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## UNCONFIRMED MINUTES

Oberon Council Ordinary Meeting  
Tuesday 20 June 2017

Commencing at 5.30pm  
at the Oberon Council Chambers

Agenda Items	page
1. OPENING OF MEETING .....	3
2. ACKNOWLEDGEMENT OF COUNTRY .....	3
3. PRAYER.....	3
4. RECORD OF ATTENDANCE .....	3
5. DECLARATIONS OF INTEREST.....	3
6. GENERAL AND CIVIC PRESENTATIONS.....	4
7. COMMUNITY PRESENTATIONS AND QUESTIONS.....	4
8. CONFIRMATION OF MINUTES .....	4
9. MAYORAL MINUTE AND REPORT .....	5
09.01    MAYORAL MINUTE AND REPORT.....	5
10. NOTICES OF MOTIONS .....	5
10.01    NOTICE OF MOTION – OBERON EAST SEWERAGE .....	5
11. COUNCILLOR AND DELEGATES REPORTS.....	6
11.01    UPPER MACQUARIE COUNTY COUNCIL .....	6
11.02    OBERON BUSINESS AND TOURISM ASSOCIATION MEETING .....	6
11.03    CENTROC BOARD MEETING .....	6
11.04    OBERON ARTS COUNCIL.....	7
12. COMMITTEE REPORTS .....	7
12.01    TRAFFIC ADVISORY LOCAL COMMITTEE.....	7
12.02    LOCAL EMERGENCY MANAGEMENT COMMITTEE .....	8
12.03    OBERON YOUTH COUNCIL.....	8
12.04    HERITAGE COMMITTEE .....	8
13. REPORTS FOR DECISION.....	9
13.01    DEVELOPMENT APPLICATION 10.2017.39.1 – DEMOLITION OF EXISTING SHED AND CONSTRUCTION OF A NEW SHED .....	9
13.02    DEVELOPMENT APPLICATION 10.2017.44.1 - SHED .....	10
13.03    OBERON 2017/18 DRAFT OPERATIONAL PLAN, DELIVERY PLAN, FEES & CHARGES AND RATING STRUCTURE.....	10
13.04    INNOVATION FUND – REQUEST FOR SUPPORT.....	11
13.05    COMMUNITY WELCOMES RECREATIONAL VEHICLES PROGRAM .....	12
13.06    MEETING WITH FORESTRY CORPORATION .....	12
13.07    DISABILITY INCLUSIVE ACTION PLAN .....	13
13.08    RELATED PARTIES DISCLOSURES POLICY 2220 .....	13
14. REPORTS FOR INFORMATION .....	14
14.01    MONTHLY ACTIVITY REPORT – GENERAL MANAGER .....	14
14.02    MONTHLY ACTIVITY REPORT –PLANNING & DEVELOPMENT DEPT.....	14
14.03    MONTHLY ACTIVITY REPORT - WORKS AND ENGINEERING.....	14
14.04    MONTHLY ACTIVITY REPORT – FINANCE & COMMUNITY SERVICES .....	15
14.05    GRANTS MONTHLY UPDATE .....	15
14.06    LEGAL FEES.....	15
14.07    WATER AND SEWER PLANT REPORT.....	16
14.08    STATEMENT OF INVESTMENTS.....	16
15. URGENT BUSINESS.....	16
16. CLOSED SESSION / CONFIDENTIAL REPORTS .....	16
16.01    LAND PURCHASE EDITH ROAD.....	16
17. CLOSURE OF MEETING .....	17

## 1. OPENING OF MEETING

The Mayor welcomed members and declared the meeting open at 5.30pm.

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## 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.

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## 3. PRAYER

The Meeting was opened in prayer by Clr Clive McCarthy.

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## 4. RECORD OF ATTENDANCE

Members	Mayor Kathy Sajowitz (in the Chair) Deputy Mayor Kerry Gibbons Clr Ian Doney Clr Neil Francis Clr Sam Lord Clr Clive McCarthy Clr John Morgan
Staff	Gary Wallace, General Manager Lynette Safranek, Finance and Community Services Director Chris Schumacher, Works and Engineering Director Sharon Swannell, Executive Coordinator
Apologies	Clr Jill Evans
Moved:	Francis
Second:	Morgan

That apologies be received and noted for the non-attendance of Clr Jill Evans.

