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## ATTACHMENTS

Minutes of Previous Meeting

Ordinary Council Meeting

17 February 2015



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## UNCONFIRMED MINUTES

Oberon Council Ordinary Meeting  
Tuesday 17 February 2015

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.

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## 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.

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## 3. PRAYER

The Meeting was opened in prayer by Sister Maureen Schiemer.

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## 4. RECORD OF ATTENDANCE

Members	Mayor John McMahon (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 Clr Kathy Sajowitz
Staff	Alan Cairney, General Manager Gary Wallace, Planning and Development Director Chris Schumacher, Works and Engineering Director Rodney Wallace, Acting Works and Engineering Director Lynette Safranek, Finance and Community Services Director Sharon Swannell, Executive Coordinator Sarah-Jane Holland, Customer Service Trainee

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## 5. DECLARATIONS OF INTEREST

File No: Governance/Councillors/Declarations of Interest

Pecuniary	-	Clr Francis declared an interest in Report 13.04 – Item 1 Clr Francis is an adjoining landholder.
Non-Pecuniary Significant	-	Nil
Non-Pecuniary Less than Significant	-	Nil

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## 6. GENERAL AND CIVIC PRESENTATIONS

Laurie McMahon raised concern about the ability to bring busses into the Museum grounds. When the Museum was first relocated they were advised there was to be a combined carpark for access to both the OTHR and Museum areas. As a result of the access issues some coaches won't visit the Museum. Mrs McMahon asked who has the lease for the carpark area.

Alan Cairney advised the lease of the carpark area would be investigated and an inspection of the parking issues at the Museum would be undertaken as soon as possible.

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## 7. COMMUNITY PRESENTATIONS AND QUESTIONS

Nil

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## 8. CONFIRMATION OF MINUTES

### **Ordinary Meeting 16 December 2014**

Moved: Francis  
Second: Gibbons

That the Minutes of the Ordinary Meeting held on 16 December 2014 be confirmed.

Carried 01 170215

### **Matters Arising from the Minutes**

Nil

### **Extraordinary Meeting 10 February 2015**

Moved: McCarthy  
Second: Doney

That the Minutes of the Extraordinary Meeting held on 10 February 2015 be confirmed.

Carried 02 170215

### **Matters Arising from the Minutes**

Nil

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## 9. MAYORAL MINUTE AND REPORT

### **09.01 MAYORAL MINUTE AND REPORT**

File No: Governance/Meetings/Ordinary  
Author: Clr John McMahon, Mayor

#### **Summary**

This report summarises the main activity for the Mayor since reported to the December Council Meeting.

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Moved:       McCarthy  
Second:      Francis

That Report Item 09.01 is received as information.

Carried 03 170215

## 10. NOTICES OF MOTIONS

### **10.01 CLR MCCARTHY – ROADS INSPECTORS REPORT**

File No: Roads/Maintenance  
Author: Clr Clive McCarthy

#### **Summary**

Requesting a copy of the Roads Inspectors Report for Year 2014.

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Moved:       McCarthy  
Second:      Lord

That before the next Works Committee Meeting, all Councillors be given a copy of the Roads Inspectors Report for Year 2014 that goes to his supervisor.

Also time at the Works Committee Meeting be set aside to discuss the report.

Carried 04 170215

### **10.02 CLR MCCARTHY – MEETING WITH MINISTER FOR PRIMARY INDUSTRIES**

File No: Roads/Programs/Local Roads  
Author: Clr Clive McCarthy

#### **Summary**

Seeking a meeting with the Minister for Primary Industries, the Hon Katrina Hodgkinson MP.



Moved: McCarthy  
Second: Morgan

That Oberon Council seek a meeting with the Minister for Primary Industries, the Hon Katrina Hodgkinson MP, through Member for Bathurst, the Hon Paul Toole MP to seek possible road funding sources to repair / upgrade / make safer local roads used by Forestry Corporation of NSW to haul timber.

Carried 05 170215

### **10.03 CLR MCCARTHY – HAZELGROVE ROAD**

File No: Roads/R188  
Author: Clr Clive McCarthy

#### **Summary**

Seeking funding to seal the last upgrade on Hazelgrove Road.

Moved: McCarthy  
Second: Gibbons

That Oberon Council look at internal funding sources to seal the last upgrade on Hazelgrove Road.

Carried 06 170215

## **11. COUNCILLOR AND DELEGATES REPORTS**

Nil

## **12. COMMITTEE REPORTS**

### **12.01 SENIORS WELFARE COMMITTEE**

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

#### **Summary**

Minutes of the Seniors Welfare Committee Meeting held on 2 February 2015 are submitted for Council's information and consideration.

