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OBERON COUNCIL

*Agenda and Business Papers
Oberon Council Ordinary General Meeting
Tuesday 20 September 2011
5.30pm Council Chambers*

| | |
|-----------------|---|
| 5.00pm – 5.30pm | Presentation from Jenny Bennett, Executive Officer, CENTROC |
| 5.30pm | Opening of Ordinary Meeting |
| 8.15pm - 8.45pm | Dinner |

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01 Opening of Meeting

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

02 Prayer

The Meeting was opened in prayer by ...

03 Record of Attendance

Members Cr Keith Sullivan, Mayor - Chair
 Cr John McMahon, Deputy Mayor
 Cr Ian Doney
 Cr Don Fitzpatrick
 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
 Ian Tucker, Works Manager (Acting 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

None received.

05 Confirmation of Minutes of Previous Meeting(s)

Ordinary Meeting 16 August 2011



05.01.01_Unconfirme
d_Minutes_16_August

Recommendation

That the Minutes of the duly convened Ordinary Meeting held on 16 August 2011 be taken as read and confirmed.

Matters Arising from the Minutes

Nil

06 Declarations of Interest

Pecuniary -
Conflicts -
Staff -

07 Mayoral Minute and Report

A. Meetings

1. Meeting regarding future of Jenolan Caves – 15 August 2011
2. Ordinary Council Meeting – 16 August 2011
3. Interviews for Director of Engineering – 19 August 2011
4. Oberon Sports Complex Committee Meeting – 24 August 2011
5. CENTROC Board Meeting – Lithgow – 25 August 2011
6. Councillor Training – 29 August 2011
7. Meeting with Paul Toole MP – 1 September 2011
8. Central Tablelands Alliance Internal Audit Committee Meeting – 2 September 2011
9. Community Safety Precinct Committee Meeting – 5 September 2011
10. General Manager Performance Review – 6 September 2011
11. Meeting with State Forests – 13 September 2011

B. Representation

1. Community Donations Presentation – 6 September 2011
2. Oberon Public School Assembly (Attended by Deputy Mayor, John McMahon) – 9 September 2011
3. Oberon Junior Rugby League Presentation Day (Attended by Councillor Bob O’Bernier) – 11 September 2011

C. Correspondence

1. The Hon John Cobb MP regarding NBN and the Oberon Shire
2. Invitation to attend St Joseph’s Catholic School Opening Ceremony of the Trade Training Centre
3. Local Government and Shires Association of NSW regarding the 2012 Local Government Elections
4. Roads and Traffic Authority of NSW regarding Higher Mass Limits for freight vehicles on Council Roads
5. Invitation to attend Oberon Public School assembly and present Citizenship Certificates
6. Halogen Foundation regarding the National Young Leaders Days.
7. Department of Regional Australia, Regional Development and Local Government regarding the 2011 National Awards for Local Government

Keith Sullivan
Mayor

07.01.01 Election of Mayor and Deputy Mayor

Executive Summary

Section 290(1)(b) of the Local Government Act 1993 requires that the annual election of the Mayor and Deputy Mayor be held during the month of September and, in accordance with previous practice, the 2011 election has been scheduled in the agenda to be conducted prior to the commencement of the Ordinary Meeting.

A review of the delegates to external organisations is scheduled for consideration in the Director of Corporate Service reports.

For Council Decision

Recommendation:

That the information be received and noted.

Background

Section 290(1)(b) of the Local Government Act 1993 requires that the annual election of the Mayor and Deputy Mayor be held during the month of September. As reported to Council's Ordinary meeting in August 2011, the election of Mayor and Deputy Mayor will take place at the start of the Ordinary Meeting on Tuesday 13 September 2011. A review of the delegates to external organisations will also take place.

Nomination forms for the positions of Mayor and Deputy Mayor were included with the August business paper.

The relevant clauses of Schedule 7 of the Local Government (General) Regulation 2005 in relation to the election of the Mayor and Deputy Mayor are:

1. Returning officer

The General Manager (or a person appointed by the General Manager) is the returning officer.

2. Nomination

- 1. A Councillor may be nominated without notice for election as Mayor or Deputy Mayor.*
 - 2. The nomination is to be made in writing by 2 or more Councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.*
 - 3. The nomination is to be delivered or sent to the returning officer.*
 - 4. The returning officer is to announce the names of the nominees at the Council meeting at which the election is to be held.*
-

3. Election

1. *If only one Councillor is nominated, that Councillor is elected.*
2. *If more than one Councillor is nominated, the Council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.*
3. *The election is to be held at the Council meeting at which the Council resolves on the method of voting.*
4. *In this clause:*
Ballot has its normal meaning of secret ballot.
Open voting means voting by a show of hands or similar means.

5. Marking of ballot-papers

1. *If the election proceeds by ordinary ballot, the returning officer is to decide the manner in which votes are to be marked on the ballot-papers.*
2. *The formality of a ballot-paper under this part must be determined in accordance with clause 345 (1) (b) and (c) and (6) of this Regulation as if it were a ballot-paper referred to in that clause.*
3. *An informal ballot-paper must be rejected at the count.*

6. Count - 2 candidates

1. *If there are only 2 candidates, the candidate with the higher number of votes is elected.*
2. *If there are only 2 candidates and they are tied, the one elected is to be chosen by lot.*

7. Count – 3 or more candidates

1. *If there are 3 or more candidates, the one with the lowest number of votes is to be excluded.*
2. *If 3 or more candidates then remain, a further vote is to be taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.*
3. *If, after that, 3 or more candidates still remain, the procedure set out in subclause (2) is to be repeated until only 2 candidates remain.*
4. *A further vote is to be taken of the 2 remaining candidates.*
5. *Clause 6 of this Schedule then applies to the determination of the election as if the 2 remaining candidates had been the only candidates.*
6. *If at any stage during a count under subclause (1) or (2), 2 or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.*

12. Choosing by lot

To choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the returning officer, the slips are folded by the returning officer so as to prevent the names being seen, the slips are mixed and one is drawn at random by the returning officer and the candidate whose name is on the drawn slip is chosen.

Attachments

Nil

Statutory Environment

Local Government Act 1993, Section 290 (1)(b)

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Officers Comment

Nil

Consulted With

General Manager

File No: A7.1
Author: John Chapman
Date: 18 August 2011

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| Notes: |
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08 Councillor Reports

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

09 Delegates Reports

Recommendation

That the Minutes of Committee Meetings as presented in Report 09.01.01 to 09.01.03 of the Business Papers be received and noted by Council.

09.01.01 Minutes of the Local Emergency Management Committee Meeting

Executive Summary

The Oberon Local Emergency Management Committee (LEMC) meets on a quarterly (or as needed) basis. The last meeting of the LEMC was held on Thursday 18 August 2011.

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

For Council Information

Recommendation:

That the minutes of the Local Emergency Management Committee Meeting held on Thursday 18 August 2011 be received for information.

Background

The Oberon Local Emergency Management Committee (LEMC) meets on a quarterly (or as needed) basis. The last meeting of the LEMC was held on Thursday 18 August 2011.

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

Discussion was held regarding Oberon's Flood Plan, which is currently an annexure to the Displan. An interim stand-alone plan has now been developed, using the same information from the annexure. This interim plan will be in place for approximately two years, and during this time a full review will be carried out.

Essential Energy reconfirmed their area of responsibility.

An update of current activities was also provided by the members in attendance.

Attachments



09.01.01_Local_Emergency_Management_C

Statutory Environment

The State Emergency and Rescue Management (SERM) Act requires the establishment of a Local Emergency Management Committee for each LGA.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Officers Comment

Nil

Consulted With

Nil

File No: A3.5.2
Author: Ian Tucker
Date: 12 September 2011

09.01.02 Traffic Committee Delegate

Executive Summary

A new alternative Council delegate is required for the Traffic Advisory Local Committee to replace Councillor Handelsmann.

For Council Information

Recommendation:

That Councillor _____ be appointed as Council's alternative delegate to the Traffic Advisory Local Committee.

Background

The power to regulate traffic is delegated to Council on the condition that it establishes a Traffic Advisory Local Committee. There are four voting members on the Committee – Council, Police, RTA and the State MLA's representative.

The Committee is administered and advised by the Works Manager, but he has no voting rights.

Council's primary delegate on the Committee is Councillor McCarthy. The previous alternative delegate was Councillor Handelsmann.

The alternative delegate can attend all meetings and participate in discussions, but can vote only in the absence of Councillor McCarthy.

Attachments

Nil

Statutory Environment

Traffic regulation powers and the requirement to establish a Traffic Committee come under the Transport Administration Act 1988.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Officers Comment

Nil

Consulted With

EMT

File No: A2.2
Author: Ian Tucker
Date: 6 September 2011

09.01.03 Minutes of the Oberon Sports Complex Committee

Executive Summary

A meeting of the Oberon Sports Complex Committee was held on Wednesday 24 August 2011. Minutes of the meeting are attached for Council's information.

For Council Information

Recommendation:

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
-

Background

A meeting of the Oberon Sports Complex Committee was held on Wednesday 24 August 2011. Minutes of the meeting are attached for Council's information.

There has been no announcement yet regarding Council's application for funding to upgrade the playing surfaces on the Oberon Sporting fields.

Discussion was held regarding the nomination of a representative from the Oberon Tennis Association onto the Oberon Sports Complex Committee. The committee members felt that there would be advantages in this for the conduit of information between sporting codes.

General discussion was also held regarding the care and upkeep of the playing surfaces on all sports fields.

Attachments



09.01.03_Oberon_Sp
orts_Complex_Commi

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Officers Comment

Nil

Consulted With

General Manager

File No: A2.29
Author: Sharon Swannell
Date: 12 September 2011

10 Director of Development Reports

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.

