

OBERON COUNCIL

137 Oberon Street
PO Box 84
Oberon NSW 2787

Telephone: (02) 6329 8100
Email: council@oberon.nsw.gov.au

Oberon Council Ordinary Meeting Tuesday 17 December 2024

Commencing at 5:30 pm
To be held at the Oberon Council Chambers



OBERON

MORE THAN YOU IMAGINE

EVACUATION SIGN AND DIAGRAM

Ground Floor 137-139 Oberon Street, Oberon NSW 2787

Chubb

Defibrillator Distribution Board Carbon Dioxide Dry Chemical Powder Water First Aid Point Hose Reel Exit Alternate Evacuation Path Evacuation Path Assembly Area

Evacuation Procedures	Site Plan
<h2 style="margin: 0;">IN CASE OF FIRE</h2> <ul style="list-style-type: none"> R REMOVE people from immediate danger A ALERT people nearby and raise an alarm (Dial 000) C CONFINE fire and smoke (Close doors behind you if safe to do) E EVACUATE via the nearest emergency exit 	<p style="text-align: center;">Oberon Council Admin Building</p> <p style="text-align: center;">Oberon Street</p>

Sign Ref: AG - YAH - 2 Issue Date: 03/2021 Review Date: 03/2026 © Chubb Fire & Security PTY LTD 1300 650 182

Risk Matrix Legend

Through its Enterprise Risk Management Processes, Oberon Council has developed Risk Appetite Statements which are shown in the following table.

Category of Risk	Avoid	Resistant	Accept	Receptive
Business Continuity			PRIMARY	
Financial		PRIMARY	Secondary	
Safety	PRIMARY			
Environment	Secondary	PRIMARY		
People & Culture		Secondary	PRIMARY	
Project Performance		Secondary	PRIMARY	
Technical Complexity			PRIMARY	Secondary
Public Image and Reputation		PRIMARY	Secondary	
Assets & Infrastructure		Secondary	PRIMARY	
Governance	PRIMARY			
Service Delivery			PRIMARY	

Risk Appetite Scale

AVOID (little-to-no appetite) Avoidance of risk and uncertainty is key to achieving objectives	1	AVERSE (small appetite) Prefer safe options with little risk of adverse exposure	2	ACCEPT (medium appetite) Consider all options and choose most likely for successful delivery with reasonable degree of protection	3	RECEPTIVE (large appetite) Will engage with risks and opportunities when the potential benefit is great	4
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Each risk is evaluated in terms of potential loss, likelihood of occurrence and the effectiveness of controls in place to manage the risks according to the criteria set out below:

Likelihood	Impact	Negligible	Minor	Moderate	Major	Extreme
Almost Certain		Low	Medium	High	Extreme	Extreme
Likely		Low	Medium	Medium	High	Extreme
Possible		Low	Low	Medium	High	High
Unlikely		Low	Low	Low	Medium	High
Rare		Low	Low	Low	Medium	High

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1 OPENING OF MEETING

The Mayor will welcome members and declare the meeting open.

The meeting will be livestreamed via Teams webinar facilities.

Recordings of Council Meetings or parts thereof cannot be copied, recorded, reproduced, reused or transmitted without the prior written consent of the General Manager. The meeting is being recorded and will be made publicly available on Council's website. Persons attending the meeting should refrain from making any defamatory statements.

2 ACKNOWLEDGEMENT OF COUNTRY

Council acknowledges that this meeting is being held on the traditional lands of the Wiradjuri, Gundungurra and Dharug People, and respects the history and culture of the elders both past and present.

3 PRAYER

The Meeting will be opened in prayer.

4 RECORD OF ATTENDANCE

Members	Mayor Andrew McKibbin (Chair) Deputy Mayor Katie Graham Clr Anthony Alevras Clr Helen Hayden Clr Clive McCarthy Clr Frank O'Connor Clr Jill O'Grady Clr Lauren Trembath Clr Ian Tucker
Staff	Gary Wallace, General Manager Damian O'Shannassy, Planning and Development Director Mathew Webb, Corporate Services Director Dr Cornelia Wiebels, Technical Services Director Sharon Swannell, Executive Coordinator
Leave of Absence	Nil

5 DECLARATIONS OF INTEREST

A GUIDE TO ETHICAL DECISION-MAKING

(Provided by the Independent Commission Against Corruption)

- Is the decision or conduct legal?
- Is it consistent with Government policy, Council's objectives and code of conduct?
- What will the outcome be for you, your colleagues, the Council, anyone else?
- Does it raise a conflict of interest?
- Do you stand to gain personally at public expense?
- Can the decision be justified in terms of public interest?
- Would it withstand public scrutiny?

A conflict of interest is a clash between private interest and public duty. There are two types of conflict:

- Pecuniary – regulated by the Local Government Act and Department of Local Government
- Non-pecuniary – regulated by codes of conduct and policy. ICAC, Ombudsman, Department of Local Government (advice only)

The test for conflict of interest:

- Is it likely I could be influenced by personal interest in carrying out my public duty?
- Would a fair and reasonable person believe I could be so influenced?
- Conflict of interest is closely tied to the layperson's definition of "corruption" – using public office for private gain
- Important to consider public perceptions of whether you have a conflict of interest

Identifying problems

- 1st Do I have private interests affected by a matter I am officially involved in?
- 2nd Is my official role one of influence or perceived influence over the matter?
- 3rd Do my private interest's conflict with my official role?

Whilst seeking advice is generally useful, the ultimate decision rests with the person concerned.

When making a Declaration of Interest the reason for making the declaration should be clearly stated. Pecuniary and Non-Pecuniary Significant Interests should be managed by leaving the room while the matter is considered.

Pecuniary -
Non-Pecuniary Significant -
Non-Pecuniary Less than Significant -

6 PRESENTATIONS

Nil

7 QUESTIONS FROM THE PUBLIC

The public gallery is open to members of the community. The community is to be given the opportunity to ask questions at the commencement of the council meeting, and the Mayor is to ask for questions from the gallery prior to the commencement of the ordinary meeting.

Members of the public wishing to address Council are permitted to do so provided the following guidelines are adhered to:

1. The person asking the question at the Council meeting must clearly state their name and in what capacity they are acting.
2. If the person asking the questions is acting as another person/organisation's agent, they must advise Council if they have their prior consent/authority.

Questions from the public is not an opportunity for debate with elected representatives or staff, it is an opportunity for the community to ask a question in relation to an issue or put a point of view relating to an issue that may be causing interest or concern. Due to time constraints a time frame of three minutes per speaker is allocated. All questions and comments must be directed through the Mayor and in the instance of a question, if it cannot be answered it will be taken on notice and a response given within a reasonable period. This is the only opportunity for a community member to address Council during an Ordinary Meeting.

None received.

8 CONFIRMATION OF MINUTES

8.1 Extraordinary Meeting 7 November 2024
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Attached is the Minutes of the Extraordinary Council Meeting held on 7 November 2024.

Recommendation:

That the Minutes of the Extraordinary Meeting held on 7 November 2024 be confirmed.

Matters Arising from the Minutes

Nil



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Unconfirmed Minutes
Oberon Council Extraordinary Meeting
Thursday 7 November 2024

Commencing at 2:00 pm
Held at the Oberon Council Chambers



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1 OPENING OF MEETING AND ACKNOWLEDGEMENT OF COUNTRY

The Mayor welcomed members and declared the meeting open at 2.00pm.

The meeting was livestreamed via Teams webinar facilities. Recordings of Council Meetings or parts thereof cannot be copied, recorded, reproduced, reused or transmitted without the prior written consent of the General Manager. The meeting is being recorded and made publicly available on Council's website and persons attending the meeting should refrain from making any defamatory statements.

2 RECORD OF ATTENDANCE

Members	Mayor Andrew McKibbin (Chair) Deputy Mayor Katie Graham Clr Anthony Alevras Clr Helen Hayden Clr Clive McCarthy Clr Frank O'Connor Clr Jill O'Grady Clr Lauren Trembath Clr Ian Tucker
Staff	Gary Wallace, General Manager Mathew Webb, Corporate Services Director Dr Cornelia Wiebels, Technical Services Director Sharon Swannell, Governance and Executive Manager
Apologies	Damian O'Shannassy, Planning and Development Director

3 DECLARATIONS OF INTEREST

Pecuniary	- Nil
Non-Pecuniary Significant	- Nil
Non-Pecuniary Less than Significant	- Nil

4 CONFIRMATION OF MINUTES

Nil

5 REPORTS FOR DECISION

5.1	Delegates to External Organisations and Appointment of Council Committees
File No:	Governance/Meetings/Committees General
Author:	Gary Wallace (General Manager), Damian O'Shannassy (Planning and Development Director), Mathew Webb (Corporate Services Director)

Summary

Following the recent Local Government Election, Council is required to appoint its delegates to a number of external organisations. In most cases the Mayor is automatically designated as a delegate representing Council.

There are a number of Section 355 Committees and other Council Committees. This report also seeks the confirmation of the Councillor appointments to these Committees.

Moved: Clr McKibbin

Second: Clr Trembath

That Council move into Committee of the Whole at 2.02pm.

Carried - Resolution No: 1 - 7/11/2024

Division

Votes for: Clr McKibbin, Clr Graham, Clr O'Connor, Clr O'Grady, Clr Hayden, Clr Alevras, Clr McCarthy, Clr Trembath and Clr Tucker

Votes against: Nil

Moved: Clr Hayden

Second: Clr Tucker

That Council move out of Committee of the Whole and resume the Ordinary Meeting of Council at 2.55pm

Carried - Resolution No: 2 - 7/11/2024

Division

Votes for: Clr McKibbin, Clr Graham, Clr O'Connor, Clr O'Grady, Clr Hayden, Clr Alevras, Clr McCarthy, Clr Trembath and Clr Tucker

Votes against: Nil

Moved: Clr McKibbin
Second: Clr O'Connor

That the Works Working Party be the whole of Council.

Amendment

Moved: Clr McCarthy
Second: Clr Hayden

That Council return to holding a full Works Committee Meeting which includes the whole of Council.

The amendment was put and lost. The original motion stands.

Moved: Clr McKibbin
Second: Clr O'Connor

That the Works Working Party be the whole of Council.

Carried - Resolution No: 3 - 7/11/2024

Division

Votes for: Clr McKibbin, Clr Graham, Clr O'Connor, Clr O'Grady, Clr Hayden, Clr Alevras, Clr McCarthy, Clr Trembath and Clr Tucker

Votes against: Nil

The General Manager advised that Councillor Jill O'Grady; Councillor Clive McCarthy; Councillor Lauren Trembath and Councillor Helen Hayden have nominated to be appointed to the Joint Regional Planning Panel.

Moved: Clr Hayden
Second: Clr Tucker

That the vote for the Joint Regional Planning Panel positions be held by preferential secret ballot.

Carried - Resolution No: 4 - 7/11/2024

Division

Votes for: Clr McKibbin, Clr Graham, Clr O'Connor, Clr O'Grady, Clr Hayden, Clr Alevras, Clr McCarthy, Clr Trembath and Clr Tucker

Votes against: Nil

The General Manager conducted the secret ballot and advised that the Delegates appointed to the Joint Regional Planning Panels are Councillor Lauren Trembath and Council Clive McCarthy and the Alternate Delegate is Councillor Jill O'Grady.

Moved: Clr Hayden
Second: Clr Trembath

That:

1. Council confirm its appointment of Councillor Delegates to external organisations, noting the Joint Regional Planning Panel delegates to be appointed by secret ballot.
2. Council confirm its appointments and Chair of the Section 355 Committees; and make appointments to other Council Committees, Community Committees and Working Parties for a period of 2 years as follows:

Oberon Council - Delegates to External Organisations

External Organisation	Appointed Delegate
Arts OutWest	Fran Charge
Ben Chifley Catchment Management Steering Committee	Clr Frank O'Connor (Delegate) Clr Helen Hayden (Alternate Delegate)
Black Springs Community Association	Clr Clive McCarthy (Delegate) Clr Helen Hayden (Alternate Delegate)
Burruga and District Community Association	Mayor Andrew McKibbin – automatic delegate Clr Helen Hayden (Alternate Delegate)
Central NSW Joint Organisation	Mayor and General Manager
Central West Forestry Hub	Mayor and General Manager
Country Mayors Association	Mayor and General Manager The Deputy Mayor or delegate is automatically the alternate delegate
Joint Regional Planning Panel	Clr Lauren Trembath Clr Clive McCarthy Clr Jill O'Grady (Alternate Delegate)
Local Government NSW Non-Rateable Land Working Party	Clr Helen Hayden Clr Frank O'Connor
Mining and Energy Related Councils NSW	Mayor and GM automatic delegates Clr Helen Hayden (Alternate Delegate)
NSW Public Libraries Association Authorised Elective Representative	Clr Lauren Trembath
Oberon Arts Council	Deputy Mayor Katie Graham Clr Frank O'Connor (Alternate Delegate)
Oberon Business and Tourism Association (OBTA)	Clr Helen Hayden Clr Lauren Trembath (Alternate Delegate)
Oberon Quarries Extension Project Community Consultative Committee	Clr Ian Tucker Clr Lauren Trembath (Alternate Delegate)
Oberon Timber Complex Community Consultative Committee Meeting	Clr Tony Alevras Clr Lauren Trembath Clr Frank O'Connor
O'Connell Valley Community Group	Clr Lauren Trembath Clr Tony Alevras (Alternate Delegate)

External Organisation	Appointed Delegate
Pine Hill Quarries Community Consultative	Clr Clive McCarthy Clr Tony Alevras (Alternate Delegate)
Rural Fire Service Chifley Zone Liaison Committee	Clr Jill O'Grady Clr Clive McCarthy
Upper Macquarie County Council (trading as Central Tablelands Weeds Authority)	Clr Jill O'Grady Mayor Andrew McKibbin

Oberon Council's Section 355 Committees

Internal Committee	Councillor Delegates
Black Springs Hall Committee	Clr Helen Hayden (Chair) Clr Jill O'Grady
Community Services Committee	Deputy Mayor Katie Graham (Chair) Clr Helen Hayden
Heritage Committee	Clr Lauren Trembath (Chair) Clr Helen Hayden
Hazelgrove Public School Reserve Committee	Clr Helen Hayden (Chair)
Oberon Sports Facilities Committee	Deputy Mayor Katie Graham (Chair) Clr Tony Alevras Clr Frank O'Connor Clr Clive McCarthy

Oberon Council's Statutory Committees

Internal Committee	Councillor Delegates
Audit, Risk and Improvement Committee (ARIC)	Clr Ian Tucker Clr Tony Alevras (Alternate Delegate if TOR's amended)
Finance Committee (Extraordinary Council Meeting)	Whole of Council
Local Emergency Management Committee (LEMC)	Nil required
Traffic Advisory Local Committee (TALC)	Clr Ian Tucker Clr Lauren Trembath (Alternate Delegate)

Oberon Council's Advisory & Working Parties

Internal Group	Interested Councillor
Australia Day Working Party	Mayor Andrew McKibbin Clr Lauren Trembath
Cemetery Headstone Maintenance Committee	Clr Helen Hayden
Oberon Common Working Party	Clr Tony Alevras Clr Helen Hayden Clr Katie Graham Clr Clive McCarthy

Oberon Youth Council	Not currently active
Oberon Independent Living Units Panel	Clr Lauren Trembath Clr Katie Graham Clr Clive McCarthy
Oberon Sewer Projects Working Party	Clr Tony Alevras Clr Ian Tucker Clr Frank O'Connor Mayor Andrew McKibbin
Oberon Sports Complex Working Party	Clr Tony Alevras Clr Clive McCarthy Clr Lauren Trembath
Works Working Party	Whole of Council

Carried - Resolution No: 5 - 7/11/2024

Division

Votes for: Clr McKibbin, Clr Graham, Clr O'Connor, Clr O'Grady, Clr Hayden, Clr Alevras, Clr McCarthy, Clr Trembath and Clr Tucker

Votes against: Nil

Moved: Clr Hayden

Second: Clr O'Connor

That delegates to all internal and external committees are to provide a delegates report to Council.

Lost

Division

Votes for: Clr O'Connor, Clr Hayden, Clr Alevras and Clr Trembath

Votes against: Clr McKibbin, Clr Graham, Clr O'Grady, Clr McCarthy and Clr Tucker

6 CLOSED SESSION - CONFIDENTIAL REPORTS

Nil

7 CLOSURE OF MEETING

The Mayor declared the meeting closed at 3.13pm.

8.2	Ordinary Meeting 12 November 2024
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Attached is the Minutes of the Ordinary Council Meeting held on 12 November 2024.

Recommendation:

That the Minutes of the Ordinary Meeting held on 12 November 2024 be confirmed.

Matters Arising from the Minutes

Nil



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PO Box 84
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Unconfirmed Minutes
Oberon Council Ordinary Meeting
Tuesday 12 November 2024

Commencing at 5:30 pm
Held at the Oberon Council Chambers



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1 OPENING OF MEETING

The Mayor welcomed members and declared the meeting open at 5.31pm.

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2 ACKNOWLEDGEMENT OF COUNTRY

Council acknowledges that this meeting is being held on the traditional lands of the Wiradjuri, Gundungurra and Dharug People, and respects the history and culture of the elders both past and present.

3 PRAYER

The Meeting was opened in prayer by David Walther on behalf of the Oberon Uniting Church.

4 RECORD OF ATTENDANCE

Members	Mayor Andrew McKibbin Deputy Mayor Katie Graham Clr Anthony Alevras Clr Helen Hayden Clr Clive McCarthy Clr Frank O'Connor Clr Jill O'Grady Clr Lauren Trembath Clr Ian Tucker
Staff	Damian O'Shannassy, Planning and Development Director Mathew Webb, Corporate Services Director Dr Cornelia Wiebels, Technical Services Director Sharon Swannell, Governance and Executive Manager
Apology	Gary Wallace, General Manager

5 DECLARATIONS OF INTEREST

Pecuniary	- Nil
Non-Pecuniary Significant	- Nil
Non-Pecuniary Less than Significant	- Nil

6 PRESENTATIONS

Nil

7 QUESTIONS FROM THE PUBLIC

Good evening, Councillors and Mayor McKibbin. My name is Riley Scanlan, and this is Ellie Hall, and we are the proud captains of O'Connell Public School. We are here tonight to talk on behalf of our school to express our strong support for the proposed footpath connecting the bridge to the Recreation Ground. We understand there has been a motion regarding the redirection of funds away from this vital project, and we wish to highlight the importance of this path for our school community.

The motion states that the footpath "is a waste of taxpayers money as it goes nowhere". We disagree with this statement. The footpath does in fact run between Hassall Park and the O'Connell Recreation Ground. Once there, community members can continue on the footpath along the Avenue to the cafe and hotel.

The footpath will be essential for our students, as it will facilitate safe access to the Recreation Ground for weekly sports, training sessions, and special events. Currently, the absence of a direct route limits our ability to utilise this important community resource effectively.

Ellie Hall, O'Connell Public School - In light of these benefits, we urge the Council to reconsider any motions that may redirect funds away from this necessary footpath project. Its completion will not only enhance the safety and well-being of our students but also promote greater community connectivity.

Thank you for considering our request. We appreciate your attention to this matter and look forward to your continued support in enhancing our community's infrastructure.

With the proposed path, we envision a more efficient means of transporting our students to the Recreation Ground, either by walking or riding. Currently we need to take eight return bus trips to relocate students to the Recreation Ground, taking over an hour to do so. In the absence of a pedestrian bridge, we are able to ferry students across the bridge by bus in around 15min. Once they arrive at Hassall Park, they will have a safe and accessible route to walk to their sporting activities.

It should also be noted that Hassall Park and indeed the Recreation Ground are secondary evacuation points for the school, and depending on the emergency, may be required to move students from one to the other.

Additionally, we are aware that Transport for NSW is actively working on the pedestrian bridge project. Once completed, the footpath will enhance accessibility to the Recreation Ground, making it even easier for our students and the wider community to enjoy these facilities. It will also create a vital link between Hassall Park, the Recreation Ground and the O'Connell cafe and hotel, encouraging greater community engagement and activity.

Trish Forsythe, Principal, O'Connell Public School and Chairperson O'Connell Valley Community Group addressed Council. In relation to the issue of safety was mentioned tonight prior to the meeting on children moving along a footpath on such a busy road. That has been taken into consideration with the initial studies of the traffic. Also, whenever the children leave school grounds a Risk Assessment is undertaken. The moving of students on such a road would require a risk assessment where there are staff at the beginning and end of student movements. We feel that as such they would walk or ride along in a very safe manner and we don't consider there to be any risks with that once it is built. Getting to and from school we have a number of children who would like to walk the whole way or part of the way and a number of our children are dropped off at the O'Connell Hotel at 8.00am and having that continuation of a path once the pedestrian bridge is built would mean that children could either walk or ride to school with either their parents or older siblings.

Irene Bishop, I live at 14 Prince Street adjoining Edith Road opposite the entrance to The Common on Edith Road.

I am lodging a complaint about the lack of maintenance to the embankment on Edith Road, which is very overgrown with tall grass, thistle small shrubs and trees. Last year when maintaining the area, the council poisoned most of that embankment off making it unsightly, very dry with the potential of being a real fire hazard.

This area had project budgeting for a sandstone wall the same as in The Common and on other main entrances into our town I am aware the contractor that did the other work has retired but that was two years ago There is a local stone mason now living in Edith. This embankment was maintained on a regular basis until two years ago.

I have contacted the council on many occasions for the bank to be cleared and made safe With the beautifully manicured Common on one side of the road the embankment on the other side is not only unacceptable, also a fire hazard and in the middle of town.

Today I was informed to maintain the embankment is now a safety issue, I would expect any safety issues would be addressed. As this road is one of our main entrances to our town from Goulburn, I believe it should be a priority with the increased tourism.

Over a period of time and effect to bring this matter to your attention it has proven difficult. A more timely response would be expected.

The Mayor advised this would be taken on notice and Council will respond with a plan of action of what we intend doing. You will appreciate to build a stone wall is quite expensive.

8 CONFIRMATION OF MINUTES

8.1 Ordinary Meeting 15 October 2024

Moved: Clr Hayden
Second: Clr Trembath

That the Minutes of the Ordinary Meeting held on 15 October 2024 be confirmed.

Matters Arising from the Minutes

Nil

Carried - Resolution No: 1 - 12/11/2024

Division

Votes for: Clr McKibbin, Clr Alevras, Clr Graham, Clr Hayden, Clr McCarthy, Clr O'Connor, Clr O'Grady, Clr Trembath and Clr Tucker

Votes against: Nil

9 MAYORAL MINUTE AND REPORT

9.1	Mayoral Minute and Report - November 2024
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File No:	Governance/Mayor/General
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Author:	Mayor Andrew McKibbin
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Summary

This report summarises the main activity for the Mayor since my election to the role of Mayor at the 15 October 2024 Ordinary Meeting.

Moved: Clr McKibbin

Second: Clr Hayden

That Report Item 09.01 is received as information.

Carried - Resolution No: 2 - 12/11/2024

Division

Votes for: Clr McKibbin, Clr Alevras, Clr Graham, Clr Hayden, Clr McCarthy, Clr O'Connor, Clr O'Grady, Clr Trembath and Clr Tucker

Votes against: Nil

10 NOTICES OF MOTION

10.1	Abercrombie Road Repairs - Request for Report
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File No:	Governance/Meetings/Ordinary
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Author:	Clr Clive McCarthy
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Moved: Clr McCarthy

Second: Clr O'Connor

That Council receive a full report to the December Ordinary Meeting, regarding the roadworks on Abercrombie Road, including the funding source for the repairs.

Carried - Resolution No: 3 - 12/11/2024

Division

Votes for: Clr McKibbin, Clr Alevras, Clr Graham, Clr Hayden, Clr McCarthy, Clr O'Connor, Clr O'Grady, Clr Trembath and Clr Tucker
Votes against: Nil

10.2	Well Planned Windfarm Providing a Positive Contribution to the Oberon Community and Environment
File No:	Governance/Meetings/Ordinary
Author:	Clr Frank O'Connor

Moved: Clr O'Connor
Second: Clr O'Grady

That Oberon Council write to Stromlo/TAG Energy and Forestry Corporation, requesting that the proposed wind farm development will comply with all aspects of our Councils and communities Development Control Plan – Wind Power Generation 2005.

Carried - Resolution No: 4 - 12/11/2024

Division

Votes for: Clr McKibbin, Clr Graham, Clr McCarthy, Clr O'Connor, Clr O'Grady, Clr Trembath and Clr Tucker
Votes against: Clr Alevras and Clr Hayden

10.3	Proposed Heritage Listing of The O'Connell First World War Memorial Avenue of Trees
File No:	Governance/Meetings/Ordinary
Author:	Clr Frank O'Connor

Moved: Clr McCarthy
Second: {second}

That the motion be dealt with in three separate parts.

The motion lapsed for want of a seconder

Moved: Clr O'Connor
Second: Clr O'Grady

That Council bring a report back to the December 2024 Ordinary Meeting on the recommendations endorsed at the June 2024 Extraordinary meeting:

1. *"Update the draft State Heritage Inventory Sheet for the Avenue of Trees at O'Connell (ref 2210207)", including a timeline for completion.*
2. *"Prepare a Planning Proposal for the individual listing of the Avenue of Trees at O'Connell as a local item for inclusion in Schedule 5 of the Oberon LEP 2013", including a timeline for completion.*

3. *“Advise the local community in O’Connell to consider liaising with Heritage NSW, based on the State level assessment of the 1998 CMP, with a longer-term view of nominating the Avenue of Trees for inclusion separately on the State Heritage Register”.*

Carried - Resolution No: 5 - 12/11/2024

Division

Votes for: Clr McKibbin, Clr Alevras, Clr Graham, Clr O’Connor, Clr O’Grady, Clr Trembath and Clr Tucker

Votes against: Clr Hayden and Clr McCarthy

10.4	TAG Energy, Stromlo Energy and NSW Forestry
File No:	Governance/Meetings/Ordinary
Author:	Clr Trembath

Moved: Clr Hayden
Second: Clr McCarthy

That Council request permission from Stromlo/Tag that any future meetings with Council be conducted and recorded via livestream for community access via Teams webcasting.

Lost

Division

Votes for: Clr Hayden
Votes against: Clr McKibbin, Clr Alevras, Clr Graham, Clr McCarthy, Clr O’Connor, Clr O’Grady, Clr Trembath and Clr Tucker

Foreshadowed Motion

Moved: Clr O’Connor
Second: Clr Trembath

That Council:

1. Invite Stromlo Energy, TAG Energy and Forestry Corporation to bi-monthly meetings to keep Council up to date with The Pines Windfarm Project on the basis that:
 - a. Record the meetings using webinar facilities.
 - b. Livestream the meetings via Teams for the community to watch online only.
 - c. Diarise the meetings via the Council website.

Carried - Resolution No: 6 - 12/11/2024

Division

Votes for: Clr McKibbin, Clr Alevras, Clr Graham, Clr McCarthy, Clr O’Connor, Clr O’Grady, Clr Trembath and Clr Tucker

Votes against: Clr Hayden

10.5 Active Transport Strategy - O'Connell Footpath

File No: Governance/Meetings/Ordinary

Author: Clr Helen Hayden

Moved: Clr Hayden

Second: Clr Tucker

That Council review the Active Transport Strategy for Oberon, O'Connell and the broader Local Government Area.

1. Review and Update:

- Initiate a comprehensive review of the Active Transport Strategy for Oberon, O'Connell, and the broader LGA.
- Assess changes in local dynamics, population growth, and infrastructure developments since 2016.

2. Proposed Footpath:

- Evaluate the proposed footpath from O'Connell Recreation Ground to Fish River Bridge.
- Investigate contribution from Bathurst Regional Council in relation to infrastructure from Fish River Bridge to O'Connell Public School (Bathurst LGA).
- Highlight that the current lack of a crossing at Fish River Bridge renders the footpath a waste of taxpayer funding as it goes nowhere.
- Contact Transport NSW regarding the current funding to see if the grant can be redirected to other similar projects within the Oberon LGA.

3. Community Engagement:

- Implement a broad and extensive community engagement plan to gather input from residents, businesses, and stakeholders across the LGA.
- Utilise surveys, public meetings, and online platforms to ensure diverse and inclusive participation.

4. Consideration of Other Villages:

- Assess the needs of residents in Edith, Black Springs, Burruga, and other villages regarding footpaths, walking tracks, and accessible community areas.
- Incorporate feedback and suggestions from these communities into the updated strategy.

5. Reporting and Implementation:

- Prepare a detailed report with findings and recommendations.
- Develop an implementation plan with clear timelines and responsibilities.

Amendment

Moved: Clr Trembath

Second: Clr Graham

That Council review the Active Transport Strategy for Oberon Local Government Area including:

- Assess changes in local dynamics, population growth, and infrastructure developments since 2016.

2. Seek funding opportunities via grant funding to support the review.

The Amendment was put and won, the Amendment becomes the Motion.

Moved: Clr Trembath
Second: Clr O'Connor

That Council review the Active Transport Strategy for Oberon Local Government Area including:

- Assess changes in local dynamics, population growth, and infrastructure developments since 2016.

2. Seek funding opportunities via grant funding to support the review.

Carried - Resolution No: 7 - 12/11/2024

Division

Votes for: Clr McKibbin, Clr Alevras, Clr Graham, Clr Hayden, Clr McCarthy, Clr O'Connor, Clr O'Grady, Clr Trembath and Clr Tucker

Votes against: Nil

10.6	Black Springs Recreation Reserve
File No:	Governance/Meetings/Ordinary
Author:	Clr Helen Hayden

Moved: Clr Hayden
Second: Clr Tucker

A report be provided to the December Meeting about the cost to remove blackberry and woody weed infestation at Black Springs Recreation Reserve.

Carried - Resolution No: 8 - 12/11/2024

Division

Votes for: Clr McKibbin, Clr Alevras, Clr Graham, Clr Hayden, Clr McCarthy, Clr O'Connor, Clr O'Grady, Clr Trembath and Clr Tucker

Votes against: Nil

11 COUNCILLOR AND DELEGATES REPORTS

11.1	Oberon Arts Council Meeting - 19 September 2024
File No:	Governance/Meetings/Ordinary
Author:	Clr Katie Graham

Summary

The Oberon Arts Council meeting was held on Thursday 19 September 2024. Councillor Katie Graham attended as the Council's delegate.

Moved: Clr Graham
Second: Clr Trembath

That Council receive and note the delegates report for the Oberon Arts Council meeting held on 19 September 2024.

Carried - Resolution No: 9 - 12/11/2024

Division

Votes for: Clr McKibbin, Clr Alevras, Clr Graham, Clr Hayden, Clr McCarthy, Clr O'Connor, Clr O'Grady, Clr Trembath and Clr Tucker

Votes against: Nil

12 COMMITTEE REPORTS

Nil

13 REPORTS FOR DECISION

13.1	Rural Fire Service - Oberon Station
File No:	Tech Serv/Emergency Services/Bush Fire Sheds
Author:	Gary Wallace (General Manager), Mathew Webb (Corporate Services Director), Dr Cornelia Wiebels (Technical Services Director)

Summary

The NSW Rural Fire Service (RFS) is seeking to construct a new, modern fire station, forward command and training complex in Oberon. This facility would replace the existing Council owned facility located next to the Oberon Council Depot and SES.

Moved: Clr Hayden
Second: Clr McCarthy

That Council:

1. Provide in principle support to the NSW RFS to allow for a grant application to be prepared for the construction of a new Fire Station.
2. Delegate authority to the General Manager to identify the parcel of land and the land area required and provide a report back to Council for determination for Council to make a decision to adequately assist the lodgement of a grant application.
3. A further report be provided to Council should it be necessary for a grant application.

Carried - Resolution No: 10 - 12/11/2024

Division

Votes for: Clr McKibbin, Clr Alevras, Clr Graham, Clr Hayden, Clr McCarthy, Clr O'Connor, Clr O'Grady, Clr Trembath and Clr Tucker

Votes against: Nil

13.2 Playground Risk Assessment Further Report

File No: TS/Parks and Reserves/Playgrounds

Author: Geoff Paton (Works Engineer)

Summary

Previously Council resolved to receive a further report in relation to compliance of its playground equipment with current day standards. This report provides options, including cost estimates, and staff recommendations to address the advice received from independent experts in relation to Council's playgrounds. The importance of this report has been elevated by comments made by Councils Audit Risk and Improvement Committee (ARIC).

Moved: Clr Tucker

Second: Clr Hayden

1. That the playground equipment at Glyndwr Avenue (north) be removed and the area made good.
2. That the status of Hassall Park and who is responsible for its maintenance be investigated, and discussions be held with TfNSW in relation to upgrading the playground equipment to ensure compliance with safety standards.
3. That repairs and maintenance to the playgrounds at Black Springs Recreation Ground and Burruga Park be carried out using the Parks and Gardens maintenance budget.
4. That replenishment of the softfall at parks other than the Common be carried out where required using the Parks and Gardens maintenance budget, and that the provision of softfall barriers be deferred until after safety upgrades have been completed.
5. That the TI Legacy Fund and the Local Small Commitment Allocation Program funds be used to carry out improvements as set out in the report, at Buckley Crescent, Cunynghame Oval, Herb David Park, The Common, and the Pool Playground.
6. That the playground equipment remain barricaded and unusable until further funds are available to upgrade them to comply with safety standards at Armstrong Place, Bligh St, Glyndwr Ave (south) and Miss Wilson Park

Lost

Division

Votes for: Clr Alevras, Clr Hayden, Clr McCarthy and Clr Tucker

Votes against: Clr McKibbin, Clr Graham, Clr O'Connor, Clr O'Grady and Clr Trembath

13.3 BreastScreen Mobile Van Transport Subsidy

File No: OD/Community Relations/Planning & Requests

Author: Dr Cornelia Wiebels (Technical Services Director), Mathew Webb (Corporate Services Director)

Summary

BreastScreen NSW offers free mammograms to Oberon residents through a mobile van service available locally every two years. Currently, Oberon Council supports this initiative by providing

parking and electricity. BreastScreen NSW has now requested additional support from Council to cover the transportation of the mobile van to Oberon.

Moved: Clr McCarthy

Second: Clr Tucker

That Council

1. Supports the BreastScreen NSW mobile van visit by transporting the van from Gulgong to Oberon.
2. Sources the plant hire cost from the Community Services budget.

Carried - Resolution No: 11 - 12/11/2024

Division

Votes for: Clr McKibbin, Clr Alevras, Clr Graham, Clr McCarthy, Clr O'Connor, Clr O'Grady, Clr Trembath and Clr Tucker

Votes against: Clr Hayden

13.4 Council Fees and Charges - Mixed Builders Waste Charges

File No: TS/Waste Management/Fees and Charges

Author: Dani Bradshaw (Change Management Analyst), Dr Cornelia Wiebels (Technical Services Director)
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Summary

In preparing for the installation of a weighbridge and consolidating fees at the Oberon Waste Facility, the fee for mixed builders' waste was unintentionally omitted. On average, one cubic meter of mixed builders' waste is equivalent to one tonne, and the processing cost at the facility is approximately \$110 per tonne. It is proposed to introduce a fee of \$110 per cubic meter for mixed builders' waste, which will be put on public exhibition for 28 days.

Moved: Clr Hayden

Second: Clr Alevras

That Council:

1. Place the proposed Mixed Builders Waste Fee of \$110 per cubic meter on public exhibition for 28 days and submissions be invited during that period.
2. It should be noted as part of the public exhibition period that a change to the mixed builders waste may occur following the installation of a weighbridge and following the transition period.
3. If no submissions are received within the exhibition period, the proposed fee be adopted as presented.

Carried - Resolution No: 12 - 12/11/2024

Division

Votes for: Clr McKibbin, Clr Alevras, Clr Graham, Clr Hayden, Clr McCarthy, Clr O'Connor, Clr O'Grady, Clr Trembath and Clr Tucker
Votes against: Nil

13.5	DA10.2023.54.2 - 2 Fleming Street, Oberon - DCP variation - front setback
File No:	DA10.2023.54.2
Author:	Mark Hitchenson (Consultant Town Planner), Damian O'Shannassy (Planning and Development Director)

Summary

Council has received a Modification Application (DA10.2023.54.2) for alterations to the Essential Energy Depot at 2 Fleming Street, Oberon. The modification seeks to relocate an existing carport on the site. The carport will also be raised in height by up to 800mm with leg extensions to allow a forklift to fit under the structure.

Key Issue

The development does not comply with the 6m front setback requirement for commercial and industrial development in the Oberon Development Control Plan 2001. The carport is currently located with a setback to Fleming Street of 8.7m. The new location of the carport will have a 1.5m setback to Fleming Street. The DA was notified from 9 October 2024 to 23 October 2024 with no submissions received.

The proposal is considered acceptable despite the DCP variation.

Clr Hayden left the meeting at 8:03pm during consideration of report item 13.5.

Moved: Clr Hayden
Second: Clr Tucker

That Council:

1. Vary Part D.4.1 – “Building Setback” of its current DCP 2001 in relation to Development Application DA10.2023.54.2 for alterations to Depot construction of a shed at Lot 30 in DP 740674 being known as 2 Fleming Street, Oberon.
2. A division be called in accordance with Section 375A of the Local Government Act 1993.

Carried - Resolution No: 13 - 12/11/2024

Division

Votes for: Clr McKibbin, Clr Alevras, Clr Graham, Clr McCarthy, Clr O'Connor, Clr O'Grady, Clr Trembath and Clr Tucker
Votes against: Nil

13.7 Local Government Remuneration Tribunal 2025 Review

File No: OD/Governance/Councillors
Author: Gary Wallace (General Manager)

Summary

The Local Government Remuneration Tribunal (the Tribunal) determines an increase for mayoral and councillor fees each year in accordance with Sections 248 and 249 of the Local Government Act. The Tribunal has commenced its review for the 2025 annual determination.

Clr Hayden returned to the meeting at 8:07 pm.

Moved: Clr Trembath
Second: Clr O'Grady

That Councillors provide any comments relating to the Local Government Remuneration Tribunal review of mayoral and councillor fees to the General Manager by 10 December 2024 to allow time for a submission to be prepared.

Carried - Resolution No: 15 - 12/11/2024

Division

Votes for: Clr McKibbin, Clr Alevras, Clr Graham, Clr Hayden, Clr McCarthy, Clr O'Connor, Clr O'Grady, Clr Trembath and Clr Tucker
Votes against: Nil

13.6 State of the Shire Report

File No: OD/IP & R
Author: Gary Wallace (General Manager), Sharon Swannell (Governance and Executive Manager)

Summary

Councils are required to develop a State of the Shire report and present it to the second meeting of a newly elected Council for noting.

Moved: Clr Tucker
Second: Clr Trembath

That Council note the 2024 State of the Shire Report as presented.

Carried - Resolution No: 14 - 12/11/2024

Division

Votes for: Clr McKibbin, Clr Alevras, Clr Graham, Clr McCarthy, Clr O'Connor, Clr O'Grady, Clr Trembath and Clr Tucker
Votes against: Nil

14 REPORTS FOR INFORMATION

14.1 Monthly Activity Report General Manager - November 2024

File No: Governance/Meetings/Ordinary

Author: Gary Wallace (General Manager), Rebecca Burgess (Work Health Safety and Risk Manager), Hannah Booth (Records and Communications Coordinator), Sharon Swannell (Governance and Executive Manager), Julie Baker (Library Manager)

Summary

This report item summarises the main activity by the General Manager since the last report. Items include Human Resources, Workplace Health & Safety, Community Activity, Regional Issues, Executive Management Team Meetings and planned activities.

Moved: Clr Trembath

Second: Clr O'Grady

That report Item 14.1 is received as information.

Carried - Resolution No: 16 - 12/11/2024

Division

Votes for: Clr McKibbin, Clr Alevras, Clr Graham, Clr Hayden, Clr McCarthy, Clr O'Connor, Clr O'Grady, Clr Trembath and Clr Tucker

Votes against: Nil

14.2 Monthly Activity Report - Planning & Development - November 2024

File No: Governance/Meetings/Ordinary

Author: Kirsty Hanrahan (Building Surveyor), Damian O'Shannassy (Planning and Development Director), Lyn Hancox (Planning and Development Administration Assistant), Janet Bailey (Development Control Administration Officer), David Sellers (Facilities Manager)

Summary

This report item summarises the main activity in the Planning and Development Department since the October 2024 Council Meeting.

Moved: Clr Trembath

Second: Clr Hayden

That report item 14.2 is received as information.

Carried - Resolution No: 17 - 12/11/2024

Division

Votes for: Clr McKibbin, Clr Alevras, Clr Graham, Clr Hayden, Clr McCarthy, Clr O'Connor, Clr O'Grady, Clr Trembath and Clr Tucker

Votes against: Nil

14.3 Monthly Activity Report Technical Services - November 2024

File No: Governance/Meetings/Ordinary

Author: Dr Cornelia Wiebels (Technical Services Director), Sam Golam (Project Engineer), Andrew Krol (Water and Sewer Officer in Charge), Paul Robinson (Plant Manager), Geoff Paton (Works Engineer), Lauren Dukes (Trainee Civil Engineer), Dani Bradshaw (Change Management Analyst), Donah Foley (Technical Services Administrative Assistant), Gary Chapman (Roads Operation Manager)

Summary

This report item summarises the main activity in the Technical Services Department during the month of October.

Moved: Clr Trembath

Second: Clr Hayden

That report 14.3, Monthly Activity Report Technical Services November is received as information.

Carried - Resolution No: 18 - 12/11/2024

Division

Votes for: Clr McKibbin, Clr Alevras, Clr Graham, Clr Hayden, Clr McCarthy, Clr O'Connor, Clr O'Grady, Clr Trembath and Clr Tucker

Votes against: Nil

14.4 Monthly Activity Report Corporate Services - November 2024

File No: Governance/Meetings/Ordinary

Author: Mathew Webb (Corporate Services Director), Victoria Bewley (Acting Community Services Coordinator), Debra Keane (Tourism and Economic Development Manager), Rhiannon Mijovic (Library Manager), AJ Jack (IT and GIS Co-ordinator), Zoe Marks (Finance Manager)

Summary

This report provides an update on the activities of the Corporate Services Directorate during October and forward plans.

Moved: Clr Hayden
Second: Clr McCarthy

That report item 14.4 is received as information.

Carried - Resolution No: 19 - 12/11/2024

Division

Votes for: Clr McKibbin, Clr Alevras, Clr Graham, Clr Hayden, Clr McCarthy, Clr O'Connor,
Clr O'Grady, Clr Trembath and Clr Tucker

Votes against: Nil

14.5 Investments - November 2024

File No: Financial Management/Investments/Register

Author: Lisa Koleda (Management Accountant), Zoe Marks (Finance Manager)

Summary

This report provides Council with the Statement of Investments as of 31 October 2024.

Moved: Clr McCarthy
Second: Clr O'Connor

That report item 14.5 is received as information.

Carried - Resolution No: 20 - 12/11/2024

Division

Votes for: Clr McKibbin, Clr Alevras, Clr Graham, Clr Hayden, Clr McCarthy, Clr O'Connor,
Clr O'Grady, Clr Trembath and Clr Tucker

Votes against: Nil

- 14.6 Grants Update - November 2024

File No: Governance/Grants 2024

Author: Toni Dwyer (Grants Co-ordinator), Mathew Webb (Corporate Services Director)

Summary

This report provides a summary of grant funding applications submitted and funding notifications received during October 2024.

Council rose for a break at 8.27pm.

Council resumed at 8.35pm

Moved: Clr Trembath
Second: Clr Hayden

That report item 14.6 is received as information.

Carried - Resolution No: 21 - 12/11/2024

Division

Votes for: Clr McKibbin, Clr Alevras, Clr Graham, Clr Hayden, Clr McCarthy, Clr O'Connor,
Clr O'Grady, Clr Trembath and Clr Tucker

Votes against: Nil

14.7	Status Update - November 2024
File No:	Governance/Meetings/Ordinary
Author:	Gary Wallace (General Manager), Dr Cornelia Wiebels (Technical Services Director), Mathew Webb (Corporate Services Director), Damian O'Shannassy (Planning and Development Director)

Summary

This report item summarises the current status of Council resolutions and provides updates for actions taken.

Moved: Clr Hayden
Second: Clr O'Connor

That report 14.7 is received as information.

Carried - Resolution No: 22 - 12/11/2024

Division

Votes for: Clr McKibbin, Clr Alevras, Clr Graham, Clr Hayden, Clr McCarthy, Clr O'Connor,
Clr O'Grady, Clr Trembath and Clr Tucker

Votes against: Nil

14.8	Questions Taken on Notice at the Previous Council Meeting
File No:	Governance/Meetings/Ordinary
Author:	Gary Wallace (General Manager)

Summary

This report item provides a formal record of questions taken on notice at the previous Council meeting and subsequent responses.

Moved: Clr Hayden
Second: Clr Trembath

That report 14.8 is received as information and the responses noted.

Carried - Resolution No: 23 - 12/11/2024

Division

Votes for: Clr McKibbin, Clr Alevras, Clr Graham, Clr Hayden, Clr McCarthy, Clr O'Connor, Clr O'Grady, Clr Trembath and Clr Tucker

Votes against: Nil

14.9	Oberon Comprehensive Land Use Strategies Engagement Plan update
File No:	Oberon CLUS
Author:	Damian O'Shannassy (Planning and Development Director), Bennett Kennedy (Senior Town Planner)

Summary

Oberon Council has engaged Currajong Consulting Pty Ltd to prepare a Comprehensive Land Use Strategy (CLUS 2041) for the Oberon Local Government Area (LGA). The CLUS 2041 will be the cornerstone for a suite of plans and strategies that will establish a new strategic planning framework for the Oberon LGA.

Moved: Clr O'Connor
Second: Clr O'Grady

That report Item 14.9 is received as information.

Carried - Resolution No: 24 - 12/11/2024

Division

Votes for: Clr McKibbin, Clr Alevras, Clr Graham, Clr Hayden, Clr McCarthy, Clr O'Connor, Clr O'Grady, Clr Trembath and Clr Tucker

Votes against: Nil

14.10	League Table Publication - Development Assessment
File No:	Planning and Development
Author:	Damian O'Shannassy (Planning and Development Director)

Summary

The Department of Planning, Housing and Infrastructure has advised the NSW Government has released the second iteration of the Council League Tables. The League Table monitors Council performance in the area of Development Assessment, Planning Proposals and Strategic Planning and this release is to monitor how Councils are performing against the Minister of Planning and Public Spaces expectations.

Moved: Clr Hayden
Second: Clr Trembath

That report Item 14.10 is received as information.

Carried - Resolution No: 25 - 12/11/2024

Division

Votes for: Clr McKibbin, Clr Alevras, Clr Graham, Clr Hayden, Clr McCarthy, Clr O'Connor,
Clr O'Grady, Clr Trembath and Clr Tucker

Votes against: Nil

14.11	Audited Financial Statements FY23/24
File No:	Financial/2023-24FY
Author:	Zoe Marks (Finance Manager), Mathew Webb (Corporate Services Director)

Summary

Council's Auditors, the Audit Office of NSW, have completed their audit of Oberon Council's Financial Statements for the year ended 30 June 2024.

Moved: Clr McCarthy
Second: Clr Tucker

That report Item 14.11 is received as information.

Carried - Resolution No: 26 - 12/11/2024

Division

Votes for: Clr McKibbin, Clr Alevras, Clr Graham, Clr Hayden, Clr McCarthy, Clr O'Connor,
Clr O'Grady, Clr Trembath and Clr Tucker

Votes against: Nil

15 URGENT BUSINESS

Nil

16 CLOSED SESSION - CONFIDENTIAL REPORTS

Moved: Clr Hayden
Second: Clr Graham

That:

1. Council resolve into Closed Council to consider the business identified, together with any late confidential reports tabled at the meeting.

2. Pursuant to Section 10A(1)-(3) of the *Local Government Act 1993*, the media and public be excluded from the meeting on the basis that the business to be considered is classified as confidential under the provisions of Section 10A(2) as outlined above.
3. The correspondence and reports relevant to the subject business be withheld from access to the media and public as required by Section 11(2) of the *Local Government Act 1993*.

Carried - Resolution No: 27 - 12/11/2024

Division

Votes for: Clr McKibbin, Clr Alevras, Clr Graham, Clr Hayden, Clr McCarthy, Clr O'Connor, Clr O'Grady, Clr Trembath and Clr Tucker

Votes against: Nil

Council moved into Closed Council at this point 9.11pm. Members of the public present left the meeting.

16.1	Kerbside Garbage Collection Tender
File No:	TS/Waste Mgt/Contracts and Agreements
Author:	Dr Cornelia Wiebels (Technical Services Director), Dani Bradshaw (Change Management Analyst), Damian O'Shannassy (Planning and Development Director)

This report is CONFIDENTIAL under the provisions of Section 10A(2)(d) of the Local Government Act 1993, as it relates to commercial information of a confidential nature that would, if disclosed: (i) prejudice the commercial position of the person who supplied it, or (ii) confer a commercial advantage on a competitor of the council, or (iii) reveal a trade secret.

Moved: Clr McCarthy

Second: Clr O'Connor

That Council:

1. Award the contract for its kerbside garbage collection to Oberon Trash Pak for an annual value of \$138,629.92 incl. GST for the collection of bins in Oberon and at its recreational areas of The Reef, Hassall Park and Flat Rock for a duration of two years with the option for Council to extend twice each for a period of 12 months.
2. Note the opportunities that may present themselves in the future subject to the implementation of a dedicated Waste Strategy.

Carried - Resolution No: 28 - 12/11/2024

Division

Votes for: Clr McKibbin, Clr Alevras, Clr Graham, Clr Hayden, Clr McCarthy, Clr O'Connor, Clr O'Grady, Clr Trembath and Clr Tucker

Votes against: Nil

16.2 Newspaper Communication Options

File No: OD/Information Management/Media

Author: Sharon Swannell (Governance and Executive Manager), Hannah Booth (Records and Communications Coordinator)

This report is CONFIDENTIAL under the provisions of Section 10A(2)(d) of the Local Government Act 1993, as it relates to commercial information of a confidential nature that would, if disclosed: (i) prejudice the commercial position of the person who supplied it, or (ii) confer a commercial advantage on a competitor of the council, or (iii) reveal a trade secret.

Moved: Clr Trembath

Second: Clr O'Connor

That Council accept the proposal to advertise fortnightly in the Central West Village Voice newspaper and cease production of the monthly Oberon and Surrounding Villages Community Newsletter following the distribution of the December edition.

Carried - Resolution No: 29 - 12/11/2024

Division

Votes for: Clr McKibbin, Clr Alevras, Clr Graham, Clr Hayden, Clr McCarthy, Clr O'Connor, Clr O'Grady, Clr Trembath and Clr Tucker

Votes against: Nil

16.3 Water Write-off Request - Assessment 1236971

File No: Finance/Rates

Author: Mathew Webb (Corporate Services Director), Zoe Marks (Finance Manager)

This report is CONFIDENTIAL under the provisions of Section 10A(2)(b) of the Local Government Act 1993, as it relates to the personal hardship of any resident or ratepayer.

Moved: Clr Tucker

Second: Clr Hayden

That Council write-off 25% of the water consumption charges for Assessment 1236971 progressive total \$4398.12 as at 24 April 2024 and offer a payment plan arrangement for the remaining 75%.

Carried - Resolution No: 30 - 12/11/2024

Division

Votes for: Clr McKibbin, Clr Alevras, Clr Graham, Clr Hayden, Clr McCarthy, Clr O'Connor, Clr O'Grady, Clr Trembath and Clr Tucker

Votes against: Nil

16.4 Water Write-off Request - Assessment 12366596

File No: Finance/Rates

Author: Mathew Webb (Corporate Services Director), Zoe Marks (Finance Manager)

This report is CONFIDENTIAL under the provisions of Section 10A(2)(b) of the Local Government Act 1993, as it relates to the personal hardship of any resident or ratepayer.

Moved: Clr Tucker

Second: Clr McCarthy

That Council do not write-off the water consumption charges for Assessment 12398519 but instead offer a payment plan arrangement for full cost recovery.

Carried - Resolution No: 31 - 12/11/2024

Division

Votes for: Clr McKibbin, Clr Alevras, Clr Graham, Clr Hayden, Clr McCarthy, Clr O'Connor, Clr O'Grady, Clr Trembath and Clr Tucker

Votes against: Nil

16.5 Water Write-off Request - Assessment 12398519

File No: Finance/Rates

Author: Mathew Webb (Corporate Services Director), Zoe Marks (Finance Manager)

This report is CONFIDENTIAL under the provisions of Section 10A(2)(b) of the Local Government Act 1993, as it relates to the personal hardship of any resident or ratepayer.

Moved: Clr McCarthy

Second: Clr Tucker

That Council do not write-off the water consumption charges for Assessment 12366596 but instead offer a payment plan arrangement for full cost recovery.

Carried - Resolution No: 32 - 12/11/2024

Division

Votes for: Clr McKibbin, Clr Alevras, Clr Graham, Clr McCarthy, Clr O'Connor, Clr O'Grady, Clr Trembath and Clr Tucker

Votes against: Clr Hayden

Open Council resumed at 10.04pm. Recording of the meeting re-commenced at this point in time. There were no members of the public present.

The Mayor advised of the resolutions that were made while the meeting was closed to the public.

17 CLOSURE OF MEETING

The next Ordinary Meeting of Oberon Council will be held on Tuesday 17 December 2024, commencing at 5.30pm in the Oberon Council Chambers. The Mayor declared the meeting closed at 10.11pm.

8.3	Extraordinary Meeting 26 November 2024
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Attached is the Minutes of the Extraordinary Council Meeting held on 26 November 2024.

Recommendation:

That the Minutes of the Extraordinary Meeting held on 26 November 2024 be confirmed.

Matters Arising from the Minutes

Nil



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Unconfirmed Minutes
Oberon Council Extraordinary Meeting
Tuesday 26 November 2024

Commencing at 5:30 pm
Held at the Oberon Council Chambers



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1 OPENING OF MEETING AND ACKNOWLEDGEMENT OF COUNTRY

The Mayor welcomed members and declared the meeting open at 5.30pm.

The meeting was livestreamed via Teams webinar facilities. Recordings of Council Meetings or parts thereof cannot be copied, recorded, reproduced, reused or transmitted without the prior written consent of the General Manager. The meeting is being recorded and made publicly available on Council's website and persons attending the meeting should refrain from making any defamatory statements.

2 RECORD OF ATTENDANCE

Members	Mayor Andrew McKibbin (Chair) Deputy Mayor Katie Graham Clr Anthony Alevras Clr Helen Hayden Clr Clive McCarthy Clr Frank O'Connor Clr Jill O'Grady Clr Lauren Trembath Clr Ian Tucker
Staff	Gary Wallace, General Manager Damian O'Shannassy, Planning and Development Director Mathew Webb, Corporate Services Director Dr Cornelia Wiebels, Technical Services Director Sharon Swannell, Governance and Executive Manager Zoe Marks, Finance Manager
Leave of Absence	Nil

3 DECLARATIONS OF INTEREST

Pecuniary	- Nil
Non-Pecuniary Significant	- Clr Graham declared an interest in report item 5.5, Clr Graham is a member of the Oberon Tennis Centre Committee
Non-Pecuniary Less than Significant	- Nil

4 CONFIRMATION OF MINUTES

Nil

5 REPORTS FOR DECISION

5.1 Request for Assistance - Oberon RSL Sub-branch

File No: 356/RSL

Author: Sharon Swannell (Governance and Executive Manager)

Summary

Oberon Council has received a request for in kind support to assist with demolition and removal of the Memorial Wall at the Oberon RSL Sub-Branch.

Moved: Clr Hayden

Second: Clr O'Connor

That Council undertake removal of the memorial wall at the Oberon RSL Sub-Branch Museum and fund works from remaining funds in the Section 356 donation program.

Carried - Resolution No: 1 - 26/11/2024

Division

Votes for: Clr McKibbin, Clr Graham, Clr O'Connor, Clr O'Grady, Clr Hayden, Clr Alevras,
Clr McCarthy, Clr Trembath and Clr Tucker

Votes against: Nil

5.2 Quarterly Budget Review Statement 1 - July - September 2024

File No: Finance/2024-25FY/QBR1

Author: Zoe Marks (Finance Manager), Mathew Webb (Corporate Services Director)

Summary

The Quarterly Budget Review Statements (QBRs) for the period 1 July to 30 September 2024 are provided as an attachment following this report in accordance with the requirements, of the Office of Local Government.

Moved: Clr Tucker

Second: Clr Hayden

That Council:

1. Note the carried forward adjustments from 2023/24FY into 2024/25FY.
 2. Note previous Council resolutions that have been included in the Quarterly Budget Review process.
 3. Endorse the recommended Operational Plan budget adjustments:
 - a. Increase in funds received under the Roads to Recovery Grant
 - b. Increase in funds received under the Regional Road Block Grant
-

- c. Increase in projected interest revenue for 2024/25FY
 - d. An allocation of \$150,000 to Technical Services Directorate budget for enhanced operational capacity.
4. Authorise the General Manager to make minor administration changes as required.

Carried - Resolution No: 2 - 26/11/2024

Division

Votes for: Clr McKibbin, Clr Graham, Clr O'Connor, Clr O'Grady, Clr Hayden, Clr Alevras,
Clr McCarthy, Clr Trembath and Clr Tucker

Votes against: Nil

5.3	Plant Replacement Program
File No:	Plant Replacement
Author:	Dr Cornelia Wiebels (Technical Services Director), Zoe Marks (Finance Manager), Lisa Koleda (Management Accountant), Paul Robinson (Plant Manager)

Summary

The current market for plant and equipment has significantly changed from the time of writing the Operational Plan. As a result, Council staff have revisited the Plant Replacement Program and are proposing an adjustment to the program from known pricing and a suite of new information.

Moved: Clr O'Connor

Second: Clr McCarthy

That Council:

1. Adopts the new plant replacement program for the 2024/25 Financial Year as presented in Table 2 of the report.
2. Allocate the \$150,000 from the Works Construction Internal Restriction for finalisation of purchase of the Truck Mounted Road Pavement Maintenance Machine in accordance with resolution 30 – 17/10/2023.

Carried - Resolution No: 3 - 26/11/2024

Division

Votes for: Clr McKibbin, Clr Graham, Clr O'Connor, Clr O'Grady, Clr Hayden, Clr Alevras,
Clr McCarthy, Clr Trembath and Clr Tucker

Votes against: Nil

5.4 Limits to Volunteer Works in Council Road Reserves

File No: WHS/Risk Management

Author: Gary Wallace (General Manager), Rebecca Burgess (Work Health Safety and Risk Manager)

Summary

This report provides a response to a Notice of Motion regarding the use of volunteers for works within road reserves and a request to investigate the insurance implications of such activities that could include tree planting, roadside clearing and cleaning.

Zoe Marks left the meeting at 5.51pm.

Moved: Clr Hayden

Second: Clr Tucker

That Council note the information and limitations to volunteers undertaking works on Council road reserves.

Carried - Resolution No: 4 - 26/11/2024

Division

Votes for: Clr McKibbin, Clr Graham, Clr O'Connor, Clr O'Grady, Clr Hayden, Clr Alevras, Clr McCarthy, Clr Trembath and Clr Tucker

Votes against: Nil

5.5 Oberon Indoor Sport & Tennis Centre Management

File No: Oberon Tennis Centre

Author: Damian O'Shannassy (Planning and Development Director); David Sellers (Facilities Manager)

Summary

Council has received correspondence from the Oberon Tennis Club Inc advising they wish to relinquish the current lease between the Club and Oberon Council and hand over the management of the Oberon Indoor Sports and Tennis Centre to Oberon Council.

Clr Graham declared an interest in report item 5.5, Clr Graham left the room at 5:55 pm.

Moved: Clr Hayden
Second: Clr Tucker

That Council:

1. Enter into a Deed of Surrender of the lease with the Oberon Tennis Club Inc. commencing from 1 July 2025.
2. Set the proposed draft fees and charges for the Oberon Indoor Sports and Tennis Centre as part of the 2025/26 Integrated Planning and Reporting process.
3. Acknowledge the contribution the Oberon Tennis Club has made to the running of and maintenance of the Oberon Indoor Sports and Tennis Centre.
4. Delegate to the General Manager to sign the surrender of lease documents.

Carried - Resolution No: 5 - 26/11/2024

Division

Votes for: Clr McKibbin, Clr O'Grady, Clr Hayden, Clr Alevras, Clr McCarthy and Clr Tucker
Votes against: Clr O'Connor and Clr Trembath

Clr Graham returned to the meeting at 6:10 pm.

5.6	Annual Report 2023-24
File No:	Governance/Reporting
Author:	Gary Wallace (General Manager), Damian O'Shannassy (Planning and Development Director), Dr Cornelia Wiebels (Technical Services Director), Mathew Webb (Corporate Services Director), Sharon Swannell (Governance and Executive Manager)

Summary

In accordance with Section 428 of the Local Government Act, Council provides the 2023-24 Annual Report for submission to the Minister in accordance with s426(5) and display on Council's website.

Moved: Clr O'Connor
Second: Clr Hayden

That Council:

1. Receive the Annual Report for the year ended 30 June 2024.
2. Approve the upload of the Annual Report onto Oberon Council's website by 30 November 2024, and
3. Notify the Office of Local Government that the Annual Report is on Oberon Council's website and provide a copy of the Annual Report to the Minister in accordance with s426(5) of the Local Government Act 1993.

Carried - Resolution No: 6 - 26/11/2024

Division

Votes for: Clr McKibbin, Clr Graham, Clr O'Connor, Clr O'Grady, Clr Hayden, Clr Alevras, Clr McCarthy, Clr Trembath and Clr Tucker

Votes against: Nil

6 CLOSED SESSION - CONFIDENTIAL REPORTS

Moved: Clr Hayden

Second: Clr Alevras

That:

1. Council resolve into Closed Council to consider the business identified, together with any late confidential reports tabled at the meeting.
2. Pursuant to Section 10A(1)-(3) of the *Local Government Act 1993*, the media and public be excluded from the meeting on the basis that the business to be considered is classified as confidential under the provisions of Section 10A(2) as outlined above.
3. The correspondence and reports relevant to the subject business be withheld from access to the media and public as required by Section 11(2) of the *Local Government Act 1993*.

Carried - Resolution No: 7 - 26/11/2024

Division

Votes for: Clr McKibbin, Clr Graham, Clr O'Connor, Clr O'Grady, Clr Hayden, Clr Alevras, Clr McCarthy, Clr Trembath and Clr Tucker

Votes against: Nil

Council moved into Closed Council at this point 6.18pm. Members of the public present left the meeting.

6.1	Australia Day 2025
File No:	Community Relations/Events/Australia Day
Author:	Gary Wallace (General Manager)

This report is CONFIDENTIAL under the provisions of Section 10A(2)(a) of the Local Government Act 1993, as it relates to personnel matters concerning particular individuals (other than councillors).

Moved: Clr Hayden

Second: Clr Trembath

That Council move into Committee of the Whole at this point in time 6.22pm.

Carried - Resolution No: 8 - 26/11/2024

Division

Votes for: Clr McKibbin, Clr Graham, Clr O'Connor, Clr O'Grady, Clr Hayden, Clr Alevras, Clr McCarthy, Clr Trembath and Clr Tucker

Votes against: Nil

Council resumed at 6.36pm.

Moved: Clr McKibbin
Second: Clr Hayden

That:

1. Australia Day Awards be made in the following categories:
 - a. Citizen of the Year
 - b. Young Citizen of the Year (persons up to and including 25 years)
 - c. Sportsperson of the Year
 - d. Young Sportsperson of the Year (person up to and including 25 years)
 - e. Sports Team of the Year
 - f. Community Event of the Year
 - g. Volunteer of the Year
 - h. Volunteer Group of the Year
 - i. Environmental Champion
2. That an invitation be extended to all award nominees, Councillors and Management staff and their partners to meet the Australia Day Ambassador and partner at a function on the evening of 25 January 2025 to be held at Waldara.
3. That the 2025 Australia Day Celebrations be held at the Oberon Library and Community Centre.

Carried - Resolution No: {resolution-number} - 26/11/2024

Division

Votes for: Clr McKibbin, Clr Graham, Clr O'Connor, Clr O'Grady, Clr Hayden, Clr Alevras, Clr McCarthy, Clr Trembath and Clr Tucker

Votes against: Nil

6.2	O'Connell Recreation Ground Amenities
File No:	Grants/O'Connell Recreation Ground
Author:	Damian O'Shannassy (Planning and Development Director)

This report is CONFIDENTIAL under the provisions of Section 10A(2)(d) of the Local Government Act 1993, as it relates to commercial information of a confidential nature that would, if disclosed: (i) prejudice the commercial position of the person who supplied it, or (ii) confer a commercial advantage on a competitor of the council, or (iii) reveal a trade secret.

Moved: Clr O'Connor
Second: Clr Trembath

That Council:

1. Accept the quotation from Maranatha Constructions to complete the construction of the O'Connell Recreation Ground amenities building.
2. Delegate the General Manager to sign the MW21-LG (Minor Works 21 - Local Government contract).

3. Provide additional funds from S7.11 (Rural - Open Space) to complete the project as outlined with the report.
4. Should any outstanding contingency be remaining upon completion it be returned to the s7.11 (Rural - Open Space) fund.

Carried - Resolution No: 9 - 26/11/2024

Division

Votes for: Clr McKibbin, Clr Graham, Clr O'Connor, Clr O'Grady, Clr Hayden, Clr Alevras, Clr McCarthy, Clr Trembath and Clr Tucker

Votes against: Nil

Open Council resumed at 6.47pm. Recording of the meeting re-commenced at this point in time. There were no members of the public present.

The Mayor advised of the resolutions that were made while the meeting was closed to the public.

7 CLOSURE OF MEETING

The Mayor declared the meeting closed at 6.48pm.

9 MAYORAL MINUTE AND REPORT

9.1 Mayoral Minute and Report December 2024

File No: Governance/Mayor/General

Author: Mayor Andrew McKibbin

Summary

This report summarises the main activity for the Mayor since the last report.

Recommendation:

That Report Item 09.01 is received as information.

A. Meetings

8 Nov 2024	2BS Radio Interview
11 Nov 2024	Black Springs Community Association Meeting
12 Nov 2024	Ordinary Council Meeting
13 Nov 2024	Central NSW Joint Organisation Board Meeting – Sydney
14 Nov 2024	Central NSW Joint Organisation Meeting with NSW Ministers – Sydney
14 Nov 2024	Burruga and District Community Association Meeting (attended by alternate Clr Hayden)
15 Nov 2024	Country Mayors Association Meeting (attended by Clr Graham)
17 – 19 Nov 2024	Local Government NSW Annual Conference
21 Nov 2024	Meeting with representatives from Commonwealth Bank
21 Nov 2024	Cyber Awareness Media Training
21 Nov 2024	Councillor Induction – Planning and Development Director
21 Nov 2024	Crennan Legal Induction for Councillors – Planning
22 Nov 2024	2BS Radio Interview
26 Nov 2024	Australia Day Working Party Meeting
26 Nov 2024	Extraordinary Council Meeting
29 Nov 2024	2BS Radio Interview
2 Dec 2024	Ben Chifley Catchment Management Authority Meeting (not as Councillor delegate)
6 Dec 2024	2BS Radio Interview
9 Dec 2024	Black Springs Community Association Meeting
10 Dec 2024	Councillor Informal Briefing Session

B. Representation

11 Nov 2024	Remembrance Day Service Oberon RSL Sub-Branch
13 Nov 2024	Central NSW Joint Organisation Board Dinner – Parliament House, Sydney
1 Dec 2024	Presentation of prizes Redfin Roundup

- 5 Dec 2024 Black Springs Public School Presentation Day (attended by Clr McCarthy)
8 Dec 2024 Fish River Festival and Gingerbread House Competition Launch, O'Connell
9 Dec 2024 Oberon Public School End of Year Presentation Day (attended by Clr Tucker)
10 Dec 2024 Councillor Christmas Dinner

C. Correspondence

- 4 Nov 2024 Correspondence forwarded to Joanna Murphy, The Pines Windfarm regarding the Oberon Development Control Plan Guidelines for Windfarms.
6 Nov 2024 Australian Local Government Association save the date for the 2025 National General Assembly being held in Canberra 24 – 27 June 2025.
8 Nov 2024 Heath Molden, Central NSW Forestry Hub request for information for Councillors.
11 Nov 2024 Ruth Fagan, Chair Regional Development Australia Central West, letter of congratulations for appointment as Mayor of Oberon.
12 Nov 2024 Joanna Murphy, The Pines Wind Farm response regarding Planning Guidelines.
12 Nov 2024 Invitation to attend the Oberon Young Women Competition Dinner Dance being held on 30 November 2024 – apology sent.
14 Nov 2024 Correspondence forwarded to Paul Best, Weddin Council regarding the operations of the Grenfell Sewerage Treatment Plant.
14 Nov 2024 Oberon Tigers regarding opportunities to offer sponsors ground signage at the new sporting complex, response provided.
19 Nov 2024 Football NSW congratulations on appointment as Mayor of Oberon and providing information about the growing participation in Football across NSW.
20 Nov 2024 Country Mayors Association seeking information about member Councils examples of water infrastructure related projects that may have been affected by biodiversity offset costs.
2 Dec 2024 Invitation to attend the Oberon Public School end of year presentation being held on Monday 9 December 2024 (attended by Clr Tucker).
3 Dec 2024 Invitation to attend the O'Connell Public School end of year presentation being held on Monday 16 December 2024.
3 Dec 2024 Kathy Manton concerns regarding social media post.
4 Dec 2024 Invitation to attend the Oberon High School Presentation evening being held on Tuesday 10 December 2024.
4 Dec 2024 Oberon resident seeking a reassessment of Councils decision to decline a request to review water usage charges.
5 Dec 2024 O'Connell Public School P & C invitation to attend the launch of the Ginger Bread House competition and the Fish River Festival.
6 Dec 2024 Trish Forsyth, Principal O'Connell Public School regarding offensive commentary on social media post, response provided and additional information provided 10 Dec 2024.
9 Dec 2024 Mike and Bev O'Brien regarding the discontinuation of the annual bulky goods kerbside collection in Oberon.

10 NOTICES OF MOTION

10.1	Concrete Tank Relocation
File No:	Governance/Meetings/Ordinary
Author:	Clr Clive McCarthy

Motion

That Council use funds from Rural Development Community Facility Account to fund concrete tank relocation from O'Connell to Black Springs site.

Reason

- Site at Black Springs is ready
- Approximate cost 6 hours hire of Council Low Loader - \$1800.00; Crane Hire 6 hrs - \$1800.00; Extra Labour 6 hrs - \$450.00.
- Remove redundant electrical switchboard while there.

10.2 Land at Glyndwr Avenue

File No: Governance/Meetings/Ordinary

Author: Clr Clive McCarthy

Motion

That Council place land in Glyndwr Avenue Oberon (formerly unused park) up for sale with Oberon Real Estate Agents after installing a 20mm water supply and one sewer outlet at lowest point on land.

Reason

- Power is available by overhead supply to said land.
- The above will then comply with Oberon DCP.
- Remove both remaining metal playground objects and make good.

Note: This has been going on when Clr Bill Dawson was on Council and still no action. Funds to land bank.

General Manager's Note: The land is currently considered Operational Land and was previously awaiting development opportunities in the grants space to develop in accordance with resolution 15 210921 in September of 2021. Staff have provided monthly updates to Council on limited opportunities to develop noting the site constraints and unsuccessful grant opportunities.

10.3 Social and Economic Impact Analysis of Proposed Oberon Wind Farm Projects

File No: Governance/Meetings/Ordinary

Author: Cllr Frank O'Connor

Motion

That Oberon Council seek funding to prepare a Social and Economic Impact Analysis of proposed wind farm projects in our local government area. Prospective funding sources include:

- NSW Government Grants
- Stromlo/Tag Energy/Forestry Corporation

The Social and Economic Impact Analysis would look specifically at the social and economic impacts of wind farm projects on the Oberon community, businesses and Council.

Summary

During the 2025 calendar year, and according to the Pines Project timeline, consultation will commence regarding a Voluntary Planning Agreement (VPA). VPA forms the cornerstone of the intended Community Benefit Package to be offered by the proposed Pines Wind Farm Project.

VPA's are negotiated between the respective council and developer, in this case, Oberon Council and Stromlo/TAG Energy. The purpose of a VPA being twofold:

1. Attempt to offset the social and economic impact of the project, on the community.
2. Provide compensation in lieu of developer contributions, which would have usually been made by the developer to the Council, when the Council is the Consent Authority.

Prior to entering negotiations for a Voluntary Planning Agreement (VPA), it is strongly recommended a Social and Economic Impact Analysis be prepared by Council. This analysis/report would include, but not be limited to:

Local Economic Activity:

- Loss of revenue to the tourism industry during two stages.
 - a) Construction.
 - b) Operational.
- Economic loss from the destruction of existing pine plantations, resulting from the construction of roads, wind towers, power lines and other infrastructure within designated pine plantations.
- Increased revenue to contractors, material suppliers, local grocery and food outlets during the construction phase.
- Increased revenue to accommodation providers during the construction phase.
- Economic loss to our shopping precinct due to traffic delays, road closures, speed changes, all with the potential to make our shopping precinct difficult and undesirable to visit.

Repairs and maintenance of local infrastructure including:

- The costs to repair and rebuild road infrastructure resulting from The Pines Wind Farm construction phase.
 - As the impact to road infrastructure would be significant, an audit of our road network condition (top/bottom) prior to construction and after, may be best practice (refer below table).
-

Traffic Congestion:

- Cost to the community during the construction phase, resulting from delays in travel times to sport, recreation, medical and social activities.
- Economic loss to local business due to delays and the inability to transport goods and services in and out of the community.
- Conservative estimate of traffic movement and tonnages from the combined Paling Yards and The Pines Wind Farm projects (Paling Yards 47 towers, The Pines Wind Farm 250 towers) are provided in the table below.

Visual Amenity:

- Reduction in property values due to loss of visual amenity e.g. what will a 40-acre hobby farm be worth when twenty-five wind towers can be seen from the front door.

Fire Risk:

- Economic loss to the Oberon timber industry resulting from increased risk of large-scale fires in pine plantations.

Revenue to Council:

- Loss of rate income received by Oberon Council as a result of: -
 - a) Increased area of pine forestry required, to offset amount of existing pine plantation removed for wind farm construction.
 - b) Potential reduction in unimproved value of farmland within a certain buffer zone surrounding The Pines Wind Farm.

Community Benefit Package:

- The community benefit from the Community Benefit Package in accordance with the negotiated VPA.

Other matters which would need to be determined prior to VPA include:

- Actual/planned construction phase, timeline, including all infrastructure requirements.
- Actual/planned commissioning date of The Pines Project.
- Further, the Paling Yards Project is also in development phase and will need consideration in the Social and Economic Impact Analysis.

Table: Truck movements and tonnages:

Truck movements	
oversize, over mass traffic – 17 per turbine	5,049
B Doubles	249,300
Semis	123,400
Light trucks	390,560
Total estimated truck movements:	768,309
(Note: all trucks will need to return home, all movements 7am-6pm)	
Wind towers	
650 tonnes per tower	195,000
Concrete footing, 1000 tonnes per tower	300,000
Steel, 160 tonnes per tower	48,000
Water, 600mgl (600,000,000 litres)	
Gravel per tonne	1,620,000
Total estimated tonnage not including water:	2,163,000

11 COUNCILLOR AND DELEGATES REPORTS

11.1 Central NSW Joint Organisation Meeting and Meeting with Ministers - 13 - 14 November 2024

File No: Governance/Meetings/Ordinary

Author: Mayor Andrew McKibbin and General Manager Gary Wallace

Summary

Mayor Andrew McKibbin and General Manager Gary Wallace attended the Central NSW Joint Organisation Board Meeting and State Representation meetings held in Sydney on 13 and 14 November 2024.

Recommendation:

That Council note the report on the Central NSW Joint Organisation (CNSWJO) Board meetings held on 13 and 14 November 2024.

List of Attachments

- 241113 Minutes CNSWJO Board Meeting [11.1.1 - 6 pages]

Comment

Please find following advice from the recent meeting of the Central NSW Joint Organisation Board held at Local Government House in Sydney on 13 November 2024. Minutes from the meeting are attached. The following day the Board met NSW Government Ministers including the Premier and Treasurer, coordinated through the Office of Mr Phil Donato, Member for Orange.

Notably, there has been substantial change to the CNSWJO Board with recently elected Mayors being as follows:

Cr R Taylor	Bathurst Regional Council
Cr B Reynolds	Blayney Shire Council
Cr K Beatty	Cabonne Council
Cr P Smith	Cowra Council
Cr P Miller, OAM	Forbes Shire Council
Cr J Medcalf, OAM	Lachlan Shire Council
Cr C Coleman	Lithgow City Council
Cr A McKibbin	Oberon Council
Cr T Mileto	Orange City Council
Cr N Westcott	Parkes Shire Council
Cr P Best	Weddin Shire Council

The meeting began with the election of the Chair and Deputy Chair. Cr Kevin Beatty, Mayor of Cabonne was elected Chair, unopposed. Cr Phyllis Miller OAM, Mayor of Forbes was elected Deputy Chair, unopposed.

Given this is the first meeting of the Board after the September election, Portfolio Mayors were appointed to the seven priorities of the Board.



CENTRAL NSW
JOINT ORGANISATION

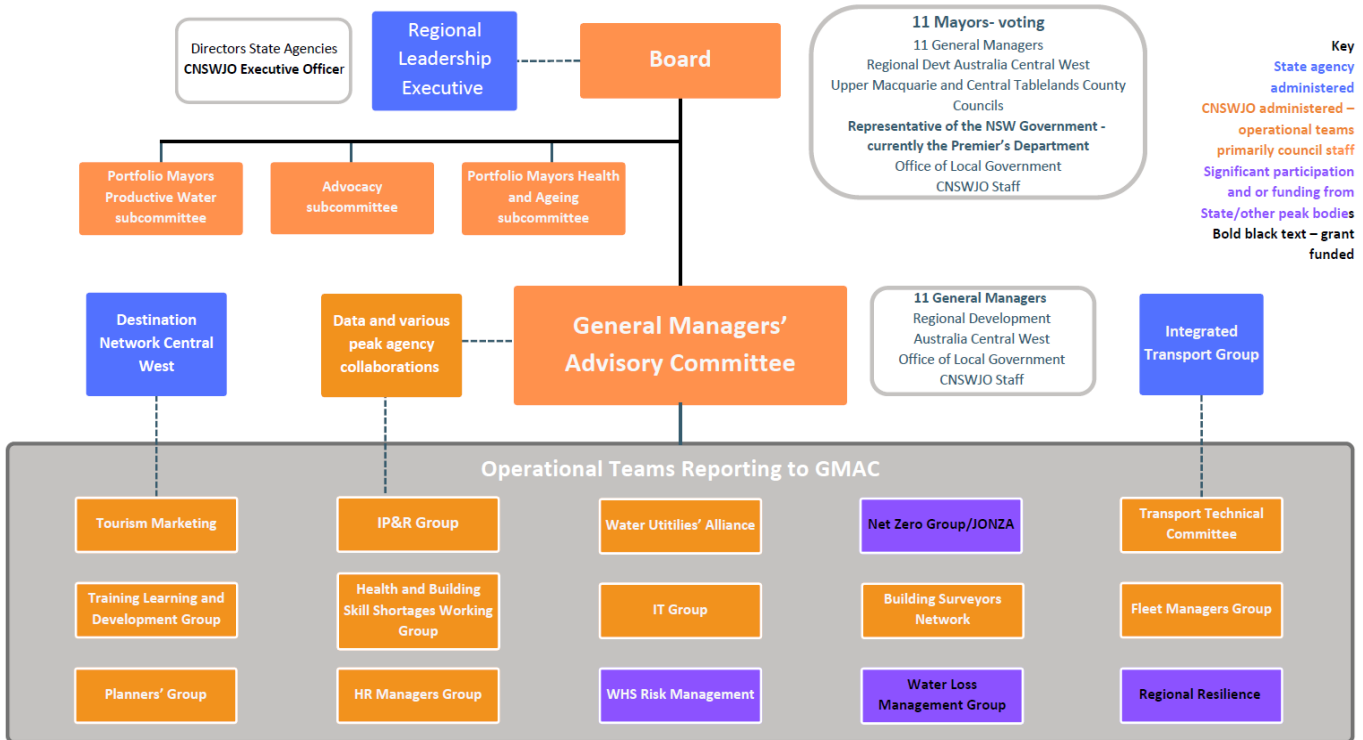
Cr K Beatty and Cr P Miller OAM, Chair and Deputy Chair

Speakers to the Board were Mr Andrew McConville, Chief Executive from the Murray Darling Basin Authority and Mr David Reynolds, Chief Executive from Local Government NSW.

The Executive Officer provided a brief introduction to the business paper, the region's priorities and the JO structure.

Updates were provided from the Office of Local Government, Regional Development Australia Central West and the Premier's Department.

More detail on reports to the meeting are below where the agenda can be found at [241113 Board-agenda web-version.pdf](https://www.cnswjo.nsw.gov.au/241113-Board-agenda-web-version.pdf)



CNSWJO Structure

The Board adopted the Annual Statement including Financial Statements which can be found at [Central NSW Joint Organisation Annual Statement for 2024](#). In summary, CNSWJO value to members included:

- 26 submissions lodged on priorities identified in region ranging from council financial sustainability through to water reform;
- 32 plans, strategies and other collateral that members can leverage for funding, advocacy, forward planning and other purposes;
- 175 representation and collaboration opportunities;
- \$5m in net cost savings from aggregated procurement and AER determination;
- \$1.3m in grants for members; and
- \$1.43m in public relations value through its regional destination marketing program.

The Board resolved to table correspondence at its meeting with NSW Government representatives regarding concerns about the funding framework, particularly for mining affected communities.

The following day was one of engagement with NSW Government representatives hosted by Mr Phil Donato, Member for Orange. The day began with a welcome by the 47th Premier of NSW, the Hon

Chris Minns. Mayors raised local and regional issues with the following Ministers:

- The Hon Chris Minns MP – Premier of NSW;
- The Hon Jenny Aitchison MP – Minister for Regional Transport and Roads;
- The Hon Daniel Mookhey, MLC -Treasurer;
- The Hon Tara Moriarty MLC -Minister for Agriculture, Minister for Regional New South Wales and Minister for Western New South Wales;
- The Hon Rose Jackson MLC- Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth and Minister for the North Coast;
- The Hon Ryan Park MP, Minister for Health, Minister for Regional Health and Minister for the Illawarra and the South Coast;
- The Hon Paul Scully MP, Minister for Planning and Public Spaces;
- The Hon Jihad Dib MP, Minister for Customer Service and Digital Government, Minister for Emergency Services and Minister for Youth Justice; and
- The Hon Ron Hoenig MP – Minister for Local Government.

Please request briefing notes.



The Hon Chris Minns, 47th Premier of NSW, speaks to Board members.,

The following items of major importance to the Oberon Local Government Area were raised during the discussion with Ministers.

Pest Control

The Natural Resource Commission (NRC) has published an interim report on Pest and Weeds Biosecurity in NSW recommending governments consideration of bringing the two biosecurity functions, pest animals and weeds, much closer together. Concurrently Dr. Marion Healy, the newly appointed Biosecurity Commissioner in NSW has commenced a review of the Governance function for Invasive Species in NSW focused on Pests and Weeds. The Minister for Agriculture, Tara Moriarty, said it was not planned at this stage to have the pest function transferred to Local Councils/County Councils. The report is interim, and she expects many substantive submissions on it. Dr Healy is meeting with Central Tablelands Weeds Authority on Wednesday 20 November to seek input for her review into weed control processes and methodologies in NSW.



Mayor Andrew McKibbin and the Hon Chris Minn, Premier of NSW

Mayor McKibbin thanked the NSW Government for the extra \$13 million that had been allocated by the State Government for wild pig control but noted the problem was in plague proportions throughout the State. The Minister acknowledged the issue. Mayor of Lachlan, John Medcalfe suggested a snout bounty be introduced to encourage shooters to kill pigs and in particular to shoot pigs of all sizes not just large ones.

Contribution by State Government to Renewable Energy Zones (REZs)

The NSW Government has indicated it will contribute \$128 million to REZs for upgrading roads and compensating communities for the dislocation caused by Renewable Energy projects.

Mayor McKibbin asked Stephen Lawrence, the Labour MLC responsible for the Central West, why Councils where the State Government had directed Forestry Corporation to investigate constructing windfarms should not be treated similarly with State Government funding for roads and community dislocation?

Connectivity to Sydney

The perpetual issue of connectivity for passenger and freight to Sydney via rail and road was raised including the issues with the rail freight curfew during the day. Landslides blocking the Great Western Highway (GWH) and western rail line were also discussed. It was suggested a long-term vision for a solution was required. The Premier indicated its current projects in Sydney for rail were well over budget and close to double the original price, so this was hampering any future plans for the Blue Mountains. There has also been a significant redistribution of GST revenue which has substantially reduced NSW share and therefore the state was hampered without Federal Govt funding for any solution. Minister Atchison stated a white paper is coming out next year for consultation with all stakeholders including Blue Mountains residents on future strategies for the GWH.

Jenolan Caves

The issue of the closure of Jenolan Caves was raised with Minister Atchison, the Minister for Regional Roads, and its effect on Oberon Tourist businesses. The Edith Road connection to the Caves is currently scheduled for reopening to tourist traffic in March 2026. Even then the available carparks at Jenolan Caves will not be nearly sufficient for the potential though put of visitors to the Caves upon reopening. The Minister was asked to consider additional strategies for access to the Caves to ensure that both Jenolan Caves and Oberon could benefit from increased daily numbers of tourists to this facility. She indicated some strategies had been suggested and were being investigated.

Submissions

The following submissions have been lodged since the last Board meeting. All have been at the request of members and/or as part of supporting the advocacy policy of the Board. All previous submissions can be viewed on the CNSWJO website at [Submissions - Central Joint Organisation \(nsw.gov.au\)](https://www.cnswjo.org.au/submissions)



A big thanks to Phil Donato, Member for Orange, for bringing together a very successful agenda with State Ministers at Parliament House Sydney.

- [Submission on the third inquiry into the Rural and Regional Health Services – October 2024](#)
- [Feedback on New National Water Agreement – September 2024](#)
- [Feedback on Draft Australian Drought Policy – September 2024](#)
- [Submission to the Select Committee on Essential Worker Housing on Options for Essential Worker Housing – September 2024](#)
- [Submission on the Council Apprentice, Trainee and Cadet Program Funding Guidelines – September 2024](#)
- [Submission on the Draft Disaster Adaption Plan Guidelines – August 2024](#)

Memorandum of Understanding (MoU) and work with the Rural Doctors' Network (RDN)

The MoU with the RDN was reconfirmed in the presence of the Minister for Health and Regional Health, the Hon Ryan Park. The past twelve months have seen the completion of a project on health literacy with the RDN. All members of the CNSWJO have received their final reports in this regard and some recommendations were made at the regional level as per the below.



Signing of the MoU with RDN. R-L – Mr Richard Colbran, CEO RDN, Cr K Beatty, Cr P Miller OAM, The Hon Ryan Park, Minister for Health and Minister for Regional Health.,

7.1 Advocacy

There are considerable gaps in the broader system that pose significant barriers to building the pool of healthcare professionals in the Central West. There were concerns about the gradual encroachment of engagement with health and health service delivery beyond the mandated environmental health Councils, work that is beyond the remit of council and unfunded. There is a significant advocacy component – as rural and remote continue to grapple with thin markets in primary care, characterized by inadequate supply of primary healthcare professionals to meet community demands, communities will find access to high quality, local, primary care more difficult. Councils bore the brunt of this and engage with the health system of necessity and often unfunded.

In conversations with Councils, it was also noted that challenges such as insufficient housing, readily available childcare options, and employment opportunities for family members could create barriers to attracting and retaining a health workforce.

There is an opportunity for CNSWJO to advocate for improved housing availability, access to childcare, and alternative funding models to improve health access for their respective constituencies.

There is opportunity to work with RDN to invite government representatives from health to attend a CNSWJO Meeting or visit Councils in the region. Given the recent *NSW Parliamentary Inquiry into Health Outcomes and Access to Health and Hospital Services in Rural, Regional and Remote New South Wales*, this could provide an opportunity for government to engage directly with Councils and learn more about local challenges.

CNSWJO is encouraged to engage in collaboration with peak agencies to share findings from this project and seek equitable outcomes for the region.

It could also advocate to have updated data on key health metrics including health workforce from RDN and the respective LHDs and PHNs.

7.2 Action Plan Implementation

The *Action Plan* lays out recommendations Council can consider to support access to health services. These can be implemented in collaboration with partners such as RDN and the Local Health Districts.

The steps followed in this project is part of a larger methodology, Collaborative Care, which Councils can consider implementing in partnership with RDN. The steps undertaken in this project form *Part One* of the method – full implementation of the target can help formulate targeted interventions for specific health issues communities face.

7.3 Collaborative Care

Collaborative Care is a community-centred approach to addressing the primary health care challenges in remote and rural NSW. These challenges include the provision of services, recruitment and retention of health practitioners, financial sustainability of health services, and continuity of care for patients.

The approach works with local health professionals and communities to create a primary health care access model that fits their needs. It does this by bringing communities from neighbouring areas together to co-design shared priorities and solutions. Collaborative Care Program is an extension of RDN's town-based health planning approach, which has proven successful for more than 30 years.

Support for incoming Councillors and the CNSWJO Statement of Strategic Regional Priority

Under the Local Government Act, Joint Organisations must undertake a review of their Statement of Strategic Regional Priority (SSRP) every new term of Council. This is a similar document to Council's Community Strategic Plan– but from a regional perspective.

Guidance from the Office of Local Government states that the review should be conducted in consultation with all members and state agencies while referencing Council Community Strategic Plans.

For more detail on the process please go to the relevant chapter in the <https://www.olg.nsw.gov.au/wp-content/uploads/Joint-Organisation-Implementation-Guidelines.pdf>

The Board received advice about the development of the SSRP including two workshops with councillors from all member councils.

