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OBERON COUNCIL

*Agenda and Business Papers
 Oberon Council Ordinary General Meeting
 Tuesday 21 June 2011
 5.30pm Council Chambers*

5.30pm	Opening of meeting
8.15pm - 8.45pm	Dinner

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01 Opening of Meeting

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

02 Prayer

The Meeting was opened in prayer by ...

03 Record of Attendance

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

Officers Leanne Mash, General Manager
 John Chapman, Director of Corporate Services
 Gary Wallace, 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 17 May 2011



05.01.01_Attachment
_A_Unconfirmed_Minu

Recommendation

That the Minutes of the duly convened Ordinary Meeting held on 17 May 2011 be taken as read and confirmed.

Matters Arising from the Minutes

Nil

06 Declarations of Interest

Pecuniary -

Conflicts -

Staff -

07 Mayoral Minute and Report

A. Meetings

1. Meeting with Tina Slattery, Aged Care Committee – 17 May 2011
2. RTA Bi-annual Meeting with Council – 19 May 2011
3. Meeting with Member for Bathurst, Paul Toole MP
4. CENTROC Board Meeting – 26 May 2011
5. Oberon Promotions Committee Meeting – 2 June 2011
6. Community Safety Precinct Committee Meeting – Lithgow – 6 June 2011
7. Library Committee Meeting – 7 June 2011
8. Events Committee Meeting – 7 June 2011
9. Meeting with Black Springs and Burruga Community representatives regarding Tips – 9 June 2011
10. Special Meeting regarding Donations – 9 June 2011
11. Meeting with OPTA – 15 June 2011

B. Representation

1. LGMA Forum – 30 May 2011
2. Local Government Shires Association – 30 May – 1 June 2011

C. Correspondence

1. Invitation to attend the NSW Local Government in Emergency Management Conference on 2 June 2011
2. Correspondence from Councillor Janet Hayes standing as Vice President of the Shires Association.
3. Invitation from BMLot to attend the Blue Mountains Winter Ball to be held on 29 May 2011
4. Local Government Shires Association regarding Local Government Week and the RH Dougherty Awards
5. From Blue Mountains City Council regarding Bicentenary Crossing Commemorations
6. Keep Australia Beautiful NSW Environmental Education Program for Primary Schools
7. Invitation to attend the NSW RFS Chifley Fire Ball to be held on Saturday 4 June 2011 with all proceeds of the event going to the Children's Hospital at Westmead Burns Unit
8. Western Region Academy of Sport – operations and events during the 2010/11 year
9. Oberon Christian Life Centre – information for the events committee relating to the combined churches of Oberon
10. Rotary Club of Oberon Annual Changeover Dinner – Thursday 16 June 2011

11. Invitation to attend the official launch of Doctors for the Bush on Thursday 16 June 2011
12. The Hon Simon Crean MP, Minister for Local Government regarding constitutional recognition of Local Government
13. The Hon John Cobb MP invitation to attend the official opening of the Bathurst Electorate Office on Friday 24 June 2011

Keith Sullivan
Mayor

08 Councillor Reports

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

09 Delegates Reports

Recommendation

That the Minutes of Committee Meetings as presented in Report 09.01.01 to 09.01.05 of the Business Papers be received and noted by Council.

09.01.01 Traffic Advisory Local Committee Meeting

Executive Summary

Minutes of the Traffic Advisory Local Committee meeting held on 2 June 2011 are attached for Council's information.

For Council Decision

Recommendation:

That:

1. The application for B-Double access on Cosgrove Road off Abercrombie Road not be approved.
 2. The application for 25m B-Double access on Mayfield Road from Sewells Creek Road to Munjarra Forest Road be approved.
 3. The application for 25m B-Double access on Sewells Creek Road, from Abercrombie Road to Roberts Road be approved.
 4. The application for 25m B-Double access on Mt Werong Road, from Shooters Hill Road to Banshee Road be approved.
 5. The application for 25m B-Double access on Beaconsfield Road, from Abercrombie Road to Skinners Road, not be approved.
 6. The application for 25m B-Double access on the first 1.2km of Felled Timber Road from Abercrombie Road, not be approved.
 7. An amount of \$50,000 be referred to the 2012/13 estimates to improve the Carrington Avenue/Rupert Street intersection.
-

Background

The Traffic Advisory Local Committee Meeting was held on 2 June 2011 and several matters were discussed.

The minutes of the meeting are attached for Councillors information.

Attachments



09.01.01_Attachment
_A_Minutes_TALC_2_

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

Nil

09.01.02 Minutes of the Oberon Promotions Committee Meeting

Executive Summary

A meeting of the Oberon Promotions Committee was held on Thursday 2 June 2011. The Minutes of the meeting are attached for Council's information.

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

For Council Information

Recommendation:

That:

1. The minutes of the Oberon Promotions Committee Meeting held on 2 June 2011 be received and accepted.
 2. A letter be written to Highland Pine Products, Carter Holt Harvey and Borg Panels seeking a representative to join the Oberon Promotions Committee.
 3. That staff be requested to investigate suitable sources of funding for the 'Travelling Billboard' project.
-

Background

A meeting of the Oberon Promotions Committee was held on Thursday 2 June 2011. Due to the lack of a quorum the meeting was held as a discussion session. The minutes of the meeting are attached for Council's information.

Investigation has been undertaken with local truck companies regarding a suitable vehicle to display signage. O'Connell's Transport have a taut liner truck which travels to Sydney and back each weekday during daylight hours and they would be willing to have the truck fitted with new curtains. The total cost to have one truck fitted out including signwriting the tailgate and two new curtains is \$8,645.00.

Other alternatives for promotion of Oberon on vehicles were also discussed along with possible sources of funding.

An update was provided regarding the Volunteers Program at the Visitor Information Centre.

Attachments



09.01.02_Attachment
_A_Minutes_Promotioi

Statutory Environment

Section 355 of the Local Government Act

Policy Implications

Nil

Financial Implications

The total cost to have one truck fitted out including signwriting the tailgate and two new curtains is \$8,645.00. There is no provision in the 2011/12 budget for the 'Travelling Billboard' project. A suitable source of funding would need to be identified and may include Demand Building Funding and State Government Product Development Funding through the Regional Tourism Organisation.

Strategic Implications

Nil

Officers Comment

Nil

Consulted With

File No: A2.17
Author: Leanne Mash
Date: 8 June 2011

09.01.03 Arts OutWest Delegates Report

Executive Summary

As Council's Delegate Fran Charge attended the Arts OutWest Annual General Meeting held on the 1 May 2011 and the Board Meeting held Tuesday 10 May 2011. The delegates report is attached for the information of Council.

For Council Information

Recommendation:

That the information be received and noted.

Background

As Council's Delegate Fran Charge attended the Arts OutWest Annual General Meeting held on the 1 May 2011 and the Board Meeting held Tuesday 10 May 2011. The delegates report is attached for the information of Council.

Attachments



09.01.03_Attachment
_A_Arts_OutWest_Rej

Statutory Environment

Not applicable

Policy Implications

Not applicable

Financial Implications

Nil

Strategic Implications

Not applicable

Officers Comment

Nil

Consulted With

File: P72.7
Prepared by: Leanne Mash
Date: 3 June 2011

09.01.04 Events Committee Meeting Minutes

Executive Summary

Minutes of the Events Committee Meeting held on 7 June 2011 are attached for Council's information.

For Council Decision

Recommendation:

That the Minutes of the Events Committee Meeting held on 7 June 2011 be received and noted.

Background

The Events Committee Meeting was held on 7 June 2011 and discussions were held as follows:

- Kanangra Classic Endurance Ride – 16th October 2011 - Update
- 2011/2012 Oberon and Villages Garden Festivals - Update
- Other Events planned:
 - a. Back to Church Sunday 12 September 2011
 - b. 2012 Oberon Show – planning well underway
 - c. Carols in the Caves
 - d. Combined “Christmas in the Street”

Attachments



09.01.04_Attachment
_A_Minutes7.6.2011E\

Statutory Environment

Local Government Act 1993

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Officers Comment

Nil

Consulted With

File No: A2.5
Author: Kathy Beesley
Date: 7 June 2011

09.01.05 Library Committee Meeting Minutes

Executive Summary

Minutes of the Library Committee Meeting held on 7 June 2011 along with the Library Managers report and correspondence tabled at the meeting are attached for Council's information.

For Council Decision

Recommendation:

That:

1. The minutes of the Library Committee Meeting held on 7 June 2011 be received and noted.
2. That the Council reconsider the 2011/2012 capital expenditure budget item relating to resource purchases for the Library and consider reinstating expenditure levels reflective of 2010/2011

Background

Minutes of the Library Committee Meeting held on 7 June 2011 along with a copy of the Library Managers report tabled at the meeting are attached for Council's information.

Friends of the Oberon Library tabled correspondence regarding Oberon Council's 2011/2012 Draft Budget requesting explanations of library budget.

Attachments



09.01.05_Attachment 09.01.05_Attachment 09.01.05_Attachment
_A_Minutes_7_June_2 _B_Library_Managers _C_Correspondence_f

Statutory Environment

Local Government Act 1993

Policy Implications

Nil

Financial Implications

The request for Council to reconsider the 2011/2012 capital expenditure budget item relating to resource purchases for the Library and consider reinstating expenditure levels reflective of 2010/2011 is able to be considered as part of the overall review of the draft budget.

Strategic Implications

Nil

Officers Comment

Nil

Consulted With

Library Committee
General Manager
Library Manager

File No: A2.8
Author: Kathy Beesley
Date: 7 June 2011

Notes:

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 May to May.

1. Determinations for the Month of May

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

a) Development Applications	11
b) Construction Certificates	5
c) Complying Development Certificates	0
d) Subdivision Certificates	0
e) Section 68 Applications	2
f) Applications Refused	0

A complete list of the determination is as follows:

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

Ref No	Development Type	Street Address	Locality
10.2011.14.1	Studio - Weekender	114 Gingkin Road	Gingkin
10.2009.225.1	Recreational Motorcross Facility and Camping Area	2968 Shooters Hill Road	Shooters Hill
MOD DA/CC 10.2010.8.2 11.2010.8.2	Minor modification to Approved Dwelling	151 Burns Road	Wisemans Creek
MOD DA 10.2004.181.3	Modification to alter lot layout	404 O'Connell Road	Oberon
10.2010.88.1 11.2010.88.1 19.2010.31.1	Dwelling and OnSite Waste Water	2826 Beaconsfield Road	Wisemans Creek
MOD DA 10.2009.162.2	Modification to floor plan	909 Campbells River Road	Black Springs
10.2011.20.1	Patio	35 Carrington Avenue	Oberon

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MOD DA 10.2007.204.3 MOD CC 11.2007.204.3	Minor Modification - Relocation of water garden, toilet and re-design of toilet	570 Mayfield Road	Oberon
10.2011.16.1 11.2011.16.1 20.2011.7.1	Additions to Dwelling	107 Bailey's Lane	Oberon
10.2011.24.1 11.2011.24.1	Additions to Dwelling	20 Scotia Avenue	Oberon
MOD DA 10.2010.96.2	Additions to Dwelling	74 Marks Crescent	Oberon
MOD DA 10.2007.148.3	Modification to stage Approved subdivision	265 Springmount Road	Oberon
MOD CC 11.2010.45.3	Minor Modification of Footing design	165 Goughs Road	Oberon

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

2. Certificates Issued During the Month of May

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) 22 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) Seven Section 735A Certificates were issued.

