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**OBERON COUNCIL**

*Confirmed Minutes  
Oberon Council Ordinary Meeting  
Tuesday 17 September 2013  
5.30pm Council Chambers*

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General Manager

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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.

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## 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.

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## 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

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## 04 Mayoral Election

### 04.01 ELECTION OF MAYOR AND DEPUTY MAYOR

File No: Governance/Elections/Local Government Elections

Author: Alan Cairney, General Manager and Sharon Swannell, Executive Coordinator

#### Summary

Council is required to elect a Mayor for the coming 12 month period. The report provides the procedure for the Election of Mayor and Deputy Mayor.

Nomination forms have been provided to Councillors.

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The Mayor vacated the Chair and the General Manager assumed the role of Returning Officer for the election of Mayor and Deputy Mayor.

#### ELECTION OF MAYOR

The General Manager advised that one nomination had been received for the position of Mayor, being Councillor John McMahon, and declared the election of Councillor McMahon to the position of Mayor unopposed.

#### ELECTION OF DEPUTY MAYOR

The General Manager advised that one nomination had been received for the position of Deputy Mayor, being Councillor Kerry Gibbons, and declared the election of Councillor Gibbons to the position of Deputy Mayor unopposed.

## 06 Presentations

Sergeant Shelley Jackson, Oberon Police addressed Council regarding the Police activities in Oberon.

### 04.02 COUNCIL COMMITTEES

File No: Governance/Meetings/Committees General

Author: Alan Cairney, General Manager and Sharon Swannell, Executive Coordinator

#### Summary

There are a number of Section 355 Committees and other Council Committees. These were reviewed in June 2013 and the report seeks the confirmation of the Councillor appointments to these Committees.

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Moved: Lord  
 Second: McCarthy

Council confirm its current appointments and Chair of the Section 355 Committees; and make appointments to other Council Committees, Community Committees and Working Parties as follows:

**1. Section 355 Committees**

<b>Committee</b>	<b>Current Councillors Nominated</b>
Oberon Community Services	Councillor Sajowitz – Chair Councillor Evans Councillor Lord
Heritage	Councillor McCarthy - Chair Councillor Doney
Oberon Sports Facilities	Councillor Gibbons – Chair Councillor Sajowitz (alternate delegate)
Seniors Welfare	Councillor Morgan – Chair Councillor Evans Councillor Sajowitz

*Note: the Elected Mayor is also a member of these Committees*

**2. Council Committees**

Finance Committee	Whole Council
Traffic Advisory Local Committee <b>Is a statutory Committee</b>	Councillor Gibbons Councillor Morgan (alternate delegate)
Works Committee	Whole Council

**3. Community Committees & Working Parties**

Self Care Units Tenants Panel	Councillor McCarthy Councillor Lord (alternate delegate)
Australia Day Working Party	Mayor
Community Precinct Working Party	Chair of Community Services Committee
Youth Council Working Party	Councillor Sajowitz Councillor Morgan Councillor Evans

Carried 01170913

#### 04.03 DELEGATES TO EXTERNAL ORGANISATIONS

File No: Governance/Meetings

Author: Alan Cairney, General Manager and Sharon Swannell, Executive Assistant

##### Summary

Following the election of the Mayor and Deputy Mayor, Council traditionally reviews its delegates to a number of external organisations. In some cases the Mayor is automatically designated as a delegate representing Council.

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Moved: McCarthy

Second: Sajowitz

That Council appoint its delegates to external organisations for the following twelve months as follows:

- Arts OutWest
  - Fran Charge, Oberon Arts Council
- Ben Chifley Catchment Management Steering Committee
  - Councillor Francis
- Bicentennial Crossing Alliance
  - Mayor
- Blue Mountains, Lithgow and Oberon Tourism Association (BMLOT)
  - General Manager
  - Councillor Lord (alternate delegate)
- CENTROC
  - Mayor and General Manager are automatic delegates
- Chifley Zone – Community Safety Precinct Committee
  - Mayor and General Manager are automatic delegates
- Hawkesbury/Nepean Catchment Management Authority
  - No delegate currently appointed, Planning and Development Director will review Agenda and Minutes and action as required
- Joint Regional Planning Panel
  - Councillors Doney and McCarthy
  - Councillor McMahan (alternate delegate)

**Note:** Any delegate or alternate nominated by Council needs to be endorsed by the Director General of the NSW Department of Planning and Infrastructure.