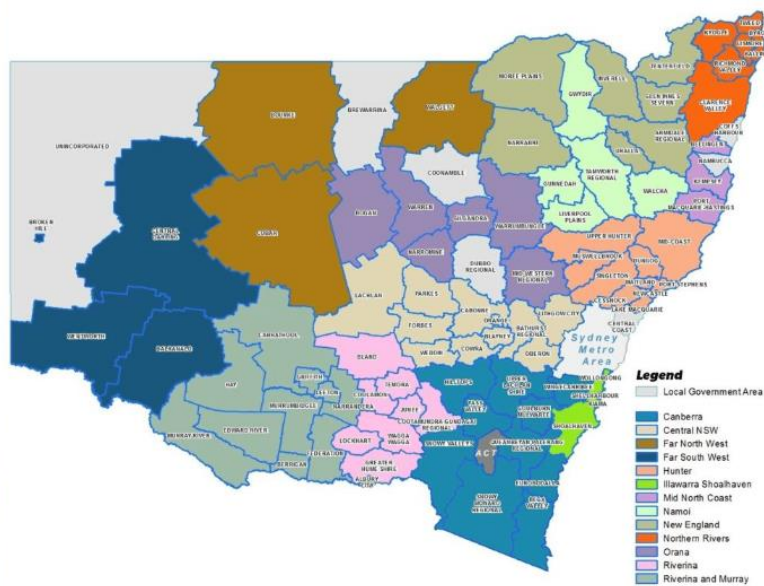
At the time of writing, the first workshop will be held on 28 November and will welcome this term of councillors to the region and provide background on CNSWJO. Councillors have an invitation in their diaries for this event.

The second workshop will focus more on what councillors from across the region want to see in the SSRP and this workshop will be held in March 2025.

CNSWJO would also like to provide a presentation to the new Council on its programming and seek feedback on its priorities. This is recommended.

CNSWJO Chair elected as Deputy Chair of the Joint Organisations Forum

Subsequent to the meeting with State representatives the CNSWJO Chair was elected as Deputy Chair of the Joint Organisations Chairs' Forum who work together on advocacy and leading practice.



Cr K Beatty, Deputy Chair, Cr S Moore, Mayor of Singleton Council and Chair of the Joint Organisation Chair's Forum and the map of JOs in NSW.

Value to Council

80% of CNSWJO resources are dedicated to providing its operational support program. For the 2023/2024 year this program delivered a return on investments of 8.3:1 for every dollar Council spends on its membership fees. This value is made up of grant income, monies saved through the CNSWJO procurement program and public relations value from its tourism marketing.

The work the region does in writing submissions, media, supporting projects and project teams, developing collateral and providing opportunities for members in various forums to represent their views is not included in the above figure of 8.3:1 ROI. However, this value is reported quarterly to the Board. Please go to the CNSWJO website to review past Board agendas at <https://www.centraljo.nsw.gov.au/business-papers-agendas/> or to review last year's Annual Statement please go to [2023 STATEMENT \(nsw.gov.au\)](https://www.centraljo.nsw.gov.au/2023-STATEMENT)

Grant funded projects for the 2023/2024 year were:

- The Joint Organisation Net Zero Acceleration Program (ongoing);
- Disaster Risk Reduction Fund Program (Round One completed);
- Disaster Ready Fund (Round 2 application);
- Bridge Assessments (due for completion in 2024/2025);
- A Business Case for Priority Investment in the Nexus between Net Zero and Energy Security (completed);
- A Regional Centre of Excellence in Water Loss Management (due for completion in 2024/2025);
- Transitioning Integrated Water Cycle Management Plans to Integrated Planning and Reporting (completed); and
- A Spare Capacity in Housing Project (completed).

Further applications have been made for programs under the auspices of the Board – please request advice on their status.

This value is delivered primarily by the various operational teams across the region including the CNSWJO;

- General Managers' Advisory Committee
- Water Utilities' Alliance
- Transport Technical Committee
- Tourism Managers Group
- Planners' Group
- Human Resources Managers Group
- WHS/Risk Management Group
- Training, Learning and Development Group
- Net Zero Group
- Regional IT Group
- Building Surveyors Skills Shortages Working Group
- Disaster Risk Reduction Steering Committee
- Fleet Managers Group (new!)
- Integrated Planning and Reporting Group (new!)

Please find following some highlights from the various operational support programs taken from a recent newsletter. For the full newsletter please go to [CNSWJO Quarterly Newsletter - Edition 1 - November 2024](#)



The recruitment of the Regional Chief Information Security Officer (CISO) is underway. This role will support member councils in their strategic approach to cyber security.



CNSWJO is trialling a new service offering; providing on-demand procurement facilitation to councils who may not have the time or resources to conduct a procurement process themselves.

This is in addition to the aggregated procurement that CNSWJO has been doing for many years.



A new IP&R Group has been formed to support member councils. Frameworks have been developed for Water, Disaster Risk Reduction and Climate Change.



CNSWJO has been announced as a successful applicant under the Disaster Ready Fund Round 2 with the Deed under negotiation.

The 3-year project supports Disaster Adaptation Plan (DAP) development, statewide disaster risk reduction coordination, resilience assessments for energy and water, evidence-based technology solutions, the development of critical infrastructure resilience plans for participating councils, and a grant readiness program.



The Disaster Risk Reduction Fund (DRRF) Program is now complete, highlighting key achievements and emphasising the importance of ongoing prioritisation and investment in disaster risk reduction.



Certificate III in Water Treatment, Certificate III in Networks and Certificate IV in Water Treatment training has been delivered over the past 12 months and all three cohorts will have completed their training by mid-November 2024.

In total, 47 operators were enrolled in the training being delivered by Fusion Training across 10 member councils.



Phase 1 of the Water Loss Management Hub is now complete. The objective was to co-design a Hub to coordinate and deliver initiatives to reduce non-revenue water, deliver training, research and further develop a maturity benchmarking model.

Funding has been applied for to deliver Phase 2 of the program which seeks to further support CNSWJO member councils while also expanding the program into other regions.



CNSWJO has received funding from the NSW Government to progress a number of EV activities. One main project is a tourism/economic development-focused interactive map to support tourists travelling around the region to know what to visit, eat, drink and do while waiting to charge their car.



CNSWJO is proudly hosting an EV Drive Day at Mt Panorama in Bathurst on 5-6 December 2024. Day 1 will provide council staff and elected representatives with the opportunity to hear from a range of industry representatives and test drive over 20 vehicles. Day 2 will be focused on local businesses and community members.



CNSWJO is the lead JO in a cross-JO project called the Southern Lights Group. Through advocacy undertaken by the Group, the new streetlight network pricing will save member councils over \$770k over the 5-year pricing period compared to current prices. This is a 16.9% decrease.



We received feedback at the SSRP workshop that many council staff are unclear who the Joint Organisation is and what it does. This quarterly newsletter intends to provide you with the highlights on what we're up to.

Return on Investment



Minutes of the Board meeting 13 November 2024 held in Sydney

Board members In Attendance*

Cr R Taylor	Bathurst Regional Council	Cr C Coleman	Lithgow City Council
Cr B Reynolds	Blayney Shire Council	Cr A McKibbin	Oberon Council
Cr K Beatty	Cabonne Council	Cr T Mileto	Orange City Council
Cr P Smith	Cowra Council	Cr M Applebee	Parkes Shire Council
Cr P Miller, OAM	Forbes Shire Council	Cr P Best	Weddin Shire Council
Cr J Medcalf, OAM	Lachlan Shire Council	Ms G Collins	Premier's Dept

Associate Member delegates and others attending

Ms D Sherley	Bathurst Regional Council	Cr A Rawson	Central Tablelands Water
Mr B Byrnes	Cabonne Council	Mr C Harris	Central Tablelands Water
Mr D Wymer	Cowra Shire Council	Mr J Gordon	RDACW
Mr G Tory	Lachlan Shire Council	Ms K Annis-Brown	OLG
Mr R Gurney	Lithgow City Council	Ms J Bennett	CNSWJO
Mr G Wallace	Oberon Council	Ms M Macpherson	CNSWJO
Mr D Waddell	Orange City Council	Ms K Barker	CNSWJO
Mr K Boyd PSM	Parkes Shire Council	Ms C Griffin	CNSWJO
Ms N Vu	Weddin Shire Council		

*Voting members in **bold**

Meeting opened at 12.30pm

1. **The Executive Officer welcomed the Board to the meeting, held in Sydney.**
2. **Acknowledgement of Country**
3. **Election of Chairperson and Deputy Chairperson**

Cr Kevin Beatty was elected unopposed as the Chair for the CNSWJO for a period of 2 years.

Cr Phyllis Miller was elected unopposed as the Deputy Chair for the CNSWJO for a period of 2 years.

4. **Apologies, applications for a leave of absence by Joint Organisation Voting representatives**

S Loane OAM, Cr N Westcott, Cr R Fagan Chair RDACW, M Dicker, T Johnson,

Resolved	Cr J Medcalf / Cr P Miller
That the apologies for the Central NSW Joint Organisation Board meeting 13 November 2024 listed above be accepted.	

5. **Conflicts of Interest**

Resolved	Cr M Applebee / Cr A McKibbin
Nil declared	

6. **Speakers**

Mr Andrew McConville, Chief Executive from Murray Darling Basin Authority

Mr David Reynolds, Chief Executive from Local Government NSW

Ms Jenny Bennett will provide a briefing on navigating the business paper and an overview of the calendar of meetings for the year

7. The CNSWJO Acronyms and Glossary Guide

8. Minutes

8a Noting of the Minutes of the CNSWJO GMAC Meeting held 31 October 2024 in Blayney

Resolved	Cr P Miller/Cr J Medcalf
That the Minutes of the CNSWJO GMAC Meeting held 13 November 2024 in Blayney were noted.	

8b Confirmation of the Minutes of the CNSWJO Board Meeting 21 August 2024 in Canberra

Resolved	Cr M Applebee / Cr P Miller
That the Minutes of the CNSWJO Board Meeting held 21 August 2024 in Canberra were accepted.	

9. Business Arising from the Minutes - Matters in Progress

Resolved	Cr M Applebee / Cr A McKibbin
That the Central NSW Joint Organisation Board note the Matters in Progress, making deletions as suggested.	

10. Reports on Statement of Regional Strategic Priority 2022-2025

10a Financial Report

Resolved	Cr J Medcalf / Cr A McKibbin
That the Board note the Financial Report and note that CNSWJO is up to date with its obligations under the Office of Local Government compliance calendar.	

10b Adoption of the Audited Financial Statements for the year ended 30 June 2024

Resolved	Cr B Reynolds / Cr P Miller
That the Board adopt the Central NSW Joint Organisation General Purpose Financial Statements for the year ended 30 June 2024.	

10c Annual Compliance and CNSWJO Meeting dates for 2025

Resolved	Cr T Mileto / Cr P Miller
That the Board note the Compliance report and;	
<ol style="list-style-type: none"> 1. note the Calendar of Compliance and Reporting-Requirements update; 2. endorse the 2024 Annual Performance Statement and place it on the website; 3. note the advice from the Executive Officer that this is summarised in the Annual Performance Statement; 4. note the advice on code of conduct complaint statistics; 5. note the Pecuniary Interest Returns under s450a of the Local Government Act 1993; 6. determine the dates for Board meetings for 2025 be: <ol style="list-style-type: none"> a. 27 February 2025 in Oberon b. 29 May 2025 at either State or Federal Parliament House c. 28 August 2025 in Orange d. 27 November 2025 at either State or Federal Parliament House 7. determine the dates for GMAC meetings for 2025 be: <ol style="list-style-type: none"> a. 6 February 2025 in Grenfell b. 1 May 2025 in Orange c. 24 July 2025 in Bathurst d. 23 October 2025 in Orange 	

10d Policy and Procedure Annual Review

Resolved	Cr R Taylor / Cr A McKibbin
That the Board note the CNSWJO Policy Procedure Annual Review report and	
<ol style="list-style-type: none"> 1. adopt the updated Policy and Procedure Manual noting it includes the following new policies; 	

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| <ol style="list-style-type: none"> a. Salary Structure; b. Motor Vehicle Policy; c. Vehicle Procedure; d. Updated Delegations; e. Cyber Security Policy; f. End of Term Caretaker Mode Policy; and <p>2. adopt the procedure for the Executive Officer Performance Appraisal.</p> |
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10e Statement of Strategic Priority Review Progress Report

Resolved	Cr P Miller / Cr M Applebee
<p>That the Board note the Statement of Strategic Regional Priority (SSRP) Review Progress Report and;</p> <ol style="list-style-type: none"> 1. ratify the approach to developing this term's SSRP; 2. note that the Board meeting in February will include a workshop on the SSRP and allow sufficient time for this on the day; 3. adopt the "problem statement" and "opportunities statement" from the workshop with GMAC; and 4. agree to a half hour session at Parliament House 14 November to explore short term wins; 5. appoint a Subcommittee to develop an approach to supporting enduring Council financial sustainability with advice to inform the SSRP, which includes Cr B Reynolds, Mr D Waddell, Ms N Vu, Mr R Gurney and Mr B Byrnes. 	

10f Governance and Advocacy Report

Resolved	Cr J Medcalf / Cr A McKibbin
<p>That the Board note the Governance and Advocacy Report and;</p> <ol style="list-style-type: none"> 1. nominate Portfolio Mayors to the various portfolios of: <ul style="list-style-type: none"> • Leveraging our successful collaboration – Cr K Beatty, Cr P Miller • Regional Prosperity through better infrastructure and services – Cr B Reynolds, Cr N Westcott • Advocate for better infrastructure and services in health and ageing – Cr P Miller, Cr N Westcott, Cr J Medcalf • Telecommunications – Cr J Medcalf, Cr P Miller, Cr K Beatty • Regional Transport Planning and Infrastructure Prioritisation – Cr P Smith, Cr A McKibbin, Cr B Reynolds • Regional Water Security and Productive Water – Cr R Taylor, Cr P Smith, Cr A Rawson • Transition to a sustainable, secure and affordable energy future – Cr C Coleman, Cr N Westcott; and 2. adopt the Memorandum of Understanding with Rural Doctors Network for signature with the Minister for Health at the parliamentary session 14 November 2025; 3. note the Final Report from the Rural Doctor's Network on the NSW Regional Community Health System and Workforce Engagement Project; 4. receive advice on the recommendations from this report; 5. note the invitations for the Opt-in Subcommittee for Advocacy will be issued for a monthly meeting on a Wednesday at 7:30am; 6. note that with the federal election being held before September 2025 that the Opt-in Advocacy Subcommittee will be asked to turn its mind to advocacy in the regard; 7. adopt the Code of Conduct submission to be lodged 29 November; feedback 8. endorse the following submissions that have been lodged: <ol style="list-style-type: none"> a. Submission on the third inquiry into the Rural and Regional Health Services – October 2024 Feedback on New National Water Agreement b. Feedback on Draft Australian Drought Policy c. Submission to the Select Committee on Essential Worker Housing on Options for Essential Worker Housing – September 2024 d. Submission on the Council Apprentice, Trainee and Cadet Program Funding Guidelines – September 2024 	

e. Submission on the Draft Disaster Adaption Plan Guidelines – August 2024
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10g Procurement Report

Resolved	Cr M Applebee / Cr A McKibbin
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That the Board note the Procurement Report and approve the updates to the procurement plan.

10h Regional Integrated Planning & Reporting (IP&R) Group Report

Moved	Cr T Mileto / Cr M Applebee
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That the Board note the Regional Integrated Planning and Reporting (IP&R) Report and:

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| <ol style="list-style-type: none"> 1. endorse the Regional IP&R Group’s Terms of Reference; 2. endorse the Regional IP&R Group’s Plan on a Page; and 3. endorse the Regional Climate Change IP&R Framework and commend it to members. |
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10i Regional Resilience Program

Resolved	Cr A McKibbin / Cr R Taylor
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| <ol style="list-style-type: none"> 1. That the Board note the Regional Resilience Program report and the successful application for Round 2 of the Disaster Ready Fund which includes \$743,130 in grant funding. |
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10j Regional Water Report

Resolved	Cr P Miller / Cr M Applebee
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That the Board note the Regional Water Report and

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| <ol style="list-style-type: none"> 1. note the advice from Frontier Economics that the pilot Regional Water Loss Management Hub has demonstrated excellent value for money with a benefit-cost ratio (BCR) of 9.98 and that based on the Regional Leakage Reduction program the value of the water savings are estimated to be \$5.26/kL; 2. note that CNSWJO is in negotiations with the Department of Climate Change Energy the Environment Water for further funding as the lead Joint Organisation in a regional cross Joint Organisation approach to water loss management; 3. continue to advocate for the finalisation and implementation of Regional Water Strategies; 4. leverage the advice in the Government’s response to the Joint Select Committee’s Inquiry into the Protection of Local Water Utilities from Privatisation for in-principle support for recommendation 13: that the NSW Government consider how it can better target funding and simplify bureaucracy in order to strengthen exiting Alliances and encourage the formation of new Alliances; and 5. endorse the CSU Policy Lab on Productive Water Final Report. |
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10k Energy Program Report

Resolved	Cr R Taylor / Cr B Reynolds
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That the Board note the Energy Program Report and

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| <ol style="list-style-type: none"> 1. encourage members to attend and support CNSWJO’s EV Drive Day in Bathurst on 5 December 2024; 2. approve CNSWJO to facilitate a regional procurement process for small electricity sites for CNSWJO member councils only, noting a side-by-side approach with REROC; 3. note the estimate \$770k in savings over the 5-year AER Determination process achieved as a result of the Southern Lights Group advocacy. |
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10l Quarterly Review of the Central NSW JO Strategic Plan and Statement of Regional Strategic Priority 2022-2025

Resolved	Cr J Medcalf / Cr B Reynolds
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That the Board note the Quarterly Review of the Central NSW JO Strategic Plan and Statement of Regional Strategic Priority 2022-2025 and;

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| <ol style="list-style-type: none"> 1. adopt the proforma Councillor Training Plan; 2. seek to aggregate training in region for Councillors with advice from Councillor training plans; |
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3. receive a report on developing a Memorandum of Understanding with Skillset;
4. note that a high-level destination marketing plan will be provided to the Board in February; and
5. promote the welcome event for councillors 28 November.

11 Resolve into Confidential Committee of the Whole

Resolved	Cr P Miller / Cr J Medcalf
That the Board	
<ol style="list-style-type: none"> 1. resolve into closed session to consider business identified, together with any late reports tabled at the meeting. 2. Pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above 3. Correspondence and reports relevant to the subject business be withheld from access. 	

11a Confidential Report - Executive Officer Performance Review 2023-2024

Resolved	Cr T Mileto / Cr P Miller
That the Board receive the Executive Officer Performance Review 2023-2024, and	
<ol style="list-style-type: none"> 1. note the report regarding the performance management of the Executive Officer and that the performance was better than satisfactory; 2. note an increase to the Executive Officer's remuneration package of 4.0%. This reflects a 3.5% discretionary increase and an increase of 0.5% to cover the Superannuation Guarantee Charge increase; 3. delegate the entirety of the performance review function to a Performance Review Panel that: <ol style="list-style-type: none"> a. develops (annually) a Performance Agreement in consultation with the Executive Officer; b. undertakes a performance assessment (annually) of the Executive Officer; c. determines the following in relation to the Performance Agreement: <ol style="list-style-type: none"> i. A final list of projects to be included in the Performance Agreement; and ii. Any managerial or behavioural actions that they would like the Executive Officer to address during the review year; d. review and determines salary and any bonus arrangements; and e. provides a report to the Board facilitated by the Chair of GMAC; and 4. determine that the performance Review Panel be the Chair, Deputy Chair and a Mayor nominated by the Executive Officer to be facilitated by the Chair of GMAC. 	

11b Resolve into Open Session

Resolved	Cr A McKibbon/ Cr P Miller
That the Board reopen the meeting to the public.	

12. Late Reports - Nil

13. Matters raised by Members

Letter from Blayney Shire Council to the Hon Chris Minns re Royalty Return to Mining Impacted Communities

Resolved	Cr J Medcalf/Cr B Reynolds
That correspondence to Ministers Houssos and Moriarty be prepared for tabling at the meeting with State representatives 14 November that:	
<ol style="list-style-type: none"> 1. seeks to prioritise funding for mining impacted communities in the Regional Trust Fund and Jobs Fund; and 2. seeks advice on funding pathways for councils outside these programs. 	

14. Updates from the Office of Local Government, The Premier's Department and Regional Development Australia Central West.

15. Speakers to the next meeting

Oberon Council - Agenda - Ordinary Meeting - 17 December 2024

Suggestions:

Ms Kate Lorimer-Ward from Local Land Services

Mr Ian Smith from Dept Primary Industry and Regional Development (DPIRD)

Mr Steve Wills from Regional Delivery, DPIRD

Mr Ash Albury from Energy Co

Meeting closed at 4:33pm

Page 6 is the last page of the Central NSW Joint Organisation Board meeting Minutes of the Meeting of 13 November 2024 held in Sydney.

11.2 Country Mayors Association Meeting - 15 November 2024

File No: Governance/Meetings/Ordinary

Author: Deputy Mayor Katie Graham and General Manager Gary Wallace

Summary

Country Mayors Association of NSW held its General Meeting in the Theatrette in NSW Parliament House, Sydney on Friday 15 November 2024. Deputy Mayor Councillor Katie Graham and General Manager Gary Wallace attended the meeting on behalf of Oberon Council. The theme for the meeting was skills and education.

Recommendation:

That the delegates report for the 15 November 2024 Country Mayors Association Meeting be received and noted.

List of Attachments

1. CMA MINUTES 15- Nov-2024-f [11.2.1 - 11 pages]

Comment

The meeting was addressed by a number of speakers as follows:

- NSW Opposition Leader & Liberal Leader, the Hon Mark Speakman MP
- Introduction of new Mayors, who were presented with CMA pins. There was also acknowledgement of those who were not re-elected and recognition for retiring Executive Board Members.
- Acting Chairman's Report – Councillor Rick Firman
- LGNSW Report – Councillor Darriea Turley
- Minister for Skills, TAFE & Tertiary Education, the Hon. Steve Whan MP

The Annual General Meeting was then undertaken with the following results provided:

Ms. Boxall announced the following Election results for a two-year term:

Mayor of Temora Shire Council, Cr. Rick Firman OAM was endorsed as Chairman unopposed.

Bega Valley Shire Council Mayor Cr. Russell Fitzpatrick and Armidale Regional Council Mayor Cr. Sam Coupland contested for the Deputy Chairman Position. Mayor Fitzpatrick won.

From thirteen candidates, the following seven Mayors were elected to the Executive Board of the CMA:

- Cr. Phyllis Miller OAM, Forbes Shire Council
 - Cr. Sam Coupland, Armidale Regional Council
 - Cr. John Medcalf OAM, Lachlan Shire Council
 - Cr. Sue Moore, Singleton Council
 - Cr. Josh Black, Dubbo Regional Council
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- Cr. Russell Webb, Tamworth Regional Council
- Cr. Sharon Cadwallader, Ballina Shire Council.

The vote was close across the Board and there were no informal votes. The following Mayors were unsuccessful:

- Cr. Steve Allan, Bellingen Shire Council
- Cr. Chris Hanna, Snowy Monaro Regional Council
- Cr. Mathew Hatcher, Eurobodalla Shire Council
- Cr. Brian Monaghan, Bland Shire Council
- Cr. Danielle Mulholland, Kyogle Council
- Cr. Darrell Tiemens, Narrabri Shire Council

Hosting Non-Metropolitan Meetings in 2025

Submissions to host a non-metropolitan meeting in 2025 have been received from Orange City Council, Ballina Shire Council and Inverell Shire Council.

It was resolved that one CMA Regional Meeting will be held in 2025. The Executive will decide on the location in the new year.

Final Guest Speaker

The Premier, the Hon. Chris Minns MP was originally scheduled to speak at 9:15am, he requested a change to 12:30pm days before the meeting and had to send an apology halfway through the meeting. He sent **Minister for Regional Roads and Transport, the Hon. Jenny Atchinson MP** as his representative.



THE COUNTRY MAYORS ASSOCIATION OF NSW INC

"What we want is nothing more than equity"

*Chairman: Cr Rick Firman OAM
C/- Temora Shire Council,
PO Box 262, Temora NSW 2666
Email:admin@nswcountrymayors.com.au*

MINUTES

The ANNUAL GENERAL MEETING of the Country Mayors Association of NSW Inc was held on **Friday 15 November 2024, in the Theatre, Parliament House, Macquarie Street from 8:20am until 1pm. The meeting had a Skills and Education theme.**

Acting Chairman Cr. Rick Firman OAM extended the official Welcome.

**Guest Speaker;
NSW Opposition Leader & Liberal Leader, the Hon Mark Speakman MP**

Opposition Leader Speakman congratulated recently elected mayors. He described the regional connectedness of the NSW Coalition Opposition.

"Our shadow skills and education ministers are regionally based."

"There's a lot of pain and frustration in the regions. Pressures including difficulties getting skilled staff are a real challenge, as are the accommodation shortages. I was recently in Cowra with Local Member Steph Cooke and the increasing water costs was a pressure on agribusiness there."

"The issue with common planning assumptions (which understate growth projections and thus, funding) was another issue in Cowra and Parkes. There are dramatic reductions in funding. Councils have to repair the roads after floods and we are determined to support them."

"Prefabricated, smaller homes is one of the alternative approaches floated that will help address the housing needs of country NSW."

Introduction of new Mayors, who were presented with CMA pins. There was also acknowledgement of those who were not re-elected and recognition for retiring Executive Board Members. Three former CMA Executive Board members were presented with plaques which acknowledged their service:

Cr. Firman again paid tribute to the work of former CMA Chairman and Mayor of Gunnedah Shire, Mr Jamie Chaffey, who was pleased to take a break from campaigning for the Federal Seat of Parkes to support the CMA. Mr Chaffey encouraged Mayors to make the most of their time as Mayors and highlighted the value of the CMA.

Former CMA Executive Member and Mayor of Narromine Shire Cr. Craig Davies reiterated the importance of the bio-conservation Act issue and the CMA.

Former CMA Executive Member and Mayor of Federation Council, Cr. Patrick Bourke reiterated how he valued the CMA and the relationships from it.

Attendance 150

Cr. Kevin Mack	Mayor	Albury City Council
Frank Zaknich	CEO	Albury City Council
Cr. Todd Redwood	Deputy Mayor	Armidale Regional Council
James Roncon	GM	Armidale Regional Council
Linda Scott	Former President	ALGA
Cr. Robert Taylor	Mayor	Bathurst Regional Council
David Sherley	GM	Bathurst Regional Council
Cr. Sharon Cadwallader	Mayor	Ballina Shire Council
Cr. Russell Fitzpatrick	Mayor	Bega Valley Shire Council
Anthony McMahon	CEO	Bega Valley Shire Council
Mark Griffioen	GM	Bellingen Shire Council
Cr. Stephen Allan	Mayor	Bellingen Shire Council
Cr. Julia Cornwell McKean	Mayor	Berrigan Shire Council
Cr. Brian Monaghan	Mayor	Bland Shire Council
Grant Baker	GM	Bland Shire Council
Cr. Bruce Reynolds	Mayor	Blayney Shire Council
Mark Dicker	GM	Blayney Shire Council
Cr. Lachlan Ford	Mayor	Bourke Shire Council
Leonie Brown	GM	Bourke Shire Council
Cr. Jim Hickey	Deputy Mayor	Broken Hill City Council
Cr. Sarah Ndiaye	Mayor	Byron Shire Council
Mark Arnold	GM	Byron Shire Council
Cr. Kevin Beatty	Mayor	Cabonne Shire Council
Bradley Byrnes	GM	Cabonne Shire Council
Sharon Houlihan	EO	Canberra Region JO
Greg Hill	GM	Central Darling Shire Council
Cr. Daniel Watton	Mayor	Cessnock City Council
Cr. Ray Smith	Mayor	Clarence Valley Council
Laura Black	GM	Clarence Valley Council
Gary Fry	Secretariat	CMA
Cr. Jarrod Marsden	Mayor	Cobar Shire Council
Cr. Nikki Williams	Mayor	Coffs Harbour City Council
Cr. David McCann	Mayor	Coolamon Shire Council
Tony Donoghue	GM	Coolamon Shire Council
Cr. Daniel Keady	Mayor	Coonamble Shire Council
Paul Gallagher	GM	Coonamble Shire Council
Dirk Wymer	Acting GM	Cowra Shire Council
Cr. Paul Smith	Mayor	Cowra Shire Council
Cr. Josh Black	Mayor	Dubbo Regional Council
Murray Wood	CEO	Dubbo Regional Council
Gareth Curtis	GM	Dungog Shire Council
Cr. Digby Rayward	Mayor	Dungog Shire Council
Gary Arnold	CEO	Edward River Council

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Cr. Ashley Hall	Mayor	Edward River Council
Cr. Mathew Hatcher	Mayor	Eurobodalla Shire Council
Cr. Cheryl Cook	Mayor	Federation Council
	Council and past CMA Executive	
Cr. Patrick Bourke	Member	Federation Council
Adrian Butler	GM	Federation Council
Cr. Phyllis Miller OAM	Mayor	Forbes Shire Council
Cr. Doug Batten	Mayor	Gilgandra Shire Council
Cr. Nicholas White	Councillor	Gilgandra Shire Council
Cr. Margot Davis	Mayor	Glen Innes Severn Council
Bernard Smith	GM	Glen Innes Severn Council
Cr. Nina Dillon	Mayor	Goulburn Mulwaree Council
Marina Hollands	Acting CEO	Goulburn Mulwaree Council
Cr. Ben Hooper	Deputy Mayor	Greater Hume Council
Evelyn Arnold	GM	Greater Hume Council
Cr. Doug Curran	Mayor	Griffith City Council
Brett Stonestreet	GM	Griffith City Council
Cr. Colleen Fuller	Mayor	Gunnedah Shire Council
Eric Groth	GM	Gunnedah Shire Council
Cr. Tiffany Galvin	Mayor	Gwydir Shire Council
Max Eastcott	GM	Gwydir Shire Council
	Executive Manager Economic	
Alison McLean	Development & Tourism	Hay Shire Council
Cr. Brian Ingram	Mayor	Hilltops Council
Anothony O'Reilly	GM	Hilltops Council
Cr. Kate Dight	Mayor	Inverell Shire Council
Brett McInnes	GM	Inverell Shire Council
Cr. Kinne Ring	Mayor	Kempsey Shire Council
Craig Milburn	GM	Kempsey Shire Council
Stephen Mitchell	Director Corporate and Commercial	Kempsey Shire Council
Cr. Cameron McDonald	Mayor	Kiama Municipal Council
Jane Stroud	CEO	Kiama Municipal Council
Cr. Danielle Mulholland	Mayor	Kyogle Council
Cr. John Medcalf OAM	Mayor	Lachlan Shire Council
Greg Tory	GM	Lachlan Shire Council
Cr. George Weston	Mayor	Leeton Shire Council
Jackie Kruger	GM	Leeton Shire Council
Cr. Steve Krieg	Mayor	Lismore City Council
John Gibbons	GM	Lismore City Council
Ross Gurney	GM	Lithgow City Council
Cr. Cass Coleman	Mayor	Lithgow City Council
Cr. Ken Cudmore	Mayor	Liverpool Plains Shire Council
Gary Murphy	GM	Liverpool Plains Shire Council
Cr. Peter Sharp	Mayor	Lockhart Shire Council
Gavin Rhodes	GM	Lockhart Shire Council
Cr. Claire Pontin	Mayor	MidCoast Council
Cr. Des Kennedy	Mayor	Mid-Western Regional Council
Brad Cam	GM	Mid-Western Regional Council
Cr. Susannah Pearse	Mayor	Moree Plains Shire Council
Kelvin Tytherleigh	GM	Moree Plains Shire Council
Sarah Ryan	Acting CEO	Murray River Council

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Cr. John Harvie	Mayor	Murray River Council
Cr. Ruth McRae OAM	Mayor	Murrumbidgee Council
John Scarce	GM	Murrumbidgee Council
Cr. Jeff Drayton	Mayor	Muswellbrook Shire Council
Derek Finnigan	GM	Muswellbrook Shire Council
Cr Darrell Tiemens	Mayor	Narrabri Shire Council
Eloise Chaplain	GM	Narrabri Shire Council
Cr. Neville Kschenka	Mayor	Narrandera Shire Council
Cr. Craig Davies	Councillor and past CMA Executive	Narromine Shire Council
Cr. Ewen Jones	Mayor	Narromine Shire Council
Phil Johnston	Director	Narromine Shire Council
Jamie Chaffey	Past CMA Chariman	Nationals Candidate for Parkes
Jonathan Malota	Policy Advisor – Transport & Data	NRMA
Cr. Katie Graham	Deputy Mayor	Oberon Council
Gary Wallace	GM	Oberon Council
Erica Van Den Honert	Executive Director	OLG
Sharne Colefax	Manager, Council Engagement Council Engagement Manager,	OLG
Anita Gambhir	North Coast and Eastern Sydney	OLG
Cr. Tony Mileto	Mayor	Orange City Council
Cr. Neil Westcott	Mayor	Parkes Shire Council
Cr. Marg Applebee	Deputy Mayor	Parkes Shire Council
Cr. Leah Anderson	Mayor	Port Stephens Council
Cr. Robert Mustow	Mayor	Richmond Valley Council
Vaughan Macdonald	GM	Richmond Valley Council
Cr. Kenrick Winchester	Mayor	Queanbeyan-Palerang Regional Council
Rebecca Ryan	GM	Queanbeyan-Palerang Regional Council
Yvonne Lingua	Executive Officer	RAMJO
Julie Briggs	CEO outgoing	REROC
Megan Mulrooney	CEO incoming	REROC
Cr. Robert Mustow	Mayor	Richmond Valley Council
Vaughan Macdonald	GM	Richmond Valley Council
Cr. Chris Homer	Mayor	Shellharbour City Council
Cr. Patricia White	Mayor	Shoalhaven City Council
James Ruprai	Acting GM	Shoalhaven City Council
Cr. Sue Moore	Mayor	Singleton Council
Justin Fitzpatrick-Barr	GM	Singleton Council
Cr. Chris Hanna	Mayor	Snowy Monaro Regional Council
Cr. Julia Ham	Mayor	Snowy Valleys Council
Paul Bennett	GM	Tamworth Regional Council
Cr. Rick Firman OAM	Mayor (CMA Acting Chairman)	Temora Shire Council
Melissa Boxall	GM	Temora Shire Council
Cr. Bronwyn Petrie	Mayor	Tenterfield Shire Council
Cr. Paul Culhane	Mayor	Upper Lachlan Shire Council
Alex Waldron	CEO	Upper Lachlan Shire Council
Cr. Robert Bell	Mayor	Uralla Shire Council
Toni Averay	GM	Uralla Shire Council
Cr. Eric Noakes	Mayor	Walcha Council
Megan Dixon	GM	Walgett Shire Council
Cr. Jasen Ramien	Mayor	Walgett Shire Council
Gary Woodman	GM	Warren Shire Council

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Cr. Greg Whiteley	Mayor	Warren Shire Council
Lindsay Mason	Acting GM	Warrumbungle Shire Council
Cr. Paul Best	Mayor	Weddin Shire Council
Noreen Vu	GM	Weddin Shire Council
Ken Ross	GM	Wentowrth Shire Council
Cr. Daniel Linklater	Mayor	Wentowrth Shire Council
Cr. Jesse Fitzpatrick	Mayor	Wingecarribee Shire Council
Lisa Miscamble	GM	Wingecarribee Shire Council

Apologies

Adrian Panuccio	MidCoast Council	GM
Cr. Bob Callow	Junee Shire Council	Mayor
James Davis	Junee Shire Council	GM
Cr. Abb McAlister	Cootamundra-Gundagai Regional Council	Mayor
Steve McGrath	Cootamundra-Gundagai Regional Council	Acting GM
Cr. Dallas Tout	Wagga	Mayor
Steve Loane OAM	Forbes Shire Council	GM
Cr. Russell Webb	Tamworth Regional Council	Mayor
Lord Mayor Tania Brown	Wollongong City Council	
Cr. Glen Neill	Bogan Shire Council	Mayor
Cr. Andrew McKibbobb	Oberon Mayor	
Cr. Kathryn Rindfleish	Warrumbungle Shire Mayor	
Cr. Sam Coupland	Armidale Regional Council Mayor	
George Cowan	Narrandera Shire	
Cr. Carol Oataway	Hay Shire Mayor	
David Waddell	Orange City Council CEO	
	Central Darling Shire	
Bob Stewart	Administrator	
Phil Hood	Walcha Council GM	
Jay Nankivell	Broken Hill City Council GM	
Steve Pinnuck	Snowy Valleys Council	

Apologies moved by Snowy Monaro Regional Council Mayor Cr. Chris Hanna and seconded by Bellingen Shire Council Mayor Cr. Steve Allan.

Reports

Year in Review **Acting Chairman's Report**

Cr. Firman spoke of the very big year that the CMA has had. Cabonne Mayor Cr. Kevin Beattie moved and Bellingen Mayor Cr. Steve Allan seconded that the report be accepted. Unanimously endorsed.

LGNSW Report

President of LGNSW, Cr. Darriea Turley AM congratulated mayors on their election. "We are a family. LGNSW has a strong MoU with the CMA and we stand together."

Moved by Kyogle Mayor Cr. Danielle Mulholland, Mayor of Eurobodalla and Cr. Mathew Hatcher

ALGA Report

Cr. Darriea Turley AM returned to the lectern as Vice-President of ALGA. Matt Burnett was elected President of ALGA unopposed. Cr. Turley encouraged participation and Ministerial contact at the ALGA conference.

Moved by Forbes Shire Council Mayor and CMA Executive Member Cr. Phillys Miller OAM and Seconded Kyogle Mayor, Cr Dannielle Mulholland. Unanimously endorsed.

Guest Speaker

Minister for Skills, TAFE & Tertiary Education, the Hon. Steve Whan MP

Minister Whan spoke of the linkages between educational institutions, training providers and industry that are being developed. “The Educational Partnerships program is doing that (linking) with Careers advisors in schools.”

“Raising awareness of the options available is important. A NSW Skills Plan will be released later this year.”

“Increased visibility of options at TAFE campuses has been called for, as with increased links between TAFE and communities.

1,300 apprenticeships place for LG was announced by Minister Hoenig and other initiatives are underway.”

“A strong investment in skill development like fee-free courses in VET has been undertaken by the Government. This includes encouraging people to upskill in trade skills. Doing a VET course can be financially far better than a university degree and leaves someone with a lot less debt.”

“Skilled Migration is also important. NSW Government does have State nominated visa programs and we are working with the Australian Government on that. The process of assessing skills can be complicated or slow. School fees will no longer be required certain visa holders and that will make NSW more attractive for skilled migrants.”

“TAFE teachers will be made less casual, more permanent and we’ve seen 500 transition to permanency already.”

Q. Cr. Sarah Ndiaye from Byron Shire: Southern Cross University is cutting the Arts – face to face creative arts is being cut out in our education institutions, including high schools.

A The previous Federal Government introduced policy that increased Arts fees and I will follow up with the Government.

My daughter is a drama teacher, so I am certainly looking into the discussion paper.

Q. Cr. Neville Kschenka (Narrandera Shire Mayor). Doctors from overseas take too long to get their skills assessed.

A. Unfortunately, that is a Federal issue and licensing in the medical sector is very complex.

Q. Cr. Robert Bell (Mayor of Uralla Shire). Speaking from the New England REZ, there is a need for training. There are great opportunities for trades with renewable energy projects. An

electrician gets \$70/hr in town and \$180/hr at a solar farm.

A. Our Skills Plan will hopefully incorporate that. The challenge is that a solar farm construction does not last long enough for an apprenticeship.

Q. Cr. George Weston (Mayor of Leeton Shire). Commented on the difficulty skilled migrants have in traveling to distant TAFE courses.

Q. Armidale Regional Council (Deputy Mayor Todd Redwood) also highlighted the New England REZ challenges.

Q. Cr. Kinny Ring (Mayor of Kempsey Shire Council). What are you doing about key skill shortage areas?

A. We are teaching more nursing in TAFE. RPL is difficult with skilled migrants. It often involves industry bodies, Government and it can be cumbersome. Keep an eye out for the Government's Skills Plan.

Q. Cr. Cass Coleman (Lithgow City Council Mayor), our TAFE students have to travel to Sydney or Orange. We need trade TAFEs and we need to make them more accessible to regional communities.

A. We cannot make all trades available at all campuses but some online components does help. We are looking at how we can reduce travel demands.

Morning tea in the Fountain Court of the NSW Parliament building was a brief respite that was a welcomed chance to relax and network with peers from around the State.

AGM business

Minutes from 2023 AGM – Bega Valley Shire Council Mayor and CMA Executive Member Cr. Russell Fitzpatrick moved and Forbes Shire Council Mayor and CMA Executive Member Cr. Phyllis Miller OAM seconded. Unanimously endorsed.

Correspondence - Forbes Shire Council Mayor and CMA Executive Member Cr. Phyllis Miller OAM moved and Lachlan Shire Council Mayor Cr. John Medcalf OAM seconded. Unanimously endorsed.

Financials

CMA Secretary and Temora Shire GM Melissa Boxall provided a summary, given financials had been supplied.

The financials were moved by Singleton Council Mayor and CMA Executive Member Cr. Sue Moore, Seconded by Bega Valley Shire Council Mayor and CMA Executive Member Cr. Russell Fitzpatrick. Unanimously endorsed.

Appointment of Returning Officers

RECOMMENDATION: That the Acting CMA Secretary/Public Officer Ms. Melissa Boxall and Secretariat Mr. Gary Fry be appointed as returning officers for the CMA Executive Board elections.

Motion of returning officers – Mayor of Wentworth Shire Council Cr. Daniel Linklater moved the motion and CMA Executive Member Cr. Phyllis Miller OAM seconded. Unanimously endorsed.

That the election be conducted by secret ballot.

Moved Cr. Phyllis Miller, seconded Cr. Sue Moore (Singleton Council).

Election results:

Ms. Boxall announced the following Election results for a two-year term:

Mayor of Temora Shire Council, Cr. Rick Firman OAM was endorsed as Chaiman unopposed.

Bega Valley Shire Council Mayor Cr. Russell Fitzpatrick and Armidale Regional Council Mayor Cr. Sam Coupland contested for the Deputy Chairman Position. Mayor Fitzpatrick won.

From 13 candidates, the following (7) Mayors were elected to the Executive Board of the CMA:

Cr. Phyllis Miller OAM, Forbes Shire Council
Cr. Sam Coupland, Armidale Regional Council
Cr. John Medcalf OAM, Lachlan Shire Council
Cr. Sue Moore, Singleton Council
Cr. Josh Black, Dubbo Regional Council
Cr. Russell Webb, Tamworth Regional Council
Cr. Sharon Cadwallader, Ballina Shire Council

The vote was close across the Board and there were no informal votes.

The following Mayors were unsuccessful:

Cr. Steve Allan, Bellingen Shire Council
Cr. Chris Hanna, Snowy Monaro Regional Council
Cr. Mathew Hatcher, Eurobodalla Shire Council
Cr. Brian Monaghan, Bland Shire Council
Cr. Danielle Mulholland, Kyogle Council
And Cr. Darrell Tiemens, Narrabri Shire Council

A motion was moved that should a vacancy occur in the Executive it would be filled by the candidate with the 8th highest vote count, with another vacancy occurrence going to 9th place etc. This was moved by Mayor of Bland Shire Council Cr. Brian Monaghan, seconded by Kempsey Shire Mayor Cr. Kinne Ring. Endorsed unanimously.

Forbes Shire Council Mayor and CMA Executive Member Cr. Phyllis Miller OAM and Bland Shire Council Mayor Cr. Brian Monaghan seconded that ballot papers be destroyed. Unanimous.

Orange City Council Mayor Cr. Tony Mileto moved that all elected positions be accepted and Leeton Shire Mayor Cr. George Weston seconded. Endorsed unanimously.

Appointment of Secretariat

EXECUTIVE RECOMMENDATION: That Gary Fry, through Regional Development Australia Inland Northern NSW be re-contracted as CMA Secretariat/Executive Officer for 2025 but that the hours for the role be extended to 30 per week, with annual cost of \$80,000 ex GST for an average of 4 days per week.

Moved – Cr. Sue Moore (Mayor, Singleton Council)

Seconded – Cr. Phyllis Miller OAM (Mayor, Forbes Shire Council)

Carried unanimously.

Setting of Annual Membership Fees

EXECUTIVE RECOMMENDATION: That the CMA increase membership fees by 10%, in light of the increasing workload with advocacy to Government Inquiries. This 10% increase would result in the fees for the 2025 calendar year becoming \$1,650 for Councils with a population of 10,000 and over, and Councils with a population of less than 10,000 paying 75% of the full fee, becoming \$1,237.50, which would also be the new fee for not-for-profit Associate Membership, while for-profit Associate Membership would become \$3,300 per year.

Moved – Cr. Phyllis Miller (Mayor Forbes Shire Council)

Seconded – Cr. Chris Hanna (Mayor Snowy Monaro Regional Council)

Carried unanimously.

General Business:

CMA Constitution. Proposed amendments have been supplied.

RECOMMENDATION: That the proposed amendments be endorsed and that the resultant constitution for the CMA be accepted by members as the currently endorsed version (15 November 2024).

Moved – Cr. Danielle Mulholland (Mayor Kyogle Council)

Seconded – Cr. John Medcalf OAM (Mayor Lachlan Shire Council)

Carried unanimously.

Membership

RECOMMENDATION: That Coffs Harbour City Council be endorsed as a Member of the Country Mayors Association of NSW.

Moved – Cr. Stephen Allan (Mayor Bellingen Shire Council)

Seconded – Cr. Mathew Hatcher (Mayor Eurobodalla Shire Council)

Carried unanimously.

RECOMMENDATION: That the Riverina and Murray Joint Organisation (RAMJO) be endorsed as an Associate Member of the Country Mayors Association of NSW.

Moved – Cr. Russell Fitzpatrick (Mayor Bega Valley Shire Council)

Seconded – Cr. Phyllis Miller OAM (Mayor Forbes Shire Council)

Carried unanimously.

Setting of Meeting Dates for 2025

RECOMMENDATION: That the meeting dates for 2025 be set to coincide with NSW Parliament sitting dates, as was the case in 2024 – the Friday of the first week of each parliamentary session. [It was stated that these dates would be communicated to members as soon as they are ascertained].

Moved – Cr. Kevin Mack (Mayor Albury City Council)

Seconded – Cr. Chris Hanna (Mayor Snowy Monaro Regional Council)

Carried unanimously.

Signatories.

RECOMMENDATION: That signatories from the former Chairman's Council [Gunnedah Shire] be removed from the Country Mayors Association account and that the new Chairman and two staff members from their Council be authorised as signatories.

Moved – Cr. Kevin Mack (Mayor Albury City Council)

Seconded – Cr. Steve Krieg (Mayor Lismore City Council)

Carried unanimously.

Hosting Non-Metropolitan Meetings in 2025

Submissions to host a non-metropolitan meeting in 2025 have been received from Orange City Council, Ballina Shire Council and Inverell Shire Council.

RECOMMENDATION: That members vote to determine if there will be one CMA member hosted meeting in 2025 or two. Further, that new CMA Executive Board assess the applications and make the selection/s and choose the optimal date.

That One CMA Regional Meeting be held in 2025.

Moved – Cr. Sue Moore (Mayor Singleton Council)

Seconded – Cr. Phyllis Miller (Mayor Forbes Shire Council)

Carried unanimously.

CMA Executive Board to determine

Moved – Cr. Kevin Mack (Mayor Albury City Council)

Seconded – Cr. Steve Krieg (Mayor Lismore City Council)

Member motions.

Mayor of Tenterfield Shire Council Cr. Bronwyn Petrie moved “That the Country Mayors Association writes to the Premier of NSW requesting an urgent ban of importation of turf product into NSW from Queensland and increased border surveillance, and b) requests of the Premiers of NSW and Queensland and the Federal government an urgent improvement in the eradication measures delivered by Biosecurity Queensland and the National Management Group governing the National Fire Ant Eradication Program.”

Seconded - Mayor Stephen Allan (Mayor of Bellingen Shire Council).

Carried unanimously.

Final Guest Speaker

The **Premier, the Hon. Chris Minns MP** was originally scheduled to speak at 9:15am, he requested a change to 12:30pm days before the meeting and had to send an apology halfway through the meeting. He sent **Minister for Regional Roads and Transport, the Hon. Jenny Atchinson MP** as his representative.

Minister Atchinson spoke of the Government’s current priorities, which included housing and essential workers. A focus has been on increased staffing of health professionals and Police with the Academy seeing the largest intake as a result of the introduction of paid study.

Like Minister Whan, she highlighted the \$252 million funding for cadets, apprentices and trainees across all NSW Councils – which will (it is hoped) result in an additional 1300 staff.

Three new TAFE Centres of excellence across NSW was announced.

There was also an announcement of 100 new preschools to be built near schools (with 49 in regional areas) to help improve literacy and numeracy.

Meeting closed at 12:55pm

Cr Rick Firman OAM
Chairman

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11.3 Local Government NSW Annual Conference 17 - 19 November 2024

File No: Governance/Meetings/Ordinary

Author: Clr Andrew McKibbin and Gary Wallace

Summary

The Local Government NSW Annual Conference was held from Sunday 17 to Tuesday 19 November at Tamworth Regional Entertainment and Conference Centre. The conference was attended by Mayor Andrew McKibbin and General Manager Gary Wallace. Over 100 motions were debated during the three day conference. This report provides a summary of the event.

Recommendation:

That Council note the report as information.

List of Attachments

Nil

Comment

The Annual Conference was held from Sunday 17 to Tuesday 19 November at Tamworth Regional Entertainment and Conference Centre. Our destination host council partner was Tamworth Regional Council.

The Annual Conference is the supreme policy-making body of LGNSW and an opportunity for councillors to come together to share ideas and debate issues that shape the way LGNSW is governed and advocates on behalf of the local government sector.

LGNSW members put forward more than 100 motions for consideration at the Annual Conference.

Where a majority of voting delegates at the Annual Conference vote in support of the motion, it is adopted as a resolution of LGNSW. LGNSW updates its Policy Platform annually to reflect these resolutions, and they also inform our Advocacy Priorities.

The conference is also an opportunity for mayors and councillors from right across NSW to learn from and support each other and consider new ways to deliver for the communities they represent.

A copy of all motions and resolutions can be found at:

https://lgnsw.org.au/common/Uploaded%20files/AnnualConference/2024/Annual_Conference_2024-Resolutions.pdf

Next years conference will be held in Penrith.

11.4 Oberon Business and Tourism Association AGM and General Meeting

File No: Governance/Meetings/Ordinary

Author: Clr Helen Hayden

Summary

This report summarises the business carried out at the Annual General Meeting and Ordinary Meeting of the Oberon Business and Tourism Association held 13 November 2024.

Recommendation:

That Council note the information provided within the report.

List of Attachments

Nil

Comment

The Oberon Business Tourism Association (OBTA) Annual General and Ordinary Meeting was held on 13 November 2024.

Outgoing president Chris Milne welcomed those in attendance.

Annual General Meeting (AGM)

Minutes

The minutes of the previous meeting were recapped.

President Report.

The outgoing president Mr Chris Milne gave his thanks to past committee and the executive as well as spoke about the achievements over the last term. He stated there are currently 81 members.

Treasurers report.

The treasurer's report was previously circulated in full. A brief overview was provided.

Election of Office Bearers.

Outgoing president Chris Milne stated that Oberon council General Manager Gary Wallace was unavailable so stated he would chair the election of office bearers.

Nominations were called from the floor – none forthcoming

President One nomination – Tatiana Coulter

Vice president One nomination – Dianna Crabb

Secretary One nomination – Chris Dutton

Treasurer One nomination – Sarah Foulds

Committee Members X 3 – 3 Nominations Kelly Robinson, Warwick Mawhood, Pat Bird

Elected as per above

Appointment of signatories was decided.

Appointment of Public Officer declared, being Tatiana Coulter.

Membership fees were set at \$150pa.

AGM concluded at 6.18pm and went into Ordinary meeting.

Oberon Business & Tourism Association Meeting 13 November 2024 (Followed AGM)
Start 6.19pm Chair Tatiana Coulter

The minutes of the previous meeting were moved and accepted

Correspondence

There was numerous correspondence both in and out, of note was the support for hampers for Lifechurch Oberon, the shop local poster promotion and articles for the Village Voice publication.

President Report

Tatiana the new president thanked all members. Gave thanks to the exiting committee and congratulated all new committee. Stated that committee will meet end of November.

Treasurers Report

The treasurer's report was moved and accepted as per AGM

Council Report - Visitor Info Report

Debra Keanne (VIC) spoke through her report, with main items including:

- agritourism discussion around the Bathurst Lithgow Oberon consortia.
- Mentioned the teddy bear Picnic at Oberon Library.
- Discussion around redfin roundup and requesting sponsors for next years event – Question as to why a Bathurst business sponsored. Council delegate informed OBTA around the generosity of Wayne Cole and the Fishing Shed Bathurst and how he supports many local and regional events as well as Mens Health initiatives and the Children's B to B Variety Bash and the substantial sponsorship to our local events in thousands of dollars as well as doing work such as measuring fish and recording.
- Visitor info centre pushing free advertising, requests around accommodation during the Christmas period.

General Business

- Life church Oberon request for assistance with their Hamper campaign.
- Docket shop local campaign to be drawn at EOYF
- Shop local posters and will be displayed at Oberon businesses.
- OBTA Christmas meeting/dinner at lake Oberon estate 11 December.

Meeting Closed around 7.00pm.

11.5 Burraga and District Community Association Meeting

File No: Governance/Meetings/Ordinary

Author: Clr Helen Hayden

Summary

This report summarises the activities held at the Burraga District Community Association held 14 November 2024.

Recommendation:

That Council note the information contained within the delegates report.

List of Attachments

Nil

Comment

Burraga District Community Association held its Ordinary Meeting on 14 November 2024.

Start 7.30pm **Chair** Leon Booth

Attendees: Ross McDonald - Neil Francis – Marilyn Clayton – Leon Booth – Cheryle Booth – Michelle Williams – Chris Francis – Haley Williams

Apologies: Andrew McKibbin

Council Delegate: Helen Hayden

Minutes

The minutes of the previous meeting were circulated to those present and were moved and accepted.

Correspondence

There was numerous correspondence both in and out.

Business arising from correspondence

- Pines Wind Farm grant application moved to general business
- CONFORM handrails, an engineer booked in to look at designing.
- Oberon Council notification around the road renaming and reason behind the refusal. Discussion around naming the rotunda in the park and placing the Billy Klower memorial.
- President noted a bank account fee around safe storage for the deeds for BDCA hall with CBA.
- BuckBurraga Cemetery access. Neil Francis expanded on the issue and need for access to control weeds. Owners had made statement that they will do the weed control. Delegate stated will follow up with owner to check on Cemetery and weeds. Owner does not want people accessing, discussion will be had in due course.

Treasurers Report

The treasurer's report was moved and accepted.

Water NSW new fees and charges mentioned.

General Business

- Sponsorship agreement from Pines Wind Farm around grant funding.
- Plantation Pine Products/Borg/Greenspot to be contacted to see if they have any interest in financially assisting BDCA with pump shed at Burruga Dam considering they have acquired large amounts of land in the Burruga region planting to pine, and thought they may wish to enter into a contribution plan.
- ANZAC GRANTS program was mentioned around requirements for Anzac Park.
- Council delegate mentioned various grants that may be of assistance to the Burruga community and will supply list to BDCA and other committees in Burruga.

Meeting closed 8.50pm.

11.6 Oberon Arts Council Meeting 28 November 2024

File No: Governance/Meetings/Ordinary

Author: Clr Katie Graham

Summary

The Oberon Arts Council Meeting was held on Thursday 28 November 2024. Clr Katie Graham attended as the Oberon Council delegate.

Recommendation:

That Council receive and note the Oberon Arts Council delegates report.

List of Attachments

1. OAC Minutes Meeting held 28 November 2024 at the Big Trout 7PM [11.6.1 - 1 page]

Comment

The Oberon Council Delegate to Arts OutWest, Fran Charge, gave a report on activities of Arts OutWest:

- Distribution of CASP Grants
- Work on the Forward Plan and strategic plan for AOW
- 'Work of Art' Exhibition on Orange showing all arts in the Central West

Fluffy the dog (puppet) will be coming to the Oberon MPS in February 2025 as part of the Arts and Health program.

Drumming workshops are continuing in February.

Oberon Council - Agenda - Ordinary Meeting - 17 December 2024

Oberon Arts Council Inc

Thursday 28 November 2024 6.45 pm The Trout restaurant

Minutes GENERAL MEETING

Meeting Opened: 6.55pm

ACTION:

Present:	Sally Parrington, Katie Graham, Brian Harman, Sandra Harman, , Tim & Fran Charge, Melanie Lawson, Carol Wilson Ann Olive
Apologies:	Victoria Freeman, Mary David, Malcolm Graham, Cecilia Graham
Minutes of the meeting held 19 September 2024 Business arising: Nil	<u>Motion:</u> that the minutes of the meeting on 19 September be accepted. Moved: S Harman Seconded: S Parrington Carried
Correspondence In: Letters from Schools re donation, Out: Emails to members	<u>Motion:</u> That we accept the correspondence, that OAC donate to schools as usual for the end of year awards. Moved: K Graham Seconded: B Harman Carried
Treasurer's Report Donations to schools were made. Payment made to Rob Shannon for drumming.	<u>Motion:</u> That all accounts be paid and the Treasurer's Report be accepted. Moved: Fran Charge Seconded: B Harman Carried.
GENERAL BUSINESS	
Oberon reports: Report tabled by K Graham	Attached
Arts OutWest report: Report tabled by F Charge Member of the following AOW Committies: Finance and Risk Management; Updating Policies and Procedures; Fundraising and the Arts and Health Committee The upcoming VISION 20/50 an (im)possible festival When: Thursday 12 December 2024, 5.30pm-8pm Where: Keystone 1889, Keppel St Bathurst	Fran attended: 'Work of Art' held over 2 days in Orange 14,15 Nov showcasing all arts in the Central West. The Arts OutWest Board Meeting Sunday 17th November in Orange 10 am to 3 pm -worked on the Forward Plan and the Strategic plan following the meeting. Create NSW have a new funding program in place from 2025. Casp grants funds available- \$17500 -41 applications -Asking Totalled \$10500.00 Attended the Behind The Lens exhibition at Bemec for the Media associates
Arts and Health Update:	Fluffy the dog (puppet) will be coming to the Oberon MPS Oberon MPS in February 2025.
OTHER BUSINESS. Thanks to Malcolm Graham & Tim Charge who helped move the plinths from the Malachi. Members needed to help attend local school Presentation Days Please Upcoming events: Drumming March 2025 Art Show at the Milbrey April 2025 TBC OAC Memberships due January 2025	Plinths have been moved from the Malachi. Oberon Arts Council appreciate Lucy and Johnny for allowing us to store our Art stands. <u>School presentation days:</u> Black Springs 5 th December 6pm – B Beasley Oberon High School 10 th December – K/M/C Graham Oberon Public School – opted not to have a presentation O'Connell Public School – T Charge St Joseph's School 13 th December – F Charge Proposed drumming workshop in Oberon. The group, called ALLY, has a blend of Latin and jazz musicians (5 in total) and have done drumming workshop of basic Latin styles before. 29th March TBC
Date of Next Meeting: Thursday 27 February 2025 Venue TBC followed by dinner.	Thanks everyone -happy Christmas! and thanks for all your work.
Christmas gathering	Christmas gathering at T&F Charge's home Thursday 5 December after drumming.

Meeting closed: 7:15pm

12 COMMITTEE REPORTS

Nil

13 REPORTS FOR DECISION

13.1	Modification of Consent 80 Wilson Drive Oberon 2 Lot Subdivision (MOD 10.2021.94.3)
File No:	10-2021-94-3 MOD DA
Author:	Bennett Kennedy (Senior Town Planner), Damian O'Shannassy (Planning and Development Director)

Summary

Council is in receipt of an application to Modify Condition 5 of a Development Consent relating to the provision of electricity to a lot to be created by a two Lot subdivision (10.2021.94.1) at 80 Wilson Drive Oberon.

Recommendation:

That Council:

1. Refuse the application for the following reasons:
 - (a) The application as proposed would not be substantially the same development as the original application.
 - (b) The proposed modification would be inconsistent with Section B.12.8 Electricity Supply of Council's Development Control Plan 2001.
 - (c) The proposed modification is inconsistent with the level of essential services (electricity and telecommunications) intended by the conditions of consent for the original application.
 - (d) The Conditions of consent imposed are not onerous on the proponent.
 - (e) The proposed modification is inconsistent with the commitments made by the proponent in the Statement of Environmental Effects prepared by Integral Consulting for the original application.
 2. That a division be called in accordance with Section 375A of the Local Government Act 1993.
-

List of Attachments

Nil

Comment

Council previously considered an identical modification application to the proposed development on 17 October 2023 and resolved to refuse the application for the following reasons:

- (a) The application as proposed would not be substantially the same development as the original application.*
- (b) The proposed modification would be inconsistent with Section B.12.8 Electricity Supply of Council's Development Control Plan 2001.*
- (c) The proposed modification is inconsistent with the level of essential services (electricity and telecommunications) intended by the conditions of consent for the original application.*
- (d) The Conditions of consent imposed are not onerous on the proponent.*
- (e) The proposed modification is inconsistent with the commitments made by the proponent in the Statement of Environmental Effects prepared by Integral Consulting for the original application.*

1. Location of the Proposal

The subject site is identified as Lot 210 in DP 1189945 and located at 80 Wilson Drive Oberon, within the precinct known as Titania Estate. It is zoned R5 Large Lot Residential and has a minimum lot size of 2 Hectares under the Oberon Local Environmental Plan 2013. The site is occupied by an existing residence and has power available (see photo 3 below). The site includes Category 1 and Category 3 bushfire hazard and is located on a terrain with a gradient of about 7-10%.



Figure 1 Subject site showing existing dwelling and proposed new lot.



Figure 2 showing completed access to the proposed lot

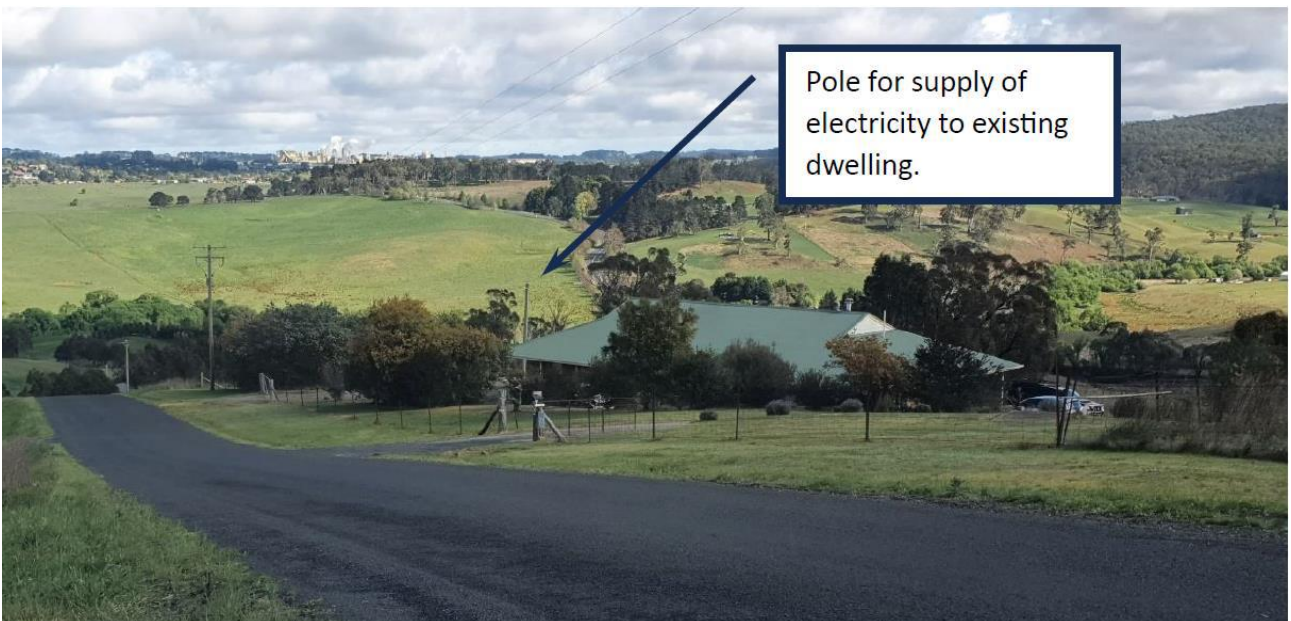


Figure 3 showing Grid electricity available to the existing dwelling.

2. Proposed Development

The proposed development is to modify Condition 5 of the development consent by waiving the condition which reads as follows:

5 Arrangement for services

Satisfactory arrangements are to be made with appropriate electricity and telecommunications authorities for the provision of services to be made to each allotment.

Reason: To ensure these services are available to the site.

3. Referrals

No referrals were required as part of the assessment however Essential Energy (EE) was contacted regarding the subject application. They advised that EE has no ability to force connection to the network or to obtain a Notice of Arrangement when developer subdivides.

4. Legislative Context

The subject application for a Modification to the Conditions of Consent was requested by the applicant, therefore, is required to be assessed under Section 4.55(2) of the Environmental Planning & Assessment Act (EP&A), 1979.

5. Assessment

The modification as proposed cannot be considered substantially the same development. The reason is because the request for reconsideration of Condition 5 of the consent is based on a request that *the new lot be assessed as a future rural residential lot, but in the immediate future will be used as a rural lot only.*

The original application was approved by consideration of the proposed subdivision under Clause 4.1 of the Oberon Local Environmental Plan 2013 where the applicable Minimum Lot Size for the land was four (4) Hectares. An assessment of any subdivision, where an approval has been granted, cannot be suspended at the request of the proponent until the land is sold.

The measure suggested by the proponent is that the approved lot be temporarily considered as an approval under Clause 4.2 Rural Subdivision of the Oberon LEP 2013. The applicant believes that *from this aspect the need for Electricity Connection be waived.* Under the Environmental Planning & Assessment Act, it is not possible to modify the conditions of consent to allow approved lots to be considered under a previously unconsidered Clause. Reassessment of a subdivision can only occur under a new Clause if an entirely new assessment is undertaken.

This puts the proposed modification beyond the test of being substantially the same development.

Notwithstanding this consideration, the proponent goes on to suggest that *when a construction certificate application is lodged with Council at a future time for a residence, by the owner, then these services will be made available. At this time, the applicant can advise Council that they will be using grid power or solar power batteries.* If the owner referred to would be a new owner, then the minimum service level of mains power should already be provided. This is the whole purpose of the condition. That the applicant advises Council that they (a new owner) will be using grid power or solar is not a choice that the current owner should impose, and it is the condition of consent that requires electricity to be provided to the lot as a minimum.

It should be noted that the conditions require electricity to be supplied to the lot only (normally to a private pole). The condition does not require the connection to extend to any future dwelling (the extension of electricity supply to a future dwelling from the private pole will be at the new owner's expense).

6. Exhibition

Exhibition or notification of the application was not required under Council's Community Participation Plan.

Financial Implications

There are no financial implications for Council with this application.

Relevance to Oberon Community Strategic Plan

Theme 4: Infrastructure and Services

Action 4.4 Plan for infrastructure and land use needs ready for future growth

4.4.2 Councils Local Environmental Plan (LEP) and Development Control Plans (DCP)

4.4.3 Development assessment and building approval services

Risk Category

Assets and Infrastructure

Risk Severity Ranking

Minor - 32%

13.2	DA 10.2023.30.1 - Recreation Facility (Outdoor - Motorcycle Facility), Accommodation, and shed
File No:	DA 10.2023.30.1
Author:	Bennett Kennedy (Senior Town Planner), Damian O'Shannassy (Planning and Development Director)

Summary

Council is in receipt of a Development Application (PAN-328425) for the use of 3117 Arkstone Road, Jeremy for the purpose of a Recreation Facility (Outdoor), Accommodation and Machinery Shed.

Recommendation:

That Council:

1. Defer the application and re-exhibit given the changes made to the original application and allow a suitable time for those who made a submission to consider the complete information provided in support of the application.
 2. Should the re-exhibition provide no additional submissions by way of objection delegate to the General Manager the ability to finalise the application.
 3. That a division be called in accordance with Section 375A of the Local Government Act 1993.
-

List of Attachments

Draft Conditions of Consent
Draft Assessment Report

Comment

The application was lodged with Council 23 May 2023. The development is local development under Oberon Local Environmental Plan (OLEP) 2013 and Council is the consent authority for the application. Because there are no specific development controls for Recreation Facility (Outdoor) Motorcycle Tracks in the RU1 Primary Production zone and the proposed accommodation and shed are ancillary to the dominant use, the subject application will be a merit-based assessment. This means that greater emphasis will be placed on the reports submitted with the application, submissions and professional expertise.

Two (2) submissions have been received following neighbour notification, and these are discussed later in this report.

Without prejudice, draft Conditions of Consent are attached if Council resolves to approve the application.

1. Location of the Proposal

The subject site is located at 3117 Arkstone Road Jeremy formally known as Lot 95 DP 753036. It has an area of 643.8 Hectares in size and is an irregular rectangle in shape. The orientation of the site is generally east west however when locating the site in a Navigation finder, the entrance is identified approximately 2kms from the actual entrance.

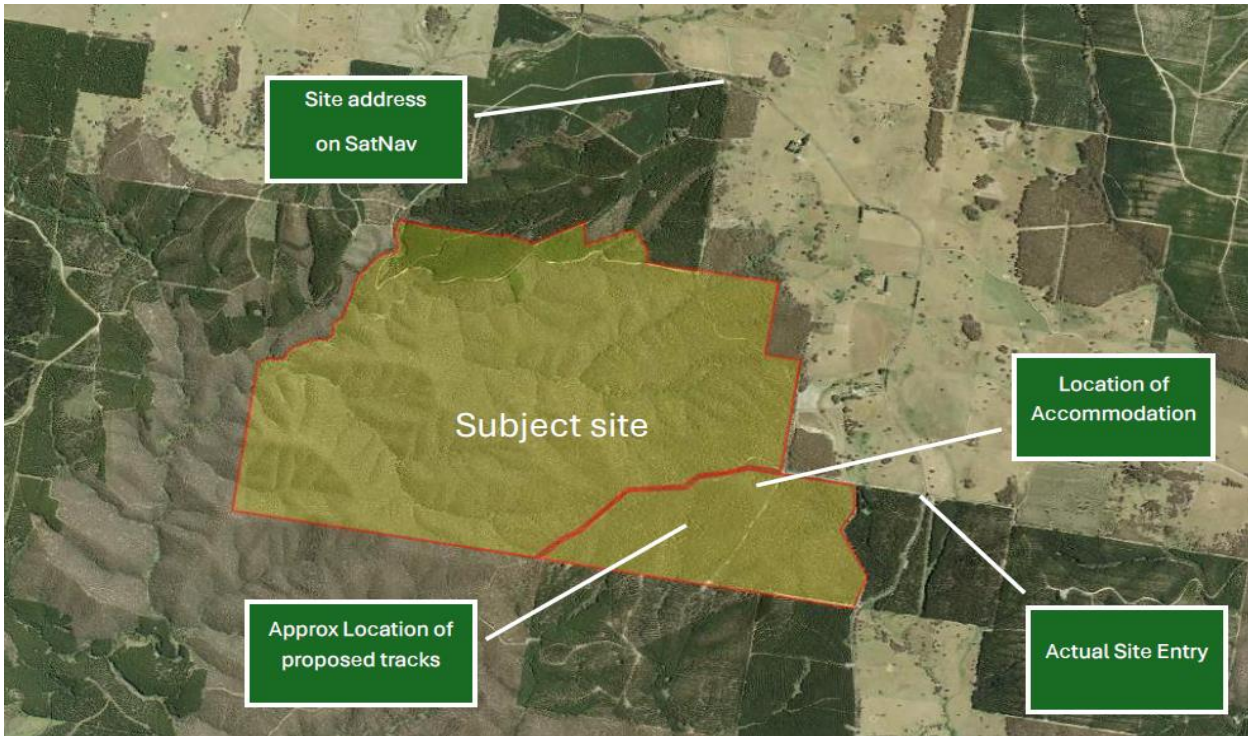


Figure 1 Subject site

Background

The application contends that the motorbike trails were constructed on the land by the previous owner and maintained by the current landowner. They have been used for the last seven (7) years by the owner and their friends and family for private recreation. It is now intended to convert the current activities on the land from a private use to a commercial use. This requires development consent for the purposes as defined.

2. Proposed Development

The proposed development is generally defined as a Recreation Facility (Outdoor), but the actual use is a motorcycle facility that will accommodate up to 30 riders at a time in an area of approximately 62 Hectares. Visitor Accommodation will be provided as ancillary to the dominant use being the motorcycle facility. The relationship between dominant and ancillary use means that if the dominant use ceases, the ancillary use must also cease.

The following outlines the chronology of events

11 May 2023	Request for Add Info: Section 68 Application
22 May 2023	Geotech report provided – Applicant – s68 can be conditioned
23 May 2023	Request for payment of fees:
23 May 2023	Fee payment made. (Formerly lodged)
29 June 2023	Add info provided: Overall Site Plan
5 July 2023	Notified to adjoining owners until 21 July 2024.
13 July 2023	Hume Forests submission received.

14 July 2023	Add Info requested: Ecological and Biodiversity Assessment Report and a Noise Impact Assessment Report
31 July 2023	Burns Planning Submission Received.
14 Sept 2023	Response from RFS received
18 June 2024	Add Info Received Site Ecological Statement (Dated February 2024) and Noise Impact Assessment (19 April 2024) and a shed was added to the application
10 October 2024	Applicant provided redacted submissions
14 October 2024	Applicant provided response to submission. Also updated SoEE with updates to Operational Plan of Management, Revised Overall Site Plan and Revised Effluent Disposal Report.
15 October 2024	Applicant Revised Statement of Environmental Effects (SoEE)
29 October 2024	Advised by owner that Hume Forests OK with works and would withdraw objection.
2 December 2024	Advised by Hume Forests proponent had not completed undertakings (fencing) and they were not withdrawing submission. Hume Forests (author) advised proponent had been speaking to local Supervisor.

Site Inspections

25 June 2024

29 August 2024

3 December 2024 (+ Councillors)

A site meeting was held at the subject site on 3 December 2024 in the area on the site where the proposed accommodation cabins would be located. The meeting commencing at 11:00 closing at 11:30am and was attended by:

Deputy Mayor Graham; Councillors Trembath; O'Grady, Tucker, Alvares and Hayden. The Applicant Navigate Planning (Mark Hitchenson), the owner (Corey Demarco), Oberon Council's Senior Town Planner and a nephew of the owner (demonstrating motorcycle noise) also attended.

The format of the meeting was outlined by the Senior Town Planner. This was followed by a detailed summary of the proposal by Navigate Planning. The owner further elaborated on how the site had developed over time and how it was intended to operate in future. Questions were invited for the applicant and owner from Councillors. Because of the detailed address by the owner and applicant none were necessary. Following this, the owner requested his nephew to demonstrate motorcycle noise to Councillors by riding along the proposed access routes to the tracks.

3. Referrals

Technical Services

The application was referred to Technical Services on 3 December for their comments regarding sightlines at the entrance and exit to the property.

Technical Services responded on 9 December 2024 that a condition be included requiring;

That the applicant engages a suitably qualified traffic engineer to determine the appropriate sight distance in accordance with the AUSTRROAD standard for the proposed entry/exit. If appropriate sight distance cannot be obtained, then a new entry/exit be provided that satisfies the required standard.

A condition has been included in the attached Draft Notice of Determination.

Response

Rural Fire Service (RFS)

The application was referred to the RFS as a Special Fire Protection Purpose (SFPP). The response from the RFS included conditions that could be included in a Notice of Determination. These have been included in the Draft Notice of Determination attached.

4. Legislative Context

The proposed development is defined as a Recreation Facility (Outdoor) including Accommodation, On-Site Wastewater (Conditional) and a large (480 sqm) machinery shed. The proposed development is permissible with consent in the RU1 Primary Production zone under Oberon Local Environmental Plan 2013.

5. Assessment

The subject site has an area of 643.8 Hectares and contains some significant ecological areas. As advised by the owner and applicant the site has been used for recreational motorcycling for eight (8) years. Notwithstanding these areas, the proposed commercial use of the site as a Recreation Facility (Outdoor) motorcycle facility, accommodation and shed are proposed to be restricted to a small area of the site.

The subject application has provided a revised Statement of Environmental Effects (SoEE – including Operational Management Plan) on 15 October 2024, a Site Ecological Statement (SES) and Noise Impact Assessment in support of the application.

The SES concludes that subject to general safeguards (see attached report) the proposed use could operate with minimal impact on the Flora, fauna and ecology of the site.

The noise impact assessment prepared by Acoustik concludes the following.

The noise level emissions from the motor bike riding activity are predicted. The proposed development site tracks are remotely located and 1 km from the closest affected residence. The predicted 15-minute average noise levels are below the trigger levels nominated by the NSW EPA Noise Policy for Industry.

The noise levels generated by the bike riding activity will not be a persistent activity throughout the whole day as riders will take breaks between riding sessions.

Notwithstanding the conclusions of these reports, the additional information provided (including Bushfire Assessment Reports) have not been provided to those who were notified initially of the application. Part of the reason for this was because some of the reports (e.g. the SES) had not been provided for 12 months from the date it was requested (see chronology of events). The submissions have therefore been received based on incomplete information.

A formal opportunity should therefore be provided (the application had not been subsequently re-notified) to those who made a submission to allow them to reconsider the issues raised in their submissions and review and revise their submissions accordingly.

The proposed uses (Recreation Facility (Outdoor), Accommodation and large storage shed) are permissible with consent in the zone and can achieve the objectives of the zone. The use of the land for these purposes can be subject to recommended conditions of consent and these can mitigate some of the impacts of the proposed development. The views of surrounding landowners who made a submission should be taken into consideration and these should be based on complete information to allow for the public interest particularly where there is the potential for unintended or unpredicted consequences.

6. Exhibition

Notification

The application was notified to adjoining landowners from 5 July 2023-21 July 2023. Two (2) Submissions were rec'd (1 Private – 1 Hume Forests). A late request to be notified of the application when the additional information was submitted had also been received.

13 July 2023	Submission from Hume Forests
31 July 2023	Submission from Burns Planning on behalf of adjoining owner. Late request to be notified also received.

If the application is to be renotified to those who made a submission, 20 Dec – 10 January would be excluded from any period of notification due to the Christmas Period.

Conclusion

The applicant has revised the Statement of Environmental Effects up until 15 October 2024 and additional information requested to support the application. This has included a Site Ecological Assessment (SES) and a Noise Impact Assessment. The Additional Information provided has not been formally provided to objectors to provide them the opportunity to reconsider their submissions and revise them positively or negatively.

In addition, the applicant has had the benefit of responding to the initial submissions made in July 2023.

The assessment of the application is largely merit based, where greater weight will be given to the public interest and the professional reports provided to support the application. Given that the applicant has had greater opportunity (and taken advantage) to review the information to support their proposal, it is considered fair and reasonable that the submitters with concerns raised based on very preliminary and incomplete information, be given a similar opportunity.

The conclusion of the assessment at this time is that the application should be deferred to be renotified to those who made a submission and an adequate timeframe be provided for them to consider complete documentation and revisit their own submissions.

Notwithstanding this, if Councillors considered the information submitted to date has been satisfactory and would not result in a development that would operate with acceptable impacts on adjoining users, a draft set of Conditions of Consent is attached to this report.

Financial Implications

There are relatively no financial implications for Council.

Relevance to Oberon Community Strategic Plan

Theme 4: Infrastructure and Services

Action 4.4 Plan for infrastructure and land use needs ready for future growth

4.4.3 Development assessment and building approval services

Risk Category
Governance

Risk Severity Ranking
Minor - 32%

DEVELOPMENT ASSESSMENT REPORT

Description: Recreation Facility (Outdoor) Motorcycle Track, Accommodation and Large Shed.
Address: 3117 Arkstone Road Jeremy
Lot: Lot 95 DP 753036
DA: 10.2023.30.1 PAN-328425
Applicant: Navigate Planning (Mark Hitchenson)
Owners: Corey DeMarco
DP restrictions: Nil

Previous consents: No approval for a dwelling on the subject site. Approval for three (3) non-habitable Sea Containers approved (no Occupation Certificate issued).

DEVELOPMENT DETAILS

Zone	RU1
Allotment Size	643.8 Hectares
Building Footprint	1000 sqm (total)
Site Coverage	Approx. 62 Hectares
Parking	Dedicated parking area for light vehicle and motorcycle
Topography	Undulating
Subdivision Lot Sizes	100 Ha

SITE INSPECTION NOTES:

Date of inspection: 25 June 2024, 29 August 2024, 3 December 2024

Bushfire Prone:	Yes – Bushfire report attached	Mains power supplied:	No
Industrial Buffer:	No	Cut and fill:	Less than 600 mm Any greater requires engineering details
Driveway access:	Approval required by Tech Services	Referrals required:	Dev Eng comments provided 9 December 2024
Snow load:	Required for accommodation units	Existing improvements	Existing motorbike tracks designated parking area and shedding.
Connection to sewer and stormwater	N/A	Indicative wind load:	To be determined

1. PROPOSAL

The proposed development is generally defined as a Recreation Facility (Outdoor), but the actual use is a motorcycle facility that will accommodate up to 30 riders at a time. Visitor Accommodation will be provided as ancillary to the dominant use being the motorcycle facility.

2. SUMMARY

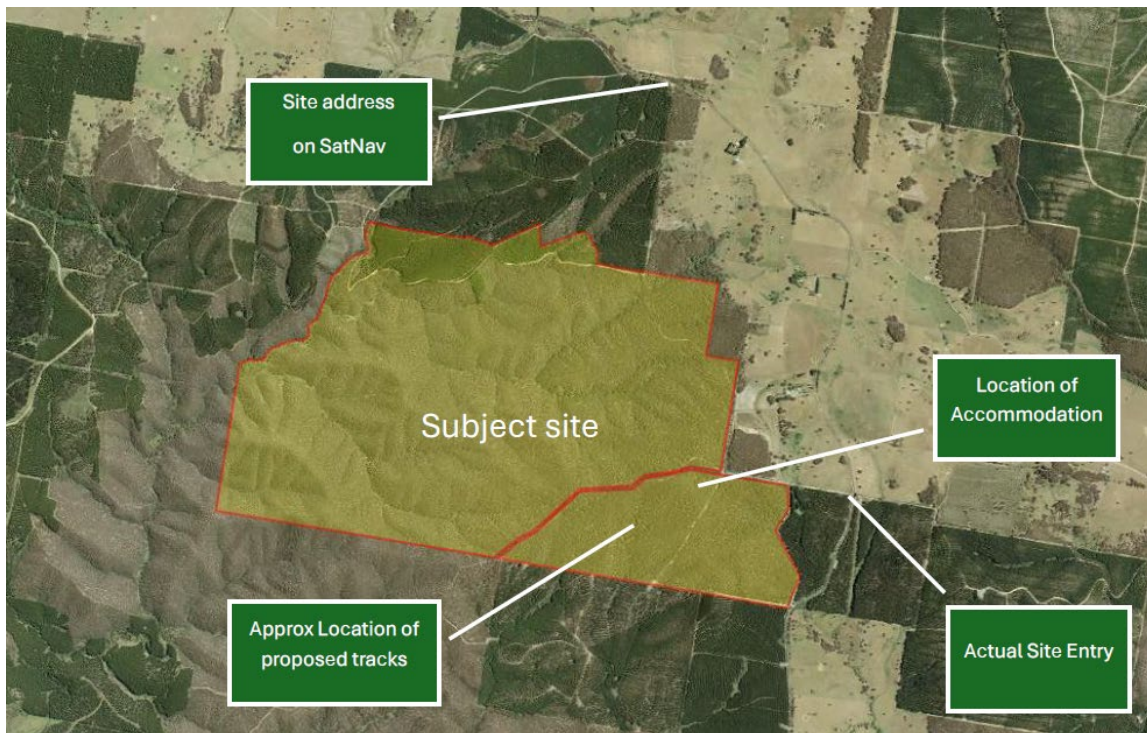
The application was lodged with Council 23 May 2024. The development is local development under Oberon Local Environmental Plan (OLEP) 2013 and Council is the consent authority for the application. Because there are no specific development controls for Recreation Facility (Outdoor) Motorcycle Tracks in the RU1 Primary Production zone and the proposed accommodation and shed are ancillary to the dominant use, the subject application will be a merit-based assessment. This means that greater emphasis will be placed on the reports submitted with the application, submissions and professional expertise.

Two submissions have been lodged and these are discussed later in the report.

Without prejudice, draft Conditions of Consent are attached in the event that Council resolves to approve the application.

3. LOCATION OF THE PROPOSAL

The subject site is located at 3117 Arkstone Road Jeremy formally known as Lot 95 DP 753036. It has an area of 643.8 Hectares in size and is an irregular rectangle in shape. The orientation of the site is generally east west however when locating the site in a Navigation finder, the entrance is identified approximately 2kms from the actual entrance.



4. ZONING

The subject land is zoned RU1 Primary Production under Oberon Local Environmental Plan 2013.

5. PERMISSIBILITY

Recreation Facility (Outdoor) are permissible with consent. Tourist and Visitor Accommodation is prohibited however may be permissible as ancillary development (dependent on the primary use operating). A large shed (480 sqm) is proposed and is to be

used in conjunction with the Recreation Facility (Outdoor). Notwithstanding this may be permissible with consent as ancillary to the predominant use.

The use of the land as a Recreation Facility (Outdoor) is the commercial use of the land.

6. EXISTING CONSENTS THAT RELATE TO THE LAND

There does not appear to be a consent for use for occupation.

7. ACCESS LOCATION

The address is Arkstone Road. However it should be noted that the entry to the property is located 2 kilometres further along Arkstone Road.

8. NATURALLY OCCURRING ASBESTOS

The site is not known to have naturally occurring asbestos, none mapped or visible on site. None will be brought onto the site.

9. EASEMENTS

There are no encumbrances that will impact on the proposed development.

10. CONNECTION OF SERVICES

Utilities necessary for the operation of the site are available. An application for an On-Site Wastewater treatment System for guests will be required.

11. HERITAGE

An AHIMS search has been done and the subject land does not contain any indigenous heritage items and is not in a heritage conservation area. There are no heritage items in the vicinity of the site

12. INDUSTRIAL BUFFER

The land is not located within the industrial buffer area.

13. BASIX

Not applicable.

14. BUSHFIRE PRONE

The site is mapped as bushfire prone and a bushfire assessment report is submitted with the application. The application was referred to the Rural Fire Service as a Special fire Protection Purpose (SFPP). Conditions have been provided accordingly and will be incorporated into any Notice of Determination.

15. FINANCIAL IMPLICATIONS

Developer Contributions are not applicable to the proposed development.

16. ASSESSMENT

Biodiversity Conservation Act 2016

Tree and vegetation clearing is intended to be limited to the location of the proposed accommodation. The Site Ecological Statement (SES) advises the following.

This Site Ecological Statement provides a true and fair review of the ecological attributes of the proposed development site and the proposal in relation to its potential effects on the environment. It addresses to the fullest extent possible all matters affecting or likely to affect the environment as a result of the proposal. It identifies the likely impacts of the proposal on the environment and details the environmental safeguards and mitigation measures to be implemented to minimise the potential impact to the environment. In light of the above assessment of the proposed activity, it is considered that the overall impact on the environment is likely to be minimal and therefore acceptable.

(Site Ecological Statement, Access Environmental February 2024)

The following assessment demonstrates that the thresholds for an assessment against the Biodiversity Offset Scheme will not be necessary.

Section 7.2 of the *Biodiversity Conservation Act 2016* (BC Act) prescribes the circumstances in which the Biodiversity Offset Scheme (BOS) is required to be applied to development.

Biodiversity Conservation Act 2016

7.2 Development or activity “likely to significantly affect threatened species”

(1) For the purposes of this Part, development or an activity is likely to significantly affect threatened species if:

- (a) it is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3, or
- (b) the development exceeds the biodiversity offsets scheme threshold if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values, or
- (c) it is carried out in a declared area of outstanding biodiversity value.

The proposed development is not considered a risk to threatened species or ecological communities, or their habitats.

Clause 7.2 of the BC Regulation 2017, declares that where the following areas of clearing are exceeded the BOS will be applicable:

Biodiversity Conservation Regulation 2017

7.2 Clearing of area of land that exceeds threshold

(1) Clearing of native vegetation is declared by this clause to exceed the biodiversity offsets scheme threshold if the area proposed to be cleared is the area set out in Column 2 of the Table to this clause opposite the minimum lot size applicable to the land to be cleared in Column 1 of that Table.

Table

Column 1	Column 2
Minimum lot size of land	Area of clearing
Less than 1 hectare	0.25 hectare or more
Less than 40 hectares but not less than 1 hectare	0.5 hectare or more
Less than 1,000 hectares but not less than 40 hectares	1 hectare or more
1,000 hectares or more	2 hectares or more

The MLS applicable to the land is 100 Hectares, with a BOS threshold of 1.0 ha. With the area of native vegetation clearing being 360 sqm, the BOS is not applicable to the development under Clause 7.1(1)(a) of the BC Regulation.

Lastly, the proposed development is not proposed to be carried out in a declared area of outstanding biodiversity value under Section 7.2(c) of the BC Act.