Carried 01 200617

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## 5. DECLARATIONS OF INTEREST

File No: Governance/Councillors/Declarations of Interest

Pecuniary	-	Nil
Non-Pecuniary Significant	-	Nil
Non-Pecuniary Less than Significant	-	Clr Doney declared a non-pecuniary less than significant interest in report item 13.01. Clr Doney is a neighbour of the applicant.

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## 6. GENERAL AND CIVIC PRESENTATIONS

Nil

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## 7. COMMUNITY PRESENTATIONS AND QUESTIONS

Chris Freeman addressed Council, he advised he had become aware of the lack of attendance from members of the public at Council Meetings and asked how things are running, he then commented on the rollout of the NBN in Oberon.

Chris asked with the appalling performance of NBN in other areas, was there any consultation regarding the rollout in Oberon or have we just allowed them to roll into town? Were Council consulted, and is the NBN rollout in the best interest of the Oberon people? People are losing access up and down the street during this phase. It is definitely an issue for the community and as an independent Council Chris would like to see that we were consulted and had input into this process.

The Mayor advised that Council were advised when the NBN would be rolled out and there was consultation undertaken regarding the location of the nodes in Oberon.

General Manager Gary Wallace added that the rollout of the NBN is under the Federal Telecommunications Act and Council has little involvement in this process, however we were consulted throughout the process. The timeline has been in place for about three years, and the Oberon installation has occurred within the planned timeframe. Council had provided feedback in relation to the proposed location of the nodes.

The Mayor also advised there is a hotline phone number for people who have concerns with the NBN, however Council is happy to take up any concerns with the State or Federal authorities raised by members of the community.

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## 8. CONFIRMATION OF MINUTES

### **Ordinary Meeting 16 May 2017**

Moved: Doney  
Second: Lord

That the Minutes of the Ordinary Meeting held on 16 May 2017 be confirmed.

Carried 02 200617

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

Nil

### Extraordinary Meeting 6 June 2017

Moved: Morgan  
Second: Francis

That the Minutes of the Extraordinary Meeting held on 6 June 2017 be confirmed.

Carried 03 200617

### Matters Arising from the Minutes

Nil

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## 9. MAYORAL MINUTE AND REPORT

### 09.01 MAYORAL MINUTE AND REPORT

File No: Governance/Meetings/Ordinary  
Author: Cllr Kathy Sajowitz, Mayor

#### Summary

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

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Moved: Gibbons  
Second: Doney

That Report Item 09.01 is received as information.

Carried 04 200617

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## 10. NOTICES OF MOTIONS

### 10.01 NOTICE OF MOTION – OBERON EAST SEWERAGE

File No: Sewerage and Drainage/Reporting  
Author: Cllr Clive McCarthy

#### Summary

Seeking to not proceed with the Oberon East Sewerage project until more options are considered.

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Moved: McCarthy  
Second: Lord

That Oberon Council not proceed with Oberon East Sewerage until more options are considered and other plans and capacity are sought.

The motion was put and lost.

## 11. COUNCILLOR AND DELEGATES REPORTS

### 11.01 UPPER MACQUARIE COUNTY COUNCIL

File No: Governance/Meetings/Ordinary  
Author: Clr John Morgan

#### Summary

Councillors John Morgan and Neil Francis attended the meeting of the Upper Macquarie County Council on Friday 5 May 2017. A media release outlining the details of the autumn weed spraying program has been issued and relevant information is contained in this report.

Moved: Morgan  
Second: Francis

That report item 11.01 is received as information.

Carried 05 200617

### 11.02 OBERON BUSINESS AND TOURISM ASSOCIATION MEETING

File No: Economic Dev/OBTA  
Author: Clr Sam Lord

#### Summary

The Oberon Business and Tourism Association Meeting was held on 10 May 2017 at the Oberon Golf Club. Councillor Sam Lord attended the meeting as Council's delegate.

Moved: Lord  
Second: Gibbons

That report item 11.02 is received as information.

Carried 06 200617

### 11.03 CENTROC BOARD MEETING

File No: Government Relations/Local and Regional Liaison/CENTROC  
Author: Mayor Kathy Sajowitz

#### Summary

Along with General Manager Gary Wallace, I attended the Centroc Board Meeting at Parliament House Sydney on 25 May 2017. Member for Bathurst, the Hon Paul Toole, Minister for Lands, Forestry and Minister for Racing sponsored this meeting.

Moved: Doney  
Second: Morgan

That report item 11.03 is received as information.

