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Attachments

Minutes of Previous Meeting

Minutes Ordinary Council Meeting – 18 December 2012

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OBERON COUNCIL

*Unconfirmed Minutes
Oberon Council Ordinary Meeting
Tuesday 18 December 2012
5.30pm Oberon Council Chambers*

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01 Opening of Meeting

File No: Governance/Meetings/Ordinary

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

02 Acknowledgement of Country and Prayer

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.

The Meeting was opened in prayer by Sister Maureen.

03 Record of Attendance

File No: Governance/Meetings/Ordinary

Members Mayor John McMahon (in the chair)
Deputy Mayor Kerry Gibbons
Clr Ian Doney – *from 6.05pm*
Clr Jill Evans
Clr Neil Francis
Clr Sam Lord
Clr Clive McCarthy
Clr John Morgan
Clr Kathy Sajowitz

Officers Alan Cairney, General Manager
Amanda McGrath, Finance Manager (Acting Director of Corporate Services)
Gary Wallace, Director of Development
Kathy Beesley, Community Liaison Officer
Hanna Bates, Admin Trainee

Apologies Nil

The Mayor informed Councillors that Clr Ian Doney would arrive late to the meeting.

04 Presentations - Nil

05 Questions from the Public

Mark Weekes asked for clarification on Development Application 10.2009.225.2, relating to a proposed Motocross facility at Shooters Hill, and stated he is not happy with the lack of communication from Council. The Director of Development advised that there is still outstanding information that is to be addressed before the application can proceed.

Kerry Gibbs raised concerns regarding a large Gum tree overhanging her property. She was concerned about the blockage of drains and the size of the debris, bark, limbs and branches. An arborist has carried out several inspections on the tree. The General Manager advised that he is aware of the tree, and is currently in the process of organising a time to inspect the tree and decide on a resolution.

06 Confirmation of Minutes of Previous Meeting(s)

Ordinary Meeting 20 November 2012

Moved: Evans
Second: Lord

That the Minutes of the Ordinary Meeting held on 20 November 2012 be taken as read and confirmed.

CARRIED 01181212

Matters Arising from the Minutes - Nil

07 Declarations of Interest

Governance/Councillors/Declarations of Interest

Pecuniary - Clr Morgan declared an interest in Item 12.01.04
Non-Pecuniary - Nil

At this time the Mayor brought forward Report Items 12.01.01 and 12.01.02, as there were a number of persons in the Public Gallery interested in these Report Items.

12.01.01 DEVELOPMENT APPLICATION 10.2012.32.1 - VEHICLE HOLDING YARD

File No: Land Use and Planning/Programs/Subdivisions
Author: Mark Dicker, Health & Building Manager

Summary

Council is in receipt of Development Application 10.2012.32.1 for a vehicle holding yard on land described as Lot 21 DP 1077017, being known as 218 Hazelgrove Road, Oberon.

The following Motion was Moved and Seconded

Moved: Sajowitz
Second: McCarthy

That Council determine the application in accordance with the recommendation outlined in the Section 79C report.

The following Amendment was Moved and Seconded

Moved: Morgan
Second: McCarthy

That this item be deferred until after the public submissions for the draft LEP are received.

The Amendment was Put and Lost.

The original Motion was Put and was Carried.

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

For: Councillors Evans, Francis, Gibbons, Lord, McCarthy, McMahon, Sajowitz
Against: Councillor Morgan

CARRIED 02181212

12.01.02 OBERON SWIMMING COMPLEX

File: Recreation and Cultural Services/Swimming Pool/General
Author: Gary Wallace, Director of Development

Summary

This report provides details for the construction of an enclosure to the Oberon Swimming Complex that would allow for an extended swim session.

Moved: Evans
Second: McCarthy

That Council allocate \$10,000 in its Delivery Program and 2012-2013 Operational Plan to enable the preparation of engineering specifications and all application fees for an enclosure to the Oberon Swimming Complex, with adjustments to be made within the existing budget.

Carried 03181212

08 Mayoral Minute and Report

08.01.01 MAYORAL MINUTE AND REPORT

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

Summary

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

Moved: McCarthy
Second: Gibbons

That Report Item 08.01.01 is received as information.