<p>4.15(1)(a)(i) Any environmental planning instrument <i>Note: Only instruments with applicable regulatory provisions are addressed.</i></p>
<p><i>Oberon Local Environmental Plan 2013</i></p> <p><u>Permissibility</u></p> <p>The development is permissible with consent in the RU1 Primary Production zone but there are the potential for negative impacts. Any negative impacts have however been adequately addressed in the application and through conditions of consent in the Notice of Determination.</p> <p><u>Objectives of the Zone</u></p> <p>The development meets the objectives of the zone because the proposed development has adequately responded to the concerns raised by the development in the Statement of Environmental Effects.</p> <p><u>Miscellaneous Provisions</u></p> <p>5.10 – Heritage Management – Heritage impacts are not anticipated. 5.21 – Flood Planning – Not applicable to this site.</p> <p><u>Additional Local Provisions:</u></p> <p>6.1 – Earthworks – Minimal earthworks for the use of the site are proposed. This will not have detrimental impacts on drainage patterns or ground water levels. Standard conditions regarding erosion and sediment control are recommended. 6.3 – Riparian land and water courses – There are no watercourses on or in the vicinity of the proposed use or accommodation areas. 6.4 – Essential services – All available services are provided to the site in accordance with this clause. 6.6 – Development is not within a designated buffer area. 6.7 – Karst subsidence risk – the development site is not within a SP3 Zone.</p>
<p>4.15(1)(a)(ii) Any proposed instrument that is or has been placed on exhibition There are no draft environmental planning instruments applicable to the proposal.</p>
<p>4.15(1)(a)(iii) Any development control plan <i>The Oberon Development Control Plan 2001</i></p> <p><u>PART G – TOURISM</u></p> <p><u>G.2.2 The Objectives of this Plan are:</u></p> <p><i>A. maintain the residential amenity of the property and locality where a tourism establishment is situated. In order to do so designer of the development and Council shall consider the following matters:-</i></p> <p style="padding-left: 40px;"><i>1. the location and number of tourism establishments within any given urban or rural neighbourhood;</i></p>

<p><i>2. within rural area serviced by an on-site waste water disposal system, that the capacity and efficiency is adequate.</i></p> <p><i>B. maintain a satisfactory standard of management and service; and</i></p> <p><i>C. ensure that the premises meet acceptable community health and fire safety standards.</i></p> <p>G.7 Health Standards Satisfactory health standard will be maintained through compliance with National Construction Code.</p> <p>G.8 Fire Safety Fire Safety and Bushfire Safety shall be maintained through conditions of consent.</p> <p>G.11 Inspections The premises shall be inspected annually.</p> <p><u>H.3 Neighbour Notification</u> Neighbour notification was undertaken shortly after the subject application was submitted. Two (2) submissions were received objecting to the proposal and one (1) late requesting notification. Notwithstanding these submissions being received, they were based on incomplete information supporting the subject application. Including a Site Ecological Statement (SES) and Noise Impact Assessment.</p> <p>It is recommended that the application be renotified to allow those who made a submission (and the one who wanted to) to consider the complete details of the application.</p>
<p>4.15(1)(a)(iia) Any planning agreement No planning agreements.</p>
<p>4.15(1)(a)(iv) The regulations (to the extent that they prescribe matters for the purpose of this paragraph) The Regulations require approvals for the removable dwellings and an On-Site Wastewater System to be lodged and approved prior to any works commencing on site.</p>
<p>4.15(1)(a)(v) Any coastal zone management plan (within the meaning of the Coastal Zone Management Act 1979 that apply to the land to which the development application relates No coastal zone management plans apply to the subject land.</p>
<p>4.15(1)(b) The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality</p> <p><i>Context and setting</i> The proposal will establish a motorbike riding facility, accommodation and a large shed. The Site Ecological Statement concludes that the proposed development will have minimal environmental impacts on flora and fauna and the site.</p> <p>A Noise Impact Assessment concludes that there should be minimal impact on surrounding properties with regard to noise, and a demonstration by the applicant</p>

<p>and owner support that conclusion, however surrounding landowners should have the opportunity to consider all documentation provided and have the opportunity to revisit or make a submission based on their views.</p> <p>It is considered that subject to the attached draft conditions of consent, the impacts of the proposed development can be mitigated however in the public interest, the views of surrounding owners should also be considered</p>
<p><i>Access, transport and traffic</i></p> <p>The development will generate minimal additional traffic in the area. Suitable conditions of consent will be included in this regard.</p>
<p><i>Public domain</i></p> <p>The use of the site may periodically impact on the traffic of Arkstone Road in the vicinity of the entrance and access to the subject site. A satisfactory traffic management plan for the duration of the site will be required to ensure the maintenance of the public road and safety of road users is maintained.</p>
<p><i>Utilities</i></p> <p>The lot has adequate utilities available.</p>
<p><i>Other land resources</i></p> <p>The development will not affect land resources on the land or on surrounding land.</p>
<p><i>Water</i></p> <p>The lot is connected to the reticulated water supply.</p>
<p><i>Soils</i></p> <p>The development will impact on the existing quality of the soil on the land however soil stabilisation measures and rehabilitation of the site following development will ensure the impacts are mitigated over the long term.</p>
<p><i>Air and microclimate</i></p> <p>Negligible impact to the air or microclimate from the development. Conditions of consent will be included for the containment of liquid stored on the site by way of bunding.</p>
<p><i>Flora and fauna</i></p> <p>Site Ecological Statement provided. Minimal native vegetation are proposed to be removed. Subject to general restrictions, the proposal will have no significant impact on flora or fauna.</p>
<p><i>Energy</i></p> <p>The proposal will be required to comply with the relevant provisions of the National Construction code.</p>
<p><i>Noise and vibration</i></p> <p>A Noise Impact Assessment has been provided prepared by Acoustik 19 April 2024.</p> <p><i>The noise level emissions from the motor bike riding activity are predicted. The proposed development site tracks are remotely located and 1 km from the closest affected residence. The predicted 15-minute average noise levels are below the trigger levels nominated by the NSW EPA Noise Policy for Industry.</i></p> <p><i>The noise levels generated by the bike riding activity will not be a persistent activity throughout the whole day as riders will take breaks between riding sessions.</i></p>

<p>Although the conclusion of the report is that there will be minimal impact on surrounding properties subject to suitable Management controls, it is the nature of motorcycle noise being short sharp bursts that can impact on comfort or repose. In addition, with potentially thirty (30) riders, breaks may be few and far between.</p>
<p><i>Natural hazards</i> The site is mapped as bushfire prone. The site is not known to be flood prone.</p> <p>Conditions of consent will be included regarding bushfire in accordance with Rural Fire Service comments and erosion and sediment control measures to be installed.</p>
<p><i>Technological hazards</i> No hazards identified.</p>
<p><i>Safety, security and crime prevention</i> A Operational Plan of Management has been included to address social and anti-social behaviours.</p>
<p><i>Economic impact in the locality</i> The proposal will have minimal economic impacts.</p>
<p><i>Site design and internal design</i> The site design layout and area are considered appropriate for the site. Provided the areas designated for the proposed uses are adhered to, there is anticipated to be minimal impact on the site and its flora and fauna.</p>
<p><i>Construction</i> Conditions of consent have been included for Construction Certificates to be applied for and issued prior to works commencing.</p>
<p><i>Cumulative impacts</i> The proposed development is unlikely to result in any cumulative impacts on the site or the locality because of the conditions included in the Draft Notice of Determination and the operational Plan of Management.</p>
<p>4.15(1)(c) The suitability of the site for the development</p>
<p><i>Does the proposal fit in the locality?</i> The site is considered to be suitable for the development. The Site Ecological Statement (SES) advises that general safeguards are required for the proposal to maintain minimal impact on the site. These include:</p> <p><i>Parking of vehicles and storage of plant / equipment is to occur on-site, in existing disturbed areas. Designated areas will ensure that all equipment is kept away from more environmentally sensitive areas.</i></p> <p><i>All project staff and contractors will be inducted on the environmental sensitivities of the work site(s) and relevant safeguards prior to commencement. All work will be limited to the prescribed area.</i></p> <p><i>Site management will comply with the provisions of Landcom's "Blue Book (Managing Urban Stormwater: Soils and construction - Volume 1 (4th edition)). Sediment will be prevented from moving off the site and no sediment laden water will enter drainage lines or watercourses. Any fuels or chemicals must be stored in bunded areas with functional spill kits and containment procedures available for use.</i></p>

Should unexpected, threatened fauna be located at any time during the work, work will stop to prevent further harm to the individual and professional advice will be sought.

Vegetation disturbance will be kept to the minimum necessary. Works are not to harm threatened fauna or impede fauna movement. Construction machinery should be cleaned before entering and leaving the site to ensure biosecurity risks are minimised.

Waste and excess materials should be removed to a licensed waste disposal facility and the site and ground surfaces restored at the completion of building activity.

On going site management should include controls on domestic dogs to restrict their movement and limit impacts to native fauna.

Motorbike track use will only be permitted during daylight hours.

The use of the site for the proposed purpose is satisfactory however it needs to operate within the above safeguards and conditions of consent to mitigate impacts on adjoining premises or the natural environment. The proposed use is permissible with consent in the zone. There are no human or natural hazards that would prevent the proposal from being supported however it is important that adjoining owners be given the opportunity to raise their concerns and have them addressed. As such the application is considered to be suitable for the site.

4.15(1)(d) Any submissions made in accordance with the Act or Regulations

Public submissions

The proposed development was not notified to surrounding landowners shortly after the application was received. This notification did not include all of the information submitted by the applicant including a Site Impact Statement and Noise Impact Statement. Two (2) submissions and one (1) late submission were received from the initial notification. Although the issues raised were responded to by the applicant, it is recommended that the surrounding landowners who made a submission be renotified of the additional information and be given the opportunity to review their initial submissions.

4.15(1)(e) The public interest

The proposed Recreation Facility (Outdoor) and ancillary accommodation are permissible in the zone and satisfactory with regard to the impacts on the site. However any development should not be supported unless surrounding properties have been given the opportunity to consider all of the information submitted by the proponent. The balance therefore at the present point in time is that the public interest is not served in supporting the application.

17. STATE ENVIRONMENTAL PLANNING POLICIES

SEPP (Resilience and Hazards) 2021

There is not considered to be any contamination of the site at the present point in time. Chapter 4 of this SEPP relates to the remediation of contaminated land. There is a change of use to the site from agriculture to a motorcycle track and accommodation. Conditions of consent have been included to ensure the risk of contamination by spill or leakage of toxic materials or liquids can be satisfactorily contained. Subject to conditions of consent the site is

considered suitable for the development and no further assessment of potential contamination is warranted.

Conclusion

The proposed development is permissible with consent in the RU1 Primary Production zone of the Oberon Local Environmental Plan 2013 (LEP). There are some inconsistencies with regard to notification of the application against Section H of the Oberon Development Control Plan 2001. A Site Ecological Statement and Noise Impact Assessment indicate that the proposed development should be able to operate with minimal impact on the subject site and surrounding properties.

Recommendation

The proposed development should be renotified to adjoining and surrounding landowners with full documentation to be provided.

Reasons for Recommendation

- An appropriate level of consultation should be provided to surrounding landowners, and
- Notification should be provided and include all appropriate documentation
- The development is permissible within the Oberon Local Environmental Plan 2013.
- The development complies with the Oberon Local Environmental Plan 2013.
- Appropriate conditions of consent have been included to mitigate the impacts of the development.
- The development is considered to be appropriate and will not impact the locality unreasonably.

Attachments

1. Conditions of Development Consent

Recommendation

Renotification should be undertaken for the use of the site for the purpose of a Recreation Facility (Outdoor) Motorcycle Track, ancillary Accommodation and shed at Lot 95 DP 753036 also known as 3117 Arkstone Road Isabella.

Report Prepared by: Bennett Kennedy

Signed: *Bennett Kennedy*

Dated: 10 December 2024

1. Approved plans

The development is to be carried out generally in accordance with the approved stamped plans

Plan Title	Prepared/Drawn by	Date
Overall Site Plan	Navigate Planning	11 October 2024
Overall Site Plan Prohibited Delineated Areas	Edited – Navigate Planning	undated
General Layout Site Plan CDMO522/001 Showing Proposed machinery Shed Location	Oberon Drawing and Design	27/4/22
Proposed Family Recreation Facility: Amenities and Accommodation Building No 1&2 Details CD04/22	Oberon Drawing and Design	Undated
Proposed Family and Recreation Facility: Managers Quarters Admin Facilities Building	Oberon Drawing and Design	Undated
Proposed Machinery Shed CDM04/24/01 Elevations and Floor Plan	Oberon Drawing and Design	8/4/24
Proposed Machinery Shed CDM04/24/01 Sections and Elevations	Oberon Drawing and Design	10/4/24
Effluent Disposal Investigation 3117 Arkstone Road Jeremy Job No 22.0690	Calare Civil	10 April 2024
Bush Fire Assessment BR-562822-E SFPP Motorbike Riding Facility	Bushfire Planning & Design Matthew Noone	27/ 5/ 2024
Original Site Plan (Coreys Block) Access from Arkstone Road	Integrated Consulting Drawing Number 23086- TP01_B Sheet 2 of 4	22.03.2024 Revision B
Site Ecological Statement (SES) Project 3117 Arkstone Road Isabella	Access Environmental Planning	February 2024
Noise Impact Assessment	Acoustik – Navigate Planning Revision 2	19 April 2024
Statement of Environmental Effects – Development Application for Recreational Facility (Outdoor) with ancillary	Navigate Planning	15 October 2024

Visitor Accommodation and a Shed.		
Rural Fire Service Conditions of Consent	Rural Fire Service	14 September 2023

except as otherwise provided by the conditions of this determination. (Note:- modifications to the approved plans will require the lodgement and consideration by Council of a modification pursuant to Section 4.55 of the Environmental Planning and Assessment Act).

Reason:- To confirm and clarify the terms of Council's approval.

2. Limitations on Use – no encroachment

The use of the site for the purpose of a Recreation Facility (Outdoor), Visitor Accommodation and Shed shall not be permitted to encroach or enter the exclusion area delineated on the revised site plan. The exclusion area shall be clearly identified on the Plan of Management so that all users area aware of these restrictions.

Reason:- To ensure that the site operates in accordance with the intended use and within the area intended for the use.

3. Moveable Dwellings

Prior to the Use of the site for the purpose of Outdoor Recreation, an application for the Occupation of the moveable Dwellings for the purpose of accommodation shall be lodged and approved under Section 68 of the Local Government Act.

Reason:- To ensure that accommodation is provided on site prior to the site being used as for the dominant use as a Recreation Facility (Outdoor).

4. Limitations on Use – no change of use

The site shall not be used for any other purpose other than a Recreation Facility (Outdoor) as the dominant use of the site without the prior consent of Council.

Reason:- To ensure the use of the land remains consistent with the objectives of the zone under the Oberon Local Environmental Plan 2013.

5. Limitations on Use – ancillary use must cease

The use of the Moveable Dwellings on the site shall be ancillary to the approved use of the site for the purpose of a Recreation Facility (Outdoor) Motorcycle recreation and shall cease if the dominant use of the site ceases.

Reason:- To ensure the use of the land remains consistent with the objectives of the zone under the Oberon Local Environmental Plan 2013.

6. Limitations on Use – use within perimeter road

The use of the site as a Recreation Facility (Outdoor) shall be restricted to within the perimeter road area and the area delineated on the approved plans.

Reason:- To ensure the use of the land remains consistent with commitments made to protect flora and fauna on the site and minimise impacts on adjoining properties.

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

7. Waste Management

A Waste Management Plan to address storage, collection, and management of waste and recycling generated by the development shall be provided to the Certifying Authority prior to the issue of a Construction Certificate.

Reason: To ensure the development does not interfere with the amenity of the area or the environment

8. Sight Distances

The applicant shall engage a suitably qualified traffic engineer to determine the appropriate sight distance in accordance with the AUSTRROAD standard for the proposed entry/exit. If appropriate sight distance cannot be obtained that a new entry/exit be provided that satisfies the required standard.

Reason: The sight distances must be achieved so that vehicle movements to and from the site and in both directions along Arkstone Road will not be negatively impacted.

9. Traffic Management Plan

A Traffic Management Plan is to be prepared in accordance with Transport for NSW Issue 6.1 Technical Manual February 2022 and submitted to and approved by the Certifying Authority.

- a) All activities including loading and unloading of goods associated with the development be carried out on site in the dedicated areas providing adequate manoeuvring area for the design vehicle.
- b) Landscaping, signage and fencing is not to impede sight lines of traffic or pedestrians within or when passing, entering or departing from the site. Safe Intersection Sight Distance (SISD) must be provided and maintained at the intersection of the driveway with Arkstone Road.

Reason: The TMP must demonstrate that vehicle movements within, to and from the site and in both directions along Arkstone Road will not be negatively impacted and cause nuisance to adjoining landowners.

Rural Fire Service Condition

10. Construction Standards

The intent of measures is to provide suitable building design, construction and sufficient space to ensure that radiant heat levels do not exceed critical limits for firefighters and other emergency services personnel undertaking operations, including supporting or evacuating occupants. To achieve this, the following condition applies:

2. New construction of the visitor accommodation must comply with section 3 and section 5 (BAL 12.5) Australian Standard AS3959-2018 Construction of buildings in bushfire-prone areas or the relevant requirements of the NASH Standard - Steel Framed Construction in Bushfire Areas (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of Planning for Bush Fire Protection 2019.

PRIOR TO COMMENCEMENT OF WORKS

11. Submission of a Construction Certificate

Site works are not to commence until such time as the Certifying Authority has issued a construction certificate for the proposed works. The Construction Certificate(s) must encompass all proposed works on site including the shed and earthworks required for the operation of the Recreational Facility.

Note: Only the person who appointed the PCA may be the applicant for the Construction Certificate.

Reason:- To comply with the requirements of the Environmental Planning and Assessment Act.

12. On-Site Wastewater Disposal

An application for an On-Site Wastewater disposal system shall be lodged and approved under Section 68 of the Local Government Act prior to commencement of works.

Reason:- To comply with the requirements of the Local Government Act 1993.

13. Notice of commencement

At least two (2) days prior to the commencement of building works, the applicant is required to submit to the Certifying Authority a "Notice of Commencement of Building or Subdivision Works and Appointment of Principal Certifying Authority".

Reason:- To meet the requirements of Section 6.6 of the Environmental Planning and Assessment Act 1979.

14. Construction Environment Management Plan

Prior to works commencing, the applicant shall prepare and submit a Construction Environmental Management Plan (CEMP) to the Certifying Authority. The CEMP shall outline how and where construction activities such as material stockpiling will be undertaken and detail acceptable methods for the adequate control and management of the following:

- Dust Suppression and Mitigation – detailing dust suppression and mitigation measures to be employed during works on the site to ensure dust is not emitted from the site at all times including when no activities are taking place on the site;
- Erosion and Sedimentation Control Plan – detailing the methods to be employed to ensure the adequate management of the surface and stormwater associated with subdivision activities.
- Management and storage of stockpiled materials and waste onsite:
 - Method of waste disposal and disposal sites;
 - Method of waste transport to disposal sites; and
 - Record keeping.

Reason:- To ensure the proposal has minimal impacts on surrounding properties and the road and footpath areas around the site.

15. Stock Pile Management

Stockpiled materials including but not limited to earthworks are to be stored in a designated location identified in the construction management plan with suitable erosion and sediment control measures in place.

Reason: to contain any runoff with the potential to contaminate any waterways or drainage channels in the vicinity.

16. Builders Waste

All building rubbish, including that which can be wind blown, shall be suitably contained on site, until disposed of at Council's Solid Waste Disposal Depot.

Reason:- To ensure the building site and surroundings are kept in a clean and tidy condition and to prevent a nuisance to surrounding premises.

17. Run-off, erosion and sediment controls

Run-off and erosion controls must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land by:

- (a) diverting uncontaminated run-off around cleared or disturbed areas, and
- (b) erecting a silt fence and providing any other necessary sediment control measures that will prevent debris escaping into drainage systems, waterways or adjoining properties, and
- (c) preventing the tracking of sediment by vehicles onto roads, and
- (d) stockpiling top soil, excavated materials, construction and landscaping supplies and debris within the lot.

An Erosion and Sediment Controls Plan must be provided to the Certifying Authority prepared in accordance with Managing Urban Stormwater: Soils and Construction, Volume 1 (Landcom, 2004), as amended.

The proposed erosion and sediment control works must be inspected and maintained throughout the construction or operation period of all the proposed stages of development and must not be removed until the site is fully stabilised.

Reason:- To prevent the movement of soil and sediment and minimum impact on waterways from stormwater and runoff.

18. Site Identification

A sign is to be erected in a prominent position at the entrance of the work site, stating that unauthorised access is prohibited, and showing the name and contact phone number of the person or company in charge of construction on the site.

Reason:- To identify the site and builder, and prevent unauthorised access.

19. Storm water disposal

Stormwater from the development is to be collected in rainwater tanks or conveyed to drainage channels.

Reason:- to ensure the stormwater is suitably managed or discharged.

DURING WORKS

Rural Fire Service Condition

20. Asset Protection Zones

The intent of measures is to provide suitable building design, construction and sufficient space to ensure that radiant heat levels do not exceed critical limits for firefighters and other emergency services personnel undertaking operations, including supporting or evacuating occupants. To achieve this, the following conditions apply:

1. From the commencement of building works and in perpetuity, the property around the visitor accommodation units must be maintained as an inner protection area to the following distances and aspects in accordance with the following requirements of Appendix 4 of Planning for Bush Fire Protection 2019:

- north-east and south-east for a distance of 79 metres; and
- south-west and north-west for a distance of 67 metres.

When establishing and maintaining an inner protection area, the following requirements apply:

- tree canopy cover should be less than 15% at maturity;
- trees at maturity should not touch or overhang the building;
- lower limbs should be removed up to a height of 2 m above the ground;
- tree canopies should be separated by 2 to 5 m;
- preference should be given to smooth-barked and evergreen trees;
- large discontinuities or gaps in the shrubs layer should be provided to slow down or break the progress of fire towards buildings;
- shrubs should not be located under trees;
- shrubs should not form more than 10% ground cover;
- clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation;
- grass should be kept mown (as a guide, grass should be kept to no more than 100mm in height); and
- leaves and vegetation debris should be removed regularly.

21. Tree Removal

A suitable plan shall be provided identifying each tree to be retained on site. No Tree removal shall be permitted during the period of this consent without prior consent of Council.

Reason:- To ensure vehicle access and safety is maintained during the development building works.

22. Hours of construction and operation

Construction and operation may only be carried out between 7.00 am and 5.00 pm on Monday to Saturday and no work is to be carried out at any time on a Sunday or a public holiday.

Reason:- To ensure works do not cause noise nuisance to surrounding premises after hours and on Sundays and public holidays.

23. Drainage and Stormwater Management

Berms and Swales shall be provided in conjunction with the Erosion and Sediment Control Plan to effectively manage drainage and stormwater around the site and within the internal road network.

Reason: To ensure water is effectively managed around the site and does not impact on vehicle movement to, from and around the site.

24. Site to be kept neat and tidy during the construction and ongoing use

The site shall be kept clean and tidy during the construction and ongoing use and all rubbish shall be removed from the site upon completion of the project to the satisfaction of Council.

Reason:- To ensure the site does not impact on the natural environment or create a nuisance for the adjoining property owners during construction or ongoing use.

25. Compliance with plans

Works must be carried out in accordance with the plans and specifications to which the development consent relates. A copy of the approval and plans shall be kept on site at all times.

Reason:- To ensure a copy of the approval is available for builders/tradespersons on site.

26. Contamination

A Satisfactory spill kit is to be retained on site in the event of leakage or spillage of toxic material, fuels or other chemicals. The permanent storage of toxic materials fuels or other chemicals is to be contained within a bunded area suitable to containing 125% of the largest container being stored.

Reason: To ensure the site remain uncontaminated and suitable for its intended and ongoing use as Rural land.

27. Maintenance of site

- (1) All materials and equipment must be stored wholly within the work site unless in accordance with the site management plan.
- (2) Waste materials (including excavation, demolition, and construction waste materials) must be managed on the site and then disposed of at a waste management facility.
- (3) Any run-off and erosion control measures required must be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties, and roads.
- (4) During construction:
 - (a) all vehicles entering or leaving the site must have their loads covered, and
 - (b) all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads.
- (5) At the completion of the works, the work site must be left clear of waste and debris.

Reason:- To ensure that the building site and adjoining public areas are maintained in a clean condition and do not impact on the amenity of the area.

28. Fencing

Existing fencing is to be suitable and appropriately maintain to ensure no encroachment onto areas to be protected or adjoining properties. All fencing shall allow the free passage of native animals and prevent the entry of motorbikes and persons into protected areas.

Reason: - To ensure areas intended to be protected and free from motorbike are maintained in that condition and the use of the site does not have unintended impacts on the natural environment.

29. Obligation to Minimise Harm to the Environment

In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and, if prevention is not reasonable and feasible, minimise any material harm to the environment that may result from the construction and operation of the development.

Reason: To ensure no harm, contamination or damage is caused to the environment.

PRIOR TO OCCUPATION CERTIFICATE AND ONGOING USE OF THE SITE

Rural Fire Service Condition

30. Access - Internal Roads The intent of measure is to provide safe operational access for emergency services personnel in suppressing a bush fire while residents are accessing or egressing an area. To achieve this, the following conditions apply:

3. Property access roads to the development, which includes the secondary access route identified as 'Alternate route to Arkstone Road' in Figure 5.1 of the Bush Fire Assessment Report prepared by Bushfire Planning & Design (dated: 05/05/2023, ref: BR-562822-D) must comply with the general requirements of Table 5.3b of Planning for Bush Fire Protection 2019 and the following:

- property access roads are two-wheel drive, all-weather roads;
- minimum 4m carriageway width;
- in forest, woodland and heath situations, rural property access roads have passing bays every 200m that are 20m long by 2m wide, making a minimum trafficable width of 6m at the passing bay;
- a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches;
- provide a suitable turning area in accordance with Appendix 3;
- curves have a minimum inner radius of 6m and are minimal in number to allow for rapid access and egress;
- the minimum distance between inner and outer curves is 6m;
- the crossfall is not more than 10 degrees;
- maximum grades for sealed roads do not exceed 15 degrees and not more than 10 degrees for unsealed roads; and
- a development comprising more than three dwellings has access by dedication of a road and not by right of way.

Note: Some short constrictions in the access may be accepted where they are not less than 3.5m wide, extend for no more than 30m and where the obstruction cannot be reasonably avoided or removed. The gradients applicable to public roads also apply to community style development property access roads in addition to the above.

Rural Fire Service Condition

31. Water and Utility Services The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions apply:

4. The provision of water, electricity and gas must comply with the following in accordance with Table 6.8c of Planning for Bush Fire Protection 2019:

- a 10,000 litre static water supply, tank, pool, dam or the like, must be provided for each proposed visitor accommodation unit on-site,
- an outlet for firefighting purposes is located within the IPA or non-hazard side and away from the structure
- 65mm Storz connection with a ball valve is fitted to the outlet,
- the ball valve, pipes and tank penetration are adequate for the full 50mm inner diameter water flow through the Storz fitting and are constructed of a metal material,
- underground tanks have an access hole of 200mm to allow tankers to refill, direct from the tank,
- a hardened ground surface for truck access is supplied within 4m of the water outlet or access hole,
- above-ground tanks are manufactured from concrete or metal,
- raised tanks have their stands constructed from non combustible material or bush fire resisting timber. -The bush fire-resisting timbers are Silvertop Ash, Blackbutt, Red or River Gum, Spotted Gum, Red Ironbark, Kwila (Merbau) or Turpentine,
- unobstructed access can be provided at all times,
- underground tanks are clearly marked,
- tanks on the hazard side of a building are provided with adequate shielding for the protection of firefighters,
- all exposed water pipes external to the building are metal, including any fittings,
- a minimum 5hp or 3kW petrol or diesel-powered pump must be provided, and must be shielded against bush fire attack,
- a hose and reel for firefighting must be connected to the pump is to be 19mm internal diameter,
- the required fire hose reel/s must be constructed in accordance with AS/NZS 1221:1997, and installed in accordance with the relevant clauses of AS 2441:2005,
- A Static Water Supply (SWS) sign must be obtained from the local NSW Rural Fire Service (RFS) and positioned for ease of identification by RFS personnel and other users of the SWS. In this regard:
 - Markers must be fixed in a suitable location to be highly visible, and
 - Markers should be positioned adjacent to the most appropriate access for the water supply.
- where practicable, electrical transmission lines are underground;
- where overhead, electrical transmission lines are proposed as follows:
 - lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas; and
 - no part of a tree is closer to a power line than the distance set out in accordance with the specifications in ISSC3 Guideline for Managing Vegetation Near Power Lines.
- reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used;
- all fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side;
- connections to and from gas cylinders are metal;
- polymer sheathed flexible gas supply lines are not used; and
- above-ground gas service pipes are metal, including and up to any outlets.

Rural Fire Service Condition

32. Landscaping Assessment: The intent of measures is to provide suitable building design, construction and sufficient space to ensure that radiant heat levels do not exceed critical limits for firefighters and other emergency services

personnel undertaking operations, including supporting or evacuating occupants. To achieve this, the following conditions apply:

5. Landscaping within the required asset protection zone must comply with Appendix 4 of Planning for Bush Fire Protection 2019. In this regard, the following principles are to be incorporated:

- A minimum 1 metre wide area (or to the property boundary where the setbacks are less than 1 metre), suitable for pedestrian traffic, must be provided around the immediate curtilage of the building;
- Planting is limited in the immediate vicinity of the building;
- Planting does not provide a continuous canopy to the building (i.e. trees or shrubs are isolated or located in small clusters);
- Landscape species are chosen to ensure tree canopy cover is less than 15% (IPA), and less than 30% (OPA) at maturity and trees do not touch or overhang buildings;
- Avoid species with rough fibrous bark, or which retain/shed bark in long strips or retain dead material in their canopies;
- Use smooth bark species of trees species which generally do not carry a fire up the bark into the crown;
- Avoid planting of deciduous species that may increase fuel at surface/ ground level (i.e. leaf litter);
- Avoid climbing species to walls and pergolas;
- Locate combustible materials such as woodchips/mulch, flammable fuel stores away from the building;
- Locate combustible structures such as garden sheds, pergolas and materials such as timber garden furniture away from the building; and
- Low flammability vegetation species are used. Emergency and Evacuation Planning Assessment

Rural Fire Service Condition

33. Emergency and Evacuation Planning Assessment

The intent of measure is to provide suitable emergency and evacuation arrangements for occupants of SFPP developments. To achieve this, the following conditions apply:

A Bush Fire Emergency Management and Evacuation Plan is to be prepared in accordance with Table 6.8d of Planning for Bush Fire Protection 2019 and be consistent with the following:

- The NSW RFS document: A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan;
- contact details for the local Rural Fire Service office;
- procedures for coordinated evacuation of the site in consultation with local emergency services.

A copy of the Bush Fire Emergency Management and Evacuation Plan should be provided to the Local Emergency Management Committee for its information prior to the occupation of the development.

ONGOING USE OF THE SITE (Operational Phase)

34. Vehicles Driven in a Forward Direction

All motorcycle and vehicles must be driven in a forward direction at all times when entering, leaving or moving around the site.

Reason:- to preserve and enhance the safe operation of the site for the intended and approved purpose.

35. Operation Management Plan

The site shall operate in accordance with the Operational Management Plan submitted with the application.

Reason:- to preserve and enhance the safe operation of the site for the intended and approved purpose and so that the development does not reduce the amenity of the area

36. Development not to interfere with amenity of the area.

The development is to be conducted in a manner that will not interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil, by causing interference to television or radio reception or otherwise.

Reason:- so that the development does not reduce the amenity of the area

37. No Advertising Signage.

No Advertising Signage is permitted to be erected without the approval of Council. Direction signage shall be for the purpose of directions only and shall not convey any other message. A sign identifying the property address and entrance to the site shall be clearly displayed at the entry.

Reason:- To ensure that any signage is consistent with the consent and is not used for any other purpose without approval.

PRESCRIBED CONDITIONS OF CONSENT

The following conditions are known as “Prescribed Conditions” and are required by the Environmental Planning and Assessment Regulation 2021 to be imposed as part of any development consent whether or not they are relevant to the development approved under this consent. Please do not hesitate to contact staff in Council’s Development Department who will be happy to advise you as to whether or not the conditions are relevant to your consent.

1. All building work must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant construction certificate or complying development certificate was made).

Reason:- So that the development complies with the requirements imposed under Clause 69 of the Environmental Planning and Assessment Regulation 2021.

2. In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of the Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

Reason:- So that the development complies with the requirements imposed under Clause 69 of the Environmental Planning and Assessment Regulation 2021.

3. Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the principal certifying authority for the development to which the work

relates (not being the Council) has given the Council written notice of the following information:

- in the case of work for which a principal contractor is required to be appointed:
 - (i) the name and licence number of the principal contractor, and
 - (ii) the name of the insurer by which the work is insured under Part 6 of the Act,
- in the case of work to be done by an owner-builder:
 - (i) the name of the owner-builder, and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

Reason:- So that the development complies with the requirements imposed under Clause 71 of the Environmental Planning and Assessment Regulation 2021.

4. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- showing the name, address and telephone number of the principal certifying authority for the work, and
 - showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work is being carried out and must be removed when the work has been completed.

Note: This condition does not apply to building work that is carried out inside an existing building that does not affect the external walls of the building.

Reason:- So that the development complies with the requirements imposed under Clause 70 of the Environmental Planning and Assessment Regulation 2021.

5. Any development that involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
- i. protect and support the adjoining premises from possible damage from the excavation, and
 - ii. where necessary, underpin the adjoining premises to prevent any such damage.

NOTE: The condition referred to in sub clause (1) does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

Reason:- So that the development complies with the requirements imposed under Clause 74 of the Environmental Planning and Assessment Regulation 2021.

NAVIGATE PLANNING

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ABN: 55646198114

12 October 2024

Bennett Kennedy
Oberon Council
137 - 139 Oberon Street
Oberon, NSW 2787

Bennett.kennedy@oberon.nsw.gov.au

Dear Bennett,

DA10.2023.30.1 – 3117 Arkstone Road, Isabella – Response to Submissions

Thank you for the opportunity to respond to the issues raised in submissions to notification of the above mentioned development application. Our responses are provided below.

Submission 1 – Burns Planning and Development

1. Notification of the Development – This is a matter for Council.
2. Proposed Plans – In relation to the plan for the tracks, given they exist and no new tracks are proposed, the level of detail in the site plan is considered sufficient to identify their location. However, it is accepted that there were inconsistencies on various plans relating to the tracks. The plan in the Site Ecological Statement is accurate as it is based on the use of a GPS tracker. A revised Overall Site Plan has been uploaded to the Planning Portal.

In relation to proximity of the tracks to the adjoining property boundary., the nearest part of the perimeter track is over 250m, as shown below.



The nearest part of the internal tracks is approximately 400m from the adjoining property boundary, as shown below.



It is noted that the dwelling on the adjoining lot is a further 650m away from the tracks.

In relation to the existing perimeter track crossing a watercourse identified on the Biodiversity Values Map, a Site Ecological Statement has been provided with the application. The report confirms that, as there is no clearing of vegetation within the area included on the Biodiversity Values Map, the Biodiversity Offset Scheme does not apply.

In relation to the accommodation area, the plans provided show the location of all new buildings proposed. No land clearing is proposed in this area. A helicopter landing site has not been identified on the plans, however a cleared space is available on the site. The recommended effluent disposal area is shown in the Effluent Disposal Investigation Report. Please note that the area identified in the report is incorrect and a revised Effluent Disposal Investigation report has been uploaded to the Planning Portal.

3. Legal and Practical Access – The site is accessed via a Crown Road. The NSW Government’s Fact Sheet on proposed works on Crown Roads provides for small scale works to be undertaken with a Deed of Agreement. The fact sheet is linked below. There is no requirement to purchase the Crown Road or to gazette it as a public road.

[Proposed works on Crown public roads \(nsw.gov.au\)](https://www.nsw.gov.au/proposed-works-on-crown-public-roads)

4. Existing use of the site and associated structures – The submission is incorrect with reference to the site already being used to provide accommodate for paying guests. With regards to fill and trackwork, the only works undertaken with regards to fill have been within the limits of Subdivision 15 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2021. Trackwork is limited to ongoing maintenance of the tracks.

In relation to the accommodation buildings, if required, details can be provided to demonstrate that the buildings can meet the performance criteria of the NCC. The Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 is not applicable to the proposal as it is not a caravan park or camping ground.

5. Acoustic Report – An acoustic report has been provided for the development demonstrating that noise impacts at the nearest residential receivers will be below the relevant noise limits. Bikes will be ridden slowly from the accommodation area to access the tracks. No bikes will be permitted to be ridden along the access track from Arkstone Road. The acoustic report recommends a speed limited area on part of the perimeter track nearest to the accommodation area. This can also be applied within the accommodation area.
6. Operational Plan of Management
 - A sign will be placed at the property entrance stating ‘Private Property, No Trespassing’.
 - Guests will be advised to bring motorbikes to the premises on the back of utes or in trailers only, as no motorbike riding is permitted on the access road.
 - Any bike maintenance will be limited to daylight hours.
 - Guests will be advised that pets are not permitted to be brought to the site.
 - There are ten accommodation rooms, eight small and two large rooms. The smaller rooms will be approximately 2.9m by 2.9m, providing room for up to two bunk beds each. This alone generates capacity for 32 persons, however to cater for different needs, some of the rooms will have two single beds and some will have one double bed. The two larger rooms are approximately 2.9m by 4.7m, providing room for up to three bunk beds each. The internal layout of the rooms will ensure a maximum of 30 persons. Camping will not be permitted. Partners, children or other family or friends of riders will be permitted to stay, however the total number of persons will remain limited to 30.
 - The only impact on livestock in adjoining paddocks will be from vehicles accessing and leaving the site along the access road to Arkstone Road. Recreational motorbikes will not be permitted to use the Crown Road. This impact is considered minor, however guests will be asked to enter and leave the site in a quiet manner. It is noted that there is a greater impact on livestock from heavy vehicle use of Arkstone Road itself, which runs through the adjoining land owners property.

Where required, the Operational Management Plan has been updated to address the above matters.

7. Right to farm – The acoustic report demonstrates that no part of the adjoining land will experience noise levels that exceed the relevant noise limits.

8. Koala habitat – The Site Ecological Statement has assessed the impact of the proposed development on koala habitat and concludes that the site does not contain potential koala habitat.
9. Potable water supply – The plans identify water tanks to be connected to each of the proposed accommodation buildings, the amenities building and the recreation building.

Submission 2 – Hume Forestry

1. Bushfire Risk – Campfires will not be permitted, other than in one metal fire pit located in a cleared area near the accommodation rooms. The fire pit will not be used on a declared day of total fire ban. The Operational Management Plan submitted with the application states that *“on days declared by the RFS as having “extreme” or “catastrophic” fire danger rating, the facility will be closed to guests until such time as the fire danger rating has ceased”*.
2. As noted above, the fire pit will not be used during fire danger periods.
3. Impact on Koromira Fire Trail – The use of the fire trail will be limited to within the subject property and the landowner will undertake maintenance of the fire trail to ensure it remains accessible by fire fighting vehicles.
4. Trespass into adjoining Forestry land – The motor cycle riding area does not directly adjoin land owned by Hume Forestry. The Guests will be made aware of the limits of the property and the area permitted for riding. Fence line exists between the subject land and all adjoining forestry land preventing access.

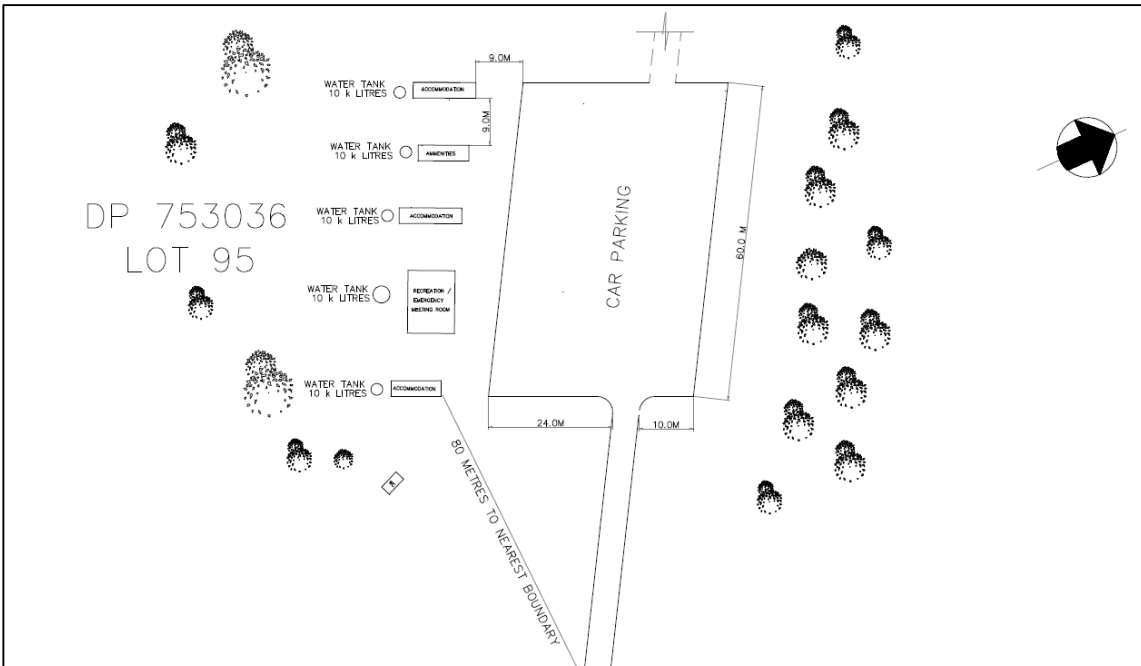
Where required, the Operational Management Plan has been updated to address the above matters.

Council’s Comments

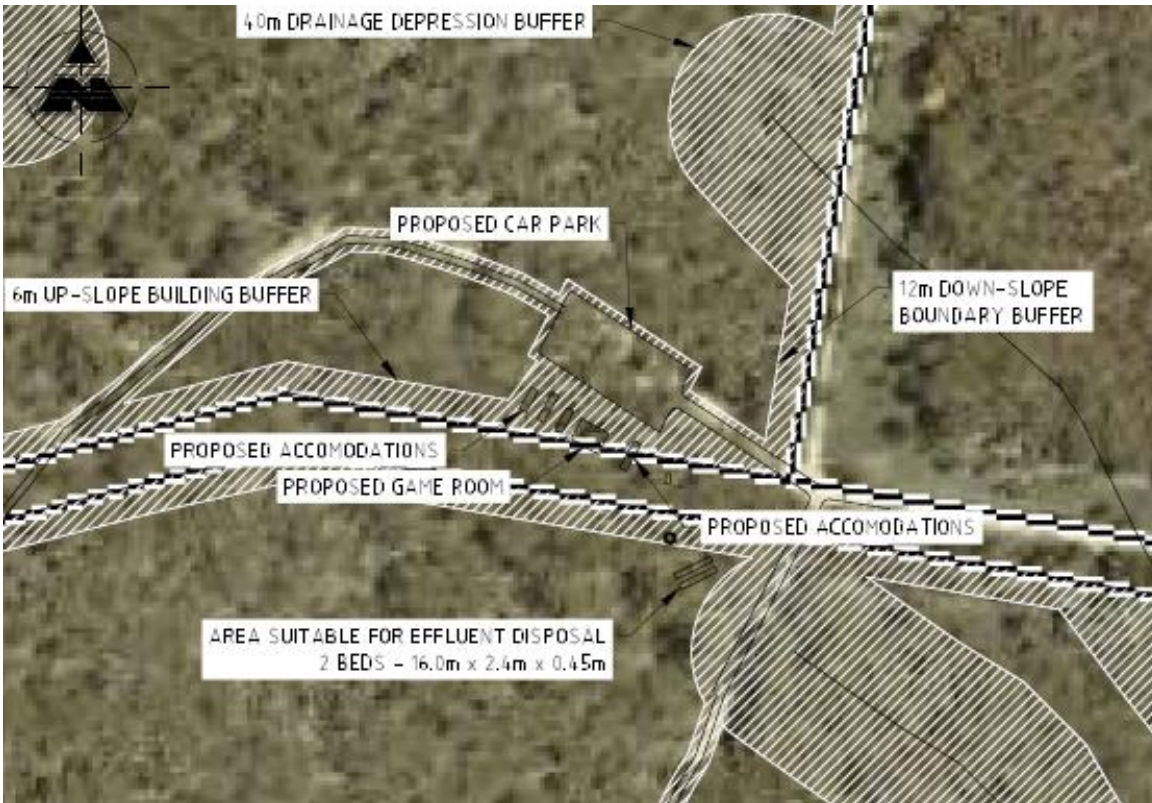
“Inconsistency between plan, specifically the site plan, the plan in the Effluent Disposal Report from Calare Civil, the Bushfire Report and Figure 2 of the NIA. Accurate site plans, identifying specific land uses, exclusions zones, areas for accommodation, parking, accommodation, effluent disposal areas, emergency areas, and Asset Protection Zone locations are requested.”

Comment – See extracts of plans below.

Accommodation Site Plan – This plan is copied into the Bushfire Report



Plan in Effluent Disposal Report – The orientation is different, but the plan is the same.



Extract of overall Site Plan - Motorcross track incorrectly located, revised site plan uploaded to Portal.



Figure 2 of the SES – Location of tracks correct. Overall Site Plan updated to be consistent with this plan.

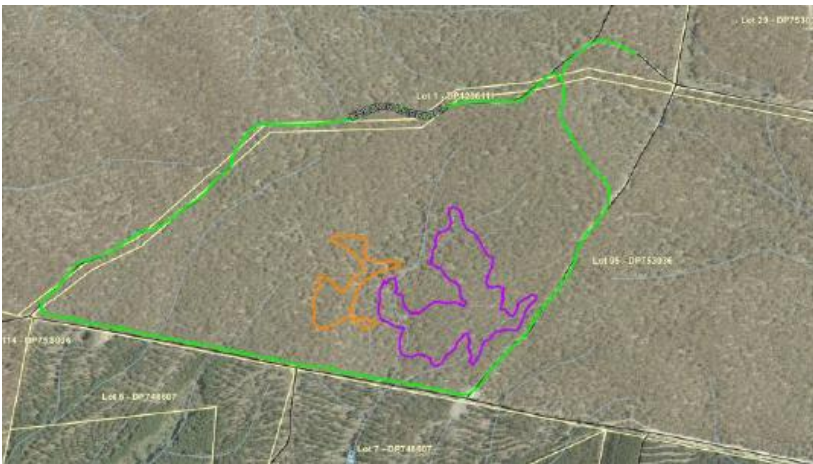
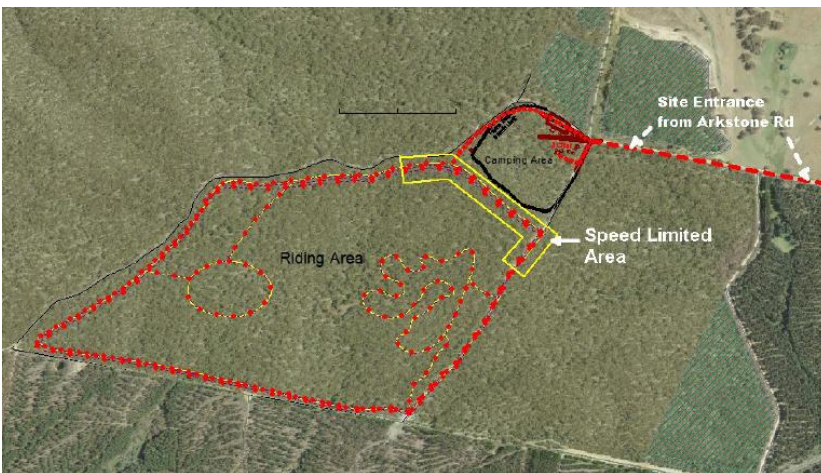


Figure 2 of the Noise Impact Assessment- Motorcross track incorrectly located. It is considered unnecessary to update the plan in this report as the change will not affect the report outcomes.



“The outdoor recreation would need to be completed and operational before lodging of the application for accommodation as ancillary development.”

Comment: The outdoor recreation is completed and is currently operational (for private purposes). No works are required to be undertaken to make the outdoor recreation suitable for commercial purposes. Therefore, it is considered that the accommodation component can be approved at the same time as the outdoor recreation is approved for commercial use.

Thank you for the opportunity to provide you with responses to the issues raised in submissions and Council’s comments on the development application. I trust this response provides clarification of the issues and allows the application to proceed to determination.

Regards,

Mark Hitchenson
Navigate Planning
0409 458 388

13.3 Modification of Consent DA10.2022.59.2 Multi-Dwelling Housing 2A Queen Street, Oberon

File No: Planning & Building Applications/DA10.2022.59.2

Author: Bennett Kennedy (Senior Town Planner), Damian O'Shannassy (Planning and Development Director)

Summary

Council is in receipt of an application to Modify Condition 1 of a Development Consent relating to the alterations and additions to an approved Multi Dwelling Housing under DA 10.2022.59.1 at 2A Queen Street, Oberon.

Recommendation:

That Council,

1. Refuse the proposed Modification to DA 10.2022.59.1 at 2A Queen Street, Oberon to include additional bedrooms in two of the proposed dwellings for the following reason:
 - a) The proposed alterations and additions will result in an overdevelopment of the site and unacceptable impact in the streetscape.
 2. That a division be called in accordance with Section 375A of the Local Government Act 1993.
-

Comment

Council previously considered the subject development on 15 August 2023 and approved the development despite the proposed development presenting four (4) non-compliances with Council's Development Control Plan (DCP) 2001. The four non-compliances (below) demonstrate that the proposed development was an over development of the site and presented excessive bulk and scale to the R1 General Residential zoning under Oberon Local Environmental Plan 2013. Notwithstanding these non-compliances, support for the proposed development was predicated on the configuration of the multi-dwelling housing going some way to addressing a shortage of smaller dwellings for smaller household sizes.

The non-compliances of the original application were in the following Sections of Council's DCP 2001: - be

- Section C.5.3 Height of Buildings – Building has a height of 7.413 metres
- Section C.5.4 Buffer Zones (Sewerage Treatment Plant) - Site is within STP buffer
- Section C.5.5 Building Height Plane – Building encroaches on BHP at South and East Elevation
- Section C.5.7 Setback from the Street - Setback is 9.95 metres from the front boundary.

1. Location of the Proposal

The subject site is identified as Lot 1 DP 587025 and is known as 2A Queen Street Oberon.

2. Proposed Development

The existing approved Multi Dwelling Housing comprises:

- 1 x 4 bedroom dwelling (Unit 1)
 - 2 x 2 bedroom dwellings (Units 2 and 3)
-

The proposed development will increase the number of bedrooms of Unit 2 and 3 to 2 x 3 bedroom dwellings.

3. Referrals

No referral was required as part of this application because it is a merit-based assessment.

4. Legislative Context

The proposed development is required to be considered against Section 4.55(2) of the Environmental Planning & Assessment Act 1979.

4.55 Modification of consents—generally

The first test for any Modification is whether it is *substantially the same* development (4.55(2a)). This is generally a quantitative and qualitative assessment to establish if any proposed modification can be considered. It is considered that the proposed development is *substantially the same*.

4.55(c)The application was not notified as detailed below.

Council must further consider the matters referred to in Section 4.15 of the EP&A Act (the original assessment) as are of relevance and the reasons given by the consent authority for the grant of consent to the original application.

5. Assessment

The existing development comprises 1 x 4brdm dwelling (Unit 1 at the front) and 2 x 2 bedroom dwellings at the rear (Units 2 & 3). The proposed modification seeks to add an additional bedroom to units 2 & 3 and therefore additional floor area as highlighted in orange on the plans.

Part F.5.4 of Council's Development Control Plan 2001 provides that each dwelling in a multi Dwelling development must provide 1.25 car parking spaces + 1.4 or part thereof for visitor parking. The existing development provides 2 parking spaces per unit and 2 visitor parking spaces (in total) between the front boundary and the front building line.

Part 5 of the Council's Development Control Plan 2001 provides some flexibility in the application of parking schedules however discourages parking between the front building line and front boundary. Section F.10.1 Design/Dimensions requires that *Parking spaces are not normally permitted to be between the building line and the property boundary*.

Further, the objectives of Part 5 are to ensure that adequate provision is made for off street parking and vehicle access in accordance with the volume and turnover of traffic likely to be generated by the development.

It is considered that proposing an additional bedroom to the two (2) rear units will increase the propensity for vehicles to occupy the site and therefore the visitor car parking spaces to be occupied more frequently (and not in accordance with its intended use). The propensity is drawn from there being limited site area available for additional parking. The occupation of visitor parking would therefore also likely detract from the visual appearance of the approved building in the streetscape.

With the development demonstrating four (4) existing non-compliances, it is recommended that the proposed additional bedrooms will exceed the acceptable limits for development of the site in terms of visual impact on the streetscape and not be supported.

Notwithstanding these impacts, Council may also consider approving the revised plans that incorporate the additional bedrooms and approve the proposed modification.

6. Exhibition

The original application was notified to adjoining owners and two submissions were received. The proponent addressed the concerns of adjoining owners satisfactorily in original application and these were included as conditions of consent. The proposed modification would not alter the issues raised or how these would be addressed and how the original issues were addressed would be retained from the existing Notice of Determination. The proposed modification was not notified to adjoining owners.

Financial Implications

There will be no financial implications for Council because of the proposed modification.

Relevance to Oberon Community Strategic Plan

Theme 4: Infrastructure and Services

Action 4.4 Plan for infrastructure and land use needs ready for future growth

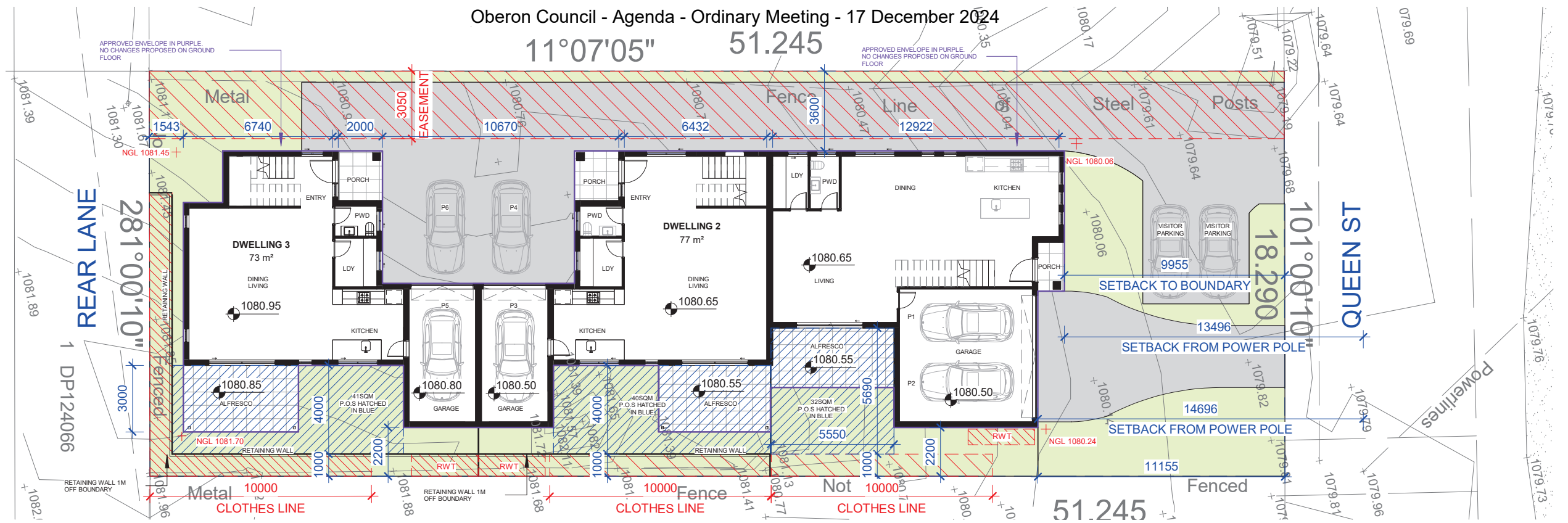
4.4.3 Development assessment and building approval services

Risk Category

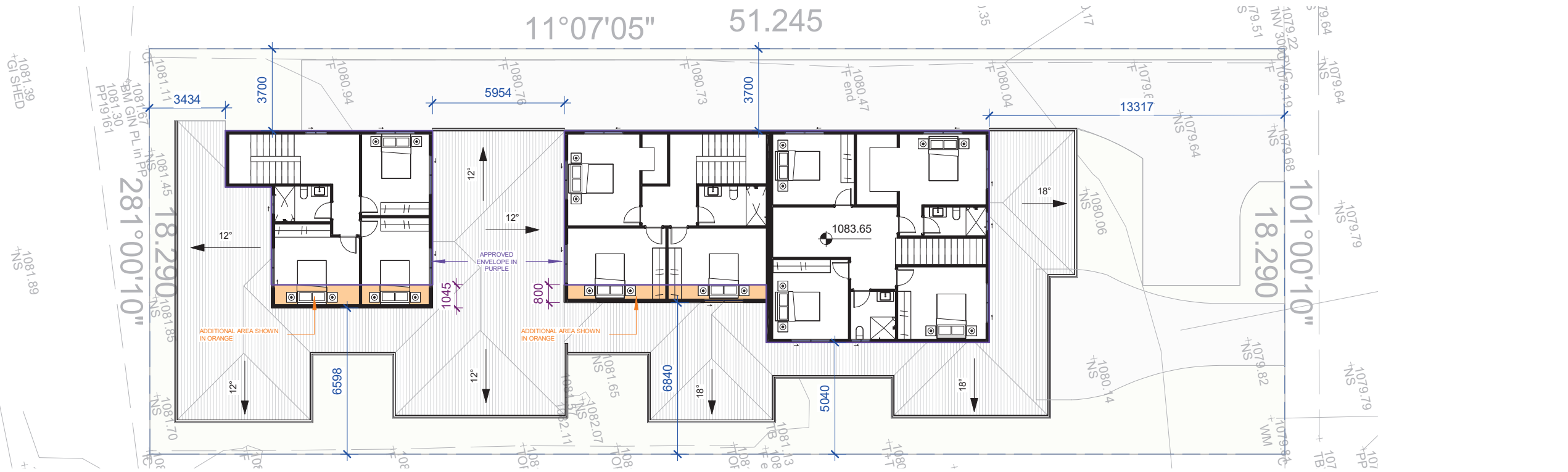
Environment

Risk Severity Ranking

Minor - 32%



1 **Ground Floor Overall**
1 : 200



2 **Level 1 Overall**
1 : 200



BDA Accreditation Number: 6614
Class 2 Registration Number: DEP0001004
 P: 0448 923 373
 E: info@astleyhomes.com.au

ISSUE	DATE	DESCRIPTION	BY
1	18.04.2024	S4.55 APPLICATION	K.H.

PROJECT TITLE
Proposed Multi-Dwelling Housing
PROJECT ADDRESS
2A Queen St, Oberon NSW

NOTES
 Dimensions - Contractors to check all dimensions on site prior to commencing construction.
 Do not scale from this drawing. Use given dimensions.
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DRAWING TITLE
Overall Floor Plans
DRAWING NO.
DA 02
DATE OF ISSUE
18.04.2024

REVISION NO.
1
DRAWING SCALE
1 : 200

TRUE NORTH
SHEET SIZE
A3

13.4 2025/26 IPART Rate Peg Determination

File No: Finance/Rates

Author: Mathew Webb (Corporate Services Director), Zoe Marks (Finance Manager)

Summary

This report seeks Council to adopt the 5.4% rate peg as approved by the Independent Pricing and Regulatory Tribunal (IPART) as the basis for the development of the 2025/26 Integrated Planning and Reporting documents. Staff require a resolution from Council on the adopted rate peg as this drives the financial modelling in key documents such as the Operation Plan, Revenue Policy and Long-Term Financial Plan.

Recommendation:

That Council adopt the IPART determined rate peg of 5.4% for the 2025/26 Financial Year.

List of Attachments

1. Media Release- Rate peg set for 2025-26 [**13.4.1** - 1 page]
2. Information Paper- Rate pegs for NSW councils for 2025-26 [**13.4.2** - 22 pages]
3. Table- Final rate pegs for all councils 2025-26 [**13.4.3** - 6 pages]

Comment

In October 2024, IPART notified Councils that the 2025/26FY core rate peg for NSW Councils was between 3.6%-5.1%. A population factor is then added to the core rate, with Councils receiving population factor between 0%-3.8%. Oberon was given a core rate peg of 4.6% and population factor of 0.8% resulting in a final rate peg of 5.4% being determined.

The rate peg sets the maximum increase in each council's general income for the financial year. The rate peg applies to general income in total and not to individual ratepayers' rates.

Staff require Council to formally adopt a rate peg for the development of the 2025/26 Integrated Planning and Reporting period. It is staff recommendation that the 5.4% Rate Peg as determined by IPART be endorsed as the basis for the development of the 2025/26 Integrated Planning and Reporting documents.

Key Considerations

The following items have been highlighted in support of the 5.4% determination.

- i. **Employee Costs:** The Local Government State award 2023 mandates a 3% increase in salaries for the 2025/26 financial year, accompanied by an additional payment of \$1,000 or 0.5% per employee, subject to specific criteria. Additionally, superannuation contributions will rise to 12% effective 1 July 2025. Consequently, it is projected that managing the Council's workforce will require an overall increase of 4–6% across wages, compensation and superannuation
- ii. **Goods and Materials:** The cost of delivering Council's services continues to increase, particularly in core sectors such as construction. On 31 October 2024, the following CPI rates for twelve months were released by the ABS and RBA:
 - a. 2.1% CPI
 - b. 6.0% Value of Engineering Construction Work done increase (Sept 2024)

- iii. **Fixed Overheads:** Budget estimates and CPI planning data have indicated several areas where fixed overhead costs are increasing. Many of the below are operationally required and will need to be factored into the budgeting process. Examples include:
 - a. Audit Fees – anticipated 10% increase for next year
 - b. Cyber Security – up to 5-15% increase from last year
 - c. Insurance – up to 20% increase from last year
 - d. Fraud and Governance controls additional \$15,000 requirement for next year
- iv. **IPART Methodology:** IPART’s new rate peg methodology has been introduced with inclusion of a “population factor true-up”, employee cost allocation for superannuation and an ESL adjustment. The new methodology is Council specific and more accurately costs NSW councils incur in providing services. Oberon received a healthy population factor true-up based on the growing population in the area.
- v. **Financial Variance:** Based on a comparison to the 25/26 rate included in the current Long-Term Financial plan (2.5%) the variances are highlighted below.

		2025/26FY			
		2024/25FY	5.40%	2.50%	Variance
Ordinary	Farmland	2,286,463	2,409,932	2,343,625	- 66,307
	Residential	683,489	720,397	700,576	- 19,821
	Rural Residential	753,916	794,627	772,764	- 21,864
	Non Urban (sr)	159,477	168,089	163,464	- 4,625
	Business	211,570	222,995	216,859	- 6,136
	NR	-	-	-	-
	Ordinary Rate Total	4,094,915	4,316,040	4,197,288	- 118,753
Base	Farmland	389,712	410,756	399,455	- 11,302
	Residential	472,194	497,692	483,999	- 13,694
	Rural Residential	283,065	298,351	290,142	- 8,209
	Non Urban (sr)	95,816	100,990	98,211	- 2,779
	Business	95,988	101,171	98,388	- 2,784
	NR	-	-	-	-
	Base Rate Total	1,336,775	1,408,961	1,370,194	- 38,766
	Total Rates Levied	5,431,690	5,725,001	5,567,482	- 157,519

* Allocated amount per category may change however, the total rates levy amount will not deviate from the figure shown.

- vi. **Compounding Impacts:** Should Council opt for a lower rate such as 2.5%, the compound is estimated without catchups at \$1.8 million over 10 years.
- vii. **Levels of Service:** Council is constantly looking at operational improvements and efficiencies to manage budgets and levels of service. The 5.4% determination will greatly enhance Council ability to meet services at this stage.

In development of the draft 2025/26 Integrated Planning and Reporting documentation, it is recommended that Council adopt the IPART Rate Peg determination in full (5.4%).

Financial Implications

A 5.4% Rate Peg would equate to Total Fees Levied - \$5,725,001.

Relevance to Oberon Community Strategic Plan

Theme 5: Leadership and Engagement

Action 5.5 Ensure financial stability and support efficient council operations

5.5.3 Ensure sound financial management

Risk Category

Business Continuity

Financial

Service Delivery

Risk Severity Ranking

Moderate - 48%

Media Release

1 October 2024

Rate peg set for 2025-26

The NSW Independent Pricing and Regulatory Tribunal (IPART) has set core council rate pegs for the 2025-26 financial year, ranging from 3.6% to 5.1%. There is a separate rate peg for each of NSW's 128 councils.

Tribunal Chair Carmel Donnelly said the rate pegs limit the amount by which councils can increase their rates income, while allowing them to meet changes in the cost of providing services.

"The rate pegs allow the councils to cover the increasing costs of continuing to provide their services," Ms Donnelly said.

"The Tribunal understands that the community has been facing significant cost-of-living pressures and we have taken this into account in our decision making. We continue to make some adjustments to the rate peg over several years to limit the impact on ratepayers. We encourage anyone that is having difficulty paying their rates bill to get in touch with their council to access pensioner concessions and other hardship support."

Ms Donnelly said each council's rate peg is the maximum percentage by which the council can increase their general income. It is open to councils to decide not to implement the increase or to delay it.

"Ultimately, elected councillors decide whether to increase rates and by how much," Ms Donnelly said.

"And the rate pegs do not apply directly to individual ratepayers' rates. Councils may increase categories of rates by more or less than the rate peg, provided the total increase in general income remains within the rate peg."

IPART applied a population factor to 72 of the 128 councils' rate pegs to reflect population growth. This population growth factor is not expected to drive increases in individual rates because any increase from the population factor is spread among the increased number of ratepayers.

"The population factor allows councils in growth areas to collect the additional rates revenue required to provide services to a growing population, from a larger number of ratepayers," Ms Donnelly said.

"We also made a special adjustment to the population factor for 13 councils to ensure that ratepayers do not pay more than they should. This was for councils with recent population growth, but where we found this to be the population returning to 2019 levels after falling during the COVID-19 pandemic."

Councils receive income from various sources including grants and user fees and charges. The rate pegs apply only to council 'general income' revenue received mostly from rates, which constitutes on average about one third of councils' total income. More information is available from www.ipart.nsw.gov.au.

Media Contact: Mark O'Brien  0427 105 865  media@ipart.nsw.gov.au

Rate pegs for NSW councils for 2025-26

1 October 2024





1 We have set the rate pegs for 2025-26

IPART has set the rate pegs for the 2025-26 financial year. These are the maximum amounts by which each NSW council can automatically increase its general income from 1 July 2025 to 30 June 2026 (unless the council has an approved special variation to exceed its rate peg). The rate pegs do not apply to individual ratepayers' rates.

We used our new rate peg methodology which we introduced last year and for the first time, consulted with stakeholders to inform our rate peg decisions. In making these decisions, we balanced the impacts on ratepayers recognising the current cost of living pressures, and the need for councils to maintain services and cover increases in existing costs.

The rate pegs for 2025-26 range from 3.6% to 5.1% before adjusting for each council area's population growth (i.e. the core rate pegs). When this adjustment is made, the total rate pegs range from 3.7% to 7.6%. These rate pegs reflect the forecast increases and actual changes in the main cost components shown below.

The 2025-26 rate peg breakdown:

	Base cost change Labour, asset and other operating costs	+ 3.6% for all councils (metropolitan, regional and rural)
	Emergency Services Levy Year-on-year changes in council ESL invoices and some previous costs not captured in the rate peg when these increases were subsidised	- 0.1% to 1.2%
	Local government election costs Costs of running the 2024 local government election to be recovered in 2025-26 financial year	+ 0.0% to 0.8%
Core rate pegs Average impacts on the ratepayers		= 3.6% to 5.1%
	Population growth Excludes prisoner populations, deducts the change in supplementary valuations and adjusts for COVID-19 impacted populations	+ 0.0% to 3.8%
Total rate pegs for each council		= 3.7% to 7.6%

We maintained our default approach to capture council productivity with a 0% change.

IPART acknowledges the Traditional Custodians of the lands where we work and live. We pay respect to Elders both past and present. We recognise the unique cultural and spiritual relationship and celebrate the contributions of First Nations peoples.

See **Table 6.1** from page 12 for the 2025-26 rate pegs for each council.

The **core rate pegs** provide a better indication of the average impacts on ratepayers than the total rate pegs because they exclude the population factor. This factor is applied to allow councils to increase their total income to cover the costs of providing the same level of services to additional people. It doesn't increase rates collected per person.

The core rate pegs for 2025-26 are lower than those for last year (3.6% to 5.1% compared with 4.5% to 5.5%).

Box 1.1 We consulted with stakeholders to inform our rate peg decisions

In 2023, IPART reviewed the rate peg methodology and consulted extensively with stakeholders. As a result, we made major changes to the methodology to apply from 2024-25. We also decided to enable ongoing consultation with ratepayers, councils and other stakeholders by:

- holding periodic ratepayer workshops for ratepayers and other stakeholders to provide their feedback and views on the implementation of the new rate peg methodology and for us to share any new developments
- establishing a council reference group to advise on the implementation of our new rate peg methodology.

1.1.1 We held a ratepayer workshop

On 13 August 2024, we held an online ratepayer workshop to hear from ratepayers on issues we should consider when setting the rate pegs for 2025-26. Forty-three community members attended this workshop.

The workshop provided an opportunity for ratepayers and community members to raise issues and have their say through an open forum. It also included an information session on the rate peg methodology and on some areas we considered would interest ratepayers based on frequently asked questions.

Ratepayers raised issues including the cost-of-living crisis and the impacts of rate increases, improving the special variations process, the regulatory model for councils and support to keep the rate peg in place. See our [summary](#) of issues raised.

1.1.2 We established the Council Reference Group

In July 2024, we established the Council Reference Group (CRG), appointing 14 members. These were based on nominations from the Office of Local Government (OLG) and Local Government NSW (LGNSW). The CRG met first to prioritise then discuss the issues it wanted the Tribunal to consider for the 2025-26 rate peg and future years. Issues ranged from components in the rate peg methodology and increased costs to broader local government issues. See our [website](#) for more information including the [CRG Terms of Reference](#) and a summary of issues discussed.

2 What is the rate peg?

The rate peg is the maximum percentage amount by which a council may increase its general income for the year. For most councils, general income is rates income, which on average represents around one third of NSW councils' combined total income. On average, for some rural councils, rates income represents around 11%, and for some metropolitan councils, up to 41%.

IPART sets the rate peg under delegation from the Minister for Local Government and has done so since 2010. The rate peg has 2 purposes:

1. It allows all councils to automatically increase their rates income each year to keep pace with the estimated change in the costs of providing their current services and service levels to their community.
2. It also limits the impact of these automatic increases on ratepayers, by ensuring councils cannot increase their rates income by more than the estimated change in their costs, without consulting with their communities through the special variation process.

Councils can increase their general income by up to the rate peg. They may decide to increase their general income by less than the rate peg (or reduce their income) and consult with their communities on rates and service trade-offs that may be needed. If a council increases its rates income by less than the rate peg, it has up to 10 years to catch up this shortfall.^a A council can only increase its general income by more than the rate peg, if it has an approved special variation (SV) or is catching up on previously foregone increases.

The rate peg (or SV) does not apply to individual ratepayers' rates. As long as the increase in total general income does not exceed the rate peg (or SV), an individual ratepayer's rates may increase by more than or by less than the rate peg or be reduced. Councils have discretion when setting rates to distribute the impact of rate changes among ratepayers. Councils may increase categories of rates by more or less than the rate peg.

We understand some stakeholders do not agree with councils increasing their income, for various reasons. However, not allowing income to increase in line with changes to their business-as-usual costs could have negative impacts on communities through trade-offs in the services ratepayers rely on.

2.1 The rate peg is like a price index

Our approach is to set the rate peg like a price index, similar to the consumer price index (CPI). The difference is we measure the change in the price of a 'basket' of goods and services that councils typically purchase rather than households. For example, these include employees, roads and other assets.

We estimate the change in this 'basket' from a mix of forecasts, estimates and actual cost changes. We set the rate peg in line with this estimated change.

^a The catch-up provisions are specified in section 511 of the *Local Government Act 1993*.

The rate pegs reflect changes in business-as-usual costs – they do not provide for changes in the quantity or quality of services councils decide on, or how efficient a council may be. The rate pegs only limit the rate of change of income from rates.

We do not assess each councils' performance, spending priorities and decisions, and consultation with the community. We also do not and cannot audit council finances. The rate peg is not based on a review of individual council spending.

2.2 The rate peg does not limit all council income

The rate peg does not limit increases to income from rates and charges for water supply, wastewater, domestic waste management and some other services. Councils must keep income from these rates and charges separate to ensure they are used for the purpose of which they are collected. It also does not limit income from grants from State and Federal governments and infrastructure contributions.

3 How did we set the rate peg?

We calculated each council's rate peg using the methodology set out in the formula below:

$$\text{Rate peg} = \text{Base Cost Change (BCC)} - \text{productivity factor} + \text{population factor} \\ + \text{Emergency Services Levy (ESL) factor} + \text{other adjustments}$$

We have set the BCC, productivity, population and the ESL factors consistent with our methodology and have also included 'other adjustments' to better respond to changes in council costs for the 2025-26 financial year. These include:

- an adjustment to allow councils to catch up on some of the historical increases in the ESL not captured in previous rate pegs when they were subsidised
- a temporary adjustment for the costs of running the 2024 elections
- a population factor adjustment for COVID-19 impacted populations.

Our decisions are discussed below. For more details on our methodology, see our [Final Report](#) on our 2023 Review of the rate peg methodology.



See our [2025-26 rate peg model](#) and how we calculated the rate pegs for each council.

3.1 We forecast councils' base costs to increase by 3.6% on average

We used our Base Cost Change (BCC) model to estimate cost increases in council's business-as-usual costs for 2025-26. The BCC model measures the percentage change in 3 main council costs:

- Employee costs – measured using changes in the Local Government State (NSW) Award and adjusted for changes in the superannuation guarantee.
- Asset costs – measured using the Reserve Bank of Australia's (RBA) forecast change in the Consumer Price Index (CPI) plus an adjustment that reflects the average difference between actual CPI (All groups, Sydney) and actual Producer Price Index (PPI) (Road and bridge construction, NSW) over the past 5 years. We derive a forecast because there is currently no forecast for the PPI for road and bridge construction, and we consider the change in the PPI is the best measure for changes in asset costs.
- Other operating costs – measured by the RBA's forecast change in the CPI.

We use separate BCC models for the different council groups (metropolitan, regional and rural) to better reflect the diversity of NSW councils. Each of these separate models weighs the 3 cost components according to the spending pattern of the average council in each group. Although the components vary in weight for each group, we apply the same measures of change to each component. For example, while asset costs might have a larger weight for rural councils than metropolitan councils, both asset costs components would be forecast to change by the same amount.

The BCC for 2025-26 is 3.6% for each council group, which is lower than last year (3.9%). The BCCs for each group were the same (after rounding) because the differences between council spending patterns and the differences between changes in each cost component were relatively small. This was also the case for the 2024-25 rate peg. Table 3.1 shows the change in the BCC components and their weights. For the 2025-26 financial year:

- Employee costs in the BCC will rise by 3.5%, which is lower than last year.
- Asset costs are forecast to rise by 4.0%, which is the same as last year.
- Other operating costs are forecast to rise by 3.5%, which is higher than last year.

Table 3.1 We calculate base cost changes weighted by council group spending

	Employee costs	Asset costs	Other operating costs
Change in costs	3.5% ^a	4.0% ^b	3.5% ^c
Weightings by council group			
Metropolitan	40%	18%	42%
Regional	35%	23%	42%
Rural	34%	25%	42%

a. This is based on an increase of 3% from 1 July 2025 as per the Local Government (State) Award. We also included an increase of 0.5% for changes in the superannuation guarantee from 2024-25 to 2025-26 (from 11.5% to 12%).

b. This is based on the average of RBA forecasts to December 2025 and June 2026 from the August 2024 Statement on Monetary Policy of 3.5% and an 0.5% adjustment based on the average difference between the PPI (Road and bridge construction, NSW) and the CPI (All groups, Sydney) over the most recent 5-year period.

c. We use the average of the RBA's forecast change in the CPI to December and June for year the rate peg applies.

We heard suggestions from the CRG to include more components in the BCC for audit costs, costs of Valuer General land valuations, and elections costs. We may explore this at a later stage.

3.2 We allowed increases of up to 1.2% to reflect ESL costs

Councils make payments - known as the Emergency Service Levy (ESL) - to the State Government to support emergency services (Fire and Rescue NSW, State Emergency Service, Rural Fire Service). Councils currently fund 11.7% of the costs of these services. We allow councils to recover changes in the ESL so they can meet their ESL obligations without diverting funds required to maintain service levels and infrastructure for their communities.

For the 2025-26 rate peg we have:

- set ESL factors consistent with our methodology
- made a further ESL adjustment to allow councils to catch up on some of the historical increases in the ESL not captured in previous rate pegs when they were subsidised. We previously made this adjustment for some councils in the 2024-25 rate peg.

Overall, the changes to income reflecting ESL costs range from -0.1% to 1.2%. Only one council had a change to income from ESL costs that was negative. This was after a full catch-up adjustment for its previously subsidised ESL costs.

3.2.1 Lower ESL contributions this year led to negative ESL factors for most councils

ESL factors allow councils to recover the year-on-year changes in their ESL contributions. ESL factors are lagged by one year. The 2025-26 rate peg captures the change in ESL contributions between 2023-24 and 2024-25.

ESL factors are not the simple increase in a council's ESL contribution. Instead, they reflect the additional change to income that is needed for a council to meet its ESL obligations **after** this income has been adjusted by the BBC, population factors and any specific adjustment factors. ESL factors can be^b:

- positive when the change in ESL contributions is greater than the change in the BCC, population factor and any specific adjustment factors
- negative when the change in ESL contributions is less than that change
- equal to 0% when the change in ESL contributions is equal to that change.

In 2024-25, ESL contributions were 4.4% lower on average than in 2023-24. All councils except for one council had a negative ESL factor.

^b See our [Information paper on the rate peg for NSW councils for 2024-25](#) for how we calculate the ESL factor (pp 9-10).

3.2.2 Most councils had outstanding ESL costs to catch up on

As in the 2024-25 rate peg, we allowed a further adjustment to capture some of the past increases in the ESL costs that were previously subsidised by the NSW Government and therefore not captured by the rate peg. The NSW Government subsidised increases in council ESL contributions between 2019-20 and 2022-23. In 2023-24 the subsidy was discontinued leading to increases in council ESL costs. We decided to phase the costs that were previously subsidised into the rate peg over time.

All councils received ESL subsidy adjustments for 2025-26 that range between 0.2 to 2.9%. We decided on the adjustment amounts to:

- offset the negative ESL factor that most councils had, and
- ensure all councils have recovered at least 50% of their subsidised increases.

We consulted with the CRG on options to phase in these ESL subsidy costs. The CRG supported a full catch-up for the 2025-26 rate peg and for councils to have the discretion to phase these costs in using the catch-up provision in the Local Government Act.^c The rate peg allows maximum increases to general income and individual councils can decide to increase their rates by less than the rate peg (or reduce their rates) to manage the impacts on their communities. We considered the impacts on ratepayers of this option but decided to continue phasing the ESL catch-up into the rate peg. We considered ratepayer concerns about affordability and cost of living pressures, and how some ratepayers and communities are consulted with.

3.3 We included a temporary election cost adjustment of 0% to 0.8%

We included a temporary council-specific adjustment to help councils cover the costs of running the 2024 local government elections.

NSW councils must fund the costs of running local government elections. This is mostly done by the NSW Electoral Commission (NSWEC) but can also be done by private operators.^d We consider that the rate peg should allow councils to recover these costs to avoid trade-offs with current services.

The adjustment reflects the difference in election costs from the elections held in either 2016 or 2017 adjusted for inflation, and the 2024 local government election costs. Adjusting for this difference avoids overcharging ratepayers as the rest of these costs are in councils' cost bases. To make it temporary, we will make a downward adjustment in the next rate peg.

The election cost adjustment for 2025-26 is council-specific and is based on NSWEC's estimates of election costs for each NSW council. These range from \$27,000 to \$2.5 million. We consider this is the best available data at this time.

^c The 'catch-up' provisions are under section 511 of the *Local Government Act 1993*. If councils decide not to implement their full allowable rate peg (or special variation amount), they can 'catch-up' the income shortfall over the next 10 years. This is managed through the OLG reporting process.

^d Councils cannot directly conduct their own elections under section 296AA(1) of the *Local Government Act 1993*.

Of the 128 councils in NSW, 125 councils received this adjustment in their rate peg, ranging from 0% to 0.8%. These councils include those that held an election on 14 September or are expected to hold by-elections in the next 3 months.^e The other 3 councils did not get an adjustment because they were not expected to hold elections and will therefore not incur these costs, or will receive funding to cover their election costs.

We consulted with stakeholders on adjusting for election costs:

- The CRG generally supported a proposed temporary council-specific adjustment for the change in election costs but also suggested that the BCC could capture election costs through an additional BCC component. We will consider this for future rate pegs.
- At our ratepayer workshop, one participant did not support the inclusion of 'election costs', considering that the costs may end up 'out of control'. Our adjustment captures the cost of running elections. It does not include campaigning costs.

Our approach to this adjustment is largely consistent with what we did for the 2021 local government elections. The difference is that we previously set one uniform adjustment because, at that time, we set only one rate peg to apply to all councils.^f Our last adjustment for election costs was 0.2%.

3.4 We allowed increases of up to 3.8% to account for population growth

We allow councils to increase their income to cover the costs of population growth. We do this by setting a population factor that gives councils additional income needed to maintain income collected per person (before inflation) as populations grow. The population factor reflects year-on-year population growth lagged by 3 years.^g Importantly, our methodology does not reduce council income when population falls. This is because in an area of falling population a council still needs to maintain its infrastructure and provide services, so its costs may not decline correspondingly.

For the 2025-26 rate peg we have:

- set population factors, consistent with our methodology
- made a population factor adjustment for some councils to account for unexpected population patterns due to COVID-19.

Overall, we set a positive population factor (after adjustment) for 72 councils of up to 3.8%. This range is higher than last year when population factors reached 2.7%. The population factor for the remaining councils was 0% due to their stable or falling population.

^e 3 councils that did not have all councillor positions filled are expected to hold by-elections and 8 councils that had uncontested wards were expected to hold reduced elections.

^f Prior to 2021-22, legislation required us to produce a single rate peg that applied to all councils. Legislative change in 2021 allowed for different rate pegs to be set for each council.

^g Population growth includes the change in estimated resident population less prison populations and less the change in supplementary valuations. The latest information on the estimated resident population is from 2023.

3.4.1 We adjusted population factors for 13 metropolitan councils due to COVID-19 population trends

We made a one-off adjustment to the population factors for 13 councils with unusual population trends following COVID-19 and where this would have led to large population factors and rate peg increases, under our current population factor methodology. These councils' populations declined notably from 2019 to 2021 and then rebounded between 2022 and 2023.

Under the population factor methodology, we did not reduce these councils' rate pegs when their populations declined. However, as the populations have increased in the post-COVID-19 years, our methodology would now cause an increase to their rate pegs that we found:

- may over-burden ratepayers
- increase rates per capita which is not the purpose of the population factor methodology.

These councils should have the capacity to cater for the rebound in their population using their existing rates income.

Our adjustment means that the affected councils receive an increase in income to match the net population change between 2019 and 2023. This is the 'effective population growth' since 2019. This adjustment is a negative number that reflects the difference between the unadjusted population factor and the effective population growth. These adjustment factors range from -5.1% to -0.8%.

We discussed the issue of treating COVID-19 impacted populations with the CRG. There was general support for an adjustment. Some raised concerns about population data, the time frame for measuring growth and the impacts of a negative adjustment. Others considered an adjustment would be reasonable as councils would not be worse off. We did not hear about the population factor during our ratepayer workshop.

The population adjustment for COVID-19 impacted populations is a one-off adjustment for councils that were materially affected and would have had large population factors in 2025-26.^h We may make a similar adjustment to the rate peg in future years for other councils that may be similarly affected. We also anticipate reviewing the rate peg methodology in 4 years' time.

3.5 We maintained the 0% default for productivity

Since 2011, our rate peg methodology has included an explicit factor to account for productivity gains in the local government sector. In 2018-19, we set the productivity factor to zero as a default to recognise that productivity gains were reflected in ABS data we used in our methodology at the time. In 2023, following our review of the rate peg methodology, we decided to keep the productivity factor and set it at 0% as a default, unless we had evidence to depart from this approach.

^h We used criteria to set a materiality threshold to identify councils that needed a population adjustment. We considered 1) populations that declined by 1.5% or more between 2019 and 2021 to capture unusual population fluctuations associated with COVID-19, 2) populations that have subsequently increased and 3) populations over 10,000.

We have maintained the default of 0% for the productivity factor in the rate peg for the 2025-26 financial year. We consider that further analysis is required to develop measures of productivity. This includes considering the outcomes of the NSW Parliamentary Inquiry on the ability of local governments to fund infrastructure and services and the work the Office of Local Government is completing around council performance benchmarking.

We acknowledge stakeholders' concerns about the productivity factor. We heard at our ratepayer workshop that the productivity factor should not be set to zero as this would not provide an incentive for councils to become more productive. In contrast, we heard from the CRG, consistent with council stakeholder views we've heard in the past, that the productivity factor should be removed or maintained at 0%. Their view was that it would penalise councils for productivity gains that would be reinvested into providing services to the community.

We recognise the importance of retaining a productivity factor to encourage councils to be more efficient in the costs they can control. Councils are encouraged to reinvest any efficiencies in council services to the community.

While a default is in place, we consider there is merit to further investigate how productivity gains can be incentivised but recognise this may include avenues broader than the rate peg. Before we consider any departure from the default of zero, we will further consult with stakeholders.

4 What can councils do if they want a higher increase?

If councils want or need to increase their general income by more than the rate peg – for example so they can introduce new services, improve service quality or become more financially sustainable – they can apply to IPART for a special variation (SV). This would allow them to increase general income above the rate peg on a temporary or permanent basis for a given number of years. Councils can also apply to IPART to increase their minimum rates above the statutory limit (MR increase). However, increases to minimum rates do not increase total general income but change the way rates are distributed.

Councils applying for an SV or MR increase must consult with their communities and satisfy the criteria listed in the OLG's SV/MR increase Guidelines. The latest edition of the Guidelines was published in November 2020 and will apply to 2025-26 SV/MR increase application assessments. The Guidelines are available on our [website](#).

Councils applying for an SV or MR increase for 2025-26 must apply to IPART by 3 February 2025. IPART's website also includes general information on the requirements and recent applications from councils.

5 What can ratepayers do if they are concerned about the impacts?

Ratepayers that find it difficult to pay their rates should contact their council in the first instance and ask about what support they may provide and their hardship policy. This may include assistance or flexible payment arrangements tailored to ratepayers and their circumstances. Also, ratepayers can visit the NSW Ombudsman's website on '[Having trouble with your rates and charges](#)' for further guidance and resources, which may help ratepayers understand their rights and access additional support.

