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OBERON COUNCIL

*Unconfirmed Minutes
Oberon Council Ordinary Meeting
Tuesday 20 November 2012
5.30pm St Thomas Church Hall, O'Connell*

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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 Cllr Ian Doney.

03 Record of Attendance

File No: Governance/Meetings/Ordinary

Members	Mayor John McMahon (in the chair) Deputy Mayor Kerry Gibbons Cllr Ian Doney Cllr Jill Evans Cllr Neil Francis Cllr Sam Lord Cllr Clive McCarthy Cllr John Morgan Cllr Kathy Sajowitz
Officers	Alan Cairney, General Manager John Chapman, Director of Corporate Services Gary Wallace, Director of Development Ian Tucker, Works Manager (Acting Director of Engineering) Sharon Swannell, Executive Assistant Hanna Bates, Admin Trainee
Apologies	Aruna Wickramasinghe, Director of Engineering
Moved:	Sajowitz
Second:	Doney

That apologies be received and accepted for the non-attendance of the Director of Engineering, Aruna Wickramasinghe.

Carried 01201112

04 Presentations

A presentation was provided by Peter Dearden and Chris Barnett from Roads & Maritime Service regarding the Great Western Highway/Jenolan Caves Road Upgrade project.

Details regarding the overall concept of the project and the proposed works to be carried out in the next cycle of funding from now until 2016 were presented and copies tabled.

Auditor Leanne Smith from Morse Group presented the Annual Financial Reports – refer item 12.01.07.

12.01.07 ANNUAL FINANCIAL REPORTS – 30 JUNE 2012

File No: Financial Management/Financial Reporting/Annual Financial Reports

Author: John Chapman, Director of Corporate Services

Summary

Council resolved, at the Ordinary Meeting on 16 October 2012, that the Annual Financial Reports, incorporating the Auditor's Report, be presented to the public at this meeting.

Moved: Evans
Second: Gibbons

That the Annual Financial Reports for the year ended 30 June 2012 be presented to the public.

Carried 02201112

05 Questions from the Public

Richard Manson raised concerns regarding the Development Application for a vehicle holding yard (see Item 12.01.01). Are Councillors aware of the fact that this proposed development application will store up to 80 vehicles, and the proposal to crush vehicles on site is turning the area into an industrial site, rather than rural? Is Council considering that vehicle crushing is applicable?

The Director of Development advised this kind of activity is permissible in the zone and the definition of the zone allows for the establishment of a Vehicle Holding Yard (Junk Yard).

Russell King raised concerns regarding the Development Application for a vehicle holding yard and asked can the Council consider the work that has gone into the area over the years, and the devaluing of land by this application?

Maree Arrow raised concerns regarding the Development Application for a vehicle holding yard and asked if someone wished to establish a junkyard in another area, is that now possible? Is Council considering other junk yards in the area, and there effect?

The Director of Development advised that each application is assessed on its own merit.

**12.01.01 DEVELOPMENT APPLICATION 10.2012.32.1 - VEHICLE HOLDING YARD
(JUNK 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.

Moved: Lord
Second: Francis

That Council determine Development Application 10.2012.32.1 for a vehicle holding yard on Lot 21 DP 1077017, 218 Hazelgrove Road, Oberon in accordance with the recommendation outlined in the attached Section 79C report.

Amendment Moved: McCarthy
Second: Gibbons

That the matter be deferred until the December Ordinary Council Meeting to allow for a meeting to be held between the applicant and Councillors to look at more appropriate alternate locations.

The Amendment was put and was won, the Amendment now becomes the Motion.

Moved: McCarthy
Second: Gibbons

That the matter be deferred until the December Ordinary Council Meeting to allow for a meeting to be held between the applicant and Councillors to look at more appropriate alternate locations.

Carried 03201112

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

Votes For: Councillors Gibbons, Morgan, Sajowitz, McCarthy, Lord, Doney and Evans.
Votes Against: Councillors Francis and McMahan.

06 Confirmation of Minutes of Previous Meeting(s)

Ordinary Meeting 18 October 2012

Moved: Doney
Second: Lord

That the Minutes of the Ordinary Meeting held on 18 October 2012 be taken as read and confirmed.

