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OBERON COUNCIL

Agenda and Business Papers Oberon Council Ordinary Meeting Tuesday 15 February 2011 5.30pm Council Chambers

5.30pm	Opening of meeting
5.30pm – 6.10pm	Presentation from Ashay Prabhu – ACEAM regarding Assets Management System
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 Zsuzsanna Handelsmann
 Cr Clive McCarthy
 Cr Bob O’Bernier

Officers Leanne Mash, General Manager
 John Chapman, Director of Corporate Services
 Mark Dicker, Acting Director of Development
 Leigh Robins, 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 14 December 2010



141210 Unconfirmed
Minutes 14 December

Recommendation:

That the Minutes of the duly convened Ordinary Meeting held on 14 December 2010 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 with General Manager and LGSA representative regarding General Manager Performance Contract – 8 December 2010
2. Oberon Promotions Committee Meeting – 9 December 2010
3. Meeting with representatives from Boral – 9 December 2010
4. National Timber Council Executive Meeting (Phone Conference) – 9 December 2010
5. Ordinary Council Meeting – 14 December 2010
6. Meeting with representatives of Oberon RSL Sub-branch regarding Official Opening of Ataturk Stone – 15 December 2010
7. Meeting with Shadow Minister for Industry, Duncan Gay – 18 January 2011
8. Meeting with Gerard Martin – 19 January 2011
9. National Timber Council Executive Meeting (Phone Conference) – 31 January 2011
10. Works Committee Meeting – 2 February 2011
11. Finance Committee Meeting – 7 February 2011

B. Representation

1. Oberon Business Association Awards Dinner – 8 December 2010
2. Oberon High School Annual Presentation Night – 9 December 2010
3. Oberon Public School Annual Presentation Night – 13 December 2010
4. St Joseph's Central School Annual Presentation – 14 December 2010
5. Friends of the Oberon Library Christmas Function – 14 December 2010
6. Oberon Junior Sports Awards – 15 December 2010
7. Citizenship Ceremony – 15 December 2010
8. Official Opening of Ataturk Stone – 18 December 2010
9. Oberon Community Pacing Day – 23 January 2011
10. Australia Day Cocktail Function – 25 January 2011
11. Australia Day Celebrations – 26 January 2011

C. Correspondence

Correspondence was received from:

1. The Hon Jodi McKay MP, Minister for Women regarding Council's 2011 International Women's Day Grant Application
2. Oberon High School regarding School Based Trainee program
3. Invitation to attend the Oberon Junior Sports Awards to be held on 15 December 2010
4. Blue Mountains Association of Cultural Heritage Organisations regarding a meeting to discuss the commemoration of the 200th anniversary of the first European crossing of the Blue Mountains in 1813

5. Burruga Public School – letter of thanks for donation
6. Auburn City Council apologising for not attending the Official Unveiling of the Ataturk Stone and passing on best wishes for the event
7. National Tree Day 2011 – invitation to participate in 2011 National Tree Day program
8. Invitation to attend the Highlands Steam and Vintage Fair to be held on 11th, 12th and 13th February 2011
9. Bathurst Harness Racing Club Inc – invitation to attend Oberon Community Race Meeting to be held on 23 January 2011
10. Highlands Steam and Vintage Fair – invitation to sponsors and stakeholders afternoon tea to preview the event – 1 February 2011
11. Rear Admiral Ken Doolan AO RAN (Retd) expressing thanks following the unveiling of the Ataturk Stone
12. Invitation to attend the Oberon Correctional Centre Waitangi Day to be held on Friday 25th February 2011
13. Invitation to officiate at the Oberon Arts Council's Opening of the Community Artworks in The Common – Saturday 13th March 2011

Keith Sullivan
Mayor

08 Councillor Reports

Report to be provided to meeting.

09 Delegates Reports

09.01.01 Traffic Advisory Local Committee Meeting

Executive Summary

Minutes of the Traffic Advisory Local Committee meeting held on 22 December 2010 are attached for Council's information.

For Council Decision

Recommendation:

1. That the Minutes of the Traffic Advisory Local Committee meeting held on 22 December 2010 be accepted.
2. That the application for 25m B-Double access on Moss Grove Road off Campbells River Road not be approved.
3. That the application for 25m B-Double access on Edith Road and Bastard Point Road not be approved.
4. That the application for 25m B-Double access on Arkstone Road west of Campbells River Road, and on Jeremy road, not be approved.

Background

The Traffic Advisory Local Committee Meeting was held on 22 December 2010 and several matters were discussed.

The Committee considered several applications for B-Double routes. The route assessments identified a number of problems. The Committee recommends that all the applications not be approved.

Attachments



12 December 22,
2010 - Minutes TALC.c

Statutory Environment

Traffic regulation powers are delegated to Council on the condition that matters are first considered by a Traffic Committee which complies with the delegation document.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Officers Comment

Nil

Consulted With

Not Applicable

File No: A2.2
Author: Ian Tucker
Date: 23 December 2010

09.01.02 Minutes of the Oberon Promotions Committee Meeting

Executive Summary

A meeting of the Oberon Promotions Committee was held on Thursday 9 December 2010, however due to the lack of a quorum a formal meeting did not proceed. Discussion was held with the members of the committee present and minutes from the discussion are attached for Council's information.

For Council Information

Recommendation:

That the minutes of the Oberon Promotions Committee discussion held on Thursday 9th December 2010 be received for information.

Background

Minutes of the meeting of the Oberon Promotions Committee held on Thursday 9 December 2010 have now been prepared and are presented for Council's information. Due to the lack of a quorum the meeting did not proceed as a formal meeting, however discussion was held regarding current matters the committee have been pursuing.

Attachments



12 December 9, 2010
- Minutes Promotions 1

Statutory Environment

The Oberon Promotions Committee is a Section 355 Committee of Council.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Officers Comment

Nil

Consulted With

General Manager

File No: A2.17
Author: Sharon Swannell
Date: 2 February 2011

09.01.03 Minutes of the Timber Heritage Walk Committee

Executive Summary

Minutes of the Timber Heritage Walk Committee meeting held on the 11 October 2010 should be received and ratified by Council.

For Council Information

Recommendation:

That the Minutes of the Timber Heritage Walk Committee held on the 6 December 2010 be received for information.

Background

The Minutes of the Timber Heritage Walk Committee Meeting held on 6 December 2010 have now been prepared and should be confirmed by Council.

Attachments



Minutes 1210
December 6 2010.doc:

Statutory Environment

The Timber Heritage Walk Committee is a Section 355 Committee of Council.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Officers Comment

Nil

Consulted With

Not Applicable

File No: A2.27
Author: Ralph Tambasco
Date: 20 January 2011

09.01.04 Minutes of the Heritage Committee

Executive Summary

Minutes of the Heritage Committee meeting held on the 6 December 2010 should be received and ratified by Council.

For Council Decision:

Recommendation:

- a. That the Minutes of the Heritage Committee held on the 6 December 2010 be received for information.
 - b. That a letter of appreciation be forwarded to Mr McKenzie for his input and time spent on the committee.
 - c. That a letter of thanks be forwarded to the Coxs Road Committee for their assistance with the Old Coxs Road Heritage signs.
 - d. That the section of the Old Coxs Road that passes through the Oberon LGA be recommended for listing on the State Heritage Register
-

Background

The Minutes of the Heritage Committee Meeting held on 6 December 2010 have now been prepared and should be confirmed by Council.

Attachments



Minutes 1210
December 6 2010.doc

Statutory Environment

The Heritage Committee is a section 355 Committee of Council.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Officers Comment

Nil

Consulted With

Not Applicable

File No: A2.27
Author: Ralph Tambasco
Date: 20 January 2011

09.01.05 Events Committee Meeting Minutes

Executive Summary

Minutes of the Events Committee meeting held on the 1 February 2011 are attached for Council's information.

For Council Decision

Recommendation:

That:

1. The Minutes of the Events Committee Meeting held on 1 February 2011 be received and noted.
 2. The Rotary Club of Oberon be invited to facilitate the Open Gardens component of the 2011 Oberon Spring Gardens Festival.
 3. It be noted that the Rotary Club will endeavour to engage the Oberon Garden Club's assistance to conduct the Open Gardens event.
 4. Council support, in principle, the proposed endurance mountain bike ride on 16 October 2011 subject to further clarification of the proposed event.
-

Background

The Events Committee Meeting was held on 1 February 2011 and discussions were held as follows:

- 2011 Oberon and Villages Summer Festival
- 2011 Oberon and Villages Spring Garden Festival
- 2011 Australia Day celebrations
- Cool Events Branding
- Proposed endurance cycling event in October 2010
- Proposed Combined Churches Good Friday event
- Proposed Arts Council opening of the Heritage Wall and Pavers in The Common on 13 March 2011.

Attachments



02 Minutes 1
February 2011.docx

Statutory Environment

Local Government Act 1993

Policy Implications

Nil

Financial Implications

Provision is made in the 2010/2011 budget for festival activities.

Strategic Implications

Nil

Officers Comment

Nil

Consulted With

Events Committee

File No: A2.5
Author: John Chapman
Date: 6 February 2011

09.01.06 Library Committee Meetings Minutes

Executive Summary

Minutes of the Library Committee meetings held on the 7 December 2010 and 1 February 2011, together with copies of the Library Managers' reports tabled at the meetings, are attached for Council's information.

During the course of the meeting held on 1 February 2011, the matter of representation at the Country Public Libraries Association Meeting to be held in Sydney on 4 March 2010 was discussed. Councillor O'Bernier expressed doubt that he would be able to attend due to business commitments. It was noted that the Committee Chairperson, Christine Parker (while not an elected member) may be able to attend. The general manager agreed that the matter would be listed for discussion by Council at the February 2011 Ordinary Meeting following further enquiries and confirmation of availability of Councillors and members of the committee.

For Council Decision

Recommendation:

That:

1. The Minutes of the Library Committee Meetings held on 7 December 2010 and 1 February 2011 be received and noted.
2. Council appoint (*delegate's name*) to attend the meeting of the Country Public Libraries Association to be held in Sydney on 4 March 2011.

Background

The Library Committee Meetings were held on 7 December 2010 and 1 February 2011. The minutes of the December Committee meeting were not presented to Council's December meeting due to the earlier date of the Ordinary meeting and the fact that there were no urgent issues from the committee for consideration.

It was noted at the February meeting that reduced staffing was implemented at the Library during December and early January to reflect the seasonal reduced demand for the service and that the matter of demand during the Christmas-New Year period would be considered in conjunction with the draft Management Plan for 2011-2012.

Attachments



101207 Confirmed



Library Manager



110202 Minutes



02 Library Manager's
Minutes December 7 : Report 7 Dec 10.pdf February 2 2011 Libr: Report 1 Feb 11.pdf

Statutory Environment

Local Government Act 1993

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Officers Comment

Nil

Consulted With

Library Committee
General Manager
Library Manager

File No: A2.8
Author: John Chapman
Date: 6 February 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 10.01.02 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 December to 31 January 2011.

1. Determinations for the Month of December 2010 – January 2011

The following Development Applications, Construction Certificates, Complying Development Certificates, Section 68 Applications and Subdivision Certificates were determined during the month of December 2010.