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

- c) Three Section 121ZP Certificates were issued.

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

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

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

3. Oberon Animal Pound

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

Details	Number of Cats	Number of Dogs
Animals carried over from previous month	0	2
Animals Seized	0	2
Animals Abandoned	14	3
Animals Surrendered	0	1
Animals released to Owner	0	4
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	4	0
Animals Destroyed	10	2
Animals Sold	0	1
Animals died at Council's facility	0	0
Animals Escaped/Stolen	0	0
Animals still in the Pound	0	1

4. Miscellaneous Matters

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

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

a) Building Inspections	30
b) Food Inspections	0
c) Environmental Inspections (Air Pollution/Noise Pollution/Water Pollution)	0
d) Subdivision Certificate Inspections	0
e) Complaints (Includes Animal Control)	3
f) Building Maintenance Inspections	5

5. Attendance at Seminars/Conference/Short Courses

None during this period.

File: A1.2.1
Author: Gary Wallace
Date: 8 June 2011

10.01.02 Director of Development Status Report

Overgrown Vegetation on Town Blocks

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

Status

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

In progress.

Resolution Number – 40150211 Heritage Interpretive Signs

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

Status

Ongoing

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

Resolution Number – 32141210 - Oberon Community Centre Internal Renovations

That:

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

Status

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

June Update – Gathering quotes from local builders.

Resolution Number – 23141210 - Oberon Community Centre

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

Status

To be undertaken in conjunction with Resolution 32141210.

Resolution Number – 08191010 – Heritage Committee Meeting Minutes

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

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

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

Status

Ongoing

Resolution Number – 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.

March Update – No further news to report. Still awaiting an outcome from the State.

April Update – No further news to report. Still awaiting an outcome from the State.

June Update – seeking confirmation from the NSW Office of Environment and Heritage (State) as to the status of licence application. All PINS have been paid.

Resolution Number – 32170810 – Heritage Committee Meeting Minutes

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

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

Status

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

January Update - Staff actively pursuing completion of this project.

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

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

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

Resolution Number - 29200710 - Heritage Committee Meeting Minutes

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

Status

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

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

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

March Update – Works progressing

April Update – Works progressing

June Update - Works progressing

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.

March update – Department of Planning and Council are both seeking to source updated information from the consultant.

April update – Information has been provided, Council Officers to document Council's changes, Council would then have to endorse the DLUS at a meeting, after which the DLUS is then forward to the DoP for endorsement.

June update – Draft LUS is to be finalised and an issue paper prepared for Councillor briefing and resolution.

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.

10.02 Reports for Decision

10.02.01 Development Application: 10.2011.21.1

Applicant: Mr K and Mrs M Bolton
Location: Lot 33 in DP: 785503, 95 Harris Road, Oberon
Proposal: Residential garage and associated awning
Zone: 1(c) Rural Residential – Titania Park Estate

Executive Summary

Development Application 10.2011.21.1 was received by Council staff for the proposed construction of a residential garage and associated awning within the Titania Park Estate.

Prior to the determination of the Development Application a variation to Part J.7.2.7 of Oberon's Development Control Plan (DCP) 2001 is required as the floor area of the proposed garage, in total area for outbuildings on the site, exceeds the 100 square metre limitation for ancillary buildings prescribed by DCP 2001.

For Council Decision

Recommendation

That delegation be granted to Councils Director of Development to vary part J.7.2.7 "Ancillary Buildings" of Oberon's Development Control Plan 2001 by Council to allow the construction of a 36 square metre colour bond clad garage and associated awning on Lot 33 in DP: 785503, 95 Harris Road, Oberon.

Background

Development Application 10.2011.21.1 was received by Council on the 4 May 2011 for the proposed construction of a 6m x 6m (36 square metres) colour bond clad garage and associated awning. The proposed plan is attached as Attachment A. The site upon which the garage is proposed, already has erected, an existing colour bond clad American barn style shed with a floor area of 100 square metres. The existing shed was constructed by the previous owners of the land.

Accordingly the Development Application for the construction of an additional ancillary building is contrary to the limitations prescribed by Part J 7.2.7, Ancillary Buildings of DCP 2001, which states:

- "Objective: To discourage the erection of numerous outbuildings on the lots"; and
 - "Only two (2) buildings ancillary to a dwelling shall be permitted on each allotment. The ancillary buildings are to have a total aggregate floor area of less than 100 square metres".
-

The total aggregate floor area for the site, including the proposed garage and awning, will be 136 square metres. The applicant has provided a letter to Council justifying the application for the additional garage and requesting the variation to the DCP 2001. (Attachment B)

Whilst the site is currently vacant and Part J 7.2.7 relates to *buildings ancillary to a dwelling*, a further Development Application has been recently submitted to Council for a proposed dwelling on the same site.

Adjoining property owners have been notified and the submission period expired on the 2 June, 2011. No objections or submissions were received regarding the proposed development.

Attachments



10.02.01_Attachment_A_Proposed_Plan.pdf



10.02.01_Attachment_B_Correspondence_fi

Statutory Environment

Environmental Planning and Assessment Act, 1979.
Development Control Plan 2001

Policy Implications

There are no policy Implications.

Financial Implications

There are no financial implications

Strategic Implications

There are no strategic implications.

Officers Comment

Council staff considers the construction of an additional garage of 36 square metres does not constitute an overdevelopment of the site. Furthermore, Part J 7.2.7 of DCP 2001 has been varied by Council on numerous occasions in the past for the construction of outbuildings in excess of 100 square meters and also for the construction of multiple outbuildings.

Consulted With

Director of Development

File: PR141.95
Author: Jaclyn Burns
Date: 6 June, 2011

10.02.02 Development Application: 10.2011.10.1

Applicant: Mr J M Belmonte
Location: Lot 2 in DP: 186259, 91-93 Oberon Street, Oberon
Proposal: Shop – Internet Café, Computer Sales and Service
Zone: 2 (v) Village

Executive Summary

Development Application 10.2011.10.1 was received by Council staff for the proposed use of an existing premise as a shop for an Internet Café, Computer Sales and Service. During the assessment of the Development Application the proposal was notified to the adjoining landowners in accordance with the requirements of Part H3.3 of Development Control Plan (DCP), 2001. Two Objections were received.

In accordance with Part H3.10.1 of the DCP, the Development Application is submitted to Council for determination for the following reason:

- As a submission has been received by way of Objection. The delegations of the Director of Development only permit the refusal of any Development Application, where there is inadequate or insufficient documentation to adequately determine the application and the applicant has been given at least two months to provide the specific documentation required to determine the application and this documentation has not been given. Accordingly the Directors Delegation does enable determination of this application.
-

For Council Decision

Recommendation:

That Development Application 10.2011.10.1 for a proposed shop for the purpose of an Internet Café, Computer Sales and Service at Lot 2 in DP: 186259, 91-93 Oberon Street, Oberon be approved subject to the attached Conditions of Development Consent.

Background

Development Application 10.2011.10.1 was received by Council staff on March 28, 2011 to utilise an existing premise for a proposed shop for the purpose of an Internet Café, Computer Sales and Service. The Statement of Environmental Effects submitted with the Development Application (Attachment B) indicated that the proposed operating hours of the shop was to be from 8am to 11pm seven days per week.

In accordance with H.3.4, Criteria for Neighbour Notification of Development Control Plan, 2001 (DCP), the application was notified to the adjoining and adjacent land owners due to the extended operating hours which are outside the normal operating hours for a shop premises in the main street, other than licensed premises.

The notification period expired on the 25 April, 2011 and two (2) objections were received (Attachment C). The primary concerns from both objections relate to issues associated to anti-social behaviour, loitering and the possible effects of noise.

Copies of both objections were referred to the applicant for the Development Application to allow for their response to the issues raised. A response was received on the 10 May, 2011 (Attachment D) in which they propose to reduce the operating hours from 8am to 11pm seven days per week to 8am to 8pm Sunday to Thursday and 8am to 11pm Friday and Saturday nights. The applicants have also addressed the concerns relating to anti-social behaviour and noise pollution.

In an endeavour to mediate a satisfactory resolution Council Staff forwarded a copy of the applicant's correspondence to both objectors as the reduction of operating hours may allay their concerns and enable the determination of the Development Application under Staff delegation.

On the 30 May, 2011 a further response was received by an objector, the Anglican Parish of Oberon, (Attachment E) in respect to antisocial behaviour in association to the "late night trading", accordingly their objections still stand. As of the 6 June, 2011 no further submissions had been received.

Council Staff have reviewed the amended proposal submitted by the applicant and consider the reduction of the operating hours as an acceptable compromise. Council Staff also consider that the proposed arrangement of the shop will not create offensive noise when the premises are in use due to type of activity proposed and the layout of the proposed shop.

In respect to the issue of antisocial behaviour and the inference that the use of the premises will encourage or escalate this issue, Council Staff do not consider that this issue impacts upon the planning merit of the proposal and should any antisocial behaviour arise from the occupants of the premises then the issue will become a Police matter.

Council staff have and must, consider the requirements of Section 79C of the Environmental Planning and Assessment Act 1979, especially in relation to the likely social impact of the development. However, due to the proposed scale of the development it is considered that the requirement of any further investigation into the likely social impact is unwarranted and upon its merits the application warrants a favourable determination.

The Environmental Planning and Assessment Act, 1979 (EPA Act, 1979) - Section 79C considerations:

In determining a Development Application, a consent authority must take into consideration the following matters as they are relevant to the development the subject of the Development Application.

- *Section 79C (1) (a) – Environmental Planning Instruments and Development Control Plans:*

Regional Environmental Plans – There are no Regional Environmental Plans relating to the proposed development site.

State Environmental Planning Policies – There are no State Environmental Planning Policies relating to the proposed development site.

The proposed Development is permissible under the provisions of the Oberon Local Environmental Plan, 1998.

The proposed Development is permissible under the provisions of the Oberon Development Control Plan, 2001.

- *Section 79C (1) (b) – the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality;*

The likely impacts associated to the proposed development are considered negligible.

- *Section 79C (1) (c) – Suitability of the site for the development;*

The development is deemed suitable for the site.

- *Section 79C (1) (d) – “Any submissions made in accordance with the Act or the Regulations.”*

Two submissions have been received and both have been considered by staff in consideration of the impacts associated to the hours of operation, anti-social behaviour and noise pollution as discussed.

- *Section 79C (1) (e) – Public Interest.*

Council staff considers that the development is within the public interest.

Attachments:



Statutory Environment

Environmental Planning and Assessment Act, 1979.
Development Control Plan 2001

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Officers Comment

Nil

Consulted With

Director of Development

File: PO40.91
Author: Jaclyn Burns
Date: 6 June, 2011

10.02.03 Development Application: 10.2011.23.1

Applicant: NKM Carpentry and Building Services
Owner: Mr J and Ms R Savic
Location: Lot 14 in DP: 736270, 13 Blenheim Avenue, Oberon
Proposal: Residential Dwelling
Zone: 2(v) Village

Executive Summary

Development Application 10.2011.23.1 was received by Council staff for the proposed construction of a split level residential dwelling within the Oberon village. The construction of a proposed dwelling will constitute a dual occupancy development as an existing dwelling already exists on the allotment. Prior to the determination of the Development Application a variation to Part C.5.5 of Oberon's Development Control Plan (DCP) 2001 is required as the building height plane of the proposed dwelling exceeds the limitations prescribed by DCP 2001.

