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OBERON COUNCIL

Agenda and Business Papers Oberon Council Ordinary General Meeting Tuesday 16 August 2011 5.30pm Council Chambers

5.30pm	Opening of meeting
7.30pm - 8.00pm	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 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
 Ian Tucker, Acting Director of Engineering
 Sharon Swannell, Executive Assistant

Apologies Cr John McMahon, Deputy Mayor

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

04 Questions from the Public

None received.

Notes:

05 Confirmation of Minutes of Previous Meeting(s)

Ordinary Meeting 19 July 2011



05.01.01_Unconfirme
d_Minutes_19_July_20

Recommendation:

That the Minutes of the duly convened Ordinary Meeting held on 19 July 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. Ordinary Council Meeting – 19 July 2011
2. Meeting with Highland Pine Products and John Cobb MP – 29 July 2011
3. Seniors Welfare Committee Meeting – 1 August 2011

B. Representation

1. Oberon Golf Club Annual Presentation Dinner – 15 July 2011
2. Inner Wheel Annual Changeover Lunch – 16 July 2011
3. Interviews for Community and Customer Services Manager – 1 August 2011

C. Correspondence

1. Friends of Libraries Australia regarding professional staffing in the Oberon Library – 21 July 2011.
2. National Timber Council Taskforce Strategic Review – 28 July 2011
3. Central West Catchment Management Authority – invitation to attend the next Councillor and Executive Luncheon Seminar on Friday 9 September 2011
4. Australian Local Government Association regarding the Roads to Recovery Program
5. Paul Toole MP in reference to the Oberon LEP
6. Mayor of Orange, Cr John Davis requesting Council's contact the NSW Government to encourage their consideration of funding for NSW Rural Financial Counselling Service in upcoming State Budget.
7. The Hon Jillian Skinner MP regarding the review conducted of the Orange Aeromedical retrieval service.
8. NSW Department of Primary Industries seeking assistance to uncover female volunteers within NSW rural communities.
9. The Heart Foundation seeking support for the Annual Door Knock Appeal.

D. Other Matters

Notification of my intention to retire from the position of Mayor in September 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 09.01.03 of the Business Papers be received and noted by Council.

09.01.01 Seniors Welfare Committee Minutes

Executive Summary

Minutes of the Seniors Welfare Committee Meeting held on 1 August 2011 are attached for Council's information.

The Committee recommends that investigation be undertaken into the establishment of a trust mechanism to capture donations made to facilitate the provision of aged care facilities and services in Oberon.

For Council Decision

Recommendation:

That

1. The Minutes of the Seniors Welfare Committee Meeting held on 1 August 2011 be received and noted.
 2. Investigation be undertaken into the establishment of a trust mechanism to capture donations made to facilitate the provision of aged care facilities and services in Oberon.
-

Background

The first Seniors Welfare Committee Meeting was held on 20 June 2011 and discussions were as follows:

- Amanda O'Brien discussed the new program being set up in Oberon; the Oberon Neighbourhood Centre
-

- Future use of Hathaway Cottages
- Approach to Oberon LGA schools regarding the seniors outreach program
- Communication within the community remains an issue and end users need more up-to-date information so they can make informed decisions and choices.
- Amanda O'Brien suggested running financial aged care seminars to help educate the community on the pressing issues and concerns with aged care.

The Aged Care Committee proposal recommending that a trust fund be established to raise funds to assist with the provision of financial assistance for six low support beds in Oberon was discussed.

The Seniors Welfare Committee recommends that investigation be undertaken into the establishment of a trust mechanism to capture donations made to facilitate the provision of aged care facilities and services in Oberon.

Attachments



09.01.01_Seniors_WelfareCommittee_Minut

Statutory Environment

Local Government Act 1993

Financial Implications

The proposed investigation into the establishment of a trust mechanism to capture donations made to facilitate the provision of aged care facilities and services in Oberon would require an operational budget to seek professional advice on such a mechanism. It is proposed to include a figure of \$5000 in the first quarterly budget review to facilitate this action.

Strategic Implications

Nil

Officers Comment

Nil

Consulted With

Director of Corporate Services

09.01.02 Events Committee Meeting Minutes

Executive Summary

Minutes of the Events Committee Meeting held on 2 August 2011 are attached for Council's information.

For Council Decision

Recommendation:

That:

1. The Minutes of the Events Committee Meeting held on 2 August 2011 be received and noted
 2. Mr David McMurray be invited to remain on the Events Committee as a community representative
 3. Mr Jim Hawkes be appointed as the Highlands Steam and Vintage Fair delegate to the Events Committee
-

Background

The Events Committee Meeting was held on 2 August 2011 and discussions were held as follows:

- 2011/2012 Oberon and Villages Garden Festivals - Update
- Kanangra Classic Endurance Ride – 16 October 2011 - Update
- Combined Church Christmas Function - Update
- Acknowledgement of donation from OPTA for Oberon and Villages Festivals
- Other Business:
 - a. Potential re-introduction of the Kowmung Music Festival
 - b. St Joseph's Centenary Week 2012

The Director of Corporate Services advised the committee that Mr David McMurray had indicated that he is unable to continue as Secretary of the Highlands Steam and Vintage Fair but has indicated a desire to remain on the Events Committee as a community representative. Mr Jim Hawkes has indicated a desire to represent the Highlands Steam and Vintage Fair on the committee.

Attachments



09.01.02_Events_Co
mmittee_Minutes_02_

Statutory Environment

Local Government Act 1993

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Officers Comment

Nil

Consulted With

Nil

File No: A2.5
Author: John Chapman
Date: 8 August 2011

09.01.03 Traffic Advisory Local Committee Meeting

Executive Summary

Minutes of the Traffic Advisory Local Committee meeting held on 4 August 2011 are attached for Council's information.

For Council Decision

Recommendation:

That:

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

Background

The Traffic Advisory Local Committee Meeting was held on 4 August 2011 and discussion was held as follows:

- Discussions were held with visitors from Forests NSW and contractors in relation to B-Double routes.
- B-Double Application – Edith Road
- Higher Mass Limits Application for Hazelgrove Road
- Enquiry regarding establishing a parking area for Recreational Vehicles

The minutes of the meeting are attached for Councillors information.