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

A complete list of the determination is as follows:

Ref No	Development Type	Street Address	Locality
10.2007.144.2	Modification to Stage Subdivision (Stage One release Lots One and Two. Stage Two release Lots Three, Four, Five, Six and Seven)	257 & 283 O' Connell Road	Oberon
10.2010.77.1	Boundary Adjustment (Make One lot Larger)	281 O'Connell Road	Oberon
10.2010.47.2	Modification of DA 10.2010.47.1 (Dwelling Additions)	1826 Mutton Falls Road	O'Connell
19.2010.34.1	On Site Waste Water (Additional Absorbion Trench)	61 Shakespeare Close	Stratford Downs
10.2010.25.1 11.2010.25.1 19.2010.7.1	Dwelling and On Site Waste Water	991 Baldrige Road	Burruga
10.2010.99.1	Boundary Adjustment (Make One lot Larger)	184 & 501 Bosworth Falls Road	O'Connell
10.2010.56.1	Disabled Access Ramp	National Bank 108 - 112 Oberon Street	Oberon
10.2010.90.1	Additions to Dwelling	411 Bloom Hill Road	O'Connell
20.2010.17.1	Installation of Domestic Sink in an existing shed	31 Fox Lane	Oberon Hills Estate

15.2005.302.1	Subdivision Certificate - 2 lot Subdivision	800 Duckmaloi Road	Oberon
10.2010.89.1	New Storage Buildings, Workshop and Ancillary Structures (At OTC)	124 Lowes Mount Road	Oberon

The following Development Applications, Construction Certificates, Complying Development Certificates, Section 68 Applications and Subdivision Certificates were determined during the month of January 2011.

- g) Development Applications 5
- h) Construction Certificates 4
- i) Complying Development Certificates 1
- j) Subdivision Certificates 0
- k) Section 68 Applications 2
- l) Applications Refused 2

A complete list of the determination is as follows:

Ref No	Development Type	Street Address	Locality
10.2010.87.1	Garage for storage	18 Dart Street	Oberon
10.2006.161.2	Modification to Stage 4 lot subdivision	Lot 12 DP 701242 - 166 Edith Road	Edith
18.2010.4.1	Patio Enclosure	77 North Street	Oberon
11.2009.204.1	Construction Certificate for Storage Building – Museum	1-15 North Street	Oberon
10.201.101.1 11.2010.101.1	Patio	46 Tarana Road	Oberon
10.2010.96.1 11.2010.96.1	Additions to Dwelling	74 Marks Crescent	Titania Park
10.2010.81.1	Additions to Dwelling	79 Bloom Hill Road	O'Connell
19.2011.1.1	On Site Waste Water	99 Nunans Hill Road	Duckmaloi
20.2011.1.1	Temporary Occupation of Caravan and Shed for 12 months whilst constructing dwelling	210 McKeons Creek Road	Edith
10.2010.4.1 11.2010.4.1	Chapel for private use (Refused)	383 Sheepstation Forest Road	Tuglow
10.2010.6.1	Carport (Refused)	53 Queen Street	Oberon

2. Certificates Issued During the Month of December 2010 - January 2011

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) 39 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) Eight 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 December 2010. The following details concerning the Animal Pound are for the month of December 2010 are:

Details	Number of Cats	Number of Dogs
Animals carried over from previous month	1	3
Animals Seized	0	5
Animals Abandoned	7	4
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	3	0
Animals Destroyed	0	6
Animals Sold	0	0
Animals died at Council's facility	2	0
Animals Escaped/Stolen	0	0
Animals still in the Pound	3	4

No Nuisance Dog, Nuisance Cat orders or Dangerous Dog Declarations were issued during January 2011. The following details concerning the Animal Pound are for the month of January 2011 are:

Details	Number of Cats	Number of Dogs
Animals carried over from previous month	3	4
Animals Seized	0	4
Animals Abandoned	6	5
Animals Surrendered	0	0
Animals released to Owner	0	3

Animals Released to CHD (Cats, Dogs and Horses Charity) under Clause 17 of the Companion Animals Regulations 1999 (Exemptions from Registrations Requirement) for re-homing	6	0
Animals Destroyed	0	2
Animals Sold	0	1
Animals died at Council's facility	0	0
Animals Escaped/Stolen	3	0
Animals still in the Pound	0	7

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 period of December 2010 – January 2011.

a) Building Inspections	25
b) Food Inspections	7
c) Environmental Inspections (Air Pollution/Noise Pollution/Water Pollution)	0
d) Subdivision Certificate Inspections	1
e) Complaints (Includes Animal Control)	8
f) Building Maintenance Inspections	14

5. Attendance at Seminars/Conference/Short Courses

As part of Continuing Professional Development (CDP), staff are encouraged to attend suitable seminars, conferences, and short courses to keep abreast of changes in legislation and in the industry. In addition staff attend meetings of any relevant Regional Committees, such as Reference Panels as representative of Oberon Council.

No Development Department Staff attended any seminars, conferences or short courses during the month of January 2011.

File: A1.2.1
Author: Ralph Tambasco and Mark Dicker
Date: 25 January 2011

10.01.02 Director of Development Status Report

Library Container Storage

It was noted that the Director of Development was requested to progress the installation of a ceiling ventilation fan in the storage container at the back of the Library.

Status – Engineers Department advised they will attend to this matter

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 - Quotations have not to be called yet as still awaiting confirmation that grant funding has been obtained

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 – Quotations for signs are currently being obtained.

Resolution Number – 10141210 - Development Control Plan 2001

That Council's Development Control Plan 2001 be reviewed with particular reference to the requirement for variations to residential garaging and proposed amendments be reported to Council.

Status

To be undertaken shortly, most likely around the time the new LEP is implemented

Resolution Number 09141210 - 10.02.03 Development Application 10.2010.87.1

That subject to Council receiving no submissions from the neighbour notification;

- Part C.5.5 “*Building Height Planes*” of the Development Control Plan 2001 be varied to allow the construction of a new garage 1.5m off the Northern boundary at Lot 2 in DP 758805, 18 Dart Street Oberon.
- That Part C.6.4 “*Carports and Garages*” of the Development Control Plan 2001 be varied to allow the construction of a new garage approximately 110m² at Lot 2 in DP 758805, 18 Dart Street Oberon.

Status

No submission received. Matter closed

Resolution Number – 08141210 - 10.02.02 Mudgee Stone Company Pty Ltd (Oberon White Granite Quarry Project) - Exhibition of Environmental Assessment

That the information be received and noted and Council make a submission in response to such.

Status

Submission made – await outcome.

Resolution Number – 48191010 - Enclosure of Oberon Tennis Courts

That subject to funding approval being given, that the Tender for the construction of a steel framed colourbond metal enclosure over Courts Three and Four at the Oberon Tennis Complex be awarded to M and J Certoma and Sons.

Status

Engineering Department now has carriage of this project.
Tenderers notified of outcome. Round three grant funding has been successful.

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

Discussed at Heritage Committee Meeting of 6 December 2010. To be undertaken if funding available and subject to further discussions with heritage Committee and other stakeholders.

To be discussed with Heritage Advisor at next planned visit, being 6 December 2010.

Resolution Number – 07191010 – Heritage Committee Meeting Minutes

That no action be taken in relation to the request to protect the area at Golden Gully, Isabella by the provision of appropriate fencing.

Status

To advise Heritage Committee at meeting of 6 December 2010.

Matter closed

Resolution Number – 43161110 - Australian Native Landscapes – Stockpiling of Sawdust in Industrial Area

That:

- a) The five Infringement Notices issued in respect to Lot 28 in DP 877490, 7 Endeavour Street, Oberon, not be revoked.
- b) Three of the five Infringement Notices issued in respect of Lot 28 in DP 877490, 7 Endeavour Street, Oberon be reactivated, with two being held in abeyance until the Department of Environment, Climate Change and Water complete their Environment Protection Licence process and become the Appropriate Regulatory Authority for environmental matters.
- c) That once b) has occurred that Council reconsider the remaining two Infringement Notices and related action.

Status

See resolution below for the updates.

Resolution Number – 41210910 – Stockpiling of Sawdust in Industrial Area

That an Infringement Notice be issued daily to Australian Native Landscapes, 7 Endeavour Street, Oberon until such time as the site complies with the conditions of consent or an acceptable demonstrated plan for compliance has been established and agreed to by Council and further that investigations immediately be undertaken to ascertain the feasibility of transferring the consent authority to the Department of Environment, Climate Change and Water.

Status

Infringement Notice first issued 23 September 2010. Last notice issued was October 5 2010 at which time ANL contacted Council to make a meeting time for October 7 2010. Prior to this five Infringement Notices have been issued.

Daily site inspections made and continuing.

Meeting conducted with ANL Management and Council staff on October 7 2010, with a suitable plan for compliance now in place. The plan has actions to be undertaken over the next two weeks, where by October 22 the issues as they now stand will have been addressed.

Documentation dated 27 September 2010 has been forwarded to the Department of Environment, Climate Change and Water (DECCW) seeking their consent to take on the Appropriate Regulatory Authority role from Council owing to the possibility that the facility can be classified as “Resource Recovery” pursuant to Schedule 1, Scheduled Activities, Part 1, Item 34 of the Protection of the Environment Operations Act 1997.

As at the date of writing this report, Council has not received a response from DECCW.

November Update – An update to be presented in a Closed Session Report to Council’s 16 November 2010 Ordinary Meeting.

December Update – At meeting of 29 November 2010, Managing Director advised that he was completing his application to be forwarded to DECCW for them to assume the Appropriate Regulatory Authority role. Director of Development has contacted State Debt Recovery Office asking them to enforce three of the PINS as resolved by Council.

General Manager and Director of Development met with the Managing Director and Site Supervisor of ANL on 29 November 2010 to discuss the enforcement of three Infringement Notices and the way forward.

January Update - Two of the three PINS have been paid. No information to hand as yet from the State regarding the outcome of their action.

Resolution Number – 06210910 – Proposed Development Application

That Council extend the resolution of 17 February 2009 Ordinary Meeting for an additional six months from today’s date to submit the Development Application and further that Council requires the payment of any increase in fees from the original application.

Status

Applicant advised in writing. Awaiting submission of new Development Application as at 5 November 2010.

December Update – Still awaiting submission of new Development Application as at 30 November 2010.

January Update – Development Application received 14 January 2011.

Resolution Number – 32170810 – Heritage Committee Meeting Minutes

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

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

Status

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

January Update

Staff actively pursuing completion of this project.

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.

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 shortly.

Resolution Number – 01110210 – Draft Land Use Strategy

That the Draft Land Use Strategy be advertised for public comment noting that the views within the Strategy are not necessarily views expressed by all Councillors.

Status

Can only be done after endorsement received from DoP.

December update – Works progressing on updating the Strategy so that it can be endorsed by Council firstly.

January update – Works progressing on updating the strategy so that it can be endorsed by Council. Awaiting return of revised maps from the consultant.

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: Ralph Tambasco and Mark Dicker
Date: 1 February 2011

10.02 Reports for Decision

10.02.01 Development Application: 10.2010.86.1

Applicant: Oberon Men's Shed
Location: Lot 3 in DP: 758805, Section 39, Ross Street Oberon (Oberon Showground)
Proposal: Addition of meeting room and toilet facilities to existing shed
Zone: Village 2 (v)

Executive Summary

A request was received by Council staff on the 15/11/2010 from the Oberon's Men's Shed regarding Development and Construction Certificate Application 10.2010.86.1 and the associated Section 68 Application 20.2010.16.1 (connection to the sewer) in relation a proposed meeting room and toilet facilities to an existing shed at the showground for the activities associated to the Men's Shed. The request (Attachment a) is for the refund of development fees, assumedly the Development Application, Construction Certificate and Section 68 Application fees.

For Council Decision

Recommendation:

Council endorse the refund of application fees totalling \$519.00 paid on 18/11/2010 in respect to Development Application 10.2010.86.1, Construction Certificate 11.2010.86.1 and On-Site Waste Water (Section 68) Application No 20.2010.16.1 for a proposed meeting room and toilet facilities at lot 3 in DP: 758805, Ross Street Oberon, as requested by the Oberon Men's Shed in accordance with Councils Policy Number 2209, upon approval of the abovementioned applications.

Background

On the 18th November, 2010 Development, Construction Certificate and Section 68 Applications were received for the construction of a meeting room and associated toilet facilities at the Oberon Showground site (plans Attachment b). Accompanying the application was a letter dated the 15/11/2010 stating "*We have paid the appropriate fee for the Development and request that Council returns that fee to us*".

