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**OBERON COUNCIL**

*Agenda and Business Papers  
Oberon Council Ordinary General Meeting  
Tuesday 15 November 2011  
5.30pm Council Chambers*

5.30pm	Opening of meeting
8.15pm - 8.45pm	Dinner

<b>01</b>	<b>OPENING OF MEETING</b> .....	<b>3</b>
<b>02</b>	<b>PRAYER</b> .....	<b>3</b>
<b>03</b>	<b>RECORD OF ATTENDANCE</b> .....	<b>3</b>
<b>04</b>	<b>QUESTIONS FROM THE PUBLIC</b> .....	<b>3</b>
<b>05</b>	<b>CONFIRMATION OF MINUTES OF PREVIOUS MEETING(S)</b> .....	<b>4</b>
<b>06</b>	<b>DECLARATIONS OF INTEREST</b> .....	<b>4</b>
<b>07</b>	<b>MAYORAL MINUTE AND REPORT</b> .....	<b>5</b>
<b>08</b>	<b>COUNCILLOR REPORTS</b> .....	<b>7</b>
<b>09</b>	<b>DELEGATES REPORTS</b> .....	<b>7</b>
09.01.01	MINUTES OF THE OBERON SPORTS COMPLEX COMMITTEE .....	7
09.01.02	MINUTES OF THE TIMBER HERITAGE WALK COMMITTEE MEETING .....	9
09.01.03	HERITAGE COMMITTEE MEETING .....	11
09.01.04	MINUTES OF THE WORKS COMMITTEE MEETING.....	13
<b>10</b>	<b>DIRECTOR OF DEVELOPMENT REPORTS</b> .....	<b>16</b>
10.01	REPORTS FOR INFORMATION .....	16
10.01.01	MONTHLY UPDATE REPORT – DEVELOPMENT DEPARTMENT.....	16
10.01.02	DIRECTOR OF DEVELOPMENT STATUS REPORT .....	19
10.02	REPORTS FOR DECISION .....	27
10.02.01	MODIFICATION APPLICATION 10.2010.43.2.....	27
10.03.01	GENERAL BUSINESS - DEVELOPMENT.....	30

<b>11</b>	<b>DIRECTOR OF CORPORATE SERVICE REPORTS.....</b>	<b>32</b>
11.01	REPORTS FOR INFORMATION .....	32
11.01.01	MONTHLY UPDATE REPORT – CORPORATE SERVICES DEPARTMENT .....	32
11.01.02	STATEMENT OF BANK BALANCES AND INVESTMENTS .....	34
11.01.03	STAFF APPOINTMENTS.....	36
11.01.04	CASUAL VACANCY – RESIGNATION OF COUNCILLOR HANDELSMANN .....	38
11.01.05	CORPORATE SERVICES STATUS REPORT .....	39
11.02	REPORTS FOR DECISION .....	47
11.02.01	ANNUAL REPORT – YEAR ENDED 30 JUNE 2011 .....	47
11.02.02	HUNTING IN STATE FORESTS.....	49
11.02.03	DELEGATIONS OF AUTHORITY – FINANCIAL DELEGATIONS .....	51
11.02.04	QUARTERLY BUDGET REVIEW AS AT 30 SEPTEMBER 2011 .....	53
11.02.05	QUARTERLY MANAGEMENT PLAN REVIEW .....	56
11.02.06	ANNUAL FINANCIAL REPORTS .....	58
11.02.07	REVIEW OF THE MODEL CODE OF CONDUCT .....	61
11.02.08	SWIMMING POOL FEES AND CHARGES – HIRE OF LIFEGUARDS/ INSTRUCTORS .....	63
11.02.09	POLICY REVIEWS .....	65
11.03.01	GENERAL BUSINESS – CORPORATE SERVICES .....	67
<b>12</b>	<b>DIRECTOR OF ENGINEERING REPORTS.....</b>	<b>69</b>
12.01	REPORTS FOR INFORMATION .....	69
12.01.01	MONTHLY UPDATE REPORT – ENGINEERING DEPARTMENT .....	69
12.01.02	DIRECTOR OF ENGINEERING STATUS REPORT .....	72
12.02	REPORTS FOR DECISION .....	82
12.02.01	MOUNT DAVID ROAD .....	82
12.02.02	REQUEST FOR ROAD NAMING .....	84
12.02.03	REGISTRATION TO SUPPLY HEAVY PLANT TO NSW RURAL FIRE SERVICE .....	86
12.02.04	BURROUGHS CROSSING ROAD GRID.....	89
12.03.01	GENERAL BUSINESS - ENGINEERING .....	91
<b>13</b>	<b>COMMUNITY AND CUSTOMER SERVICES MANAGER REPORTS.....</b>	<b>93</b>
13.01	REPORTS FOR INFORMATION .....	93
13.01.01	MONTHLY UPDATE REPORT – COMMUNITY AND CUSTOMER SERVICES MANAGER .....	93
13.01.02	COMMUNITY AND CUSTOMER SERVICES MANAGER STATUS REPORT .....	96
13.02	REPORTS FOR DECISION .....	98
13.02.01	COMMUNITY CENTRE BOOKING FEES AND CHARGES .....	98
13.02.02	GRANTS.....	100
13.02.03	LIBRARY DEVELOPMENT GRANTS .....	102
13.02.04	NATIONAL SCIENCE GRANT PROGRAM.....	104
13.03.01	GENERAL BUSINESS – COMMUNITY AND CUSTOMER SERVICES MANAGER .....	106
<b>14</b>	<b>GENERAL MANAGER REPORTS .....</b>	<b>108</b>
14.01	REPORTS FOR INFORMATION .....	108
14.01.01	MONTHLY UPDATE REPORT – GENERAL MANAGER.....	108
14.01.02	GENERAL MANAGER STATUS REPORT.....	112
14.02	REPORTS FOR DECISION .....	120
14.02.01	CONDUCT OF LOCAL GOVERNMENT ELECTIONS IN 2012 .....	120
14.02.02	SENIORS WELFARE TRUST MECHANISM .....	125
14.03.01	GENERAL BUSINESS – GENERAL MANAGER .....	127
<b>15</b>	<b>NEW BUSINESS OF AN URGENT NATURE ADMITTED BY COUNCIL .....</b>	<b>129</b>
<b>16</b>	<b>CLOSED SESSION REPORTS .....</b>	<b>129</b>
16.01.01	CITIZEN OF THE YEAR AWARDS.....	129
16.01.02	STORMWATER HARVESTING PROJECT .....	129
<b>17</b>	<b>CLOSURE OF MEETING.....</b>	<b>129</b>

## 01 Opening of Meeting

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

## 02 Prayer

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The Meeting was opened in prayer by ...

## 03 Record of Attendance

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Members      Cr Don Fitzpatrick, Mayor - Chair  
                 Cr John McMahon, Deputy Mayor  
                 Cr Ian Doney  
                 Cr Keith Sullivan  
                 Cr Neil Francis  
                 Cr Kerry Gibbons  
                 Cr Clive McCarthy  
                 Cr Bob O’Bernier

Officers        Leanne Mash, General Manager  
                 John Chapman, Director of Corporate Services  
                 Gary Wallace, Director of Development  
                 Aruna Wickramasinghe, Director of Engineering  
                 Peta Heffernan, Community and Customer Services Manager  
                 Sharon Swannell, Executive Assistant

Apologies      Nil

That apologies be received and accepted for the non-attendance of ...

## 04 Questions from the Public

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None received.

## 05 Confirmation of Minutes of Previous Meeting(s)

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### Ordinary Meeting 18 October 2011



05.01.01\_Unconfirme  
d\_Minutes\_18\_Octobe

#### *Recommendation:*

That the Minutes of the duly convened Ordinary Meeting held on 18 October 2011 be taken as read and confirmed.

Matters Arising from the Minutes

Nil

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## 06 Declarations of Interest

Pecuniary            -  
Conflicts            -  
Staff                 -

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## 07 Mayoral Minute and Report

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### A. Meetings

1. Ordinary Council Meeting – 18 October 2011
2. Meeting with the Hon Duncan Gay MP, Minister for Roads and Ports – 19 October 2011
3. Works Inspection – 24 October 2011

### B. Representation

1. FORTO (Forum of Regional Tourism Organisations) 1 Day Forum – 3 November 2011

### C. Correspondence

1. Invitation to attend the NSW RFS Chifley Zone 2011 Cadet Graduation – 19 October 2011
2. Invitation to attend the FORTO Regional Tourism Forum – Thursday 3 November 2011
3. Invitation to attend the 2011 Oberon Business Awards – 18 November 2011
4. Invitation to attend the St Joseph's Catholic School Annual Awards Day – 14 December 2011
5. Invitation to attend the O'Connell Public School Annual Presentation Evening – 14 December 2011
6. Invitation to 2011 NSW Tourism Awards – 17 November 2011
7. Australian Local Government Association regarding the 2011 National Local Roads and Transport Congress
8. Invitation to attend the St Joseph's Central School Year 10 Graduation Ball on Friday 2 December 2011
9. USU regarding the Destination 2036 Report
10. Invitation to attend Apex Dinner Meeting – 5 November 2011
11. Rural Fire Service – Local Government Forums to address current and emerging issues – Central West Meeting will be held on 6 December 2011 in Orange

### D. Other Items

The Hon John Cobb MP has arranged for a meeting to be held with Senator Conroy's Chief of Staff in relation to the Digital Television rollout on Thursday 24 November 2011 in Canberra. All Mayors and General Managers in the Calare Electorate are invited to attend the meeting.

The CENTROC Board Meeting will be held in Oberon on Thursday 24 November 2011 at the Oberon Community Centre.

**Don Fitzpatrick**  
Mayor

<b>Notes:</b>

## 08 Councillor Reports

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Councillors to provide a verbal report to the meeting regarding any attendance at external meetings as Council's elected delegate.

## 09 Delegates Reports

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### 09.01.01 Minutes of the Oberon Sports Complex Committee

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#### *Executive Summary*

A meeting of the Oberon Sports Complex Committee was held on Wednesday 26 October 2011. Minutes of the meeting are attached for Council's information.

Correspondence has also been received from the Oberon Tennis Association nominating Mr Harold Lyme as their representative to the Oberon Sports Complex Committee.

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#### *For Council Information*

#### *Recommendation:*

That:

1. The Minutes of the Oberon Sports Complex Committee Meeting held on Wednesday 26 October 2011 be received for information.
  2. Mr Harold Lyme be appointed to the Oberon Sports Complex Committee as the Oberon Tennis Association representative.
- 

#### *Background*

A meeting of the Oberon Sports Complex Committee was held on Wednesday 26 October 2011. Minutes of the meeting are attached for Council's information.

An announcement has still not been received in relation to Council's application for funding to upgrade the playing surfaces on the Oberon Sporting fields. Verbal advice was received from Paul Toole MP on 28 October 2011 that that delays have been experienced in processing grant applications and that a response is expected within three to four weeks (from 28 October).

Discussion was held regarding the issue of divots in the Oberon Sports Complex League Fields and the Recreation Ground and staff have been requested to contact surrounding

Councils for specialized advice from qualified personnel. It was also requested that soil testing be conducted on the lined areas.

By letter, the Oberon Tennis Association has written to Council nominating Mr Harold Lyme as the representative to the Oberon Sports Complex Committee.

*Attachments*



09.01.01\_Attachment  
\_A\_Minutes\_Oberon\_5



09.01.01\_Attachment  
\_B\_Oberon\_Tennis\_A6

*Statutory Environment*

Nil

*Policy Implications*

Nil

*Financial Implications*

Nil

*Strategic Implications*

Nil

*Officers Comment*

Nil

*Consulted With*

Director of Corporate Services  
Director of Engineering

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File No: A2.29  
Author: Sharon Swannell  
Date: 7 November 2011



## 09.01.02 Minutes of the Timber Heritage Walk Committee Meeting

### *Executive Summary*

Minutes of the Timber Heritage Walk Committee meeting held on the 31 October 2011 should be received and adopted by Council.

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### *For Council Decision*

#### *Recommendation:*

1. That the Minutes of the Timber Heritage Walk Committee held on the 31 October 2011 be received for information.
  2. That Council write to all industries within the Oberon Timber Complex seeking financial support for one or more interpretive signs.
  3. That Council contact Oberon Tarana Heritage Railway Inc. to investigate what role this group may wish to take in the project.
- 

### *Background*

The Minutes of the Heritage Committee meeting held on the 31 October 2011 have now been prepared and require resolution from Council.

Committee member Mr Col Roberts has gathered information on the history of each factory in the Timber Complex to be used on the proposed interpretive boards as a tool to inform people of what has happened in the industry and its history with Forests NSW.

He is suggesting that the majority of his information may be reproduced onto a leaflet with photos and that information then be condensed for use on the interpretative boards.

The Committee wish to seek financial support for one or more of the Interpretive Signs from businesses within the Timber Complex to potentially minimise financial impact on Council.

### *Attachments*



09.01.02\_Attachment  
\_A\_Minutes\_Timber\_F

### *Statutory Environment*

The Timber Walk Committee is a section 355 Committee under the provisions of the Local Government Act 1993.

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*Policy Implications*

Nil

*Financial Implications*

Nil

*Strategic Implications*

Nil

*Officers Comment*

Nil

*Consulted With*

Director of Development

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File No: A2.27  
Author: Janet Bailey  
Date: 3 November 2011

### 09.01.03 Heritage Committee Meeting

#### *Executive Summary*

Minutes of the Heritage Committee Meeting held on the 31 October 2011 are to be received by Council.

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#### *For Council Decision*

#### *Recommendation:*

1. That the Minutes of the Heritage Committee held on the 31 October 2011 be received for information
  2. That the information from Calare Civil be accepted and provision be made for an additional \$430.00 to complete a report on the options available for the stabilising/restoration of Lindlegreen cob barn at O'Connell.
- 

#### *Background*

The Minutes of the Heritage Committee meeting held on the 31 October 2011 have now been prepared and should be adopted by Council.

#### *Attachments*



09.01.03\_Attachment  
\_A\_Minutes\_Heritage\_

#### *Statutory Environment*

The Heritage Committee is a Section 355 Committee under the provisions of the Local Government Act 1993.

#### *Policy Implications*

Nil

#### *Financial Implications*

Funds have been allocated in 2010/2011 budget of \$1,000 to cover the initial cost however an additional \$430.00 is required to complete the task of a report on the options available for the stabilising/restoration of Lindlegreen cob barn at O'Connell

*Strategic Implications*

Nil

*Officers Comment*

Nil

*Consulted With*

Director of Development

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File No: A2.27  
Author: Janet Bailey  
Date: 3 November 2011

### 09.01.04 Minutes of the Works Committee Meeting

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#### *Executive Summary*

An inspection of various areas in the Local Government Area was undertaken on Monday 24 October 2011. A meeting of the Works Committee was held on Tuesday 8 November 2011 to discuss the areas inspected as well as other matters raised by Councillors.

A copy of the minutes of the Works Inspection and the Works Committee Meeting are attached.

A summary of the recommendations from the Works Committee are presented for Council's endorsement.

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#### *For Council Decision*

#### *Recommendation:*

That:

1. Staff investigate and report back design and costing of nose in parking along the Edith Road adjacent to the lake at The Common.
  2. Council progress with the RTA their concerns regarding safety issues at the Box Flat/O'Connell Road Intersection Bus Stop. Further that Council has a preference for a dedicated bus bay to be constructed during this period of works.
  3. Estimates be sought for the removal of trees and the cost to seal the entrance to improve safety at Todds Road to be included in 2012/13 budget deliberations.
  4. Estimates be provided for fencing around the three ponds at the Oberon Common for review at the 2012/13 budget deliberations.
  5. An overtaking lane be included in the design of the next section of works on Abercrombie Road and the adjoining landowner on the south western side prior to Sloggetts Road be approached in relation to land acquisition to facilitate the overtaking lane. Further that the overtaking lane be included in the application for the next RTA REPAIR Program Grant funding application.
  6. Council investigate the feasibility of a second reservoir site.
- 

#### *Background*

An inspection of various areas in the Local Government Area was undertaken by available Councillors on Monday 24 October 2011. A meeting of the Works Committee was held on Tuesday 8 November 2011 to discuss the areas inspected as well as other matters raised by Councillors.

A copy of the minutes of the Works Inspection and the Works Committee Meeting are attached.

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*Attachments*



09.01.04\_Attachment  
\_A\_Minutes\_Works\_In



09.01.04\_Attachment  
\_B\_Minutes\_Works\_Cc

*Statutory Environment*

Local Government Act 1993.

*Policy Implications*

Nil

*Financial Implications*

Nil

*Strategic Implications*

Nil

*Officers Comment*

Nil

*Consulted With*

General Manager  
Director of Engineering  
Works Manager

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File No: A2.3  
Author: Sharon Swannell  
Date: 9 November 2011

<b>Notes:</b>

## 10 Director of Development Reports

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### 10.01 Reports for Information

#### *Recommendation*

That the Director of Development reports for information as presented in Report 10.01.01 to 10.01.02 of the Business Papers be received and noted by Council.

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### 10.01.01 Monthly Update Report – Development Department

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The following items are presented for Councillor's information and are reflective of the period 1 October 2011 to 31 October 2011.