Attachments



09.01.03_Traffic_Advisory_Local_Committee

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

File No: A2.2
Author: Ian Tucker
Date: 8 August 2011

10 Director of Development Reports

10.01 Reports for Information

Recommendation

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

10.01.01 Monthly Update Report – Development Department

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

1. Determinations for the Month of July

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

a) Development Applications	9
b) Construction Certificates	5
c) Complying Development Certificates	0
d) Subdivision Certificates	0
e) Section 68 Applications	3
f) Applications Refused	0

A complete list of the determination is as follows:

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

Ref No	Development Type	Street Address	Locality
11.2010.84.1	Construction Certificate for Stage 2 remainder of dwelling	1090 Lowes Mount Road	Oberon
10.2010.15.2 11.2010.15.2	Modification to Dwelling - New subfloor area	19 Homeward Bound Avenue	Oberon
10.2011.7.2	Modification - Change boundary distance for garage	239 Rutters Ridge	Oberon
19.2011.11.1	On Site Waste Water Disposal System	744 Hazelgrove Road	Oberon
10.2011.35.1 11.2011.35.1 19.2011.12.1	Dwelling and Shed	186 Bosworth Falls Road	O'Connell

10.2007.190.2	Modification to DA 190/07 - Change lot sizes and boundary adjustment	911 Duckmaloi Road	Oberon
10.2007.23.2	Modification to DA 23/07 - Change lot layout	458 Meadows Road	Oberon
10.2010.53.2	Modification - Change boundary distance for garage	21 Carrington Avenue	Oberon
10.2010.99.2	Modification - Boundary adjustment (Change Location of Building envelope)	184 and 501 Bosworth Falls Road	O'Connell
11.2004.329.3	Construction Certificate for access and carriageway	3540 Beaconsfield Road	O'Connell
10.2011.21.1	Garage/Garden Shed	95 Harris Road	Oberon
10.2011.37.1 11.2011.37.1 19.2011.14.1	Farm Shed and On Site Waste Water	752 Carlwood Road	Tarana

2. Certificates Issued During the Month of July

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) 26 Section 149 Certificates were issued.

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

- b) Six Section 735A Certificates were issued.

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

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

Details	Number of Cats	Number of Dogs
Animals carried over from previous month	0	5
Animals Seized	2	7
Animals Abandoned	3	2
Animals Surrendered	0	0
Animals released to Owner	0	8
Animals Released to CHD (Cats, Dogs and Horses Charity) under Clause 17 of the Companion Animals Regulations 1999 (Exemptions from Registrations Requirement) for re-homing	0	3
Animals Destroyed	2	2
Animals Sold	0	0
Animals died at Council's facility	0	0
Animals Escaped/Stolen	0	0
Animals still in the Pound	3	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 July.

a) Building Inspections	43
b) Food Inspections	0
c) Environmental Inspections (Air Pollution/Noise Pollution/Water Pollution)	0
d) Subdivision Certificate Inspections	0
e) Complaints (Includes Animal Control)	1
f) Building Maintenance Inspections	15

5. Attendance at Seminars/Conference/Short Courses

Consultative Committee training

10.01.02 Director of Development Status Report

Status of Development Application referred to RTA

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

The Director of Development will investigate and advise.

Status

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

Resolution Number – 12190711 - Review of Determination – Development Application:
10.2011.21.1

That delegation be granted to Councils Director of Development to approve the outcome Review of Determination and 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.

Status

Development consent issued.

Matter Closed

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

That Council proceed to advertise the proposed amendment to DCP 2001 relating to Clauses J.7.2.7 and K.7.1.5 increasing the size of the aggregate floor area from 100m² to 150m².

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

Status

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

Resolution Number – 06190711 – Heritage Committee Minutes

That:

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

Status

In progress

Overgrown Vegetation on Town Blocks

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

Status

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

In progress.

Resolution Number – 40150211 Heritage Interpretive Signs

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

Status

Ongoing

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

June update – Committee resolution to be presented to Councils July meeting.

August update – Resolution endorsed by Council. Quotes to be sourced.

Resolution Number – 32141210 - Oberon Community Centre Internal Renovations

That:

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

Status

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

June Update: Gathering quotes from local builders.

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

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

Resolution Number – 23141210 - Oberon Community Centre

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

Status

To be undertaken in conjunction with Resolution 32141210.

Resolution Number – 08191010 – Heritage Committee Meeting Minutes

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

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

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

Status

Ongoing

Resolution Number – 32170810 – Heritage Committee Meeting Minutes

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

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

Status

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

January Update: Staff actively pursuing completion of this project.

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

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

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

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

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

Resolution Number - 29200710 - Heritage Committee Meeting Minutes

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

Status

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

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

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

March Update: Works progressing

April Update: Works progressing

June Update: Works progressing

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

August Update: Resolution endorsed by Council to undertake project.

Resolution Number - 28200710 - Heritage Committee Meeting Minutes

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

Status

To be arranged shortly in conjunction with Resolution 27200710.

Resolution Number – 27200710 - Heritage Committee Meeting Minutes

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

Status

To be arranged.

Resolution Number – 05150909 – Proposed O’Connell Conservation Area

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

Status

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

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

10.02 Reports for Decision

10.02.01 Development Application: 10.2011.31.1

Applicant: Dakeba Pty Ltd
Owner: Mr NC and Mrs K R Cornale
Location: Lot 8 in DP: 2364 Section D, 83 North Street, Oberon
Proposal: Dual Occupancy
Zone: 2(v) Village

Executive Summary

Development Application 10.2011.31.1 was received by Council staff for the proposed construction of a dual occupancy within the Oberon village. 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 General Manager to vary part C.5.5 "Building Height Plane" of Oberon's Development Control Plan 2001 by Council to allow the construction of a dual occupancy on Lot 8 in DP: 2364 Section D, 83 North Street, Oberon.

Background

Development Application 10.2011.31.1 was received by Council on the 10 June, 2011 for the proposed construction of a dual occupancy development (two detached dwellings). The plans for proposed unit 83A are attached as Attachment A.

83 North Street Oberon has previous had a very similar dual occupancy proposal approved in the form of Development Application 58/06 which was approved on 14 February 2006. The said approval lapsed on 14 February 2011 and as such DA 10.2011.31.1 has been submitted seeking approval.

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 western 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 proposed development’s non-compliance with Clause C5.5 of the DCP is limited to only one of the proposed units, proposed unit 83A and the western boundary of the allotment.

The proposed plans show that approximately 1m of fill is required in the South Western corner of the allotment tapering back to 0.6m in the North Western corner the development. The applicant has indicated that the site is required to be raised to improve solar access of the proposed development and also achieve a level building platform.

