ordinary Meeting

File A2.5

Prepared by John Chapman on 20 February 2009

Correspondence (**Attachment B2**) has been received from Mr John Brotschie seeking appointment to Council's Events Committee. As the next meeting of the committee is not scheduled until 7th April 2009, all members of the committee have been contacted seeking their endorsement (or otherwise) of the nomination.

Councillors will be updated verbally at the Council meeting on responses received from committee members.

Recommendation

That Mr John Brotschie be appointed to the Event Committee, representing Jenolan Caves Reserve Trust and Oberon Show Society Inc.

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B3. AMENDMENT TO FEES AND CHARGES SCHEDULE – SWIMMING LESSONS

Staff Report to the March 17 2009 Ordinary Meeting

File D55.3.1

Prepared by Lisa Nash on 17 February 2009

In accordance with Council's statutory obligations under the Local Government Act, the fee for the swimming lessons has been advertised for the required 28 days and submissions sought. No submissions have been received.

Recommendation:

That the following fees be adopted and charged for the 2008/09 financial year:

Swimming Lessons

- 10 day 30 minute <u>shared</u> Private Lesson	\$205.00
- 10 day 30 minute <u>shared</u> Private Lesson, with season pass	\$155.00
- 10 day Squad/Lifeguarding/Water Safety Program (min of 6)	
- 1 hr duration, with season pass	First Child \$65.00
	Second Child \$58.00
	Third Child \$48.00

B4. POLICY REVIEWS

Staff Report to the March 17 2009 Ordinary Meeting

File A1.2.7

Prepared by Toni Dwyer on 6 March 2009

Council has advertised its Financial Assistance Policy for the required legislative period. No submissions have been received.

Recommendation: That Council adopt draft Policy 2209 Financial Assistance as advertised.

B5. FORMER EVANS SHIRE BUSHFIRE TRUST MONIES

Staff Report to the 17 March 2009 Ordinary Meeting

File No. F90.1

Prepared by Amanda McGrath on 4 March 2009

Council currently holds a balance of \$970.63 in the Trust Fund, made up of \$928.34 from Bushfire Appeal Donations received by Evans Council in 2002 and \$42.29 Bushfire Fighters Insurance funds held by Evans Shire Council prior to amalgamation.

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General Manager

Mayor

Staff have been unable to determine what Brigades (if any) these funds belong to, or where these funds should now be directed. It may therefore be appropriate that the monies be paid to the Victorian Bush Fire Appeal.

Recommendation:

That the balance of \$970.63 held in trust from Evans Shire Council Bushfire Donations and Insurance Contributions be donated to the Victorian Bush Fire Appeal.

B6. COUNCIL CHAMBERS AUDIO EQUIPMENT
Staff Report to the 17 March 2009 Ordinary Meeting
File No. D55.2
Prepared by John Chapman on 9 March 2009

At the Ordinary Council Meeting held on 17 February 2009, it was resolved "*That staff be asked to investigate the cost of installing microphones in the Council Chambers and purchasing*".

Quotations for the supply and installation of the equipment were obtained from a local supplier in October 2008 and the quotation remains unchanged. Details are summarised as follows:

Option 1:

12 wired microphones	\$3,600 (includes 2 x mixer amplifier and speakers)
Microphone leads	<u>\$ 360</u>
Total	\$3,960

Option 2:

6 wired microphones and 6 wireless	
Microphones	\$5,400 (includes 2 x mixer amplifier and speakers)
Microphone leads	<u>\$ 180</u>
Total	\$5,580

Option 3:

Full wireless system	\$9,600 (includes 2 x mixer amplifier and speakers)
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Recommendation:

That the quotation of \$3,960 for the supply and installation of 12 wired microphones, amplifier and speakers for the Council Chambers be accepted.

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General Manager

Mayor

B7. BUSH FIRE SHED FUNDING
Staff Report to the 17 March 2009 Ordinary Meeting
File No. F90.6
Prepared by Leigh Robins on 10 March 2009

Council resolved on 10 April 2007 to assist Back Creek Fire Brigade by advancing \$10,295 for the construction of a meeting room. The Rural Fire Service has been requested to reimburse these funds in due course.

In September 2008 after representations from the Brigade, Council provided \$3,000 for the fit out of the new extension.

The RFS have provided \$5,000 for the installation of a toilet and septic facility at the Brigade shed.

The estimate to provide the toilet block and septic system provided by the Brigade is \$19,590 resulting in a shortfall of \$14,590.

The Brigade is seeking assistance with this shortfall. Over the past couple of years Council has allocated funds from Section 94 emergency services fund to provide underground power to Gingkin and Paling Yards sheds, extend Black Springs shed and the Back Creek project.

Section 94 emergency services fund also supports the SES with vehicle provision and shed extensions at Oberon and Burruga.

Given the funds previously committed to Back Creek Brigade, and the quantum sought, it is recommended that no action be taken.

Recommendation:

That the Back Creek Fire Brigade be advised that no additional funds for shed extensions are available.

