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**OBERON COUNCIL**

## *Agenda and Business Papers*

### *Oberon Council Ordinary General Meeting*

### *Tuesday 18 October 2011*

### *5.30pm Council Chambers*

5.30pm	Opening of meeting
8.15pm - 8.45pm	Dinner

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## 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  
                 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 20 September 2011



05.01.01\_Unconfirme  
d\_Minutes\_20\_Septem

### *Recommendation*

That the Minutes of the duly convened Ordinary Meeting held on 20 September 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 – 20 September 2011
2. Meeting with Member for Calare John Cobb MP – 5 October 2011
3. Meeting with NSW Office of Water – 10 October 2011

### B. Representation

1. St Joseph's Catholic School end of term assembly – 19 September 2011
2. Oberon Public School Assembly attended by Councillor Gibbons – 23 September 2011
3. Official Opening Oberon Men's Shed – 5 October 2011

### C. Correspondence

1. Invitation to attend the Royal Far West Celebration Dinner at Parliament House, Sydney on Monday 21 November 2011
2. Invitation to attend the NSW Police Force Chifley Local Area Command National Police Remembrance Day Ceremony on Thursday 29 September 2011
3. Office of the Hon Tony Abbot MHR regarding the recognition of Local Government in the Australian Constitution
4. NSW Legislative Committee Social Policy Committee advising that they have been asked to conduct an inquiry into international student accommodation in NSW and inviting submissions from Councils
5. Invitation to 2011 Tidy Towns Sustainable Communities Celebration Weekend in Lithgow to be held on 4 – 6 November 2011
6. RMIT University regarding a survey on accountability for infrastructure assets in Local Government
7. The Mayor of Blue Mountains City Council regarding a combined LGA response to the commemorations of the Bicentenary of the Crossings of the Blue Mountains 2013-2015
8. The Hon Katrina Hodgkinson MP in reference to funding under the Country Towns Water Supply and Sewerage program for Council's Integrated Water Cycle Management (IWCM) Evaluation Study
9. Division of Local Government - Destination 2036 Implementation Steering Committee Report

### D. Other Matters

A meeting has been confirmed with the Minister for Transport, the Hon Duncan Gay and Paul Toole MP. The meeting will be held on Wednesday 19 October 2011. The General Manager and I will attend the meeting.

**Don Fitzpatrick**  
Mayor

## 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 Promotions Committee Meeting

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#### *Executive Summary*

A meeting of the Oberon Promotions Committee was held on Thursday 6 October 2011. The Minutes of the meeting are attached for Council's information.

Due to the lack of a quorum the meeting was held as a discussion session.

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#### *For Council Decision*

#### *Recommendation:*

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 consider the appointment of a NSW National Parks and Wildlife Service representative to the Committee.

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#### *Background*

A meeting of the Oberon Promotions Committee was held on Thursday 6 October 2011. Due to the lack of a quorum the meeting was held as a discussion session.

Discussion was held regarding the funding guidelines for the Regional Tourism Development Funding Program. The concept of an Oberon iPhone Application has been endorsed by Council. This proposal was endorsed by the Promotions Committee.

The minutes of the meeting are attached for Council's information.

*Attachments*



09.01.01\_Attachment  
\_A\_Minutes\_Promotioi

*Statutory Environment*

Section 355 of the Local Government Act

*Policy Implications*

Nil

*Financial Implications*

Nil

*Strategic Implications*

Nil

*Officers Comment*

Nil

*Consulted With*

General Manager

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File No: A2.17  
Author: Sharon Swannell  
Date: 11 October 2011



**09.01.02 Seniors Welfare Committee Minutes**

*Executive Summary*

Minutes of the Seniors Welfare Committee Meeting held on 10 October 2011 are attached for Council's information.

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*For Council Decision*

*Recommendation:*

That

1. The Minutes of the Seniors Welfare Committee Meeting held on 10 October 2011 be received and noted.
- 

*Background*

The Seniors Welfare Committee Meeting was held on 10 October 2011 and discussions were as follows:

- Update regarding the proposal to establish a Trust Fund to raise funds to assist with the provision of financial assistance for six low support beds in Oberon
- Update regarding a seniors outreach program with Oberon LGA Schools
- Update regarding Seniors Expo to be held in November 2011
- Presentation from Joanne Campbell regarding the services provided by Hammond Care

The minutes of the Meeting are attached for Council's information.

*Attachments*



09.01.02\_Attachment  
\_A\_Minutes\_Seniors\_1\

*Statutory Environment*

Local Government Act 1993

*Financial Implications*

Nil

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*Strategic Implications*

Nil

*Officers Comment*

*Nil*

*Consulted With*

General Manager

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File: A2.30 and C22.4  
Author: Sharon Swannell  
Date: 10 September 2011



## 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 10.01.03 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 September 2011 to 30 September 2011.

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

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

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

A complete list of the determination is as follows:

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

Ref No	Development Type	Street Address	Locality
10.2010.102.2	Modification to Development Application to change the size of the sky domes	75 Marks Crescent	Oberon
10.2011.15.1	2 Lot Subdivision	14 Blenheim Avenue	Oberon
10.2011.45.1	Demolition of shed	32 O'Connell Road	Oberon
10.2011.49.1 11.2011.49.1	Additions to Dwelling convert walk-in robe to an ensuite	1734 O'Connell Road	Oberon
10.2011.54.1 11.2011.54.1	Access Construction	99 Whiteley Road	Oberon
11.2010.8.3	Modification to Construction Certificate - New structural detail	151 Burns Road	Wisemans Creek
11.2011.35.2	Dwelling	186 Bosworth Falls Road	O'Connell
11.2005.374.1 19.2011.4.1	Dwelling and On-Site Waste Water System	196 Ryans Lane	O'Connell
10.2005.369.2 11.2005.369.1 19.2011.17.1	Modification DA/CC for Dwelling and On-site Waste Water Disposal system	2381 Beaconsfield Road	Oberon
20.2011.17.1	A-Frame Sandwich Board	129 Oberon Street	Oberon

Copies of Determinations are available for inspection free of charge during normal business hours from the Council's Office.

**2. Certificates Issued During the Month of September**

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) 11 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) Four Section 735A Certificates were issued.

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

- c) Two 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 or Dangerous Dog Declarations were issued during September. The following details concerning the Animal Pound are for the month of September.

Details	Number of Cats	Number of Dogs
Animals carried over from previous month	0	0
Animals Seized	0	4
Animals Abandoned	0	0
Animals Surrendered	0	0
Animals released to Owner	0	3
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	0	0
Animals Sold	0	0
Animals died at Council's facility	0	0
Animals Escaped/Stolen	0	0
Animals still in the Pound	0	1

### 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 September.

a) Building Inspections	43
b) Food Inspections	1
c) Environmental Inspections (Air Pollution/Noise Pollution/Water Pollution)	0
d) Subdivision Certificate Inspections	3
e) Complaints (Includes Animal Control)	5
f) Building Maintenance Inspections	12

**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: 5 October 2011

**10.01.02 State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP) – Savings and Transition Provisions**

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*Executive Summary*

Previously, through Councillor McCarthy concerns were raised over the State Governments provisions in relation to development without consent, especially in relation to rural sheds. Currently, Council has its own Exempt Development Plan that allows for the erection of a rural shed (without the need for consent) up to 300m<sup>2</sup> in the Rural 1(a) zone. Under the Codes SEPP this is reduced to 200m<sup>2</sup>.

Council officers have investigated the concern raised by Councillor McCarthy and advise that under current legislation, the Codes SEPP overrides any local instrument in relation to any activity that is defined within the Codes SEPP.

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*For Council Information*

*Recommendation:*

That the information be received and noted.

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*Background*

Previously, through Councillor McCarthy concerns were raised over the State Governments provisions in relation to development without consent (exempt development), especially in relation to rural sheds. Currently, Council has its own Exempt Development Plan that allows for the erection of a rural shed (without the need for consent) up to 300m<sup>2</sup> in the Rural 1(a) zone. Under the SEPP this is reduced to 200m<sup>2</sup>.

Upon investigation it was found that of 1 September 2011, any development that was allowed to occur under the same definition within both the Codes SEPP and any local planning instrument the development can now only proceed under the provisions of the SEPP.

The only flexibility to this policy applies to development that is not defined by the Codes SEPP yet is considered as part of the local instrument. An example of this for the Oberon LGA is the provision for the erection of a garage in the 2(v) Village zone where the area is less than 50m<sup>2</sup>. A garage is not defined within the Codes SEPP and hence the local instrument takes effect. Councils current Development Control Plan will be amended to reflect the legislative changes.

*Attachments*



10.01.02\_Attachment  
\_A\_Fact\_Sheet\_Codes



*Statutory Environment*

Under current legislation, a State Environmental Planning Policy overrides any Local Planning Instrument.

*Policy Implications*

Nil

*Financial Implications*

Nil

*Strategic Implications*

Nil

*Officers Comment*

Nil

*Consulted With*

Manager Health and Building

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File: D52.5.1  
Author: Gary Wallace  
Date: 5 September 2011

**10.01.03 Director of Development Status Report**

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Exempt and Complying Development

That a review be undertaken of the exempt and complying development code and that a report be brought to a future meeting of Council and further that this matter be pursued with our State Member.

*Status*

Report to brought back to the October meeting.

Matter closed

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*Resolution Number* – 15200911 - Local Planning Panel Establishment – Standard Instrument Local Environmental Plan

That Council endorse the request that the LGSA and the NSW Department of Infrastructure and Planning consider the Oberon Council Director of Development as an alternate expert when the Local Planning Panel is required to sit in regional areas.

*Status*

All appropriate details have been forwarded to the LGSA as required by the resolution

Matter closed

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*Resolution Number* – 14200911 - Development Control Plan Review – Total Aggregate Floor Area

That the submission for the aggregate floor area of outbuildings be extended to 180m<sup>2</sup> be noted.

That Council proceed to modifying the DCP 2001 to allow for the variation of the aggregate floor area to increase from 100m<sup>2</sup> to 150m<sup>2</sup>.

That Council delete K7.1.12 which is a double up of another clause within DCP 2001.

*Status*

DCP has been amended and notification of the resolution forwarded to landowners.

Matter closed

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*Resolution Number* – 13200911 - Development Application: 10.2011.40.1

That Council approve the Buffer Management Plan submitted with DA 10.2011.40.1 and delegation be granted to Councils General Manager to approve DA 10.2011.40.1 for a proposed Transported Dwelling with a boundary setback of 40m at 90° from the Eastern and Southern boundaries on Lot 158 in DP 753047, 293 Howes Road Mount David.

*Status*

Consent issued.

Matter Closed

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*Resolution Number* – 12200911 - Council Seal to Section 88B Instrument

That the Common Seal of the Oberon Council be affixed to the Section 88B Instrument for Development Application 10.2010.78.1 for a 2 lot subdivision for the purpose of Agriculture of Lot 1 in DP 1144982 in the name of Shona Margaret Campbell, Kevin Campbell and Alwyn Campbell Brown of 1589 Edith Road Oberon.

*Status*

Seal has been affixed to the instrument.