Adjoining and adjacent property owners have been notified and the submission period expired on the 14 July, 2011. No objections or submissions were received regarding the proposed development.

The Site

The proposed dual occupancy is situated on the corner of North and Springfield Streets and is bounded by a dual occupancy development to the West and an 8 unit development to the North. Due to the general slope of the land towards the southern elevation (towards Springfield street), fill is required to create a level building platform.

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 412 square metres and the floor space ratio complies.

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."*

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 C which shows the Southern and Northern elevations of proposed unit 83A and the proposed non-compliance of the western property boundary from the front and rear of the dwelling.

As can be seen in Attachment C the level of non-compliance at the front of the proposed dwelling is approximately 500mm down the side wall at the front of the proposed dwelling. The non-compliance is reduced along the western wall of the proposed dwelling tapering down to the junction of the wall and eaves at the rear of the dwelling (northern elevation).

The building site also runs east to west and any perceived impact of overshadowing will generally occur within a driveway of 4 Springfield Street, which is approximately 5m in width, as such for this reason and that no submissions were received Council staff did not request the preparation of shadow diagrams from the applicant. Attachment D is a photo of the western property boundary showing the driveway on the eastern side of 4 Springfield Street Oberon.

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.

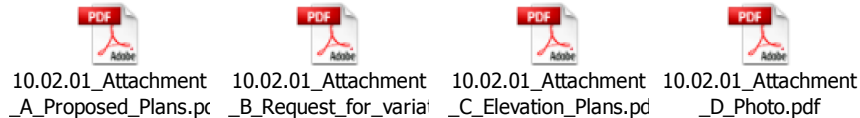
- *Section 79C (1) (d) – “Any submissions made in accordance with the Act or the Regulations.”*

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



Statutory Environment

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

Policy Implications

Outside of the scope of the DCP.

Financial Implications

There are no financial implications

Strategic Implications

There are no strategic implications.

Officers Comment

Nil

Consulted With

Director of Development

File: PO38.83
Author: Mark Dicker
Date: 1 August, 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 11.01.04 of the Business Papers be received and noted by Council.

11.01.01 Monthly Update Report – Corporate Services Department

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

1. Rates Collections Reports

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

Rates notices for the year ending 30 June 2012 were mailed on 28 July 2011.

Total collections for the year represent 2.09% of the total receivable, compared with 1.72% for last year.

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

Attachment



11.01.01_Attachment
_A_Rates_Report_July

2. Councillor and General Manager Expenses

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

Attachment



11.01.01_Attachment
_B_Expenses_of_GM_;

3. Oberon Library

The monthly report for the Oberon Library is attached for information. A summary of the statistics for the year to 31 July compared with the period to 31 July 2010 is provided as follows:

	Visits		Issues/Internet		New Borrowers		Customers Per Hour	
	2010	2011	2010	2011	2010	2011	2010	2011
January	1,256	1,328	2,136	1,841	26	22	9.2	10.0
February	1,439	1,417	2,296	1,693	28	32	9.9	9.8
March	1,618	1,693	2,276	2,126	28	26	10.1	10.1
April	1,603	1,642	2,468	2,233	14	18	10.8	12.0
May	1,533	1,420	1,804	1,935	26	23	10.3	9.8
June	1,721	1,325	2,277	1,843	23	13	10.7	9.2
July	1,703	1,484	2,209	2,012	26	16	10.6	10.3
To Date	10,873	10,309	15,466	13,683	171	150	10.2	10.2

(Average)

Attachment



11.01.01_Attachment
_C_Library_Report_Jul

File: A1.2.1
Author: John Chapman
Date: 4 August 2011

11.01.02 Election of Mayor and Deputy Mayor

Executive Summary

Section 290(1)(b) of the Local Government Act 1993 requires that the annual election of the Mayor and Deputy Mayor be held during the month of September. Traditionally this has taken place, along with the appointment of Council delegates to the various committees and external organisations, at Council's Ordinary Meeting in September.

It is intended, therefore to conduct the election of Mayor and Deputy Mayor at the start of the Ordinary Meeting scheduled for Tuesday 20 September 2011.

Nomination forms for the positions of Mayor and Deputy Mayor are included with this business paper (as separate documents) for Councillors who may wish to commence the process of nominating candidates.

For Council Information

Recommendation:

That the information be received and noted.

Background

Section 290(1)(b) of the Local Government Act 1993 requires that the annual election of the Mayor and Deputy Mayor be held during the month of September. Traditionally this has taken place, along with the appointment of Council delegates to the various committees and external organisations, at Council's Ordinary Meeting in September.

It is intended, therefore to conduct the election of Mayor and Deputy Mayor at the start of the ordinary meeting scheduled for Tuesday 20 September 2011.

Nomination forms for the positions of Mayor and Deputy Mayor are included with this business paper (as separate documents) for Councillors who may wish to commence the process of nominating candidates.

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

1. Returning officer

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

2. Nomination

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

Attachments



11.01.02_Attachment
_A_Nomination_Form_



11.01.02_Attachment
_B_Nomination_Form_

File: A7.1
Author: John Chapman
Date: 5 August 2011

11.01.03 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 July 2011, together with a graphical summary for the period from August 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 July 2010, are presented for information.

	<u>2010</u>	<u>2011</u>
Face Value of all Investments Held	\$4,860,457	\$4,868,812
Face Value of Grange/Lehman Bros Investments	\$2,500,000	\$2,000,000
Market Value of Grange/Lehman Bros Investments	\$1,121,993	\$725,732
Market Value of Grange as % of Face Value	45%	36%
Cheque Account Cash Book Balance	\$86,714	(\$100,401)
Total Cash and Investments (Market Value)	\$3,569,164	\$3,494,143
Interest Received Year to Date	\$8,777	\$2,746
Call A/c Interest Rate	4.45%	4.70%

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

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

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

Written Off 30 June 2008	(2,682,780)	
Written Back 30 June 2009	540,585	(includes Federation CDO \$500,000 recovered)
Written Back 30 June 2010	55,040	
Written Back 30 June 2011	87,419	
Net Written off to 30 June 2011	<u>(1,999,736)</u>	
Write-Back to date in 2011-2012	0	(Valuations for 31 July 31 yet to be received)
Net Written off to 31 July 2011	<u>(\$1,999,736)</u>	

Attachments



11.01.03_Attachment
_A_Statement_of_Inve



11.01.03_Attachment
_B_Cash_and_Investr

File: C17.1
Author: John Chapman
Date: 08 August 2011

11.01.04 Director of Corporate Services Status Report

Resolution Number – 40190711 - Water and Wastewater Refund – Account 12365584

That a refund of \$407.99 be approved given the extenuating circumstances of water and waste water Account 12365584.