10.01.01 Monthly Update Report – Development Department

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

1. Determinations for the Month of August

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

| | |
|---------------------------------------|----|
| a) Development Applications | 14 |
| b) Construction Certificates | 8 |
| c) Complying Development Certificates | 1 |
| d) Subdivision Certificates | 0 |
| e) Section 68 Applications | 6 |
| f) Applications Refused | 0 |

A complete list of the determination is as follows:

Determinations for the Month of August - 2011 (S.101 E.P. & A. Act.)

| Ref No | Development Type | Street Address | Locality |
|--|--|--------------------------|-----------------|
| 10.2011.37.1 11.2011.37.1 19.2011.14.1 | Farm Shed and On-Site Waste Water | 752 Carlwood Road | Tarana |
| 10.2011.39.1 11.2011.39.1 | Patio | 31 Homeward Bound Avenue | Oberon |
| 10.2011.25.1 11.2011.25.1 | Bus Shed | 12-14 Albion Street | Oberon |
| 10.2011.30.1 | Boundary Adjustment | 2784 Beaconsfield Road | Wiseman's Creek |
| 10.2011.28.1 11.2011.28.1 | Additions to Dwelling | 922 Abercrombie Road | Oberon |
| 10.2011.33.1 19.2011.10.1 | Transportable Dwelling and On-Site Waste Water | 105 Tuglow Road | Gingkin |

| | | | |
|--|--|---------------------------------|---------------|
| 10.2011.36.1 11.2011.36.1 | Relocation of Sand and Gravel yard and Storage buildings | 21-25 Albion Street | Oberon |
| 10.2011.41.1 11.2011.41.1 19.2011.15.1 | Shed and On-Site Waste Water | 300 Purdons Lane | O'Connell |
| 10.2011.32.1 | Dog Breeding business | 1827 O'Connell Road | O'Connell |
| 10.2011.31.1 20.2011.10.1 | Dual Occupancy | 83 North Street | Oberon |
| 10.2011.34.1 | Boundary Adjustment | 863 & 819 Campbell's River Road | Black Springs |
| 10.2010.60.1 11.2010.60.1 19.2010.24.1 | Dwelling and On-Site Waste Water | 365 Duckmaloi Road | Oberon |
| 10.2010.80.1 11.2010.80.1 20.2011.13.1 | Service Station Re-Development | 187 Oberon Street | Oberon |
| 10.2006.65.2 | Modification to Development Application 10.2006.65.1 to change the proposed Boundaries | 1269 Beaconsfield Road | Oberon |
| 18.2011.6.1 | Complying Development - Swimming Pool | 1847 Mutton Falls Road | O'Connell |

2. Certificates Issued During the Month of August

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) 23 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) Six Section 735A Certificates were issued.

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

- c) Four 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 August. The following details concerning the Animal Pound are for the month of August.

| Details | Number of Cats | Number of Dogs |
|---|-----------------------|-----------------------|
| Animals carried over from previous month | 3 | 1 |
| Animals Seized | 0 | 0 |
| Animals Abandoned | 1 | 2 |
| Animals Surrendered | 0 | 0 |
| Animals released to Owner | 0 | 2 |
| 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 | 3 | 1 |
| Animals Sold | 0 | 0 |
| Animals died at Council's facility | 1 | 0 |
| Animals Escaped/Stolen | 0 | 0 |
| Animals still in the Pound | 0 | 0 |

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 August.

| | |
|---|----|
| a) Building Inspections | 24 |
| b) Food Inspections | 1 |
| c) Environmental Inspections (Air Pollution/Noise Pollution/Water Pollution) | 0 |
| d) Subdivision Certificate Inspections | 2 |
| e) Complaints (Includes Animal Control) | 12 |
| f) Building Maintenance Inspections | 10 |

5. Attendance at Seminars/Conference/Short Courses

The following Seminars/Conference/Short Courses have been attended:

- a. The Director of Development attended the *“Local Government Managers Association Annual Conference”*.
- b. The Director of Development attended the *“Best Practice Conference”*.
- c. The Manager of Health and Building attended *“Addressing Access in the Built Environment for the new Access to Premises – Buildings Standards 2010”*.
- d. The Manager of Health and Building and the Senior Development Control Officer attended *“Building in Bushfire Prone Areas, one day course”*.

File: A1.2.1
Author: Gary Wallace
Date: 06.09.2011

10.01.02 Roads and Traffic Authority Referral System – Albion Street

Executive Summary

Previously, through Councillor McCarthy concerns were raised over the Roads and Traffic Authority involvement in the application process and as a result frustrations were being found by applicants dealing with the requirements of the RTA, especially within the Albion Street area.

Council officers have investigated the matter and now have implemented an appropriate procedure to clarify issues when dealing with the Roads and Traffic Authority and other Government agencies.

For Council Information

Recommendation:

That the information be received and noted.

Background

Previously, through Councillor McCarthy concerns were raised over the RTA involvement in the application process and the resulting frustrations being experienced by applicants dealing with the requirements of the RTA, especially within the Albion Street area.

Upon investigation of the matter it was found that Council Officers were advising Government authorities of particular applications upon receipt of all required information pertaining to the development from applicants. This was done without notification to the applicant that further assessment would potentially be required. This in turn has led to time delays in the assessment process.

This is especially prevalent with referral applications to the RTA, on Albion Street.

Council has now consulted with the RTA and as a result of this consultation standard conditions have been given to Council that officers can now use for Albion Street that will negate the need for further referral.

Further, through investigation it was found that Council officers undertook notification to relevant agencies at different times. To standardise the process the Director of Development has implemented a checklist which enables Council officers to undertake government agency consultation upon lodgement of the application and wait until receipt of all appropriate information. This has time benefits for Council and transparency in the application process.

Attachments

Nil

Statutory Environment

Under current legislation, being Part 6, Division 11 of the Environmental Planning and Assessment Regulations 2000, Government Authorities need to be notified of appropriate applications within 14 days of lodgement of an application. In turn government agencies have 21 days to respond to Council notification requesting additional information.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Environmental Planning and Assessment Act 1979
Environmental Planning and Assessment Regulation 2000

Officers Comment

Nil

Consulted With

Manager Health and Building
Former Director of Engineering

File: D52.1
Author: Gary Wallace
Date: 5 September 2011

10.01.03 Development Department Status Report

Resolution Number – 10160811 - Development Application: 10.2011.31.1

That delegation be granted to Councils General Manager to vary part C.5.5 “Building Height Plane” of Oberon’s Development Control Plan 2001 by Council to allow the construction of a dual occupancy on Lot 8 in DP: 2364 Section D, 83 North Street, Oberon.

Status

September update: Application has now been finalised.

Matter Closed

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 – report forwarded to September meeting for information and resolution.

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 – report forwarded to September meeting for information.

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 100m² to 150m².

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 – report forwarded to September meeting for resolution.

Resolution Number – 06190711 – Heritage Committee Minutes

That:

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

Status

In progress

September update – Resolution a 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.

Overgrown Vegetation on Town Blocks

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

Status

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

In progress.

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

Resolution Number – 32141210 - Oberon Community Centre Internal Renovations

That:

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

Status

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

June Update: Gathering quotes from local builders.

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

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

September update – Painting now complete, 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.

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.

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

Resolution Number – 32170810 – Heritage Committee Meeting Minutes

In respect to the proposed sign structures at Black Springs, Burraga 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, Burraga 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 – Work to commence early September.

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.

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.

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

To be arranged.

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.

File: A1.2.1
Author: Gary Wallace
Date: 6 September 2011

10.02 Reports for Decision

10.02.01 Council Seal to Section 88B Instrument

Application: Development Application 163/06 4 Lot Subdivision

Applicant: Mr F A Brien

Location: Lots P 97, 98 and 168 in DP 757068 and Lots 1 and Lot 2 in DP 11697 and Lot 1 in DP 325130 and Lot 3 in DP 237137 and Part Lot 2 in DP1043023, 147 O'Connell Road Oberon NSW

Executive Summary

Council has received a request to affix the Council Seal to a Section 88B Instrument to ensure that no buildings are erected within 100 metres of the proposed lot boundary with O'Connell Road on land owned by Mr Frank Brien being 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.

For Council Decision

Recommendation:

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.

Background

On 11 July 2006 staff approved Development Application 163/06 for a 4 lot subdivision on Mr Brien's' property located at 147 O'Connell Road Oberon.

A copy of the plan of subdivision is attached. (Attachment A).

This matter was previously before Council on the 13 June 2006 as proposed Lots 1 and 3 are partially located within the 750 metre buffer of the Oberon Timber Complex and Council staff received an objection to the subdivision from Pinepanels who had no objection to the proposal but requested that any building, be built over the ridge to the west to reduce noise levels when there are easterly wind conditions. Council resolved to approve the subdivision subject to the exclusion zone of 100 metres to be imposed from the boundary of O'Connell road. A copy of Council's resolution is attached. (Attachment B)

In approving the subdivision a number of conditions were imposed including condition 6 Restriction to user which states as follows;

6. Restriction to User

Provision of a restriction as to user benefiting Council is to be provided to ensure that no buildings are erected within 100m of the proposed lot boundary with O'Connell Road. The original Restriction as to User document under Section 88B of the Conveyancing Act, signed by the owners, shall be submitted to Council and approved prior to the Subdivision Certificate being issued.

Note: The designer of any future dwelling is encouraged to consider the existing acoustic amenity and the climate when specifying the insulation required for the dwelling.

A copy of the 88B Instrument is attached (Attachment C) and Council staff have reviewed the document and found it to be in order, in relation to all appropriate conditions of consent.

Attachments



Statutory Environment

Council is required to affix its 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 6 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

File No: PR186.147
Author: Janet Bailey
Date: 16 August 2011

10.02.02 Council Seal to Section 88B Instrument

Application: Development Application 233/06 2 Lot Subdivision

Applicant: Mr R. Karthigeyan

Location: Lot 21 in DP 785503, 80 Wilson Drive, Titania Park Oberon

Executive Summary

Council has received a request to affix the Council Seal to a Section 88B Instrument to ensure that no buildings are erected outside the building envelope on proposed Lot 211 as marked on the plan and that the tree buffer screening the proposed access and internal driveway of Proposed lot 211 remain in position and be maintained to the satisfaction of Council for a 2 lot subdivision for Mr K Karthigeyan, lot 21 in DP 785503 80 Wilsons Drive Titania Park Oberon

For Council Decision

Recommendation:

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.