#### 1. Determinations for the Month of October

The following Development Applications, Construction Certificates, Complying Development Certificates, Section 68 Applications and Subdivision Certificates were determined during the month of October.

a) Development Applications	5
b) Construction Certificates	6
c) Complying Development Certificates	1
d) Subdivision Certificates	3
e) Section 68 Applications	8
f) Applications Refused	0

A complete list of the determination is as follows:

#### Determinations for the Month of - October 2011 (S.101 E.P. and A. Act.)

Ref No	Development Type	Street Address	Locality
19.2011.9.1	On Site Waste Water	95 Harris Road	Oberon
10.2011.51.1 19.2011.16.1	Dwelling and On Site Waste Water	114 Gingkin Road	Oberon
20.2011.20.1 18.2011.9.1	Change of use to Barber Shop and Hand Basin	177 Oberon Street	Oberon
15.2006.233.1	Subdivision Certificate - 2 lots	80 Wilson Drive	Oberon
10.2011.40.1 19.2011.13.1 20.2011.16.1	Transportable Dwelling and On Site Waste Water	293 Howes Road	Mount David
15.2004.181.1	Subdivision Certificate	404 O'Connell Road	Oberon
19.2010.23.1	On Site Waste Water	71 Whiteley Road	Oberon
19.2011.22.1	Upgrade existing On Site Waste Water	759 Duckmaloi Road	Oberon
11.2011.21.1	Garden Shed	95 Harris Road	Oberon
15.2006.163.1	Subdivision Certificate - 4 lots	147 O'Connell Road	Oberon



10.2011.50.1	Shed to store trains	1-15 North Street	Oberon
10.2011.53.1			
11.2011.53.1	Garage	11 Albert Street	Oberon
11.2010.17.1	Relocate Access	34-36 Dart Street	Oberon
20.2011.19.1	Connection to Sewer Main	34-36 Dart Street	Oberon
11.2011.35.3	Access Construction	186 Bosworth Falls Road	O'Connell
10.2010.53.3			
22.2010.53.3	Modification to Additions	21 Carrington Avenue	Oberon

## 2. Certificates Issued During the Month of October

During the Conveyancing process, normally as part of the sale of a property, various Certificates are applied for by Solicitors, Real Estate Agents or by the public. During the month of October the following certificates were issued:

- a) 10 Section 149 Certificates were issued.

Section 149(2) and (5) Planning Certificates – issued under Section 149(2) and (5) of the Environmental Planning and Assessment Act, 1979.

- b) Two Section 735A Certificates were issued.

Section 725A Certificates As To Notices – issued under Section 735A of the Local Government Act, 1993.

- c) Three Section 121ZP Certificates were issued.

Section 121ZP Certificates As To Orders – issued under Section 121ZP of the Environmental Planning and Assessment Act, 1979.

- d) No Section 149A Building Certificates were issued.

Section 149A Building Certificates – issued under Section 149A of the Environmental Planning and Assessment Act, 1979.

## 3. Oberon Animal Pound

No Nuisance Dog, Nuisance Cat orders were issued 1 Dangerous Dog Declarations were issued during October. The following details concerning the Animal Pound are for the month of October.

Details	Number of Cats	Number of Dogs
Animals carried over from previous month	0	1
Animals Seized	1	2
Animals Abandoned	0	0
Animals Surrendered	0	0
Animals released to Owner	0	0

Animals Released to CHD (Cats, Dogs and Horses Charity) under Clause 17 of the Companion Animals Regulations 1999 (Exemptions from Registrations Requirement) for re-homing	0	0
Animals Destroyed	1	0
Animals Sold	0	0
Animals died at Council's facility	0	0
Animals Escaped/Stolen	0	0
Animals still in the Pound	0	3

#### 4. Miscellaneous Matters

The Development Department undertakes various inspections, including building inspections, health inspections, environmental inspections and complaints.

Development Department staff conducted the following inspections during the month of October.

a) Building Inspections	29
b) Food Inspections	0
c) Environmental Inspections (Air Pollution/Noise Pollution/Water Pollution)	0
d) Subdivision Certificate Inspections	1
e) Complaints (Includes Animal Control)	4
f) Building Maintenance Inspections	8

#### 5. Attendance at Seminars/Conference/Short Courses

No seminars, conferences have been attended by Development Staff during this month.

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File: A1.2.1  
 Author: Gary Wallace  
 Date: 7 November 2011

**10.01.02 Director of Development Status Report**

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The Oberon Common

Councillor Gibbons asked about the project to install a Wishing Well at the Oberon Common. What has happened to progress this project?

Rotary had requested a concrete Wishing Well be constructed at the Common and Rotary would then complete the project. Staff will contact Rotary to request a timeline for the project completion.

*Status*

Correspondence forwarded to Rotary for their consideration.

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The Oberon Common

Councillor Gibbons advised that the Oberon Men's Shed would like to include a model replica of the original Oberon Well in the Common.

The General Manager suggested that the group meet with Council to establish the project.

*Status*

Correspondence forwarded to the Men's Shed for their consideration.

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*Resolution Number – 44181011 - Consideration of Future Community Projects*

That the acquisition and development of a recreational ground at O'Connell be included on a list of future projects.

*Status*

In progress.

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*Resolution Number – 45181011 – Consideration of Future Community Projects*

That the upgrading of the Burruga Dam facilities be included on a list of future projects.

*Status*

In progress.

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## Wind Policy

Councillor McMahon asked staff to review the Council's Wind Policy taking into consideration new information such as health, noise etc. and provide a revised policy to Council as soon as possible.

### *Status*

A report on the DCP will be forwarded to the December Council Meeting.

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### *Resolution Number – 11181011 - Development Application 10.2011.53.1*

That delegation be granted to Council's General Manager to determine Development Application 10.2011.40.1 which includes a variation to part C.6.4 "*Carports and Garages*" of the Oberon Development Control Plan 2001 to allow the construction of a new garage 63m<sup>2</sup> at Lot 9 in DP 758805, 11 Albert Street, Oberon.

### *Status*

Application has been determined and approved.

Matter Closed

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### *Resolution Number 10181011 - Request Seeking Support to Distribute a Petition from Narrabri Shire Council – Ms Ruth Downey and RSPCA*

That Council send a letter of support to Narrabri Shire Council in relation to the Ms Ruth Downey matter and further a petition be placed on public display at Council's administration office for a period of four weeks.

It was noted that staff are requested to forward the information to the Oberon Branch of the NSW Farmers Federation.

### *Status*

Petition on display at Council Chambers and correspondence has been forwarded to the Oberon Branch of the Farmers' Federation. Signatures will be forwarded to Narrabri Council upon close of public display period.

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*Resolution Number* – 08181011 - Council Seal to 88B Instrument

That the Common Seal of the Oberon Council be affixed to the Section 88B instrument for Mr and Mrs Clark and Koora Pty Ltd in relation to Development Application 250/06 for a two lot subdivision and Modification Application 10.2006.250.2 for a boundary adjustment of Lot 1 in DP 1081742 and P Lot 22 in DP 753047, 506 and 276 Mount David Road, Mount David.

*Status*

Seal to be affixed to the instrument.

Matter Closed

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Councillor McCarthy asked if the access to this subdivision has been approved as there had previously been issues raised in relation to the turning requirements for large vehicles.

The Director of Development advised that this matter will be addressed as part of the approval process.

*Status*

Councils Works Manager is to conduct an onsite inspection with the applicant in order to formalise RTA's requirements in relation to the approval.

*November Update:* Applicant is to liaise with Works Engineer in relation to formulating an adequate area for turning large vehicle. Inspection to be undertake and reported back to Director of Development upon completion.

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*Resolution Number* – 06190711 – Heritage Committee Minutes

That:

- a. The Minutes of the Heritage Committee held on the 4 July 2011 be received for information subject to the amendment on page 2 of the minutes to "That the heritage committee recommends that Oberon Council consider listing the ANZAC Memorial Avenue of Trees at O'Connell as a heritage item as part of the new Oberon LEP".
- b. Council consider listing the ANZAC Memorial Avenue of Trees at O'Connell as a heritage item as part of the new Oberon LEP process.
- c. Council accept the quote for D&G Booth for the construction of the three heritage signs at Burruga, Black Springs and O'Connell.
- d. Council instruct the Director of Development to refer to the Thematic History of Oberon Shire for the wording of the plaque celebrating the landing of Charles Kingsford Smith at the Oberon High School, and proceed to installation of the plaque based upon the information.
- e. Council support Mr Iain McPherson representing the Heritage Committee on the Royal Australian Historical Crossing Committee.

*Status*

In progress

*September Update:* Resolution a & b are in progress and will be considered as part of LUS.  
Resolution c & d have been undertaken.  
Resolution e will be reported by to Heritage Committee at next meeting.

*October Update:* Heritage meeting to be held on 31 October 2011.

*November Update:* Minutes of the previous meeting tabled and resolved at Heritage meeting.  
Resolution completed.

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#### Overgrown Vegetation on Town Blocks

Councillor O’Bernier raised an issue in relation to overgrown house blocks in Oberon. There are several blocks in Oberon that are vastly overgrown. Residents have raised the matter with the NSW Fire Brigade and have been advised that they do not consider these blocks to be a fire hazard under one hectare land mass. Councillor O’Bernier asked if Council can take further action in relation to this matter.

#### *Status*

Most concerned lands have complied with action. Draft Orders are to be prepared for the outstanding lands not complying with Councils correspondence.

In progress.

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#### *Resolution Number – 40150211 Heritage Interpretive Signs*

That the General Manager explore options for the construction of the heritage interpretive sign frame structure and proceed on the basis of obtaining new quotes for such work.

#### *Status*

Ongoing

Prices have come in and a report will go to the Heritage Committee meeting of 6 June 2011.

*June Update –* Committee resolution to be presented to Councils July meeting.

*August Update –* Resolution endorsed by Council. Quotes to be sourced.

*September Update –* Underway.

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*Resolution Number – 32141210 - Oberon Community Centre Internal Renovations*

That:

- a) The floor plan as marked drawing number 0709 TOC/002 and dated 30 July 2009 as presented to the community be endorsed by Council or Council undertake any necessary amendments to the floor plan.
- b) Quotations be called for the internal building works as shown on the final endorsed floor plan.

*Status*

Grant funding has been signed by the General Manger, Council Officers are obtaining current prices from various sources.

*June Update:* Gathering quotes from local builders.

*July Update:* Quotes received and initial works are being undertaken including air conditioning/heating installation for the entire centre.

*August Update:* Upgrading to electrical works has been completed. Quotes obtained and engagement of contractor for storage units undertaken. Floor coverings are ordered.

*September Update:* Painting now complete (internal), cupboards to be installed early September, flooring to commence following the completion of the cupboards and builder to commence end of September. Tables and chairs purchased.

*October Update:* Builder has commenced internal alterations, all external painting has been completed, cupboards installed, flooring complete, tables and chairs arrived.

*November Update:* Builder has completed a majority of internal alterations, utensils, function items, window coverings have been purchased and are to be installed mid-November. External ramps and disabled compliant access requirements complete.

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*Resolution Number – 23141210 - Oberon Community Centre*

That the Oberon Community Centre be known as the Robert (Bob) Hooper Community Centre in recognition of Councillor Hooper's service to the Oberon Community over many years.

*Status*

To be undertaken in conjunction with Resolution 32141210.

*November Update – quotes sourced for sign construction.*

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*Resolution Number – 08191010 – Heritage Committee Meeting Minutes*

That a main street study for Oberon, incorporating aspects such as:

- Seating
- Vegetation/landscaping
- Awnings reconstruction
- Car parking
- Painting of buildings
- Waste bins
- Paving
- Potential for tourism, heritage, and economic benefits

be undertaken, subject to an investigation of potential funding and involvement of appropriate community groups.

*Status*

Ongoing

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*Resolution Number – 32170810 – Heritage Committee Meeting Minutes*

In respect to the proposed sign structures at Black Springs, Burruga and O’Connell:

- a) The quotation from Peter Anderson for the supply and erection of three sign structures to accommodate proposed signs at Black Springs, Burruga and O’Connell at a cost of \$1,900 each plus GST (funded from the Local Heritage Fund) be accepted,
- b) Second-hand galvanised iron be used for the roof of the structure at O’Connell, and
- c) An additional sum of up to \$100 per structure be provided (funded from the Local Heritage Fund) for treatment for the preservation of the timber members.

*Status*

Works Order issued to Peter Anderson for commencement of construction of structures.

*January Update:* Staff actively pursuing completion of this project.

*March Update:* New contractor being sort – see resolution 40150211 Heritage Interpretive Signs.

*April Update:* New contractor being sort – see resolution 40150211 Heritage Interpretive Signs

*June Update:* Quotes and report to be tabled in accordance with resolution 40150211 at June 6 Heritage Committee meeting.

*July Update:* Committee resolution to be presented to Councils July meeting.

*August Update:* Committee resolution endorsed by Council at July meeting, contractor has been engaged to undertake work.

*September Update:* Work to commence early September.

---



*October Update:* Works underway.

*November Update:* Works continuing.

---

*Resolution Number - 29200710 - Heritage Committee Meeting Minutes*

- a) The Principal of Oberon High School be contacted regarding the project to ascertain their support
- b) An appropriate plaque be designed and manufactured depicting the first landing of Sir Charles Kingsford-Smith in Oberon on 6 March 1921
- c) The plaque is to include photographs of the landed plane
- d) The plaque be erected at the front of Oberon High School so that it is visible to the public from the footpath.

*Status*

- a) Heritage Committee members to meet with Principal of Oberon High School at a mutually convenient time.

*December Update:* Site inspected by Director of Development with Principal of Oberon High School on 4 December 2010 and details to be given to Heritage Committee Meeting on 6 December 2010.

*January Update:* Work to commence on drafting wording for the plaque and identification of an appropriate photograph to be included in the plaque.

*March Update:* Works progressing

*April Update:* Works progressing

*June Update:* Works progressing

*July Update:* Committee resolution to be presented to Councils July meeting.

*August Update:* resolution endorsed by Council to undertake project.

*September Update:* Quotes have been sourced and Council officers now liaising with contractor to finalise design.

*October Update:* Sign has been purchased and delivered to Council. Placement of the sign to be undertaken in accordance with Heritage Committee resolution. Officers to meet with Oberon High School Principal to arrange installation.

*November Update:* Sign erected in agreed location.

Matter Closed

---

*Resolution Number - 28200710 - Heritage Committee Meeting Minutes*

That the Heritage Committee be asked to investigate appropriate advice with a view to establishing a suitable program to restore and retain the PISE Barn at Lindlegreen.

*Status*

To be arranged shortly in conjunction with Resolution 27200710.

*October Update: Council Officers and Heritage Advisor to investigate*

*November Update: Council Officers met with structural engineer and Heritage Advisor to undertake inspection of the PISE Barn at Lindlegreen. A report was forwarded to the October Meeting of the Heritage Committee for consideration and resolutions forwarded to the November Meeting of Council.*

---

*Resolution Number – 27200710 - Heritage Committee Meeting Minutes*

That the Heritage Advisor (Christo Aitken), Director of Development (Ralph Tambasco) and a practising Structural Engineer meet on site at the PISE Barn at Lindlegreen to ascertain the extent of existing deterioration and to establish a monitoring program for the cracking of the Western wall and that an amount of \$1000 from the Local Heritage Fund be allocated for this project.

*Status*

*October Update: Council Officers and Heritage Advisor to investigate*

*November Update: Council officers met with structural engineer and Heritage Advisor to undertake inspection of the PISE Barn at Lindlegreen. A report was forwarded to the October Meeting of the Heritage Committee for consideration and resolutions forwarded to the November Meeting of Council.*

---

*Resolution Number – 05150909 – Proposed O’Connell Conservation Area*

1. The Heritage Committee be asked to provide the reasons and logic in relation to what they perceive needs to be protected.
2. All affected landowners within the proposed area, regardless of the size of property, be given adequate time to provide comment in regards to the proposal including the information requested in Item 2 above.
3. Consultation between the Council and the relevant parties be undertaken prior to the Council taking a decision on any issue relative to the matter.

*Status*

Ongoing and will be considered in the Draft Land Use Strategy.

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File: A1.2.1  
Author: Gary Wallace  
Date: 3 November 2011

## 10.02 Reports for Decision

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### 10.02.01 Modification Application 10.2010.43.2

Applicant: Mr J Booth  
Location: Lot 18 in DP 749692, 10 Sirius Street, Oberon  
Proposal: Modify previously approved Engineering Factory and Office  
Zone: Village 2(v)

---

#### *Executive Summary*

Development Application 10.2010.43.1 for a new factory and office was approved by Council staff on 8 February 2011. This approval included variations to clauses D4.1 and F10.2 of the Oberon Development Control Plan 2001 which were approved by Council at its 21 September 2010 meeting.

On 17 October 2011 modification 10.2010.43.2 was received proposing to modify Development Consent 10.2010.43.1 by proposing:

- Not to construct the brick veneer office area, instead relocating a transported office structure to the site
  - Separate the transported office structure from the factory building by 3.1m
  - Reduce the western setback of the office structure from 30m to 26m
- 

#### *For Council Decision*

#### *Recommendation:*

Delegation is granted to Councils General Manager to determine Modification Development Application 10.2010.40.2 for a proposed engineering workshop and office which includes a variation to clause D4.1 of the Oberon Development Control Plan 2001 at Lot 18 in DP 749692, 10 Sirius Street Oberon with the proviso that no submissions are received from the notification process.

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#### *Background*

A section 96 application to modify Development Application 10.2010.43.1 was received on 17 October 2011.

A copy of the applicant's site plan and elevations are attached (see attachment).

---

Development Application 10.2010.43.1 contained two approved variations to clauses D4.1 and F10.2 of the Oberon Development Control Plan 2001 (DCP). Council approved both of these variations at its 21 September 2010 meeting.

Clause F10.2 (requiring internal hardstand surface areas and not gravel) has since been removed from the DCP and as such is no longer applicable.

The initial variation to clause D4.1 was viewed to be required as the proposed street setback of buildings is four (4) metres, not six (6) metres as required by the DCP.

Council staff have considered any potential impacts on Council's infrastructure and adjoining property owners and have determined there is no perceived impact of the proposed modification.

### **Neighbour Notification**

The application has been neighbour notified to one adjoining neighbour which owns the land to south of lot 18 DP 749692, submissions will close on 17 November 2011. Should any submissions be received from the neighbour notification process then a further report shall be put to Councils next available Ordinary Meeting.

### *Attachments*



10.02.01\_Attachment  
\_A\_Site\_Plan\_and\_Ele

### *Statutory Environment*

Environmental Planning and Assessment Act 1979  
Environmental Planning and Assessment Regulation 2000  
Oberon Local Environment Plan 1998  
Oberon Development Control Plan 2001, as revised

### *Policy Implications*

There are no policy implications.

### *Financial Implications*

There are no financial implications.

### *Strategic Implications*

There are no strategic implications.

*Officers Comment*

Nil

*Consulted With*

Director of Development

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File: PO51.10  
Author: Mark Dicker  
Date: 2 November 2011

**10.03.01 General Business - Development**



## 11 Director of Corporate Service Reports

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### 11.01 Reports for Information

#### *Recommendation*

That the Director of Corporate Services reports for information as presented in Report 11.01.01 to 11.01.05 of the Business Papers be received and noted by Council.