Carried 07 200617

Page 6 of the Minutes of the Ordinary Meeting of Oberon Council held on Tuesday, 20 June 2017.

## 11.04 OBERON ARTS COUNCIL

File No: Community Relations/Community Consultation/Oberon Arts Council  
Author: Mayor Kathy Sajowitz

### Summary

Councillor Sajowitz attended the last meeting of the Oberon Arts Council Committee. A copy of the minutes of the meeting are provided for Council's information.

Moved: McCarthy  
Second: Doney

That report item 11.04 is received as information.

Carried 08 200617

## 12. COMMITTEE REPORTS

### 12.01 TRAFFIC ADVISORY LOCAL COMMITTEE

File: Governance/Meetings/Traffic Advisory Local Committee  
Author: Chris Schumacher, Works and Engineering Director

### Summary

Minutes of the Traffic Advisory Local Committee held on 10 May 2017 are submitted for Council's information and consideration.

Moved: Gibbons  
Second: Morgan

That:

1. The Minutes of the Traffic Advisory Local Committee held on 10 May 2017 are received as information.
2. The an application be submitted to RMS to reduce the speed along Abercrombie Road from Paling Yards to the Abercrombie Bridge / Upper Lachlan Shire Council shire boundary to 60 km/hr.
3. Council approach Goulburn Mulwaree Council and Upper Lachlan Shire Council to initiate a joint representation to the NSW State Government for re-classification of Abercrombie Rd to State Road.
4. Council move the "No Stopping" signs on O'Connell Rd at O'Connell out the front of the O'Connell Café to approximately 4-5 metres either side of the existing driveway access thus allowing some additional car parking spaces whilst ensuring that sight distance for the driveway access is sufficient.

Carried 09 200617

## **12.02 LOCAL EMERGENCY MANAGEMENT COMMITTEE**

File: Governance/Meetings/Local Emergency Management Committee

Author: Chris Schumacher, Works and Engineering Director

### **Summary**

Minutes of the Local Emergency Management Committee Meeting held on 15 May 2017 are submitted for Council's information and consideration.

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Moved: McCarthy

Second: Gibbons

That the Minutes of the Local Emergency Management Committee Meeting held on 15 May 2017 are received as information.

Carried 10 200617

## **12.03 OBERON YOUTH COUNCIL**

File: Governance/Meetings/OYC

Author: Lynette Safranek, Finance and Community Services Director

### **Summary**

Minutes of the Oberon Youth Council Meeting held on 24 May 2017 is submitted for Council's information and consideration.

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Moved: Doney

Second: McCarthy

That Council receive the minutes of the Oberon Youth Council Meeting held on 24 May 2017 as information.

Carried 11 200617

## **12.04 HERITAGE COMMITTEE**

File: Governance/Meetings/Heritage Committee

Author: Gary Wallace, General Manager

### **Summary**

Minutes of the Heritage Committee held on 29 May 2017 submitted for Council's information and consideration.

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Moved: McCarthy  
Second: Doney

That:

1. The Minutes of the Heritage Committee held on 29 May 2017 received as information.
2. Council accept the quote from Mr Gary Waller for \$2860.00 to formalise a plan for stabilisation works on the Lindlegreen Pise Barn at O'Connell.
3. Council write to the owner of land at O'Connell regarding the possible purchase by Council of a small portion of land which could become part of a proposed walking trail in the O'Connell Conservation area.

Carried 12 200617

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### 13. REPORTS FOR DECISION

Clr Doney declared a non-pecuniary less than significant interest in report item 13.01, Clr Doney is a neighbour of the applicant. Clr Doney remained in the room for the debate but did not vote on the matter.

<b>13.01 DEVELOPMENT APPLICATION 10.2017.39.1 – DEMOLITION OF EXISTING SHED AND CONSTRUCTION OF A NEW SHED</b>
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File No: Property/PO49-15 Author: Health and Building Surveyor, Kerry Davison
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#### Summary

A Development Application has been received for the demolition of an existing shed and construction of a new shed at 15 Scotia Avenue, Oberon with particular reference Part C.5.5 – “Building Height Plane” and Part C.6.4 – “Carports and Garages.”