Background

On the 27 July 2006 Council Staff approved Development Application for a 2 lot subdivision on Mr Karthigeyan property 80 Wilson's Dive Oberon. (Previously Owned by Mr Alan Taggart).

Copy of the plan of subdivision is attached. (Attachment A).

This matter was last before Council on the 11 July 2006 as an objector to the subdivision raised concerns regarding the location of the access to the property boundary and the issue of dust and loss of privacy. Council resolved to approve the subdivision subject to the developer sealing the access road for a distance of 100 metres and suitably screening it from the adjoining neighbour and that any future dwelling be located within the building envelope, on proposed lot 211.

A copy of Council's resolution is attached. (Attachment B)

In approving the subdivision a number of conditions were imposed including condition 6 Restriction to User which states as follows:

6. Restriction to User

A draft of the proposed terms of a Restriction as to User under section 88B of the Conveyancing Act, signed by the owners, shall be submitted to Council with the Subdivision Certificate application for the following:

1. A Restriction as to User be imposed requiring that any future dwelling be located wholly within the approved building envelope; and
2. A Restriction as to User be imposed requiring that the tree buffer screening the proposed access and internal driveway remain in position and be maintained to the satisfaction of Council Staff.

Reason: To finalise the terms and approve the proposed restrictions prior to the registration of the subdivision.

A copy of the 88B Instrument is attached (Attachment C) and Council staff have reviewed the document and found it to be in order, in relation to all appropriate conditions of consent.

Attachments



10.02.02_Attachment
_A_Plan_of_Subdivisic



10.02.02_Attachment
_B_Council_Resolution



10.02.02_Attachment
_C_88B_Instrument.pc

Statutory Environment

Council is required to affix its 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 6 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

File No: PR186.147
Author: Janet Bailey
Date: 16 August 2011

10.02.03 Council Seal to Section 88B Instrument

Application: Development Application 10.2010.78.1 Subdivision for the purpose of agriculture

Applicant: Mr Neville Campbell

Location: Lot 1 in DP 1144982, 1589 Edith Road, Oberon

Executive Summary

Council has received a request to affix the Council Seal to a Section 88B Instrument to ensure that 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 land known as proposed Lot 101 in Development Application 10.2010.78.1 for a 2 lot subdivision of Lot 1 in DP 1144982 in the name of Shona Margaret Campbell, Kevin Campbell and Alwyn Campbell Brown of 1589 Edith Road, Oberon.

For Council Decision

Recommendation:

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.

Background

On the 30 November 2010 Council Staff approved Development Application for a 2 lot subdivision for the purpose of Agriculture from Shona Campbell, Kevin Campbell and Alwyn Campbell Brown of 1589 Edith Road, Oberon.

Lot 101 is vacant land and will continue to be used for agricultural purposes and Lot 102 contains the existing “Beanz Meanz” homestead and associated outbuilding.

Copy of the plan of subdivision is attached. (Attachment A).

In approving the subdivision a number of conditions were imposed including **Condition 2 Restriction to User and Condition 3 Restriction to the use of the Land** which states as follows:

(3) Restriction to User

A draft of the proposed terms of a Restriction to User under Section 88B of the Conveyancing Act, for the proposed Agricultural lot (proposed lot 101) signed by the owners, shall be submitted to Council with the Subdivision Certificate application.

Reason: - To finalise the terms and approve the proposed restrictions prior to the registration of the subdivision.

(4) 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 101 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.

Reason: - To ensure that suitable notice is provided to indicate that no dwelling entitlement exists on proposed lot 101 which has been created for agricultural purposes only.

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

Attachments



10.02.03_Attachment
_A_Plan_of_Subdivisic



10.02.03_Attachment
_B_88B_Instrument.pc

Statutory Environment

Council is required to affix its 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 2 and 3 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

File No: PR186.147
Author: Janet Bailey
Date: 23 August 2011

10.02.04 Development Application: 10.2011.40.1

Applicant: Mr JG Blackburn & Mrs KA Blackburn
Owner: Mr JG Blackburn & Mrs KA Blackburn
Location: Lot 158 in DP 753047, 293 Howes Road, Mount David
Proposal: Transported Dwelling
Zone: 1(e) Rural

Executive Summary

Council is in receipt of Development Application 10.2011.40.1 for a proposed transported dwelling at 293 Howes Road, Mount David. In accordance with Oberon's Development Control Plan (DCP) 2001 prior to the determination of the Development Application Council is required to approve the Buffer Management Plan (BMP) as the proposed setback for the dwelling is 40m from the Eastern boundary and 40m from the Southern boundary at 90⁰ respectfully (on a 45⁰ angle the dwelling is approximately 35m from the corner point of the boundary).

A 50m setback would instantly comply with the part B.14.12.9 of the Development Control Plan 2001 DCP, however in exceptional circumstances Council can approve less than 50m if a BMP is submitted and approved by Council, in accordance with the DCP.

For Council Decision

Recommendation:

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 90⁰ from the Eastern and Southern boundaries on Lot 158 in DP 753047, 293 Howes Road Mount David.

Background

Development Application 10.2011.31.1 was received by Council on the 26 July, 2011 for the proposed installation of a transported dwelling at 293 Howes Road Mount David. The proposed site plan incorporating the BMP is attached as Attachment A.

The applicants, as part of their application, have requested a boundary setback of 40m at 90⁰ from the Eastern and Southern boundaries. The applicants were given the option during the initial assessment of their application to amend the plans submitted to increase the Eastern and Southern side boundary setbacks to 50m, however the applicants have instead provided justification (attachment B) to proceed with the proposed plans submitted.

The Site

Lot 158 in DP 753047, 293 Howes Road Mount David is approximately eight (8) hectares in size and the allotment gained dwelling entitlement through an approved and registered three (3) lot subdivision being known as DA 102/07. A building envelope was nominated as part of the approval, however the location nominated as part of the subdivision is in the middle of the block with no regard to a tram easement which traverses the allotment or the undulating terrain of the allotment.

The topography of the allotment drops significantly from the southern boundary to the northern boundary. From the edge of the proposed building allotment in the south the contours drop from approximately 990m to 960m over approximately 130m (which equates to approximately 13⁰).

The allotment is also affected by a 10m wide easement for a “tramway” through the middle of the allotment and an intermittent watercourse that also traverses the allotment (which feeds into Walbrook Creek and Walbrook Swamp) significantly restricting suitable building envelope locations. Attachment C shows an Exponare map image of Lot 158 in DP 753047 showing the tram easement and also the watercourse traversing the allotment.

If Council was to request compliance with the 50m setback in this instance it would add significant financial cost to the applicant in order to prepare the site and also construct high piers for the installation of the transported dwelling. Compliance would also significantly increase the potential environmental impact of the proposed transported dwelling on the surrounding natural environment.

Compliance with Oberon’s Development Control Plan (DCP) 2001:

The Oberon Development Control Plan 2001 (DCP), Clause B.14.12.9 Dwelling Setbacks and Buffers, states;

“A buffer of 50 metres is to be provided between the nearest external wall of any proposed dwelling and the boundary of an adjoining or adjacent lot, allotment, portion or parcel of land comprising Class 4 or 5 non-prime crop and pasture land (as defined by the Oberon LEP 1998)”. This distance may be reduced in exceptional circumstances only if a Buffer Management Plan (BMP) incorporating acceptable natural and/or artificial buffers between the proposed dwelling and the adjoining agricultural lands is submitted to and approved by council and implemented to the satisfaction of Council prior to the occupation of the dwelling and issue of the Occupation Certificate”.

“N.B Any setback of less than 40 metres is unlikely to be approved”.

It is felt that in this particular circumstance the allotment should be considered as an “exceptional circumstance” given the allotment is only 8 hectares in size and significantly impacted by; steep topography, a tram easement and watercourse.

Although the closest point of the dwelling would be approximately 35m from the corner point of the property at 90⁰ the proposed dwelling does achieve a 40m setback from the Eastern and Southern boundaries respectfully.

It is considered the proposed dwelling’ location with a boundary setback of 40m at 90⁰ from the Eastern and Southern boundaries is the most appropriate location to site a dwelling on the entire allotment with the least amount of potential environmental impact.

Also assisting in creating a buffer to the East of lot 158 is that it abuts the Howes Road reserve (which is 50m at the southern end shown in attachment C), thus providing a distance of 90m between the dwelling and the neighbouring agricultural land to the East.

Neighbour Notification

The application has been neighbour notified to one adjoining neighbour which owns the land to the east and south of lot 158 DP 753047, submissions will close on 13 September 2011. Should any submissions be received from the neighbour notification process then a further report shall be put to Councils next available Ordinary Meeting.

Attachments



10.02.04_Attachment
_A_Site_Plan_Includin



10.02.04_Attachment
_B_Applicants_Corresj



10.02.04_Attachment
_C_Exponare_Map_Pri

Statutory Environment

Environmental Planning and Assessment Act 1979
Environmental Planning and Assessment Regulation 2000
Oberon Local Environmental Plan 1998
Development Control Plan 2001

Policy Implications

There are no policy implications

Financial Implications

There are no financial implications

Strategic Implications

There are no strategic implications

Officers Comment

Nil

Consulted With

Director of Development

10.02.05 Development Control Plan Review – Total Aggregate Floor Area

Executive Summary

Previously, Council resolved to place on public exhibition a review of its current DCP in relation to increasing the size of the aggregate floor area from 100m² to 150m².

Council has now finalised the public exhibition process and as a result received one (1) submission relating to the proposal.