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### 11.01.01 Monthly Update Report – Corporate Services Department

The following items are presented for Councillors information and are reflective of the period October 1 to October 31 2011.

#### 1. Rates Collections Reports

The monthly statistical report on the collection of rates and annual charges for the period to 31 October 2011 is attached for information.

Total collections for the year to date represent 41.75% of the total receivable, compared with 41.49% for the same period last year.

One Statement of Claim for outstanding rates and charges was lodged during the month of October.

Ongoing recovery action is continuing in an attempt to further reduce the total outstanding.

#### *Attachment*



11.01.01\_Attachment  
\_A\_Monthly\_Rates\_Re

#### 2. Certificates Issued During the Month of October

During the property conveyancing process, normally as part of the sale of a property, applications are received for certificates relating outstanding rates and water consumption on properties. During the month of October 2011 the following certificates were issued:

- 13 Certificates under Section 603 (rates and charges) of the Local Government Act
- 2 consumers water meter reading certificates



### 3. Councillor and General Manager Expenses

The monthly summary of Councillor and General Manager Expenses for October 2011 is attached for information.

*Attachment*



11.01.01\_Attachment  
\_B\_Expenses\_of\_Cour

### 4. Attendance at Seminars/Conference/Short Courses

- Nil

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File: A1.2.1  
Author: John Chapman  
Date: 7 November 2011

**11.01.02 Statement of Bank Balances and Investments**

*Executive Summary*

In accordance with Clause 212 of the Local Government (General) Regulation 2005:

*“(1) The responsible accounting officer of a council:*

*(a) must provide the council with a written report (setting out details of all money that the council has invested under section 625 of the Act) to be presented:*

*(i) if only one ordinary meeting of the council is held in a month, at that meeting, or*

*(ii) if more than one such meeting is held in a month, at whichever of those meetings the council by resolution determines, and*

*(b) must include in the report a certificate as to whether or not the investment has been made in accordance with the Act, the regulations and the council’s investment policies.*

*(2) The report must be made up to the last day of the month immediately preceding the meeting.”*

The statement of Bank Balances and Investments as at 31 October 2011, together with a graphical summary for the period from November 2007, are attached for Council’s information.

*For Council Information*

*Recommendation:*

That the information be received and noted.

*Background*

In addition to the statement of Bank Balances and Investments the following figures, compared with those reported at 31 October 2010, are presented for information.

	<u>2010</u>	<u>2011</u>
Face Value of all Investments Held	\$5,265,586	\$5,222,266
Face Value of Grange/Lehman Bros Investments	\$2,000,000	\$2,000,000
Market Value of Grange/Lehman Bros Investments	\$696,955	\$602,361
Market Value of Grange as % of Face Value	35%	30%
Cheque Account Cash Book Balance	\$77,404	\$283,581
Total Cash and Investments (Market Value)	\$4,039,945	\$4,108,209
Interest Received Year to Date	\$50,320	\$40,577
Call A/c Interest Rate	4.45%	4.70%

The total sum held in investments and cash is comparable with the same period last year.

Coupon payments continue to be received for the Grange Securities/Lehman Bros Investments, with the exception of the Zircon/Coolangatta CDO. There has been a further decrease in the value of the Aphex/Glenelg (\$47,295) CDO since the end of August 2011. This negative fluctuation has arisen again primarily as a result of “nervousness” in financial markets worldwide due to the ongoing fragile state of the European economy.

A summary of the net amounts of principal written off in relation to Lehman Brothers and LGFS CDO's is provided as follows:

Written Off 30 June 2008	(2,682,780)	
Written Back 30 June 2009	540,585	(includes Federation CDO \$500,000 recovered)
Written Back 30 June 2010	55,040	
Written Back 30 June 2011	<u>86,250</u>	
Net Written off to 30 June 2011	(2,000,905)	
Write-Back to date in 2011-2012	(122,515)	
Net Written off to 31 October 2011	<u>(\$2,123,421)</u>	

#### Attachments



11.01.02\_Attachment  
\_A\_Statement\_of\_Inve



11.01.02\_Attachment  
\_B\_Cash\_and\_Investr

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File: C17.1  
Author: John Chapman  
Date: 7 November 2011

**11.01.03 Staff Appointments**

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*Executive Summary*

Council resolved at its 16 June 2009 Ordinary Meeting, “That staff be allowed to recruit within the adopted structure and keep council informed of staff replacements at its ordinary meetings.”

Staff advise that a full-time Manager of Community and Customer Services, a full-time Library Officer and two casual Junior Pool Lifeguards have been appointed.

---

*Recommendation:*

That the information be received and noted.

---

*Background*

Council resolved at its 16 June 2009 Ordinary Meeting, “That staff be allowed to recruit within the adopted structure and keep council informed of staff replacements at its ordinary meetings.”

In keeping with this resolution, staff advise that Ms Peta Heffernan has been appointed as the full-time Manager Community and Customer Services, Ms Bonnie Wildie has been appointed as the full-time Library Officer, Miss Caitlyn Barton and Miss Shanaya Stapleton have been appointed as casual Junior Pool Lifeguards.

*Attachments*

Nil

*Statutory Environment*

Local Government Act, 1993

*Policy Implications*

Not applicable

*Financial Implications*

Not applicable

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*Strategic Implications*

Not applicable

*Officers Comment*

*Consulted With*

General Manager

---

File: C19.1  
Author: Joanne Barton  
Date: 2 November 2011

**11.01.04 Casual Vacancy – Resignation of Councillor Handelsmann**

*Executive Summary*

Following the resignation of Councillor Handelsmann, effective from 1 September 2011, Council resolved to seek approval to dispense with the requirement to conduct a by-election to fill the vacancy.

Advice has now been received from the Minister for Local Government and the North Coast, Don Page that has ordered that the casual vacancy not be filled.

The Electoral Commissioner has been notified.

---

*For Council Information*

*Recommendation:*

That the information be received and noted.

---

*Attachment*



11.01.04\_Attachment  
\_A\_Minister\_for\_Local

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File No: A7.1  
Author: John Chapman  
Date: 8 November 2011

**11.01.05 Corporate Services Status Report**

---

*Resolution Number* – 53181011 - Tasman Estate Land Offer

That the offer for sale of Lot 16 in Tasman Estate be accepted.

*Status*

Real Estate Agent advised of Council's acceptance.

Matter closed

---

*Resolution Number* – 51181011 - Lease of Land for Rural Fire Service Brigade Shed

That the seal of Council be affixed to the lease with Mr Peter Sheppard of land in O'Connell Road, Oberon for use as a Rural Fire Service shed.

Councillor McCarthy asked if the cost of establishing a lease could be supplied to Council. The Director of Corporate Services will provide a report to the November Meeting in relation to the costs.

*Status*

Seal affixed and lease document forwarded to solicitor. Report on legal costs associated with the lease will be prepared upon receipt of the memorandum of fees from the solicitor.

---

*Resolution Number* – 25181011 - Annual Financial Reports

1. Council resolve that:

- a. The Annual Financial Statements for the year ended 30 June 2011 have been drawn up in accordance with:
  - the Local Government Act 1993 (as amended) and the Regulations made thereunder,
  - the Australian Accounting Standards and professional pronouncements, and
  - The Local Government Code of Accounting Practice and Financial Reporting.
- b. To the best of Council's knowledge and belief, the reports:
  - present fairly the Council's financial position and operating result for the year, and
  - Accord with Council's accounting and other records.
- c. Council is not aware of any matter that would render the reports false or misleading in any way.
- d. The special purpose Financial Statements for the year ended 30 June 2011 have been prepared in accordance with the:
  - the NSW Government Policy Statement "*Application of National Competition Policy to Local Government*"

- The Department of Local Government guidelines “*Pricing and Costing for Council Businesses: A Guide to Competitive Neutrality*”.
  - the Local Government Code of Accounting Practice and Financial Reporting, and
  - The Department of Energy, Utilities and Sustainability “*Best Practice Management of Water Supply and Sewerage*” guidelines.
- e. To the best of Council’s knowledge and belief, these reports:
- present fairly the financial position and operating result for each of Council’s declared Business Activities for the year, and
  - accord with Council’s accounting and other records
- f. Council is not aware of any matter that would render the reports false or misleading in any way.
2. Council determine not to request the Auditor to attend the meeting at which the financial reports are presented.
  3. The Annual Financial Reports, incorporating the Auditor’s Report, be presented to the public at the November 2011 Ordinary Council Meeting
  4. The General Manager be delegated authority to authorize the year end accounts for issue immediately upon receipt of the auditor’s report, subject to there being no material audit changes or audit issues, in accordance with AASB 110.

It was noted that Councillor Sullivan requested staff to provide additional information in relation to the following items:

1. Nett loss in relation to the disposal of assets, and
2. Employee Leave entitlements – the effect of long term employees leaving the organisation verses action taken by management to reduce overall leave liability.

*Status*

Report to November Meeting in relation to presentation of Annual Financial reports to the public and provision of details of net loss on disposal of assets.

Report on Employee Leave Entitlements to be prepared for the December Council Meeting.

---

*Resolution Number – 23181011 - Centroc Beyond the Range Project*

That the matter be considered at the November Meeting in conjunction with the quarterly budget review.

*Status*

Report to November Meeting with Quarterly Budget Review.



*Resolution Number* – 22181011 - Proposed Change in Postcode - Essington

That Council support the request from Australia Post to alter the postcode in the Essington area from 2795 to 2787, subject to Australia Post consulting with affected residents regarding the proposed change.

*Status*

Australia Post advised of Council's determination.

Matter closed

---

*Resolution Number* – 21181011 - Proposal for Mobile Dental Clinic

That no action be taken in relation to supporting the proposal to establish a mobile dental clinic to service the local area.

*Status*

Proponent advised of Council's decision.

Matter closed

---

*Resolution Number* – 20181011 - Request for Financial Assistance – 2011 Carols in the Caves

That the invitation to participate in the 2011 Carols in the Caves event in the form of \$2,500 sponsorship be declined.

*Status*

Organising Committee advised of Council's determination.

Matter closed

---

*Resolution Number* – 19181011 - Policy Reviews

That the following policies as amended be adopted:

Policy 2118 Smoke Free Workplace  
Policy 2119 Drugs and Alcohol  
Policy 4103 Driveway Accesses to Rural Properties

*Status*

Policy Register updated.

Matter closed

---

*Resolution Number* – 18181011 - Draft Policy 1103 – Payment of Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Other Councillors

That:

1. Council give public notice of its intention to amend the Policy for the Payment of Expenses or Provision of Facilities to The Mayor, Deputy Mayor and Other Councillors in accordance with the attached amended policy, allowing at least 28 days for the making of public submissions.
2. If no submissions are received, the amended policy be adopted and forwarded to the Director General within 28 days.

*Status*

Receipt of submissions will be accepted until 17 November 2011.

---

*Resolution Number* – 17181011 - Power of Attorney – General Manager

That the Seal of Council be affixed to the Power of Attorney to appoint the General Manager to sign on Council's behalf documents to which the Common Seal of Council is required to be affixed following a specific resolution of Council on such matters.

*Status*

Seal affixed and Power of Attorney document forwarded to solicitor for processing.

Matter closed

---

*Resolution Number* – 28200911 - Swimming Pool Fees and Charges – Hire Of Lifeguards/Instructors

That Council advertise its intention to amend the 2011-2012 Schedule of Fees and Charges to include a charge of \$35.00 per hour (including GST) for the hire of lifeguards/instructors when required and which are not included as part of the group booking hire rate at Oberon Swimming Pool.

*Status*

No submissions received. Report to November Meeting to confirm addition to 2011-2012 Fees and Charges Schedule.

---

*Resolution Number* – 25200911 - Power of Attorney – General Manager

That Council appoint the General Manager as Power of Attorney to sign on Council's behalf documents listed on the attached draft and to which the Common Seal of Council is required to be affixed following a specific resolution of Council on such matters.

*Status*

Seal affixed and Power of Attorney document forwarded to solicitor for processing.

Matter closed

---

*Resolution Number* – 23200911 - Councillor Casual Vacancy

That Council make application under Section 294 of the Local Government Act to the Minister for an order dispensing with the requirement to hold a by-election to fill the casual vacancy resulting from Councillor Handelsmann's resignation.

*Status*

Advice received from Minister of issue of an order dispensing with the requirement to hold a by-election. Report to November Meeting.

Matter closed

---

*Resolution Number* – 19160811 - NSW Seniors Week Grants Program 2012

That an application be submitted for the 2012 Seniors Week Grant funding and the Seniors Welfare Committee be requested to comment on suitable events/projects that could be considered for Seniors Week 2012.

*Status*

Noted for referral to Seniors Welfare Committee meeting to be held December 2011.

---

*Resolution Number* – 04160811 - Seniors Welfare Committee Minutes

That

2. Investigation be undertaken into the establishment of a trust mechanism to capture donations made to facilitate the provision of aged care facilities and services in Oberon.

*Status*

Report to November Council Meeting.

Matter closed

---

*Resolution Number – 38190711 – Lease of Dental Surgery*

That Council enter into a five year standard commercial lease agreement, with an option to renew for a further five years, with Ms Henriette Macri-Etienne (trading as Waratah Dental), the agreement to include the following:

Term:

- Five years

Option:

- Five years

Rent:

- \$80.00 (including GST) per day or part thereof of the premises irrespective of attendance

Reviews of Rent:

- Annual increase in accordance with the CPI
- Review under new lease if option to extend for five years is exercised

Plant and Equipment:

- Schedule to be included in the lease
- Lessee to maintain equipment and provide any new equipment required

Assignment/Transfer:

- Provision to assign/transfer the lease (subject to Council's consent)

Insurance:

- Minimum \$10 million public liability insurance cover

Special Conditions:

- Occupation for two days per week, with the option to extend by agreement with Council
- Premises not available on Mondays
- That if the service is not provided for a period of greater than four consecutive weeks then this is considered a breach of contract.

*Status*

Draft lease prepared by Council's Solicitor and forwarded to lessee for signature. Await outcome.

---

*Resolution Number – 22190711 – Oberon Swimming Complex Operation*

That no action be taken in relation to seeking tenders for the Oberon Swimming Complex Operation and that the General Manager investigate possible cost saving options for the operation of the facility that do not impact on service levels to the community.

*Status*

Relevant staff advised. Investigations to be undertaken into feasibility and economic benefits of conversion of heating system energy source from electricity to gas.

---

*Resolution Number - 20190711 – Request for Sponsorship – Tourism Awards*

That sponsorship of \$1,000 (after GST) be provided from the 2011/2012 donations budget on the understanding that the Oberon Plateau Tourism Association (OPTA) will match Council's contribution.

*Status*

Sponsorship payment made – OPTA contribution received.

Matter closed

---

*Outstanding Rates*

Councillor McCarthy requested information about the source of outstanding rates. The Director of Corporate Services will provide further information regarding this.

*Status*

Report to be presented to future Ordinary Meeting.

---

*Resolution Number - 40170511 – 2011/12 Management Plan, Budget and Fees and Charges*

The draft Budget for 2011-2012 and annual financial forecasts to 2015-2016 be adopted subject to the inclusion of \$5,000 towards the 2011 Country and Regional Living Expo and the provision of \$4,000 be made from the Land Reserve to facilitate the subdivision of the rear of 70 Dart Street, Oberon.

The draft Management Plan (including the draft budget and draft schedule of fees and charges) for 2011-2012 be adopted and advertised for a period of 28 days for the receipt of public submissions, and

The draft Management Plan (including the draft budget and draft schedule of fees and charges) for 2011-2012 be presented for final adoption, after consideration of any submissions received, at Council's Ordinary Meeting to be held in June 2011.

It was noted that Councillor Doney requested a report regarding the revenue generated from the sale of water to commercial and residential customers.

---

*Status*

The Management Plan (including the budget and schedule of fees and charges) adopted at June 2011 meeting.

The report regarding the revenue generated from the sale of water to commercial and residential customers to be presented to a future meeting.

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Management Manual - Section 355 Committees and Volunteers

The General Manager withdrew the report to allow further information to be considered. An amended report will be provided to the May 2011 Ordinary Meeting.

*Status*

Under review - report to a future meeting.

---

*Resolution Number* – 26170810 – Policy Reviews, Investments Policy

That Policy 2211 – Investments be deferred pending a further report to Council.

*Status*

Referred to future Finance Committee Meeting

---

*Resolution Number* – 16171109 – Annual Financial Reports

That staff be requested to seek justification from Council's insurance providers for the increase in the base workers compensation premium for the period 2007 to 2009 and a report be provided to Council.

*Status*

Report will be provided to future Finance Committee meeting.

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File: A1.2.1  
Author: John Chapman  
Date: 8 November 2011

## 11.02 Reports for Decision

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### 11.02.01 Annual Report – Year Ended 30 June 2011

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#### *Executive Summary*

As part of Council's statutory obligations it is required to prepare an Annual Report.

A copy of Council's Annual Report for the year ended 30 June 2011 has been distributed as a separate document.

---

#### *For Council Decision*

#### *Recommendation:*

That the Annual Report for the year ended 30 June 2011 be received for information and the report be included on the Council's website and forwarded to the Minister.

---

#### *Background*

Section 428 of the Local Government Act 1993 provides that:

- “(1) Within 5 months after the end of each year, a council must prepare a report (its **annual report**) for that year reporting as to its achievements in implementing its delivery program and the effectiveness of the principal activities undertaken in achieving the objectives at which those principal activities are directed.*
- (2) The annual report in the year in which an ordinary election of councillors is to be held must also report as to the council's achievements in implementing the community strategic plan over the previous 4 years.*
- (3) An annual report must be prepared in accordance with the guidelines under section 406.*
- (4) An annual report must contain the following:*
  - (a) A copy of the council's audited financial reports prepared in accordance with the Local Government Code of Accounting Practice and Financial Reporting published by the Department, as in force from time to time,*
  - (b) Such other information as the regulations or the guidelines under section 406 may require.*
- (5) A copy of the council's annual report must be posted on the council's website and provided to the Minister and such other persons and bodies as the regulations may require. A copy of a council's annual report may be provided to the Minister by notifying the Minister of the appropriate URL link to access the report on the council's website.”*

A copy of Council's Annual Report for the year ended 30 June 2011 has been distributed as a separate document.