6 Final rate pegs for all councils

Table 6.1 Final rate pegs and components

Council	BCC	ESL factor	ESL subsidy catch-up adjustment	Election cost adjustment	Core rate peg	Population factor and adjustment	Final rate peg
Albury	3.6%	-0.2%	0.2%	0.2%	3.8%	0.3%	4.1%
Armidale Regional	3.6%	-0.3%	0.4%	0.3%	4.0%	0.0%	4.0%
Ballina	3.6%	-0.2%	0.2%	0.2%	3.8%	0.0%	3.8%
Balranald	3.6%	-0.6%	1.4%	0.1%	4.5%	0.0%	4.5%
Bathurst Regional	3.6%	-0.4%	0.5%	0.3%	4.0%	0.9%	4.9%
Bayside	3.6%	-0.5%	0.5%	0.1%	3.7%	2.4%	6.1%
Bega Valley	3.6%	-0.3%	0.5%	0.4%	4.1%	0.8%	4.9%
Bellingen	3.6%	-0.5%	0.9%	0.2%	4.2%	0.0%	4.2%
Berrigan	3.6%	-0.4%	0.6%	0.8%	4.6%	0.0%	4.6%
Blacktown	3.6%	-0.2%	0.4%	0.2%	4.0%	1.9%	5.9%
Bland	3.6%	-0.6%	0.9%	0.3%	4.2%	0.0%	4.2%
Blayney	3.6%	-0.3%	0.3%	0.1%	3.8%	0.0%	3.8%
Blue Mountains	3.6%	-0.3%	0.5%	0.1%	3.8%	0.7%	4.5%
Bogan	3.6%	-0.4%	0.7%	0.3%	4.1%	0.0%	4.1%
Bourke	3.6%	-0.8%	1.5%	0.0%	4.3%	0.7%	5.0%
Brewarrina	3.6%	-1.2%	1.9%	0.8%	5.1%	0.0%	5.1%
Broken Hill	3.6%	-0.3%	0.3%	0.2%	3.8%	0.2%	4.0%
Burwood	3.6%	-0.5%	0.5%	0.2%	3.8%	3.8%	7.6%
Byron	3.6%	-0.2%	0.3%	0.1%	3.7%	1.3%	5.0%
Cabonne	3.6%	-0.5%	0.7%	0.3%	4.1%	0.3%	4.4%
Camden	3.6%	0.3%	0.2%	0.2%	4.3%	3.2%	7.5%

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Rate pegs for NSW councils for 2025-26

Council	BCC	ESL factor	ESL subsidy catch-up adjustment	Election cost adjustment	Core rate peg	Population factor and adjustment	Final rate peg
Campbelltown	3.6%	-0.3%	0.3%	0.1%	3.7%	1.8%	5.5%
Canada Bay	3.6%	-0.5%	0.5%	0.3%	3.8%	0.0%	3.8%
Canterbury-Bankstown	3.6%	-0.4%	0.4%	0.1%	3.7%	1.8%	5.5%
Carrathool	3.6%	-0.5%	0.8%	0.2%	4.0%	0.0%	4.0%
Central Coast	3.6%	-0.3%	0.3%	0.2%	3.8%	0.5%	4.3%
Central Darling	3.6%	-1.7%	2.9%	0.0%	4.8%	0.5%	5.3%
Cessnock	3.6%	-0.3%	0.4%	0.2%	3.9%	0.8%	4.7%
Clarence Valley	3.6%	-0.3%	0.5%	0.2%	4.0%	0.3%	4.3%
Cobar	3.6%	-0.5%	0.8%	0.0%	3.9%	0.6%	4.5%
Coffs Harbour	3.6%	-0.3%	0.4%	0.3%	4.0%	0.6%	4.6%
Coolamon	3.6%	-1.0%	1.2%	0.6%	4.5%	1.8%	6.3%
Coonamble	3.6%	-0.3%	0.4%	0.2%	3.8%	0.9%	4.7%
Cootamundra-Gundagai Regional	3.6%	-0.4%	0.8%	0.5%	4.5%	0.1%	4.6%
Cowra	3.6%	-0.5%	0.8%	0.4%	4.2%	0.0%	4.2%
Cumberland	3.6%	-0.5%	0.5%	0.2%	3.8%	3.3%	7.1%
Dubbo Regional	3.6%	-0.3%	0.5%	0.5%	4.2%	0.0%	4.2%
Dungog	3.6%	-0.4%	0.7%	0.3%	4.1%	0.0%	4.1%
Edward River	3.6%	-0.5%	0.7%	0.8%	4.6%	0.0%	4.6%
Eurobodalla	3.6%	-0.4%	0.5%	0.3%	4.0%	0.1%	4.1%
Fairfield	3.6%	-0.4%	0.4%	0.3%	3.9%	0.0%	3.9%
Federation	3.6%	-0.4%	0.6%	0.7%	4.6%	0.2%	4.8%
Forbes	3.6%	-0.5%	0.7%	0.6%	4.4%	0.0%	4.4%
Georges River	3.6%	-0.5%	0.4%	0.2%	3.6%	0.8%	4.4%
Gilgandra	3.6%	-0.4%	0.7%	0.2%	4.0%	0.2%	4.2%
Glen Innes Severn	3.6%	-0.5%	0.6%	0.3%	4.0%	0.4%	4.4%
Goulburn Mulwaree	3.6%	-0.3%	0.4%	0.1%	3.8%	0.4%	4.2%

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Rate pegs for NSW councils for 2025-26

Council	BCC	ESL factor	ESL subsidy catch-up adjustment	Election cost adjustment	Core rate peg	Population factor and adjustment	Final rate peg
Greater Hume	3.6%	-0.6%	0.7%	0.3%	4.1%	1.2%	5.3%
Griffith	3.6%	-0.3%	0.4%	0.4%	4.0%	0.0%	4.0%
Gunnedah	3.6%	-0.2%	0.2%	0.5%	4.1%	0.6%	4.7%
Gwydir	3.6%	-0.4%	0.6%	0.2%	4.0%	0.2%	4.2%
Hawkesbury	3.6%	-0.3%	0.5%	0.2%	3.9%	0.0%	3.9%
Hay	3.6%	-0.6%	1.1%	0.2%	4.3%	0.0%	4.3%
Hilltops	3.6%	-0.5%	0.8%	0.6%	4.4%	0.0%	4.4%
Hornsby	3.6%	-0.4%	0.4%	0.2%	3.8%	1.4%	5.2%
Hunters Hill	3.6%	-0.5%	0.5%	0.8%	4.4%	0.0%	4.4%
Inner West	3.6%	-0.5%	0.5%	0.1%	3.7%	0.0%	3.7%
Inverell	3.6%	-0.3%	0.3%	0.2%	3.8%	0.2%	4.0%
Junee	3.6%	-0.6%	0.8%	0.6%	4.5%	1.7%	6.2%
Kempsey	3.6%	-0.3%	0.4%	0.2%	3.9%	0.0%	3.9%
Kiama	3.6%	-0.2%	0.3%	0.1%	3.7%	0.0%	3.7%
Ku-ring-gai	3.6%	-0.4%	0.6%	0.3%	3.9%	2.2%	6.1%
Kyogle	3.6%	-0.4%	0.6%	0.3%	4.1%	0.0%	4.1%
Lachlan	3.6%	-0.5%	0.7%	0.3%	4.2%	0.1%	4.3%
Lake Macquarie	3.6%	-0.3%	0.3%	0.1%	3.7%	0.8%	4.5%
Lane Cove	3.6%	-0.3%	0.3%	0.2%	3.8%	0.1%	3.9%
Leeton	3.6%	-0.3%	0.4%	0.7%	4.4%	0.0%	4.4%
Lismore	3.6%	-0.3%	0.4%	0.2%	3.9%	0.0%	3.9%
Lithgow	3.6%	-0.3%	0.5%	0.3%	4.1%	0.0%	4.1%
Liverpool	3.6%	-0.4%	0.4%	0.2%	3.8%	2.2%	6.0%
Liverpool Plains	3.6%	-0.4%	0.6%	0.2%	4.0%	0.0%	4.0%
Lockhart	3.6%	-0.7%	0.9%	0.4%	4.2%	0.7%	4.9%
Maitland	3.6%	-0.2%	0.2%	0.1%	3.6%	2.2%	5.8%

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Information Paper

Rate pegs for NSW councils for 2025-26

Council	BCC	ESL factor	ESL subsidy catch-up adjustment	Election cost adjustment	Core rate peg	Population factor and adjustment	Final rate peg
Mid-Coast	3.6%	-0.2%	0.3%	0.1%	3.8%	0.0%	3.8%
Mid-Western Regional	3.6%	-0.3%	0.3%	0.1%	3.8%	0.0%	3.8%
Moree Plains	3.6%	-0.2%	0.2%	0.1%	3.8%	0.0%	3.8%
Mosman	3.6%	-0.3%	0.6%	0.1%	3.9%	0.0%	3.9%
Murray River	3.6%	-0.5%	0.6%	0.5%	4.2%	11%	5.3%
Murrumbidgee	3.6%	-0.8%	1.0%	0.4%	4.3%	11%	5.4%
Muswellbrook	3.6%	-0.2%	0.3%	0.2%	3.9%	0.0%	3.9%
Nambucca	3.6%	-0.4%	0.7%	0.2%	4.1%	0.5%	4.6%
Narrabri	3.6%	-0.3%	0.5%	0.4%	4.1%	0.2%	4.3%
Narrandera	3.6%	-0.4%	0.6%	0.2%	4.0%	0.0%	4.0%
Narromine	3.6%	-0.5%	0.7%	0.2%	4.1%	0.1%	4.2%
Newcastle	3.6%	-0.2%	0.2%	0.1%	3.7%	14%	5.1%
North Sydney	3.6%	-0.2%	0.4%	0.3%	4.0%	0.0%	4.0%
Northern Beaches	3.6%	-0.4%	0.4%	0.2%	3.8%	0.0%	3.8%
Oberon	3.6%	-0.7%	0.9%	0.8%	4.6%	0.8%	5.4%
Orange	3.6%	-0.2%	0.3%	0.2%	3.9%	0.1%	4.0%
Parkes	3.6%	-0.3%	0.4%	0.3%	4.0%	0.0%	4.0%
Parramatta	3.6%	-0.3%	0.3%	0.1%	3.7%	2.5%	6.2%
Penrith	3.6%	-0.2%	0.3%	0.2%	3.9%	0.0%	3.9%
Port Macquarie-Hastings	3.6%	-0.3%	0.3%	0.3%	3.9%	0.2%	4.1%
Port Stephens	3.6%	-0.2%	0.3%	0.3%	3.9%	0.6%	4.5%
Queanbeyan-Palerang Regional	3.6%	-0.2%	0.4%	0.2%	3.9%	0.0%	3.9%
Randwick	3.6%	-0.4%	0.4%	0.1%	3.7%	0.0%	3.7%
Richmond Valley	3.6%	-0.4%	0.5%	0.2%	3.9%	0.0%	3.9%
Ryde	3.6%	-0.4%	0.4%	0.2%	3.8%	2.9%	6.7%
Shellharbour	3.6%	-0.2%	0.3%	0.1%	3.8%	0.2%	4.0%

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Council	BCC	ESL factor	ESL subsidy catch-up adjustment	Election cost adjustment	Core rate peg	Population factor and adjustment	Final rate peg
Shoalhaven	3.6%	-0.3%	0.4%	0.1%	3.8%	0.0%	3.8%
Singleton	3.6%	-0.3%	0.3%	0.1%	3.8%	0.5%	4.3%
Snowy Monaro Regional	3.6%	-0.5%	1.0%	0.1%	4.2%	1.0%	5.2%
Snowy Valleys	3.6%	-0.4%	0.7%	0.5%	4.3%	0.0%	4.3%
Strathfield	3.6%	-0.5%	0.5%	0.2%	3.8%	3.1%	6.9%
Sutherland	3.6%	-0.4%	0.4%	0.1%	3.7%	1.3%	5.0%
Sydney	3.6%	-0.2%	0.2%	0.1%	3.7%	0.4%	4.1%
Tamworth Regional	3.6%	-0.3%	0.4%	0.0%	3.8%	0.0%	3.8%
Temora	3.6%	-0.8%	1.3%	0.8%	4.9%	0.1%	5.0%
Tenterfield	3.6%	-0.5%	0.7%	0.1%	3.8%	1.4%	5.2%
The Hills	3.6%	-0.5%	0.5%	0.2%	3.7%	2.5%	6.2%
Tweed	3.6%	-0.2%	0.2%	0.2%	3.8%	0.6%	4.4%
Upper Hunter	3.6%	-0.5%	0.8%	0.3%	4.2%	0.1%	4.3%
Upper Lachlan	3.6%	-0.6%	0.9%	0.2%	4.1%	0.9%	5.0%
Uralla	3.6%	-0.4%	0.6%	0.5%	4.2%	0.7%	4.9%
Wagga Wagga	3.6%	-0.3%	0.4%	0.1%	3.8%	0.0%	3.8%
Walcha	3.6%	-0.2%	0.5%	0.1%	3.9%	0.0%	3.9%
Walgett	3.6%	-0.5%	0.7%	0.4%	4.2%	0.0%	4.2%
Warren	3.6%	-0.3%	0.3%	0.2%	3.9%	0.2%	4.1%
Warrumbungle	3.6%	-0.5%	0.9%	0.0%	4.0%	0.0%	4.0%
Waverley	3.6%	-0.3%	0.3%	0.2%	3.8%	0.0%	3.8%
Weddin	3.6%	-0.7%	1.2%	0.4%	4.5%	0.1%	4.6%
Wentworth	3.6%	-0.5%	0.8%	0.6%	4.5%	0.0%	4.5%
Willoughby	3.6%	-0.3%	0.3%	0.3%	3.8%	0.0%	3.8%
Wingecarribee	3.6%	-0.2%	0.2%	0.2%	3.7%	0.2%	3.9%
Wollondilly	3.6%	-0.2%	0.3%	0.2%	3.8%	0.0%	3.8%

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Council	BCC	ESL factor	ESL subsidy catch-up adjustment	Election cost adjustment	Core rate peg	Population factor and adjustment	Final rate peg
Wollongong	3.6%	-0.3%	0.3%	0.1%	3.7%	1.0%	4.7%
Woollahra	3.6%	-0.2%	0.4%	0.3%	4.1%	0.0%	4.1%
Yass Valley	3.6%	-0.5%	0.8%	0.2%	4.1%	0.0%	4.1%

Notes:

The core rate peg is the rate peg before the population factor and adjustment and the final rate peg is the rate peg including the population factor and adjustment.

Figures may not add due to rounding. Percentage changes are calculated from unrounded numbers.

Table 6.2 Population factors and rate pegs for all councils

Council	Change in population	Supplementary valuations percentage	Population factor before adjustment	COVID-19-related population adjustment	Population factor after adjustment	Final rate peg
Albury	1.5%	1.2%	0.3%	0.0%	0.3%	4.1%
Armidale Regional	0.8%	0.9%	0.0%	0.0%	0.0%	4.0%
Ballina	0.9%	1.2%	0.0%	0.0%	0.0%	3.8%
Balranald	0.0%	0.2%	0.0%	0.0%	0.0%	4.5%
Bathurst Regional	1.2%	0.4%	0.9%	0.0%	0.9%	4.9%
Bayside	2.8%	0.4%	2.4%	0.0%	2.4%	6.1%
Bega Valley	0.8%	0.0%	0.8%	0.0%	0.8%	4.9%
Bellingen	0.0%	0.4%	0.0%	0.0%	0.0%	4.2%
Berrigan	0.0%	0.2%	0.0%	0.0%	0.0%	4.6%
Blacktown	3.8%	1.9%	1.9%	0.0%	1.9%	5.9%
Bland	0.0%	0.1%	0.0%	0.0%	0.0%	4.2%
Blayney	0.7%	0.8%	0.0%	0.0%	0.0%	3.8%
Blue Mountains	0.7%	0.0%	0.7%	0.0%	0.7%	4.5%
Bogan	0.0%	1.1%	0.0%	0.0%	0.0%	4.1%
Bourke	0.7%	0.0%	0.7%	0.0%	0.7%	5.0%

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Council	Change in population	Supplementary valuations percentage	Population factor before adjustment	COVID-19-related population adjustment	Population factor after adjustment	Final rate peg
Brewarrina	0.0%	0.2%	0.0%	0.0%	0.0%	5.1%
Broken Hill	0.2%	0.0%	0.2%	0.0%	0.2%	4.0%
Burwood	4.0%	0.2%	3.8%	0.0%	3.8%	7.6%
Byron	1.7%	0.4%	1.3%	0.0%	1.3%	5.0%
Cabonne	0.3%	0.0%	0.3%	0.0%	0.3%	4.4%
Camden	5.5%	2.2%	3.2%	0.0%	3.2%	7.5%
Campbelltown	2.4%	0.7%	1.8%	0.0%	1.8%	5.5%
Canada Bay	2.4%	0.2%	2.2%	-2.2%	0.0%	3.8%
Canterbury-Bankstown	2.1%	0.2%	1.8%	0.0%	1.8%	5.5%
Carrathool	0.0%	0.3%	0.0%	0.0%	0.0%	4.0%
Central Coast	0.8%	0.3%	0.5%	0.0%	0.5%	4.3%
Central Darling	0.5%	0.0%	0.5%	0.0%	0.5%	5.3%
Cessnock	2.3%	1.5%	0.8%	0.0%	0.8%	4.7%
Clarence Valley	1.1%	0.8%	0.3%	0.0%	0.3%	4.3%
Cobar	0.8%	0.2%	0.6%	0.0%	0.6%	4.5%
Coffs Harbour	1.0%	0.3%	0.6%	0.0%	0.6%	4.6%
Coolamon	1.9%	0.1%	1.8%	0.0%	1.8%	6.3%
Coonamble	0.9%	0.0%	0.9%	0.0%	0.9%	4.7%
Cootamundra-Gundagai Regional	0.2%	0.1%	0.1%	0.0%	0.1%	4.6%
Cowra	0.0%	0.4%	0.0%	0.0%	0.0%	4.2%
Cumberland	3.3%	0.0%	3.3%	0.0%	3.3%	7.1%
Dubbo Regional	1.0%	1.5%	0.0%	0.0%	0.0%	4.2%
Dungog	0.5%	0.8%	0.0%	0.0%	0.0%	4.1%
Edward River	0.0%	0.4%	0.0%	0.0%	0.0%	4.6%
Eurobodalla	0.4%	0.3%	0.1%	0.0%	0.1%	4.1%
Fairfield	1.4%	0.1%	1.3%	-1.3%	0.0%	3.9%

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Council	Change in population	Supplementary valuations percentage	Population factor before adjustment	COVID-19-related population adjustment	Population factor after adjustment	Final rate peg
Federation	0.7%	0.5%	0.2%	0.0%	0.2%	4.8%
Forbes	0.0%	1.0%	0.0%	0.0%	0.0%	4.4%
Georges River	3.1%	0.4%	2.7%	-2.0%	0.8%	4.4%
Gilgandra	0.3%	0.1%	0.2%	0.0%	0.2%	4.2%
Glen Innes Severn	0.4%	0.0%	0.4%	0.0%	0.4%	4.4%
Goulburn Mulwaree	0.8%	0.5%	0.4%	0.0%	0.4%	4.2%
Greater Hume	1.6%	0.4%	1.2%	0.0%	1.2%	5.3%
Griffith	0.4%	0.5%	0.0%	0.0%	0.0%	4.0%
Gunnedah	1.0%	0.5%	0.6%	0.0%	0.6%	4.7%
Gwydir	0.3%	0.2%	0.2%	0.0%	0.2%	4.2%
Hawkesbury	0.4%	0.4%	0.0%	0.0%	0.0%	3.9%
Hay	0.0%	0.3%	0.0%	0.0%	0.0%	4.3%
Hilltops	0.1%	0.2%	0.0%	0.0%	0.0%	4.4%
Hornsby	1.5%	0.1%	1.4%	0.0%	1.4%	5.2%
Hunters Hill	0.8%	0.0%	0.8%	-0.8%	0.0%	4.4%
Inner West	2.8%	0.3%	2.6%	-2.6%	0.0%	3.7%
Inverell	0.5%	0.3%	0.2%	0.0%	0.2%	4.0%
Junee	2.1%	0.4%	1.7%	0.0%	1.7%	6.2%
Kempsey	0.8%	0.9%	0.0%	0.0%	0.0%	3.9%
Kiama	0.2%	0.2%	0.0%	0.0%	0.0%	3.7%
Ku-ring-gai	2.2%	0.0%	2.2%	0.0%	2.2%	6.1%
Kyogle	0.2%	0.6%	0.0%	0.0%	0.0%	4.1%
Lachlan	0.1%	0.1%	0.1%	0.0%	0.1%	4.3%
Lake Macquarie	1.2%	0.4%	0.8%	0.0%	0.8%	4.5%
Lane Cove	3.6%	3.6%	0.1%	0.0%	0.1%	3.9%
Leeton	0.0%	0.4%	0.0%	0.0%	0.0%	4.4%

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Council	Change in population	Supplementary valuations percentage	Population factor before adjustment	COVID-19-related population adjustment	Population factor after adjustment	Final rate peg
Lismore	0.0%	0.5%	0.0%	0.0%	0.0%	3.9%
Lithgow	0.0%	0.9%	0.0%	0.0%	0.0%	4.1%
Liverpool	3.3%	1.0%	2.2%	0.0%	2.2%	6.0%
Liverpool Plains	0.1%	0.7%	0.0%	0.0%	0.0%	4.0%
Lockhart	0.8%	0.1%	0.7%	0.0%	0.7%	4.9%
Maitland	2.5%	0.3%	2.2%	0.0%	2.2%	5.8%
Mid-Coast	0.7%	0.7%	0.0%	0.0%	0.0%	3.8%
Mid-Western Regional	0.5%	0.5%	0.0%	0.0%	0.0%	3.8%
Moree Plains	0.0%	0.0%	0.0%	0.0%	0.0%	3.8%
Mosman	3.3%	0.1%	3.3%	-3.3%	0.0%	3.9%
Murray River	2.4%	1.3%	1.1%	0.0%	1.1%	5.3%
Murrumbidgee	1.1%	0.0%	1.1%	0.0%	1.1%	5.4%
Muswellbrook	1.3%	3.4%	0.0%	0.0%	0.0%	3.9%
Nambucca	0.8%	0.3%	0.5%	0.0%	0.5%	4.6%
Narrabri	0.3%	0.0%	0.2%	0.0%	0.2%	4.3%
Narrandera	0.0%	0.2%	0.0%	0.0%	0.0%	4.0%
Narromine	0.2%	0.2%	0.1%	0.0%	0.1%	4.2%
Newcastle	1.6%	0.2%	1.4%	0.0%	1.4%	5.1%
North Sydney	3.8%	0.0%	3.8%	-3.8%	0.0%	4.0%
Northern Beaches	1.7%	0.0%	1.7%	-1.7%	0.0%	3.8%
Oberon	1.7%	0.9%	0.8%	0.0%	0.8%	5.4%
Orange	0.6%	0.5%	0.1%	0.0%	0.1%	4.0%
Parkes	0.0%	0.4%	0.0%	0.0%	0.0%	4.0%
Parramatta	3.4%	0.9%	2.5%	0.0%	2.5%	6.2%
Penrith	1.6%	1.5%	0.0%	0.0%	0.0%	3.9%
Port Macquarie-Hastings	1.5%	1.2%	0.2%	0.0%	0.2%	4.1%

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Council	Change in population	Supplementary valuations percentage	Population factor before adjustment	COVID-19-related population adjustment	Population factor after adjustment	Final rate peg
Port Stephens	1.4%	0.8%	0.6%	0.0%	0.6%	4.5%
Queanbeyan-Palerang Regional	1.8%	2.7%	0.0%	0.0%	0.0%	3.9%
Randwick	4.5%	0.1%	4.4%	-4.4%	0.0%	3.7%
Richmond Valley	0.0%	0.0%	0.0%	0.0%	0.0%	3.9%
Ryde	3.5%	0.6%	2.9%	0.0%	2.9%	6.7%
Shellharbour	1.8%	1.6%	0.2%	0.0%	0.2%	4.0%
Shoalhaven	0.4%	0.5%	0.0%	0.0%	0.0%	3.8%
Singleton	1.0%	0.4%	0.5%	0.0%	0.5%	4.3%
Snowy Monaro Regional	1.4%	0.4%	1.0%	0.0%	1.0%	5.2%
Snowy Valleys	0.0%	0.1%	0.0%	0.0%	0.0%	4.3%
Strathfield	3.4%	0.3%	3.1%	0.0%	3.1%	6.9%
Sutherland	1.4%	0.1%	1.3%	0.0%	1.3%	5.0%
Sydney	5.9%	0.4%	5.5%	-5.1%	0.4%	4.1%
Tamworth Regional	1.1%	1.3%	0.0%	0.0%	0.0%	3.8%
Temora	0.6%	0.5%	0.1%	0.0%	0.1%	5.0%
Tenterfield	1.4%	0.0%	1.4%	0.0%	1.4%	5.2%
The Hills	4.4%	1.8%	2.5%	0.0%	2.5%	6.2%
Tweed	1.0%	0.4%	0.6%	0.0%	0.6%	4.4%
Upper Hunter	0.3%	0.3%	0.1%	0.0%	0.1%	4.3%
Upper Lachlan	1.8%	0.9%	0.9%	0.0%	0.9%	5.0%
Uralla	1.1%	0.4%	0.7%	0.0%	0.7%	4.9%
Wagga Wagga	0.6%	0.7%	0.0%	0.0%	0.0%	3.8%
Walcha	0.0%	1.7%	0.0%	0.0%	0.0%	3.9%
Walgett	0.1%	0.4%	0.0%	0.0%	0.0%	4.2%
Warren	0.2%	0.0%	0.2%	0.0%	0.2%	4.1%
Warrumbungle	0.0%	0.0%	0.0%	0.0%	0.0%	4.0%

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Information Paper

Rate pegs for NSW councils for 2025-26

Council	Change in population	Supplementary valuations percentage	Population factor before adjustment	COVID-19-related population adjustment	Population factor after adjustment	Final rate peg
Waverley	3.0%	0.0%	3.0%	-3.0%	0.0%	3.8%
Weddin	0.1%	0.0%	0.1%	0.0%	0.1%	4.6%
Wentworth	1.2%	1.2%	0.0%	0.0%	0.0%	4.5%
Willoughby	3.1%	0.0%	3.1%	-3.1%	0.0%	3.8%
Wingecarribee	0.6%	0.4%	0.2%	0.0%	0.2%	3.9%
Wollondilly	3.3%	3.3%	0.0%	0.0%	0.0%	3.8%
Wollongong	1.2%	0.3%	1.0%	0.0%	1.0%	4.7%
Woollahra	2.1%	0.1%	2.0%	-2.0%	0.0%	4.1%
Yass Valley	0.6%	1.2%	0.0%	0.0%	0.0%	4.1%

Notes:

Councils with a population factor after adjustment that is greater than zero are shown in blue bold font.

Figures may not add due to rounding. Percentage changes are calculated from unrounded numbers

Final rate pegs and components for all councils

Council	BCC	ESL factor	ESL subsidy catch-up adjustment	Election cost adjustment	Core rate peg	Population factor and adjustment	Final rate peg
Albury	3.6%	-0.2%	0.2%	0.2%	3.8%	0.3%	4.1%
Armidale Regional	3.6%	-0.3%	0.4%	0.3%	4.0%	0.0%	4.0%
Ballina	3.6%	-0.2%	0.2%	0.2%	3.8%	0.0%	3.8%
Balranald	3.6%	-0.6%	1.4%	0.1%	4.5%	0.0%	4.5%
Bathurst Regional	3.6%	-0.4%	0.5%	0.3%	4.0%	0.9%	4.9%
Bayside	3.6%	-0.5%	0.5%	0.1%	3.7%	2.4%	6.1%
Bega Valley	3.6%	-0.3%	0.5%	0.4%	4.1%	0.8%	4.9%
Bellingen	3.6%	-0.5%	0.9%	0.2%	4.2%	0.0%	4.2%
Berrigan	3.6%	-0.4%	0.6%	0.8%	4.6%	0.0%	4.6%
Blacktown	3.6%	-0.2%	0.4%	0.2%	4.0%	1.9%	5.9%
Bland	3.6%	-0.6%	0.9%	0.3%	4.2%	0.0%	4.2%
Blayney	3.6%	-0.3%	0.3%	0.1%	3.8%	0.0%	3.8%
Blue Mountains	3.6%	-0.3%	0.5%	0.1%	3.8%	0.7%	4.5%
Bogan	3.6%	-0.4%	0.7%	0.3%	4.1%	0.0%	4.1%
Bourke	3.6%	-0.8%	1.5%	0.0%	4.3%	0.7%	5.0%
Brewarrina	3.6%	-1.2%	1.9%	0.8%	5.1%	0.0%	5.1%
Broken Hill	3.6%	-0.3%	0.3%	0.2%	3.8%	0.2%	4.0%
Burwood	3.6%	-0.5%	0.5%	0.2%	3.8%	3.8%	7.6%
Byron	3.6%	-0.2%	0.3%	0.1%	3.7%	1.3%	5.0%
Cabonne	3.6%	-0.5%	0.7%	0.3%	4.1%	0.3%	4.4%
Camden	3.6%	0.3%	0.2%	0.2%	4.3%	3.2%	7.5%
Campbelltown	3.6%	-0.3%	0.3%	0.1%	3.7%	1.8%	5.5%

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Council	BCC	ESL factor	ESL subsidy catch-up adjustment	Election cost adjustment	Core rate peg	Population factor and adjustment	Final rate peg
Canada Bay	3.6%	-0.5%	0.5%	0.3%	3.8%	0.0%	3.8%
Canterbury-Bankstown	3.6%	-0.4%	0.4%	0.1%	3.7%	1.8%	5.5%
Carrathool	3.6%	-0.5%	0.8%	0.2%	4.0%	0.0%	4.0%
Central Coast	3.6%	-0.3%	0.3%	0.2%	3.8%	0.5%	4.3%
Central Darling	3.6%	-1.7%	2.9%	0.0%	4.8%	0.5%	5.3%
Cessnock	3.6%	-0.3%	0.4%	0.2%	3.9%	0.8%	4.7%
Clarence Valley	3.6%	-0.3%	0.5%	0.2%	4.0%	0.3%	4.3%
Cobar	3.6%	-0.5%	0.8%	0.0%	3.9%	0.6%	4.5%
Coffs Harbour	3.6%	-0.3%	0.4%	0.3%	4.0%	0.6%	4.6%
Coolamon	3.6%	-1.0%	1.2%	0.6%	4.5%	1.8%	6.3%
Coonamble	3.6%	-0.3%	0.4%	0.2%	3.8%	0.9%	4.7%
Cootamundra-Gundagai Regional	3.6%	-0.4%	0.8%	0.5%	4.5%	0.1%	4.6%
Cowra	3.6%	-0.5%	0.8%	0.4%	4.2%	0.0%	4.2%
Cumberland	3.6%	-0.5%	0.5%	0.2%	3.8%	3.3%	7.1%
Dubbo Regional	3.6%	-0.3%	0.5%	0.5%	4.2%	0.0%	4.2%
Dungog	3.6%	-0.4%	0.7%	0.3%	4.1%	0.0%	4.1%
Edward River	3.6%	-0.5%	0.7%	0.8%	4.6%	0.0%	4.6%
Eurobodalla	3.6%	-0.4%	0.5%	0.3%	4.0%	0.1%	4.1%
Fairfield	3.6%	-0.4%	0.4%	0.3%	3.9%	0.0%	3.9%
Federation	3.6%	-0.4%	0.6%	0.7%	4.6%	0.2%	4.8%
Forbes	3.6%	-0.5%	0.7%	0.6%	4.4%	0.0%	4.4%
Georges River	3.6%	-0.5%	0.4%	0.2%	3.6%	0.8%	4.4%
Gilgandra	3.6%	-0.4%	0.7%	0.2%	4.0%	0.2%	4.2%
Glen Innes Severn	3.6%	-0.5%	0.6%	0.3%	4.0%	0.4%	4.4%
Goulburn Mulwaree	3.6%	-0.3%	0.4%	0.1%	3.8%	0.4%	4.2%
Greater Hume	3.6%	-0.6%	0.7%	0.3%	4.1%	1.2%	5.3%

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Council	BCC	ESL factor	ESL subsidy catch-up adjustment	Election cost adjustment	Core rate peg	Population factor and adjustment	Final rate peg
Griffith	3.6%	-0.3%	0.4%	0.4%	4.0%	0.0%	4.0%
Gunnedah	3.6%	-0.2%	0.2%	0.5%	4.1%	0.6%	4.7%
Gwydir	3.6%	-0.4%	0.6%	0.2%	4.0%	0.2%	4.2%
Hawkesbury	3.6%	-0.3%	0.5%	0.2%	3.9%	0.0%	3.9%
Hay	3.6%	-0.6%	1.1%	0.2%	4.3%	0.0%	4.3%
Hilltops	3.6%	-0.5%	0.8%	0.6%	4.4%	0.0%	4.4%
Hornsby	3.6%	-0.4%	0.4%	0.2%	3.8%	1.4%	5.2%
Hunters Hill	3.6%	-0.5%	0.5%	0.8%	4.4%	0.0%	4.4%
Inner West	3.6%	-0.5%	0.5%	0.1%	3.7%	0.0%	3.7%
Inverell	3.6%	-0.3%	0.3%	0.2%	3.8%	0.2%	4.0%
Junee	3.6%	-0.6%	0.8%	0.6%	4.5%	1.7%	6.2%
Kempsey	3.6%	-0.3%	0.4%	0.2%	3.9%	0.0%	3.9%
Kiama	3.6%	-0.2%	0.3%	0.1%	3.7%	0.0%	3.7%
Ku-ring-gai	3.6%	-0.4%	0.6%	0.3%	3.9%	2.2%	6.1%
Kyogle	3.6%	-0.4%	0.6%	0.3%	4.1%	0.0%	4.1%
Lachlan	3.6%	-0.5%	0.7%	0.3%	4.2%	0.1%	4.3%
Lake Macquarie	3.6%	-0.3%	0.3%	0.1%	3.7%	0.8%	4.5%
Lane Cove	3.6%	-0.3%	0.3%	0.2%	3.8%	0.1%	3.9%
Leeton	3.6%	-0.3%	0.4%	0.7%	4.4%	0.0%	4.4%
Lismore	3.6%	-0.3%	0.4%	0.2%	3.9%	0.0%	3.9%
Lithgow	3.6%	-0.3%	0.5%	0.3%	4.1%	0.0%	4.1%
Liverpool	3.6%	-0.4%	0.4%	0.2%	3.8%	2.2%	6.0%
Liverpool Plains	3.6%	-0.4%	0.6%	0.2%	4.0%	0.0%	4.0%
Lockhart	3.6%	-0.7%	0.9%	0.4%	4.2%	0.7%	4.9%
Maitland	3.6%	-0.2%	0.2%	0.1%	3.6%	2.2%	5.8%
Mid-Coast	3.6%	-0.2%	0.3%	0.1%	3.8%	0.0%	3.8%

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Council	BCC	ESL factor	ESL subsidy catch-up adjustment	Election cost adjustment	Core rate peg	Population factor and adjustment	Final rate peg
Mid-Western Regional	3.6%	-0.3%	0.3%	0.1%	3.8%	0.0%	3.8%
Moree Plains	3.6%	-0.2%	0.2%	0.1%	3.8%	0.0%	3.8%
Mosman	3.6%	-0.3%	0.6%	0.1%	3.9%	0.0%	3.9%
Murray River	3.6%	-0.5%	0.6%	0.5%	4.2%	11%	5.3%
Murrumbidgee	3.6%	-0.8%	1.0%	0.4%	4.3%	11%	5.4%
Muswellbrook	3.6%	-0.2%	0.3%	0.2%	3.9%	0.0%	3.9%
Nambucca	3.6%	-0.4%	0.7%	0.2%	4.1%	0.5%	4.6%
Narrabri	3.6%	-0.3%	0.5%	0.4%	4.1%	0.2%	4.3%
Narrandera	3.6%	-0.4%	0.6%	0.2%	4.0%	0.0%	4.0%
Narromine	3.6%	-0.5%	0.7%	0.2%	4.1%	0.1%	4.2%
Newcastle	3.6%	-0.2%	0.2%	0.1%	3.7%	14%	5.1%
North Sydney	3.6%	-0.2%	0.4%	0.3%	4.0%	0.0%	4.0%
Northern Beaches	3.6%	-0.4%	0.4%	0.2%	3.8%	0.0%	3.8%
Oberon	3.6%	-0.7%	0.9%	0.8%	4.6%	0.8%	5.4%
Orange	3.6%	-0.2%	0.3%	0.2%	3.9%	0.1%	4.0%
Parkes	3.6%	-0.3%	0.4%	0.3%	4.0%	0.0%	4.0%
Parramatta	3.6%	-0.3%	0.3%	0.1%	3.7%	25%	6.2%
Penrith	3.6%	-0.2%	0.3%	0.2%	3.9%	0.0%	3.9%
Port Macquarie-Hastings	3.6%	-0.3%	0.3%	0.3%	3.9%	0.2%	4.1%
Port Stephens	3.6%	-0.2%	0.3%	0.3%	3.9%	0.6%	4.5%
Queanbeyan-Palerang Regional	3.6%	-0.2%	0.4%	0.2%	3.9%	0.0%	3.9%
Randwick	3.6%	-0.4%	0.4%	0.1%	3.7%	0.0%	3.7%
Richmond Valley	3.6%	-0.4%	0.5%	0.2%	3.9%	0.0%	3.9%
Ryde	3.6%	-0.4%	0.4%	0.2%	3.8%	2.9%	6.7%
Shellharbour	3.6%	-0.2%	0.3%	0.1%	3.8%	0.2%	4.0%
Shoalhaven	3.6%	-0.3%	0.4%	0.1%	3.8%	0.0%	3.8%

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Council	BCC	ESL factor	ESL subsidy catch-up adjustment	Election cost adjustment	Core rate peg	Population factor and adjustment	Final rate peg
Singleton	3.6%	-0.3%	0.3%	0.1%	3.8%	0.5%	4.3%
Snowy Monaro Regional	3.6%	-0.5%	1.0%	0.1%	4.2%	1.0%	5.2%
Snowy Valleys	3.6%	-0.4%	0.7%	0.5%	4.3%	0.0%	4.3%
Strathfield	3.6%	-0.5%	0.5%	0.2%	3.8%	3.1%	6.9%
Sutherland	3.6%	-0.4%	0.4%	0.1%	3.7%	1.3%	5.0%
Sydney	3.6%	-0.2%	0.2%	0.1%	3.7%	0.4%	4.1%
Tamworth Regional	3.6%	-0.3%	0.4%	0.0%	3.8%	0.0%	3.8%
Temora	3.6%	-0.8%	1.3%	0.8%	4.9%	0.1%	5.0%
Tenterfield	3.6%	-0.5%	0.7%	0.1%	3.8%	1.4%	5.2%
The Hills	3.6%	-0.5%	0.5%	0.2%	3.7%	2.5%	6.2%
Tweed	3.6%	-0.2%	0.2%	0.2%	3.8%	0.6%	4.4%
Upper Hunter	3.6%	-0.5%	0.8%	0.3%	4.2%	0.1%	4.3%
Upper Lachlan	3.6%	-0.6%	0.9%	0.2%	4.1%	0.9%	5.0%
Uralla	3.6%	-0.4%	0.6%	0.5%	4.2%	0.7%	4.9%
Wagga Wagga	3.6%	-0.3%	0.4%	0.1%	3.8%	0.0%	3.8%
Walcha	3.6%	-0.2%	0.5%	0.1%	3.9%	0.0%	3.9%
Walgett	3.6%	-0.5%	0.7%	0.4%	4.2%	0.0%	4.2%
Warren	3.6%	-0.3%	0.3%	0.2%	3.9%	0.2%	4.1%
Warrumbungle	3.6%	-0.5%	0.9%	0.0%	4.0%	0.0%	4.0%
Waverley	3.6%	-0.3%	0.3%	0.2%	3.8%	0.0%	3.8%
Weddin	3.6%	-0.7%	1.2%	0.4%	4.5%	0.1%	4.6%
Wentworth	3.6%	-0.5%	0.8%	0.6%	4.5%	0.0%	4.5%
Willoughby	3.6%	-0.3%	0.3%	0.3%	3.8%	0.0%	3.8%
Wingecarribee	3.6%	-0.2%	0.2%	0.2%	3.7%	0.2%	3.9%
Wollondilly	3.6%	-0.2%	0.3%	0.2%	3.8%	0.0%	3.8%
Wollongong	3.6%	-0.3%	0.3%	0.1%	3.7%	1.0%	4.7%

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Council	BCC	ESL factor	ESL subsidy catch-up adjustment	Election cost adjustment	Core rate peg	Population factor and adjustment	Final rate peg
Woollahra	3.6%	-0.2%	0.4%	0.3%	4.1%	0.0%	4.1%
Yass Valley	3.6%	-0.5%	0.8%	0.2%	4.1%	0.0%	4.1%

Notes:

The core rate peg is the rate peg before the population factor and adjustment and the final rate peg is the rate peg including the population factor and adjustment.

Figures may not add due to rounding. Percentage changes are calculated from unrounded numbers.

13.5 Plan of Management for 24 Crown Reserves - for Adoption

File No: Land Use Planning

Author: Bennett Kennedy (Senior Town Planner), Damian O'Shannassy (Planning and Development Director)

Summary

This report presents the Oberon Council Crown Lands Plan of Management (PoM) for adoption. The PoM has been prepared for 24 Crown Reserves across Oberon Council's Local Government Area (LGA). These reserves are under Council's care and control.

Recommendation:

That Council:

1. Adopt the Community Land Plan of Management for 24 Crown Reserves.
 2. Advise Crown Lands that the subject Plan of Management has been adopted.
-

List of Attachments

Community Land Plan of Management for Crown Reserves.

Comment

The Crown Land Management Act 2016 authorises Council's that are appointed Crown Land Managers to manage Crown Reserves under the Local Government Act 1993. The adoption of this PoM delegates the care and control of crown reserves from Crown Lands to Council. To that extent, development that is permissible within the adopted PoM will be permissible on the 24 Reserves by a Council resolution without the need for referral to Crown Lands (because the Minister has endorsed the subject plan for Council's adoption).

The purpose of the Plan of Management (PoM) of this generic PoM is:

- Contribute to the Council's broader strategic goals and vision as set out in the Oberon Community Strategic Plan (CSP) 2019-2040,
- Ensure compliance with the Local Government Act 1993,
- Provide clarity in the future development, use and management of the community land, and
- Ensure consistent management that supports a unified approach to meeting the varied needs of the community.

A comprehensive process of consultation, outlined in Section 5 of the attached PoM commenced in 2020, has been undertaken because of the requirements of the Crown Lands Management Act 2016 and Local Government Act, 1993 hence the long period of time taken to get the plan to this stage of final adoption.

When the Plan is adopted by Council, it will provide clear guidance on what types of development can be considered for each of the 24 Crown Reserves under Council's Care and Control.

Although the endorsement of the PoM provides a greater level of autonomy to Council to determine the development of Crown Reserves, it provides a commensurate demand on Council's resources to maintain these reserves and is indicative of the devolution of state governments obligations.

Financial Implications

There are no financial implications for adoption of this plan except for the need to manage and maintaining each of the reserves in accordance with its intended use, including but not limited to vegetation management.

Relevance to Oberon Community Strategic Plan

The relevance to Council's Community Strategic Plan (CSP) will be that the objectives of the CSP where they relate to Crown Reserves, have clearer guidance for their implementation.

Theme 4: Infrastructure and Services

Action 4.4 Plan for infrastructure and land use needs ready for future growth

4.4.6 Management of built and natural heritage items

Theme 5: Leadership and Engagement

Action 5.1 Partner with local communities to create an ongoing culture of engagement to aid Council decision making

5.1.2 Opportunities for communities in all parts of the LGA area to participate in Civic and community events

Risk Category

Environment

Public Image and Reputation

Risk Severity Ranking

Minor - 32%



Department of Planning, Housing and Infrastructure

Our ref: DOC24/225823, LBN24/1470

Bennett Kennedy
Acting Planning and Development Director
Oberon Council
PO Box 84
OBERON NSW 2787

via: Bennett.Kennedy@Oberon.nsw.gov.au

cc: council@oberon.nsw.gov.au

Tuesday 12 November 2024

Subject: Oberon Council draft Plan of Management – ‘Draft Community Land Plan of Management for Crown Reserves’.

Minister’s consent to adopt.

Dear Mr Kennedy

Thank you for submitting the draft Plan of Management (PoM) following public exhibition for ‘Draft Community Land Plan of Management for Crown Reserves’ on 17 Sep 2024.

I have reviewed the draft PoM and as a delegate for the Minister for Lands and Property, I consent council to adopt the PoM under clause 70B of the Crown Land Management Regulation 2018.

Council should conduct a final review of the document to ensure all legislation referenced is currently in force, departmental names are up to date, and spelling, grammar and formatting is correct and consistent. Note that as of 1 January 2024 the Department of Planning and Environment became the Department of Planning, Housing and Infrastructure, please ensure that the PoM is updated to reflect this change.

A copy of the adopted PoM should be sent to council.clm@crowland.nsw.gov.au and made available on council’s website.

Please remember, an adopted PoM authorises the lawful use and occupation of Crown land. Council must ensure that any activities planned on the reserve are expressly authorised in the adopted PoM and native title obligations are met.



Department of Planning, Housing and Infrastructure

If you have any questions or need assistance, please contact the Reserves Programs Team at council.clm@crowland.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Paula Sanchez".

Paula Sanchez

Acting/Manager, Reserves Programs

Department of Planning, Housing and Infrastructure – Crown Lands and Public Spaces



COMMUNITY LAND
PLAN OF MANAGEMENT FOR
CROWN RESERVES

OBERON COUNCIL
PLAN OF
MANAGEMENT FOR
24 CROWN RESERVES

27 AUGUST 2024

Revisions

Date	Version	Reviewer	Purpose
26/10/2020	1a	CGM Planning	Preliminary Draft to Council
28/05/2021	1b	CGM Planning	Final Draft following Council review
20/10/2023	1c	Oberon Council	Updated in response to Crown comments
31/10/2023	1d	Oberon Council	Updated in response to Crown comments
24/11/2023	1e	Department of Planning Housing and Infrastructure – Crown Lands and Public Spaces	Reviewed for the purpose of Public Exhibition
11/01/2024	2a	Oberon Council	Draft for Public Exhibition
27/08/2024	2a_1	Oberon Council	Final for Endorsement by CL Minister

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Plan of Management for Crown Reserves

PART 1: INTRODUCTION AND GENERAL INFORMATION

1.0 Key information

This Plan of Management (PoM) has been prepared for 24 Crown Reserves across Oberon Council's Local Government Area (LGA). These 24 Crown Reserves are under Council's care and control. Reserves retained under the Crown's care and control are not covered under this plan. Reserves covered by this Plan of Management are identified in Appendix A.

It was referred to the landowner, the Minister for Crown Lands, on 2 August 2021 to enable public exhibition.

Following public exhibition and consideration of submissions, the PoM will be adopted by Council. Minister's Consent is needed prior to adoption of the Plan of Management under the *Crown Land Management Act (CLM Act) 2016*. **[Include date of adoption once finalised]**

Oberon Council acknowledges that within its local government area boundaries are the Traditional Lands of the Wiradjuri, Dharug and Gundungurra people. Oberon Council respects elders past, present and future, for they hold the memories, the traditions, the culture and hopes of Aboriginal peoples.



2.0 Introduction

This Community Land Generic Plan of Management (PoM) for Oberon Council is the first PoM prepared for 24 Crown reserves in the Local Government Area (LGA). These 24 reserves were previously managed by the Council as reserve trust manager under the repealed *Crown Land Act 1989*.

The 24 Crown reserves across Oberon LGA are widely dispersed and range from sports grounds, a community hall, roadside rest areas, leased paddocks, primitive campgrounds, bushland, to parks, swimming pools and commons. These are important open space, recreation, cultural and social resources catering to a wide range of local and regional activities.

2.1 About Oberon Council

Oberon Council is a Local Government Area in the Central West region of New South Wales, 196 km west (two-hour drive) of Sydney. It is uniquely located on the escarpment of the Great Dividing Range with rich natural and environmental resources. Much of the area is considered to be sub-alpine with the Oberon township 1113 metres above sea level.

Oberon LGA includes the town of Oberon and villages of Black Springs, Burruga, Edith, Mount David, O'Connell and Shooters Hill.

Oberon was proclaimed a village in 1863 and the LGA has grown to a population of 5,301 at 30 June 2016. Of these around 2700 live in the Oberon township itself. Residents & businesses have strong connections with nearby regional centres of Goulburn, Lithgow and Bathurst.

The LGA is anticipated to grow by 23% by 2038 adding an additional 1,242 people based on current trajectories¹. This will bring wider employment opportunities, tourism and a focus on community assets.

The total land area of the LGA is 3,660 square kilometres. This area comprises pine forests, agricultural land and significant natural resources such as the Kanangra-Boyd National Park, part of the Blue Mountains National Park, parts of the Abercrombie National Park, Jenolan Karst Conservation Reserve, Jenolan Caves and Lake Oberon/Oberon Dam. These are environmental assets that have a regional, state and national significance and are a major attraction for visitors to the area.

2.2. Corporate objectives

Council's Community Strategic Plan 2019 – 2040 (CSP) was developed by the community 'to create an enduring, independent, strong and vibrant community'.²

"Oberon – more than you imagine!" is the vision of Council's community strategic plan with the mission being *"A prosperous town, village and rural communities set amongst the rolling hills, rivers, forests, mountains and caves of the great divide. Breathe fresh air in a landscape of light, colour and seasonal beauty. Life as it should be."*

The CSP sets out the aspirations of the community and the strategic actions to get there. Five key themes underpin the CSP: community wellbeing, a growing economy, caring for environment, quality infrastructure and services, and leadership and engagement.

¹ Oberon Council Local Strategic Planning Statement 2040

² Oberon Community Strategic Plan 2019-2040

This PoM for Crown reserves categorised as parks, sportsground, general community use and natural areas will support and contribute towards achieving the following CSP actions set out in **Table 1**.

Table 1 Oberon Community Strategic Plan actions and Crown reserve opportunities

Community Strategic Plan Actions	Crown Reserve	How can it be achieved?
Meet the social, cultural and physical activity needs of the community	Oberon Common Oberon Golf Club Small parks Oberon Park	Maintain our buildings and parks, open spaces, bushland and waterways for walking, cycling, skating, golfing, children's play, cricket, swimming and tennis.
Reduce the impact of Council's carbon footprint through energy saving innovations	Oberon Park Oberon Common Oberon Golf Club	Employ innovative ways to heat and cool indoor facilities and invest in energy efficient lighting and water reuse.
Provide accessible, safe and well maintained community spaces and facilities	Oberon Park Oberon Common Small parks Black Springs Community Hall & Sports ground Oberon Golf Club	Ensure facilities comply with accessibility legislation to enable all members of the community to participate in activities and events.
Provide infrastructure which encourages the use of sustainable transport such as cycleways and walking tracks	Edith Street Walk and cycle path Oberon Common Oberon Park Oberon Fish River Trout Farm Reserve	Connect open spaces and reserves with shops, schools and other facilities. Introduce wayfinding to promote visits to open spaces.
Encourage sustainable tourism initiatives which create employment and boost the local economy	Reef Reserve & Flat Rock primitive camping grounds. Fish River Reserves.	Maintain the natural/wilderness and promote activities to complement camping such as fishing, canoeing, swimming, walking, and sightseeing. Promote the natural environment, accessibility and consider new activities such as foraging, endurance/high altitude training or mountain bike opportunities.

Community Strategic Plan Actions	Crown Reserve	How can it be achieved?
Plan for infrastructure and land use needs ready for future growth	Sports grounds, Swimming pool, tennis, amenities, Black Springs community hall and parks.	Infrastructure is maintained and upgraded to attract and retain people. Promote flexibility in uses and lease/licenses to support multifunctional/multi use areas.
Protect and manage local air quality, waterways, rivers and streams	Golf course & Fish River Reserve + Fish River Reserve Oberon Fish River Trout Farm Reserve Flat Rock Reserve Reef Reserve Campbells River Reserve Edith Rest Area (on Edith River)	Care of natural waterways, rivers and streams. Promote sustainable use of the natural environment. Clear Willows and other weeds. Community programs and waterway care.
Work with other agencies to protect local fauna and biodiversity	Golf course & Fish River Reserve + Fish River Reserve Oberon Fish River Trout Farm Reserve Sanchos Hole (fenced)	Waste and weed management. Natural fauna and flora – educational walks. Conserve high conservation assets/attributes. Retain and manage land & vegetation as an important natural buffer to the Fish River and Oberon Dam/Lake.

In June 2020 Oberon Council adopted its *Local Strategic Planning Statement 2040* (LSPS) setting out a 20 year vision for land use planning for Oberon Council's economic, social and environmental needs.

The LSPS addresses the planning and development issues of strategic significance to the Council and identifies planning priorities and actions, spatial land use direction and guidance.

The LSPS implements the *Central West and Orana Regional Plan 2036* at a local level and is informed by other State-wide and Regional Policies including *Future Transport Plan 2056* and the *NSW State Infrastructure Strategy 2018 – 2038*.

The planning priorities and actions contained in the LSPS provide the strategic framework about how land is used to achieve the community's broader goals.

Council has committed to upgrading public pools, toilets, recreation grounds, skate parks and playground facilities across the LGA and will actively pursue funding opportunities so that as development occurs, community facilities will also be improved.

The following LSPS actions will support open space planning and the use of the Crown reserves in this PoM.

- Undertake access masterplans for our commercial core areas to provide accessible public and commercial spaces that attract and retain visitors to the area.
- Undertake analysis of sporting facilities and community facilities to ensure planned upgrades have capacity to service demands of a changing population.
- Wherever possible provide or encourage the provision of infrastructure that is different to adjacent towns and villages so that variety is maintained and to encourage people from nearby townships to visit.
- Review and investigate the opportunity to fund the upgrade of community facilities.
- Continually review and amend *the Oberon Local Environmental Plan 2013* as required, seeking to maximise opportunities and protect sensitive areas.
- On review of the *Oberon Local Environmental Plan 2013* investigate the suitability of existing biodiversity layers and associated controls and consider whether less coarse biodiversity mapping should be provided.
- To better identify land with high conservation attributes and undertake a review of road and public space biodiversity mapping.

Council is also committed to supporting and growing its tourism industry through events and provision of infrastructure and resources e.g running the Visitors Information centre and supporting the position of Tourism and Economic Development Manager.

Several reserves, for example the Common/s, provide valuable open space for community events and activities such as cross country, school leadership and BBQ days, social gathering place, community/public meetings, skate park as well as attracting visitors. A desire to provide for mountain biking facilities will be investigated for local and district events.

The economic benefits of tourism to the town and region have been recognised with a core strategy to develop and diversify local offerings under the *Abercrombie Regional Economic Development Strategy 2018-2022* covering Oberon & Bathurst LGA's.

On a State level, the *Crown Land 2031 – State Strategic Plan for Crown Land* considers environmental, social, cultural heritage and economic considerations for the management of Crown land was exhibited.

The vision embodied in this plan is for:

Crown land to support resilient, sustainable and prosperous communities across NSW.

The proposed priorities for Crown land over the next 10 years are to:

- enable jobs growth, commercial opportunities and sustainable economic progress in regional and rural NSW;
- expand green space, sustainable quality of life and climate change resilience;
- strengthen and support evolving community connections; and
- work with Aboriginal communities to realise the potential of their land rights.

These priorities are supported by a set of outcomes to be achieved over the early, middle and full decade of the plan.

2.3 What is a Plan of Management (PoM)?

The *Local Government Act 1993* (LG Act) requires a plan of management to be prepared for all public land that is classified as 'community' land under that LG Act.

A PoM is an important management tool, which is written by the council in consultation with the community. A PoM outlines the land's features, and clarifies how the council will manage, use or develop the land in the future. A PoM provides a transparent and coordinated approach to public land management.

A PoM can be prepared for more than one parcel of land (generic or geographic) or for a single property (significant or specific). This is a generic plan for community land which covers multiple reserves.

2.4 What is community land?

Community land is land owned or controlled by the council and recognised as an important component of the environment, providing opportunities for recreation, leisure and contact with the natural environment. It may include a wide variety of properties, ranging from small recreation reserves to iconic parks, and even buildings.

Community land is valued for its important role in the social, intellectual, spiritual and physical enrichment of residents, workers, and visitors to the Oberon area.

2.5 Categories of community land

Section 36(4) of the *LG Act 1993* defines five categories of community land:

- (a) **Natural area**—for all areas that play an important role in the area's ecology. This category is further categorised (s36(5) of the LG Act) into bushland, wetland escarpment, watercourse foreshore, and a category prescribed by the regulations.
- (b) **Sportsground**—for areas where the primary use is for active recreation involving organised sports or the playing of outdoor games.
- (c) **Park**—for areas primarily used for passive recreation.
- (d) **Cultural significance**—for areas with Aboriginal, aesthetic, archaeological, historical, technical, research or social significance.
- (e) **General community use**—for all areas where the primary purpose relates to public recreation and the physical, cultural, social, and intellectual welfare or development of members of the public. This includes venues such as community halls, scout and guide halls, and libraries.

2.6 Classification of public land

The LG Act (Section 26) requires classification of public land into either 'community' or 'operational' land. The classification is generally made for council-owned public land by the council's Local Environmental Plan (LEP) or in some circumstances by a resolution of the council (Section 27).

If land is not classified by resolution within a three-month period from acquisition it automatically becomes community land, regardless of whether it satisfies the objectives for community land as outlined in the LG Act.

Crown reserves managed by council as Crown land manager have been classified as community land with the start of the *Crown Land Management Act 2016* (the CLM Act). Councils may manage these Crown reserves as operational land if written consent is obtained from the Minister administering the CLM Act.

3.0 Land to which this plan applies.

3.1 What land is covered by this PoM?

The Crown land covered by this Generic Plan of Management is identified in the schedule in **Appendix A**.

These Crown reserves are managed as community land by Council as Crown land manager.

The land covered by this plan of management is defined by real property identifiers (lots and deposited plans), as well as shown by maps in **Appendix B**.

The land on these reserves has been categorised as one of more of the following:

- Park.
- Sportsground.
- General Community Use; and
- Natural Area – Bushland, and Natural Area – Watercourse.

Each of these categories have specific objectives which dictate what can happen on the land and these are detailed under each specific section/chapter of this PoM.

3.2 What land is not covered by this PoM?

This generic PoM does not include:

- Council owned public land.
- Community land covered by specific PoM's.
- Crown reserves that Council manages as 'devolved land' and that is managed under Section 48 of the LG Act (Council is not a Crown land manager for these reserves), the reserves are not community land, and these do not require a PoM.
- public open space and recreation facilities which are owned and managed by other entities.
- privately owned land, which is made available for public use; and
- Land declared as critical habitat, or directly affected by a threat abatement plan or a recovery plan under threatened species laws (sections 36A(2) and 36B(3)) or by council to contain significant natural features (section 36C(2)) or to be of cultural significance (section 36D(2)). See this PoM section 4.5.1 NSW state legislation: Biodiversity Conservation Act for latest advice on recovery and threat abatement plans.

3.3 About this plan of management

The *Crown Land Management Act 2016* (CLM Act) authorises councils that are appointed Crown land manager for dedicated or reserved Crown land (council managers) to manage Crown land as if it were public land under the *Local Government Act 1993* (LG Act).

The LG Act requires that all public land must be categorised as community or operational land. All community land then must be managed and used in accordance with an adopted PoM.

This generic PoM applies to Crown reserves where Oberon Council was appointed Crown Land manager in 2018 on the commencement of the CLM Act.

This land is managed by Council on behalf of the Crown as community land categorised as park, sportsground, general community use and natural area. Natural area community land is further categorised into bushland and watercourse.

A single cohesive plan enables consistent management of the open space network and enhanced appreciation by the wider community of its benefits, variety and distribution.

3.4 Purpose of the plan of management

The purpose of this generic PoM is to:

- contribute to the council's broader strategic goals and vision as set out in the Oberon Community Strategic Plan 2019 – 2040.
- ensure compliance with the *Local Government Act 1993*.
- provide clarity in the future development, use and management of the community land; and
- ensure consistent management that supports a unified approach to meeting the varied needs of the community.

4.0 Legislative framework

The primary legislation that affects how community land is managed or used is briefly described below. You can find more information about these Acts at www.legislation.nsw.gov.au

4.1 *Crown Land Management Act 2016*

Crown reserves are land set aside on behalf of the community for a wide range of purposes, including environmental and heritage protection, recreation and sport, open space, community halls, special events and government services.

Crown land is governed by the CLM Act, which provides a framework for the State government, local councils and members of the community to work together to provide care, control and management of Crown reserves.

Under the CLM Act, councils manage Crown land as if it were public land under the LG Act. However, it must still be managed in accordance with the purpose of the land and cannot be used for an activity incompatible with its purpose—for example, Crown land assigned the purpose of 'environmental protection' cannot be used in a way that compromises its environmental integrity.

Councils must also manage Crown land in accordance with the principles of Crown land management outlined in the CLM Act. The principles are the key values that guide Crown land management to benefit the community and to ensure that Crown land is managed for sustainable, multiple uses.

Principles of Crown land management

- Environmental protection principles are to be observed in the management and administration of Crown land.
- The natural resources of Crown land (including water, soil, flora, fauna and scenic quality) will be conserved wherever possible.
- Public use and enjoyment of appropriate Crown land are to be encouraged.
- Where appropriate, multiple uses of Crown land should be encouraged.
- Where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained.
- Crown land is to be occupied, used, sold, leased, licensed or otherwise dealt with in the best interests of the state of NSW, consistent with the above principles.

Crown land management compliance

In addition to management and use of Crown reserves that is aligned with the reserve purpose(s), there are other influences over council management of Crown reserves. For example, Crown land managers may have conditions attached to any appointment instruments, or councils may have to comply with specific or general Crown land

management rules that may be published in the NSW Government Gazette. Councils must also comply with any Crown land regulations that may be made.

The *Crown Land Management (Plan of Management) Regulation 2021* updated the CLM Regulation 2018 to require Council's Crown Land Managers to obtain the Ministers consent to adopt their PoM's.

There are no conditions attached to any Crown land manager appointment notices, and only one Crown land management rule applies to Oberon Council:

This rule has been made under s.3.15 of the *Crown Land Management Act 2016* and can be viewed in full at: [Granting leases and licences for communication infrastructure-related purposes on Crown land](#)

The rule

Crown land managers cannot, under any act (including the *Local Government Act 1993*), grant any lease or licence authorising:

- the installation or construction of communication infrastructure on Crown land.
- the placement of communication infrastructure on Crown land.
- the use of communication infrastructure that is located on Crown land.
- access to communication infrastructure that is located on Crown land.

However, the rule does not prevent the holder of a holding granted by the Minister administering the *Crown Land Management Act 2016* subletting of communication infrastructure located on Crown land in accordance with the conditions of a holding granted by the minister.

4.2 Local Government Act 1993

Section 35 of the LG Act provides that community land can only be used in accordance with:

- the plan of management applying to that area of community land;
- any law permitting the use of the land for a specified purpose or otherwise regulating the use of the land; and
- the provisions of Division 2 of Chapter 6 of the Act.

Section 36 of the Act provides that a plan of management for community land must identify the following:

- a) the category of the land.
- b) the objectives and performance targets of the plan with respect to the land.
- c) the means by which the council proposes to achieve the plan's objectives and performance targets; and
- d) the manner in which the council proposes to assess its performance with respect to the plan's objectives and performance targets, and may require the prior approval of the council to the carrying out of any specified activity on the land.

Land is to be categorised as one or more of the following:

- a) a natural area.
- b) a sportsground.
- c) a park.
- d) an area of cultural significance; or
- e) general community use.

Land that is categorised as a natural area is to be further categorised as one or more of the following: bushland, wetland, escarpment, watercourse, foreshore and a category prescribed by the regulations.

4.3 Native Title Act 1993

The Commonwealth *Native Title Act 1993* (NT Act) recognises and protects native title rights and interests. The objects of the NT Act are to:

- provide for the recognition and protection of native title.
- establish ways in which future dealings affecting native title may proceed and to set standards for those dealings.
- establish a mechanism for determining claims to native title; and
- provide for, or permit, the validation of past acts invalidated because of the existence of native title.

The NT Act may affect use of Crown land, particularly development and granting of tenure.

In particular, the CLM Act makes it mandatory for council to engage or employ a native title manager. This role provides advice to council as to how the council's dealings and activities on Crown land may be valid or not valid under the NT Act.

The council must obtain the written advice from an accredited native title manager that council complies with any applicable provisions of the native title legislation when:

- a) granting leases, licences, permits, forestry rights, easements or rights of way over the land.
- b) mortgaging the land or allowing it to be mortgaged.
- c) imposing, requiring or agreeing to covenants, conditions or other restrictions on use (or removing or releasing, or agreeing to remove or release, covenants, conditions or other restrictions on use) in connection with dealings involving the land; and
- d) approving (or submitting for approval) a plan of management for the land that authorises or permits any of the kinds of dealings referred to in (a), (b) or (c).

Accordingly, Council has considered Native Title manager advice for this plan of management.

4.4 Council plans and policies relating to this plan of management.

Council has developed plans and policies that are concerned to some extent with the management of community land. These documents have been considered when preparing this PoM.

The following is a list of documents that have a direct association with this PoM:

- Oberon Local Environmental Plan 2013.
- Oberon Development Control Plan 2001.
- Oberon Community Strategic Plan 2019 – 2040; and
- Oberon Local Strategic Planning Statement June 2020.

The Oberon Local Environmental Plan 2013 (LEP) applies to the entire LGA and sets out the land use zones and controls for development under the *Environmental Planning and Assessment Act 1979*.

The LEP identifies the Crown reserves managed by Council as one of, or a combination of the following land use zones.

RURAL	RESIDENTIAL	RECREATION
RU1 Primary Production RU5 Village	R1 General Residential R5 Large Lot Residential	RE1 Public Recreation RE2 Private Recreation

The LEP zones are listed by Reserve in **Appendix A**.

Development or uses within the reserves requiring a Development Application will be assessed under Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

In this regard, the LEP has a control for a designated industrial buffer area in the township of Oberon. This buffer affects one reserve, Oberon Park, pool, tennis courts and Caravan Park. Any development within the reserve must consider clause 6.6 Development within a designated buffer area of the LEP.

Four reserves adjoin rivers and are mapped under clause 6.3 Riparian land and watercourses of the Oberon LEP 2013. Development or works within these reserves - Golf Club & Fish River Reserve, Oberon Fish River Trout Farm Reserve, Rest Area Edith Reserve (R87462) on the Duckmaloi River and Campbell's River Reserve (R83038) must consider clause 6.3 Riparian land and watercourses of the LEP.

Several of the reserves are assigned Land Use Zones under the *Oberon Local Environmental Plan 2013* that are inconsistent with the purpose and category assigned to them under the *CLM Act 1993*. These will require an amendment to the Oberon LEP 2013 from their existing zone e.g. RE2 Private Recreation or R1 General Residential to RE1 Public Recreation.

Oberon DCP 2001 is a supporting guiding document which development must also consider.

In summary, the possible impacts of any future proposal on reserve land will be considered in the light of all relevant planning controls and Council policies.

4.5 Other state and federal legislation

4.5.1 NSW state legislation

Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) provides the framework for planning and development across NSW and guides environmental planning instruments that provide a basis for development control.

The EP&A Act ensures that effects on the natural environment, along with social and economic factors, are considered by the council when granting approval for or undertaking works, developments or activities.

This Act is also the enabling legislation for planning policies that may have a direct influence on open space management. On a state-wide level there are State Environmental Planning Policies (SEPPs). On a regional level there are Regional Environmental Plans (REPs). On a local level there are Local Environmental Plans (LEPs), as well as Development Control Plans (DCPs).

Aboriginal Land Rights Act 1983

The *Aboriginal Land Rights Act 1983* (ALR Act) is important legislation that recognises the rights of Aboriginal people in NSW. It recognises the need of Aboriginal people for land and acknowledges that land for Aboriginal people in the past was progressively reduced without compensation. Crown land meeting certain criteria may be granted to an Aboriginal Land Council. This Act may affect dealings with Crown land that is potentially claimable.

National Parks and Wildlife Act 1974

Statutory responsibilities on the council arising from this Act specifically relate to the protection of sites of pre- and post-European contact archaeological significance and the protection of native flora and fauna. This Act may affect community land categorised as of cultural significance, as a natural area or park.

Biodiversity Conservation Act 2016

Note: This Act repealed several pieces of legislation including the *Native Vegetation Act 2003*, *Threatened Species Conservation Act 1995*, the *Nature Conservation Trust Act 2001*, and the animal and plant provisions of the *National Parks and Wildlife Act 1974*.

This Act covers conservation of threatened species, populations and ecological communities, and the protection of native flora and fauna. This Act primarily relates to community land categorised as natural area. However, other categories may also be affected.

The *Threatened Species Conservation Act 1995* has been repealed and superseded by the *Biodiversity Conservation Act 2016*. However, references to the former legislation remain in the LG Act and are therefore retained in this guideline.

The Department of Planning, Housing and Infrastructure - Energy, Environment and Science Division advises that recovery plans and threat abatement plans made under the *Threatened Species Conservation Act 1995* were repealed on the commencement of the *Biodiversity Conservation Act* in 2017. These plans have not been preserved by any savings and transitional arrangement under the Biodiversity Conservation Act or LG Act, meaning pre-existing plans have no legal effect.

For this reason, requirements relating to recovery plans and threat abatement plans for local councils preparing plans of management under section 36B of the LG Act are now redundant. Councils will be advised if future amendments are made to the LG Act to enable these mechanisms.

Certain weeds are also declared noxious under this Act, which prescribes categories to which the weeds are assigned, and these control categories identify the course of action which needs to be carried out on the weeds. A weed may be declared noxious in part or all the State.

Fisheries Management Act 1994

The *Fisheries Management Act 1994* (FM Act) includes provisions for the management of state fisheries, including the conservation of fish habitats, threatened species, populations and ecological communities of fish and marine vegetation and management of the riparian zone, waterways and threatened marine/freshwater aquatic species. This relates to community land categorised as natural area (foreshore, watercourse or wetland).

Where an area of community land is declared to be critical habitat, or if that area is affected by a threat abatement plan under Part 7A of the FM Act, a site-specific plan of management will need to be undertaken.

Rural Fires Act 1997

This Act contains provisions for bushfire risk management and the establishment of a Bushfire Management Committee. It also includes direction on development in bushfire-prone lands.

Water Management Act 2000

This Act is based on the concept of ecologically sustainable development, and its objective is to provide for the sustainable and integrated management of the water sources of the state for the benefit of both present and future generations. The Act recognises:

- the fundamental health of our rivers and groundwater systems and associated wetlands, floodplains, estuaries have to be protected.
- the management of water must be integrated with other natural resources such as vegetation, native fauna, soils and land.

- to be properly effective, water management must be a shared responsibility between the government and the community.
- water management decisions must involve consideration of environmental, social, economic, cultural and heritage aspects.
- social and economic benefits to the state will result from the sustainable and efficient use of water.

Heritage Act 1977

This Act contains provisions for the conservation of items of heritage and may relate to community land categorised as cultural significance or natural area.

4.5.2 Commonwealth legislation

Environmental Protection and Biodiversity Conservation Act 1999

This Act enables the Australian Government to join with the states and territories in providing a national scheme of environment and heritage protection and biodiversity conservation. It incorporates threatened species on a national level and with relevance to Matters of National Environmental Significance.

Telecommunications Act 1997

This Act provides for telecommunication facilities being permitted on community land without authorisation in a PoM.

4.5.3 State Environmental Planning Policies

State Environmental Planning Policy (Transport and Infrastructure) 2021

This planning policy lists development allowed with consent or without consent on community land.

State Environmental Planning Policy (Koala Habitat Protection) 2020

This Policy aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline by:

- requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat, and
- encouraging the identification of areas of core koala habitat, and
- encouraging the inclusion of areas of core koala habitat in environment protection zones

This policy applies within the Oberon Shire in the following zones: Zone RU1 Primary Production, and Zone RU3 Forestry.

State Environmental Planning Policy (Koala Habitat Protection) 2021

This Policy aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline.

This policy applies within the Oberon Shire except for the following zones: Zone RU1 Primary Production, and Zone RU3 Forestry.

Editorial note—

Guidelines are being made by the Planning Secretary with the agreement of the Secretary of Regional NSW for the purposes of Parts 2 and 3 of this Policy. When the Guidelines are made this Policy is to be amended by Council to incorporate references to the Guidelines.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 6 aims to protect quality of surface water and the ecosystems that depend on it and requires that any development would have a neutral or beneficial effect on water quality. This policy applies to parts of the Oberon LGA.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

This policy deals with clearing of native vegetation in urban areas and land zoned for environmental protection.

This policy applies to land within the following zones in Oberon LEP 2013 —

Zone RU5 Village, Zone R1 General Residential, Zone R5 Large Lot Residential, Zone B2 Local Centre, Zone B6 Enterprise Corridor, Zone IN1 General Industrial, Zone IN2 Light Industrial, Zone SP3 Tourist, Zone RE1 Public Recreation, Zone RE2 Private Recreation.

4.5.4 Other relevant legislation, policies and plans

Biosecurity Act 2015

Companion Animals Act 1998

Disability Discrimination Act 1992 (Cwth)

Disability Inclusion Act 2014

Local Land Services Act 2013

Pesticides Act 1999

Protection of the Environment Operations Act 1997

Retail Leases Act 1994

Soil Conservation Act 1938

NSW Invasive Species Plan 2008–2015

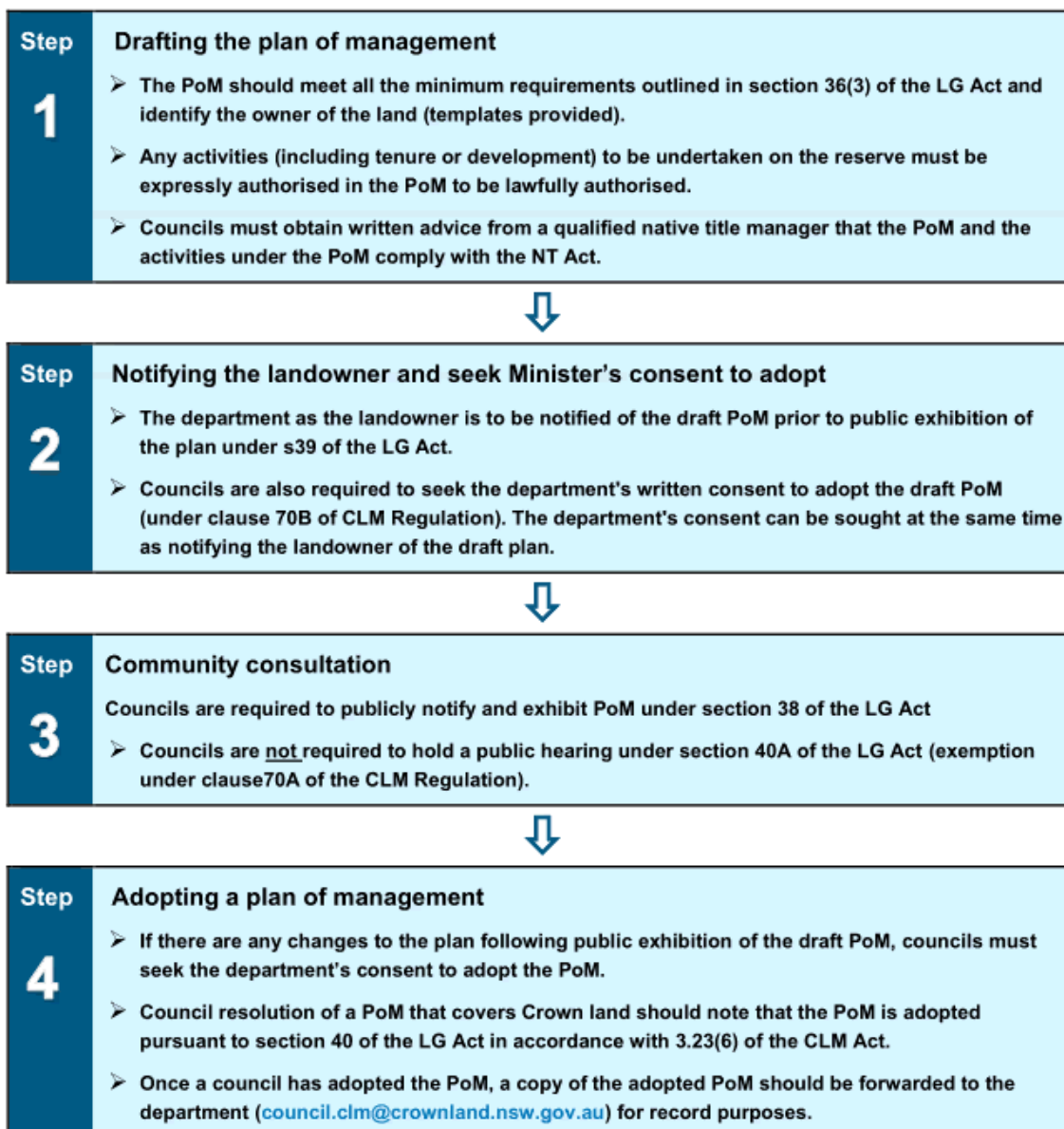
National Local Government Biodiversity Strategy

NSW Biodiversity Strategy

Australian Natural Heritage Charter

5.0 Process of preparing this plan of management

The following Sections provide information about how to prepare a Draft Plan of Management. There are four (4) key steps to follow when preparing and adopting the first PoM for Crown Reserves



5.1 Community Consultation

Community consultation is important to ensure a PoM meets the needs of the local community. It also enables the comprehensive management of public land and encourages appreciation of its social, environmental and health benefits.

On 3 and 4 August 2020, stakeholder engagement was held with key users, representatives and lessees of key reserves, to inform the preparation of the draft PoM. These focus group sessions were limited in number and duration to comply with (then) COVID 19 restrictions.

Each session explored the importance and value of the reserve, what improvements (big picture) could be made, what issues exist and potential solutions, to confirm existing and future uses and document desired future outcomes. The outcomes of this early engagement have been incorporated into this draft PoM.

A list of the stakeholder consultation attendees is at **Appendix C**.

A draft PoM must also be referred to any landowner, other than council, prior to public exhibition. In this case, the owner is the State of NSW, which is represented by the Minister administering the CLM Act. The Council must include in the draft plan any provisions that may properly be required by the minister's portfolio department in accordance with existing guidelines and requirements.

Before a PoM can be adopted by the council, it must be placed on public exhibition for at least 28 days. The period in which written submissions can be received must be at least 42 days from the first day of public exhibition.

Council is exempt from holding a public hearing where a Plan of Management proposes to categorise or re-categorise Council managed land by Section 70A of the CLM Act.

PoMs are generally updated every five years, with a more comprehensive re-write after ten years. The performance of this PoM will be reviewed on a regular basis to ensure that community land is well maintained and provides a safe environment for public enjoyment.



6.0 Development and maintenance of the reserves

Council is responsible for the management of the 24 reserves and resources this management through:

- Administration and bookings staff.
- Dedicated maintenance and operations staff including parks and reserves operational teams.
- licensee maintenance responsibilities set out in licence user agreements; and
- Advice to Council on management, operations, and maintenance through a LG Act Section 355 Committee of Management.

Council provides funding for the upkeep and development of the Crown reserves through consolidated revenue allocations in Council's Operational Plan and associated budgets, use of open space revenues from fees and charges, grant funding and capital developments using sponsorship and partner funding.

Local Councils play a major role in maintaining and improving local communities and Oberon Council is no different as a small Rural Council providing the same amount and level of services as its nearby neighbouring rural counterparts.

The Technical Services Department at Oberon Council is responsible for the care and control, maintenance and upgrading of the parks and reserves in Oberon LGA. Council maintains a dedicated Work's staff who undertake a range of maintenance and use management activities on the parks and reserves including mowing, rubbish management and removal, repairs and minor improvements to infrastructure and facilities. Oberon Council is a member of the Joint Organisation of Central NSW Councils which, as a group participates in bulk procurement contracts.

Licensees and user groups allocate volunteer and organisational resources and funds to develop and maintenance their lease/license areas, buildings and structures.

Council undertakes capital investment and works through its dedicated team, or through engagement of contractors.

The Corporate Services Department assist community use of the reserves through social activities and events including Seniors Festival, Youth Week, Pink up Oberon, Bike Week, Movember, Christmas Grotto, Welcome to Oberon, drought weed assistance program and many more. Staff also assists with Australia Day and International Women's Day activities and constantly look for grant funding to assist with providing the community with more activities. The Oberon Youth Council is involved in support to local youth throughout our LGA.

In addition to evaluation of planning and development proposals that affect or use Council's parks and reserves, Council's Planning and Development Department is responsible for the development of Plans of Management of land owned by the Crown within the Oberon local government area which will assist in the long-term management and potential future development of these reserves.

6.1 Express authorisation of leases and licences and other estates

The LG Act requires that any lease, licence or other estates over community land must be expressly authorised by a PoM. The term 'other estates', includes other interests, charges, rights or titles in relation to the land (an example is easements).

The CLM Act therefore requires that where a council is performing ongoing works on Crown land it must ask the minister responsible for the CLM Act to create an easement for access.

The lease or licence must be for uses consistent with the reserve purpose(s), the assigned categorisation and zoning of the land, be in the best interests of the community as a whole, and enable, wherever possible, shared use of community land.

The council may grant a lease, licence or other estate over community land to organisations and persons, community groups, sports clubs and associations, non-government organisations, charities, community welfare services, non-profit organisations and government authorities.

Any lease or licence proposal will be individually assessed and considered, including the community benefit, compatibility with this PoM and the capacity of the community land itself and the local area to support the activity.

6.1.1 Leases

A lease is a contract between a landowner, and another entity, granting that entity a right to occupy an area for a specified period of time. For example, a childcare operator may need exclusive occupation and control of a childcare centre.

Subleases are only allowable for the same purpose as the original lease, except for a handful of exceptions listed in cl.119, *Local Government (General) Regulation 2021*.

6.1.2 Licences

A licence provides a clear way of identifying a permitted activity on community land.

Licences may be granted to formally recognise and endorse shared use—for example, an outdoor seating area adjoining a café may be used by the café at some periods, but not all the time. Licences are commonly used for sports facilities such as club houses.

6.1.3 What is the difference between a lease and a licence?

The main difference between a lease and licence is that a licence does not permit the sole, or exclusive, use of the area.

Leases and licences also vary widely in scope and duration. For example, a sporting club may have a licence over a clubhouse for a season (a few months), while a lease over a showground may be for 21 years. However, under section 47(5) of the LG Act, a council may make an application for consent from the Minister for Local Government for a lease up to a maximum period of 30 years.

6.1.4 Short-term licences

There are specific limitations on short-term licensing, which can be issued under both the CLM Act and the LG Act, detailed by each Act's Regulation:

- Clause 116 of the *Local Government (General) Regulation 2021*; and
- Clause 31 of the *Crown Land Management Regulation 2018*.

Short-term licences and bookings may be used to allow the council to program different uses of community land at different times, allowing the best overall use.

Fees for short-term casual bookings will be charged in accordance with the council's adopted fees and charges at the time.

6.1.5 Leases and licences authorised by this plan of management.

The LG Act requires that any lease, licence or other estates over community land must be expressly authorised by a PoM. **Appendix D** contains a Schedule of Leases and Licences authorised by this Plan. This plan of management **expressly authorises** the issue of leases, licences and other estates over the land covered by the plan of management, in accordance with section 46(1)(b) and section 36(3A) of the LG Act, provided that:

- the purpose is consistent with the purpose for which it was dedicated or reserved.
- the purpose is consistent with the core objectives for the category of the land.
- the lease, licence or other estate is for a permitted purpose listed in the *Local Government Act 1993*, the *Local Government (General) Regulation 2021* or the *Crown Land Management Regulation 2018*
- the issue of the lease, licence or other estate and the provisions of the lease, licence or other estate can be validated by the provisions of the *Native Title Act 1993* (Cwth)
- where the land is subject to a claim under the *Aboriginal Land Rights Act 1983* the issue of any lease, licence or other estate will not prevent the land from being transferred in the event the claim is granted.
- the lease, licence or other estate is granted and notified in accordance with the provisions of the *Local Government Act 1993* or the *Local Government (General) Regulation 2021*
- the issue of the lease, licence or other estate will not materially harm the use of the land for any of the purposes for which it was dedicated or reserved.

Table 2 below identifies the purposes for which leases and licences may be issued over the reserves identified in this plan of management categorised as a Natural Area - Bushland.

Table 2 Leases, licences and other estates and purposes for which they may be granted for community land categorised as Natural Area - Bushland

Type of tenure arrangement	Purpose for which tenure may be granted for land Categorised as Natural Area - Bushland
Lease	<ul style="list-style-type: none"> • walkways, pathways, bridges, causeways • observation platforms, signs • information kiosk • kiosk selling light refreshments (but not restaurants) • bicycle/boat hire or similar • work sheds or storage sheds required in connection with the maintenance of the land • toilets • temporary erection or use of any building or structure necessary to enable a filming project to be carried out
Licence	<ul style="list-style-type: none"> • walkways, pathways, bridges, causeways • observation platforms, signs • Information kiosk • kiosk selling light refreshments (but not restaurants) • bicycle/boat hire or similar • work sheds or storage sheds required in connection with the maintenance of the land • toilets • temporary erection or use of any building or structure necessary to enable a filming project to be carried out

Type of tenure arrangement	Purpose for which tenure may be granted for land Categorised as Natural Area - Bushland
	<ul style="list-style-type: none"> • walking or guided tours • environmental and scientific study • approved bush care and regeneration projects requiring ecological restoration activities associated with protection of flora and fauna. • fire hazard reduction • soil erosion and stormwater management.
Short-term licence	<ul style="list-style-type: none"> • scientific studies and surveys or similar • bicycle/boat hire or similar • temporary erection or use of any building or structure necessary to enable a filming project to be carried out • walking or guided tours • environmental and scientific study • approved bush care and regeneration projects requiring ecological restoration activities associated with protection of flora and fauna. • fire hazard reduction • soil erosion and stormwater management
Other estates	<p>This PoM allows the council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities in accordance with the LG Act.</p> <p>Estates may also be granted across community land for the provision of pipes, conduits, or other connections under the surface of the ground for the connection of premises adjoining the community land to a facility of the council or other public utility provider that is situated on community land.</p>

6.2 Native Title and Aboriginal land rights

When planning **to grant a lease or licence** on Crown land including reserves or dedications, the council must comply with the requirements of the Commonwealth *Native Title Act 1993* (NT Act) and have regard for any existing claims made on the land under the *NSW Aboriginal Land Rights Act 1983*.

It is the role of council's engaged or employed native title manager to provide written advice in certain circumstances to advise if the proposed activities and dealings are valid under the NT Act. Oberon Council has received Native Title Manager advice and considered the advice prior to referral of the [then] draft plan of management to the landowner: the Minister administering the *Crown Land Management Act 2016*.

6.3 Future acts

Dealings in land or water that affect (impair or extinguish) native title are referred to as 'future acts' and these acts must be done in compliance with the NT Act. Granting a lease or licence over Crown land may be a future act.

Certain types of future acts can be validated under the NT Act. Where future acts are undertaken, native title claimants and holders are entitled to specific procedural and substantive rights. As such, the written advice of a native title manager is required. The

advice must state that the act complies with the NT Act, and any necessary procedural requirements must be fulfilled prior to the act taking place.

6.4 Changes and review of PoM

This PoM will require regular review in order to align with community values and changing community needs, and to reflect changes in council priorities. Typically, PoMs are updated every five years, with a more comprehensive re-write after ten years.

Council's four-year operational plans, and delivery plans may impact on the priorities of PoM actions being implemented but this PoM will be a major support to the capital and operation funds expenditure, as well as regular operational maintenance expenditure.

The performance of this PoM will be reviewed on a regular basis to ensure that community land is well maintained and provides a safe environment for public enjoyment.

Council should regularly monitor and evaluate the progress of the implementation and review the performance targets, means of achievement and method of assessment annually. The appendices to this PoM may be updated from time to time, reflecting significant changes to the condition of the land, uses or facility provision.

Any change to the categories assigned in this PoM will require the preparation of a new draft, which may be a simple alteration to the existing schedules and text or change of category from park to general community use or sportsgrounds.

The community will have an opportunity to participate in reviews of this PoM as any review and amendments must be as if a new PoM is drafted with public exhibition and comment period prior to adoption.



PART 2: MANAGEMENT REQUIREMENTS BY CATEGORY

7.0 Natural areas

7.1 Introduction and core objectives

Natural area reserves will be managed as an integral component of the overall community open space system in Oberon LGA.

The guiding management principle will be to preserve remnant bushland and watercourses and manage them in keeping with natural ecological processes while facilitating public enjoyment and use by all age groups, subject to available resources.

Natural areas are defined in Section 102 of the LG Regulation 21:

'...if the land, whether or not in an undisturbed state, possesses a significant geological feature, geomorphological feature, landform, representative system or other natural feature or attribute that would be sufficient to further categorise the land as bushland, wetland, escarpment, watercourse or foreshore under section 36(5) of the (LG) Act.'

Core objectives

The management of community land is governed by the categorisation of the land, its purpose, and the core objectives of the category.

The core objectives for natural areas, as outlined in Section 36E of the LG Act 1993, are to:

- (a) *conserve biodiversity and maintain ecosystem function in respect of the land, or the feature or habitat in respect of which the land is categorised as a natural area.*
- (b) *maintain the land, or that feature or habitat, in its natural state and setting.*
- (c) *provide for the restoration and regeneration of the land.*
- (d) *provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion; and*
- (e) *assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in the Biodiversity Conservation Act 2016 or the Fisheries Management Act 1994.*

These higher order core objectives are given specific expression within each of the subcategories in this PoM for Natural Area - Bushland and Natural Area - Watercourse.

There are seven Crown reserves with a natural area category in part or whole. These are set out in the relevant category below and listed in Appendix 1A.

While there are several threatened and endangered species throughout the LGA, the land covered by this PoM has not been identified as the habitat of any threatened or endangered species nor does it contain critical habitat (as defined under the repeal *Threatened Species Conservation Act 1995*). There is however remnant vegetation, fauna and natural features on the land which serve an important ecological and environmental role.

Council proposes to continue the sustainable management of these natural features and supporting habitats. Future ecological studies will inform the ongoing management and development of any of the Crown Land managed by Council where such proposals have an ability to disturb natural features and habitats.

Councils guiding management principle will be to conserve remnant bushland and rehabilitate degraded areas while facilitating public enjoyment and use by all, subject to available resources.

In respect of Section 36C of the Local Government Act 1993, 'Community land containing significant natural features' it is confirmed that no land contained within this PoM contains any community land that is the subject of a resolution by the council that declares that the land, being the site of a known natural, geological, geomorphological, scenic or other feature that is:

- considered by the council to warrant protection or special management considerations, or
- a wildlife corridor, is land to which this section applies.



7.2 Natural Area - Bushland

7.2.1 Introduction and core objectives

Natural Area - Bushland is defined in s107 of the LG Regulation 2021 as:

Land containing primarily native vegetation and that vegetation:

(a) is the natural vegetation or a remainder of the natural vegetation of the land, or

(b) although not the natural vegetation, is still representative of the structure or floristics of the natural vegetation in the locality.

Core objectives

These are given specific meaning in the core objectives for bushland, as outlined in Section 36J of the LG Act, which are to:

- ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna of the land and other ecological values.
- protect the aesthetic, heritage, recreational, educational and scientific values of the land.
- manage the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures to minimise or mitigate disturbance caused by human intrusion.
- restore degraded bushland.
- protect existing landforms such as natural drainage lines, watercourses and foreshores.
- retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term; and
- protect bushland as a natural stabiliser of the soil surface.

7.2.2 Bushland in Oberon LGA

The Regional State of the Environment Report 2016 – 2017 prepared for 17 participating councils of the Greater Central West Region of NSW including Oberon identified that:

There are numerous threatened species and Endangered Ecological Communities (EECs) across the region. Box-Gum Woodland, (also known as Box Gum Grassy Woodland) is one of the most threatened communities in the State with 7% of original extent remaining. It is listed on both State and National registers. Box Gum Woodland was widely found across the region, however the high level of clearing linked to agricultural land use has caused a significant decline.

Council's more recent 2019 Oberon Roadside Vegetation Management Plan identified the value and conservation significance of native vegetation communities within the roadside reserve.

This study found a significant amount of the roadside reserve network throughout Oberon was of high conservation significance with extensive tracts of native vegetation. These areas provide potential habitat for many native plants and animals, including 25 threatened species such as Koalas, Spotted Tail Quolls and Yellow-Bellied Gliders. Given these findings it is likely that the natural area reserves will also provide habitat for native plants and animals.

While the LGA contains Kanangra-Boyd National Park and portions of Blue Mountains National Park (both part of the Greater Blue Mountains Area on the UNESCO World Heritage List, along with the Jenolan Karst Conservation Reserve) these smaller crown reserves and in particular the largest within the town of Oberon (near to the Golf course) provides habitat for many native plants and animals.

For Oberon LGA, the clearing of native vegetation is regulated in four scales of two streams by the NSW Biodiversity Offset Scheme (BOS) and Land Management Framework. The first two scales are under the Development Application stream under Part 4 or 5 of the EP&A Act. In this stream an Environmental Assessment will need to consider if the area is mapped on the Biodiversity Values Map, exceed the Threshold or significantly affect Threatened Species. If it meets any of these criteria the BOS applies and a Biodiversity Development Assessment Report (BDAR) must be prepared.

The second stream is for non-DA clearing in a rural area. This may call in the Local Land Services (LLS) Act.

Where clearing is recommended by a PoM, or as a Part 5 (EP&A Act) Activity an environmental assessment may still be required dependent on the extent of clearing.

State and federal environmental laws require that certain types of development that impact on the environment must procure 'environmental offset credits' to achieve overall balance. Some Crown land with high environmental values can be used to generate offset credits. There are also state programs that encourage land being used to maximise biodiversity and conservation. Opportunities include creating new dedications for conservation purposes, changing the way the land is managed to make it eligible for offset credits, and entering conservation agreements.³ Oberon Council could explore this avenue which ultimately could provide funds to help with the upkeep and maintenance of the reserves.

7.2.3 Reserves in Oberon LGA categorised as Natural Area – Bushland

Six reserves are categorised as Natural Area – Bushland (in whole or part) and have the following characteristics.