Council's records indicate that the following fees were paid on 18 November, 2010 in respect to the abovementioned Applications for which receipt number 26800 was issued:

Development Application, Construction Certificate and Compliance Certificates (council Inspections) Fee (Flat fee for minor development)	\$408.00
Section 68 Application (connection to Sewer)	\$111.00
TOTAL	\$519.00

It is noted that the fees received are for the assessment and determination of the Development Application, Construction Certificate and On-site Waste Water disposal applications and for carrying out inspections of building work and the issue of compliance certificates.

Importantly it must be noted that the abovementioned applications are yet to be approved by Council staff under delegation as staff are awaiting written advice from the Department of Lands, as the owner of the land, giving consent to the abovementioned application. Verbal advice has been received that the owners consent is forthcoming.

The request for financial assistance identifies that the applications were made to satisfy the terms of the grant conditions of the Community Building Partnership and that the Men's Shed is a non-profit organisation catering to the needs of men in the Oberon community.

Council's Policy, No 2209, Financial Assistance, was adopted on 17 March 2009 and provides that its intent is to *"provide financial assistance to local activities and services which improve the community's well-being while ensuring that the provision of financial assistance is in accordance with the requirements of the Local Government Act 1993 and that allocations of public funds are made in a consistent, equitable and transparent manner."*

Accordingly the Council may, in accordance with a resolution, grant financial assistance from Councils Financial Assistance program for requests in writing if the project meets the assessment criteria within the budget allocated. The Assessment criteria that Council will consider from organisations includes applications from *"..local, not for profit, sporting, arts and cultural organisations"* that provide a service or activity that meets the needs and benefits the residents of the Oberon Council Local Government Area, with functions that, for example, exercise community leadership.

Discussion with Councils Director of Corporate Services indicates there are sufficient funds in the current donations budget to enable the refund of the Development Application, Construction Certificate and Section 68 Application fees.

Attachments:



110131 - Oberon
Men's Shed Attachmer



110131 - DA
10.2010.86.1 Attachm

Statutory Environment:

Environmental Planning and Assessment Act, 1979

Policy Implications:

Councils Policy for Financial Assistance enables non-profit organisations that benefit the Oberon Local Government Area to receive financial assistance in accordance with approved assessment criteria.

Financial assistance in the form of the refunding of Development fees has been granted in the past for similar activities such as additions to NSW Rural Fire Service sheds.

Financial Implications:

There are sufficient funds in the current year's donations budget

Strategic Implications:

There are no strategic implications.

Officers Comment:

No Comment.

Consulted With:

Director of Development and Director of Corporate Services

File: PO47.73-99
Author: Jaclyn Burns
Date: 25 January 2011

10.02.02 Development Application 10.2011.2.1

Applicant: Mr JD Elwin
Location: Lot 5 DP 32231, 41 Carrington Avenue Oberon
Proposal: New Garage
Zone: Village 2 (v)

Executive Summary

A Development Application for a proposed garage was received on 19 January 2011, a copy of the applicant's site plan and elevations are attached (attachment a). The proposed development is not in compliance with the following clauses of the Oberon Development Control Plan 2001 (DCP);

- **C.5.5 – Building Height Planes**
Building Height Plane is defined as *“the plane projected at an angle of 45^o from a distance of 1.5m above natural ground level at the boundary of the site”*. Attachment b shows the garage and the extent of non compliance with clause C.5.5 on the Northern and Western property boundaries.
 - **C.6.4 – Carports and Garages**
The DCP states that *“the maximum total floor area of garages and or carports is to be 60m²”*. The garage proposed is approximately 72m².
-

For Council Decision

Recommendation

That subject to Council receiving no submissions from the neighbour notification;

- Part C.5.5 *“Building Height Planes”* of the Development Control Plan 2001 is varied to allow the construction of a new garage 0.9m off the Northern and Western property boundaries at Lot 5 DP 32231, 41 Carrington Avenue Oberon.
 - That Part C.6.4 *“Carports and Garages”* of the Development Control Plan 2001 is varied to allow the construction of a new garage approximately 72m² at Lot 2 in DP 758805, 18 Dart Street Oberon.
-

Background

A Development Application for a proposed garage was received on 19 January 2011.

Although the applicant has not presented a letter to justify the proposed variations to the DCP, verbally over the telephone the applicant has provided justification to Council's Manager of Health and Building. Justification stated for the proposed garage by the applicant includes;

- The need to garage two cars,
- One bay consisting of workshop/storage area for tools and other “odds and ends”,
- The garage is for personal use.

The application has been neighbour notified to two adjoining neighbours; one to the Northern side and one to the Western side of the allotment respectfully. Submissions will close on 14 February 2011. Should Council receive any submissions from the neighbour notification, copies will be provided to Councillors at Councils Ordinary Meeting on Tuesday 15 February 2011.

Attachments



110202 - 10.02.03 - 110202 - 10.02.03 -
Elwin Report AttachmElwin Report Attachm

Statutory Environment

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

Policy Implications

There are no financial implications.

Financial Implications

There are no financial implications.

Strategic Implications

There are no strategic implications.

Officers Comment

This application is considered appropriate and the DCP variations are minor at best.

Having considered the merits of the proposal the following points are considered important;

- The application has been notified and should any submissions be received, copies of these submissions will be provided to councillors at the 15 February 2011 meeting,
- Council’s professional Officers perceive at this stage the proposed garage as having no perceived impact on adjoining properties,

- Attachment b shows that on the Northern and Western elevation the variations are minor at best, and that;
 - It is only approximately 200mm of the wall and the gable roof that is not in compliance to the Western boundary of the property.
 - It is only approximately 200mm of the wall that is not in compliance to the Northern boundary of the property.
- 72m² is considered an appropriate size garage for residential purposes. Two bays can house vehicles and one bay is for a workshop/storage.
- There is a larger sized garage on the adjoining property to the East.
- There is a larger sized garage on the adjoining property to the North.
 - The dwelling on the Western property is over 20m away and no perceived impact is envisaged.

Consulted With

Previous Director of Development
General Manager

File: PO11.41
Author: Mark Dicker
Date: 31 January 2011

10.02.03 Development Application 154/05

Applicant: Tableland Surveyors Pty Ltd

Location: Lots 1 and 2 in DP: 390371, lot 10 in DP: 111675 and Lot 130 in DP: 757047, "Ryan's View" 54 Sloggetts Road, Oberon

Proposal: Three Lot Subdivision

Zone: Rural 1 (a)

Executive Summary

A request was received by Council staff on the 4 November 2010 from Mr K and Mrs G Ryan, owners of the abovementioned property, that the initial works undertaken on their property accesses be considered as physical commencement due to the lapsing of their development consent on the 29 January, 2010, contrary to Councils Policy, Number 3111.

A report was subsequently prepared for the December 2010 Ordinary Meeting of Council regarding the status of the Development Application relevant to physical commencement.

The staff report was not included in the December business paper at the request of the General Manager to enable Councils current policy on physical commencement to be re-considered in respect to its relevance.

For Council Decision

Recommendation

- (1) That the works undertaken on the property access associated to Development Application 154/05 (which lapsed on the 29 January 2010) in accordance with Construction Certificate 11.2004.154.1 at Lots 1 and 2 in DP: 390371, lot 10 in DP:111675 and Lot 130 in DP: 757047, "Ryan View" 54 Sloggetts Road, Oberon be considered as physical commencement in accordance with staff merit assessment;
 - (2) That Council's Policy, Lapsing of Development Consents, in respect of Physical Commencement be removed from Councils policy register to enable each application to be assessed on its merits and with consideration of the Requirements of the Environmental Planning and Assessment Act, 1979, the proposed amendments to the Regulations and to the appropriate case law applicable at the time of assessment.
-

Background to Development Application:

On the 29 January, 2005 Council staff, under delegation, approved Development Application 154/05 for a proposed three lot subdivision in accordance with the attached plan (Attachment a). Proposed Lot 11 was created under clause 12 (3) of the Oberon Local Environmental Plan (LEP) 1998 as a retirement lot and proposed Lots 12 and 13 were created under clauses 13 and 14 of LEP 1998, as excised lots for the purpose of dwellings.

The Development Consent was issued with 12 conditions of consent (Attachment b) three of which required physical work to be carried out on the property (Condition 3 – Access Construction, Condition 4 Fencing and Condition 9 – Provision of a Buffer). The consent was due to lapse on the 29 January, 2010.

On the 22 September, 2009 Council Staff approved a Construction Certificate application for the construction of the accesses for Lots 12 and 13 only as the access to Lot 11 exists.

On the 1 November, 2010 Mr Ryan requested information from Council's Senior Development Control Officer as to the location of a proposed culvert in relation to the abovementioned Construction Certificate. It was during this enquiry that it was revealed that Development Consent 154/05 had appeared to have lapsed and that the works on the proposed access construction had not been completed in accordance with Councils Policy Lapsing of Development Consents in respect to Physical Commencement (the Policy).

A copy of the Policy is attached (Attachment c) and states:

“Council will accept, in relation to subdivision consents or staged subdivision consents, the following if completed within the timeframe for commencement:

- Construction of vehicle gateways and/or accesses and/or the like, in respect to each proposed excised lot or one or more staged lots being created, and/or*
- The placement of permanent survey marks/pegs/stakes and associated documentary evidence, in respect to each proposed excised lot or one or more staged lots being created as constituting physical commencement of works, and/or*
- The completion of all new required fencing to delineate the proposed lot boundaries in accordance with Council's Policy for Fencing Standards and the relevant condition of Development Consent.”*

Mr and Mrs Ryan, during that meeting and subsequent phone calls, were encouraged to submit a letter to council clarifying the extent of works undertaken in relation to the commencement of their application. Their correspondence was promptly received on the 4 November, 2010 (Attachment d).

A site inspection was organised and carried out on the 17 November, 2010 to view the works undertaken. The photos are attached (Attachment e), and clearly indicate that for the access to proposed Lot 12, holes had been dug to install the fence posts and new gates and posts had been purchased, but other than that little construction works have been undertaken. The fence and gateway associated to proposed Lot 11 had also been commenced. The above works, however, do not comply with the Policy which clearly states that the works as outlined in the above three dot points must be *“completed within the time frame for commencement”*. The photos indicate that the construction of the accesses has not been completed.

A reinspection of the site on the 25th January, 2011, in preparation of this report, indicated that further works have been carried out on site in respect to the proposed access to lot 11, however the access has NOT yet been completed. Although it is important to note that the land surveyor, Mark Buttsworth of Tableland and Buttsworth Surveyors, has indicated that he has carried out surveying on site relevant to the preparation of the proposed access by identifying the lot boundary fronting Sloggetts Road and the proposed location of the access point (attachment f). These works in conjunction with the commencement of the access to lot 11 can be considered (conjointly) as constituting physical commencement, which is contrary to Council Policy.

What is considered Physical Commencement:

Section 95 of the Environmental Planning and Assessment Act (EPA Act) 1979 operates to prevent the lapse of development consent where physical commencement of the approved development occurs. Section 95 (1) of the EPA Act sets a default time limit of five years for the lapse of Development consent; accordingly the lapsing period for development consent 154/05 cannot be extended as requested by Mr and Mrs Ryan. Section 95 (4) of the EPA Act states:

“Development consent for:

- (a) the erection of a building, or*
- (b) the subdivision of land, or*
- (c) the carrying out of a work,*

does not lapse if building, engineering or construction work relating to the building, subdivision or work is physically commenced on the land to which the consent applies before the date on which the consent would otherwise lapse under this section.”

The phrase “*physically commenced*” has been subject of judicial consideration in the Land and Environmental Court and the Court of Appeal in respect to whether a particular action undertaken has been sufficient to prevent the lapsing of Development Consent.

