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UNCONFIRMED MINUTES

Oberon Council Ordinary Meeting
Tuesday 15 April 2014

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 by Rev. Dan Henby.

4. RECORD OF ATTENDANCE

Members Mayor John McMahon (in the Chair)
 Deputy Mayor Kerry Gibbons
 Clr Ian Doney (from 6.00pm)
 Clr Jill Evans
 Clr Neil Francis
 Clr Clive McCarthy
 Clr John Morgan
 Clr Kathy Sajowitz

Staff Alan Cairney, General Manager
 Gary Wallace, Planning and Development Director
 Aruna Wickramasinghe, Works and Engineering Director
 Sharon Swannell, Executive Coordinator
 Jane Nicholl, Administration Assistant

Apologies Clr Sam Lord
 Lynette Safranek, Finance and Community Services Director

Moved: McCarthy
Second: Sajowitz

That apologies be received and accepted for the non-attendance of Clr Sam Lord.

Carried 01 150414

5. 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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6. GENERAL AND CIVIC PRESENTATIONS

Jenny Bennett, Executive Officer of Central West NSW Council's (Centroc) provided a presentation to Council. The topics covered included the activities of Centroc, cost savings achieved by participating in regional programs, Centroc's advocacy role and the Beyond the Range program.

David McMurray – spoke about an open meeting about Prostate which will be held at the Oberon Men's Shed on 22 April 2014, commencing at 10.30am. David issued an open invitation for all to attend the meeting.

7. COMMUNITY PRESENTATIONS AND QUESTIONS

Phillip Haynes circulated three documents to Councillors. The documents are about ethics, Nobel prize winners who object to fluoridation and 12 reasons not to fluoridate put together by the Oberon Fluoride Action Group.

Phillip asked the General Manager have you sent the questions from the forums yet to NSW Health and will the questions also be sent to Marilyn Haynes?

The Mayor and General Manager advised that the questions will be forwarded to NSW Department of Health.

Veronika Cvitanovic – asked if the report to Council regarding fluoridation been prepared yet? Will that report include a list of all correspondence received?

The Mayor and General Manager advised a report will be prepared and a summary of correspondence will be included.

Veronika Cvitanovic – wrote a letter to Council on 3 April and would like to know if I am going to get a reply. The letter was in relation to the costings.

The General Manager advised a response will be provided in due course.

Veronika Cvitanovic – referred to the General Managers Monthly Update Report in this month's business paper which detailed the planned activity for April, May and June. It states following the Public Information Session and two Community Forums about the proposal to add fluoride to the town water supply a comprehensive report will be submitted to the May Council Meeting for possible inclusion in the draft CSP for additional community consultation. What does that mean?

The General Manager advised that as fluoridation of the water supply is a change in our current program and if Council decide to proceed it will need to be included in the Community Strategic Plan.

Robin Wiseman – reiterated that she would like the elected Councillors to continue to research fluoridation and asked that Councillors do their utmost to understand the information that has been presented from your research make up your own mind.

Phillip Haynes - I have provided the General Manager with a list of 19 Councils which have stopped fluoridation in QLD and had asked you to follow up if there was any change in the consumption of bottled water since they stopped fluoridation.

The General Manager advised that he had made some enquiries and there is no conclusive evidence at this point.

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8. CONFIRMATION OF MINUTES

Ordinary Meeting 18 March 2014

Moved: Francis
Second: Sajowitz

That the Minutes of the Ordinary Meeting held on 18 March 2014 be confirmed.

Carried 02 150414

Matters Arising from the Minutes

Nil

Extraordinary Meeting 27 March 2014

Moved: McCarthy
Second: Sajowitz

That the Minutes of the Extraordinary Meeting held on 27 March 2014 be confirmed.

Carried 03 150414

Matters Arising from the Minutes

Nil

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 March Council Meeting.

Moved: Francis
Second: McCarthy

That Report Item 09.01 is received as information.

Carried 04 150414

10. NOTICES OF MOTIONS

Nil

11. COUNCILLOR AND DELEGATES REPORTS

11.01 OPTA

File No: Economic Development/Visitor Information Centre/OPTA
Author: Clr Sam Lord

Summary

Oberon Plateau Tourism Association met on Monday 10 March 2014. At the time of preparing the report the minutes of the meeting were not available. A copy of the minutes is now provided for Council's information.

Moved: McCarthy
Second: Morgan

That report item 11.01 is received as information.

Carried 05 150414

11.02 UPPER MACQUARIE COUNTY COUNCIL MEETING

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

Summary

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

Moved: Francis
Second: McCarthy

That delegate report item 11.02 is received as information.

Carried 06 150414

11.03 OBERON BUSINESS ASSOCIATION

File No: Community Relations/Community Consultation/Oberon Business Association
Author: Alan Cairney, General Manager

Summary

The Mayor, Councillor McMahon and the General Manager are Council's delegates to the Oberon Business Association (OBA) and details are provided of the Association Meetings held on 12 February and 5 March and also the Annual General Meeting and monthly meeting, both held on Wednesday 2 April 2014.