For Council Decision

Recommendation:

That delegation be granted to Councils Director of Development to vary part C.5.5 "Building Height Plane" of Oberon's Development Control Plan 2001 by Council to allow the construction of a split level residential dwelling on Lot 14 in DP: 736270, 13 Blenheim Avenue, Oberon.

Background

Development Application 10.2011.23.1 was received by Council on the 12 May, 2011 for the proposed construction of a split level residential 371.5 square metre dwelling consisting of a dual occupancy development. The proposed plan is attached as Attachment A. The development site upon which the split level dwelling is proposed, already has erected, an existing brick veneer dwelling with a floor area of 140 square metres as can be seen on the submitted site plan. The proposal is for a dual occupancy development (two detached dwellings).

The applicant, as part of their application, has requested a variation to Clause C5.5 (Attachment B) and were given the option during the initial assessment of their application to amended the plans submitted to increase the southern side boundary setback to reduce potential for over shadowing on the adjoin allotment. The owners declined this offer and have proceeded with the plans submitted.

Building height plane is defined by DCP 2001 as *'the plane projected at an angle of 45° over the actual land to be built upon, from a distance of 1.5 metres above the natural ground level at the boundary of the site.'*

The site, as depicted in the elevations attached as part of Attachment A and the aerial photos of the site attached as Attachment C clearly depict the slope of the site which runs from east to west. This enables the front of the dwelling (the eastern elevation) to be at natural ground level and the rear of the dwelling (the western elevation) as split level, consequently the proposed height of the dwelling along the western elevation, in particular will be five metres from natural ground to ceiling height, giving the dwelling an overall height (to the roof apex) of nine metres. Part 5.3 of DCP 2001 has a height limitation of 5.5m to the uppermost ceiling; consequently the proposed development complies with Councils height limitations.

Adjoining and adjacent property owners have been notified and the submission period expired on the 2 June, 2011. No objections or submissions were received regarding the proposed development.

The Site

The proposed dwelling site is situated within Blenheim Avenue and is surrounded by existing dwellings on relatively large blocks. The pattern of subdivision that surrounds the proposed development consists of uniformly sized 1618 square metre blocks with a frontage to Blenheim Avenue of 20.115 metres and a depth of 80.4 metres. Due to the general slope of the land towards the western elevation (rear of the premises), the majority of the adjoining lots consists of dwellings built within close proximity of the street frontage allowing substantial vacant rear yards.

The applicant has use the substantial vacant rear year of the premises to create a dual occupancy development. DCP 2001 defines a dual occupancy development as:

“DUAL OCCUPANCY DEVELOPMENT *means:*

- (a) *the conversion of a dwelling house into 2 dwellings by alteration or addition; or,*
- (b) *the erection of a building containing 2 dwellings; but only if not more than 2 dwellings will be created or result on the allotment.*
- (c) *the erection of a separate dwelling on an allotment of land on which a dwelling house is already situated; or*
- (d) *the erection of 2 separate dwellings on an allotment of land; but only if not more than 2 dwellings will be created or result on the allotment.”*

Compliance with Oberon's Local Environmental Plan (LEP) 1998:

Clause 22 of LEP 1998, Conversion of buildings and creation of dual occupancies, is applicable and has been considered by staff in the assessment of the Development Application. Clause 22 requires for land within the 2(v) Village zone:

“(2) A person may, with the consent of the Council, alter, add to, or add, a dwelling-house on land to which this clause applies so as to create 2 dwellings on the land.

(3) The Council must not grant consent as referred to in subclause (2) unless:

- (a) The area of the allotment on which the two dwellings will be is not less than 600 square metres, and*

*(b) The floor space ratio of the 2 dwellings will be no greater than 0.5:1 or the floor space ratio of the original dwelling-house, whichever is the greater in area, and
(c) Arrangements satisfactory to the Council have been made for the provision of a water supply to each dwelling and for the disposal of sewage and stormwater drainage from each building.”*

The site exceeds the 600 square metre limitation by 1018 square metres, the floor space ratio complies and the site has existing satisfactory and distinct sewage and stormwater drainage for each dwelling.

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

The requirements of DCP 2001 for Building Height Plane are as follows:

“C.5. 5 Building Height Plane

The building height plane, in combination with building height limits, forms the maximum building envelope for all residential development except as provided in Clause C5.6 - Exemptions.

Council's objectives in this regard are to ensure that a residential development will not significantly:

- (a) increase the overshadowing of adjoining properties;*
- (b) reduce the level of privacy enjoyed by adjoining properties; or*
- (c) affect the amenity of the Rural Village*

obstruct views from adjacent existing buildings, and that the occupants of the building or buildings will enjoy the optimum use of winter sunlight.”

The DCP, however, also provides exemptions that may also be considered in the following circumstances:

“C.5.6 Exemptions

- (a) where clear advantages are achieved in other aspects of the design;*
- (b) on an existing narrow allotment; or*
- (c) where the floor level is required to be significantly above ground level for the purpose of flood protection in a locality.”*

In this case Council staff do not consider that the abovementioned exemptions apply and as such the application has been referred to Council to seek a variation to this clause based upon the planning merit of the application and the individual circumstances of the application.

For clarification as to the level of noncompliance for the building height plane please refer to Attachment d which has been prepared by staff. As can be seen from the attachment the level of non-compliance is significant along the southern elevation, whilst the impacts upon the eastern (proposed fence line between the existing and proposed dwellings), northern and Southern elevations are minimal.

However, as the building site runs east to west the most impact of overshadowing will generally occur within the property itself and as such in consideration of this Council staff have not requested the preparation of shadow diagrams from the applicant.

The Environmental Planning and Assessment Act, 1979 (EPA Act, 1979) - Section 79C considerations:

In determining a Development Application, a consent authority must take into consideration the following matters as they are relevant to the development the subject of the Development Application.

- *Section 79C (1) (a) – Environmental Planning Instruments and Development Control Plans:*

Regional Environmental Plans – There are no Regional Environmental Plans relating to the proposed development site.

State Environmental Planning Policies – There are no State Environmental Planning Policies relating to the proposed development site.

The proposed Development is permissible under the provisions of the Oberon Local Environmental Plan, 1998.

The proposed Development is otherwise permissible under the provisions of the Oberon Development Control Plan, 2001.

- *Section 79C (1) (b) – the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality;*

The likely impacts associated to the proposed development are negligible.

- *Section 79C (1) (c) – Suitability of the site for the development;*

The development is deemed suitable for the site.

- *Section 79C (1) (d) – “Any submissions made in accordance with the Act or the Regulations.”*

No submissions have been received.

- *Section 79C (1) (e) – Public Interest.*

Council staff considers that the development is within the public interest for the reasons discussed.

Attachments



10.02.03_Attachment
_A_Proposed_Plan.pdf



10.02.03_Attachment
_B_Correspondence_fi



10.02.03_Attachment
_C_Aerial_Photo_of_si



10.02.03_Attachment
_D_Building_height_pl

Statutory Environment

Environmental Planning and Assessment Act, 1979.
Oberon Local Environmental Plan 1998
Development Control Plan 2001

Policy Implications

There are no policy Implications.

Financial Implications

There are no financial implications

Strategic Implications

There are no strategic implications.

Officers Comment

Nil

Consulted With

Director of Development

File: PO7.13
Author: Jaclyn Burns
Date: 8 June, 2011

10.03.01 General Business - Development

Notes:

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 11.01.05 of the Business Papers be received and noted by Council.

11.01.01 Monthly Update Report – Corporate Services Department

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

1. Oberon Library

The monthly report for the Oberon Library is attached for information. A summary of the statistics for the year to 31 May compared with the period to May 2011 is provided as follows:

	Visits		Issues/Internet		New Borrowers	
	2010	2011	2010	2011	2010	2011
January	1,256	1,328	2,136	1,841	26	22
February	1,439	1,417	2,296	1,693	28	32
March	1,618	1,693	2,276	2,126	28	26
April	1,603	1,642	2,468	2,233	14	18
May	1,533	1,330	1,804	2,203	26	23
To Date	7,449	7,410	10,980	10,096	122	121

Activities during the month of May included:

- Simultaneous story time visit from Kindergarten, Oberon Public School
- Library visit to Black Springs School and Playgroup for Simultaneous story time
- Regular weekly story time sessions for children

Attachment



10.01.01-Attachment
_A_Corporate_Service

2. Rates Collections Reports

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

Total collections to date for the year represent 88.12% of the total receivable, compared with 87.78% at the same time last year.

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

Attachment



10.01.01_Attachment
_B_Rates_Report_May

3. Councillor and General Manager Expenses

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

Attachment



10.01.01_Attachment
_C_Expenses_of_Cour

File No: A1.2.1
Prepared by: Amanda McGrath
Date: 10 June 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 May 2011, together with a graphical summary for the period from May 2007, are attached for Council’s information.

For Council Information

Recommendation:

That the information be received and noted.

Background

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

	<u>2010</u>	<u>2011</u>
Face Value of all Investments Held	\$4,259,066	\$3,868,175
Face Value of Grange/Lehman Bros Investments	\$2,500,000	\$2,000,000
Market Value of Grange/Lehman Bros Investments	\$1,215,878	\$800,095
Market Value of Grange as % of Face Value	49%	40%
Cheque Account Cash Book Balance	(\$489,073)	\$412,820
Total Cash and Investments (Market Value)	\$2,485,870	\$3,081,090
Interest Received Year to Date	\$139,367	\$194,312
Call A/c Interest Rate	4.45%	4.70%

Oberon Council - Agenda and Business Papers – Ordinary Meeting – 21 June 2011, commencing at 5.30pm

The total sum held in investments and cash is \$595,220 greater than at the same period last year, this is largely due to large payments for sealing works, and the lag in payments to Council for amounts due for major works undertaken to the end of May last year.

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

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

Written Off 30 June 2008	(2,682,780)	
Written Back 30 June 2009	540,585	(includes Federation CDO \$500,000 recovered)
Written Back 30 June 2010	55,040	
Net Written off to 30 June 2010	<u>(2,087,155)</u>	
Anticipated Write-Back 30 June 2011	162,444	(based on current valuations)
Anticipated Net Written off to 30 June 2011	<u>(\$1,924,711)</u>	

Attachments



11.01.02_Attachment
_A_Investments.pdf



11.01.02_Attachment
_B_Cash_and_Investr

File: C17.1
Author: Amanda McGrath
Date: 9 June 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.”

In keeping with this resolution, staff advise that no appointments have been made since the report to the May Ordinary Meeting.

For Council Information

Recommendation:

That the information be received and noted.

Background

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

Attachments

No Attachments

Statutory Environment

Local Government Act, 1993

Policy Implications

Not applicable

Financial Implications

Not applicable

Strategic Implications

Not applicable.

Officers Comment

Nil

Consulted With

Finance Manager

File: C19.1
Author: Joanne Barton
Date: 27 May 2011

11.01.04 Director of Corporate Services Status Report

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

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

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

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

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

Status

The draft Management Plan (including the draft budget and draft schedule of fees and charges) report presented to June 2011 meeting for adoption.

The report regarding the revenue generated from the sale of water to commercial and residential customers will be presented to the July 2011 meeting.

Resolution Number – 39170511 - Sub-division at 70 Dart Street, Oberon

That provision of \$4,000 be made in the 2011/12 budget to facilitate the subdivision of the identified car parking spaces at the rear of 70 Dart Street Oberon.

Status

Provision made

Matter Closed

Resolution Number – 21170511 – 2011 Country and Regional Living Expo

That \$5,000 be provided towards the cost of attending the 2011 Country and Regional Living Expo and that the same provision be made up to and including the 2015/16 budget.