Matter Closed

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*Resolution Number* – 11200911 - Council Seal to Section 88B Instrument

That the Common Seal of the Oberon Council be affixed to the Section 88B Instrument for Development Application 163/06 for a 2 lot subdivision for Mr K Karthigeyan, lot 21 in DP 785503 80 Wilsons Drive Titania Oberon.

*Status*

Seal has been affixed to the instrument.

Matter Closed

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*Resolution Number* – 10200911 - Council Seal to Section 88B Instrument

That the Common Seal of the Oberon Council be affixed to the Section 88B Instrument for Development Application 163/06 for a 4 Lot Subdivision for Mr F A Brien, Lots P 97, 98 and 168 in DP 757068 and Lots 1 and 2 in DP 11697 and Lot 1 in DP 325130 and Lot 3 in DP 237137 and Part Lot 2 in DP 104023 at 147 O'Connell Road Oberon.

*Status*

Seal has been 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.

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*Resolution Number – 03160811 - Establishment of a Planning and Infrastructure Panel*

In regards to the letter from Minister for Planning and Infrastructure, the Hon Brad Hazzard MP, concerning the establishment of a Planning and Infrastructure Panel that Council discuss the matter and consideration be given to nominating a representative to serve on the panel.

*Status*

*September Update:* Report forwarded to September meeting for information and resolution.

*October Update:* All appropriate details have been forwarded to the LGSA as required by the resolution

Matter closed

---

Status of Development Application referred to RTA

Councillor McCarthy requested staff to provide information in relation to previous applications of the same nature located on Albion Street to verify that these applications have also been referred to the RTA for approval.

The Director of Development will investigate and advise.

*Status*

Investigation with RTA being undertaken and will report back to Council at a future meeting.

*September Update:* Report forwarded to September meeting for information.

*October Update:* Resolution accepted at September meeting.

Matter Closed

---

*Resolution Number* – 11190711 - Development Control Plan Review – Total Aggregate Floor Area

That Council proceed to advertise the proposed amendment to DCP 2001 relating to Clauses J.7.2.7 and K.7.1.5 increasing the size of the aggregate floor area from 100m<sup>2</sup> to 150m<sup>2</sup>.

That Council delete Clause K7.1.12 from the DCP 2001.

*Status*

Notification of the amendment has been undertaken. Any public submissions will be presented to Council's September meeting.

*September Update:* Report forwarded to September meeting for resolution.

*October Update:* DCP has been amended and notification of the resolution forwarded to landowners.

Matter closed

---

*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 and 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 and b are in progress and will be considered as part of LUS

Resolution c and 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.

### 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 Order’s 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; 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.

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*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 have 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.

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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.

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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.

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*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.

---

*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

---

*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

*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: October 2011

## 10.02 Reports for Decision

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### 10.02.01 Council Seal to 88B Instrument

Application: Development Application 250.06 for a 2 Lot subdivision and Modification Application 10.2006.250.02 for a Boundary adjustment.

Applicant: Mr D Clark and Mrs L Clark and Koora Pty Ltd

Location: Lot 1 in DP 1081742 and Part lot 22 in DP 753047, 504 and 276 Mount David Road, Mount David NSW 2795

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#### *Executive Summary*

Council have received a request to affix the Council Seal to a Section 88B Instrument to prohibit a dwelling being erected on proposed lot 3 in the above mentioned subdivision as proposed lot 3 is less than 100 hectares for a 2 lot subdivision and boundary adjustment, lot 1 in DP 10181742 and Part Lot 22 in DP 753047, 504 and 275 Mount David Road, Mount David.

---

#### *For Council Decision*

#### *Recommendation:*

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.

---

#### *Background*

On 21 August 2006 officers approved Development Application 250/06 for a 2 lot subdivision (Copy of Plan Attachment A)

On 9 October 2009 officers approved Modification Application 10.2006.205.2 for a boundary adjustment with a neighbouring property to the north as it was discovered at the time of survey that the original fences were not on the correct boundary line and therefore the position of the existing residence on Proposed lot 1 could not comply with the setback requirements of the Local Environmental Plan 1998 (LEP1998) for Development Application 250/06. (Copy of plan Attachment B)

A location map is also provided. (Attachment C)

In approving the subdivision a number of conditions were imposed including Condition 13 Restriction as to the use of the land.

---

### 13. Restriction As To The Use of Land

The provision of a public positive covenant / restriction as to user with Council as nominee in accordance with Section 88 of the Conveyancing Act placing restriction on user relative to proposed Lot 3 that:

- a) No dwelling house, cottage, other erection or construction or otherwise for the purpose of or capable of use for habitation purposes shall be erected, maintained or allowed to remain upon the land hereby burdened.
- b) No person shall dwell or remain in any dwelling house, cottage, other erection or construction or otherwise for the purpose of or capable of use for habitation purposes upon the land hereby burdened.

Reason:- To ensure that suitable notice is provided to indicate that no dwelling entitlement exists on the burdened land.

A copy of the 88b instrument is attached (Attachment D) and Council Staff have reviewed the document and found it to be in order, in relation to all appropriate conditions of consent.

#### *Attachments*



10.02.01\_Attachment  
\_A\_Copy\_of\_Plan.pdf



10.02.01\_Attachment  
\_B\_Copy\_of\_Plan.pdf



10.02.01\_Attachment  
\_C\_Location\_Map.pdf



10.02.01\_Attachment  
\_D\_88B\_Instrument.pc

#### *Statutory Environment*

Council is required to affix the Seal to any consent to which it is a party. In this instance the Seal is required to be affixed to the 88B Covenant in order for condition 13 of the Development consent to be complied with.

#### *Policy Implications*

Nil

#### *Financial Implications*

Nil

#### *Strategic Implications*

Nil

*Officers Comment*

Nil

*Consulted With*

Director of Development

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File No: PR245.504 and PR245.276  
Author: Janet Bailey  
Date: 4 October 2011

**10.02.02 Request Seeking Support to Distribute a Petition from Narrabri Shire Council – Ms Ruth Downey and RSPCA**

---

*Executive Summary*

Council is in receipt of correspondence from Narrabri Shire Council seeking support in signing and distributing a petition in the Oberon Local Government Area for a cause relating to the RSPCA's action taken over a local landowner in the Narrabri Shire.

---

*For Council Decision*

*Recommendation:*

The information be noted and discussion held in relation to Councils position concerning this matter.

---

*Background*

In June 2007, the RSPCA shot 48 of Mrs Ruth Downey's cattle, claiming they were drought affected and lacked sufficient food and water.

As a result Ms Downey was subsequently prosecuted by the RSPCA in firstly the local and secondly (as a result of an unsuccessful appeal) the High Court of Australia. Costs associated with the action taken by the RSPCA to Ms Downey are in the vicinity of \$458,222.45.

At its August 2011 Ordinary Meeting, Narrabri Shire Council resolved:

*.....that Council involve itself with our 70 other rural shires to secure 10,000 signatures to present to the State Parliament to have the costs removed from the Ruth Downey case on the basis that in the 6<sup>th</sup> year of a 10 year drought, Ruth Downey had not lost one head of cattle from malnutrition and on the day of mass slaughter, there were 13 cows of the 48 killed who were rearing young calves and those calves were seen on TV as healthy shiny animals.*

Narrabri Shire seeks Councils support of the above motion by way of signing a petition and requests that Oberon Council distribute the attached petition throughout the Local Government Area to help obtain the 10,000 signatures required.

*Attachments*



10.02.02\_Attachment  
\_A\_Correspondence\_f



10.02.02\_Attachment  
\_B\_ABC\_News\_Corres

*Statutory Environment*

Nil

*Policy Implications*

Nil

*Financial Implications*

Nil

*Strategic Implications*

Nil

*Officers Comment*

Nil

*Consulted With*

General Manager  
Director of Corporate Services

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File: D54.1  
Author: Gary Wallace  
Date: 4 October 2011

**10.02.03 Development Application 10.2011.53.1**

Applicant: Mr D Whalan  
Location: Lot 9 DP 758805, 11 Albert Street Oberon  
Proposal: New Garage  
Zone: Village 2 (v)

---

*Executive Summary*

A Development Application for a proposed garage was received requiring a variation to the Oberon Development Control Plan 2001 (DCP);

- **C.6.4 – Carports and Garages**

The DCP states that the maximum total floor area of garages and or carports is to be 60m<sup>2</sup>. The garage proposed is approximately 63m<sup>2</sup>.

---

*For Council Decision*

*Recommendation:*

That delegation be granted to Council's General Manager to approve DA 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.

---

*Background*

A Development Application for a proposed garage was received on 7 September 2011.

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

Although the applicant has not presented a letter to justify the proposed variation to the DCP, the proposed garage is a 5% variance to the DCP which is considered minimal.

Neighbours were not notified because Council's Manager of Health and Building deemed at site inspection that neighbours are not significantly affected by the proposed development or would be impacted by the proposed variance to the DCP. As such there is no requirement to notify the adjoining neighbours.

The dwelling located on the property to the west is an elevated dwelling on a block that is also more elevated than the proposed site. The proposed garage has a wall height of 3m however there is an existing 1.8m high colorbond fence on the boundary and the site will be levelled by cutting approximately 800mm thus lowering the garage even further negating any perceived impact on the dwelling to the west.

---



*Attachments*



10.02.03\_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 financial implications.

*Financial Implications*

There are no financial implications.

*Strategic Implications*

There are no strategic implications.

*Officers Comment*

The proposal is for a 5% variance and will have no perceived impact upon adjoining neighbours.

*Consulted With*

Director of Development

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File: PO1.11  
Author: Mark Dicker  
Date: 6 October 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 11.01.04 of the Business Papers be received and noted by Council.

---

### 11.01.01 Monthly Update Report – Corporate Services Department

The following items are presented for Councillors information and are reflective of the period September 1 to September 30 2011.

#### 1. Rates Collections Reports

The monthly statistical report on the collection of rates and annual charges for the period to 30 September 2011 is attached for information.

Total collections for the year represent 39.52% of the total receivable, compared with 37.41% for last year.

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 September

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 September 2011 the following certificates were issued:

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

### 3. Councillor and General Manager Expenses

The monthly summary of Councillor and General Manager Expenses for September 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: 10 October 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 30 September 2011, together with a graphical summary for the period from October 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 30 September 2010, are presented for information.

	<u>2010</u>	<u>2011</u>
Face Value of all Investments Held	\$5,413,907	\$5,772,266
Face Value of Grange/Lehman Bros Investments	\$2,500,000	\$2,000,000
Market Value of Grange/Lehman Bros Investments	\$1,166,979	\$649,553
Market Value of Grange as % of Face Value	47%	32%
Cheque Account Cash Book Balance	(\$126,634)	(\$178,602)
Total Cash and Investments (Market Value)	\$3,954,252	\$4,243,217
Interest Received Year to Date	\$38,199	\$33,463
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 decrease in the value of the Helium Capital/Scarborough (\$31,000) and Aphex/Glenelg (\$33,134) CDO's since the end of August 2011. This negative fluctuation has arisen primarily as a result of "nervousness" in financial markets worldwide due to the fragile state of the European and USA economies.

