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## UNCONFIRMED MINUTES

Oberon Council Ordinary Meeting  
Tuesday 15 August 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.

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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 Sister Maureen Schiemer.

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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  
                  Shane Wilson, Planning and Development Director  
                  Sharon Swannell, Executive Coordinator

Apologies     Clr Jill Evans

Moved:        Francis  
Second:       Gibbons

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

Carried 01 150817

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## 5. DECLARATIONS OF INTEREST

File No: Governance/Councillors/Declarations of Interest

Pecuniary       -            Nil

Non-Pecuniary -            Nil  
Significant

Non-Pecuniary -            Nil  
Less than  
Significant

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## 6. GENERAL AND CIVIC PRESENTATIONS

Nil

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## 7. COMMUNITY PRESENTATIONS AND QUESTIONS

Mr John Deren, 24 Balfour Street addressed Council in relation to complaints he has made in relation to his neighbours dog, water run off from the neighbouring property and an illegal pool. Mr Deren commented that the complaints have now been ongoing for 8 – 9 months and asked what is going on. He is concerned that he hasn't been kept in the loop.

The General Manager responded advising that Council is pursuing the matters and as previously advised to Mr Deren some matters in relation to the investigation that Council would not disclose to an objector as part of its investigations. Mr Deren will be advised of the outcome once the matter is finalised.

Mr Alan Laing, 215 Baileys Lane addressed Council in relation to the proposed closure of a section of Baileys Lane. Mr Laing provided background information in relation to the extension of Baileys Lane which was undertaken in 2007. The road is now fully formed until it meets Mr Hunt's land. Mr Laing advised that Mr Hunt locks the gate to shut off access to this road. Flooding regularly occurs and the only access for emergency services during times of flood is via Adams Lane through to Baileys Lane. Mr Laing would like to see a permanent solution for Council to acquire the Crown Road, construct the final section of Baileys Lane for an all weather access for residents. He suggested a cattle grid/gate combination be incorporated at the junction of Adams Lane and Baileys Lane would be preferable.

Mr David McMurray addressed Council, as it is the last meeting of the current Council he thanked the Council for the work they have done during the term and congratulated the Council for their work during somewhat trying times.

Mr Neil O'Grady addressed Council on behalf of the Oberon Tigers. The Tigers may have an opportunity to host a semi-final or a grand final in coming weeks. As per last year's request the Tigers are seeking assistance with fencing for the semi-final and if a grand final is held in Oberon there would be additional requirements for mobile grandstands and security. The club is uncertain of when the event may happen as it is dependent on the results of games during finals. Mr O'Grady distributed a document which outlined the potential scenarios that may occur.

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## 8. CONFIRMATION OF MINUTES

### Ordinary Meeting 18 July 2017

Moved: Morgan  
Second: Doney

That the Minutes of the Ordinary Meeting held on 18 July 2017 be confirmed.

Carried 02 150817

### Matters Arising from the Minutes

Nil

Page 4 of the Minutes of the Ordinary Meeting of Oberon Council held on Tuesday, 15 August 2017.

Moved: Lord  
Second: Doney

That report item 13.02 and 13.05 be bought forward and dealt with at this point in time.

Carried 03 150817

### **13.02 BAILEYS LANE PROPOSED CROWN ROAD CLOSURE**

File No: Roads/RCI/Perm  
Author: Chris Schumacher, Works and Engineering Director

#### **Summary**

Council has received notification from the Crown Lands department regarding an application lodged with them with intent of a private land holder to close an unformed section Baileys Lane which traverses their parcel of land in DP 757042 linking Adams Lane with the already formed section of Baileys Lane.

Moved: McCarthy  
Second: Gibbons

Council object to the current application to close the unformed section of Baileys Lane across DP 757042.

Carried 04 150817

Moved: McCarthy  
Second: Gibbons

Council advise the Crown Lands Department in writing of its objection prior to 1 September 2017.

Carried 05 150817

Moved: McCarthy  
Second: Gibbons

Council consider its position in the future construction of the unformed section of Baileys Lane across DP757042 as a potential future extension to link the full length of Baileys Lane with Adams Lane.

Carried 06 150817

### **13.05 OBERON TIGERS RUGBY LEAGUE CLUB REQUEST FOR ASSISTANCE**

File No: Recreation & Cultural Services/Event Management/Sporting & Cultural Events/2016  
Author: Lynette Safranek, Finance & Community Services Director

#### **Summary**

The Oberon Tigers Rugby League Club Inc. has written to Council requesting assistance with Semi Finals Ground requirements.