Moved: Morgan  
Second: Evans

That report item 12.01 is received as information.

Carried 07 170215

## 12.02 OBERON YOUTH COUNCIL

File: Governance/Meetings/Oberon Youth Council  
Author: Lynette Safranek, Finance & Community Services Director

### Summary

Minutes of the Oberon Youth Council Meeting held on 3 February 2015 are submitted for Council's information and consideration.

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Moved: Lord  
Second: Doney

That:

1. A sub-Committee of interested Youth Councillors be formed to look at possible types of skate park facilities and styles, and provide a report back to the March meeting;
2. The OYC conduct community consultation before any installation of the Bike Racks take place;
3. The Engineering Department be asked to discuss the options for bike racks before installation;
4. The Oberon Youth Council organise a Working Party for the Community Fun Run on 11 March 2015;
5. The Oberon Youth Council consider events or activities they can promote for the Youth of Oberon during 2015 and place their suggestions on the OYC Facebook page for consideration at the March meeting;
6. The Oberon Youth Council create a schedule of volunteers for the community activities being held in Oberon during 2015;
7. That the Oberon Youth Councillors attend a compulsory meeting on 3 March 2015 to develop the 2015 OYC Handbook for approval by Oberon Council at its March meeting; and
8. That Council accept the nominations of Lydia Moore and Rebecca Corby to be the OYC representatives on the Oberon Health Council for 2015.

Carried 08 170215

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## 13. REPORTS FOR DECISION

### 13.01 DEVELOPMENT APPLICATION 10.2014.103.1 – ADDITION TO DWELLING

File No: Property/PO35-5  
Author: Health and Building Surveyor, Kerry Davison

### Summary

Development Application 10.2014.103.1 has been received for the construction of an addition at 5 Links Close, 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 not significantly increase overshadowing of adjoining properties, reduce the level of privacy enjoyed by adjoining properties or affect the amenity of the rural village.

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Moved: Sajowitz  
Second: Morgan

That Council vary Part C.5.5 – “Building Height Plane” of the Oberon Development Control Plan 2001 associated to Development Application 10.2014.103.1 for the construction of a new residential addition at Lot 5 in DP 848793, 5 Links Close, Oberon.

Carried 09 170215

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

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

### **13.02 ROAD NAMING – UNAMED ROAD OFF NUNANS HILL ROAD**

File No: BCS/ Roads /Naming /Roads and Lanes  
Author: Chris Schumacher, Works and Engineering Director

#### **Summary**

In response to a Council advertisement inviting public submissions, road naming suggestions have been received for the un-named road off the southern end of Nunans Hill Road.

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Moved: Gibbons  
Second: Doney

That Council endorse the name of Bailey’s Lane North for the unnamed section of road that runs south off Nunan’s Hill Road.

Carried 10 170215

### **13.03 ALCOHOL FREE ZONES**

File No: Parks & Reserves/Maintenance/Facilities  
Author: Ian Tucker, Works Manager

#### **Summary**

The existing Alcohol Free Zones in Oberon St and the Oberon Common will expire on 28 February 2015. A Council resolution is required to extend the Alcohol Free Zones for a further four years.

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Moved: Morgan  
Second: Evans

That Council endorse the placing of an advertisement in the Oberon Review advising that Oberon St from North St to Tarana Rd, and including the Oberon Common between the hours 10pm to 6am, will be Alcohol Free Zones for the period 1 March 2015 to 28 Feb 2019.

Carried 11 170215

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Clr Francis declared an interest in Item 1 of Report 13.04. Clr Francis remained in the room during consideration of the report.

### **13.04 CROWN ROAD CLOSURES**

File No: Roads/RCI/PropRCrownCI  
Author: Ian Tucker, Works Manager

#### **Summary**

Applications have been submitted for the closure of a number of sections of crown road.

Moved: Sajowitz  
Second: Gibbons

That Council write to Department Crown Lands seeking an extension to respond to proposed closure of these sections of Crown Roads to allow proper investigation into the impacts on adjoining landholders to be carried out.

Carried 12 170215

### **13.05 CONTRACT FOR SUPPLY AND DELIVERY OF BITUMEN EMULSION**

File No: Government Relations/Local & Regional Liaison/Centroc  
Author: Chris Schumacher, Works & Engineering Director

#### **Summary**

This report provides advice on progressing a regional contract for the supply and delivery of bitumen emulsion to Council.

Moved: Doney  
Second: Lord

That Council:

1. Note the information.
2. Endorse Boral Asphalt as the preferred supplier for bitumen emulsion for the next 2 year period.
3. Advise Centroc of its decision.