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	86,250	
Net Written off to 30 June 2011	(2,000,905)	
Write-Back to date in 2011-2012	(75,220)	
Net Written off to 30 September 2011	<u>(\$2,076,126)</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: 11 October 2011

**11.01.03 Effective of Proposed Carbon Pricing Mechanism on Council's Operating Funds**

*Executive Summary*

Council resolved at the September 2011 Ordinary Meeting “that staff be requested approach LGSA and enquire as to when they will be in a position to provide Council with a report regarding the likely impact of the Carbon Tax on Council’s operating funds”.

Enquiries with the LGSA have revealed that, while the Association has not been in a position to undertake a detailed analysis of the likely impact of the proposed carbon tax on local government, it has been working with the ALGA (Australian Local Government Association) in the preparation of a submission to the Department of Climate Change and Energy Efficiency.

A copy of the submission is attached.

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*For Council Information*

*Recommendation:*

That the information be received and noted.

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*Attachment*



11.01.03\_Attachment  
\_B\_Carbon\_Price\_Mec

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File No: C17.3.5  
Author: John Chapman  
Date: 07 October 2011



**11.01.04 Corporate Services Status Report**

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*Resolution Number* – 45200911 - Water Consumption Charges Refund – Account 12367875

That a reduction of \$121.68 be approved in accordance with Council's Policy 2201, given the extenuating circumstances of water Account 12367875.

*Status*

Water consumption account adjusted and consumer advised.

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*

Actioned - submissions able to be received until 27 October 2011.

---

*Resolution Number* – 27200911 - Internal Reporting Policy

That the draft public interest disclosures policy and procedures as presented be adopted.

*Status*

Policy Register updated and policy placed on website.

Matter Closed

---

*Resolution Number* – 26200911 - Policy Reviews

1. That the following policies remain unchanged:
  - a) Policy 4205 Reward Scheme for Malicious Damage to Property
  - b) Policy 4207 Waste Management (Garbage) Acceptance of Materials
  - c) Policy 5105 Temporary Road and Street Closures for Events
  
2. That the following policies be adopted with minor changes:
  - d) Policy 4206 Clean Up Campaign

*Status*

Policy Register updated and relevant updated policies placed on website.

Matter Closed

---

*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*

Staff Report to October 2011 recommending affixing of common seal to Power of Attorney documentation.

---

*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*

Formal application forwarded 28 September 2011. Await response.

---

*Resolution Number – 22200911 - Delegates to External Organisations*

That delegates to committees and external organisations be appointed as follows:

- Arts OutWest
  - Fran Charge
- Ben Chifley Catchment Management Steering Committee
  - Councillor McCarthy
- Blue Mountains, Lithgow and Oberon Tourism Association
  - General Manager
  - Councillor Sullivan (alternate delegate)
- Catchment Management Committees (Lachlan, Macquarie and Sydney Water Catchment Management Authorities)
  - No Councillor delegate currently appointed
  - Director of Development
- Central Tablelands Strategic Alliance Internal Audit Committee
  - Councillor Fitzpatrick
- CENTROC
  - Mayor
  - General Manager
- Hawkesbury/Nepean Catchment Management Authority
  - No delegate currently appointed

- Joint Regional Planning Panel
  - Councillor Doney
  - Councillor McCarthy
  - Councillor McMahon (alternate delegate)
- Lachlan Regional Transport Committee Incorporated
  - No delegate currently appointed
- Oberon Arts Council
  - No delegate currently appointed
- Oberon Business Association
  - Councillor McMahon
- Oberon Liquor Accord
  - Councillor Sullivan
- Oberon Plateau Tourism Association
  - Councillor McMahon (attendance when requested)
- Rural Fire Service Chifley Zone Liaison Committee
  - Councillors McCarthy and Francis (also to represent Council on Brigade Captains' Meetings)
  - Officers being the Director of Engineering and the Finance Manager
- Upper Macquarie County Council
  - Councillors McMahon and Francis

*Status*

Relevant organisations advised where new delegate appointed.

Matter closed

---

Carbon Tax

That staff be requested approach LGSA and enquire as to when they will be in a position to provide Council with a report regarding the likely impact of the Carbon Tax on Council's operating funds.

*Status*

Staff report submitted to October 2011 Council 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 October 10 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*

Solicitor and accountant/auditor advice received and referred to 10 October 2011 meeting of Seniors Welfare Committee for further recommendation to Council.

---

*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 yet to be made – awaiting confirmation from OPTA of commitment for their match contribution – to occur at the October 2011 OPTA meeting.

---

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.

---

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*

See report 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 2011 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 2011 Finance Committee meeting.

---

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

## 11.02 Reports for Decision

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### 11.02.01 Power of Attorney – General Manager

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#### *Executive Summary*

Council resolved at the September 2011 Ordinary Meeting the General Manager be appointed as Power of Attorney to sign on Council's behalf documents listed in the staff report and to which the Common Seal of Council is required to be affixed following a specific resolution of Council on such matters.

The process of appointing the General Manager requires the affixing of the Seal of Council to the Power of Attorney document.

---

#### *For Council Decision*

#### *Recommendation:*

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.

---

#### *Background*

Council resolved at the September 2011 Ordinary Meeting the General Manager be appointed as Power of Attorney to sign on Council's behalf documents listed in the staff report and to which the Common Seal of Council is required to be affixed following a specific resolution of Council on such matters.

The process of appointing the General Manager requires the affixing of the Seal of Council to the Power of Attorney document

#### *Attachments*

None

#### *Statutory Environment*

Local Government Act, 1993 Section 377

#### *Policy Implications*

The Delegations Register will need to be updated to reflect the amended delegations as listed in the Power of Attorney.

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*Financial Implications*

Nil

*Strategic Implications*

Nil

*Officers Comment*

*Consulted With*

Bird Legal

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File: A6.2  
Author: John Chapman  
Date: 7 October 2011

**11.02.02 Draft Policy 1103 – Payment of Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Other Councillors**

---

*Executive Summary*

In accordance with the Local Government Act 1993, Council is required to review its Policy for the Payment of Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Other Councillors, annually before 30 November.

---

*For Council Decision*

*Recommendation:*

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.

---

*Background*

Council is required to review its Policy for the Payment of Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Other Councillors, annually before 30 November.

The relevant parts of Sections 252 and 253 of the Local Government Act provide that:

*“252 Payment of expenses and provision of facilities*

- (1) Within 5 months after the end of each year, a Council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the mayor, the deputy mayor (if there is one) and the other Councillors in relation to discharging the functions of civic office.*
- (2) The policy may provide for fees payable under this Division to be reduced by an amount representing the private benefit to the mayor or a Councillor of a facility provided by the Council to the mayor or Councillor.*
- (3) A Council must not pay any expenses incurred or to be incurred by, or provide any facilities to, the mayor, the deputy mayor (if there is one) or a Councillor otherwise than in accordance with a policy under this section.*
- (4) A Council may from time to time amend a policy under this section.*
- (5) A policy under this section must comply with the provisions of this Act, the regulations and any relevant guidelines issued under section 23A.*

*253 Requirements before policy concerning expenses and facilities can be adopted or amended*

- (1) A Council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions.*

- (2) *Before adopting or amending the policy, the Council must consider any submissions made within the time allowed for submissions and make any appropriate changes to the draft policy or amendment.*
- (3) *Despite subsections (1) and (2), a Council need not give public notice of a proposed amendment to its policy for the payment of expenses or provision of facilities if the Council is of the opinion that the proposed amendment is not substantial.*
- (4) *Within 28 days after adopting a policy or making an amendment to a policy for which public notice is required to be given under this section, a Council is to forward to the Director-General:*
  - (a) *a copy of the policy or amendment together with details of all submissions received in accordance with subsection (1), and*
  - (b) *a statement setting out, for each submission, the Council's response to the submission and the reasons for the Council's response, and*
  - (c) *a copy of the notice given under subsection (1).*
- (5) *A Council must comply with this section when proposing to adopt a policy each year in accordance with section 252 (1) even if the Council proposes to adopt a policy that is the same as its existing policy."*

### *Attachments*



11.02.02\_Attachment  
\_A\_Policy\_1103\_Paym

### *Statutory Environment*

Local Government Act 1993, Sections 252 and 253.

### *Policy Implications*

A minor amendment only is recommended in respect of Policy 1103 - Payment of Expenses and Provision of Facilities for Mayor and Councillors. The amendment is:

Clause 4e – page 6 – Telephone and Internet Costs and Expenses: Combined monthly monetary limit increased from \$50.00 to \$100.00 per Councillor

### *Financial Implications*

As there are no major recommended alterations to the policy, there are no financial implications.

### *Strategic Implications*

Nil

*Officers Comment*

Nil

*Consulted With*

General Manager

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File: A1.2.7  
Author: John Chapman  
Date: 6 October 2011

**11.02.03 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 adoption.

---

*For Council Decision*

*Recommendation:*

**1. That the following policies as amended be adopted:**

- a) Policy 2118 Smoke Free Workplace
  - b) Policy 2119 Drugs and Alcohol
  - c) Policy 4103 Driveway Accesses to Rural Properties
- 

*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"

The following Policies have been reviewed and are submitted for adoption with minor changes:

- a) Policy 2118 Smoke Free Workplace
- b) Policy 2119 Drugs and Alcohol

Policies 2118 and 2119 have been updated to reflect recent legislative changes.

- c) Policy 4103 Driveway Accesses to Rural Properties

Policy 4103 has been updated to include the requirements for driveway access to urban properties.

*Attachments*



11.02.03-Attachment  
\_A\_Policy\_2118\_Smok



11.02.03-Attachment  
\_B\_Draft\_Policy\_2119\_



11.02.03-Attachment  
\_C\_Draft\_4103\_Drivev

*Statutory Environment*

Local Government Act, 1993  
Occupational Health and Safety Act 2000 and any subsequent Acts  
Occupational Health and Safety Regulation 2001

*Policy Implications*

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

*Financial Implications*

No financial Implications

*Strategic Implications*

No strategic implications

*Officers Comment*

*Consulted With*

Director of Corporate Services  
Risk/OHS Manager  
Works Manager

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File: A1.2.7  
Author: Joanne Barton  
Date: 5 October 2011

**11.02.04 Request for Financial Assistance – 2011 Carols in the Caves**

---

*Executive Summary*

Correspondence has been received jointly from the Jenolan Caves Reserve Trust, the Oberon Plateau Tourism Association and the 'Carols in the Caves' Co-ordinating Committee seeking Council's interest in becoming a sponsor of Carols in the Caves event to be conducted on 10 December 2011 with a contribution of \$2,500.

---

*For Council Decision*

*Recommendation:*

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

---

*Background*

Correspondence has been received jointly from the Jenolan Caves Reserve Trust, the Oberon Plateau Tourism Association and the 'Carols in the Caves' Co-ordinating Committee seeking Council's interest in becoming a sponsor of Carols in the Caves event to be conducted on 10 December 2011 through a contribution of \$2,500.