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Moved: McCarthy  
Second: Morgan

That:

1. Delegation is granted to the General Manager to vary Part C.5.5 – “Building Height Plane” and Part C.6.4 – “Carports and Garages” of its current DCP 2001 associated to Development Application 10.2017.39.1 for the demolition of the existing shed and construction of a new shed at Lot 14 in DP 2364, Section A, being known as 15 Scotia Avenue, Oberon.
2. A division be called in accordance with Section 375A of The Local Government Act 1993.

Carried 13 200617

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

Votes For: Councillors Sajowitz, Francis, Gibbons, Morgan, McCarthy and Lord  
Against: Nil

**13.02 DEVELOPMENT APPLICATION 10.2017.44.1 - SHED**

File No: Property/PR142-40

Author: Health and Building Surveyor, Kerry Davison

**Summary**

A Development Application has been received for the construction of a shed at 40 Wilson Drive, Oberon. Variation to Development Control Plan (DCP) 2001 is sought, with particular reference to Part J.7.2.7 – “Ancillary Buildings”.

Moved: Gibbons  
Second: McCarthy

That:

1. Delegation is granted to the General Manager to vary Part J.7.2.7 – “Ancillary Buildings” of the Oberon Development Control Plan 2001 associated to Development Application 10.2017.44.1 for the construction of a shed at Lot 24 in DP 785503, 40 Wilson Drive, Oberon.
2. A division be called in accordance with Section 375A of The Local Government Act 1993.

Carried 14 200617

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

Votes For: Councillors Sajowitz, Francis, Gibbons, Morgan, McCarthy, Lord and Doney  
Against: Nil

**13.03 OBERON 2017/18 DRAFT OPERATIONAL PLAN, DELIVERY PLAN, FEES & CHARGES AND RATING STRUCTURE**

File No: Governance/Integrated Planning and Reporting/Community Strategic Plan

Author: Gary Wallace, General Manager; Lynette Safranek, Finance & Community Services Director; and Chris Schumacher, Works & Engineering Director

**Summary**

The Draft Oberon 2017/18 Operational Plan, Delivery Plan, Fees & Charges, and Rating Structure were placed on formal Public Exhibition from 17 May to 13 June 2017. Community Meetings were held at Black Springs, Burruga, O’Connell and Oberon prior to the public exhibition period.

The 2017/18 Draft Operational Plan includes the programs and projects to be undertaken from 1 July 2017 to 30 June 2018. During the exhibition period, Council received ten written submissions.

Moved: Francis  
Second: Doney

That:

1. Council adopt the Operational Plan 2017/18 incorporating the changes outlined within the report and any variation deliberated at the meeting.
  - An additional service to be provided at the Burruga and Black Springs Waste Transfer Stations to be capped at \$22,000 for a one year trial.
  - A reduction in the number of free tip days to one per year.
  - Retain the four free tip vouchers provided for each rate assessment per year.
  - A report be provided regarding the request from Ben Chifley Catchment Steering Committee into additional funding for weed management.
  - Donate the x-ray machine from the Oberon Dental Clinic to Greater Western Area Health and allocate up to \$2,000 towards the relocation of the x-ray machine to the Oberon MPS.
  - Improve the reporting structure on efficiency which are part of Council's operations.
2. Council endorse the 2017/18 Fees & Charges per changes indicated in this report
3. Council adopt the 2017/18 Rating Structure as set out in this report.
4. Provide all persons who made submission be provided with feedback on their submission.

Carried 15 200617

### **13.04 INNOVATION FUND – REQUEST FOR SUPPORT**

File No: Governance/Ordinary/June 2017

Author: Lynette Safranek, Finance and Community Services Director

#### **Summary**

To advise Council of a request for support from Upper Macquarie County Council for support for an Innovation Fund application.

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Moved: Morgan  
Second: Sajowitz

That Council provide a letter of support to the Upper Macquarie County Council to lodge an application under the Innovation Fund with the NSW State Government for the use of drone technology to assist in weeds inspections subject to landowner involvement.

Carried 16 200617

### **13.05 COMMUNITY WELCOMES RECREATIONAL VEHICLES PROGRAM**

File No: S/Governance/Meetings/Ordinary/June 2017  
Author: Gillian Salmon, Grants Coordinator

#### **Summary**

Council is proposing to apply to the Community Welcomes Recreational Vehicles Program which is an initiative of the Caravan Industry Association of Australia. Participation in this program will entitle Council to two free Oberon Welcomes Recreational Vehicles roadside signs, to be installed at the main entry points to town and a free listing on the Community Welcomes RV website.