In the case of Hunter Development Brokerage Pty Ltd v Cessnock City Council and Tovedale Pty Ltd v Shoalhaven City Council (2005) 63 NSWLR 124, the court looked at the question of whether certain surveying work qualified as “engineering work relating to” the subdivision consent which had been “physically commenced” prior to the lapsing date.

Tobias JA makes it clear that works commenced as part of the development consent do not necessarily need to be ‘material’ but can be any building, construction or engineering works of a physical nature connected to the development. This is qualified by the following:

“The requirement that the work must be “physically commenced”, requires physical activity which involves an appearance of reality and which is not merely a sham. In other words, the relevant work must be more than merely notional or equivocal in that it must truly be work relating in a real sense to that which has been approved...” [para 86]

The reasoning for the decision in this case, to accept surveying as physical commencement, was based upon including physical surveying work into “engineering work”. However it is important to note that by simply entering onto the land in which a subdivision has been approved and knocking in one or two pegs would not necessarily qualify as physical commencement as there is an element of fact and degree in each merit assessment. In respect to Development Application 154/05 the actual requirements for physical commencement are not significant (merely the provision of minor internal boundary fencing and the construction of one access) thus the combination of commencing the construction of the access in conjunction with the carrying out of survey works, related to the access, could be deemed physical commencement.

Accordingly any work undertaken must be relevant work relating in a real sense to the development which has been approved. This statement is also qualified in the threshold test in consideration of physical commencement, which includes:

- “(a) was the work relied on building, engineering or construction work; if so*
- (b) did it relate to the approved development and if so,*

(c) was it physically commenced on the land to which the consent applied prior to the relevant lapsing date?”

Furthermore the proposed Environmental Planning and Assessment Amendment (Development Consents) Bill 2010 (NSW) (EPA Bill), which was introduced into State Parliament on 22 April 2010 and proposes to amend section 95 of the Environmental Planning and Assessment Act 1979 (NSW) (EPA Act) which deals with the lapsing of development consents. One of the principal amendments proposed is the clarification as to what constitutes the “physical commencement” of building, construction or engineering works under section 95(4) of the EPA Act to prevent a development consent lapsing.

However, it is clear from the Second Reading Speech of the EPA Bill that the legislature does not agree with the broad interpretation by the Courts of “physical commencement”. The EPA Bill provides that the Environmental Planning and Assessment Regulations 2000 (NSW) will be amended to set out the circumstances in which ‘work is or is not taken to be physically commenced’ for the purposes of section 95 of the EPA Act. Further consultation is being undertaken with key stakeholders including industry groups, the Local Government and Shires Association and Green groups prior to making the regulations.

Councils Policy:

As previously stated Councils current policy, through direct interpretation, would render Development Application 154/05 as being lapsed as Mr and Mrs Ryan have not completed the access construction nor have they fully surveyed the land. However, as can be seen above the requirements of the Environmental Planning and Assessment Act, case law interprets physical commencement as any work undertaken relevant to the development which has been approved. As such Council staff consider the current policy to be too inflexible. An example is the requirement for the full surveying of the entire subdivision to constitute physical commencement, whilst this significant amount of work would be beneficial to the applicant it is clearly over and above the required amount (in accordance with current case law) to constitute physical commencement.

Attachments:

-  110202 - 10.02.04 - DA 154.05 Attachment
-  110202 - 10.02.04 - DA 154.05 Attachment
-  110202 - 10.02.04 - DA 154.05 Attachment
-  110202 - 10.02.04 - DA 154.05 Attachment
-  110202 - 10.02.04 - DA 154.05 Attachment

-  110202 - 10.02.04 - DA 154.05 Attachment

Statutory Environment:

Environmental Planning and Assessment Act, 1979
Oberon local Environmental Plan 1998

Policy Implications:

Councils Policy for the Lapsing of Development Consents in respect of Physical Commencement, Number 3111, does not address the merits of individual consents or the amount of work required to be undertaken, relative to the size of the development, to satisfy “*physical commencement*” in accordance with the ever changing case law.

Financial Implications:

There are no financial implications.

Strategic Implications:

There are no strategic implications.

Officers Comment:

Council staff understands and sympathise with the many landowners confused about the requirements for physical commencement relating to their development consents. In fact there has been a significant increase in the number of enquiries relating to the lapsing of development consents for subdivision. However there is also a misconception that land owners need only to commence works only, as in this case, which is contrary to Councils policy.

Mr and Mrs Ryan have spent significant time and money, as detailed in their letter received on the 4 November 2010, and have followed the correct procedures in complying with their development consent by obtaining a Construction Certificate, and ensuring the correct location and construction requirements for the access.

Unfortunately, the completion of the access construction has not occurred in accordance with the policy and as such any recommendation by staff would be that the proposal has NOT been Physically Commenced, however due to the abovementioned case law and anticipated changes to the legislation regarding physical commencement as well as the recent information from the land surveyor stating that surveying works have been carried out on site, council staff consider the works have been physically commenced.

Consulted with:

The Acting Director of Development and Former Director of Development

File: PR16.54
Author: Jaclyn Burns
Date: 31 January 2011

10.03.01 General Business - Development

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 – Department of Corporate Services

The following items are presented for Councillor's information and are reflective of the period 1 December 2010 to 31 January 2011.

1. Councillor and General Manager Expenses

The monthly (December 2010 and January 2011) summary of Councillor and General Manager Expenses is attached for information.

Attachments



2. Oberon Library Statistics

The monthly statistical report for the Oberon Library is attached for information.

Attachments



3. Rates Collections Reports

The monthly statistical report on the collection of rates and annual charges for the periods to 31 December 2010 and January 31 2011 are attached for information.

Total collections to date for the year to January 31 represent 58.04% of the total receivable, compared with 58.09% at the same time last year.

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

Attachments



Rates Jan 11.pdf

File: A1.2.1
Author: John Chapman
Date: 7 February 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 December 2010 and 31 January 2011, together with a graphical summary for the period from July 2006, 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 as at 31 January 2011 the following comparative figures, with those reported at 31 January 2010, are presented for information.

	<u>2010</u>	<u>2011</u>
Face Value of all Investments Held	\$4,755,904	\$5,121,131
Face Value of Grange/Lehman Bros Investments	\$2,500,000	\$2,000,000
Market Value of Grange/Lehman Bros Investments	\$1,087,959	\$751,937
Market Value of Grange as % of Face Value	44%	38%
Cheque Account Cash Book Balance	\$684,489	(\$102,528)
Total Cash and Investments (Market Value)	\$4,028,352	\$3,770,540

Interest Received Year to Date	\$109,490	\$156,322
Call A/c Interest Rate	3.70%	4.70%

Coupon payments continue to be received for the Grange Securities/Lehman Bros Investments, with the exception of the Zircon/Coolangatta CDO.

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

Attachments



File: C17.1
Author: John Chapman
Date: 6 February 2011

11.01.03 Staff Appointments

Executive Summary

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

The following appointments have been made during the months of December 2010 and January 2011:

- Ms Belinda Massey was appointed to the position of casual Administration Assistant commencing Monday 31 January 2011.
 - Ms Elissa Parkin was appointed to the position of casual Library Assistant commencing Tuesday 13 December 2010.
-

For Council Decision

Recommendation:

That the information be received and noted.

Background

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

Council maintains a register of casual relief staff to assist in the functions of Council as required. This list has become depleted in recent months due to a number of casual’s being appointed to permanent positions or becoming unavailable for casual employment, thus requiring Council to source new casual relief employees.

Attachments

No Attachments

Statutory Environment

Local Government Act, 1993

Policy Implications

Not applicable

Financial Implications

Provisions made in the 2010-2011 Budget.

Strategic Implications

Not applicable.

Officers Comment

Nil

Consulted With

General Manager
Director of Corporate Services

File: C19.1
Author: Joanne Barton
Date: 1 February 2011

11.01.04 Director of Corporate Services Status Report

Resolution Number – 38141210 - Outstanding Rates, Charges and Legal Costs

That the placement of a caveat on the title deeds of the subject property to secure the legal costs debt be endorsed.

Status

Referred to Council's Solicitor on 9th February 2011.

Resolution Number – 20141210 - Request for Donation Country Women's Association

That a donation of \$100, funded from the donations budget, be made to the Country Women's Association of NSW for the 2011 Public Speaking Contest for Schools.

Status

Payment made. Matter closed.

Resolution Number – 19141210 - 2011 International Women's Day

That expressions of interest be sought from relevant community groups to conduct an event to celebrate 2011 International Women's Day, the event to be conducted in accordance with criteria to be established by the General Manager and in accordance with the conditions of the grant funding and further that the decision be delegated to the General Manager with regards to the delivery of the event.

Status

Two expressions of interest received with one subsequently withdrawn. The General Manager has accepted the submission from the Oberon Arts Council.

Resolution Number – 06141210 - Events Committee Meeting Minutes

That:

1. The Minutes of the Events Committee Meeting held on 7 December 2010 be accepted.
 2. The Photographic Competition be relocated for inclusion in the Oberon and Villages Spring Garden Festival program, to be judged at the conclusion of the festival and the theme for the 2011 competition be Celebrations and Festivals of Oberon, with a junior section.
 3. The Festivals Marketing & Promotional Plan for 2011 as presented and amended be endorsed by Council.
-

Status

Matters noted for future reference

Rental Payments for RFS Fire Sheds on Private Land

Councillor McMahon also advised that a landholder at Native Dog has requested information regarding what is happening with rental payments for RFS Fire Sheds on private land.

The Director of Corporate Services will investigate the matter and provide feedback.

Status

Affected properties, agreement dates, lease terms and rent amounts identified. Details of payments made are being investigated. Report to be prepared for March 2011 Council meeting.

Resolution – 18161110 - Requests for Donations

That a donation of \$1,500, funded from the donations budget, be made to the Oberon Show Society Inc for sponsorship of the 2011 Oberon Showgirl competition.

Status

Payment made. Matter closed.

Resolution - 14161110 - Delegates to Section 355 and Council Committees

That:

1. The Finance Committee and the Works Committee meet separately to the Ordinary Council Meeting.
2. The Oberon Hazelgrove Rail Corridor Development Committee be dissolved.
3. Delegates to Section 355 and other Council Committees be appointed as follows:

Section 355 Committees

- Care Car Committee
 - Councillor Sullivan
- Cemetery Headstone Maintenance Committee
 - Councillor McMahon
- Events Committee
 - Councillor O’Bernier

- Hazelgrove Public School Reserve Committee
 - Councillor Fitzpatrick
- Heritage Committee
 - Councillor McCarthy
 - Councillor Doney
- Library Committee
 - Councillor O’Bernier
- Oberon Promotions Committee
 - Councillor Sullivan
- Oberon Sports Complex Committee
 - Councillor Sullivan
 - Councillor O’Bernier
 - Councillor Fitzpatrick
 - Councillor Gibbons
- Timber Heritage Walk Committee
 - Councillor Sullivan

Other Committees

- Finance Committee
 - The whole Council
- Works Committee
 - The whole Council
- Land Committee
 - Councillor Sullivan
 - Councillor O’Bernier
 - Councillor Fitzpatrick
 - Councillor McCarthy
- Oberon Business Development Committee
 - The whole Council
- Performance Review Committee
 - The whole Council
- Self Care Units Tenants Panel
 - Councillor O’Bernier
 - Councillor McCarthy (alternate delegate)
- Senior Citizens Liaison Committee
 - Councillor Sullivan
 - Councillor Gibbons
 - Councillor McMahon
 - Councillor O’Bernier
- Traffic Advisory Local Committee
 - Councillor McCarthy

- Councillor Handelsmann (alternate delegate)
- Works Manager (Chairman)

Status

Section 355 Committees and Volunteers Manual updated.