The event is organised under the auspices of the Jenolan Caves Reserve Trust with additional support and input from the community for 2011 via the Oberon Plateau Tourist Association. The co-ordinating committee hope to raise \$20,000 from the event in support of children's cancer research.

Further details of the event are included in the attached letter from the co-ordinating committee.

No provision has been made in Council's 2011-2012 budget for such a contribution.

The budget (\$30,200 in the current year) for Oberon Festivals has traditionally been reserved for expenditure on activities associated with the Festival of Spring Gardens and the Summer Festival. This budget provision was included based upon the assumption that the funds would be committed to the activities in respect of which Council has assisted financially in the past.

The recurrent donations budget (\$42,161) was fully committed following Council's consideration of submissions received from community groups early in 2011 – no submission was received to assist with the Carols in the Caves event. The discretionary donation budget of \$2,000 is not adequate to cover the amount requested (and, if committed to partly cover the request for assistance with the Carols in the Caves event, would leave little or no funds remaining for other one-off requests).

*Attachments*



11.02.04\_Attachment  
\_A\_Carols\_In\_The\_Ca

*Statutory Environment*

Local Government Act 1993, Section 356

*Policy Implications*

The request meets the criteria contained in Council's Financial Assistance Policy.

*Financial Implications*

No funds are currently available in Council's 2011/2012 budget.

*Strategic Implications*

Nil

*Officers Comment*

Nil

*Consulted With*

Council's Financial Assistance Policy and 2011-2012 Budget

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Files: A3.3, P72.1  
Author: John Chapman  
Date: 7 October 2011



**11.02.05 Proposal for Mobile Dental Clinic**

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*Executive Summary*

A request has been received from “Riverina Smiles” a Griffith-based dental service inviting Council’s support for a proposed mobile dental clinic to service the area. The proponent is in the process of applying for funding from the government to set up the clinic, and is asking for expressions of interest from Councils and regional health services to support their application.

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*For Council Decision*

*Recommendation:*

That Council indicate support for the proposal to establish a mobile dental clinic to service the local area.

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*Background*

A request has been received from “Riverina Smiles” a Griffith-based dental service inviting Council’s support for a proposed mobile dental clinic to service the area. The proponent is in the process of applying for funding from the government to set up the clinic, and is asking for expressions of interest from Councils and regional health services to support their application.

It is intended that the service follows a route through regional areas every 3-6 months to perform emergency and basic dental treatment including fillings, extractions, check-ups and dentures on both public and private fee paying patients.

While the Oberon community is currently serviced by the Council’s facility in Dart Street by Waratah Dental, soon to be expanded from one to two days weekly, and the Area Health Service Children’s Dental Clinic, it is anticipated that the proposed mobile service may provide greater consumer choice and increased access to dental care for residents.

*Attachments*



11.02.05\_Attachment  
\_A\_Correspondence\_F

*Statutory Environment*

Local Government Act 1993

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*Policy Implications*

Nil

*Financial Implications*

Nil

*Strategic Implications*

Nil

*Officers Comment*

Nil

*Consulted With*

Executive Management Team

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File: A3.1  
Author: John Chapman  
Date: 8 October 2011

## 11.02.06 Proposed Change in Postcode - Essington

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### *Executive Summary*

Australia Post has requested Council's endorsement of a proposal to alter the postcode boundaries in the Essington area west of Beaconsfield Road from 2795 (Bathurst) to 2787 (Oberon) to facilitate a more efficient mail delivery service.

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### *For Council Decision*

#### *Recommendation:*

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.

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### *Background*

Australia Post has requested Council's endorsement of a proposal to alter the postcode boundaries in the Essington area from 2795 (Bathurst) to 2787 (Oberon) to facilitate a more efficient mail delivery service.

The proposal requires endorsement by Council before an application is made by Australia Post to the Geographical Names Board for approval.

Details are provided on the attached letter from Australia Post and map of the area showing the proposed amended postcode boundary.

Council would consider it appropriate for Australia Post to consult with affected resident regarding the proposal.

### *Attachments*



11.02.06\_Attachment  
\_A\_Australia\_Post\_Co



11.02.06\_Attachment  
\_B\_Essington\_Post\_Cc

### *Statutory Environment*

Local Government Act 1993

### *Policy Implications*

Nil

*Financial Implications*

Nil

*Strategic Implications*

Nil

*Officers Comment*

Nil

*Consulted With*

Rates Officer

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File No: E31.1  
Author: John Chapman  
Date: 8 October 2011

**11.02.07 Centroc Beyond the Range Project**

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*Executive Summary*

A letter has been received from Centroc seeking financial support from Council over a three year period to progress the Health Workforce attraction project “Beyond the Range”.

A report to Council was deferred pending the address to Council by Centroc Executive Officer, Jenny Bennet, which occurred at the September 2011 Ordinary Meeting.

Funding of \$11,000 from Council is sought over a three year period as follows:

2011-2012	\$6,000
2012-2013	\$3,000
2013-2014	\$2,000

No provision has been made in the current budget for a contribution.

---

*For Council Decision*

*Recommendation:*

That Council consider the request from Centroc to provide financial support over a three year period for the “Beyond the Range” project.

---

*Background*

A letter was received from Centroc seeking financial support from Council over a three year period to progress the Health Workforce attraction project called “Beyond the Range”.

A report to Council was deferred pending the address to Council by Centroc Executive Officer, Jenny Bennet, which occurred at the September ordinary Meeting.

Funding of \$11,000 from Council is sought over a three year period as follows:

2011-2012	\$6,000
2012-2013	\$3,000
2013-2014	\$2,000

No provision has been made in the current budget for a contribution.

The funding will assist to procure a website with Search Engine Optimisation, substantial marketing and promotional support. Included in the program is working with “growing our own” medical workforce and working with peak health workforce agencies. The funding would also secure an ‘Oberon’ web page within the larger Beyond the Range website with specific details relating to the Oberon LGA.

Funding for the project is being sought at the State and Federal levels. At a meeting with State representatives in May 2011 Melinda Pavey, Parliamentary Secretary for Regional Health provided strong support for 50% State funding. The program also has the support of

Regional Development Australia and lends itself to funding programs announced in the 2011 Federal budget. Sponsorship is being sought from the private sector and the website also lends itself to advertising.

If the funding requested from Council is not made available, the project will still proceed but at a lower level.

While it is recognised that the majority of Centroc Local Government rural areas are experiencing critical shortfalls in the availability of health workforce staff Council is aware that, fortunately, Oberon has not experienced those shortfalls to the same degree in recent times.

#### *Attachments*



11.02.07\_Attachment  
\_A\_CENTROC\_Beyond

#### *Statutory Environment*

Local Government Act 1993

#### *Policy Implications*

Nil

#### *Financial Implications*

No provision has been made in the current budget for the requested contribution. A provision of funds would need to be made in the first quarterly review to support this initiative.

#### *Strategic Implications*

Nil

#### *Officers Comment*

Nil

#### *Consulted With*

General Manager

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Files: A4.2  
Author: John Chapman  
Date: 8 October 2011

**11.02.08 2012 Youth Week**

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*Executive Summary*

The NSW Department of Community Services has written to advise that \$1230.00 (excluding GST) has been made available to Oberon Council as a contribution toward the cost of 2012 Youth Week in NSW activities.

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*For Council Decision*

*Recommendation*

That the offer from the NSW Department of community Services for a \$1230.00 contribution toward the cost of 2010 Youth Week activities at Oberon be accepted and the funding matched on a dollar for dollar basis.

---

*Background*

The NSW Department of Community Services has written to advise that \$1230.00 (excluding GST) has been made available to Oberon Council as a contribution toward the cost of 2012 Youth Week in NSW activities. The grant is made available on the condition that it is matched by Council on a dollar for dollar basis.

In 2011 the Youth Week funding was spent on a movie evening held at the Oberon Showground Hall.

It is proposed to establish a working group to coordinate the 2012 Youth Week which will include youth representatives from the schools in the Oberon Local Government Area.

Youth Week celebrates young people and their contribution to their local communities. Youth Week 2012 will be held from Friday 13 April to Sunday 22 April 2012.

*Attachments*

Nil

*Financial Implications*

The funding contingent on Oberon Council is to match the amount on a dollar for dollar basis and provision has been made in the 2011/2012 budget for Council's contribution.

*Strategic Implications*

N/A

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*Officers Comment*

Nil

*Consulted with*

Community Liaison Officer  
Director of Corporate Services  
General Manager

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File: A3.2  
Author: Sharon Swannell  
Date: 7 October 2011



**11.02.09 Annual Financial Reports**

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*Executive Summary*

Council's Annual Financial Reports for the year ended 30 June 2011 have been completed and audited.

A copy of the draft Financial Reports is being distributed as a separate document with this business paper.

The end of financial year reveals a net operating result of \$1.89 million compared with a budgeted figure of \$5.2 million.

The substantial decrease in the actual operating result from the budgeted result consists of two major components:

1. A \$2.1million dollar shortfall in expected government grant capital income for the stormwater harvesting project as milestones have not yet been reached, and
  2. An increase of \$1.7million in depreciation expenses principally as a result of the implementation of fair values and a change in the methodology for the calculation of depreciation on roads infrastructure assets as per the requirements of the NSW Department of Local Government and in accordance with the revised Local Government Accounting Standards.
- 

*For Council Decision*

*Recommendation:*

That:

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 whether it wishes 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.

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### *Background*

Council’s Annual Financial Reports for the year ended 30 June 2011 have been completed and audited.

A copy of the draft Financial Reports is being distributed as a separate document with this business paper.

The end of financial year reveals a net operating result of \$1.89 million compared with a budgeted figure of \$5.2 million.

The substantial decrease in the actual operating result from the budgeted result consists of two major components:

1. A \$2.1million dollar shortfall in expected government grant capital income for the stormwater harvesting project as milestones have not yet been reached, and
2. An increase of \$1.7million in depreciation expenses principally as a result of the implementation of fair values and a change in the methodology for the calculation of depreciation on roads infrastructure assets as per the requirements of the NSW Department of Local Government and in accordance with the revised Local Government Accounting Standards.

The operating results are summarised (see page 3 of the Financial Reports) as follows:

	<u>Budget</u>	<u>Actual</u>	<u>Variation</u>	
	\$'000	\$'000	\$'000	
<b>Income from Continuing Operations:</b>				
Rates and Annual Charges	3,776	3,679	(97)	(3%)
User Charges and Fees	2,527	4,326	1,799	71%
Interest and Investment Revenue	168	337	169	101%
Other Revenues	111	285	174	157%
Grants and Contributions	8,894	6,850	(2,044)	(23%)
Gains from Disposal of Assets	288	0	(288)	(100%)
	<hr/>			
Total Income	15,764	15,477	(287)	(2%)
<b>Expenses from Continuing Operations:</b>				
Employee Benefits and Oncosts	4,475	4,700	225	5%
Borrowing Costs	33	37	4	12%
Materials and Contracts	2,557	3,176	619	24%
Depreciation and Amortisation	1,836	3,487	1,651	90%
Other Expenses	1,666	1,684	18	1%
Net Losses from the Disposal of Assets	0	500	500	
	<hr/>			
Total Expenses	10,567	13,584	3,017	29%
	<hr/>			
Net Operating Result	5,197	1,893	(3,304)	(64%)

Attached is a summary of Council's cash reserves (restricted assets) as at 30 June 2011. The summary shows also the movements to and from the reserves, which is included at Note 6c (Pages 40 and 41) of the Financial Reports.