Moved: Doney  
Second: Gibbons

That Council approve RV and Caravan Friendly casual or daytime parking locations for RV vehicles up to 8m in length and caravans in the northern end of Fleming Street, Cunynghame Street and Ross Street near the Oberon Visitor Information Centre.

Carried 17 200617

### **13.06 MEETING WITH FORESTRY CORPORATION**

File No: Governance/Meetings/Ordinary  
Author: Sharon Swannell, Executive Coordinator, Gary Wallace, General Manager

#### **Summary**

A meeting between Council, the Hon Paul Toole, Minister for Lands and Forestry and Racing together with Mr Jason Molkenntin, Regional Manager, Forestry Corporation of NSW was held on Monday 15 May 2107. The meeting was attended by Mayor Kathy Sajowitz, Deputy Mayor Kerry Gibbons, Clr Clive McCarthy, General Manager Gary Wallace, Works and Engineering Director, Chris Schumacher and Finance and Community Services Director Lynette Safranek.

Moved: McCarthy  
Second: Doney

That:

1. Council seek to implement a Memorandum of Understanding with Forestry Corporation to maintain access to the White Springs Cemetery in perpetuity from Campbells River Road, through the existing Forestry Corporation land.
2. Council write to the Black Springs Progress Association to indicate if they are interested in supporting the construction phase of the project.
3. Council pursue local contractors to assist with in kind support to complete the construction project.
4. Council pursue Forestry Corporation for a financial contribution to the installation of an additional water tank on the Black Springs Hall to facilitate a water supply for users of the picnic area in Black Springs.
5. Council reiterate its concerns over the potential for pine harvesting on Meadows Road and urge Forestry Corporation to consider upgrade to this road due to proposed harvesting.

Page 12 of the Minutes of the Ordinary Meeting of Oberon Council held on Tuesday, 20 June 2017.

6. That an application be submitted to Round 3 of the Fixing Country Roads Fund and a letter of support be sought from Minister for Forestry, the Hon Paul Toole MP and Forestry Corporation.

Carried 18 200617

### **13.07 DISABILITY INCLUSIVE ACTION PLAN**

File No: Community Services/DIAP

Author: Lynette Safranek, Finance & Community Services Director

#### **Summary**

Local Government is required by the [NSW Disability Inclusion Act 2014](#) (DIA) to undertake disability inclusion action planning by 1 July 2017. All Council's are required to complete a Disability Inclusion Action Plan (DIAP) to be delivered through the Integrated Planning and Reporting (IP&R) framework. This report presents Oberon Council's DIAP for approval.

Moved: McCarthy  
Second: Doney

That Council approve the Disability Inclusive Action Plan as presented with this report.

Carried 19 200617

### **13.08 RELATED PARTIES DISCLOSURES POLICY 2220**

File No: Governance/Policies

Author: Lynette Safranek, Finance and Community Services Director

#### **Summary**

Related party relationships are a normal feature of commerce and can affect the profit or loss and financial position of an entity. Related parties may enter into transactions that unrelated parties would not. Therefore, knowledge of an entity's transactions, outstanding balances (including commitments, and relationships with related parties) may affect assessments of its operations by users of the financial statements. It is important to emphasise that AASB 124 Related Party Disclosures (AASB 124) is not designed to detect and report fraud.

Moved: Doney  
Second: Morgan

That:

1. Council approve the Related Parties Disclosures Policy 2220.
2. A letter be sent to the Premiers Office outlining Councils strong objection to the implementation of the policy due to the onerous nature of this requirement in small communities and costs to Council in implementing the policy.
3. A letter be sent to Local Government NSW in support of their position against the implementation of this policy.

Carried 20 200617

Page 13 of the Minutes of the Ordinary Meeting of Oberon Council held on Tuesday, 20 June 2017.

## 14. REPORTS FOR INFORMATION

### 14.01 MONTHLY ACTIVITY REPORT – GENERAL MANAGER

File No: Governance/Meetings/Ordinary  
Author: Gary Wallace, General Manager

#### Summary

This report item summaries the main activity by the General Manager since the May Council Meeting. Items including Human Resources and Workplace Health & Safety, Community Activity, Regional Issues, Executive Management Team Meetings and planned activities.

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Moved: McCarthy  
Second: Doney

That report item 14.01 is received as information.

