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## CONFIRMED MINUTES

Oberon Council Ordinary Meeting  
Tuesday 18 February 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.

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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 Rev. Dan Henby.

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## 4. RECORD OF ATTENDANCE

Members      Mayor John McMahon (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  
                  Aruna Wickramasinghe, Works and Engineering Director  
                  Lynette Safranek, Finance and Community Services Director  
                  Sharon Swannell, Executive Coordinator

Apologies     Deputy Mayor Kerry Gibbons

Moved:        Francis  
Second:       Sajowitz

That apologies be received and accepted for the non-attendance of Deputy Mayor, Councillor Kerry Gibbons.

Carried 01 180214

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## 5. DECLARATIONS OF INTEREST

File No: Governance/Councillors/Declarations of Interest

Pecuniary - Nil

Non-Pecuniary - Nil  
Significant

Non-Pecuniary - Nil  
Less than  
Significant

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## 6. GENERAL AND CIVIC PRESENTATIONS

Nil

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## 7. COMMUNITY PRESENTATIONS AND QUESTIONS

Veronika Cvitanovic provided a presentation to Council opposing fluoridation. Veronika circulated documents to Councillors regarding the affects of fluoride and strongly urged Council to consider both sides of the fluoride debate before introducing fluoridation to the Oberon Water Supply.

Phillip Haynes provided a presentation to Council opposing fluoridation. Phillip circulated documents to Councillors regarding the ongoing cost of fluoridation. Phillip posed a number of questions to Council in relation to the percentage of the Oberon population that would receive fluoridated water.

The Mayor invited both Veronika Cvitanovic and Phillip Haynes to again contact the General Manager to finalise arrangements for them to make a presentation at the Public Information Session being held on 12 March 2014.

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## 8. CONFIRMATION OF MINUTES

### **Ordinary Meeting 17 December 2013**

Moved: Morgan  
Second: Lord

That the Minutes of the Ordinary Meeting held on 17 December 2013 be confirmed.

Carried 02 180214

### **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 summaries 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 180214

## 10. NOTICES OF MOTIONS

### 10.01 HUNTING IN STATE FORESTS

File No: Land Use and Planning/Land Management/Forestry  
Author: Mayor John McMahon

#### Summary

The Department of Primary Industries has announced that hunters are now allowed back into Oberon State Forests following a six month suspension when a risk assessment was undertaken.

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Moved: McMahon  
Second: Evans

That a representative from the newly formed Game Licencing Unit be invited to address Council in relation to the new rules for Hunting in State Forests

That Council express its disappointment in the lack of consultation with Council and affected landholders during the risk assessment process undertaken by the State Government.

Carried 04 180214

Clr McCarthy & Clr Lord requested their vote be recorded against the motion.

## 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 (OPTA) held their first meeting of the year on Monday 10 February 2014. The minutes of the meeting were not available at the time of preparing this report.

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Moved: McCarthy  
Second: Doney

That report item 11.01 is received as information.

Carried 05 180214

### 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 are delegates to the Upper Macquarie County Council.

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Moved: Francis  
Second: Morgan

That delegate report item 11.02 is received as information.

Carried 06 180214

### 11.03 BLUE MOUNTAINS LITHGOW OBERON TOURISM (BMLOT)

File No: Economic Development/Regional Tourism/Blue Mountains, Lithgow and Oberon Tourism  
Author: Alan Cairney, General Manager

#### Summary

The General Manager is a Board Member of BMLOT and attended Board Meetings held on 15 August, 21 November 2013 and 16 January 2014. Copies of the Minutes of these meetings were only recently received along with an Agenda for the next Board Meeting on 20 February 2014.

Moved: Sajowitz  
Second: Lord

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

Carried 07 180214

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## 12. COMMITTEE REPORTS

### 12.01 OBERON SPORTS FACILITIES COMMITTEE

File: Governance/Meetings/Oberon Sports Facilities Committee  
Author: Matilda Dwyer, Engineering Administration Assistant

#### Summary

Minutes of the Oberon Sports Facilities Committee held on 29 January is submitted for Council's information and consideration.

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Moved: McCarthy  
Second: Sajowitz

That the Minutes of the Oberon Sports Facilities Committee held on 29 January be received as information, and

That Council approach the Oberon Rugby League Club and request to have a Council representative appointed to the League's Club Board.

Carried 08 180214

### 12.02 COMMUNITY SERVICES COMMITTEE

File: Governance/Meetings/Community Services Committee  
Author: Hanna Bates, Administration Assistant

#### Summary

Minutes of the Community Services Committee held on 30 January 2014 is submitted for Council's information and consideration.

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Moved: Evans  
Second: Sajowitz

That the Minutes of the Community Services Committee held on 30 January 2014 be received as information.

Carried 09 180214



**12.03 SENIOR WELFARE COMMITTEE**

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

**Summary**

Minutes of the Seniors Welfare Committee held on 3 February 2014 is submitted for Council's information and consideration.

