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AGENDA AND BUSINESS PAPERS

Oberon Council Ordinary Meeting
Tuesday 17 November 2015

Commencing at 5.30pm
at the Oberon Council Chambers

Agenda Items	page
1. OPENING OF MEETING	4
2. ACKNOWLEDGEMENT OF COUNTRY	4
3. PRAYER.....	4
4. RECORD OF ATTENDANCE	4
5. DECLARATIONS OF INTEREST	4
6. GENERAL AND CIVIC PRESENTATIONS	5
06.01 2014/15 AUDITED FINANCIAL STATEMENTS	5
7. COMMUNITY PRESENTATIONS AND QUESTIONS	5
8. CONFIRMATION OF MINUTES	6
13.11 FIT FOR THE FUTURE – OBERON COUNCIL RESPONSE.....	8
13.01 DEVELOPMENT APPLICATION 10.2015.72.1 – DESIGNATED DEVELOPMENT – TEMPORARY ASPHALT BATCHING PLANT.....	6
13.02 DEVELOPMENT APPLICATION 10.2015.40.1	7
RECREATIONAL MOTORCROSS FACILITY	7
9. MAYORAL MINUTE AND REPORT	8
09.01 MAYORAL MINUTE AND REPORT.....	8
10. NOTICES OF MOTIONS	9
11. COUNCILLOR AND DELEGATES REPORTS.....	9
11.01 LIBRARY ZONE MEETING.....	9
11.02 OBERON CORRECTIONAL CENTRE COMMUNITY CONSULTATIVE COMMITTEE	9
11.03 OBERON BUSINESS AND TOURISM ASSOCIATION	10
11.04 SEGRA – SUSTAINABLE ECONOMIC GROWTH FOR REGIONAL AUST.	10
11.05 CENTROC ADVOCACY MEETING	10
11.06 UPPER MACQUARIE COUNTY COUNCIL MEETING	11
12. COMMITTEE REPORTS	11
12.01 SENIORS WELFARE COMMITTEE	11
12.02 COMMUNITY SERVICES COMMITTEE	11
13. REPORTS FOR DECISION.....	12
13.03 DEVELOPMENT APPLICATION 10.2015.79.1 – DOUBLE GARAGE	12
13.04 DEVELOPMENT APPLICATION 10.2015.82.1 – ALTERATIONS TO DWELLING	12
13.05 QUARTERLY BUDGET REVIEW STATEMENTS – 30 SEPTEMBER 2015	13
13.06 ABERCROMBIE ROAD – FORMAL PUBLIC ROAD GAZETTAL – BELL.....	13
13.07 ROADS TO RECOVERY PROGRAM 2015/2016	14
13.08 MAYFIELD FIRE SHED – LAND ACQUISITION.....	14
3 SIMMONS ROAD, WISEMANS CREEK	14
13.09 TOURIST SIGNAGE REQUEST	15
13.10 WATER TREATMENT PLANT & WATER PLANT LANE	15
14. REPORTS FOR INFORMATION.....	16
14.01 MONTHLY ACTIVITY REPORT – ACTING GENERAL MANAGER.....	16
14.02 MONTHLY ACTIVITY REPORT – PLANNING AND DEVELOPMENT	16
14.03 MONTHLY ACTIVITY REPORT - WORKS AND ENGINEERING	16
14.04 MONTHLY ACTIVITY REPORT – FINANCE & COMMUNITY SERVICES	17

14.05	STATEMENT OF INVESTMENTS	17
14.06	WATER AND SEWER PLANT REPORT	17
14.07	ESSENTIAL ENERGY REGIONAL RESTRUCTURE	17
14.08	CAPITAL CONSTRUCTION PROGRAM UPDATE 2015-2016	18
15.	URGENT BUSINESS	18
16.	CLOSED SESSION / CONFIDENTIAL REPORTS	19
16.01	TITANIA RD. ACCESS – 20 TITANIA ROAD – FALSON ACCESS	20
16.02	CITIZEN OF THE YEAR AWARDS.....	20
16.01	TITANIA RD. ACCESS – 20 TITANIA ROAD – FALSON ACCESS	20
16.02	CITIZEN OF THE YEAR AWARDS.....	21
17.	CLOSURE OF MEETING	21

1. OPENING OF MEETING

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

2. ACKNOWLEDGEMENT OF COUNTRY

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

3. PRAYER

The Meeting was opened in prayer by Pastor Dan Henby.

