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CONFIRMED MINUTES

Oberon Council Ordinary Meeting
Tuesday 18 July 2017

Commencing at 5.30pm
at the Oberon Council Chambers

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1. OPENING OF MEETING

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

2. ACKNOWLEDGEMENT OF COUNTRY

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

3. PRAYER

The Meeting was opened in prayer by Pastor Andrew Godden.

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 Sarah-Jane Holland, Administration Trainee
Apologies	Clr Jill Evans
Moved:	Morgan
Second:	McCarthy

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

Carried 01 180717

5. DECLARATIONS OF INTEREST

File No: Governance/Councillors/Declarations of Interest

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

6. GENERAL AND CIVIC PRESENTATIONS

Nil

7. COMMUNITY PRESENTATIONS AND QUESTIONS

None received.

8. CONFIRMATION OF MINUTES

Ordinary Meeting 20 June 2017

Moved: Morgan
Second: Doney

That the Minutes of the Ordinary Meeting held on 20 June 2017 be confirmed.

Carried 02 180717

Matters Arising from the Minutes

Nil

9. MAYORAL MINUTE AND REPORT

09.01 MAYORAL MINUTE AND REPORT

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

Summary

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

Moved: Lord
Second: McCarthy

That report item 09.01 is received as information.

Carried 03 180717

09.02 MAYORAL REPORT – CENTROC HEALTH PROJECTS

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

Summary

This report details areas of need identified for the Oberon area that are possible opportunities for inclusion in the Health Advocacy Plan.

Moved: McCarthy
Second: Morgan

That Council endorse the following public health services for inclusion in the Centroc Health Advocacy Plan:

- social worker
- physiotherapist
- occupational therapist
- mental health worker
- allocation of additional registered nurse positions at the Oberon MPS

Carried 04 180717

10. NOTICES OF MOTIONS

10.01 LAND SALE – OPERATIONAL LAND ABERCROMBIE RD

File No: PR187.1300
Author: Deputy Mayor Kerry Gibbons

Summary

Seeking to revisit previous discussion regarding the sale of road reserve fronting 1300 Abercrombie Road, Oberon.

Moved: Gibbons
Second: Francis

That Oberon Council revisit the potential sale of road reserve fronting 1300 Abercrombie Road, Oberon and a report be brought back to Council for consideration.

Carried 05 180717

Clr McCarthy requested his vote against the motion be recorded.

10.02 WIDTH OF FOG LINES

File No: Roads/Maintenance/Roads General
Author: Deputy Mayor Kerry Gibbons

Summary

Seeking to discuss the placement of fog lines on 9 metre wide bitumen sealed Regional and Local Roads which are utilised as heavy transport routes.

Moved: Gibbons
Second: McCarthy

That Council:

1. Trial a Local heavy haulage Road with no fog lines and a report be provided back to Council outlining the benefits or impacts versus that of a Regional Road of 3.5 metres.
2. Approach RMS seeking justification as to why road widths are limited at 3.5 metres on 9 metre pavement.

Carried 06 180717

Councillor John Morgan requested his vote against the motion be recorded.

11. COUNCILLOR AND DELEGATES REPORTS

11.01 COUNTRY MAYORS ASSOCIATION MEETING 16 JUNE 2017

File No: Government Relations/Regional/Country Mayors Association
Author: Mayor Kathy Sajowitz

Summary

On 16 June 2017 General Manager Gary Wallace and I attended the NSW Country Mayors Association (NSWCMA) Meeting held at NSW Parliament House in Macquarie Street.

Moved: McCarthy
Second: Francis

That report item 11.01 is received as information.

Carried 07 180717

11.02 UPPER MACQUARIE COUNTY COUNCIL MEETING – 16 JUNE 2017

File No: Environmental Management/Meetings/Upper Macquarie County Council
Author: Clr John Morgan and Clr Neil Francis

Summary

The most recent meeting of the Upper Macquarie County Council was held on Friday 16 June 2017 at the Council offices in Kelso. The meeting was attended by Council's delegates Clr John Morgan and Clr Neil Francis.

Moved: Morgan
Second: Francis

That report item 11.02 is received as information.

Carried 08 180717

11.03 OBERON TIMBER COMPLEX CONSULTATIVE COMMITTEE - 21 JUNE 2017

File No: Governance/Meetings/Oberon Timber Complex Community Consultative Committee
Author: Cllr Ian Doney

Summary

On 21 June 2017 I attended the Oberon Timber Complex Community Consultative Committee Meeting held at Borg Panels site.

Moved: Doney
Second: Lord

That report item 11.03 is received as information.