Status

Consumer advised and account reduced.

Matter closed.

Resolution Number – 38190711 – Lease of Dental Surgery

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

Term:

- Five years

Option:

- Five years

Rent:

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

Reviews of Rent:

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

Plant and Equipment:

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

Assignment/Transfer:

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

Insurance:

- Minimum \$10 million public liability insurance cover

Special Conditions:

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

Status

Draft lease prepared by Council's Solicitor and forwarded to lessee.

Resolution Number – 23190711 – Industrial Land Sale Lot 5 DP 241148

That the seal of Council be affixed to the transfer document for the sale of Lot 5, DP 241148 in Albion Street Oberon.

Status

Seal affixed and transfer document delivered to Solicitor.

Matter closed.

Resolution Number – 22190711 – Oberon Swimming Complex Operation

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

Status

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

Resolution Number – 21190711 – Policy Reviews

1. That the following Policies remains unchanged:

- a) Policy 4105 - Kerb and Gutter Construction
- b) Policy 4201 – Advertising on Council Bus Shelters

Status

Policy Register updated.

Matter closed.

Resolution Number - 20190711 – Request for Sponsorship – Tourism Awards

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

Status

Sponsorship payment yet to be made.

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

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

Status

Advertisement placed in Oberon Review.

Resolution Number – 18190711 Oberon Community Transport

That the Common Seal of Oberon Council be affixed to the attached Sub Licence Agreement and sign to comply with Home and Community Care (HACC) requirements.

Status

Seal Applied

Matter closed

Report Regarding Donations

Councillor O’Bernier requested that the report prepared by the Director of Corporate Services regarding donations over the last four years be circulated to all Councillors.

Status

Report circulated.

Matter closed.

Outstanding Rates

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

Status

Report to be presented to September 2011 Ordinary Meeting.

Resolution Number 10210611 - 2011/2012 Planned Donations Program

1. That financial and in-kind support totalling \$21,891 as determined at the June 2011 donations meeting be approved as detailed in the table below.

<i>Applicant</i>	<i>Purpose</i>	<i>Funding Sought</i>	<i>Funding recommended</i>
Educational			
Burraga 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
Burraga 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
Telstra Child Flight	Assist with the purchase of a BBQ or something to support local fund raising efforts	Not specified	\$500
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.

<i>Applicant</i>	<i>Purpose</i>	<i>Funding Sought</i>
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	Public daily hire rate is \$120, in-kind support

	Information Centre to establish as a broadcast facility	
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

Status

Letters to applicants sent. Official presentation to successful applicants postponed due to weather conditions. Planned for September 6 2011.

Resolution Number – 07210611 - Modifications to the Oberon Library

That the remaining 2010-2011 Local Area Project funds \$7,760 be expended on Talking E Books and expansion of the Library Collection in consultation with staff.

Status

Approval received from State Library to carry over expenditure into 2011-2012. Order to be processed for E Books and items for Library Collection. Extension granted for expenditure to occur in 2011-12. Remaining action will be an operational task.

Matter closed.

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

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

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

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

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

Status

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

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

Management Manual - Section 355 Committees and Volunteers

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

Status

See report to the September 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
Date: 8 August 2011

11.02 Reports for Decision

11.02.01 Quarterly Budget Review as at 30 June 2011

Executive Summary

The Quarterly Budget Review Statement for the fourth quarter to 30 June 2011 has been distributed as a separate document.

The original budget forecast and subsequent quarterly reviews provided for a net cash (surplus)/deficit for the year ending 30 June 2010 as follows:

Original Budget	\$6,300	Cash Deficit
Quarter 1 Review	(\$21,019)	Cash Surplus
Quarter 2 Review	(\$1,709)	Cash Surplus
Quarter 3 Review	(\$4,341)	Cash Surplus
This (Quarter 4) Review	(\$146,930)	Cash Surplus

For Council Decision

Recommendation:

That the Quarter 4 Budget Review Statements for 2010/2011 be received and noted and the revised budgeted income and expenditure items be voted.

Background

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

The original budget forecast and subsequent quarterly reviews provided for a net cash (surplus)/deficit for the year ending 30 June 2010 as follows:

Original Budget	\$6,300	Cash Deficit
Quarter 1 Review	(\$21,019)	Cash Surplus
Quarter 2 Review	(\$1,709)	Cash Surplus
Quarter 3 Review	(\$4,341)	Cash Surplus
This (Quarter 4) Review	(\$146,930)	Cash Surplus

Council should note that this review has been prepared prior to the finalization of the Financial Reports for the year ended 30 June 2011 and adjustments to the actual year-to date figures have yet to be made. Any major variations from the projected totals in this quarterly review will be reported in conjunction with presentation of the Annual Financial Reports.

It should also be noted that, in light of the current global financial uncertainty related to the USA and European economic climate, it may be necessary to review the value of Council's

investments in CDO's with Lehman Brothers Australia before the financial reports for 30 June 2011 are finalised.

All items in respect of which there are variations are noted on the detailed statements which are being distributed as a separate document. While almost all line items in the document contain variations (as the majority of general income and expenditure for the year has been recorded), a summary outlining the significant variations from the previous quarterly review is provided as follows:

Item	Page	Net (Income)/Expenditure				Comment
		Original Budget	Revised Quarter 3	Now Anticipated	Difference	
Council Properties	14	14,541	(94,030)	99,297	193,327	Budgeted for sale of Dart Street residence - sale did not proceed in 2010-2011 (\$220k); maintenance etc. of Council properties below budget (\$26k)
Economic Development Office	21	109,125	84,810	35,829	(48,981)	Part time position after resignation of Economic Development Officer
Roads Bridges and Footpaths	26	1,069,750	1,400,285	1,159,484	(240,801)	Anticipated transfer to Reserve (sale of Dart St residence) not undertaken (\$220k); various works costs below budget (\$21k)
Waste Management	33	31,815	1,826	(68,319)	(70,145)	Tipping fees above budget (\$43k), operations expenditure below budget (\$29k)
Animal Control	56	62,457	57,349	35,887	(21,462)	Employee costs below budget (\$18k)
Development Control	64	524,092	541,741	566,252	24,511	LEP Grant 2009/2010 written back (\$11k); employee costs over budget (\$11k)

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

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

The Director of Corporate Services is Council's Responsible Accounting Officer and, in accordance with the regulation, reports that:

“The quarterly budget review for the period to 30 June 2011 presents a significantly more positive view of the current year's results than previously reported. The anticipated cash surplus of \$146,930, compared with the originally budgeted cash deficit of \$6,300, is an acceptable result for the year”.