Carried 21 200617

### 14.02 MONTHLY ACTIVITY REPORT – PLANNING & DEVELOPMENT DEPT.

File No: Governance/Meetings/Ordinary  
Author: Gary Wallace, General Manager

#### Summary

This report item summaries the main activity in the Planning and Development Department since the May Council Meeting.

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Moved: McCarthy  
Second: Francis

That report item 14.02 is received as information.

Carried 22 200617

### 14.03 MONTHLY ACTIVITY REPORT - WORKS AND ENGINEERING

File: Governance/Meetings/Ordinary  
Author: Chris Schumacher, Works and Engineering Director

#### Summary

Providing a summary of the work activities in the Works & Engineering Department for the month of May 2017 and including scheduled work for the coming month of June 2017.

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Moved: McCarthy  
Second: Doney

That report item 14.03 is received as information.

Carried 23 200617

Page 14 of the Minutes of the Ordinary Meeting of Oberon Council held on Tuesday, 20 June 2017.

#### **14.04 MONTHLY ACTIVITY REPORT – FINANCE & COMMUNITY SERVICES**

File No: Governance/Meetings/Ordinary

Author: Lynette Safranek, Finance and Community Services Director

##### **Summary**

This report provides a summary of work within the Finance and Community Services Department during May 2017, plus planned activities for the upcoming months.

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Moved: Lord  
Second: McCarthy

That report item 14.04 is received as information.

Carried 24 200617

#### **14.05 GRANTS MONTHLY UPDATE**

File No: Governance/Grants/ June 2017

Author: Gillian Salmon, Grants Coordinator

##### **Summary**

This report provides a summary of Grant Funding applications and submissions, both internal and external, during May 2017.

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Moved: Doney  
Second: McCarthy

That report item 14.05 is received as information.

Carried 25 200617

#### **14.06 LEGAL FEES**

File No: Legal Services/Legal

Author: Lynette Safranek, Finance & Community Services Director

##### **Summary**

This report outlines the Legal Fee transactions for the period 1 July 2016 to 31 March 2017.

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Moved: Doney  
Second: Lord

That Report Item 14.06 is received as information.

Carried 26 200617

#### **14.07 WATER AND SEWER PLANT REPORT**

File: Governance/Meetings/Ordinary

Author: Chris Schumacher, Works and Engineering Director & Richard Robinson, Sewer & Water Plant Operator.

##### **Summary**

This report provides a summary Water & Waste Water Activity for the month of May 2017.

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Moved: Morgan  
Second: Lord

That report item 14.07 is received as information.

Carried 27 200617

#### **14.08 STATEMENT OF INVESTMENTS**

File No: Financial Management/Investments/Register

Author: Lisa Koleda, Management Accountant

##### **Summary**

Reporting the Statement of Investments as at 31 May 2017.

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Moved: Doney  
Second: McCarthy

That report item 14.08 is received as information.

Carried 28 200617

### **15. URGENT BUSINESS**

Nil

### **16. CLOSED SESSION / CONFIDENTIAL REPORTS**

#### **16.01 LAND PURCHASE EDITH ROAD**

File No: R191

Author: Works & Engineering Director, Chris Schumacher

This report item contains matters and information which relate to Section 10A (1) – (3) of the Local Government Act 1993.

(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: Morgan  
Second: McCarthy

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 29 200617

*Council moved into Closed Session at 9.05pm. There were no members of the public present at this point in time.*

#### **16.01 LAND PURCHASE EDITH ROAD**

File No: R191  
Author: Works & Engineering Director, Chris Schumacher

Moved: Gibbons  
Second: McCarthy

That:

1. Council approve the sale of the both parcels of unused road reserve land for the combined sum of \$6,580.73.
2. That all costs associated with the legal, survey and registration of the land parcels be borne by the applicants H.R & S.P Webb.
3. Councils General Manager be authorised to sign and affix the Councils Common Seal to Contract of Sale.

Carried 30 200617

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*Open Council resumed at 9.11pm.*

The Mayor advised that resolutions 30 200617 was made while the meeting was closed to the public. There were no members of the public present.

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## **17. CLOSURE OF MEETING**

The Mayor declared the meeting closed at 9.12pm.

The next Ordinary Meeting of Oberon Council will be held on Tuesday 18 July 2017 commencing at 5.30pm in the Oberon Council Chambers, 137 – 139 Oberon Street, Oberon.

Page 17 of the Minutes of the Ordinary Meeting of Oberon Council held on Tuesday, 20 June 2017.

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General Manager

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Mayor