- Lachlan Catchment Management Committee
  - No delegate currently appointed, Planning and Development Director will review Agenda and Minutes and action as required

- Lachlan Regional Transport Committee Incorporated
  - No delegate currently appointed – will be reviewed again in the near future
- Macquarie Catchment Management Committee
  - No delegate currently appointed, Planning and Development Director will review Agenda and Minutes and action as required
- Oberon Arts Council (OAC)
  - Mayor and General Manager
- Oberon Business Association (OBA)
  - Mayor and General Manager
- Oberon Correctional Centre Community Consultative Committee
  - Councillor Gibbons and Councillor Evans
- Oberon Plateau Tourism Association (OPTA)
  - Councillor Lord
- Oberon Timber Complex Community Consultative Committee
  - Councillors Sajowitz, Evans
  - General Manager
- Rural Fire Service Chifley Zone Liaison Committee
  - Councillors McCarthy and Francis (also attend Brigade Captains' Meetings)
  - Works & Engineering Director and Finance Coordinator
- Sydney Water Catchment Management Authority
  - No delegate currently appointed
- Union Fenosa Pre Development Application Community Consultative Committee
  - Councillors Morgan, Francis, Sajowitz
  - Planning & Development Director
- Upper Macquarie County Council
  - Councillors McMahon and Francis

Carried 02170913

#### **04.04 REVIEW OF DELEGATIONS**

File No: Human Resources/Employees/Delegations  
Author: Alan Cairney, General Manager

#### **Summary**

Council is required to review all its delegations during the first 12 months of its term of office.

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Moved: McCarthy  
Second: Doney

That Council reaffirm the delegations made to the General Manager.

Carried 03170913

#### **04.05 RETURNS DISCLOSING INTERESTS**

File No: Corporate Management/Administration/Register of Disclosures  
Author: Alan Cairney, General Manager and Sharon Swannell, Executive Coordinator

##### **Summary**

All Councillors and designated persons who hold a position at 30 June must complete and lodge with the General Manager within 3 months a return. To facilitate this process a form has been sent to all Councils and relevant staff, including the General Manager.

Moved: Evans  
Second: McCarthy

That Council note the requirement to lodge a return disclosing interests of Councillors and designated persons.

Carried 04170913

## **05 Declarations of Interest**

Governance/Councillors/Declarations of Interest

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

Item 13.02 was bought forward and dealt with at this point in time.

#### **13.02 DEVELOPMENT APPLICATION 10.2009.225.2 - STAGE TWO (2) OF THE MOTOR CROSS TRACK FACILITY**

File No: PR17-2968  
Author: Jaclyn Burns, Senior Development Control Officer

##### **Summary**

A Development Application has been received for construction works associated with Stage Two (2) of a previously approved concept approval associated with a recreational motor cross facility and associated camping ground at 2968 Shooters Hill Road.

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General Manager

Mayor



Moved: Morgan  
Second: Gibbons

That Council determine Development Application 10.2009.225.2 for Stage Two (2) of the concept plan approval associated to the recreational motor cross facility and associated camping ground on Lots 50, 51, 66, 67 and 73 in DP 753027 and lot 4 in DP: 1079460, 2968 Shooters Hill Road, Shooters Hill in accordance with the conditions contained within the report.

Carried 05170913

*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

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## **07 Questions from the Public**

Neville Kurtz addressed Council - On behalf of the Oberon Heritage and Collectors Club I would like to thank Council for its generous donation in kind for transport of heavy equipment for the Highland Steam and Vintage Fair to be held next year on 7 8 & 9 February.

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## **08 Confirmation of Minutes of Previous Meeting(s)**

### **Ordinary Meeting 20 August 2013**

Moved: Francis  
Second: Evans

That the Minutes of the Ordinary Meeting held on 20 August 2013 be taken as read and confirmed.

Carried 06170913

### **Matters Arising from the Minutes**

Nil

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## 09 Mayoral Minute and Report

### 09.01 MAYORAL MINUTE AND REPORT

File No: Governance/Meetings/Ordinary  
Author: John McMahon, Mayor

#### Summary

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

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Moved: Gibbons  
Second: Francis

That Report Item 09.01 is received as information.

Carried 07170913

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## 10 Councillor/Delegates Reports

### 10.01 CENTROC BOARD MEETING – DUBBO – 22 August 2013

File No: Government Relations/Local and Regional Consultation/Centroc  
Author: Mayor John McMahon and Jenny Bennett, Centroc

#### Summary

General Manager, Alan Cairney and I attended the Centroc Board Meeting held at Dubbo on Thursday 22 August 2013.

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Moved: McCarthy  
Second: Lord

That report item 10.01 is received as information.

Carried 08170913

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## 11 Inwards Correspondence

### 11.01 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 August 2013 to 31 August 2013. A copy of correspondence received will be available to be viewed at the Ordinary Council Meeting. Copies of correspondence are available upon request.