Moved: McCarthy
Second: Evans

That delegate's report item 11.03 is received as information.

Carried 07 150414

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11.04 OBERON ARTS COUNCIL

File No: Community Relations/Community Consultation/Oberon Arts Council
Author: Alan Cairney, General Manager

Summary

The Mayor, Councillor McMahon and the General Manager are Council's delegates to the Oberon Arts Council (OAC) and submitted an apology for the meeting held on 25 March 2014.

Moved: Morgan
Second: McCarthy

That delegate's report item 11.04 is received as information.

Carried 08 150414

12. COMMITTEE REPORTS

12.01 SENIOR WELFARE COMMITTEE

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

Summary

Minutes of the Seniors Welfare Committee held on 17 March 2014 is submitted for Council's information and consideration.

Moved: Evans
Second: Morgan

That the Minutes of the Seniors Welfare Committee held on 17 March 2014 be received as information,

That the Seniors Welfare Committee be tasked with reviewing options about the future use of Hathaway Cottages.

Carried 09 150414

12.02 COMMUNITY SERVICES COMMITTEE

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

Summary

Minutes of the Community Services Committee held on 27 March 2014 is submitted for Council's information and consideration.

Moved: Evans
Second: Sajowitz

That the Minutes of the Community Services Committee held on 27 March 2014 be received as information.

That Oberon Council contact Australia Post about the problems with the distribution of the Community Newsletter.

That representatives from Oberon Information Neighbourhood Centre and Western Medicare Local be invited to become members of the Community Services Committee.

Carried 10 150414

13. REPORTS FOR INFORMATION

13.01 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 March 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.

Moved: Morgan
Second: Gibbons

That report item 13.01 is received as information.

Carried 11 150414

13.02 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 March.

Moved: McCarthy
Second: Francis

That report item 13.02 is received as information.

Carried 12 150414

13.03 MONTHLY ACTIVITY REPORT - WORKS AND ENGINEERING

File: Governance/Meetings/Ordinary

Author: Aruna Wickramasinghe, Works and Engineering Director; Ian Tucker, Works Manager

Summary

Providing details of major work in the Works and Engineering Department for February and March.

Moved: Gibbons

Second: Sajowitz

That report item 13.03 is received as information.

Carried 13 150414

13.04 MONTHLY ACTIVITY REPORT – FINANCE & COMMUNITY SERVICES

File No: Financial Management/Financial Reporting/Periodic Reports

Author: Lynette Safranek, Finance and Community Services Director

Summary

Providing a summary of major work within the Finance and Community Services Department during March 2014.

Moved: Doney

Second: McCarthy

That report item 13.04 is received as information.

Carried 14 150414

13.05 STATEMENT OF INVESTMENTS

File No: Financial Management/Investments/Register

Author: Tim Booth, Management Accountant

Summary

Reporting the Statement of Investments as at 31 March 2014.

Moved: Sajowitz

Second: Morgan

That report item 13.05 is received as information.

Carried 15 150414

13.06 LOCAL GOVERNMENT PERFORMANCE MONITORING FOR 2012/13

File No: Development and Building Controls\Development Department Statistics\DOP Stats
Author: Mark Dicker, Health and Building Manager

Summary

Each year the Department of Planning publishes the statistical performance of development approvals for New South Wales Councils.

Moved: McCarthy
Second: Sajowitz

That report item 13.06 is received as information.

Carried 16 150414

13.07 PALING YARDS WIND FARM – STATE SIGNIFICANT DEVELOPMENT

File No: Development and Building Controls\State Significant Development\Paling Yards Wind Farm
Author: Gary Wallace, Planning & Development Director

Summary

Planning & Infrastructure has advised that it is in receipt of a State Significant Development Application for the construction of 55 wind turbines on 3,900 hectares of land at Paling Yards.

Moved: McCarthy
Second: Evans

That report item 13.07 is received as information.

Carried 17 150414

13.08 NSW GOVERNMENT - GRANTS TO BRING PLANNING ONLINE

File No: Land Use and Planning\Programs\E-PLANNING
Author: Gary Wallace, Planning & Development Director

Summary

The NSW Government has released grant funding to help Councils bring planning online.

Moved: Morgan
Second: Sajowitz

That report item 13.08 is received as information.

Carried 18 150414

13.09 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 March to 31 March 2014.

Moved: Francis
Second: Sajowitz

That Report Item 13.09 is received as information.

Carried 19 150414

13.10 MEDIA

File No: Information Management/Information and Communications/Media Releases
Author: Carolyn Hendry, Information and Communications Officer

Summary

The Report Item provides a list of Media Releases issued during March 2014, has been published and a sample of Media Articles where Council is mentioned.