1. Golf Club & Fish River Reserve (Oberon Dam Reserve) No. R79502 is located adjacent to Oberon Dam with an area of 770,657m². The bushland component sits between the golf course and residential areas of the township of Oberon. The land is steep to undulating with limited vehicle access/ entry points and rough internal roads. This steepness and lack of access limits vehicular use which has contributed to its largely untouched natural state. It has an open woodland structure and no public recreation infrastructure. The site also comprises electricity and water supply infrastructure. The vegetation forms an important natural barrier to Oberon Dam/Lake.
2. Fish River Reserve No. R82748 (along Jenolan Street) adjoins Oberon Dam Reserve and comprises 26,304m² of bushland. It is contiguous with Oberon Dam Reserve and is in a primarily natural state. It is located on the lower flank of the hill side and on flatter ground. It is a component of the larger reserve floristically and in terms of management.
3. Fish River Trout Farm No. R89216 is also an extension of the Oberon Dam Reserve bushland. It is undulating to steep in part and is easily accessible. It has a modified open woodland structure and a wide bike/walking track connecting it from Buckley Cres to Jenolan Street near the Oberon Dam wall. A portion (being Lot 7 DP 868216) of the Oberon Fish River Trout Farm Reserve No 89216 is Natural Area – Watercourse where it adjoins the Fish River
4. Sanchos Hole Karst Reserve No. R590118. Sanchos Hole is a small geomorphological site, south of Black Springs that is not readily accessible by the general public. Access to the site must be obtained through a private property and it is fenced off to prevent livestock and people falling in.

³ Crown Land 2031 – State Strategic Plan for Crown Land

- a. The Blue Mountains Speleological club visited the site in 1987 and more recently to map this small Karst. The Sydney Speleology club have assisted with recent fencing, weed removal and tree planting within the reserve. This small Karst is one of three in New South Wales.
- b. The Bathurst Times (8 January 1924) reported that Councillor Richards of Oberon Shire Council *suggested that application be made to the Lands Department for a reservation of four acres at Sancho's Hole on the Campbell's River.*
- c. In 2016 funding was provided to resurvey the boundaries and fence Sancho's Hole. The perimeter (150m) of the hole is stable with about 3m of water at the bottom. The geological formation however does not enter into a series of caves but water flows through rock fractures to meet up with other key water sources in the wider region.

The reserve is infested with blackberry however funding from the Macquarie Catchment will enable the clearing and planting of 2000 plants to revegetate the area.

It is one of only 3 holes in Australia and has no legal public right of way to get to the site.

5. Rest Area (Abercrombie Rd near Hanrahan's Ln) Reserve No. R84199. This small 6,410m² site is located along Abercrombie Road south of Black Springs. It is a flat roadside reserve with stands of native trees and some disturbance. It is a small portion of a larger area of bushland.
6. Campbell's River Reserve No. R83038 is located south of Black Springs and comprises 18,086m² of flat open disturbed bushland bounded to the south west by Campbell's River. It is an unfenced roadside reserve with no signage nor ease of vehicular access with telecommunications poles and wires traversing it. This site is one of 35 sites across the LGA providing access for the Central Acclimatisation Society to restock the river with fish. Clear access to the river needs to be maintained.



7.2.4 Key issues

Bushland in general is under increasing pressure from climate change, bushfire, weeds, pests and diseases, utility infrastructure, domestic animals, motorbikes, vehicles, vandalism and edge effects.

The 2017 State of Environment Report for the region identified several threats to biodiversity including land clearing, invasive plants species and feral and pest animals.

The habitat and native wildlife in each of the Natural Area – Bushland reserves have the potential to be affected by rabbits, European red foxes and feral cats.

National threat abatement plans exist for these species and identify the research, management and other actions needed to ensure the long-term survival of native species and ecological communities affected by predation and/or habitat disturbance.

Control or eradication of these species, weed control and appropriate management of the reserves will support its ecological health and clean air, water and soil.

These bushland reserves are also fire prone and appropriate management of the reserves, particularly those close to residential areas, is needed.

While *White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland* is listed as a critically endangered ecological community under the *Environment Protection and Biodiversity Conservation Act 1999* and occurs in the region, along with other threatened plants and animals, the composition of reserve fauna and flora is unknown.

Where bushland reserves adjoin waterways, they play an important role in providing unimpeded access for fish restocking or recreational activities. Farm fencing however is making this difficult in some areas.

Through stakeholder engagement the following site-specific matters were identified.

- Need for identification and access signage at Fish River Reserve and Fish River Trout Farm Reserve as it appears as State Water land and access is restricted by a large, locked gate while being the only exit point for bikes and walkers in the reserve.
- Good walking track exists through Fish River Trout Farm Reserve leading from Buckley Crescent, pass the amphitheatre to the locked gate but it is not well known.
- Bird life Australia – bird watchers are a growing interest group in the area.
- Some amazing wildflowers exist in the 3 ‘Fish River’ reserves.
- Important to keep the reserves for future use and benefit.
- Seek funding through relevant government Departments for habitat rehabilitation and promote the area as a natural area.
- Both reserves are actively managed for blackberry and other weeds. No dumping occurs in Fish River Reserve but evidence of past dumping in Trout Farm Reserve.
- Fish River reserves used for horse riding, access for fishing, running, walking, wildlife and wildflower photography.
- Extend the trails in the reserve and maintain them.
- Reserves are important in providing access for fishing in the dam.
- The reserves have tourism, events and orienteering potential.
- Build mountain bike tracks – some works underway on the Golf course & Fish River Reserve but approval for the work is unclear.
- Reserves need better identification signage, wayfinding and promotion.
- Need Council’s website to identify where the crown reserves are, what access is available and what type of activity is suitable.

7.2.5 Development and use

The use and development of community land should be compatible with the legislated purpose of the land and the wider community context.

Oberon encourages a wide range of uses of its community land and intends to facilitate uses which increase the activation of its land.

The general types of uses which may occur on community land categorised Natural Area - Bushland, and the forms of development generally associated with those uses, are set out in **Table 3** below.

The anticipated uses and associated development identified in the table are intended to provide a general guide.

The facilities on community land may change over time, reflecting community needs.

Table 3 Permissible use and development of community land categorised as Natural Area - Bushland

Purpose/Use	Development to facilitate uses
<ul style="list-style-type: none"> • Preservation of the council’s natural heritage including any identified endangered ecological communities • Preservation of biological diversity and habitat 	<ul style="list-style-type: none"> • Visitor facilities: toilets, picnic tables, BBQs, sheltered seating areas, lighting, low impact carparks, refreshment kiosks (but not restaurants) • Low-impact walking and bicycle trails • Interpretive signage, information kiosks

Purpose/Use	Development to facilitate uses
<ul style="list-style-type: none"> • Providing a location for relaxation and passive informal recreation • Walking/hiking • Guided bushwalks. • Environmental and scientific study • Bush regeneration works. • Carbon sequestration • Bio-banking • Approved bush care projects requiring ecological restoration activities associated with protection of flora and fauna. • Fire hazard reduction • Soil erosion and water quality • Pushbikes on designated tracks 	<ul style="list-style-type: none"> • Water-saving initiatives such as rain gardens, swales and sediment traps • Bridges, observation platforms, boardwalks, fencing • Work sheds or storage sheds required in connection with the maintenance of the land. • Temporary erection or use of any building or structure necessary to enable a filming project to be carried out or for specific one-off events. • Locational, directional and regulatory signage

7.2.6 Management framework for Natural Areas - Bushland Category

These reserves have a rural landscape quality, are principally unmanaged with natural regeneration occurring and limited activities occurring within them. This has enabled the vegetation to remain in a more natural state and serve as infrastructure corridors (water and electricity), rest places for cattle/livestock or vehicles and as a geological point of interest (Sanchos Hole). Past disturbance from road works is evident in some of them.

Opportunity exists to incorporate well located reserves into the wider open space and recreational network for the enjoyment of the community and visitors. The conservation of ecological habitats; restoration and rehabilitation of accessible bushland areas and the preservation of natural geological features can contribute to a better appreciation of bushland, its values, open space and environmental and social benefits.

Section 36 of the LG Act requires that a PoM for community land details:

- objectives and performance targets for the land;
- the means by which the council proposes to achieve these objectives and performance targets; and
- the manner in which the council proposes to assess its performance in achieving the objectives and performance targets.

Table 4 below sets out the management framework for community land categorised as Natural Area - Bushland.

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
<p>Species composition (both fauna and flora) within the reserves is unknown.</p>	<ul style="list-style-type: none"> • Protect the ecological biodiversity and habitat values of the land by understanding its flora and fauna. • Promote and preserve our natural environment and wildlife habitat. 	<ul style="list-style-type: none"> • Land with high conservation attributes are identified. • When resources are available investigate the species composition of the large natural portion of the Golf Club Fish River Reserve (Oberon Dam Reserve) No. R79502 that adjoins the Golf Course as well as the adjoining Fish River Reserve No. R82748 and the Fish River Trout Farm Reserve No R89216 	<ul style="list-style-type: none"> • Ecological survey of the bushland reserves are undertaken, and appropriate land management options prepared, with a focus on Reserve No.79502 (Golf Club & Fish River Reserve (Oberon Dam Reserve) and No. R82748 (Fish River Reserve). • Survey of mammals, birds and lizards within Reserve No. R79502 & No. R82748 are recorded. This maybe through interest groups such as bird watchers, schools or Universities. • Number of sightings of wildlife eg kangaroos, wallabies, wombats etc by bushwalkers and others using the reserves. • Funding sourced to undertake environmental management studies in consultation with government and community to update and inform new biodiversity mapping for the Oberon Local Environmental Plan 2013.

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Ecological habitats being preserved and managed.	<ul style="list-style-type: none"> No loss of existing habitat and regeneration of the natural bushland encouraged. 	<ul style="list-style-type: none"> Undertake bushland restoration projects that foster natural seeding and regeneration. Where native seed banks remain in the soil, it is preferable to use fire, ripping of the soil or other techniques to encourage natural regeneration. Locally occurring indigenous plants that have been recorded within the reserve/s are used in restoration works. Retain hollow logs and living hollow bearing trees. Investigate opportunities to use Crown reserves to generate off set credits. 	<ul style="list-style-type: none"> Number and type of bushland restoration projects carried out with a focus on Reserve No. R79502, No R82748 and No R89216 (Fish River Trout Farm Reserve) Amount of natural regeneration occurring. Number of native endemic species planted. Hollow logs and hollow bearing trees remain untouched in the reserves. Liaison with NSW Government agencies to further develop and provide opportunity for the natural areas of the local government area. Eligibility of key reserves is assessed for their potential to provide off set credits & ongoing funding.
Manage noxious weeds, feral and pest animals.	<ul style="list-style-type: none"> Protect the habitat values of the land by encouraging responsible pet management and limiting the effects of invasive animals on native wildlife and vegetation. 	<ul style="list-style-type: none"> Council and the community undertake a program of community environment days to eradicate the reserves of weeds and pests. 	<ul style="list-style-type: none"> Number of volunteers attending community events on the reserves to help protect its biodiversity. Regular treatment and reduction in weeds, removal of blackberry, pests and feral cats and dogs. Maintenance works are required to consolidate regenerated areas. Off leash dogs are not permitted in Natural Areas. Healthy floristic community.

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Bushfire management.	<ul style="list-style-type: none"> • Review bush fire management and determine the most appropriate fire regime for vegetation on these reserves near to assets (e.g homes & infrastructure) 	<ul style="list-style-type: none"> • Area is inspected and assessed by Council in conjunction with the rural fire services. 	<ul style="list-style-type: none"> • Policy for bushfire management of the reserve is developed. • Volunteers assist with the removal of ground fuel.
Enhancing the values and quality of the land and facilitate public enjoyment.	<ul style="list-style-type: none"> • Promote community awareness about the benefits of natural areas. • Implement measures to minimise or mitigate disturbance caused by human intrusion. • Minimise soil erosion. • Protect bushland as a natural stabiliser of the soil surface. • Identify and protect Aboriginal sites. • Access to rivers and Oberon Dam is maintained and appropriately managed. 	<ul style="list-style-type: none"> • Introduce a community access and education program. • Interpretive, educational and directional signs provided. • Identify and construct walking tracks to minimise impacts on vegetation. • Seats and other furniture provided, where appropriate. • Limit motorbike and vehicular access through the reserves. • Close and rehabilitate vehicle access tracks where no longer required. • Retain ground cover and vegetation on slopes and drainage lines to minimise soil erosion. • Consult with the Aboriginal community to determine the presence of any aboriginal sites, places or objects. 	<ul style="list-style-type: none"> • Increased community access to reserve land • Feedback from community awareness/education program. • Reserve identification signage installed to confirm public land and use. • Wayfinding signs and pathway system upgraded to priority areas such as Fish River Reserve (Oberon Dam Reserve) No. R79502 and Fish River Trout Farm Reserve No. R89216. • Number of vehicular access points and road network minimised. • Off road motor bikes and other illegal activities banned from the reserves. • On Fish River Reserve (Oberon Dam Reserve) No. R79502 and adjoining Fish River Reserve No. R82748 access options for tracks through the area are carefully considered and the users become custodians of the environment participating in Bushcare (both fauna and flora).

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Absence of legitimate access to Sanchos Hole.	<ul style="list-style-type: none"> Provide safe legal public access to Sanchos Hole to enable its care and maintenance. 	<ul style="list-style-type: none"> Investigate access options to the reserve. 	<ul style="list-style-type: none"> Report on access and funding.



7.3 Natural area - Watercourse

7.3.1 Introduction and core objectives

Natural Area - Watercourses are defined in s110 of the LG Regulation as:

Any stream of water, perennial or intermittent, in a natural or artificial channel, and associated riparian land or vegetation.

Core objectives

The management of community land is governed by the categorisation of the land, its purpose, and the core objectives of the category.

The core objectives for natural areas - watercourses, as outlined in Section 36M of the LG Act, are to:

- manage watercourses so as to protect the biodiversity and ecological values of the instream environment, particularly in relation to water quality and water flows.
- manage watercourses so as to protect the riparian environment, particularly in relation to riparian vegetation and habitats and bank stability.
- restore degraded watercourses; and
- promote community education, and community access to and use of the watercourse, without compromising the other core objectives of the category.

7.3.2 Natural Area - Watercourses in Oberon LGA

Oberon Council is a member of the Central West Councils Environment & Waterways Alliance. This partnership of 18 Councils across Central West NSW encompasses both the Central Tablelands and Central West Local Land Services (LLS) regions. The Alliance exists to improve environmental outcomes across these regions with a focus on waterways and rivers. While funding from the Central Tablelands and Central West Local Land Services ceased in 2018 the Alliance continues to improve local environmental outcomes and could be harnessed to undertake necessary rehabilitation works in key reserves in Oberon LGA.

Oberon Council and Bathurst Regional Council in 2017 undertook the Fish River Habitat Restoration project to restore the riparian zone along a section of the river to increase biodiversity, habitat and improve resilience of these systems to disturbances. The key outcomes of the project included the control of willows, a weed of national significance, along approximately 800m of the Fish River. Follow up work was undertaken by the Oberon Green Army who also planted 170 long stem tube stock along the eastern and western riverbanks.⁴

The Central Acclimatisation Society (CAS) is a volunteer run organisation that works with NSW Fisheries to stock waterways of Central West NSW with trout and native fish for anglers. The CAS require year-round access to the water to release fish within 35 identified sites in the LGA. In spots landowners are fencing to the river and preventing access from the road. When transporting 25 kilo bags it is very difficult to get to the river. This is occurring in bushland sites near to or adjoining watercourses in the LGA.

The hatchery for the fish is located under Oberon dam wall and has been there since 1972 on State Water land.

Important fish release sites include the following Reserves: The Reef Reserve, Golf Course and Fish River Reserve, Fish River Trout Farm Reserve, Flat Rock Reserve and Campbell's River Reserve.

⁴ Regional State of Environment Report 2016 - 2017

7.3.3 Reserves in Oberon LGA categorised as Natural Area - Watercourse

There is one reserve and one part reserve where it is proposed to categorise the land as Natural Area – Watercourse under this PoM.

These are:

- Rest Area Edith Reserve No. 87462 on the Duckmaloi River; and
- Part Oberon Fish River Trout Farm Reserve No R89216 (Lot 7 DP 868216) on the Fish River.

Rest Area Edith Reserve No. R87462

It is proposed to categorise Reserve No R87462 on the Duckmaloi River from General Community Use to Natural Area – Watercourse.

Name	Land Area	Location	Purpose CLM Act	Category LG Act	Oberon LEP 2013 Land Use Zone
Rest Area Edith Reserve No. R87462	6,677.41sqm	Edith Whole: Lot 343 DP 757067	Resting Place	Natural Area - Watercourse	RU1 Primary Production

This reserve sits between 2 paddocks on privately owned farmland. The reserve is predominately fenced and used for farming when not inundated. The land can be accessed in part by foot from Edith Road however there is no safe stopping points for vehicles. In addition, there is no signage to identify it and it is absorbed into the rural/riverine landscape.



Figure 2 Rest Area Edith Reserve No. R87462

Oberon Fish River Trout Farm Reserve No R89216

Lot 7 DP 868216 (Oberon Fish River Trout Farm Reserve No R89216) commences downstream of Oberon Dam wall and follows the Fish River for most of its length.

Name	Land Area	Location	Purpose Crown Lands Act	Category LG Act	Oberon LEP 2013 Land Use Zone
Oberon Fish River Trout Farm Reserve No R89216	198,863sqm	Oberon Whole: Lots 4-5, 7 DP 868216	Public Recreation	Part Park, also with Natural Area - Watercourse (Lot 7), and Natural Area - Bushland	R1 General Residential

The lot comprises land within the riverine corridor with swampy meadows, open native vegetation, willows and other weed species. The land is habitat for native birds, wombats, kangaroos and other native wildlife.

Water supply infrastructure (pumping station and pipes) is accessed through Lot 7 and former dumping of playground equipment and amenities is evident. Electricity (poles and wires) also run through part of the land. The land can be accessed via car (restricted access) and by foot or bike. The landforms part of the wider Fish River Trout Farm reserve which topographically varies from steep to undulating and provides for biking, walking and environmental/nature-based enjoyment.



7.3.4 Key Issues

Typical management issues in these riverine areas are identified and addressed in **Table 6** and comprise the following.

Biodiversity conservation and protection of watercourses

- Maintaining instream and adjoining wetland area/s health.
- Potential for soil erosion and sedimentation; soil contamination (from farming or adjoining land uses).
- Water: altered hydrology and unknown water quality.
- Vegetation: willow and weed invasion; riverine management; wildlife corridors.
- Fauna: limited understanding of animals in and adjoining the watercourse; protection of vulnerable fauna species; presence of feral animals; companion animals.
- Unauthorised dumping of park facility waste and changes to the landform near the watercourse.

Facilities and infrastructure

- Safety of Reserve users: bushfire safety or water risks.
- Lack of structures and identification signage or wayfinding.

Access and accessibility to waterfront/rivers

- Access is difficult or not sign posted.
- Inappropriate fencing restricting access to allow for fish restocking of waterways or recreational activities (in general)
- Use of land at Rest Area Edith Reserve No. R87462

Culture and heritage

- Interpretation of heritage and environmental values of bushland including water management role can be explained for park users.
- Consideration of an interpretive program for upgraded or new nature trail to watercourses

7.3.5 Development and use

The general types of uses that may occur on community land categorised as Natural Area - watercourse, and the forms of development generally associated with those uses, are set out in **Table 5** below.

The anticipated uses and associated development identified in the table are intended to provide a general guide. All development should seek to address and support rejuvenating remnant bushland and riparian vegetation, minimising creek line/riverbank erosion and improving water quality.

Table 5 Permissible use and development of community land categorised as Natural Areas-Watercourse.

Purpose/Use	Development to facilitate uses
<ul style="list-style-type: none"> • Preservation of the council’s natural heritage including any identified endangered ecological communities • Preservation of biological diversity and habitat • Providing a location for relaxation and passive, informal, water-based recreation, unless prohibited. 	<ul style="list-style-type: none"> • Visitor facilities: toilets, picnic tables, BBQs, sheltered seating areas, lighting, low-impact carparks, refreshment kiosks (but not restaurants) • Low-impact walking trails • Interpretive signage, information kiosks • Water-saving initiatives such as rain gardens, swales and sediment traps

Purpose/Use	Development to facilitate uses
<ul style="list-style-type: none"> • Approved bush care projects requiring ecological restoration activities associated with the protection and conservation of flora and fauna. • Restoration works associated with the protection of the biodiversity and ecological values of the in-stream environment. • Stabilisation of banks and water quality management. • Maintenance of access to the watercourse for fish restocking and recreational use 	<ul style="list-style-type: none"> • Work sheds or storage sheds required in connection with the maintenance of the land. • Bicycle/boat hire or similar • Temporary erection or use of any building or structure necessary to enable a filming project to be carried out. • Locational, directional and regulatory signage • Flood mitigation works, such as detention basins, realignment of water flows and banks, installation of pipes, culverts and other structures to assist in control of flood waters.

7.3.6 Management framework for natural areas categorised as Natural Areas - Watercourse

Section 36 of the LG Act requires that a PoM for community land details:

- objectives and performance targets for the land;
- the means by which the council proposes to achieve these objectives and performance targets; and
- the manner in which the council proposes to assess its performance in achieving the objectives and performance targets.

Table 6 below sets out these requirements for community land categorised as Natural Area - Watercourse.

Table 6 Objectives and performance targets, means of achieving them and how the actions for community land categorised as Natural Areas - Watercourse may be achieved

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Biodiversity conservation	<ul style="list-style-type: none"> • Conserve and properly maintain ecological habitats by understanding the hydrology, fauna and flora. • Better understand the role of the rivers and adjoining crown land as wildlife corridors and refuges 	<ul style="list-style-type: none"> • Undertake research or surveys to determine whether the riverine habitat is suited to the Endangered Booroolong Frog and to record other native animals. 	<ul style="list-style-type: none"> • Work is undertaken by volunteers or universities/research organisations to record plant and animal species within the riverine corridor. • An ecological survey is undertaken of the land in Lot 7 (Fish River Trout Farm Reserve) to determine whether it may be suited to the Endangered Booroolong Frog. • Fish species count. • Water quality testing. • Presence of frog species.
Protection of Natural Areas-watercourse values	<ul style="list-style-type: none"> • Protect the biodiversity and ecological values of the instream environment 	<ul style="list-style-type: none"> • Continued development and implementation of programs such as water quality monitoring, the wastewater strategy, stormwater plans and stream watch to inform management responses 	<ul style="list-style-type: none"> • Fish species count • Water quality testing • Presence of frog species
		<ul style="list-style-type: none"> • Clean up dumped park and household white goods within the Fish River Trout Farm Reserve 	<ul style="list-style-type: none"> • Dumped rubbish removed

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Management of Natural Area - watercourses	<ul style="list-style-type: none"> • Manage watercourses to protect the riparian environment, vegetation and habitats and bank stability • Investigate the use of the land at Rest Area Edith Reserve No. R87462 	<ul style="list-style-type: none"> • Minimising creek line erosion and improve water quality • Confirm use of the land at Edith Reserve No. R87462 and put in place sustainable use agreement • Work with our partners in the Central West Councils Environment & Waterways Alliance to seek State government funding for ongoing works to create healthier riparian corridors and minimise erosion. • Remove Willow and other weeds • Identify adjoining land owners at Edith Reserve No. R87462. 	<ul style="list-style-type: none"> • Water quality testing. • Amount of funding received, or support provided • Length of river cleared of Willow & weeds and number of native stock planted.
Restoration and rehabilitation	<ul style="list-style-type: none"> • To protect the riparian environment • To support restocking of rivers with appropriate native fish species 	<ul style="list-style-type: none"> • Riparian vegetation and habitats and bank stability protected • Actively support good access to fish stocking points for bona fide programs 	<ul style="list-style-type: none"> • Work with our partners in the Central West Councils Environment & Waterways Alliance to seek State government funding for ongoing works to create healthier riparian corridors and minimise erosion. • Length of river cleared of Willow & weeds and number of native stock planted. • Number of access points identified and improved to support native fish restocking

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Community access and education	<ul style="list-style-type: none"> • Promote community education, and community access to and use of the watercourse 	<ul style="list-style-type: none"> • The watercourse and riparian vegetation is defined, and access managed to reduce impacts 	<ul style="list-style-type: none"> • Action plan prepared to provide access at specific spots for education, relaxation etc • Pedestrian & bicycle access and pathways are rationalised and signposted • Interpretive, educational and directional signs are erected. • Seats and other furniture provided • Aboriginal sites or historical sites identified and protected.

8.0 Sportsground, Park and General Community Use (CGU)

8.1 Introduction and core objectives

Core objectives

The management of community land is governed by the categorisation of the land, its purpose, and the core objectives of the category. Council may then apply more specific management objectives to community land, though these must be compatible with the core objectives for the land.

Table 7 are the categories used in this plan with the legislated descriptions, definitions and objectives for Sportsground, Park and General Community Use (CGU)

Category	Definition under LG Regulation	Objectives of the LG Act
Sportsground	Land used primarily for active recreation involving organised sports or playing outdoor games.	Encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games Ensure that such activities are managed having regard to any adverse impact on nearby residences.
Park	Land which is improved by landscaping, gardens or the provision of non-sporting equipment and facilities, and for uses which are mainly passive or active recreational, social, educational and cultural pursuits that do not intrude on the peaceful enjoyment of the land by others	Encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities Provide for passive recreational activities or pastimes and for the casual playing of games Improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.
General Community Use	Land which may be made available for use for any purpose for which community land may be used, whether by the public at large or by specific sections of the public and is not required to be categorised as a natural area under section 36A, 36B or	Promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public: <ul style="list-style-type: none"> for public recreation and the physical, cultural, social and intellectual

Category	Definition under LG Regulation	Objectives of the LG Act
	<p>36C of the Act and does not satisfy the guidelines under clauses 102–105 for categorisation as a natural area, a sportsground, a park or an area of cultural significance.</p>	<p>welfare or development of individual members of the public, and</p> <ul style="list-style-type: none"> • for purposes where a lease, licence or other estate may be granted over the land (other than the provision of public utilities and works associated with or ancillary to public utilities).



8.2 Description of the reserves categorised as Sportsground, Park and General Community Use

Sportsgrounds

Council's sportsgrounds, facilities and parks make a positive contribution to the Oberon and Black Springs landscape providing landscaped visual amenity and open space that are attractive to users, spectators, residents and visitors to the area.

There are four (4) reserves where a sportsground category has been assigned:

- Oberon Park Reserve R590077; and
- Black Springs Recreation Reserve R80358;
- Oberon Golf Course Reserve R79502.
- Hazelgrove Public Recreation Reserve R88412

These above four reserves have more than one category assigned. See **Appendix A** for the complete list of reserves with their categories and **Appendix B** for these four and the mapped areas where more than one category applies.

Oberon Park Reserve (R590077)

Oberon Park provides for organised and competitive team sports that are not readily available in other sportsgrounds in Oberon, such as the Oberon Rugby Leagues Club grounds. The Oberon Park area is categorised as sportsground covers the large area of Cunynghame Oval, associated play equipment, cricket nets, short court (basketball) and includes the Oberon Aquatic Centre and surrounding facility land and the Tennis Centre.

Oberon Park is a multi-purpose sporting ground, located next to the Oberon Aquatic Centre on Cunynghame Street. The ground facilities include a large oval, shelters, car parking, a canteen, lights, toilets, picnic tables, children's playground, short court (basketball) and cricket nets.



The field is primarily used for cricket, soccer and athletics, with other sports such as rugby league using the grounds for occasional uses when the nearby ground is busy, e.g: tournaments. The Ground is an important resource for the nearby primary and high schools and provides a range of mixed sports and health opportunities.

The indoor aquatic centre is managed and operated on behalf of Council and comprises an indoor 25 metre heated pool with disabled access, a wading pool with sloping entry, a 12-metre heated pool, an indoor gymnasium and fitness centre, kiosk, BBQ facilities and

outdoor area, and recreation room. The centre provides classes for swimming, water aerobics and therapy sessions and a range of fitness programs using the gymnasium.

The Oberon tennis centre is on an approximate 0.45 Ha land adjacent to Oberon Park and comprises an indoor and outdoor tennis courts, amenities rooms, and community use space in addition to surrounding small car parking and gardens.

Black Springs Recreation Reserve (R80358)

Black Springs Recreation Reserve sportsground category applies to the large field within the reserve and comprises the tennis courts and associated buildings (shade structures, toilets and canteen). While the Black Springs has seen a drop in families with children and reduced use of the sportsgrounds for organised sport it is valued open space used by the small local school and the community for exercise, walking, events, tennis etc. Areas categorised as Park extend from and include the playground at the southern part of the Recreation Ground to the land around the War Memorial and flagpole at the corner of Abercrombie Road and Reserve Avenue. The Rural Fire Service Shed (Part Lot 160) is categorised as General Community Use.

Oberon Golf Course Reserve (R79502)

The Golf Course is categorised Sportsground. The Clubhouse is categorised as General Community Use with the balance of the reserve being categorised as Natural Area – Bushland.

The Oberon Golf Course is an important facility for the community being the only golf course in the LGA. Oberon Golf course and club is a 18 hole par 70 course with licensed clubhouse situated between the town and the foreshores of Lake Oberon.

The golf course and club provide economic and social value to the community through active competition events, annual Open Days, district Pennants Golf, affordable fees, use of the club facility for meetings (often without charge) and for celebrations, such as birthdays, farewell dinners, etc. The grounds are also used for walking, cycling and organised running and mountain biking events.

Oberon Council holds an Annual Local Government Golf Day, which attracts around 200 Golfers, and contributes financially to many local groups in the Community.

The Golf Clubhouse has a seating capacity of around 60 (30 during COVID-19 restrictions) and the adjacent "Scout Hall" (owned by the Golf Club) has a similar capacity. The Oberon Sailing Club is situated adjacent to the 5th Fairway with several Regatta Events held throughout the year. Access to the lake is through the golf course.

Hazelgrove Public Recreation Reserve (R88412)

Hazelgrove Public Recreation (and Rural Fire Service) Reserve R88412;

The Hazelgrove Public Recreation Reserve (R88412) is used as the site for local Rural Fire Services truck and equipment shed, with nearby wooden shelters and small (old) school buildings used for ancillary use such as meetings. A disused tennis court and open grounds with dominant pine trees comprises the balance of the reserve.

Parks

There are eleven (11) reserves assigned a Park category listed below. These are predominately in and around the township of Oberon and vary from being open space areas with trees and/or children's playgrounds to the larger Oberon Common with significant infrastructure to Falls/Rotary Lookout. Both Flat Rock and Reef Reserve are primitive camping areas that provide access to Oberon Dam for fishing, fish restocking and natural environment.

See **Appendix A** for detail on each reserve with a Park category:

- Black Springs Recreation Reserve (part R80358);
- Edith Reserve (R91259);
- Falls Hill or Rotary Lookout (R90674);
- Oberon Public Recreation Reserve ('Common' west side) (R89392);
- Oberon Resting Place Reserve ('Common' east side) (R68268);
- Oberon Public Recreation Reserve (Reef Reserve) (R88925);
- Flat Rock Camping Ground (R87079);
- Oberon Public Recreation Reserve (Bligh St Park) (R84322);
- Jenolan St Parks (R82735);
- Buckley Cres Park (R89217);
- Oberon Fish River Trout Farm Reserve (part R89216).

All of Council's reserves categorised as Park have the purpose of public recreation, except for the eastern part of 'the common' which is reserved for resting place and the two small parks at Jenolan Street that are reserved for children's playground.

These reserves without the public recreation purpose may be assumed to have similar requirements that is, that the land should be available for use by the general public as of a right, and that these may not be used for personal profit.

General Community Use

There are nine (9) reserves or part reserves that are categorised as General Community Use:

- Oberon Park (R590077) – Caravan Park Jenolan Holiday Park;
- Black Springs Community Hall (R86679);
- Black Springs Recreation Reserve and Rural Fire Service Shed (R80358)
- Hazelgrove Public Recreation Building and Old School Building/Meeting Place (R88412);
- Oberon Public Buildings Reserve (Oberon Visitors Information Centre (VIC) & Park) (R77629);
- Reef Road Rest Area (R64027);
- Oberon (near to) Reef Reserve (R64025);
- Oberon Water Supply Reserve (R9501).
- Oberon Golf Course Club House (R79502)

The caravan park at Oberon Park (R590077), the Black Springs Community Hall (R86679), the Hazelgrove Public recreation Building and old school building/meeting place (R88412), the Oberon Tourist and Visitor Information Centre & Park (R77629) are four (4) General Community Use areas with buildings and facilities, or community use infrastructure.

The Jenolan Holiday Park (R590077) is approximately 1.58 Ha and includes a manager's quarters. The park provides 25 cabins and studio accommodation buildings, 21 powered sites and 6 unpowered sites. A camp kitchen, amenities block with disabled facilities, and a laundry are provided for use. No sites at the caravan park are used for residential accommodation with the exception of the manager's quarters. All sites are for short-term tourist accommodation.

The Black Springs Community Hall (R86679) is a large public and community facility able to host community events, dances, remembrance and historical events and displays and shows. It is used by the Black Springs community and public school and is managed by Council with the assistance of a LG Act S355 management committee comprised of members of the Black Springs Progress Association. The hall provides a staged area, amenities, a kitchen, and associated fittings such as chairs, table, lighting and heating.

The Black Springs Rural Fire Service Shed (R80358) occupies part of the Black Springs Recreation Reserve (Lot 160 DP 757072) and is classified as General Community Use.

The three (3) reserves (R64027, R64025 & R9501) with General Community Use category applied are grassed open landscapes with limited tree cover, fenced and, with the exception of the land near Reef Reserve (R64025), under rural or agricultural grazing or horse management occupancy agreements.

The Oberon Golf Course Club House (R79502) only is classified as General Community Use. The reserve is classified as above.



8.3 Key issues

Public access and multiple use

All the land categorised as Sportsground, Park and General Community Use are Crown reserves, generally with a gazetted purpose of public recreation.

Two parks have an alternate purpose being for a Children's playground and Resting Place.

The General Community Use areas of Black Springs Community Hall and the Oberon Visitors Information Centre and associated park have purposes of Public Hall and Public Buildings, respectively.

This primary purpose of the reserves coupled with the multi-use and equitable access objectives of the CLM Act set the framework for open and accessible use of the land and facilities.

Parks not only play an important role for the local community but also for visitors and tourists to the Oberon LGA. Parks offer an opportunity for temporary rest or respite when travelling, opportunities for play with children and animals, as well as contribute to an aesthetic and attractive townscape, and provide variation to the townscape for longer term visitation and stays.

The Oberon Visitors centre is an important facility in the town's economic and tourism development, as well as providing spaces for community use and hire.

Equity of access is fundamental to sportsgrounds, park and general community use facilities for all age groups and levels of ability and in particular to promote independence and social and economic inclusion of people with disability.

Aged, less mobile and disabled, parents with young children or prams, people in wheelchairs or needing ambulatory support all have a right to access and enjoy parks. Accessible car parking, paving and level changes, suitable facilities, sightlines, equal access furniture and equipment help to make a park an equally accessible environment for people who may feel constrained in use of a park when these accessible and designed facilities are not available.

Barriers to access such as lack of car parking or high steps, guttering, soft or unsteady surfaces should be limited, and park design and improvements/developments should incorporate equitable access as a priority.

Event Management

The sportsgrounds, larger parks such as the Oberon Common and the community facilities provide opportunities for a range of events and community activities that enrich the community and provide for celebration and festivities. Council is responsible to ensure that events and organised activities are safe for the public and providers/organisers, as well as avoiding damage to the reserve and its facilities by the uses.

Safety and Risk Management

Council is responsible for the safety of users and general public for sportsgrounds, parks and community facility use in the absence of any clear booking, hire or user agreement conditions that transfer some or any of the safety and risk management responsibilities.

Council preparation of a risk management and harm minimisation strategy for its sports grounds, parks and community facilities, supplemented by an annual audit of sports grounds, parks and facilities for development of a repairs and maintenance schedule will assist in the management and reduction of risk along with benefits for public and user safety.

Landscape Character and Amenity

The character of a park landscape and the associated amenity available in the grounds of sportsgrounds, parks and community facilities, whether from urban or rural landscapes,

neighbourhood or regional uses, is an important feature in the community appreciation of the reserves. The supply and availability of a range of facilities including seating and table, shade, play equipment, paths, signage and amenities buildings such as toilets, provide support and opportunity to further enhance and make safe the park landscape.

- Landscape amenity and aesthetics
Park landscape needs to be varied, usable and accessible to a range of community members and groups. View lines and scenic design can vary, from long range and open views to the close and carefully designed and managed smaller areas that create a sense of safety as well as variation.
- Park Furniture and Other Structures
The supply of park furniture and structures assist safe enjoyment of parks and enable a range of activities and opportunities for recreation. Seating, tables, BBQs, shade structures, pathways and bridges, rubbish containers and signage are typically provided to provide the basis for a range of human age group activity, social family and group interaction.
- Playgrounds, fitness equipment and skate parks
Park provides an excellent location for many types of play and fitness infrastructure associated with casual and informal recreation, as well as health and fitness, and the development of motor skills at all ages and stages of human development.
- Trees and Vegetation and Landscape Protection
Tress, shrub and flower planting as well as grass or turf in parks provide a respite from the built environment and a chance for the community to relax in more natural surroundings, whilst experiencing open-air recreation and leisure.

Trees provide shade, landscape variation as well as a range of aesthetic benefits in the changing seasons. Planting of shrubs and flower beds can define space or add colour and texture to the landscape reducing landscape monotony and also providing seasonal variation.

Dogs in neighbourhood parks and sports grounds

Walking and playing with dogs is a popular recreational activity with physical and mental health benefits. The use of Council footpaths, parks and reserves for casual dog walking and play is generally accepted by the community.

Sportsgrounds have particular use characteristics that warrant restrictions on use of playing fields by dogs, particularly if the sports people come into contact with the surface of the field, e.g: football codes or where the field is used in concentrated fashion such as athletics tracks.

The sportsgrounds also provide large spaces which are available for a variety of casual recreational uses when not booked by a sporting group. Recreational dog use is not generally acceptable on sportsgrounds however the surrounding land may provide for walking a dog on a leash.

The *Companion Animals Act 1998* provides the framework for management of dogs in NSW. The aim of this Act is to provide for effective and responsible care and management of companion animals, and responsible and co-operative management of dogs in public spaces.

Under the Companion Animals Act, and subject to any Council signage, dogs may be walked anywhere on a lead, except within 10 metres of:

- a children's playground; or
- a food preparation area.

Councils must provide at least one Dog Off-Leash facility in its LGA.

Dogs in public places must be kept under effective control at all times. This includes in public recreation areas. A person in charge of a dog must remove and dispose of any faeces which their dog makes whilst in a public space.

A dog must not inflict physical harm to other people, animals or property.

Signage and clear notices about any restrictions Council must or chooses to introduce will assist the community understand and comply with safe and responsible dog and park use.

Community Involvement/Neighbour Relations

Sports grounds can often generate significant noise, traffic, waste management and visitor number issues for local and nearby residents. Night lighting can also cause problems for adjacent residential properties due to glare or lighting spill.

Most environmental impacts on adjacent land uses, such as residential properties can be considered and mitigated as part of development application and approval conditions, and/or implementation of mitigating conditions in user agreements, such as leases or licenses.

Signage and Advertising including town way finder and site based directional

Wayfinder or town directional signage provides for general visitors and district or regional users, as well as playing an important role in providing tourists with information about the availability and location of facilities.

As part of wayfinder signage, place name signs provide the visiting users with destination and place name clarity. Site-specific circulation signage and guidance can enhance visitor and user experience but also make the activity an easier experience for the less abled person.

Site-based signage provides clear regulatory, as well as user conditions of use, including alcohol free zones, permissible and non-permissible activities, dog leash or leash-free zones, times of specific uses, and internal site or facility directions.

It is important to make the reserve environment enjoyable for all users and excessively noisy, dangerous or anti-social activities can be regulated and minimised through use of signage and ranger or ordinance officer monitoring.

Interpretive and explanatory signage, whether simple tree genus or species name plates, or heritage or environmental information or education can enhance park use experiences as well as help to provide education or awareness for the community.

Advertising signage at Crown reserves should be ancillary or supportive of the reserve purposes and activities and is not generally acceptable for solely external advertising purposes.

Contribution to tourism and local economy

Tourism and sporting events and activities, either formal or informal and recreation-oriented have the capacity to make a strong contribution to community and local economies. The Visitor Centre and facilities available at the community hall, as well as promotion of sporting facilities and availability of formal and informal sporting opportunities can provide an additional reason for tourists and visitors to use not only the facilities but also contribute to the local economy through increased accommodation, food and beverage, goods and services expenditure.

Maintenance and upgrade of facilities

Systemic and formally planned and implemented upgrade and maintenance of active recreation and community facility infrastructure including fields, buildings, aquatic facilities, storage spaces, outdoor playing surfaces, associated amenities, viewing areas and access is important to ensure that the reserve facilities and opportunities continue to meet necessary user standards for current use patterns and to meet future use needs.

Sports ground passive recreation infrastructure maintenance can facilitate increased use of associated and connected public spaces by the local community and visitors to the area, including shared use path linkages, open space furniture, landscape, public art and signage.

Black Springs Community Hall has potential for further upgrades to the kitchen, toilets and the addition of an outside deck and café/kiosk catering to locals and visitors to the region.

Cost efficiency

Establishing improved levels of base level infrastructure (such as water and electricity) to enable effective use of open space areas and community facilities for events, both occasional and regular, will reduce management costs and assist in the allocation of expenditure savings to other areas within the sports grounds or availability for expenditure elsewhere across Council's open space and community land network.

Connectivity with other open space reserves and parks

Improved integration of the network of parks with sports grounds and nearby land uses of residential and retail, schools, caravan and camping ground, as well as the Oberon Dam foreshores will aid visitor use and assist in service delivery.

Community Gardens

Community gardens provide the local community with an opportunity to use the land in a cooperative way to produce vegetables, fruit, herbs and flowers while fostering community engagement and interaction.

Gardens can be operated and managed in a number of ways including LG Act S.355 committees, licences or simply availability supported by council, schools or community groups.

Gardens also provide an opportunity for the community to engage in and learn about environmental sustainability and recycling initiatives that benefit the community, including school groups or environmentally interested members of the public.

Personal Trainers, and small event bookings

Personal trainers, fitness groups and small event bookings can be accommodated in parks under licence or hiring arrangements and should be subject to time and area limited with use conditions to enable use to limit conflicts of use with the general public.

Building Amenities and Infrastructure

Buildings and amenities may be provided where consistent with the need to facilitate the recreational use of the land. Buildings and amenities are to be maintained to the highest possible standard. Where appropriate, public toilets and amenities should be provided and maintained at sites where there is a significant number of users or there is a lack of immediate facilities and/or distance from other amenities.

Buildings and amenities will be regularly cleaned and maintained in a tidy condition in accordance with any adopted Council procedures manual.

Maintenance

Any areas held under lease, licence or regular occupancy shall be maintained by the regular occupant. Existing assets on the land should be identified and measures taken to maintain them in a satisfactory manner. Council may make arrangements for community groups to undertake maintenance for specific facilities on the Council's behalf.

Lighting

Adequate lighting shall be provided on park land to ensure public safety and security for buildings and amenities. Night lighting should provide for safe passage through parks and for interconnection with the surrounding area without being intrusive on surrounding residents.

Fences

Fences may be constructed and shall be in accordance with any standards or guidelines adopted by the Council. Normally, as provided for in the Dividing Fences Act, boundary fences are the responsibilities of adjoining owners to construct and maintain and Council does not contribute to fencing boundaries to private land where adjoining open space, recreational park land.

Encroachment on Public Land

Encroachments on public land, once identified, should be resolved as quickly as possible to minimise the impact of unlawful use or unauthorised developments on the reserves.

Booking systems

Council's administrative arrangements to call for expressions of interest, allocate seasonal hiring and casual bookings should be clearly advertised and underpinned by use policies, hiring agreements that set out rights and responsibilities, and matching fees and charges for use, if applicable.

Roads and Parking

Roads and parking areas may be constructed or reconstructed to a safe and all-weather standard.

Contract and Volunteer Labour

Council may use contract and volunteer labour to help manage the land but shall ensure that supervisors have appropriate qualifications and/or experience and are made aware of the requirements of this plan.

Play Equipment and Recreation Equipment

Play equipment may be installed or removed. Equipment shall be regularly maintained and kept in a safe condition in accordance with the relevant Australian Standard and Council's Playground and Equipment Upgrade Plan Policy.





8.4 Development and use

The use and development of community land should be compatible with the legislated purpose of the land and the wider community context.

The use of community land is often supported by appropriate ancillary development such as playground equipment, BBQs, amenity blocks or kiosks. The general types of uses that may occur on community land and are common to land categorised as sportsground, park and general community use are set out in **Table 8** below.

Separate tables that identify specific uses and developments only permissible to each category are also provided at:

- Sportsground – **Table 9** ;
- Park – **Table 10**; and
- General community use – **Table 11**

The facilities on community land may change over time, reflecting the needs of the community.

The anticipated uses and associated development identified in the table are intended to provide a general guide. The terminology used is not intended to impose an exact meaning. For example, a reference to ‘football’ includes any variations of that game.

It is anticipated that new sports may develop, and others increase or decrease in popularity. If this occurs, then some community land may be modified to facilitate the changing forms of ‘active recreation’ enjoyed by the community. References such as ‘field’, or ‘court’, are not intended to exclude other sporting surfaces.

Table 8 Consolidated permissible use and development of community land that is common to land categorised as Sportsground, Park and General Community Use.

Purpose/Use	Development to facilitate uses
<ul style="list-style-type: none"> • Organised and unstructured recreation activities • Community events and gatherings • Active and passive recreation including children’s play and cycling • Group recreational use, such as picnics and private celebrations • Eating and drinking in a relaxed setting • Publicly accessible ancillary areas, such as toilets • Festivals, parades, markets, fairs and similar • Exhibitions • Events and gatherings • Filming and photographic projects • Busking • Public address (speeches) 	<ul style="list-style-type: none"> • Development for the purposes of improving access, amenity and the visual character of the reserve and its uses, for example paths, public art, pergolas • Development for the purposes of active recreation such as play equipment, exercise equipment, bike racks, half-court basketball courts, bocce courts • Amenities to facilitate the safe use and enjoyment of the reserve, for example picnic tables, BBQs, sheltered seating areas • Landscaping and finishes, improving access, amenity and the visual character of the reserve • Café or refreshment areas (kiosks) including external seating • Lighting, seating, toilet facilities, courts, paved areas • Hard and soft landscaped areas • Storage sheds • Car parking and loading areas

Purpose/Use	Development to facilitate uses
	<ul style="list-style-type: none"> • Commercial development that is sympathetic to and supports use in the area, for example hire of recreation equipment • Ancillary areas (staff rooms, meeting rooms, recording rooms, equipment storage areas) • Toilet/shower facilities • Shade structures • Storage ancillary to recreational uses, community events or gatherings, and public meetings • Café/kiosk facilities • Locational, directional and regulatory signage • Heritage and cultural interpretation, e.g. signs • Equipment sales/hire areas ancillary to the reserve purposes and the approved uses • Advertising structures and signage (such as A-frames and banners) that: <ul style="list-style-type: none"> ○ relate to approved uses/activities ○ are discreet and temporary ○ are approved by the council • Water-saving initiatives such as stormwater harvesting, rain gardens and swales • Energy-saving initiatives such as solar lights and solar panels • Bio-banking and carbon sequestration initiatives

Table 9 Permissible use and development of community land that is specific to land categorised as Sportsground. Also refer to **Table 8** for other permitted development.

Purpose/Use	Development to facilitate uses
<ul style="list-style-type: none"> • Active and passive recreational and sporting activities compatible with the nature of the particular land and any relevant facilities • Commercial uses associated with sports facilities. 	<ul style="list-style-type: none"> • Development for the purpose of conducting and facilitating organised sport (both amateur and professional), for example: <ul style="list-style-type: none"> • Sports field (cricket, football, track and field athletics, baseball, softball) • Golf course and club house • Marked court (basketball, volleyball, badminton, tennis, hockey, netball etc.) • Aquatic facility (learn to swim classes, squad training, fitness and health classes including aqua aerobics, recreational and competitive swimming)

Purpose/Use	Development to facilitate uses
	<p>and diving, organised water sports including water polo, diving, hydrotherapy facilities)</p> <ul style="list-style-type: none"> • Professional rooms for hire • Change room/locker areas • Facilities for sports training, e.g. batting cages, tennis walls • Provision of amenities to facilitate use and enjoyment of the community land including shade/shelter, seating, change rooms, toilets, storage, first aid areas • Meeting rooms/staff areas • Compatible, small scale commercial uses, e.g. sports tuition • Water infrastructure required to manage the grounds

Table 10. Permissible use and development of community land that is specific to land categorised as park. Also refer to **Table 8** for other permitted development.

Purpose/Use	Development to facilitate uses
<ul style="list-style-type: none"> • Low-intensity commercial activities (for example recreational equipment hire) • Community gardening • Camping at Oberon Public Recreation Reserve (Reef Reserve) R88925; and Flat Rock Camping Ground R87079 	<ul style="list-style-type: none"> • Community gardens • Camping at Oberon Public Recreation Reserve (Reef Reserve) R88925; and Flat Rock Camping Ground R87079

Table 11 Permissible use and development of community land that is specific to land categorised as general community use. Also refer to **Table 8** for other permitted development.

Purpose/Use	Development to facilitate uses
<p>General Community Use</p> <p>Providing a location for, and supporting, the gathering of groups for a range of social, cultural or recreational purposes.</p> <p>Providing multi-purpose buildings (for example, community halls and centres) with specialised community uses such as:</p> <ul style="list-style-type: none"> • casual or informal recreation • meetings (including for social, recreational, educational or cultural purposes) • functions • concerts, including all musical genres. • performances (including film and stage) 	<p>General Community Use</p> <p>Development for the purposes of social, community, cultural and recreational activities, such as libraries, childcare centres, youth services, aged services, men’s sheds, health services,</p> <p>Development includes:</p> <ul style="list-style-type: none"> • provision of buildings or other amenity areas to facilitate use and enjoyment by the community. • development (particularly within buildings) for the purposes of addressing the needs of a particular group (for example, a stage)

Purpose/Use	Development to facilitate uses
<ul style="list-style-type: none">• exhibitions• fairs and parades• workshops• leisure or training classes• child care (for example, before and after school care, vacation care)• designated group use (e.g. scout and girl guide use)• educational centres, including libraries, information and resource centres• entertainment facilities• active cemeteries• caravan parks and camping grounds.	



8.5 Express authorisation of leases, licences and other estates

The LG Act requires that any lease, licence or other estates over community land must be expressly authorised by a PoM.

Table 12 Leases, licences and other estates and purposes for which they may be granted for community land categorised as Sportsground, Park and General Community Use

Type of tenure arrangement	Purpose for which tenure may be granted		
	Sportsground	Park	General Community Use
Lease	<ul style="list-style-type: none"> • use and management of field, course, court facilities and buildings and fixtures that provide for sports uses • food and beverage outlets, such as cafés or kiosk areas, including seating and tables • hire or sale of sports or recreational equipment • childcare facilities (ancillary) that are provided for sports ground users • health and fitness goods and services for sports grounds users and visitors 	<ul style="list-style-type: none"> • café/kiosk areas, including seating and tables • management of park areas and facilities • hire or sale of recreational equipment 	<ul style="list-style-type: none"> • vacation care or child care (ancillary) • health or medical practitioners associated with the relevant facility (for example, nutrition, physiotherapy) • educational purposes, including libraries, education classes, workshops • cultural purposes, including concerts, dramatic productions and galleries • recreational purposes, including fitness classes, dance classes and games • sporting uses developed/operated by a private operator • kiosk, café and refreshment purposes • commercial retail uses associated with the facility (e.g. sale or hire of sports goods) • caravan parks and camping grounds
Licence	<ul style="list-style-type: none"> • use and management of field, course, court facilities and buildings and fixtures that provide for sports uses • outdoor café/kiosk seating and tables • hire or sale of sports or 	<ul style="list-style-type: none"> • outdoor café/kiosk seating and tables • management of court or similar facilities • hire or sale of recreational equipment 	<ul style="list-style-type: none"> • social purposes (childcare – must be ancillary, vacation care,) • educational purposes, including libraries, education classes, workshops. • recreational purposes, including fitness classes, dance classes.

Type of tenure arrangement	Purpose for which tenure may be granted		
	Sportsground	Park	General Community Use
	<ul style="list-style-type: none"> recreational equipment. health and fitness goods and services for sports grounds users and visitors 		<ul style="list-style-type: none"> café/kiosk areas sale of goods or services that are ancillary to community land use and reserve purpose, for example flower sales at cemetery
Short-term licence	<ul style="list-style-type: none"> sporting fixtures and events sports and fitness training and classes ancillary ceremonies (for example, rehearsal of opening and closing ceremonies, cheer squads, etc.) access through a reserve, advertising, broadcasting or filming of sporting fixtures commercial photographic sessions and filming (as defined in the Local Government Act 1993), delivery of a public address, emergency occupation, entertainment, equestrian events, exhibitions, hiring of equipment, markets, picnics and private celebrations such as weddings and family gatherings, catering 	<ul style="list-style-type: none"> community events and festivals playing a musical instrument, or singing for fee or reward picnics and private celebrations such as weddings and family gatherings filming, including for cinema/television. conducting a commercial photography session public performances engaging in an appropriate trade or business delivering a public address community events fairs, markets, auctions and similar activities hiring of equipment, markets, picnics and private celebrations such as weddings and family gatherings, catering 	<ul style="list-style-type: none"> public forums, meetings, seminars and presentations, including educational programs. functions (including commemorative functions, book launches, film releases, balls, and similar activities) displays, exhibitions, fairs, fashion parades and shows. events (including weddings, corporate functions, and community gatherings) concerts and other performances, including both live performances and film (cinema and TV) broadcasts associated with any event, concert, or public speech. engaging in an appropriate trade or business delivering a public address, community events; auctions, markets and similar activities

Type of tenure arrangement	Purpose for which tenure may be granted		
	Sportsground	Park	General Community Use
	<ul style="list-style-type: none"> • playing of a musical instrument, or singing, for fee or reward, • playing of a lawful game or sport, • sales, • shows, • site investigations, • stock agistment or grazing • storage associated with sporting events or use agreements. • sporting fixtures and events • sports and fitness training and classes • limited area function uses reasonably associated with the promotion or enhancement of sporting groups, fixtures and events e.g: “guest’ events for juniors; gala days; club meetings) 	<ul style="list-style-type: none"> • playing of a lawful game or sport, • sales, • shows, • site investigations, • stock agistment or grazing 	
Other estates	<p>This PoM allows the council to grant ‘an estate’ over community land for the provision of public utilities and works associated with or ancillary to public utilities in accordance with the LG Act.</p> <p>Estates may also be granted across community land for the provision of pipes, conduits, or other connections under the surface of the ground for the connection of premises adjoining the community land to a facility of the council or other public utility provider that is situated on community land.</p>		

8.6 Management framework for reserves categorised as Sportsground, Park and General Community Use

Operating committees/incorporated bodies

Council is empowered by Section 355 of the LG Act to delegate Council functions, including management responsibilities for sports grounds, parks and community facilities to Council committees. This management committee arrangement is governed by Council operation provisions in Chapter 12 of the LG Act.

S.355 management committees provide a means for Council to devolve a range of maintenance, booking and facility operations to members of the public, user group representatives and interested community members with potential savings to Council in operational costs. This should, along with leases and licenses, make clear the lines of responsibility for maintenance and renewal of assets.

This system may operate in tandem or instead of management conditions in facility user lease and licence conditions.

Allocation of playing fields, courts or areas of parkland

Sports ground fields and facilities booking and allocation of use for temporary, seasonal or annual periods of time is undertaken by Council through its Technical and Corporate Services Departments when these arrangements are not subject to existing leases or licences.

Council policies on use and facility allocation, accompanied by formal advertising of expressions of interest and clear allocation guidelines and criteria will be beneficial for general community and user groups in the reduction of user conflicts and transparency in allocation of community resources and expenditure.

Fees and charges/conditions of hire

Council publishes an annual schedule of fees and charges for a range of goods and services provided by Council and its organisation sections. Inclusion of fees and charges in Council's annually published schedule for sports ground, park or community facilities, including halls or community use spaces, will provide the general community and user groups with clarity and budgetary assurance for short-term, causal hiring as well as seasonal bookings.

Clear and published conditions of hire and use, including permissible uses, times and user or hirer responsibilities, will provide clarity for users and the community of access and use, user responsibilities and availability of sports ground areas, park facilities or hire of buildings.

Safety and Risk Management

Council is responsible for the safety of users and general public for sports ground, park and community facilities use in the absence of any clear booking, hire or user agreement conditions that transfer some or any of the safety and risk management responsibilities to the hiring users.

Council preparation of a risk management and harm minimisation strategy for its sports ground, parks and community facilities, supplemented by an annual audit of sports grounds, parks and facilities for development of a repairs and maintenance schedule will assist in the management and reduction of risk along with benefits for public and user safety

Vehicle Access and Parking

Vehicle access and movement, including car parking for regular use and event management is fundamental to safe and effective sports ground use in particular.

Provision of dedicated access routes and parking arrangements for user and organiser vehicles will assist in the reduction of accidents and provide clear directions for users and community at sports ground, park and community facilities.

Events using sports ground, park and community facilities should have traffic management and vehicle parking plans that require Council officer approval and liaison with local area police to ensure basic and adequate traffic management issues are implemented and reduce the potential for user / vehicle conflict.

Dedicated paring and thoroughfares or internal access routes will concentrate use impacts and reduce or limit facility or site landscape or asset degradation such as soil compaction, vegetation or asset damage.

Environmental Management – energy, water use and run-off management, pesticides

Operational costs for energy and water use may be reduced through a range of environmental means that warrant Council investigation. Environmental sustainability options and infrastructure, including alternate energy sources, energy and water use efficiency practices and systems, including timing systems or regulated watering practices can be implemented to reduce costs and wastage.

Surface water run-off loss reduction and collection practices not only optimise water application and reduce stormwater loss but can also provide for alternate sources of town or reticulated water supplies during periods of limited availability.

Council and user organisations with occupancy and use agreements, e.g: lessees should have agreed and sustainable fertiliser and pesticide application and management plans and practices to limit dispersal into less robust environmental systems such as watercourse and water bodies, and limit human contact from aerial or surface exposure.

Landscape Character and Design – vegetation management

Sports ground and park vegetation provides a range of benefits from environmental benefits such as wind reduction, water conservation and increased habitat and biodiversity to community health benefits such as shade and aesthetic landscape benefits.

Outdoor furniture should be provided as required and maintained to a safe standard in accordance with any adopted landscape design. Play equipment shall be constructed and maintained in accordance with the relevant Australian Standard and may be replaced or removed as required.

Action plan

Section 36 of the LG Act requires that a PoM for community land details:

- objectives and performance targets for the land.
- the means by which the council proposes to achieve these objectives and performance targets; and
- the manner in which the council proposes to assess its performance in achieving the objectives and performance targets.

Table 13 sets out these requirements for community land categorised as Sportsground, Park or General Community Use.

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Table 13 Objectives and targets, means of achieving them and method of assessment for community land categorised as Sportsground, Park or General Community Use

Management Issues	s.36(3)(b) Objectives & Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Ensure public access and multiple use	<ul style="list-style-type: none"> • Compliance of toilets, change rooms and associated amenities infrastructure at sports grounds for disabled and equitable access uses • Ensure public accessibility and multiple uses of land in any user occupancy agreements • Provide for disabled and equitable access at all reserves • Delineate on-street parking for more efficient use of the street, enable parking close to the facilities • Undertake analysis of parks, sporting facilities and community facilities to ensure planned upgrades have capacity to service demands of a changing population • Provide a formalised, centralised booking system for reserves and facilities to facilitate multiple uses and public benefit 	<ul style="list-style-type: none"> • Annual audit of all public use and visitor facilities to evaluate equitable access and maintenance or upgrade needs for compliance with State legislation and guidelines • Include conditions in user agreements/licences that provide for multiple uses and public accessibility where safe to permit • Identify disability parking spots at each field, park and facility • Identify high use sportsgrounds and facilities to clearly mark on-street parking limits and times • User and visitor conditions of use and activity clearly published and notified to improve safety awareness • New centralised booking system installed for grounds, function centres, halls, meeting rooms etc to facilitate use and enjoyment • Maintain register and use statistics to ensure capacity of fields, parks and facilities service community needs • Undertake annual user satisfaction surveys 	<ul style="list-style-type: none"> • Completion of access audit and report and response actions reported to Council • Publication and use of licence agreements that meet objectives • Installation of disability parking spots at reserves where most needed • On-street car parking times, places and conditions sign-posted and/or marked at high use facilities and reserves e.g Oberon Park • Relevant Council Director to manage program of use and capacity statistics and report on any response actions • Decision made on merits of new multipurpose booking system for parks, reserves, sports grounds and community facilities and areas. • Conduct of annual user surveys

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Management Issues	s.36(3)(b) Objectives & Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Connectivity with other open space reserves and parks	<ul style="list-style-type: none"> Improved access movement between reserves and community facilities 	<ul style="list-style-type: none"> Provide pathways and signage between sports grounds, parks and community facilities and town centre, nearby schools and council facilities Formalise links between golf course and adjacent bushland and Oberon Dam for walkers, cyclists and Dam users, e.g: anglers, sailing, canoeing and kayaking 	<ul style="list-style-type: none"> Pathway development and maintenance program approved and implemented by Council Development of suitable surface links and paths between golf course, adjacent bushland and Oberon Dam foreshores Provision of pathways and all weather covers
Safe maintenance and upgrade of buildings, structures and facilities	<ul style="list-style-type: none"> Maintain buildings, field and grounds, parks and community facilities to required standards for users and public safety Building and structures compliance with Australian Standards and NSW Building Codes Regular repairs, painting & maintenance Safe electrical systems Safe gas supply Sustainable water supply Fire systems compliance with NSW Standards Safe and operational kitchens Safe chemical storage and use 	<ul style="list-style-type: none"> Implement asset maintenance plans for all major sports ground, park and community facilities buildings structures and landscape assets Annual audit and review of buildings and structures to comply with Australian and NSW Building Codes standards System to receive reports/requests for maintenance needs is clearly published and acted upon Annual program of (Test & Tag) electrical equipment inspection and testing by a competent person to identify and repair/replace damaged, worn and faulty electrical equipment Annual electrical, gas and water supply (utilities) systems check and review for maintenance and upgrade needs 	<ul style="list-style-type: none"> Asset management plans in place and implemented with annual reports to Council Funding sought under the Smart Cities Program for upgrades to the facilities. Relevant Council Director responsible for program to review/audit sports ground, parks and community facilities compliance with codes and standards Audit and review conducted and reported to Council Relevant Council Director approves maintenance system and is accountable for reporting Annual Test & Tag inspection, utilities systems, and bi-annual fire safety systems results and

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Management Issues	s.36(3)(b) Objectives & Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
		<ul style="list-style-type: none"> • Bi-annual fire safety systems check for maintenance or upgrade to meet standards and codes by local Fire brigade or registered authority • Biannual inspection of all kitchens by health and safety officers to ensure clean, healthy and safe kitchens for users and visitors • All chemical storage, use and handling to be certified by current NSW authority, e.g: WorkSafe NSW • Whole of site concept plans investigated for high use areas • New fencing at Oberon Park to improve safety, the look and feel of the precinct and promote the new gym and facilities through cohesive branding and promotion • Provide a BBQ outside the tennis area at Oberon Park • A children's' play area near the tennis area would add value to existing capital investment and user visits • Investigate potential and investment in upgraded buildings at sports grounds, including golf course former Scouts building with outdoor kitchen and disabled toilets 	<p>response actions reported to relevant Council Director</p> <ul style="list-style-type: none"> • Biannual inspection of all kitchens by health and safety officers and response actions reported to Council • Chemical storage, use and handling certification and response actions reported to Council • Council considers investigation of whole-site concept/master plans for high use areas such as Oberon Park to improve connections between facilities that are direct, safe and weather proof • Subject to Council resource allocation: <ul style="list-style-type: none"> ○ Installation of fencing at Oberon Park along with other improvements (refer need for a master plan for this sport/activity hub) ○ Provision of a BBQ outside the tennis area ○ Installation of a children's' play area near the tennis facility and aquatic centre ○ upgrade of buildings at sports grounds, including golf course former Scouts building with outdoor kitchen and disabled toilets

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Management Issues	s.36(3)(b) Objectives & Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
		<ul style="list-style-type: none"> Investigate partnership between Council, golf club and WaterNSW to develop suitable toilets block at southern end of golf course for use by sailing club, regatta day users, lake edge walker and cyclists and course users 	<ul style="list-style-type: none"> Investigation of partnership between Council, golf club and WaterNSW to develop suitable toilets block at southern end of golf course for use by sailing club, regatta day users, lake edge walker and cyclists and course users
Sports ground maintenance	<ul style="list-style-type: none"> Maintain a high level of sporting fields and playing surface and associated equipment 	<p><u>Mowing</u></p> <ul style="list-style-type: none"> Playing fields and ovals will be mowed in accordance with approvals, manuals or schedules as required <p><u>Line Marking</u></p> <ul style="list-style-type: none"> Line marking may be undertaken but will normally be the responsibility of users <p><u>Erection of Posts</u></p> <ul style="list-style-type: none"> The erection of posts on playing fields is allowed by this plan and is the responsibility of Council. Users, in certain circumstances, may erect posts <p><u>Watering</u></p> <ul style="list-style-type: none"> Watering of playing fields and ovals shall be undertaken as required and according to specific water restrictions that may be in place Sustainable water supply and management options investigated to minimise long term costs 	<ul style="list-style-type: none"> Conduct of annual or seasonal (as appropriate) user and sports ground hirer or tenure holder's satisfaction surveys for: <ul style="list-style-type: none"> quality of field surfaces or pitches mowing line marking erection of posts watering wet weather use and availability hours of operation Progressive reduction in water supply and/or management costs as sustainable innovative solutions introduced

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Management Issues	s.36(3)(b) Objectives & Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
		<p><u>Wet Weather Use</u></p> <ul style="list-style-type: none"> • During periods of wet weather, the Council may restrict use of playing fields and ovals to prevent damaged to grass surfaces <p><u>Hours of Operation</u></p> <ul style="list-style-type: none"> • Council may restrict the hours of operation of any playing field at its discretion 	
Landscape design, grounds and vegetation management	<ul style="list-style-type: none"> • Provide landscape amenity and environmental benefits at sports grounds, parks and community facilities • Trees and shrubs health maintained, and public risk managed • Grass and turf maintained to user requirements and standards • Shade provided at all facilities including playgrounds • Outdoor fixtures – seats, tables, bins, provided at all sites where outdoors space is associated with facilities • Play equipment provided at sites where children are substantial numbers of visitors or users 	<ul style="list-style-type: none"> • Retain and maintain existing trees and vegetation in parks and around sports ground for environmental and community benefit • Prepare landscape masterplans for high use or significant sports grounds, parks and community facilities • Implement vegetation management plans for environmental benefits such as wind reduction, water conservation and increased habitat and biodiversity, community health benefits such as shade and aesthetic landscape benefits • Regular program of tree and shrub maintenance to ensure healthy and safe vegetation • Agreed user and community standards for grass and turf maintenance, including limitation of small fire and reduction of danger on 	<ul style="list-style-type: none"> • Council preparation of landscape masterplans for high use or significant sports grounds, parks and community facilities • Council consideration of report on vegetation management plans, retention and improvement of existing vegetation • Relevant Council Director approves maintenance program and is accountable for reporting on outcomes • User and tenure holders consulted in standards for field, grass and turf standards • Installation of shade structures or increased use of shade trees to meet shade and sun protection needs

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Management Issues	s.36(3)(b) Objectives & Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
		sites, e.g: noxious plants, feral or dangerous animals. <ul style="list-style-type: none"> • Review of outdoor spaces associated with facilities and building to evaluate shade needs and provision. • Review of outdoor spaces associated with facility buildings and structures to evaluate and implement outdoor fixture provision. • Review of facilities and sites with substantial numbers of children and teenagers to ensure adequate provision of play equipment and suitable health and leisure fixtures 	<ul style="list-style-type: none"> • Fire risk vegetation management in regular maintenance program • Feral animal, noxious weeds and pest, and dangerous animal reduction programs implemented • Installation of park and outdoor fixtures, including play, leisure and health equipment is subject to landscape master planning for sites, or provided consistent with any specific Council policies • User group and community consultation for provisions of play, leisure and health equipment
Amenity Provision	<ul style="list-style-type: none"> • Amenity blocks are available at sites of high or frequent use or site where no other amenities are nearby. • Amenities provided are kept clean and accessible to users and visitors during daylight hours and at high or frequent visitation sites during facility or site opening hours. • Amenities are maintained for safety, usability and modern standard 	<ul style="list-style-type: none"> • Identify high user and visitor facilities and sites to evaluate amenities provision and supply to meet needs of community and visitor experience. • Regular inspection and maintenance regime that is clearly published and provides contact details for community and visitor maintenance requests 	<ul style="list-style-type: none"> • Analysis of user and visitor satisfaction surveys • Relevant Council Director approves maintenance program and is accountable for reporting on outcomes and monitoring of contact queries and complaints
Dogs on sports grounds, parks and community facility open space	<ul style="list-style-type: none"> • Ensure dog use on parks, reserves, and sports grounds complies with State legislation. • Manage dog walking and play on and around sports ground playgrounds, 	<ul style="list-style-type: none"> • Install signage including restricted areas, particularly on playing fields, but with an emphasis on no dogs within 10 metres of: <ul style="list-style-type: none"> ○ a children's playground; or ○ a food preparation area. 	<ul style="list-style-type: none"> • Signage installed. • One leash-free dog play area in LGA created and managed • Dog faeces bins provided at high use areas – sports grounds, parks,

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Management Issues	s.36(3)(b) Objectives & Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
	food preparation areas, footpaths, parks and reserves. <ul style="list-style-type: none"> • Reduce impacts of dog use on fields and parks 	<ul style="list-style-type: none"> • Provide at least one leash-free dog area in the LGA. • Install dog faeces litter bins. • Publish animal and dog handling guidelines on Council website 	community facilities and any identified or promoted walking tracks and trails. <ul style="list-style-type: none"> • Council website publication of companion animal and dog handling rules and regulations
Event Management	<ul style="list-style-type: none"> • Ensure all events have event management licenses or permits through bookings or hiring. • Include event management plans, traffic management plans, waste, and public safety plans in licence conditions. • Establish clear and published booking and hire system for events 	<ul style="list-style-type: none"> • Prepare and use event licences or permits with inclusion of event management plans, traffic management plans, waste and public safety plans. • Publish booking and hire system arrangements on Council website with clear dates, times and contact details for users and sports/community groups 	<ul style="list-style-type: none"> • Publication and use of licences with conditions that address objectives. • Council website publication of booking and hire systems including seasonal dates and conditions of application. • All hire or booking agreements have Council officer contact details to facilitate user benefits
Traffic and vehicle access and parking management	<ul style="list-style-type: none"> • Provide a safe, effective and efficient vehicle and pedestrian environment for sports ground, parks and community facility users and visitors. • Events using sports grounds, parks and community facilities have safe traffic management and reduce the potential for user / vehicle conflict. • Dedicated parking and thoroughfares or internal access routes to minimise use conflict or site landscape or asset degradation. • Parking areas, speed and vehicle limits clearly signed and marked 	<ul style="list-style-type: none"> • Review of vehicle and traffic infrastructure for entry, internal movement, car parking and vehicle-pedestrian conflict minimisation • Clear marking of designated access routes and parking arrangements for user and organiser vehicles • Lessees and licensees have event and traffic management plans incorporated into user agreement conditions as part of agreement. • Special events have traffic, user and organisation vehicle management 	<ul style="list-style-type: none"> • Vehicle and traffic infrastructure review conducted. • Designated traffic, parking and pedestrian lanes marked for areas where events are held and at high attendance facilities. • Event licences and permits have conditions included for event and traffic, user and organisation vehicle management plans prepared in liaison with Local Area police. • Presence of Council resource regulatory officers for traffic and

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Management Issues	s.36(3)(b) Objectives & Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
		<p>plans prepared in liaison with Local Area police.</p> <ul style="list-style-type: none"> • Regulation of user parking and vehicle access on sports grounds and at events • At Oberon Park, examine and make safer the area around the park canteen, access and parking area. • Sightlines for public safety at vehicular access off North Street into the sports ground improved • Placement of speed limit signs at prominent locations • Vehicle type and use restrictions, and parking times clearly signposted where required 	<p>vehicle management at high-attendance special events</p> <ul style="list-style-type: none"> • Dedicated access routes and parking arrangements for organiser vehicles provided in event agreements. • Review of vehicle and pedestrian movement around Oberon Park canteen, access and parking area, and vehicular access off North Street into the sports ground is undertaken and actioned. • Speed limits signage installed at sites and facilities where required after review. • Vehicle use and parking time signage installed
Signage and Advertising including town wayfinder and site based directional	<ul style="list-style-type: none"> • Improved town signage and wayfinding for general visitors and district or regional users • Clear guidance to sports ground, park and community facility users on reserves conditions of use, including alcohol free zones, permissible and non-permissible activities, dog leash or leash-free zones, times of specific uses, and internal site or facility directions. 	<ul style="list-style-type: none"> • Prepare and implement a strategic Town and LGA wayfinder signage program including: <ul style="list-style-type: none"> ○ Town information maps and signage ○ Sports grounds, parks and community facilities information, use, permissible activity and regulation signage ○ Precinct activation (such as Oberon Park and the Common) through signage and branding 	<ul style="list-style-type: none"> • Strategy prepared, adopted by Council and implemented as per resources and priorities, including site-based facility, building/structure, field and open space signage, and permissible/non-permissible activity signage. • Identification signage at Oberon Park and Oberon golf course is implemented and wayfinding improved from the town centre/main roads.

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Management Issues	s.36(3)(b) Objectives & Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
	<ul style="list-style-type: none"> • Improved promotion of caravan park, halls, and tourist centre and golf course • Improved access to, and advice of facilities and service locations on sites • Clear guidance and awareness of rules and regulations at caravan park, halls, tourist centre and prominent site and facility locations • Crown reserves advertising signage is ancillary or supportive of the reserve purposes and 	<ul style="list-style-type: none"> • Site-based facility, structure, field and open space regulatory signage that address activity, including: <ul style="list-style-type: none"> ○ alcohol free zones, ○ permissible and non-permissible activities, ○ dog leash or leash-free zones, ○ times of specific uses • Evaluate any signage proposals for Crown reserves to ensure advertising is ancillary to reserve use and management 	<ul style="list-style-type: none"> • Installation of regulatory signage at high use or visitation sports grounds, parks and community facilities • Caravan parks, camping grounds, public halls and tourist centre site-based user rules signage installed as resources and priorities allow
Lighting	<ul style="list-style-type: none"> • Lighting is provided for visitor and user safety at all buildings and on structures where night/dark use is present. • Lighting impact on neighbours and other users not requiring lighting is minimised. • Lighting is supplied at all car parks where night/dark use is present. • Lighting is provided for user and visitor throughfare travel at sites of frequent use. • Reduction of night lighting impact on adjacent residential properties due to glare or lighting spill. • Ensure lighting spill impacts are limited on adjacent properties and 	<ul style="list-style-type: none"> • Review of facilities and structures to evaluate lighting needs and gaps for safety and to meet users and visitor needs. • Ensure lighting spill and brightness complies with current and acceptable industry standards. • Review provision of safe lighting at night/dark use carparks and user or visitor throughfares and install lighting to meet needs or gaps in provision. • Lighting for evening and night grounds uses conform to Australian and industry/sports standards. • Include lighting in development approval conditions and event or user agreements. 	<ul style="list-style-type: none"> • Lighting needs review and implementation program prepared and adopted by Council. • All lighting approved by development application to meet identified standards. • Night/dark safe lighting needs review conducted, incorporating CEPTED principles and provision priorities reported to Council. • Relevant Council Director management of review with report to Council on any response outcomes • Council Planning Directorate integration of public lighting into

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Management Issues	s.36(3)(b) Objectives & Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
	businesses from sports ground, park and community facility lighting	<ul style="list-style-type: none"> Implement development application and approval conditions to limit environmental impacts on adjacent land uses, such as residential properties 	development application approval conditions
Booking systems, fees and charges and conditions of hire	<ul style="list-style-type: none"> Formalisation of integrated booking systems for casual and seasonal use agreements, including users of Reef Reserve Improved public awareness notices or policies of booking and hiring systems. Fees and charges for sporting ground and facilities use and hire are clear and accountable. Conditions of use and hire are clearly published and supplied with booking and hire details. Standard user agreement documents, e.g: leases, licences and short-term use permits 	<ul style="list-style-type: none"> Council development and implementation of policies on use and facility allocation, accompanied by formal advertising of expressions of interest and clear allocation guidelines and criteria. Formal EOI and user agreement allocations to be conducted at annual or seasonal, as well as event -based periods. All bookings or hiring receive e-copy or paper copy of confirmation including any conditions of use and hire with contact details to assist hirer or user. Publication of booking and hiring notices and policies, fees and charges on Council website, local media as required and at sites where warranted. Council develops lease, licence and casual hiring, short-term and temporary licence agreements based on Crown Lands templates. 	<ul style="list-style-type: none"> Council adoption and publication of grounds and facility allocation policy & procedures Seasonal and annual EOI processes conducted to inform allocation procedures and hire or use agreements. Council website publication Production and use of conditions of use and hire with contact details to assist hirer or user with all bookings or hiring Standardised user agreements in use. Council publication of conditions of hire and use, including permissible uses, times and user or hirer responsibilities on use agreements, and casual hire permits New centralised, integrated booking system installed subject to available Council resources.