4. RECORD OF ATTENDANCE

Members Mayor Kathy Sajowitz (in the Chair)
 Deputy Mayor Kerry Gibbons
 Clr Ian Doney
 Clr Jill Evans
 Clr Sam Lord
 Clr Clive McCarthy
 Clr John Morgan

Staff Gary Wallace, Acting General Manager
 Jaclyn Burns, Acting Planning and Development Director
 Chris Schumacher, Works and Engineering Director
 Lynette Safranek, Finance and Community Services Director
 Sharon Swannell, Executive Coordinator
 Sarah-Jane Holland, Customer Service Trainee

Apologies Clr Neil Francis

Moved: McCarthy

Second: Doney

That apologies be received and noted for the absence of Clr Neil Francis.

Carried 01 171115

5. DECLARATIONS OF INTEREST

File No: Governance/Councillors/Declarations of Interest

Pecuniary - Nil

Non-Pecuniary - Nil
Significant

Non-Pecuniary - Nil
Less than
Significant

6. GENERAL AND CIVIC PRESENTATIONS

Clare Wagner, Partner Audit & Assurance and Joanne Cheong, Auditor from Crowe Horwath Auswild presented the Auditors Report on the Conduct of the Audit of the 2014/15 Financial Statements.

06.01 2014/15 AUDITED FINANCIAL STATEMENTS

File No: Governance/Meetings/Ordinary/November 2015
Author: Lynette Safranek, Finance and Community Services Director

Summary

The Annual Financial Statements for the 2014/15 Financial Year, incorporating the Auditor's Report, will be presented to the public at this meeting. The Auditor, Clare Wagner of Crowe Horwath, will attend the Council Meeting to present the reports.

Moved: Doney
Second: Lord

1. That in accordance with Section 413 (3) the annual financial report:
 - is in accordance with the Local Government Act 1993 (as amended) and the Regulations made there under; the Australian Accounting Standards and professional pronouncements; and the Local government Code of Accounting Practice and Financial Reporting.
 - presents fairly the Council's operating result and financial position for the year, and accords with Council's accounting and other records; and
 - Council is not aware of any matter that would render this report false or misleading in any way.
2. That the Audited Financial Statements for the year ended 30 June 2015 and the Auditors Report be noted and made available for public comment.

Carried 02 171115

7. COMMUNITY PRESENTATIONS AND QUESTIONS

Neville Kurtz asked a question in relation to what time frame will item Titania Road Access – 20 Titania Road – Falson be completed?

The General Manager replied that this matter would be discussed in the Confidential Section of this meeting and Council will make decision available after meeting.

8. CONFIRMATION OF MINUTES

ORDINARY MEETING 20 OCTOBER 2015

Moved: Morgan
Second: Gibbons

That the Minutes of the Ordinary Meeting held on 20 October 2015 be confirmed.

Carried 03 171115

Matters Arising from the Minutes

Nil

FINANCE COMMITTEE MEETING 10 NOVEMBER 2015

Moved: Doney
Second: Lord

That the Minutes of the Finance Committee Meeting held on 10 November 2015 be confirmed.

Carried 04 171115

Matters Arising from the Minutes

Nil

Moved: McCarthy
Second: Lord

That report items 13.01, 13.02 and 13.11 be bought forward and dealt with at this point in time.

Carried 05 171115

13.01 DEVELOPMENT APPLICATION 10.2015.72.1 – DESIGNATED DEVELOPMENT – TEMPORARY ASPHALT BATCHING PLANT

File No: PO 257-60-71
Author: Gary Wallace, Acting General Manager

Summary

A Designated Development Application for a temporary Asphalt Batching Plant is referred to Council for determination. The proposal seeks to establish the development on land within the existing Industrial Land to accommodate Forty Bends Roads and Maritime Services (RMS) road project.

Moved: McCarthy
Second: Morgan

That Council approve Designated Development Application 10.2015.72.1 for a Temporary Asphalt Batching Plant on land described as Lots 181 & 182 DP 120435 being known as 60-71 Hawken Street, Oberon in accordance with the 79C Assessment and conditions contained within this report.