Resolution – 13161110 - Oberon Liquor Accord

That Councillor O’Bernier be nominated as Councils delegate to the Oberon Liquor Accord.

Status

Liquor Accord secretary to be advised.

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 – 59151209 – Lease to MJBA Pty Limited – Jenolan Caravan Park

A new rental agreement be entered into with MJBA Pty Limited, commencing on 16 December 2009 in accordance with the document provided by the Minister for Lands and the term of the period be 20 years with no options to renew.

- a) The assessed annual rental increase be phased in over the next two years to \$19,635.00 with CPI increases being made in accordance with the current standard formula.
- b) Authority be given to execute the lease document under the Common Seal of the Council.
- c) The General Manager be requested to ascertain the differential costs between \$10 million and \$20 million Public Liability Cover with a view of having a \$20 million policy established.

Status

Agreement reached – awaiting Department of Lands authority on behalf of Minister.

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: 8 February 2011

11.02 Reports for Decision

11.02.01 Integrated Planning and Reporting Implementation

Executive Summary

A revised schedule for the implementation of the Local Government Amendment (Planning and Reporting) Act 2009 is presented for consideration of Council.

For Council Decision

Recommendation:

That the revised schedule for the implementation of the Local Government Amendment (Planning and Reporting) Act 2009 be adopted.

Background

Council is required to have completed the implementation of the Local Government Amendment (Planning and Reporting) Act 2009 by September 2012.

Given staff resourcing constraints, including delays experienced as a result of the Director of Corporate Services' period in the position of Acting General Manager from July to September 2010, and staff leave arrangements, it has been necessary to amend the schedule for the implementation of the Act.

The revised dates are compliant with the requirements of the Act.

OBERON COUNCIL

LOCAL GOVERNMENT AMENDMENT (PLANNING AND REPORTING) ACT 2009
Implementation Schedule

Task	Previous Date	Revised Date
Draft Assets Management Plan to Council	Nov 2010	Feb 2011
Assets Management Plan adopted by Council	Dec 2010	Apr 2011
Framework for community consultation/strategy, including process, formats, delivery etc adopted by Council	Dec 2010	Mar 2011
Draft Workforce Plan to Council	Feb 2011	Apr 2011
Workforce Plan to Council for adoption	Not Set	May 2011
Completion of community consultation	Apr 2011	Jul 2011

Completion of communications with government agencies	Jun 2011	Aug 2011
Draft Strategic Plan to Council	Nov 2011	Feb 2012
Draft Strategic Plan on Public Exhibition	Nov 2011 to Jan 2012	Feb 2012 to Apr 2012
Strategic Plan adopted by Council	Feb 2012	Apr 2012
Draft Delivery Plan (4 year program) and Operational Plan (1 year) adopted by Council	Apr 2012	May 2012
Draft Delivery Plan (4 year program) and Operational Plan (1 year) on public exhibition	Apr to May 2012	May to Jun 2012
Draft Delivery Plan (4 year program) and Operational Plan (1 year) adopted by Council	Jun 2012	Jun 2012
NSW Local Government Election	Sep 2012	Sep 2012

Attachments

Nil

Statutory Environment

Local Government Amendment (Planning and Reporting) Act 2009

Policy Implications

Nil

Financial Implications

The implementation of the Act will result in the adoption of a four year Operational Plan and budget, along with an annual Delivery Plan and budget.

Strategic Implications

The implementation of the Act will result in the adoption of a new Corporate Strategic Plan.

Officers Comment

Nil

Consulted With

General Manager and Corporate Planner

11.02.02 Assets Management Plan

Executive Summary

The first draft of Council's proposed Assets Management Plan has been received from the consultant and is attached for Council's information.

It should be noted that, as an initial draft document, this first version of the draft plan requires attention to the "cosmetics" such as graphs, charts etc. This will be addressed following a full review by the Executive Management Team and subsequent input by Councillors.

After the Local Environment Plan (LEP), the Assets Management Plan is one of the most important documents required to be adopted by Council as part of the overall Strategic Planning (scheduled for adoption by Council in April 2012) leading to the completion of the Integrated Planning Implementation by September 2012.

The consultant, Mr Ashay Prabhu of the Australian Centre for Excellence in Assets Management (ACEAM) will be in attendance at the Council meeting to conduct a presentation on the draft plan as submitted.

It is considered that, following a review of the draft plan by the Executive Management Team, a workshop should be conducted to facilitate input from Councillors before the adoption of the final plan at Council's Ordinary Meeting in April 2011.

For Council Decision

Recommendation:

That:

1. The first draft of Council's Assets Management Plan as presented be received for information.
 2. The draft plan be reviewed by the Executive Management Team.
 3. Following the review by the Executive Management Team, a workshop for Councillors be arranged to facilitate their input to the plan.
-

Background

Council is required to have completed the implementation of the Local Government Amendment (Planning and Reporting) Act 2009 by September 2012. This implementation includes the requirement to have adopted the overall Strategic Plan, incorporating the Assets Management Plan. The Strategic Plan is scheduled for adoption by Council in April 2012.

After the Local Environment Plan (LEP), the Assets Management Plan is one of the most important documents required to be adopted by Council as part of the overall Strategic Planning (scheduled for adoption by Council in April 2012) leading to the completion of the Integrated Planning Implementation by September 2012.

The first draft has yet to be fully reviewed by the Executive Management Team. It should be noted that, as an initial draft document, this first version of the draft plan requires attention to the “cosmetics” such as graphs, charts etc. This will be addressed following a full review by the Executive Management Team and subsequent input by Councillors.

The consultant, Mr Ashay Prabhu of the Australian Centre for Excellence in Assets Management (ACEAM) will be in attendance at the Council meeting to conduct a presentation on the draft plan as submitted.

It is proposed, following a review of the draft plan by the Executive Management Team, to conduct a workshop to facilitate input by Councillors before the adoption of the plan (proposed at Council’s Ordinary Meeting in April 2011).

Attachments


Oberon IAMP version
0 8 AP.pdf

Statutory Environment

Local Government Amendment (Planning and Reporting) Act 2009

Policy Implications

Nil

Financial Implications

The adoption of the Assets Management Plan will assist Council to facilitate reliable long term projections and priorities for the expenditure of funds on infrastructure maintenance and improvement programs.

Strategic Implications

The Assets Management Plan will form an integral component of Council’s Strategic Plan.

Officers Comment

Nil

Consulted With

Executive Management Team, Corporate Planner, Assets Management Consultant

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

11.02.03 Requests for Donations

Executive Summary

Correspondence has been received from the NSW Rural Doctors Network seeking Council's participation in the 2011 Bush Bursary/Country Women's' Association Scholarship Scheme.

Council has also received correspondence from the Oberon Writers' Workshop seeking sponsorship to assist with the costs of prizes and adjudicators' fees associated with the Third Annual Oberon Writers' Competition and Oberon Young Writers' Competition.

For Council Decision

Recommendation:

That:

1. The invitation to participate in the 2011 Bush Bursary/Country Women's' Association Scholarship Scheme be declined.
 2. A donation of \$140 be made to the Oberon Writers' Workshop for sponsorship of the 3rd Oberon Young Writers' Competition.
-

Background

2011 Bush Bursary Country Women's' Association Scholarship Scheme

Correspondence has been received from the NSW Rural Doctors Network seeking Council's participation in the 2011 Bush Bursary/Country Women's' Association Scholarship Scheme by providing a \$3,000 scholarship for a medical student who, in return, will agree to spend two weeks of "rural placement" in Oberon in the University holidays during the year or over the Christmas break.

Council has, in the past, declined to accept invitations to participate in the Scholarship Scheme.

Oberon Writers' Workshop

Correspondence has been received from the Oberon Writers' Workshop seeking sponsorship from Council to assist with the costs of prizes and adjudicators' fees associated with the Third Annual Oberon Writers' Competition & Oberon Young Writers' Competition.

No previous request for sponsorship has been received from this community group and no specific sum is requested. The attached flyers indicate that prize money totals \$390 and the range of fees suggested for payment to judges is from \$300 to \$600.

Oberon Council - Agenda and Business Papers – Ordinary Meeting – 15 February 2011

A summary of donations made by Council during the previous three financial years, and in the current year, to date is provided as follows.

Recipient	2007/2008	2008/2009	2009/2010	2010/2011 (to date)
Bathurst Broadcasters - Junior Sports Awards		100		750
Black Springs Avoca Church - Concrete Slab		181		
Black Springs Rural Fire Brigade - DA etc Fees		730		
Burruga Bugs Playgroup				200
Burruga Public School - Donation		200		
Country Women's Association - Public Speaking	100	100	100	
Dept Education & Training - Industry Links Prog		500		500
Friends of the Oberon Library - Waste to Art Prizes				250
Lifeline Central West	500		500	
LSL Fee Refund re DA166/08 (Able)	140			
Oberon Arts Council - The Common Project	5,000			
Oberon High School - Leaders Day	660	850		
Oberon Men's Shed		500		
Oberon RSL - Refund Planfirst Fee (Museum)		38	460	
Oberon RSL Museum - Rates (Resid/Bus)		443		398
Oberon RSL Museum - Water Charges	215	209	217	228
Oberon Show Society - Showgirl Competition	1,500	1,500	1,000	1,500
Oberon Show Society - Showgirl Zone Finals			1,000	
Oberon Tarana Heritage Railway - Clearing Sale		2,000	2,000	
Oberon Tennis Club - DA etc Fees		463		
Oberon Tigers Supporters Club	500			
O'Connell Picnic Day - Swimming Pool Passes			200	
Schools Annual Presentations				
St Josephs Catholic School	100	100	150	150
Black Springs Public School	100	100	150	150
O'Connell Public School	100	100	150	150
Oberon High School	100	100	150	150
Oberon Public School	100	100	150	150
Burruga Public School			150	150
St Josephs Catholic School - Bronze Medallions	695		585	
Victorian Bushfire Appeal		1,000		
Total Approved by Council	\$ 9,810	\$ 9,314	\$ 6,962	\$ 4,726

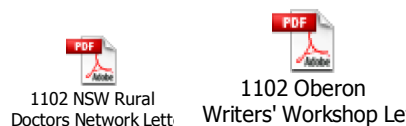
Budget:

\$ 11,700	\$ 11,950
-----------	-----------

Balance of Budget Remaining:

\$7,224

Attachments



Statutory Environment

Local Government Act 1993 Section 396

Policy Implications

This report is submitted in accordance with Council's Financial Assistance Policy.

Financial Implications

Funds are currently available in Council's Donations budget for 2010/2011.

Strategic Implications

Not applicable.

Officers Comment

Nil

Consulted With

Financial Assistance Policy

File: A3.3
Author: John Chapman
Date: 6 February 2011

11.02.04 Review of Management Plan – Quarter 2 2010/2011

Executive Summary

In accordance with the provisions of the Local Government Act 1993, a report is being distributed as a separate document on the progress made to 31 December 2011 with Council's Management Plan for the period 2010-2015.

For Council Decision

Recommendation:

That the Quarter 2 Management Plan review for 2010/2011 be received and noted.

Background

In accordance with the provisions of the Local Government Act 1993, a report is being distributed as a separate document on the progress made to 30 December 2011 with Council's Management Plan for the period 2010-2015.

Realistic, measurable key performance indicators have yet to be established and, in the absence of firm direction or assistance from relevant authorities and due to lack of staff resources, this task has been deferred pending completion of the Assets Management Plan.

Attachments

See separate document distributed with Business Paper

Statutory Environment

Local Government Act, 1993

Policy Implications

Not applicable

Financial Implications

Not applicable

Strategic Implications

Officers Comment

Consulted With

Director of Corporate Services
Director of Development
Library Manager
Visitor Information Centre Manager
Works Manager
Finance Manager

File: C15.5
Author: Joanne Barton
Date: 7 February 2011

11.02.05 Finance Committee Meeting Minutes

Executive Summary

Minutes of the Finance Committee meeting held on the 7 February 2011 are attached for Council's information and recommendations for consideration.