Attachments



11.02.01_Attachment
_A_Quarterly_Budget_

Statutory Environment

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

Policy Implications

Not applicable

Financial Implications

The quarterly budget review for the period to 30 June 2011 presents a significantly more positive view of the current year's results than previously reported.

Strategic Implications

Nil

Officers Comment

Nil

Consulted With

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

File: C15.3
Author: John Chapman
Date: 5 August 2011

11.02.02 Review of Management Plan – Quarter 4 2010/2011

Executive Summary

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

For Council Decision

Recommendation:

That the Quarter 4 Management Plan review for 2010/2011 be received and noted.

Background

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

Attachments



11.02.02_Attachment
_A_Quarterly_Manage

Statutory Environment

Local Government Act, 1993

Policy Implications

Not applicable

Financial Implications

Not applicable

Strategic Implications

2010-2015 Management Plan

Officers Comment

Nil

Consulted With

Director of Development
Tourism Development Officer
Works Manager
HR/Special Projects Officer
Finance Manager
Director of Engineering
General Manager

File: C15.5
Author: John Chapman
Date: 5 August 2011

11.02.03 Request For Reduction in Rates – Freemasons

Executive Summary

Correspondence has been received from the Secretary of Lodge Oberon 355 seeking a reduction in the rates levied on the Oberon Masonic Centre at 70 Dart Street Oberon. The reduction sought is the difference between the current rates levied for the property, which is based upon the Business Rates category, and the levy which would apply if the property could be categorised as residential.

The difference amounts to \$113.04 in 2011-2012.

For Council Decision

Recommendation:

That

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

Background

Correspondence has been received from the Secretary of Lodge Oberon 355 seeking a reduction in the rates levied on the Oberon Masonic Centre at 70 Dart Street Oberon. The reduction sought is the difference between the current rates levied for the property, which is based upon the Business Rates category, and the levy which would apply if the property could be categorised as residential.

Section 518 of the Local Government Act provides that "*Land is to be categorised as **business** if it cannot be categorised as farmland, residential or mining*". As the Masonic Centre cannot be categorised as either farmland, residential or mining, there is no option but to adopt a Business rating category.

A similar request received in 2008 from the Oberon RSL Sub-Branch for their museum located in Oberon Street near the Oberon RSL Club was approved by Council. Consequently, Council makes an annual donation equivalent to the difference between Business rates and charges and Residential rates and charges.

Rates and charges on the property for 2011/2012 as levied are summarised as follows:

General Rates – Business	541.09
Town Improvement Rates - Business	501.51
Waste Management Levy	176.00
Water Service Levy	141.00
Water Treatment Plant Levy	100.00
Sewerage Access Charge	105.00
Sewerage Usage Fee	6.48 (based on 2010-2011 fee)
Total Rates and Annual Charges	\$1,571.08

The levy, had it been based on the residential rates categorization, would have been as follows:

General Rates – Residential	419.04
Town Improvement Rates - Residential	234.00
Waste Management Levy	176.00
Water Service Levy	141.00
Water Treatment Plant Levy	100.00
Sewerage Access Charge	388.00 (includes usage fee)
Total Rates and Annual Charges	\$1,458.04

The difference is \$113.04.

Attachments



11.02.03_Attachment
_A_Request_for_Rate_

Statutory Environment

Local Government Act 1993

Policy Implications

Nil

Financial Implications

There are sufficient funds remaining in Council's donation budget for 2011-2012 to cover the cost if approved by Council.

Strategic Implications

Not applicable

Officers Comment

Nil

Consulted With

Revenue Officer

11.02.04 NSW Seniors Week Grants Program 2012

Executive Summary

NSW Seniors Week Grants are provided through the NSW Department of Ageing, Disability and Home Care (DADHC) to support the development and organisation of local NSW Seniors Week projects.

Council is in receipt of an application form for Seniors Week 2012 which will be held from 18 to 25 March 2012.

For Council Decision

Recommendation:

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

Background

NSW Seniors Week Grants are provided through the NSW Department of Ageing, Disability and Home Care (DADHC) to support the development and organisation of local NSW Seniors Week projects. Council is in receipt of an application form for Seniors Week 2012 which will be held from 18 – 25 March 2012.

Council has applied for funding in previous years to hold a function for Seniors Week in the LGA. Council received funding of \$600 in 2011. Along with Council's contribution of \$1,000 a luncheon and concert was arranged for the seniors in the Oberon LGA. This event was attended by approximately 80 seniors. The event was also supported by volunteers from the schools in the LGA.

As with all grants there is a criterion on which applications are assessed. The eligibility criteria is attached for Council's information. Applications must be received by DADHC no later than 5pm on Friday 26 August 2011.

Council has provided for \$1,000 in its budget for the 2011-2012 year expenditure for the seniors week event. It is proposed that this be utilised to attract a matched dollar for dollar grant which would result in being able to run an event with a budget of \$2000.

Attachments



11.02.04_Attachment
_A_Seniors_Week_Eli

Statutory Environment

Not applicable

Policy Implications

Nil

Financial Implications

\$1000 is provided in Councils 2011/12 Budget to assist with hosting and event/program for Seniors Week 2012.

Strategic Implications

Council's 2012 Management Plan states that Council will seek appropriate grants for community activities and assist community members and groups to organize activities including Seniors Week, Youth Week, Australia Day Celebrations and Naturalisation Ceremonies.

Officers Comment

Nil

Consulted With

General Manager

File No: A5.3
Author: Sharon Swannell
Date: 8 August 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 July to 31 July 2011.

1. General Fund

Tennis Courts

Construction of the building is complete. Landscaping and fire hose reel installation are currently being completed. The access road to the caravan park will need some remedial works. Replacement of the surface on all four courts is complete.

Gravel Resheeting

Some gravel resheeting has been carried out on Sloggetts Road, Sewells Creek Road, Isabella Road and Jaunter Road. Elsewhere, patch gravelling has been done in conjunction with maintenance grading.

