

137-139 Oberon Street
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Attachments

Minutes of Previous Meeting

***Minutes Ordinary Council Meeting –
15 October 2013***

***Minutes Special Council Meeting –
12 November 2013***

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*Unconfirmed Minutes
Oberon Council Ordinary Meeting
Tuesday 15 October 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 5.32pm.

02 Acknowledgement of Country and Prayer

Council acknowledges that this meeting is being held on the traditional lands of the Wiradjuri and Gundungurra People, and respects the history and culture of the elders both past and present.

The Meeting was opened in prayer by Sister Maureen Schiemer.

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 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 Sharon Swannell, Executive Coordinator
Apologies	Nil

04 Declarations of Interest

File No: Governance/Councillors/Declarations of Interest

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

05 Presentations

Essential Energy Regional Manager, Phillip Green provided a presentation regarding Essential Energy's operations and activities in the Oberon local government area. Mr Green delivered a PowerPoint presentation and a copy was provided to Councillors.

Mr Mark Genovese, CEO of Maritime Mining Power Credit Union/Reliance Credit Union provided a presentation outlining the history of the Reliance Credit Union, the services and current activities in Oberon.

06 Questions from the Public

None received.

07 Confirmation of Minutes of Previous Meeting(s)

Ordinary Meeting 17 September 2013

Moved: Lord
Second: Francis

That the Minutes of the Ordinary Meeting held on 17 September 2013 be taken as read and confirmed.

Carried 01151013

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: McCarthy
Second: Lord

That Report Item 08.01 is received as information.

Carried 02151013

09 Councillor/Delegates Reports

09.01 OBERON BUSINESS ASSOCIATION

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

Summary

Councillor McMahon and the General Manager are Council's delegates to the Oberon Business Association (OBA) and details are provided of the Association meetings held on 3 July and 4 September 2013. It is noted that the meeting scheduled to be held on 7 August did not proceed due to the lack of a quorum.

Moved: Gibbons
Second: Sajowitz

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

Carried 03151013

09.02 OBERON TIMBER COMPLEX COMMUNITY CONSULTATIVE COMMITTEE

File No: Governance/Oberon Timber Complex Community Consultative Committee
Author: Alan Cairney, General Manager

Summary

Councillor Ian Doney and the General Manager attended the last meeting of the Oberon Timber Complex Community Consultative Committee held on 17 July 2013.

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Moved: McCarthy
Second: Francis

That report item 09.02 is received as information.

Carried 04151013

09.03 OBERON PLATEAU TOURISM ASSOCIATION

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

Summary

Councillor Sam Lord is nominated as the Council's delegate to the Oberon Plateau Tourism Association. The Mayor, Councillor John McMahon and I attended the Association meeting held on 12 August 2013. Councillor Sam Lord and the Mayor, Councillor John McMahon attended the meeting held on 9 September 2013.

Moved: McCarthy
Second: Gibbons

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

Carried 05151013

09.04 OBERON CORRECTIONAL CENTRE COMMUNITY CONSULTATIVE COMMITTEE

File No: Governance/Meetings/Oberon Correctional Centre Community Consultative Committee
Author: Alan Cairney, General Manager

Summary

A meeting of the Oberon Correctional Centre Community Consultative Committee Meeting was held on Tuesday 20 August 2013. The Minutes of the meeting are provided for Council's information.

Moved: Evans
Second: Gibbons

That delegate's report item 09.04 is received as information.

Carried 06151013

09.05 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 27 August 2013 and 24 September 2013.

Moved: Doney
Second: Sajowitz

That delegate's report item 09.05 is received as information.

Carried 07151013

09.06 CHIFLEY LOCAL AREA COMMAND COMMUNITY SAFETY PRECINCT COMMITTEE MEETING

File No: Community Services/Service Provision/Police Services (Community Precinct)
Author: Alan Cairney, General Manager

Summary

Mayor John McMahon and General Manager, Alan Cairney attended the last meeting of the Chifley Local Area Command Community Safety Precinct Committee, held on Monday 2 September 2013 in Oberon.