Note 16 (Page 64) of the Financial Report summarises the material variations (greater than 10%) from the original budget in respect of the major categories of operating income and expenditure. In addition to the summarised variations and brief comments provided at Note 16, the following additional information and comments in relation to significant matters are provided.

**Employee Leave Entitlements – Note 10a (Page 48)**

Council's aim to reduce the employee leave entitlement liability was achieved. Despite a 2.6% award increase, together with wages increases (estimated 1.2%) resulting from progressions on Council's salary system, the total liability decreased by 11% from \$1.63million to \$1.45million partly as a result of the resignation of senior and long serving employees and partly as a result of a management initiative to ensure a reduction in excess leave due to employees.

**Private Works Income – Note 3 (Page 28)**

Income from private works totalled \$2.6million compared with budgeted income of \$1.03million (increase of \$1.57million) due principally to works undertaken on State Roads for the Roads and Traffic Authority. Expenditure incurred to realise private works income totalled \$2.2million.

**Depreciation – Note 4 (Page 35)**

The significant increase in depreciation expense for the year (budget: \$1.8million; actual: \$3.5million) resulted from the implementation of fair values on roads infrastructure assets, together with a change in the methodology for the calculation of depreciation in accordance with the Assets Management Plan adopted in May 2011. This was done to meet the requirements of the NSW Department of Local Government and in accordance with the revised Local Government Accounting Standards.

Previously, the straight line method for the calculation of depreciation was used based upon the assumption that the average life of all components of roads infrastructure assets totalled 55 years. The new methodology is based upon the revised estimated life cycle, given the condition assessment criteria provided in the Assets Management Plan, which projects an average of life substantially less than previous projections. The revised projected life of each component varies significantly, depending upon the assessed condition.

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

**Net Losses from the Disposal of Assets – Note 5 (Page 37)**

The 2010-2011 budget provided for a net gain of \$288,000 on the disposal of assets from the sale of:

- Residential Industrial Land \$270,000
- Surplus Motor Vehicle (Development Department) \$ 18,000

A net loss from the disposal of assets was incurred as follows:

- Loss on sale of plant and equipment \$126,000
- Loss on disposal of roads infrastructure assets \$471,000

Offset by gains on:

- Sale of Surplus Motor Vehicle (Development Department) \$ 18,000
- Sale of Residential and Industrial Land \$ 79,000

**Water Supply Service – Income Statement (Page P2)**

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.

This scenario has been evident now for the last three years 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.

The current financial situation has arisen despite Council’s action in increasing water supply charges by 10% over the last three years and is the result of:

- Ongoing increasing fixed costs of maintenance of water infrastructure assets, despite a reduction in residential consumption;
- Reduced income from residential water consumption charges, initially as a result of water restrictions implemented during the drought years (but consumption has not increased significantly since the relaxation of restrictions);
- The cost of purchase of water from the Fish River Supply scheme has increased significantly.

### Legislative Statement

In accordance with Section 413 (2) (c) of the Local Government Act, 1993, the reports include "... a statement in the approved form by the Council as to its opinion on the general purpose financial report".

The Local Government (General) Regulation 2005 requires that the statement:

- "(a) be made by resolution of the Council, and*
- (b) be signed by:*
  - (i) the Mayor, and*
  - (ii) at least one other member of the Council, and*
  - (iii) the responsible accounting officer, and*
  - (iv) the General Manager (if not the responsible accounting officer)."*

The statement must indicate:

- "(a) whether or not the Council's annual financial reports have been drawn up in accordance with:*
  - (i) the Act and the regulations, and*
  - (ii) the Code and the Manual, and*
  - (iii) the Australian Accounting Standards, and*
- (b) whether or not those reports present fairly the Council's financial position and operating result for the year, and*
- (c) whether or not those reports accord with the Council's accounting and other records, and*
- (d) whether or not the signatories know of anything that would make those reports false or misleading in any way, and include such information and explanations as will prevent those reports from being misleading because of any qualification that is included in the statement."*

Following receipt of the Auditor's Report Council will (under Sections 416 and 418 of the Local Government Act 1993) be required to:

- Fix a date for a meeting at which it proposes to present its audited financial reports, together with the auditor's reports, to the public (Section 418(1)(a)).
- Give public notice of the date fixed for the meeting (Section 418(1)(b)).
- Present the reports to the public on the date fixed (Section 419(1)).
- Ensure that any submissions received from the general public in response to presentation of the reports be referred to the auditor (Section 420(3)).
- Section 419(2) of the Act states that "...Council's auditor may, and if so required in writing by the Council, must attend the meeting at which the financial reports are presented".

### *Attachments*



11.02.09\_Attachment  
\_A\_Restricted\_Cash\_a



11.02.09\_Attachment  
\_B\_2011\_General\_Pur



11.02.09\_Attachment  
\_C\_2011\_Special\_Pur



11.02.09\_Attachment  
\_D\_Special\_Schedules

### *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

## 11.02.10 Draft Community Engagement Policy

### *Executive Summary*

Council is required, in conjunction with the preparation of its Community Strategic Plan, to develop a Community Engagement Policy. This Community Engagement Policy sets out why and how the community will be engaged by Council in future planning and decision-making processes. The policy also confirms the Council's continuing commitment to meaningful engagement and collaboration with community in general and local partner organisations.

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### *For Council Decision*

#### *Recommendation:*

That the draft Community Engagement Policy included with this report be adopted.

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### *Background*

Council is required, in conjunction with the preparation of its Community Strategic Plan, to develop a Community Engagement Policy. This Community Engagement Policy sets out why and how the community will be engaged by Council in future planning and decision-making processes. The policy also confirms the Council's continuing commitment to meaningful engagement and collaboration with community in general and local partner organisations.

As outlined in clause five of the draft policy it is important note that Council does not wish to 'over consult' its residents when it already has considerable community feedback from residents on key issues. Consequently it is intended to utilise, for input into the Draft Community Strategic Plan, information already collected through earlier community engagement processes. Those sources include:

- Land Use Strategy developed for the current LEP Review
- Current Social and Community Plan reviewed in 2010
- Current Management Plan adopted in June 2011
- Meetings with residents of Black Springs, Burruga and O'Connell
- Consultation on specific issues (e.g. waste management facilities at Black Springs and Burruga)

The summary at pages nine, ten and eleven the Draft Community Engagement Strategy outlines the intended timeframes for the community consultation process leading up to the adoption of the Community Strategic Plan in June 2012.

### *Attachments*



11.02.10\_Attachment  
\_A\_Draft\_Community\_

*Statutory Environment*

Local Government Act 1993

*Policy Implications*

This is a new policy created as a requirement for the preparation of Council's Community Strategic Plan

*Financial Implications*

Nil

*Strategic Implications*

Nil

*Officers Comment*

Nil

*Consulted With*  
General Manager

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File No: C15.7  
Author: John Chapman  
Date: 10 October 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.

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### 12.01.01 Monthly Update Report – Engineering Department

---

The following items are presented for Councillors information and are reflective of the period 1 September – 30 September 2011.

#### 1. General Fund

##### *Tennis Courts*

Landscaping, access road and fencing are complete. Signage is being investigated.

##### *Heavy Patching*

Heavy patching is in progress on Campbells River Road.

#### 2. RTA Works

##### *O'Connell Avenue*

The upgrading and sealing of Box Flat Road has been completed. This will be used as an alternative route while construction is in progress through the avenue.

Reconstruction on O'Connell Road through the avenue commenced on 26 September 2011.

##### *Edith Road Curve Widening*

The Roads and Traffic Authority has allocated funds to widen a number of curves on Edith Road, as a black spot project. Survey and design are in progress.

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

#### *Parkes Street Rock Wall*

Further stone pitching works are in progress around the pedestrian bridges at the bottom of Church Hill. The purpose is to prevent scouring, protect the sewer main, and improve a difficult to maintain area.

### **4. Sewer Fund**

Nil

### **5. Water Fund**

The replacement of a section of water main at the Golf Club is in progress.

### **6. External Meetings**

Nil

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

Tenders for four contracts closed on 14 September 2011. These are currently being assessed. Discussions are continuing with NSW Office of Water in relation to licencing requirements. Negotiations continue with end users and to secure sites for dam construction. A full report will be brought to the November 2011 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**

See further report for the purchase of a new truck and dog.

### **10. Staff Training**

- OHS/Risk Management - Centroc group meeting
- Forests NSW – drainage and erosion requirements
- Water Plant operation, OHS module
- OHS inductions for new staff

## 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 south of Sewells Creek Road.
- Heavy patching on O'Connell Road and Duckmaloi Road.

## 12. Other

Nil

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File: A1.2.1  
Author: Aruna Wickramasinghe  
Date: 11 October 2011

**12.01.02 Status Report**

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*Resolution Number* – 44200911 - Purchase of Truck and Trailer

That the purchase of the truck and trailer be deferred until such time as the new Director of Engineering has an opportunity to review the matter and provide a further report to the October Council Meeting.

*Status*

See further report to the October meeting

---

*Resolution Number* – 42200911 - Central NSW Councils (Centroc) Compliance and Cost savings program – Road Signs Contract

That Artcraft and Road Management Solutions be selected as the two preferred providers for Council's road signs procurement for the contract period of 24 month.

*Status*

Complete

Matter Closed

---

*Resolution Number* – 33200911 Roads to Recovery Program

That Oberon Council calls on the Federal Government to:

- Recognise the successful delivery of the Roads to Recovery Program by Local Government since 2000
- Continue the Roads to Recovery Program on a permanent basis to assist Local Government meet its responsibilities of providing access for its communities
- Continue the Roads to Recovery Program with the current administrative arrangements; and
- Provide an increased level of funding under a future Roads to Recovery Program that recognises the shortfall of funding on local roads of \$1.2 billion annually

*Status*

Letters sent

Matter Closed

---

*Resolution Number* – 32200911 - Central NSW Councils (Centroc) Compliance and Cost savings program – Bitumen Emulsion Contract

That Council participate in the Central NSW Councils regional bitumen emulsion contract.

*Status*

Complete

Matter Closed

---

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*

Works Committee scheduled for November 8 2011.

---

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.

---

Campbells River Road

Councillor Francis asked a question in relation to Campbells River Road. Further past the work that has been carried out there are sections of the edge that have broken up. Will this be repaired?

The Works Manager replied that he has not inspected this area as yet, but has had discussions with the Overseer. The Works Manager undertook to inspect this section of road.

*Status*

Inspection carried out. Section mentioned by Cr Francis has been repaired.

Matter Closed

---

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 approx. 2 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:

1. The Minutes of the Oberon Sports Complex Committee Meeting held on Wednesday 24 August 2011 be received for information.
2. 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

---

Lowe's Mount Road

Councillor Gibbons asked if it was possible to erect speed advisory signs on the sharp curves on Lowe's 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.