Status

Provision made

Matter Closed

Resolution Number – 19170511 – 2011/12 Management Plan, Budget and Fees and Charges

The draft Schedule of Fees and Charges for 2011-2012 be adopted subject to the amendment being made to page 22 to delete the charge for sporting and recreation facilities.

Status

Completed

Matter Closed

Resolution Number – 18170511 – Applications for Donations

That \$16,661 be included in the 2011/12 draft budget and a special meeting be set to discuss the applications.

Status

Completed

Matter Closed

Resolution Number – 15170511 – Policy Reviews

1. That the following adopted Policies be deleted:

- Policy 1105 Discussion of Personnel Matters
- Policy 2108 Rental Payment of Telephones installed in Homes of Staff Members
- Policy 2116 Secondary Employment

And further that the remaining items be deferred and the General Manager be requested to resubmit items at a later date.

2. That the following Policies remains unchanged:

- Policy 1112 Governance
 - Policy 2114 Gifts
-

Status

Actioned. Remaining Policies are under review and will be submitted to future meetings.

Resolution Number – 11170511 – GST Certificate of Confirmation

That the Goods and Services Tax Certificate for the payment of voluntary GST for the period from 1 May 2010 to 30 April 2011 be submitted to the Department of Local Government.

Status

Completed

Matter Closed

Management Manual - Section 355 Committees and Volunteers

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

Status

See report to the July 2011 Council meeting.

Resolution Number – 53150311 – Outstanding Rates, Charges and Legal Costs

That Council proceeds with the action recommended by its solicitor in relation to the outstanding Land and Environment Cost Order.

Status

Judgment now entered.

June Update: Proof of debt lodged.

Letter from Liquidators that they are managing the business and accounts from 12 April 2011.

Resolution Number – 49150311 Wastewater Refund – Account 12365098

That no action be taken in relation to this request until the March quarter reading is taken and a further report be provided in relation to the matter.

Status

See report to the June 2011 Council meeting.

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

See report to the June 2011 Council meeting.

Resolution Number – 26170810 – Policy Reviews, Investments Policy

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

Status

Referred to 2011 Finance Committee Meeting

Resolution Number – 16171109 – Annual Financial Reports

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

Status

Report will be provided to 2011 Finance Committee meeting.

File: A1.2.1
Author: John Chapman and Amanda McGrath
Date: 9 June 2011

11.01.05 Community Transport

Executive Summary

Council receives funding from Transport NSW and Home and Community Care (HACC) to run the Oberon Community Transport service.

This service, replaces the Care Car, and is to transport aged, frail or disabled residents who meet the HACC criteria to and from a variety of appointments. Primarily these appointments are for medical purposes however the service can also be used for personal reasons when a particular service is not available in Oberon.

Council has been advised that the funding criteria has been updated to allow Council to:

1. Reinstate the "Taxi Voucher" scheme
2. To fund bus hire for trips to anywhere in NSW
3. To fund consultant fees to assist with Planning Days

As such a revised position will be brought to the first quarterly review.

For Council Information

Recommendation:

That the information be received and noted.

Background

Council originally funded and operated the Oberon Care Car for transporting Oberon residents to specialist medical appointments out of the Oberon area.

As this service expanded, funding was also obtained from NSW Transport and Infrastructure with certain criteria.

- **Care Car**
This service would transport residents to Specialist appointments out of the Oberon area.
- **Taxi Voucher Scheme in and around Oberon.**
Residents would purchase a number of taxi vouchers (number would depend of their circumstances) from Council for which they paid a minimal amount. The taxi operator would invoice Council monthly for the difference between the voucher and actual trip fees.

These vouchers could be used within the Oberon area for shopping, social or personal purposes. The original "Taxi Voucher Scheme" exhausted all funding in June 2010. As a result Council ceased issuing vouchers for the "Taxi Voucher Scheme". All vouchers purchased prior to this date were honoured.

Due to the additional funding now being received, and the ability to run all programs as one service, Council will no longer run the Care Car and Taxi Service Schemes as stand-alone programs. These are now combined as the Oberon Community Transport service.

The Community Transport Grants and user contributions fully cover the costs of running the service less depreciation. Council has budgeted \$3,000 in the 2011/2012 Draft Budget under Community Transport for the Taxi Voucher Scheme (page 58 of the draft budget). This is lower than the \$9,410 budgeted in 2010/2011, as Council is unsure at this stage when the Scheme will be reinstated, and how much it will be utilised under the Oberon Community Transport Service umbrella. As a result, additional funds have been reserved through the Internal Recharge to allow for the Community Transport vehicle to be replaced in the future.

As such a revised position will be brought to the first quarterly review.

Attachments

Nil

Financial Implications

Nil

Strategic Implications

Not Applicable

Officers Comment

Nil

Consulted with

Finance Manager

File: A5.3
Author: K Beesley
Date: 14 June 2011

11.02 Reports for Decision

11.02.01 Local Government Remuneration Tribunal – Councillor Fees

Executive Summary

Advice has been received from the Local Government and Shires Association that the Local Government Remuneration Tribunal has determined the annual fees for Councillors for the 2011/2012 financial year.

The Tribunal sets a minimum and maximum fee, and Council may determine the fee anywhere within the range.

For Committee Decision

Recommendation:

That the annual fee for Councillors and the Mayor for 2011/2012 be determined as follows:

Councillors fee of \$9,857 and the Mayor's fee of \$21,517.

Background

Advice has been received from the Local Government and Shires Association that the Local Government Remuneration Tribunal has determined the annual fees for Councillors for the 2011/2012 financial year.

The Tribunal sets a minimum and maximum fee, and Council may determine the fee anywhere within the range. Oberon Council is classed as Rural (Category 4).

The fees currently paid and the fees determined for 2011/2012 are summarised as follows:

	<u>Councillors</u>	<u>Mayor</u>	
Paid 2010/2011	\$ 9,570	\$ 20,890	
Maximum Allowable	\$ 9,570	\$ 20,890	
Council Draft Budget 2011/2012	\$ 9,857	\$ 21,517	
Increase over 2010/11 Actual	3.00%	3.00%	
<u>Remuneration Tribunal Determination 2011/2012</u>			
Minimum Payable	\$ 7,550	\$ 8,020	
Maximum Payable	\$ 9,970	\$ 21,770	
Increase over 2010/11 Determination	4.01%	4.04%	
Increase over 2010/11 Actual	4.01%	4.04%	

Attachments



11.02.01_Attachment
_A_Local_Government



11.02.01_Attachment
_B_Policy_1111_Annu:

Statutory Environment

Local Government Act 1993 Sections 248 and 249

Policy Implications

Annual Fees are paid in accordance with Council's Policy 1111 – Annual Fees

Financial Implications

Provision is made in the 2011-2012 budget for a 3% increase in fees payable to Councillors and the Mayor.

Strategic Implications

Not applicable

Officers Comment

Nil

Consulted With

Local Government and Shires Association Circular

File: A1.2.3
Author: John Chapman
Date: 17 May 2011

11.02.02 Black Springs and Burruga Waste Collection

Executive Summary

Options for waste collection at Black Springs and Burruga are presented for consideration prior to adoption of the 2011/12 budget.

For Council Decision

Recommendation:

That Option/s ___ be adopted for 2011-12 and further that an additional provision of funds be made in the 2011-12 budget to add to the existing provisions of \$14,000 and \$7,000 to fund the service.

Background

At a Special Meeting on 9 June, 2011 a meeting between community representatives and Council provided an opportunity for a number of alternatives for waste collection at Burruga and Black Springs to be nominated for further discussion. Minutes of the Special Meeting are attached for Council's information.

Staff in attendance at the meeting took the consensus view from the residents present to be a desire to continue with the provision of a transfer station at Burruga and Black Springs. Resident representatives also expressed a view that they felt it was necessary to keep the transfer station functioning to enable future growth in the villages.

A significant concern was if the transfer stations were closed that those residents living outside the village areas would be required to travel long distances to Oberon to dispose of waste.

Options which were canvassed at the meeting are shown below with estimated costs:

Option	Estimated Cost
a) Open both transfer stations two days each fortnight	30,000
b) Weekly kerbside collection plus open transfer station two days each fortnight	44,000
c) Weekly kerbside collection plus open transfer station one day each month	23,600
d) Open both transfer stations one day per week	30,000
e) Weekly kerbside collection for villages	14,000

A weekly kerbside collection would be offset with an anticipated service income of \$14,080 (\$176.00 per service per year for the village kerbside pickup). The expense for the initial bin purchase is \$3,500.

There is no income as such to offset the transfer stations as the income forms part of the contract fee paid to the contractor to provide the service.

The draft budget which was prepared on the basis of a weekly kerbside collection allows for an expenditure of \$14,000 for collection plus \$7,000 for site rehabilitation.

Attachments



11.02.02_Attachment
_A_Minutes_Meeting_

Statutory Environment

Local Government Act 1993

Policy Implications

Financial Implications

Various budget shortfalls dependant on which option is selected

Strategic Implications

Officers Comment

Comment from the General Manager: The representative who met with Council were asked if they had canvassed views of the village residents who would under the current proposal receive the weekly kerbside collection. In short the answer was no. Anecdotaly it seemed that there are at least two Burruga residents know to one representative who are in favour of the weekly kerbside collection.

Consulted With

General Manager

File No: E35.1
Author: Leigh Robins
Date: 14 June 2011

11.02.03 2011/2012 Planned Donations Program

Executive Summary

At the Special Meeting held on 9 June 2011, Council considered applications for financial assistance from community organisations, sporting bodies and individuals who applied for funding from Council from 1 July 2011 to 30 June 2012. The recommendations from that meeting are now presented for resolution.

One donation request, from Telstra Child Flight, is yet to be determined. A presentation was made at the Community Briefing Session with a request to support the local fund raising efforts for this organisation.

For Council Decision

Recommendation:

1. That financial and in-kind support totalling \$21,391 as determined at the June 2011 donations meeting be approved as detailed in the table below.

