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UNCONFIRMED MINUTES

Oberon Council Ordinary Meeting
Tuesday 21 June 2016

Commencing at 5.30pm
at the Oberon Council Chambers

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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 Rev. Dan Henby.

4. RECORD OF ATTENDANCE

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

Staff Gary Wallace, Acting General Manager
 Chris Schumacher, Works and Engineering Director
 Lynette Safranek, Finance and Community Services Director
 Sharon Swannell, Executive Coordinator

Apologies Nil

5. DECLARATIONS OF INTEREST

File No: Governance/Councillors/Declarations of Interest

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

6. GENERAL AND CIVIC PRESENTATIONS

Nil

7. COMMUNITY PRESENTATIONS AND QUESTIONS

None received.

8. CONFIRMATION OF MINUTES

Ordinary Meeting 17 May 2016

Moved: Doney
Second: Francis

That the Minutes of the Ordinary Meeting held on 17 May 2016 be confirmed.

Carried 01 210616

Matters Arising from the Minutes

It was noted that on Page 14. Item 13.07 the Development Application number is incorrect. The DA number should be 10.2016.25.1. This will be amended in the confirmed minutes.

Extraordinary Meeting 31 May 2016

Moved: Gibbons
Second: Doney

That the Minutes of the Extraordinary Meeting held on 31 May 2016 be confirmed.

Carried 02 210616

Matters Arising from the Minutes

Nil

Finance Committee Meeting 31 May 2016

Moved: Morgan
Second: Lord

That the Minutes of the Finance Committee Meeting held on 31 May 2016 be confirmed.

Carried 03 210616

Matters Arising from the Minutes

Nil

9. MAYORAL MINUTE AND REPORT

09.01 MAYORAL MINUTE AND REPORT

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

Summary

This report summaries the main activity for the Mayor since my last report.

Moved: Doney
Second: McCarthy

That Report Item 09.01 is received as information.

Carried 04 210616

10. NOTICES OF MOTIONS

10.01 NOTICE OF MOTION – ZONE OF LAND ON O'CONNELL ROAD

File No: Land Use and Planning/Planning/Local Environmental Plans
Author: Cllr Clive McCarthy

Summary

Requesting amendment of the Zone for land located on O'Connell Road

Moved: McCarthy
Second: Gibbons

A report outlining the activities permissible in B6 and Light Industrial zones be provided to the next available Council Meeting.

Carried 05 210616

11. COUNCILLOR AND DELEGATES REPORTS

11.01 CENTROC – BOARD MEETING

File No: Government Relations/Local and Regional Liaison/Centroc
Author: Mayor Kathy Sajowitz & Centroc Executive Officer, Jenny Bennett

Summary

Acting General Manager, Gary Wallace and I attended the Centroc Board meeting held at Parliament House, Sydney on 12 May 2016. This report summarises the outcomes of the meeting.

Moved: McCarthy
Second: Lord

That report item 11.01 is received as information.

Carried 06 210616

11.02 OBERON BUSINESS AND TOURISM ASSOCIATION

File No: Economic Dev/OBTA
Author: Cllr Sam Lord

Summary

Oberon Business and Tourism Association Meetings were held at the Oberon Golf Club on Wednesday 11 May 2016 and Wednesday 8 June 2016.

Moved: Lord
Second: McCarthy

That report item 11.02 is received as information.

Carried 07 210616

12. COMMITTEE REPORTS

12.01 THE COMMON WORKING PARTY

File: Governance/Meetings/The Common Working Party
Author: Gary Wallace, Acting General Manager

Summary

Minutes of The Common Working Party meeting held on 10 May 2016 are submitted for Council's information and consideration.

Moved: McCarthy
Second: Evans

That Council received report 12.01 for information.

Carried 08 210616

12.02 BLACK SPRINGS COMMUNITY HALL COMMITTEE

File: Governance/Meetings/Black Springs Community Hall Committee
Author: Kathy Beesley, Community Services Coordinator

Summary

Minutes of the Black Springs Community Hall Committee held on 18 May 2016 are submitted for Council's information and consideration.

Moved: Gibbons
Second: Francis

That Council:

1. Note the Minutes of the 18 May 2016 Black Springs Community Hall Committee Meeting.
2. Erect a new free standing sign at the Black Springs Community Hall that also incorporates a noticeboard, in consultation with the Black Springs Progress Association.
3. Consider projects at the Black Springs Community Hall when deliberating the 2016/17 Operational Plan.

