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CONFIRMED MINUTES

Oberon Council Ordinary Meeting
Tuesday 15 July 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 Councillor Doney.

4. RECORD OF ATTENDANCE

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

Apologies Aruna Wickramasinghe, Works and Engineering Director

5. DECLARATIONS OF INTEREST

File No: Governance/Councillors/Declarations of Interest

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

6. GENERAL AND CIVIC PRESENTATIONS

Nil

7. COMMUNITY PRESENTATIONS AND QUESTIONS

Janet Artery representing the Oberon Show Society put forward a request that Council assist with levelling out some areas at the Oberon Showground. Janet also advised that:

- The Oberon Showground trust nominations will be open at the end of July.
- A Crown Land Legislation White Paper has been released which relates to the use of the Showground Trust land. The Oberon Show Society has put in a submission to the White Paper.
- The Oberon Show Society are seeking additional support for the Oberon Show. This is the longest running community event in Oberon.
- The Oberon Show Society are putting together a DVD or Book of old photo's and memorabilia and request any old documents that people may have be put forward to assist with this. They also request access the Alan Brown collection to review old show records.

The Mayor advised that Council staff will inspect the grounds with one of the Committee members.

Veronika Cvitanovic asked what the process is for dealing with public submissions for the Draft Oberon Community Strategic Plan.

Alan Cairney responded that Council has adopted the Draft 2014 Oberon Community Strategic Plan and all submissions were referred to Council for their consideration.

Veronika Cvitanovic asked is all of the footpaths in the town is being replaced with Asphalt and can anything be done to change that?

Alan Cairney advised that the replacement of paving in the main street is a Town Improvement project and some work has been completed.

Veronika Cvitanovic advised she finds it disappointing as aesthetically it will detract from the appearance of the main street.

8. CONFIRMATION OF MINUTES

Ordinary Meeting 17 June 2014

Moved: Doney
Second: Francis

That the Minutes of the Ordinary Meeting held on 17 June 2014 be confirmed.

Carried 01 150714

Page 4 of the Minutes of the Ordinary Meeting of Oberon Council held on Tuesday, 15 July 2014.

Matters Arising from the Minutes

Nil

Extraordinary Meeting 26 June 2014

Moved: Lord
Second: Francis

That the Minutes of the Extraordinary Meeting held on 26 June 2014 be confirmed.

Carried 02 150714

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 June Council Meeting.

Moved: McCarthy
Second: Gibbons

That Report Item 09.01 is received as information.

That Council join the National Timber Council Association and the Mayor and any interested Councillor be appointed as a delegate to represent Council for the coming 12 months.

Carried 03 150714

Moved: McCarthy
Second: Evans

That the Mayor be appointed as delegate and Councillor Gibbons be appointed as an alternate delegate to the National Timber Council Association for 12 months.

Carried 04 150714

10. NOTICES OF MOTIONS

Nil

11. COUNCILLOR AND DELEGATES REPORTS

11.01 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 11.01 is received as information.

Carried 05 150714

11.02 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 attended the meeting held on Wednesday 2 July 2014.

Moved: Lord
Second: Evans

That delegate's report item 11.02 is received as information.

Carried 06 150714

12. COMMITTEE REPORTS

Nil

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 June 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.

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 June.

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 a summary of the major work in the Works and Engineering Department for June 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

This report provides a summary of major work within the Finance and Community Services department during June 2014.

13.05 STATEMENT OF INVESTMENTS

File No: Financial Management/Investments/Register
Author: Tim Booth, Management Accountant

Summary

Reporting the Statement of Investments as at 30 June 2014.

13.06 COMPLIANCE & REPORTING REQUIREMENTS

File No: Governance / Reporting / Compliance and Reporting
Author: Alan Cairney, General Manager

Summary

The Office of Local Government (OLG) has issued Circular 14-13 to advise of the release of the 2014/15 Calendar of Compliance and Reporting Requirements for Councils.

13.07 COUNCILLOR REQUEST FORMS

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

Summary

Providing an update on the status of Councillor Request Forms submitted during the last month.

13.08 INTERIM IMPROVEMENT ACTION PLAN

File No: Corporate Management
Author: Alan Cairney, General Manager

Summary

An Interim Improvement Action Plan is in place to address concerns about current Work Practices associated with Road Construction on Local Sealed Roads. A number of initiatives have been implemented by the General Manager and the Works & Engineering Director and a monthly progress report is submitted pending a reassessment in December 2014.

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 – 30 June 2014.

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 June 2014, has been published and a sample of Media Articles where Council is mentioned.

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 UPCOMING MEETINGS

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

Summary

A calendar of upcoming meetings is provided for information.

Moved: Sajowitz
Second: Morgan

That report item 13.12 is received as information.

Carried 07 150714

14. REPORTS FOR DECISION

Moved: Doney
Second: McCarthy

That Items 14.03 and 14.04 be bought forward and dealt with at this point in time.