Applicant	Purpose	Funding Sought	Funding recommended
Educational			
Burruga Public School	Speech therapy program	\$2,880	\$2,880
Central Tablelands Industry Links Group	Work Placements and TAFE qualifications for students	\$500	\$500
Country Women's Association.	Public Speaking Contest	\$100	\$100
Black Springs Public School	Annual Presentations	\$0	\$150
Burruga Public School	Annual Presentations	\$0	\$150
Oberon High School	Annual Presentations	\$0	\$150
Oberon Public School	Annual Presentations	\$300	\$150
O'Connell Public School	Annual Presentations	\$0	\$150
St Joseph's Central School	Annual Presentations	\$0	\$150
Sporting			
Oberon Junior Rugby League	Presentation Day	\$750	\$500
Western Region Academy of Sport	Academy Operations	\$260	\$260
Community and Culture			
Evans Community Options * Subject to referral and consultation with Council's Seniors Welfare Committee	Assist with outings for Oberon clients	\$3,000	\$1,000*
Highland Steam and Vintage Fair	Assistance towards Annual Fair	\$7,500	\$7,000
Oberon Men's Shed	Assist with ongoing costs	\$1,000	\$500
Oberon Show Society	Miss Show Girl Competition	\$2,000	\$1,500
O'Connell Picnic Day Committee	Assist towards family picnic day	\$2,500	\$500 in kind
Lifeline Central West	Telephone counsellor training	\$1,000	\$500
Regional Living and Country Expo	Contribution to Expo costs for 2011	Not specified	\$5,000

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commencing at 5.30pm**

Telstra Child Flight	Assist with the purchase of a BBQ or something to support local fund raising efforts	Not specified	To be determined
Other			
Bathurst Council Sister City Okhuma	Assistance towards recovery from the tsunami	\$250	\$251

2. That letters be forwarded advising the unsuccessful applicants as detailed in the table below.

Applicant	Purpose	Funding Sought
Educational		
Black Springs P and C	Upgrade playground equipment and shade	\$10,000
Sporting		
Mountain Sports	Kanangra Classic Mountain Bike Enduro	\$8,000
Oberon Campdraft Club	Work to amenities building	\$50,000
Oberon High School Equestrian Team	Team Uniform and Equipment	\$1,000
Community and Culture		
Hightop FM 97.1	Assistance with ongoing costs - provision of the small room at the Information Centre to establish as a broadcast facility	Public daily hire rate is \$120, in-kind support
Oberon Show Society	Repair and Replace PA System	\$5,000
Oberon Tarana Heritage Railway Inc.	Assist with operational costs	\$5,000
Other		
Hampton Wild Dog Working Group	Promotion and advertising to inform residents of wild dog attacks	\$5,000 + representation at meetings

Background

During February and March 2011, Council invited expressions of interest from community organisations, sporting bodies and individuals wishing to apply for funding from Council for the 2011/2012 financial year.

Public Notices and a Media Release were placed in the Oberon Review, and letters were sent to those groups who had received funding from Council in 2010/2011. A Special Donations Meeting was held on 9 June 2011 to consider these submissions. The minutes from this meeting are attached.

At the Donations Meeting, Council assessed the financial assistance applications, and directed funds to the projects that showed the most benefit to the communities of the Oberon Local Government Area.

Although Telstra Child Flight did not make a submission for funding through the application process, they recently made a presentation to Council requesting financial assistance. This request is to provide financial support for equipment purchases for use by local volunteers.

Council resolved in May to include in the 2011/2012 draft budget, \$16,661 for planned financial assistance, \$5,000 towards Oberon Business Association attendance at the

Regional Expo, \$6,000 for golf club assistance, \$14,000 for Heritage Rail Group assistance, and \$2,000 for unplanned financial assistance that may arise during the year.

It is likely that some community groups may continue to come forward requesting financial assistance during the 2011/12 year and a provision of \$2000 has been made for such 'topical opportunities' in the draft 2011/12 budget.

Attachments



11.02.03_Attachment
_A_Minutes_Special_M

Statutory Environment

Local Government Act 1993

Policy Implications

These requests all comply with Council's Financial Assistance Policy.

Financial Implications

Council had \$16,661 allocated in the draft 2011/2012 donations budget for this planned financial assistance program. As recommended donations now total \$21,391 this will be an increase in the draft donations budget for 2011/12. This increase will contribute to an operating deficit for 2011/12.

Strategic Implications

Not applicable

Officers Comment

Not applicable

Consulted With

General Manager

File: A3.3
Author: Amanda McGrath
Date: 10 June 2011

11.02.04 Management Plan 2011-2012

Executive Summary

The Draft Management Plan, Fees and Charges and Budget/Estimates have been on display for the required 28 days, with submissions closing on Friday 17 June, 2011. A number of submissions have been received and are detailed below. Any submissions received between the preparation of this report and the closing date for receipt of submissions (17 June 2011) will be tabled for consideration at the meeting.

For Council Decision

Recommendation:

1. That the following **General Fund** ordinary rates for 2011/2012 be made:

Farmland – a base amount of \$185.00, producing 15% of the total amount payable for the category, and an ad valorem amount of 0.239774 cents in the dollar, on all rateable assessments categorised as farmland.

Residential – a base amount of \$169.00, producing 43% of the total amount payable for the category, and an ad valorem amount of 0.312553 cents in the dollar, on all rateable assessments categorised as residential.

Business – a base amount of \$243.00, producing 35% of the total amount payable for the category, and an ad valorem amount of 0.372607 cents in the dollar, on all rateable assessments categorised as business.

Residential Rural – a base amount of \$174.00, producing 28% of the total amount payable for the category, and an ad valorem amount of 0.219500 cents in the dollar, on all rateable assessments categorised as residential rural.

Non-Urban Centres of Population – a base amount of \$237.00, producing 41% of the total amount payable for the category, and an ad valorem amount of 0.276664 cents in the dollar, on all rateable assessments categorised as non-urban centres of population.

2. That the following **Town Improvement Fund** special rates for 2011/2012 be made on all rateable properties within the zoned Oberon Town area:

Residential – an ad valorem amount of 0.292510 cents in the dollar on all rateable land in the town improvement area categorised as residential.

Rural Residential – an ad valorem amount of 0.392635 cents in the dollar on all rateable land in the town improvement area categorised as rural residential.

Business – an ad valorem amount of 0.626889 cents in the dollar on all rateable land within the town improvement area categorised as business.

Farmland – an ad valorem amount of 0.224092 cents in the dollar on all rateable land within the town improvement area categorised as farmland.

3. That the following **Waste Water (Sewerage) Service** Charges for 2011/2012 be made:

a) A charge of \$388.00 for all residential properties accessible to the waste water system, consisting of an access charge of \$107.00 and a usage charge of \$281.00

b) An access charge for all non-residential properties accessible to the waste water system, levied in accordance with the size of the water meter for the respective property, as follows:

Meter Size	Charge (\$)
20 mm (¾")	\$ 105.00
25 mm (1")	\$ 164.00
30 mm (1¼")	\$ 236.00
38 mm (1½")	\$ 379.00
50 mm (2")	\$ 656.00
80 mm (3¼")	\$1,680.00
100 mm (4")	\$2,625.00
150 mm (6")	\$5,900.00

c) A usage charge of \$1.28 per kilolitre for all non-residential properties accessible to the waste water system, based upon the estimated volume discharged into the waste water system utilising total water consumption figures, together with the SDF (Sewage Discharge Factor) determined for each property.

4. That the following **Water Service** charges for 2011/2012 be made:

a) A base charge of \$141.00 and a consumption charge for water of \$1.49 per kilolitre.

b) A special levy to be applied to each water meter, to be set aside for the payment of the water treatment plant at Oberon, as follows:

Meter Size	Charge (\$)
20 mm (¾")	\$ 100.00
25 mm (1")	\$ 156.00
30 mm (1¼")	\$ 225.00
38 mm (1½")	\$ 361.00
50 mm (2")	\$ 625.00
80 mm (3¼")	\$1,600.00
100 mm (4")	\$2,500.00
150 mm (6")	\$5,625.00

and any other meter size to be charged in accordance with the formula of the radius squared in mm x \$1.00.

5. That:

- a) The following **Domestic Waste Management** charges for 2011/2012 be made:

Vacant Land - \$30.00 per annum

A 240 litre bin weekly collection service - \$176.00 per annum

- b) The following **Non-Domestic Waste Management** charges for 2011/2012 be made:

A 240 litre bin weekly collection service - \$176.00 per annum

6. That the Management Plan as advertised for 2012/2016 (subject to the amendments as listed below) incorporating the adopted Fees and Charges and Budget, be adopted.

- Page 7 of Draft Budget: Item 03100.0355 Computer/IT Costs – reduce 2011/2012 by \$10,000 to \$165,000 to reflect saving generated from moving to the Civica Managed Services arrangement
- Page 23 of Draft Budget: Item 03915. Oberon Summer Festival Expenditure – re-titled “Oberon Festivals Expenditure” to incorporate all Festivals
- Page 50 of Draft Budget: Item 03710.0390 Library Resources – Data Bases/Periodicals – reinstate previous vote for data bases – increase by \$4,000 to \$9,600
- Page 50 of Draft Budget: item 3713. Readeo Expenditure – re-titled “Community Engagement Expenditure” to provide flexibility for alternative community engagement events

Background

The Draft Management Plan, Fees and Charges and Budget/Estimates have been on display for the required 28 days, with submissions closing on Friday 17 June 2011. To date the following submissions have been received:

SUBMISSIONS RECEIVED

In response to Council’s advertisement inviting submissions, the following submissions have been received and are required to be considered by Council before adopting the Management Plan:

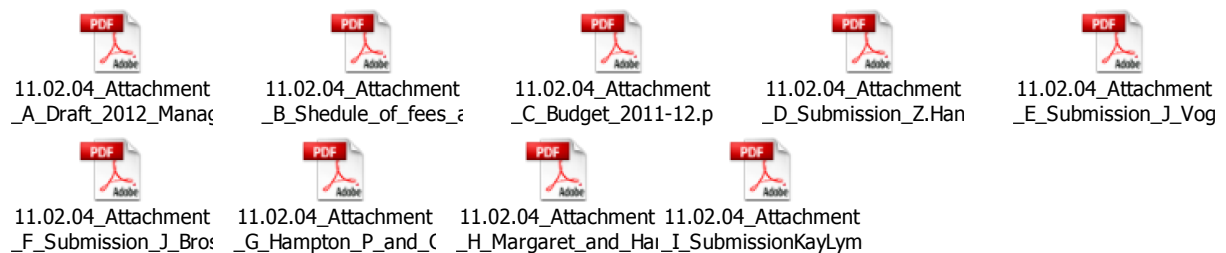
- Extra Funding Request – Councillor Z Handelsmann
- Library Funding Cuts – J Vogel of Hampton – not resident in the Oberon LGA
- Library Books Budget Reduction – J Bros of Lowther - not resident in the Oberon LGA
- Library Funding Cuts – Hampton P and C Committee of Hampton - not resident in the Oberon LGA
- Library Funding Cuts - Margaret and Hardy Beilharz of Oberon
- Library Funding Cuts – Kay Lyme of Oberon

INTEREST RATE TO BE CHARGED ON OVERDUE RATES AND CHARGES

Advice has not yet been received from the Division of Local Government in relation to the maximum allowable charge to be made for overdue rates and charges under the Local Government Act. The Draft Management Plan (Page 58) provides that “the interest rate is set by the Minister of Local Government and will be charges at the maximum recommended rate on overdue rates and charges for the 2011-2012 year”.

An update in relation to any advice received from the Division of Local Government in this regard will be provided by staff at the Council meeting.

Attachments



Statutory Environment

Local Government Act 1993 Sections 403, 404, 405, 406, 500, 535, 536

Policy Implications

The Management Plan includes a statement of Council’s Revenue Policy, which is supplemented by the Draft Schedule of Fees and Charges submitted for adoption.

Financial Implications

The Draft 2011-2012 Budget and forward projections for the years to 2015-2016 will provide the necessary funds for Council’s operations and capital works programs.

Strategic Implications

The Management Plan represents the basis on which the new Community Strategic Plan to be adopted by 30 June 2012 will be prepared.

Officers Comment

Nil

Consulted With

General Manager
Director of Corporate Services

File: C15.5
Author: Amanda McGrath
Date: 8 June 2011

11.02.05 Government Information (Public Access) Act 2009 – Publication Guide

Executive Summary

Council's Government Information (Public) Access Publications Guide 2011 ("publication guide") was formally adopted at the Ordinary Meeting on 19 April 2011.

Council is required to review this publication guide and resubmit to the Office of Information Commission for approval by 30 July 2011.

The reviewed Publication Guide is provided for Council's information.

For Council Decision

Recommendation:

That the Oberon Council Publication Guide as reviewed be submitted to the Office of Information Commission for approval.