Carried 06 171115

In accordance with Section 375A of The Local Government Act 1993 the following votes are recorded for and against the Motion:

Votes For: Councillors Francis, Gibbons, Morgan, McCarthy, Lord, Doney, Evans and Sajowitz
Against: Nil

**13.02 DEVELOPMENT APPLICATION 10.2015.40.1
RECREATIONAL MOTORCROSS FACILITY**

File No: PR17 - 2968

Author: Jaclyn Burns, Action Planning and Development Director

Summary

A development application for a proposed recreational motor cross facility and associated camping ground has been received and is referred to Council for determination in accordance with Part H.3.10 of the Development Control Plan (DCP) 2001. Part H.3.10 of the DCP requires:

"In determining applications Council and/or delegated officers of Council, will consider all submissions before the application is determined."

Moved: Lord
Second: McCarthy

That Council approve Development Application 10.2015.40.1 for a proposed recreational motor cross facility on Lots 50, 51, 66, 67 and 73 in DP 753027 and lot 4 in DP: 1079460, 2968 Shooters Hill Road, Shooters Hill in accordance with the recommendation outlined in the attached Section 79C Report and the following conditions of consent in accordance with the 79C Assessment and conditions contained within this report subject to the removal of Condition 33 as it is adequately satisfied by Condition 28.

Carried 07 171115

In accordance with Section 375A of The Local Government Act 1993 the following votes are recorded for and against the Motion:

Votes For: Councillors Francis, Gibbons, Morgan, McCarthy, Lord, Doney, Evans and Sajowitz
Against: Nil

13.11 FIT FOR THE FUTURE – OBERON COUNCIL RESPONSE

File No: Governance/Fit for the Future
Author: Gary Wallace – Acting General Manager

Summary

The Independent Pricing and Regulatory Tribunal (IPART) report into whether NSW Councils were Fit for the Future (FFTF) was handed down in late October. Oberon along with 60% of NSW Councils has been deemed unfit.

NSW Premier & Cabinet has requested that all Councils *unfit in scale and capacity* reassess the position outlined by IPART. We have been given 30 days to respond to this recommendation.

This report seeks Councils position on the recommendation.

Moved: Sajowitz
Second: Lord

That Oberon Council:

1. Maintain the current Local Government Area boundaries and Governance structure.
2. To not pursue a merger with any other Council
3. Reaffirm Oberon's opposition to the forced amalgamation of Councils
4. Reaffirm Oberon's commitment to the Joint Organisation Model unanimously endorsed by the Parliamentary Inquiry that enables Council's to work collaboratively on regional issues and joint service delivery.
5. To inform the Premier and Local Government Minister of the resolutions of Council and seek urgent clarification of the NSW State Government intent regarding any forced merger of Councils.

Carried 08 171115

9. MAYORAL MINUTE AND REPORT

09.01 MAYORAL MINUTE AND REPORT

File No: Governance/Meetings/Ordinary
Author: Clr Kathy Sajowitz, Mayor

Summary

This report summarises the main activity for the Mayor since the October Council Meeting.

Moved: McCarthy
Second: Gibbons

That Report Item 09.01 is received as information.

Carried 09 171115

10. NOTICES OF MOTIONS

Nil

11. COUNCILLOR AND DELEGATES REPORTS

11.01 LIBRARY ZONE MEETING

File No: Governance/Meetings/Ordinary/November 2015
Author: Mayor Kathy Sajowitz, Library Delegate

Summary

Councillor Kathy Sajowitz attended the Central West Zone Library Meeting on 30 November 2015. A summary of the meeting is provided for Council's information.

Moved: Evans
Second: McCarthy

That report item 11.01 is received as information.

Carried 10 171115

11.02 OBERON CORRECTIONAL CENTRE COMMUNITY CONSULTATIVE COMMITTEE MEETING

File No: Governance/Meetings
Author: Mayor Kathy Sajowitz

Summary

Ian Davies, Deputy Mayor Kerry Gibbons, Mayor Kathy Sajowitz, Acting General Manager Gary Wallace, Janet Artery, David McMurray, Les Fraser, Laurie McMahon and Dave Horton attended a meeting of the Oberon Correctional Centre Community Consultative Committee held on 28 October 2015 at Oberon Council.

Moved: McCarthy
Second: Doney

That report item 11.02 is received as information.

Carried 11 171115

11.03 OBERON BUSINESS AND TOURISM ASSOCIATION

File No: Economic Development/OBTA
Author: Clr Sam Lord

Summary

General Manager, Alan Cairney and I attended the Oberon Business and Tourism Association Meeting held at the Oberon Golf Club on Wednesday 14 October 2015. Mayor Kathy Sajowitz submitted an apology for the meeting.