Moved: Lord
Second: McCarthy

That report item 09.06 is received as information.

Carried 08151013

09.07 UPPER MACQUARIE COUNTY COUNCIL MEETING

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

Summary

Councillor Francis and I attended the meeting of the Upper Macquarie County Council held on Friday 20 September 2013 commencing at 2.30pm.

Moved: Francis
Second: McCarthy

That delegate report item 09.07 is received as information.

Carried 09151013

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09.08 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE

File No: Government Relations/Local and Regional Liaison/Local Government NSW
Author: Mayor John McMahon and Alan Cairney, General Manager

Summary

Mayor John McMahon and General Manager, Alan Cairney attended the inaugural Annual Conference of the newly formed Local Government NSW. The Conference was held on 2 and 3 October 2013 and is the first Conference held since the former Local Government Association and Shires Association merged into one entity earlier this year.

Moved: McCarthy
Second: Morgan

That report item 09.08 is received as information.

Carried 10151013

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 September to 30 September 2013. A copy of correspondence received will be available to be viewed at the Ordinary Council Meeting. Copies of correspondence are available upon request.

Moved: Morgan
Second: Gibbons

That Report Item 10.01 is received as information.

Carried 11151013

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 during August 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.

11.02 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 and Development Department for September 2013.

11.03 MONTHLY ACTIVITY REPORT - WORKS AND ENGINEERING

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

Summary

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

Councillor Sajowitz left the meeting at 6.58pm.

11.04 MONTHLY ACTIVITY REPORT FINANCE AND COMMUNITY SERVICES

File No: Financial Management/Financial Reporting/Periodic Reports
Author: Kathy Beesley, Community Services Coordinator, and David Mead, Finance Coordinator

Summary

The report is a summary of the major works carried out in Finance and Community Services in September 2013.

11.05 STATEMENT OF BANK BALANCES AND INVESTMENTS

File: Financial Management/Investments/Register
Author: David Mead, Finance Coordinator

Summary

Reporting the Statement of Bank Balances and Investments as at 30 September 2013.

11.06 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 September 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.

11.07 UPCOMING MEETINGS

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

Summary

A calendar of upcoming meetings is provided for information.

11.08 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.

Moved: Doney
Second: Gibbons

That report items 11.01 to 11.08 be received as information.

Carried 12151013

12 Reports for Decision

12.01 DEVELOPMENT APPLICATION 10.2013.59.1 CONSTRUCTION OF A RESIDENTIAL GARAGE

File No: Property/PO57-48
Author: Senior Development Control Officer, Jaclyn Burns

Summary

A Development Application has been received for the construction of a residential garage at 48 Tarana Road, 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 63m².

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Moved: McCarthy
Second: Doney

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 10.2013.59.1 for the construction of a new residential garage at Lot 5 in DP 1119765, 48 Tarana Road, Oberon.

Carried 13151013

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, McCarthy, Lord, Doney and Evans
Against: Nil

12.02 OCCUPATION PERMIT NORWAY FIRE SHED

File No: Emergency Services/Bushfire Sheds
Author: Matilda Dwyer, Engineering Administration Assistant

Summary

The Norway Bushfire Shed is on Forestry land and a permit is required for the Norway Rural Bushfire Brigade to utilise the facilities.

Moved: McCarthy
Second: Francis

That the information in this report be noted and the General Manager be authorised to sign the Occupation Permit agreement.

Carried 14151013

12.03 HAZELGROVE PUBLIC SCHOOL RESERVE COMMITTEE

File No: Governance/Meetings/Committees General
Author: Alan Cairney, General Manager and Sharon Swannell, Executive Coordinator

Summary

Council reviewed its delegates to Section 355 Committees and other Council Committees at its 17 September 2013 Ordinary Meeting, however a Council delegate was not appointed to the Hazelgrove Public School Reserve Committee. This report seeks the confirmation of the Councillor appointments to the Hazelgrove Public School Reserve Committee.

Moved: Lord
Second: Doney

That Councillor McCarthy be appointed as a delegate to the Hazelgrove Public School Section 355 Committee.