Carried 04201112

Matters Arising from the Minutes

Nil

07 Declarations of Interest

Governance/Councillors/Declarations of Interest

Pecuniary - Nil
Non-Pecuniary - Nil

08 Mayoral Minute and Report

08.01.01 MAYORAL MINUTE AND REPORT

File No: Governance/Meetings/Ordinary

Author: Cllr John McMahon, Mayor

Summary

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

Moved: McMahon
Second: McCarthy

That Report Item 08.01.01 is received as information.

Carried 05201112

09 Councillor/Delegates Reports

09.01.01 CHIFLEY ZONE LIAISON COMMITTEE MEETING

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

Author: Aruna Wickramasinghe, Director Engineering

Summary

Council's Finance Manager and Director of Engineering attended a meeting of the Chifley Zone Liaison Committee Meeting held on 23 October 2012 at the Bathurst Fire Control Centre.

Moved: McCarthy
Second: Lord

That report item 09.01.01 is received as information.

Carried 06201112

It was noted that a report will be provided regarding additional costs incurred by Council in supplying equipment to the RFS.

09.01.02 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). Details are provided of recent meetings of the OAC.

Moved: Sajowitz
Second: Gibbons

That report item 09.01.02 is received as information.

Carried 07201112

09.01.03 UPPER MACQUARIE COUNTY COUNCIL MEETING

File No: Environmental Management/Meetings/Upper Macquarie County Council

Author: Clr John McMahon, Mayor

Summary

Councillors Francis and McMahon attended the last meeting of the Upper Macquarie County Council held on Friday 2 November 2012. Copies of the Minutes were not available at the time of preparing this report.

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Moved: McCarthy
Second: Lord

That report item 09.01.03 is received as information and that Council consider if funding can be made available to assist with the eradication of Bidy Bush if declared noxious in the Upper Macquarie County Council region.

Further, that the issue of Bidy Bush eradication be deferred until the February 2013 Ordinary Meeting, to allow time for member Council's to respond to the Upper Macquarie County Council regarding possible sources of funding.

Carried 08201112

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. The General Manager attended the last meeting held on 7 November 2012.

Moved: Morgan
Second: Sajowitz

That report item 09.01.04 is received as information.

Carried 09201112

09.01.05 CENTROC SUMMIT

File No: Government Relations/Local and Regional Liaison/Centroc

Author: Alan Cairney, General Manager on behalf of Councillors Sajowitz and Lord

Summary

The 2012 Centroc Summit at the Mount was held on Wednesday 7 and Thursday 8 November 2012. Councillor Sajowitz attended the morning session on Wednesday 7 November and Councillor Lord attended the afternoon session and the dinner held on Wednesday 7 November 2012.

Moved: McCarthy
Second: Evans

That report item 09.01.05 is received as information.

Carried 10201112

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09.01.06 OBERON PLATEAU TOURISM ASSOCIATION

File No: Economic Development/Visitor Information Centre/Oberon Plateau Tourism Association

Author: Alan Cairney, General Manager

Summary

Councillor Lord as Council's delegate and the General Manager attended meetings of the Oberon Plateau Tourism Association held on 8 October 2012. There is also a meeting to be held on 12 November 2012 at Duckmaloi Farm, with a verbal update to be provided to the Council Meeting.

Moved: Lord
Second: Gibbons

That report item 09.01.06 is received as information.

Carried 11201112

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 October 2012 to 31 October 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: Morgan
Second: Evans

That report item 10.01.01 is received as information.

Carried 12201112

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 October 2012.

Moved: Sajowitz

Second: Lord

That report item 11.01.01 is received as information.

Carried 13201112

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 October.

Moved: Gibbons

Second: Francis

That report item 11.01.02 is received as information.

Carried 14201112

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 October 2012.

Moved: McCarthy

Second: Gibbons

That report item 11.01.03 is received as information.

Carried 15201112

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General Manager

Mayor

11.01.04 COUNCILLOR INDUCTION PROGRAM

File No: Governance/Councillors/Councillors Training and Professional Development

Author: Alan Cairney, General Manager

Summary

The Report Item summaries the current Councillor Induction Program and includes proposals for further training and briefing sessions for Councillors.

Moved: Evans
Second: Morgan

That report item 11.01.04 is received as information.

Carried 16201112

11.01.05 PECUNIARY INTEREST RETURNS AND DECLARATIONS

File No: Governance/Councillors/Declaration of Interest

Author: Alan Cairney, General Manager

Summary

The Report Item provides for the tabling of the Disclosure of Interest Returns lodges by Councillors and Designated Persons in accordance with Section 450A(2) of the Local Government Act 1993.