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Management Issues	s.36(3)(b) Objectives & Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
		<ul style="list-style-type: none"> Clear and published conditions of hire and use, including permissible uses, times and user or hirer responsibilities 	
Operating committees and incorporated bodies	<ul style="list-style-type: none"> Increase user and community involvement in sportsground, park and community facility management and maintenance 	<ul style="list-style-type: none"> Consideration of s355 committee establishment and management of Oberon sportsground (Cunynghame Oval) to incorporate adjacent stakeholders, user groups and residents. 	<ul style="list-style-type: none"> Prepare and consider Council discussion paper on use of LG Act S355 committees to manage Oberon sportsgrounds
Safety and Risk Management	<ul style="list-style-type: none"> Minimise public safety and user risk at sports grounds, parks and community facilities. 	<ul style="list-style-type: none"> Risk management and harm minimisation strategy prepared for sports grounds, parks and community facilities. Annual safety audit of all facilities on sports grounds conducted by Council in conjunction with formal occupants (lessees, licensees and contracted management) Improved lighting for security along pedestrian walkway/lanes Council to review needs for security, CCTV at Oberon Park and surrounds due to investment at Centre 	<ul style="list-style-type: none"> Annual reporting on implementation and risk minimisation Annual Council and formal occupant audit of facilities conducted, and response actions reported to Council. Installation of additional lighting to increase safety along main pedestrian pathways and throughfares. Council review of CCTV needs conducted
Environmental Management and sustainability	<ul style="list-style-type: none"> Improved environmental sustainability and infrastructure, at sports grounds, parks and community facilities. Reduction in operational costs for energy and water use through a range of environmental and sustainable means to reduce costs and wastage. 	<ul style="list-style-type: none"> Investigate implementation of alternate energy sources such as solar electricity and heating systems at facilities on sites Energy and water use efficiency practices and systems, including 	<ul style="list-style-type: none"> Council investigation and consideration of options for cost-efficiency and sustainability of: <ul style="list-style-type: none"> sources such as solar electricity and heating systems at facilities on sites energy and water use efficiency practices and systems, including

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Management Issues	s.36(3)(b) Objectives & Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
	<ul style="list-style-type: none"> • Reduction in surface water run-off loss reduction and collection practices to optimise water use. • Reduction of stormwater loss to minimise use of town or reticulated water supplies during periods of limited availability. • To limit environmental and human exposure to the dispersal of fertiliser and/or pesticide • Development and maintenance are undertaken with environmentally sustainable practices and within Australian or NSW standards • To ensure that all hazardous materials and chemicals are handled, stored and used in accordance with NSW legislation 	<p>timing systems or regulated watering practices.</p> <ul style="list-style-type: none"> ○ Council investigation of investment into water efficiency actions ○ Safe re-use of effluent and grey waters ○ Water harvesting from storm and ground water through collection for use at sports grounds. ○ On site dams where suitable, e.g: golf course <ul style="list-style-type: none"> • Continue existing Council Annual Contribution to Water Usage for golf course with integration into future use and occupancy agreements. • Council and user organisations with occupancy and use agreements for sustainable fertiliser and pesticide application and management plans and practices. • All chemical storage, use and handling to be certified by current NSW authority, e.g: WorkSafe NSW and initiatives to replace or reduce use investigated 	<p>timing systems or regulated watering practices.</p> <ul style="list-style-type: none"> ○ investment into water efficiency actions ○ safe re-use of effluent and grey waters ○ water harvesting from storm and ground water through collection for use at sports grounds. ○ on site dams where suitable, e.g: golf course <ul style="list-style-type: none"> • Continuance of existing Council Annual Contribution to Water Usage for golf course with integration into future use and occupancy agreements. • Council publication and use of user agreements that include conditions for sustainable fertiliser and pesticide application and management plans and practices. • Chemical storage, use and handling certification and response actions reported to Council.
Cost efficiency in utilities and infrastructure	<ul style="list-style-type: none"> • Reduce costs to Council, users and hirers/tenants at sports grounds, parks and community facilities 	<ul style="list-style-type: none"> • Review of water and energy use at facilities • Investigation of alternate and cost-effective energy and water systems • Investigate timed or smart lighting 	<ul style="list-style-type: none"> • Review and investigations conducted, and response actions reported to Council

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Management Issues	s.36(3)(b) Objectives & Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Community Involvement/ Neighbour Relations	<ul style="list-style-type: none"> • Manage event and activity noise, traffic, waste management and visitor number issues for local and nearby residents 	<ul style="list-style-type: none"> • Prepare and implement user agreements (licences or permit) system. • User agreements include conditions to limit impacts from noise, rubbish, traffic 	<ul style="list-style-type: none"> • Licences published and used with conditions to limit or reduce impacts from noise, rubbish, traffic
Contribution to tourism and local economy	<ul style="list-style-type: none"> • Council coordination of sports grounds and event management with tourism and economic development officers in Council and community • Promote sporting facilities and availability of formal and informal sporting opportunities for tourists and visitors. • Council proactively supports the financial sustainability of its reserves which contribute to the local economy, and social and community well-being. 	<ul style="list-style-type: none"> • Development of sports & recreation economic tourism plan or strategy • Undertake concept or masterplans to link and connect commercial core areas with parks and reserves to provide improved relationship between public and commercial spaces. • Develop Oberon LGA-wide promotional strategies that focus on the leisure and tourism industry with use of Oberon sports fields, parks, golf course and community facilities, e.g: camping and caravan grounds to use not only the facilities but also contribute to the local economy through increased accommodation, food and beverage, goods and services expenditure. • Reduction in running costs and ability to recoup investment through lease, license and user agreements. • Investigate ways to generate revenue to enable the Reef Reserve & Flat 	<ul style="list-style-type: none"> • Sports and recreation tourism strategy considered by Council and developed and adopted by Council • Council consideration of concept plan or masterplan for public space integration with commercial and retail areas • Preparation of master plan to activate the Oberon Park precinct as a sports hub with links to facilities, new signage and branding • Oberon LGA-wide promotional strategies for leisure and tourism considered, developed and adopted by Council. • An income stream is identified for Reef Reserve and Flat Rock camping areas. • Council considers and implements longer term lease or license agreements to facilitate long term planning and investment e.g Oberon Golf Club & Oberon Park

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Management Issues	s.36(3)(b) Objectives & Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
		<p>Rock camping grounds to be self-sustaining.</p> <ul style="list-style-type: none"> • Electric vehicle charger/s installed in a centrally accessible position at the Commons or near the Visitors Centre • Investigate the viability of providing public WIFI in high use areas and to retain visitors and workers to the area • Improved integration of parks, sports grounds and community facilities with town and village commercial and retail areas to attract and retain visitors to the area 	<ul style="list-style-type: none"> • Options identified to install electric vehicle charger/s in key location/s • Options for provision of public WIFI considered and actioned by Council
<p><u>Hazelgrove RFS facilities</u></p> <p>Facilities access at all times</p> <p>Adequate space for storage, training and service delivery</p> <p>Facility and service delivery has secure tenure</p>	<ul style="list-style-type: none"> • Developments or improvements to reserve do not hinder use and access to RFS facilities • Repair and upgrade of buildings on reserve to provide safe and adequate meeting and training spaces • Lease or licence is granted to RFS for use as service and facility storage, training and delivery purposes 	<ul style="list-style-type: none"> • All site developments to require consultation with RFS • RFS and Council to upgrade and repair buildings and structures on site for community and RFS use • Negotiate and execute licence for RFS facilities and use 	<ul style="list-style-type: none"> • RFS consultations conducted with developments or improvements • Resources allocated in Council's operational budget or funding sources investigated to enable building upgrades (eg Crown Reserves Improvement Fund Program) • Licence executed
<p><u>Tourist/Visitors Centre</u></p> <p>Services and facilities are</p>	<ul style="list-style-type: none"> • Increase visitor numbers and experience at the Visitor Centre • Maintain a seven-day per week service during reasonable business hours 	<ul style="list-style-type: none"> • Consider co-location of the Visitor Centre with the activities and facilities on the Common to provide a one-stop experience 	<ul style="list-style-type: none"> • Business case and funding sought to improve function and operation of the Visitor Centre • Funding allocated in Council Operational Plan

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Management Issues	s.36(3)(b) Objectives & Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
<p>available seven days per week</p> <p>Visitor information is up to date and reliable</p> <p>Bookings systems are available for visitors focussing on local and regional attractions, accommodation, food and beverage and local recreation and sports facilities</p> <p>Community use spaces and rooms are made available for hire and booking</p> <p>Amenities and refreshment is available to visitors and users</p>	<ul style="list-style-type: none"> • Ensure information, details and data are current and accurate • Staff are trained and equipped with resources to conduct services • Community use rooms are promoted and available during business hours • Clean, modern and well-maintained amenities with equitable access or disabled facilities, including young child/parent amenities facilities or equipment. • Refreshments are available during business hours for visitors and community space users 	<ul style="list-style-type: none"> • Council operational plan to ensure adequate resources for employed staff • Implement program of volunteer staffing • Review and evaluate information services and products on monthly basis and establish system to ensure local and district tourist and visitor goods and services are provided regularly to ensure currency. • Visitor and commercial providers satisfaction surveys conducted at regular intervals as determined. • Conduct training needs analysis for paid and volunteer staff to establish role requirements and any training needs. • Publication of booking and hiring notices and policies, fees and charges on Council website, local media as required and at sites where warranted. • All bookings or hiring receive e-copy or paper copy of confirmation including any conditions of use and hire with contact details to assist hirer or user. • Regular inspection and maintenance regime that is clearly published and 	<ul style="list-style-type: none"> • Volunteer staffing program implemented • Relevant Council Director approves and is accountable for reporting on outcomes for: <ul style="list-style-type: none"> ○ monthly information currency review and collation systems and monitoring of visitor satisfaction surveys. ○ training provision. ○ publication of booking and hiring notices and policies, fees and charges on Council website. ○ provision of e-copy or paper copy of booking/hire confirmation including conditions of use and hire with contact details; and ○ inspection and maintenance regime that is clearly published and provides contact details for community and visitor maintenance requests. • Visitor refreshment and amenities provision

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Management Issues	s.36(3)(b) Objectives & Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
		provides contact details for community and visitor maintenance requests. <ul style="list-style-type: none"> Establish visitor refreshments needs or market for food and beverages and sustainably supply according to needs or market. 	
The following management practices apply to the three reserves with General Community Use category assigned and listed below. <ul style="list-style-type: none"> Reef Rd Rest Area (R64027) Oberon (near to) Reef Reserve (R64025) Oberon Water Supply Reserve (R9501) 			
Environmental sustainability	<ul style="list-style-type: none"> Use of chemicals and fertilisers is limited and sustainable. Groundwater run-off is contained and recycled where possible or directed to storage. Conditions of use and development clearly outlined in occupancy agreements 	<ul style="list-style-type: none"> User/occupants to provide annual report on chemical and fertiliser use Occupancy agreements detail environmentally sustainable conditions including groundwater management plan 	<ul style="list-style-type: none"> Annual reports provided to relevant Council Director Occupancy agreements contained required conditions
Feral animals, pests and noxious weeds	<ul style="list-style-type: none"> Removal of pests and noxious weeds is undertaken, and feral animals captured, removed or reduced in compliance with legislation and council policies 	<ul style="list-style-type: none"> User/occupants to provide annual report on pests, noxious weeds and feral animal management. Conditions for management and reduction of Feral animals, pests and noxious weeds included in occupancy agreements 	<ul style="list-style-type: none"> Annual reports provided to relevant Council Director Occupancy agreements detail pests, noxious weeds and feral animal management conditions

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Management Issues	s.36(3)(b) Objectives & Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Interim Uses	<ul style="list-style-type: none"> • Occupancy agreements are implemented at each location only for agistment or low-impact agricultural uses and without any permanent structures. • Enclosure/fencing is the responsibility of occupants. • Interim uses and purposes are used as conditions in occupancy agreements 	<ul style="list-style-type: none"> • Occupancy agreements include condition that only provide for: <ul style="list-style-type: none"> ○ agistment or low-impact agricultural uses and limits on permanent structures; and ○ Occupant responsibility for adequate and suitable fencing of properties 	<ul style="list-style-type: none"> • Occupancy agreements contained required conditions
Development and uses	<ul style="list-style-type: none"> • Limited to low impact uses with no fixtures or structures unless approved through adopted plan of management and Council approval 	<ul style="list-style-type: none"> • Council approval and adopted plan of management permission for developments and uses other than low impact and without permanent structures 	<ul style="list-style-type: none"> • Permission provided by adopted plan of management and Council approval

CROWN RESERVE LOCATIONS – OBERON LGA

Appendix A - List of reserves covered by this plan of management and reserve maps

Reserve Number	Name	Location	Purpose	Category (assigned or directed)	Category under PoM	RP ID	Area (m ²)	Oberon LEP 2013 Land use zone
R80358 Gazettal Date 7 Feb 1958	Black Springs Recreation Reserve	Black Springs	Public Recreation	Park Sportsground	Park Sportsground General Community Use – RFS Shed	Lot 160 DP 757072 Part Lot 160 DP 757072	77,870 800	RE1 Public Recreation
R91259 Gazettal 26 Feb 1982	Edith Reserve	Edith	Public Recreation	Park	Park	Whole: Lot 125 DP 757050	2,384	RU1 Primary Production
R906742 Gazettal 4 Dec 1976	Falls Hill or Rotary Lookout	Oberon	Public Recreation	Park	Park Communications and Access	Whole: Lot 277 DP 705307	63,711	RU1 Primary Production
R89392 Gazettal 7 Mar 1975	Oberon Public Recreation Reserve (‘Common’ west side)	Oberon	Public Recreation	Park	Park	Whole: Lot 701 DP 1032524	12,418	RE1 Public Recreation
R68268 Gazettal 14 Apr 1939	Oberon Resting Place Reserve (‘Common’ east side)	Oberon	Resting Place	Park	Park	Whole: Lot 7305 DP 1138538	21,601	RE1 Public Recreation
R88925 Gazettal 1 Jun 1973	Oberon Public Recreation Reserve (Reef Reserve)	Oberon	Public Recreation	Park	Park	Whole: Lot 7006 DP 1032531	105,299	RE1 Public Recreation

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Reserve Number	Name	Location	Purpose	Category (assigned or directed)	Category under PoM	RP ID	Area (m ²)	Oberon LEP 2013 Land use zone
R87079 Gazettal 14 Feb 1969	Flat Rock Camping Ground	O'Connell	Public Recreation	Park	Park	Whole: Lot 7001 DP 1126913	8,933	RU1 Primary Production
R83038 Gazettal 3 Feb 1961	Campbells River Reserve	Black Springs	Public Recreation	Park	Natural Area – Bushland	Whole: Lot 7005 DP 1024625	18,086	RU1 Primary Production
R84322 Gazettal Date 9 Aug 1963	Oberon Public Recreation Reserve (Bligh St Park)	Oberon	Public Recreation	Park	Park	Whole: Lots 1-3 Section 63 DP 758805, Lot 7306 DP 1141921	9,717	RE1 Public Recreation
R82735 12 Aug 1960	Jenolan St Parks	Oberon	Children's Playground	Park	Park	Whole: Lots 1, 16 DP 204198	4,068	R1 General Residential
R89217 Gazettal Date 28 Jun 1974	Buckley Cres Park	Oberon	Public Recreation	Park	Park	Whole: Lot 262 DP 757068	15,039	R1 General Residential
R89216 Gazettal Date 28 Jun 1974	Oberon Fish River Trout Farm Reserve	Oberon	Public Recreation	Park	Park on top NE end to link with R89217 Buckley Cres, Natural Area - Bushland and Natural Area – Watercourse (Lot 7)	Whole: Lots 4-5, 7 DP 868216	198,863	R1 General Residential
R82748 Gazettal	Fish River Reserve (Part: Jenolan St)	Oberon	Public Recreation	Park	Natural Area - Bushland	Whole: Lot 7013 DP 1032526, Lot 7013 DP 1032530	26,304	R1 General Residential

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Reserve Number	Name	Location	Purpose	Category (assigned or directed)	Category under PoM	RP ID	Area (m ²)	Oberon LEP 2013 Land use zone
12 Aug 1960								
R79502 Gazettal Date 5 Apr 1957	Golf Club & Fish River Reserve (Oberon Dam Reserve)	Oberon	Public Recreation	Natural Area - Bushland Sportsground	Natural Area - Bushland Sportsground General Community Use	Lot 1 DP 1242756 Part Lot 2 DP 1242756 Part Lot 2 DP1242756	770,657 49,860 2,700	RE2 Private Recreation [Note: Part Lot 1 DP 1242756 is also the Oberon Reservoir Reserve No 79496 and is not part of this PoM. The land is operational land and is zoned R1 General Residential.]
R590118 Gazettal Date 11 Oct 1895	Sanchos Hole	Mount David	Public Recreation	Natural Area	Natural Area - Bushland	Whole: Lot 62 DP 753059	4,160	RU1 Primary Production
R84199 Gazettal 15 Feb 1963	Rest Area (Near Hanrahans Ln)	Black Springs	Resting Place	Natural Area	Natural Area - Bushland	Whole: Lot 7004 DP 1032520	6,410	RU1 Primary Production
R590077 Gazettal Date 18 Jan 1884	Oberon Park	Oberon	Public Recreation	Sportsground, General Community Use	Sportsground, General Community Use Note: Park category originally assigned when Crown Lands Policy allowed only one category.	Whole: Lot 228 DP 757068, Lot 1 DP 904155, Lot 7015 DP 1051799, Lots 21-24 DP 1220101	21,474	RE1 Public Recreation Lot 228 in DP 757068, Lot 1 in DP 904155, Lot 7015 in DP 1051799, Lot 23 in DP 1220101 R1 General Residential Lot 21, 22 & 24 in DP 1220101

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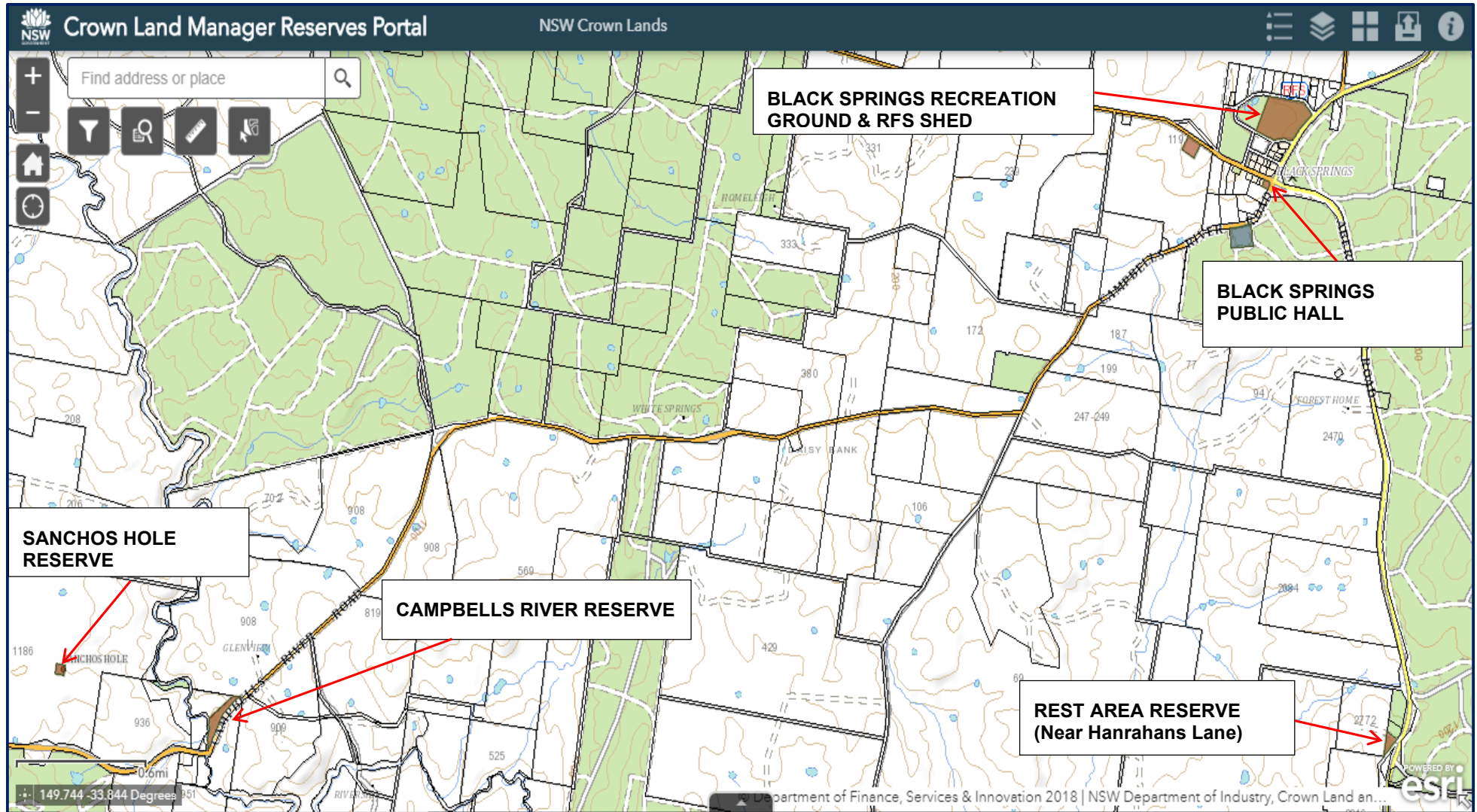
Reserve Number	Name	Location	Purpose	Category (assigned or directed)	Category under PoM	RP ID	Area (m ²)	Oberon LEP 2013 Land use zone
					<i>Park areas (playground and skate park) are small and the activities can occur under Sportsground category</i>			
R87462 Gazettal 24 Oct 1967	Rest Area (Edith)	Edith	Resting Place	General Community Use	Natural Area – Watercourse	Whole: Lot 343 DP 757067	6,677	RU1 Primary Production
R86679 Gazettal 5 Apr 1968	Black Springs Public Hall	Black Springs	Public Hall	General Community Use	General Community Use	Whole: Lot 4 Sect 3 DP 250080	2,231	RU5 Village
R77629 Gazettal 27 May 1955	Oberon Public Buildings Reserve (Oberon Visitors Centre & Park)	Oberon	Public Buildings	General Community Use	General Community Use	Whole: Lot 702 DP 1032524	3,522	R1 General Residential
R64027 Gazettal Date 30 Jun 1933	Reef Rd Rest Area	Cnr of The Reef Road and Abercrombie Road Oberon	Resting Place	General Community Use	General Community Use	Whole: Lot 7010 DP 1030717	32,949	R5 Large Lot Residential
R88412 Gazettal 26 Nov 1971	Hazelgrove Public Recreation Reserve	Hazelgrove Rd Hazelgrove	Public Recreation	Park General Community Use	Park General Community Use	Whole: Lot 65 DP 757042	4,160	RU1 Primary Production

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Reserve Number	Name	Location	Purpose	Category (assigned or directed)	Category under PoM	RP ID	Area (m²)	Oberon LEP 2013 Land use zone
R64025 Gazettal 30 Jun 1933	The Reef Road Reserve (near to) Reef Reserve	Shooters Hill	Public Recreation	General Community Use	General Community Use	Whole: Lot 7008 DP 1030717	42,984	R5 Large Lot Residential
R9501 Gazettal 10 Aug 1889	Oberon Water Supply Reserve	Oberon	Public Recreation Water Supply	General Community Use	General Community Use	Part: Lot 217 DP 757068	770,657	R1 General Residential

CROWN RESERVE LOCATIONS – OBERON LGA

BLACK SPRINGS LOCALITY MAP



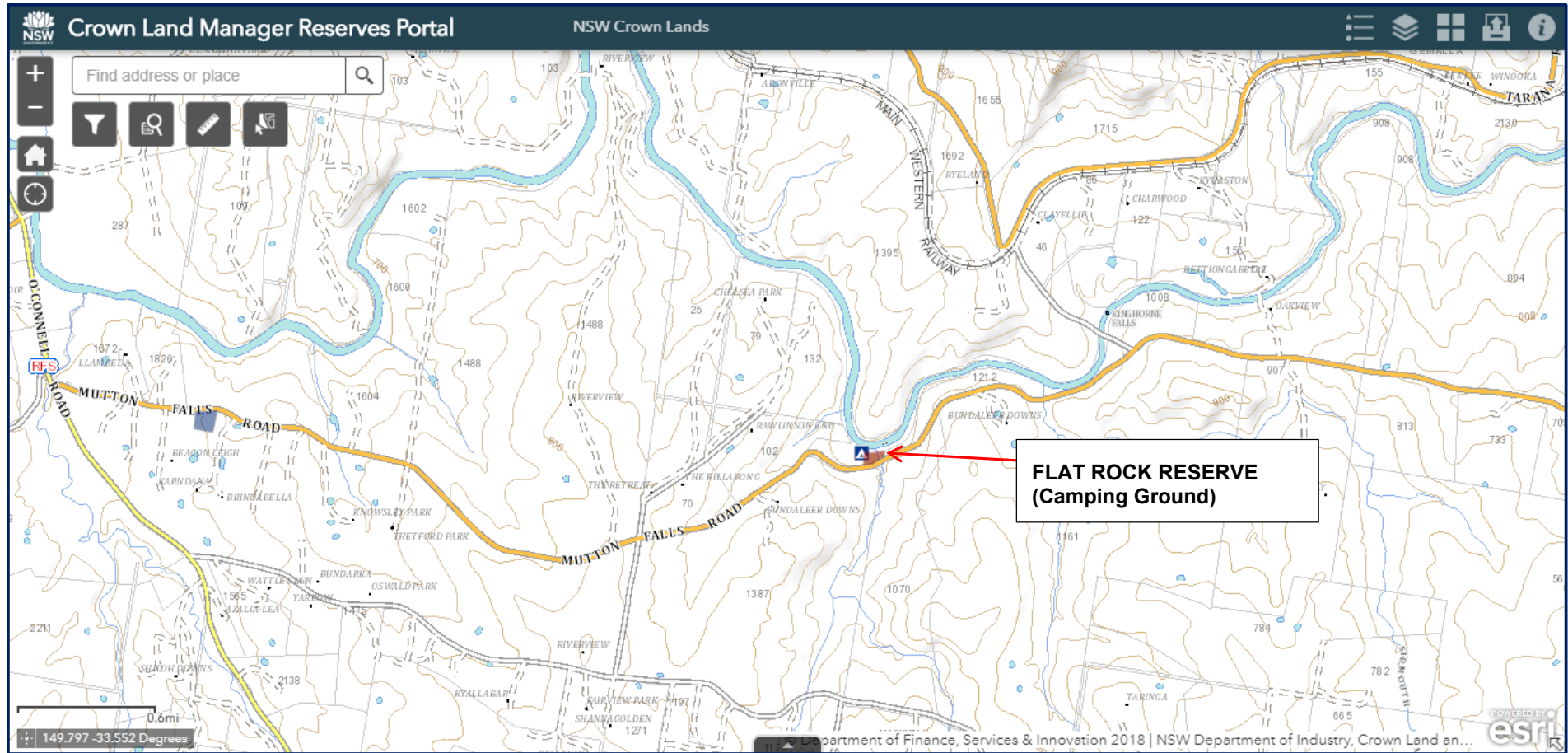
CROWN RESERVE LOCATIONS – OBERON LGA

HAZELGROVE LOCALITY MAP



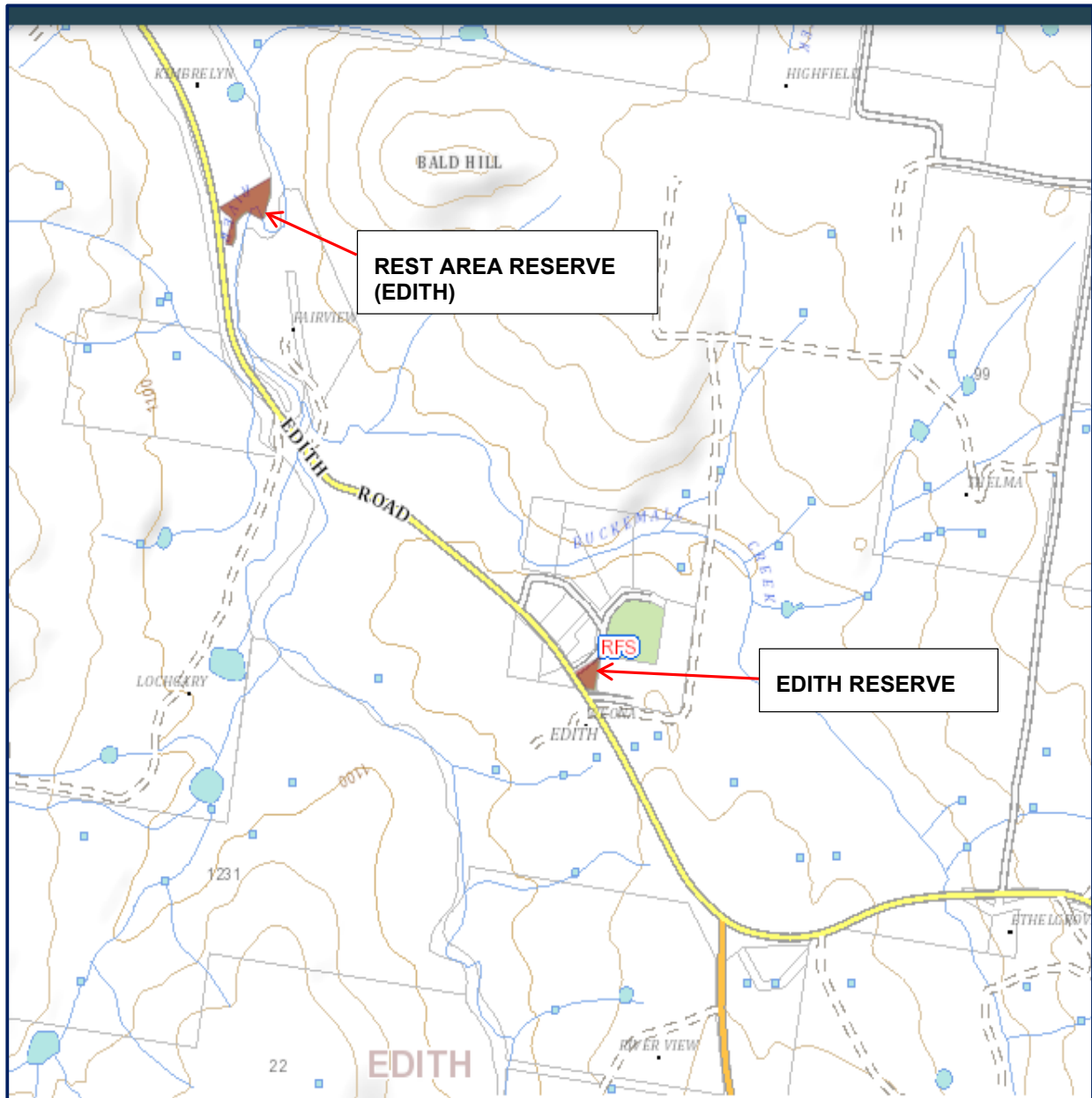
CROWN RESERVE LOCATIONS – OBERON LGA

O'CONNELL LOCALITY MAP



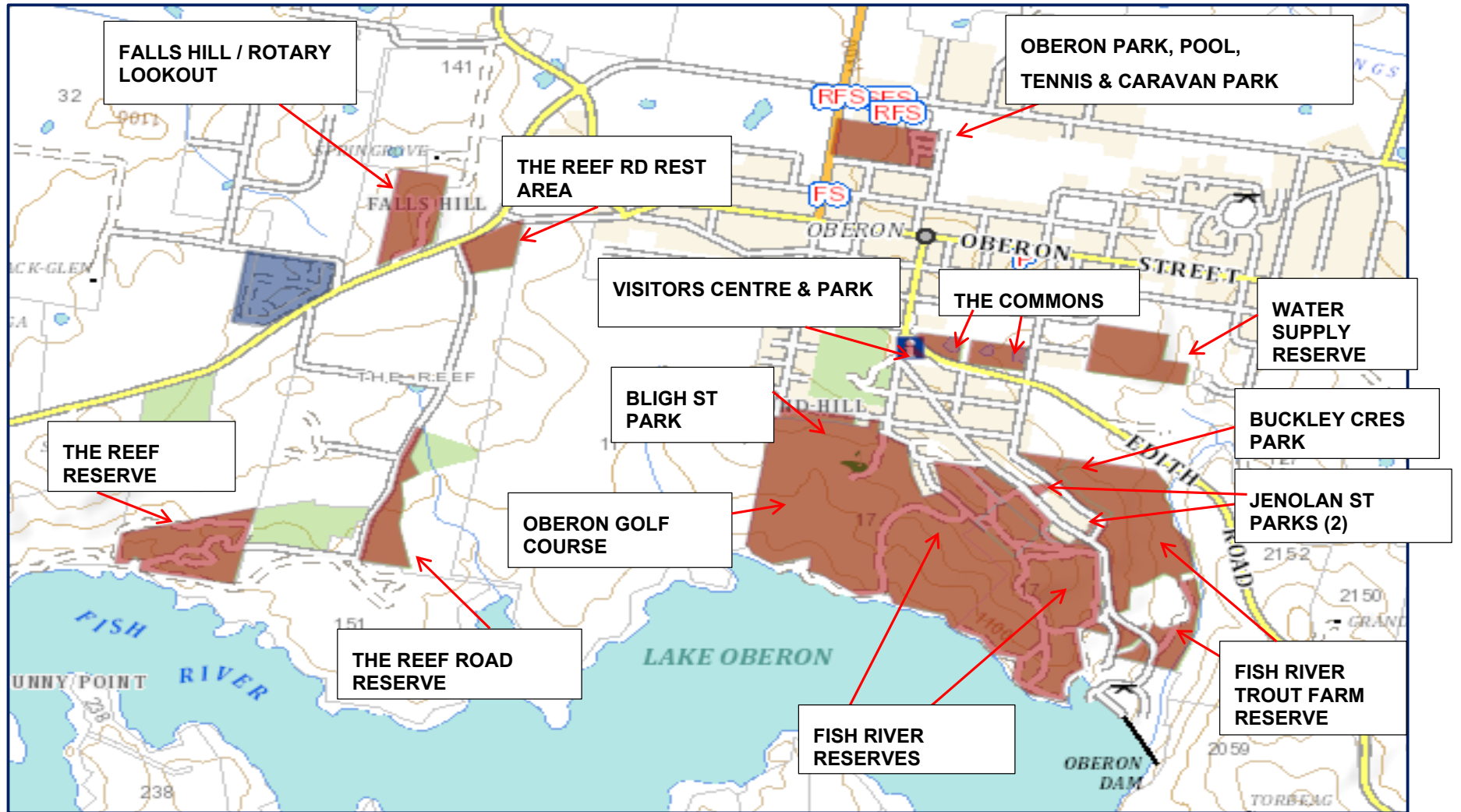
CROWN RESERVE LOCATIONS – OBERON LGA

EDITH LOCALITY MAP

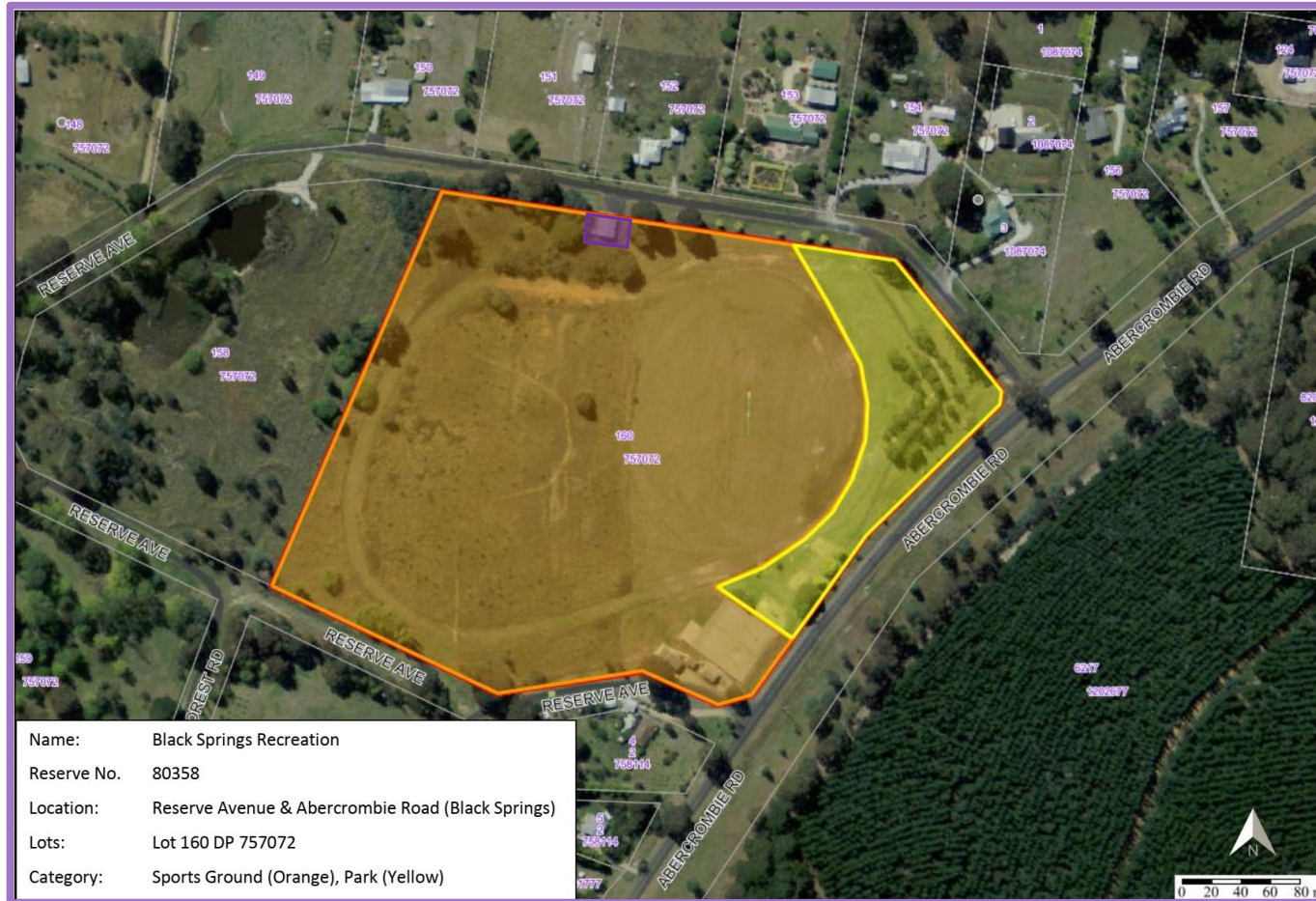


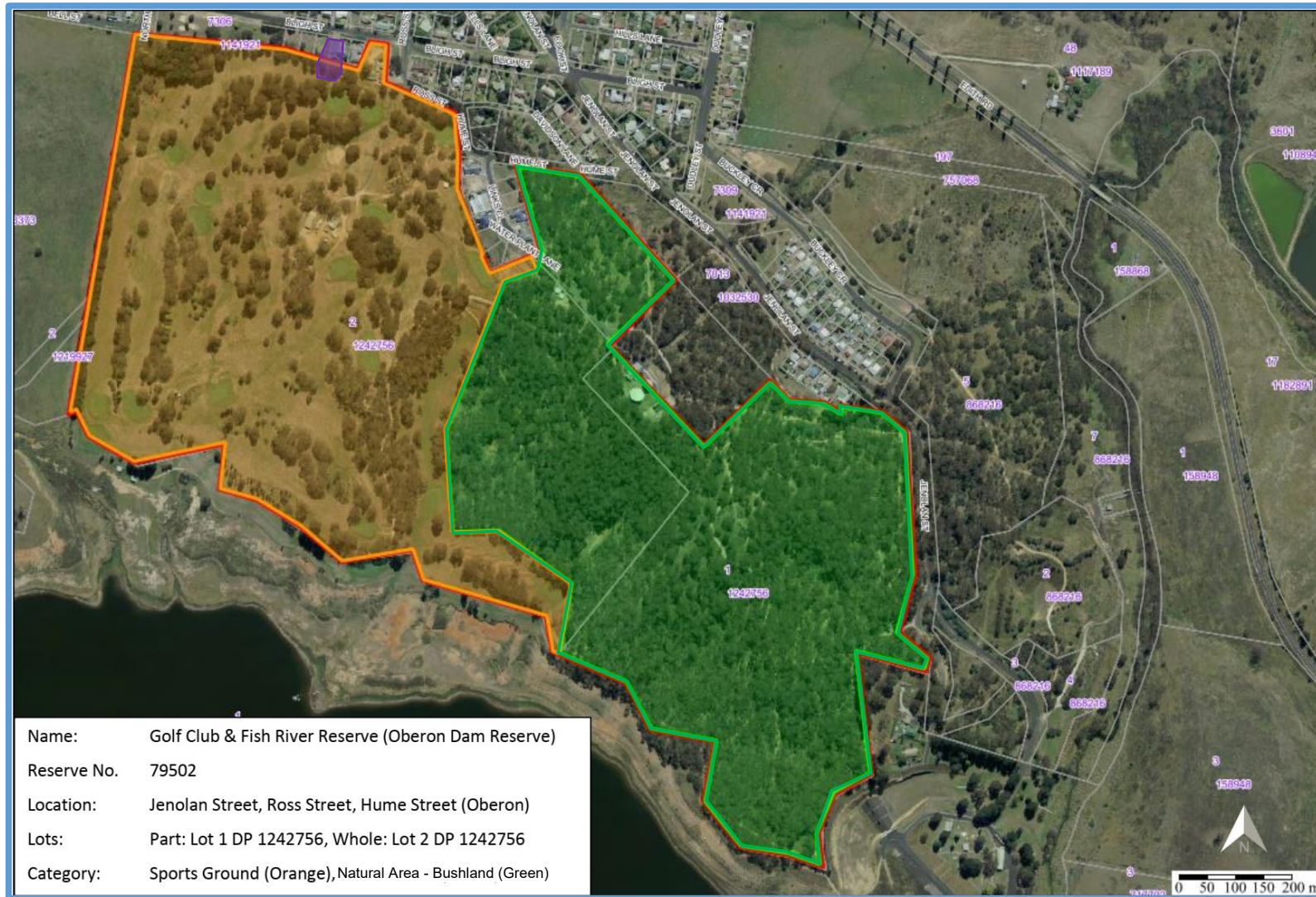
CROWN RESERVE LOCATIONS – OBERON LGA

OBERON TOWN LOCALITY MAP

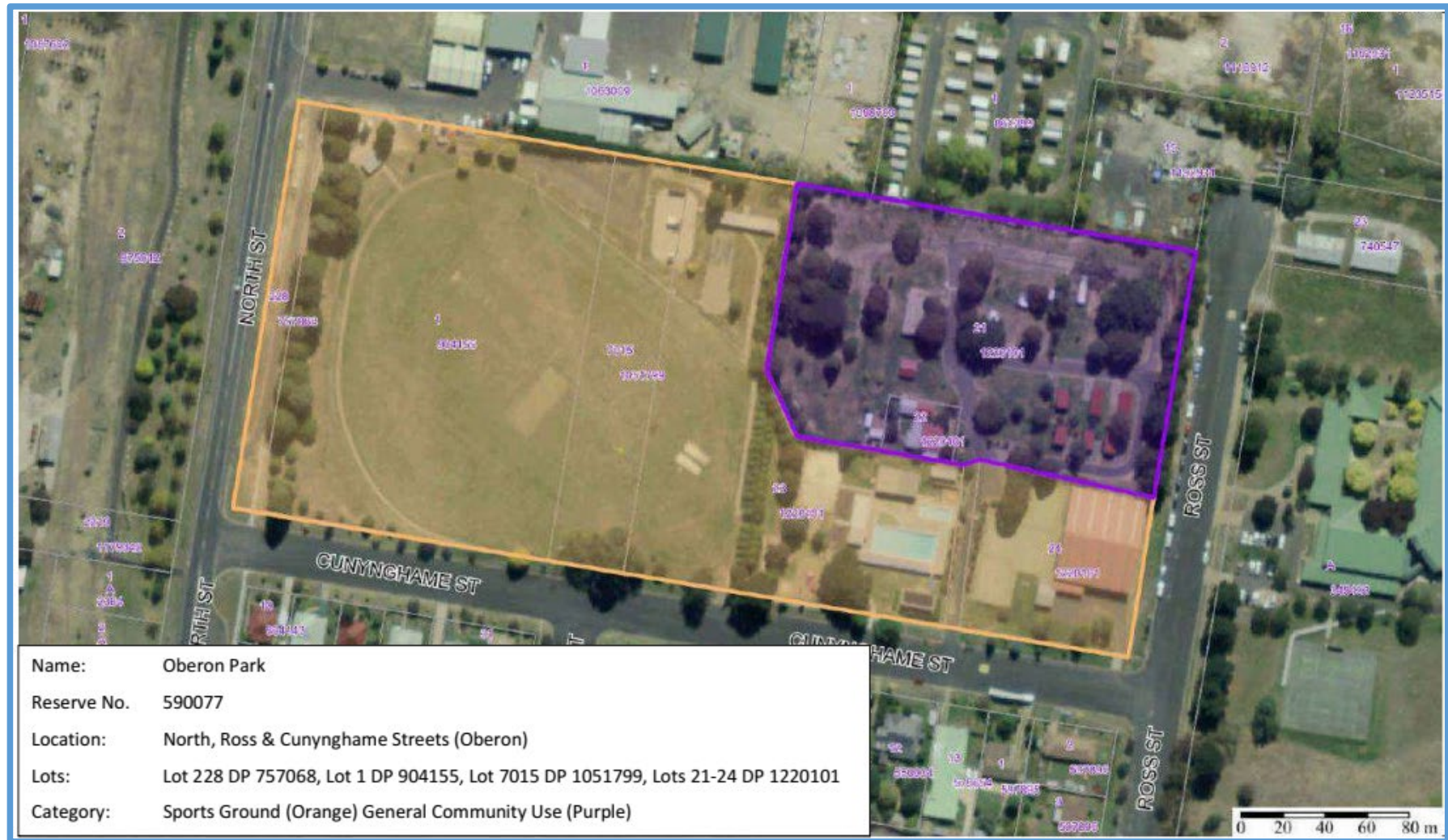


Appendix B —Category maps

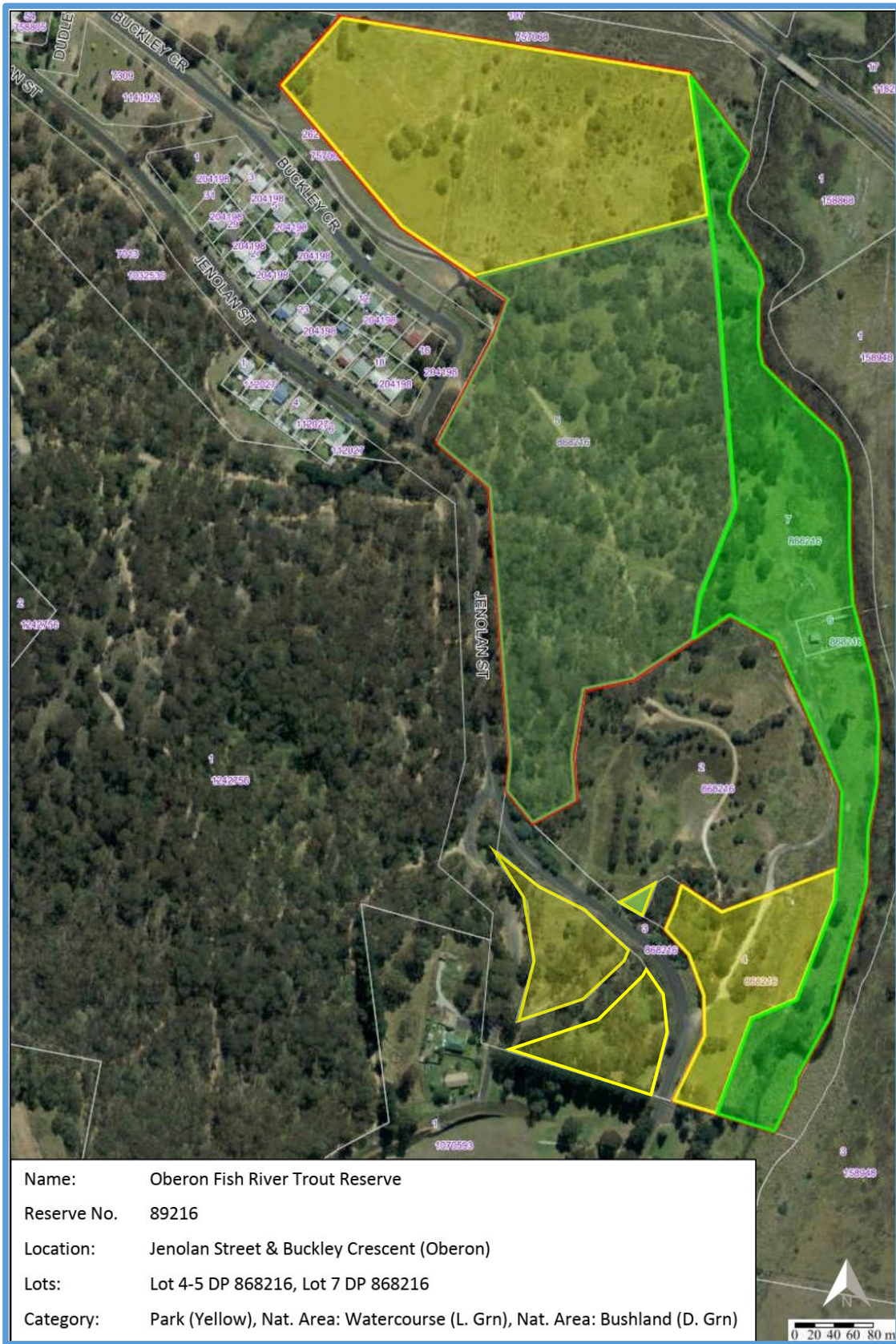








CATEGORY MAPS



Appendix C – Focus Group Meetings

Attendee groups at focus group meetings held in August 2020 and follow up email and telephone contact.

1. 3 AUGUST 2020

- Black Springs Public School
- Sydney Speleological Society
- Black Springs Community Association

2. 4 AUGUST 2020

- * Oberon High School
- * Oberon Public School
- * St Joseph's Catholic School
- * YMCA
- * Oberon Fishing Club
- * University of the 3rd Age
- * 2 Lessees of 2 different reserves
- * Central Acclimatisation Society
- * Mountain Bike
- * Section 355 Committee for Hazelgrove Reserve & RSF

3. Email and telephone consultation with Oberon Golf Club, August/September 2020

4. Email and telephone consultation with Council's Tourism & Economic Development Manager, 27 August 2020

5. Email and telephone consultation with Council's Technical Services Director, 24 August 2020

Appendix D – Schedule of Leases and Licences

Reserve Number	Reserve Name	Location	PoM Purpose	Category	PoM Category	Lot Identifiers	Lease Holder	Lease Purpose	Expiry Date
R90674	Falls Hill or Rotary Lookout	Oberon	Public Recreation	Park	Park	Whole: Lot 277 DP 705307	1. Amplitel 2. RBA Holdings 3. Council 4. Telstra 5. SBS Radio	Access TV Repeater Station Telecommunications Access Repeater	1 st Aug 2026 22 May 2022 1 st July 2027 License 618858 1 st May 2025 License 618858 4 May 2014
R79502	Golf Club & Fish River Reserve (Oberon Dam Reserve)	Oberon	Public Recreation	Natural Area - Bushland Sportsground	Natural Area - Bushland General Community Use	Part: Lot 1 DP 1242756 Whole: Lot 2 DP 1242756	Oberon Golf Club	Golf Course and Clubhouse	23 December 2030
R590077	Oberon Park	Oberon	Public Recreation	Sportsground, General Community Use	Sportsground, General Community Use <i>Note: Park category originally assigned when Crown Lands Policy allowed</i>	Lot 23 Whole: Lot 228 DP 757068, Lot 1 DP 904155, Lot 7015 DP 1051799,	Council Jenolan Caravan Park & LDL	Gym & Pool Caravan Park,	Ongoing Caravan Park- EXP:28 Feb 2026

Oberon Council - Agenda - Ordinary Meeting - 17 December 2024

					<i>only one category.</i> <i>Park areas (playground and skate park) are small and the activities can occur under Sportsground category</i>	Lots 21-24 DP 1220101	Tourist Park Ltd	Tennis Court	Tennis Court- EXP:19 Dec 2026
R64027	Reef Rd Rest Area	Cnr of The Reef Road and Abercrombie Road Oberon	Roadside Vehicle Rest Area	General Community Use	General Community Use	Whole: Lot 7010 DP 1030717	Pethybridge	Grazing and agistment	EXP:31 August 2025 *
R64025	The Reef Road Reserve (near to) Reef Reserve	Shooters Hill	Public Recreation	General Community Use	General Community Use	Whole: Lot 7008 DP 1030717	Crown Lease		Council is Manager
R9501	Oberon Water Supply Reserve	Oberon	Public Recreation Water Supply	General Community Use	General Community Use	Part: Lot 217 DP 757068 Lot 1 DP 880593	Crown Lease	Grazing	Commencement 17 March 2021

* The current lease arrangement will not be renewed. Any future grazing licenses will be issued under s2.20 of the CLM Act 2016.

13.6 Playground Risk Assessment Further Report

File No: TS/Parks and Reserves/Playgrounds

Author: Geoff Paton (Works Engineer), Dr Cornelia Wiebels (Technical Services Director)

Summary

Previously Council resolved to receive a further report in relation to compliance of its playground equipment which was presented to the November Ordinary Meeting of Council.

No decision to adopt, defer, or adopt an alternate motion was taken. This report provides options, including cost estimates, and staff recommendations to address the advice received from independent experts in relation to Council's playgrounds.

The importance of this report has been elevated by comments in relation to Councils current Risk Appetite Statements and recommendations made by Councils Audit Risk and Improvement Committee (ARIC).

Recommendation:

That Council:

- 1) Endorse the removal of all non-compliant play equipment at the parks at Armstrong Place, Bligh Street, Buckley Crescent, Burraga, Cunynghame Oval, Glyndwr Street North, Glyndwr Street South and Miss Wilson (Option A).
 - 2) Approve the proposed Works Program for the parks at Buckley Crescent, Burraga, Cunynghame Oval, Hassall Park, Herb David, the Pool and multiple playground areas within the Oberon Common (Option A).
 - 3) Implement a Communications Strategy outlining the rationale behind the need to remove the current non-compliant play equipment and what mechanisms Council proposes to replace the non-compliant equipment.
 - 4) Receive a further report with the aim to consider the implementation of a Playground Service Hierarchy.
-

List of Attachments

Nil

BACKGROUND

A report was presented to Council at the May 2024 Ordinary Meeting advising of risks to Council resulting from playground assessments undertaken. The report was based on staff risk assessments and staff inspections of the condition and compliance with Australian Standards of playgrounds across the LGA. The report recommended that Council:

1. Prioritise its resourcing on maintaining and improving ten (10) out of its 16 playgrounds and, decommission the remaining six (6) being Miss Wilson; Glyndwr Ave South and North; Bligh Street; Buckley Crescent; and Armstrong Place.
 2. Remove non-compliant playground equipment as a priority.
 3. Allocate \$81,000 for playground decommissioning (Miss Wilson, Glyndwr North & South, Bligh St, Buckley Cr, Armstrong Pl) and short-term safety improvements (Common Upper & Middle, Cunningham Oval) in the FY 2024/25 from the Section 7.11 & 7.12 Contributions funds for Open Spaces and Community Facilities.
-

4. Explore funding opportunities, or other funding sources to allocate ~\$300,000 for playground refurbishments and renewals (Common Upper & Middle, Cunningham Oval) over the FYs 2025/26 to 2027/28.

At the same meeting Council resolved (**Resolution 15 – 21/05/2024**) as follows:

That Council:

1. *Prioritise its resourcing on maintaining and improving its 10 identified playgrounds.*
2. *Explore funding opportunities, or other funding sources to allocate ~\$300,000 for playground refurbishments and renewals (Common Upper & Middle, Cunningham Oval) over the FYs 2025/26 to 2027/28.*
3. *A further report be provided on the feasibility and costs involved in upgrading the current 6 non-complying playgrounds equipment to comply with current day standards as outlined in the report.*

The matter was subsequently referred to ARIC in June 2024 given the risk profiling within the report.

Following ARIC, a report was presented to Council in July 2024, where Council resolved (**Resolution No: 12 - 16/07/2024**):

That Council:

1. *Receive and note the minutes of the Audit Risk and Improvement Committee held on 27 June 2024.*
2. *In light of the risks involved, Council be requested to review its previous resolutions in relation to the Playground Risk Assessment report that was resolved on 21 May 2024 to take proper account of the risk appetite of Council, the potential personal liability for staff and Councillors and risks moving forward in relation to that resolution including the risk to Council.*
3. *Acknowledge concerns raised by ARIC in regard to the need for Councillors to be provided with clear responsibilities under the Code of Conduct and related legislation. Future induction of Councillors include specific workshops on Code of Conduct and the responsibilities of Councillors under the Code of Conduct, with specific reference to risk.*
4. *In light of the risks involved in this decision, Council take proper account of realised risks to staff and Councillors and that Council recognise there is an impact on staff and Councillors to ensure there is sufficient support for those impacted.*
5. *A Councillor Interaction Policy be developed to guide appropriate behaviour in relation to interaction between staff and councillors.*
6. *Council ensure that in future resolutions which do not follow staff recommendations there is a clear description as to how council is to address the risks and acknowledgement of the potential strategic impacts as presented to them.*

A report was presented to the November Ordinary Meeting of Council with the following recommendations:

1. Endorse the options recommended for repairs and upgrades to individual playgrounds as highlighted in the Options table of the report.
2. Consider the allocation of \$144,000 into future Financial Years to address the remaining issues at Cunynghame Oval Park and The Common – Fenced Playground.

These recommendations were not adopted by Council and an alternate motion was presented to Council which was not supported. The alternate motion recommended that:

1. That the playground equipment at Glyndwr Avenue (north) be removed and the area made good.
2. That the status of Hassall Park and who is responsible for its maintenance be investigated, and discussions be held with TfNSW in relation to upgrading the playground equipment to ensure compliance with safety standards.
3. That repairs and maintenance to the playgrounds at Black Springs Recreation Ground and Burruga Park be carried out using the Parks and Gardens maintenance budget.
4. That replenishment of the softfall at parks other than the Common be carried out where required using the Parks and Gardens maintenance budget, and that the provision of softfall barriers be deferred until after safety upgrades have been completed.
5. That the TI Legacy Fund and the Local Small Commitment Allocation Program funds be used to carry out improvements as set out in the report, at Buckley Crescent, Cunyngame Oval, Herb David Park, The Common, and the Pool Playground.
6. That the playground equipment remain barricaded and unusable until further funds are available to upgrade them to comply with safety standards at Armstrong Place, Bligh St, Glyndwr Ave (south) and Miss Wilson Park

As a result, no resolution was made by Council relating to this matter.

Council allocated \$232,930 for Playground Upgrades and Make Safe from the Town Improvement Legacy fund for the 2024 /2025 and 2025/2026 Operational Plans. Council was also successful in receiving a \$14,560 (recently extended by \$560) grant from the NSW Government's Local Small Commitment Allocation Program for softfall renewal at the Common. This amounts to a total available budget of \$247,490.

Council engaged KidSafe to undertake a Comprehensive Playground Inspection of all playgrounds in the LGA during August 2024, for \$6,292.50. This leaves a budget balance of \$241,197.50.

Staff have assessed the reports from KidSafe and undertook preliminary costings to repair and upgrade each playground area. This report recommends various treatments for different playground areas to ensure the best value for the expenditure of the Town Improvement Legacy fund, which is not sufficient to repair and ensure the compliance of all playgrounds across the LGA. It is noted that this report refers to playgrounds only and does not extend to active and passive recreational areas, such as parks, sports grounds, or other recreational facilities.

This report does not propose to close parks; it relates to the current safety risk that the non-compliant play equipment pose and Council's current risk appetite to avoid risk when dealing in matters of safety to its people and the community at large.

It is noted that previous Council reports in 2015 and 2021 looked at removing the playground equipment from Glyndwr Ave (North) and to use the available land differently. Meanwhile, the present equipment still requires removal and the area re-establishment to grass, which has been included in the cost estimates and staff recommendations. This park is also part of a Notice of Motion presented to the December Ordinary Meeting by Councillor Clive McCarthy and will either be supported for sale or will require additional treatment that has not been considered by this report.

ADDITIONAL COMMENTARY

Proposed recommendations have strategically aligned to the risk assessments carried out by both staff and Kids Safe. Further, to strategically allocate the Town Improvement Legacy funding is

required to allow for work to be undertaken not only on playgrounds proposed to be decommissioned but for those parks identified as requiring additional corrections.

The proposed works program (detailed below) aims to ensure the upgrade of strategically located playground areas to meet Australian standards and minimise the personal liability Councillors and staff are currently exposed to and have been exposed to since the issue was first reported to Council in May 2024.

The adoption of a strategic approach to the provision of playground services necessitates the adoption of a Hierarchy of Playgrounds, ranging from a regional facility like 'The Common' to a local playground like 'Buckley Crescent Park'. A proposed hierarchy was included in the November 2024 report however it is proposed to defer this process and provide some direction after consultation with Council in the new year. A report will be brought back to Council in early 2025 to recommend a way forward to endorse hierarchy for Oberon LGA's playgrounds.

Playgrounds are an asset that provide the community with an area for recreation, relaxation, learning and fun. They provide an opportunity for both active and passive play for children of all ages, in both a supervised and unsupervised setting. Council aims to provide the community with a strategic network of quality play areas, containing safe and compliant playground equipment that provide recreation and a challenge for the users.

Within Council's adopted Community Strategic Plan; Theme 4: Infrastructure and Services Action 4.2 states that Council will 'Provide accessible, safe and well-maintained community spaces and facilities.'

At present, Council does not currently have sufficient budgets allocated to maintain or upgrade existing Playground facilities to be compliant with Australian Standard 4685:2021, Playground equipment and surfacing and Australian Standard 4422:2022, Playground Surfacing. However staff are presenting a framework that provides a good starting point to mitigate liability.

According to an article published in the Australian and New Zealand Journal of Public Health; *Playground injury prevention: the need for consistent and national implementation of Australian safety standards (2023; v47 n2)*. "The effectiveness of the Australian Playground Standards depends on adherence and enforcement. Once a playground has been built or updated to comply with the Standards, regular inspections and audits are required to ensure compliance with the Standards, as well as the ongoing maintenance of surfacing materials, identification of worn surfaces and equipment replacement to retain protective effects. These inspections and audits are the responsibility of the local government."

Further, statistics show that nationally, nearly 10% of all child injury hospitalisations are playground related. This equates to over 6,000 children being admitted to hospital each year from playground injury, with countless more children injured who do not require hospital admission. (*Child Accident Prevention Foundation of Australia: Northern Territory*). Between 2002 and 2012, 56,723 hospitalisations across Australia were identified as being related to "Fall involving playground equipment" (*A 10-year review of the characteristics and health outcomes of injury-related hospitalisations of children in Australia*; Rebecca Mitchell, Kate Curtis, Kim Foster, May 2017), which was significantly higher than the next highest category of "Other fall from one level to another".

Recommendations:

The November 2024 report summarised the KidSafe recommendations for each playground, considered options including cost estimates as well as staff recommendations and comments.

The KidSafe Comprehensive Playground Inspection Reports were attached to the November 2024 Playground Risk Assessment Further Report together with a detailed table of cost estimates for the different options.

In line with recommendations from ARIC, legal advice provided confirmed that protection of councillors and employees from liability under the Local Government (LG) Act becomes void where there is an absence of good faith or, in other words, presence of negligence:

Part 3 Proceedings against councils, councillors and staff, Division 2 Liability, Section 731 Liability of councillors, employees and other persons of the LG Act states "A matter or thing done by the Minister, the Departmental Chief Executive, a council, a councillor, a member of a committee of the council or an employee of the council or any person acting under the direction of the Minister, the Departmental Chief Executive, the council or a committee of the council does not, if the matter or thing was done in good faith for the purpose of executing this or any other Act, and for and on behalf of the Minister, the Departmental Chief Executive, the council or a committee of the council, subject a councillor, a member, an employee or a person so acting personally to any action, liability, claim or demand."

It is recommended that Council remove all play equipment at the parks at Glyndwr St North, Glyndwr St South, Miss Wilson Park, Armstrong Place, Bligh Street as well as some equipment at Cunynghame Oval. This equipment has been assessed as non-compliant. Therefore, it requires removal, irrespective of potential replacement post removal.

If the non-compliant equipment is not removed, it requires temporary exclusion fencing. Erection of temporary exclusion fencing and signage does not absolve Council of liability and bears further issues such as fauna related hazards within the exclusion zone (e.g. snakes), additional maintenance requirements (e.g. whipper snipping around it), or being a potential eyesore, in addition to the area not being useable/available to the public.

Should Council resolve to adopt an alternate motion to keep these playgrounds, then Council will need to acknowledge that these resolutions sit outside the current adopted Risk Appetite Statement. Further, without acknowledgement Council may be liability for any claims against any incidents relating to non-compliant play equipment.

Works Program:

The program of works proposed in this report is focussed on providing a strategic network of playgrounds across the LGA that meet Australian standards and provide the most equitable access to playgrounds to all residents of the LGA.

The Cost Estimates included within the report are for capital works components only, with operations and maintenance costs captured in the annual cost column. The annual cost estimates are based on first principal calculations, as Council does not currently have a separate budget for playground maintenance. It should also be noted that beyond the \$700 for minor maintenance at Black Springs, there is no capacity to undertake any of the proposed works from the existing Parks and Gardens budget.

The Cost Estimates for softfall upgrades are based on renewal with certified bark softfall, the removal of existing materials which are highly contaminated, unlikely to have been certified and not re-usable with certified bark softfall. The Cost Estimates also include the installation of barriers which are critical to minimising encroachment of grass and dirt into the softfall, ensure compliance with Australian standards for the extent of impact areas, ensure that softfall depths can be maintained, and minimise maintenance time. Later installation of softfall barriers would result in having to replace the existing softfall (writing there value to zero in the Asset Register) due to contamination through the construction process.

The use of rubber softfall options can be considered on a case-by-case basis. The initial cost of rubber softfall is considerably higher than traditional bark softfall, however this needs to be

considered in context of its considerably longer useful life. Current cost estimates are based on lose fill (bark) softfall.

The non-compliant play equipment items are currently tagged out with tape and signs, which is insufficient to minimise the liability Councillors and staff are currently exposed to and have been exposed to since the initial report in May 2024.

If Council does not agree to remove this equipment, an additional budget allocation will be required to install exclusion fencing around the items. Staff would be concerned that these areas would not be able to be satisfactorily maintained, with grass growth and the risk of vandalism.

Cost estimates for temporary exclusion fencing are contained within **Table 1**. The estimates for maintenance do currently not include regular inspection of the exclusion fencing, additional cost to address potentially damaged fencing or for signage on the exclusion fencing.

Based on previous feedback from Councillors, staff have confirmed that Transport for New South Wales (TfNSW) Road Maintenance Council Contract (RMCC) does not cover playgrounds, that TfNSW does not have funding streams available for playground capital or maintenance activities for the works required at Hassall Park, and that they consider this to be a Council asset. Also, at the time this report was prepared, staff have not been able to clarify if there are any agreements in place between Council and the New South Wales Land and Housing Corporation for the Playground at Armstrong Place.

Notes on Softfall:

Softfall has been costed on the basis of requiring a concrete barrier to contain and define the softfall maintenance area. Prior to undertaking softfall upgrades, an analysis will be conducted to compare the whole of life cost of lose fill softfall versus rubberised softfall. Rubber softfall has a greater capital cost, however would reduce the cost of replenishing softfall (topping up and replacing every 5 years) and weekly raking of softfall.

OPTIONS

Council has been provided with the following options:

- A) Remove all non-compliant playground equipment identified from the reports and upgrade remaining play equipment to comply using part of the allocated TI legacy fund as previously identified in the May and November Ordinary Meetings. Further, undertake the works highlighted in Table 1 being the proposed Works Program for the parks at Buckley Crescent, Burruga, Cunynghame Oval, Hassall Park, Herb David, the Pool and multiple playground areas within the Oberon Common over this and next years' operational plans.
- B) Retain the non-compliant play equipment and install temporary exclusion fencing instead, and upgrade remaining play equipment to comply, using part of the allocated TI legacy fund (including for the fencing) and allocate further budget to do so.
- C) Remove all non-compliant playground equipment and replace all current equipment with new equipment and highlight where additional funding will be sourced from.
- D) Do not remove all non-compliant equipment and install temporary exclusion fencing whilst future funding sources are found and acknowledging that this activity sits outside Councils current Risk Appetite Statement for Safety.

Considerations for Council

1. Non-Compliant Equipment: Removal or Temporary Measures

- Removing non-compliant equipment is the most effective action to address immediate safety risks and mitigate legal liability.
- Installing temporary exclusion fencing provides a short-term solution but incurs additional costs (\$15,025 upfront and \$5,100 annually) without resolving the underlying safety issues.

2. Risk Appetite and Liability

- Retaining non-compliant equipment requires revising the Council's Risk Appetite Statement to accept a higher tolerance for safety risks.
- Councillors and staff face potential personal liability for incidents involving non-compliant playgrounds unless proactive measures are taken.

3. Budget Allocation and Addressing Shortfall

- The available \$247,490 from the Town Improvement Legacy Fund and grants can be utilised to implement initial upgrades and removals.
- A funding shortfall of approximately \$142,250 exists to fully implement Option A (removal and upgrades), requiring additional budget allocation in future financial years.

5. Implementation of Staged Works Program

- A phased approach ensures the best use of current funds, starting with the removal of redundant playgrounds (e.g., Miss Wilson Park, Glyndwr Ave) and upgrading priority sites (The Common, Burruga Park).

6. Long-Term Maintenance and Material Investments

- Investing in durable materials, such as rubber softfall, reduces ongoing maintenance costs and extends the lifespan of equipment.
- Ongoing maintenance, inspections, and compliance monitoring require a sustainable funding strategy and regular budget allocation.

7. Community Engagement

- A Communications Strategy is essential to inform the community about the rationale for removing non-compliant equipment and highlight planned upgrades.
- Clear communication maintains public trust and helps address concerns over changes in playground accessibility.

Financial Implications – Cost Estimates:

Option A:

- Capital cost – \$389,735
- Annual operational cost – \$51,252

Option B:

- Capital cost – \$378,985 PLUS \$15,025 for exclusion fencing
- Annual operational cost – \$51,252 PLUS \$5,100 for exclusion fencing related maintenance

Option C:

- Capital cost – \$605,768
- Annual operational cost – \$88,179

Option D:

- Capital cost – \$585,018 PLUS \$15,025 for exclusion fencing
- Annual operational cost – \$88,179 PLUS \$5,100 for exclusion fencing related maintenance

The cost estimates presented in November 2024 were initial estimates based on a mix of in-house and contractor rates and amount to a total of \$345,193; it is reasonable to add a 15% contingency, which generates a total cost of \$389,735.

Currently allocated funding amounts to \$247,490, leaving a shortfall of approximately \$142,250 in capital cost (Option A). In comparison, Option C leaves a shortfall of around \$360,000 in capital cost.

The staff recommendations propose a staged approach, using allocated TI funds first and allocate further budget in future financial years.

Table 1 breaks the costing down, separating TI and LSCAP funds as well as Parks & Gardens budget, temporary exclusion fencing, future IP&R considerations and annual operational cost.

Table 1: Break down of costings, including exclusion fencing

Playground Budget Review									
Playground Budget Item	TOTAL Project (\$)	Town Improvement	LSCAP (\$14,560)	CAPITAL			2025/26 IP&R Consideration	ANNUAL MAINTENANCE	
				Parks & Gardens Budget	Exclusion Fencing Cost	Parks & Gardens Budget		Parks & Gardens Budget	Notes
Kidsafe Comprehensive Playground Inspections	\$ 6,292.50	\$ 6,292.50	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Armstrong Place - Remove play equipment and make good	\$ 2,050.00	\$ 2,050.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -4,050.00	
Armstrong Place - Temporary Fencing	\$ 2,042.00	\$ -	\$ -	\$ -	\$ 2,042.00	\$ -	\$ -	\$ 600.00	Additional
Black Springs Recreational Ground - Minor maintenance and signage	\$ 700.00	\$ -	\$ -	\$ 700.00	\$ -	\$ -	\$ -	\$ 4,800.00	
Bligh Street - Remove existing slide, climber, swing and make good	\$ 5,000.00	\$ 5,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -4,050.00	
Bligh Street - Temporary Fencing	\$ 2,310.40	\$ -	\$ -	\$ -	\$ 2,310.40	\$ -	\$ -	\$ 600.00	Additional
Buckley Crescent - Remove rocker and composite. Replace, double swing and slide. Install compliant soft-fall with barrier, replace park bench and slab	\$ 23,460.00	\$ 23,460.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,881.00	
Buckley Crescent - Temporary Fencing	\$ 3,147.00	\$ -	\$ -	\$ -	\$ 3,147.00	\$ -	\$ -	\$ 900.00	Additional
Burruga Park - Remove old swing set and older composite structure. Repair Kangaroo rocker including correcting soft-fall, and repair concrete picnic table.	\$ 5,200.00	\$ -	\$ -	\$ -	\$ -	\$ 5,200.00	\$ -	\$ 4,600.00	
Burruga Park - Temporary Fencing old Swing set and Composite	\$ 1,773.60	\$ -	\$ -	\$ -	\$ 1,773.60	\$ -	\$ -	\$ 600.00	Additional
Cunynghame Oval Park Stage 1 - Replace swing set and remove all items and make good	\$ 17,850.00	\$ 17,850.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,900.00	
Cunynghame Oval Park Stage 1 - Temporary Fencing Composite and Adult Swing	\$ 1,773.60	\$ -	\$ -	\$ -	\$ 1,773.60	\$ -	\$ -	\$ 600.00	Additional
Cunynghame Oval Park Stage 2 - Replace excavator, medium composite, 1 x bench seat, 1 x bench seat and slab, seats in shelter. Remove drinking station.	\$ 64,430.00	\$ -	\$ -	\$ -	\$ -	\$ 64,430.00	\$ -	\$ 8,312.00	
Glyndwr Ave (North) - Remove slide and swing set and make good	\$ 1,500.00	\$ 1,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -750.00	
Glyndwr Ave (North) - Temporary Fencing	\$ 1,371.00	\$ -	\$ -	\$ -	\$ 1,371.00	\$ -	\$ -	\$ 600.00	Additional
Glyndwr Ave (South) - Remove digger and swing set and make good	\$ 1,500.00	\$ 1,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -750.00	
Glyndwr Ave (South) - Temporary Fencing	\$ 1,371.00	\$ -	\$ -	\$ -	\$ 1,371.00	\$ -	\$ -	\$ 600.00	Additional

Playground Budget Review									
Playground Budget Item	TOTAL Project (\$)	CAPITAL				ANNUAL MAINTENANCE			
		Town Improvement	LSCAP (\$14,560)	Parks & Gardens Budget	Exclusion Fencing Cost	2025/26 IP&R Consideration	Parks & Gardens Budget	Notes	
Hassel Park - Repair and upgrade composite structure, fence, swing set, raise ground level, and update soft-fall.	\$ 26,350.00	\$ -	\$ -	\$ -	\$ -	\$ 26,350.00	\$ 5,550.00		
Herb David Park - Minor repairs to fence, see saw and rubber soft-fall	\$ 1,500.00	\$ 1,500.00	\$ -	\$ -	\$ -	\$ -	\$ 4,300.00		
Miss Wilson Park - Remove Rocker and make good.	\$ 500.00	\$ 500.00	\$ -	\$ -	\$ -	\$ -	\$ -2,750.00		
Miss Wilson Park - Temporary Fencing	\$ 1,236.80	\$ -	\$ -	\$ -	\$ 1,236.80	\$ -	\$ 600.00	Additional	
Pool Playground - Repair upgrade composite to ensure compliance, extend soft-fall and install soft-fall barrier.	\$ 15,500.00	\$ 15,500.00	\$ -	\$ -	\$ -	\$ -	\$ 3,180.00		
The Common – Fenced Playground - Stage 1 - Repair / upgrade large composite to be compliant. Remove fence, install soft-fall barrier.	\$ 23,250.00	\$ 10,000.00	\$13,250.00	\$ -	\$ -	\$ -	\$ 6,250.00		
The Common – Fenced Playground - Stage 2 - Replace large composite. Remove fence and install soft-fall barrier.	\$ 60,500.00	\$ -	\$ -	\$ -	\$ -	\$ 60,500.00	\$ 7,888.00		
The Common – Swing Set (top) - Repair swing set and install soft-fall barrier and renew soft-fall.	\$ 8,220.00	\$ 6,910.00	\$ 1,310.00	\$ -	\$ -	\$ -	\$ 1,144.00		
The Common – Accessible Playground and single Rocker - Minor maintenance, install soft-fall barrier and renew soft-fall around Single Rocker.	\$ 1,850.00	\$ 1,850.00	\$ -	\$ -	\$ -	\$ -	\$ 1,427.00		
The Common – Adventure Playground - Replace Spinning Poles x 3. Improve drainage (Design and Construct). Renew soft-fall and install barrier. Minor maintenance of flying fox.	\$ 79,540.00	\$ 79,540.00	\$ -	\$ -	\$ -	\$ -	\$10,970.00		
Total Cost	\$ 345,192.50	\$ 173,452.50	\$14,560.00	\$700.00		\$ 156,480.00	\$60,952.00		
+ 15% Contingency (excludes expenditure on KidSafe Report)	\$ 389,735.00	\$ 192,234.00				\$ 179,952.00			
Temporary Fencing Cost					\$ 15,025.40		\$ 5,100.00		
Total Budget		\$ 232,930.00	\$14,560.00						
Budget Balance		\$ 40,696.00	\$ -		\$ 25,670.60	\$ 154,281.40			

Relevance to Oberon Community Strategic Plan

Theme 4: Infrastructure and Services

Action 4.2 Provide accessible, safe and well maintained community spaces and facilities

4.2.10 Assets maintenance and improvement program for parks and open spaces infrastructure

Risk Category

Safety

Public Image and Reputation

Assets and Infrastructure

Risk Severity Ranking

Major - 60%

13.7 Councillor and Staff Interaction Policy - New Policy

File No: Council/Policies

Author: Gary Wallace (General Manager), Mathew Webb (Corporate Services Director)

Summary

This report seeks Council endorsement of a new Policy which has been resolved by Council in relation to Councillor and Staff Interaction. The draft has been presented and endorsed by Oberon Council Audit Risk and Improvement Committee (ARIC) at its 11 December Meeting.

The proposed Policy aims to establish respectful, professional communication guidelines, clarify roles, ensure fair access to information and address breaches through the Code of Conduct. It responds to ARIC's recommendations following a playground audit report.

Recommendation:

That Council:

1. Endorse Policy – Councillor and Staff Interaction and place it on public Exhibition for a period of 28 days.
 2. If no submissions are received during the exhibition period, the policy be adopted as presented.
 3. Delegate to the General Manager to amend any minor changes proposed.
-

List of Attachments

1. Councillor and Staff Interaction Policy [**13.7.1** - 8 pages]

Comment

During the ARIC Meeting in June 2024, a report was presented to the committee highlighting significant risks identified through an LGA-wide audit of playgrounds. The report examined the associated risks, audit processes and Council's decision-making procedures. ARIC made several recommendations based on this report, including a suggestion for the General Manager to consider implementing a Councillor Interaction Policy. This policy will guide Councillors in their interactions with staff and fellow Councillors.

In response to this recommendation and as part of an ongoing induction program for the new Council, a draft Councillor and Staff Interaction Policy has been developed and feedback has been sought from the ARIC.

Key Intentions of the Draft Policy:

1. Respectful and Professional Interactions:

Councillors and staff must maintain mutual respect, professionalism and transparency in all communications and relationships.

2. Defined Roles and Responsibilities:

Councillors focus on policy development and decision-making, while staff are responsible for implementing these decisions under the direction of the General Manager. Direct instructions to staff by Councillors are prohibited.

3. Fair Access to Information:

Councillors can request information relevant to their civic duties through appropriate channels, with clear timelines for responses.

4. Appropriate Communication Guidelines:

Interactions must adhere to ethical standards, remain courteous and utilise official communication channels. Undue influence, harassment or breaches of confidentiality are strictly prohibited.

5. Consequences for Non-Compliance:

Any breaches of the policy will be treated as violations of the Code of Conduct, which may lead to disciplinary actions.

Relevance to Oberon Community Strategic Plan

Theme 5: Leadership and Engagement

Action 5.2 Council has sound organisational health, with strong leadership and governance frameworks

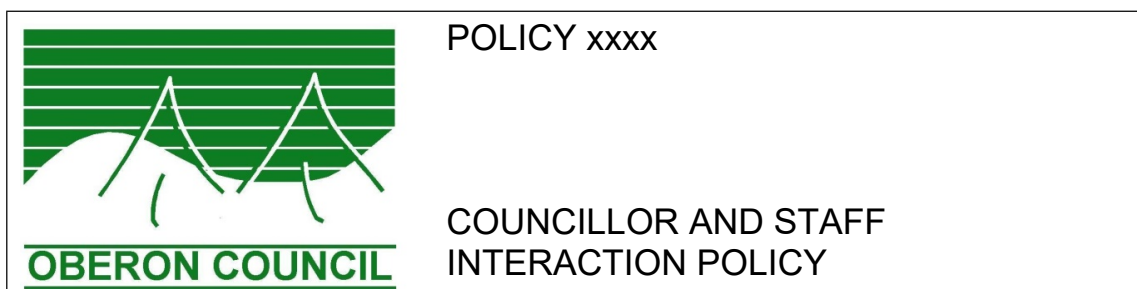
5.2.3 Effective meeting Structures, policies and procedures

Risk Category

Governance

Risk Severity Ranking

Minor - 32%



1. Objectives

The objectives of the Policy are:

- To establish positive, effective and professional working relationships between councillors and staff defined by mutual respect and courtesy
- Enable councillors and staff to work together appropriately and effectively to support each other in their respective roles
- Ensure that councillors receive advice in an orderly, courteous and appropriate manner to assist them in the performance of their civic duties
- Ensure councillors have adequate access to information to exercise their statutory roles
- Provide direction on, and guide councillor interaction with, staff for both obtaining information and in general situations
- Maintain transparent decision making and good governance arrangements
- Ensure the reputation of Council is enhanced by councillors and staff interacting consistently, professionally and positively in their day-to-day duties
- Provide a clear and consistent framework through which breaches of the Policy will be managed in accordance with the Code of Conduct.

2. Scope

- This Policy applies to all councillors and council staff.
- This Policy applies to all interactions between councillors and staff, whether face-to-face, online (including social media and virtual meeting platforms), by phone, text message or in writing.
- This Policy applies whenever interactions between councillors and staff occur, including inside or outside of work hours, and at both council and non-council venues and events.
- This Policy does not confer any delegated authority upon any person. All delegations to staff are made by the General Manager.
- Clause 3.1(b) of the Code of Conduct provides council officials must not conduct themselves in a manner that is contrary to council's policies. A breach of this Policy will be a breach of the Code.

3. Policy Statement

- The Councillor and Staff Interaction Policy (the Policy) provides a framework for councillors when exercising their civic functions by specifically addressing their ability to interact with, and receive advice from, authorised staff.
- The Policy complements and should be read in conjunction with Oberon Council's Code

of Conduct (the Code of Conduct).

- The aim of the Policy is to facilitate a positive working relationship between councillors, as the community's elected representatives, and staff, who are employed to administer the operations of the Council. The Policy provides direction on interactions between councillors and staff to assist both parties in carrying out their day-to-day duties professionally, ethically and respectfully.
- It is important to have an effective working relationship that recognises the important but differing contribution both parties bring to their complementary roles.

4 Roles, Responsibilities and Principles

- Several factors contribute to a good relationship between councillors and staff. These include goodwill, understanding of roles, communication, protocols, and a good understanding of legislative requirements.
- The Council's governing body and its administration (being staff within the organisation) must have a clear and sophisticated understanding of their different roles, and the fact that these operate within a hierarchy. The administration is accountable to the General Manager, who in turn, is accountable to the Council's governing body.
- Section 232 of the Local Government Act 1993 (the LGA) states that the role of a Councillor is as follows:
 - a) to be an active and contributing member of the governing body
 - b) to make considered and well-informed decisions as a member of the governing body
 - c) to participate in the development of the integrated planning and reporting framework
 - d) to represent the collective interests of residents, ratepayers and the local community
 - e) to facilitate communication between the local community and the governing body
 - f) to uphold and represent accurately the policies and decisions of the governing body
 - g) to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a councillor.
- The administration's role is to advise the governing body, implement Council's decisions and to oversee service delivery.
- It is beneficial if the administration recognises the complex political environments in which elected members operate and acknowledge that they work within a system that is based on democratic governance. Councillors similarly need to understand that it is a highly complex task to prepare information and provide quality advice on the very wide range of issues that Council operations cover.
- Council commits to the following principles to guide interactions between councillors and staff:

Principle	Achieved by
Equitable and consistent	Ensuring appropriate, consistent and equitable access to information for all councillors within established service levels
Considerate and respectful	Councillors and staff working supportively together in the interests of the whole Principle Achieved by community, based on mutual respect and consideration of their respective positions
Ethical, open and transparent	Ensuring that interactions between councillors and staff are ethical, open, transparent, honest and display the highest standards of professional conduct
Fit for purpose	Ensuring that the provision of equipment and information to councillors is done in a way that is suitable, practical and of an appropriate size, scale and cost for a client group of nine people
Accountable and measurable	Providing support to councillors in the performance of their role in a way that can be measured, reviewed and improved based on qualitative and quantitative data

- Councillors are members of the Council's governing body, which is responsible for directing and controlling the affairs of the Council in accordance with the LGA. Councillors need to accept that:
 - a) responses to requests for information from councillors may take time and consultation to prepare and be approved prior to responding
 - b) staff are not accountable to them individually
 - c) they must not direct staff except by giving appropriate direction to the General Manager by way of a council or committee resolution, or by the mayor exercising their functions under section 226 of the LGA
 - d) they must not, in any public or private forum, direct or influence, or attempt to direct or influence, a member of staff in the exercise of their functions
 - e) they must not contact a member of staff on council-related business unless in accordance with this Policy
 - f) they must not use their position to attempt to received favourable treatment for themselves or others.

- The General Manager is responsible for the efficient and effective day-to-day operation of the Council and for ensuring that the lawful decisions of the Council are implemented without undue delay. Council staff need to understand:
 - a) they are not accountable to individual councillors and do not take direction from them. They are accountable to the General Manager, who in turn is accountable to the Council's governing body
 - b) they should not provide advice to councillors unless it has been approved by the General Manager
 - c) they must carry out reasonable and lawful directions given by any person having the authority to give such directions in an efficient and effective manner
 - d) they must ensure that participation in political activities outside the service of the Council does not interfere with the performance of their official duties
 - e) they must provide full and timely information to councillors sufficient to enable them to exercise their civic functions in accordance with this Policy.

5 The Councillor Request

- Councillors have a right to request information provided it is relevant to councillor's exercise of their civic functions. This right does not extend to matters about which a councillor is merely curious.
- Councillors do not have a right to request information about matters that they are prevented from participating in decision-making on because of a conflict of interest unless the information is otherwise publicly available.
- The General Manager may identify Council support staff (the Councillor support officer) under this Policy for the management of requests from councillors.
- Councillors can use the councillor requests system to:
 - a) request information or ask questions that relate to the strategic position, performance or operation of the Council
 - b) bring concerns that have been raised by members of the public to the attention of staff
 - c) request IT or other support from the Council administration.
- Councillors must, to the best of their knowledge, be specific about what information they are requesting, and make their requests respectfully. Where a councillor's request lacks specificity, the General Manager or staff member authorised to manage the matter is entitled to ask the councillor to clarify their request and the reason(s) why they are seeking the information.
- Staff must make every reasonable effort to assist councillors with their requests and do so in a respectful manner.
- The General Manager or the staff member authorised to manage a councillor request will provide a response within (one) 1 business day acknowledging receipt of request and an initial response in five (5) business days. Where a response cannot be provided within that timeframe, the councillor will be advised, and the information will be provided as soon as practicable.
- Councillors are required to treat all information provided by staff appropriately and to observe any confidentiality requirements.
- Staff will inform councillors of any confidentiality requirements for information they provide so councillors can handle the information appropriately.
- Where a councillor is unsure of confidentiality requirements, they should contact the General Manager, or the staff member authorised to manage their request.
- The General Manager may refuse access to information requested by a councillor if:
 - a) the information is not necessary for the performance of the councillor's civic functions, or
 - b) the councillor has previously declared a conflict of interest in the matter and removed themselves from decision-making on it, or
 - c) the General Manager is prevented by law from disclosing the information, or

d) if responding to the request would, in the General Manager's opinion, result in an unreasonable diversion of staff time and resources.

- Where the General Manager refuses to provide information requested by a councillor, they must act reasonably. The General Manager must advise a councillor in writing of their reasons for refusing access to the information requested.
- Where a councillor's request for information is refused by the General Manager on the grounds referred to under clause 5, the councillor may instead request the information through a resolution of the council by way of a notice of motion.
- Where a councillor persistently makes requests for information which, in the General Manager's opinion, result in a significant and unreasonable diversion of staff time and resources the council may, on the advice of the General Manager, resolve to limit the number of requests the councillor may make.
- A report will be provided to councillors regularly (at least quarterly) regarding the performance and efficiency of the councillor requests system against established key performance indicators.

6 Access to Council staff

- Councillors may directly contact members of staff that are listed at Schedule 1 of this Policy. The General Manager may amend this list at any time and will advise councillors promptly of any changes.
- Councillors can contact staff listed at Schedule 1 about matters that relate to the staff member's area of responsibility.
- Councillors should as far as practicable, only contact staff during normal business hours.
- If councillors would like to contact a member of staff not listed on Schedule 1, they must receive permission from the General Manager.
- If a councillor is unsure which authorised staff member can help with their enquiry, they can contact the General Manager who will provide advice about which authorised staff member to contact.
- In some instances, the General Manager or a member of the Council's executive leadership team will direct a council staff member to contact councillors to provide specific information or clarification relating to a specific matter.
- A councillor or member of staff must not take advantage of their official position to improperly influence other councillors or members of staff in the performance of their civic or professional duties for the purposes of securing a private benefit for themselves or for another person.

7 Councillor access to Council Building

- Councillors are entitled to have access to the council chamber, committee room, mayor's office (subject to availability), and public areas of Council's buildings during normal business hours for meetings. Councillors needing access to these facilities at other times must obtain approval from the General Manager.

- Councillors must not enter staff-only areas of Council buildings without the approval of the General Manager.

8 Appropriate and inappropriate interactions

- Examples of appropriate interactions between councillors and staff include, but are not limited to, the following:
 - a) councillors and council staff are courteous and display a positive and professional attitude towards one another
 - b) council staff ensure that information necessary for councillors to exercise their civic functions is made equally available to all councillors, in accordance with this Policy and any other relevant Council policies
 - c) council staff record the advice they give to councillors in the same way they would if it was provided to members of the public
 - d) council staff, including Council's executive team members, document councillor requests via the councillor requests system
 - e) council meetings and councillor briefings are used to establish positive working relationships and help councillors to gain an understanding of the complex issues related to their civic duties
 - f) councillors and council staff feel supported when seeking and providing clarification about council related business
 - g) councillors forward requests through the councillor requests system and staff respond in accordance with the timeframes stipulated in this Policy
- Examples of inappropriate interactions between councillors and staff include, but are not limited to, the following:
 - a) councillors and council staff conducting themselves in a manner which:
 - i. is contrary to their duties under the Work Health and Safety Act 2011 and their responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety
 - ii. constitutes harassment and/or bullying within the meaning of clauses 3.7 and 3.9 of the Code of Conduct, or is unlawfully discriminatory
 - b) councillors approaching staff and staff organisations to discuss individual or operational staff matters (other than matters relating to broader workforce policy such as, but not limited to, organisational restructures or outsourcing decisions), grievances, workplace investigations and disciplinary matters
 - c) staff approaching councillors to discuss individual or operational staff matters (other than matters relating to broader workforce policy such as, but not limited to, organisational restructures or outsourcing decisions), grievances, workplace investigations and disciplinary matters
 - d) staff refusing to give information that is available to other councillors to a particular councillor in accordance with Part 5 of this policy
 - e) councillors who have lodged an application with the council, discussing the matter with staff in staff-only areas of the council
 - f) councillors being overbearing or threatening to staff
 - g) staff being overbearing or threatening to councillors

- h) councillors making personal attacks on staff or engaging in conduct towards staff that would be contrary to the general conduct provisions in Part 3 of the Code of Conduct in public forums including social media
- i) councillors directing or pressuring staff in the performance of their work, or recommendations they should make
- j) staff providing ad hoc advice to councillors without recording or documenting the interaction as they would if the advice was provided to a member of the community

Where a councillor engages in conduct that, in the opinion of the General Manager, puts the health, safety or welfare of staff at risk, the General Manager may restrict the councillor's access to staff.

9 Related Material

- Related Legislation
The following legislative materials are related to this Policy:
 - Local Government Act NSW 1993
 - Local Government (General) Regulation NSW 2021
 - Local Government Information (Public Access) Act NSW 2009
 - Local Government Information (Public Access) Regulation NSW 2018
- Related Policies, Procedures and General Manager Practice Notes. The following policy is related to this Policy:
 - Oberon Council Code of Conduct

10 Non-compliance with this Policy

- Clause 3.1(b) of Council's Code of Conduct provides that council officials must not conduct themselves in a manner that is contrary to council's policies. A breach of the policy may also constitute a breach of council's code of conduct. Concerns or complaints about the administration of a council's councillor request system should be raised with the General Manager in the first instance.

Approving Authority	Oberon Council
Contact	General Manager
Approval	
Issue Date to Staff	
Revision Date	

Schedule 1 – Authorised staff contacts for Councillors

- Clause 6 of this Policy provides that councillors may directly contact members of staff that are listed below. The General Manager may amend this list at any time.
- Councillors can contact staff listed below about matters that relate to the staff member’s area of responsibility.
- Councillors should as far as practicable, only contact staff during normal business hours.
- If councillors would like to contact a member of staff not listed below, they must receive permission from the General Manager.
- If a councillor is unsure which authorised staff member can help with their enquiry, they can contact the General Manager or the Councillor Support Officer who will provide advice about which authorised staff member to contact.
- In some instances, the General Manager or a member of the Council’s executive leadership team will direct a council staff member to contact councillors to provide specific information or clarification relating to a specific matter.

Authorised Staff Member Name	Position
Gary Wallace	General Manager
Sharon Swannell	Governance and Executive Manager
Dr Cornelia Wiebels	Technical Services Director
Damian O’Shannassy	Planning and Development Director
Mathew Webb	Corporate Services Director

13.8 Financial Assistance Policy 2209

File No: Governance/Policies

Author: Mathew Webb (Corporate Services Director)

Summary

The Oberon Financial Assistance Policy has undergone a comprehensive review and a revised version is presented to Council for community consultation through public exhibition. The updated policy introduces clearer categories for financial assistance, enhanced documentation and reporting requirements and a formalised review and public notification process. A significant change is the removal of recurrent grants, ensuring that funding is allocated based on current needs rather than establishing ongoing financial obligations.

Recommendation:

That Council:

1. Place the renewed Financial Assistance Policy 2209 on public exhibition for a period of 42 days, inviting public submissions during this time.
 2. Note the proposed removal of annual recurrent donations and consultation process with impacted community organisations.
 3. Note that a subsequent report summarising the consultation outcomes and submissions received will be presented to Council before the final adoption of the policy.
-

List of Attachments

1. 2209 Financial Assistance 2024 Proposed [13.8.1 - 4 pages]
2. financial-assistance-policy-2209 current [13.8.2 - 5 pages]

Comment

1. Background

The Oberon Financial Assistance Policy has been reviewed and a renewed policy presented to Council for community feedback via public exhibition. The proposed policy introduces clearer categories for financial assistance, stronger documentation and reporting requirements and a formalised review and public notice process.

2. Purpose of the Policy

To provide financial assistance to local activities, services or events that improve community's wellbeing, foster social inclusivity and contribute to environmental sustainability. This policy ensures that financial assistance is provided in accordance with the Local Government Act 1993 and that public funds are allocated in a consistent, equitable and transparent manner.

3. Objectives and Scope of the Policy

This policy applies to any financial assistance given by Oberon Council including charitable, community, sporting organisations or private individuals. It does not cover-tourism related activities, which are met from the Council's operational budget.

4. Summary of Amendments to Policy

a) Removal of Recurrent Grants:

- a. Proposed Change: The policy removes the option for recurrent or multi-year funding, due to concerns over sustainability, fairness and donations that are current and fit for purpose. By focusing on one-off grants, the policy ensures that funds are distributed equitably and that projects are evaluated on their current merit rather than historical arrangements. During the community consultation process staff will meet with impacted community organisations to gather input and discuss the requirement for an annual application.
- b. Current Policy: The current policy allowed for recurrent grants, which quickly become outdated and potentially not sustainable for Council.

b) Grant Categories and Focus Areas:

- a. Proposed Change: The policy introduces clear distinctions between a Small Grants Program (up to \$4,000) and Large Grants Program (above \$4,000), with different reporting requirements.
- b. Current Policy: There is no explicit breakdown in the current policy, which may result in less clarity on the varying levels of support for different project sizes.

c) Increased Documentation and Application Requirements:

- a. Proposed Change: The new policy incorporates robust documentation requirements such as proof of GST registration, statutory declarations, detailed project budgets, marketing plan and insurance certificates. This ensures accountability and proper evaluation of applications.
- b. Current Policy: The current policy has fewer formal documentation requirements, leading to inconsistencies in how applications are evaluated.

d) Assessment Process:

- a. Proposed Change: The new policy introduces a Financial Assistance Program panel that will assess applications based on specific criteria like inclusivity, capacity building and alignment with Council's strategic objectives. The panel will make recommendations to Council.
- b. Current Policy: The assessment process is not formalised, with the current policy relying on Council review without detailed criteria-based scoring, potentially leading to more subjective decisions.

e) Emphasis on Accountability and Transparency:

- a. Proposed Change: The proposed policy strengthens reporting obligations for both small and large grants. It outlines specific acquittal reports and public acknowledgment of Council support through promotional material. This will also include Council waivers, Village Fund allocations and in-kind arrangements that Council enters.
- b. Current Policy: While it includes basic reporting, the current policy does not align with the detailed accountability measures encouraged by the Office of Local Government, such as the requirement to publish funding decisions publicly or for recipients to provide detailed financial disclosures.

f) Eligibility and Strategic Alignment:

- a. Proposed Change: The new policy emphasises that applications must align with the Council's long-term strategic vision, particularly in terms of promoting inclusivity and addressing community welfare.

- b. Current Policy: The focus on alignment with Council's strategic goals is less pronounced in the current policy.

Financial Implications

Financial Assistance is budgeted for annually in the Operational Plan.

Relevance to Oberon Community Strategic Plan

Theme 5: Leadership and Engagement

Action 5.2 Council has sound organisational health, with strong leadership and governance frameworks

5.2.3 Effective meeting Structures, policies and procedures

Risk Category

People and Culture (Employees)


Public Image and Reputation

Governance

Service Delivery

Risk Severity Ranking

Minor - 32%

	<p>POLICY 2209 – PROPOSED</p> <p>Financial Assistance</p>
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1. Intent of Policy

To provide financial assistance to local activities, services or events that improve community's wellbeing, foster social inclusivity and contribute to environmental sustainability. This policy ensures that financial assistance is provided in accordance with the Local Government Act 1993 and that public funds are allocated in a consistent, equitable and transparent manner.

2. Scope of Policy

This policy applies to any financial assistance given by Oberon Council including charitable, community, sporting organisations or private individuals. It does not cover-tourism related activities, which are met from the Council's operational budget.

Relevant Statutory Requirements specific to the policy:

- *Section 8 & 356, 428(2)(l) Local Government Act 1993*
- *Section 4 Charitable Fundraising Act 1991 NSW*
- *Other NSW Government policy Provision.*

3. Guidelines

Local Government Act Section 356

- (1) A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.
- (2) A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this section until at least 28 days' public notice of the council's proposal to pass the necessary resolution has been given.
- (3) However, public notice is not required if:
 - (a) the financial assistance is part of a specific program, and
 - (b) the program's details have been included in the council's draft management plan for the year in which the financial assistance is proposed to be given, and

- (c) the program's proposed budget for that year does not exceed 5% of the council's proposed income from the ordinary rates levied for that year, and
- (d) the program applies uniformly to all persons within the council's area or to a significant group of persons within the area.

4. Financial Assistance

Each year, Council assesses the community's needs and determines an appropriate funding level for the Financial Assistance Program, which is then incorporated into the annual budget. This funding encompasses both direct cash grants and in-kind contributions, such as fee waivers, rate and user charge reductions, MOU commitments and maintenance support for eligible projects. To ensure alignment with community priorities, the elected Council may establish a specific funding focus each year, prioritising groups or initiatives that address community needs, such as programs for older residents or support for charitable organisations. These priorities are communicated transparently through the Council's Operational Plan, providing clarity on funding availability and focus areas.

All funding allocations are reviewed annually, requiring recipients to submit a new application each year. This process ensures equity, allows for the reassessment of community priorities and ensures that funds are distributed effectively to address current needs.

Financial assistance will be provided under the following two categories. Grants above \$4,000 will be subject to more detailed reporting requirements.

- Small Grants Program – Grants up to \$4,000
- Large Grants Program – Grants \$4,001 and above

5. Applications

All requests for financial assistance under the Financial Assistance Program must be submitted in writing during the application window, which will be promoted by Council each year. Applications received outside of this window will not be considered. Projects must meet the assessment criteria as outlined in this policy. Council will only consider the project specified in the application and no negotiations on project proposals will be entered into once an application has been received.

The application must clearly identify which organisation is auspicing/managing the funds for the group/individual and project.

The following application requirements apply:

- **Small Grants Program (up to \$4,000):** Applicants seeking funding under the Small Grants Program must provide:
 - Completed Application Form: Detailing the project, funding needs and benefits to the community.
 - Basic Budget Summary: An outline of projected expenses and how the grant will be utilised.
 - Proof of Legal Entity Status: Evidence that the applicant is a registered organisation or an auspiced group supported by a legal entity.
 - GST Registration Status:
 - If registered for GST, provide the Australian Business Number (ABN).
 - If not registered, include a statutory declaration confirming GST exemption.

- Evidence of Community Benefit: A brief description of how the project aligns with Council's strategic objectives and contributes to the wellbeing of the Oberon community.
- **Large Grants Program (\$4,001 and above):** Applicants seeking funding under the Large Grants Program must provide:
 - Comprehensive Application Form: Providing detailed information about the project, scope, objectives, timeline and expected outcomes.
 - Detailed Budget: A complete financial breakdown, including all anticipated income sources (e.g., other funding contributions, sponsorships) and expenses.
 - Supporting Documentation:
 - Evidence of current public liability insurance (minimum \$20 million coverage).
 - Relevant permits or approvals if required for the project.
 - Proof of GST Registration and Legal Entity Status:
 - If GST registered, include the ABN.
 - If exempt, provide a statutory declaration.
 - Evidence of Community and Strategic Alignment: A detailed explanation of how the project supports Council's strategic goals, builds community capacity and addresses local needs.