Moved: Lord
Second: Gibbons

That report item 11.03 is received as information.

Carried 12 171115

11.04 SEGRA – SUSTAINABLE ECONOMIC GROWTH FOR REGIONAL AUST.

File No: Economic Development
Author: Clr Sam Lord

Summary

The Sustainable Economic Growth for Regional Australia conference was held in Bathurst from 20 – 21 October.

Moved: Lord
Second: Doney

That report item 11.04 is received as information.

Carried 13 171115

11.05 CENTROC ADVOCACY MEETING

File No: Economic Development/OBTA
Author: Mayor Kathy Sajowitz

Summary

Acting General Manager, Gary Wallace and I attended the CENTROC Advocacy Meeting held at Orange City Council on 29 October 2015.

Moved: McCarthy
Second: Doney

That report item 11.05 is received as information.

Carried 14 171115

11.06 UPPER MACQUARIE COUNTY COUNCIL MEETING

File No: Environmental Management/Meetings/Upper Macquarie County Council
Author: Clr Neil Francis

Summary

Councillor Neil Francis and Clr John Morgan are delegates to the Upper Macquarie County Council.

Moved: Morgan
Second: Gibbons

That delegate report item 11.06 is received as information.

Carried 15 171115

12. COMMITTEE REPORTS

12.01 SENIORS WELFARE COMMITTEE

File: Governance/Meetings/Seniors Welfare Committee/ November 2015
Author: Lynette Safranek, Finance & Community Services Director

Summary

Minutes of the Seniors Welfare Committee Meeting held on 22 October 2015 are submitted for Council's information and consideration.

Moved: Morgan
Second: Evans

That the Minutes of the Seniors Welfare Committee held on 22 October 2015 be received as information and that Council support the Welcome to Oberon initiative.

Carried 16 171115

12.02 COMMUNITY SERVICES COMMITTEE

File: Governance/Ordinary/November 2015
Author: Lynette Safranek, Finance & Community Services Committee

Summary

Minutes of the Community Services Committee Meeting held on 22 October 2015 is submitted for Council's information and consideration.

Moved: Sajowitz
Second: Lord

That Council:

1. Receive the Minutes of the Community Services Committee held on 22 October 2015 as information
2. Allocate \$200 to the first “Welcome to Oberon” function to be held in early December, and
3. Consider replacing the seating at the front of the Library and landscaping the Library entrance.

Carried 17 171115

13. REPORTS FOR DECISION

13.03 DEVELOPMENT APPLICATION 10.2015.79.1 – DOUBLE GARAGE

File No: Property/PO28-18
Author: Health and Building Surveyor, Kerry Davison

Summary

A Development Application has been received for the construction of a Double Garage at 18 Herborn Street, Oberon. A variation to Development Control Plan (DCP) 2001 is sought, with particular reference to Part C.5.5 – “Building Height Plane” of the Oberon Development Control Plan 2001 (DCP) which requires that a residential development will not significantly increase overshadowing of adjoining properties, reduce the level of privacy enjoyed by adjoining properties or affect the amenity of the Rural Village.

Moved: Lord
Second: McCarthy

That delegation is granted to the Acting Planning & Development Director to vary Part C.5.5 – “*Building Height Plane*” of the Oberon Development Control Plan 2001 associated to Development Application 10.2015.79.1 for the construction of a new double garage at Lot 52 in DP 2364, Section A, 18 Herborn Street, Oberon.

Carried 18 171115

In accordance with Section 375A of The Local Government Act 1993 the following votes are recorded for and against the Motion:

Votes For: Councillors Francis, Gibbons, Morgan, McCarthy, Lord, Doney, Evans and Sajowitz
Against: Nil

13.04 DEVELOPMENT APPLICATION 10.2015.82.1 – ALTERATIONS TO DWELLING

File No: Property/PO25-7
Author: Health and Building Surveyor, Kerry Davison

Summary

A Development Application has been received for the alterations to the existing dwelling at 7 Glyndwr Avenue, Oberon by virtue of increasing the roof pitch on a small section of the dwelling. A variation to Development Control Plan (DCP) 2001 is sought, with particular reference to Page 12 of the Minutes of the Ordinary Meeting of Oberon Council held on Tuesday, 17 Nov 2015.

Part C.5.5 – “Building Height Plane” of the (DCP) which requires that a residential development will not significantly increase overshadowing of adjoining properties, reduce the level of privacy enjoyed by adjoining properties or affect the amenity of the Rural Village.