Carried 13 170215

### **13.06 OBERON COMMUNITY POTABLE WATER FILLER STATION**

File No: Water Supply/Design & Construction/Pipes  
Author: William Nancarrow, Student Engineer & Chris Schumacher, Works & Engineering Director

#### **Summary**

Subject to recent drought conditions experienced over the last few years in the LGA, Council previously requested investigations are undertaken to construct a Potable Water Station for use by ratepayers of the Oberon Community.

Moved: Morgan  
Second: Lord

1. That the new potable water filler station be purchased and installed on the western side of North Street (between Albion Street & Cunynghame Street) with funding from the Water Mains Renewal Program.
2. That the adjustment to the Operations Plan 2014/15 be reviewed at the next Quarterly Business Review.

Carried 14 170215

### **13.07 O'CONNELL COMMUNITY WATER BORE STATION INVESTIGATION**

File No: Water Supply/Design & Construction/Pipes

Author: William Nancarrow, Student Engineer & Chris Schumacher, Works & Engineering Director

#### **Summary**

Subject to many years of drought conditions, a request was put forward to Council from the O'Connell Community for investigations to construct a 'Valved Water Bore Station' at O'Connell, water to be shared and used for stock and domestic uses by the O'Connell Community.

Moved: Morgan  
Second: McCarthy

1. That Council note the information contained within this report.
2. It be noted that there is no funding available in the Current Operation Plan 2014/15 to construct a Community Water Bore at O'Connell.

Carried 15 170215

### **13.08 GLEN CHEE ROAD – REQUEST FOR GAZETTE FROM CROWN TO PUBLIC ROAD**

File No: Roads/RCI/PropRCrownCI

Author: Chris Schumacher, Works and Engineering Director

#### **Summary**

This report provides information received from Natale Australia P/L Building Concepts, requesting the transfer of 250m Crown Road to Oberon Council as part of a recently approved subdivision by Lithgow City Council.

Moved: McMahon  
Second: Sajowitz

That Council:

1. Accept the transfer by Natale Australia P/L Building Concepts of 250m Crown Road to Oberon Council from Lithgow City Council boundary intersecting with the Six Foot Track, at no cost.

2. That the applicant Natale Australia P/L Building Concepts be required to submit a development application to upgrade the 250m of road in accordance to same standards as that required by Lithgow City Council.

Carried 16 170215

### **13.09 LIBRARY CAMPAIGN**

File No: Community Services/Libraries

Author: Lynette Safranek, Finance & Community Services Director

#### **Summary**

There has been widespread support by Councils and the community across the State for the NSW Library Funding Campaign, which is being coordinated on behalf of NSW Councils and their libraries by the NSW Public Libraries Association (NSWPLA), representing country and metropolitan libraries across the State.

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Moved: McCarthy  
Second: Sajowitz

That Council continues its support to the campaign mounted by the NSW Public Libraries Association for increased State funding to Local Government for public libraries.

Carried 17 170215

### **13.10 2016 LOCAL GOVERNMENT ELECTIONS**

File No: Governance/Meetings/Ordinary

Author: Lynette Safranek, Finance & Community Services Director

#### **Summary**

Each Council is required to pass a resolution for the Electoral Commissioner to administer the Oberon Council election, polls and constitutional referenda. A comparison of cost for the upcoming election with an external provider has been considered as part of a CENTROC tender process.

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Moved: McCarthy  
Second: Lord

Oberon Council resolves that:

1. Pursuant to Section 296(2) and (3) of the Local Government Act 1993 (NSW) ("the Act") that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council, if required in 2016.
2. Pursuant to Section 296(2) and (3) of the Act, as applied and modified by Section 18, that a Council Poll arrangement be entered into by contract for the Electoral Commissioner to administer all Council Polls of the Council, if required in 2016.
3. Pursuant to Section 296(2) and (3) of the Act, as applied and modified by Section 18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council if required in 2016.

Carried 18 170215

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### **13.11 QUARTERLY BUDGET REVIEW STATEMENT – OCT TO DEC 2014**

File No: Governance/Meetings/Finance Committee  
Author: David Mead, Finance Coordinator

#### **Summary**

The Quarterly Budget Review Statements (QBRS) is presented with variations shown for income and expenditure for the period from 1 October to 31 December 2014.

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Moved: Lord  
Second: Morgan

That the Quarterly Budget Review Statements for the period ending 31 December 2014 be received and noted, and the revised Income & Expenses Budget and Capital Budget items be amended.