2. RTA Works

Abercrombie Road

Survey has commenced for the next section of Abercrombie Road to be reconstructed. This section will be 1.5km long, commencing just south of Sewells Creek Road. Clearing and drainage works will commence in August.

A further section through the village of Black Springs will also be reconstructed during 2011/12.

Edith Road Curve Widening

The RTA has advised of funding of up to \$460,000 to widen and install guardrails on the outside of 4 or 5 curves on Edith Road. This is being funded as a road safety project on curves where accidents have been recorded. Survey work is commencing.

O'Connell Avenue

Most design details have now been settled and a project commencement meeting was held on 1 August 2011. Upgrading of Box Flat Road to provide an alternative route while work is in progress through the avenue is expected to commence in August 2011.

3. Town Improvement Fund

Common Embellishment

Some tree planting is being carried out around the top pond.

4. Sewer Fund

Nil

5. Water Fund

Nil

6. External Meetings

Nil

7. Stormwater Harvesting Project

Design work is now complete and tenders are now being invited for four contracts as follows:

- Harvest and storage ponds
- Two pump stations
- Pipelines
- Treatment Plant

Tenders will close in late August. In the meantime, efforts to obtain a licence, or exemption from the requirement to obtain a licence to harvest stormwater are continuing.

8. Oberon Waste Depot Licence

Geolyse Pty Ltd are preparing plans and the environmental assessment on the expansion and licencing of the Oberon Waste Depot.

9. Disposal of Plant

Tenders have been invited for the purchase of a new truck and dog, and the disposal of the existing plant.

10. Staff Training

- Forests NSW – safety requirements when carrying out contract works
- Consultative Committee training
- OHS Requirements for Contractors (in house)

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
- Heavy patching on various roads
- Hazelgrove Road – continue earthworks on next stage north of existing seal to eliminate sharp curve
- Possible harvesting setup works for Forests NSW
- Commencement of reconstruction of Box Flat Road in preparation for the O’Connell Avenue project
- Replacement and realignment of a section of 250mm water main at Golf Club.
- Construction of stormwater drainage through properties on east side of Glyndwr Avenue.

File: A1.2.1
Author: Leigh Robins/Ian Tucker
Date: 29 July 2011

12.01.02 Director of Engineering Status Report

Lighting at Fleming Street Bus Terminal

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

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

Status

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

Meeting with Forests NSW

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

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

Status

Meeting organised for 5.00pm September 13 2011.

Resolution Number – 29190711 – Welcome to Oberon Signs

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

Status

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

Resolution Number – 28190711 – SES Controller Appointments

That Council support the re-appointment of Mr James Young as the Local Controller of the Oberon SES unit and Mr Shane Bennett as the Local Controller of the Burruga SES unit.

Status

Letter sent

Matter Closed

Resolution Number - 43210611 - Albion Park Land Offer

That the offer to purchase the identified 2,750m² lot in Maher Drive for \$86,080 + GST be accepted.

Status

Contract for sale being prepared.

Resolution Number – 41210611 - Land Sale Offer

That the offer to purchase Lot 5 DP 241148 be accepted.

Status

Contract for sale being prepared

August Update: Seal applied to transfer documents

Matter closed

Resolution Number – 44170511 – Disposal of Waste Material

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

Status

Negotiations are ongoing

Chain of Ponds Road

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

The Director of Engineering will investigate this matter.

Status

Letter sent to the event organiser – await response.

Bald Ridge Road

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

The Director of Engineering will inspect the area.

Status

Works programmed.

Resolution Number – 28150311 Oberon Sports Complex Works Program

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

Status

Grant submission lodged – await outcome.

Resolution Number – 32150211 Minutes of Works Committee Meeting

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

Status

Written to the receiver and awaiting response.

Resolution Number – 37161110 - Oberon Sports Complex Committee Meeting

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

Status

Grant submitted for topdressing sports fields – awaiting outcome.

Resolution Number – 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 complete.

Matter closed

Resolution Number – 05200610 – Golf Club Assistance

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

Status

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.

File No: A1.2.1
Author: Leigh Robins/ Ian Tucker
Date: 8 August 2011

12.02 Reports for Decision

12.02.01 Centroc Water Utilities Alliance (CWUA)

Executive Summary

Council is a member of the Centroc Water Utilities Alliance (CWUA). This project is delivering cost savings across the region, and providing evidence that Local Government is the ideal delivery agent for the management of water and sewer services.

For Council Decision

Recommendation:

That the information be received and noted.

Background

As a result of the National Water Initiative, the management of water has moved away from local government in many parts of Australia. The NSW State Government has made commitments to comply with this initiative.

The CWUA has been formed in an effort to demonstrate that these commitments can be delivered through alliances, whereby Councils work together to deliver water management services. It is modelled on the Lower Macquarie Water Utilities Alliance (LMWUA), which has been accepted by the NSW Office of Water as meeting the State's best practice planning requirements.

The degree to which the alliance between Councils will need to be formalised is still unclear.

To support its National Water Initiative commitments, NSW has developed a suite of best practice strategic plans which must be completed by Councils. Access to state funding for some capital works programs will not be available unless these plans are in place.

The plans are:

- Stage 1 (a) Drought Management
 - (b) Demand Management
 - (c) Integrated Water Cycle Management

- Stage 2 (a) Strategic Business Plan
 - (b) Developer Servicing Plan
 - (c) Best Practice Pricing
 - (d) Drinking Water Quality Plan

Tenders were invited to complete the three plans under stage 1 of the program. In April the CWUA accepted the following tenders:

Drought Management	Hydro science Consulting	\$87,036
Demand Management	MWH	\$61,750
IWCM Evaluation	MWH	\$251,750

Oberon Council has provided the required data to each consultant. Stage 1 is due to be completed by mid-October 2011.

Attachments

Nil

Statutory Environment

As detailed above, provision of water and sewer services is currently a local government responsibility. The purpose of this project is to support the case to maintain this arrangement.

Policy Implications

Nil

Financial Implications

The cost to Council to participate in Stage 1 of this program is \$52,000. This has been funded from the Section 94 Water Reserve.

Strategic Implications

Provision of water and sewer services is a significant component of Council's operations. Should these functions be taken away, the total size of Council operations and budget would be reduced accordingly and some staff positions would be lost.

Officers Comment

Nil

Consulted With

Director of Engineering

12.02.02 Todds Road Upgrade

Executive Summary

A request to seek Council's agreement to dedicate approximately 0.9km of Todds Road has been received.