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Moved: Lord  
Second: McCarthy

That Report Item 11.01 is received as information.

Carried 09170913

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## 12 Reports for Information

### 12.01 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.

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Moved: Evans  
Second: McCarthy

That report item 12.01 is received as information.

Carried 10170913

### 12.02 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 August.

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Moved: McCarthy  
Second: Lord

That report item 12.02 is received as information.

Carried 11170913

**12.03 COMPANION ANIMALS TASKFORCE UPDATE**

File No: Laws and Enforcement/Companion Animals  
Author: Gary Wallace, Planning and Development Director

**Summary**

This report seeks to advise Council of proposed legislative changes to the Companion Animals Act 1998 in response to the Companion Animals Taskforce Report regarding dangerous and threatening dogs.

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Moved: McCarthy  
Second: Francis

That report 12.03 is received as information.

Carried 12170913

**12.04 MONTHLY ACTIVITY REPORT – WORKS AND ENGINEERING**

File: Governance/Meetings/Ordinary  
Author: Clive Cawthorne, Relief Works Engineer

**Summary**

Providing details of major work completed in the Works & Engineering Department in August.

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Moved: McCarthy  
Second: Morgan

That report item 12.04 is received as information.

Carried 13170913

**12.05 MONTHLY ACTIVITY REPORT  
FINANCE AND COMMUNITY SERVICES**

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

**Summary**

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

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Moved: McCarthy  
Second: Morgan

That report item 12.05 is received as information.

Carried 14170913

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**12.06 STATEMENT OF BANK BALANCES AND INVESTMENTS**

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

**Summary**

Reporting the Statement of Bank Balances and Investments as at 31 August 2013.

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Moved: Francis  
Second: Sajowitz

That report item 12.06 is received as information.

Carried 15170913

**12.07 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 August 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.

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Moved: Evans  
Second: Sajowitz

That report item 12.07 is received as information.

Carried 16170913

**12.08 UPCOMING MEETINGS**

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

**Summary**

A calendar of upcoming meetings is provided for information.

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Moved: McCarthy  
Second: Gibbons

That report item 12.08 is received as information.

Carried 17170913

**12.09 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: McCarthy  
Second: Lord

That report item 12.09 is received as information.

Carried 18170913

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**13 Reports for Decision**

**13.01 SWIMMING POOL BARRIER INSPECTION PROGRAM**

File No: Development and Building Controls\Swimming Pool Barrier Inspection Program  
Author: Jaclyn Burns, Senior Development Control Officer

**Summary**

At Councils Ordinary Meeting of the 19 February 2013, it was advised that the NSW State Government had introduced a requirement for Council to prepare and implement a swimming pool barrier inspection program.

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Moved: Lord  
Second: Evans

That Council endorse the proposed draft swimming pool barrier inspection program and that the draft be placed on public exhibition for a period of 28 days.

Carried 19170913

Item 13.02 was dealt with previously in the meeting.

**13.03 OBERON LAWN CEMETERY GUIDELINES**

File: Public Health/Cemeteries/Oberon Cemetery  
Author: Matilda Dwyer, Engineering Administration Assistant

**Summary**

A set of guidelines is required to ensure that the Lawn Cemetery is maintained to a required standard.

Moved: Sajowitz  
Second: Evans

That the Draft Guidelines for the Oberon Lawn Cemetery be placed on public exhibition and following appropriate community consultation a further report be provided to Council prior to adoption.

Carried 20170913

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## **14 Committee Reports**

Nil

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## **15 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.
- 

The Mayor requested that in future he be notified prior to the meeting if there are items of an urgent nature that need to be considered during the meeting.

Councillor Gibbons raised an issue concerning the maintenance of culverts and pipes, particularly on gravel roads.

A report will be provided to the next Works Committee Meeting in relation to this matter.

Councillor McCarthy asked a question in relation to the final plans for the renovation of the Netball Court Toilets. Councillor McCarthy asked if the final plans have been determined or if alternate designs could be considered.

The final plans has been considered and a report will be provided in the next Quarterly Budget Review which will be presented to the next Finance Committee Meeting in relation to any shortfall in funding.

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## 16 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.

Nil

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## 17 Closure of Meeting

The next Ordinary Meeting of Oberon Council will be held on Tuesday 15 October 2013 commencing at 5.30pm in the Oberon Council Chambers, 137 – 139 Oberon Street, Oberon.

*The Meeting closed at 8.00pm.*

Confirmed this \_\_\_\_\_ day of \_\_\_\_\_ 2013.

\_\_\_\_\_  
General Manager

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
General Manager

\_\_\_\_\_  
Mayor