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*Confirmed Minutes
Oberon Council Ordinary Meeting
Tuesday 16 July 2013
5.30pm Council Chambers*

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General Manager

Mayor

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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 Pastor Andy Godden.

03 Record of Attendance

File No: Governance/Meetings/Ordinary

Members Mayor John McMahon (in the Chair)
 Deputy Mayor Kerry Gibbons
 Clr Ian Doney
 Clr Jill Evans
 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
 Sharon Swannell, Executive Coordinator

Apologies Clr Neil Francis

Moved: McCarthy
Second: Morgan

That apologies be received and accepted for the non-attendance of Councillor Neil Francis.

Carried 01160713

04 Declarations of Interest

Governance/Councillors/Declarations of Interest

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

05 Presentations

Nil

06 Questions from the Public

Nil

07 Confirmation of Minutes of Previous Meeting(s)

ORDINARY MEETING 18 JUNE 2013

Moved: Evans
Second: Sajowitz

That the Minutes of the Ordinary Meeting held on 18 June 2013 be taken as read and confirmed.

Carried 02160713

Matters Arising from the Minutes

Nil

SPECIAL MEETING 27 JUNE 2013

Moved: Morgan
Second: Evans

That the Minutes of the Special Meeting held on 27 June 2013 be taken as read and confirmed.

Carried 03160713

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Matters Arising from the Minutes

Nil

08 Mayoral Minute and Report

08.01 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 my last report.

Moved: Gibbons
Second: Lord

That Report Item 08.01 is received as information.

Carried 04160713

09 Councillor/Delegates Reports

09.01 OBERON PLATEAU TOURISM ASSOCIATION

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

Summary

The Mayor, Councillor John McMahon and General Manager attended the Association Meeting held on 17 June 2013.

Moved: Lord
Second: Doney

That delegate's report item 09.01 is received as information.

Carried 05160713

09.02 BLUE MOUNTAINS LITHGOW OBERON TOURISM

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

Summary

The General Manager attended a Blue Mountains Lithgow Oberon Tourism (BMLOT) Board Meeting held in Katoomba on 20 June 2013.

Moved: Morgan
Second: Lord

That delegate's report item 09.02 is received as information.

Carried 06160713

09.03 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 attended the meeting held on 25 June 2013.

Moved: Gibbons
Second: Doney

That delegate's report item 09.03 is received as information.

Carried 07160713

09.04 UPPER MACQUARIE COUNTY COUNCIL MEETING

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

Summary

Councillor Francis and I attended the meeting of the Upper Macquarie County Council held on Friday 21 June 2013.

Moved: McCarthy
Second: Lord

That delegate report item 09.01 is received as information.

Carried 08160713

10 Inwards Correspondence

10.01 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 June 2013 to 30 June 2013. 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: Doney

That Report Item 10.01 is received as information.

Carried 09160713

11 Reports for Information

11.01 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 June 2013 including Human Resources and Workplace Health & Safety, Executive Support matters, Community Activity, Regional Matters and details of planned activity for the coming months.

Moved: McCarthy
Second: Evans

That report item 11.01 is received as information.

Carried 10160713

11.02 150th ANNIVERSARY CELEBRATIONS

File: Governance/Meetings/Ordinary
Author: Alan Cairney, General Manager

Summary

Providing details of activities held during the Sesquicentenary celebrations including participation in official celebrations by the Governor of NSW, Her Excellency, Marie Bashir.

The Mayor advised that Bathurst Regional Council have provided a framed certificate and gift to mark the Sesquicentenary Celebrations.

Moved: Sajowitz
Second: Gibbons

That report item 11.02 is received as information.

Carried 11160713

It was noted that a letter of thanks will be sent to Bathurst Regional Council Mayor, Monica Morse.

11.03 MONTHLY ACTIVITY REPORT – PLANNING AND DEVELOPMENT

File: Governance/Meetings/Ordinary
Author: Gary Wallace

Summary

Providing details of major work within the Planning and Development Department for June.

Moved: Doney
Second: Lord

That report item 11.03 is received as information.

Carried 12160713

11.04 LOCAL LAND SERVICES UPDATE

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

Summary

Advising of updates on the Local Land Services (LLS) by the Minister of Primary Industries and Minister for Small Business.

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Moved: Doney
Second: Lord

That Report Item 11.04 relating is received as information.