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Moved: Morgan  
Second: Sajowitz

That the Minutes of the Seniors Welfare Committee held on 3 February 2014 be received as information.

Carried 10 180214

**12.04 HERITAGE COMMITTEE**

File: Governance/Meetings/Heritage Committee  
Author: Gary Wallace, Planning & Development Director

**Summary**

Minutes of the Heritage Committee held on 3 February 2014 submitted for Council's information and consideration.

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Moved: Lord  
Second: Francis

That the Minutes of the Heritage Committee held on 3 February 2014 received as information.

Carried 11 180214

Councillor McCarthy requested that an item discussed at the Heritage Committee on 3 February 2014 be referred to Closed Council. The matter is considered to be confidential as it contains information that if disclosed may confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

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**13. REPORTS FOR INFORMATION**

**13.01 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 during December and January including Human Resources and Workplace Health & Safety, Executive Support matters, Community Activity, Regional issues, Grant Applications and details of planned activity for the coming months.

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General Manager

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Mayor

### **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 December and January.

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

File: Governance/Meetings/Ordinary  
Author: Aruna Wickramasinghe, Works and Engineering Director; Clive Cawthorne, Relief Works Engineer

#### **Summary**

Providing a summary of the major work carried out in the Works and Engineering Department for December 2013 and January 2014.

### **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 December 2013 and January 2014.

### **13.05 TENDER T2013/4 – PURCHASE OF DOZER**

File No: Plant Equipment and Stores/Acquisition/Purchase  
Author: Clive Cawthorne, Acting Works Engineer

#### **Summary**

Advising of the decision to purchase a D7R Caterpillar Dozer at a cost of \$294,500 + GST.

### **13.06 STATE WATER CORPORATION**

File No: Water Supply/Service Providers/Fish River Water Supply  
Author: Aruna Wickramasinghe, Works and Engineering Director

#### **Summary**

The report is a summary of the State Water Corporation, Fish River Water Supply Customer Council (FRWSCC) Meeting held on 10 December 2013.

### **13.07 STATEMENT OF INVESTMENTS**

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

#### **Summary**

Reporting the Statement of Investments as at 31 January 2014.

### **13.08 COMPANION ANIMALS TASKFORCE**

File No: Laws and Enforcement\19.01 Companion Animals & Stock Control Procedures\Dog Control  
Author: Gary Wallace, Planning & Development Director

#### **Summary**

The NSW Government has released a response to the Companion Animals Taskforce. The Government recognises that owning a cat or dog comes with important responsibilities and attempts to deliver sensible initiatives to benefit the NSW Community as a whole.

### **13.09 AUSTRALIA DAY CELEBRATIONS**

File No: Community Relations/Awards  
Author: Sharon Swannell, Executive Coordinator

#### **Summary**

Australia Day celebrations were held on 26 January 2014 at the Oberon Showground.

### **13.10 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 December to 31 January 2014. A copy of correspondence received will be available to be viewed at the Ordinary Council Meeting.

### **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.

**13.12 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 December 2013 and January 2014, 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.

**13.13 UPCOMING MEETINGS**

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

**Summary**

A calendar of upcoming meetings is provided for information.

Moved: McCarthy  
Second: Doney

That report item 13.01 to 13.13 be received as information.

Carried 12 1802014

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## 14. REPORTS FOR DECISION

**14.01 DROUGHT BRIEFING**

File No: Financial Management/Financial Reporting/  
Author: Lynette Safranek, Finance and Community Services Director

**Summary**

Providing a summary of current conditions in the Oberon LGA.

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Moved: Evans  
Second: Lord

That:

- (a) Oberon Council writes to the member for Bathurst, Mr Paul Toole, and Primary Industries Minister, Katrina Hodgkinson, requesting that the Regional Assistance Advisory Committee visit Oberon to assess the deteriorating situation at hand;
- (b) Approve the distribution of Council's raw water to farmers for stock only, within the Oberon Local Government area, at a reduced rate of \$0.40 cents per kilolitre for a period of 6 months subject to appropriate arrangements being made with State Water; and

- (c) Approve the distribution of Council's drinking water to Oberon Council residents who do not have reticulated water, at a reduced rate of \$2.50 per kilolitre for a period of 6 months.

Carried 13 180214

#### **14.02 QUARTERLY BUDGET REVIEW STATEMENT – OCT TO DEC 2013**

File No: Financial Management/Financial Reporting/Quarterly Budget Review

Author: Lynette Safranek, Finance & Community Services Director; David Mead, Finance Coordinator

##### **Summary**

The Quarterly Budget Review Statement (QBRS) for the second quarter to 31 December 2013 has been distributed as a separate document.

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Moved: Doney  
Second: Francis

That the Quarterly Budget Review Statements for the period ending 31 December 2013 be received and noted, and the revised budgeted income and expenditure items be amended.