Moved: Doney  
Second: McCarthy

That Council provide \$1,000 of in kind support to the Oberon Tigers Rugby League Club to host a Semi Final in Oberon.

Amendment Moved: Doney  
Second: McCarthy

That Council provide up to \$4,000 of cash or in kind support to the Oberon Tigers Rugby League Club to host a Semi Final in Oberon and that the General Manager and Mayor are to consider further requests as the competition progresses.

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

Moved: Doney  
Second: McCarthy

That Council provide up to \$4,000 of cash or in kind support to the Oberon Tigers Rugby League Club to host a Semi Final in Oberon and that the General Manager and Mayor are to consider further requests as the competition progresses.

Carried 07 150817

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## 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.

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Moved: Gibbons  
Second: Francis

That Report Item 09.01 is received as information.

Carried 08 150817

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## 10. NOTICES OF MOTIONS

Nil

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## 11. COUNCILLOR AND DELEGATES REPORTS

### 11.01 CENTROC TOURISM WORKSHOP – 2 AUGUST 2017

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

#### Summary

On August 2 2017 I attended the second Centroc Tourism Workshop at the Japanese Gardens, Cowra

As stated in previous reports, Central West NSW Tourism (CWNSWT) ceased operation on June 30 this year. Along with twelve other CW Councils Oberon agreed to be part of a new Centroc driven CW Tourism Group and became a financial member. All remaining assets of CWNSWT have been transferred to the new organisation. Ms Lisa Ditchfield formerly employed by CWNSWT is now employed by the Centroc Organisation.

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Moved: Lord  
Second: Morgan

That Oberon Council participate in the 2017 Unearth Campaign and allocate \$7,000 from the Tourism/Economic Development restricted funds to this project.

Carried 09 150817

### 11.02 UPPER MACQUARIE COUNTY COUNCIL MEETING – 4 AUGUST 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 4 August 2017 at the Council offices in Kelso. The meeting was attended by Council's delegates Clr John Morgan and Clr Neil Francis.

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Moved: Morgan  
Second: Francis

That report item 11.02 is received as information.

Carried 10 150817

## 12. COMMITTEE REPORTS

Nil

## 13. REPORTS FOR DECISION

### 13.01 CONTRACT FOR SUPPLY AND DELIVERY OF BITUMEN EMULSION

File No: Government Relations/Local & Regional Liaison/Centroc  
Author: Chris Schumacher, Works & Engineering Director

#### Summary

This report seeks Council's determination for continued participation in the regional procurement of bitumen emulsion and cold mix through Central NSW Councils (Centroc) Compliance and Cost Savings program and Supply Management Team.

Centroc will be seeking a 'Request for Tenders' (RFT), to identify suitable providers to supply (1) Bitumen Emulsion and (2) Cold Mix for the period 1 March 2018 – 28 February 2020 with an option for a 12 month extension. The two RFTs will be run concurrently, however will be separate contracts.

The following report provides more background advice regarding both Centroc's Compliance and Cost Savings Program and the regional purchase of bitumen emulsion cold mix.

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Moved: Doney  
Second: Gibbons

That:

1. In principle Oberon Council agree to participate in the two regional contracts for the procurement of bitumen emulsion and cold mix for the period 1 March 2018 – 28 February 2020 with an option for a 12 month extension.
2. The Council's Works and Engineering Director provide Centroc with advice accordingly.

Carried 11 150817

### 13.03 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 Essington and Walbrook areas.

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Moved: McCarthy  
Second: Gibbons

That Council has no objection to the closure of these sections of Crown Road, File ref: 17/06946, and File ref: 16/09152 provided that no properties are left without legal and practical access.

Carried 12 150817



**13.04 DEVELOPMENT SERVICING PLAN OBERON WATER & SEWERAGE**

File No: Sewerage and Drainage/Sewerage General  
Author: Chris Schumacher Works & Engineering Director

**Summary**

This report seeks Councils support to adopt the new 'Developer Servicing Plan' (DSP) 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: Morgan

That:

1. The new Developer Servicing Plan be adopted by Council with the inclusion of the new Sewer Zone Map and implemented as part of Councils 2017/2018 Operational Plan.
2. Until such time the Hunter H2O Options Study is complete and formal consultation has been undertaken with East Oberon Residents, the DSP zoning charges for sewer in Zone B be capped at \$0.00.

Carried 13 150817

**13.06 COUNCIL MEETING DATE SEPTEMBER 2017**

File No:  
Author: Gary Wallace, General Manager

**Summary**

As a result of the potential outcomes of the 2017 Local Government elections being finalised by 15 September 2017 it is proposed to hold the first meeting of the new Council on Thursday 21 September 2017 to allow for the Business Paper to be provided to the new Council in a statutory time.