---

*Resolution Number – 06160811 - Traffic Advisory Local Committee Meeting*

That:

1. The Minutes of the Traffic Advisory Local Committee Meeting held on 4 August 2011 be received and noted
2. The application for 25m B-Doubles access on Edith Road, from “Lochgary” to near Bastard Point Road, not be approved
3. The application for Higher Mass Limit access on Hazelgrove Road, from Albion Street to Oberon Abattoir, for eligible freight operators be approved.

*Status*

1. Noted
2. Complete
3. Complete

Matter Closed

---

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 stop 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*

Provision to be made in the first quarterly budget review and a contractor is being engaged to progress the works.

---

*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 bought 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: 6 October 2011

## 12.02 Reports for Decision

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### 12.02.01 Land and Property Management Authority Proposal to Close Various Crown Roads

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#### *Executive Summary*

The Land and Property Management Authority (LPMA) propose to close a number of unused Crown Roads located in the Oberon LGA.

This proposal has come about as these roads appear to the LPMA to be no longer required.

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#### *For Council Decision*

#### *Recommendation:*

That Council make no objection to the closure of the roads listed.

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#### *Background*

The Land and Property Management Authority have written to Council on three separate occasions in recent weeks advising their intentions to close a number of Crown Roads.

The following is a list of the first five areas in which various Crown Roads have been identified. (Road maps attached – Attachment A). An advertisement was placed in the Oberon Review on 15 September 2011 advising of the LPMA's intentions to close the roads and inviting submissions from relevant authorities and adjoining land owners concerning the proposals.

1. Roads at Dog Rocks within and adjoining "Yarrowong" off Swallows Nest Road  
*Applicants* – Zane and Sharon Cosgrove
2. Roads at Bald Ridge, off Bald Ridge Road, adjacent to 1059 Bald Ridge Road.  
*Applicant* – Darrell Webster (Bimbedeena)
3. Roads at O'Connell, within and adjoining 112 Saunder's Road.  
*Applicant* – Peter Hurd
4. Roads at Jeremy and Ballyroe, within and adjoining Jeremy Station.  
*Applicants* – Jeffery, Colleen and Martin Bates, and Melinda and Gregg Longmuir.
5. Roads at Oberon, adjoining 404 O'Connell Road and roads between this property and Lowes Mount Road.  
*Applicant* – Burgh Holdings Pty Ltd.

The following is a list of the second five areas in which various Crown Roads have been identified. (Road maps attached – roads indicated by black, orange and pink colouring – Attachment B).

An advertisement was placed in the Oberon Review on the 22 September 2011 advising of the LPMA's intentions to close the roads and inviting submissions from relevant authorities and adjoining land owners concerning the proposals.

1. Roads at Black Springs and Essington, between Essington State Forest, Dog Rocks Road and Beaconsfield Road.
2. Roads at O'Connell between Purdon's Lane and Beaconsfield Road, within and adjoining "Clearview" and "Tumblegum".
3. Roads at Norway off Abercrombie Road, within and adjoining "Wilga" and "Nestle-Brae".
4. Roads and closed roads at Oberon, between Titania Road, Edith Road, Fish River and Duckmaloi Road (exclusive of non-crown roads within the North-East Subdivision) and within 2009 Edith Road.
5. Roads at Dog Rocks and Black Springs, off Dog rocks Road, within "Wattle grove" and within and east of 1245 Dog Rocks Road.

The following is a list of the third four areas in which various Crown Roads have been identified. (Road maps attached – roads indicated by black and orange colouring on attached maps – Attachment C)

1. Roads Campbell's River Road. (Map A)  
Parish: Swatchfield, Walbrook and Beemarang  
County: Westmoreland and Georgiana.
2. Roads Beattie Road. (Map B)  
Parish: Norway  
County: Westmoreland.
3. Roads Hazelgrove Road. (Map C)  
Parish: Blenheim  
County: Westmoreland.
4. Roads Faugha Ballaugh (Map D)  
Parish: Oberon  
County: Westmoreland.

An advertisement was placed in the Oberon Review on 13 October 2011 advising of The LPMA's intentions to close the roads and inviting submissions from relevant authorities and adjoining land owners concerning the proposals.



*Attachments*



12.02.01\_Attachment  
\_A\_Maps\_Road\_Closu



12.02.01\_Attachment  
\_B\_Maps\_Crown\_land



12.02.01\_Attachment  
\_C\_Maps\_LPMA\_Road

*Statutory Environment*

The LPMA is taking this action under the Crown Lands Act 1989.

*Policy Implications*

There are no relevant Council policies.

*Financial Implications*

Nil cost to Council.

*Strategic Implications*

Nil Identified.

*Officers Comment*

Nil

*Consulted With*

Ian Tucker – Works Manager

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File: E31.6.2  
Author: Matilda Dwyer  
Date: 7 October 2011

**12.03.01 General Business - Engineering**



## 13 General Manager Reports

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### 13.01 Reports for Information

#### *Recommendation*

That the General Manager reports for information as presented in Report 13.01.01 to 13.01.03 of the Business Papers be received and noted by Council.

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### 13.01.01 Monthly Update Report – General Manager

The following items are presented for Councillors information and are reflective of the period September 1 to 30 2011.

#### 1. Staff Matters

- a) Executive Management

Regular meeting continue with the executive management team.

#### 2. Workplace Health and Safety Matters

- a) Incidents

Nil injuries during September.

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

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

- a. BMLOT Board meeting
- b. Community Safety Precinct Committee Meeting with Councillor Sullivan
- c. Community Donations Presentation with Councillors
- d. Oberon Business Association Meeting
- e. Oberon Interagency Meeting
- f. Friends of the Oberon Library Meeting with Councillor O’Bernier

#### Committee Meetings

I have attended the following Committee meetings this month:

- a. Internal Audit Committee Meeting with Councillor Sullivan, Director of Corporate Services and the Executive Assistant

**Other Meetings of Note**

- a. Meeting with Paul Toole and Councillors
- b. Meeting with Lithgow City and Blue Mountain City Councils
- c. Performance Review Meeting with Councillors
- d. Rural Fire Services Meeting with Director of Corporate and Finance Manager
- e. Forest NSW Meeting with Councillors and Directors
- f. Indoor Sports and Community Centre inspection with Councillors
- g. Meeting with Councillor Gibbons, Director of Development and Acting Director of Engineering
- h. Lunch Box Presentations to staff
- i. Meeting with the Department of Sustainability, Environment, Water, Population and Communities regarding the Storm Water Harvesting project with the Director of Engineering and Works Manager
- j. Lithgow City Council tourism strategy presentation with the Tourism Development Officer
- k. Piper Alderman Teleconference with the Director of Corporate Services

**4. Events Calender**



13.01.01\_Attachment  
\_A\_Calendar\_October



13.01.01\_Attachment  
\_B\_Calendar\_Novemb

**5. Library**

A summary of the statistics for the year to 30 September 2011 compared with the period to 30 September 2010 is provided.

Membership as at 30 September 2011	3431
New Borrowers for the Month of July	26
Total Number of Items Issued	1,977
Computers Issued	210
Members borrowing from the Library	822
People visiting the Library	1033

**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



13.01.01\_Attachment  
\_C\_Library\_Statistical\_

**6. Use of Reportable Delegations**

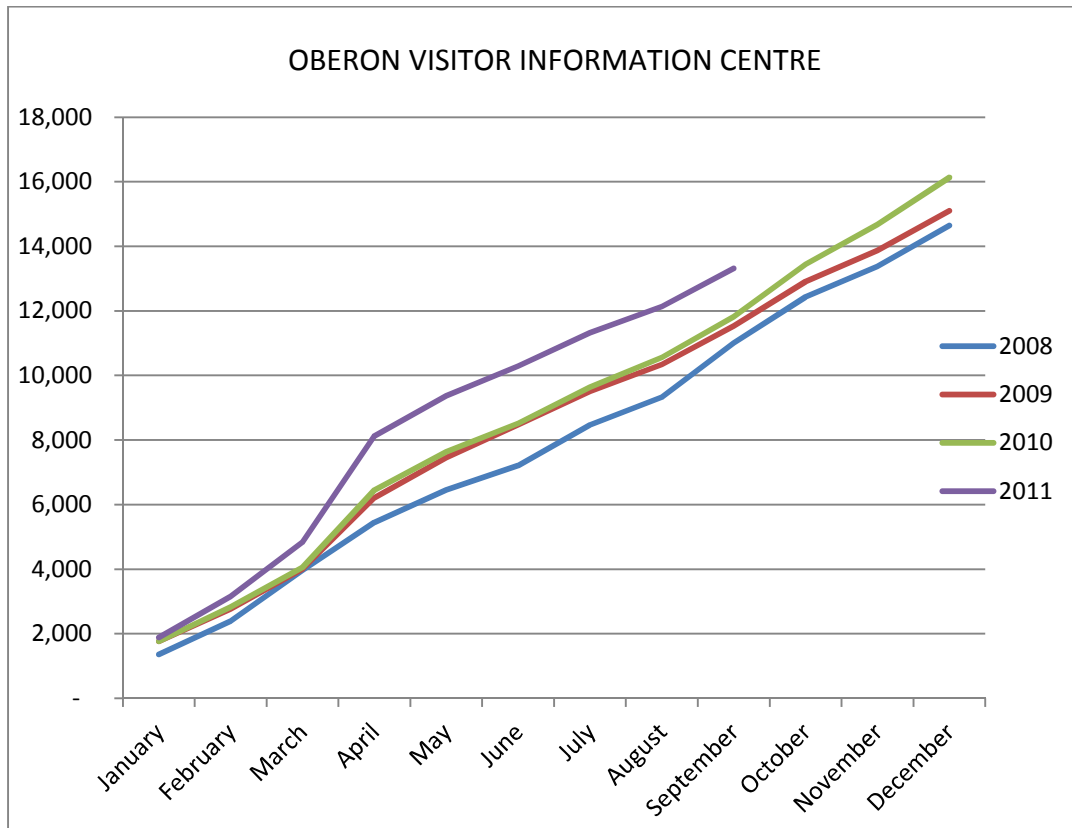
None to report

**7. Economic Development**

a) General

Nil to report

- b) Tourism
  - i. Oberon Visitor Information Centre



13.01.01\_Attachment  
\_D\_Council\_Tourism\_I

- ii. Tourism Events

### Kanangra Classic Family Day

Final planning continues for the Kanangra Classic Family Day to be held on Saturday October 15. Details available on the [www.oberonaustralia.com](http://www.oberonaustralia.com) website under coming events.

Activities include a jumping castle, sausage sizzle, snow cones, school P and C's raffle, face painting, Friends of Oberon Library selling books, Oberon Show Society information stall, Telstra Careflight, Steam Heritage Vintage Fair display, Lithgow – Oberon – Bathurst (LOB) visitor information, Jenolan Caves and Rural Fire Service display.

National Parks and Wildlife Services has Wanda the Wombat attending and an information stall as well as guided bike rides at 2:30pm, prizes for best dressed bike and riders, bike skills and relays. There are 200 show bags filled with National Parks information and free water bottle as well as local bike maps from Oberon Council.