Carried 08 150714

14.03 DEVELOPMENT APPLICATION 10.2014.56.1 – STORAGE SHED

File No: PR1-1707
Author: Jaclyn Burns, Health and Building Manager

Summary

A Development Application 10.2013.56.1 has been received for the construction of a proposed storage shed. As the proposal does not comply with Part K7.1.5 “Riverdale and Llambada” of Oberon’s Development Control Plan (DCP), 2001 the applicant is seeking a variation to the DCP with respect to the floor area limitations imposed by the DCP.

Moved: Morgan
Second: Lord

That delegation is granted to the Planning & Development Director to vary Part K7.1.5 of the Oberon’s Development Control Plan, 2001 associated with Development Application 10.2014.56.1 for the construction of a storage shed on Lot 18 in DP 864763, 1707 Mutton Falls Road, O’Connell.

Carried 09 150714

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

14.04 DEVELOPMENT APPLICATION 10.2014.55.1 – RESIDENTIAL GARAGE

File No: Property/PO62-19
Author: Health and Building Manager, Jaclyn Burns

Summary

A Development Application has been received for the construction of a residential garage at 18 Brennan Crescent, Oberon. A variation to Development Control Plan (DCP) 2001 is sought, with particular reference to Part C.6.4 – “Carports and Garages” of the Oberon Development Control Plan 2001 (DCP) which states that the maximum total floor area of garages and or carports is to be 60m², the proposal is for a shed which is 70 m².

Moved: McCarthy
Second: Gibbons

That delegation is granted to the Planning & Development Director to vary Part C.6.4 “Carports and Garages” of the Oberon Development Control Plan 2001 associated to Development Application 10.2014.55.1 for the construction of a new residential garage at Lot 9 in DP 848153, 18 Brennan Crescent, Oberon.

Carried 10 150714

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

14.01 LOCAL GOVERNMENT REMUNERATION TRIBUNAL

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

Summary

The Office of Local Government has issued Circular 14-12 advising of the determination of the Local Government Remuneration Tribunal (the Tribunal) in reviewing the annual fees for Councillors and Mayors and the requirement for Councils to “fix” Councillors and Mayoral Fees for 2014/15.

Moved: Sajowitz
Second: Evans

That Council set the Councillor Fee and Mayoral Fee for 2014/15 at the maximum as detailed in the Report and Determination of the Local Government Remuneration Tribunal.

Carried 11 150714

14.02 DEBTOR WRITE OFF – ACCOUNT 12369566

File No: Financial Management/Financial Reporting/Periodic Reports
Author: Lynette Safranek, Finance & Community Services Director

Summary

A request to review the water and sewer accounts for non-residential ratepayer was received due to the discovering of two leaking pipes between the meter and the building. After reviewing the accounts over the past 18 months it was agreed that the April 2014 accounts were extremely high in accordance with the standard accounts.

Moved: Doney
Second: Francis

That in accordance with Policy 2201, a write off of \$2,483 be approved.

Carried 12 150714

15. URGENT BUSINESS

Nil

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.

16.01 TENDER T2014/1 – PURCHASE OF WATER CART

File No: BCS/Plant Equipment and Stores/Acquisition/Purchase
Author: Aruna Wickramasinghe, Director of Works & Engineering

This item is classified CONFIDENTIAL under Section 10A(2)(d) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

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Section 10A(2)

- (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

16.02 TENDER T2014/3 – PURCHASE OF BOGIE TIPPER

File No: BCS/Plant Equipment and Stores/Acquisition/Purchase
Author: Aruna Wickramasinghe, Director of Works & Engineering

This item is classified CONFIDENTIAL under Section 10A(2)(d) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

Section 10A(2)

- (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

Moved: Doney
Second: Morgan

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 13 150714

Council moved into a Closed Session at 6.55pm, members of the public present left the meeting at this time.

16.01 TENDER T2014/1 – PURCHASE OF WATER CART

File No: BCS/Plant Equipment and Stores/Acquisition/Purchase
Author: Aruna Wickramasinghe, Director of Works & Engineering

Moved: Gibbons
Second: McCarthy

That the Tender from Tracserv to supply an Isuzu FXY 1500 350HP water cart and the trade-in the existing watercraft for a net change over value of \$215,418 (inclusive of GST) be accepted.

Carried 14 150714

16.02 TENDER T2014/3 – PURCHASE OF BOGIE TIPPER

File No: BCS/Plant Equipment and Stores/Acquisition/Purchase
Author: Aruna Wickramasinghe, Director of Works & Engineering

Moved: McCarthy
Second: Doney

- 1) That the Tender from City Hino to supply a Hino 700 2844 truck be accepted for tendered price of \$196,731
- 2) That the Tender for United Auctions Australia for the sale of the existing Hino 380 HP truck for \$55,611 be accepted.

Carried 15 150714

Open Council resumed at 6.58pm.

The Mayor advised that resolutions 14 150714 and 15 150714 were made by Council while the meeting was closed to the public. There were no members of the public present.

17. CLOSURE OF MEETING

The Meeting closed at 6.58pm.

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

Tuesday 19 August 2014
commencing at 5.30pm

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