For Council Decision

Recommendation:

That the request to convert approximately 0.9km of Todds Road from crown road reserve to a dedicated road be supported.

Background

The applicant has requested that access via a crown road reserve be upgraded to provide access to three lots in accordance with Councils standards for property access.

Work cannot be commenced on a crown road reserve unless Council agrees to take over future maintenance of the road and the road is transferred from a crown road reserve to a dedicated road.

The applicant has commenced on earthworks and drainage without consent and seeks to legitimise the works done before any pavement works are commenced.

Attachments



12.02.02_Attachment
_A_Todds_Road.pdf

Statutory Environment

Roads Act 1993

Policy Implications

Council has previously accepted crown roads for dedication once the required upgrade is completed.

Financial Implications

The road construction costs are borne by the applicant. Ongoing maintenance costs will be borne by Council in future budgets.

Strategic Implications

Nil

Officers Comment

Although works commenced without approval there is no impediment to agreeing to accept the road as a dedicated road on completion of the necessary pavement work.

Consulted With

Director of Development
Works Manager

File No: E31.1
Author: Leigh Robins
Date: 8 August 2011

12.02.03 Request for Road Naming

Executive Summary

There is a section of road running east off Hazelgrove Road that should be named.

For Council Decision

Recommendation:

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

Background

There is an unnamed section of road that runs east of the Hazelgrove Road. It is located approx. 9.6kms from the beginning of Hazelgrove Road (measured from Albion Street.)

The Road is approximately 0.335 kilometres long and is unsealed.

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

To comply with naming requirements, Council is required to advertise the details of the roads and request submissions from the public for a suitable name to be selected.

Attachments



12.02.03_Attachment
_A_Maps_Hazelgrove_

Statutory Environment

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

Policy Implications

There are no relevant Council policies.

Financial Implications

Cost to Council to supply and erect signage.

Strategic Implications

Nil Identified

Officers Comment

Nil

File: E31.9
Author: Matilda Dwyer
Date: 2 August 2011

12.02.04 Proposed Naming – Lowry’s Hill, Black Springs

Executive Summary

Council has received a submission from the Geographical Names Board requesting Councils written comment to officially name Lowry’s Hill in Black Springs.

For Council Decision

Recommendation:

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

Background

The Geographical Names Board is considering a proposal to name Lowry’s Hill in Black Springs.

Lowry’s Hill is approximately 9kms south of the village of Black Springs on the western side of the Abercrombie Road.

The area has been informally known as Lowry’s Hill for a considerable time. It was named after the bushranger Frederick Lowry who had a hideout on the Hill.

The Geographical Names board intends to officially name the hill by request of residents of the area, and seek Council’s written comment.

Attachments



12.02.04_Attachment
_A_Maps_Lowry's_Hill

Statutory Environment

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

Policy Implications

There are no relevant Council policies.

Financial Implications

Nil Cost to Council

Strategic Implications

Nil Identified

Officers Comment

Nil

Consulted With

Director of Engineering

File: D51.1
Author: Matilda Dwyer
Date: 29 July 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 July 1 to 31 2011.

1. Staff Matters

a) Executive Management

Regular meeting continue with the executive management team.

2. Workplace Health and Safety Matters

a) Incidents

One minor incident during July when a strap securing the signs onto the back of a ute came off at one end and hit the officer in the side of the chest. The injury was checked and the officer continued on with normal duties.

3. Attendance at External Stakeholder Meetings, Conferences and Functions

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

- a. Centroc GMAC meeting
- b. Local Government Reform Fund Project meeting with the Directors
- c. Meeting x 5 with individual community members regarding the realignment process
- d. Community Centre Group Users meeting
- e. Australian Citizenship Ceremony with the Mayor
- f. Palings Yard meeting
- g. NSW Electoral Commission meeting

4. Committee Meetings

I have attended the following Committee meetings this month.

- Heritage Committee
- Library Committee

5. Other Meetings of Note

- a. Meetings with staff affected by the realignment process
- b. Meetings with the United Services Union
- c. Ordinary Council meeting
- d. Civica Managed Services meeting
- e. Local Government Recruitment Services
- f. Consultative Committee

6. Events Calender



13.01.01_Attachment 13.01.01_Attachment
_A_Calendar_August_ _B_Calendar_Septem

7. Grants

None to report

8. Use of Reportable Delegations

None to report

9. Economic Development

1. Economic Development
 - a) General

There has been one continued enquiry regarding business opportunities in July. The business proposal took a step forward with land availability and suitability being investigated.

- i. Economic Development

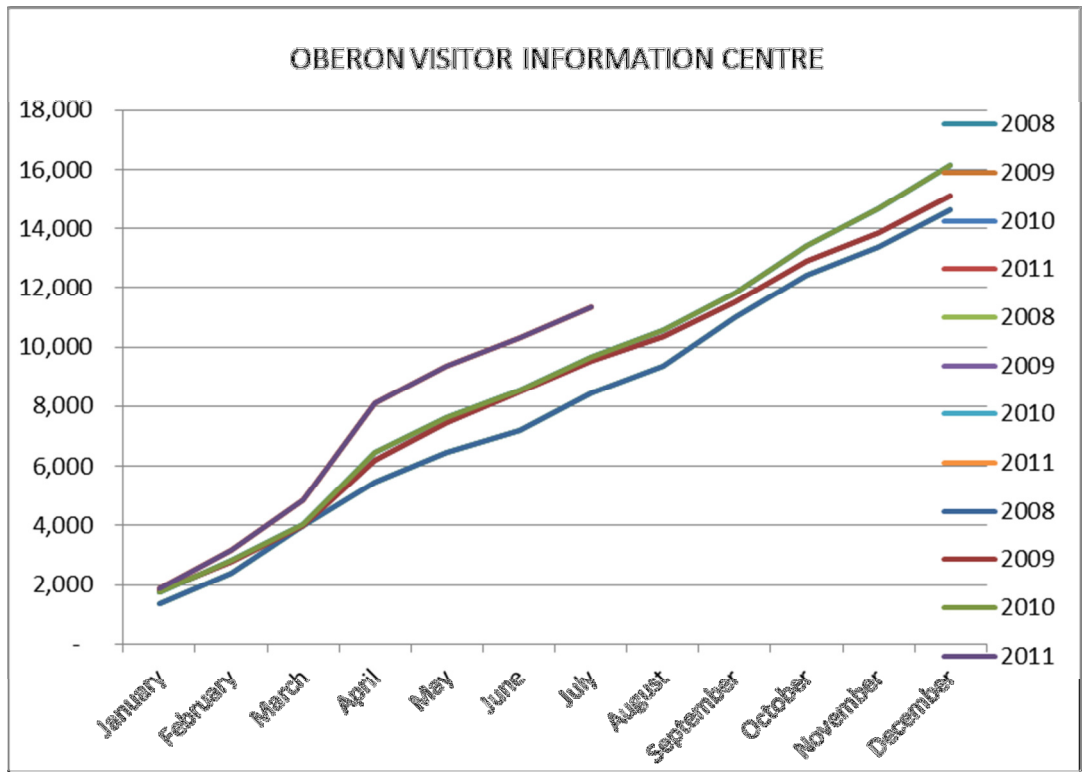
There has been one continued enquiry regarding business opportunities in June. The business proposal took a step forward with land availability and suitability being investigated.