Carried 14 180214

#### **14.03 PROPERTY UPDATE**

File No: Council Properties/Land Development and Sales

Author: Alan Cairney, General Manager

##### **Summary**

The Executive Management Team (EMT) comprising the General Manager and the three Departmental Directors held a Project Meeting to review the status of Council's residential land and industrial land developments and also car parking arrangements adjacent to the Community Precinct area, which includes the Oberon Library and Robert (Bob) Hooper Community Centre.

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Moved: Morgan  
Second: McMahon

That Council note the report item and the proposal to create additional Residential and Industrial land available for sale;

A further report be submitted recommending price ranges for the sale of Residential and Industrial Land.

Carried 15 180214

#### **14.04 COMMUNITY STRATEGIC PLAN 2014**

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

##### **Summary**

A series of Workshops with Councillors and key staff is planned to prepare the Oberon Community Strategic Plan 2014 (CSP), and the Delivery Program and Operational Plans.

During the Community Consultation Information Sessions will be held at Black Springs, Burruga, Oberon, and O'Connell and will include specific details of the proposed Delivery Program and Operational Plans, including the Resourcing Strategy, Long Term Financial Plan LTFFP), Workforce Management Plan (WMP) and Asset Management Plan (AMP).

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Moved: Sajowitz  
Second: Evans

That Councillors note the requirement to participate in the Workshops to prepare the Oberon Community Strategic Plan 2014 with the Mayor and General Manager to make arrangements to hold Community Information Sessions.

Carried 16 180214

#### **14.05 REVITALISING LOCAL TOURISM & ECONOMIC DEVELOPMENT**

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

##### **Summary**

It is proposed to hold a series of workshops with local businesses and tourism operators to coordinate changes to the delivery of tourism services and economic development activities.

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Moved: Lord  
Second: Doney

In conjunction with the development of the Community Strategic Plan 2014 a Section 355 (Advisory) Committee be established to progress tourism opportunities and economic development initiatives;

A series of workshops (TEAM OBERON) be held with relevant stakeholders, including representatives of the Oberon Plateau Tourism Association (OPTA) and Oberon Business Association (OBA) with a purpose of reviewing Oberon Council's Strategic Outcomes and Actions within the Oberon Community Strategic Plan 2013;

That Oberon Council continues to maintain effective relationships with the Oberon Timber Complex and other relevant stakeholders to further progress economic development initiatives.

Carried 17 180214

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**14.06 DIVISION OF LOCAL GOVERNMENT – MINISTERIAL MEDIA RELEASES, INDEPENDENT LOCAL GOVERNMENT REVIEW PANEL and LOCAL GOVERNMENT ACTS TASKFORCE**

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

**Summary**

On 8 January 2014 the Minister for Local Government, Don Page MP issued a Media Release advising that the Final Reports from the Independent Local Government review Panel and the Local Government Acts Taskforce had been released.

The Chief Executive of the Division of Local Government issued a Circular to Councils advising of the opportunity for Councils to comment on the Final Reports by Friday 4 April 2014.

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Moved: Evans  
Second: McMahon

1. That Oberon Council confirm its previous position to reaffirm our opposition to forced amalgamations and to suggest boundary adjustments to include in the Oberon Local Government Area (LGA) those parts of Bathurst Regional Council and Lithgow City Council, which can be better serviced by Oberon Council and therefore provide further economies of scale to improve the sustainability of all three LGA's;
2. That Oberon Council's preference is to remain as a standalone Council in its own right, and does not consider the option of a merger with Bathurst Regional Council to be in the best interests of the local community within the existing Oberon LGA and that the proposed two additional types of local government bodies of a "Community Board" and "Rural Council" do not appear appropriate for the existing Oberon LGA;
3. That discussions continue with Bathurst and Lithgow Council's regarding boundary changes and those Council's be requested to facilitate effective consultation with the communities of Rockley, Tarana and Hampton with the purpose of determining if those communities are receptive of receiving local government services through Oberon Council;
4. That the Mayor and General Manager arrange a formal submission on the Final Reports released by the Minister for Local Government, subject to arranging opportunities for input from other Elected Councillors of Oberon Council through Informal Briefing Sessions and Workshops;
5. The Oberon Council delegates to the Upper Macquarie County Council (UMCC), which is responsible for weeds management for the LGA's of Bathurst, Blayney, Lithgow and Oberon, communicate to the Informal Briefing Sessions and Workshops their views on the options for the future management of weeds including the proposal that UMCC becomes a subsidiary of a proposed Joint Organisation.

Carried 18 180214

## 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.

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.

**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.



## 16.01 HERITAGE COMMITTEE

File No: Governance/Meetings/Heritage Committee

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

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Moved: McCarthy  
Second: Doney

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 19 180214

*Council moved into a Closed Session at 7.41pm, members of the public present left the meeting at this time.*

*Open Council resumed at 7.53pm.*

The Mayor advised that there were no resolutions 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 7.54pm.

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

TUESDAY 18 MARCH 2014  
commencing at 5.30pm  
in the Oberon Council Chambers  
137 – 139 Oberon Street, Oberon.