For Council Decision

Recommendation:

That:

1. That the minutes from the February 7 2011 Finance Committee Meeting be received for information.
 2. That a sale price be set for the residential property at 70 Dart Street Oberon as advised to the General Manager
 3. That the property be listed with both of the local agents, Ray White Rural and First National Real Estate; and
 4. That authority be delegated to the General Manager to negotiate a figure to a minimum value as advised to the General Manager should a counter-offer be received.
 5. That the Quarter 2 Budget Review Statements for 2010/2011 be received and noted and the revised budgeted income and expenditure items be voted including provision for a reduction in the budgeted capital works on Beaconsfield Road by \$200,000 to be reviewed following completion of the major RTA works on The Mount.
 6. That the information relating to New South Wales rate pegging limits be noted and that the draft budget for 2011/2012 include provision for a 2.8% increase in costs of materials and contracts, and an increase of 2.8% in ordinary rates levied.
-

Background

A meeting of Council's Finance Committee was held on 7 February 2011.

A sale price was set for the residential property at 70 Dart Street Oberon after consideration of marketing appraisals provided by the two local real estate agents.

The Quarter 2 Budget Review Statements for 2010/2011 were reviewed and revised budgeted income and expenditure votes recommended in the staff report, including provision for a reduction in the budgeted capital works on Beaconsfield Road, was endorsed by the committee.

The General Manager's report in relation to the formulation and development of the 2011-12 budget, indicating a desire to engage more meaningfully with Councillors in the lead up to the presentation of the draft budget, was noted and the proposed actions endorsed.

An update was provided to Councillors regarding the status of current community infrastructure improvement projects.

Discussion was held regarding the projects Council has previously identified for possible inclusion in the 2011/12 Budget.

Discussion was held regarding additional items identified by Council for consideration in the 2011/12 Budget.

Councillor McCarthy suggested that gravel quarries that have been exhausted and are no longer required by Council should be sold. Councillor McCarthy identified Doney's Pit and Arrow's Pit as possible sites for consideration. Staff are requested to investigate this option.

Discussion was held regarding Section 94 contributions. Staff are reviewing the current Section 94 plan and will report to Council.

That the information relating to New South Wales rate pegging limits was noted.

Attachments



110207 - Minutes
Finance Committee M

Statutory Environment

Local Government Act 1993

Policy Implications

Nil

Financial Implications

Budgeted income and expenditure figures for 2010-2011 have been revised endorsed by the committee and plans confirmed for the budgeting process for the 2011-2012 five-year budget.

Strategic Implications

Plans are now confirmed for the budgeting process for the 2011-2012 five-year budget.

Officers Comment

Nil

Consulted With

Finance Committee

11.02.06 Oberon Swimming Pool – Potential Extension of 2010-2011 Opening Period

Executive Summary

In response to a question raised at the December 2010 Ordinary Council Meeting, staff have investigated the potential to extend the current opening period for the Oberon Swimming Pool to include the Easter period. Easter Monday falls on 25th April and, as this is also Anzac Day, a public holiday has been proclaimed for Tuesday 26th April 2011.

Calculations of estimated costs have therefore provided for the closure of the pool on Tuesday 26th April 2011. The originally planned closing date is Sunday 20th March.

The estimated additional net operating costs in relation to three suggested alternate opening times are summarised as follows:

Open 7am-9am, 10am-7pm (current hours)	\$33,709
Open 10am-7pm only	\$29,092
Open 10am-5pm only	\$22,627

These estimates are based upon anticipated additional variable costs and the assumption that the swim school service would not be provided. Also it has been assumed, for the purpose of providing this estimate, that the weather conditions experienced to date will continue until late April although, based upon past experience, this is unlikely.

No provision has been made in the current budget for the additional costs.

For Council Decision

Recommendation:

That, as no provision has been made in the current budget, no action be taken to extend the period of operation of the Oberon Swimming Pool beyond the planned and budgeted dated of 20 March 2011.

Background

In response to a question raised at the December 2010 Ordinary Council Meeting, staff have investigated the potential to extend the current opening period for the Oberon Swimming Pool to include the Easter period. Easter Monday falls on 25th April and, as this is also Anzac Day, a public holiday has been proclaimed for Tuesday 26th April 2011.

Calculations of estimated costs have therefore provided for the closure of the pool on Tuesday 26th April 2011. The originally planned closing date is Sunday 20th March.

The estimated additional net operating costs in relation to three suggested alternate opening times are detailed as follows:

	<u>Cuurrently Planned Full</u>	<u>Extension Options - Additional Estimated Cost</u>		
	<u>Season</u> (12 Nov-20 Mar)	(21 Mar-26 Apr)		
	18.4	5.4	5.4	5.4
	<u>weeks</u>	<u>weeks</u>	<u>weeks</u>	<u>weeks</u>
Hours Open Per Week	73 (7am-9am, 10am-7pm)	73 (7am-9am, 10am-7pm)	63 (Say 10am-7pm)	49 (Say 10am-5pm)
<u>Income</u>				
Entrance Fees	19,090	5,603	4,835	3,761
Kiosk Profit	3,018	886	764	595
Swim School Fees	21,000	-	-	-
	43,108	6,488	5,599	4,355
<u>Expenses</u>				
Employee Costs	83,509	24,508	21,151	16,451
Staff Training	6,500	-	-	-
Swim School Costs	15,200	-	-	-
Office Administration	1,400	411	355	276
Computer/IT	1,400	-	-	-
Office Equipment & Furniture	100	-	-	-
Insurance	7,682	-	-	-
Water Charges	2,070	608	524	408
Electricity	18,480	5,423	4,681	3,640
Garbage Service Charges	960	282	243	189
Cleaning	1,050	308	266	207
Grounds Maintenance	5,800	1,702	1,469	1,143
Swimming Pool Maintenance	9,500	2,788	2,406	1,871
Plant & Equipment Maintenance	2,000	587	507	394
Chemicals	3,000	880	760	591
Depreciation	45,500	-	-	-
Internal Overheads Charged	9,200	2,700	2,330	1,812
	213,351	40,197	34,691	26,982
Net Operating Loss	(170,243)	(33,709)	(29,092)	(22,627)

These estimates are based upon anticipated additional variable costs and the assumption that the swim school service would not be provided. Also it has been assumed, for the purpose of providing this estimate, that the weather conditions experienced to date will continue until late April although, based upon past experience, this is unlikely.

Attachments

Nil

Statutory Environment

Local Government Act 1993

Policy Implications

Nil

Financial Implications

No provision has been made in the current budget to provide for an extension of the period of operation of Oberon Swimming Pool.

Strategic Implications

No provision has been made in the current management plan to provide for an extension of the period of operation of Oberon Swimming Pool.

Officers Comment

Nil

Consulted With

Finance Manager
Swimming Pool Supervisor
General Manager

File: D55.3.1
Author: John Chapman
Date: 8 February 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 December 2010 to 31 January 2011.

1. General Fund

Shooters Hill Road

Earthworks and gravelling on the final stage of Shooters Hill Road are almost complete. Bitumen sealing is expected in approximately mid-February.

Isabella Road

Under the MOU with Forests NSW, reconstruction of 3.9km of Isabella Road is scheduled for 2010/11. Works are programmed to proceed when plant and manpower resources permit.

2. RTA Works

Abercrombie Road

One of the two sections of Abercrombie Road to be upgraded during 2010/11 was completed and sealed in December.

With most staff now having returned to work, earthworks have resumed on the next stage of Abercrombie Road near Murrays Lane and Gradys Lane.

Duckmaloi Road Curve Widening

Works have commenced on widening a number of curves on Duckmaloi Road. Guardrails will also be installed. This work is being funded as part of a road safety program.

The Mount

Agreement has been reached with the RTA on details of the safety upgrade project at The Mount. This will include widening, and construction of a concrete median barrier around the sharp curves. A price has been submitted to the RTA. Works are expected to commence during February.

3. Town Improvement Fund

Oberon Street Footpath

Application of the coloured and patterned coating on the asphalt footpath in Oberon Street is in progress.

The Common

The installation of solar power at The Common is complete. This will run a small fountain in the top pond which will help to circulate and aerate the water. However problems with this and with the solar lights are yet to be rectified.

Replacement of the jetty on the top pond with a larger structure is complete. Repair of several sections of damaged footpath is in progress.

4. Sewer Fund

Extension of the laboratory at the Sewerage Treatment Works is continuing when resources permit.

5. Water Fund

Replacement of a section of water main in Albion Street will soon commence. Pipes for the stormwater harvesting scheme will be laid in the same trench. On completion it is intended to rip up this section of Albion Street, between the Council Depot and Endeavour Street. It will be reshaped and resealed.

There was a problem recently with discolouration of the town water supply. This was caused by high levels of manganese in the raw water being supplied to the treatment plant. The level was beyond the capacity of the plant to treat to remove the colour. Eventually the intake level at Oberon Dam was raised, and the problem was resolved.

6. External Meetings

a. Fish River Water Supply Customer Council Meeting

The next meeting is scheduled for February 8. A verbal update will be provided to Councillors at the meeting.

b. Preliminary Water Review

See confidential report item.

7. Stormwater Harvesting Project

The REF has been advertised and one comment received from DECC. Agreement with Federal Government has been signed. Negotiations with NSW Office of Water are continuing regarding the need for a licence.

8. Disposal of Plant

Nil

9. Staff Training

A large number of staff have been on leave over the Christmas break and no formal training has been undertaken.

10. Road Safety Pilot Program Grant

Activities during December and January include:

- Variable message signs at Oberon and O'Connell. They were removed in mid December, and will be installed for another month starting in mid February.
- Banners are in place near Sheps Hill, Doneys Pit, and O'Connell Park.
- Completion of initial survey, the winner was L Maloney. There will be a further survey at the end of the program.
- A training session for inexperienced drivers will take place at OTC in mid February.

File: A1.2.1
Author: Leigh Robins
Date: 02 February 2011

12.01.02 Director of Engineering Status Report

Resolution Number – 01141210 – NAPA Presentation

That Council offer in principle support for the NAPA Proposal and advise NSW Rural Fire Service Commissioner, Shane Fitzsimmons, Minister for Emergency Services, the Hon Steve Whan and Shadow Minister for Emergency Services, Melinda Pavey of such.

Status

Letter sent - Matter closed

Resolution Number – 40161110

That a seat be installed in the Oberon Common overlooking the Edith Road with a stone and a plaque next to it as a memorial to Councillor Hooper.

Status

Underway

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

To be considered for 2011/12 budget inclusion.

Gravel Trucks on Edith Road

Councillor McMahon raised an issue regarding the noise from gravel trucks using the Edith Road which is contrary to the agreement with the Quarry.

The Director of Engineering undertook to follow up the matter with the proprietor.

Status

The owner of the quarry has been advised that trucks using Edith Road to travel through Oberon is a breach of the Development Approval.

Matter closed

Resolution Number – 25210910 – Water Restrictions

That the current Water Restriction level remains at Level 3 until the report regarding Water Allocations from the Oberon Dam is received.

Status

See report to this meeting

Resolution Number – 18210910 – Sewells Creek Road

That an allocation of \$50,000 to construct and seal a section of Sewell's Creek Road west of Sewell's Creek be referred to the 2011/12 budget considerations.

Status

For consideration in 2011-12 budget.

Resolution Number – 41170810 – Rural Fire Service

That a letter be sent to the Minister and Local Member stating that as the Oberon Office is the Headquarters of the Chifley Zone, why does the Rural Fire Service continue to make appointments of senior staff based in Bathurst, particularly when Council contributes 40% to the running of the zone.