B8. PLANT REPLACEMENT
Staff Report to the 17 March 2009 Ordinary Meeting
File No. E37.3
Prepared by Leigh Robins on 10 March 2009

Council resolved at its special meeting of 5 February 2009 that staff evaluate the deferment of all capital expenditure on plant and equipment for a period of 12 months.

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 March 2009 commencing at 5.30 pm.

General Manager

Mayor

Major plant items programmed to be replaced in the current budget year are:

Plant Item	Description	Purchased	km/hr
50	Freightliner FL112	1995	360,000 km
10	Cat 428C Backhoe	2001	6,500 hrs
47	Hino Tipper	1989	226,000 km

Solar powered portable traffic lights have been ordered to replace Plant 96 which were the oldest set of diesel powered lights.

A copy of the plant replacement programme for 2008/09 is included as **Attachment B8**.

Major plant items have been replaced for many years at intervals in an endeavour to replace the plant prior to major maintenance/rebuilds being required.

The following table details the life of plant kept prior to trade.

Grader & Excavator	12 years
Backhoe	8 years
Roller	10 years
Loader	9 years
Truck (Heavy)	15 years
Truck (Light)	10 years
Truck (Medium)	20 years

When considering deferring capital plant purchases for 12 months, the age of the fleet is obviously increasing.

There is no guarantee that a 16 year old truck will cost more or less to maintain than a 15 year old truck.

The difference is that if the programme is adhered to, plant 50 purchased in 1996 is replaced in 2009 and is covered by the manufacturers warranty for 2 - 3 years and 1,000,000 km. A failure is then the responsibility of the manufacturer.

With this particular truck, it has travelled over 360,000 km and with a 350 HP engine is under powered. With new RTA limits, the prime mover is now able to haul 49 T GVM. Replacement of this prime mover is considered necessary and should be replaced with a minimum 450 HP unit. Whilst not shifting plant a tipper is attached for gravel haulage.

Maintenance costs for Plant 10, the 428C Backhoe are beginning to increase compared with income.

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General Manager

Mayor

The expense compared to income has now reached a point where replacement should occur. Years 1 – 7 have averaged expense/income at 26.7%, whilst in year 8 the ratio is 55%.

The Hino Tipper is 20 years old and over specified for the job. Used as a transport vehicle for one of the excavators, a smaller unit would be more appropriate and more cost effective. The major proposed purchase for next financial year is the replacement of the 1996 Mack truck. Having travelled 474,000 km to date the replacement should not be delayed.

The deferral of plant replacement opens the door for continuing deferral to the detriment of fleet quality. The longer plant is kept, the more likely the need for additional and costly maintenance.

This is clearly the case at our alliance partner Council's and also represented in the staff members required to endeavour to keep the plant and equipment operating at these Councils.

Recommendation: That plant replacement not be deferred for a 12 month period.

B9. B-DOUBLE ACCESS ARKSTONE ROAD
Staff Report to the 17 March 2009 Ordinary Meeting
File No. R40
Prepared by Leigh Robins on 10 March 2009

A copy of a letter from Neil Francis (**Attachment B9**) has been received requesting use of roads in the Burruga district by B-Doubles be revisited.

The issues raised include the speed of vehicles travelling through Burruga. The route through Burruga is not approved for B-Double access and as such any use of this section of Arkstone and Burruga Roads is unlawful.

I have contacted the property manager where B-Doubles are travelling and he has advised he will speak to the drivers regarding the concerns raised.

This road was inspected by the Works Committee on 9 March 2009 and the road width was considered adequate for trucks or B-Doubles.

Recommendation:

That Mr. Francis be advised that Council's Works Committee have inspected Arkstone Road and consider the B-Double route is suitable for ongoing usage.

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 March 2009 commencing at 5.30 pm.

General Manager

Mayor

**B10. NSW POLICE DEPARTMENTS COMMUNITY SAFETY PRECINCT COMMITTEE
Staff Report to the 17 March 2009 Ordinary Meeting
File No. A3.5.1
Prepared by Bruce Fitzpatrick on 10 March 2009**

Jill Evans, by letter dated 18 February 2009, has requested that she be included as a member of the abovementioned committee and provided information in respect to her past experiences related to issues that may be beneficial in the committee structure. A copy of the letter is attached (**Attachment B10**).

Recommendation: Submitted for consideration.

**B11. INQUIRY INTO THE IMPACT OF THE GLOBAL FINANCIAL CRISIS ON REGIONAL AUSTRALIA
Staff Report to the 17 March 2009 Ordinary Meeting
File No. A4.1
Prepared by Bruce Fitzpatrick on 10 March 2009**

The standing committee on infrastructure, transport, regional development and Local Government has advised that it is currently investigating the impact of the Global Financial Crisis on Regional Australia and it is seeking the views of any of the issues raised in the terms of reference which is particularly focusing on the encouragement of economic development and employment and of the development of sustainable essential services and social infrastructure designed to enhance the liveability of regional Australia. A copy of the letter is attached (**Attachment B11**).

The deadline for the receipt of submissions is the 3 April 2009.

Recommendation:

Submitted for consideration as to any submission that the Council may wish to make.