*Attachments*



11.02.01\_Attachment  
\_A\_Annual\_Report\_20

*Statutory Environment*

Local Government Act 1993

*Policy Implications*

Nil

*Financial Implications*

Nil

*Strategic Implications*

Nil

*Officers Comment*

Nil

*Consulted With*

General Manager  
Director of Engineering  
Director of Development  
Customer and Community Services Manager  
Finance Manager  
Works Manager  
Human Resources and Special Projects Officer

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File: C15.6  
Author: John Chapman  
Date: 7 November 2011



## 11.02.02 Hunting in State Forests

### *Executive Summary*

A response has been received from Paul Toole MP following expression of Council's concern regarding the conflicts between hunters and other recreational users of State Forests in the area.

Mr Toole refers to his representation to and reply from Minister for Primary Industries, Katrina Hodgkinson MP on the matter, suggesting that the Game Council make a presentation to Council on how conservation hunting in State Forests is managed.

---

### *For Council Decision*

#### *Recommendation:*

That the Game Council of New South Wales be invited to make a presentation to Council on how conservation hunting in State Forests is managed.

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### *Background*

A response has been received from Paul Toole MP following expression of Council's concern regarding the conflicts between hunters and other recreational users of State Forests in the area.

Mr Toole refers to his representation to and reply from Minister for Primary Industries, Katrina Hodgkinson MP on the matter, suggesting that the Game Council make a presentation to Council on how conservation hunting in State Forests is managed.

The matter of interaction between hunters, other users of State Forests and local residents residing adjacent to State Forests has been a matter of concern by Council for some time.

### *Attachments*



11.02.02\_Attachment  
\_A\_Correspondence.p

### *Statutory Environment*

Game Hunting Licensing

### *Policy Implications*

Not applicable

*Financial Implications*

Nil

*Strategic Implications*

Nil

*Officers Comment*

Nil

*Consulted With*

Paul Toole MP

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File Nos: E39.7, P70.2  
Author: John Chapman  
Date: 7 November 2011

**11.02.03 Delegations of Authority – Financial Delegations***Executive Summary*

In accordance with recommendations made by Council's Internal Auditors, the Delegations of Authority for the purchase of goods and services by staff have been reviewed and adopted.

A new Delegation of Authority for the position of Community and Customer Services Manager is required and the existing Delegations of Authority for the Library Manager, Information Technology Manager and Swim Pool Superintendent are to be deleted.

*For Council Decision**Recommendation:*

That the updated Delegations of Authority be adopted.

*Background*

Following comments made by the consultants conducting the internal audit on purchasing and procurement policies and procedures a review was conducted of the current delegations of authority for the purchase of goods and services by staff on behalf of Council,

It should be noted that, in accordance with the Local Government Act and Regulations, any purchase in excess of \$150,000 requires the calling of tenders, which can be accepted only by Council. The current delegations are as summarised below.

A new Delegation of Authority for the position of Community and Customer Services Manager is required and the existing Delegations of Authority for the Library Manager, Information Technology Manager and Swim Pool Superintendent are to be deleted.

The proposed new delegations with changes highlighted are as follows:

<b>Position</b>	<b>Maximum</b>	<b>Change</b>
General Manager	\$150,000	No change
Director of Engineering	\$100,000	No change
Director of Corporate Services	\$100,000	No change
Director of Development	\$100,000	No change
<b>Manager Community and Customer Services</b>	<b>\$100,000</b>	<b>New Delegation</b>
Works Manager	\$10,000	No change
Finance Manager	\$10,000	No change
Storeman	\$5,000	No change
Relief Storeman	\$5,000	No change
Plant Foreman	\$5,000	No change

Sewer and Water Operator	\$2,000	No change
Rural Fire Service Zone Manager	\$10,000	No Change
Information Technology Manager	\$0	Position no longer exists in Council's organisational structure
Library Manager	\$0	Position no longer exists in Council's organisational structure – Delegation to be deleted
Manager Health and Building	\$2,000	No change
Swimming Pool Superintendent	\$0	Was \$1,000 – Delegation of Authority to be deleted, responsibility transferred to Manager of Community and Customer Services. Delegation to be deleted.
Rural Fire Service Business Officer	\$1,000	No change
OHS/Risk Manager	\$1,000	No change
Visitor Information Centre Manager	\$2,000	No change

*Attachments*

Nil

*Statutory Environment*

Local Government Act 1993  
Central Tablelands Strategic Alliance Internal Audit Committee

*Policy Implications*

Nil

*Financial Implications*

Revised delegations are now aligned more meaningfully with purchase history and the actual delegated responsibility of individual positions.

*Strategic Implications*

Not applicable

*Officers Comment*

Nil

*Consulted With*

General Manager  
Director Corporate Services

**11.02.04 Quarterly Budget Review as at 30 September 2011**

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*Executive Summary*

The Quarterly Budget Review Statements for the first quarter to 30 September 2011 have been distributed as a separate document.

The summary pages (Summary Pages 1 and 2) have been reformatted to comply with the new regulations associated with the Integrated Planning Legislation and provide more detailed information than previously provided.

The cash movement summary (Cash Movement Summary Pages 1 and 2) is a new summary required to comply with the new regulations associated with the Integrated Planning Legislation.

The original budget forecast and subsequent quarterly reviews provided for a net cash gain/(loss) for the year ending 30 June 2012 as follows:

Original Budget	\$ 1,188 Cash Gain
This (Quarter 1) Review	\$17,419 Cash Gain

Council resolved at the October 2011 Meeting, in response to a request from CENTROC for a contribution to the Beyond the Range Project, "That the matter be considered at the November Meeting in conjunction with the quarterly budget review".

The quarterly budget review, as presented, incorporates provision for a contribution of \$6,000 to the Beyond the Range Project in accordance with the request from Centroc. Should Council resolve not to make the contribution, the projected cash gain will be revised to \$23,419.

---

*For Council Decision*

*Recommendation:*

That:

1. Council consider the request from Centroc for a contribution of \$6,000 towards the Beyond the Range Project; and
  2. Subject to consideration of the request from Centroc for a contribution of \$6,000 towards the Beyond the Range Project, the Quarter 1 Budget Review Statements for 2011/2012 be received and noted and the revised budgeted income and expenditure items be voted.
- 

*Background*

The Quarterly Budget Review Statements for the first quarter to 30 September 2011 have been distributed as a separate document.

The summary pages (Summary Pages 1 and 2) have been re-designed to comply with the new regulations associated with the Integrated Planning Legislation and provide more detailed information than previously provided. The cash movement summary (Cash

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Movement Summary Pages 1 and 2) is a new summary required to comply with the new regulations associated with the Integrated Planning Legislation.

The original budget forecast and subsequent quarterly reviews provided for a net cash gain/(loss) for the year ending 30 June 2012 as follows:

Original Budget	\$ 1,188 Cash Gain
This (Quarter 1) Review	\$17,419 Cash Gain

Council resolved at the October 2011 Meeting, in response to a request from CENTROC for a contribution to the Beyond the Range Project, “That the matter be considered at the November Meeting in conjunction with the quarterly budget review”.

The quarterly budget review, as presented, incorporates provision for a contribution of \$6,000 to Centroc for the Beyond the Range Project in accordance with the request from Centroc. Should Council resolve not to make the contribution, the projected cash gain will be revised to \$24,419.

All items in respect of which there are variations are noted with relevant comments on the detailed statements which are being distributed as a separate document.

A summary of major variations is provided at the front of the separately distributed statements.

The only major variation in respect of which Council has not previously been made aware is the additional sum required to complete the Indoor Sport and Tennis Centre. The estimated cost of the project totalled \$472,140 (including the resurfacing/surfacing works costing \$82,140 in respect of which the Oberon Tennis Club contributed \$73,400). Expenditure to date totals \$510,107 and the final cost (after completion of appropriate signage) is expected to total \$512,449.

The additional cost of \$40,309 is represented by:

• Costs associated with the court base (floor) underestimated (estimate \$56,000; cost \$88,900)	\$32,900
• Reduction in Tennis Club contribution due to GST legislation	\$ 8,740
• Net cost savings on remainder of project	<u>\$(1,331)</u>
	\$40,309

Provision has been made to fund the additional expenditure from the Town Improvement Fund.

Other variations include:

- \$5000 provision for investigation and establishment of the seniors welfare trust mechanism
- \$2300 for staging the Seniors Expo 2011

In accordance with the Local Government (General) Regulations 2005, a budget review statement must include or be accompanied by:

- “(a) A report as to whether or not the responsible accounting officer believes that the statement indicates that the financial position of the Council is satisfactory, having regard to the original estimate of income and expenditure, and
- (b) If that position is unsatisfactory, recommendations for remedial action.”

The Director of Corporate Services is Council's Responsible Accounting Officer and the statement required is included in the statements.

### *Attachments*



11.02.04\_Attachment  
\_A\_Quarterly\_Budget\_

### *Statutory Environment*

Local Government Act 1993  
Local Government (General) Regulations 2005  
The Local Government Code of Accounting Practice and Financial Reporting

### *Policy Implications*

Not applicable

### *Financial Implications*

The quarterly budget review for the period to 3 September presents a more positive view of the current year's results (anticipated cash gain of \$17,419, compared with the originally budgeted cash gain of \$1,188).

### *Strategic Implications*

Nil

### *Officers Comment*

Nil

### *Consulted With*

General Manager  
Director of Engineering  
Director of Development  
Finance Manager  
Works Manager

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File: C15.3  
Author: John Chapman  
Date: 6 November 2011

**11.02.05 Quarterly Management Plan Review**

---

*Executive Summary*

In accordance with the provisions of the Local Government Act 1993, the Management Plan Review for the quarter ended 30 September 2011 on the progress made on actions listed in Council's Management Plan for the period 2011-2016.

The Management Plan incorporates the current Social and Community Plan reviewed in 2010 and, in accordance with an undertaking given by the General Manager, the Management Plan Review also incorporates a report on the progress of actions required in response to the internal audit reports and recommendations.

---

*For Council Decision*

*Recommendation:*

That the Quarterly Management Plan Review and report on the progress of actions required in response to the internal audit reports and recommendations for the period to 30 September 2011 be received and noted.

---

*Background*

In accordance with the provisions of the Local Government Act 1993, the Management Plan Review for the quarter ended 30 September 2011 on the progress made on actions listed in Council's Management Plan for the period 2011-2016.

The Management Plan incorporates the current Social and Community Plan reviewed in 2010 and, in accordance with an undertaking given by the General Manager, the Management Plan Review also incorporates a report on the progress of actions required in response to the internal audit reports and recommendations.

Council will note a significant change in the format for presentation of the review, a matter which has been the subject of concern by Council and the Executive Management Team for some time. The process of changing the format of the report has revealed that a number of the specified targets and/or key performance indicators included in the Management Plan require review and amendment to ensure that all targets/indicators are realistic, practical and measurable.

Due to the time taken to review the format of the report and conflicting priorities, sufficient staff time has not been available to review the relevant items. Additionally, some of the data required to complete the report is currently not available or staff resources have not allowed sufficient time for collection and collation of data that is available.

It is anticipated that, upon further review and amendments to the format and information contained in the report, future reviews will be a significant improvement on the current report. The completion of the conversion of Council's records management system to new software in December 2011 will assist greatly in facilitating this improvement process.

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*Attachments*



11.02.05\_Attachment  
\_A\_Quarterly\_Manage

*Statutory Environment*

Local Government Act, 1993

*Policy Implications*

Nil

*Financial Implications*

Nil

*Strategic Implications*

Nil

*Officers Comment*

Nil

*Consulted With*

General Manger  
Director of Development  
Works Manager  
Human Resources/Special Projects Officer  
Finance Manager  
Director of Engineering  
Customer and Community Services Manager

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File: C15.5  
Author: John Chapman  
Date: 8 November 2011

**11.02.06 Annual Financial Reports**

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*Executive Summary*

Council resolved, at the Ordinary Meeting on 18 October 2011, that the Annual Financial Reports, incorporating the Auditor's Report, be presented to the public at this meeting.

The Auditor's Report has now been received and has been attached to the financial reports, the draft of which was adopted by Council in October 2011. No changes have been made to the Financial Reports as a result of completion of the auditor's report.

Full copies of the final Annual Financial Report, incorporating the Auditor's Report, are available on request from the Director of Corporate Services and additional copies will be available to the public.

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*For Council Decision*

*Recommendation:*

That the Annual Financial Reports, incorporating the Auditor's Report, for the year ended 30 June 2011, be presented to the public.

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*Background*

Council resolved, at the Ordinary Meeting on 18 October 2011, that the Annual Financial Reports, incorporating the Auditor's Report, be presented to the public at this meeting.

The auditor's report has now been received and has been attached to the financial reports, the draft of which was adopted by Council in October 2011. No changes have been made to the Financial Reports as a result of completion of the auditor's report.

As at the date of preparation of this report, no submissions have been received from the general public in relation to the Annual Financial Reports at 30 June 2010.

At Council's October Meeting, staff were requested to provide further information relating to the net loss on disposal of assets as outlined on Note 5 (Page 37) of the Financial Reports. Details of the net loss are provided as follows:

### Plant & Equipment

<u>Item</u>	<u>Method of Disposal</u>	<u>Replacement Value</u>	<u>Accumulated Depreciation</u>	<u>Written Down Value</u>	<u>Proceeds</u>	<u>Profit/(Loss)</u>
Fire Tanker- Gurnang	Transferred to Bathurst Region	100,000	47,080	52,920	0	(52,920)
Isuzu Tipper	Trade-In	33,793	13,793	20,000	8,182	(11,818)
Isuzu Tipper NPR200	Trade-In	40,136	25,136	15,000	19,091	4,091
Holden Commodore	Trade-In	29,758	6,758	23,000	10,909	(12,091)
Subaru Forester	Disposal	26,997	6,997	20,000	18,094	(1,906)
Holden Captiva	Trade-In	29,818	9,818	20,000	17,424	(2,576)
Ford G6E	Trade-In	37,558	7,558	30,000	16,364	(13,636)
Toyota Prado	Trade-In	42,391	7,391	35,000	29,355	(5,645)
Ford G6	Trade-In	33,078	8,078	25,000	13,636	(11,364)
<b>Totals Plant &amp; Equipment</b>		<b>373,531</b>	<b>132,611</b>	<b>240,920</b>	<b>133,055</b>	<b>(107,865)</b>

### Infrastructure

<u>Item</u>	<u>Reason for Disposal</u>	<u>Profit/(Loss)</u>
Roads Realignment Works (Abercrombie, Shooters Hill & Isabella Roads)	Roads not required after realignment works	(470,965)

### Real Estate

<u>Method of Disposal</u>	<u>Proceeds</u>	<u>Cost of Land Sold</u>	<u>Profit/(Loss)</u>
Residential Land Sales	123,500	44,239	79,261

### Summary

Plant & Equipment	Loss	(107,865)
Infrastructure	Loss	(470,965)
Real Estate	Profit	79,261
<b>Net Gain/(Loss) - Note 5</b>		<b>(\$499,569)</b>

### Attachments



11.02.06\_Attachment  
\_A\_Auditor\_Report.pdf



11.02.06\_Attachment  
\_B\_Full\_Final\_General



11.02.06\_Attachment  
\_C\_Full\_Final\_Special



11.02.06\_Attachment  
\_D\_Full\_Final\_Special

### Statutory Environment

Local Government Act 1993

Australian Accounting Standards and professional pronouncements.

The Local Government Code of Accounting Practice and Financial Reporting.

*Policy Implications*

Not applicable

*Financial Implications*

Council's ten year budget to be prepared in conjunction with the Community Strategic Plan to be completed by June 2012 will need to address the issue of funding of assets maintenance expenses, assets renewals and depreciation.

While the operating result for the Water Supply Service indicated a gain of \$24,000, the net cash result for the year, after acquisition of assets (\$138,000) and repayment of principal on loans (\$81,000), is less than satisfactory and will need to be addressed in Council's ten year budget to be prepared in conjunction with the Community Strategic Plan to be completed by June 2012.

*Strategic Implications*

Council's ten year budget to be prepared in conjunction with the Community Strategic Plan to be completed by June 2012 will need to address the unsatisfactory financial position of the water supply service and the matter of funding of assets maintenance expenses, assets renewals and depreciation.

*Officers Comment*

Nil

*Consulted With*

General Manager  
Finance Manager  
External Auditors

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File: C15.2  
Author: John Chapman  
Date: 7 November 2011

**11.02.07 Review of the Model Code of Conduct**

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*Executive Summary*

The Division of Local Government has issued Circular 11-32 advising of the progress of the review of the Model Code of Conduct, inviting submissions on a position paper, inviting interest in participating in regional workshops and advising of other methods of seeking stakeholder feedback.

---

*For Council Decision*

*Recommendation:*

That Council:

1. Make no submission at this time.
  2. Send no representative to the Regional Workshops.
- 

*Background*

The Division of Local Government has issues Circular 11-32 advising of the progress of the review of the Model Code of Conduct, inviting submissions on a position paper, inviting interest in participating in regional workshops and advising of other methods of seeking stakeholder feedback.

The position paper is available on the Divisions' website at:

<http://www.dlg.nsw.gov.au/dlg/dlg/home/documents/Information/Review%20of%20the%20Model%20Code%20of%20Conduct%20for%20Local%20Councils%20in%20NSW.pdf>

The Division is currently only seeking views on the general direction of the proposed changes. Once the broad direction of the proposed changes has been determined, the Division will be seeking stakeholders' further views on the technical detail that will underpin and give effect to the proposed changes. To this end, the Division will issue a draft of the revised Model Code and associated procedures and any ancillary proposals for the purposes of seeking comment on the technical detail of the proposed changes

Submissions are due with the Division by Monday 5 December 2011.

Regional workshops are scheduled as follows:

- Tamworth – Monday 21 November 2011
- Dubbo – 22 November 2011 at 6pm: Dubbo Civic Administration Building – Central Conference Room, Ground Floor, Church Street, Dubbo (entry from Darling Street)
- Wagga Wagga – Wednesday 23 November 2011

Workshop numbers will be restricted to 40. For this reason, participation in the workshops will be limited to council officials involved in the administration of the code of conduct (including current conduct reviewers). Numbers will be limited to four persons per council.