Moved: Evans
Second: Morgan

That report item 13.10 is received as information.

Carried 20 150414

13.11 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.

Moved: Gibbons
Second: Sajowitz

That report item 13.11 is received as information.

Carried 21 150414

13.12 UPCOMING MEETINGS

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

Summary

A calendar of upcoming meetings is provided for information.

Moved: Evans
Second: Morgan

That report item 13.12 is received as information.

Carried 22 150414

14. REPORTS FOR DECISION

14.01 POLICY REVIEWS

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

Summary

The General Manager and members of the Executive Management Team recently held a Project Meeting to consider a strategy for completing overdue reviews of existing Policies. The strategy involves each Director, and the General Manager, taking a shared responsibility for reviewing each Policy with the General Manager reporting proposed changes to Council.

Moved: Morgan
Second: Gibbons

That Council note the Policy Status and the proposed project outline to have all Policy Reviews completed before the end of 2014.

Carried 23 150414

14.02 COUNCILLOR REQUEST FORMS

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

Summary

This report item provides a guide for the management of Councillor Requests.

Moved: Doney
Second: Gibbons

That Councillors note the arrangements for the General Manager to provide a monthly report updating the status of specific Councillor Requests.

Carried 24 150414

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14.03 DRAFT OBERON COMMUNITY STRATEGIC PLAN 2014

File No: Governance/Integrated Planning & Reporting/Community Strategic Plan
Author: Alan Cairney, General Manager

Summary

The draft Oberon Community Strategic Plan (CSP) 2014 is expected to be on Public Exhibition from Monday 26 May until Monday 23 June. Councillors and Management Staff have held a series of Workshops to prepare the draft CP and arrangements will be made to hold Community Information Sessions during the Public Exhibition period.

Moved: Evans
Second: Francis

That Councillors note that Community Information Sessions will be held in the village areas of Black Springs, Burruga and O'Connell and in Oberon and that Councillors and Management Staff attend and make presentations to community groups.

Carried 25 150414

14.04 DEVELOPMENT APPLICATION 10.2014.14.1 - DWELLING

File No: PO56-12
Author: Jaclyn Burns, Senior Development Control Officer

Summary

An application for the construction of a proposed residential dwelling has been received. The application is referred to Council for determination in accordance with Part C5.5 of Development Control Plan (DCP) 2001. Part C5.5 of the DCP requires:

“The building height plane in combination with building height limits forms the maximum building envelope for all residential development.”

Moved: Sajowitz
Second: McCarthy

That Council approve Development Application 10.2014.14.1 for the construction of a residential dwelling at Lot 8 in DP: 1139732, 12A Tarana Crescent, Oberon in accordance with the conditions contained within the report.

Carried 26 150414

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

14.05 OBERON SAND AND GRAVEL – CONFIRMATION OF RECEIVERSHIP

File No: Waste Management\Waste\Garbage Contract
Author: Gary Wallace, Planning & Development Director

Summary

This report advises of information sent from PKF Lawler stating that the contractor providing the Waste Collection Service (Oberon Sand & Gravel) has been placed into Receivership and has ceased trading immediately.

Moved: Evans
Second: Sajowitz

That Council note the termination of the Contract for Waste Collection Services with Oberon Sand & Gravel and that Tender documents is prepared for a kerb side Waste Collection Service.

Carried 27 150414

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.

The Mayor provided a verbal update regarding the Community Launch of Hunting in State Forests. Dr Andrew Moriarty from the Game Licencing Unit provided an overview of the proactive approach the Game Licencing Unit has taking towards illegal hunting. They have partnered with Forestry Corporation and NSW Police and ask that residents report all incidents of illegal hunting as soon as possible. It is hoped that the new rules assist with safety concerns of adjoining landholders. A copy of the information pack provided at the launch will be distributed to Councillors.

Moved: McCarthy
Second: Morgan

That a letter be written to Dr Andrew Moriarty, Acting Director, Game Licencing Unit to request that a permanent exclusion zone be put in place in Lowes Mount Forest after harvesting is finished in the area due to the large number of motorcycle riders who use this forest.

Carried 28 150414

Councillors Gibbons and Francis attended the Black Springs Progress Association Meeting held on Monday 15 April. The meeting was addressed by Anglo American, a mining company who are currently conducting some investigation in the Black Springs area.

Discussion was held about the use of the Black Springs Shop, which is currently vacant.

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The Black Springs Progress Assn has identified a number of village improvement projects and will forward a letter to Council requesting this work be carried out. Discussion was also held about the current arrangements for the Trust overseeing the Black Springs Hall and a letter will be forwarded to Council in relation to this matter.

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.

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

17. CLOSURE OF MEETING

The Meeting closed at 7.33pm.

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

Tuesday 20 May 2014
commencing at 5.30pm

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