Moved: Evans
Second: Morgan

That report item 11.01.05 is received as information.

Carried 17201112

11.01.06 MONTHLY ACTIVITY REPORT – DEVELOPMENT DEPARTMENT

File: Governance/Meetings/Ordinary

Author: Gary Wallace, Director Development Services

Summary

A summary of the major work carried out in the Development Department for October 2012.

Moved: McCarthy
Second: Lord

That report item 11.01.06 is received as information.

Carried 18201112

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11.01.07 MONTHLY ACTIVITY REPORT – ENGINEERING DEPARTMENT

File: Governance/Meetings/Ordinary

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

Summary

A summary of the major work carried out in the Engineering Department for October 2012.

Moved: Doney
Second: Gibbons

That report item 11.01.07 is received as information.

Carried 19201112

**11.01.08 OBERON SEWAGE TREATMENT PLANT AND COLLECTION SYSTEM –
POLLUTION INCIDENT RESPONSE MANAGEMENT PLAN**

File No: Sewerage and Drainage/Sewerage/Sewerage General

Author: Aruna Wickramasinghe, Director of Engineering

Summary

A new requirement under the *Protection of the Environment Legislation Amendment Act* (POELA) 2011 is to implement a Pollution Incident Response Management Plan (PIRMP) for each facility for which Council holds an environmental protection licence. The Oberon Sewage Treatment Plant (STP) falls under this category.

Moved: Doney
Second: Morgan

That report item 11.01.08 be received as information.

Carried 20201112

11.01.09 MONTHLY ACTIVITY REPORT – CORPORATE SERVICES DEPT.

File: Financial Management/Financial Reporting/Periodic Reports

Author: John Chapman, Director of Corporate Services

Summary

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

Moved: Sajowitz
Second: McMahon

That report item 11.01.09 is received as information.

Carried 21201112

11.01.10 ANNUAL REPORT YEAR ENDED 30 JUNE 2012

File No: Corporate Management/Administration/Annual Report

Author: John Chapman, Director of Corporate Services

Summary

As part of Council's statutory obligations it is required to prepare an Annual Report.

Moved: Morgan
Second: Gibbons

That the Annual Report for the year ended 30 June 2011 be received for information and the report be included on the Council's website and forwarded to the Minister.

Carried 22201112

It was noted that page 24 of the report be amended to reflect the name change of the Oberon Leagues Club to the Oberon Sports Complex.

11.01.11 STATEMENT OF BANK BALANCES AND INVESTMENTS

File: Financial Management/Investments/Register

Author: John Chapman, Director of Corporate Services

Summary

The Statement of Bank Balances and Investments as at 31 October 2012 is provided for information.

Moved: Gibbons
Second: Sajowitz

That report item 11.01.11 is received as information.

Carried 23201112

11.01.12 MEDIA

File No: Information Management/Information and Communications/Media Releases

Author: Sharon Swannell, Executive Assistant

Summary

The report item provides a list of Media Releases issued during October 2012.

Moved: Evans
Second: Doney

That report item 11.01.12 is received as information.

Carried 24201112

11.01.13 STATUS REPORT – ACTIONING COUNCIL DECISIONS

File No: Governance/Meetings/Ordinary

Author: Alan Cairney, General Manager

Summary

The report item provides details of the status in actioning Council decisions, and includes all decisions with reference to the actual Resolution Number as shown in the Minutes for each Council Meeting.

Moved: Morgan
Second: Sajowitz

That report item 11.01.13 is received as information.

Carried 25201112

11.01.14 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: Francis

That report item 11.01.14 is received as information.

Carried 26201112

12 Reports for Decision

12.01.02 DEVELOPMENT APPLICATION 10.2012.44.1 – INDUSTRIAL SUBDIVISION

File No: Land Use and Planning/Programs/Subdivisions

Author: Jaclyn Burns, Senior Development Control Officer

Summary

Council is in receipt of a Development Application 10.2012.44.1 for the second stage of the industrial lot subdivision incorporating:

1. 13 existing industrial lots including the retrospective approval for the subdivision of land. 8 lots were initially approved as part of stage one (1).
2. 23 proposed new excised lots.

Moved: Doney
Second: Sajowitz

That Council determine Development Application 10.2012.44.1 for an Industrial lot subdivision, in accordance with the recommendation outlined in the attached Section 79C report.