Moved: Gibbons
Second: Morgan

That delegation is granted to the Acting Planning & Development Director to vary Part C.5.5 – “Building Height Plane” of the Oberon Development Control Plan 2001 associated to Development Application 10.2015.82.1 for the alterations to the existing dwelling at Lot 1 in DP 782121, 7 Glyndwr Avenue, Oberon.

Carried 19 171115

In accordance with Section 375A of The Local Government Act 1993 the following votes are recorded for and against the Motion:

Votes For: Councillors Francis, Gibbons, Morgan, McCarthy, Lord, Doney, Evans and Sajowitz
Against: Nil

13.05 QUARTERLY BUDGET REVIEW STATEMENTS – 30 SEPTEMBER 2015

File No: Governance/Meetings/Finance Committee/November 2015
Author: Lynette Safranek, Finance and Community Services Director; Brad Pascoe, Finance Coordinator

Summary

The Quarterly Budget Review Statements for the period 1 July to 30 September 2015 are presented to Council. A key element of the Statements reflect Council’s current level of operating activity in relation to the Mayfield Road Project, funded through the LIRS program, and a commitment to meet objectives outlined in Council Community Strategic Plan in line with the Integrated Planning & Reporting statutory requirements.

Moved: Morgan
Second: Evans

That the Quarterly Budget Review Statements for the period ending 30 September be received and noted, and revised income and expenditure budgets be voted.

Carried 20 171115

13.06 ABERCROMBIE ROAD – FORMAL PUBLIC ROAD GAZETTAL – BELL

File No: Roads/RCI/Perm
Author: Felicity Taylor, Assets Engineering Officer

Summary

Council is required to undertake a formal Public Road Gazettal for part road opening and road closure of Abercrombie Road, as a result of former road works undertaken by Evans Shire Council for Lot 1 DP 753057.

Moved: McCarthy
Second: Lord

1. That Council proceed to formalise the anomalies by the Closure Gazettal of part Abercrombie Road (unformed) transferring this land to Mr R Bell as compensation for the new physical portion of Abercrombie Road running through property known as Lot 1 DP 753057.
2. That Council provide \$2,500 for cost's, including legal, survey and registration to formalise the boundary changes. This can be allocated from the Regional Roads block grant.

Carried 21 171115

13.07 ROADS TO RECOVERY PROGRAM 2015/2016

File No: Roads/Funding
Author: Chris Schumacher, Works and Engineering Director

Summary

This report outlines the necessity to reallocate \$145,758 in the 2015/2016 R2R Program to facilitate immediate repairs to Burruga Road.

Moved: Gibbons
Second: Morgan

That Council agree to the amendment of the 2015/2016 R2R program to allow \$145,758 for the immediate repairs to be undertaken on the Burruga Road.

Carried 22 171115

13.08 MAYFIELD FIRE SHED – LAND ACQUISITION 3 SIMMONS ROAD, WISEMANS CREEK

File No: Emergency Services/Bushfire Sheds
Author: Chris Schumacher, Works and Engineering Director

Summary

This report refers to recent enquiry and land valuation for suitable sized land known as 3 Simmons Road, Wisemans Creek adjacent to Beaconsfield Road for the purposes of constructing a new Rural Fire Shed for the Mayfield Rural Fire Service.

Moved: McCarthy
Second: Gibbons

That Council agree to the purchase of land being described as Lot 12 Section 5 DP 759100, being known as 3 Simmons Road, Wisemans Creek for the future construction of the new Mayfield Fire Shed.

That Council source the funding of \$5,000 from the 'Land Bank Fund'.

That the Acting General Manager and Works & Engineering Director be delegated the authority to sign all documents associated with the purchase and transfer of the land.

Carried 23 171115

Page 14 of the Minutes of the Ordinary Meeting of Oberon Council held on Tuesday, 17 Nov 2015.

13.09 TOURIST SIGNAGE REQUEST

File No: Author: Chris Schumacher, Works and Engineering Director

Summary

This report refers to recent enquiry and cheque payment of \$5,000 to Oberon Council to supply and install tourist signage referencing the division of the Lachlan and Macquarie Rivers and the several locations denoting the Great Dividing Range upon Oberon LGA roads.

Moved: Gibbons
Second: Doney

That Council accept the donation of \$5,000 toward the supply and installation of signage as outlined at the request of Bill Hoolihan.