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*Attachments*



11.02.07\_Attachment  
\_A\_DLG\_Code\_of\_Con

*Statutory Environment*

Local Government Act, 1993

*Policy Implications*

Councils Code of Conduct is based upon the current model code and any variation to the current model code may result in the requirement to review Council's Code.

*Financial Implications*

Nil

*Strategic Implications*

Nil

*Officers Comment*

*Consulted With*

General Manager  
Division of Local Government

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File: A2.21  
Author: John Chapman  
Date: 7 November 2011

**11.02.08 Swimming Pool Fees and Charges – Hire Of Lifeguards/Instructors**

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*Executive Summary*

Council resolved on 20 September 2011 to advertise its intention to amend the 2011-2012 Schedule of Fees and Charges to include a charge of \$35.00 per hour (including GST) for the hire of lifeguards/instructors when required and which are not included as part of the group booking hire rate at Oberon Swimming Pool.

The required advertisement was placed in the Oberon Review and no submissions were received by the due date.

---

*For Council Decision*

*Recommendation:*

That the 2011-2012 Schedule of Fees and Charges be amended to include a charge of \$35.00 per hour (including GST) for the hire of lifeguards/instructors when required and which are not included as part of the group booking hire rate at Oberon Swimming Pool.

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*Background*

Council resolved on 20 September 2011 to advertise its intention to amend the 2011-2012 Schedule of Fees and Charges to include a charge of \$35.00 per hour (including GST) for the hire of lifeguards/instructors when required and which are not included as part of the group booking hire rate at Oberon Swimming Pool.

The required advertisement was placed in the Oberon Review and no submissions were received by the due date.

*Attachments*

Nil

*Statutory Environment*

Local Government Act 1993, Section 608

*Policy Implications*

Nil

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*Financial Implications*

The additional proposed fee is not expected to substantially increase the budgeted income for 2011-2012.

*Strategic Implications*

Not applicable

*Officers Comment*

Nil

*Consulted With*

General Public

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Files: C15.5, D55.3.1  
Author: John Chapman  
Date: 8 November 2011



**11.02.09 Policy Reviews**

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*Executive Summary*

In accordance with Council's Governance Policy, the adopted Policies of Council are to be reviewed as required and at least every two years. The following Policies have been reviewed by staff and the recommendations are brought to Council for consideration.

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*For Council Decision*

*Recommendation:*

1. That the Policy 2101 Handling Complaints as amended be adopted
  2. That Policy 2301 Care Car be deleted
- 

*Background*

In accordance with Council's Governance Policy, the adopted Policies of Council are to be reviewed as required and at least every two years. This is to ensure that Council has an effective system for policy and procedure development implementation and review that facilitates good governance.

Council's Governance Policy defines a Council policy as "a document which expresses Council's position on a particular issue or subject. It is the "what" and 'why of Council decision-making".

Comments in relation to the review of the policies due for review this month are as follows:

**1) Policy 2101 Handling Complaints**

Only minor changes have been made. The policy now makes reference to the Public Interest Disclosures Act and reflects changes in staff titles following the implementation of the organisational realignment.

**2) Policy 2301 Care Car**

The management and operation of the Care Car, which had previously been fully funded by Council, has now been incorporated with the Community Transport Scheme which is fully funded through the New South Wales Home and Community Care grants.

Consequently, in terms of the conditions of the funding, Council has agreed to comply with guidelines prescribed for the scheme. The Care Car Policy is therefore no longer required and it is recommended that the policy be deleted.

### *Attachments*



11.02.09\_Attachment  
\_A\_Handling\_Complai



11.02.09\_Attachment  
\_B\_Care\_Car.pdf

### *Statutory Environment*

Local Government Act, 1993  
Local Government (General) Regulation, 2005  
Protected Disclosures Act 1994  
Independent Commission Against Corruption Act 1988  
Ombudsman Act 1974  
Local Government Amendment (Discipline) Act 2004  
Public Interest Disclosures Act 1994

### *Policy Implications*

The Policies attached will be updated in accordance with Council's resolution.

### *Financial Implications*

No financial Implications

### *Strategic Implications*

No strategic implications

### *Officers Comment*

### *Consulted With*

General Manager  
Director of Development  
Director of Engineering  
Executive Assistant  
Customer and Community Services Manager  
Community Liaison Officer

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File: A1.2.7  
Author: John Chapman  
Date: 8 November 2011

**11.03.01 General Business – Corporate Services**



## 12 Director of Engineering Reports

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### 12.01 Reports for Information

#### *Recommendation*

That the Director of Engineering reports for information as presented in Report 12.01.01 to 12.01.02 of the Business Papers be received and noted by Council.

---

### 12.01.01 Monthly Update Report – Engineering Department

---

The following items are presented for Councillors information and are reflective of the period 1 October – 31 October 2011.

#### 1. General Fund

##### **Heavy Patching**

Heavy patching has been carried out on Campbells River Road, Arkstone Road and Shooters Hill Road. They will be trimmed and sealed in the near future.

##### **Gravel Resheeting**

Some gravel resheeting has been carried out on Connection Road.

#### 2. RTA Works

##### **O'Connell Avenue**

Reconstruction of O'Connell Road through the avenue is in progress.

##### **Abercrombie Road – Maintenance**

A land slip on Abercrombie Road near Mingary Park has been rectified.

##### **Abercrombie Road – Construction**

Reconstruction of a 1.5km section of Abercrombie Road, south of Sewells Creek Road is in progress.

### **3. Town Improvement Fund**

#### **Parkes Street Rock Wall**

Further stone pitching works have been completed around the pedestrian bridges at the bottom of Church Hill. The handrails have also been modified to eliminate a potential hazard.

#### **The Common Cycleways**

The gravel base has been prepared for some of the cycleway extensions at The Common. They are yet to be sealed. An estimate is being prepared to construct another path near the top pond using concrete in lieu of bitumen.

### **4. Sewer Fund**

Nil

### **5. Water Fund**

The replacement of a section of water main in Dillon Street is in progress.

### **6. External Meetings**

Nil

### **7. Stormwater Harvesting Project**

See separate report to November meeting.

### **8. Oberon Waste Depot Licence**

Preparation of plans and environmental assessment for the expansion and licencing of the Oberon Waste Depot are continuing.

### **9. Disposal of Plant**

An order has been issued for the purchase of a new truck and trailer. Due to the manufacturer having received another large order in the interim, delivery will not take place until approximately March 2012.

### **10. Staff Training**

- Apply first aid
- Drug and alcohol awareness
- Drum muster inspections
- Water Treatment Plant – continue TAFE training

## 11. Upcoming Works

Projects likely to commence over the next three months include the following. The program is subject to change.

- Hazelgrove Road – continue earthworks on next stage
- Stormwater drainage on east side of Glyndwr Avenue
- Abercrombie Road through Black Springs
- Heavy patching on O'Connell Road and Duckmaloi Road
- Arkstone Road reconstruction

## 12. Other

Nil

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File: A1.2.1  
Author: Aruna Wickramasinghe  
Date: 07 November 2011

**12.01.02 Director of Engineering Status Report**

---

*Resolution Number* – 52181011 - Fish River Water Supply Scheme

That Council endorse the proposed changes to the Fish River Water Supply Scheme carryover rules as follows:

- Remove completely the 10% rule
- Change the 20% rule so that it is calculated continuously rather than at the end of the water year
- Back-date these arrangements to 1 July 2011

Further the endorsement of these changes is subject to a 12 month trial period applied retrospectively from July 1 2011, followed by analysis by State Water and review by customers, with the final decision to come into effect after this review is completed.

*Status*

In progress.

---

*Resolution Number* – 49181011 - Purchase of Truck and Trailer – Additional Information

That:

1. The tender from Western Star Trucks for the supply of a Western Star Cummins ISX with Sloane Trailer be accepted
2. The offer from City Bus and Truck Centre to purchase plant 51 and 53, being a Freightliner Truck and Borcat Trailer, be accepted.

*Status*

All successful and unsuccessful tenderers advised. Purchase order issued for the supply of new truck.

---

Oberon Sports Complex Playing Fields

Councillor McCarthy raised the drainage problem located on the south western end of the Senior League field at the Oberon Sports Complex, Lowes Mount Road. The playing surface of the Senior League field has recovered well, however the rear field requires work.

The Director of Engineering advised that he had inspected the site with Councillor McCarthy and an estimate of costs to repair the drainage issues is \$15,000. This area will be included on the Works Committee inspection list.

*Status*

Complete

---

Matter Closed



#### Black Springs Forestry Park

Councillor Doney asked if any action could be taken in relation to the rubbish that needs to be collected from the Forestry Park at Black Springs.

The General Manager advised that staff will refer the matter to Forests NSW.

#### *Status*

Forests NSW advised.

---

#### Clayton's Pit Gravel

Councillor Gibbons asked about the quality of gravel stockpiled in Clayton's Pit.

The Works Manager advised that there have been no reports of a quality issue in the pit. He undertook to investigate.

#### *Status*

Field staff have advised that the gravel quality from this pit is not ideal, but is the best available in that area. The quality appears to have remained fairly constant since Council started extraction.

---

#### O'Connell Avenue Works

Councillor McMahon asked if the remaining trees in the O'Connell Avenue will be protected during the road works.

The Works Manager advised that the trees will be protected in sections as the works continues through the Avenue.

Councillor McCarthy asked if the drainage will be carried out all at once to minimise the disruption to residents.

The Works Manager took the question on notice.

Councillor McCarthy asked why there is a dip in the O'Connell Road at the section of works at Carlwood Road.

The Works Manager advised that he was unaware of the dip and it would be inspected during the Works Committee inspection.

#### *Status*

The culverts across O'Connell Rd will be laid progressively as the work reaches each location. The slight dip near Carlwood Rd was not created deliberately. There was no longitudinal design prepared for that project.

---

#### Box Flat Road

Councillor McCarthy asked about the recent seal applied on Box Flat Road. There have been heavy patching repairs carried out on the seal – what was the problem with the original seal?

The Works Manager undertook to investigate the problem.

Councillor McCarthy also asked if the curve elevations had been evaluated on the road.

The Works Manager advised that several curves had been improved and all work had been carried out within the existing road reserve.

Councillor Gibbons advised that he has observed an area of water pooling on the bitumen at the Beaconsfield Road end of the works.

Box Hill Road will be inspected as part of the Works Committee Inspection Tour being held on 24 October 2011.

#### *Status*

Inspection done.

Matter Closed

---

#### *Resolution Number – 32181011 - Land and Property Management Authority Proposal to Close Various Crown Roads*

That Council make no objection to the closure of the roads listed subject to confirmation that the Land and Property Management Authority has contacted all adjoining landowners to ensure they have been notified and no objections are received and further that this creates no land locked parcels.

#### *Status*

Complete.

Matter Closed

---

#### Edith Road Bridge

The Works Manager advised that staff have measured the width of the Edith Road Bridge. Under the Road Design Guide a bridge less than 5.4m wide is classified as a single lane bridge. 5.4m – 6.1m is classified as a narrow bridge and suitable signage indicating narrow bridge is required. Greater than 6.1m there is no signage required.

The Edith Road Bridge is 6.1m wide. The current signage in place at the bridge complies with the Road Design Guidelines.

Councillor Gibbons asked if Council were going to install 60km/hour speed signs to the eastern side of the bridge. The Works Manager advised that this had been considered by the Traffic Committee and the proposal had been rejected.

Councillor McCarthy asked staff to pursue sources of funding to widen the bridge as the Bridge is on a Regional Road and is used as a tourism route.

The Works Manager advised that it may be possible to source funding for this under the REPAIR Program and he will assess the suitability of the project under this funding.

The Works Committee will inspect this bridge on their site tour to be conducted on Monday 24 October 2011, commencing at 2.30pm.

#### Status

Works Committee inspected. Some vegetation control and sign relocation identified and this work has been listed to be undertaken when suitable resources are working in the area.

---

#### Edith Road Bridge

Councillor Gibbons asked a question in relation to the Edith Road Bridge. Councillor Gibbons asked what is the minimum required width for a bridge on a State Road.

The Works Manager advised that Edith Road is a regional road, not a state road and the question was taken on notice.

Councillor McCarthy also requested that the Edith Road Bridge be included on the agenda for the next Works Committee Meeting.

The General Manager advised that agenda items will be called for the next Works Committee Meeting.

#### Status

Listed for discussion at 8 November 2011 Works Committee Meeting.

---

#### Final Seal on Abercrombie Road Works

Councillor Gibbons asked about the section of Abercrombie Road, near Willow Springs Road) which has been reconstructed. Councillor Gibbons commented that the primer seal has been in place for approximately three years now and sections of this road have been damaged. When will the final seal be applied to the three sections of work that have been completed?

The Works Manager advised that the final seal will be applied during the summer sealing program.

#### Status

Sealing contractors advised.

---

#### Oberon Golf Club Water Reuse Project

Councillor Doney asked about the status of the Golf Club Water Reuse Project.

The Works Manager advised that the physical works have not commenced as yet. The route has been determined and agreement reached with the property owner.

#### *Status*

Easement being finalised before physical works can commence.

---

#### Abercrombie Road

Councillor McMahon asked about the section of Abercrombie Road adjacent to Falls Hill that is currently being reconstructed. This is the second time this section of road has been reconstructed in the last six months. Councillor McMahon asked to why the previous work failed after such a short time and will the problem be fixed now.

The Works Manager advised that the work which was carried out on this section of road during winter was a short term fix as the conditions at the time were not ideal. However it was essential to do some urgent repairs at that time as there were some pavement failures which were potentially hazardous. It is intended to rip the primer seal, add more gravel, leave to settle for a period of time and then another primer seal will be applied.

#### *Status*

Road is expected to be trimmed and sealed in approximately two months.

---

#### Mount David Road

Councillor McCarthy asked about the damage that has been sustained on Mount David Road. The road surface has deteriorated along the full length of Mt David Rd, both north and south of Tralee Road. It is believed that log haulage mainly occurred south of Tralee Rd. Councillor McCarthy asked if the additional truck movements moving gravel across this road has contributed to its deterioration.

The Works Manager advised that there was already substantial damage on the road prior to Council commencing gravel carting in this location, but that gravel haulage is likely to have contributed to further damage. The Works Manager advised that a report will be provided to Council on the condition of Mount David Road.

#### *Status*

A report will be provided to the November 2011 Ordinary Meeting.

---

*Resolution Number - 05200911 - Minutes of the Oberon Sports Complex Committee*

That:

3. The Minutes of the Oberon Sports Complex Committee Meeting held on Wednesday 24 August 2011 be received for information.
4. The Oberon Tennis Association Inc. be invited to nominate a representative to join the Oberon Sports Complex Committee.

*Status*

1. No action required
2. Letter written – await response

*November Update:* Correspondence received from Oberon Tennis Association advising Mr Harold Lyme nominated as the representative.

Matter closed

---

Lowes Mount Road

Councillor Gibbons asked if it was possible to erect speed advisory signs on the sharp curves on Lowes Mount Road.

The Acting Director of Engineering advised that Council will install advisory signs on these curves.

*Status*

Curve testing is being conducted to determine correct advisory speeds.

---

Campbells River Road

Councillor Francis raised an issue regarding the surface of Campbells River Road breaking up. Councillor Francis advised that trucks are crossing the centre lines to avoid the damaged sections of road. Areas of the Burruga Road and Arkstone Road are also damaged.

The Acting Director of Engineering advised that Heavy Patching is required on these sections of road and this will be scheduled as soon as the weather is favourable for this type of work to be completed. Warning signs have been erected in the area.

*Status*

Heavy patching completed, yet to be trimmed and sealed.

---

*Resolution Number* – 31160811 – Hume Street Tree

That the identified branches overhanging the adjoining property from the Hume Street tree be removed.

*Status*

To be actioned.

*September Update:* Inspected with tree contractor, quote being prepared.

---

*Resolution Number* – 25160811 - Request for Road Naming

That an advertisement be placed in the Oberon Review advising that the road requires a name and request appropriate suggestions be forwarded to Council within the required 30 day timeframe.

*Status*

Advertisement done – awaiting responses.

---

Lighting at Fleming Street Bus Terminal

Councillor McCarthy asked if investigation had been undertaken into additional lighting for the Fleming Street bus terminal.

The Director of Engineering advised that Essential Energy have looked at this and the cost to improve the current lighting is approximately \$15,000. It has been suggested that providing lighting in the interior of the bus shelter may be a viable alternative rather than providing additional street lighting.

*Status*

Councillor McCarthy advises that he has spoken with Origin Energy regarding this street light at the bus stop. It is likely Origin Energy will install a 'night light' at the bus top from the Thrifty Link side shining across. Council is following this up.

*August Update:* There is already a light in front of Thrifty Link, but it does not light the inside of the shelter. Council is looking at replacing the rear panel of the shelter with a polycarbonate material.

*September Update:* Option of solar light is being investigated.

---

*Resolution Number* – 29190711 – Welcome to Oberon Signs

That the Welcome to Oberon signs be altered to refer to Oberon's Sister City with Eceabat in Turkey.

*Status*

Complete

Matter Closed

---

*Resolution Number* - 43210611 - Albion Park Land Offer

That the offer to purchase the identified 2,750m<sup>2</sup> lot in Maher Drive for \$86,080 + GST be accepted.

*Status*

Contract for sale being prepared.

---

*Resolution Number* – 44170511 – Disposal of Waste Material

That the General Manager be authorised to negotiate an agreement for the disposal of waste material from Lot 24, DP 1148073 to the Oberon Waste depot subject to approval by an independent authority.

*Status*

Negotiations are ongoing.

---

Chain of Ponds Road

Councillor McMahon advised that during the endurance rides that take place once per quarter on the Chain of Ponds Road the grids are closed for the day when the rides take place. The Councillor asked if there is another way of advising the riders that there is a grid on the road rather than closing the grids. It was noted that the endurance rides bring substantial benefit to the community.

The Director of Engineering will investigate this matter.

*Status*

Letter sent to the event organiser – await response.

---

*Resolution Number* – 28150311 Oberon Sports Complex Works Program

That an application be submitted under the Communities NSW Sport and Community Facilities Program for funding to the value of \$41,000 for sporting field enhancements. Further that a provision of matching funds of \$41,000 from the 2011-12 budget be allocated to this project.