Carried 09 180717

12. COMMITTEE REPORTS

12.01 BLACK SPRINGS COMMUNITY HALL COMMITTEE – 21 JUNE 2017

File: Governance/Meetings/Black Springs Community Hall Committee
Author: Lynette Safranek, Finance & Community Services Director

Summary

Minutes of the Black Springs Community Hall Committee held on 21 June 2017 is submitted for Council's information.

Moved: Gibbons
Second: Francis

That Council:

1. Receive as information the Minutes of the Black Springs Community Hall Committee Meeting held on 21 June 2017.
2. Approve the change of meeting day of the Committee to the second Monday of every second month commencing at 6.30pm.

Carried 10 180717

12.02 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 28 June 2017 is submitted for Council's information and consideration.

Moved: McCarthy
Second: Morgan

That Council receive the Minutes of the Oberon Youth Council Meeting held on 28 June 2017 as information.

Carried 11 180717

13. REPORTS FOR DECISION

13.01 DEVELOPMENT APPLICATION 10.2017.27.1- TRANSPORTABLE DWELLING – 2068 BEACONSFIELD ROAD, WISEMANS CREEK

File No: Property/PR4-2068
Author: Health and Building Surveyor, Kerry Davison

Summary

A Development Application has been received for the placement of a transportable dwelling at 2068 Beaconsfield Road, Wisemans Creek. Approval is sought for the altering of Covenant No 2 of DP1142106 – “Restriction on Use of Land”.

Moved: McCarthy
Second: Doney

That:

1. Delegation is granted to the General Manager to vary Covenant No 2 of DP1142106 – “Restriction on Use of Land” associated to Development Application 10.2017.27.1 for the placement of a transportable dwelling at Lot 3 in DP 1142106, being known as 2068 Beaconsfield Road, Wisemans Creek.
2. A division be called in accordance with Section 375A of The Local Government Act 1993.

Carried 12 180717

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

13.02 DEVELOPMENT APPLICATION 10.2017.37.1- DWELLING, SEPARATE GARAGE AND SEPARATE SHED – 83 WAREGO LANE, O’CONNELL

File No: Property/PR635-83
Author: Health and Building Surveyor, Kerry Davison

Summary

A Development Application has been received for the construction of a dwelling, separate garage and separate shed at 83 Warego Lane, O’Connell. Approval is sought for the altering of Covenant No 1 of DP1225255 – “Restriction on the Use of Land”.

Moved: Morgan
Second: McCarthy

That:

1. Delegation is granted to the General Manager to vary Covenant No 1 of DP1225255 – “Restriction on the Use of Land” associated to Development Application 10.2017.37.1 for the construction of a dwelling, separate garage and separate shed at Lot 101 in DP 1225255, being known as 83 Warego Lane, O’Connell.
2. A division be called in accordance with Section 375A of The Local Government Act 1993.

Carried 13 180717

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 DEVELOPMENT APPLICATION 10.2017.34.1 – CONSTRUCTION OF A CARPORT

File No: Property/PO24-49
Author: Health and Building Surveyor, Kerry Davison

Summary

A Development Application has been received for the construction of a new carport at 49 Fleming Street, Oberon with particular reference Part C.5.5 – “Building Height Plane” and Part C.6.4 – “Carports and Garages.

Moved: McCarthy
Second: Gibbons

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 construction of a carport at Lot 6 in DP 249179, being known as 49 Fleming St, Oberon.
2. A division be called in accordance with Section 375A of The Local Government Act 1993.

Carried 14 180717

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

13.04 NEW DEVELOPMENT SERVICING PLAN FOR WATER SUPPLY & SEWERAGE

File No: Water & Sewer

Author: Chris Schumacher Works & Engineering Director

Summary

This report seeks Councils support to adopt the new ‘Developer Servicing Plan’ in accordance with section 64 of the Local Government Act. The plan was on public exhibition for 30 working days, as required by the 2016 Developer Charges Guidelines for Water Supply, Sewerage and Stormwater issued by the Minister for Lands and Water, pursuant to section 306 (3) of the *Water Management Act, 2000*. There were no submissions received during the exhibition period.

Moved: Doney
Second: Francis

That the new Developer Servicing Plan be adopted by Council and shall be implemented as part of Councils 2017/2018 Operational Plan.

Amendment Moved: Doney
Second: McCarthy

That:

1. The new Developer Servicing Plan be adopted by Council and shall be implemented as part of Councils 2017/2018 Operational Plan.
2. The sewer service map appendix B page 78 be amended to reflect two zones with b being the Oberon east future development area being a potential sewed area and A being the residual.

