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## CONFIRMED MINUTES

Oberon Council Ordinary Meeting  
Tuesday 21 July 2015

Commencing at 5.30pm  
at the Oberon Council Chambers

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## 1. OPENING OF MEETING

The Deputy 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

A minutes silence was held to mark the sad passing of Mayor John McMahon.

The Meeting was opened in prayer by Rev Dan Henby.

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## 4. RECORD OF ATTENDANCE

Members Deputy Mayor Kerry Gibbons (in the Chair)  
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  
Lynette Safranek, Finance and Community Services Director  
Sharon Swannell, Executive Coordinator

Apologies Nil

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## 5. MAYORAL ELECTION

### 05.01 ELECTION OF MAYOR

File No: Governance/Elections/Local Government Elections

Author: Alan Cairney, General Manager and Sharon Swannell, Executive Coordinator

#### Summary

With the sad passing of Mayor, Councillor John McMahon there is now a casual vacancy in the Office of Mayor. This vacancy is to be filled at a Council Meeting within 14 days after the vacancy occurred. This report outlines the process of electing a Mayor until September 2015 when the annual Election process will occur.

The report also recommends seeking approval from the Minister for Local Government to dispense with a by-election to fill the casual vacancy.

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Moved: Gibbons  
Second: Francis

That Council defer consideration for the Election of Mayor to an Extraordinary Meeting to be held on Monday 27 July 2015, commencing at 4.30pm.

That Oberon Council make application to the Minister for Local Government for an order that the casual vacancy not be filled.

Carried 01 210715

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## 6. DECLARATIONS OF INTEREST

File No: Governance/Councillors/Declarations of Interest

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

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## 7. GENERAL AND CIVIC PRESENTATIONS

Nil

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## 8. COMMUNITY PRESENTATIONS AND QUESTIONS

Veronika Cvitanovic, Oberon Roller Derby expressed her support for the Notice of Motion put forward by Cllr McCarthy regarding identifying land at the Oberon Common for a future Skate Park. She expressed the opinion that there are issues with the current Skate Park location as when there are activities on at the Recreation Ground young children access the Skate Park and make it difficult for skaters to use the facility. She believes there are advantages to a location in the Common, including access to playground equipment, open amenities and suitable flat ground.

## 9. CONFIRMATION OF MINUTES

### **Ordinary Meeting 16 June 2015**

ATTACHED is the Minutes of the Ordinary Council Meeting held on 16 June 2015.

Moved: Doney  
Second: Evans

That the Minutes of the Ordinary Meeting held on 16 June 2015 be confirmed.

Carried 02 210715

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

Nil

### **Extraordinary Council Meeting 25 June 2015**

ATTACHED is the Minutes of the Extraordinary Council Meeting held on 25 June 2015.

Moved: Francis  
Second: Lord

That the Minutes of the Extraordinary Council Meeting held on 25 June 2015 be confirmed.

Carried 03 210715

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

Nil

### **Works Committee Meeting 14 July 2015**

ATTACHED is the Minutes of the Works Committee Meeting held on 14 July 2015.

Moved: Morgan  
Second: McCarthy

That the Minutes of the Works Committee Meeting held on 14 July 2015 be confirmed.

Carried 04 210715

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

Nil

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## 10. MAYORAL MINUTE AND REPORT

### 10.01 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 June Council Meeting.

Moved: Gibbons  
Second: McCarthy

That Report Item 10.01 is received as information.

Carried 05 210715

## 11. NOTICES OF MOTIONS

### 11.01 NOTICE OF MOTION – DRAINAGE WORKS

File No: Council Properties/Land Development and Sales  
Author: Clr Clive McCarthy

#### Summary

Request for quotation for work to be done on Council land located on Edith Road.

Moved: McCarthy  
Second: Gibbons

That Oberon Council commence work to provide services and drainage to land on Edith Road or Prince Street to make land saleable as house blocks (quotation for work).

Carried 06 210715

### 11.02 NOTICE OF MOTION – SKATE PARK

File No: Parks and Reserves/Design and Construction/Play Equipment  
Author: Clr Clive McCarthy

#### Summary

Request for provision of land in Dudley Street for a Skate Park and Roller Derby Area.

Moved: McCarthy  
Second: Francis

That Oberon Council provide land in Dudley Street, Oberon above the un-form Dillon Street for a Skate Park and Roller Derby area (land is owned by Council) and Council to assist with the fill and levelling.

The motion was put and lost.

**11.03 NOTICE OF MOTION – CAMPBELLS RIVER ROAD**

File No: R45  
Author: Clr Clive McCarthy

**Summary**

Seek discussions with land owner downstream of Campbells River to improve roadway.