Background

As of the 1 July 2010, the Government Information (Public Access) Act 2009 replaced the Freedom of Information Act 1989 (NSW). The aim of the new legislation is to encourage government agencies to:

- proactively release information
- give members of the public enforceable right to access government information
- only restrict the release of information when there is an overriding public interest against disclosure.

In accordance with this legislation, Council is required to produce and adopt a Publications Guide and for this publication guide. This guide must provide the public with information on the roles and duties of Council and how these are undertaken, what types of information Council maintains and how members of the public can access this information.

A draft Publications Guide was submitted to the Office of the Information Commission prior to 1 January 2011 and was approved and registered. This publication guide was provided to Council for information, received and noted at its Ordinary Council Meeting held 19 April 2011 (resolution 18190411).

In accordance with the legislation, this publication guide has now been reviewed and will be resubmitted to the OIC by 31 July 2011. A copy of this reviewed publication guide is attached for Council's information.

Attachments



11.02.05_Attachment
_A_GIPADraftPublicati

Statutory Environment

Local Government Act, 1993
Government Information (Public Access) Act 2009
Freedom on Information Acts (other States)
Privacy Act 1988
Copyright Act 1968

Policy Implications

Policy 1115 – Communications

Financial Implications

No financial implications

Strategic Implications

No strategic implications

Officers Comment

No additional comments.

Consulted With

General Manager
Acting Director Corporate Services
Director Engineering
Director Development

File: A2.1
Author: Joanne Barton
Date: 1 June 2011

11.02.06 Rural Fire Sheds Lease Agreements

Executive Summary

Council have requested that staff investigate how payments are made to private landowners who have Rural Fire Service Brigade Sheds located on their land. The Rural Fire Service and Council have confirmed that five Brigade sheds are located on private land in the Oberon Local Government area.

For Council Information

Recommendation:

That the information be received and noted.

Background

Councillor McMahon was asked by M Freeman about the agreement Council had with the previous landowner of his property to receive rent for the Dog Rocks Rural Fire Shed located on his land. Council has requested that staff investigate what agreements exist, and how payments are made to private landowners with Rural Fire Service Brigade Sheds located on their land.

The Rural Fire Service and Council have confirmed that five Brigade sheds are located on private land in the Oberon Local Government Area.

The five agreements with private landowners are listed below.

Brigade Shed	Landowner	Agreement Date	Lease term (years)	Lease Expires	Rent p.a.
Porters Retreat	Wrens Nest Pastoral	01/06/1991	20	01/06/2011	\$1
Native Dog	Mark Freeman from 2004 (original agreement with Mitchell Rural Investments)	11/02/1997	30	11/02/2027	\$50
Mayfield	PA and SM Sheppard	31/12/1990	20	30/12/2010	\$1
Duckmaloi	Brian Nunan	01/02/2005	50	31/01/2055	\$1
Isabella	Cindy Perdikaris (original agreement with W Stapleton)	17/06/1994	30	16/06/2024	\$50

Council is currently in the process of renewing the agreements for Porters Retreat and Mayfield.

Due to the 'peppercorn' rent charged, it is Council's practice to pay the full amount for the term of the lease upon the signing of the lease agreements.

Attachments

Nil

Statutory Environment

Local Government Act 1993

Policy Implications

Not applicable

Financial Implications

Nil

Strategic Implications

Not applicable

Officers Comment

Not applicable

Consulted With

Director Corporate Services

File: F90.6
Author: Amanda McGrath
Date: 8 June 2011

11.02.07 Modifications to the Oberon Library

Executive Summary

On becoming an independent library service in 1997 the range of library operations increased and the staff room was converted into a room for processing, storing and preparing stock.

This left no area available for library staff to have separate staff room nor anywhere to store their personal belongings whilst at work

Funds are available from the 2010-2011 Local Area Project area of the library budget to create a staff room, to widen the door into the community room and rearrange an existing toilet and cleaners' store room to address these matters.

For Council Decision

Recommendation:

That Council endorse the use of the remaining 2010-2011 Local Area Project funds to create a staff room, to widen the door into the community room and install two skylight tubes at the Oberon Library.

Background

On becoming an independent library service in 1997 the range of library operations increased and the staff room was converted into a room for processing stock, storing, preparing and clean-up of library activities.

The single sink poses a workplace health hazard as it is used for food preparation by staff as well as for cleaning activities. Staff members currently eat their lunch in the public area of the library and do not have storage space for personal belongings.

While the library was built with two disabled toilets, the narrow hallway makes turning into the first toilet as well as the community room impossible in a wheelchair.

It is planned to reconfigure the current male disabled toilet, removing the toilet and basin, installing a bench top with a sink and cupboards beneath as well as a shelf above, installation of two double power points, lengthening the window and rearranging wall space around the cleaners' room to create a staff room and food preparation space.

Thus what would remain would be the one public unisex toilet at the end of the hallway.

Additionally installation of a wider sliding door to the community room opposite the proposed staff room is planned to make that room wheelchair accessible and pram friendly.

It is proposed to install two skylight tubes as additional natural light sources in this area of the library.

Alterations will also facilitate improvements for user groups and volunteers undertaking activities without impeding staff workflow.

Patrons with disabilities and prams will be able to access all public areas within the library.

Access to the mop sink will be available from the processing room.

Attachments



11.02.07_Attachment
_A_LibraryAlterationsC



11.02.07_Attachment
_B_ExistingAndAltered

Statutory Environment

Workplace Amenities Code of Practice 2001

Policy Implications

Nil

Financial Implications

The alterations can be achieved from the \$7760 as yet unspent in the 2010-2011 Local Area Project area of the library budget.

Strategic Implications

Changes outlined do not impede future extension of the library and fit well with existing plans.

Officers Comment

Consulted With

Cleaning staff
Library staff
Library patrons who use wheelchairs
Library patrons who use prams
Library Manager

11.02.08 Policy Reviews

Executive Summary

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

For Council Decision

Recommendation:

That the following Policies remain unchanged:

- a) Policy 4101 - Land Acquisition for Roadwork
 - b) Policy 4102 - Access roads to Subdivision
-

Background

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

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

The following Policies have been reviewed and remain unaltered.

- a) Policy 4101 - Land Acquisition for Roadwork
- b) Policy 4102 - Access roads to Subdivision

Attachments



11.02.08_Attachment
_A_4101LandAcquistic



11.02.08_Attachment
_B_4102AccesstoSubc

Statutory Environment

Local Government Act, 1993

Policy Implications

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

Financial Implications

No financial Implications

Strategic Implications

No strategic implications

Officers Comment

Consulted With

Director of Engineering
Works Manager

File: A1.2.7
Author: Joanne Barton
Date: 24 May 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 May – 31 May 2011.

1. General Fund

Isabella Road

The reconstruction of Isabella Road from Abercrombie Road to the Blue Road is complete. Sealing was carried out in mid-May. The final invoice for Forests NSW contribution will be sent shortly.

Tennis Courts

Alterations to services for the extension of the tennis courts are complete. Extension of the building is in progress.

Gravel Resheeting

Some gravel resheeting has been carried out on Swallows Nest Road, Arkstone Road, and Emden Vale Road.

Junction Road

Drainage improvements and gravel resheeting on Junction Road are in progress. This project is being funded by State Water.

2. RTA Works

The Mount

The project at The Mount is complete. Staff from the RTA Regional Office have inspected the project and were very pleased with the result. At least one vehicle has already hit the median barrier, meaning it is serving its intended purpose of preventing potentially more serious head on collisions.

Duckmaloi Road Curve Widening

Widening the outside of a number of curves on Duckmaloi Road and installation of guardrail is complete.

Albion Street

A section of Albion Street near the Council depot has been ripped up. Gravel is being added and the road will be reshaped. A new seal will then be applied.

3. Town Improvement Fund

Dart Street Footpath

Construction of a footpath in Dart Street between Fleming and Ross Streets is complete.

4. Water Fund

Maintenance works completed.

5. External Meetings

a. Fish River Water Supply Customer Council Meeting

No meetings in this period.

6. Stormwater Harvesting Project

Meeting held with end users.

7. Oberon Waste Depot Licence

Environmental Impact Statement quotation under review.

8. Disposal of Plant

Nil.

9. Staff Training

- Occupational Health and Safety Inductions.
- Reading MSDS's.

10. Road Safety Pilot Program Grant

This program is now complete. The survey results were compiled, and the fuel voucher was won by Carmel Whalan. The final report has been sent to the RTA. The RTA will arrange a meeting in the next couple of months to discuss the effectiveness of this program.

The RTA has also installed variable message signs on the main exits from Oberon over winter. An ice/snow message is displayed each night. The message can be altered remotely in the event of incidents such as snow or accidents.

11. Upcoming Works

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

- Gravel resheeting on various roads.
- Hazelgrove Road, commence reconstruction on next stage north of existing seal to eliminate tight curve.
- Possible harvesting set-up works for Forests NSW.
- Possible commencement on reconstruction of Box Flat Road, in preparation for the O'Connell Avenue project.

File: A1.2.1
Author: Leigh Robins
Date: 31 May 2011

12.01.02 Director of Engineering Status Report

Resolution Number – 44170511 – Disposal of Waste Material

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

Status

Negotiations are ongoing.

Resolution Number – 43170511 – CENTROC Compliance and Cost savings program – Regional Fuel Contract

That Council endorse the selection of both Reliance Petroleum and Hill and Co as Council's fuel suppliers.

Status

Actioned

Matter closed

Resolution Number – 35170511 - Signage

That new signage on the entrances to Oberon noting Council's sister city relationship with Eceabat be investigated and a report be provided to Council regarding costs.

Status

Quotation being prepared.

Solar Lights at the Common

Councillor McCarthy requested that the solar lights at the Common be inspected and repaired as some are not working at the moment.

The Director of Engineering has previously had the contractor inspect the lights and will follow up again.

Status

All lights working

Matter closed

Gingkin Road

Councillor McMahon asked has the Gingkin Road been graded yet and in particular the section of road that has a large amount of potholes.

The Director of Engineering advised that he has recently inspected the road and agrees the work is required, however it has not been graded as yet.

Status

Maintenance grading programmed

Duckmaloi Road

Councillor Gibbons raised a concern on behalf of a resident about the curve on Marks' Hill on the Duckmaloi Road. The resident is concerned about the road being slippery during icy weather conditions.

The Director of Engineering advised that a heavier reseal has previously been put on that section of road to reduce the danger of ice on the road.

Status

Matter closed

Arkstone Road

Councillor Francis asked about the area of road that is boggy on the gravel section of road on Arkstone Road. Councillor Francis asked why the work has been carried out as is rather than just install pipes.

The Director of Engineering advised that the area was too low for pipes to be effective.

Status

Matter closed

Speed Humps at Burruga School

Councillor Francis asked about the progress of the speed humps at the rear of the Burruga School.

The Director of Engineering advised that steel poles will be installed at either end of the speed humps to prevent cars from driving around the speed humps.

Status

Material placed adjacent to speed humps

Matter closed.

Emden Vale Road

Councillor Francis enquired about damage on Emden Vale Road damage which has been created by dragging heavy loads up the hill.

The Director of Engineering will address the issue.

Status

Gravel resheet done

Matter closed

Chain of Ponds Road

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

The Director of Engineering will investigate this matter.

Status

Letter sent to the event organiser.

Resolution Number – 28170511 – Oberon Water – Water Wise Rules

That Water Wise rules as follows be adopted by Oberon Council and be promoted to all Oberon Council water supply customers.