Carried 13160713

11.05 MONTHLY ACTIVITY REPORT – WORKS AND ENGINEERING

File: Governance/Meetings/Ordinary
Author: Aruna Wickramasinghe, Works & Engineering Director and Clive Cawthorne relieving Works Engineer.

Summary

Providing details of major work in the Works and Engineering Department during June.

Moved: McCarthy
Second: Morgan

That report item 11.05 is received as information.

Carried 14160713

11.06 STATEMENT OF BANK BALANCES AND INVESTMENTS

File: Financial Management/Investments/Register
Author: Timothy Booth, Management Accountant

Summary

Reporting to Council the Statement of Bank Balances and Investments as at 30 June 2013.

Moved: McCarthy
Second: Doney

That report item 11.06 is received as information.

Carried 15160713

11.07 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.

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Moved: Evans
Second: Gibbons

That report item 11.07 is received as information.

Carried 16160713

11.08 UPCOMING MEETINGS

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

Summary

A calendar of upcoming meetings is provided for information.

Moved: Gibbons
Second: Lord

That report item 11.08 is received as information.

Carried 17160713

11.09 MEDIA

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

Summary

The Report Item provides a list of Media Releases issued during June 2013, 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: Gibbons
Second: Sajowitz

That report item 11.09 is received as information.

Carried 18160713

12 Reports for Decision

12.01 JENOLAN PRECINCT

File: Economic Development
Author: Alan Cairney, General Manager

Summary

Expressions of Interest (EOI) are open for management of the 50 hectare Visitor Use and Services Zone known as the Jenolan Precinct located within the 2,422 hectare Jenolan Karst Conservation Reserve. The closing date for lodgement of an EOI is 26 July 2013.

Moved: Evans
Second: Doney

That the Mayor and General Manager on behalf of Oberon Council submit an Expression of Interest for management of the Jenolan Precinct.

Carried 19160713

It was noted that the Mayor used his casting vote.

12.02 DEVELOPMENT APPLICATION 10.2013.20.1 SEPP NO.1 OBJECTION

File No: PO58-5-7
Author: Mark Dicker, Health and Building Manager

Summary

An application has been submitted under State Environmental Planning Policy No. 1 (SEPP No. 1) for the subdivision of land being described as Lot 2 Section 5 DP 758805 being known as 5-7 Tasman Street, Oberon. The application seeks to create 2 allotments from the one existing allotment that currently houses a dual occupancy previously approved under DA 22/03.

Moved: McCarthy
Second: Gibbons

That Council approve Development Application 10.2013.7.1 for the subdivision of land and support the associated State Environmental Planning Policy (SEPP) No. 1 in accordance with the following conditions:

1. The development is to be carried out in accordance with the approved stamped plans prepared by Tablelands & Buttsworth Surveyors, dated 20 June 2013, except as otherwise provided by the conditions of this determination (Note: - modifications to the approved plans will require the lodgment and consideration by Council of a modification pursuant to Section 96 of the Environmental Planning and Assessment Act).
2. The premises are to be maintained in a clean and tidy condition at all times.

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General Manager

Mayor

3. Access and egress is to comply with the access plan submitted as part of the application.
4. The applicant shall comply with all reasonable requests by Council officers in relation to any complaints received during works.
5. The development is to be conducted in a manner that will not interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil, by causing interference to television or radio reception or otherwise.
6. The applicant shall provide, to the satisfaction of Council, evidence that adequate electricity supply is available to each lot in the development. This requires the submission of a certificate from Country Energy, or another energy provider, stating that underground supply is available to each lot in the development, or that arrangements have been made with Country Energy, or another energy provider, that underground supply is available and connected to each lot in the development in accordance with Country Energy Capital Contributions Guidelines. Certification of supply or suitable arrangements is to be provided to the satisfaction of Council prior to or with the application for the certification by Council of the subdivision or any stage thereof. Where underground services are to be provided, no poles except in accordance with the energy provider's regulations and requirements are to be provided.

If Council or the energy provider requires the provision of street lighting, similar certification as to availability and or suitable arrangements in accordance with the energy providers regulations and requirements needs to be provided to the satisfaction of Council prior to or with the application for the certification by Council of the subdivision or any stage thereof. Should alternative energy supplies be considered, then, relevant support information as to suitability and efficiency will be required.