Status

The Minister for Emergency Services has advised that regular reviews of RFS service delivery in the Chifley Zone identified greater efficiencies in using the Bathurst Fire Control Centre as the main administrative centre.

Resolution Number – 18170810 – Oberon Street Paving

That the replacement of the damaged pavers in Oberon Street proceed using asphalt with a coloured and imprinted surface coat.

Status

Matter closed

Resolution Number – 05030810 – Proposed New Fire Control Centre Bathurst

That the Team Manager, Chifley/Lithgow Rural Fire Service be advised that:

1. It is understood that the Oberon Fire Control Centre are the Headquarters for the Chifley Zone and Council would not support duplication of this facility at another location
2. Any allocation towards the construction of a new fire control centre will not be provided by Oberon Council
3. Council requests the RFS to investigate the costs and implications of dissolving the zone.
4. That the RFS be requested to justify why they are not using the headquarters at Oberon which are provided free of charge and paying market rent in Bathurst.
5. That the alternative to building a new Fire Control Centre in Bathurst be the evaluation of costs of expanding existing facilities in Oberon.

Status

The RFS have acknowledged and accepted that Oberon Council will not be contributing to a Zone Fire Control Centre at Bathurst.

The RFS have advised that dissolving the Zone would have minimal cost implications or advantages. It is proposed that separate budgets will be implemented in the near future to reduce Council's administration workload.

The RFS advise that having the administrative hub at Bathurst provides better service delivery across the Chifley Zone and Lithgow District.

The RFS have advised that Oberon is not the best location to provide the greatest level of service delivery to the volunteers and the community.

Matter closed

Resolution Number – 19200610 – Stormwater Harvesting Project

That the Common Seal be affixed to the Deed of Agreement between Council and the Commonwealth of Australia for the Stormwater Harvesting project.

Status

Matter closed.

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

Design and soil assessment continuing.

Resolution Number – 32180510 – Mayfield Bridge and Road Sealing

That an invitation be extended to the Premier and the Minister for Tourism via the Member for Bathurst, Gerard Martin, inviting them to visit the Mayfield Garden facility following consultation with the owners of the facility with a view to obtain funding assistance for the Mayfield Road and Bridge.

Status

Report made to the September 2010 meeting advising Council's letters have been acknowledged. The Hon Jodi McKay MP, Minister for Tourism will be happy to meet with Oberon Council in relation to tourism issues in the LGA on any upcoming visit to the electorate. The Minister's office will contact Council when such a visit is arranged.

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 submitted. Awaiting response.

Resolution Number – 46200410 – Traffic Education Park

That staff be requested to evaluate possible sites for the location of a traffic education park for children and pursue grant funding opportunities with the RTA.

Status

Letter sent to RTA – awaiting response.

Resolution Number – 36160310 – Kerbside Recycling

That the recommendation be deferred until further investigation into the viability of introducing a kerbside recycling service can be undertaken.

Status

Ongoing

Resolution Number – 25171109 – Drought Management

That the Minister for Water be requested to intervene and apply the measures for operation of the Oberon Dam in accordance with the confidential staff report.

Status

See report to this meeting.

Resolution Number – 07171109 – Road Transfer

1. All costs associated with the conversion and closure be met by the owner of Lot 7, DP 838411.
2. The owner of Lot 7, DP 838411 agree to purchase the closed road at the equivalent market value of adjoining subdivided lots and adjoining owners be offered the same arrangement.

Status

Awaiting plan registration by the Department of Lands.

Resolution Number – 09201009 – Classification of Land

That the following land be classified as Operational Land:

Lot 1 in DP 1126275
Lot 1 in DP 248152 and Lot C in DP 158146
Lot 44 in DP 846942

Status

Process commenced.

File No: A1.2.1
Author: Leigh Robins
Date: 1 February 2011

12.02 Reports for Decision

12.02.01 Naming of Council Road – Golden Valley Road, Duckmaloi

Executive Summary

Council has received notification from a resident that the naming process of the Golden Valley Road is possibly incomplete.

No evidence could be found on council files to suggest that the appropriate road naming procedures were undertaken.

The Road needs to be officially named according to the Guidelines for Naming of Roads.

For Council Decision

Recommendation

That the name “Golden Valley Road” be accepted by Council and a notification to the public be placed in the Oberon Review advising of Council’s intention to formally name the road and objections be received within the required timeframe of 28 days. Relevant authorities will then be notified in writing of Council’s decision.

Background

Some time ago, Council observed that a section of Junction Road, leading off a fork of the road was not physically part of Junction Road and the decision was made that it would need to have its own individual name.

In January 2008, correspondence was sent out from Council to land owners on this section of road, advising that the new name, Golden Valley Road, had been chosen and that a new rural addressing system was being introduced that would work in conjunction with the new road name to give owners a whole new rural address.

The road had been known by residents and locals for some time as Golden Valley Road, therefore it was seen fit to officially name the road to assist with location and access for emergency services, visitors etc.

Council has received a notification from a member of the public about the status of the Golden Valley Road. The resident has been having numerous problems with service companies such as Telstra who inform him that the road name is not registered in their system as an existent road.

There is no evidence on council files to suggest that the Road name has been referred to the relevant authorities for consideration (Australia Post, Geographical Names Board, Surveyor General, and the Registrar General). In order to submit a gazettal notice and formalise the road name, this action must be undertaken.

Attachments



110124 Golden Valley
Maps.pdf

Statutory Environment

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

Policy Implications

There are no relevant Council policies.

Financial Implications

Nil cost to Council.

Strategic Implications

Nil Identified.

Officers Comment

The total length of the road is 0.62kms long. It is located 2.55kms West off Junction Road and is unsealed.

Consulted With

Director of Engineering - Leigh Robins
Rates Clerk - Denise Toohill

File: E31.9, R215
Author: Matilda Dwyer
Date: 12th January 2010

12.02.02 Robinson Park Fencing

Executive Summary

A letter has been received requesting Council to contribute towards the cost fencing the boundary between a residence and parkland.

It would not be usual for Council to contribute in these circumstances, and it could create a precedent for many other similar situations.

For Council Decision

Recommendation:

That the request for Council to contribute towards the cost of fencing part of the boundary of Robinson Park be declined.

Background

A letter has been received requesting Council to contribute towards the cost of fencing the boundary between 20 Oberon Street and Robinson Park (see attachment)

The residents, who recently purchased this property, have undertaken some clearing, and have found the fence to be in poor condition and needing to be replaced.

Attachments



110131 - Robinson
Park Fencing.pdf

Statutory Environment

Fences on boundaries between two private properties are covered by the Fencing Act.

It is understood this Act does not apply to boundaries adjoining Council reserves (e.g. roads, parks, drainage, etc.) or crown land. These fences are entirely the responsibility of the private property owner.

Policy Implications

There are no relevant Council policies.

Financial Implications

Depending on the standard of fencing chosen, a half share of the cost could be in the range of \$1000 - \$2000.

There is no specific allocation for this, but could be covered under Parks and Gardens Maintenance.

Strategic Implications

Nil

Officers Comment

There have been a couple of previous instances where Council has contributed to the cost of fences adjoining parks. This practice should not be continued, as it creates a potentially very expensive precedent for the many boundaries adjoining Council reserves, including even all the front boundaries onto road reserves.

An exception would be freehold land owned by Council, or purchased by Council for commercial purposes, e.g. for development of subdivisions.

Consulted With

Director of Engineering

File No: PO40.20
Author: Ian Tucker
Date: 31 January 2011

12.02.03 Minutes of the Works Committee Meeting

Executive Summary

A meeting of the Works Committee was held on Wednesday 2 February 2011. The minutes of the meeting are attached for Council's information and endorsement.

For Council Decision

Recommendation:

That:

1. The Minutes of the Works Committee Meeting held on 2 February 2011 be received and accepted.
 2. 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.
-

Background

A meeting of the Works Committee was held on 2 February 2011.

Discussion was held regarding current areas of concern requiring immediate attention.

Information was provided regarding major projects currently being undertaken.

Requests and suggestions for capital and maintenance items for inclusion in the 2011/12 budget were also discussed.

Site inspections will be arranged in the near future with priority being given to the matters raised for attention during the Works Committee Meeting. The first inspection will cover Abercrombie Road, Black Springs, Burruga inspecting the Jeremy Road intersection, Bald Ridge Road and other locations as time permits.

Discussion was also held regarding plant life and utilisation.

Attachments



110202 - Minutes
Works Committee Meeting

Statutory Environment

The Works Committee is a full committee of Council.

Policy Implications

Council's policy for local road upgrades or extension to the sealed network will be delayed.

Financial Implications

Council's 2011/12 Management Plan

Strategic Implications

A strategy to maintain the existing network will delay Council's previous direction to extend the network.

Officers Comment

Nil

Consulted With

General Manager

File No: A2.3
Author: Leigh Robins
Date: 3 February 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 13.01.03 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 December 1 2010 to January 31 2011.

1. Staff Matters

a) Executive Management

Weekly meeting continue with the executive management team.

b) General Staff

One on one meetings with staff will recommence in February 2011.

2. Workplace Health and Safety Matters

a) General

Nil to report.

b) Incidents

One incident/injury - an outdoor employee tore an abdominal muscle while lifting a grader blade from truck.

3. Attendance at External Stakeholder Meetings and Conferences

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

- a. OPTA end of year meeting with the VIC staff
- b. Familiarisation tour of Jenolan Caves
- c. OBA Business Awards Function with the Mayor and Councillor Doney

- d. A number of meetings with development applicants in conjunction with planning officers.
- e. VIC Managers meeting
- f. Meeting with Shooters Hill Correctional Centre staff
- g. Meetings with the Mayor and Gerard Martin
- h. Meetings with the Mayor and Paul Toole
- i. LGMA Presentation
- j. Meeting with the Oberon Arts Council
- k. Meeting with the Aged Care Committee
- l. Australia Day pre event and Day function attendance
- m. Attended the Blue Mountains, Lithgow and Oberon Tourism Workshop, Board Meeting and Marketing Update.

4. Committee Meetings

I have attended:

- Events Committee meeting

5. Other Meetings of Note

- a. Meeting with Council's integrated planning consultants
- b. Meeting with Council's internal auditors

6. Events Calender



Calendar February
2011.docx



Calendar March
2011.docx

7. Grants

The following is an update on the status of current grants.

Purpose	Submitted	Grant Name/Lodged With	Expected Approval Date	Status
International Women's Day to be held on 8 March 2011	Yes	Premier and Cabinet Office for Women's Policy	Approved	Event planning underway.
Youth Week proposed to be held on 26 February 2011	25 October 2010	NSW Community for Children and Young People	Approved – 6 October 2010	Grant for \$1,230.00 approved to be matched \$ for \$ by Council.
Seniors Week 20 to 27 March 2011	26 October 2010	Human Services Grant	Approved	Approval received for \$500 grant to be matched \$ for \$ by Council.
Community Centre Extension	2009	Community Building Partnership Project	Approved	Works commenced – first progress report lodged 11.10.10. Application for extension lodged.
Community Centre Internal Renovations	November 2009	Community Halls Renewal Fund	March/April 2011	Unsuccessful in first round of funding, application rolls over to next round of funding
Library Extension	24 September 2010	State Library	Feb/March 2011	Application lodged – awaiting outcome.
Tennis Centre Enclosure	Dec 2009 29 July 2010 6 August 2010 1 November 2010	RLCIP Round 2 RLCIP Round 3 Community Building Partnership Violia Mulwaree Trust	Approved Approved Approved Approved	Application for extension lodged.