CARRIED 04181212

09 Councillor/Delegates Reports/Notice of Motion

09.01.01 NOTICE OF MOTION – COUNCILLOR SAJOWITZ – DART ST RESIDENCE

File No: R96

Author: Hanna Bates, Administration Trainee on behalf of Councillor Kathy Sajowitz

Summary

Councillor Sajowitz has requested Council's consideration of a motion in relation to the Dart Street Residence owned by Oberon Council which is currently listed for sale.

Moved: Sajowitz
Second: Evans

That Council agree in principle to retaining the property in Dart Street for the purpose of facilitating a future community precinct and remove the property from sale.

CARRIED 05181212

09.01.02 OBERON CORRECTIONAL CENTRE COMMUNITY CONSULTATIVE COMMITTEE

File No: Governance/Meetings/Oberon Correctional Centre Community Consultative Comm.

Author: Hanna Bates, Administration Trainee on behalf of Councillor Jill Evans

Summary

The Mayor, Councillor John McMahon, Deputy Mayor Councillor Kerry Gibbons and Councillor Jill Evans attended the last meeting of the Oberon Correctional Centre Community Consultative Committee held on 22 November 2012. A copy of the minutes were not available at the time of preparing this report.

Moved: Morgan
Second: Sajowitz

That delegates report item 09.01.02 is received as information.

CARRIED 06181212

09.01.03 OBERON ARTS COUNCIL

File No: Community Relations/Community Consultation/Oberon Arts Council

Author: Alan Cairney, General Manager

Summary

Councillor McMahon and the General Manager are Council's delegates to the Oberon Arts Council (OAC) and attended Annual General Meeting (AGM) held on 27 November 2012.

Moved: McCarthy
Second: Lord

That delegate's report item 09.01.03 is received as information.

CARRIED 07181212

09.01.04 OBERON BUSINESS ASSOCIATION

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

Summary

Councillor McMahon and the General Manager are Council's delegates to the Oberon Business Association (OBA and the Mayor attended the Annual Business Awards held on 23 November.

Moved: Sajowitz
Second: Gibbons

That delegate's report item 09.01.04 is received as information.

CARRIED 08181212

09.01.05 OBERON PLATEAU TOURISM ASSOCIATION

File No: Economic Development/Visitor Information Centre/Oberon Plateau Tourism Association
Author: Alan Cairney, General Manager

Summary

The Mayor, Councillor McMahon and General Manager attended the Christmas Party hosted by the Oberon Plateau Tourism Association (OPTA) on Wednesday 5 December 2012.

Moved: Evans
Second: McCarthy

That delegate's report item 09.01.05 is received as information.

CARRIED 09181212

10 Inwards Correspondence

10.01.01 INWARDS CORRESPONDENCE

File No: Governance/Meetings/Ordinary
Author: Hanna Bates, Admin Trainee

Summary

The report item provides a summary of incoming correspondence for the period 1 November 2012 to 30 November 2012. A copy of correspondence received will be available to be viewed at the Ordinary Council Meeting. If Councillors have any questions regarding correspondence items please address them with the relevant Director.

Moved: McCarthy
Second: Morgan

That report item 10.01.01 is received as information.

Carried 10181212

Clr Doney attended the meeting at 6.05pm.

11 Reports for Information

11.01.01 MONTHLY ACTIVITY REPORT – GENERAL MANAGER

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

Summary

The Report Item summaries the main activity for the General Manager for November 2012 includes Staff Matters, Workplace Health & Safety, Council Committees, Regional Matters and details of planned activity for the next few months.

Moved: Francis
Second: Sajowitz

That report item 11.01.01 is received as information.

CARRIED 11181212

11.01.02 MONTHLY ACTIVITY REPORT - TOURISM SERVICES & VISITOR INFORMATION CENTRE ACTIVITY

File No: Economic Development/Tourism Development
Author: Alan Cairney, General Manager

Summary

The report is a summary of Tourism and Visitor Information Centre activities for November.

Moved: Lord
Second: Doney

That report item 11.01.02 is received as information.

CARRIED 12181212

11.01.03 MONTHLY ACTIVITY REPORT – COMMUNITY SERVICES

File: Governance/Meetings/Ordinary
Authors: Kathy Beesley, Community Liaison Officer & Joanne Barton, Human Resources

Summary

The report is a summary of Community Services activity for November 2012.

Moved: Doney
Second: Gibbons

That report item 11.01.03 is received as information.