Carried 19 170215

### **13.12 COMMUNITY TRANSPORT AMALGAMATION**

File No: Governance/Ordinary/Meetings  
Author: Lynette Safranek, Finance & Community Services Director

#### **Summary**

The General Manager and Finance & Community Services Director have held meetings with the Chairman and Manager of Lithgow Community Transport regarding the plan to amalgamate Oberon Community Transport services with Lithgow Community Transport from 1 April 2015.

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Moved: McCarthy  
Second: Lord

That Council endorse the amalgamation of Oberon Community Transport with Lithgow Community Transport, commencing on 1 April 2015.

Carried 20 170215

## **14. REPORTS FOR INFORMATION**

### **14.01 MONTHLY ACTIVITY REPORT – GENERAL MANAGER**

File No: Governance/Meetings/Ordinary  
Author: Alan Cairney, General Manager

#### **Summary**

This report item summaries the main activity by the General Manager during September including Human Resources and Workplace Health & Safety, Executive Support matters, Information Technology & Communications, Community Activity, Regional Issues, Executive Management Team, and details of planned activity for the coming months.

#### **14.02 MONTHLY ACTIVITY REPORT – PLANNING AND DEVELOPMENT**

File: Governance/Meetings/Ordinary  
Author: Gary Wallace, Planning and Development Director

##### **Summary**

Providing details of major work within the Planning & Development Department for December and January.

#### **14.03 MONTHLY ACTIVITY REPORT - WORKS AND ENGINEERING**

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

##### **Summary**

Providing a summary of the major work in the Works & Engineering Department for the months of December 2014 and January 2015 plus planned work for the coming months.

#### **14.04 MONTHLY ACTIVITY REPORT – FINANCE & COMMUNITY SERVICES**

File No: Governance/Meetings/Ordinary  
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 December 2014 and January 2015, plus planned activities for the following months.

#### **14.05 STATEMENT OF INVESTMENTS**

File No: Financial Management/Investments/Register  
Author: Tim Booth, Management Accountant

##### **Summary**

This report of the Statement of Investments contains information for the period 1 December 2014 to 31 January 2015.

#### **14.06 COUNCILLOR REQUEST FORMS**

File No: Governance/Councillors  
Author: Alan Cairney, General Manager

##### **Summary**

Providing an update on the status of Councillor Request Forms submitted during the last month.

#### **14.07 INWARDS CORRESPONDENCE**

File No: Governance/Meetings/Ordinary  
Author: Sharon Swannell, Executive Assistant

##### **Summary**

The Report Item provides a summary of incoming correspondence for the period 1 – 31 December 2014 and 1 – 31 January 2015.

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#### **14.08 STATUS REPORT – ACTIONING COUNCIL DECISIONS**

File No: Governance/Meetings/Ordinary  
Author: Sharon Swannell, Executive Assistant

##### **Summary**

Providing details of the status in actioning Council decisions, with reference to the actual Resolution Number as shown in the Minutes for each Council Meeting.

#### **14.09 LIRS MAYFIELD ROAD PROJECT – PROGRESS REPORT**

File: R12  
Author: Chris Schumacher, Works and Engineering Director

##### **Summary**

This report outlines the current construction progress and accumulative expenditure to date regarding the \$1.6M Mayfield Road project.

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Moved: Morgan  
Second: Francis

That report item 14.01 to 14.09 is received as information.

Carried 21 170215

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### **15. URGENT BUSINESS**

Nil

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### **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.

#### **16.01 PROPERTY AND LAND DEVELOPMENT**

File No: Council Properties/Land Development and Sales  
Author: Alan Cairney, General Manager

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

(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business

**16.02 STAFF MATTERS**

File No: HR/Personnel  
Author: Alan Cairney, General Manager

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: Doney  
Second: Morgan

That:

1. Council resolve into Closed Council to consider report items 16.01 and 16.02, 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 22 170215

*Council moved into a Closed Session at 08.04pm, members of the public present left the meeting at this time.*

**16.01 PROPERTY AND LAND DEVELOPMENT**

File No: Council Properties/Land Development and Sales  
Author: Alan Cairney, General Manager

Moved: McCarthy  
Second: Evans

That the information be received and noted.

Carried 23 170215

Council staff with the exception of the General Manager left the meeting at 8.08pm.

**16.02 STAFF MATTERS**

File No: HR/Personnel  
Author: Alan Cairney, General Manager

Moved: McCarthy  
Second: Francis

That the information be received and noted.

Carried 24 170215

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*Open Council resumed at 8.33pm.*

The Mayor advised that resolution 23 170215 and 24 170215 was made by Council while the meeting was closed to the public. There were no members of the public present.

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## 17. CLOSURE OF MEETING

The Meeting closed at 8.34pm.

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

Tuesday 17 March 2015  
commencing at 5.30pm

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