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Moved: McCarthy  
Second: Francis

That Oberon Council commence discussion with the landowner downstream of Campbells River on the Campbells River Road with a view to improve roadway at this point.

Carried 07 210715

**11.04 NOTICE OF MOTION – PURCHASE OF LAND**

File No: Parks and Reserves/Reporting  
Author: Clr Clive McCarthy

**Summary**

Land for O'Connell Recreation Ground.

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Moved: McCarthy  
Second: Doney

That Oberon Council commence discussion with the Anglican Church (Bathurst Office) to purchase land at O'Connell for a Recreation Ground.

Carried 08 210715

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**12. COUNCILLOR AND DELEGATES REPORTS**

**12.01 REGIONAL YOUTH FORUM JUNE 10 2015 HOSTED BY ORANGE CITY COUNCIL**

File No: Governance/Meetings/Oberon Youth Council  
Author: Clr Kathy Sajowitz

**Summary**

On Wed June 10 I, along with Community Services Coordinator Kathy Beesley attended the Regional Quarterly YDO Forum hosted by Orange City Council.

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Moved: Sajowitz  
Second: Morgan

That delegate report item 12.01 is received as information.

Carried 09 210715

## **12.02 UPPER MACQUARIE COUNTY COUNCIL MEETING**

File No: Environmental Management/Meetings/Upper Macquarie County Council  
Author: Mayor John McMahon

### **Summary**

Councillor Francis and the Mayor, Clr John McMahon are delegates to the Upper Macquarie County Council.

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Moved: Gibbons  
Second: Francis

That delegate report item 12.02 is received as information.

Carried 10 210715

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## **13. COMMITTEE REPORTS**

### **13.01 TRAFFIC ADVISORY LOCAL COMMITTEE**

File: Governance/Meetings/Traffic Advisory Local Committee  
Author: Chris Schumacher, Works and Engineering Director

### **Summary**

Minutes of the Traffic Advisory Local Committee (TALC) held on 18 June are submitted for Council's information and consideration.

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Moved: Morgan  
Second: Evans

1. That the Minutes of the Traffic Advisory Local Committee held on 18 June be received as information.
2. That Council takes action to address the vegetation on the roadside of Arkstone Road so as to improve the sight distance on the 13 kilometre section impacted by B-Double use.

Carried 11 210715

### **13.02 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 22 June 2015 are submitted for Council's information and consideration.



Moved: Morgan  
Second: Lord

That report item 13.02 is received as information and that:

1. Council consider the following suggestions for the future use of Hathaway Cottages:
  - a. Investigate the use of the building as a new Administration Centre and allocate sufficient funds for a feasibility study to be carried out.
  - b. The facility be sold at auction in line with real agents recommendations and funds realised be utilised in one of the following ways:
    - to build independent living units to accommodate either single or couple residents,
    - in line with current plans to join the Library and the Community Centre, that the funds realised from sale be used to create a “community hub” benefiting all age levels in the community, incorporating the Community Technology Centre, youth space, gallery space and expansion of the Community Centre.
  - c. Council approach major industries in the town to ascertain any interest in leasing the facility for short term accommodation for temporary employees (managed externally); and
2. Council invite Rotary representatives to the next SWC meeting to talk about the Leith Johnson bequest and possible uses of the funds to support aged care in Oberon; as well as the Oberon Village Manager for an update on the facility.

Carried 12 210715

### **13.03 COMMUNITY SERVICES COMMITTEE**

File: Governance/Ordinary/June 2015

Author: Lynette Safranek, Finance & Community Services Committee

#### **Summary**

Minutes of the Community Services Committee Meeting held on 25 June 2015 is submitted for Council's information and consideration, along with recommendation.

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Moved: Sajowitz  
Second: Doney

That the Minutes be presented to Council for information and that Council reconsider its decision to provide a twice yearly kerbside pick up.

Carried 13 210715

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## 14. REPORTS FOR DECISION

### 14.01 DEVELOPMENT APPLICATION 10.2014.94.1- TWO STOREY DWELLING

File No: Property/PO35-10

Author: Health and Building Surveyor, Kerry Davison

#### Summary

A Development Application has been received for the construction of a two storey dwelling at 10 Links Close, Oberon. The Application seeks variations to Development Control Plan (DCP) 2001 and also approval to alter Covenant No 4 of DP848793 – “Building Exceeding Single Storey”.

Moved: Lord  
Second: Francis

That Council vary Part C5.3 – “Height of Buildings”, Part C.5.7 – “Setback from the Street”, and Part C.6.3 – “Density Control”, of the Oberon Development Control Plan 2001 and Covenant 4 of DP848793 – “Building Exceeding Single Storey” associated to Development Application 10.2014.94.1 for the construction of a two storey dwelling at Lot 10 in DP 848793, 10 Links Close, Oberon.