Carried 09 210616

12.03 OBERON YOUTH COUNCIL

File: Governance/Ordinary/June 2016
Author: Lynette Safranek, Finance & Community Services Director

Summary

Minutes of the Oberon Youth Council Meeting held on 7 June 2016 is submitted for Council's information and consideration.

Moved: McCarthy
Second: Doney

That report item 12.03 is provided for information.

Carried 10 210616

12.04 HERITAGE COMMITTEE

File: Governance/Meetings/Heritage Committee
Author: Gary Wallace, Acting General Manager

Summary

Minutes of the Heritage Committee held on 30 May 2016 submitted for Council's information and consideration.

Moved: McCarthy
Second: Doney

That:

1. The Minutes of the Heritage Committee held on 30 May 2016 received as information.
2. The Heritage Committee seek the support from Council to contribute \$500 towards the printing costs of a new Cox's Road brochure to go hand in hand with the original one currently on display at the Visitors Information Centre, subject to the township of Oberon being clearly marked on the map within the brochure.
3. The Heritage Committee seek \$500 to assist the erection of a sign depicting the site of the three private graves on the Porters Retreat property owned by Mr & Mrs Healey.

Carried 11 210616

13. REPORTS FOR DECISION

13.01 PROCUREMENT AND DISPOSAL POLICY

File No: Governance/Meetings/Ordinary/June 2016
Author: Finance & Community Services Director

Summary

Policy 1206 – Procurement and Disposal is submitted to Council for approval. The policy is a review of the existing policy dated September 2009.

Moved: Doney
Second: Morgan

That Council approve the amended policy 1206 – Procurement and Disposal for immediate implementation.

Carried 12 210616

13.02 DEBTOR WRITE OFF – DEBTOR 528.04

File No: Financial Management/Financial Reporting/June 2016
Author: Lynette Safranek, Finance & Community Services Director

Summary

Council has a debtor with an outstanding debt of \$2,058.80. This debtor was referred to SR Law for recovery and it has become apparent that the company is deregistered with no success in pursuing them.

Moved: McCarthy
Second: Doney

That the matter be deferred to discussion in closed council due to discussion regarding personal hardship of any resident or ratepayer.

Carried 13 210616

13.03 COMMUNITY ENGAGEMENT FUND – LEGAL CHALLENGE

File No: Governance/Reporting/Boundaries Commission Review
Author: Gary Wallace, Acting General Manager

Summary

Providing an update regarding the legal action currently being undertaken in relation to the State Government merger proposal of Bathurst Regional Council and Oberon Council.

Moved: Morgan
Second: Doney

That:

1. Council allocate an additional \$50,000 for legal expenses.
2. Should the Council determine to proceed, resolve that the expenditure is required and warranted in accordance with the guidelines under Section 23A of the Local Government Act to enable the legitimate exercise of legal rights of review or appeal.

Carried 14 210616

13.04 DRAFT OBERON TOURISM STRATEGY

File No: Economic Development/Regional Tourism
Author: Sharon Swannell, Executive Coordinator

Summary

Council has been working in consultation with representatives from the Oberon Business and Tourism Association to develop a Draft Oberon Tourism Strategy.

Moved: Lord
Second: McCarthy

That Council place the Draft Oberon Tourism Strategy on public exhibition.

Carried 15 210616

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 May Council Meeting including Human Resources and Workplace Health & Safety, Executive Support matters, Community Activity, Regional Issues, Executive Management Team Meetings, planned activities and major work within the Planning & Development Department.

Moved: McCarthy
Second: Morgan

That report item 14.01 is received as information.

Carried 16 210616

14.02 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 May 2016 and including scheduled work for the coming month of June.

Moved: McCarthy
Second: Francis

That report item 14.02 is received as information.

Carried 17 210616

14.03 MONTHLY ACTIVITY REPORT – FINANCE & COMMUNITY SERVICES

File No: Governance/Meetings/Ordinary/June 2016
Author: Lynette Safranek, Finance and Community Services Director

Summary

This report provides a summary of work within the Finance and Community Services Department during May 2016, plus planned activities for the upcoming months.