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 March 2009 commencing at 5.30 pm.

General Manager

Mayor

B12. GUESTS AT COUNCIL MEETINGS
Staff Report to the 17 March 2009 Ordinary Meeting
File No. A1.2.1
Prepared by Bruce Fitzpatrick on 10 March 2009

Mrs. Bev Evans, by letter received on 4 March 2009 (**Attachment B12**), has written to Council to request it consider the forming of a policy regarding individuals who are invited by Council to make a presentation or address Councillors at Council Meetings, be invited to join Councillors for dinner following the meeting.

Recommendation: That consideration be given to amending Council's Code of Meeting Practice to include a clause regarding provision of dinner for guests invited to attend Council Meetings.

B13. VISIT BY AUBURN COUNCILLORS
Staff Report to the 17 March 2009 Ordinary Meeting
File No. A3.1.2
Prepared by Bruce Fitzpatrick on 10 March 2009

Arrangements have been made for a visit by Auburn Councillors and their families. The visitors will arrive at midday on Saturday 21st March and depart at midday on Sunday 22nd March 2009.

A draft itinerary for the visit is as follows:

Saturday 21st March 2009

Midday	Guests arrive and check into accommodation.
12.30 pm	Meet with Councillors for a light lunch.
1.30 pm	Depart by bus for a tour of the local area including the following: Visitor Information Centre and Common Park Area, Golf Course and Oberon Dam Mayfield Gardens (to be confirmed) Falls Hill Lookout Timber Industry and local forests
4.00 pm	Oberon RSL Club Sub-Branch Museum Tour
5.00 pm	Return to motel
6.30 pm	Dinner with Oberon Councillors and their Partners as well as representatives from Oberon Plateau Tourist Association.

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 March 2009 commencing at 5.30 pm.

General Manager

Mayor

Sunday 22nd March 2009 – Guests own choice and depart Oberon at Midday.

Recommendation:

That Councillors advise the Executive Assistant of their availability to participate in the tour of the local area and dinner with Councillors and Staff from Auburn Council on Saturday 21st March 2009.

B14. MEETING WITH OPTA

Staff Report to the 17 March 2009 Ordinary Meeting

File No. P73.5

Prepared by Bruce Fitzpatrick on 10 March 2009

It is noted that at its 9 September 2008 Ordinary Meeting Council requested a meeting be held with OPTA to receive an update on the tourism activities and strategies being considered for Oberon. To date arrangements for this meeting haven't yet been made.

Recommendation:

That a suitable date be selected for a meeting to be held between Council and representatives from OPTA regarding tourism activities in Oberon.

M1. CARE CAR COMMITTEE MEETING MINUTES

Staff Report to the 17 March 2009 Ordinary Meeting

File No. 2.28

Prepared by Sharon Swannell on 10 March 2009

The minutes of the Care Car Committee Meeting held on 13 February 2009 are attached.
(Attachment M1)

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 March 2009 commencing at 5.30 pm.

General Manager

Mayor

Recommendation: That:

1. The Co-ordination of the Care Car be carried out by Lisa Nash of Oberon Council and the Oberon Medical Centre staff will organise the booking for the Care Car as Volunteer Booking Officers.

2. The following be included in the Information and Procedures Manual:

“Cancellation Policy

To maximise the availability of the Care Car a minimum of 24 hours must be given for cancelling the Care Car booking, failure to do this will incur a fee of \$10.00 per trip.”

3. The following be included in the Information and Procedures manual:

“2. Where assessment for the criteria for the booking of the Care Car is questioned, the booking will be referred to the Co-ordinator for consideration.”

4. The Information and Procedures Manual be amended to read on page 3 No. 5:

“The Care Car Booking Officer contacts the client to confirm the booking, requests payment prior to the trip and writes the booking into the Care Car Booking Diary.”

5. Council review the current Car Care vehicle with a view to a more suitable and reliable vehicle upon renewal.

6. That the Care Car Committee's charter be amended by deleting:

“To undertake the ongoing management of the Care Car.”

To be replaced with:

- a. To assess and introduce policies in relation to the Care Car.*
- b. To report and recommend to Council all policy matters affecting the Care Car.*
- c. To advise Council on matters affecting future Care Car activities disbursements.”*

M2. WORKS COMMITTEE MEETING MINUTES
Staff Report to the 17 March 2009 Ordinary Meeting
File No. 2.28
Prepared by Leigh Robins on 10 March 2009

The minutes of the Works Committee Meeting held on 9 March 2009 are attached. (**Attachment M2**)

This is Page No. 22 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 March 2009 commencing at 5.30 pm.

General Manager

Mayor

Recommendation: That:

1. The priority of local roadworks for 2008/09 be:
 1. Purdon's Lane
 2. Junction Road
 3. Beaconsfield Road
 4. Gingkin Road
2. An allocation for heavy patching be considered for local roads.
3. Future construction of a unisex toilet be considered for the Burruga Park.

Submitted,

Bruce Fitzpatrick
GENERAL MANAGER

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 March 2009 commencing at 5.30 pm.

General Manager

Mayor