CARRIED 13181212

11.01.04 DIVISION OF LOCAL GOVERNMENT COMPARATIVE INFORMATION

2010/2011

File No: Government Relations/Publications/Division of Local Government
Author: Alan Cairney, General Manager

Summary

The report item provides details of the Division of Local Government (DLG) publication of the Comparative Information on NSW Local Government Council for 2010/2011.

Moved: Sajowitz
Second: Francis

That report item 11.01.04 is received as information.

CARRIED 14181212

11.01.05 INDEPENDENT LOCAL GOVERNMENT REVIEW PANEL

File No: Government Relations/Publications/Independent Local Government Review Panel
Author: Alan Cairney, General Manager

Summary

The report item provides details of the Independent Local Government Review Panel discussion paper "Better, Stronger Local Government" which proposes a broad package of measures to strengthen the "strategic capacity" of Councils across NSW.

Moved: Sajowitz
Second: Morgan

That report item 11.01.05 is received as information.

CARRIED 15181212

11.01.06 INDEPENDENT COMMISSION AGAINST CORRUPTION

File No: Government Relations/Advice/Independent Commission Against Corruption (ICAC)
Author: Alan Cairney, General Manager

Summary

The report item provides details of the Independent Commission Against Corruption (ICAC) investigation and published report concerning allegations that employees of numerous local council and other public authorities in NSW accepted secret benefits from suppliers

Moved: Morgan
Second: Evans

That report item 11.01.06 is received as information.

CARRIED 16181212

11.01.07 HUMAN RESOURCES UPDATE

File No: Governance/Meetings/Ordinary

Author: Alan Cairney, General Manager and Joanne Barton, Human Resources Officer

Summary

The report item provides details of a number of key outcomes achieved during the year relating to Human Resource activity and challenges anticipated during 2013.

Moved: Lord
Second: Doney

That report item 11.01.07 is received as information.

CARRIED 17181212

11.01.08 MONTHLY ACTIVITY REPORT – DEVELOPMENT DEPARTMENT

File: Governance/Meetings/Ordinary

Author: Gary Wallace, Director Development Services

Summary

Providing a summary of the major work carried out in the Development Department during November 2012.

Moved: Evans
Second: McCarthy

That report item 11.01.08 be received as information.

CARRIED 18181212

11.01.09 STATE OF THE ENVIRONMENT REPORT

File: Environmental Management/Reporting/Environmental Reporting

Author: Gary Wallace, Director of Development

Summary

As part of the Local Government reporting system Council has an obligation to report annually on the State of the Environment. This report is to inform Council that the State of the Environment for 2011/12 has now been completed and is available to the public.

Moved: Lord
Second: Morgan

That report item 11.01.09 is received as information.

CARRIED 19181212

11.01.10 MONTHLY ACTIVITY REPORT – ENGINEERING DEPARTMENT

File: Governance/Meetings/Ordinary

Author: Aruna Wickramasinghe, Director of Engineering/Ian Tucker, Works Manager

Summary

Providing a summary of the major work carried out in the Engineering Department for the period 01 November 2012 to 30 November 2012.

Moved: McCarthy
Second: Gibbons

That report item 11.01.10 is received as information.

CARRIED 20181212

11.01.11 MONTHLY ACTIVITY REPORT – CORPORATE SERVICES DEPT.

File: Financial Management/Financial Reporting/Periodic Reports

Author: Amanda McGrath, Finance Manager

Summary

Providing details of Rates Collections, Certificates Issues and Training within the Corporate Services Department in November 2012.

Moved: McCarthy
Second: Francis

That report item 11.01.11 is received as information.

CARRIED 21181212

11.01.12 STATEMENT OF BANK BALANCES AND INVESTMENTS

File: Financial Management/Investments/Register

Author: Amanda McGrath, Finance Manager

Summary

The Statement of Bank Balances and Investments as at 30 November 2012 is provided for information.

Moved: Lord
Second: Doney

That report item 11.01.12 is received as information.

CARRIED 22181212

11.01.13 MEDIA

File No: Information Management/Information and Communications/Media Releases
Author: Megan Booth, Receptionist

Summary

The Report Item provides a list of Media Releases issued during November 2012, a list of the dates where the Mayor's column (Council News) has been published and a sample of Media Articles where Council is mentioned.

Moved: McCarthy
Second: Sajowitz

That report item 11.01.13 is received as information.

CARRIED 23181212

11.01.14 STATUS REPORT – ACTIONING COUNCIL DECISIONS

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

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: Francis
Second: Morgan

That report item 11.01.14 is received as information.