Moved: McCarthy
Second: Gibbons

That report item 14.03 is received as information.

Carried 18 210616

14.04 STATEMENT OF INVESTMENTS

File No: Financial Management/Investments/Register
Author: Lisa Koleda, Management Accountant

Summary

Reporting the Statement of Investments as at 31 May 2016.

Moved: Morgan
Second: Francis

That report item 14.04 is received as information.

Carried 19 210616

14.05 GRANTS MONTHLY UPDATE

File No: Governance/Meetings/Ordinary/June 2016
Author: Gillian Salmon, Grants Officer

Summary

This report provides a summary of Grant Funding Applications and Submission, both internal and external, during May 2016.

Moved: McCarthy
Second: Gibbons

That report item 14.05 is received as information.

Carried 20 210616

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

This report provides a summary Water & Waste Water Activity for the previous month of May 2016.

Moved: McCarthy
Second: Doney

That report item 14.06 is received as information.

Carried 21 210616

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: Sajowitz
Second: Doney

That late report item 13.05 be considered at this point in time.

Carried 22 210616

13.05 IN PRINCIPLE SUPPORT – ADDITIONAL RESERVE TRUST LAND

File No: PO47-107

Author: Gary Wallace, Acting General Manager

Summary

Council has received advice from its Legal Advisors after being approached by the Oberon Golf Club seeking support for additions to the current Reserve Trust to accommodate the proposed additions to the Oberon Golf Clubhouse. This report seeks the in principle support from Council.

Moved: Gibbons
Second: McCarthy

That Council:

1. Give 'in principle' support the inclusion of Lots 6 & 7 section 63 DP 758805 in the land that currently forms the Reserve Trust for the Oberon Golf Club.
2. Write to the Department of Primary Industries – Crown Lands and the Minister indicating its support for the inclusion of the additional land.
3. Delegate to the Acting General Manager and Mayor all functions associated with the inclusion of these parcels into the Reserve Trust.

Carried 23 210616

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.

13.02 DEBTOR WRITE OFF – DEBTOR 528.04

File No: Financial Management/Financial Reporting/June 2016

Author: Lynette Safranek, Finance & Community Services Director

Summary

This report item contains matters and information which relate to Section 10A (1) – (3) of the Local Government Act 1993.

This report item contains matters and information listed in Section 10A (2) of the Act:

- (b) the personal hardship of any resident or ratepayer

16.01 SUPPLY AND DELIVERY OF BULK FUEL

File No: Plan Equipment and Stores/Stores/Ordering
Author: Chris Schumacher, Works and Engineering Director

This report item contains matters and information which relate to Section 10A (1) – (3) of the Local Government Act 1993.

This report item contains matters and information listed in Section 10A (2) of the Act:

(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

Moved: Lord
Second: Morgan

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*.

Carried 24 210616

Council moved into Closed Session 6.41pm. All members of the public present left at this point in time.

13.02 DEBTOR WRITE OFF – DEBTOR 528.04

File No: Financial Management/Financial Reporting/June 2016
Author: Lynette Safranek, Finance & Community Services Director

Moved: McCarthy
Second: Lord

That in accordance with Policy 2201, a write off of \$2,058.80 is approved.

The motion was put and lost.

Moved: McCarthy
Second: Lord

That Council retain the debt in itemised form and continue to monitor the land ownership and seek opportunities to recover the debt.

Carried 25 210616

16.01 SUPPLY AND DELIVERY OF BULK FUEL

File No: Plan Equipment and Stores/Stores/Ordering
Author: Chris Schumacher, Works and Engineering Director

Moved: Morgan
Second: Gibbons

That Council accept and sign contracts with the following providers for the Supply and Delivery of Bulk Fuel:

- Ocwen Energy t/a Lowes Petroleum
- Oilsplus Holdings Australia
- Park Pty Ltd

Carried 26 210616

Moved: McCarthy
Second: Gibbons

That Council move out of closed council and into open council.

Carried 27 210616

Open Council resumed at 6.57pm.

The Mayor advised that resolutions 25 250616 and 26 250616 were made while the meeting was closed to the public. There were no members of the public present.

17. CLOSURE OF MEETING

The Mayor declared the Meeting closed at 6.58pm.

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

Tuesday 19 July 2016
commencing at 5.30pm

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