*Status*

Grant submission lodged – await outcome.

---

*Resolution Number* – 32150211 Minutes of Works Committee Meeting

That the Director of Engineering inspect and commence appropriate negotiations with surrounding landholders from Jeremy Road with a view to realign access onto Arkstone Road.

*Status*

Written to the receiver and awaiting response.

---

*Resolution Number* – 37161110 - Oberon Sports Complex Committee Meeting

1. The following priorities be set for work to be carried out at the Oberon Sports Complex, subject to available funding:
  - a. Major Senior League (front) Playing field, Small Soccer Field (next to SES Shed) and Recreation Ground are first priority for top dressing, seeding, aeration and eliminating the tufts of grass on the playing fields.
  - b. Junior League (rear) Playing field, Hockey field priority two.And that costing, funding sources and a timeline for works be prepared for consideration by Council.
2. Covering of outdoor Netball Courts, improvements/provision of change facilities at Leagues Club, Netball Courts and Recreation Ground should be considered as part of an overall Oberon Sports Complex improvement project. Funding sources including possible grant funding for a major project are to be evaluated
3. Investigation be undertaken into a design and costing to modify the goals on the recreation ground, small soccer field and league fields to make the grounds fit for multi-purpose use.
4. That the works required to be carried out to address the lighting issues at the Major Senior League Playing field be determined and an estimate of costs be obtained for the works and brought back to Council for consideration.
5. That investigation be undertaken regarding the opportunity to utilise water from the Stormwater Harvesting Project for watering sporting facilities in the future.



6. That the cost of core testing on the Junior League rear field be ascertained to establish the stability of the surface prior to spending significant time and money resurfacing the field.

*Status*

Grant submitted for topdressing sports fields – awaiting outcome.

---

*Resolution Number – 05200610 – Golf Club Assistance*

1. \$110,000 be allocated from the Sewerage Fund for the construction of a recycled wastewater system to the Oberon Golf Club.
2. That the General Fund reimburse the Sewerage Fund \$11,000 per year until 2021/22.
3. The Oberon Golf Club enter an agreement with Council to accept treated effluent on the basis that Oberon Golf Club are responsible for the energy costs on the scheme.
4. The raw water feed to the Golf Club be disconnected.

*Status*

Agreement on an alternate shorter route has been reached.

*September Update:* Easement being finalised

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File No: A1.2.1  
Author: Aruna Wickramasinghe  
Date: 4 November 2011

**12.02 Reports for Decision**

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**12.02.01 Mount David Road**

---

*Executive Summary*

A question was asked at Council's September meeting about recent damage to Mount David Road. Some of this damage is believed to have been caused when Council was carting gravel to other road projects. This demonstrates the fragility of many roads in the area.

---

*For Council Decision*

*Recommendation:*

That the information be received and noted.

---

*Background*

Forests NSW recently conducted harvesting operations in Mount David State Forest. Log trucks exited the forests at Tralee Road onto Mount David Road and mostly headed south to Campbells River Road.

This resulted in some damage to Mount David Road. There was a lesser amount of damage north of Tralee road, though it is not known if this was caused by log trucks or other vehicles.

Council's concerns about log trucks using Mount David road were raised during the recent meeting with Forests NSW. While it was legal for them to do so, Council suggested they could have gained access directly onto Campbells River Road.

In addition, Council carried out some gravel resheeting works on Swallows Nest Road and Dog Rocks Road. This involved carting gravel from Claytons Pit over most of Mount David Road, resulting in further damage to the road.

The damage has now been repaired using a combination of boxing out and placing new gravel where required, or cutting off failures and sealing with the patching truck.

*Attachments*

Nil

*Statutory Environment*

Local Government Act  
Roads Act

---

*Policy Implications*

There are no relevant policies.

*Financial Implications*

It is estimated the recent repairs to Mount David have cost \$25,000. These were funded from the sealed local roads maintenance budget.

*Strategic Implications*

Over coming years there will be undoubtedly further instances where major repairs are required due to heavy loads on sealed roads.

Some roads will require reconstruction to widen and strengthen their pavements. This is already starting with an allocation in 2011/12 to reconstruct a section of Arkstone Road.

*Officers Comment*

This illustrates a problem which can arise with road works, where improvements to one road can result in damage to another road. This is especially so around the Burruga area, where there are few suitable gravel sources and haul routes can be long.

It also demonstrates the lower construction standards on many older sealed roads, again especially roads within former Evans Shire. They were originally built to services local traffic, and are inadequate for the much higher traffic volumes and vehicle loads now being experienced.

*Consulted With*

Director of Engineering  
Overseer

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File No: R245  
Author: Ian Tucker  
Date: 25 October 2011

## 12.02.02 Request for Road Naming

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### *Executive Summary*

There is a section of road running east off Hazelgrove Road that should be named. Details have been advertised in the Oberon Review and one submission has been received.

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### *For Council Decision*

#### *Recommendation:*

That an advertisement be placed in the Oberon Review advising of the proposed new name “Caseys Lane” and requesting any comments to be forwarded to Council within 30 days.

---

### *Background*

There is an unnamed section of road that runs east of the Hazelgrove Road. It is located approx. 9.6kms from the beginning of Hazelgrove Road (measured from Albion Street.) The Road is approximately 0.335 kilometres long and is unsealed.

The road previously provided access to Richardson’s Pit which is no longer in use and has been sold.

To comply with naming requirements, Council advertised the detail of the road and requested submissions from the public for a suitable name to be selected within a 30 day period.

One submission was received. This submission recommended that the road be name “Caseys Lane” in respect to the Casey family’s long history in the area.

### *Attachments*



12.02.02\_Attachment  
\_A\_Maps\_Hazelgrove\_

### *Statutory Environment*

Council is taking this action under the Local Government Act 1993.

### *Policy Implications*

There are no relevant Council policies.

*Financial Implications*

Small cost to Council to supply and erect sign.

*Strategic Implications*

Nil Identified

*Officers Comment*

Nil

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File: E31.9  
Author: Matilda Dwyer  
Date: 31<sup>st</sup> October 2011

**12.02.03 Registration to supply Heavy Plant to NSW Rural Fire Service**

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*Executive Summary*

The NSW Rural Fire Service (RFS) is seeking submissions from Heavy Plant Operators to register to supply Heavy Plant to the RFS. In signing the tender documents in its current form, there could be insurance implications as highlighted by Council's insurance brokers. Council has forwarded the insurance brokers comments to the RFS and are currently waiting for their comment. There are also other matters to be considered as to the suitability of Council Plant and Labour to mitigate major bush fires.

---

*For Council Decision*

*Recommendation:*

That information related to the registration to supply Heavy Plant on a "call when needed" basis to the RFS be noted and Council seek further clarification before a tender is submitted.

---

*Background*

NSW Rural Fire Service (RFS) is seeking submissions from Heavy Plant Operators to register to provide items of plant, for Fire Fighting and mitigation works on a "Call When Needed" (CWN) basis. The equipment may include the supply of graders, low loaders, excavators, bulk water carriers, fuel carries etc.

This request for proposal has been reviewed by the Council's insurance brokers as well as Council's officers and it appears that some of the conditions imposed will be too onerous and/or will be outside Council's current insurance cover. Some of the comments made by the Council's insurance brokers on Indemnity and Insurance clauses on page 10, 11 and 12 of the attachment are detailed below.

- Clause 2) Council's policy covers Council's liability to any third party but does not cover the liability of Council's agents or contractors
- Clause 4.1) (ii) Works insurance does not appear to be relevant to this matter and this sub clause should be removed from the agreement
- Clause 5) (i) Unlawful and deliberately wrongful acts are not insurable and Council's policy cannot cover the acts or omissions of Council's agents or subcontractors
- Clause 5) (ii) These sub clauses are related to the agreement performance and breach of and are thus excluded from Council's Public Liability cover as contractual liabilities
- Clause 11) There will only be one insured party on Council's policy for public liability as the RFS cannot be listed as an insured party
- Clause 16) Does not specify that the Operator will only hold harmless the RFS for the Operator's negligence, tort, contract or breach of a statutory duty and not that

of the RFS and its employees, agents and servants. Again contractual liability is excluded from Council's public liability policy. In addition there should be a reciprocal indemnity whereby the RFS indemnifies and releases Council.

Clause 17) Does not appear to relate to this agreement with Council and if so should be removed

Clause 18) Does not appear to be relevant to this agreement with Council and if so should be removed

There comments have been forwarded to the RFS for comment and awaiting for their reply.

In addition there are other conditions which should be adhered to as per the tender documents detailed below.

- All operators support personnel and drivers, who enter the fire ground, to have completed as a minimum requirement on accredited => RFS has confirmed that course fees will be paid by the RFS. However there will be additional cost involved to pay wages while attending the course.
- Clear visible display of the NSW RFS identification number on roof and side of the equipment => RFS have indicated that the numbers are not necessary as Council plant would be working among RFS equipment.
- Knapsack, minimum capacity 15 litres or stored pressure water fire extinguisher of minimum 9 litre capacity, confirmed to AS1841 Part 2 – 1992 filled with water containing wetting agent (where applicable) => Council's Plan currently has 2.5 to 4 litres fire extinguishers and 9 litre fire extinguishers are too bulky to be fitted to Council Plant.
- PPE – Fire overalls, boots, gloves, smoke goggles, helmet with hood, smoke mask, flash torch.

There will be additional cost involved to comply with the above requirements. Some of them costs can be absorbed by incorporating these expenses when calculating the hire charges for inclusion in the tender prices. However there are other requirements such as size of the fire extinguishers the Council cannot comply with. If a decision is made to lodge a tender these conditions should be agreed upon prior to signing the contract.

Another important consideration is Council employees' ability and willingness to work during major bush fires. In the past some employees have been have been called upon to mitigate bush fires and on occasions they have been confronted with dangerous situations. It is a requirement that Council plant is always accompanied by RFS vehicles, although this hasn't happened on occasions. Therefore Council outdoor staff should be consulted and also the adequacy of training provided to Council staff should be reviewed before a decision is made to tender for this work.

#### *Attachments*



12.02.03\_Attachment  
\_A\_RFS.pdf

*Statutory Environment*

Rural Fires Act 1997  
OHS Act 2000

*Policy Implications*

None identified

*Financial Implications*

There could be loss of income, during section 44 bush fires, from not submitting a tender. However it is considered that Councils reduction to the Council insurance risks will far outweigh any loss of income by not signing these documents.

*Strategic Implications*

There are no strategic implications as Councils risk management objectives and OHS obligations have been considered when preparing this report.

*Officers Comment*

Further investigations should be undertaken and clarification is required from RFS prior to lodging a tender.

*Consulted With*

Tom Shirt, Superintendent, Chiefly Zone/Lithgow District  
John Chapman, Director of Corporate Services  
Amanda McGrath, Finance Manager  
Scott Rowlandson, Overseer  
Paul Robinson, Plant Foreman

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File No: F90.1  
Author: Aruna Wickramasinghe  
Date: 4 November 2011



#### **12.02.04 Burroughs Crossing Road Grid**

##### *Executive Summary*

An application has been received to re-install a grid on Burroughs Crossing Road. The proposal has been advertised and no submissions have been received.

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##### *For Council Decision*

##### *Recommendation:*

That the application to reinstall a grid on Burroughs Crossing Road 1.8km east of Edith Road be approved.

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##### *Background*

An application from the land holder was received on 23<sup>rd</sup> August 2011 to reinstall the grid, currently located 1.7kms east from Edith Road intersection on Burrough's Crossing Road.

The application requested permission for the grid to be moved further along the road to a more suitable location. (1.8kms east from Edith Road intersection). This location is reasonably level and has good sight distance both ways.

An inspection was carried out and a copy of Council's policy was provided to the applicant.

As required, the application was advertised seeking submissions within 28 days. No submissions were received.

##### *Attachments*

Nil

##### *Statutory Environment*

Council is taking this action under the Local Government Act 1993.

##### *Policy Implications*

Policy No 4104 - Public Grids and Gates

##### *Financial Implications*

Nil

*Strategic Implications*

Nil Identified

*Officers Comment*

This grid will then be added to Council's grids register, with processes in place to ensure it is maintained to the required standard.

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File: E31.14  
Author: Matilda Dwyer  
Date: 4 November 2011

**12.03.01 General Business - Engineering**

**Notes:**


## 13 Community and Customer Services Manager Reports

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### 13.01 Reports for Information

#### *Recommendation*

That the Community and Customer Services Manager reports for information as presented in Report 13.01.01 to 13.01.02 of the Business Papers be received and noted by Council.

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### 13.01.01 Monthly Update Report – Community and Customer Services Manager

The following items are presented for Councillor's information and are reflective of the period 1 October 2011 to 31 October 2011.

#### 1. Library

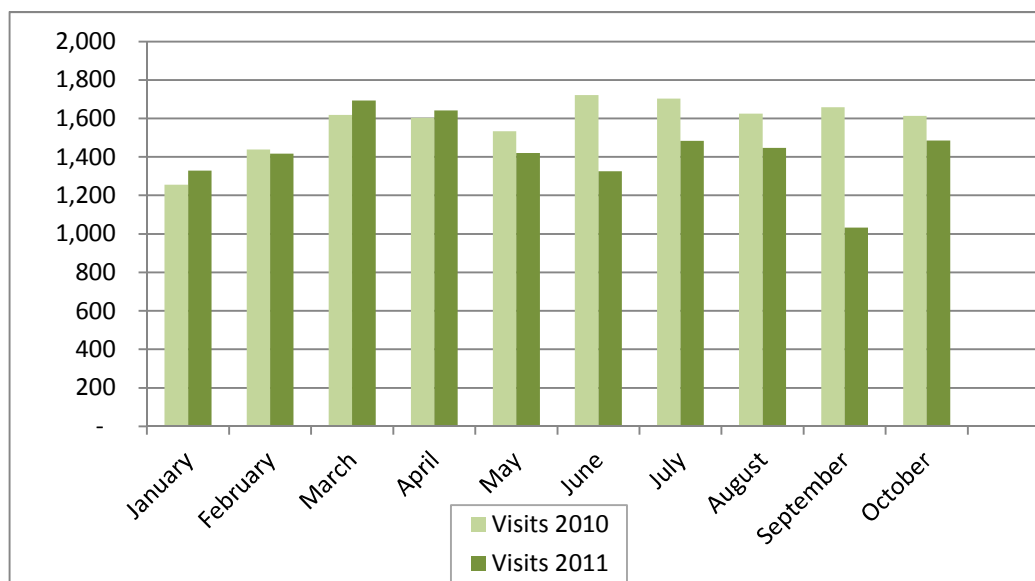
A summary of the statistics for the year to 31 October 2011 follows:

Membership as at 31 October 2011	3443
New Borrowers for the Month of July	17
Total Number of Items Issued	1,631
Computers Issued	198
Members borrowing from the Library	798
People visiting the Library	1486

#### Comparative Figures

Date	Visits	Customers Per Hour	Issues and Internet	New Borrowers
January 2010	1256	9.2	2136	26
February 2010	1439	9.9	2296	28
March 2010	1618	10.1	2276	28
April 2010	1603	10.8	2468	14
May 2010	1533	10.3	1804	26
June 2010	1721	10.7	2277	23
July 2010	1703	10.6	2209	26
August 2010	1625	10.6	2019	32
September 2010	1658	10.3	2157	23
October 2010	1613	10.3	2157	23
November 2010	1017	6.7	1897	13
December 2010	1134	9	1606	13
January 2011	1328	10	1841	22
February 2011	1417	9.8	1693	32

March 2011	1693	10.1	2126	26
April 2011	1642	12	2233	18
May 2011	1420	9.8	1935	23
June 2011	1325	9.2	1843	13
July 2011	1484	10.3	2012	16
August 2011	1447	7.6	1748	18
September 2011	1033	5	2178	26
October 2011	1486	8	1829	17



## Readeo

The READEo is a joint initiative between local schools, businesses and Oberon Council Library, and was held Friday, 21<sup>st</sup> October 2011.

The READEo event celebrates, encourages and promotes literacy throughout the Oberon community, and involved up to 400 children participating on the day.

The first round of reading started at 10:00am with reading groups rotating between participating businesses every 15 minutes until 11.45am. Participants then moved to the Common for a sausage sizzle lunch and light entertainment with the day concluding around 1.30pm.

## 2. Pool

The pool season officially begins on Friday, 11<sup>th</sup> November 2011. Staff attended a training day held on October 30 2011. Training included Code of Conduct, Customer Service, Emergency Theory and Practical Assessment as well as Lifeguard Re-accréditation and Bronze Medallion Training.

It has been identified that for the 2012 season pre-opening training will be planned to take place over a number of weekday afternoon sessions, rather than a full day on the weekend.

### 3. Funding

#### a) PCYC Expression of Interest

Council's Expression of Interest was submitted on 31<sup>st</sup> October 2011. During the preparation of submission, Western Zone Commander, Darrin Hammonds conducted a site visit of Oberon Council's facilities to provide guidance on how to proceed with the Expression of Interest. Ongoing discussions are taking place with Senior Sergeant Hammonds regarding the possibility of a PCYC outreach service to the Oberon LGA in the event that Oberon Council does not receive a grant.

Council was pleased with the community response and gratefully acknowledges receiving letters of support from the following groups:

- Anglican Parish of Oberon
- Black Springs Public School
- Oberon Business Association
- Oberon Golf Club
- Oberon High School
- Oberon Junior Hockey Club
- Oberon Mens' Shed
- Oberon Neighbourhood Information
- Oberon Public School
- Oberon Tennis Association
- Rotary Club of Oberon
- St Joseph's Central School
- The Full Circle Martial Arts Academy

#### b) Community Building Partnership Grant Application

Council's application for an ablutions facility at Cunynghame Sports Ground was submitted Monday, 7<sup>th</sup> November 2011.

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File No: A1.2.1  
Author: Peta Heffernan  
Date: 4 November 2011

**13.01.02 Community and Customer Services Manager Status Report**

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Consideration of Future Community Projects

That the expansion of facilities to cater for an ageing population including expansion of the Oberon Library be included on the list of future projects.