### **Spring Garden Festival**

Work on the Oberon and Villages Spring Garden Festival is completed. Spring Garden Festival brochure was sent out to all household in Oberon LGA. The winner of the Oberon Essential Energy Photographic Competition will be announced at the St Barnabas Spring Fair Saturday 22 October at 2pm.

#### iii. Topical Tourism

Ideas and plans are underway to continue developing cycling events within the Oberon, Lithgow and Bathurst regions between Council tourism departments.

OPTA has nominated their Product Demand Funding allocation of \$25 000 to go towards developing cycling signage and comprehensive brochures for the National Parks. National Parks and Wildlife officers will be taking the project forward.

#### iv. Marketing – Publications

The Tableland Way third publication of the Tablelands Way magazine will be released at the end of October 2011 as the In-Flight magazine over Summer 2011/2012 period. The Tablelands Way magazine has been proofed by all the participating Councils with favourable comments made by all, of the overall appearance and information.

#### v. Marketing – Media

Mayfield Garden was featured on Channel 7 Sunrise Weather Tuesday 5 October 2011.

Mike Smith freelance journalist did a 20 minute presentation on Oberon and surrounds on the weekend of 8 and 9 October on 2UE. Detailing the events, activities, eateries and accommodation for Oberon and Villages.

#### vi. Marketing – Consumer Shows

Plans are in place to attend the Canberra Home and Leisure Show as part of a consortium of Councils and Jenolan Caves to promote the Tablelands Way.

## **8. Regional / State Matters**

### **a) Election 2012**

The next general Local Government elections are to be held in September 2012. The Local Government Act has been amended to allow Councils to administer their own elections.

By November 30 2011 Council must resolve to either engage the NSW Electoral Commission to conduct the 2012 or make arrangements with a third party service provider or undertaken to conduct the election themselves.



LGSA is seeking information on behalf of Councils regarding the use of a third party service provider. A report will come to the November 2011 Ordinary Meeting of Council for resolution.

Initial discussions with the NSW Electoral Commission have provided the attached information.



13.01.01\_Attachment  
\_E\_September\_2012\_

Given the experience of the 2010 by-election it is not believed that Council has the internal resources, capabilities, knowledge, systems and procedures required to conduct the 2012 election ourselves.

## **9. Other Matters**

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

Work has commenced on the bathroom renovation.

### **b) Realignment**

With the recruitment of the Community and Customer Services Manager the realignment is essentially completed.

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File: A1.2.1  
Author: Leanne Mash  
Date: 08 October 2011

**13.01.02 Staff Appointments**

---

*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 part-time Information Technology Officer and Junior Visitor Information Centre Assistants have been appointed.

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*For Council Information*

*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 Mr Mark Beynon has been appointed as part-time Information Technology Officer and Ms Sarah Jane Holland and Ms Nadine Roach have both been appointed as Junior Visitor Information Centre Assistants.

*Attachments*

No Attachments

*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

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File: C19.1  
Author: Joanne Barton  
Date: 7 September 2011

### 13.01.03 General Manager Status Report

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*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.

---

*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.

---

*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.

---

## 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.

*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.

---

*Resolution Number – 05160811 - Events Committee Meeting Minutes*

That:

2. Mr David McMurray be invited to remain on the Events Committee as a community representative
3. Mr Jim Hawkes be appointed as the Highlands Steam and Vintage Fair delegate to the Events Committee

*Status*

Letters written – await response.

*October Update*

Both Mr McMurray and Mr Hawkes have responded and accepted nomination to the Events Committee.

Matter Closed

## 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.

---

## *Resolution* Number – 05190711 - Seniors Welfare Committee

That

2. The Minutes of the Seniors Welfare Committee Meeting held on 20 June 2011 be received and noted.
3. 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.

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*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.

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*Resolution Number* – 20170511

That the General Manager be requested to provide a detailed report reviewing the expenditure on Library capital items and its impact on the service provided at the Library after the first three months of the 2011/12 budget.

*Status*

Noted

*October Update:* Once the final budget for 2011-12 was adopted there was no decrease in expenditure for the library capital items budget. The budget for 2010-11 was \$20 000 and the final resolved budget for 2011-12, after carrying forward unspent funds from 2010-2011, was \$ 20 000.

Matter closed



*Resolution Number – 02170511 – Black Springs Anglican Church*

That Council notes the plan to relocate the Anglican Church from Black Springs and the General Manager is requested to engage with the residents and community of Black Springs with regard to this matter.

*Status*

Director of Planning and the General Manager met with residents, discussed options and a way forward regarding future developments. Letter sent to the governing body with a copy of the resident's petition. Await response.

*August update:* No DA received to date.

Matter closed

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*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

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*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.

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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.

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*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.

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*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

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*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.

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*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: 8 October 2011

## 13.02 Reports for Decision

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### 13.02.01 January Ordinary Council Meeting

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#### *Executive Summary*

In November 2010 Council took a decision to not hold an Ordinary Council Meeting during January 2011.

Council is requested to consider not holding an Ordinary Council Meeting during January 2012.

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#### *For Council Decision*

#### *Recommendation:*

That the Ordinary Council Meeting scheduled to be held in January 2012 not be held.

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#### *Background*

Section 365 of the Local Government Act states that the Council is required to meet at least 10 times each year, each time in a different month.

Council took a decision to not hold a meeting during January 2011 for a number of reasons including an effort to assist with reducing staff leave levels. This proved beneficial and the Council's leave liability during the nine months since December 2010 has reduced by 800 days.

In addition having no ordinary meeting in January is a significant contributing strategy to 'freeing up' additional staff to access and use annual leave entitlements during the month. Without this in place the leave taken in January would most likely reduce as key staff involved in meeting preparations would then have to work during some of that period.

Traditionally there is little business that requires Council's consideration during the Christmas - New Year period, particularly with other sectors not working during this period.

Council received no negative feedback regarding the decision to defer the January 2011 Ordinary Meeting.

#### *Attachments*

Nil

*Statutory Environment*

Section 365 of the Local Government Act, 1993

*Policy Implications*

Not Applicable

*Financial Implications*

Reduction in Council's leave liability.

*Strategic Implications*

Not applicable

*Officers Comment*

Nil

*Consulted With*

General Manager

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File No: A1.2.1  
Author: Sharon Swannell  
Date: 7 October 2011

## 13.02.02 Constitutional Recognition of Local Government

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### *Executive Summary*

The Australian Local Government Association has requested that Council make a submission to the Discussion Paper issued by the Expert Panel on the Constitutional Recognition of Local Government.

Submissions must be received by November 4 2011.

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### *For Council Decision*

#### *Recommendation:*

That Council make a submission to the Discussion Paper issued by the Expert Panel on the Constitutional Recognition of Local Government supporting the option of financial recognition for Local Government in the Australian Constitution through the amendment of Section 96.

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### *Background*

The Australian Local Government Association has requested that Council make a submission to the Discussion Paper issued by the Expert Panel on the Constitutional Recognition of Local Government.

Submissions must be received by November 4 2011. The Expert Panel has been given two key tasks:

- to assess whether there is sufficient support in the Australian community to recognise Local Government in the Constitution
- to provide recommendations to the Government on specific changes that could be made to the Constitution to bring about such recognition

Council have already made a previous resolution supporting constitutional recognition of Local Government.

One of the options being considered by the Expert Panel is that of financial recognition of Local Government through constitutional reform which would then allow direct a funding relationship between the Commonwealth and Council.

Most Commonwealth funding to Local Government is paid to State Governments, which then pass the funds on to Local Governments. However, the Commonwealth Government also has a number of programs for Local Government under which grants are paid directly to local Councils.

In 2009, the High Court declared that the constitutional basis on which the Commonwealth had traditionally relied to support the legality of direct grants to Local Government did not do so. Many constitutional lawyers doubt that any other head of Commonwealth power can

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support the kind of direct funding of Local Government that now exists. It could be years before the High Court decides the matter. In the interim, important Commonwealth funding arrangements, such as the Nation Building Roads to Recovery Program and the Regional and Local Community Infrastructure Program are of questionable legality.

It is possible to replace direct Commonwealth funding of Local Government by providing grants to the States on the condition that they pass those funds directly to Local Government. However, the experience of Local Government is that this can sometimes lead to delays, increased costs and a significant reduction in the funds available to deliver the services that the Commonwealth wishes to support.

An option for constitutional recognition of Local Government, therefore, involves changing the Constitution to ensure that the Commonwealth Government can provide funding directly to local Councils, without having to pass the funding through State Governments. There is widespread support for this change among Local Government bodies, which are greatly concerned about the current legal uncertainty.

One way to resolve questions about the Commonwealth's capacity to directly fund Local Government is to amend section 96 of the Constitution, which deals with funding from the Commonwealth Parliament to the States. Section 96 could be amended to ensure that Local Government has the same ability to access funding from the Commonwealth as the States currently have.

The Expert Panel is seeking opinion on whether the Constitution should be changed to explicitly say that the Commonwealth Government can provide funding directly to local Councils.

This information was and further information can be sourced from:

<http://www.localgovrecognition.gov.au/>

### *Attachments*



13.02.02\_Attachment  
\_A\_ALGA\_Correspond

### *Statutory Environment*

Section 96 of the Australian Constitution

### *Policy Implications*

Nil

### *Financial Implications*

Nil

*Strategic Implications*

Wide ranging for Local Government.

*Officers Comment*

*Consulted With*

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File: A1.4.6  
Author: Leanne Mash  
Date: October 08 2011



### 13.02.03 Funding Opportunities

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#### *Executive Summary*

The NSW Government has recently announced its Community Building Partnership Fund 2011 is currently accepting applications. Funding is available to assist in delivering improved community infrastructure and to encourage the enhancement of local community based activities.

Council has previously received funding from the Community Building Partnership Fund to construct the extension at the Oberon Community Centre and to assist with the enclosure of the Oberon Indoor Sports and Tennis Centre. Other projects in Oberon such as the Oberon Men's Shed have also received funding from this program.

The Optus Regional Community Grants Program 2011 is also calling for applications. Grants of up to \$10,000 are available for projects that support regional Australian communities across the areas of sports, art, the environment, local community development, social inclusion and supporting disengaged youth.

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#### *For Council Decision*

#### *Recommendation:*

That an application be submitted to the NSW Community Building Partnership Fund for a suitable community infrastructure project identified by Council.

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#### *Background*

The NSW Government has recently announced its Community Building Partnership Fund 2011 (CBP) is currently open. Funding is available to assist in delivering improved community infrastructure and to encourage the enhancement of local community based activities.

Council has previously received funding from the Community Building Partnership Fund to construct the extension at the Oberon Community Centre and to assist with the enclosure of the Oberon Indoor Sports and Tennis Centre. Other projects in Oberon such as the Oberon Men's Shed have also received funding from this program.