Carried 27201112

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

Votes For: Councillors Francis, Gibbons, Morgan, Sajowitz, McCarthy, Lord, Doney, Evans and McMahon

Votes Against: Nil

12.01.03 DEVELOPMENT APPLICATION 10.2012.49.1 – SEPP 1 OBJECTION - SUBDIVISION

File No: Land Use and Planning/Programs/Subdivisions

Author: Jaclyn Burns, Senior Development Control Officer

Summary

Council is in receipt of a Development Application 10.2012.49.1 for a proposed subdivision for the purpose of agriculture (forestry) on land described as Lot 119 in DP 753020, 38 Bald Ridge Road, Burruga.

The proposed development is not in compliance with clause 12A (2) of the Oberon Local Environmental Plan 1998;

Clause 12A(2) states “*Subclause (1) does not authorise the Council to consent to the creation of a allotment with an area of less than 100 hectares if there is or will be a dwelling house on the proposed allotment.*”

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General Manager

Mayor

As such a State Environmental Planning Policy (SEPP) – Objection to Development Standard, has been lodged in support of the application.

Moved: Doney
Second: McMahon

That Council determine Development Application 10.2012.44.1 for a subdivision for the purpose of agriculture (forestry) in accordance with the recommendation outlined in the attached Section 79C report.

Carried 28201112

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

Votes For: Councillors Francis, Gibbons, Morgan, Sajowitz, Lord, Doney, Evans and McMahon.

Votes Against: Councillor McCarthy.

12.01.04 DELEGATIONS MADE BY MINISTER – INDEPENDENT REVIEWS OF PLAN-MAKING DECISIONS

File: Governance/Meetings/Ordinary

Author: Gary Wallace, Director of Development

Summary

Council is in receipt of correspondence from Minister for Planning & Infrastructure indicating changes to undertake plan making decisions currently administered by Part 3 of the Environmental Planning and Assessment Act 1979.

This report seeks Councils support to delegate the responsibility of such functions to the General Manager, given the resolution of Council.

Moved: McCarthy
Second: Gibbons

That Council delegate to the General Manager the functions as indicated in Planning Circular PS 12-006 relating to plan making decisions.

Carried 29201112

12.01.05 OBERON FIRE STATION LEASE TO FIRE AND RESCUE NSW

File No: Council Properties/Town Fire Station

Author: Alan Cairney, General Manager

Summary

Council has received the lease documents for the lease of the Oberon Fire Station, North Street, Oberon to Fire and Rescue NSW.

Moved: McCarthy

Second: Francis

That the Common Seal of Oberon Council be affixed to the lease document between Council and Fire and Rescue NSW for the lease of the Oberon Fire Station.

Carried 30201112

12.01.06 PAYMENT OF EXPENSES AND PROVISION OF FACILITIES POLICY

File No: Governance/Policies/Council Adopted Policies

Author: Alan Cairney, General Manager

Summary

The Policy has had minor amendments made and these should be formally adopted and referred to the Division of Local Government.

Moved: Sajowitz

Second: McCarthy

That the revised Policy 1103 - Payments of Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Other Councillors, be adopted.

Carried 31201112

12.01.08 ARKSTONE ROAD – INVESTIGATION OF POTENTIAL LAND SLIP

File No: R40

Author: Aruna Wickramasinghe, Director of Engineering

Summary

Further investigations have been carried out regarding the movement of Arkstone Road and the remedial work is proposed including the construction of a sub-soil drain inside the adjacent property, constructing a culvert across the road to drain water.

Moved: Doney
Second: Lord

1. That Council note the information related to the potential land slip on Arkstone Road.
2. That negotiations be undertaken with the adjacent property owner to undertake remedial work inside the property.
3. That Council reallocate \$60,000, from the funds allocated in the current budget for the sealed section of Arkstone Road, to undertake the recommended works and for further investigations.
4. That an inspection be carried out of the landslip prior to any expenditure being undertaken for this item.

Carried 32201112

12.01.09 YOUTH WEEK 2013

File No: Grants Subs/Grants/Youth Week

Author: Sharon Swannell, Executive Assistant

Summary

The NSW Office of Communities has written to advise that \$1230.00 (excluding GST) has been made available to Oberon Council as a contribution toward the cost of 2013 Youth Week activities in Oberon.

Moved: Evans
Second: McCarthy

That the offer from the NSW Office of Communities for a \$1,230.00 contribution toward the cost of 2013 Youth Week activities at Oberon be accepted and the funding matched on a dollar for dollar basis.