The submission supported the approach to the increase of total floor area and sought consideration to allow the limit to be extended to 180m².

For Council Decision

Recommendation:

1. That the submission for the aggregate floor area of outbuildings be extended to 180m² be noted
 2. That Council proceed to modifying the DCP 2001 to allow for the variation of the aggregate floor area to increase from 100m² to 150m²
 3. That Council delete K7.1.12 which is a double up clause within DCP 2001
-

Background

Previously Council resolved to place on public exhibition a review of its Development Control Plan 2001 in an attempt to increase the size of aggregate floor area from 100m² to 150m²

As a result of the public exhibition process Council received one submission (attachment A) relating to the proposal. The submission, by way of support for the process sought Council to consider increasing the aggregate floor area further to 180m² given the following justification:

- The lots in these current areas are considerable in size from 6 to 11 hectares
- The 'rural small holdings' zone lot size easily allows for an outbuilding above that nominated without having adverse effect on the use of the land
- A shed of this size (180m² to 220m²) is quite common in rural small holdings zones which allow for greater storage of equipment/machinery and other items commonly acquired by residents in these zones

No other submission was received during the exhibition period. The submission received supported the need to increase the aggregate floor area however sought consideration to the size being larger than advertised.

Attachments



10.02.05_Attachment
_A_Submission.pdf

Policy Implications

Nil

Financial Implications

Potential increase in fees for development larger than currently permissible

Strategic Implications

Environmental Planning and Assessment Act 1979
Environmental Planning and Assessment Regulation 2000
Oberon Local Environmental Plan 1998
Development Control Plan 2001

Officers Comment

It is considered that given Council received no objection to the proposed increase in aggregate floor area that this proposed change to the DCP 2001 should be accepted.

The one submission received seeks to further increase the aggregate floor area from 150m² to 180m² and therefore re-advertising would need to be undertaken, delaying the decision process.

As such, it is recommended that Council consider the submission however, given previous resolutions and processes Council opt to resolve to increase the aggregate floor area to 150m² at this time.

Consulted With

Manager of Health and Building
Director of Corporate Services
General Manager

File No: D52.2.2
Author: Gary Wallace
Date: 6 September 2011

10.02.06 Local Planning Panel Establishment – Standard Instrument Local Environmental Plan

Executive Summary

Previously, through the Mayor Councillors received correspondence from the Minister for Planning and Infrastructure, The Hon Brad Hazzard MP, relating to the establishment of a Local Planning Panel. The correspondence indicated that the aim of the panel is to increase the opportunity for Local Government involvement in the plan making process and improve flexible delivery of the Standard Instrument LEP program, upon implementation.

The Panel is to consist of two members of the Department, two members from Local Government and an Independent Chair appointed by the Minister in consultation with the Local Government Shires Association.

The Local Government candidates are to be sourced from senior planners who have worked in Local Government for more than five years. Nominations for these positions closed on 29 July 2011.

This report outlines the purpose of the Local Planning Panel and seeks resolution for Councils Director of Development to be considered as a regional expert should the Panel be required to sit in regional areas.

For Council Decision

Recommendation:

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.

Background

The Minister for Planning and Infrastructure is proposing a new panel called the Local Planning Panel to address ongoing concerns with the implementation of the Standard Instrument Local Environmental Plan across Local Government in NSW.

The panel has no relationship to the existing LEP Review Panel that provides advice to the Minister on specific Planning Proposals.

Previously, nominations for the Panel were called for with closing date for submissions being 29 July 2011.

The new panel's role will be to undertake a review of Local Governments experiences with the Standard Instrument Local Environmental Plan (SI LEP) program to date. The panel's role is to make recommendations to the Director General on how to improve the implementation and operation of the program.

It is proposed that the panel meet monthly in Sydney, however on occasions it will be convened around the State so that regional and rural issues are appropriately covered and those Local Government representatives from each region are accessible.

Hence, the Local Government membership on the panel will be rotated depending where the panel is required to attend.

For nomination to the panel it was requested that suitable candidates should demonstrate sound, technical, working knowledge of planning and be familiar with the SI LEP program and plan making process. Candidates needed to be senior planners who have worked in Local Government for more than five (5) years.

As a result of establishing the panel Oberon Council has the opportunity to recommend a senior officer for potential membership of the panel (rather than to sit on the panel) when regional issues arise.

Council's Director of Development has adequate qualifications and experience to express interest in membership of the panel. This report seeks endorsement of this expression of interest by Council to support the submission by the Director of Development to seek membership of the Panel.

Attachments

Nil

Statutory Environment

Environmental Planning and Assessment Act 1979
Environmental Planning and Assessment Regulation 2000

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Officers Comment

Nil

Consulted With

General Manager

File: D52.1
Author: Gary Wallace
Date: 5 September 2011

10.03.01 General Business - Development

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| Notes: |
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11 Director of Corporate Service Reports

11.01 Reports for Information

Recommendation

That the Director of Corporate Services reports for information as presented in Report 11.01.01 to 11.01.03 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 August 1 to August 31 2011.

1. Rates Collections Reports

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

Total collections for the year represent 33.24% of the total receivable, compared with 32.32% for last year.

Ongoing recovery action is continuing in an attempt to reduce the total outstanding. The following actions against defaulting ratepayers were implemented during August 2011:

- 29 Statements of Claim issued
- 3 Writs of Execution for Collection served

Attachment



11.01.01_Attachment
_A_Monthly_Rates_Re

2. Certificates Issued During the Month of July

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 August 2011 the following certificates were issued:

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

3. Councillor and General Manager Expenses

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

Attachment



11.01.01_Attachment
_B_Expenses_of_Cour

4. Attendance at Seminars/Conference/Short Courses

- Local Government Managers Australia Annual Conference (Director of Corporate Services)
- Civica Payroll System Training (Payroll Assistant and Relief Payroll/Finance Clerk)

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

11.01.02 Statement of Bank Balances and Investments

Executive Summary

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

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

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

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

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

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

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

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

For Council Information

Recommendation:

That the information be received and noted.

Background

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

| | <u>2010</u> | <u>2011</u> |
|--|-------------|-------------|
| Face Value of all Investments Held | \$5,312,234 | \$5,872,266 |
| Face Value of Grange/Lehman Bros Investments | \$2,500,000 | \$2,000,000 |
| Market Value of Grange/Lehman Bros Investments | \$1,190,531 | \$713,765 |
| Market Value of Grange as % of Face Value | 48% | 36% |
| | | |
| Cheque Account Cash Book Balance | \$495,397 | \$185,145 |
| Total Cash and Investments (Market Value) | \$4,498,162 | \$4,771,176 |
| | | |
| Interest Received Year to Date | \$11,732 | \$8,251 |
| 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.

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-Off to date in 2011-2012 | (11,087) | |
| Net Written off to 31 August 2011 | <u>(\$2,011,992)</u> | |

Attachments



11.01.02_Attachment
_A_Statement_of_Inve



11.01.02_Attachment
_B_Cash_and_Investr

File: C17.1
Author: John Chapman
Date: 07 September 2011

11.01.03 Director of Corporate Services Status Report

Resolution Number – 36160811 - Tasman Estate Land Offer

That the offer for sale of Lot 8 in Tasman Estate be accepted, subject to the inclusion of a clause stating “Completion subject to Development Application approval within six months from exchange of contracts, sale being contingent on Development Application approval of Lot 8”.

Status

Agent advised – contract being prepared by Solicitor.

Matter closed

Resolution Number – 34160811 - Water Consumption Charges Refund – Account 12361261

That a reduction of \$405.60 be approved in accordance with Council’s Policy 2201, given the extenuating circumstances of water and waste water Account 12361261.

Status

Reduction made and consumer advised.

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.

Resolution Number – 18160811 - Request for Reduction in Rates – Freemasons

That

1. An annual donation be made to the Freemasons equal to the difference between business rates and residential rates from 1 July 2011 on the Oberon Masonic Centre located at 70 Oberon Street, Oberon; and
2. Council’s Financial Assistance Policy be amended to include the annual donation.

Status

Property owners advised and policy amended.

Matter closed

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

Referred to Solicitor for advice. Await outcome.

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 response.

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.

Resolution Number – 19190711 – Amendment to the Development Department Fees for 2011/12 Financial Year

1. That the proposed amended Development Department Fees and Charges are placed on public notice for a period of 28 days in accordance with section 610F of the Local Government Act 1993.
2. Following public notice and provided no submissions are received the General Manager is delegated to implement the amendments to the Development Department Fees and Changes into Councils overall 2011/2012 Fees and Charges.

Status

Advertisement placed in Oberon Review. No submissions received. Fees and Charges Schedule updated.

Matter closed

Outstanding Rates

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

Status

Report to be presented to October 2011 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 the October 2011 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: 12 September 2011

11.02 Reports for Decision

11.02.01 Delegates to External Organisations

Executive Summary

Following the election of the Mayor and Deputy Mayor, Council traditionally reviews the delegates to the various committees and external organisations.

For Council Decision

Recommendation:

That delegates to external organisations for the ensuing twelve months be appointed.

Background

Following the election of the Mayor and Deputy Mayor, Council traditionally reviews the delegates to the various committees and external organisations.

A summary of each of the external organisations on which Council appoints delegates, noting the current delegate (or delegates) is 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 Sullivan – Chair as appointed by the audit committee on November 4 2010.
- 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)

Note: Any delegate or alternate nominated by Council needs to be endorsed by the Director General of the NSW Department of Planning and Infrastructure.
- Lachlan Regional Transport Committee Incorporated
 - No delegate currently appointed
- Oberon Arts Council
 - No delegate currently appointed
- Oberon Business Association
 - Councillor Handelsmann – Councillor Handelsmann’s appointment has lapsed following her official resignation from Council.
- Oberon Liquor Accord
 - Councillor O’Bernier
- Oberon Plateau Tourism Association
 - Councillor Handelsmann Councillor Handelsmann’s appointment has lapsed following her official resignation from Council
 - Councillor Sullivan (alternate)
- 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

Attachments

None

Statutory Environment

Local Government Act 1993

Policy Implications

Not applicable

Financial Implications

Provision is made in the budget for delegates and travelling expenses.