*Status*

Proposal for the expansion of facilities to cater for an ageing population to be developed in the Social and Community Plan currently being developed.

---

*Resolution Number - 42181011 - Establishment of PCYC*

That Oberon Council submit an expression of interest to be considered for the establishment of a PCYC in Oberon.

*Status*

Oberon Council submitted an expression of interest on the 31<sup>st</sup> October 2011. PCYC head office has advised that they may contact further to clarify elements of our submission.

Matter Closed

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*Resolution Number – 28181011 - Waste to Art Competition 2012*

That support be given to the Waste to Art Project 2012 as proposed by the Friends of the Oberon Library by providing support to the value \$500.00 cash contribution towards prizes for the event and in-kind assistance with the production of promotional and associated materials for the event up to a total of \$250.00 to be funded from the discretionary donations budget.

*Status*

Correspondence advising of contributions has been sent to the Friends of the Oberon Library.

Matter closed

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*Resolution Number* – 24181011 - 2012 Youth Week

That the offer from the NSW Department of community Services for a \$1230.00 contribution toward the cost of 2012 Youth Week activities at Oberon be accepted and the funding matched on a dollar for dollar basis.

*Status*

Correspondence has been submitted to confirm acceptance of funding.

Matter Closed

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File: A1.2.1  
Author: Peta Heffernan  
Date: 4 November 2011

## 13.02 Reports for Decision

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### 13.02.01 Community Centre Booking Fees and Charges

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#### *Executive Summary*

The current fees and charges for the Oberon Community Centre states that Private Functions/Social Gatherings will be charged at a rate of \$55.00 including GST with no time limit. The fees and charges for general hire is \$88.00 including GST for up to 4 hours and \$176.00 including GST per day.

It is proposed to have a simplified fee structure for all room hire of:

- \$11.00 per half hour
- \$88.00 up to four (4) hours
- \$176.00 per full day (more than four hours)

These fees do not apply for not for profit community groups.

---

#### *For Council Decision*

#### *Recommendation:*

That the Private Functions/Social Gatherings fee be removed from the 2011 Fees and Charges.

---

#### *Background*

The current fees and charges for the Oberon Community Centre states that Private Functions/Social Gatherings will be charged at a rate of \$55.00 including GST with no time limit.

The fees and charges for general hire is \$88.00 including GST for up to 4 hours and \$176.00 including GST for over four hours.

All rooms incur the same charges, GST included:

- \$11.00 per half hour
- \$88.00 up to four (4) hours
- \$176.00 per full day (more than four hours)
- \$55.00 Private /Social Gathering

To avoid any misunderstanding by user groups the proposal is to remove the Private Functions/Social Gatherings fee from the 2011 Fees and Charges.

---

These fees are waived for not for profit community groups.

*Attachments*

Nil

*Statutory Environment*

Nil

*Policy Implications*

Nil

*Financial Implications*

The additional proposed fee is not expected to substantially increase the budgeted income for 2011-2012.

*Strategic Implications*

Nil

*Officers Comment*

Nil

*Consulted With*

Community and Customer Services Manager  
General Manager

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File No: C21.1  
Author: Kathy Beesley  
Date: 3 November 2011

**13.02.02 Grants**

*Executive Summary*

Telstra are offering local community grants of up to \$5000 to help older Australians learn about new technologies to enable them to confidently use mobile phones and internet to keep in contact with family, friends and the world around them.

While Local Governments are not eligible to apply, local libraries (including those managed by Councils) are eligible to apply.

---

*For Council Decision*

*Recommendation:*

That an application be submitted to the Telstra Connected Seniors Grant Program to fund training courses for seniors in the Oberon community.

---

*Background*

Grants are available to community organisations with a membership base comprised primarily of seniors. Eligible organisations also include sports clubs, senior's social groups or community organisations such as Rotary. While Local Governments are not eligible to apply, local libraries (including those managed by Councils) are eligible to apply.

The grant program allows organisations to run training courses for their members, introducing them to new technology in ways which are fun, hands on and solve everyday problems. In practical terms, this could be as simple as learning to email family photos.

Grants are comprised of cash to assist with purchasing equipment and covering running costs. Training materials are freely available to assist organisers and trainers to run successful courses.

*Attachments*

Nil

*Statutory Environment*

Not applicable

*Policy Implications*

Nil

*Financial Implications*

Applications for funding up to \$5,000 will be considered under this grant funding program.

*Strategic Implications*

Nil

*Officers Comment*

Nil

*Consulted With*

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File No: C20.1  
Author: Peta Heffernan  
Date: 7 November 2011

**13.02.03 Library Development Grants**

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*Executive Summary*

The NSW State Library has called for submission for the Country Libraries Fund Grants (\$2,000,000) of 2011/2012. Funding is provided to further develop Country Libraries in order to improve public library services for communities.

---

*For Council Decision*

*Recommendation:*

That an application be submitted to the Library Development Grants to fund the establishment of a Mobile Library Service for the Oberon LGA.

---

*Background*

Country Libraries Fund grants are for projects which provide significant public benefit and develop improved public library services for country NSW communities. Applications close Monday, 19<sup>th</sup> December 2011.

Country Libraries Fund grants are available to country NSW local authorities (local Councils) that have adopted the Library Act, and provide public library services in accordance with that Act.

Country Libraries Fund has identified the following strategic priority areas for funding:

- library buildings and mobile libraries
- major ICT projects
- local studies, including digitisation
- cooperative network development activities
- innovative programs that target specific client groups

Council has previously applied twice, unsuccessfully, to this fund for additions to the current Library building.

Consultation with the Manager, Funding and Advisory Services of the State Library of NSW has revealed that at least one Mobile Library application has been approved each year. Funding provided in the past for the establishment of these facilities is in the region of \$80,000 - \$100,000.

It is recommended under the Guidelines set down by the NSW State Library that libraries provide a public library service via a specially designed and equipped vehicle to those people who cannot reach a branch or central library. Oberon LGA has the demographic and geographic profile that would support the case for the introduction of a Mobile Library Service.

The project would target the delivery of library services to the villages of the Oberon Local Government Area (Black Springs, Burruga and O'Connell) and would allow for the

development of a mobile home delivery service for older and/or disabled community members.

A previous resolution of Council (number 02200911) made at the September 2011 stated in part:

*That the expansion of facilities to cater for an ageing population including expansion of the Oberon Library be included on the list of future projects.*

This project would in part address that resolution as it would be targeted towards services of value to an aging population.

*Attachments*

Nil

*Statutory Environment*

Nil

*Policy Implications*

Nil

*Financial Implications*

The project is dependent on a successful grant application

*Strategic Implications*

*Officers Comment*

Nil

*Consulted With*

General Manager

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File No: C20.1  
Author: Peta Heffernan  
Date: 8 November 2011

### 13.02.04 National Science Grant Program

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#### *Executive Summary*

The Department of Innovation, Industry, Science and Research has called for submissions for National Science Week 2012 Grants Program for August 2012. Funding is provided to reach as many Australians as possible each year with a positive message about the impact that science has on our lives, our economy, our society and our world. Applications close Monday 28 November 2011.

---

#### *For Council Decision*

#### *Recommendation:*

That an application be submitted to the National Science Week 2012 Grants Program to fund the visit of science workshops to our region.

---

#### *Background*

The Australian Government supports National Science Week in a variety of ways, including through the National Science Week Grants Program. Australian Government funding is available on a competitive basis from the Inspiring Australia program for National Science Week projects. Funds of \$500 000 are available for National Science Week grants in 2012.

The National Science Week Grants Program has the following objectives:

- to provide funding to enable implementation of eligible and meritorious high profile projects in all states and territories;
- to support projects that stimulate and leverage further contributions by organisations across Australia;
- to support projects which target new and under-served audiences; and
- to engage Indigenous Australians in National Science Week activities.

In assessing the merits of all projects, the National Science Week Grants Committee will have regard to ensuring what, in its view, will constitute an adequate national spread of funded project activities across all States and Territories.

#### *Attachments*

Nil

#### *Statutory Environment*

N/A

#### *Policy Implications*

N/A

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*Financial Implications*

N/A

*Strategic Implications*

N/A

*Officers Comment*

Nil

*Consulted With*

General Manager

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File No: A5.3  
Author: Peta Heffernan  
Date: 8 November 2011

**13.03.01 General Business – Community and Customer Services Manager**

<b>Notes:</b>

## 14 General Manager Reports

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### 14.01 Reports for Information

#### *Recommendation*

That the General Manager reports for information as presented in Report 14.01.01 to 14.01.02 of the Business Papers be received and noted by Council.

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### 14.01.01 Monthly Update Report – General Manager

The following items are presented for Councillors information and are reflective of the period October 1 to 31 2011.

#### 4. Staff Matters

- a) Executive Management

Regular meeting continue with the executive management team.

#### 5. Workplace Health and Safety Matters

- a) Incidents

Nil injuries during October.

#### 6. Attendance at External Stakeholder Meetings, Conferences and Functions

In my capacity as General Manager for Oberon Council I have attended the following meetings:

#### **Committee Meetings**

I have attended the following Committee meetings this month:

- a) Promotions Committee Meeting
- b) Seniors Welfare Committee Meeting
- c) Library Committee Meeting
- d) Events Committee Meeting

#### **Other Meetings of Note**

- a. NSW Officer of Water Meeting with Councillors and senior staff
- b. Oberon Museum Meeting

- c. Meeting with the NSW Minister for Roads and Ports and the Member for Bathurst with the Mayor and industry representatives
- d. Lithgow City Council tourism strategy presentation with the Tourism Development Officer
- e. Piper Alderman Teleconference with the Director of Corporate Services

## 7. Events Calender



14.01.01\_Attachment  
\_A\_Calendar\_Novemb



14.01.01\_Attachment  
\_B\_Calendar\_Decemb

## 8. Library

The Library report now appears in the Manager Community and Customer services report.

## 9. Use of Reportable Delegations

None to report

## 10. Economic Development

- a) General

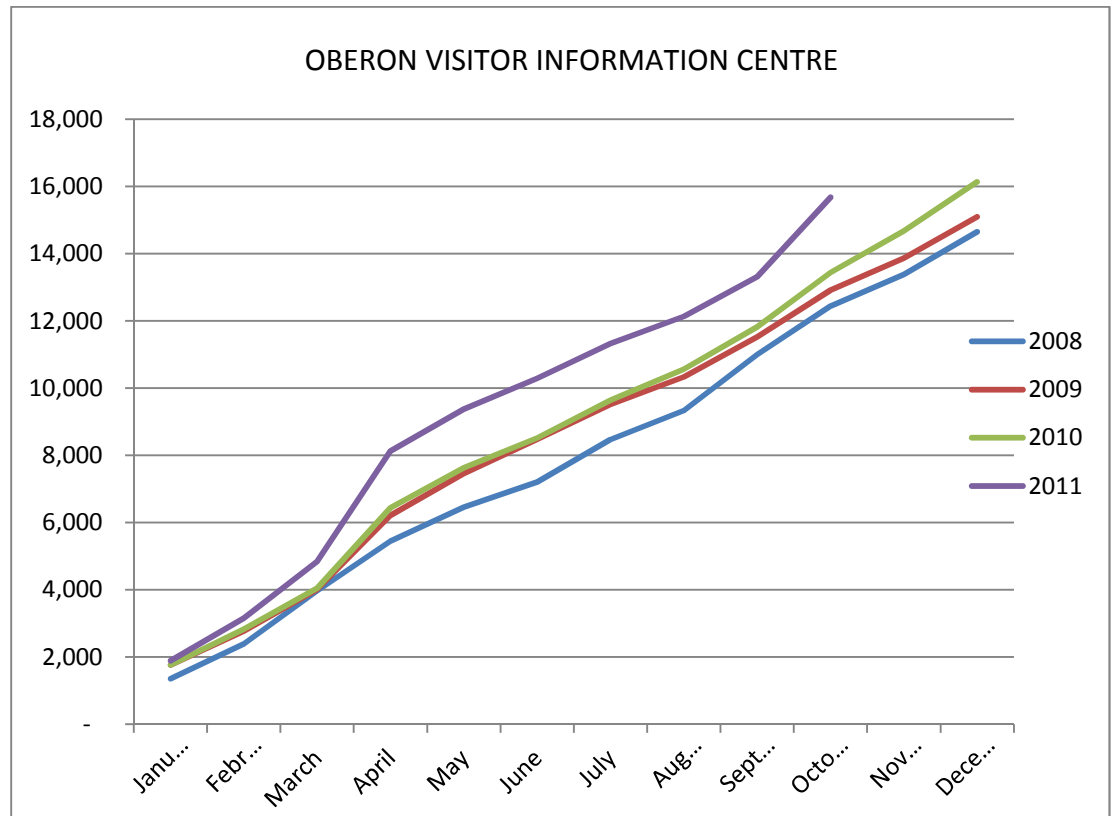
Nil to report

- b) Tourism

- i. Oberon Visitor Information Centre



14.01.01\_Attachment  
\_C\_Council\_Tourism\_I



ii. Tourism Events

**Kanangra Classic Family Day**

Kanangra Classic Family Day was held on Saturday October 15. The weather was sunny and a large number of children arrived with their bikes.

Over 350 people participated in the activities provided: jumping Castle, sausage sizzle, snow cones, face painting, Friends of Oberon Library selling books, Oberon Show Society information stall, Telstra Careflight, Steam Heritage Vintage Fair display, Lithgow–Oberon–Bathurst Visitor Information Stall includes Jenolan Caves, Rural Fire Service display.

National Parks and Wildlife Services had Wanda the Wombat in attendance and an information stall. Guided bike rides were conducted with over 30 people participating.

The 200 show bags filled with National Parks information and free water bottles as well as local bike maps from Oberon Council were all given out to the children on the day.

Overall the family fun day was a huge success. A debrief will be conducted in mid-November.

### **Spring Garden Festival**

Mayfield Garden was well attended on the last two weekends in October. Large numbers of enquiries were addressed regarding places to dine and accommodation.

During this time Gairloch Garden was open as well and received large numbers of visitors, mostly people from out of town including the Hunter, Central Coast, Sydney, Wollongong, Canberra, Orange and Moree.

The winner of the Oberon Essential Energy Photographic Competition was announced at the St Barnabas Spring Fair Saturday 22 October at 2pm by Cathy Weekes from Essential Energy and Councillor Ian Doney.

#### iii. Topical Tourism

Applications have been completed for Oberon Council for the Tourism NSW Product Development and Demand Building.

#### iv. Marketing – Publications

The Tableland Way third publication magazine was well received at the Canberra Home and Leisure Show held on the 21, 22 and 23 October.

#### v. Marketing – Media

Combined advertising between Lithgow, Oberon and Bathurst appeared in The Canberra Times special Expo edition with 80 000 copies published. Combined advertising will appear in the summer edition of Touring Australia and Caravanning Australia magazines.

#### vi. Marketing – Consumer Shows

Oberon, Lithgow and Bathurst visitor's information centre staff attended Canberra Home and Leisure Show with Jenolan Caves to promote the Tablelands Way. Over the three days stand was well attended with visitors seeking information about our region.

## **11. Other Matters**

### **a) Community Centre Upgrade**

Work continues on the bathroom renovation.

**14.01.02 General Manager Status Report**

---

Footpath at O'Connell

Councillor McMahon asked if there had been correspondence forwarded to Councillors by the General Manager in relation to a footpath at O'Connell.

The General Manager took the question on notice.

*Status*

No reference can be found to a footpath at O'Connell.

Matter closed

---

*Resolution Number* – 43181011 - Delegate to Oberon Indoor Sports and Tennis Centre Management Committee

That Councillor Gibbons be nominated as the Council's Delegate to the Oberon Indoor Sports and Tennis Management Committee for the next 12 months. Further that the Community and Customer Services Manager be appointed as an alternate delegate on this committee.

*Status*

The Oberon Indoor Sports and Tennis Management Committee has been informed.

Matter closed

---

*Resolution Number* – 41181011 - Delegate to Oberon Correctional Centre Community Consultative Committee

That Councillor O'Bernier be nominated as the Council's Delegate to the Oberon Correctional Centre Community Consultative Committee for the next 12 months.

*Status*

Oberon Correctional Centre has been informed.

---



*Resolution Number – 02181011 - Minutes of the Oberon Promotions Committee Meeting*

That:

1. The minutes of the Oberon Promotions Committee Meeting held on 6 October 2011 be received and accepted.
2. That a letter be written to Aiden Clark seeking his availability for future meetings.
3. That an additional delegate from the Oberon Business Association be invited to become a member of the Promotions Committee.
4. That an additional delegate from the Oberon Plateau Tourism Association be invited to become a member of the Promotions Committee.
5. That Council write to NSW National Parks and Wildlife Service asking if they would like nominate a delegate and alternate delegate to the Promotions Committee.

*Status*

To be progressed.

---

*Resolution Number – 48200911 - Product Development Funding*

That Council submits a proposal to BMLOT for consideration under the Regional Tourism Product Development Funding Program to fund the development of preferred destination based tourism application project inclusive of the travelling billboard concept.

*Status*

Proposal under development – first draft done - will be submitted by due date.

*November Update* - proposal submitted, await outcome.

---

*Resolution Number - 47200911 - Transport Issues*

That Council support Borg's submission to the RTA in relation to 25 metre Self Steering Combination Vehicle access over the Blue Mountains on condition that Borg meets all safety requirements as set by the RTA.

This support is also conditional on there being no increase in the GVM (Gross Vehicle Mass) from what is currently approved for the 19m General Access Vehicles (or as instructed by the RTA) and that the one third reduction in current daily truck movements is achieved.

*Status*

Borg informed of Council resolution. Council are still awaiting a date to meet with the Minister regarding this matter.

*November Update* – Meeting held, await further advice from the Ministers Office.

---

*Resolution Number 46200911 - Fish River Water Supply Scheme*

That Council write and request an urgent meeting with the NSW Office of Water to address the following matters:

- a) The broader issue of interpretation and adherence to the final recommendations for the Fish River Water Supply Scheme as handed down in March 2011 by the Minister.
- b) At this point in time Council understands the difficulty faced by Sydney Catchment Authority and offers in principle support for the proposed amendments to the carryover rules to be applied to Sydney Catchment Authority on a trial basis.
- c) That Council sees no justification for the application of the proposed carryover rules to Delta Electricity at this point in time as Council's understanding is that if the recommendations forming part of the Minister's decision were correctly applied it would result in Delta Electricity having no available carryover based on the figures supplied to Council.