Carried 33201112

13 Committee Reports

13.01.01 TRAFFIC ADVISORY LOCAL COMMITTEE MEETING

File: Governance/Meetings/TALC

Author: Ian Tucker/Works Manager

Summary

Minutes of the Traffic Advisory Local Committee Meeting held on 11 October 2012 are submitted for Council's information and consideration.

Moved: Evans
Second: McMahon

1. That the proposal from Highland Pine Products (HPP) to remove the no stopping zone on the north side of Albion Street, and to convert this lane into a queuing lane for trucks to enter Gate 3, be supported subject to Council and RMS checking details of lane widths, signs and line marking.
2. That Council construct a section of path on the north side of Albion Street, joining the existing path to HPP's internal path near Gate 3.
3. That HPP be asked to enforce the requirement for all trucks to enter Gate 3 from the west, and to ask their staff not to park on the southern side of Albion Street.
4. That a median island be constructed at the north end of Tarana Road at its intersection with Albion Street.
5. That the existing island at the intersection of Carrington Avenue and Rupert Street be removed, and replaced with a smaller median island which will allow right turns.
6. That Council proceed with the construction of four additional double angle parking bays west of the existing trial bay, two single disabled angle parking bays each side of the existing concrete path, and one additional double angle parking bay to the east, and a parallel bus parking bay further east, in Edith Road adjacent to The Common.
7. That Council advise the organisers it has no objection to the proposed Tractor Trek event, and that they be asked to erect suitable warning signs on Hazelgrove Road near the Mount Olive Road intersection and also on Lowes Mount Road.

Carried 34201112

13.01.02 SENIORS WELFARE COMMITTEE MEETING

File: Governance/Meetings/Seniors Welfare Committee

Author: Hanna Bates, Trainee

Summary

Minutes of the Seniors Welfare Committee Meeting held on Monday 15 October 2012 are submitted for Council's information and consideration.

Moved: Morgan
Second: Evans

1. That the Minutes of the Seniors Welfare Committee Meeting held on 15 October 2012 be received as information.
2. That the Oberon Seniors Welfare Committee Charter be adopted as presented, and that the Committee continue to meet bi-monthly, on the second Monday of the month.
3. That Council request the Health Service to provide the results of the Asset Management Group's decision on the Old Nurses Quarters at the Oberon Hospital and to discuss any community involvement with restoration of the building or other options for the building/land.

Carried 35201112

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13.01.03 COMMUNITY SERVICES COMMITTEE MEETING

File: Governance/Meetings/Community Services

Author: Sharon Swannell, Executive Assistant

Summary

Minutes of the Community Services Committee Meeting held on 1 November 2012 are submitted for Council's information and consideration.

Moved: Sajowitz
Second: Evans

1. That the Minutes of the Community Services Committee Meeting held on 1 November 2012 be received as information.
2. That the inadequate heating in the Large Activity Room at the Robert Hooper Community Centre be addressed and a sliding door be installed in the entrance to the wash area next to the toilet.
3. That Council consider reinstating the Coordinator Position at the Oberon CTC.

Carried 36201112

13.01.04 OBERON SPORTS FACILITIES COMMITTEE – 7 NOVEMBER 2012

File: Governance/Meetings/Oberon Sports Facilities Committee

Author: Hanna Bates/Admin Trainee

Summary

Minutes of the Oberon Sports Facilities Committee Meeting held on 7 November 2012 are submitted for Council's information and consideration.

Moved: McCarthy
Second: Evans

1. That the Minutes of the Oberon Sports Facilities Committee held on 7 November 2012 be received as information.
2. That Council confirm the appointments of the Committee Members as noted in the minutes.
3. The Charter for the Oberon Sports Facilities Committee be adopted as follows:
The Committee has been delegated the following powers and responsibilities:
 - a) To provide ongoing management of the sporting facilities in Oberon
 - b) To report and advise Council on all matters affecting the **sporting facilities in Oberon.** ~~at the Oberon Sports Complex.~~
4. That Council implement a regular program of coring and top dressing all fields in the Local Government Area in accordance with the priority set by the Committee and that Council allocate additional funds in future budgets so that this work can be more effectively completed.

Carried 37201112

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13.01.05 FINANCE COMMITTEE MEETING

File: Governance/Meetings/Finance Committee

Author: Hanna Bates/Admin Trainee

Summary

Minutes of the Finance Committee Meeting held on 13 November 2012 are submitted for Council's information and consideration.