CARRIED 24181212

11.01.15 UPCOMING MEETINGS

File No: Governance/Meetings/Ordinary
Author: Hanna Bates, Trainee

Summary

A calendar of upcoming meetings is provided for information.

Moved: Lord
Second: Sajowitz

That report item 11.01.15 is received as information.

CARRIED 25181212

12 Reports for Decision

Note – Report Items 12.01.01 and 12.01.02 dealt with previously

12.01.03 DELEGATION TO COUNCIL OF FUNCTIONS UNDER THE PLUMBING AND DRAINAGE ACT 2011

File: Governance/Meetings/Ordinary
Author: Mark Dicker, Manager Health and Building

Summary

This report seeks Councils support to delegate the responsibility of the Plumbing and Drainage functions to the General Manager, in accordance with the delegation of the Acting Commissioner for Fair Trading.

Moved: Gibbons
Second: Morgan

That Council delegate to the General Manager the functions as indicated in the Instrument of delegation document dated 8 November 2012 in accordance with section 21 of the Plumbing and Drainage Act 2011.

CARRIED 26181212

Councillor Morgan left the room at 7.13pm, during discussion on Item 12.01.04

12.01.04 ENDORSEMENT FOR EXHIBITION - LOCAL ENVIRONMENTAL PLAN

File No: Land Use and Planning/Land Management/Land Use Strategy
Author: Gary Wallace, Director of Development

Summary

At the Special Council Meeting held on 7 August 2012 it was decided to endorse all amendments to the Oberon draft Land Use Strategy (LUS) including the additional information justifying the area relating to the O'Connell Urban Conservation Area (UCA).

Councils draft Standard Instrument Local Environmental Plan (SILEP) has been prepared and tabled with Council for endorsement for exhibition.

Moved: McCarthy
Second: Sajowitz

That Council:

1. Resolves that the Draft Plan is consistent with the adopted draft land use strategies for the Oberon Local Government Area;

2. Approves the Draft Plan as set out in Appendix 1 to this report for the purpose of public exhibition in accordance with the applicable provisions of the Environmental Planning and Assessment Act (EP&A Act);
3. Forwards the Draft Plan to the Director-General of the Department of Planning requesting that a certificate pursuant to Section 65 of the EP&A Act be issued to allow public exhibition of the Draft Plan;
4. In seeking a certificate under Section 65 of the EP&A Act, forwards all relevant supporting documentation indicating the actions taken to fulfil responsibilities under the EP&A Act including, but not limited to notification (Section 54), consultation with government agencies (Section 62), and compliance with the relevant Ministerial Directions (Section 117), Planning Circulars, State Environmental Planning Policies ('SEPPs'), and land use strategies (draft and adopted) by Warrumbungle Shire Council;
5. Seeks the Director-General's opinion that the inconsistencies between the Draft Plan and any Ministerial Directions or Planning Circulars are, for the reasons identified, of minor significance or can be addressed at a later date;
6. Upon receipt of a certificate under Section 65 of the EP&A Act, Council exhibits the Draft Plan for a minimum period of six (6) weeks;
7. Provides the General Manager with the delegation to make minor technical and policy amendments to the adopted Draft Plan arising out of the consultation with the Department of Planning & Infrastructure or as required in a Section 65 Certificate to exhibit the Draft Plan;
8. Requires the Draft Plan be reconsidered by Council in the event that significant policy changes are sought by the Department of Planning & Infrastructure prior to the issue of a Section 65 Certificate;

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

For: Councillors Evans, Francis, Gibbons, Lord, McCarthy, McMahon, Sajowitz
Against: Nil

CARRIED 27181212

Councillor Morgan returned at 7.15pm.

12.01.05 DEVELOPMENT APPLICATION 10.2012.62.1 – RESIDENTIAL GARAGE – VARIATION TO DCP

File: PO34-5

Author: Jaclyn Burns, Senior Development Control Officer

Summary

A Development Application has been received for the demolition of an existing garage and the construction of residential garage in the 2 (v) village zone at Lot 9 DP 707739, 5 King Street, Oberon. The Applicants, Mr J and Mrs M Egberts, have requested a variation to the following clause of the Oberon Development Control Plan 2001 (DCP);

C.6.4 – Carports and Garages

The DCP states that the maximum total floor area of garages and or carports is to be 60m². The garage proposed is approximately 96m².