Carried 14 210715

*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, Sajowitz, McCarthy, Lord, Doney and Evans  
Against: Nil

### 14.02 DEVELOPMENT APPLICATION 10.2015.42.1-CARPORT

File No: Property/PO44-128

Author: Health and Building Surveyor, Kerry Davison

#### Summary

A Development Application has been received for the construction of a carport at 128 Queen Street, Oberon. Variation to Development Control Plan (DCP) 2001 is sought, with particular reference to Part C.6.4 – “Carports and Garages”.

Moved: McCarthy  
Second: Lord

That Council vary Part C.6.4 – “Carports and Garages of the Oberon Development Control Plan 2001 associated to Development Application 10.2015.42.1 for the construction of a carport at Lot 191 in DP 1089288, 128 Queen Street, Oberon.

Carried 15 210715

*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, Sajowitz, McCarthy, Lord, Doney and Evans  
Against: Nil

**14.03 RMS REQUEST TO TRANSFER PARTS OF O'CONNELL RD TO COUNCIL**

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

**Summary**

This report is about the Roads and Maritime Services (RMS) request for consent to the transfer of part of a Public Crown Road to Oberon Council under the provisions of Section 151 of the Roads Act 1993.

Moved: Lord  
Second: Doney

That Council consent to the transfer to it of Public Crown Road being Lots 28, 29 and 30 in DP 1185095 as shown in the plan provided by the Roads and Maritime Services.

Carried 16 210715

**14.04 VOLUNTEER PROGRAM – PROPOSED OBERON FAIRIES AND ELVES**

File No: Governance/Meetings/Ordinary  
Author: Alan Cairney, General Manager and Chris Schumacher, Works and Engineering Director

**Summary**

This report is about a Volunteer Program proposed to assist Oberon Council in improving and maintaining our parks & gardens through a group of volunteers

Moved: Doney  
Second: Evans

That Council endorse the “Fairies and Elves” Volunteer Program, subject to the General Manager and Works & Engineering Director issuing instructions to Volunteers and finalising guidelines for the Volunteer Program.

Carried 17 210715

**15. REPORTS FOR INFORMATION**

**15.01 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 JUNE including Human Resources and Workplace Health & Safety, Executive Support matters, Community Activity, Regional Issues, Executive Management Team meetings, and details of planned activities.

### **15.02 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 June and July and provide information on statistics of work that has occurred in June.

### **15.03 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 June 2015 plus planned work for the coming months.

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

File No: Governance/Meetings/Ordinary/July 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 June 2015, plus planned activities for the following months.

### **15.05 STATEMENT OF INVESTMENTS**

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

#### **Summary**

Reporting the Statement of Investments as at 30 June 2015.

### **15.06 FOOD AUTHORITY PERFORMANCE INSPECTIONS 2014/15**

File No: Development and Building Controls\Development Department Statistics\Food  
Author: Gary Wallace, Planning & Development Director

#### **Summary**

Each year the NSW Food Authority requires Council to undertake Food Inspections of all High, Medium and Low Risk Food Premises. The inspection process for 2014/15 is now complete and results have been submitted to the Food Authority.

### **15.07 HIRE OF PLANT 2015/16**

File No: Risk Management/Insurance/Contractors  
Author: Chris Schumacher, Works & Engineering Director and Rebecca Burgess, Engineering Administrative Assistant

#### **Summary**

Quotations have been received for the comprehensive Hire of Plant on a contract basis for a period of twelve (12) months from 1 July, 2015. Quotations are assessed, recorded in the approved Plant Hire Schedule and contacted when plant items are required to cater for temporary fluctuations of workloads or where specialists items are required.

## **15.08 WATER AND SEWER PLANT REPORT**

File: Governance/Meetings/Ordinary

Author: Chris Schumacher, Works and Engineering Director & Richard Robinson, Sewer & Water Plant Operator.

### **Summary**

Providing a summary of water consumption and sewerage treatment processes for the month of June 2015.

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Moved: Gibbons  
Second: Francis

That report item 15.01 to 15.08 is received as information.

Carried 18 210715

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## **15. URGENT BUSINESS**

Moved: Doney  
Second: Gibbons

Councillors and Management Staff promote the development of a strong strategy of community involvement and support for lobbying to remain a strong stand alone Local Government entity.

Carried 19 210715

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## **16. CLOSED SESSION / CONFIDENTIAL REPORTS**

There are no Closed Session Reports listed for Council's consideration.

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## **17. CLOSURE OF MEETING**

The Meeting closed at 7.05pm.

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

Tuesday 18 August 2015  
commencing at 5.30pm

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