The amendment was put and won, the amendment becomes the motion.

Moved: Doney
Second: McCarthy

That:

1. The new Developer Servicing Plan be adopted by Council and shall be implemented as part of Councils 2017/2018 Operational Plan.
2. The sewer service map appendix B page 78 be amended to reflect two zones with b being the Oberon east future development area being a potential sewed area and A being the residual.

Carried 15 180717

13.05 PROPOSED CROWN ROAD CLOSURES

File No: Roads/RCI/Perm

Author: Chris Schumacher, Works and Engineering Director

Summary

Council has received notification of the intent to close a number of Crown Roads within the parish of Norway.

Moved: Gibbons
Second:

That Council consider item 13.05 and late report item 13.05A combined.

Motion lapses due to want of a seconder.

Moved: Gibbons
Second: Lord

That Council has no objection to the closure of these sections of Crown Road, File ref: CL/00462, provided that no properties are left without legal and practical access.

Carried 16 180717

Moved: McCarthy
Second: Francis

That late report item 13.05A be dealt with at this point in time.

Carried 17 180717

13.05A LATE REPORT - PROPOSED CROWN ROAD CLOSURES

File No: Roads/RCI/Perm

Author: Chris Schumacher, Works and Engineering Director

Summary

Council has received notification of the intent to close a number of Crown Roads within the parish of Norway.

Moved: McCarthy
Second: Francis

That Council seek extension from Crown lands to consider the road closure W575820 at the next available Council meeting.

Carried 18 180717

13.06 REVISED ENGINEERING AND WORKS FEES & CHARGES PRIVATE WORKS & PLANT HIRE 2017/18

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

Author: Chris Schumacher Works & Engineering Director & Prasanna Kariyawasam Acting Works Manager

Summary

The report seeks Council approval to adopt further changes to Councils 2017/18 Operational Plans with respect to the Engineering Fees & Charges.

Moved: Morgan

Second: Lord

That:

1. Council support the attached revised Draft 2017/18 Works and Engineering Private Works/Plant Hire Fees & Charges.
2. Council place the revised Draft 2017/18 Works and Engineering Section Fees & Charges on Public Exhibition for 28 days.
3. Following the Public Exhibition period, a report to be submitted to the next available Council Meeting for the adoption of the Works and Engineering Fees & Charges for 2017/18.

Carried 19 180717

Clr McCarthy and Clr Gibbons requested that their vote against the motion be recorded.

13.07 REVISED CEMETERY MANAGEMENT FEES & CHARGES 2017/18

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

Author: Chris Schumacher Works & Engineering Director & Rebecca Burgess Administrative Assistant

Summary

The report seeks Council approval to adopt further changes to Councils 2017/18 Operational Plans with respect to the Fees & Charges for Cemetery Management.

Moved: Doney

Second: Gibbons

That:

1. Council support the attached revised Draft 2017/18 Fees & Charges for Cemetery Management.
2. Council place the revised Draft 2017/18 Cemetery Management Fees & Charges on Public Exhibition for 28 days.
3. Following the Public Exhibition period, a report to be submitted to the next available Council Meeting for the adoption of the Cemetery Management Fees & Charges for 2017/18.

Carried 20 180717

Clr McCarthy requested that his vote against the motion be recorded.

Page 12 of the Minutes of the Ordinary Meeting of Oberon Council held on Tuesday, 18 July 2017.

13.08 NEW SKATE PARK LOCATION – OBERON COMMON

File No: Parks and Reserves/Oberon Common

Author: Lynette Safranek, Finance & Community Services Director; Gillian Salmon, Grants Coordinator

Summary

This report item seeks to identify a location for the Oberon Skate Park from previous reports submitted on behalf of the Oberon Youth Council and to apply for grant funding for this project.

Moved: McCarthy
Second: Morgan

That Council:

1. Locate a Skate Park within the Oberon Common, and
2. Submit a development application for the new skate park as a pre-requisite to applying for grant funding for the project.

Carried 21 180717

13.09 BEYOND THE RANGE

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

Author: Lynette Safranek, Finance & Community Services Director

Summary

This report seeks Council engagement for the Beyond the Range Program it is currently promoted through social media, Facebook posts, where a consultant is paid to attract traffic for the region through Health organisations, Universities and Media that contain relevant health stories. Its success is heavily reliant on engagement of member councils.

Moved: McCarthy
Second: Doney

That Council:

1. Receive report 13.09 as information
2. Continue engagement with the Beyond the Range social media Facebook posts;
3. Participate in a free social media workshop; and
4. Provide feedback to Centroc on value of the program.