Carried 15151013

12.04 INTERNAL AUDIT

File No: Governance/Audit/Internal Audit
Author: Sharon Swannell, Executive Coordinator and Lee Chapman, CENTROC

Summary

This report provides advice on progressing a regional contract for the supply and delivery of internal audit services for Council.

Moved: McCarthy
Second: Morgan

That Council endorse the selection of Grant Thornton Australia to perform Council's Internal Audit Services and that Centroc be advised of the decision.

Carried 16151013

13 Committee Reports

13.01 LOCAL EMERGENCY MANAGEMENT COMMITTEE

File: Governance/Meetings/LEMC
Author: Rebecca Burgess, Works and Engineering Administration

Summary

Minutes of the Local Emergency Management Committee Meeting held on 15 August 2013 are submitted for Council's information and confirmation.

Moved: McCarthy
Second: Lord

That the Minutes of the Local Emergency Management Committee held on the 15 August 2013 be received for information.

Carried 17151013

13.02 COMMUNITY SERVICES COMMITTEE – 29 AUGUST 2013

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

Summary

Minutes of the Community Services Committee Meeting held on 29 August 2013 are submitted for Council's information and consideration.

Moved: Evans
Second: Lord

That:

1. The Minutes of the Community Services Committee Meeting held on 29 August 2013 be received for information.
2. Council accept Norelle Hiam and Kerry Coulter as members of the Community Services Committee.
3. That the Chair of the Committee, Councillor Kathy Sajowitz and Bev Evans, representing the Friends of the Oberon Library (FOOLs) be invited to attend meetings of the Working Group.

Carried 18151013

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. 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.

Moved: Lord
Second: Morgan

That Council consider the following matters as they are considered to be of an urgent nature requiring immediate consideration by Council:

- Installation of a child-proof fence around the small children's playground at The Common.

Carried 19151013

Councillor Gibbons advised that he has been approached by childcare workers requesting a child proof fence be erected around the small playground at the Common. This would ensure children are kept away from the water areas in the Common and would also keep dogs out of the playground area.

Moved: McCarthy
Second: Gibbons

That Councillor Gibbons and the Works and Engineering Director undertake an inspection of the playground at the Common and a report be provided to the Works Committee Meeting including identification of possible funding for the work.

Carried 20151013

15 Closed Session Reports

Nil

16 Closure of Meeting

The next Ordinary Meeting of Oberon Council will be held on Tuesday 19 November 2013 commencing at 5.30pm in the Oberon Council Chambers, 137 – 139 Oberon Street, Oberon.

The Meeting closed at 7.24pm.

Confirmed this _____ day of _____ 2013.

General Manager

Mayor

General Manager

Mayor

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*Unconfirmed Minutes
Oberon Council Special Meeting
Tuesday 12 November 2013
5.30pm Council Chambers*

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01 Opening of Meeting

File No: Governance/Meetings/Ordinary

The Mayor welcomed members and declared the meeting open at 5.32pm.

02 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.

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 Neil Francis Clr Sam Lord 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
Absent	Clr Clive McCarthy

04 Declarations of Interest

Governance/Councillors/Declarations of Interest

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

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General Manager

Mayor

05 Closed Session Reports

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.

It is noted that the Agenda and Business Papers for this Meeting contained only one item of business and the whole of the Meeting was closed to the public.

05.01 PROPOSED CLASS ACTION SETTLEMENT AGREEMENT

File No: Financial Management/Investments/Legal

Author: Alan Cairney, General Manager & Lynette Safranek, Finance & Community Services Director

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

(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.

Moved: Morgan
Second: Sajowitz

That Council:

- a) approve the Settlement Agreement in substantially the terms tabled; and
- b) Execute the Power of Attorney and authorise any Attorney under it to execute the Settlement Agreement in substantially the terms tables on behalf of Council.

Carried

The Meeting closed at 5.44pm.

Confirmed this _____ day of _____ 2013.

General Manager

Mayor

General Manager

Mayor