*Status*

Council has written to the NSW Office of Water advising them of the resolution and requesting a meeting date. A meeting is planned for October 10 2011 in Oberon to further discuss these matters.

November Update - Meeting held – for further updates see Engineering status report.

---

Impact of the increase of an Ageing Population

That:

- The General Manager implement action to identify the future needs as a result of the increase in numbers of the elderly members in our community and develop a plan for the implementation of any possible infrastructure requirements to enable the required services to be provided.
- Further that possible sourcing of funds be identified with the view of making applications for funding at the earliest possible time.
- A review be undertaken of the reported Local Government toolkit with the view of providing a report to Council.

*Status*

A review of the Local Government Aging Population toolkit is underway and will be discussed at the next 355 Seniors Welfare Committee meeting to be held on October 10 2011.

Actions to identify the future needs of older community members will be discussed with the Community and Customer Services Manager on her commencement. Once this has been done then a subsequent plan will be developed based on this information. Once needs are established then suitable funding streams will be investigated.

---

## Oberon Tennis Centre Expansion

Councillor Gibbons asked if a name had been selected for the new Tennis Centre.

The Mayor advised that it is proposed to name the centre is The Oberon Indoor Sports and Tennis Centre. The existing committee will be expanded to include other sports and will be run as an indoor sports committee.

### *Status*

New street and directional signage is being investigated and costed. A letter has been sent to the current tennis club committee to seek expansion of the committee membership base and role. This is to be considered after their AGM on September 13 2011. Council have requested a representative on this committee given that it is a Council asset of considerable value and importance to the community.

*October Update:* The tennis club committee have agreed to and at their meeting on September 13 2011 established a management committee for the indoor sports centre. This comprises of representation from Oberon Council (yet to be nominated), the Hockey Clubs (C Whalan and K Mawhood) and the Tennis Club (J Casey and H Lyme).

Terms of reference will be discussed and agreed to once Council have nominated their representative. The tennis club have suggested that the Council nominee will act as chair person for this committee. See a separate report to Council.

*November Update:* see Resolution Number – 43181011 - Delegate to Oberon Indoor Sports and Tennis Centre Management Committee

---

## *Resolution Number – 29160811 – Internal Audit Committee Recommendations*

That an ongoing report be included in the General Manager's monthly report regarding the Internal Audit Committee recommendations.

### *Status*

See separate report regarding the second internal audit undertaken. A full report on implementation of recommendations will be made at each quarterly review.

*October Update:* The third internal audit focusing on asset management was completed during the first week of October 2011 by an IAB consultant. The consultant has discussed preliminary results with EMT. A written report is expected to be received in November, after the completion of the Lithgow and Mid-Western audits.

The scope of this audit was civil asset maintenance, renewal and replacement strategies, policies, programs and systems, Construction and/or project management of new civil assets, including processes in relation to capital project estimates, business case development, procurement plans and accounting/recording of work-in-progress capital accounts, administrative and supervisory controls, including compliance with accounting policies and procedures for asset approvals, acquisition, recording, valuation and disposals.

Regional Development

It is noted the Department is interested in discussing promotional opportunities with Regional Organisation of Councils and the General Manager is requested to contact the relevant State Department.

*Status*

Letter written to both CENTROC and the Department – await response.

---

Meeting with Minister for Roads

Councillor McCarthy asked if a meeting has been arranged with the Minister for Roads, the Hon Duncan Gay.

Council has been advised that the Minister will be visiting the region, however a meeting has not been confirmed as yet. Councillors will be advised when further details are available.

*Status*

No further details to date.

*September Update:* Council has since met with MP Paul Toole to discuss various matters – including roads issues. Mr Toole has undertaken to progress this meeting with the Minister for Roads. The meeting may require a delegation to Sydney as the regional visit has not been rescheduled at this stage.

*November Update:* see Resolution Number - 47200911 - Transport Issues

---

*Resolution Number – 05190711 - Seniors Welfare Committee*

That

1. The Minutes of the Seniors Welfare Committee Meeting held on 20 June 2011 be received and noted.
2. Council communicate with the LGA schools with regard to the establishment of and participation in an outreach program for the over 55 year's population.

Status

1. No action required
2. Letters have been sent – awaiting responses.

*September Update:* Some responses have been received – actions underway.

*October Update:* Three schools have expressed interest in participating in a seniors outreach program. Program now to be developed in consultation with service providers and schools.

---

*Resolution Number* – 12210611 - Minutes of the Oberon Promotions Committee Meeting

That:

1. A letter be written to Highland Pine Products, Carter Holt Harvey and Borg Panels seeking a representative to join the Oberon Promotions Committee.
2. That staff be requested to investigate suitable sources of funding for the 'Travelling Billboard' project.

*Status*

1. Letter written – await response.
2. Funding guidelines not yet released.

*October Update:*

1. No response to date from the industry
2. Funding guidelines released – see resolution 48200911 - Product Development Funding.

---

*Resolution Number* - 45170511 – Multi Use of the Forest NSW Estate

That a letter be written to the Member for Bathurst expressing the Council's concern with regards to the conflict of usage between passive tourism and recreational shooters.

*Status*

Letter written – await response

*July Update:* Letter received, seeking comment from the Minister responsible.

*November Update:* letter received – see separate report.

---

*Resolutions 11190411 and 10190411* - Community Centre Extension

That the Bicentennial Tapestries remain in their current location in the Cobweb Shop.

That the General Manager develop an operation procedure to maximise the use of the Community Centre extension as a multi-purpose facility.

*Status*

Letters written to concerned groups. Further action to be taken regarding establishment of an operational procedure.

*July Update:* Meeting held with user groups on July 7 2011. Consensus reached. Operational procedure to be written.

*September Update:* Underway

*Resolution Number* – 52150311 Jenolan Caravan Park Oberon

That Council proceed with the establishment of a five year x 4 lease arrangement with the current lessee of the Jenolan Caravan Park, based substantially on the negotiations from December 2009.

*Status*

Underway

*June Update:* See separate report to the June meeting.

*July Update:* Lease signed off by Council, with the State now for the Minister's signature.

---

Minutes from Committee Meetings

Councillor McCarthy raised the issue of Minutes from Committee Meetings not being presented to Council in a timely fashion. The General Manager will review the meeting schedule to enable the minutes to be presented in a more timely fashion.

*Status*

The policy will be reviewed and submitted for the resolution of Council in due course.

---

*Resolution Number* – 30141210 - Broadband Submission

That Council makes a submission to the National Broadband Network to be a pilot site for the wireless broadband network to cover areas of the Oberon LGA not able to access the fibre optic network.

*Status*

Letter sent to the CEO of the NBN Co on December 20 2011. No response to date.

*February Update:* New contact name established – letter resent – await response.

*March Update:* Contacted officer requesting timeline for response.

*April Update:* No response to date.

*June Update:* Email response received, awaiting formal letter advising Council further.

*July Update:* Action with John Cobb's office.

---

*Resolution Number* – 46210910 – Legal Advice from Marsden’s Law Group – Proposed Class 4 Proceedings

That the General Manager be requested to deal with the matter and report back to Council.

*Status*

No additional progress to date.

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*Resolution Number* – 18200610 – Motor Vehicle Policy

That the information be received and noted and referred to the new General Manager for review and comment.

*Status*

*November Update:* expect a revised policy to the February 2011 meeting

*January Update:* Discussion underway with LGSA, awaiting additional information with regards contract packaging for senior employees.

*March Update:* Implemented a new arrangement for recruitment of Director of Development to minimise/negate FBT liability for Council.

*August Update:* Implemented a new arrangement for recruitment of Director of Engineering to minimise/negate FBT liability for Council.

---

*Resolution Number* – 35161208 – Oberon – Hazelgrove Walking Track

That upon securing a lease over the walking track corridor between Oberon and Hazelgrove Stations, a sublease to provide access to Lot 3 DP 1080555 be granted.

*Status*

Awaiting lease document approval.  
Alternative access off walking track now approved for construction.

*November Update:* Lease for the walking track is awaiting a risk assessment concerning the interface between the proposed operational track and walk/cycle track.

*January Update:* Alternative access off walking track now constructed. Draft risk assessment completed.

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File: A1.2.1  
Author: Leanne Mash  
Date: November 2011

## 14.02 Reports for Decision

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### 14.02.01 Conduct of Local Government Elections in 2012

#### *Executive Summary*

As Council would be aware the NSW Parliament has passed the Local Government (Amendment) Elections Act 2011, which now provides that Council can choose to:

- a) Have elections administered by the General Manager of the Council.
- b) Make arrangements with the Electoral Commissioner for the NSW Electoral Commission to administer the Council election.

In 2010 (the by-election) and in the 2008 general election the NSW Electoral Commission administered the elections.

Should Council choose to administer the 2012 general elections itself then Council would be required to conduct the election entirely of its own resources with no support provided whatsoever by the NSW Electoral Commission. This includes no access to intellectual property, systems, policies or procedures.

This would require Council to:

- Appoint an independent returning officer (Council staff are not permitted to act in this role for their Council)
- Appoint a substitute returning officer (Council staff are not permitted to act in this role for their Council)
- Appoint polling places
- Develop training packages
- Develop procedures
- Develop policies
- Develop all written material including material for the vision impaired and those voters from a non-English speaking background.

No access would be provided to the specialised software to electronically analyse the election data. Additionally, and importantly, impartiality must be assured at all times.

The next election of Council is September 2012. The NSW Electoral Commission must be advised by November 30 2011 should Council wish to engage their services.

Benefits of using the Electoral Commission to administer the election include:

- Impartiality
- Operational Expertise
- Legal Expertise
- Established training processes
- Established pool of experienced staff resources
- Access to electronic voting for the aged and vision impaired
- Electoral Commissioner manages any tribunal matters
- Sophisticated software is used to analyse all votes received – including triple entry to ensure complete integrity of data entry.



Given the 2010 Oberon by-election experience, the drain this put on staff resources and factors relating to impartiality it is recommended that Council engages the services of the NSW Electoral Commission to conduct the 2012 elections.

---

*For Council Decision*

*Recommendation:*

That Council retain the Electoral Commissioner to administer its elections, constitutional referendums and polls until the conclusion of the 2012 election of Councillors.

---

*Background*

As Council would be aware the NSW Parliament has passed the Local Government (Amendment) Elections Act 2011, which now provides that Council can choose to:

- a) Have elections administered by the General Manager of the Council.
- b) Make arrangements with the Electoral Commissioner for the NSW Electoral Commission to administer the Council election.

Should Council choose to administer the 2012 general elections itself then Council would be required to conduct the election entirely of its own resources with no support provided whatsoever by the NSW Electoral Commission. This includes no access to intellectual property, systems, policies or procedures.

This would require Council to:

- Appoint an independent returning officer (Council staff are not permitted to act in this role for their Council)
- Appoint a substitute returning officer (Council staff are not permitted to act in this role for their Council)
- Appoint polling places
- Develop training packages
- Develop procedures
- Develop policies
- Develop all stationery including information and ballot papers for the vision impaired and those voters from a non-English speaking background.

No access would be provided to the specialised software to electronically analyse the election data. Additionally, and importantly, impartiality must be assured at all times.

The next election of Council is September 2012. The NSW Electoral Commission must be advised by November 30 2011 should Council wish to engage their services.

For Council to conduct an election without the support of the Electoral Commission would be labour intense, risky and a diversion from core duties.

Should Councils wish to run their own elections they must now do so entirely of their own resources. Under such circumstances Council would face the following issues:

- There is the possibility that the community may perceive a lack of impartiality should Council conducts its own election
- An independent returning officer will need to be selected and appointed
- A substitute returning officer will need to be selected and appointed
- Returning officers would need to work remote from council offices and with support staff
- Polling places will need to be appointed
- Training packages will need to be developed
- Procedures will need to be developed
- Policies will need to be developed
- All stationary including stationary for the vision impaired and English as a second language will need to be developed
- There would be no access to the Commission's specialised software to electronically analyse the election data
- Council ideally would need to identify and retain a legal expert to provide support to the returning officer in the legal interpretation of the recently amended Electoral and Local Government Acts
- If there are problems with the conduct of the election Council (not the returning officer) would need to defend its policies, procedures, practices etc. in the Administrative Appeals Tribunal.

Currently Council has none of this material developed.

The NSW Electoral Commission has the operational expertise, access to trained returning officers, the procedures, the legal expertise and all other intellectual property created that is required to administer the Council election.

In addition the Commission is entirely independent of Council and impartial in all regards. Further, the Electoral Commission would be responsible should a defence need to be conducted with the Administrative Appeals Tribunal regarding the 2012 election process.

Council has been advised that to ensure quality control the Electoral Commissioner will not partially assist Council to run elections. The Electoral Commission cite this quality assurance conflict as the primary reason they sort to take control of the Local Government electoral process.

Given these factors and the 2010 Oberon by-election experience, the drain this would place on limited staff resources and factors regarding impartiality it is recommended that Council engaged the services of the NSW Electoral Commission to conduct the 2012 elections.

As a consequence of the changes elections could not be conducted as they have been previously pre 2008 that is with the support and guidance of the Electoral Commission. It is therefore believed that the administration of the election by Council under these new arrangements would be prohibitive due to the lack of in-house expertise, capacity and the associated risks.

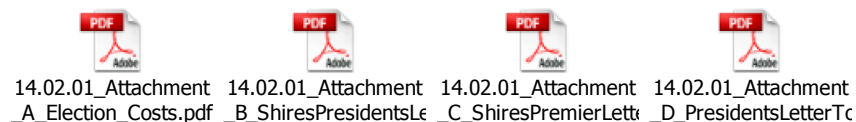
Benefits of using the Electoral Commission to administer the election include:

- Impartiality
- Operational Expertise
- Legal Expertise
- Established training processes
- Established pool of experienced staff resources
- Access to electronic voting for the aged and vision impaired
- Electoral Commissioner manages any tribunal matters

- Sophisticated software is used to analyse all votes received – including triple entry to ensure complete integrity of data entry.

The NSW Electoral Office advise that Council would be likely to share a returning officer with other councils which will defray the cost of the returning officer and substitute returning officer.

### *Attachments*



### *Statutory Environment*

Local Government (Amendment) Elections Act 2011.

Should Council choose to conduct the election itself then the General Manager will be responsible for all aspects of the administration of the election, including preparing a report to the Minister for Local Government giving full disclosure on the conduct and costing of the election.

### *Policy Implications*

Council has no policy position on this matter.

### *Financial Implications*

The 2008 election cost was \$46,270.62. Council has been advised that the cost for the 2012 election would be the previous cost incremented by CPI plus salaries increased by approximately 12%. Provision would have to be made 2012-13 budget to cover these costs, estimated to be \$53,471.09. The NSW Electoral Commission purports to run the elections on an 'at cost, not for profit' basis.

It is also likely in 2012 that Oberon would share a returning officer and substitute returning officer with several other Councils which would defray this cost further. This has not been accounted for in the figures presented.

### *Strategic Implications*

From a strategic perspective the change in legislation has not delivered the outcome desired by the Shires Association of NSW for local government. Following a meeting with the Premier of NSW making representation on behalf of NSW Councils it was hoped that a decision on this matter would be deferred to March 31 2012 allowing Councils adequate time to fully investigate tendering options and meet associated obligations.

Attached are letters dated October 28 2011 from the Premier of NSW to the Shires Association President and the response from the President dated November 4 2011 regarding this meeting.

*Officers Comment*

At a CENTROC GMAC meeting discussions regarding this matter were held. An initial concept was that CENTROC may tender as a group for the 2012 elections. This was later dismissed given time constraints (originally October 31 2011) and the associated risk this would expose Councils to.

The common thinking was that for 2012 the Electoral Commission was really the only practical choice with further consideration to be given in the lead up to the next general election.

*Consulted With*

Director of Corporate Services  
Finance Manager  
CENTROC GMAC  
Electoral Commission of NSW  
Shires Association of NSW

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File: A7.1  
Author: Leanne Mash  
Date: November 7 2011

**14.02.02 Seniors Welfare Trust Mechanism**

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*Executive Summary*

Previous discussions have led Council to investigate the possible establishment of a mechanism to capture donations and bequests to benefit seniors' welfare in the Oberon Local Government Area.

As such further legal advice has been obtained relating to either the establishment of a company limited by guarantee or a trust.

This information is now presented to Council for further consideration.

---

*For Council Decision*

*Recommendation:*

That Council note the information as presented. Further that Council seek indicative costs for the drawing up of a constitution and/or trust deed and other matters to progress one of the two options presented.

---

*Background*

Previous discussions have lead Council to investigate the possible establishment of a mechanism to capture donations and bequests to benefit seniors welfare in the Oberon Local Government Area.

As such further legal advice has been obtained relating to either the establishment of a company limited by guarantee or a trust.

This information is now presented to Council for further consideration

*Attachments*



14.02.02\_Attachment  
\_A\_Legal\_Advice.pdf

*Statutory Environment*

Local Government Act  
Corporations Act  
Trustee Act

*Policy Implications*

No established policy on this matter.

*Financial Implications*

Further expert legal advice will be sought should Council wish to progress either option. This would include the drawing up of constitution or a trust deed document. Provision is made in the Quarterly Budget Review to 30 September 2011 to cover costs relating to this matter.

*Strategic Implications*

This action is seen to support the long held aspiration of Council to address seniors' issues within the LGA.

*Officers Comment*

*Consulted With*  
Bird Legal  
Director of Corporate Services

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File: C22.4  
Author: Leanne Mash  
Date: November 7 2011

**14.03.01 General Business – General Manager**





## **15 New Business of an Urgent Nature Admitted by Council**

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*Recommendation:*

That Council consider the following matters as they are considered to be of an urgent nature requiring immediate consideration by Council:

## **16 Closed Session Reports**

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**16.01.01 Citizen of the Year Awards**

**16.01.02 Stormwater Harvesting Project**

## **17 Closure of Meeting**

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The next Ordinary Meeting of Oberon Council will be held on Tuesday 20 December 2011, commencing at 5.30pm in the Oberon Council Chambers, 137 – 139 Oberon Street, Oberon.