- Watering, including with sprinklers and irrigation systems is to be done before 10am and after 4pm to avoid the heat of the day.
- All hand held hoses must have a trigger nozzle.
- No hosing of hard surfaces such as paths and driveways.
- Washing vehicles on lawns is preferable.
- Fire hoses may be used for fire fighting activities only.

New lawn exception:

Customers who need to establish a new lawn may use sprinklers or watering systems at any time of the day for 14 days from the date of installation of the new lawn.

Status

Water Wise rules in place – media release done.

Matter closed

Resolution Number – 26170511 – Request to Amend Development Consent Conditions

That Australian United Timbers be advised that there will be no alteration to the road maintenance levy and that any waste taken to the Oberon waste depot will attract the applicable tipping fees.

Status

Letter sent

Matter closed

Resolution Number – 25170511 – CENTROC Compliance and Cost Savings Program – Road Signs Contract

That Council agree to participate in a regional road signs contract.

Status

CENTROC advised

Matter closed

Resolution Number – 40190411 Albion Street Land

That Lot 5, DP 241148 be offered for sale.

Status

See report to June meeting.

Road Alignment at Deep Creek

Councillor McCarthy requested a meeting be arranged between the RTA and Council to progress action regarding road alignment at “Deep Creek”.

The Director of Engineering will arrange the meeting.

Status

Request has been forwarded to the Roads and Traffic Authority and advice received that this work was a low priority when competing with funds on the Great Western Highway.

Matter closed.

Oberon Skate Park and Recreation Ground

Councillor McMahon has been approached by a representative of the Soccer Club regarding the noise generated at the skate park impacting on the people playing sport at the Recreation Ground. Councillor McMahon suggests that a new skate park could be considered at the Common.

The Director of Engineering will investigate.

Status

As advised verbally, cost to relocate is beyond budget capability.

Matter closed

Bald Ridge Road

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

The Director of Engineering will inspect the area.

Status

Works programmed

Resolution Number 02190411 – Black Springs and Burruga Waste Transfer Stations

That the General Manager and staff be requested to review town collection and the opening of the tips on certain days every three months to accommodate the collection of non-domestic waste in the village areas as part of the budget preparation.

Status

May Update: Report to this meeting.

Council resolved to defer the matter until consultation is undertaken with the community representatives on June 9 2011.

Resolution Number – 46150311 Garbage Collection Options for Burruga and Black Springs

That a kerbside collection for Burruga and Black Springs be endorsed for inclusion in the 2011/12 budget process.

Status

Letters sent to Black Springs Progress Association and Burruga and District Community Association. The Mayor will attend the next meetings of both associations.

April Update

See report to the May meeting.

Resolution Number – 28150311 Oberon Sports Complex Works Program

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

Status

Grant submission lodged – await outcome.

Resolution Number – 33150211 Speed Limit on Edith Road

That the Traffic Local Advisory Committee be requested to evaluate moving the speed limit signs on Edith Road to the eastern side of the bridge.

Status

Referred to next Traffic Advisory Local Committee for consideration.

Resolution Number – 32150211 Minutes of Works Committee Meeting

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

Status

Written to the receiver and awaiting response.

Resolution Number – 37161110 - Oberon Sports Complex Committee Meeting

1. The following priorities be set for work to be carried out at the Oberon Sports Complex, subject to available funding:
 - a. Major Senior League (front) Playing field, Small Soccer Field (next to SES Shed) and Recreation Ground are first priority for top dressing, seeding, aeration and eliminating the tufts of grass on the playing fields.
 - b. Junior League (rear) Playing field, Hockey field priority two.

And that costing, funding sources and a timeline for works be prepared for consideration by Council.

2. Covering of outdoor Netball Courts, improvements/provision of change facilities at Leagues Club, Netball Courts and Recreation Ground should be considered as part of an overall Oberon Sports Complex improvement project. Funding sources including possible grant funding for a major project are to be evaluated
3. Investigation be undertaken into a design and costing to modify the goals on the recreation ground, small soccer field and league fields to make the grounds fit for multi-purpose use.
4. That the works required to be carried out to address the lighting issues at the Major Senior League Playing field be determined and an estimate of costs be obtained for the works and bought back to Council for consideration.
5. That investigation be undertaken regarding the opportunity to utilise water from the Stormwater Harvesting Project for watering sporting facilities in the future.
6. That the cost of core testing on the Junior League rear field be ascertained to establish the stability of the surface prior to spending significant time and money resurfacing the field.

Status

Grant submitted for topdressing sports fields.

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

Construction commenced.

Resolution Number – 05200610 – Golf Club Assistance

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

Status

Agreement on an alternate shorter route has been reached.

Resolution Number – 16180510 – Sloggetts Road Intersection

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

Status

Application approved by the Minister – matter to proceed.

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

Response from RTA that funding is not available

Matter closed.

File No: A1.2.1
Author: Leigh Robins
Date: 9 June 2011

12.02 Reports for Decision

12.02.01 Abercrombie Road Overtaking Lane

Executive Summary

A suggestion has been received to the effect that an overtaking lane be incorporated into the next section of Abercrombie Road to be reconstructed, south of Sewells Creek Road.

Given the extra cost involved in widening the pavement to incorporate an overtaking lane, and the proximity to Oberon, it is not recommended that this suggestion be adopted.

For Council Decision

Recommendation:

That no overtaking lane be incorporated into the next stage of reconstruction of Abercrombie Road south of Sewells Creek Road.

Background

In the 2011/12 budget there is an allocation of \$800,000 for the next stage of reconstruction of Abercrombie Road. \$400,000 of this is from the RTA REPAIR Program, with the balance from Council. The intention is to reconstruct two sections:

- 0.7km through Black Springs between Beaconsfield Road and Dog Rocks Road.
- 1.5km immediately south of Sewells Creek Road.

It has been suggested that an overtaking lane be incorporated into this section, for northbound vehicles heading up the hill from Sloggetts Road.

The RTA has advised that a modification to Council's original funding proposal would be considered, but details would need to be submitted to them for approval.

Section 9.1 of the RTA Road Design Guide covers the warrant for consideration of overtaking lanes. The assessment is based on several factors including traffic volume, % slow vehicles, and the availability of other overtaking opportunities.

Even with a generous interpretation of the warrant, a desirable spacing of overtaking lanes each 10-15km could be considered. The distance to Oberon from this location is only 5km. The recommended length of an overtaking lane would be 800m, including the tapers.

An overtaking lane should ideally be located on a long uphill gradient. If an overtaking lane was to be incorporated on Abercrombie Road, a preferable location would be for it to commence near Sloggetts Road. This section is not included in the 2011/12 project, but is likely to be the subject of a REPAIR Program application for 2012/13, hopefully also including the improvement of the Sloggetts Road intersection.

The gradient in the section planned for reconstruction in 2011/12 is more variable, and includes some short downhill. This would make it more difficult for following vehicles to take advantage of the overtaking opportunity.

Attachments

Nil

Statutory Environment

Abercrombie Road is a Regional Road. As such it is Council asset, and Council makes most decisions about its management. However RTA approval will be required if Council wishes to amend its original funding proposal.

Policy Implications

Nil

Financial Implications

Incorporating an overtaking lane into this project, in either 2011/12 or 2012/13, will add substantially to the cost of construction. It is likely to require land acquisitions and alterations to power poles, on top of the extra drainage, earthworks and pavement to build a wider road.

If an overtaking lane is incorporated, the funding would be sufficient only for the 0.7km section at Black Springs, and 0.8km of three lanes wide instead of the 1.5km currently planned.

Note that the RTA REPAIR Program grant of \$400,000 is the maximum permitted to any Council in any year, so no extra funding can be sought from that program.

Strategic Implications

For a number of years Council has used its REPAIR Program funding to gradually improve Abercrombie Road between Oberon and Black Springs. This will take several more years to complete. Reducing the length done in any year will further stretch out that long term plan.

Officers Comment

Nil

Consulted With

Director of Engineering

12.02.02 Grids

Executive Summary

Council's policy on public gates and grids requires them to be maintained by the adjoining owner(s).

Letters are about to be sent to adjoining owners of all grids which have been identified on roads under Council control.

For Council Decision

Recommendation:

That the information be received and noted.

Background

Council adopted its policy on public gates and grids in August 2010 (attached)

All known grids have been located, photographed, and adjoining owners determined.

Letters will soon be sent to adjoining owners seeking their acknowledgement that they own the grid, and accept responsibility for its maintenance.

Previous policies required the removal of grids by a specified date, but this will no longer be required. Owners are encouraged to fence out the road reserve, but may retain grids if they prefer. They must then agree to maintain them to the specified standard, in order to protect themselves and Council from potential liability claims.

Copies of the draft letter, standards and sample form are attached.

Attachments



12.02.02_Attachment
_A_Policy_4104_Public



12.02.02_Attachment
_B_Sample_Letter.pdf



12.02.02_Attachment
_C_StandardsForGrids



12.02.02_Attachment
_D_GatesAndGridRegis

Statutory Environment

Public gates and grids are covered in Part 9, Division 2 of the Roads Act 1993. This states that the adjoining owner(s) is responsible for maintaining a grid. Council also obtained legal advice confirming this.

Policy Implications

Actions proposed are to implement Policy 4104.

Financial Implications

There are no financial implications for Council to upgrade and maintain grids to the required standard as this will be done by adjoining owners who accept responsibility for them.

Where nobody accepts responsibility for any particular grid, a follow-up letter will be sent. If Council has to remove any grid, this will be covered under its roads maintenance budget.

Strategic Implications

The purpose of this policy is to improve safety on public roads by ensuring grids meet the required standard, or are removed and the road fenced out.

It will also reduce the potential legal liability for Council and landowners.

Officers Comment

Some owners still do not accept that grids are owned by the adjoining landowners, who are required to maintain them.

Some complaints are likely when these letters are sent out.

Consulted With

Director of Engineering

File No: E31.1
Author: Ian Tucker
Date: 09 June 2011

12.03.01 General Business - Engineering

13 General Manager Reports

13.01 Reports for Information

Recommendation

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

13.01.01 Monthly Update Report – General Manager

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

1. Staff Matters

a) Executive Management

Regular meeting continue with the executive management team. There has been an additional number of meetings convened over May to complete 2011-12 budget deliberations and to address the proposed realignment of resources. The efforts made by each Director, including the Acting Director of Development and the Acting Director of Corporate Services are to be noted and congratulated.

b) General Staff

One on one meetings with staff have recommenced.

2. Workplace Health and Safety Matters

a) General

Nil to report.

b) Incidents

No incidents to report – a fine effort during some inclement weather.

3. Attendance at External Stakeholder Meetings and Conferences

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

- a. Blue Mountains, Lithgow and Oberon Tourism Board Meeting
- b. Guest speaker at the Oberon Business Association meeting
- c. Waste to Art opening and presentations evening
- d. Meeting with the Mayor and representative from the Oberon Aged Care Committee
- e. RTA Bi-annual Meeting with the Mayor, Director of Engineering and Works Manager
- f. Regional meeting with Lithgow and Blue Mountains City Councils
- g. Black Springs church action group with the Director of Development and the Manager Health and Building
- h. Local Government Shires Association Conference with the Mayor and Councillor Fitzpatrick

4. Committee Meetings

I have attended the following Committee meetings this month.