6. Assessment Process and Evaluation Criteria

Council will assess applications from:

- Charitable organisations as defined under the Charitable Fundraising Act 1991 (benevolent, philanthropic or patriotic purposes)
- Local not-for-profit sporting, arts, educational and cultural groups

The project must serve the Oberon community and comply with Council's Charter, ensuring equity, transparency and the promotion of public welfare. Council will review each application on these factors, with priority given to projects that:

- Promote inclusivity, ensuring all members of the community, particularly vulnerable individuals can participate.
- Build community capacity through skill development, infrastructure enhancement or social engagement.
- Align with Council's long-term strategic vision and community development objectives.

Applications will initially be assessed by the Financial Assistance Program panel to ensure the request meets these guidelines and the funds sought can be justified from the application. The panel will submit a report to Council with recommendations to fund priority projects within the allocated budget. Depending on funding priorities and the availability of other resources, recommendations may be made to partially or fully fund projects as submitted.

The composition of the panel will be as follows

- Director of Corporate Services
- Councillor delegate – Appointed by the Mayor
- Councillor delegate – Appointed by Council

The elected Council makes a final determination on which applications will be approved for funding and what amount is to be allocated as part of the annual Operational Plan. The decision will be recorded in Council minutes and published in local media.

7. Accountability and Transparency

The body receiving financial assistance will be accountable to Council for the administration of any funds provided and the following reporting requirements.

- Small Grants Program – Grants up to \$4,000
 - Completion of Small Grant project acquittal report detailing how the funds were utilised and outcomes of the project.
- Large Grants Program – Grants \$4,001 and above
 - Complete of Large Grant project acquittal report that includes a detailed breakdown of how funds were spent and outcomes of the project.
 - Relevant publicity and promotional material associated with the project.
 - Acknowledgement of Council support

This report will be provided to Council for information.

Council must be immediately notified and its approval obtained for any changes in the proposed use of its funding. Where the change is not approved any funding provided under the program must be immediately returned.

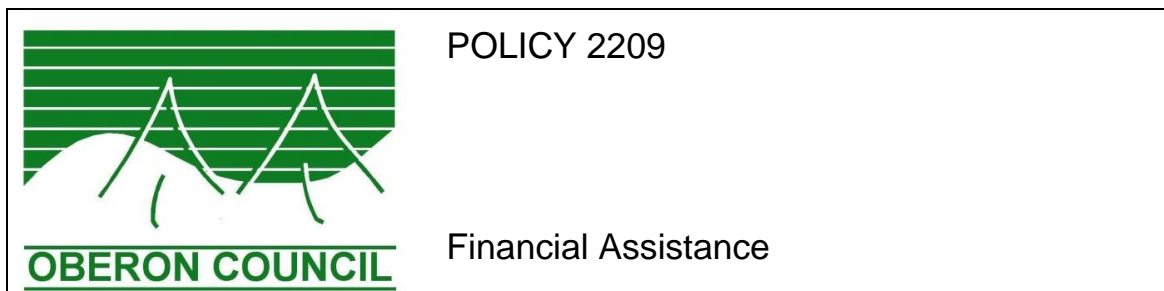
Council may negotiate the timing and structure of funding disbursements, including milestone payments. This will depend on the size, nature and timeline of the event or activity. For larger projects, upfront payments may be considered to ensure timely implementation and resource availability.

8. Public Notice

If the request for financial assistance is for private gain or does not fall within Council’s specific program, the panel will inform Council in the report. If Council wishes to proceed, the following steps will be followed:

- The General Manager will inform the Council that at least 28 days public notice of a proposal to pass a resolution to grant financial assistance is required. In the interest of openness and transparency in Council decision making the public notice must include details of recipient and amount proposed to be financially assisted.
- The Corporate Services Director will then arrange appropriate advertising and prepare a report after the public notice period has elapsed which includes any submissions.
- The elected Council makes a final determination on which applications will be approved for funding, the amount to be allocated and if this policy needs to be altered to accommodate the resolution.
- As required by the Local Government Act Section 428 the total amount contributed or otherwise granted under section 356 will be disclosed in Council’s Annual Report.

Approving Authority	Oberon Council
Contact	Corporate Services Director
Approval	
Revision Date	Dec 2024
Issue Date to Staff	



1. Intent of Policy

To provide financial assistance to local activities, services or events which improve the community's well-being, while ensuring that the provision of financial assistance is in accordance with the requirements of the Local Government Act 1993 and that allocations of public funds are made in a consistent, equitable and transparent manner.

2. Scope of Policy

This policy applies to any financial assistance given by Oberon Council (including charitable, community and sporting organisations or groups, and private individuals).

It is not intended that this policy refer to payments to be made to organisations conducting tourism related activities, including regional and local tourism associations, community events, and the local Art & Craft committees. These costs will be met out of Council's operating budget and are considered part of its direct service of tourism, events, arts and Culture activities.

Relevant Statutory Requirements specific to the policy:

- Section 8 & 356, 428(2)(l) Local Government Act 1993
- Section 4 Charitable Fundraising Act 1991 NSW
- Other NSW Government policy Provision.

3. Guidelines

Local Government Act Section 356

Can a council financially assist others?

- (1) *A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.*
- (2) *A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this section until at least 28 days' public notice of the council's proposal to pass the necessary resolution has been given.*
- (3) *However, public notice is not required if:*
 - the financial assistance is part of a specific program, and*
 - the program's details have been included in the council's draft management plan for the year in which the financial assistance is proposed to be given, and*

- (c) *the program's proposed budget for that year does not exceed 5% of the council's proposed income from the ordinary rates levied for that year, and*
 - (d) *the program applies uniformly to all persons within the council's area or to a significant group of persons within the area.*
- (4) *Public notice is also not required if the financial assistance is part of a program of graffiti removal work.*

Oberon Council Section 356 Financial Assistance Program

Discretionary

Each year Council considers the need for and level of funds that can be provided for the discretionary Financial Assistance Program and will set aside an appropriate amount in the budget for the Program. The elected Council determines whether there will be a priority focus for funding each year, and it may choose to set aside some or all of the funds for projects targeting specific groups such as “older people” or “charitable bodies”. This will be communicated each year in Council's Operational Plan process so that all persons within the area can apply. Separate application will need to be made each year for this type of assistance.

Annual

Council has also resolved that annually it will provide the following recurrent financial assistance and will set aside an appropriate amount in the annual operating budget. Separate application will not need to be made each year for this type of assistance. However, Council may discontinue this assistance at any time by Council resolution.

1. Council will provide annually a donation equivalent to the sewerage charges raised against
 - Oberon District Museum Society
 - Oberon Showground Trust.

This will involve a payment from the general fund allocation to the sewerage fund.

2. Water supplied to the Oberon Golf Club for the maintenance of the Oberon Golf Course will be provided at the cost of purchasing water from the Fish River Water Supply. This will involve a payment from the general fund allocation to the water fund for the difference in advertised tariff.
3. Council will provide annually a donation equivalent to the annual charges and water consumption charges for the assessment relating to the Oberon RSL Sub Branch War Memorial. This will involve a payment from the general fund allocation to the water fund for the difference in advertised tariff.
4. Council will provide annually traffic management assistance to the Oberon RSL Sub Branch for the ANZAC Day march. This funding will be included in the Community Events operational budget.
5. Council will provide annually a donation equivalent to the Oberon RSL Sub Branch war memorial and museum land difference between business rates and residential rates from 1 July 2008. .
6. The Oberon Golf Club will be financially assisted annually in accordance with its Lease to Oberon Council.
7. Contributions to the Oberon Golf Club will be reported to Council annually.

8. The Oberon Rugby League will be financially assisted annually to maintain grounds. The allocation will be determined by Council each year.

Applications

Requests for discretionary financial assistance from Council's Section 356 Financial Assistance Program should be in writing and the projects should meet the assessment criteria. Council can only consider the project specified in the application. No negotiations on project proposals will be entered into once an application has been received.

The application must clearly identify which organisation is auspicing/managing the funds for the group/individual and project.

To comply with the requirements of the Federal Government's Goods and Services Tax (GST), it must advise if the body is registered for the GST and if so the Australian Business Number. If the body is not registered, and not required to do so, a statutory declaration must be provided with the application which formally advises Council of this position.

Applications will initially be assessed within the Corporate Services Department to ensure the request meets these guidelines and the funds sought can be justified from the application. The Director of Corporate Services will submit a report to Council with recommendations to fund priority projects within the Council budget. Depending on funding priorities and the availability of other resources, recommendations may be made to partially or fully fund projects as submitted.

The elected Council makes a final determination on which applications will be approved for funding, and what amount is to be allocated, as part of its annual Operational Plan. The decision will be recorded in Council minutes and may be published in the local media.

Assessment criteria

Council will consider applications from organisations for charitable purposes within the definitions of the Charitable Fundraising Act, 1991

- *charitable purpose includes any benevolent, philanthropic or patriotic purpose.*
- *organisation includes any board of trustees or other body of persons, whether incorporated or unincorporated.*

Council will also consider applications from local, not for profit, sporting, arts and cultural organisations.

The project identified for assistance must provide services or activities that meet the needs and benefit the residents of the Oberon Council local government area, and as required by the Local Government Act be *for the purpose of exercising its functions*. The Charter in the Act articulates those functions and they are listed below:

- *to provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively*
- *to exercise community leadership*
- *to exercise its functions in a manner that is consistent with and actively promotes the principles of multiculturalism*
- *to promote and to provide and plan for the needs of children*

- *to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development*
- *to have regard to the long term and cumulative effects of its decisions*
- *to bear in mind that it is the custodian and trustee of public assets and to effectively account for and manage the assets for which it is responsible*
- *to facilitate the involvement of councillors, members of the public, users of facilities and services and council staff in the development, improvement and co-ordination of local government*
- *to raise funds for local purposes by the fair imposition of rates, charges and fees, by income earned from investments and, when appropriate, by borrowings and grants*
- *to keep the local community and the State government (and through it, the wider community) informed about its activities*
- *to ensure that, in the exercise of its regulatory functions, it acts consistently and without bias, particularly where an activity of the council is affected*
- *to be a responsible employer.*

Applicants must complete Council's Section 356 Financial Assistance Form and address their needs, the benefits provided to the community and relevance to the Council's charter.

Council will assess each application on its merit using the above criteria.

Accountability

The body receiving financial assistance will be accountable to Council for the administration of any funds provided.

Council must be immediately notified and its approval obtained for any changes in the proposed use of its funding. Where the change is not approved any funding provided under the program must be immediately returned.

Council will expect a written report for financial assistance over \$1,000. The acquittal report should include receipts and also any relevant publicity and promotional material associated with the project.

Public Notice

If the request for financial assistance is for private gain and/or does not fall within Council's specific program the Corporate Services Director will advise Council of this in the report (see Applications above). If Council still wishes to provide assistance the following procedures will ensure that the required public notice is given:

- The General Manager will inform the Council that at least 28 days public notice of a proposal to pass a resolution to grant financial assistance is required. In the interest of openness and transparency in Council decision making the public notice must include details of recipient and amount proposed to be financially assisted.
- The Corporate Services Director will then arrange appropriate advertising and prepare a report after the public notice period has elapsed which includes any submissions.
- The elected Council makes a final determination on which applications will be approved for funding, the amount to be allocated, and if this policy needs to be altered to accommodate the resolution.
- As required by the Local Government Act Section 428(2)(l) the total amount contributed or otherwise granted under section 356 will be disclosed in Council's Annual Report.

Approving Authority	Oberon Council
Contact	Corporate Services Director
Approval	Finance Committee Meeting – 9 April 2019: Item 05.01, Minute 03 160419
Revision Date	April 2021
Issue Date to Staff	April 2019

13.9 Policy 1101 - Model Code of Meeting Practice

File No: OD/Oberon Council/Policies

Author: Gary Wallace (General Manager), Mathew Webb (Corporate Services Director), Sharon Swannell (Governance and Executive Manager), Dr Cornelia Wiebels (Technical Services Director), Damian O'Shannassy (Planning and Development Director)

Summary

This Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) is prescribed under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2021* (the Regulation).

The Model Meeting Code applies to all meetings of councils and committees of councils of which all the members are councillors (committees of council). Council committees whose members include persons other than councillors may adopt their own rules for meetings unless the council determines otherwise.

Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code.

Recommendation:

That Council:

1. Place the Draft Policy 1101 - Code of Meeting Practice on public exhibition from Thursday 19 December 2024 to Thursday 6 February 2025 and submissions be invited to Council during that period.
 2. If no submissions are received within the exhibition period the policies be adopted as presented.
 3. Delegate to the General Manager to amend any minor changes proposed.
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List of Attachments

1. 1101 Model Code of Meeting Practice December 2024 [**13.9.1** - 35 pages]

1. Background

The Model Code of Meeting Practice (Model Meeting Code) for Local Councils in NSW was prescribed on 29 October 2021. A Councillor Workshop was held on 7 November 2024 with the newly elected Council to review the Model Meeting Code. The draft presented has been prepared incorporating suggestions from Councillors and Staff and is in line with legislation. Attached for Councils consideration is a copy of Policy 1101 - Code of Meeting Practice showing track changes.

The draft Code of Meeting Practice is required to be publicly exhibited for a period of not less than 42 days to allow for submissions to be received.

2. Purpose of Policy

The Model Code of Meeting Practice has been prescribed to provide a uniform set of meeting rules for councils across the State to help ensure more accessible, orderly, effective and efficient meetings.

3. Summary of amendments to Policy and other discussions

Councillors attended a workshop held on 7 November 2024 to review the non-mandatory provisions.

a) Timing of ordinary council meetings

It is proposed to continue holding ordinary council meetings on the third Tuesday of each month except January.

Councillors have held a number of discussions regarding the commencement time of ordinary council meetings giving consideration to the commitments of Councillors who are employed in either a full-time or part-time capacity. The discussion also considered the accessibility of Council meetings for the community, including new technology, timings to suit shift workers and the ability to watch recordings of meetings at a convenient time. Other considerations were given around staff resourcing and fatigue management as meetings consistently run past 10pm impacting effective decision making. These all need to be given equal consideration due to Work Health and Safety, Governance and Community outcomes.

The option of staff who attend the meetings included for Councils consideration in the draft policy is to change the commencement time for meetings to 2.00pm. It is noted however that the starting time is at the discretion of Council.

b) Giving notice of business to be considered at council meetings

This provision has remained unchanged. For items of business to be considered at council meetings a notice of motion must be submitted in writing 10 business days prior to the meeting unless otherwise approved by the General Manager.

c) Public Forums

Councillors will recall discussion was held in relation to the best way to incorporate community questions and concerns into the Council Meetings. A non-mandatory provision provided for in the Model Meeting Code is to hold Public Forums prior to the commencement of Ordinary Meetings.

Councillors considered this option at length, however due to the restrictions around the public forum provisions, councillors indicated their preference was to continue with the existing option to include a section for presentations from Community Groups, Organisations and members of the community within the agenda for ordinary meetings. They also indicated a preference to continue with a section for questions from the public. These provisions are not considered to be inconsistent with the mandatory provisions. Further, to capture all questions from the public taken on notice a report outlining answers to those questions will be provided to the next available ordinary meeting.

d) Attendance by Councillors at meetings by audio-visual link

The policy includes provisions to allow Councillors and Staff to attend meetings using audio visual link. This provision is considered to be of significant value and remains unchanged. It is noted in the Model Meeting Code that where a Councillor attends a meeting using audio-visual link, the audio-visual link must be of sufficient quality to not impinge the ability of all councillors and staff to participate fully in the meeting.

e) Order of business for ordinary council meetings

Councillors gave consideration to holding the Acknowledgement of Country and Prayer prior to the commencement of the ordinary meeting to allow those councillors, staff or members of the public who do not wish to be present during these items to be absent from the chambers. The order of business has not been changed at this time, however Councillors may wish to make this change prior to placing the draft policy on public exhibition.

f) Dealing with Items by Exception

This provision has been incorporated back into the Model Meeting Code to allow Council to resolve to adopt multiple items of business on the agenda by way of a single resolution. It is not a requirement that this is used at meetings, however the inclusion of this provision facilitates this to occur if needed.

g) Time limits on council meetings

This provision has not been incorporated into the current draft of the Model Meeting Code, however if Council chooses to continue to commence its ordinary meetings at a later time it may wish to add the provisions under Clause 18 of the Model Meeting Code to ensure that meetings do not run past a time where reasonable decisions can be made.

4. Adoption

The Code comprises of mandatory and non-mandatory provisions. Councils' adopted code of meeting practice may also incorporate the non-mandatory provisions of the Model Meeting Code and other supplementary provisions as long as they are not inconsistent with the mandatory provisions.

Councils are required to consult with their communities prior to adopting a code of meeting practice.

Until a council adopts a new code of meeting practice, its existing code of meeting practice will remain in force. If a council fails to adopt a new code of meeting practice within this period, any provisions of the council's adopted meeting code that are inconsistent with the mandatory provisions of the Model Meeting Code prescribed under the Regulation will automatically cease to have any effect to the extent that they are inconsistent with the mandatory provisions of the Model Meeting Code.

5. Additional Provisions

Whilst there are mandatory and non-mandatory provisions in the code the ability for councils to prescribe additional clauses in their code are available, providing they do not contradict mandatory provisions.

Consequently, the current Code of Meeting Practice relating to items such as presentations, questions from the public and workshops have been included in this draft code to replicate provisions currently available to our community whilst not contradicting the mandatory provisions of the model code.

6. Application

The Model Meeting Code applies to all meetings of councils and committees of councils of which all the members are councillors.

Relevance to Oberon Community Strategic Plan

Theme 5: Leadership and Engagement

Action 5.2 Council has sound organisational health, with strong leadership and governance frameworks


5.2.3 Effective meeting Structures, policies and procedures

Risk Category

Governance

Risk Severity Ranking

Minor - 32%

	<p>POLICY 1101</p> <p>CODE OF MEETING PRACTICE</p>
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MODEL CODE OF MEETING PRACTICE FOR LOCAL COUNCILS IN NSW

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1 INTRODUCTION

This Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) is made under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2005* (the Regulation).

This code applies to all meetings of councils and committees of councils of which all the members are councillors (committees of council). Council committees whose members include persons other than councillors may adopt their own rules for meetings unless the council determines otherwise.

Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code.

A council's adopted code of meeting practice may also incorporate the non-mandatory provisions of the Model Meeting Code and other supplementary provisions. However, a code of meeting practice adopted by a council must not contain provisions that are inconsistent with the mandatory provisions of this Model Meeting Code.

A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the code of meeting practice adopted by the council.

2 MEETING PRINCIPLES

2.1 Council and committee meetings should be:

Transparent: Decisions are made in a way that is open and accountable.

Informed: Decisions are made based on relevant, quality information.

Inclusive: Decisions respect the diverse needs and interests of the local community.

Principled: Decisions are informed by the principles prescribed under Chapter 3 of the Act.

Trusted: The community has confidence that councillors and staff act ethically and make decisions in the interests of the whole community.

Respectful: Councillors, staff and meeting attendees treat each other with respect.

Effective: Meetings are well organised, effectively run and skilfully chaired.

Orderly: Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

3 BEFORE THE MEETING

Timing of ordinary council meetings

- 3.1 Ordinary meetings of the council will be held on the following occasions:
Third Tuesday of each month except January commencing at ~~5.30pm~~2.00pm in the Oberon Council Chambers, 137 Oberon Street, Oberon NSW 2787.
- 3.2 *Not required.*

Note: Under section 365 of the Act, councils are required to meet at least ten (10) times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a council is required to meet each year under section 365A.

Extraordinary meetings

- 3.3 If the mayor receives a request in writing, signed by at least two (2) councillors, the mayor must call an extraordinary meeting of the council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The mayor can be one of the two councillors requesting the meeting.

Note: Clause 3.3 reflects section 366 of the Act.

Notice to the public of council meetings

- 3.4 The council must give notice to the public of the time, date and place of each of its meetings, including extraordinary meetings and of each meeting of committees of the council.

Note: Clause 3.4 reflects section 9(1) of the Act.

- 3.5 For the purposes of clause 3.4, notice of a meeting of the council and of a committee of council is to be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.
- 3.6 For the purposes of clause 3.4, notice of more than one (1) meeting may be given in the same notice.

Notice to councillors of ordinary council meetings

- 3.7 The general manager must send to each councillor, at least three (3) days before each meeting of the council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.

Note: Clause 3.7 reflects section 367(1) of the Act.

- 3.8 The notice and the agenda for, and the business papers relating to, the meeting may be given to councillors in electronic form, but only if all councillors have facilities to access the notice, agenda and business papers in that form.

Note: Clause 3.8 reflects section 367(3) of the Act.

Notice to councillors of extraordinary meetings

- 3.9 Notice of less than three (3) days may be given to councillors of an extraordinary meeting of the council in cases of emergency.

Note: Clause 3.9 reflects section 367(2) of the Act.

Giving notice of business to be considered at council meetings

- 3.10 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted by close of business on the first Tuesday of each month, 10 business days before the meeting is to be held.
- 3.11 A councillor may, in writing to the general manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.
- 3.12 If the general manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council.
- 3.13 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the general manager must either:
- (a) prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the council, or
 - (b) by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report.

Questions with notice

- 3.14 A councillor may, by way of a notice submitted under clause 3.10, ask a question for response by the general manager about the performance or operations of the council.
- 3.15 A councillor is not permitted to ask a question with notice under clause 3.14 that comprises a complaint against the general manager or a member of staff of the council, or a question that implies wrongdoing by the general manager or a member of staff of the council.
- 3.16 The general manager or their nominee may respond to a question with notice submitted under clause 3.14 by way of a report included in the business papers for the relevant meeting of the council or orally at the meeting.

Agenda and business papers for ordinary meetings

- 3.17 The general manager must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.
- 3.18 The general manager must ensure that the agenda for an ordinary meeting of the council states:
- (a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
 - (b) if the mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
 - (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
 - (d) any business of which due notice has been given under clause 3.10.
- 3.19 Nothing in clause 3.18 limits the powers of the mayor to put a mayoral minute to a meeting under clause 9.6.
- 3.20 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.
- 3.21 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public, the general manager must ensure that the agenda of the meeting:
- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
 - (b) states the grounds under section 10A(2) of the Act relevant to the item of business.
- Note: Clause 3.21 reflects section 9(2A)(a) of the Act.**
- 3.22 The general manager must ensure that the details of any item of business which, in the opinion of the general manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public, and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

Statement of ethical obligations

- 3.23 Business papers for all ordinary and extraordinary meetings of the council and committees of the council must contain a statement reminding councillors of their oath or affirmation of office made under section 233A of the Act and their obligations under the council's code of conduct to disclose and appropriately manage conflicts of interest.

Availability of the agenda and business papers to the public

- 3.24 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the council and committees of council, are to be published on the council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the council, at the relevant meeting and at such other venues determined by the council.

Note: Clause 3.24 reflects section 9(2) and (4) of the Act.

- 3.25 Clause 3.23 does not apply to the business papers for items of business that the general manager has identified under clause 3.21 as being likely to be considered when the meeting is closed to the public.

Note: Clause 3.25 reflects section 9(2A)(b) of the Act.

- 3.26 For the purposes of clause 3.23, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

Note: Clause 3.26 reflects section 9(3) of the Act.

- 3.27 A copy of an agenda, or of an associated business paper made available under clause 3.23, may in addition be given or made available in electronic form.

Note: Clause 3.27 reflects section 9(5) of the Act.

Agenda and business papers for extraordinary meetings

- 3.28 The general manager must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.
- 3.29 Despite clause 3.27, business may be considered at an extraordinary meeting of the council, even though due notice of the business has not been given, if:
- (a) a motion is passed to have the business considered at the meeting, and
 - (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 3.30 A motion moved under clause 3.28(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.
- 3.31 Despite clauses 10.20–10.30, only the mover of a motion moved under clause 3.28(a) can speak to the motion before it is put.
- 3.32 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.28(b) on whether a matter is of great urgency.

Pre-meeting briefing sessions

- 3.33 Prior to each ordinary meeting of the council, the general manager may arrange a pre-meeting briefing session to brief councillors on business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the council and meetings of committees of the council.
- 3.34 Pre-meeting briefing sessions are to be held in the absence of the public.
- 3.35 Pre-meeting briefing sessions may be held by audio-visual link.
- 3.36 The general manager or a member of staff nominated by the general manager is to preside at pre-meeting briefing sessions.

- 3.37 Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal council or committee meeting at which the item of business is to be considered.
- 3.38 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by the councillor who made the declaration.

4 PUBLIC FORUMS

4.1 – 4.24 *Not required*

5 COMING TOGETHER

Attendance by councillors at meetings

- 5.1 All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.

Note: A councillor may not attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected or a meeting at which the councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.

- 5.2 A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting.

5.3 *Not required*

- 5.4 Where a councillor is unable to attend one or more ordinary meetings of the council, the councillor should request that the council grant them a leave of absence from those meetings. This clause does not prevent a councillor from making an apology if they are unable to attend a meeting. However the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.

- 5.5 A councillor's request for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent and the grounds upon which the leave of absence is being sought.

- 5.6 The council must act reasonably when considering whether to grant a councillor's request for a leave of absence.

- 5.7 A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of the council without prior leave of the council, or leave granted by the council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

Note: Clause 5.7 reflects section 234(1)(d) of the Act.

- 5.8 A councillor who intends to attend a meeting of the council despite having been granted a leave of absence should, if practicable, give the general manager at least two (2) days' notice of their intention to attend.

The quorum for a meeting

- 5.9 The quorum for a meeting of the council is a majority of the councillors of the council who hold office at that time and are not suspended from office.

Note: Clause 5.9 reflects section 368(1) of the Act.

- 5.10 Clause 5.9 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the council.

Note: Clause 5.10 reflects section 368(2) of the Act.

- 5.11 A meeting of the council must be adjourned if a quorum is not present:
- (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
 - (b) within half an hour after the time designated for the holding of the meeting, or
 - (c) at any time during the meeting.
- 5.12 In either case, the meeting must be adjourned to a time, date and place fixed:
- (a) by the chairperson, or
 - (b) in the chairperson's absence, by the majority of the councillors present, or
 - (c) failing that, by the general manager.
- 5.13 The general manager must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the councillors present.
- 5.14 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the safety and welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster (such as, but not limited to flood or bushfire), or a public health emergency, the mayor may, in consultation with the general manager and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.
- 5.15 Where a meeting is cancelled under clause 5.14, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called under clause 3.3.

Meetings held by audio-visual link

- 5.16 A meeting of the council or a committee of the council may be held by audio-visual link where the mayor determines that the meeting should be held by audio-visual link because of a natural disaster or a public health emergency. The mayor may only make a determination under this clause where they are satisfied that attendance at the meeting may put the health and safety of councillors and staff at risk. The mayor must make a determination under this clause in consultation with the general manager and, as far as is practicable, with each councillor.

- 5.17 Where the mayor determines under clause 5.16 that a meeting is to be held by audio-visual link, the general manager must:
- (a) give written notice to all councillors that the meeting is to be held by audio-visual link, and
 - (b) take all reasonable steps to ensure that all councillors can participate in the meeting by audio-visual link, and
 - (c) cause a notice to be published on the council's website and in such other manner the general manager is satisfied will bring it to the attention of as many people as possible, advising that the meeting is to be held by audio-visual link and providing information about where members of the public may view the meeting.
- 5.18 This code applies to a meeting held by audio-visual link under clause 5.16 in the same way it would if the meeting was held in person.

Note: Where a council holds a meeting by audio-visual link under clause 5.16, it is still required under section 10 of the Act to provide a physical venue for members of the public to attend in person and observe the meeting.

Note: Where a Councillor attends a meeting using audio-visual link under clause 5.16 the audio visual link must be of sufficient quality to not impinge the ability of all councillors and staff to participate fully in the meeting.

Attendance by councillors at meetings by audio-visual link

- 5.19 Councillors may attend and participate in meetings of the council and committees of the council by audio-visual link with the approval of the council or the relevant committee.
- 5.20 A request by a councillor for approval to attend a meeting by audio-visual link must be made in writing to the general manager prior to the meeting in question and must provide reasons why the councillor will be prevented from attending the meeting in person.
- 5.21 Councillors may request approval to attend more than one meeting by audio-visual link. Where a councillor requests approval to attend more than one meeting by audio-visual link, the request must specify the meetings the request relates to in addition to the information required under clause 5.20.
- 5.22 The council must comply with the Health Privacy Principles prescribed under the *Health Records and Information Privacy Act 2002* when collecting, holding, using and disclosing health information in connection with a request by a councillor to attend a meeting by audio-visual link.
- 5.23 A councillor who has requested approval to attend a meeting of the council or a committee of the council by audio-visual link may participate in the meeting by audio-visual link until the council or committee determines whether to approve their request and is to be taken as present at the meeting. The councillor may participate in a decision in relation to their request to attend the meeting by audio-visual link.
- 5.24 A decision whether to approve a request by a councillor to attend a meeting of the council or a committee of the council by audio-visual link must be made by a resolution of the council or the committee concerned. The resolution must state:
- (a) the meetings the resolution applies to, and
 - (b) the reason why the councillor is being permitted to attend the meetings by audio-visual link where it is on grounds other than illness, disability, or caring responsibilities.

- 5.25 If the council or committee refuses a councillor's request to attend a meeting by audio-visual link

visual link, their link to the meeting is to be terminated.

- 5.26 A decision whether to approve a councillor's request to attend a meeting by audio-visual link is at the council's or the relevant committee's discretion. The council and committees of the council must act reasonably when considering requests by councillors to attend meetings by audio-visual link. However, the council and committees of the council are under no obligation to approve a councillor's request to attend a meeting by audio-visual link where the technical capacity does not exist to allow the councillor to attend the meeting by these means.
- 5.27 The council and committees of the council may refuse a councillor's request to attend a meeting by audio-visual link where the council or committee is satisfied that the councillor has failed to appropriately declare and manage conflicts of interest, observe confidentiality or to comply with this code on one or more previous occasions they have attended a meeting of the council or a committee of the council by audio-visual link.
- 5.28 This code applies to a councillor attending a meeting by audio-visual link in the same way it would if the councillor was attending the meeting in person. Where a councillor is permitted to attend a meeting by audio-visual link under this code, they are to be taken as attending the meeting in person for the purposes of the code and will have the same voting rights as if they were attending the meeting in person.
- 5.29 A councillor must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The councillor's camera must be on at all times during the meeting except as may be otherwise provided for under this code.
- 5.30 A councillor must be appropriately dressed when attending a meeting by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.

Entitlement of the public to attend council meetings

- 5.31 Everyone is entitled to attend a meeting of the council and committees of the council. The council must ensure that all meetings of the council and committees of the council are open to the public.

Note: Clause 5.31 reflects section 10(1) of the Act.

- 5.32 Clause 5.31 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.

- 5.33 A person (whether a councillor or another person) is not entitled to be present at a meeting of the council or a committee of the council if expelled from the meeting:

- (a) by a resolution of the meeting, or
- (b) by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.

Note: Clause 5.33 reflects section 10(2) of the Act.

Webcasting of meetings

- 5.34 All meetings of the council and committees of the council are to be webcast on the council's website. This will be undertaken in the following manner:
- a) All meetings of the Council and committees of Council will be webcast using an audio visual method to record Council meetings.
 - b) The recordings will be posted to the Oberon Council website within 5 working days of a meeting being held.
 - c) Editing of recordings of Council Meetings will not be permitted.
- 5.35 Clause 5.34 does not apply to parts of a meeting that have been closed to the public under section 10A of the Act.
- 5.36 At the start of each meeting the chairperson is to make a statement informing those in attendance that the meeting is being webcast and that those in attendance should refrain from making any defamatory statements.
- 5.37 A recording of each meeting of the council and committee of the council is to be retained on the council's website for twelve (12) months. Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.
- 5.38 Clauses 5.36 and 5.37 do not apply to any part of a meeting that has been closed to the public in accordance with section 10A of the Act.
- Note: Clauses 5.34 – 5.38 reflect section 236 of the Regulation.**
- 5.39 Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

Attendance of the general manager and other staff at meetings

- 5.40 The general manager is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all of the members are councillors.
- Note: Clause 5.40 reflects section 376(1) of the Act.**
- 5.41 The general manager is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote.
- Note: Clause 5.41 reflects section 376(2) of the Act.**
- 5.42 The general manager may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the general manager or the terms of employment of the general manager.
- Note: Clause 5.42 reflects section 376(3) of the Act.**
- 5.43 The attendance of other council staff at a meeting, (other than as members of the public) shall be with the approval of the general manager.
- 5.44 The general manager and other council staff may attend meetings of the council and committees of the council by audio-visual-link. Attendance by council staff at meetings by audio-visual link (other than as members of the public) shall be with the approval of the general manager.

6 THE CHAIRPERSON

The chairperson at meetings

- 6.1 The mayor, or at the request of or in the absence of the mayor, the deputy mayor (if any) presides at meetings of the council.

Note: Clause 6.1 reflects section 369(1) of the Act.

- 6.2 If the mayor and the deputy mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the council.

Note: Clause 6.2 reflects section 369(2) of the Act.

Election of the chairperson in the absence of the mayor and deputy mayor

- 6.3 If no chairperson is present at a meeting of the council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.

- 6.4 The election of a chairperson must be conducted:

- (a) by the general manager or, in their absence, an employee of the council designated by the general manager to conduct the election, or
- (b) by the person who called the meeting or a person acting on their behalf if neither the general manager nor a designated employee is present at the meeting, or if there is no general manager or designated employee.

- 6.5 If, at an election of a chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.

- 6.6 For the purposes of clause 6.5, the person conducting the election must:

- (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
- (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.

- 6.7 The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.

- 6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

Chairperson to have precedence

- 6.9 When the chairperson rises or speaks during a meeting of the council:

- (a) any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
- (b) every councillor present must be silent to enable the chairperson to be heard without interruption.

7 MODES OF ADDRESS

- 7.1 If the chairperson is the mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor'.
- 7.2 Where the chairperson is not the mayor, they are to be addressed as either 'Mr Chair' or 'Madam Chair'.
- 7.3 A councillor is to be addressed as 'Councillor [surname]'.
- 7.4 A council officer is to be addressed by their official designation or as Mr/Ms [surname].

8 ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

- 8.1 *Not required.*
- 8.2 The general order of business for an ordinary meeting of the Council shall be:
- 1) Opening of Meeting
 - 2) Acknowledgement of Country
 - 3) Prayer
 - 4) Record of attendance
 - 5) Declarations of Interest (Pecuniary and Non-Pecuniary)
 - 6) Presentations
 - 7) Questions from the public
 - 8) Confirmation of Minutes
 - 9) Mayoral minute and report
 - 10) Notices of Motions
 - 11) Councillor and Delegates reports
 - 12) Committee reports
 - 13) Reports for decision
 - 14) Reports for information
 - 15) Urgent business
 - 16) Closed Session / Confidential Reports
 - 17) Closure of Meeting
- 8.3 The order of business as fixed under clause 8.2 may be altered for a particular meeting of the council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.
- 8.4 Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 8.3 may speak to the motion before it is put.

Public Presentations

- 8.5 Council will at times allow presentations from groups or members of the community.
- 8.6 Notice of a public presentation from members of the community need to be advised to the General Manager by not later than 4.00pm Monday one week prior to the Council Meeting.
- 8.7 The content of a public presentation from members of the community needs to be provided to the General Manager no later than 3.00pm Friday prior to the meeting.
- 8.8 Should a presentation be accepted by the General Manager, Councillors will be advised of the presentation via electronic means.
- 8.9 Public presentations will be limited to fifteen minutes maximum.
- 8.10 No more than two public presentations will be undertaken at each meeting.
- 8.11 Presentations from invited organisations will not be time limited.
- 8.12 Presentations will be assessed by the General Manager and priority will be applied as follows:
- Invited presentations by Council
 - Items on the current agenda
 - All other
- 8.13 The General Manager will provide advice at least twenty four hours prior to the meeting if a presentation has been rescheduled.

Questions from the Public

- 8.14 The community is to be given the opportunity to ask questions at a Council meeting.
- 8.15 The person asking the question at the meeting must clearly state their name and in what capacity they are acting.
- 8.16 If a person asking a question is acting as another person/organisations agent they must advise council if they have prior consent/authority to do so.
- 8.17 Due to time constraints a time limit of three minutes per speaker will be allocated.
- 8.18 The total timeframe allowed for Questions from the Public will be limited to 30 minutes.
- 8.19 All questions must be directed through the Mayor. If the question cannot be answered immediately it will be taken on notice and a response given within a reasonable period of time.
- 8.20 Additional question time can be provided if an item that appears on the business paper that in the opinion of the Mayor or the Mayors nominated chairperson in consultation with the General Manager or their delegate, are satisfied that it is necessary to do so to allow the council to hear a fuller range of views on the relevant item of business.
- 8.21 This is the only opportunity for a community member to address Council during an Ordinary Meeting

Working Parties

- 8.22 The Council may appoint a group of Councillors and staff members to a working party or sub-committee which reports to the Council or appropriate committee.
- 8.23 The Council shall determine the terms of reference for the working party or subcommittee including the specific issues to be addressed.
- 8.24 The minutes of the working party or sub-committee shall be reported to the appropriate committee or to Council.
- 8.25 The working party or sub-committee shall be disbanded after the terms of reference have been completed.

9 CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

Business that can be dealt with at a council meeting

- 9.1 The council must not consider business at a meeting of the council:
- (a) unless a councillor has given notice of the business, as required by clause 3.10, and
 - (b) unless notice of the business has been sent to the councillors in accordance with clause 3.7 in the case of an ordinary meeting or clause 3.9 in the case of an extraordinary meeting called in an emergency.
- 9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:
- (a) is already before, or directly relates to, a matter that is already before the council, or
 - (b) is the election of a chairperson to preside at the meeting, or
 - (c) subject to clause 9.9, is a matter or topic put to the meeting by way of a mayoral minute, or
 - (d) is a motion for the adoption of recommendations of a committee, including, but not limited to, a committee of the council.
- 9.3 Despite clause 9.1, business may be considered at a meeting of the council even though due notice of the business has not been given to the councillors if:
- (a) a motion is passed to have the business considered at the meeting, and
 - (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 9.4 A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.
- 9.5 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.3(b).

Mayoral minutes

- 9.6 Subject to clause 9.9, if the mayor is the chairperson at a meeting of the council, the mayor may, by minute signed by the mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of the council, or of which the council has official knowledge.

- 9.7 A mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The chairperson (but only if the chairperson is the mayor) may move the adoption of a mayoral minute without the motion being seconded.
- 9.8 A recommendation made in a mayoral minute put by the mayor is, so far as it is adopted by the council, a resolution of the council.
- 9.9 A mayoral minute must not be used to put without notice matters that are routine and not urgent, or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 9.10 Where a mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the mayoral minute does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the recommendation if adopted.

Staff reports

- 9.11 A recommendation made in a staff report is, so far as it is adopted by the council, a resolution of the council.

Reports of committees of council

- 9.12 The recommendations of a committee of the council are, so far as they are adopted by the council, resolutions of the council.
- 9.13 If in a report of a committee of the council distinct recommendations are made, the council may make separate decisions on each recommendation.

Questions

- 9.14 A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.10 and 3.14.
- 9.15 A councillor may, through the chairperson, put a question to another councillor about a matter on the agenda.
- 9.16 A councillor may, through the general manager, put a question to a council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the general manager at the direction of the general manager.
- 9.17 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.
- 9.18 Councillors must put questions directly, succinctly, respectfully and without argument.
- 9.19 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

10 RULES OF DEBATE

Motions to be seconded

- 10.1 Unless otherwise specified in this code, a motion or an amendment cannot be debated unless or until it has been seconded.

Notices of motion

- 10.2 A councillor who has submitted a notice of motion under clause 3.10 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.
- 10.3 If a councillor who has submitted a notice of motion under clause 3.10 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the councillor may request the withdrawal of the motion when it is before the council.
- 10.4 In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:
- (a) any other councillor may, with the leave of the chairperson, move the motion at the meeting, or
 - (b) the chairperson may defer consideration of the motion until the next meeting of the council.

Chairperson's duties with respect to motions

- 10.5 It is the duty of the chairperson at a meeting of the council to receive and put to the meeting any lawful motion that is brought before the meeting.
- 10.6 The chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.
- 10.7 Before ruling out of order a motion or an amendment to a motion under clause 10.6, the chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.
- 10.8 Any motion, amendment or other matter that the chairperson has ruled out of order is taken to have been lost.

Motions requiring the expenditure of funds

- 10.9 A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the motion if adopted.

Amendments to motions

- 10.10 An amendment to a motion must be moved and seconded before it can be debated.
- 10.11 An amendment to a motion must relate to the matter being dealt with in the original motion before the council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the chairperson.

- 10.12 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.
- 10.13 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before council at any one time.
- 10.14 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.
- 10.15 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.
- 10.16 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

Foreshadowed motions

- 10.17 A councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.
- 10.18 Where an amendment has been moved and seconded, a councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.
- 10.19 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

Limitations on the number and duration of speeches

- 10.20 A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.
- 10.21 A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.22 A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.23 Despite clause 10.22, the chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.

- 10.24 Despite clause 10.22, the council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.
- 10.25 Despite clauses 10.20 and 10.21, a councillor may move that a motion or an amendment be now put:
- (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
 - (b) if at least two (2) councillors have spoken in favour of the motion or amendment and at least two (2) councillors have spoken against it.
- 10.26 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.25. A seconder is not required for such a motion.
- 10.27 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.20.
- 10.28 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.
- 10.29 All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.
- 10.30 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.
- 10.31 *Not required*

11 VOTING

Voting entitlements of councillors

- 11.1 Each councillor is entitled to one (1) vote.
- Note: Clause 11.1 reflects section 370(1) of the Act.**
- 11.2 The person presiding at a meeting of the council has, in the event of an equality of votes, a second or casting vote.
- Note: Clause 11.2 reflects section 370(2) of the Act.**
- 11.3 Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.
- 11.4 *Not required.*

Voting at council meetings

- 11.5 A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.
- 11.6 *Not required*
- 11.7 *Not required*

11.8 *Not required*

11.9 *Not required*

11.10 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.

11.11 All voting at council meetings, (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.

Voting on planning decisions

11.12 The general manager must keep a register containing, for each planning decision made at a meeting of the council or a council committee (including, but not limited to a committee of the council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.

11.13 *Not required*

11.14 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.

11.15 Clauses 11.12–11.14 apply also to meetings that are closed to the public.

Note: Clauses 11.12–11.15 reflect section 375A of the Act.

Note: The requirements of clause 11.12 may be satisfied by maintaining a register of the minutes of each planning decision.

12 COMMITTEE OF THE WHOLE

12.1 The council may resolve itself into a committee to consider any matter before the council.

Note: Clause 12.1 reflects section 373 of the Act.

12.2 All the provisions of this code relating to meetings of the council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration of speeches.

Note: Clauses 10.20–10.30 limit the number and duration of speeches.

12.3 The general manager or, in the absence of the general manager, an employee of the council designated by the general manager, is responsible for reporting to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full but any recommendations of the committee must be reported.

12.4 The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

13 DEALING WITH ITEMS BY EXCEPTION

~~13.1 – 13.7~~ *Not required*

~~13.1~~ The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.

~~13.2~~ Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask councillors to identify any individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.

~~13.3~~ The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.

~~13.4~~ Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.3.

~~13.5~~ A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.

~~13.6~~ Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.

~~13.7~~ Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the council's code of conduct.

14 CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

Grounds on which meetings can be closed to the public

14.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:

- (a) personnel matters concerning particular individuals (other than councillors),
- (b) the personal hardship of any resident or ratepayer,
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the council, councillors, council staff or council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
- (i) alleged contraventions of the council's code of conduct.

Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.

- 14.2 The council or a committee of the council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Note: Clause 14.2 reflects section 10A(3) of the Act.

Matters to be considered when closing meetings to the public

- 14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:

- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

Note: Clause 14.3 reflects section 10B(1) of the Act.

- 14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:

- (a) are substantial issues relating to a matter in which the council or committee is involved, and
- (b) are clearly identified in the advice, and
- (c) are fully discussed in that advice.

Note: Clause 14.4 reflects section 10B(2) of the Act.

- 14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

Note: Clause 14.5 reflects section 10B(3) of the Act.

- 14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:
- (a) a person may misinterpret or misunderstand the discussion, or
 - (b) the discussion of the matter may:
 - (i) cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
 - (ii) cause a loss of confidence in the council or committee.

Note: Clause 14.6 reflects section 10B(4) of the Act.

- 14.7 In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the Chief Executive of the Office of Local Government.

Note: Clause 14.7 reflects section 10B(5) of the Act.

Notice of likelihood of closure not required in urgent cases

- 14.8 Part of a meeting of the council, or of a committee of the council, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed, but only if:
- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
 - (b) the council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
 - (i) should not be deferred (because of the urgency of the matter), and
 - (ii) should take place in a part of the meeting that is closed to the public.

Note: Clause 14.8 reflects section 10C of the Act.

Representations by members of the public

- 14.9 The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

Note: Clause 14.9 reflects section 10A(4) of the Act.

- 14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.

- 14.11 Where the matter has been identified in the agenda of the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the council in the approved form. Applications must be received by 12 pm on the date of the Council or Committee meeting at which the matter is to be considered.

- 14.12 The general manager (or their delegate) may refuse an application made under clause 14.11. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 14.13 No more than three speakers are to be permitted to make representations under clause 14.9.
- 14.14 If more than the permitted number of speakers apply to make representations under clause 14.9, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the general manager or their delegate is to determine who will make representations to the council.
- 14.15 The general manager (or their delegate) is to determine the order of speakers.
- 14.16 Where the council or a committee of the council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than three speakers to make representations in such order as determined by the chairperson.
- 14.17 Each speaker will be allowed three minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

Expulsion of non-councillors from meetings closed to the public

- 14.18 If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.
- 14.19 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

Obligations of councillors attending meetings by audio-visual link

- 14.20 Councillors attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting is closed to the public under section 10A of the Act.

Information to be disclosed in resolutions closing meetings to the public

- 14.21 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:
- (a) the relevant provision of section 10A(2) of the Act,
 - (b) the matter that is to be discussed during the closed part of the meeting,

- (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Note: Clause 14.21 reflects section 10D of the Act.

Resolutions passed at closed meetings to be made public

- 14.22 If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.
- 14.23 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 14.22 during a part of the meeting that is webcast.

15 KEEPING ORDER AT MEETINGS

Points of order

- 15.1 A councillor may draw the attention of the chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.
- 15.2 A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.
- 15.3 A point of order must be taken immediately it is raised. The chairperson must suspend the business before the meeting and permit the councillor raising the point of order to state the provision of this code they believe has been breached. The chairperson must then rule on the point of order – either by upholding it or by overruling it.

Questions of order

- 15.4 The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.
- 15.5 A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.
- 15.6 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.
- 15.7 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Motions of dissent

- 15.8 A councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.9 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.

- 15.10 Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

Acts of disorder

- 15.11 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:
- (a) contravenes the Act or any regulation in force under the Act or this code, or
 - (b) assaults or threatens to assault another councillor or person present at the meeting, or
 - (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or
 - (d) insults or makes personal reflections on or imputes improper motives to any other council official, or alleges a breach of the council's code of conduct, or
 - (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the council or the committee into disrepute.
- 15.12 The chairperson may require a councillor:
- (a) to apologise without reservation for an act of disorder referred to in clauses 15.11(a) or (b), or
 - (b) to withdraw a motion or an amendment referred to in clause 15.11(c) and, where appropriate, to apologise without reservation, or
 - (c) to retract and apologise without reservation for an act of disorder referred to in clauses 15.11(d) and (e).

How disorder at a meeting may be dealt with

- 15.13 If disorder occurs at a meeting of the council, the chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The council, on reassembling, must, on a question put from the chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.

Expulsion from meetings

- 15.14 *Not required.*
- 15.15 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person other than a councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act. Councillors may only be expelled by resolution of the council or the committee of the council.
- 15.16 Clause 15.15, does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2)(a) of the Act.
- 15.17 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 15.12. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.

- 15.18 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for engaging in or having engaged in disorderly conduct at the meeting.
- 15.19 Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.
- 15.20 If a councillor or a member of the public fails to leave the place where a meeting of the council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.

Note: If adopted, clauses 15.14 and 15.15 confer a standing authorisation on all chairpersons of meetings of the council and committees of the council to expel persons from meetings. If adopted, clause 15.14 authorises chairpersons to expel any person, including a councillor, from a council or committee meeting. Alternatively, if adopted, clause 15.15 authorises chairpersons to expel persons other than councillors from a council or committee meeting.

How disorder by councillors attending meetings by audio-visual link may be dealt with

- 15.21 Where a councillor is attending a meeting by audio-visual link, the chairperson or a person authorised by the chairperson may mute the councillor's audio link to the meeting for the purposes of enforcing compliance with this code.
- 15.22 If a councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the councillor's audio-visual link to the meeting.

Use of mobile phones and the unauthorised recording of meetings

- 15.23 Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.
- 15.24 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.
- 15.25 Any person who contravenes or attempts to contravene clause 15.22, may be expelled from the meeting as provided for under section 10(2) of the Act.
- 15.26 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

16 CONFLICTS OF INTEREST

- 16.1 All councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made

the declaration must be recorded in the minutes of the meeting at which the declaration was made.

- 16.2 Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the meeting in accordance with the council's code of conduct.

17 DECISIONS OF THE COUNCIL

Council decisions

- 17.1 A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.

Note: Clause 17.1 reflects section 371 of the Act in the case of councils and section 400T(8) in the case of joint organisations.

- 17.2 Decisions made by the council must be accurately recorded in the minutes of the meeting at which the decision is made.

Rescinding or altering council decisions

- 17.3 A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.10.

Note: Clause 17.3 reflects section 372(1) of the Act.

- 17.4 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

Note: Clause 17.4 reflects section 372(2) of the Act.

- 17.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.10.

Note: Clause 17.5 reflects section 372(3) of the Act.

- 17.6 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.

Note: Clause 17.6 reflects section 372(4) of the Act.

- 17.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

Note: Clause 17.7 reflects section 372(5) of the Act.

- 17.8 The provisions of clauses 17.5–17.7 concerning lost motions do not apply to motions of adjournment.

Note: Clause 17.8 reflects section 372(7) of the Act.

- 17.9 A notice of motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.11 with the consent of all signatories to the notice of motion.
- 17.10 A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the general manager no later than two working days after the meeting at which the resolution was adopted.
- 17.11 A motion to alter or rescind a resolution of the council may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.

Note: Clause 17.11 reflects section 372(6) of the Act.

- 17.12 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:
- (a) a notice of motion signed by three councillors is submitted to the chairperson, and
 - (b) a motion to have the motion considered at the meeting is passed, and
 - (c) the chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.12(b) can speak to the motion before it is put.
- 17.14 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.12(c).

Recommitting resolutions to correct an error

- 17.15 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:
- (a) to correct any error, ambiguity or imprecision in the council's resolution, or
 - (b) to confirm the voting on the resolution.
- 17.16 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.15(a), the councillor is to propose alternative wording for the resolution.
- 17.17 The chairperson must not grant leave to recommit a resolution for the purposes of clause 17.15(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.
- 17.18 A motion moved under clause 17.15 can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.15 can speak to the motion before it is put.
- 17.19 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.15.
- 17.20 A motion moved under clause 17.15 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

18 TIME LIMITS ON COUNCIL MEETINGS

18.1 – 18.5 *Not required*

19 AFTER THE MEETING

Minutes of meetings

19.1 The council is to keep full and accurate minutes of the proceedings of meetings of the council.

Note: Clause 19.1 reflects section 375(1) of the Act.

19.2 At a minimum, the general manager must ensure that the following matters are recorded in the council's minutes:

- (a) the names of councillors attending a council meeting and whether they attended the meeting in person or by audio-visual link,
- (b) details of each motion moved at a council meeting and of any amendments moved to it,
- (c) the names of the mover and seconder of the motion or amendment,
- (d) whether the motion or amendment was passed or lost, and
- (e) such other matters specifically required under this code.

19.3 The minutes of a council meeting must be confirmed at a subsequent meeting of the council.

Note: Clause 19.3 reflects section 375(2) of the Act.

19.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

19.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.

Note: Clause 19.5 reflects section 375(2) of the Act.

19.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

19.7 The confirmed minutes of a council meeting must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

Access to correspondence and reports laid on the table at, or submitted to, a meeting

19.8 The council and committees of the council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

Note: Clause 19.8 reflects section 11(1) of the Act.

19.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

Note: Clause 19.9 reflects section 11(2) of the Act.

- 19.10 Clause 19.8 does not apply if the council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

Note: Clause 19.10 reflects section 11(3) of the Act.

- 19.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

Implementation of decisions of the council

- 19.12 The general manager is to implement, without undue delay, lawful decisions of the council.

Note: Clause 19.12 reflects section 335(b) of the Act.

20 COUNCIL COMMITTEES

Application of this Part

- 20.1 This Part only applies to committees of the council whose members are all councillors.

Council committees whose members are all councillors

- 20.2 The council may, by resolution, establish such committees as it considers necessary.
- 20.3 A committee of the council is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.
- 20.4 The quorum for a meeting of a committee of the council is to be:
- (a) such number of members as the council decides, or
 - (b) if the council has not decided a number – a majority of the members of the committee.

Functions of committees

- 20.5 The council must specify the functions of each of its committees when the committee is established, but may from time to time amend those functions.

Notice of committee meetings

- 20.6 The general manager must send to each councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:
- (a) the time, date and place of the meeting, and
 - (b) the business proposed to be considered at the meeting.
- 20.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

Attendance at committee meetings

- 20.8 A committee member (other than the mayor) ceases to be a member of a committee if the committee member:
- (a) has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or
 - (b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.
- 20.9 Clause 20.8 does not apply if all of the members of the council are members of the committee.

Non-members entitled to attend committee meetings

- 20.10 A councillor who is not a member of a committee of the council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:
- (a) to give notice of business for inclusion in the agenda for the meeting, or
 - (b) to move or second a motion at the meeting, or
 - (c) to vote at the meeting.

Chairperson and deputy chairperson of council committees

- 20.11 The chairperson of each committee of the council must be:
- (a) the mayor, or
 - (b) if the mayor does not wish to be the chairperson of a committee, a member of the committee elected by the council, or
 - (c) if the council does not elect such a member, a member of the committee elected by the committee.
- 20.12 The council may elect a member of a committee of the council as deputy chairperson of the committee. If the council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.
- 20.13 If neither the chairperson nor the deputy chairperson of a committee of the council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of the committee.
- 20.14 The chairperson is to preside at a meeting of a committee of the council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting, but if neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

Procedure in committee meetings

- 20.15 Subject to any specific requirements of this code, each committee of the council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the council unless the council or the committee determines otherwise in accordance with this clause.
- 20.16 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with clause 20.15.

20.17 *Not required.*

20.18 Voting at a council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

Closure of committee meetings to the public

20.19 The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of the council to the public in the same way they apply to the closure of meetings of the council to the public.

20.20 If a committee of the council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.

20.21 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 20.20 during a part of the meeting that is webcast.

Disorder in committee meetings

20.22 The provisions of the Act and this code relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way as they apply to meetings of the council.

Minutes of council committee meetings

20.23 Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:

- (a) the names of councillors attending a meeting and whether they attended the meeting in person or by audio-visual link,
- (b) details of each motion moved at a meeting and of any amendments moved to it,
- (c) the names of the mover and seconder of the motion or amendment,
- (d) whether the motion or amendment was passed or lost, and
- (e) such other matters specifically required under this code.

20.24 All voting at meetings of committees of the council (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.

20.25 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.

20.26 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

20.27 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.

20.28 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

20.29 The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their confirmation.

21 IRREGULARITIES

21.1 Proceedings at a meeting of a council or a council committee are not invalidated because of:

- (a) a vacancy in a civic office, or
- (b) a failure to give notice of the meeting to any councillor or committee member, or
- (c) any defect in the election or appointment of a councillor or committee member, or
- (d) a failure of a councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with the council's code of conduct, or
- (e) a failure to comply with this code.

Note: Clause 21.1 reflects section 374 of the Act.

22 DEFINITIONS

the Act	means the <i>Local Government Act 1993</i>
act of disorder	means an act of disorder as defined in clause 15.11 of this code
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
chairperson	in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.11 of this code
this code	means the council's adopted code of meeting practice
committee of the council	means a committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1
council official	has the same meaning it has in the Model Code of Conduct for Local Councils in NSW
day	means calendar day
division	means a request by two councillors under clause 11.7 of this code requiring the recording of the names of the councillors who voted both for and against a motion
foreshadowed amendment	means a proposed amendment foreshadowed by a councillor under clause 10.18 of this code during debate on the first amendment
foreshadowed motion	means a motion foreshadowed by a councillor under clause 10.17 of this code during debate on an original motion
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means

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planning decision	means a decision made in the exercise of a function of a council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act
performance improvement order	means an order issued under section 438A of the Act
quorum	means the minimum number of councillors or committee members necessary to conduct a meeting
the Regulation	means the <i>Local Government (General) Regulation 2005</i>
webcast	a video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later time
year	means the period beginning 1 July and ending the following 30 June

Approving Authority	Oberon Council
Contact	General Manager
Approval	Ordinary Meeting of 21 Oct 2008: Item B1 Minute Ordinary Meeting 21 Sept 2017 Item 13.04 Minute 18 210917 Ordinary Meeting 18 June 2019 Item 13.06 Minute 18 180619 Ordinary Meeting 15 September 2020, Item 13.06, Minute 14 150920 Ordinary Meeting 15 February 2022, Item 13.04, Minute 15 150222 Ordinary Meeting 15 March 2022, Item 13.09, Minute 21 150322 Ordinary Meeting 17 May 2022, Item 13.09, Minute 17 170522 Ordinary Meeting 17 December 2024, Item xx Minute xx
Next Review Date	May 2023 December 2026
Issue Date to staff	May 2023

13.10 Oberon Sports Complex - Progress Update

File No: Infrastructure/Oberon Sports Ground

Author: Garry Styles (Special Projects Engineer)

Summary

The purpose of this report is to provide an update on project progress and to advise Council on the intended approval process for the sportsground Stage 4 Development Application (DA) for the external servicing including the water, fire control systems (mains and hydrants etc), electricity and gas connection and the sewer rising main and the Stage 5 DA which incorporates carparking, internal roads and the intersection on O'Connell Road in order to assist with timely delivery of the project.

With the Council break coming and no meetings in January, it is considered appropriate that the Development Application for the work – Stage 4 and Stage 5 be determined under staff delegation and if approved, certified by Council staff.

Recommendation:

That Council:

1. Note the progress in the report,
2. Endorse the consideration of the Stage 4 Development Application (DA) for the external servicing including the water, fire control systems, electricity and gas connection and the sewer rising main, and, the Stage 5 DA which incorporates carparking, internal roads and the intersection on O'Connell Road, during the end of year shutdown 2024 and the January 2025 period under staff delegation as outlined in this report.

List of Attachments

Nil

Comment

The new Oberon Sports Complex construction is well underway with the first stage, Earthworks now completed, the main building taking shape, and the irrigation and playing surface substantially progressed.

The construction works are planned to be completed in mid 2025.

Absent the end of year/new year Council break the DA's for the Stage 4 and Stage 5 works would be brought to Council for determination.

With the break, it is desirable to enable the determination of the applications under delegation so as to minimise any delay to the project. The applications have been lodged with Council previously and are in various stages of assessment by staff.

Using the approach suggested and based on the specific circumstance is legitimate to determine the DA Stage 4 and DA Stage 5 under staff delegation for the following reasons;

1. The Stage 4 Development Application (DA) for the external servicing including the water, fire systems, electricity and gas connection and the sewer rising main and the Stage 5 DA which incorporates carparking, internal roads and the intersection with O'Connell Road are within

an Independent Joint Regional Planning Panel Concept Approval and the planned DA's, are not inconsistent with that part of the Concept Approval.

2. The negotiated Project Construction Contract Plans detail the DA Stage 4 and DA Stage 5 works and the submitted plans are not inconsistent with that part of the Contract Plans.
3. It would be unreasonable and to the detriment of the project to exclude optimisation of the project delivery.
4. The straightforward and unremarkable nature of the works and the comparatively smaller cost of the construction. Each Stage is of the order of \$1.5M ex gst. The project is of the order of \$16M ex gst (market value).
5. Council has previously consulted with its Independent Probity Consultant who advises satisfaction with the approach.

Accordingly, in the circumstances it is considered appropriate that Council endorse the Approval Process of consideration of the Development Application under staff delegation as outlined in this report.

Financial Implications

The program continues to operate within the financial obligations of the endorsed funding deed.

Relevance to Oberon Community Strategic Plan

Theme 1: Community Well Being

Action 1.2 Meet the social, cultural and physical activity needs of the community

1.2.5 Implement the Sports field maintenance program and coordinate use of facilities with user groups

1.2.16 Maintain and develop sporting facilities and grounds

Risk Category

Environment

Governance

Risk Severity Ranking

Minor - 32%

14 REPORTS FOR INFORMATION

14.1	Monthly Activity Report General Manager - December 2024
File No:	Governance/Meetings/Ordinary
Author:	Gary Wallace (General Manager), Sharon Swannell (Governance and Executive Manager), Rebecca Burgess (Work Health Safety and Risk Manager), Hannah Booth (Records and Communications Coordinator), Julie Baker (Library Manager)

Summary

This report item summarises the main activity by the General Manager since the last report. Items include Human Resources, Workplace Health & Safety, Community Activity, Regional Issues, Executive Management Team Meetings and planned activities.

Recommendation:

That report Item 14.1 is received as information.

List of Attachments

Nil

1. PLANNED ACTIVITY

POST LOCAL GOVERNMENT ELECTIONS – work has continued on the development of a number of strategic documents that will be workshopped with Councillors over the next two months. They include:

- Oberon Council WHS Induction and Councillor Handbook
- Councillor and Staff Interaction Policy
- Development of the new Councillor Portal
- Overview of s355 Manual
- Model Code of Meeting Practice
- Planning Overview
- Finance Overview
- Central NSW Joint Organisation – New Councillors Workshop
- Reserves Workshop and Overview

Further substantial work has been undertaken in the onboarding of the new Council. These have included Director Responsibilities, Induction Overview with Kath Roach, together with Committees Overview and Workshops. Further, the Office of Local Government's Hit the Ground Running sessions have been run in conjunction.

STATEWIDE INITIATIVES - Each year Council's insurer Statewide offer Board Funded Initiatives (BFI) which are free offerings aimed at assisting Council to reduce risk. In past years Council have availed itself of Risk Appetite and Risk Category BFI which assisted Council to move forward in this space.

This year Council availed itself of a Climate Change Risk Assessment BFI. A skilled consultant attended a session with Council's GM and Executive and a number of climate change risk scenarios were assessed based on forecast modelling. Staff are analysing this document now and will report any findings and recommendations to future Council meetings.

Research and forecasting shows that climate changes Oberon can expect include higher temperatures, changes in rainfall patterns and increase in bushfire weather. Being an integral part of the community, how Council responds to these forecast changes is critical. The Climate Change Risk Assessment not only helps Council plan proactively, it also assists in grant applications and obtaining funding for initiatives which can reduce risk to Council and the Oberon community.

2. WHS/RISK LEADER

	November 2024
Incidents/Accidents/Hazards Reported	2
Hazards Reported	0
Near Miss	0
No Injury, Damage to Assets	1
First Aid Injuries	0
Medical Treatment Injuries	1
Lost Time Injuries	0
Restricted Duty Injuries	0
Incident Reported to Regulator	0
Toolbox/Safety Meetings	211
Plant Pre-Start Inspections	108

- **Work Health Safety and Risk Activities**

- Statecover advised Council that we have a new Case Manager. This is Council's first point of contact for any workers compensation claims, issues or queries. In order to facilitate this close working relationship, the new Case Manager and Council's WHSR Leader participated in a webinar jointly with Council's Statecover Account Manager.
- Council's WHSR Leader, Project Engineer and Roads Engineer held the annual RMCC Induction for Works crews at the Depot. Council undertake works on the State roads, Duckmaloi and O'Connell Roads, for Transport for NSW under an RMCC contract. Given the high traffic volumes on the State roads an annual induction ensures staff are up to date with safety protocols and procedures.
- Unfortunately, a Works staff member was verbally accosted by a member of the public whilst on a roadworks site. Due to the serious nature of threats made towards the staff member, the incident was reported to Oberon Police who dealt with it appropriately.
- WHSR Leader has been liaising with several staff members who have had illness/injury outside of work. Returning to work after illness or injury, even if not work related, is important to ensure that work does not aggravate existing conditions.
- Training was completed by staff on how to safely operate a drain cleaning system. Council's plumbers are sometimes required to use a Class B water jetter. Current legislation requires that any staff who use this are appropriately trained. Bespoke PPE safety items have also been procured to both comply with legislation and to ensure the safety of staff when operating this high-risk equipment.
- Evacuation exercises were undertaken at all Council facilities. Annual evacuation drills are an important exercise in emergency preparedness – they allow staff to practice a systematic and calm response to emergencies. It also helps to highlight any deficiencies or weakness to address. These exercises provide practice so that staff are more likely to respond in a way

that will increase the likelihood of preservation of life and health for staff and the general public.

- The Risk Assessment generated by the Climate Change Assessment which was undertaken last month was circulated and reviewed.
- The Parks and Gardens Ganger and WHSR Leader undertook a risk assessment of a roadside verge on Edith Road. The area is steep and not suitable for mowing or whipper snipping by staff. A work around involves traffic control and manual removal of vegetation.
- Council's WHSR Leader submitted the Event Plan for the Oberon End of Year Spectacular to our insurer Statewide.
- Snake gators were arranged for the Tip, with the warmer weather snakes have been seen and gators provide some level of protection for staff.
- Council's WHSR Leader met on site with contractors appointed to compete smoke testing. Not only paperwork but also equipment and tools were inspected to ensure that contractors had all the necessary equipment to undertake the remainder of the smoke testing as safely as possible. It was also ensured that they contacted the local FRNSW so that they are aware if there are any issues. The testing concluded without incident.
- The Central NSW Joint Organisation WHS Group meeting took place in November. Statewide and Statecover provided the group with updates. The group then went through the online induction and made some updates and amendments.
- Two new staff were inducted in the month of November.

3. HUMAN RESOURCES

- **Employee Statistics**

Staff Movements							
2024	Employee Separation	New employee	Casual	Part-time	Full Time	Senior Officer (GM)	Total Staff
October	1	0	25	4	72	1	102
November	2	4	29	3	71	1	104

- **Consultative Committee**

- The consultative committee met in December 2024. The next meeting is scheduled for February 2025.

- **Training**

- Water jetter training 12 & 13 November 2024
- Two staff completed the Certificate III in Civil Constructions Plant Operations.

- **General HR Matters**

- Visit from United Services Union Representative in November 2024.
- HR Manager attended the LGNSW HR Newtork meeting.
- HR Manager attended the CNSWJO HR Managers meeting.
- Contractor engaged to fill the Project Engineer position until recruitment occurs.

4. GOVERNANCE AND ADMINISTRATION

Oberon Council continues to engage with the community through a variety of platforms, including updates on Council's website (www.oberon.nsw.gov.au), the Oberon Council Facebook page

(<https://www.facebook.com/oberoncouncil>), the *Have Your Say Oberon* community engagement platform and Council's LinkedIn page. These channels are used to share media releases, public notices, position vacancies, public exhibitions, events and other relevant information.

Communications prepared and released during November 2024 included:

- Mayors Column
- November Community Newsletter
- Public Exhibition
 - 2023/2024 Audited Financial Statements
 - Proposed Mixed Builders Waste Fee
- Positions Vacant
 - Library Assistant
 - 2x Laborers
- Public Notice
 - Smoke Testing notification
 - Fish River Bridge investigation works in O'Connell
 - Administration Centre Emergency Evacuation Drill notification
 - Call for community nominations to Section 355 Committees
 - Jenolan Caves Road closure dates
 - O'Connell Road night closure notification
- Council Meeting notification
 - Extraordinary
 - Ordinary – 12 November
 - Extraordinary
- Remembrance Day
- TfNSW meeting report
- LGA-Wide grounds maintenance update
- CNSWJO Ministers Meeting
- Oberon End of Year Spectacular promo x2
- BreastScreen Bus promo
- CNSWJO Central NSW EV Drive Day promo
- Clr Trembath Ordinary Council Meeting update
- LGNSW Conference recap
- Solar Panels on Council buildings
- Holiday Break Activities funding announcement
- Found cat
- CNSWJO Welcome Event recap

Following the recent resolution to cease production of the Community Newsletter, staff have been working closely with The Central West Village Voice. Efforts have focused on creating an engaging content format and fine-tuning the details for Council's page. This partnership will ensure Council's communications and updates continue to reach the community effectively, leveraging the wider distribution and professional production of The Village Voice.

5. COMMUNITY ACTIVITY, REGIONAL ISSUES and OTHER MEETINGS

8 Nov 2024	18 th Annual Oberon Council Golf Day
11 Nov 2024	Remembrance Day Ceremony at RSL Sub-Branch
11 Nov 2024	Oberon Sports Complex PCG Meeting
11 Nov 2024	Internal Audit Kick off Meeting for Plant
12 Nov 2024	Ordinary Council Meeting (GM Apology)

13 Nov 2024	CNSWJO Board Meeting - Sydney
14 Nov 2024	CNSWJO Board Meeting with Ministers
14 Nov 2024	IPART Public Enquiry - Bulk Water Review
15 Nov 2024	Country Mayors Association Meeting – Parliament House, Sydney
17 Nov 2024	LGNSW Annual Conference - Tamworth
18 Nov 2024	LGNSW Annual Conference - Tamworth
19 Nov 2024	LGNSW Annual Conference - Tamworth
20 Nov 2024	Councillor Informal Briefing Session and QBRS Overview for Councillors
21 Nov 2024	Paul Katsikis – Commonwealth Bank Overview
21 Nov 2024	Oberon Council – Social Media Session for Mayor & GM
21 Nov 2024	Crennan Planning – Overview and Induction
25 Nov 2024	Oberon Sports Complex – PCG Meeting
26 Nov 2024	Oberon Council – Extraordinary Meeting
28 Nov 2024	CNSWJO Welcome Event for Councillors
2 Dec 2024	End Of Year Spectacular Event Group Meeting
3 Dec 2024	Fish River – Wywandy Regional Water Strategy Meeting
4 Dec 2024	Clr O'Connor NoM Discussion
5 Dec 2024	Fish River Customer Advisory Group Meeting
9 Dec 2024	Submission into Bulk Water Pricing from WaterNSW
10 Dec 2024	Councillor Informal Briefing Session

14.2 Monthly Activity Report - Planning & Development - December 2024

File No: Governance/Meetings/Ordinary

Author: Kirsty Hanrahan (Building Surveyor), Damian O'Shannassy (Planning and Development Director), Janet Bailey (Development Control Administration Officer), Lyn Hancox (Planning and Development Administration Assistant), David Sellers (Facilities Manager)

Summary

This report item summarises the main activity in the Planning and Development Department since the November 2024 Council Meeting.

Recommendation:

That report item 14.2 is received as information.

List of Attachments

Nil

Comment

1. PLANNED ACTIVITY

Development Applications

The number of applications submitted to Council during November 2024 is slightly less than compared with previous months however applications being assessed remains high, with some complex applications continuing to be assessed. Council continues to utilise, on a part time basis, a Planning Consultant to assist in reducing the backlog of Development Applications and other Planning related matters.

Comprehensive Land Use Strategy (CLUS)

The contract was signed by the Consultant and the General Manager at the inception meeting held on 6 September 2024. A progress report with timeline and engagement strategy was provided to the November Ordinary Council meeting. A Councillor briefing by the Consultant, Currajong Planning that is proposed to be held prior to the December Ordinary meeting of Council that will provide an update.

28 Tasman St Oberon (Council owned vacant allotment)

Council engaged a local Real Estate Agent to market the sale of the subject land as per Council's resolution to sell the land as is. Before advertising the sale publicly, the agent reached out to potential buyers who had previously expressed interest in vacant land in Oberon. As a result, an offer exceeding market expectations was made and accepted, with a contract now exchanged and settlement scheduled for early 2025.

PROJECTS

Oberon Gym Complex (enclosure of the rear area)

Minor works are continuing (railing to new accessible ramp and fitout works and condensation works to the existing roof) with an anticipated completion date by the end of 2024.

These works are the result of Council receiving a Stronger Country Community Fund Round 5 grant for \$585,362.00. The project remains on track to be completed within the grant timeframe.

Solar to the Oberon Pool, Gym and Library/Community Centre

A Local electrical contractor has been engaged to install additional solar to the Oberon Pool and new solar to the gym and Library/community centre. Additional solar panels have been installed to the Oberon Pool roof with the total panels now offsetting 23% of consumption on a sunny day, therefore reducing overall cost to Council to run the facility.

Library works are now complete with the new panels currently offsetting 49% of consumption since being installed, therefore reducing Council's power bill by nearly 50%. The gym solar panels are programmed to be installed in December subject to the weather once the rear works are completed.

The solar installations are the result of Council receiving a Stronger Country Community Fund Round 5 grant for \$100,000.00. The project remains on track to be completed within the grant timeframe.

O'Connell Recreation Ground Amenities Building

Council approved a local building contractor to undertake the construction of a new amenities building at the November Ordinary Council meeting. A building contract has been signed and materials and works off site have commenced. These works will be completed within the grant timeframe.



Summary

The Oberon Fitness and Leisure Centre (OFLC) is pleased to submit the report for November 2024.

November was an extremely busy month in center with the conducting of the swimming lessons for both St Joesphs and Oberon public schools.

Community Initiatives

- Weekly Personal training sessions
- Small group training sessions run for teacher groups from Oberon High School and St Josephs aimed at improving teacher wellbeing and reducing stress
- Oberon U3a fitness sessions for senior community members
- New fitness membership special
- Community swimming lessons
- Public schools swimming lessons

Pool Report

The main activity during November was conducting swimming lessons. These lessons were for both primary schools in Oberon as well as lessons delivered by the Oberon Fitness and Leisure Centre.

These lessons are the main driver of income into the center for aquatics. St Josephs School consisted of 120 students across 10 days a total of 1200 individual swimming lessons.

The scope of the Oberon Public School lessons is even larger with 220 kids from K-6 participating over 10 days a total of 2200 individual lessons.

Normal operations continued in the background of these lessons with minimal disruption to the community, a huge undertaking for the staff involved.

Fitness Centre Report

Naturally with the increase in resources needed at the pool, fitness activities were limited during November. Planning for a December retention/engagement activity was undertaken and will be run in December. Planning for the annual members' Christmas party was also undertaken. Membership and usage has remained high throughout November. We had our highest fortnightly debit amount since Council resumed management of the facility.

*Please note some attendance figures may be less than anticipated due to a lack of recording due to the transition over to new member management software.

Centre Visits	November
Memberships	1083
Visit passes	10
Personal training	13
Total Attendance	1106

Membership Type	November
Concession Fitness DD	44
Adult Fitness DD	148
1 Month Upfront	21
1 Week	1
Pt DD	12
Student 16-18	10
Teen Under 16	16
Fitness Passport	40
Council Staff Reduced Rate	13

Membership Movement	November
New Fitness Sales	8
Cancellations	2
Loss	6

2. PLANNING AND DEVELOPMENT MATTERS

DETERMINATIONS – November 2024

S682024.008	Install on-site wastewater system	32 Midsummer Avenue, OBERON NSW 2787
S682024.019	Approval to Operate an Existing Onsite Wastewater System	179 Bosworth Falls Road, O'CONNELL NSW 2795
13.2023.35.1	Approval to Operate an Existing Onsite Wastewater System	1130 Edith Road, EDITH NSW 2787
S682024.022	Install On-site Wastewater System	1563 Mutton Falls Road, O'CONNELL NSW 2795
S682024.027	Approval to Operate an Existing Onsite Wastewater System	374 Ivers Forest Road, CHATHAM VALLEY NSW 2787
CDC2024.071	Alterations and Additions to an existing Dwelling	1823 O'Connell Road O'CONNELL NSW 2795

S682024.025	Approval to Operate Existing On-Site Waste Water System	21 Kellys Lane, OBERON NSW 2787
S682024.024	Drainage & Irrigation for 2 Sporting Fields for Oberon Sporting Complex - Stage 3	31 O'Connell Road, OBERON NSW 2787
CC2024.040	New Deck, Swimming Pool and Retaining Walls	130 Dreves Road, THE MEADOWS NSW 2787
10.1998.152.1	2 x Additional Silos and Laboratory	31 Endeavour Street OBERON NSW 2787
10.2023.54.2	Modification to existing DA 10.2023.54.1 - Carport	2 Fleming Street, OBERON NSW 2787
DA2024.064 S682024.014	New Dwelling with Shed and Installation of On-site Wastewater System, Rainwater Tank and Wood Heater	89 Abercrombie Road, OBERON NSW 2787
DA2024.068	New Dwelling and Install On-site Wastewater System	562 Bloom Hill Road, O'CONNELL NSW 2795

DEVELOPMENT APPLICATIONS IN PROGRESS – November2024

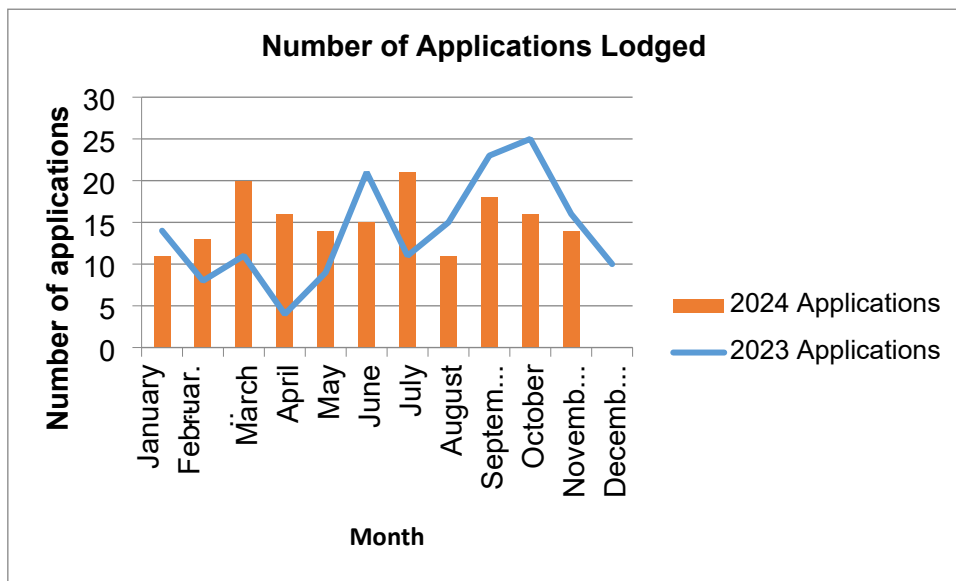
No.	Date sub Portal	Lodgement Date	Commencement Date	Stop the Clock Date	Information Received Date	Determination date
10.2021.72.1	22.09.2021	06.10.2021	10.11.2021	10.11.2021		
10.2023.16.1	13.03.2023	29.03.2023	18.07.2023	18.07.2023		
10.2023.30.1	08.05.2023	09.06.2023	26.06.2023	14.07.2023		
10.2024.2.1	02.01.2024	15.01.2024	18.01.2024	24.04.2024	24.04.2024	
10.2024.3.1	19.12.2024	15.01.2024	18.01.2024	26.02.2024	24.04.2024	
10.2024.19.1	23.04.2024	29.04.2024	29.04.2024	20.05.2024		
DA2024.035	09.07.2024	15.07.2024	19.07.2024	19.07.2024		
10.2024.28.1	19.06.2024	17.07.2024	17.07.2024	12.07.2024		
DA2024.038	09.07.2024	24.07.2024	04.09.2024	04.09.2024		
DA2024.040	06.08.2024	09.08.2024	28.08.2024	28.08.2024	08.10.2024	
DA2024.043	07.08.2024	23.08.2024	29.08.2024	30.08.2024		
10.2023.54.2	05.09.2024	11.09.2024	03.10.2024	04.10.2024	04.10.2024	22.11.2024
DA2024.054	10.09.2024	19.09.2024	03.10.2024	08.10.2024		
DA2024.053	30.08.2024	19.09.2024	03.10.2024	08.10.2024		
DA2024.056	10.09.2024	23.09.2024	02.10.2024	02.10.2024	09.10.2024	
DA2024.058	13.09.2024	03.10.2024	08.10.2024	09.10.2024		
DA2024.064	01.10.2024	10.10.2024	15.10.2024	31.10.2024	13.11.2024	20.11.2024
DA2024.070	19.09.2024	15.10.2024	21.10.2024			
10.2024.22.2	24.09.2024	15.10.2024	21.10.2024			
DA2024.065	03.10.2024	18.10.2024	28.10.2024			
DA2024.068	01.10.2024	22.10.2024	28.10.2024			27.11.2024
DA2024.067	03.10.2024	10.10.2024	28.10.2024	28.10.2024		
DA2024.069	01.10.2024	28.10.2024	28.10.2024	30.10.2024	13.11.2024	
DA2024.073	13.10.2024	31.10.2024	05.11.2024			
DA2024.075	21.10.2024	31.10.2024	30.11.2024	02.12.2024		
DA2024.076	16.10.2024	1.11.2024	27.11.2024	29.11.2024		

DA2024.077	23.10.2024	6.11.2024	30.11.2024	02.12.2024		
DA2024.079	31.10.2024	13.11.2024	30.11.2024	02.12.2024		
DA2024.081	4.11.2024	15.11.2024	30.11.2024	02.12.2024		
DA2024.080	4.11.2024	20.11.2024	30.11.2024	02.12.2024		
DA2024.083	28.10.2024	21.11.2024	30.11.2024	02.12.2024		
DA2024.084	7.11.2024	28.11.2024				
DA2024.085	18.11.2024	28.11.2024				
DA2024.087	22.11.2024	3.12.2024				
10.2021.94.3	10.10.2024	29.11.2024				

Total fees for Applications during November 2024 were \$37,784.69.

The income from applications year to date is \$277,647.45.

Copies of determinations are available for inspection at Council's Administration Centre. Applications for the calendar year are being provided in a table form to give an outline of applications being lodged against those of the previous year.



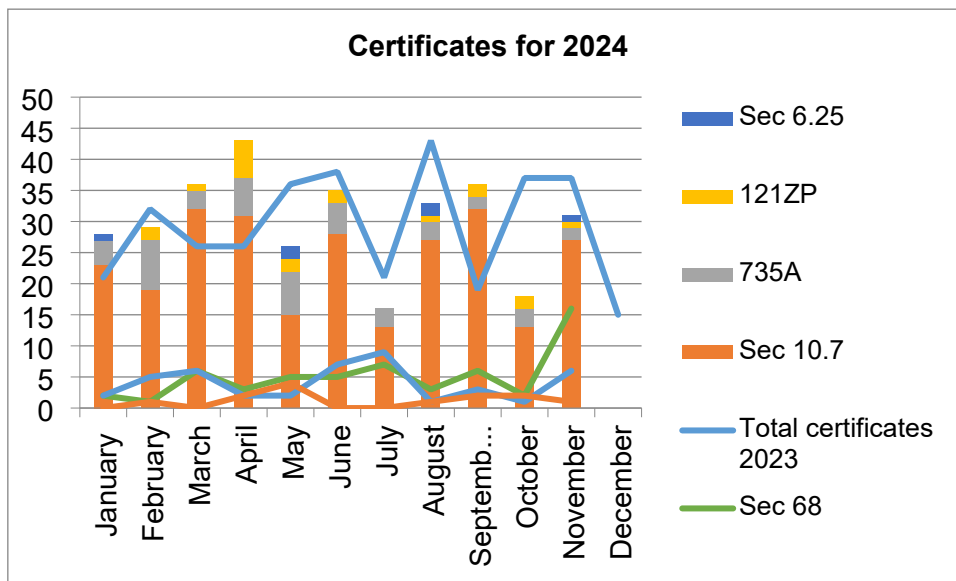
CERTIFICATES ISSUED

During the Conveyancing process and normally as part of the sale of a property, various Certificates are applied for by Solicitors, Real Estate Agents or by the public. In November 2024 the following Certificates were issued:

CERTIFICATES	November 2024
SECTION 10.7 PLANNING CERTIFICATES Environmental Planning and Assessment Act, 1979	27
SECTION 735A CERTIFICATES AS TO NOTICES Local Government Act, 1993.	2
CERTIFICATES AS TO ORDERS SCHEDULE 5 Environmental Planning and Assessment Act, 1979	1

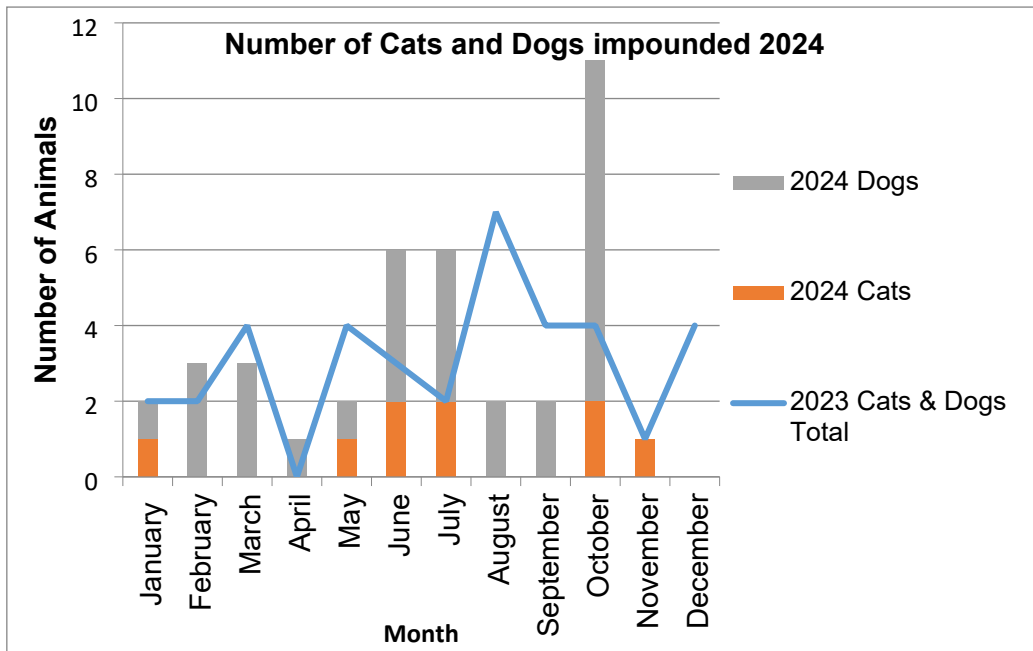
SECTION 6.26 BUILDING INFORMATION CERTIFICATES Environmental Planning and Assessment Act, 1979	1
CONSTRUCTION CERTIFICATES	6
COMPLYING DEVELOPMENT	1
SECTION 68 APPLICATIONS Local Government Act 1993	16

Certificates for the calendar year are being provided in a table form to give an outline of certificates being lodged against those of the previous year.



OBERON ANIMAL POUND

The following are details of activity at the Animal Pound in November 2024.



DOG DECLARATIONS	November 2024
Notice of Intention to Declare a Dog Dangerous	0
Notice to Declare a Dog Dangerous	0
Notice of Intention to Declare a Dog Menacing	0
Notice to Declare a Dog Menacing	2
Notice of Intention to Declare a Dog Nuisance	0
Notice to Declare a Dog Nuisance	0

MISCELLANEOUS MATTERS

Various inspections, including building inspections, health inspections, environmental inspections and complaints were conducted during November 2024.

TYPE OF INSPECTIONS	November 2024
Building Inspections	32
Food Inspections	0
Environmental Inspections (Air, Noise and Water Pollution)	0
Subdivisions Certificate Inspections	0
Complaints (Including Animal Control & Livestock)	32
Building Maintenance Inspections	8

14.3 Monthly Activity Report Technical Services - December 2024

File No: Governance/Meetings/Ordinary

Author: Dr Cornelia Wiebels (Technical Services Director), Gary Chapman (Roads Operation Manager), Donah Foley (Technical Services Administrative Assistant), Geoff Paton (Works Engineer), Dani Bradshaw (Change Management Analyst), Lauren Dukes (Trainee Civil Engineer), Paul Robinson (Plant Manager), Sam Golam (Project Engineer), Andrew Krol (Water and Sewer Officer in Charge)

Summary

This report item summarises the main activity in the Technical Services Department during the month of November 2024.

Recommendation:

That report 14.3 is received as information.

List of Attachments

Nil

Comment

1. Roads – Regional and Local

Maintenance grading was undertaken and has continued on Swatchfield Road, Ivers Road, McKeon’s Creek Road, Burrows Crossing Road, Black Bullock Road, Schumacher Road and Horseshoe Bend Road.

At Mozart Road some rock bars were removed and humps levelled to allow for better site of oncoming vehicles and in readiness for the grader training starting on 9 December, which will include some gravel re-sheeting.

Further work undertaken by the Roads Crew included pipe repairs at Sewells Creek Road and Schumacher Road, replacement of damaged headwalls by trucks at Black Bullock Road, signage replacements at Faugha Ballaugha Road and O’Connell Road, removal of the old concrete tank at Black Springs Hall and clean up at the Oberon Cemetery to get on top of the rabbit population.

2. RMCC (Road Maintenance Council Contract) Works for Transport for New South Wales (TfNSW)

Routine maintenance

Continuous improvements to the road network and monitoring are being carried out on both O’Connell and Duckmaloi Roads, in line with Council’s TfNSW Roads Maintenance Contract. Specific improvements including monitoring of the surface sections of the roads, upgrading drainage systems to prevent flooding, and installing new signage for better navigation and safety.

November 2024:

Signs on Oconnell Rd reinstate signs	6
Oconnell guidepost	18
Collect roadside litter	2
Tree removal Oconnell	2

Potholes Repairs	
Albion St	200
Oconnell Rd	100
Duckmaloi Rd	5
Mutton Falls Rd	30
Mt David Rd	150

Note: Old Jet Patcher going again as at 10/12/2024

R2 Prequalification Contractor Renewal

Council has applied for the renewal of their R2 pre-qualified contractor status and G registration with TfNSW for the next three years. Application approved.

Heavy Patching and Resealing On Duckmaloi Rd and Oconnell Rd

Council and TfNSW have collaboratively investigated and identified areas on State Roads requiring heavy patching, covering approximately 5,000 m² for the 2024-2025 period currently reviewing areas and documentation to commence works in February 2025.

Council's work proposal estimates the following, work orders issued

1. **O'Connell Road:** \$153,000.00
2. **Duckmaloi Road:** \$200,000.00

Additionally, resealing works are planned for Duckmaloi Road and O'Connell Road, covering a combined area of approx. 30,000 m² for 2024-2025. Council and TfNSW currently programming works for Early Feb – March 2025.