Moved: McCarthy

Second: Lord

That subject to Council receiving no submissions from the neighbour notification process;

That delegation be granted to the Director of Development to vary Part C.6.4 “*Carports and Garages*” of the Development Control Plan 2001 to allow the construction of a new residential garage approximately 96m² at Lot 9 DP 707739, 5 King Street, Oberon.

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

For: Councillors Evans, Francis, Gibbons, Lord, McCarthy, McMahon, Sajowitz

Against: Nil

CARRIED 28181212

12.01.06 RURAL FIRE SERVICE (RFS) – SERVICE AGREEMENT

File No: Emergency Services/Meetings/NSW Rural Fire Service

Author: Ian Tucker, Works Manager

Summary

This report outlines the options when the RFS requests Council to provide its equipment to assist with fire fighting, outside the service agreement.

The following Motion was Moved and Seconded

Moved: Sajowitz

Second: Gibbons

That Council write to the RFS objecting to its refusal to pay Council's invoice for the hire of its water cart, and advising that Council may decline to provide such equipment in future unless suitable payment arrangements are made.

The following Amendment was Moved and Seconded

Amendment Moved: McCarthy
Second: Lord

That Council liaise with Tom Shirt (RFS Team Manager) to ascertain if money can be recovered from the insurance company in relation to the fire at Native Dog, that Council staff investigate how past cases were handled when Section 44 declarations were not made and a report be tabled at the next Works Committee Meeting.

The Amendment was Put and Carried

The Amendment then became the Motion, and when Put to the Vote was Carried

CARRIED 29181212

12.01.07 MEMORANDUM OF UNDERSTANDING (MOU) – OBERON CORRECTIONAL CENTRE

File No: Legal Services/Agreements
Author: Alan Cairney, General Manager

Summary

A revised Memorandum of Understanding (MOU) between Oberon Council and the Oberon Correctional Centre has been received.

Moved: Evans
Second: Gibbons

That Council endorse the agreement in principle with the Oberon Correctional Centre as detailed in the Memorandum of Understanding.

CARRIED 30181212

12.01.08 JENOLAN CAVES – MANAGEMENT

File No: Economic Development/Tourism Development
Author: Alan Cairney, General Manager

Summary

The Administrator for Jenolan Caves and Project Director, Department of Premier and Cabinet met with the Mayor, Councillor McMahon and General Manager to the future management of the Jenolan Commercial Precinct.

Moved: Doney
Second: Gibbons

That Council confirm a commitment to participate in discussions relating to the future management of the Jenolan Caves Commercial Precinct.

CARRIED 31181212

12.01.09 REPLACEMENT OF GRADER

File No: Plant Equipment and Stores/Acquisition/Plant Replacement
Author: Alan Cairney, General Manager

Summary

Due to the finalisation of an Insurance Claim funds have been received for recovery of a Grader which had been damaged by fire at a works site on Dog Rocks Road.

Moved: McCarthy
Second: Lord

That Council allocate funds from its existing Plant Replacement Reserves to enable the purchase of a new Grader and that the Director of Engineering Services provides a further report on adjustments required to the Plant Replacement Reserves.

CARRIED 32181212

13 Committee Reports

13.01.01 LOCAL EMERGENCY MANAGEMENT COMMITTEE

File: Governance/Meetings/LEMC
Author: Hanna Bates, Administration Trainee

Summary

Minutes of the Local Emergency Management Committee Meeting held on 8 November 2012 is submitted for Council's information.

Moved: Francis
Second: Evans

That the Minutes of the Local Emergency Management Committee held on the 8 November 2012 be received for information.

CARRIED 33181212

13.01.02 HERITAGE COMMITTEE

File No: Governance/Meetings/Heritage Committee
Author: Janet Bailey, Development Control Administration Officer

Summary

Minutes of the Heritage Committee meeting held on 26 November 2012 are submitted for Councils information and consideration.