Council has previously identified several community projects as a priority for funding. A summary of these is as follows along with an estimated cost to complete the works:

- Shade Structure at the Oberon Community Centre - \$15,000
- Rehabilitation of Oberon Sporting Fields - \$82,000
- Main Street Footpath rehabilitation - \$50,000
- Refurbishment of the Toilets at Cunynghame Oval - \$38,000.
- Gymnasium Roof at the Oberon Indoor Sports and Tennis Centre - \$80,000
- Refurbishment of the Oberon Netball Court Toilets - \$38,000
- Oberon Common – Stage Two

- Black Springs Tennis Courts refurbishment
- Dog off leash exercise area
- Cycle Paths through the common
- Children's traffic safety education park \$40,000
- Interactive information and interpretive material for visitors - \$30,000

Funding under the CBP fund is made available to each Electoral District and the Bathurst Electorate has been allocated \$400,000 in this round of funding.

Councils are required to provide dollar for dollar matching contributions to the CBP grants.

The Optus Regional Community Grants Program 2011 is also calling for applications. Grants of up to \$10,000 are available for projects that support regional Australian communities across the areas of sports, art, the environment, local community development, social inclusion and supporting disengaged youth.

The Optus Regional Community Grants Program 2011 is available for organisations that have been endorsed by the Australian Taxation Office as Tax Concession Charities and Deductible Gift Recipients. Community organisations are encouraged to apply for funding under this program.

#### *Attachments*



13.02.03\_Attachment  
\_A\_Community\_Buildir



13.02.03\_Attachment  
\_B\_Optus\_Regional\_G

#### *Statutory Environment*

Nil

#### *Policy Implications*

Nil

#### *Financial Implications*

Funding for the Community Building Partnership Fund requires a dollar for dollar contribution from Council.

#### *Strategic Implications*

Not Applicable

#### *Officers Comment*

Nil

*Consulted With*

Community Liaison Officer  
General Manager

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File No: A5.3  
Author: Sharon Swannell  
Date: 7 October 2011

### 13.02.04 Nominations for CENTROC Executive

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#### *Executive Summary*

Nominations are now open for the CENTROC Executive. Elections will be held at the Annual General Meeting of the CENTROC Board on Thursday 24 November 2011.

The following positions are available for nomination:

- Chair
  - Vice Chair
  - Executive Member
- 

#### *For Council Decision*

#### *Recommendation:*

Submitted for Council's consideration.

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#### *Background*

Nominations are now open for the CENTROC Executive. Elections will be held at the Annual General Meeting of the CENTROC Board on Thursday 24 November 2011.

The following positions are available for nomination:

- Chair
- Vice Chair
- Executive Member

A copy of the nomination forms is enclosed for Council's information.

Nominations must be received by close of business Thursday 17 November 2011.

#### *Attachments*



13.02.04\_Attachment  
\_A\_Nomination\_Form\_

#### *Statutory Environment*

Nil

*Policy Implications*

Nil

*Financial Implications*

There is an allocation in the 2011-12 budget for Councillors delegate expenses.

*Strategic Implications*

Nil

*Officers Comment*

Nil

*Consulted With*

General Manager

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File No: A4.2  
Author: Sharon Swannell  
Date: 7 October 2011

**13.02.05 Delegate to Oberon Correctional Centre Community Consultative Committee**

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*Executive Summary*

By letter, received on Friday 30 September 2011, the Oberon Correctional Centre has written requesting interested persons to nominate to become a member of the Oberon Correctional Centre Community Consultative Committee.

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*For Council Decision*

*Recommendation:*

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

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*Background*

By letter, received on Friday 30 September 2011, the Oberon Correctional Centre has written requesting interested persons to nominate to become a member of the Oberon Correctional Centre Community Consultative Committee.

The Oberon Correctional Centre Community Consultative Committee has lapsed over the past twelve months and staff at the Centre are currently re-activating the committee. Previously Councillor Handelsmann has served as a delegate to this committee.

The primary purpose of the committee is to:

- Assist in the development and maintenance of a positive relationship with the local community
- Provide a forum for local community consultation and comment on correctional programs and procedures
- Facilitate the involvement of the local community in correctional centre programs
- Provide a mechanism to identify appropriate programs in which the correctional centre can participate and assist in the local community, and
- Assist in the establishment of worthwhile community partnerships.

*Attachments*

Nil

*Statutory Environment*

N/A

*Policy Implications*

Nil

*Financial Implications*

There is an allocation in the 2011-12 budget for Councillors delegate expenses.

*Strategic Implications*

Nil

*Officers Comment*

Nil

*Consulted With*

General Manager  
Mayor

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File No: A2.1  
Author: Sharon Swannell  
Date: 7 October 2011

### 13.02.06 Waste to Art Competition 2012

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#### *Executive Summary*

The Friends of the Oberon Library (FOOL's) have written to Council seeking their support for the 2012 Waste to Art Competition.

The FOOL's have asked Council to consider donating \$500 towards the 2012 competition, which will be used towards prize money for the event. The FOOL's are also seeking support from Council with the printing of material, promotion and coordination of the event.

Council donated \$250 towards prizes and provided a co-ordinator to assist with this project in 2010-11.

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#### *For Council Decision*

#### *Recommendation:*

That support be given to the Waste to Art Project 2012 as proposed by the Friends of the Oberon Library by providing a Council resource to assist with the production of promotional and associated materials for the event project to the value of \$\_\_\_\_ and \$\_\_\_\_ cash contribution towards prizes for the event to be funded from the discretionary donations budget.

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#### *Background*

The Friends of the Oberon Library (FOOL's) have written to Council seeking their support for the 2012 Waste to Art Competition.

The Waste to Art project is a NetWaste initiative sponsored by Sims Metal. It is a community art exhibition and competition that shows creative works made from reused and recycled materials. The FOOL's have assisted in facilitating both the 2010 and 2011 competitions. The event in 2010-11 was held in the new room at the Community Centre and it is likely that the event for 2011-12 will also be held there.

The FOOL's have asked Council to consider donating \$500 towards the 2012 competition, which will be used towards prize money for the event. In 2010-11 the amount donated by Council was \$250 plus in kind support for the design, collation and printing of promotional and associated materials.

The FOOL's are also seeking support from Council with the printing of material, promotion and coordination of the event. No provision has been made in Council's 2011-2012 budget for such a contribution. When Council undertook this support role in 2010-11 it amounted to approximately \$530 including material resources and officer time.

The recurrent donations budget (\$42,161) was fully committed following Council's consideration of submissions received from community groups early in 2011. No submission was received at that time to assist with the 2012 Waste to Art event. The discretionary donation budget of \$2,000 may be used to accommodate this request, subject to

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consideration of the request for assistance with the Carols in the Caves event (separate report to this meeting).

In 2011-12 the FOOLS plan to extend the reach of the Waste to Art Competition and are in particular targeting high school students. Further information in relation to the FOOL's request is contained in the letter attached for Council's information.

#### *Attachments*



13.02.06\_Attachment  
\_A\_Waste\_to\_Art\_201

#### *Statutory Environment*

Local Government Act 1993, Section 356

#### *Policy Implications*

The request meets the criteria contained in Council's Financial Assistance Policy.

#### *Financial Implications*

The discretionary donation budget of \$2,000 could be used to accommodate this request, subject to consideration of the request for assistance with the Carols in the Caves event.

#### *Strategic Implications*

Nil

#### *Officers Comment*

Nil

#### *Consulted With*

Director of Corporate Services  
General Manager

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File No: C20.1  
Author: Sharon Swannell  
Date: 7 October 2011

### 13.02.07 Establishment of PCYC

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#### *Executive Summary*

The NSW Government is seeking expressions of interest from Councils who wish to establish a new PCYC in their Local Government Area.

Funding will be provided in financial years 2011-12 to 2014-15 to support the establishment of a new Club, including the allocation of two Police Officers and one Manager in each club.

Expressions of interest must be lodged with PCYC by Monday 31<sup>st</sup> October 2011.

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#### *For Council Decision*

#### *Recommendation:*

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

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#### *Background*

The NSW Government is seeking expressions of interest from Councils who wish to establish a new PCYC in their Local Government Area.

Funding will be provided in financial years 2011-12 to 2014-15 to support the establishment of a new Club, including the allocation of two Police Officers and One Manager in each club.

The NSW Government is providing additional resources to PCYC NSW and the NSW Police Force Youth Command to support the expansion of PCYC's and work to prevent juvenile crime.

The selection criteria will include:

- The number of young people in the community to be served
  - The socio-economic status of the community or communities to be served
  - Juvenile crime statistics for the area
  - Extent of other youth services/programs available in the area or to be transferred to the facilities
  - The facilities or funding to be contributed by the Local Council
  - The commitment of local community leaders to support a new Club
  - Transport and accessibility of the proposed facilities
  - The likely viability of the Club once operational
-

Further information about how a PCYC Club operates and additional information about the expression of interest process is attached for Council's information.

*Attachments*



13.02.07\_Attachment  
\_A\_Establishment\_of\_

*Statutory Environment*

Not applicable

*Policy Implications*

Not applicable

*Financial Implications*

Council has no provision in its 2011-12 budget for activities of this nature.

*Strategic Implications*

Nil

*Officers Comment*

The establishment of a PCYC would provide benefit to the youth of Oberon. Some local youth currently experience a degree of social isolation and a lack of suitable facilities to engage them in a positive manner.

*Consulted With*

Community Liaison Officer  
Oberon Neighbourhood Centre  
General Manager

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File No: A3.1  
Author: Sharon Swannell  
Date: 7 October 2011

**13.02.08 Delegate to Oberon Indoor Sports and Tennis Centre Management Committee**

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*Executive Summary*

By letter, received on September 27 2011, the Oberon Tennis Association has written requesting Council nominate a representative to the Oberon Indoor Sports and Tennis Management Committee.

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*For Council Decision*

*Recommendation:*

That Councillor \_\_\_\_\_ 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.

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*Background*

Council have requested that the Oberon Tennis Association establish a distinct Management Committee for the Oberon Indoor Sports and Tennis Centre, separate from the Oberon Tennis Association Committee.

The Management Committee is comprised of centre user group stakeholders, currently being two hockey representatives and two tennis representatives. The fifth position is for a Council representative, who will also chair the committee.

By letter, received on September 27 2011, the Oberon Tennis Association has written requesting Council nominate a representative to the Oberon Indoor Sports and Tennis Management Committee.

It is suggested that Council appoint a Councillor to this role with the Manager Community and Customer Services appointed as an alternate.

*Attachments*

Nil

*Statutory Environment*

N/A

*Policy Implications*

Nil

*Financial Implications*

Nil

*Strategic Implications*

Nil

*Officers Comment*

Nil

*Consulted With*

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File No: A2.1  
Author: Leanne Mash  
Date: 10 October 2011

**13.03.01 General Business – General Manager**



## 14 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:

## 15 Closed Session Reports

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**15.01.01 Purchase of Truck and Trailer – Additional Information**

**15.01.02 Draft Land Use Strategy Update**

**15.01.03 Lease of Land for Rural Fire Service Brigade Shed**

**15.01.04 Fish River Water Supply Scheme**

## 16 Closure of Meeting

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The next Ordinary Meeting of Oberon Council will be held on 15 November 2011, commencing at 5.30pm in the Oberon Council Chambers, 137 – 139 Oberon Street, Oberon.