That Council's Acting General Manager, Works & Engineering Director and Deputy Mayor Kerry Gibbons be delegated the authority to identify the areas in conjunction with Bill Hoolihan with the intent of purchase/supply and installation of agreed signage at the various locations to be agreed upon.

Carried 24 171115

13.10 WATER TREATMENT PLANT & WATER PLANT LANE

File No: Roads/Acquisitions
Author: Chris Schumacher, Works and Engineering Director

Summary

This report outlines the steps and financial commitments required of Oberon Council by the Crown Land Department to formalise the dedication of road known as Water Plant Lane allowing access to the Oberon Water Treatment Plant (WTP), and including the lands in which the WTP currently occupies inclusive of its water supply infrastructure.

Moved: Doney
Second: McCarthy

That Council endorse

1. Proceeding with the compulsory acquisition of Water Plant Lane and the lands currently encroached by water supply infrastructure described as Part Lot 7307 DP1141921 for the purpose of road leading to the Oberon Water Treatment Plant and Part Lot 7012 DP1032530 for the purposes of water plant infrastructure in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.
2. Making application to the Minister and the Governor for approval to acquire Water Plant Lane and the lands currently encroached by water supply infrastructure described as Part Lot 7307 DP1141921 and Part Lot 7012 DP1032530 by compulsory process under section 186(1) of the Local Government Act 1993 and section 177(1) of the Roads Act 1993.
3. That the land Part Lot 7012 DP1032530 is to be classified as operational land and that the land Part Lot 7307 DP1141921 be dedicated as road.

4. The commissioning of an acquisition plan and the payment to Crown Lands of compensation as determined by the Valuer General for the acquisition of lands under the Land Acquisition (Just Terms Compensation) Act 1991, as required to formalise the dedication of road of the Water Plant Lane which leads to the Oberon Water Treatment Plant as well as lands currently encroached by water supply infrastructure.

Carried 25 171115

14. REPORTS FOR INFORMATION

14.01 MONTHLY ACTIVITY REPORT – ACTING GENERAL MANAGER

File No: Governance/Meetings/Ordinary
Author: Gary Wallace, Acting General Manager

Summary

This report item summaries the main activity by the Acting General Manager since the October Council Meeting including Human Resources and Workplace Health & Safety, Executive Support matters, Community Activity, Regional Issues, Executive Management Team Meetings, and details of planned activities.

Moved: Morgan
Second: Gibbons

Carried 26 171115

14.02 MONTHLY ACTIVITY REPORT – PLANNING AND DEVELOPMENT

File: Governance/Meetings/Ordinary
Author: Jaclyn Burns, Acting Planning and Development Director

Summary

Providing details of major work within the Planning & Development Department for October and November and provide information on statistics of work that has occurred in September.

Moved: McCarthy
Second: Morgan

Carried 27 171115

14.03 MONTHLY ACTIVITY REPORT - WORKS AND ENGINEERING

File: Governance/Meetings/Ordinary
Author: Chris Schumacher, Works and Engineering Director

Summary

Providing a summary of the major work in the Works & Engineering Department for the month of October 2015 and including scheduled work for the coming months.

Moved: McCarthy
Second: Evans

Carried 28 171115

14.04 MONTHLY ACTIVITY REPORT – FINANCE & COMMUNITY SERVICES

File No: Governance/Meetings/Ordinary/November 2015
Author: Lynette Safranek, Finance and Community Services Director

Summary

This report provides a summary of major work within the Finance and Community Services Department during October 2015, plus planned activities for the following months.

Moved: Lord
Second: McCarthy

Carried 29 171115

14.05 STATEMENT OF INVESTMENTS

File No: Financial Management/Investments/Register
Author: Lynette Safranek, Finance & Community Services Director

Summary

Reporting the Statement of Investments as at 31 October 2015.

Moved: Doney
Second: McCarthy

Carried 30 171115

14.06 WATER AND SEWER PLANT REPORT

File: Governance/Meetings/Ordinary
Author: Chris Schumacher, Works and Engineering Director & Richard Robinson, Sewer & Water Plant Operator.

Summary

A Summary report of Water & Waste Water Activity for the month of October 2015.

Moved: Morgan
Second: McCarthy

That Report Items 14.06 be received and noted.