Heritage Committee Recommendations:

1. That the Minutes of the Heritage Committee held on 26 November 2012 be received as information.
2. That Council adopt the following recommendations from the Committee:
 - A) Council Officers attempt to contact the owners of the “Chimney” to gauge their views to list the ‘Chimney” as a heritage item ;
 - B) Council issue a Interim Conservation Order on the Lloyds Copper Mine Existing Big Stack to allow time for further assessment of this item as a potential Heritage item;
 - C) The following items be added to the list of Heritage properties currently being added to the new Local Environmental Plan;
 - a. The O’Connell Anzac Avenue of trees.
 - b. The Old buildings at the Oberon Show ground.
 - D) The following property owners be contacted to see if they are interested in listing their properties as a heritage item in the new Local Environmental Plan.
 - a) “Bloom Hill “ - rammed earth cottage
 - b) “Essington Park” homestead
 - c) “The Retreat” off Abercrombie Road
 - d) Ross White (Original Homestead)
 - e) Mary Vale”- Hubert McKinnon’s old house
 - f) Stratford”- McKibbin
 - g) Imperial Stores in Oberon
 - h) Aunty Olive’s Place in Ross Street, Oberon
 - i) Ken Robinson’s House and Barn in Oberon Street
 - j) Inver’s place in Jenolan Street, Oberon
 - k) Helen Freeth’s House in Whittaker’s Lane and the house owned by her brother next door
 - E) The Heritage Committee requests Council to proceed with providing funds for the three (3) Interpretative signs at O’Connell, Burruga and Black Springs

Moved: Doney
Second: Francis

That Recommendations item 1 and 2 A) be adopted and that item 2 B) be deferred until the February Ordinary Meeting 2013.

CARRIED 34181212

Moved: Doney
Second: Sajowitz

That Recommendation item 2 C) be adopted.

CARRIED 35181212

Moved: Doney
Second: McMahon

That recommendation item 2 D) be adopted and actioned in any future amendment instead of in the new LEP.

CARRIED 36181212

Moved: Doney
Second: Evans

That recommendation item 2 E) be adopted.

CARRIED 37181212

13.01.03 SENIORS WELFARE COMMITTEE

File: Governance/Meetings/Seniors Welfare Committee
Author: Hanna Bates, Administration Trainee

Summary

Minutes of the Seniors Welfare Committee Meeting held on 3 December 2012 is submitted for Council's information and consideration.

Moved: Lord
Second: Morgan

That the Minutes of the Seniors Welfare Committee Meeting held on 3 December 2012 be received as information and;

That Council invite Columbia Homes to attend the December or February Council Meeting to make a presentation and to discuss their current proposals.

CARRIED 38181212

14 New Business of an Urgent Nature Admitted by Council

Councillor Doney raised the issue of a large limb that has fallen from a tree in O'Connell Avenue after a fast travelling vehicle collided with the tree.

Councillor McCarthy advised Council that a tree in O'Connell Avenue (near the headstone) has become dislodged and also asked that Council consider utilising Council staff before engaging consultants on projects.

15 Closed Session 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.

15.01.01 CARAVAN PARK SITE – ALBION STREET, OBERON

File No: Economic Development
Author: Alan Cairney, General Manager

This item is CONFIDENTIAL under Section 10A(2)(c) & (d) of the *Local Government Act 1993*.

15.01.02 TASMAN ESTATE – EXPRESSION OF INTEREST

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

This item is CONFIDENTIAL under Section 10A(2)(c) & (d) of the *Local Government Act 1993*.

Moved: McMahan
Second: Gibbons

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 39181212

Council moved into a Closed Session at 7.59pm, the members of the public present left the Council Chambers.

15.01.01 CARAVAN PARK SITE – ALBION STREET, OBERON

File No: Economic Development
Author: Alan Cairney, General Manager

Moved: Doney
Second: Gibbons

That Council authorise the General Manager to liaise with the property owner or broker and determine options for Council to acquire the property including further information on current operations, future use options and to also contact others in relation to options for managing the existing facility.

CARRIED 40181212

15.01.02 TASMAN ESTATE – EXPRESSION OF INTEREST

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

Moved: McMahon
Second: Gibbons

That Council agreed to a call option on each lot, for a period of 90 days, subject to a reduction on the asking price on each lot as outlined in the report item.

CARRIED 41181212

Open Council Resumed at 8.16pm.

The Mayor advised that Resolutions **40181212** and **41181212** were made by Council while the meeting was closed to the public. There were no members of the public present.

16 Closure of Meeting

The next Ordinary Meeting of Oberon Council will be held on 19 February 2012 commencing at 5.30pm in the Oberon Council Chambers, 137 – 139 Oberon Street, Oberon.

The Meeting Closed at 8.18pm

Confirmed this _____ day of _____ 2012.

General Manager

Mayor

General Manager

Mayor