Strategic Implications

Not applicable

Officers Comment

Nil

Consulted With

General Manager

File No: A2.1
Author: John Chapman
Date: 18 August 2011

11.02.02 Potential Reduction in Number of Councillors

Executive Summary

The Local Government (Amendment) Elections Act 2011, which was assented to in June 2011, provides Council with an opportunity to make application to the Minister for approval to reduce Councillor numbers without the need for approval at a constitutional referendum. This opportunity is limited in that applications must be made no later than 28 November 2011.

For Council Decision

Recommendation:

For discussion and decision by Council.

Background

The Local Government (Amendment) Elections Act 2011, which was assented to in June 2011, provides Council with an opportunity to make application to the Minister for approval to reduce Councillor numbers without the need for approval at a constitutional referendum. This opportunity is limited in that applications must be made no later than 28 November 2011.

Not less than 42 days public notice is required to be given prior to submission of the application.

Section 224 of the Local Government Act provides that “a Council must have at least 5 and not more than 15 Councillors (one of whom is the Mayor)”.

Following is a list of CENTROC councils showing the current number of elected members, estimated population at 30 June 2008, area in square kilometres and the ratio of residents per elected member.

| Council | Elected Members | Estimated Population 30 Jun 2008 | Area (sq km) | Residents per Elected Member |
|----------------|------------------------|---|---------------------|-------------------------------------|
| Bathurst | 9 | 38,326 | 3,818 | 4,258 |
| Blayney | 7 | 6,985 | 1,525 | 998 |
| Boorowa | 9 | 2,390 | 2,579 | 266 |
| Cabonne | 12 | 12,994 | 6,026 | 1,083 |
| Cowra | 9 | 12,835 | 2,810 | 1,426 |
| Forbes | 9 | 9,649 | 4,720 | 1,072 |
| Harden | 7 | 3,636 | 1,869 | 519 |
| Lachlan | 15 | 6,838 | 14,973 | 456 |
| Lithgow | 9 | 20,620 | 4,507 | 2,291 |
| Oberon | 9 | 5,291 | 3,628 | 588 |
| Orange | 12 | 37,991 | 285 | 3,166 |
| Parkes | 10 | 14,956 | 5,958 | 1,496 |
| Upper Lachlan | 9 | 7,392 | 7,129 | 821 |

| | | | | |
|------------|----|--------|-------|-------|
| Weddin | 10 | 3,752 | 3,410 | 375 |
| Wellington | 9 | 8,711 | 4,113 | 968 |
| Young | 9 | 12,547 | 2,694 | 1,394 |

Should Council resolve to make application for approval to reduce Councillor numbers, the reduction would not take place until the next ordinary elections, scheduled to be conducted on 8 September 2012, and the following timetable would need to be implemented to comply with the required procedures:

- 20 September 2011 Council resolves to make application to the Minister for approval to reduce Councillor numbers
- 22 September 2011 Public notice of the proposal is given
- 9 November 2011 Closing date for receipt of public submissions regarding the proposal
- 15 November 2011 Council considers any submissions received and formulates responses to the submissions for inclusion with the application to the Minister
- By 28 November 2011 Application is lodged with the Minister

Attachments

Nil

Statutory Environment

Local Government Act 1993 and Local Government (Amendment) Elections Act 2011.

Policy Implications

There is currently provision for nine councillors (including the recent vacancy following Councillor Handelsmann’s resignation) and this opportunity allows that number to be reduced.

Financial Implications

A reduction in the number of Councillors would reduce the annual cost of Councillors’ fees.

Strategic Implications

Nil

Officers Comment

Nil

Consulted With

General Manager

File No: A1.3.2
Author: John Chapman
Date: 19 August 2011

11.02.03 Councillor Casual Vacancy

Executive Summary

Following the resignation of Councillor Handelsmann effective 1 September 2011 it would, under normal circumstances, be necessary to conduct a by-election to fill the vacancy.

However, Section 294 of the Local Government Act 1993 provides Council with an opportunity to make application to the Minister for approval to dispense with the requirement to conduct a by-election on this occasion given that we are within the 18 month timeframe immediately before an ordinary election of Council.

For Council Decision

Recommendation:

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.

Background

Following the resignation of Councillor Handelsmann effective 1 September 2011 it would, under normal circumstances, be necessary to conduct a by-election to fill the vacancy.

However, the Local Government (Amendment) Elections Act 2011, which was assented to in June 2011, provides Council with an opportunity to make application to the Minister for approval to dispense with the requirement to conduct a by-election on this occasion.

Section 294 of the Local Government Act now provides that a council may apply to the Minister to dispense with the requirement to hold a by-election for a casual vacancy in the office of a councillor that has occurred during the 18 months immediately before an ordinary election of the councillors.

The next ordinary election is scheduled to be conducted on 8 September 2012.

The total cost of the by-election conducted in 2010 was \$28,758.

Attachments

Nil

Statutory Environment

Local Government Act 1993 (Section 294) and Local Government (Amendment) Elections Act 2011.

Policy Implications

Nil

Financial Implications

The total cost of the by-election conducted in 2010 was \$28,758 and, should Council wish to fill the current vacancy, a similar cost is anticipated plus 4%. No provision has been made in the current budget for such expenditure.

Strategic Implications

Nil

Officers Comment

Nil

Consulted With

General Manager

File No: A1.3.2
Author: John Chapman
Date: 29 August 2011

11.02.04 Power of Attorney – General Manager

Executive Summary

It is becoming common practice in Councils across New South Wales to include in the General Manager's Delegation of Authority a Power of Attorney to facilitate the execution of specific documents resulting from resolutions of Council. The purpose of delegation is to reduce delays in the completion of legal documents which are a result of actioning and completing a resolution of Council.

The Power of Attorney negates the need for documents requiring the affixing of the common seal to be included in Council business papers to obtain a specific resolution on each occasion. It is utilised only on occasions where Council has already authorised by resolution a specific course of action, for example:

- Land sales
 - Subdivisions involving easements and/or dedication (e.g. Section 88B Instruments)
 - Contracts, leases and the like
-

For Council Decision

Recommendation:

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.

Background

It is becoming common practice in Councils across New South Wales to include in the General Manager's Delegation of Authority a Power of Attorney to facilitate the execution of specific documents resulting from resolutions of Council. The purpose of delegation is to reduce delays in the completion of legal documents which are a result of actioning and completing a resolution of Council.

The Power of Attorney will negate the need for documents requiring the affixing of the common seal to be included in Council business papers to obtain a specific resolution on each occasion. It will be utilised only on occasions where Council has already authorised by resolution a specific course of action, for example:

- Land sales
- Subdivisions involving easements and/or dedication (e.g. Section 88B Instruments)
- Contracts, leases and the like

Specifically, the proposed Power of Attorney will enable the General Manager to sign on behalf of Council the documents listed on the attached draft prepared by Council's solicitor.

Attachments



11.02.04_Attachment
_A_Draft_Power_of_A



11.02.04_Attachment
_B_Section_88B_Infor

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 attached draft Power of Attorney.

Financial Implications

Nil

Strategic Implications

Nil

Officers Comment

Consulted With

General Manager
Director of Development
Bird Legal

File: A6.2
Author: John Chapman
Date: 6 September 2011

11.02.05 Policy Reviews

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 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
-

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 submitted without alteration:

- 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

The following policy is submitted with reference to "Clean Up Australia Day and Daffodil Festival" removed and replaced with "March and September".

- d) Policy 4206 Clean Up Campaign

Attachments



11.02.05_Attachment
_A_4205RewardScher



11.02.05_Attachment
_B_4207WasteDepotA



11.02.05_Attachment
_C_5105TemporaryRc



11.02.05_Attachment
_D_4206CleanUpCamp

Statutory Environment

Local Government Act, 1993

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

Works Manager
Director of Corporate Services

File: A1.2.7
Author: Joanne Barton
Date: 3 September 2011

11.02.06 Internal Reporting Policy

Executive Summary

The *Public Interest Disclosures Act 1994* requires all New South Wales Councils and Government agencies to prepare and adopt a public interest disclosures policy and procedures by 1 October 2011. The Act obliges agencies and Councils to have regard to the Ombudsman's guidelines in preparing their policies.

For Council Decision

Recommendation:

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

Background

The *Public Interest Disclosures Act 1994* requires all New South Wales councils and government agencies to prepare and adopt a public interest disclosures policy and procedures by 1 October 2011. The Act obliges agencies and councils to have regard to the Ombudsman's guidelines in preparing their policies.

A draft policy for consideration and adoption by Council is attached.

Attachments



11.02.06_Attachment
_A_Internal_Reporting

Statutory Environment

Local Government Act 1993
Protected Interest Disclosures Act 1994

Policy Implications

The Protected Interest Disclosures Policy is required to be adopted by Council by 1 October 2011.

Financial Implications

Nil

Strategic Implications

Nil

Officers Comment

Nil

Consulted With

NSW Ombudsman's Office

File: A1.2.7
Author: John Chapman
Date: 7 September 2011

11.02.07 Swimming Pool Fees and Charges – Hire Of Lifeguards/Instructors

Executive Summary

The schedule of fees and charges for 2011-2012 adopted by Council in June 2011 provides for charges for the hire of the Oberon Swimming Pool for group bookings.

Provision was not made, however, where the hirer requests additional lifeguards/instructors.

For Council Decision

Recommendation:

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.

Background

The schedule of fees and charges for 2011-2012 adopted by Council in June 2011 provides for charges for the hire of the Oberon Swimming Pool for group bookings as follows:

- School Group Pool Bookings/Picnic Days (5 hours) \$405.00
- Group Bookings Other Than Schools (2 hours) \$184.00
- Group Bookings Other Than Schools with Inflatables (2 hours) \$225.00

These charges are based upon a maximum of 50 patrons per group, for which there would normally be allocated four lifeguards/instructors, the cost of which is included in the fee.