Carried 31 171115

14.07 ESSENTIAL ENERGY REGIONAL RESTRUCTURE

File:
Author: Chris Schumacher, Works and Engineering Director

Summary

Essential Energy has written to Council to advise that their new regional restructure will place Oberon Council within the Northern Region operations.

Page 17 of the Minutes of the Ordinary Meeting of Oberon Council held on Tuesday, 17 Nov 2015.

Moved: McCarthy
Second: Evans

That the information regarding Essential Energy's Regional Restructure be received as information.

That Council write to Essential Energy outlining its concerns for future maintenance and capital improvements works of its network within the LGA, as a result of the proposed restructure.

Carried 32 171115

14.08 CAPITAL CONSTRUCTION PROGRAM UPDATE 2015-2016

File:
Author: Chris Schumacher, Works and Engineering Director

Summary

The report provides Council with a progress report on the current Road Construction Program activity for capital works to be completed within the 2015/2016 financial year.

Moved: McCarthy
Second: Morgan

That report item 14.08 be received as information.

Carried 33 171115

15. URGENT BUSINESS

Summary

In accordance with Clause 241 of the Local Government (General) Regulations 2005 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.

Moved: Doney
Second: Evans

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

- Leagues Club Board Council Delegate
- Donation for Anti-Amalgamation group

Delegate to Oberon Leagues Club Board of Directors

Moved: McCarthy
Second: Doney

That Councillor Sam Lord be appointed as the Council delegate to the Oberon Leagues Club Board of Directors commencing immediately up to September 2016.

Carried 34 171115

That Councillor McCarthy be nominated as a alternate delegate.

Donation to Oberon Anti-Amalgamation Group

Moved: Sajowitz
Second: Evans

That Council support the rally for local democracy on 18 November 2015 against forced amalgamations and allocate \$1,400 from the Section 356 Donations to assist with the costs of providing a bus to transport interested community members to the rally.

Carried 35 171115

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.

16.01 TITANIA RD. ACCESS – 20 TITANIA ROAD – FALSON ACCESS

File No: PR22.20

Author: Chris Schumacher, Works & Engineering Director.

This item is classified CONFIDENTIAL under section 10A(2)(g) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege

16.02 CITIZEN OF THE YEAR AWARDS

File No: Community Relations/Awards

Author: Sharon Swannell, Executive Coordinator

This item is classified CONFIDENTIAL under section 10A(2)(a) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

(a) personnel matters concerning particular individuals (other than councillors)

Moved: Morgan

Second: Doney

That:

1. Council resolve into Closed Council to consider 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*.

Council moved into Closed Session 7.27pm. All members of the public present left at this point in time.

16.01 TITANIA RD. ACCESS – 20 TITANIA ROAD – FALSON ACCESS

File No: PR22.20

Author: Chris Schumacher, Works & Engineering Director.

Moved: Morgan

Second: Gibbons

1. That Council acknowledge the information supplied by Crennan Legal.
2. Council approve the works and commence construction on the access to Lot 91 in DP 882395, 20 Titania Road, Oberon.
3. That funding of \$37,000 be made available from the 2015/2016 RMS Block Grant Funding for Regional Roads.

Carried 36 171115

16.02 CITIZEN OF THE YEAR AWARDS

File No: Community Relations/Awards
Author: Sharon Swannell, Executive Coordinator

Moved: Doney
Second: Lord

That:

1. Australia Day Awards be made in the following categories:
 - a. Citizen of the Year
 - b. Young Citizen of the Year (18 years and under)
 - c. Sportsperson of the Year
 - d. Young Sportsperson of the Year (18 years and under)
 - e. Sports Team of the Year
 - f. Community Event of the Year
 - g. Volunteer or Volunteer Group of the Year
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 2016.
3. That the 2015 Australia Day Celebrations be held at the Oberon Showground Hall.

Carried 37 171115

Moved: McCarthy
Second: Doney

That Councillors and Council Staff prepare ideas and plans for a suitable memorial for the Late Mayor John McMahon in recognition of his service to Council and the Community.

Carried 38 171115

Open Council resumed at 7.59pm.

The Mayor advised that resolutions 36 171115, 37 171115 and 38 171115 were made while the meeting was closed to the public. There were no members of the public present.

17. CLOSURE OF MEETING

The meeting was declared closed at 8pm.

The next Ordinary Meeting of Oberon Council will be held on:

Tuesday 15 December 2015
commencing at 5.30pm

in the Oberon Council Chambers
137 – 139 Oberon Street, Oberon.