- Works Committee
- Consultative Committee

5. Other Meetings of Note

- a. Budget briefing session with Councillors
- b. Statewide presentation of the public liability audit results for 2010
- c. Afternoon tea thankyou and farewell for Julie Stott

6. Events Calender



13.01.01_Attachment
_A_CalendarJune2011



13.01.01_Attachment
_B_CalendarJuly2011.

7. Grants

None to report

8. Use of Reportable Delegations

None to report

9. Economic Development

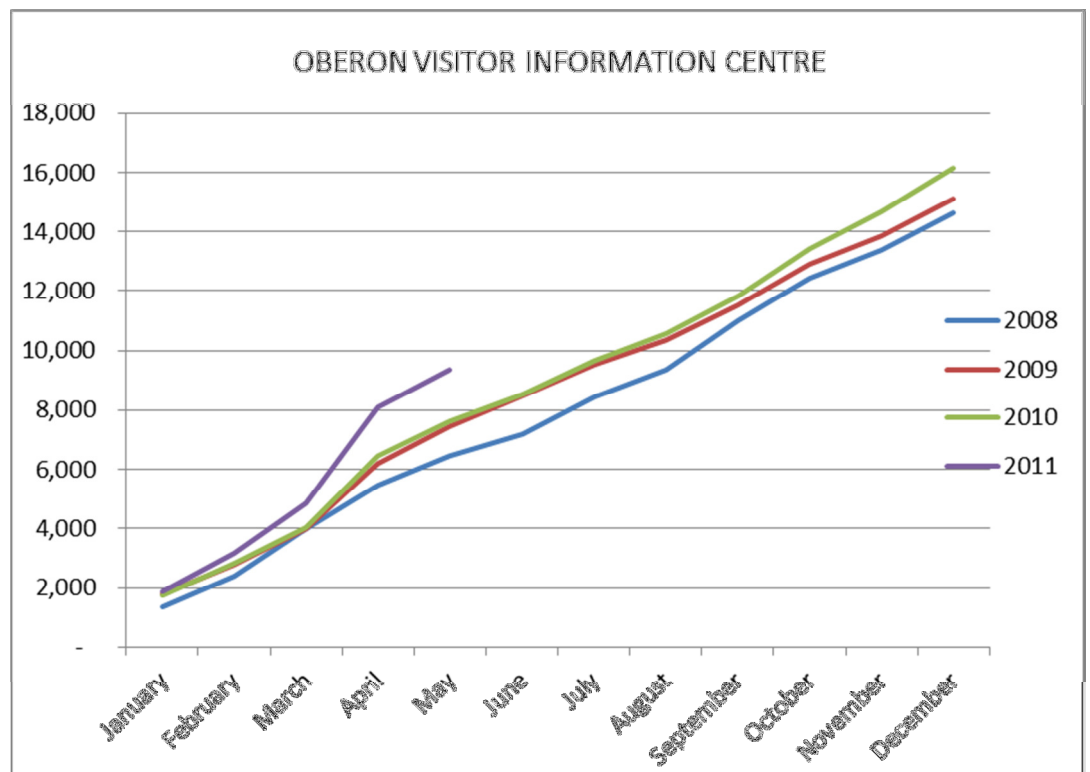
- a) General
 - i. Economic Development

Interest in the tomato greenhouse complex continues. An interested party has been back in contact with Council and staff have facilitated his visit to the region in late June.

During May there have been three new enquiries regarding business opportunities. All three were local residents interested in purchasing a house within Oberon for use as tourism accommodation. One of the interested parties sees this as an opportunity to provide self-contained accommodation in Oberon to supplement the existing hotels and motels.

- b) Tourism
 - i. Oberon Visitor Information Centre

Cumulative visitor numbers to the centre appear below with comparisons to previous years.



- ii. Tourism Events

Planning continues for the Kanangra Classic MTB (mountain bikes) to be held on Sunday October 16 (weekend after Bathurst Races and weekend before Mayfield Garden). There are only a few spots left out of 250 to participate in the rides on the Sunday. Negotiations are underway with National Parks to secure mores spaces.

Delta Electricity has donated \$2000 towards the family day activities; these activities include jumping castle, sausage sizzle, hands outs and prizes.

Several stalls have been confirmed to attend the family day including Lithgow, Bathurst Bike shops and other local attractions such as Jenolan Caves and Kanangra Region National Parks. Monthly planning meetings will continue.

Council staff attended the BMLOT Domestic Target team May meeting and discussion included the Oberon Heritage Steam Fair with reference to the Roaring 20s Festival 2012. David McMurray will join the Roaring 20s meeting to be held in June.

iii. Topical Tourism

We are currently reviewing funding opportunities under the Festivals Australia Funding Round 33. There may be a fit here for an application to add a complimentary element to the Steam and Vintage Fair. Discussions are underway.

iv. Marketing – Publications

The BMLOT Regional Guide will launch at the beginning of spring, September 2011

v. Marketing – Media

Media activity in the region in the month of May included:

- Mayfield Garden familiarisation facilitated through Blue Mountains Lithgow Oberon Tourism. BMLOT hosted media personal; Mike Smith/2UE and his partner Marillyn, John Rankin/South Coast publications and partner Lyn and Virginia Ginnane/AAP. Garrick Hawkins was interviewed.
- Promotion articles on Oberon were written up in The Brisbane Indian Times May, 2011. This article discussed the simple pleasures that surround Oberon; including mushrooming, truffle hunting, Jenolan Caves and fossicking. The same article appeared in the May edition of Masala Newline under the travel section written by Rama Gaid from AAP.
- BMLOT facilitated Paul Mercurio traveling through the region in a Bufori car visiting a fabulous array of quality food providers and operators including mushroom picking and organic lambs in Oberon.

The segment will air Sunday 5th June in NSW on Channel 7 at 5.30pm and there will be additional dates generating significant exposure, Saturday 16th July at 4.00pm on 7TWO nationally, and then again after the AFL season is complete (October) on Channel 7 nationally.

- At Jenolan Caves filming was undertaken by Australia's top correspondent from the Al Jazeera network for a travel piece to air internationally (to an estimated audience of over 50 million) and a film shoot by a Japanese crew for a show called "Perfect Map Sydney". The Getaway segment on the Klingon language tour at Jenolan is yet to air.

vi. Marketing – Consumer Shows

Council staff attended the BMLoT Domestic Target team May meeting and discussion included the Penrith Caravan and Camping Holiday Expo to be held on the 9th to 11th of September 2011



13.01.01_Attachment
_C_CouncilTourismRe

10. Regional Matters

The Mayor attended the CENROC meeting alone as it clashed with a BMLoT meeting that I attended as Council's representative.

11. Other Matters

Nil

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

13.01.02 General Manager Status Report

Resolution Number – Multi Use of the Forest NSW Estate

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

Status

Letter written – await response

Resolution Number – 33170511 – Hightop FM

That the request to permanently occupy the Information Centre small meeting room for the purpose of broadcasting Hightop FM community radio be declined.

It was noted that the General Manager be requested to meet with Hightop FM regarding other avenues to be explored.

Status

Letter written – await response

Resolution Number – 20170511

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

Status

Noted

Resolution Number – 02170511 – Black Springs Anglican Church

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

Status

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

Resolutions 11190411 and 10190411 - Community Centre Extension

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

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

Status

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

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

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

Status

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

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

Resolution Number – 52150311 Jenolan Caravan Park Oberon

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

Status

Underway

June Update: See separate report to the June meeting.

Resolution Number – 54150311 – Civic Function for Gerard Martin

That Council arrange a Civic Function for Gerard Martin to extend the Oberon communities appreciation and that staff be asked to review venues and costs and liaise with the Mayor.

Status

Underway

Minutes from Committee Meetings

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

Status

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

Resolution Number – 30141210 - Broadband Submission

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

Status

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

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

March Update: Contacted officer requesting timeline for response.

April Update: no response to date.

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

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.

February Update: Additional questions from the purchaser addressed by officers, sale moving forward.

March Update: Contracts drawn up.

June Update: settlement achieved.

Matter Closed

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

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

Status

No additional progress to date.

Resolution Number – 18200610 – Motor Vehicle Policy

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

Status

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

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

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

Resolution Number – 35161208 – Oberon – Hazelgrove Walking Track

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

Status

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

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

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

File: A1.2.1
Author: Leanne Mash
Date: 9 June 2011

13.02 Reports for Decision

13.02.01 Internal Audit Committee

Executive Summary

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

The Oberon Council report and a comparative report of all three Councils are presented for information. The minutes from the two audit committee meetings held to date are also attached for information.

For Council Decision

Recommendation

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

Background

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

The objectives of the review were to assess the efficiency and effectiveness of controls operating over procurement, contracts and project management and to ensure that Council is receiving best value for its spend, deliverables meet business needs and Council's interests are protected at all times.

The methodology adopted for the review was risk based and involved testing for compliance with Council policies and approved procedures, the adequacy and currency of those policies and procedures and operational probity.

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

Attachments



13.02.01_Attachment 13.02.01_Attachment 13.02.01_Attachment 13.02.01_Attachment
_A_ConsolidatedProcu _B_ProcurementContr; _C_InternalAuditComn _D_InternalAuditComn

Statutory Environment

Legislative compliance with the Local Government Act 1993, the Local Government (Tendering) Regulations 1999, DLG Tendering Guidelines, the Local Government (Financial Management) Regulations 1999 and local purchasing policy and procedures.

Policy Implications

Improvements may be made to various policy documents subject to the action plan outcomes being implemented.

Financial Implications

Nil

Strategic Implications

A strategic review of project management procedures and reporting across Councils against best practice was undertaken by IAB.

Officers Comment

Nil

Consulted With

IAB
The Internal Audit Committee
Oberon Council Directors

File: C15.1
Author: Leanne Mash
Date: June 12 2011

13.02.02 Upcoming Meetings

Executive Summary

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

These include:

- The 2011 Sister Cities Australia Annual Conference
-

For Council Decision

Recommendation

That no delegate attend the Sister Cities Australia 2011 Annual Conference.

Background

2011 Sister Cities Australia Annual Conference

Toowoomba Regional Council will host the 2011 Sister Cities Annual Conference from 14 to 17 August 2011.

The Sister Cities Australia 2011 Annual Conference will address what “Sister Cities” is all about, what the benefits are and how to make the Sister Cities program meet your Council’s expectations.

The full conference program is attached for Councillors information.

The cost to attend the conference is \$950 per person plus travel and accommodation costs.

Attachments



13.02.02_Attachment
_A_Sister_Cities_Conf

Statutory Environment

Not applicable

Policy Implications

Nil

Financial Implications

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

Strategic Implications

Not applicable

Officers Comment

Nil

Consulted With

Not applicable

File: A1.2.1
Author: Leanne Mash
Date: 14 June 2011

13.03.01 General Business – General Manager

14 New Business of an Urgent Nature Admitted by Council

Recommendation:

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

15 Closed Session Reports

- 15.01.01 Land Sale Offer
- 15.01.02 Wastewater Refund – Account 12365098
- 15.01.03 Albion Park Land Offer
- 15.01.04 Wastewater Refund – Account 12365016
- 15.01.05 Wastewater Refund – Account 12369177
- 15.01.06 Code of Conduct Matter
- 15.01.07 LGFS Investment – Legal Action Update
- 15.01.08 Jenolan Caravan Park Lease Error! Bookmark not defined.

16 Closure of Meeting

The next Ordinary Meeting of Oberon Council will be held on 19 July 2011, commencing at 5.30pm in the Oberon Council Chambers, 137 – 139 Oberon Street, Oberon.