Provision was not made, however, where the hirer requests additional lifeguards/instructors. It is proposed, therefore, to amend the schedule of fees and charges by adding the following:

- Each additional lifeguard/instructor for group bookings \$35.00 (Incl. GST)

Attachments

Nil

Statutory Environment

Local Government Act 1993, Section 608

Policy Implications

Nil

Financial Implications

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

Strategic Implications

Not applicable

Officers Comment

Nil

Consulted With

General Manager
Swimming Pool Supervisor

Files: C15.5, D55.3.1
Author: John Chapman
Date: 6 September 2011

11.03.01 General Business – Corporate Services

12 Director of Engineering Reports

12.01 Reports for Information

Recommendation

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

12.01.01 Monthly Update Report – Engineering Department

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

1. General Fund

Tennis Courts

Construction of the building is complete. Landscaping, access road and fencing are currently being completed. Signage is being investigated.

Gravel Resheeting

Some gravel resheeting has been carried out on Jaunter Road, Keith Armstrong Road and Purdons Lane. Elsewhere, patch gravelling has been done in conjunction with maintenance grading.

2. RTA Works

Abercrombie Road

Design work is continuing for the next section of Abercrombie Road, south of Sewells Creek Road. Clearing and drainage works have not yet commenced, pending completion of a Review of Environmental Factors (REF).

O'Connell Avenue

Upgrading of Box Flat Road is in progress, this will be used as an alternative route while construction is in progress through the avenue.

Reconstruction of O'Connell Road through the avenue is expected to commence in October.

3. Town Improvement Fund

Common Embellishment

Tree planting around the top pond has been completed.

4. Sewer Fund

Nil

5. Water Fund

Nil

6. External Meetings

Staff were unavailable to attend a meeting of customers of Fish River Water Supply, with NSW Office of Water, to discuss the carryover rules when customers do not utilise their full allocation.

The Office of Water has since advised of some proposed changes to the rules, and is seeking Council's comments. Further details will be reported.

7. Stormwater Harvesting Project

Tenders for four contracts are currently open. The closing date has been extended to September 14 2011.

There have been further discussions with NSW Office of Water in relation to obtaining a licence, or an exemption from the requirement for a licence. Further details will be reported to the 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

Tenders for the purchase of a new truck and dog have closed. See separate report.

10. Staff Training

- Test and tag electrical equipment
- Traffic Control – apply TCP
- Cable location
- Confined spaces
- New OHS Legislation

11. Upcoming Works

Projects likely to commence over the next three months include the following. This program may be subject to change.

- Heavy patching on various roads (Campbells River Road commencing in September)
- Hazelgrove Road – continue earthworks on next stage
- O'Connell Avenue
- Replacement of a section of 250mm water main at Golf Club
- Stormwater drainage on east side of Glyndwr Avenue
- Abercrombie Road south of Sewells Creek Road

File: A1.2.1
Author: Ian Tucker
Date: 01 September 2011

12.01.02 Director of Engineering Status Report

Lowes Mount Road

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

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

Status

Curve testing is being conducted to determine correct advisory speeds.

Campbells River Road

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

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

Status

Heavy patching commencing September 2011

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.

Resolution Number – 26160811 - Proposed Naming – Lowry's Hill, Black Springs

That Council support the application to name Lowry's Hill.

Status

Complete

Matter closed

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 – 24160811 - Todds Road Upgrade

That the request to convert approximately 0.9km of Todds Road from crown road reserve to a dedicated road be supported subject to development consent and the road being upgraded to Council's normal standard and all costs for construction and survey being borne by the applicant.

Status

Applicant notified. This will now be subject to normal DA process.

Matter closed

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. To be actioned
-

Lighting at Fleming Street Bus Terminal

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

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

Status

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

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

Meeting with Forests NSW

Councillor McCarthy suggested that Council request a meeting with Forests NSW General Manager, Macquarie Region, Mr Gavin Jeffries to discuss contributions to the cost of road maintenance in the LGA.

The General Manager is requested to arrange for a meeting to be held as soon as possible.

Status

Meeting organised for 5.00pm September 13 2011.

Matter Closed

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 2,750m² 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.

Bald Ridge Road

Councillor Francis raised drainage issues at Bald Ridge Road. An area of the road needs additional drainage pipes installed.

The Director of Engineering will inspect the area.

Status

Works programmed.

August Update: Works completed

Matter Closed

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.

Resolution Number – 16180510 – Sloggetts Road Intersection

That an application be made to the Minister for Local Government and the Governor for approval to compulsorily acquire part of Lot 3 DP 1076999 at the intersection of Abercrombie Road and Sloggetts Road.

Status

Application approved by the Minister – matter to proceed.

Matter closed

File No: A1.2.1
Author: Ian Tucker
Date: 2 September 2011

12.02 Reports for Decision

12.02.01 Central NSW Councils (Centroc) Compliance and Cost savings program – Bitumen Emulsion Contract

Executive Summary

This report recommends that Council participate in a regional purchase of bitumen emulsion through Central NSW Councils (Centroc) Compliance and Cost Savings program.

Council has participated in Centroc's regional contract for the purchase of bitumen emulsion for the past five (5) years. The next contract will commence 1 January 2012.

For Council Decision

Recommendation

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

Background

The Supply Management Team first decided to run a regional contract for bitumen emulsion in 2004 culminating in a three year regional contract in 2005 with the process repeated at the completion of that contract in 2008. As we near the completion of the current contract, Centroc seeks to repeat the process.

Should Council agree to participate in a regional contract, Centroc will put out an RFT (Request for Tender) and proceed to a contract.

As Council purchases less than \$150,000 worth of bitumen emulsion each year it is not bound to purchase through a contract. Staff can seek quotes each time they look to purchase emulsion but have no guarantee of what the quotes can come in at. This requires more staff time for each purchase.

Council currently purchases bitumen emulsion through Centroc's regional contract

Attachments

Nil

Statutory Environment

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

Policy Implications

There are no relevant council policies.

Financial Implications

Centroc manages the process including all costs of advertising and tender assessment and takes a management fee from the supplier to cover these costs.

Strategic Implications

Nil identified

Officers Comment

Nil

Consulted With

Acting Director of Engineering

File: E37.1, E39.1
Author: Matilda Dwyer
Date: 26 August 2011

12.02.02 Roads to Recovery Program

Executive Summary

The Australian Local Government Association is seeking support for a campaign to extend and increase the funding for local roads through the Roads to Recovery program.

For Council Decision

Recommendation:

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
-

Background

The Roads to Recovery Program has been an important funding source for Oberon Council for upgrading projects on local roads for many years.

It has contributed to many projects around the LGA, and in some cases has been used to match other grants from the RTA (e.g. REPAIR Program on Abercrombie Road).

The Roads to Recovery Program has generally been announced and funded by successive Governments for blocks of three to four years at a time. The Australian Local Government Association has launched a campaign to make it a permanent program, and to increase its funding.

Attachments



12.02.02_Attachment
_A_Correspondence_F

Statutory Environment

Not Applicable

Policy Implications

Nil

Financial Implications

If the Roads to Recovery Program were to cease, the task of adequately funding upgrading projects on local roads would become much more difficult.

Strategic Implications

Long term improvement of Council's local road network is one of Council's key objectives. The lack of long term funding certainly makes the planning of future works programs more difficult.

Officers Comment

Nil

Consulted With

Nil

File No: E30.2
Author: Ian Tucker
Date: 9 September 2011

12.03.01 General Business - Engineering

13 General Manager Reports

13.01 Reports for Information

Recommendation

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

13.01.01 Monthly Update Report – General Manager

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

1. Staff Matters

- a) Executive Management

Regular meeting continue with the executive management team.

2. Workplace Health and Safety Matters

- a) Incidents

One incident during August when a roller slipped off a bank. Some damage to the roller was sustained, but no injury to the operator.

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. Destination 2036 meeting (see item 8b)
- b. CENROC Board meeting
- c. BMLot Board meeting

Committee Meetings

I have attended the following Committee meetings this month:

- a. Seniors Welfare Committee
- b. Oberon Sports Committee

Other Meetings of Note

- a. Meetings regarding Jenolan Caves future development
- b. Meeting with the United Services Union
- c. Meeting with representatives from the Oberon Golf Club
- d. Meeting with a representative from the Oberon Tennis Club
- e. Meeting with Lithgow and Blue Mountains City Council
- f. Councillor training session (see item 9f)

4. Events Calender



13.01.01_Attachment
_A_Calendar_Septeml



13.01.01_Attachment
_B_Calendar_October

5. Library

The August 2011 figures for the Oberon Council Library are as follows:

| | |
|---------------------------------------|-------|
| • Membership as at 31 July 2011 | 3405 |
| • New Borrowers for the Month of July | 18 |
| • Total Number of Items Issued | 1,551 |
| • Computers Issued | 197 |
| • Members borrowing from the Library | 875 |
| • People visiting the Library | 1447 |

The comparative reports for the Oberon Council Library are attached for information. The reports show a steady or slight decrease in visitations and issues/internet use over the months of 2011 in comparison to 2010. New borrowers peaked in February 2011, with numbers dropping over winter 2011. Average number of customers per hour remains relativity steady, although there looks like a drop in August. Manual door counts have been undertaken since mid-August that will capture actual per hour customer figures (not averaged) and to which user group the customer belongs.