Carried 22 180717

13.10 POTENTIAL PLANNING PROPOSAL – 62 FAIRVIEW DRIVE, OBERON

File No: PR163-62

Author: Gary Wallace, General Manager

Summary

This report seeks Council support for a potential Planning Proposal involving a spot rezoning for and existing Large Lot Residential allotment.

Moved: Doney
Second: Lord

That:

1. Council acknowledge the information provided
2. Council advise that under our current Strategic Planning initiatives no provision exists to currently support any proposal to further reduce the Minimum Lot Size with in the Titania Estate Large Lot Residential zone.

Carried 23 180717

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 June Council Meeting. Items including Human Resources and Workplace Health & Safety, Community Activity, Regional Issues, Executive Management Team Meetings, and planned activities.

Moved: Doney
Second: McCarthy

That report item 14.01 is received as information.

Carried 24 180717

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 June Council Meeting.

Moved: McCarthy
Second: Doney

That report item 14.02 is received as information.

Carried 25 180717

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 and Engineering Department for the month of June 2017 and including scheduled work for the coming month of July 2017.

Moved: McCarthy
Second: Gibbons

That report item 14.03 is received as information.

Carried 26 180717

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 June 2017, plus planned activities for the upcoming months.

Moved: McCarthy
Second: Lord

That report item 14.04 is received as information.

Carried 27 180717

14.05 GRANTS MONTHLY UPDATE

File No: Governance/Grants/July 2017
Author: Gillian Salmon, Grants Coordinator

Summary

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

Moved: Doney
Second: McCarthy

That report item 14.05 is received as information.

Carried 28 180717

14.06 STATEMENT OF INVESTMENTS

File No: Financial Management/Investments/Register
Author: Lisa Koleda, Management Accountant

Summary

Reporting the Statement of Investments as at 30 June 2017.

Moved: McCarthy
Second: Gibbons

That report item 14.06 is received as information.

Carried 29 180717

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 June 2017.

Moved: Doney
Second: McCarthy

That report item 14.07 is received as information.

Carried 30 180717

14.08 NATIONAL TIMBER COUNCIL & ALGA CONFERENCE CANBERRA

File: Government Relations/Local and Regional Liaison/Nation Timber Council Association
Author: Chris Schumacher, Works and Engineering Director

Summary

This report provides a summary of information from the annual National Timber Council and Australian Local Government Conference held in Canberra 19 June 2017.

Moved: Gibbons
Second: Morgan

That report item 14.08 is received as information.

Carried 31 180717

14.09 LOCAL GOVERNMENT ELECTIONS – CARETAKER PROVISIONS

File No: Governance/Elections/Local Government
Author: Gary Wallace, General Manager

Summary

A summary of the caretaker provisions pursuant to the Local Government Act 1993 and the Local Government (General) Regulation 2005 are provided for Councillors information.

Moved: Morgan
Second: McCarthy

That report item 14.09 is received as information.

Carried 32 180717

15. URGENT BUSINESS

Nil

16. CLOSED SESSION / CONFIDENTIAL REPORTS

16.01 HORIZON CARAVAN PARK – ASSIGNMENT OF LEASE

File No: PO14-7
Author: General Manager – Gary Wallace

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

16.02 RESTART NSW - OBERON SEWERAGE PROJECTS UPDATE

File: Waste Management/Design and Construction/Waste Management Facilities

Author: Chris Schumacher, Works and Engineering Director

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: Doney
Second: Francis

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 33 180717

Council moved into Closed Session at 7:44pm. Members of the public present left the meeting at this point in time.

16.01 HORIZON CARAVAN PARK – ASSIGNMENT OF LEASE

File No: PO14-7

Author: General Manager – Gary Wallace

Moved: McCarthy
Second: Francis

That Council consent to the assignment of lease for the Jenolan Caravan Park from Horizon Park Management P/L to LDL Tourist Parks

Carried 34 180717

16.02 RESTART NSW - OBERON SEWERAGE PROJECTS UPDATE

File: Waste Management/Design and Construction/Waste Management Facilities

Author: Chris Schumacher, Works and Engineering Director

Moved: Doney
Second: Morgan

That Council:

1. Endorse the Arup Group to undertake the Oberon STP options investigation
2. Endorse Hunter H2O to undertake the options study for the East Oberon Residential Project

Carried 35 180717

Open Council resumed at 7:57pm.

The Mayor advised that resolutions 34 180717 and 35 180717 were made while the meeting was closed to the public. There were no members of the public present.

17. CLOSURE OF MEETING

The Mayor declared the meeting closed at 7:57pm.

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

Tuesday 15 August 2017
commencing at 5.30pm

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