Moved: McCarthy
Second: Morgan

1. That the Minutes of the Finance Committee Meeting held on 13 November 2012 be received for information.
2. That the Quarterly Budget Review Statements for the period ending 30 September 2012 be received and noted and the revised budgeted income and expenditure items be amended.
3. That support to the Waste to Art Project 2013 as proposed by the Friends of the Oberon Library is made by providing assistance with the production of promotional and associated materials for the event project and a \$600 donation as a contribution towards prizes for the event to be funded from the discretionary donations budget.
4. That report item 05.01.03 be received as information, and it be noted that the Auditor will attend the November Council Meeting when the financial reports will be formally presented.

Carried 38201112

Moved: McCarthy
Second: Lord

That the Oberon Pool Complex be open on Australia Day free of charge for all patrons.

Carried 39201112

14 New Business of an Urgent Nature Admitted by Council

Moved: McCarthy
Second: McMahan

That Council refer discussions regarding the location of the proposed Junk Yard to the Closed Session of Council as the discussion relates to Section 10A(2) of the *Local Government Act 1993*, information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Carried 40201112

Council rose for dinner at 8.32pm.

Council resumed at 9.36pm.

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 CITIZEN OF THE YEAR AWARDS

File No: Community Relations/Awards

Author: Sharon Swannell, Executive Assistant and Kathy Beesley, Community Liaison Officer

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

- (a) Personnel matters concerning particular individuals (other than Councillors)

15.01.02 GOLF CLUB EFFLUENT REUSE

File No: PO47.107

Author: Aruna Wickramasinghe, Director of Engineering

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

- (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

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**12.01.01 DEVELOPMENT APPLICATION 10.2012.32.1 - VEHICLE HOLDING YARD
(JUNK YARD)**

File No: Land Use and Planning/Programs/Subdivisions

Author: Mark Dicker, Health & Building Manager

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

Moved: Doney
Second: Evans

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 41201112

Council entered into the Closed Session of the meeting at 9.39pm, there were no members of the public present at this point in time.

15.01.01 CITIZEN OF THE YEAR AWARDS

File No: Community Relations/Awards

Author: Sharon Swannell, Executive Assistant and Kathy Beesley, Community Liaison Officer

Moved: Sajowitz
Second: Evans

That:

1. Australia Day Awards be made in the following categories:
 - a. Citizen of the Year
 - b. Young Citizen of the Year
 - c. Sportsperson of the Year
 - d. Junior Sportsperson of the Year
 - e. Sports Team of the Year
 - f. Community Event of the Year
 - g. Local Legend of the Year

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2. That the Citizen of the Year and partner, Young Citizen of the Year and parents, Sportsperson of the Year and partner, Junior Sportsperson of the Year and parents, Team members of the Sports Teams of the Year and coaches, A Committee Representative and partner of the Community Event of the Year and Local Legend of the Year and partner be invited to a cocktail function the evening before Australia Day to meet with Councillors and the Australia Day Ambassador and partner.

Carried 42201112

15.01.02 GOLF CLUB EFFLUENT REUSE

File No: PO47.107

Author: Aruna Wickramasinghe, Director of Engineering

Moved: McCarthy
Second: Doney

1. That Council note the contents of this report and provide raw water to the value of \$10,000 annually at current charges and thereby increasing the total annual maintenance assistance to \$16,000 per annum.
2. That Council undertake further investigations to determine whether the current pipe inlet arrangements can be altered to provide raw water to the Golf Club on demand.

Carried 43201112

**12.01.01 DEVELOPMENT APPLICATION 10.2012.32.1 - VEHICLE HOLDING YARD
(JUNK YARD)**

File No: Land Use and Planning/Programs/Subdivisions

Author: Mark Dicker, Health & Building Manager

Moved: McCarthy
Second: McMahan

That Council undertake an inspection of the site for the proposed development of a Vehicle Holding Yard on 4 December 2012.

Carried 44201112

Open Council resumed at 10.31pm.

The Mayor advised that resolutions 42201112, 43201112 and 44201112 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 18 December 2012 commencing at 5.30pm in the Oberon Council Chambers, 137 – 139 Oberon Street, Oberon.

This concluded the business of the meeting. The meeting closed at 10.31pm.

Confirmed this _____ day of _____ 2012.

General Manager

Mayor

General Manager

Mayor