13.01.01_Attachment
_C_Library_Summary

6. Use of Reportable Delegations

None to report

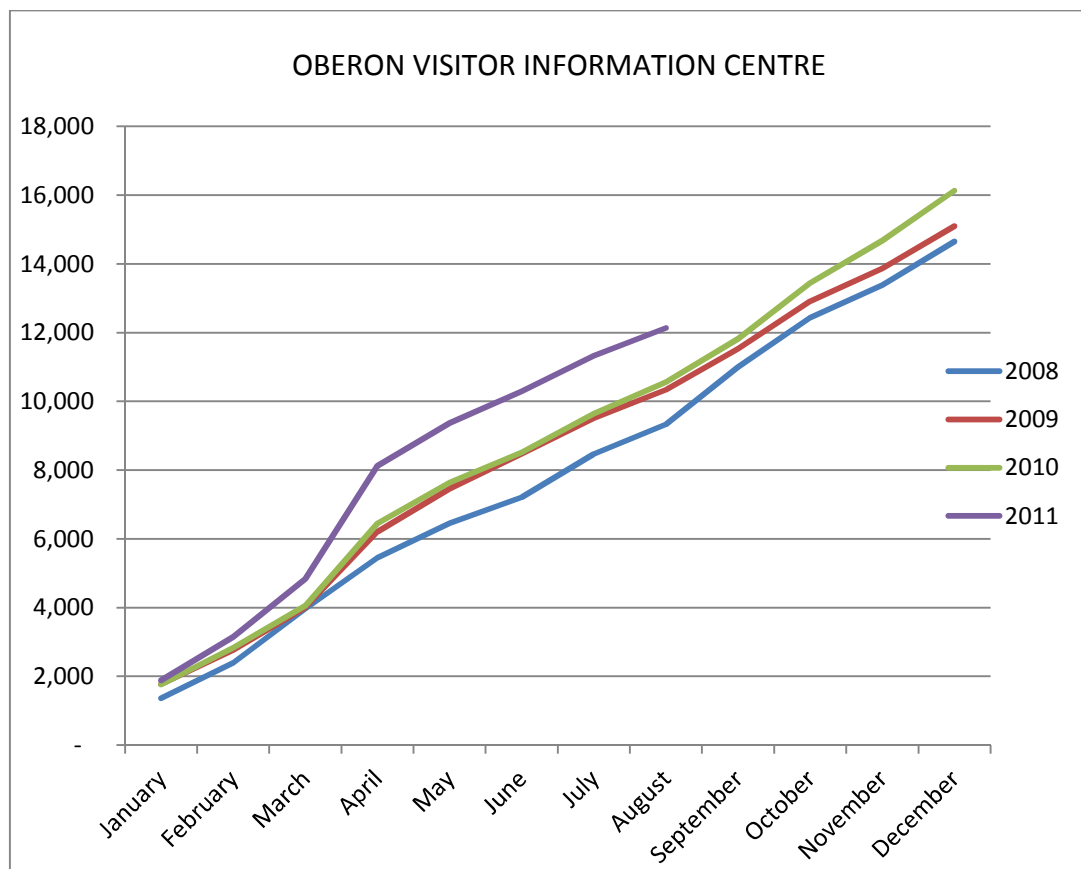
7. Economic Development

a) General

The prospective vegetable growing venture is now looking to locate to Victoria, given energy costs and transport logistics being more favourable in that region.

b) Tourism

i. Oberon Visitor Information Centre



13.01.01_Attachment
_D_VIC_August_2011.

ii. Tourism Events

Spring Garden Festival

Coordination of the Spring Garden festival is underway. Discussions have been successful with Falkirk Garden to open a further two weekends to link-up with Mayfield Garden open weekends. This enables the festival to have an

activity on every weekend from September through to the first weekend in November.

The Spring Garden Festival brochure has been delayed slightly. Rotary are unable to continue with the planning of the Open Garden Scheme due to their commitment to Mayfield Garden catering and thus Council officers have taken this take on in conjunction with the Oberon Garden Club.

Six gardens are committed to opening their gardens for the weekend of 5 and 6 of November. An Open Garden weekend brochure has been designed and will be available from the Oberon Visitors Information Centre. The Oberon Garden Club has elected to contribute the monies raised from their open gardens to the Oberon branch of Can Assist.

Over the next few weeks the full program will appear here: <http://www.oberonfestivals.com.au/> then click on the Spring Festival Logo to bring up the coming events.

Kanangra Classic Family Day

Planning continues for the Kanangra Classic Family Day to be held on Saturday October 15 2011 (the weekend after Bathurst Races and weekend before Mayfield Garden).

Details are available on the www.oberonaustralia.com website under coming events.

A colouring in competition was held with all schools within the LGA invited to participate. The competition was to design a new poster promoting the Kanangra Family Bike Fun Day 2011. Information was sent to schools and a public notice was place in the Oberon Review 25 August.

The winner receives a small cash from event sponsor Delta Electricity. There was an overwhelming response from all of the schools with over 60 original artworks submitted. Posters will soon be around the district with the winning poster being used on the internet. Presentation of the prize to the winner is scheduled to be held in the second week of September.

iii. Topical Tourism

RV Friendly Town

Oberon Council has completed an application form to become an RV Friendly Town, through the Campervan and Motorhome Club of Australia (CMCA).

The 'RV Friendly Town' scheme is an initiative of the CMCA that promotes RV tourism related services across Australia. By promoting the partnership between the RV tourist and small towns, CMCA encourages the expansion of tourism related infrastructure and services and promotes the economic advantage to small towns of providing RV tourist specific amenities.

TASAC

A council officer attended the last TASAC (Tourist Attraction Signposting Assessment Committee) with regards signage for The Tablelands Way. Also discussed were tourist route signs. Council has till January 2012 to provide TASAC with a full audit of established tourist route signage for their consideration.

iv. Marketing – Publications

The Tableland Way third publication of the Tablelands Way magazine will be released at the end of October 2011.

v. Marketing – Media

Jenolan Caves was featured on 'Getaway' television show on August 20th, with the focus of the segment being the Klingon language tour.

vi. Marketing – Consumer Shows

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

8. Regional / State Matters

a) Access over the Blue Mountains

See separate report to this meeting

b) Destination 2036

Destination 2036 is an initiative of the State Government. According to the Department of Local Government

... Destination 2036 is the start of a new way of planning which moves local government in NSW from talking about and reacting to change, to managing change to create a preferred future. In effect, it will begin the strategic plan and delivery program for NSW local government, mirroring key elements of the integrated planning and reporting frameworks which individual councils are implementing.

On behalf of Council I attended the Dubbo forum with over 300 representatives from NSW Councils and the State Government.

For further information see:

http://www.dlg.nsw.gov.au/dlg/dlghome/dlg_generalindex.asp?sectionid=1&mi=6&ml=21&AreaIndex=PRS

At the Dubbo forum the following Vision was constructed by the focus groups:

Vision 2036 Strong Communities through Partnerships

By 2036, all NSW communities will be healthy and prosperous – led and served by strong, effective and democratically elected local government

Through leadership, local knowledge and partnerships with community, government and other sectors, we will plan our futures and deliver quality services and infrastructure

We will be recognised, respected and responsible for:

- *Upholding the highest ethical standards*
- *Sound financial management*
- *Sensitive environmental stewardship*
- *Meaningful community engagement, advocacy and leadership*
- *Our adaptability, innovation and learning*
- *Developing the full potential of our people*
- *Responding to our diverse cultures and environments*
- *Creating places that people value*
- *Achieving the vision – a roadmap for Local Government*

The next step in the process is the establishment of a Steering Committee to oversee implementation of the Action Plan. The Steering Committee is to consist of the Chief Executive of the Division of Local Government (Chair), the Presidents of the Local Government and Shires Associations and the President of the LGMA.

The Steering Committee is to meet on September 2 2011 to consider the workshop outcomes. The Committee will refine the list of actions into a draft action plan that will be distributed around the end of September for consultation. Feedback will be considered and incorporated into the final action plan by the end of the year so that implementation by the two tiers of government can commence in 2012.

9. Other Matters

a) Tennis Centre

A letter has been sent to the current Tennis Centre Management Committee to discuss the way forward with regards the management of the improved multi-purpose indoor sports facility. This letter is to be considered at their AGM in September 2011.

b) Community Centre Upgrade

Painting has been completed, cupboards and floor coverings are scheduled for installation. Work is to commence on the bathroom renovation in mid-September.

c) Realignment

The realignment is close to being achieved. Recruitment is underway for the IT officer and Community and Customer Services Manager. The IT Officer is to commence mid-September.

The new rosters at the Library and Visitor Information Centre commenced as planned on August 1 2011.

d) Social Media

Council officers are developing an Oberon Council social media presence.

e) Newsletter

Council officers are costing the production and distribution of a quarterly Council newsletter.

f) Councillor Professional Development Session

Underlying the approach to the workshop was the two themes of:

- Recognition of the importance of Councillors reviewing their performance as Councillors, and
- Revisiting the roles and responsibilities for elected representatives.

In undertaking the review the intention was to provide an opportunity to assess Council performance with respect to:

- Personal performance as a Councillor
- Inter-action with their fellow Councillors;
- Their collective performance for Governance of the corporate body in discharging its responsibilities, and
- The inter-action with the community of which they have been elected.

The workshop provided an opportunity to identify those things for which success can be claimed – it also identified opportunities to improve governance

Workshop Topics included:

- Policy making – v - operational, are we rowing or steering?
- Our greatest achievement since being elected?

- Our greatest disappointment over the two years in office?
- Are we leading or being led by our community?
- Are we handing over to future generations well maintained assets or underfunded liabilities?
- Leadership – how do we define it?
- The challenges of elected life – how have we responded?
- Satisfaction of elected life – the many and varied

Facilitated by Gerry Holmes the approach was to seek the views of the Councillors and this required a high level of participation. All Councillors participated and the quantity and quality of the involvement was of a high order.

g) 2011 Country and Regional Living Expo

The 2011 Country and Regional Living Expo was held at the Rosehill Racecourse from 5th to 7th August 2011.

The Oberon Business Association coordinated the Oberon stand at the exhibition and Council provided a contribution of \$5,000 towards the cost of attending the event. Donations from local businesses were also received and totaled \$5,950 in addition to Council's contribution.