3. Water and Sewer

The installations of O'Connell and Black Springs fill stations were completed. Council is waiting for commissioning regarding software through the manufacturer.

Smoke Testing

Was completed in November. Council is awaiting the reports back from Interflow to determine required follow up actions.

4. Water & Wastewater

Weekly Oberon Dam Levels

Table 2: Weekly dam level recordings for Oberon Dam, supplied by Water NSW

November 2024
03.11.2024 - 99.7%
08.11.2024 - 99.5%
12.11.2024 - 99.3%
20.11.2024 - 99.1%
28.11.2024 - 99.5%

Water Consumption from WaterNSW Oberon Dam

November 2024	
01.11.2024 - 09.11.2024	17,969 ML
10.11.2024 - 16.11.2024	13,197 ML
17.11.2024 - 23.11.2024	13,603 ML
24.11.2024 - 30.11.2024	14,496 ML

The total raw water consumption during November 2024 was 59.058 ML.
The daily average consumption was 1.969 ML.

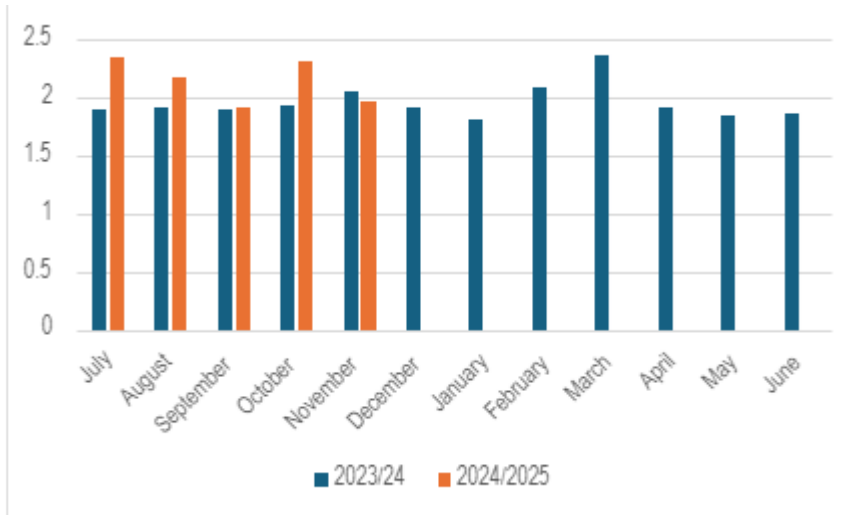


Figure 1: Oberon average daily consumption in ML

Sewage Treatment Plant – Weekly kL Intake for Treatment of Wastewater

November 2024	
01.11.2024 – 09.11.2024	9858 kL
10.11.2024 – 16.11.2024	7558 kL
17.11.2024 – 23.11.2024	8171 kL
24.11.2024 – 30.11.2024	11114 kL

The daily average wastewater flow into Oberon Sewerage Treatment Plant was 1,223.366 kL.
The total wastewater volume into Oberon Sewer Treatment Plant November 2024 was 36,701 kL.

5. Parks and Gardens

Tree and Garden Maintenance

The Parks and Gardens staff have been kept very busy over the last month and with a nearly full complement of staff they have been able to (almost) catch up on some of the massive backlog of work over the last month. They have been mowing and whipper snipping Glyndwr Park North, Glyndwr Park South, the Leagues Club and Hockey Fields, Buckley Crescent Park, the Dog Park, Apex Park, the Oberon Recreation Ground, The Reef Reserve in time for the Redfin Round Up, Burraga Cemetery, Black Springs Recreation Ground, Cemetery and town verges, Oberon Cemetery, Oberon Rotary Lookout, Herb David Park, the Leagues Club and Hockey fields, The Library, O'Connell Cemetery, O'Connell Recreation Ground, and other Council owned land.

Road verges are a challenge given resources, but slashing has been undertaken on Lowes Mount Road, Bracken Estate, Albion Street, the Avenue at O'Connell, Muirs Road, Edith Road, Ross Street, North Street, Albion and other street verges in Oberon, and the Council Carpark and Depot.

Council has received a number of compliments on the beautiful state of the main street gardens and the great work staff do keeping the bins clear and toilets clean in Oberon, with a local shop owner stating:

"Many people coming into my shop say how beautiful these gardens are in the main street. I am not sure who does it but they do a great job. The gardens look like something out of a picture book"

"The toilets are always clean and well-maintained. There is always toilet paper and soap. My kids like using them when we are out and about"

And others saying the main street gardens are looking the best they have looked in years.

On a less cheerful note, it appears very likely that one (if not two) of the beloved Oak trees in the main street (at the level crossing) has been poisoned by unknown persons and despite the team's best efforts, including applying a special tonic the tree appears to be lost. This will leave a large gap in the streetscape of Oberon Street.

They have also done an amazing job tidying up the area for the Fossicking Event to be held in the new year.



The dying Oak Tree in the main street



The Leagues fields



From an overgrown mess to this ... the Fossicking area at the VIC

6. Cemeteries

Councils Cemetery operator has worked extensively with Cemeteries & Crematoria NSW in the introduction of the Interment Industry Scheme for Oberon Council. The NSW Government has introduced the Interment Industry Scheme as part of the Cemeteries and Crematoria Regulation 2022 – a licensing system for cemetery and crematorium operators.

The scheme will, for the first time, license all operators and set clear standards. Families will know what to expect from cemetery and crematorium operators and can make informed choices.

Key license conditions relate to:

- Consumer contracts – standard terms and conditions explained clearly so customers can understand what they are paying for.
- Cemetery maintenance – to make sure there are clear minimum standards for every cemetery.
- Pricing transparency – so customers know what they are purchasing and can easily compare prices.
- Customer service – to ensure operators are consistently providing quality service.
- Religious, cultural and spiritual principles – to ensure respect for religious and cultural requirements and promote understanding of the unique importance of Sorry Business to Aboriginal people.

Councils Cemetery operator completed the Accidental Counsellor online course in November.

Oberon Council has been penciled in as a training venue to host a two-day Cemetery Safety Training course in April 2025. The course provides industry best practice and covers grave preparation, soil conditions and shoring requirements, trench collapse and consolidation, dealing with grief in the workplace, legislation, working in confined spaces, exhumation and mausoleum requirements. Additional Cemetery safety refresher courses are also conducted as needed, with the refresher courses being conducted online via Zoom.

Ten burials have occurred this financial year in Oberon Local Government Area Cemeteries.

7. Director Technical Services Appointments November 2024

07/11/2024	Councillor Workshop – Policy Lab & Committees
07/11/2024	Extraordinary Council Meeting & Informal Briefing Session
11/11/2024	LEMC
12/11/2024	Ordinary Council Meeting
13/11/2024	Liquid Trade Waste Regulation Course, Wagga Wagga
14/11/2024	Liquid Trade Waste Regulation Course, Wagga Wagga
18/11/2024	Meeting with WaterNSW
26/11/2024	IPWEA training - Roads
26/11/2024	Meeting with Fulton Hogan
30/11/2024	NSW SES Operational Weather Briefing

14.4 Monthly Activity Report Corporate Services - November 2024

File No: Governance/Meetings/Ordinary

Author: Mathew Webb (Corporate Services Director), AJ Jack (IT and GIS Co-ordinator), Victoria Bewley (Acting Community Services Coordinator), Zoe Marks (Finance Manager), Rhiannon Mijovic (Library Manager), Debra Keane (Tourism and Economic Development Manager)

Summary

This report provides an update on the activities of the Corporate Services Directorate in November and forward plans.

Recommendation:

That report item 14.4 is received as information.

List of Attachments

Nil

1. Information Technology

New Software

The Planning Directorate are having a detailed look at additional ReadyTech modules to see if they are suitable. The modules are Animals, Health, Local Laws and Wastewater.

IT and Comms have selected a program for easily standardising email signatures across the organisation. It will easily enable Comms to add important messages at the end of email signatures, such as Christmas closers and important events in town.

IT and HR are evaluating HR software. There are substantial efficiencies to be gained from streamlining and automating HR processes particularly in the recruitment and on-boarding phases.

Local Government IT Conference

The IT Manager attended the Local Government IT conference where the dominant topic was artificial intelligence. Councils in Victoria are using AI to answer planning queries from residents. The AI is always looking at the most recent legislation, so always has the most up to date answers. The Notebook LM program from Google can be used to quickly produce a podcast from documents. The speaker at the conference used the Oberon Council Livestock and Companion Animals page to create a nine-minute podcast of two people discussing the Council's policies. It took less than three minutes to produce.

2. Finance

Quarterly Budget Review Statements (QBRS)

The Finance Team has updated the QBRS process, incorporating significant internal consultation. The revised format was endorsed by Council at the last meeting.

Land Sale for Debt Recovery

The Finance Team compiled information regarding the land sale process for debt collection, which will be presented at a Councillor workshop in December.

Internal Restrictions Review

The Finance Team has re-evaluated internal restrictions and prepared relevant information for presentation at the December Councillor workshop.

3. Community Services

End of Year Spectacular 2024

The event was postponed due to adverse weather, prioritising community safety and enjoyment. The decision was made in consultation with entertainers and supported by stallholders, who felt attendance would be not appropriate in the conditions. Plans are underway for another version of the event to be held in March / April 2024.

Independent living units

Council plumbers attended the units to repair issues identified during recent inspections. Common area mowing and garden maintenance remain challenging due to high rainfall and the growing season, alongside broader Parks and Gardens commitments.

Black Springs Hall

Quotes have been received for CCTV, keyless locks, and security screens following recent break-ins at the facility. Staff are configuring a new internet connection to support the cameras and new locking system. Further discussions will be held with Councillors and community representatives to determine the best approach for the screens, considering budget and overall look.

4. Oberon Library & Community Centre

It has been a busy month at the library, highlighted by a visit from two representatives of the State Library of New South Wales, who were very impressed with the facility. As a result, the library has been featured as the banner image in the December issue of PLS eNews

Looking ahead, there is an array of exciting school holiday activities planned which include:

- A "Big Science, Big Fun" show hosted by Fizzics Education from Sydney
- A movie marathon hosted by the library
- A workshop with Central West artist Fiona Howle

Bookings for all events are through Humanitix.

OBERON LIBRARY SCHOOL HOLIDAY BOREDOM BUSTERS

FIZZICS since 2004

Wednesday 15th January
Movie Marathon
Session 1 10.30am - 12pm
Session 2 2.00pm - 3.30pm
Cost Free
For ages 6+ years
Limited places - bookings essential

Tuesday 14th of January
Big Science Big Fun Show
10.30am - 11.30am
Cost \$10 per child
For ages 6 years and up
Bookings essential

Movie 1. G - rated
Bella is a young girl who goes through a difficult experience begins to see everyone's imaginary friends who have been left behind as their real-life friends have grown up.

Movie 2. PG - rated
In the fantasy world of Kuzushiki, humans and dragons lived together in harmony. Now, 250 years later, those same immortals have returned and it's up to a lone warrior, Raya, to take down the last dragon in order to finally stop the dream for good.

Thursday 10th January
Kite Bunting - Art on a string
with artist **Fiona Howle**
Make your amazing images on paper and string them together practising tying knots in this workshop full of summer sky surprises using a wide range of art materials.
10.30am - 12.30pm
Cost \$10 per child
For ages 6-13 years
Limited places - bookings essential

FOR BOOKINGS SCAN THE QR CODES

Big Science Big Fun

Movie Marathon

Kite Bunting

OBERON COUNCIL

5. Tourism and Economic Development

October contributed \$1.96M to the local economy, with 19,000 visitors to the region. While expenditure at takeaways and pubs is up by 4.2% and 7.1% respectively, overall visitation is down by 5.1%, with some accommodation sectors performing well, particularly those catering to workers for the Jenolan projects.

Oberon Outdoor Festival

The Oberon Outdoor Festival included two full days of 4WD tours to our national parks. Rain impacted the Teddy Bears Picnic, reducing attendance to just 30, leading to a review of the event next year. The Redfin roundup also faced rain but still attracted 60 anglers on Saturday and Sunday. The Fishing Shed Bathurst supported the event.

Going forward, the intention is to make these events self-sustaining, as grant funding for community events continues to be difficult to secure. While free events may no longer be feasible, Council will continue to make them affordable.

Drought Resilience Project

A consortium consisting of Oberon, Bathurst, and Lithgow Councils is actively participating in the Future Drought Fund's Regional Drought Resilience Planning program and is now entering the implementation phase. This phase focuses on putting into action the steps identified in the regional drought resilience plan, including initiatives like agritourism to diversify income and strengthen the local economy. The program provides expert feedback, small grants, and networking opportunities to support the three councils in building economic, environmental, and social resilience. Additional funding from the Australian Government's \$67 million commitment will further help implement and refine these strategies.

- 14.5 Grants Update - November 2024

File No: Governance/Grants 2024

Author: Toni Dwyer (Grants Co-ordinator), Mathew Webb (Corporate Services Director)

Summary

This report provides a summary of grant funding applications submitted and funding notifications received during November 2024.

Recommendation:

That report item 14.5 is received as information.

List of Attachments

Nil

Comment

GRANT APPLICATIONS

a. NSW Office for Local Government (OLG), A fresh start for Local Government Apprentices, Trainees and Cadets – Round One (Closing 8/11/2024)

This Program funding addresses identified workforce shortages, skill gaps and will boost critical workforce numbers within the local government sector. This Program funds wages for new apprentices, trainees and cadets. Round 1 of the program closed on 8 November 2024 and an application was submitted by Oberon Council.

The application was submitted for Oberon Council's Administration/Customer Service Trainee Program to employee 4 Administration/Customer Service trainees for 2 years. This program is designed to build transferrable skills and knowledge for their future. The trainees will spend 6 months with Finance, Planning, Technical Services and Administration learning all aspects of Council which provides a more diverse and rewarding experience opening a wide range of career opportunities.

The OLG will notify successful applicants of their provisional approval within 4 weeks of the closing date to finalise recruitment for the new roles. Once provisional approval is granted, final approval is guaranteed on notification of successful recruitment.

b. NSW Crown Lands, Crown Reserves Improvement Fund (CRIF), Weed Control – Black Springs & The Reef

An application was submitted on 22 November 2024 to facilitate the eradication and containment on invasive weeds on Crown Land Reserves that Oberon Council Manages as community land. The application was for the Black Springs Recreation Reserve and the Oberon Public Recreation Reserve (The Reef Reserve). The application was made to cover contractor, project management costs and inflationary increases.

Weed spraying has since been confirmed with a contractor at Black Springs Reserve and if the grant application is successful it will support a follow-up treatment which will likely be required due to the density of the infestation.

c. NSW Department of Planning, Housing & Infrastructure, Regional Housing Strategic Planning Fund – Round 3, Update and Align Development Control Plan 2001(DCP) and Contributions & Water Management Works Plan 2004 (CP) to Enable and Accelerate New Housing Capacity.

An application was submitted on 22 November 2024 to update and align Oberon Council's Development Control Plan (DCP), 2001 and Contributions Plan (CP), 2004 with the statutory Local Environment Plan, 2013. This will be achieved with best practice principles to enable and accelerate new housing capacity. The intended outcome of the application is to resolve issues and constraints, removing inequities and improving efficiencies of outdated misaligned documents.

d. NSW Department of Transport, Get NSW Active 2025-26, Oberon Local Government Area Active Transport Strategy & Plans 2025-2035

An application was submitted on 18 November 2024 to update and consolidate the Oberon Active Transport Strategy Active Travel Plan 2016 and the O'Connell Active Transport Strategy 2016 into one comprehensive document that covers the whole Oberon Local Government area where walking and bike riding can be the preferred way to make short trips.

It was proposed that the review, update and consolidation of plans will be conducted by an external consultant that will be engaged through a competitive process as per Council procurement policies.

e. NSW Office of Responsible Gambling, Club grants Category 3, Infrastructure Grants: Sport and Recreation

An extensive application was submitted by closing date, 25 November 2024 to the above program. This program provides funding to support sport and recreation infrastructure such as sports centres, playgrounds and swimming pools. To be eligible, projects needed to be DA approved or exempt. The grant will be assessed on four criteria, Merit (Clear strategic vision that will enhance the usage of existing facilities), Engagement, (considers needs and expectations), Viability (well-planned with appropriate risk management and governance in place) and Budget (detailed, accurate and demonstrates values for money). Local government applicants were required to cash-match the funding amount requested.

The recent report presented to Oberon Council regarding playground upgrades was assessed as meeting all the necessary criteria. Based on this assessment and the approaching closing date, an application was submitted for the Upgrade of Playgrounds in Oberon, following a comprehensive Kid Safe inspection. The objective of the application was to enhance the community's playgrounds, ensuring they provide a strategic network of high-quality play areas with safe and compliant equipment that caters to children of all ages in both supervised and unsupervised settings.

The application requested \$299,000 (just under the maximum of \$300,000), contributing to a total project cost of \$598,000, which includes contingencies, project management, and planned enhancements

f. Local Roads and Community Infrastructure Program – Phase 4, Part A \$584,514 Part B \$337,160

Work in this program must be completed by 30 June 2025. Variations must be submitted on or before 1 January 2025. Part A includes an amount of \$500,514 for Netball and supporting facilities at the Oberon Sports Ground.

g. Australian Government, Department of Infrastructure, Transport, Regional Development, Communications and the Arts, Safer Local Roads, and Infrastructure Program

The last grants report noted that the following three projects were under further assessment, with the intention to submit applications for each:

1. Culvert Crossing – Brisbane Valley Creek, Sewells Creek Road: Requires survey, design, and construction.
2. Bald Ridge Road Remediation Causeway: Obligatory remediation ordered by Fisheries NSW.
3. Lowes Mount Road Guard Rails: Application submitted, pending advice under the Road Safety Program.

The initial assessment and draft application have focused on the Bald Ridge Road Causeway due to the Fisheries NSW remediation order. Grant staff are awaiting detailed costings and further assessment before finalising the draft application and addressing the 20% co-contribution component. Once these details are confirmed, prioritisation of the other shortlisted projects will begin.

GRANT NOTIFICATIONS

a. Housing NSW Department Primary Industries & Regional Development, Regional Youth Holiday Break – Summer /Autumn 2024/25

Oberon Council was notified that it was successful in its grant application for an amount of \$10,000 for the following projects,

- Summer- Free Oberon Fitness & Pool for Youth Summer School Holidays 2024-25 which includes free pool entry from 21 /12/2024 to 30/1/2025, free Aquarobics Sessions, free Personal Trainer Sessions and fun equipment at the pool.
- Autumn – Free Oberon Fitness Centre for Youth – Autumn School Holidays 2025 which includes free Gym access from 9/4/2025 to 27/4/2025 and school holiday program and Personal Trainer Session.

b. NSW Government Local Small Commitment

Oberon Council was notified that it has been allocated \$560 of additional funding as part of the NSW Government's Local Small Commitment Allocation Program, to be used towards the upgrades of playgrounds and parks. This is additional to the initial \$14,000 allocation.

c. Australian Government, Play Our Way Program, Oberon Hockey Pitch & Facilities

Oberon Council was advised that the application for funding to construct a hockey pitch and facilities at the Oberon Sportsground was unsuccessful.

Oberon Council was successful in being one of the 255 Expression of Interest invitations out of more than 1,000 applications. It was stated that only organisations with the highest quality expressions of interest were invited to submit a full application. The 255 full applications amounted to over \$200 million and competed for \$136 million in funding. Successful projects will be published when all grant agreements are in place. The date expected is February 2025.

The Department has advised they will not be able to offer feedback on each application, but has published general feedback relating to the Grant Opportunity on their website, www.health.gov.au

GRANT APPLICATION PROGRESS

Grant Progress Table				
Submitted	Details/Description of Project	Grant Program	Grant Amount	Status
22 November 2024	Weed Control – Black Springs & The Reef	Crown Lands Improvement Fund – Weeds 2024-25	\$10,568	Pending – (notification expected May 2025)
22 November 2024	Update and Align DCP, 2001 and CP, 2004 to Enable and Accelerate New Housing Capacity	Regional Housing Strategic Planning Fund 2024 – Round 3	\$161,040	Pending – (notification expected April 2025)
18 November 2024	Oberon Local Government Area Active Transport Strategy & Plans 2025-2035	Get NSW Active 2025-2026	\$71,335	Pending - Assessment (November 2024 to March 2025). Notification (April-May 2025)
8 November 2024	4 x Administration/Customer Service trainees for 2 years.	NSW Office for Local Government (OLG), A fresh start for Local Government Apprentices, Trainees and Cadets	4 x Administration/Customer Service trainees for 2 years.	Pending
16 October 2024	Pre-NAIDOC Week Youth Workshop Program	Arts OutWest Inc Community Arts Support Program (CASP)	\$3,000	Pending
23 September 2024	Oberon Hockey Pitch & Facilities	Australian Government Play Our Way Program	\$2,000,000	Unsuccessful
22 September 2024	Free Fitness Centre & Pool for Youth	NSW Government Holiday Break Program Summer 2024/25 Autumn 2025	\$10,000	Successful
6 September 2024	A Synergising Seniors Shindig	NSW Government 2025 Seniors Week Festival	\$8,510	Unsuccessful
18 July 2024	Construction Sewerage Treatment Plant Upgrade	Housing Support Program – Community Enabling	\$11,250,000	Pending

		Infrastructure Stream		
11 June 2024	Cyber Security Training	Australian Government, Cyber Security Awareness Support for Vulnerable Groups	3 x \$15,000	Pending
10 May 2024	Abercrombie Road- Raised Pavement Markers	Road Safety Program (Federal & State) and (State) Towards Zero Program	\$118,000	Pending
10 May 2024	Lowes Mt Road – Guard Railing	Road Safety Program (Federal & State) and (State) Towards Zero Program	\$334,000	Pending
10 May 2024	Dudley Dart Street footpath and pedestrian refuge	Road Safety Program – Sub School Zone Infrastructure	\$54,000	Pending

14.6 Investments - November 2024

File No: Financial Management/Investments/Register

Author: Lisa Koleda (Management Accountant), Zoe Marks (Finance Manager)

Summary

This report provides Council with the Statement of Investments as of 30 November 2024.

Recommendation:

That report item 14.6 is received as information.

List of Attachments

Nil

Comment

The Reserve Bank of Australia (RBA) held the cash rate at 4.35% at their meeting on 10 December 2024.

Headline inflation has significantly decreased and is expected to stay lower, although underlying (core) inflation, which better reflects inflation momentum, remains too high. According to the November (SMP) Statement of Monetary Policy forecasts, it will take some time before inflation is consistently within the target range and nearing the midpoint - (meaning, seeing indications of a more stable balanced economic environment).

Ensuring that inflation returns to target level within a reasonable period remains the Boards top priority. This aligns with the RBA's mandate to maintain price stability and achieve full employment. So far, long-term inflation expectations have aligned with the target, and it is crucial that this continues.

As of 30 November 2024, Council had \$24,750,000 invested with term deposits. Total cash and cash equivalents were \$28,587,312.51 Below is a breakup of Council's Cash and Cash Equivalents:

Cash at bank

Institution	Value
CBA Business - General Funds	2,688,688.82
CBA Business - Online Saver	1,044,380.87
NAB Business - Cheque	<u>104,242.82</u>
	<u>3,837,312.51</u>

Active Term Deposits:

Institution	Date Invested	Rate	Maturity Date	Amount
AMP Bank	9/11/2023	5.10%	4/12/2024	500,000.00
Defence Bank - STP	8/11/2023	5.15%	18/12/2024	500,000.00
Judo Bank	8/11/2023	5.40%	18/12/2024	250,000.00
National Australia Bank	17/01/2024	5.05%	15/01/2025	500,000.00
Australian Unity Bank	6/12/2023	5.25%	15/01/2025	500,000.00
Illawarra Credit Union	31/01/2024	5.10%	29/01/2025	500,000.00
Australian Unity Bank	20/12/2023	5.20%	29/01/2025	500,000.00
Commonwealth Bank	31/01/2024	4.97%	12/02/2025	500,000.00
Australian Unity Bank	21/12/2023	5.10%	26/02/2025	500,000.00
National Australia Bank	28/02/2024	5.00%	26/02/2025	500,000.00
National Australia Bank	28/02/2024	5.00%	26/02/2025	500,000.00
Bank of Queensland	11/09/2024	4.97%	11/03/2025	500,000.00
Australian Unity Bank	20/12/2023	5.10%	12/03/2025	500,000.00
National Australia Bank	13/03/2024	4.95%	12/03/2025	500,000.00
Australian Unity Bank	20/12/2023	5.10%	26/03/2025	500,000.00
National Australia Bank - (Sewer)	28/06/2024	5.32%	9/04/2025	500,000.00
AMP Bank - (Sewer)	24/04/2024	5.05%	23/04/2025	500,000.00
G&CMutual Bank	21/12/2023	5.10%	7/05/2025	500,000.00
G&CMutual Bank	21/12/2023	5.10%	21/05/2025	500,000.00
Bank Of Queensland - STP	14/08/2024	4.80%	4/06/2025	500,000.00
Commonwealth Bank	14/08/2024	4.63%	18/06/2025	500,000.00
National Australia Bank	03/07/2024	5.42%	03/07/2025	500,000.00
National Australia Bank	03/07/2024	5.39%	17/07/2025	500,000.00
National Australia Bank	03/07/2024	5.38%	31/07/2025	500,000.00
Bank Australia - (Sewer)	03/07/2024	5.10%	13/08/2025	500,000.00
Bank Of Queensland.	03/07/2024	5.20%	27/08/2025	500,000.00
Defence Bank	04/07/2024	5.30%	27/08/2025	500,000.00
Bank Of Queensland.	03/07/2024	5.20%	10/09/2025	500,000.00
Defence Bank	04/07/2024	5.30%	10/09/2025	500,000.00
Defence Bank	04/07/2024	5.30%	24/09/2025	500,000.00
National Australia Bank	17/07/2024	5.16%	08/10/2025	500,000.00
Bank Of Queensland.	17/07/2024	4.95%	22/10/2025	500,000.00
ING Bank (Australia) Ltd	16/10/2024	5.03%	22/10/2025	500,000.00
National Australia Bank	17/07/2024	5.13%	05/11/2025	500,000.00
Commonwealth Bank	28/08/2024	4.60%	19/11/2025	500,000.00
Commonwealth Bank	20/11/2024	4.85%	19/11/2025	500,000.00
ING Bank (Australia) Ltd - STP	20/11/2024	5.12%	19/11/2025	500,000.00
Rabobank Australia	04/09/2024	4.90%	03/12/2025	500,000.00
Rabobank Australia	04/09/2024	4.90%	17/12/2025	500,000.00
Rabobank Australia	04/09/2024	4.90%	14/01/2026	500,000.00
Rabobank Australia	04/09/2024	4.90%	28/01/2026	500,000.00
Rabobank Australia	04/09/2024	4.90%	11/02/2026	500,000.00
Family First Credit Union	11/09/2024	4.90%	25/02/2026	500,000.00
G&CMutual Bank	25/09/2024	4.30%	11/03/2026	500,000.00
Rabobank Australia	25/09/2024	4.78%	25/03/2026	500,000.00
ING Bank (Australia) Ltd	06/11/2024	5.05%	08/04/2026	500,000.00
Bank Of Queensland.	23/10/2024	4.70%	22/04/2026	500,000.00
ING Bank (Australia) Ltd - STP	06/11/2024	5.04%	06/05/2026	500,000.00
ING Bank (Australia) Ltd - STP	06/11/2024	5.04%	20/05/2026	500,000.00
ING Bank (Australia) Ltd - STP	06/11/2024	5.03%	03/06/2026	500,000.00

24,750,000.00

Total Cash & Cash Equivalents 28,587,312.51

Externally restricted* 20,053,645.00

Internally restricted 7,651,838.00**

Unrestricted Cash 881,829.51

* Externally Restricted presented as at 30 November 2024

** Internal Restricted approximate as at 30 November 2024

Investments matured during this reporting period:

Institution	Date Invested	Rate	Maturity Date	Amount
Commonwealth Bank	8/11/2023	5.17%	5/11/2024	500,000.00
Judo Bank - STP	12/10/2022	4.45%	6/11/2024	500,000.00
Judo Bank - STP	12/10/2022	4.45%	6/11/2024	500,000.00
Defence Bank - STP	12/10/2022	4.70%	6/11/2024	500,000.00
Commonwealth Bank	22/11/2023	5.11%	20/11/2024	500,000.00
Macquarie Bank - STP	9/11/2023	5.09%	20/11/2024	500,000.00

Investments placed during this reporting period:

Institution	Date Invested	Rate	Maturity Date	Amount
ING Bank (Australia) Ltd	06/11/2024	5.05%	08/04/2026	500,000.00
ING Bank (Australia) Ltd - STP	06/11/2024	5.04%	06/05/2026	500,000.00
ING Bank (Australia) Ltd - STP	06/11/2024	5.04%	20/05/2026	500,000.00
ING Bank (Australia) Ltd - STP	06/11/2024	5.03%	03/06/2026	500,000.00
ING Bank (Australia) Ltd - STP	20/11/2024	5.12%	19/11/2025	500,000.00
Commonwealth Bank	20/11/2024	4.85%	19/11/2025	500,000.00

Summary of Interest earned for - 2024/25:- (as at 30 November 2024)

Interest received on matured investments for the month	144,209.92
Year to Date interest received on matured investments	656,889.19
Monthly accrued interest on active investments	97,609.59
Average interest rate achieved	5.04%
90-day BBSW	4.42%
CBA Business - General Funds Acc (YTD Interest received)	32,298.11
CBA Business - Online Saver Acc (YTD Interest received)	32,279.93

Definitions:

Interest received for the month and YTD (year to date) represent the actual payments received into Council's general fund bank account.

Monthly accrued interest on active investments is accumulated interest that has yet to be paid – at time of reporting.

Average interest rate achieved is the sum of all interest dividends, divided by the length of time investments are held – at time of reporting.

90 days BBSW is a benchmark interest rate at the time of reporting.

Biz Saver Online Acc, interest received is the accumulated interest earned on fund held in the Biz Saver available for use.

I certify that the investments have been made in accordance with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulations 2005, and Council's Investments Policy.

Zoe Marks
Responsible Accounts Officer

14.7 Status Update - December 2024

File No: Governance/Meetings/Ordinary

Author: Gary Wallace (General Manager), Dr Cornelia Wiebels (Technical Services Director), Damian O'Shannassy (Planning and Development Director), Mathew Webb (Corporate Services Director)

Summary

This report item summarises the current status of Council resolutions and provides updates for actions taken.

Recommendation:

That report 14.7 is received as information.

List of Attachments

1. 241212 Status Update Report December 2024 Ordinary Meeting [**14.7.1** - 31 pages]

Comment

Following each Council Meeting the General Manager and Directors review the decisions and agree on a priority for actioning these decisions. Each Director will provide an update to the Council Action Checklist, as well as reporting on actions to the General Manager.

With respect to outstanding actions from previous Council Meetings the General Manager will review these with the Mayor and the Directors on at least a monthly basis.

If any Councillor requires an update on a specific item, they should contact the General Manager or the relevant Director or submit a Councillor Request Form to the Governance and Executive Manager.

Oberon Council - Agenda - Ordinary Meeting - 17 December 2024

Document	Item	Action Required	Assignee/s	Action Taken	Status
Ordinary Meeting - Carried over actions from status report	15 210921 Business Case - Land at 34 Glyndwr Avenue, Oberon	That Council provide up to \$20,000 from the Land Bank to prepare documentation in preparation of a development application for a dual occupancy on land known as Lot 10 DP 245689 being known as 34 Glyndwr Avenue.	Gary Wallace	<p>02/02/2023 Gary Wallace Developing project scope for consultant services.</p> <p>Advice received for grant opportunities relating to residential and industrial developments to be considered from Regional Infrastructure Fund expected in October.</p> <p>03/02/2023 Gary Wallace No information has been forthcoming regarding the Regional Infrastructure Fund. Progression of plans and engineering for the site continue given the site constraints.</p> <p>14/06/2023 Gary Wallace Currently awaiting outcome of the Housing Australia Fund Bill and opportunities that may exist for Council to utilise this for subsidized housing.</p> <p>09/08/2023 Gary Wallace No further understanding of bill status. Options for medium density being considered given site constraints.</p> <p>13/09/2023 Gary Wallace The Australian Housing Bill has seen support at a Federal level between the Greens and Labour. Awaiting the detail to see if opportunities for Council exist.</p> <p>13/12/2023 Gary Wallace No additional advice received as yet, however substantial housing packages are earmarked for 2024 from both Federal and State Governments</p>	In Progress

Oberon Council - Agenda - Ordinary Meeting - 17 December 2024

Document	Item	Action Required	Assignee/s	Action Taken	Status
				<p>14/02/2024 Gary Wallace Council is undertaking an assessment of the requirements for the Housing Australia Grant funding opportunity, applications open until 22 March 2024.</p> <p>15/05/2024 Gary Wallace Opportunities have potentially arisen from the Federal Budget and will look to progress when and if opportunities present.</p> <p>10/07/2024 Gary Wallace New grant opportunities have presented and looking at options to best fit Council's needs. Applications open until late August.</p> <p>9/10/2024 Gary Wallace A number of grant opportunities have presented and looking at options to best fit Council's needs.</p> <p>8/11/2024 Gary Wallace Grant opportunities progressing</p> <p>12/12/2024 Gary Wallace Notice of Motion submitted to December Meeting.</p>	
Ordinary Meeting - Carried over actions from status report	33 150322 Humphries Road Oberon - Partial Road Reconstruction	A report be prepared detailing guidelines for developers in the construction of roads for future consideration by Council.	Damian O'Shannassy	<p>02/02/2023 Gary Wallace To be included in an update to the DCP as part of our strategic planning review.</p> <p>10/10/2023 Gary Wallace Strategic process to commence in November. Scope complete.</p> <p>14/02/2024 Gary Wallace Tender for comprehensive Land Use Strategy to be advertised in February.</p>	In Progress

Oberon Council - Agenda - Ordinary Meeting - 17 December 2024

Document	Item	Action Required	Assignee/s	Action Taken	Status
				<p>14/03/2024 Gary Wallace Request for Tender uploaded on the e-Tendering Portal with closing date 4 April 2024.</p> <p>10/04/2024 Gary Wallace Request for Tender to May 2024 Ordinary Meeting.</p> <p>10/07/2024 Damian O'Shannassy Tender for CLUS adopted at June Ordinary Meeting. Contract being prepared for signing with the preferred Town Planning consultant.</p> <p>03/10/2024 Damian O'Shannassy Contract for the Comprehensive Land Use Strategy review signed with the Consultant and General Manager on 6 September 2024.</p>	
Ordinary Meeting - Carried over actions from status report	35 190422 Residential Land Development	<ol style="list-style-type: none"> Nominate the Open Tendering method as prescribed in accordance with Clause 166(b) of the Local Government Regulation 2005 seeking interest in the development of residential land. Upon completion of the mandatory 21-day tender period, assessment by a panel will provide a further report to Council for consideration and determination. 	Gary Wallace	<p>02/02/2023 Gary Wallace Noted – Design Specification and construction plans to supplement the Tender documentation is complete.</p> <p>Advice received for grant opportunities relating to residential and industrial developments to be considered from Regional Infrastructure Fund expected in November/December. Should no additional advice be received Tender will be sent out for costs.</p> <p>03/02/2023 Gary Wallace No further progress on the Regional Infrastructure Fund. Given the proximity of the NSW State election, it is considered that this fund will be activated after the NSW State election in March. Council will progress to tender.</p>	In Progress

Oberon Council - Agenda - Ordinary Meeting - 17 December 2024

Document	Item	Action Required	Assignee/s	Action Taken	Status
				<p>14/03/2023 Gary Wallace Tender documents currently being prepared to be exhibited in March 2023.</p> <p>10/05/2023 Gary Wallace Current opportunities are being considered for further options for construction. A report is provided to the May 2023 meeting.</p> <p>14/06/2023 Gary Wallace Reported to May 2023 Meeting.</p> <p>08/08/2023 Gary Wallace DA being prepared for Council consideration.</p> <p>13/09/2023 Gary Wallace The Australian Housing Bill has seen support at a Federal level between the Greens and Labour. Awaiting the detail to see if opportunities for Council exist.</p> <p>10/10/2023 Gary Wallace Scope finalised in October, will be uploaded to portal in December.</p> <p>14/02/2024 Gary Wallace Council undertaking an assessment of the requirements for the Housing Australia Grant funding opportunity, applications open until 22 March 2024.</p> <p>15/05/2024 Gary Wallace Opportunities have potentially arisen from the Federal Budget and will look to progress when and if opportunities present.</p> <p>10/07/2024 Gary Wallace</p>	

Oberon Council - Agenda - Ordinary Meeting - 17 December 2024

Document	Item	Action Required	Assignee/s	Action Taken	Status
				<p>New grant opportunities have presented and looking at options to best fit Council's needs. Applications open until late August.</p> <p>9/10/2024 Gary Wallace A number of grant opportunities have presented and looking at options to best fit Council's needs.</p> <p>8/11/2024 Gary Wallace Development application developed in preparation for an assessment process.</p>	
230418 Ordinary Meeting 18 April 2023	22 - 18/04/2023 Policy 2123 Anti Bullying Positive Working Relationships Policy	That Workplace Behavioural Standards and Expectations Policy 2123 be further reviewed to ensure it is consistent with Policy 2101, and that Complaints Handling Policy 2101 also be reviewed.	Gary Wallace, Mathew Webb	<p>09/05/2023 Mathew Webb Review underway.</p> <p>08/08/2023 Gary Wallace Working group established to critique current policy.</p> <p>13/12/2023 Gary Wallace Values and Commitments phase complete. Will be reported to March 2024.</p> <p>14/03/2024 Gary Wallace Resourcing (sickness) has delayed this. The finalisation of this action requires the melding of two existing policies.</p> <p>13/06/2024 Mathew Webb This will be updated in conjunction with the new Council and other relevant policies such as the Code of Conduct, Complaints Handling and Internal Reporting.</p> <p>9/10/2024 Gary Wallace A review of policies will be provided to Councillors in workshop form to provide an</p>	In Progress

Oberon Council - Agenda - Ordinary Meeting - 17 December 2024

Document	Item	Action Required	Assignee/s	Action Taken	Status
				understanding of the revised policies so as they align to others within the register. This will mean transitioning from some policies to others. A comprehensive report will be provided to the next available Ordinary Meeting.	
230516 Ordinary Meeting 16 May 2023	9 - 16/05/2023 Tender 2023-09 Oberon Kerbside Garbage Collection	<p>That Council:</p> <ol style="list-style-type: none"> Nominate the Open Tendering method as prescribed in accordance with Clause 166(a) of the Local Government Regulation 2005 for the provision of Kerbside Garbage Collection services for the next three (3) year period with an option for a further extension of 2-years (T2023-09). At the conclusion of the Tender period all information will be assessed by a panel and a report will be put to the next available Ordinary Meeting of Council seeking endorsement of a suitable provider for the new Oberon Kerbside Garbage Collection Contract. 	Dr Cornelia Wiebels	<p>14/06/2023 Chris Schumacher Tender documents currently being prepared.</p> <p>13/09/2023 Chris Schumacher Kerbside Waste Tender held over until following Councillor Waste Workshop.</p> <p>10/10/2023 Chris Schumacher Waste Workshop held in September. Progress report presented to October Ordinary Meeting.</p> <p>14/12/2023 Gary Wallace Council utilising options for 2023/24 and the development of a tender in the last quarter of 2023/24.</p> <p>13/06/2024 Dr Cornelia Wiebels Tender documents drafted for review and finalisation; TRP being formed</p> <p>09/10/2024 Dr Cornelia Wiebels The tender was advertised in September 2024 with two submissions received. Evaluation pending. Report expected to November 2024 Confidential Council Meeting.</p> <p>05/11/2024 Dr Cornelia Wiebels Report to Confidential Council Meeting on 12 November 2024.</p> <p>05/12/2024 Dr Cornelia Wiebels Tender selected.</p>	Matter closed

Oberon Council - Agenda - Ordinary Meeting - 17 December 2024

Document	Item	Action Required	Assignee/s	Action Taken	Status
230919 Ordinary Meeting 19 September 2023	15 - 19/09/2023 Delegates to Council Committees	That Council endorse in principle the proposed alternative facility management options for the administration of the independent living units to reduce the associated psychosocial risks to staff with the General Manager to provide a variety of options including indicative costings to fund the options.	Mathew Webb	<p>12/10/2023 Mathew Webb Various scenarios and costings still being gathered.</p> <p>14/02/2024 Mathew Webb Discussions continue with Columbia regarding a community outreach program. Units management model unchanged at this time</p> <p>15/05/2024 Mathew Webb Columbia in conjunction with Council submitted a grant application under Innovative Models of Care, Funding Community Supported Rural Primary Care Trials - Federal Government. The application would provide seed funding to kickstart a community outreach program at the ILU. Unfortunately this grant application was not successful.</p> <p>Investigations still underway regarding another appropriate model for the management of the ILUs.</p> <p>08/10/2024 Mathew Webb Staff are currently updating the maintenance plans for the units over the short, medium and longer term. No alternative management models have been identified.</p>	Matter closed
231219 Ordinary Meeting 19 December 2023	4 - 19/12/2023 Black Springs Land	That: 1. Oberon Council explore compulsory acquisition of the land situation at 67 Dog Rocks Road, Black Springs, (Lot 174, DP757072) being the Black Springs Transfer Station utilising their powers as outlined	Gary Wallace	<p>14/02/2024 Gary Wallace Noted, Telco informed that they are currently in negotiations with private landholder. No further action at this time.</p> <p>14/03/2024 Gary Wallace No further information provided by Telco at this stage.</p>	In Progress

Oberon Council - Agenda - Ordinary Meeting - 17 December 2024

Document	Item	Action Required	Assignee/s	Action Taken	Status
		<p>in the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> or other acquisition methods.</p> <p>2. Provide to Council at its February or March Meeting a further report on the acquisition of the subject land at 67 Dog Rocks Road, Black Springs.</p>		<p>10/04/2024 Gary Wallace Request for meeting with Telco has been requested to update the current situation.</p> <p>Additional information is provided below outlining the process Council will be required to undertake prior to acquisition being considered by the Crown.</p> <p>When Crown land is needed for a specific public purpose, authorities notify the department that they plan to compulsorily acquire any interest in land as defined by the <i>Crown Land Management Act 2016</i>. This can include any Crown reserves, travelling stock reserves, Crown roads and unidentified Crown land, waterways, substratum and stratum lots, easements and commercial leases.</p> <p>The Just Terms Act requires that acquiring authority to be satisfied that it has identified all interests in the land.</p> <p>Before acquiring land, the authority must consider the rights and interests of Aboriginal people and communities. Compulsory acquisition cannot go ahead where there is an undetermined Aboriginal claim over the land. Native title applies to all Crown land unless the Federal Court has made a native title determination.</p> <p>From initial searches no Federal Court determination exists for the subject land.</p> <p>10/07/2024 Gary Wallace Meeting held with Federal Member to look at acceleration options for tower. Telco has</p>	

Oberon Council - Agenda - Ordinary Meeting - 17 December 2024

Document	Item	Action Required	Assignee/s	Action Taken	Status
				<p>considered the project 'frustrated' and Federal Member to chase with Federal Communications Minister.</p> <p>9/10/2024 Gary Wallace No further information has been provided by Federal Member. All information has been forwarded to Telco to assist in the finalisation of this matter</p> <p>8/11/2024 Gary Wallace Mayoral letter to be forwarded to federal member and telco seeking update on previous information supplied by Council.</p>	
231219 Ordinary Meeting 19 December 2023	21 - 19/12/2023 Late Report - Oberon Sewerage Treatment Plant Replacement Project - Tender	<p>That:</p> <ol style="list-style-type: none"> 1. Council acknowledge the changes to the closing of the new Sewerage Treatment Plant tender from 29 January 2024 to 16 February 2024. 2. The Managing Director/CEO of Public Works Advisory be directed to attend the next Ordinary Council Meeting to explain the significant delay in providing detailed design documents for the Oberon Sewerage Treatment Plant project. 3. Correspondence be forwarded to the Minister responsible for the portfolio 	Gary Wallace	<p>14/02/2024 Gary Wallace 1. Noted 2. Correspondence forwarded to Public Works in line with Council resolution, awaiting response. 3. Correspondence forwarded to Ministers office awaiting response.</p> <p>14/03/2024 Gary Wallace No response received at this time.</p> <p>13/06/2024 Gary Wallace Initial response received asking Council to work with PWA to minimise concerns. A further response is being prepared.</p> <p>9/10/2024 Gary Wallace Initial response to PWA provided. Deed requirements from grants may condition further engagement with PWA.</p> <p>8/11/2024 Gary Wallace No further information supplied at this time.</p>	In Progress

Oberon Council - Agenda - Ordinary Meeting - 17 December 2024

Document	Item	Action Required	Assignee/s	Action Taken	Status
		outlining the Council's concerns regarding delays to this project.			
240319 Ordinary Meeting - 19 March 2024	21 - 19/03/2024 Grants Update and Contribution	<p>That Council:</p> <ol style="list-style-type: none"> 1. Commit \$21,000 for a Consultant to undertake a thorough review and determine which is the best project in our Renewable Energy Action Plan and work towards a January 2025 submission under the Community Energy Upgrades Fund. 2. That Council consider as part of its ongoing Operational Plan a reserve fund to support energy initiatives as identified from our Renewable Energy Action Plan analysis to help ongoing support for grant funding. 3. Note other grant updates and activities have been included in the report. 	Mathew Webb	<p>15/05/2024 Mathew Webb Consultant appointed and work underway on the development of the plan and grant application documentation</p> <p>08/10/2024 Mathew Webb Consultant has completed site visits and including this data in compilation of the report and application.</p> <p>06/11/2024 Mathew Webb Draft report has been received from consultant and staff are currently assessing. Both also awaiting outcome of Round 1 grant funding, to see what types of projects have been funded.</p> <p>12/12/2024 Mathew Webb Awaiting the opening of Round 2 to understand the guidelines and best approach for the grant application.</p>	In Progress
240416 Ordinary Meeting - 16 April 2024	30 - 16/04/2024 STP Construction Tender Update	<p>That Council;</p> <ol style="list-style-type: none"> 1. Note the Sewerage Treatment Plant Tender Update Report 2. Enter negotiations for the supply of the construction of 	Gary Wallace	<p>15/05/2024 Gary Wallace Await advice on outcome of grant application.</p> <p>13/06/2024 Gary Wallace Grant application unsuccessful. STP Steering Committee met to discuss options to move the project forward.</p>	In Progress

Oberon Council - Agenda - Ordinary Meeting - 17 December 2024

Document	Item	Action Required	Assignee/s	Action Taken	Status
		the Sewerage Treatment Plant with the lowest two (2) compliant Tenderers, given the closeness in the price of the Tenders and Council's wish to achieve the most advantageous supply of the project.		<p>10/07/2024 Gary Wallace Council has engaged consultants to look at options for the project to proceed. A report to August is expected.</p> <p>8/11/2024 Gary Wallace Work progressing with two compliant tenderers whilst Grant opportunities continue.</p> <p>12/12/2024 Gary Wallace Staff progressing through meetings with INSW and DCCEEW.</p>	
240521 Ordinary Meeting - 21 May 2024	4 - 21/05/2024 Extension of Herborn Street	That Oberon Council support consideration of the extension of Herborn Street in the new land use study.	Damian O'Shannassy	<p>13/06/2024 Damian O'Shannassy To be considered as part of the Comprehensive Land Use Study.</p> <p>03/10/2024 Damian O'Shannassy Contract for the Comprehensive Land Use Strategy review signed on 6 September 2024.</p> <p>12/12/2024 Gary Wallace Staff have been forwarded a form letter from residents in Herborn Street endorsing the extension project. This will be considered as part of the CLUS process.</p>	Matter closed
240521 Ordinary Meeting - 21 May 2024	13 - 21/05/2024 Kerb and Gutter Capital Works Allocations for 2024 - 2025	That Council 1. Allocate \$155,000 from the Legacy Town Improvement (TI) unallocated 'Drainage, Kerb & Gutter' allocation to start implementing part of Council's seven-year Kerb & Gutter Capital Works Program in Financial Year (FY) 2024/25 with the project of Edith Road –	Dr Cornelia Wiebels	<p>13/06/2024 Dr Cornelia Wiebels 1. Noted. 2. Noted. 3. JO's Smoke Testing contractor Interflow being consulted, smoke testing being scoped within available budget with the aim to commence this in July/August 2024.</p> <p>09/07/2024 Dr Cornelia Wiebels 3. Meeting with Interflow held; smoke testing of around 200 properties intended as well as</p>	In Progress

Oberon Council - Agenda - Ordinary Meeting - 17 December 2024

Document	Item	Action Required	Assignee/s	Action Taken	Status
		<p>Canterwell Lane to Ross Street (southern side only, 160m) and investigation, design and installation of drainage in Dudley Street between Dillon Street and the unnamed road to the south.</p> <p>2. Review its Kerb & Gutter program under consideration of required road widening and requirements for significant additional drainage installations including associated costs and alignment with Council's sealed town roads program.</p> <p>3. Further investigate the reported sewer-overflow issue at East Dillon Street through its Technical Services Department and that a report is provided back to Council with findings, recommendations and estimated costings once the investigation has progressed.</p>		<p>cleaning and CCTV inspection of identified sewer mains; on-site works forecast for September 2024</p> <p>07/08/2024 Dr Cornelia Wiebels 3. Smoke testing of 179 properties as well as cleaning and CCTV inspections of selected sewer mains forecast to commence in Sept 2024</p> <p>09/10/2024 Dr Cornelia Wiebels Smoke testing commenced in September and already found some issues, however has been postponed and will resumed once any smoke testing related issues are resolved in collaboration with Council's contractor Interflow.</p> <p>05/11/2024 Dr Cornelia Wiebels Smoke testing scheduled to resume in the week starting 11 November 2024.</p> <p>05/12/2024 Dr Cornelia Wiebels Smoke testing complete. Report expected back to outline required action from smoke testing; some illegal connections identified during some testing requiring correction.</p>	
240521 Ordinary Meeting - 21 May 2024	15 - 21/05/2024 Playground Risk Assessment Report	<p>That Council:</p> <p>1. Prioritise its resourcing on maintaining and improving its 10 identified playgrounds.</p> <p>2. Explore funding opportunities, or other funding sources to allocate</p>	Dr Cornelia Wiebels	<p>13/06/2024 Dr Cornelia Wiebels</p> <p>1. Noted.</p> <p>2. To commence during FY24/25 for funds from FY25/26. Considerations also given in TI report within June 2024 Business Paper.</p> <p>3. Quotes being sought for assessments incl. costing - Parks and Gardens Update in</p>	In Progress

Oberon Council - Agenda - Ordinary Meeting - 17 December 2024

Document	Item	Action Required	Assignee/s	Action Taken	Status
		<p>~\$300,000 for playground refurbishments and renewals (Common Upper & Middle, Cunningham Oval) over the FYs 2025/26 to 2027/28.</p> <p>3. A further report be provided on the feasibility and costs involved in upgrading the current 6 non-complying playgrounds equipment to comply with current day standards as outlined in the report.</p>		<p>Technical Services Monthly Activity Report, June 2024; matter referred to ARIC</p> <p>09/07/2024 Dr Cornelia Wiebels 2. \$232,930 allocated for Playgrounds Upgrades and Make Safe as per Resolution to Item 13.1 in June 2024 Ordinary Council Meeting.</p> <p>07/08/2024 Dr Cornelia Wiebels 3. KidSafe on site first week of August, awaiting report</p> <p>09/10/2024 Dr Cornelia Wiebels Received a detailed assessment of the compliance and condition of all Playground areas across the LGA. Staff are currently working on costing upgrade works for individual playgrounds, with a report to be prepared for the November Ordinary Meeting of Council.</p> <p>05/11/2024 Dr Cornelia Wiebels Further report to Ordinary Council Meeting on 12 November 2024.</p> <p>05/12/2024 Dr Cornelia Wiebels No resolution in November. Further report to December Ordinary Meeting.</p>	
240521 Ordinary Meeting - 21 May 2024	16 - 21/05/2024 Oberon Common Footpath Extension	<p>That:</p> <p>1. Council commence construction of the footpath identified on the Common Master Plan from Curtis Street to the link path at the Common.</p>	Dr Cornelia Wiebels	<p>13/06/2024 Dr Cornelia Wiebels Design work is required for the footpath so as to meet the requirements of Council's DIAP. The grades of the path will require design for contractors to appropriately quote. Design consultant engaged - Parks and Gardens update in Technical Services Monthly Activity Report, June 2024</p> <p>07/08/2024 Dr Cornelia Wiebels</p>	In Progress

Oberon Council - Agenda - Ordinary Meeting - 17 December 2024

Document	Item	Action Required	Assignee/s	Action Taken	Status
		2. The funding be provided from the internal reserve for railway crossings and unallocated Town Improvement Fund.		<p>Detailed design completed to Australian Accessibility Standards. Consultant engaged to undertake sampling & testing along the planned path for (naturally occurring) asbestos. An open tender is being considered in conjunction with the O'Connell Rec Ground Shared Path (report to August 2024 Ordinary Meeting).</p> <p>09/10/2024 Dr Cornelia Wiebels Asbestos was detected in one sample along the planned footpath; it needs to be considered further how this will be managed prior to progressing with further construction preparation.</p> <p>05/11/2024 Dr Cornelia Wiebels Consultant engaged to develop a Remediation Action Plan. Contract expected to be considered in December.</p> <p>05/12/2024 Dr Cornelia Wiebels Received Remediation Action Plan; Plan to be reviewed for RFQ to proceed.</p>	
240611 - Extraordinary Council Meeting - 11 June 2024	4 - 11/06/2024 Proposed Heritage Listing of The O'Connell Avenue of Trees	<p>That Council,</p> <ol style="list-style-type: none"> 1. Update the draft State Heritage Inventory Sheet for the Avenue of Trees at O'Connell (ref 2210207) . 2. Prepare a Planning Proposal for the individual listing of the Avenue of Trees at O'Connell as a local item for inclusion in <i>Schedule 5 of the Oberon LEP 2013</i> 	Damian O'Shannassy	<p>13/06/2024 Damian O'Shannassy Staff have contacted State Heritage who have requested some information of Council.</p> <p>Council's Heritage Advisor has been engaged to update the State Heritage Inventory Sheet.</p> <p>01/10/2024 Damian O'Shannassy Work is progressing on the Planning Proposal including but not limited to mapping of the item.</p> <p>8/11/2024 Gary Wallace</p>	In Progress

Oberon Council - Agenda - Ordinary Meeting - 17 December 2024

Document	Item	Action Required	Assignee/s	Action Taken	Status
		3. Advise the local community in O'Connell to consider liaising with Heritage NSW, based on the State level assessment of the 1998 CMP, with a longer-term view of nominating the Avenue of Trees for inclusion separately on the State Heritage Register.		Heritage Advisor continue to progress the State Listing with NSW Heritage. All documentation has been prepared for State to consider. 12/12/2024 Damian O'Shannassy Report to December provided outlining current activity undertaken.	
240618 Ordinary Meeting - 18 June 2024	36 - 18/06/2024 Industrial Subdivision Stage 2	That Council proceed with the recommendations outlined within the report.	Dr Cornelia Wiebels, Gary Wallace	10/07/2024 Gary Wallace Notification of successful Tenderer advised. Contract being developed 8/10/2024 Gary Wallace Project management for the development is being put together in house in conjunction with the approved Tenderer. 8/11/2024 Gary Wallace Development application approved for the development. Contracts being finalized prior to end of December. 12/12/2024 Dr Cornelia Wiebels Project has commenced.	Matter closed
240716 Ordinary Meeting - 16 July 2024	4 – 16/07/2024 Landscaping at Hughes Pit	That Council 1. Investigate the original terms in which this pit was purchased/operated with the Hughes family 2. If Council did purchase the land, that Council ascertain if the Hughes family are interested	Dr Cornelia Wiebels	10/07/2024 Gary Wallace Land is currently owned by Crown Lands. Restoration work in accordance with the development consent is limited given the age of the approval and work is continuing to resolve and finalise the matter. A report will be submitted to the December ordinary Meeting. 8/11/2024 Gary Wallace	Matter closed

Oberon Council - Agenda - Ordinary Meeting - 17 December 2024

Document	Item	Action Required	Assignee/s	Action Taken	Status
		<p>in taking back ownership of this land and on what terms</p> <p>3. Provide remediation activities required for the Hughes Pit</p> <p>4. Seek advice on whether the pit contains any usable material</p>		<p>Mine closure plan required to be developed in accordance with Mines Act given the land is a crown land reserve.</p> <p>12/12/2024 Gary Wallace In reviewing the current development approval the activity will cease in June 2025. Following the completion of the development approval processes to return the land to an appropriate condition are required. It is considered that allowing the consent to lapse is the most appropriate way to finalise the development approval.</p>	
240716 Ordinary Meeting - 16 July 2024	5 – 16/07/2024 Tree Planting	<p>That Council:</p> <p>1. Investigate the feasibility of Community involvement in progressing the Streetscape Tree planting program noting the program is currently in significant delay</p> <p>2. The General Manager report back to Council as soon as feasibly possible on the practicality of accelerating the program utilising community involvement</p>	Gary Wallace	<p>08/11/2024 Gary Wallace A report will be tabled to the November 26 extraordinary Meeting outlining all associated benefits and risks.</p>	Matter closed
240716 Ordinary Meeting - 16 July 2024	13 - 16/07/2024 Oberon Electric Vehicle Charging Strategy	<p>1. Prioritise the Visitor Information Centre and Oberon Library as suitable locations for an application under the NSW Government Electric Vehicle destination charging grant scheme</p>	Mathew Webb	<p>08/10/2024 Mathew Webb Grant secured for upgrade of charging stations at the Visitor Information Centre.</p> <p>06/11/2024 Mathew Webb Works booked with contractor awaiting installation.</p>	In Progress

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Document	Item	Action Required	Assignee/s	Action Taken	Status
		2. Continue to investigate the viability of the Tally's Lane and Dart Street Carpark sites and a report be provided to Council prior to any project progression in these locations		12/12/2024 Mathew Webb Hardware has been installed at the Visitor Information Centre. Staff are working with the software provider to program adequate tariffs and accounts.	
240716 Ordinary Meeting - 16 July 2024	14 - 16/07/2024 MOU with O'Connell Cricket Club re O'Connell Recreation Ground	That Council: 1. Receive and note the report 2. Applaud the intention of O'Connell Cricket Club to enter into a MOU with Council 3. Delegate the GM to negotiate the MOU with the O'Connell Cricket Club and gather more details and outline responsibilities 4. The finalised MOU to come back to August 2024 Ordinary Meeting, if possible, for approval	Gary Wallace	08/10/2024 Gary Wallace Meeting with O'Connell Cricket Club undertaken in September 2024. Awaiting final information prior to finalising the MOU in draft form 8/11/2024 Gary Wallace Awaiting final information from O'Connell Cricket Club to finalise the draft. Upon receipt the MoU will be forwarded to the next available meeting.	In Progress
240813 Ordinary Meeting - 13 August 2024	7 - 13/08/2024 Black Springs Community Hall Committee Meeting 1 August 2024	That Council: 1. Receive and note the minutes of the Black Springs Community Hall Committee Meeting held on 1 August 2024. 2. Prioritise and seek grant funding opportunities for the installation of blackout	Mathew Webb	08/10/2024 Mathew Webb Project entered into the Grants projects register. Structural assessment of concrete tank scheduled for 9 October 2024. 06/11/2024 Mathew Webb Assessment completed and tank scheduled for removal. Just waiting for works crew to complete	In Progress

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Document	Item	Action Required	Assignee/s	Action Taken	Status
		<p>blinds at the Black Springs Community Hall.</p> <p>3. Undertake a structural assessment on the concrete tank and if deemed unsafe undertake removal activities.</p>			
240813 Ordinary Meeting - 13 August 2024	8 - 13/08/2024 Review of Roadside Weed Control Services Program	<p>That:</p> <p>1. Council note the information provided by Central Tablelands Weeds Authority (CWTA).</p> <p>2. Seek a meeting with CTWA and all General Managers and Delegates from constituent Councils to be included in that meeting.</p> <p>3. Determine how the increased kilometre cost of spraying occurred and resulted in Oberon Council's sector one not being completed.</p> <p>4. A review of the service level agreement be undertaken.</p> <p>5. A report be provided to the October Ordinary Council Meeting.</p>	Gary Wallace	<p>08/10/2024 Gary Wallace With the election process being undertaken, representatives for external organisations will only be verified at the October Meeting. Once verified action pertaining to the current recommendation will ensue.</p> <p>8/11/2024 Gary Wallace Meeting to be prioritised once delegates have been endorsed.</p> <p>10/12/2024 Gary Wallace Council delegates now endorsed and meeting being held on 20 December 2024.</p>	In Progress
240813 Ordinary Meeting - 13 August 2024	11 - 13/08/2024 O'Connell Shared Pathway - Open Tender Request	<p>That Council:</p> <p>1. Nominate the Open Tendering method as prescribed in accordance with Clause 166(b) of the</p>	Dr Cornelia Wiebels	<p>8/10/2024 Gary Wallace With the detection of small amounts of asbestos in The Common the projects are unlikely to be able to be linked. Awaiting signoff from Transport for NSW to allow the O'Connell development to occur</p>	In Progress

Oberon Council - Agenda - Ordinary Meeting - 17 December 2024

Document	Item	Action Required	Assignee/s	Action Taken	Status
		<p>Local Government Regulation 2021 for the O'Connell Shared Pathways to Fish River Bridge construction.</p> <p>2. Approve the inclusion of the Oberon Common Curtis Street link footpath in the open tender as an additional option for quoting.</p>		<p>12/12/2024 Gary Wallace</p> <p>1. Contact has been made with Transport for NSW seeking an expedient reply to the design requirements. In progress</p> <p>2. Removal of this project as outlined by resolution 16 - 21/05/2024 – matter closed</p>	
241015 Ordinary Meeting - 15 October 2024	5 - 15/10/2024 Central NSW Joint Organisation Board Meeting and Meeting with Federal Ministers 21 and 22 August 2024	<p>That Council note the report from the General Manager on the Central NSW Joint Organisation (CNSWJO) Board meetings 21 and 22 August 2024 and</p> <p>1. Note a welcome to new Councillors session is under development for November 2024;</p> <p>2. Note the cost savings to Councils for streetlighting charges from CNSWJO's negotiation through the Australian Energy Regulator delivering an average of 16.9% across regional NSW;</p> <p>3. Note the Return on Investment from the CNSWJO for the 2023/2024 year of 8.3:1 for membership fees; and</p>	Gary Wallace	<p>06/11/2024 Gary Wallace Information noted.</p> <p>12/12/2024 Gary Wallace Request for presentation to Council submitted for timetabling by Joint Organisation.</p>	Matter closed

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Document	Item	Action Required	Assignee/s	Action Taken	Status
		4. Request a presentation from CNSWJO on its programming.			
241107 Extraordinary Meeting – 7 November 2024	5 - 7/11/2024 Delegates to Council Committees and External Organisations	That: 1. Council confirm its appointment of Councillor Delegates to external organisations, noting the Joint Regional Planning Panel delegates to be appointed by secret ballot. 2. Council confirm its appointments and Chair of the Section 355 Committees; and make appointments to other Council Committees, Community Committees and Working Parties for a period of 2 years as follows:	GM	12/12/2024 Gary Wallace External organisations advised of the appointed delegates. Council has advertised seeking community members interest in nominating to be appointed to Council's Section 355 Committees. A further report will be provided to the February 2025 Ordinary Meeting.	In progress
241112 Ordinary Meeting – 12 November 2024	03 – 12/11/2024 Abercrombie Road Repairs – Request for Report	That Council receive a full report to the December Ordinary Meeting, regarding the roadworks on Abercrombie Road, including the funding source for the repairs.	TSD	05/12/2024 Dr Cornelia Wiebels Report to December 2024 Ordinary Council Meeting.	Matter closed
241112 Ordinary Meeting – 12 November 2024	04 – 12/11/2024 Well Planned Windfarm Providing a	That Oberon Council write to Stromlo/TAG Energy and Forestry Corporation, requesting that the proposed wind farm development will	GM	11/12/2024 Gary Wallace Correspondence forwarded from Mayors Office, response received indicating that the state guidelines will be used as a guide to develop any SEAR's should a proposal be considered.	Matter closed

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Document	Item	Action Required	Assignee/s	Action Taken	Status
	Positive Contribution to the Oberon Community and Environment	comply with all aspects of our Councils and communities Development Control Plan – Wind Power Generation 2005			
241112 Ordinary Meeting – 12 November 2024	05 – 12/11/2024 Proposed Heritage Listing of the O’Connell First World War Memorial Avenue of Trees	That Council bring a report back to the December 2024 Ordinary Meeting on the recommendations endorsed at the June 2024 Extraordinary meeting: <ol style="list-style-type: none"> 1. <i>“Update the draft State Heritage Inventory Sheet for the Avenue of Trees at O’Connell (ref 2210207)”, including a timeline for completion.</i> 2. <i>“Prepare a Planning Proposal for the individual listing of the Avenue of Trees at O’Connell as a local item for inclusion in Schedule 5 of the Oberon LEP 2013”, including a timeline for completion.</i> 3. <i>“Advise the local community in O’Connell to consider liaising with Heritage NSW, based on the State level assessment of the 1998 CMP, with a longer-term</i> 	PDD	12/12/2024 Damian O’Shannassy Report provided to December Ordinary Meeting	Matter closed

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Document	Item	Action Required	Assignee/s	Action Taken	Status
		<i>view of nominating the Avenue of Trees for inclusion separately on the State Heritage Register”.</i>			
241112 Ordinary Meeting – 12 November 2024	06 – 12/11/2024 TAG Energy, Stromlo Energy and NSW Forestry	That Council: 1. Invite Stromlo Energy, TAG Energy and Forestry Corporation to bi-monthly meetings to keep Council up to date with The Pines Windfarm Project on the basis that: a. Record the meetings using webinar facilities. b. Livestream the meetings via Teams for the community to watch online only. c. Diarise the meetings via the Council website.	GM	12/12/2024 Gary Wallace Correspondence provided, no response received.	Matter closed
241112 Ordinary Meeting – 12 November 2024	07 – 12/11/2024 Active Transport Strategy – O’Connell Footpath	That Council review the Active Transport Strategy for Oberon Local Government Area including: • Assess changes in local dynamics, population growth, and infrastructure developments since 2016. 2. Seek funding opportunities via grant funding to support the review.	GM	12/12/2024 Gary Wallace Added to grants matrix to seek suitable grant funding opportunities.	Matter closed

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Document	Item	Action Required	Assignee/s	Action Taken	Status
241112 Ordinary Meeting – 12 November 2024	08 – 12/11/2024 Black Springs Recreation Reserve	A report be provided to the December Meeting about the cost to remove blackberry and woody weed infestation at Black Springs Recreation Reserve.	GM	12/12/2024 Gary Wallace Initial contractor quotes were sought. Quote considered to be within the maintenance budget for initial spraying. Contractor engaged and work will be undertaken in the near future. Grant funding for stage 2 has been lodged.	Matter closed
241112 Ordinary Meeting – 12 November 2024	10 – 12/11/2024 Rural Fire Service – Oberon Station	That Council: 1. Provide in principle support to the NSW RFS to allow for a grant application to be prepared for the construction of a new Fire Station. 2. Delegate authority to the General Manager to identify the parcel of land and the land area required and provide a report back to Council for determination for Council to make a decision to adequately assist the lodgement of a grant application. 3. A further report be provided to Council should it be necessary for a grant application.	GM	12/12/2024 Gary Wallace Letter forwarded to RFS seeking additional information.	In progress
241112 Ordinary Meeting – 12 November 2024	Breast Screen Mobile Van Transport Subsidy	That Council 1. Supports the BreastScreen NSW mobile van visit by	TSD	12/12/2024 Dr Cornelia Wiebels Transport arranged as requested	Matter complete

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Document	Item	Action Required	Assignee/s	Action Taken	Status
		<p>transporting the van from Gulgong to Oberon.</p> <p>2. Sources the plant hire cost from the Community Services budget.</p>			
241112 Ordinary Meeting – 12 November 2024	12 12/11/2024 Council Fees and Charges – Mixed Builders Waste Charges	<p>That Council:</p> <p>1. Place the proposed Mixed Builders Waste Fee of \$110 per cubic meter on public exhibition for 28 days and submissions be invited during that period.</p> <p>2. It should be noted as part of the public exhibition period that a change to the mixed builders waste may occur following the installation of a weighbridge and following the transition period.</p> <p>3. If no submissions are received within the exhibition period, the proposed fee be adopted as presented.</p>	TSD	<p>12/12/2024 Dr Cornelia Wiebels Fees and charges placed on public exhibition for a period of 28 days from Wednesday 13 November to Wednesday 11 December 2024. No submission received.</p>	Matter closed
241112 Ordinary Meeting – 12 November 2024	13 12/11/2024 DA10.2023.54.2 – 2 Fleming Street, Oberon DCP Variation	<p>That Council,</p> <p>1. Vary Part D.4.1 – “Building Setback” of its current DCP 2001 in relation to Development Application DA10.2023.54.2 for alterations to Depot</p>	PDD	<p>12/12/2024 Damian O’Shannassy Variation noted.</p>	Matter closed

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Document	Item	Action Required	Assignee/s	Action Taken	Status
		<p>construction of a shed at Lot 30 in DP 740674 being known as 2 Fleming Street, Oberon.</p> <p>2. A division be called in accordance with Section 375A of the Local Government Act 1993.</p>			
241112 Ordinary Meeting – 12 November 2024	15 12/11/2024 Local Government Remuneration Tribunal 2025 Review	That Councillors provide any comments relating to the Local Government Remuneration Tribunal review of mayoral and councillor fees to the General Manager by 10 December 2024 to allow time for a submission to be prepared.	GM	11/12/2024 Gary Wallace No comments received from councillors.	Matter closed
241112 Ordinary Meeting – 12 November 2024	14 – 12/11/2024 2024 State of the Shire Report	That Council note the 2024 State of the Shire Report as presented.	GM	11/12/2024 Gary Wallace Report noted and included as an attachment to the 2023/24 Annual Report.	Matter closed
241112 Ordinary Meeting – 12 November 2024	28 – 12/11/2024 Kerbside Garbage Collection Tender	<p>That Council:</p> <p>1. Award the contract for its kerbside garbage collection to Oberon Trash Pak for an annual value of \$138,629.92 incl. GST for the collection of bins in Oberon and at its recreational areas of The Reef, Hassall Park and Flat Rock for a duration of two years with the option for</p>	TSD	12/12/2024 Dr Cornelia Wiebels Contract signed and noted	Matter closed

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Document	Item	Action Required	Assignee/s	Action Taken	Status
		<p>Council to extend twice each for a period of 12 months.</p> <p>2. Note the opportunities that may present themselves in the future subject to the implementation of a dedicated Waste Strategy.</p>			
241112 Ordinary Meeting – 12 November 2024	29 - 12/11/2024 Newspaper Communication Options	That Council accept the proposal to advertise fortnightly in the Central West Village Voice newspaper and cease production of the monthly Oberon and Surrounding Villages Community Newsletter following the distribution of the December edition.	GM	11/12/2024 Gary Wallace Final Community Newsletter produced in December. Promotion commenced for transition to the Central West Village Voice. Community meeting to be hosted by Central West Village Voice in Oberon during January 2025.	Matter closed
241112 Ordinary Meeting – 12 November 2024	30 - 12/11/2024 Water Write Off Request – Assessment 1236971	That Council write-off 25% of the water consumption charges for Assessment 1236971 progressive total \$4398.12 as at 24 April 2024 and offer a payment plan arrangement for the remaining 75%.	CSD	12/12/2024 Mathew Webb Council resolution and payment plan arrangement offered.	Matter closed
241112 Ordinary Meeting – 12 November 2024	31 - 12/11/2024 Water Write Off Request – Assessment 12398519	That Council do not write-off the water consumption charges for Assessment 12398519 but instead offer a payment plan arrangement for full cost recovery.	CSD	12/12/2024 Mathew Webb Council resolution and payment plan arrangement offered.	Matter closed
241112 Ordinary Meeting – 12 November 2024	32 - 12/11/2024 Water Write Off Request –	That Council do not write-off the water consumption charges for Assessment 12398519 but	CSD	12/12/2024 Mathew Webb Council resolution and payment plan arrangement offered.	Matter closed

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Document	Item	Action Required	Assignee/s	Action Taken	Status
	Assessment 12366596	instead offer a payment plan arrangement for full cost recovery.			
241126 Extraordinary Meeting – 26 November 2024	1 – 26/11/2024 Request for Assistance – Oberon RSL Sub-Branch	That Council undertake removal of the memorial wall at the Oberon RSL Sub-Branch Museum and fund works from remaining funds in the Section 356 donation program.	GM	12/12/2024 Gary Wallace Correspondence forwarded to Oberon RSL Sub-Branch advising of Councils resolution and works programmed.	Matter closed
241126 Extraordinary Meeting – 26 November 2024	2 - 26/11/2024 Quarterly Budget Review Statement	That Council: 1. Note the carried forward adjustments from 2023/24FY into 2024/25FY. 2. Note previous Council resolutions that have been included in the Quarterly Budget Review process. 3. Endorse the recommended Operational Plan budget adjustments: a. Increase in funds received under the Roads to Recovery Grant b. Increase in funds received under the Regional Road Block Grant c. Increase in projected interest revenue for 2024/25FY d. An allocation of \$150,000 to Technical Services Directorate	CSD	12/12/2024 Mathew Webb Noted and actioned as required.	Matter closed

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Document	Item	Action Required	Assignee/s	Action Taken	Status
		<p>budget for enhanced operational capacity.</p> <p>4. Authorise the General Manager to make minor administration changes as required.</p>			
241126 Extraordinary Meeting – 26 November 2024	3 - 26/11/2024 Plant Replacement Program	<p>That Council:</p> <p>1. Adopts the new plant replacement program for the 2024/25 Financial Year as presented in Table 2 of the report.</p> <p>2. Allocate the \$150,000 from the Works Construction Internal Restriction for finalisation of purchase of the Truck Mounted Road Pavement Maintenance Machine in accordance with resolution 30 – 17/10/2023.</p>		12/12/2024 Dr Cornelia Wiebels Noted	Matter closed
241126 Extraordinary Meeting – 26 November 2024	5 - 26/11/2024 Oberon Indoor Sport and Tennis Centre Management	<p>That Council:</p> <p>1. Enter into a Deed of Surrender of the lease with the Oberon Tennis Club Inc. commencing from 1 July 2025.</p> <p>2. Set the proposed draft fees and charges for the Oberon Indoor Sports and Tennis Centre as part of the 2025/26 Integrated Planning and Reporting process.</p>	PDD	12/12/2024 Damian O’Shannassy Tennis Centre advised of resolution	Matter closed

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Document	Item	Action Required	Assignee/s	Action Taken	Status
		<ol style="list-style-type: none"> 3. Acknowledge the contribution the Oberon Tennis Club has made to the running of and maintenance of the Oberon Indoor Sports and Tennis Centre. 4. Delegate to the General Manager to sign the surrender of lease documents. 			
241126 Extraordinary Meeting – 26 November 2024	6 - 26/11/2024 Annual Report 2023-24	<p>That Council:</p> <ol style="list-style-type: none"> 1. Receive the Annual Report for the year ended 30 June 2024. 2. Approve the upload of the Annual Report onto Oberon Council's website by 30 November 2024, and 3. 3. Notify the Office of Local Government that the Annual Report is on Oberon Council's website and provide a copy of the Annual Report to the Minister in accordance with s426(5) of the Local Government Act 1993. 	GM	12/12/2024 Gary Wallace Annual Report uploaded to Council's website and OLG notified.	Matter Complete
241126 Extraordinary Meeting – 26 November 2024	8 - 26/11/2024 Australia Day 2025	<p>That:</p> <ol style="list-style-type: none"> 1. Australia Day Awards be made in the following categories: <ol style="list-style-type: none"> a. Citizen of the Year 	GM	12/12/2024 Gary Wallace Arrangements for event being made.	Matter ongoing

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Document	Item	Action Required	Assignee/s	Action Taken	Status
		<p>b. Young Citizen of the Year (persons up to and including 25 years)</p> <p>c. Sportsperson of the Year</p> <p>d. Young Sportsperson of the Year (person up to and including 25 years)</p> <p>e. Sports Team of the Year</p> <p>f. Community Event of the Year</p> <p>g. Volunteer of the Year</p> <p>h. Volunteer Group of the Year</p> <p>i. Environmental Champion</p> <p>2. That an invitation be extended to all award nominees, Councillors and Management staff and their partners to meet the Australia Day Ambassador and partner at a function on the evening of 25 January 2025 to be held at Waldara.</p> <p>3. That the 2025 Australia Day Celebrations be held at the Oberon Library and Community Centre.</p>			
241126 Extraordinary Meeting – 26 November 2024	9 - 26/11/2024 O'Connell Recreation Ground Amenities	<p>That Council:</p> <p>1. Accept the quotation from Maranatha Constructions to complete the construction of the O'Connell Recreation Ground amenities building.</p>	GM	12/12/2024 Gary Wallace Contract signed and work progressing.	Matter closed

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Document	Item	Action Required	Assignee/s	Action Taken	Status
		<ol style="list-style-type: none"> <li data-bbox="656 217 1052 341">2. Delegate the General Manager to sign the MW21-LG (Minor Works 21 - Local Government contract. <li data-bbox="656 379 1037 536">3. Provide additional funds from S7.11 (Rural - Open Space) to complete the project as outlined with the report. <li data-bbox="656 571 1048 727">4. Should any outstanding contingency be remaining upon completion it be returned to the s7.11 (Rural - Open Space) fund. 			

14.8 Questions Taken on Notice at the Previous Council Meeting

File No: Governance/Meetings/Ordinary

Author: Gary Wallace (General Manager)

Summary

This report item provides a formal record of questions taken on notice at the previous Council meeting and subsequent responses.

Recommendation:

That report 14.8 is received as information and the responses noted.

List of Attachments

Nil

Comment

The following question was taken on notice at the 12 November 2024 Ordinary Meeting of Council. The answers to the questions are provided in blue.

Irene Bishop, I live at 14 Prince Street adjoining Edith Road opposite the entrance to The Common on Edith Road. I am lodging a complaint about the lack of maintenance to the embankment on Edith Road, which is very overgrown with tall grass, thistle small shrubs and trees. Last year when maintaining the area, the council poisoned most of that embankment off making it unsightly, very dry with the potential of being a real fire hazard. This area had project budgeting for a sandstone wall the same as in The Common and on other main entrances into our town I am aware the contractor that did the other work has retired but that was two years ago There is a local stone mason now living in Edith. This embankment was maintained on a regular basis until two years ago. I have contacted the council on many occasions for the bank to be cleared and made safe. With the beautifully manicured Common on one side of the road the embankment on the other side is not only unacceptable, also a fire hazard and in the middle of town. Today I was informed to maintain the embankment is now a safety issue, I would expect any safety issues would be addressed. As this road is one of our main entrances to our town from Goulburn, I believe it should be a priority with the increased tourism. Over a period of time and effect to bring this matter to your attention it has proven difficult. A more timely response would be expected.

The Mayor advised this would be taken on notice and Council will respond with a plan of action of what we intend doing. You will appreciate to build a stone wall is quite expensive.

Response

The area was mowed by a Wet Hired Reach Mower. It was 2 hours work, however expensive as float in both directions was required.

Based on a risk assessment, a partial road closure/traffic control would allow whipper snipping from Edith Road, however this still leaves an area in the middle that cannot be accessed either from below or from the top. A more suitable, feasible solution is currently being investigated.

14.9	Proposed Heritage listing of The O'Connell Avenue of Trees
File No:	Governance/Meetings/Ordinary
Author:	Damian O'Shannassy (Planning and Development Director) Christo Aitkin (Heritage Advisor)

Summary

This report provides a response to the Notice of Motion from Cllr Frank O'Connor from Ordinary Meeting of 12 November 2024.

Recommendation:

That report Item 14.9 is received as information.

Comment

At the Ordinary meeting of Council on 12 November 2024 the following Notice of Motion from Cllr Frank O'Connor was adopted by Council: -

"That Council bring a report back to the December 2024 Ordinary Meeting on the recommendations endorsed at the June 2024 Extraordinary meeting:

1. *"Update the draft State Heritage Inventory Sheet for the Avenue of Trees at O'Connell (ref 2210207)", including a timeline for completion.*
2. *"Prepare a Planning Proposal for the individual listing of the Avenue of Trees at O'Connell as a local item for inclusion in Schedule 5 of the Oberon LEP 2013", including a timeline for completion.*
3. *"Advise the local community in O'Connell to consider liaising with Heritage NSW, based on the State level assessment of the 1998 CMP, with a longer-term view of nominating the Avenue of Trees for inclusion separately on the State Heritage Register".*

The following is an update to the questions from Planning and Development staff and Councils Heritage advisor: -

1. ***"Update the draft State Heritage Inventory Sheet for the Avenue of Trees at O'Connell (ref 2210207)", including a timeline for completion.***

Response:

A key aspect of the Planning Proposal is the heritage documentation to support the proposed addition to Schedule 5 Part 1 of the Oberon LEP 2013.

The documentation is envisaged as comprising two components (i) a heritage assessment report and (ii) a state heritage inventory sheet together with images and photographs.

The heritage assessment report will be a brief report that draws together the many previous studies and assessments to illustrate the wide professional and community support for the proposed individual heritage-listing.

To date 25 important references have been drawn together. The draft report comprises the following sections: introduction, documentary evidence, physical evidence and an assessment of cultural significance.

The report will include a conclusion and recommendations. The report draws from available historical material that will include recent related assessments and up-to-date site photographs.

The draft state heritage inventory follows a standard format and methodology which is set by Heritage NSW. The content will draw from the heritage assessment report and other available material from Council's records and mapping.

A listing curtilage will be recommended in the report based on an understanding of the history and significance of the ANZAC Memorial Avenue.

2. *“Prepare a Planning Proposal for the individual listing of the Avenue of Trees at O’Connell as a local item for inclusion in Schedule 5 of the Oberon LEP 2013”, including a timeline for completion.*

Response:

The Planning Proposal for the ANZAC Memorial Avenue in O’Connell commenced in September. Initial meetings have been held with Council planning staff and heritage adviser to review format, content and general approach in October and November.

A number of examples of similar Planning Proposals prepared by Oberon Council and other Councils in NSW have been referenced together with consideration of the requirements of the Department of Environment and Planning.

Council's planning staff are liaising with the heritage adviser and in the process of developing an appropriate template.

It is anticipated that an initial first draft of each section will be in place for lodgment with the Department of Planning, Housing and Infrastructure by the end of January 2025 for a gateway determination prior to exhibition.

3. *“Advise the local community in O’Connell to consider liaising with Heritage NSW, based on the State level assessment of the 1998 CMP, with a longer-term view of nominating the Avenue of Trees for inclusion separately on the State Heritage Register”.*

Response:

Informal meetings have been held with the local community to compile the available history and levels of significance of the ANZAC Memorial. The draft State Heritage Register (SHI) sheet together with the findings of the 1998 CMP could then be discussed by a local interest group to gauge their level of interest and initiative.

14.10 Abercrombie Road Black Springs Intersection

File No: {custom-field-file-no}

Author: Dr Cornelia Wiebels (Technical Services Director), Gary Chapman (Roads Operation Manager)

Summary

Council undertook road works on Abercrombie Road at the Black Springs intersection in FY2023/24. These works have now developed defects. The report is summarising the cause, remediation and cost for these defects.

Recommendation:

That report Item 14.10 is received as information.

List of Attachments

Nil

Comment

The FY2023/24 budget had a project for Abercrombie Road rehabilitation as part of the Block Grant for Council's regional roads. The project was to widen Abercrombie Rd from 7 to 9.5m for 1km from the Black Springs intersection to improve road safety.

The works were commenced in March and completed in early May 2024. Since then, defects have appeared in the road.

These defects have been investigated and separated into/put down to the following:

Stripping of seal (example picture below)



The seal on the pavement was applied late in the seasonal year (early May). This was undertaken given the works were undertaken in a residential area and long term unsealed network within the residential area was deemed a risk. However, due to the colder temperatures, proper adhesion or 'binding' was not achieved in all places and stripping off occurred in some locations.

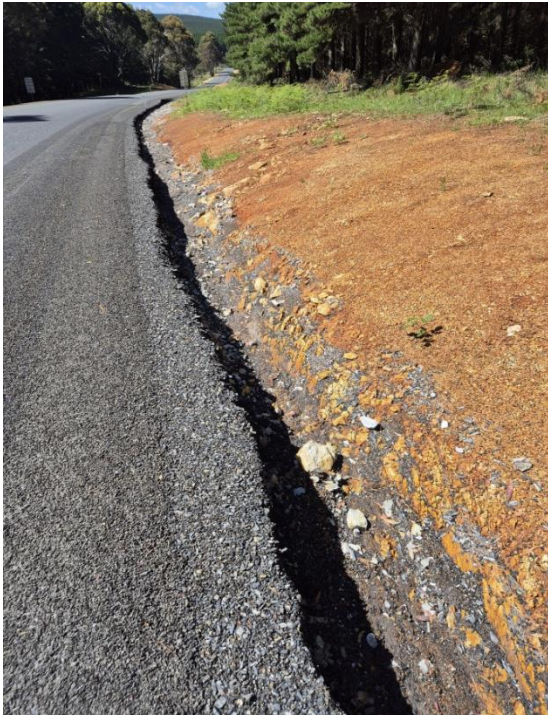
This has also led to loss of protection of the pavement in some places, allowing water to enter, which resulted in loss of some pavement out of those areas. Water entering could have also resulted in pavement softening, leading to deformation or 'rutting' (see below).

Pavement deformation (example picture below)



Proper compaction across areas of the work were not reached at the time of construction, leading to pavement settlement post sealing, resulting in the apparent deformation.

Erosion in table drains (example picture below)



Heavy rains have considerably led to significant erosion and water infill across the work which could not have been known at the time.

To remediate the above defects, the following work is required:

- Resealing of stripped areas (single seal), 6,850m²
- Heavy patching in several areas and resealing (double coat); total area 1,153.5m²
- Application of gabion rock in the erosion prone areas of table drains

Line marking will also be required to following the completion of the heavy patching, sealing and resealing. Costs are summarised under 'Financial Considerations'.

Construction processes have now been reviewed. Council procedures are being developed outlining the need for more formal and appropriate construction plans and introduce geotechnical testing before and during construction. 3D grading equipment and training is proposed to allow for improved performance on technical work projects. Further consideration will be given to the use of available recurring funds with the emphasis on maintaining existing infrastructure (e.g. heavy patching, resealing) versus improving or upgrading it (e.g. road widening) to ensure sustainable management and longevity of Council's assets.

Financial Considerations

The budget for the FY2023/24 was \$450k with \$438k spent. The funds to repair defects in the FY2023/24 constructed works are expected to be in the vicinity of \$172,157. It is proposed that these funds will be covered from the FY2024/25 Block Grant.

Details on cost estimates:

Plant	Day Rate	Days	Costing
Grader	1,084.00	15	16,260.00
Padfoot	856.00	15	12,840.00
Smooth Roller	847.00	15	12,705.00
Water Truck	924.00	15	13,860.00
Traffic Control	500.00	15	7,500.00
Truck & Dogs	1,294.00	5	6,470.00
Total	5,505.00		69,635.00

	m2	Depth	m3	Conversion	Tonnes	DGB20/t \$	Amount
Gravel	1,153.50	0.3	346.05	1.60	553.68	19.00	10,519.92

Bitumen Sealing	m2	Unit \$	Costs
Double Seal	1,153.50	9.00	10,381.50
Single Seal	6,846.50	7.00	47,925.50
Total			58,307.00

	Length (m)	Width (m)	Depth (m)	Conversion	Tonnes	Unit \$	Amount
Gabion Rock	200	1	0.5	2.00	200.00	45.90	9,180.00

	Length (m)	No. Lines	Unit Rates	Amount	
Line Marking	1000	4	2.95	11,800.00	Including traffic control

	Day Rate	Days	Costings
Excavator	1,050.00	5.00	5,250.00
Traffic Control	500.00	5.00	2,500.00
Truck	993.00	5.00	4,965.00
Total			12,715.00

Whilst this project will require additional works there have been identified hazards that have attributed to the areas of failure. This is not withstanding the acknowledgement that decisions were made that have contributed to the need for further works. It is considered that with the implementation of new procedures, the additional training and proposed use of upgraded technology these types of failures seen in the Black Springs project will be one off.

15 URGENT BUSINESS

Summary

In accordance with Clause 232 of the Local Government (General) Regulations 2021 "Model Code of Meeting practice" business may be transacted at a meeting of Council even though due notice of the business has not been given to the Councillors. However, this can happen only if:

- a) A motion is passed to have the business transacted at the meeting: and
- b) The business proposed to be brought forward is ruled by the Chairperson to be of great urgency.

Recommendation:

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

16 CLOSED SESSION - CONFIDENTIAL REPORTS

Summary

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in Section 10A(2) of the Act and should be dealt with in a part of the meeting closed to the media and public.

Set out below is Section 10A(2) of the Local Government Act 1993 in relation to matters which can be dealt with in the closed part of a meeting.

The matters and information are the following:

- (a) Personnel matters concerning particular individuals (other than Councillors)
- (b) The personal hardship of any resident or ratepayer
- (c) Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business
- (d) Commercial information of a confidential nature that would, if disclosed:
 - (i) Prejudice the commercial position of the person who supplied it, or
 - (ii) Confer a commercial advantage on a competitor of the Council, or
 - (iii) Reveal a trade secret
- (e) Information that would, if disclosed, prejudice the maintenance of law
- (f) Matters affecting the security of the Council, Councillors, Council staff or Council property
- (g) Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege
- (h) Information concerning the nature and location of a place or an item of Aboriginal significance on community land
- (i) alleged contraventions of any code of conduct requirements applicable under section 440

16.1 Water Write-off Request - Assessment 1237065

File No: Finance/Rates

Author: Mathew Webb (Corporate Services Director), Zoe Marks (Finance Manager)

This report is CONFIDENTIAL under the provisions of Section 10A(2)(b) of the Local Government Act 1993, as it relates to the personal hardship of any resident or ratepayer.

17 CLOSURE OF MEETING

The Mayor will declare the meeting closed.

The next Ordinary Meeting of Oberon Council will be held on 18 February 2025 commencing at 5.30pm, in the Oberon Council Chambers, 137 Oberon Street, Oberon.