Meetings were held with Department of Industry and Investment for further assistance and possible funding opportunities for the proposed business.

- b) Tourism
 - i. Oberon Visitor Information Centre



13.01.01_Attachment
_C_Tourism_Report_J



- ii. Tourism Events

Kanangra Classic Family Day

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

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

Letters were sent out to all Oberon LGA P and C, Schools, Sporting Clubs and Services Clubs offering the opportunity for them to participate by holding a fund raiser for their respective organisations. A public notice was place in the Oberon Review 4 July 2011 to cover any covers clubs and groups missed in the mail out.

The Minister for the Environment and Heritage requested that all National Parks within NSW conduct a series of family-oriented cycling and

mountain biking events throughout the state in October. The Kanangra Classic MTB event is now being used as a case study for NSW Sustainable Mountain Biking Strategy (National Parks and Wildlife Service).

Spring Garden Festival

Coordination of the Spring Garden festival is underway. Discussions have been successful with Falkirk Garden to open a further two weekends to link up with Mayfield Garden open weekends, to enable the festival to exist every weekend from September through to the first weekend in November.

Spring Garden Festival brochures will be printed in August.

iii. **Topical Tourism**

The Department of Fisheries are installing signage across crown lands to access fresh water fishing sites across reserves in NSW. This will happen over August to October 2011 with the Visitor Information Centre being given new brochure material.

iv. **Marketing – Publications**

The Tableland Way meeting was held on the 27 June between Oberon, Lithgow, Upper Lachlan and Goulburn-Mulwaree Councils. Positive discussions were held with regards the way forward, including the ongoing direction of the website. A meeting was then held with Stralia Web and discussed the way forward with the current website.

v. **Marketing – Media**

Jenolan Caves have launched further Social Media ventures in July, with a dedicated Blog and Podcast Series

vi. **Marketing – Consumer Shows**

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

10. Regional Matters

Access over the Blue Mountains

The matter of truck access over the Blue Mountains has been raised at the GENROC GMAC meeting and referred to the Infrastructure subcommittee for appropriate action. In addition this is being pursued at a political level with ongoing discussions planned with the State Member for Bathurst.

11. Other Matters

a) Tennis Centre

A meeting is planned with a representative from the current Tennis Centre Management Committee to discuss the way forward. At this stage the centre is planned to reopen early September 2011.

b) Community Centre Upgrade

The new extension is now open for use by the community and bookings are being taken. All electrical works are now completed including the installation of additional lights, power points, a toilet sensor light and an exhaust fan for the kitchen.

Initial quotes for storage cupboard have been received with a fixed cost quote to be provided by the preferred supplier.

Floor coverings have been ordered and will be installed after painting has been completed.

c) Realignment

The realignment is now almost completed. Outcomes have been achieved for eight of the nine affected staff. The new rosters are due to commence at the Library and Visitor Information Centre as of August 1 2011.

d) Social Media

Council officers are investigating the establishment of an Oberon Council social media presence.

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

13.01.02 General Manager Status Report

Regional Development

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

Status

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

Resolution Number - 42190711 – Aged Care Submission

That Council receive the information and table such at the next meeting of the Senior Welfare Committee for comment.

Status

The information went the Seniors Welfare Committee and the resulting resolution is included in a separate report to this meeting.

Closed

Resolution Number – 37190711 - Tasman Estate Land Offer

That the offer for sale of lot 16 in Tasman Estate be rejected. Further that the General Manager be authorised to continue negotiations with the Agent in line with the direction set by Council and should an acceptable offer be made then the General Manager is authorised to accept this on behalf of Council.

Status

Negotiations have not been fruitful and a subsequent offer has not met the expectations of Council. Unless there is an improved offer from the purchaser the matter is closed.

Closed

Resolution Number – 34190711 – Upcoming Meetings

1. That any Councillor interested in attending the LGMA and Department of Local Government Integrated Planning and Reporting Regional Workshop to be held in Dubbo on 3 August 2011 be nominated to do so.
2. That no delegate be nominated to attend the Sustainable Councils 2011 Program.

Status

Closed

Meeting with Minister for Roads

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

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

Status

No further details to date.

Resolution Number – 05190711 - Seniors Welfare Committee

That

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

Status

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

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

That:

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

Status

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

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

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

Status

Letter written – await response

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

Resolution Number – 20170511

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

Status

Noted

Resolution Number – 02170511 – Black Springs Anglican Church

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

Status

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

August update: No DA received to date.

Resolutions 11190411 and 10190411 - Community Centre Extension

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

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

Status

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

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

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

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

Status

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

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

July Update: Meeting held.

Resolution Number – 52150311 Jenolan Caravan Park Oberon

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

Status

Underway

June Update: See separate report to the June meeting.

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

Minutes from Committee Meetings

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

Status

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

Resolution Number – 30141210 - Broadband Submission

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

Status

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

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

March Update: Contacted officer requesting timeline for response.

April Update: No response to date.

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

July Update: Action with John Cobb's office.

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

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

Status

No additional progress to date.

Resolution Number – 18200610 – Motor Vehicle Policy

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

Status

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

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

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

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

Resolution Number – 35161208 – Oberon – Hazelgrove Walking Track

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

Status

Awaiting lease document approval.

Alternative access off walking track now approved for construction.

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

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

File: A1.2.1
Author: Leanne Mash
Date: 8 August 2011

13.02 Reports for Decision

Nil

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 Water Consumption Charges Refund – Account 12361261

15.01.02 Draft Land Use Strategy Briefing Update

16 Closure of Meeting

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