The Association initially agreed to provide a contribution of \$3,000 towards the costs of the Expo. Oberon Plateau Tourism Association also passed a resolution to contribute a further \$3,000 in the funds.

The event was again well attended and approximately 150 families registered their interest on the Oberon stand. These families will be contacted by members of OBA in the near future.

The cost of attending the event is \$8,586.50.

A report has been provided by the Oberon Business Association regarding the event and is attached for Councillors information.

Attachment



13.01.01_Attachment
_E_2011_Country_anc

h) 2011 Oberon Council Local Government Golf Day

Planning is underway for the 2011 Oberon Council Local Government Golf Day, which will be held on Friday 25th November 2011. All Major sponsors have confirmed their participation in this year's event. A meeting has also been held with the President and Secretary of the Oberon Golf Club who confirmed their willingness to again be involved in the event.

Letters of invitation will shortly be sent to Mayors, Councillors and Staff of the surrounding Councils. Following this registration will be invited from staff and other local contractors and businesses.

File: A1.2.1
Author: Leanne Mash
Date: 12 September 2011

13.01.02 Status Report

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.

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.

Resolution Number – 05160811 - Events Committee Meeting Minutes

That:

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

Status

Letters written – await response.

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

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

Status

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

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

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.
-

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.

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

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.

Resolutions 11190411 and 10190411 - Community Centre Extension

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

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

Status

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

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

September Update: Underway

Resolution Number – 48150311 Blue Mountains, Lithgow and Oberon Tourism (BMLOT)

That the General Manager be requested to hold discussions with representatives from Lithgow and Blue Mountains Councils regarding the BMLOT with the view of organising a meeting between the three Councils and the BMLOT Board to discuss shared concerns.

Status

Request made for a meeting in April to progress these matters.

June Update: One meeting held, follow up meeting planned.

July Update: Meeting held.

Matter closed

Resolution Number – 52150311 Jenolan Caravan Park Oberon

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

Status

Underway

June Update: See separate report to the June meeting.

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

Minutes from Committee Meetings

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

Status

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

Resolution Number – 30141210 - Broadband Submission

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

Status

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

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

March Update: Contacted officer requesting timeline for response.

April Update: No response to date.

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

July Update: Action with John Cobb's office.

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

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

Status

No additional progress to date.

Resolution Number – 18200610 – Motor Vehicle Policy

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

Status

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

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

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

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

Resolution Number – 35161208 – Oberon – Hazelgrove Walking Track

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

Status

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

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

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

File: A1.2.1
Author: Leanne Mash
Date: 6 September 2011

13.02 Reports for Decision

13.02.01 Internal Audit Committee

Executive Summary

IAB Services (IAB) was engaged by the Alliance Councils (Oberon, Mid-Western and Lithgow) to carry out a high-level review of Oberon Council's Development Assessment, Section 64 and 94 Revenue and Expenditure. The review is part of the initiative by senior management from the Central Tablelands Alliance (CTA) – Oberon, Mid-Western and Lithgow City Councils - focusing on three (3) operational areas rated as potentially High Risk in each of the councils.

The Oberon Council report and a comparative report of all three Councils are presented for information. The unconfirmed minutes from the Internal Audit Committee meeting held on 2 September 2011 are also attached for information.

A progress report based upon the recommended actions will be included with future quarterly management plan reviews.

For Council Decision

Recommendation:

That the internal audit report and unconfirmed minutes from the internal audit committee be noted and received for information.

Background

IAB Services (IAB) was engaged by the Alliance Councils (Oberon, Mid-Western and Lithgow) to carry out a high-level review of Oberon Council's Development Assessment, Section 64 and 94 Revenue and Expenditure. The review is part of the initiative by senior management from the Central Tablelands Alliance (CTA) – Oberon, Mid-Western and Lithgow City Councils - focusing on three (3) operational areas rated as potentially High Risk in each of the councils.

The Oberon Council report and a comparative report of all three Councils are presented for information. The minutes from the Internal Audit Committee meeting held on 2 September 2011 are also attached for information.

The objectives of the audit were to review the adequacy and effectiveness of internal control and administrative arrangements relating to:

- The determination of Development Applications, Construction Certificates, Complying Development Certificates and Occupation Certificates
 - The levying of Section 64 and Section 94/94A Developer contributions and the collection and accounting of revenue, and
 - Ensuring that related expenditure is consistent with the agreed Contributions Plans
-

The methodology adopted for the review was risk based and included the following audit procedures:

- Discussions with Planning and Development, Finance and Administration, Customer Service and Operations staff
- Examining system control documentation in order to assess the efficiency and effectiveness of processes and to determine the extent to which they comply with relevant policy and procedures
- Reviewing the administrative practices in order to identify improvements and reduce any potential financial risks that could result from current processes and procedures

A summary of the recommendations obtained from the process are contained within the report. This summary is presented in the form of an Action Plan that is designed to allow management to more readily monitor the implementation of audit recommendations. Management have responded to the issues raised in discussions with IAB and are in the process of addressing such matters within the scope of available resources.

Attachments



13.02.01_Attachment
_A_Oberon_Developm



13.02.01_Attachment
_B_Consolidated_Deve



13.02.01_Internal_Au
dit_Committee_Minute

Statutory Environment

Legislative compliance with the Local Government Act 1993 and the Environmental Planning and Assessment Act.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

A strategic review of Development Assessment, Section 64 and Section 94 Revenue and Expenditure across Councils against best practice was undertaken by IAB.

Officers Comment

Nil

Consulted With

IAB
The Internal Audit Committee
Oberon Council Directors

File: C15.1
Author: Leanne Mash
Date: 2 September 2011

13.02.02 Upcoming Meetings

Executive Summary

A summary of meeting and conference opportunities for the coming months is provided.

These include:

- 2011 LGA Conference in Shoalhaven
 - 2011 National Local Roads and Transport Congress in Mount Gambier
-

For Council Decision

Recommendation

That:

1. No Councillor attends the 2011 LGA Conference in Shoalhaven
 2. No Councillor attends the 2011 National Local Roads and Transport Congress in Mount Gambier
-

Background

2011 LGA Conference in Shoalhaven

The Local Government Association 2011 Conference will be held in Shoalhaven from Sunday 23 October to Wednesday 26 October.

A draft 2011 LGA Conference Business Paper is now available on the LGA conference website www.LGAConference.lgsa.org.au.

The full conference program is attached for Councillors information.

The cost to attend the conference is \$1,155 per person plus travel and accommodation costs.

2011 National Local Roads and Transport Congress in Mount Gambier

The 2011 National Local Roads and Transport Congress will be held from 16 – 18 November 2011 in Mount Gambier, South Australia. The theme for this year's conference is *Better Roads are Safer Roads*.

The Congress features a number of road safety experts, an international speaker from Canada as well as political speakers. The ALGA Board will use the Congress to launch Local Government's campaign to renew Roads to Recovery, the primary source of Federal funding for local roads.

The cost to attend the conference is \$960.00 plus flights and accommodation.

The full conference program is attached for Councillors information.

Attachments



13.02.02_Attachment
_A_LGA_2011_Confer



13.02.02_Attachment
_B_2011_National_Loc

Statutory Environment

Not applicable

Policy Implications

Nil

Financial Implications

There is an allocation in the 2011-12 budget for meeting attendance.

Strategic Implications

Not applicable

Officers Comment

Nil

Consulted With

Not applicable

File: A1.2.1
Author: Leanne Mash
Date: 12 September 2011

13.02.03 Regional Tourism

Executive Summary

Council currently contribute funds to the Blue Mountains Lithgow and Oberon Tourism (BMLOT) as our Regional Tourism Organisation (RTO). Lithgow City and Oberon Councils contribute membership funds on a per capita basis, while the Blue Mountains City Council provide funding and undertake a wide range of secretariat related duties for BMLOT.

Blue Mountains City Council (BMCC) is presently undertaking a wide ranging review of the services it provides, and tourism and economic development are part of this review. This includes the existing relationship with BMLOT.

Whatever outcome is determined and resolved by BMCC after the review is completed may well have a flow on effect as to how the Regional Tourism Organisation is resourced and funded.

For Council Decision

Recommendation:

That Council receive the report for information.

Background

Blue Mountains City Council (BMCC) is presently undertaking a wide ranging review of the services it provides, and tourism and economic development are part of this review. The report as presented to BMCC on August 9 2011 is presented for the information of Council, see attachment.

Blue Mountains, Lithgow and Oberon Tourism (BMLOT) have for some time discussed a strategic direction that would see it directly employing its own staff and no longer relying on BMCC for administrative and operational support. The BMLOT board has previously resolved to negotiate an exit from the current arrangements. Regardless, the term of the current arrangement concludes on June 30 2012.

Whatever outcome is determined and resolved by BMCC after the review is completes may well have a flow on effect as to how the regional tourism organisation is resourced and funded into the future.

Attachments



13.02.03_Attachment
_A_BMCC_Working_ar

Statutory Environment

Local Government Act 1993
The Corporations Act

Policy Implications

None identified

Financial Implications

None identified

Strategic Implications

Yet to be determined – await decision from BMCC

Officers Comment

Consulted With

BMCC

File: P73.1
Author: Leanne Mash
Date: September 13 2011

13.03.01 General Business – General Manager

14 New Business of an Urgent Nature Admitted by Council

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

15.01.01 Central NSW Councils (CENTROC) Compliance and Cost savings Program – Road Signs Contract

15.01.02 Land Use Strategy – September Update

15.01.03 Purchase of Truck and Trailer

15.01.04 Water Consumption Charges Refund – Account 12367875

15.01.05 Fish River Water Supply Scheme

15.01.06 Transport Issues

15.01.07 Product Development Funding

16 Closure of Meeting

The next Ordinary Meeting of Oberon Council will be held on 18 October 2011, commencing at 5.30pm in the Oberon Council Chambers, 137 – 139 Oberon Street, Oberon.