7. The applicant providing to the satisfaction of Council, evidence that adequate communication services are available to each lot in the subdivision. This requires the submission of a certificate from Telstra, or another service provider, stating that either suitable supply is available to each lot in the development, or that arrangements have been made with Telstra, or another service provider, for such suitable supply to be provided to each lot in the development. Certification of supply or suitable arrangements is to be provided to the satisfaction of Council prior to or with the application for the certification by Council of the subdivision or any stage thereof. Should alternative service supplies be considered, then, relevant support information as to suitability and efficiency will be required.
8. The applicant providing to the satisfaction of Council, evidence that adequate gas services are available to each lot in the subdivision. This requires the submission of a certificate from an appropriate gas authority indicating that either suitable supply is available to each lot in the development, or that arrangements have been made with the gas authority for supply to be provided to each lot in the development. Certification of supply or suitable arrangements is to be provided to the satisfaction of Council prior to or with the application for the certification by Council of the subdivision or any stage thereof. Should alternative service supplies be considered, then, relevant support information as to suitability and efficiency will be required.
9. Each allotment shall be provided and connected with a separate sewer connection point and town water connection point located wholly within the allotment boundaries.

10. A Subdivision Certificate Application is to be lodged with Council together with six (6) copies of the Subdivision Plan. Relevant fees associated with the lodgement of this application are to be paid to Council in accordance with Council's Fees and Charges with the Subdivision Certificate being released upon completion of all conditions of consent associated with this consent.

11. A survey of the boundary will be required to be submitted to Council indicating that all existing development is within the boundaries of the current allotment. Council will be required to be furnished with this plan prior to the issue of a subdivision certificate.

Carried 20160713

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, Gibbons, Morgan, Sajowitz, McCarthy, Lord, Doney and Evans

Against: Nil

12.03 INVESTMENT POLICY

File No: Governance/Policies

Author: David Mead, Finance Coordinator

Summary

This report provides a summary of the "Review of NSW Local Government Investments" as detailed in the Division of Local Government (DLG) April 2013 document, and a review of Councils Investment Policy 2211.

Moved: Doney

Second: McCarthy

That Council's Investment Policy 2211 be amended as follows:

- All Term Deposit investments to be made with authorised deposit taking institutions (ADI) covered under the Australian Government Guarantee.

Carried 21160713

Moved: Morgan

Second: Doney

That Council's Investment Policy 2211 be amended as follows:

- To be removed. "The maximum amount that can be invested in any non ADI issued security shall not exceed the amount of \$1.0M." and
- Investments with non rated Building Societies and Credit Unions are restricted to a maximum of \$500,000, and \$1,000,000 with ratings A and above.

Carried 22160713

13 Committee Reports

13.01 COMMUNITY SERVICES COMMITTEE

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

Summary

Minutes of the Community Services Committee held on 27 June 2013 is submitted for Council's information and consideration.

Moved: Evans
Second: Morgan

That the Minutes of the Community Services Committee held on 27 June 2013 is received as information.

Carried 23160713

13.02 SENIORS WELFARE COMMITTEE

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

Summary

Minutes of the Seniors Welfare Committee held on 1 July 2013 is submitted for Council's information and consideration.

Moved: Morgan
Second: Evans

That the Minutes of the Seniors Welfare Committee held on 1 July 2013 be received as information.

Carried 24160713

13.03 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 3 July is submitted for Council's information and consideration.

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Moved: Gibbons
Second: Lord

That the Minutes of the Oberon Sports Facilities Committee held on 3 July be received as information.

Carried 25160713

13.04 WORKS COMMITTEE MEETING – 2 JULY 2013

File: Governance/Meetings/Works Committee
Author: Sharon Swannell, Executive Assistant

Summary

Providing details of the Works Committee meeting held on 2 July 2013.

Moved: Evans
Second: Morgan

1. That the information be received and noted.
2. That Council notes the listed projects and scheduled timing on the Construction Program for 2013/14.
3. That Council introduce a Kerbside Collection Day for the removal of large items from all residents in Oberon who currently pay for waste collection and further consultation be undertaken in the Villages of Burruga and Black Springs for options to collect large items in the Village areas.

Carried 26160713

14 New Business of an Urgent Nature Admitted by Council

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.

Nil

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.

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

16 Closure of Meeting

The next Ordinary Meeting of Oberon Council will be held on Tuesday 20 August 2013 commencing at 5.30pm in the Oberon Council Chambers, 137 – 139 Oberon Street, Oberon.

The Meeting closed at 7.37pm.

Confirmed this _____ day of _____ 2013.

General Manager

Mayor

General Manager

Mayor