8. Use of Reportable Delegations

None to report

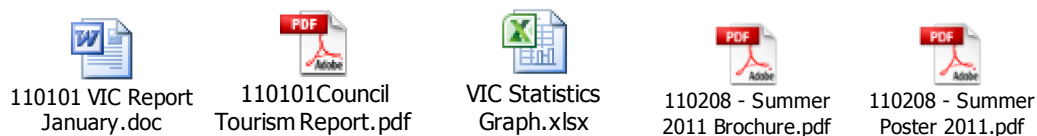
9. Economic Development

a) General

As a temporary measure the VIC Manager is working eight hours a week to tidy up outstanding Economic Development matters as left unresolved due to the departure of our previous Economic Development Officer.

b) Tourism

Oberon Information Centre



10. Regional Matters

a) CENTROC

At the CENTROC AGM held in November 2010 a new executive was elected as follows.

Chair:	Councillor Phyllis Miller
Deputy Chair:	Councillor John Davies
Secretary – Treasurer:	Carissa Bywater
Executive Members :	Councillors Bill West, Ken Keith and Paul Toole and officers Garry Stykes, Paul Devery, David Sherley, Roger Bailey and Kent Boyd

11. Other Matters

Nil

File: A1.2.1
Author: Leanne Mash
Date: 04 February 2010

13.01.02 Lachlan Regional Transport Committee

Executive Summary

A meeting of the Lachlan Regional Transport Committee was held on 6th November 2010 at Young.

For Council Information

Recommendation:

That the information be received and noted.

Background

The Lachlan Regional Transport Committee held its meeting on 6th November 2010 at Young.

The minutes of the meeting are attached for Council's information. Council does not have a delegate appointed to the Lachlan Regional Transport Committee.

The next meeting of the committee will be on Saturday 5th February at Mudgee.

Attachments



110204 - Lachlan
Regional Transport Co

File: E31.15.2
Author: Leanne Mash
Date: 4 February 2011

13.01.03 General Manager Status Report

Resolution Number – 31141210 - Upcoming Meetings

That the Mayor be nominated to attend the Special Shires Association One Day Conference to address the issue of One Association and be nominated as Council's voting delegate at the Conference and noting the Council's policy is to oppose One Association.

Status

Noted – registration to be completed.

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.

Resolution Number – 44161110 - Citizen of the Year Awards

That:

1. Australia Day Awards be made in the following categories:
 - a. Citizen of the Year – Nancy Dennis
 - b. Young Citizen of the Year - Emma Swannell
 - c. Sportsperson of the Year - No nominations received
 - d. Junior Sportsperson of the Year - Connor Sherlock
 - e. Sports Team of the Year - Oberon High School/St Joseph's Combined Rugby League Team
 - f. Community Event of the Year - Heritage Steam and Vintage Fair
 - g. Local Legend of the Year - Ian Browne
2. That the Citizen of the Year and partner, Young Citizen of the Year and parents, Sportsperson of the Year and partner, Junior Sportsperson of the Year and parents, Team members of the Sports Teams of the Year and coaches, A Committee Representative and partner of the Community Event of the Year and Local Legend of the Year and partner be invited to a cocktail function the evening before Australia Day to meet with Councillors and the Australia Day Ambassador and partner.

Status

The Mayor has personally contacted the Citizen of the Year to advise Mrs Dennis of her award. Letters have been sent to the remaining recipients.

January Update: The event itself has been planned and executed, with positive verbal feedback received. A debrief meeting is planned for February.

Police Response to Vandalism

Councillor McMahon also commented that a resident in the area has contacted the police during a time that vandalism was occurring at the Common and was advised that the matter was not considered a high priority.

Staff are requested to raise the concerns over the police response with the Chifley Area Commander.

Status

Letter sent on December 17 2010. No response to date.

Resolution Number – 38161110 – Natural Asset Protection Agency Briefing

That Mr Rob and Hugh Webb of the Natural Asset Protection Agency be invited to present to Council at an Information Briefing Session to elaborate on this concept and potential benefits to Council and the community.

Status

Presented to Council on December 14 2010.

Matter Closed

Resolution Number – 34161110 - Upcoming Meetings

1. That the Mayor, General Manager and Councillor Handelsmann nominate to attend the GIPA Legislation and Impact on Councillors Information Session
 2. That the General Manager and Councillors attend the Division of Local Government Councillor Information Seminars – Series II
 3. That the General Manager and Mayor attend the Blue Mountains, Lithgow and Oberon Tourism Annual General Meeting and Dinner
 4. That no Councillor or officer attend the Regional City Development Conference.
-

5. That all Councillors who are able to attend the Oberon Business Association Awards Dinner on 8 December 2010 do so.

Status

1. Councillor Handelsmann and the General Manager attended the GIPA Legislation and Impact on Councillors Information Session
2. Councillors Sullivan and Gibbons and the General Manager are registered to attend the Division of Local Government Councillor Information Seminars – Series II – did not go ahead due to seasonal flooding – cancelled by the Department
3. General Manager attended Blue Mountains, Lithgow and Oberon Tourism Annual General Meeting and Dinner
4. Councillors Sullivan and Doney and the General Manager attended the Oberon Business Association Awards Dinner on 8 December 2010.

Matter Closed

Friends of Oberon Library Grant

Councillor Handelsmann also attended the Friends Of the Oberon Library Meeting (FOOL's) held on 16 November 2010 and advised that the FOOL's have been successful in securing a grant to purchase five navigators which are electronic devices for visually impaired people to access e-books.

The Council wish to extend their congratulations to the FOOL's for their work.

Status

Letter written. Matter closed.

Resolution Number – 44191010 - Tasman Estate

That the General Manager be authorised to negotiate with the Agent with regards a counter offer for the purchase of Lot 18 in the Tasman Estate.

Status

January Update: Purchase price agreed – legal documentation to be completed.

Resolution Number – 40191010 - Absence of Journalist

That a letter be forwarded to Rural Press to express disappointment that a replacement journalist was not provided for the Council's Ordinary Meeting held on 19 October 2010.

Status

Letter sent, await response.

January Update: As at January 31 2011 a second letter was written requesting a response, with a copy of the original letter enclosed.

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 – 40210910 – Upper Macquarie County Council

That the General Manager be requested to contact Forests NSW with a view to discussing options for the control of Bidy Bush in the Local Government Area.

Status

Mayor raised the matter in a phone call with Forest NSW. Await response.

November Update: Forestry has agreed to meet with Councillors Francis and McMahon. The Executive Assistant is to confirm a date for this meeting to occur.

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.

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

Resolution Number – 07120808 – Proposed Lease of Oberon Railway Station Precinct

That:

- a) The Australian Railtrack Corp be requested to transfer the existing lease of the Oberon Railway Station from the Oberon District Museum Society to Council.
- b) Once the lease has been transferred a new S355 Committee be formed.
- c) The Museum Society, OTHR and representatives of the Walking/Riding groups be advised of Council's decision.

Status

Museum lease has been signed. Lease for License for Walking Track is awaiting a risk assessment concerning the interface between the proposed operational track and walk/cycle track.

January Update: A new lease now is in place for OTHR and Museum who share the site on new agreed boundaries.

Matter closed.

File: A1.2.1
Author: Leanne Mash
Date: 1 February 2011

13.02 Reports for Decision

13.02.01 Australia Local Government Women's Association

Executive Summary

The Australian Local Government Women's Association are seeking for Council to become a member of the association. The cost is \$200. Membership entitlements include reduced training and conference rates. Membership is effective from January 1 2011 – December 31 2011. More information can be found at www.algwa.org.au.

For Council Decision

Recommendation:

That Council decline to take up membership of the Australian Local Government Women's Association.

Background

The Australian Local Government Women's Association aims:

1. To assist in furthering women's knowledge and understanding of the function of local government
2. To protect and enhance the interests and rights of women in local government.
3. To take action in relation to any subject or activity of particular interest to women affecting local governing bodies and/or local government legislation.
4. To act in an advisory capacity to intending women candidates for local government elections.
5. To encourage women into professional careers in local government.

ALGWA measures its success by the number of women encouraged to join Local Government.

Council is a member of LGSA of NSW and progresses the local government agenda as a whole through this forum.

Attachments



110207 - ALGWA.pdf

Statutory Environment

Not applicable

Policy Implications

Not applicable

Financial Implications

Not applicable

Strategic Implications

Not applicable

Officers Comment

Not applicable

Consulted With

Not applicable

File: A1.1
Author: Leanne Mash
Date: 2 February 2011

13.02.02 Upcoming Meetings

Executive Summary

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

These include:

- Australian Water Congress 2011 which takes place on 2nd and 3rd March 2011 at the Grace Hotel in Sydney.
 - LGSA Tourism Conference 2011, 9 – 11 March 2011 at Engadine Community Centre, Engadine hosted by Sutherland Shire Council.
 - Australian Local Government Association National Local Government Events during 2011 are:
 - The National General Assembly of Local Government (NGA), to be held on 19 – 22 June 2011 in Canberra, and
 - The National Local Roads and Transport Congress, to be held on 16 – 18 November 2011 in Mount Gambier.
-

For Council Decision

Recommendation

1. That no Councillor or officer attend the Australian Water Congress 2011.
 2. That Councillors _____ attend the half day Building Better Communities with Tourism Seminar being held on 9 March 2011.
 3. That the dates for the National General Assembly of Local Government and the National Local Roads and Transport Congress be noted for future opportunities.
-

Background

1. Australian Water Congress 2011

The Australian Water Congress 2011 is being held on 2nd and 3rd March 2011 at the Grace Hotel in Sydney.

The conference brings together all the stakeholders in Australia's water industry and focus on the effective management and regulation of the water resource.

A full copy of the event program is attached for Council's information.

Cost to attend the conference is \$1,095.00 plus GST. In additional travel and accommodation costs would be incurred to attend this conference. Current accommodation cost at the conference venue is \$300 per night.

2. LGSA Tourism Conference 2011

The LGSA 2011 Tourism Conference will be held from 9 – 11 March 2011 at the Engadine Community Centre.

An optional half day pre-conference seminar, “Building Better Communities with Tourism” has also been included with this year’s program and has been developed especially for elected members, General Managers and Economic Development Managers.

The results and recommendations from the NSW Ministerial Taskforces on Tourism and Local Government, Tourism and National Parks, Tourism Planning and Investment and Tourism and Education will be given at the conference.

The cost to attend the half day seminar for Councillors and General Managers is \$55 per person.

Full conference registration is \$660 per person. Attendance at the welcome reception and conference dinner also incur additional costs.

In addition travel and accommodation would be incurred to attend the conference.

The General Manager and Visitor Information Centre Manager have registered to attend the conference.

3. National General Assembly of Local Government (NGA) and National Local Roads and Transport Congress

The Australian Local Government Association, 2011 National General Assembly will be held in Canberra on 19 – 22 June 2011. The Regional Development and Cooperation Forum will be conducted in conjunction with the NGA on 19 June 2011.

The program for the NGA is currently being developed and is expected to be received during February 2011.

The ALGA has written to Council’s calling for motions for the NGA under the theme of “Growing with our Community – Partnership, Place and Position. A discussion paper has been prepared and is available on the NGA website at www.nga.alga.asn.au to assist Council’s in preparing motions. Motions will be received up to 22 April 2011.

The National Local Roads and Transport Congress will be held on 16 – 18 November 2011 in Mount Gambia. Details regarding this event will be received later in 2011.

Attachments



110204 - Australian
Water Congress 2011



110204 - LGSA
Tourism Conference.p

Statutory Environment

Not applicable

Policy Implications

Nil

Financial Implications

There is an allocation in the 2010-11 budget for meeting attendance.

Strategic Implications

Not applicable

Officers Comment

Nil

Consulted With

File: A1.2.1
Author: Leanne Mash
Date: 3 February 2011

13.03.01 General Business – General Manager

14 Closed Session Reports

- 14.01.01 Legal Costs Update
- 14.01.02 Water Restrictions
- 14.01.03 Potential Public Liability Claims Register
- 14.01.04 Investments – Legal Action Update
- 14.01.05 General Manager's Key Performance Indicators

15 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:

16 Closure of Meeting

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