Moved: McCarthy  
Second: Lord

That Council move the September Ordinary Council Meeting from Tuesday 19 September 2017 to Thursday 21 September 2017.

Carried 14 150817

**13.07 SUPPORT FOR RUN AGAINST VIOLENCE**

File No: S:/Community Services/Service Provision/Community Support  
Author: Lynette Safranek, Finance & Community Services Director

**Summary**

Council has been approached by Brad Smithers and the Run Against Violence (RAV) team for support with the solo ultramarathon run. The run is over 1300km from Broken Hill to Sydney in the 'Steps Together Ultramarathon' to give a voice to the often silent victims of family violence – the children. RAV is a not-for-profit organisation run completely by volunteers.

Moved: Gibbons  
Second: Morgan

That Council provide support of \$200 toward the Run Against Violence volunteers dinner during their stay in Oberon.

Carried 15 150817

**13.08 UPDATED LEAVE POLICY 2103**

File No: Governance/Policies/2017 Reviews  
Author: Lynette Safranek, Finance & Community Services Director

**Summary**

Leave Policy 2103 has been amended in accordance with the Local Government (State) Award 2017. It has also been through the Oberon Council Consultative Committee.

Moved: McCarthy  
Second: Gibbons

That Council approve Leave Policy 2103 as provided to the meeting.

Carried 16 150817

**13.09 BLACK SPRINGS PUBLIC SCHOOL READING PROGRAM**

File No: Financial Management/Section 356 Donations  
Author: Lynette Safranek, Finance & Community Services Director

**Summary**

The Black Springs Public School thought they had submitted an application for their Reading Comprehension Program during the Section 356 Funding Program but discovered after the event that it had not arrived at Council for consideration. The school would like to apply for support from Council for this program.

Moved: Francis  
Second: Lord

That Council approve a contribution of \$500 as part of the Section 356 Funding Program for the Black Springs Public School Reading Comprehension Program.

Carried 17 150817

### **13.10 CUMBERLAND COUNCIL SISTER CITY REQUEST**

File No: Economic Development/Sister City  
Author: Gary Wallace, General Manager

#### **Summary**

Correspondence has been received from the Cumberland Council seeking Council's confirmation of whether it continues to welcome a Sister City arrangement. Oberon Council has previously had a Sister City arrangement with the former Auburn City Council.

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Moved: McCarthy  
Second: Morgan

That Oberon Council confirm their wish to enter into a Sister City arrangement with Cumberland Council.

Carried 18 150817

### **13.11 END OF TERM REPORT – 2012 -2017 CSP**

File No: Corporate Mgt/Community Strategic Plan  
Author: Gary Wallace, General Manager

#### **Summary**

In 2012 Oberon Council introduced its first Community Strategic Plan. As part of its legal obligations Council is required to report back to its community as to the outcomes of the Plan. This end of term report outlines the achievements of Council through this period.

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Moved: Doney  
Second: McCarthy

That Council endorse the End of Term Report for the 2012-2017 reporting period.

Carried 19 150817

### **13.12 COUNCIL PRIORITY ROAD MATRIX – BITUMEN SEALING PROGRAM**

File No: Roads/Maintenance/Roads General

Author: Prasanna Kariyawasam, Acting Works Manager

#### **Summary**

At the request of Council a Priority Road Matrix has been established previously outlining the Roads which Council sees as an important part of Prioritising and allocating future Capital Funding for the construction and bitumen sealing of Unsealed Roads.

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Moved: Doney

Second:

That Council select and endorse one (1) of the five option tables attached as the future Council commitment to extending bitumen seal on current local unsealed roads.

The motion lapsed for want of a seconder.

Moved: McCarthy

Second: Gibbons

That the matter be held over until the new Council is formed in September to allow the new Council to properly consider the matter.

Carried 20 150817

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## **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 July 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: Gibbons

Second: McCarthy

That report item 14.01 is received as information.

Carried 21 150817

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

File No: Governance/Meetings/Ordinary

Author: Shane Wilson, Planning and Development Director and Gary Wallace, General Manager

##### **Summary**

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

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Moved: Lord  
Second: McCarthy

That report item 14.02 is received as information.

Carried 22 150817

#### **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 July 2017 and including scheduled work for the coming month of August 2017.

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Moved: McCarthy  
Second: Morgan

That report item 14.03 is received as information.

Carried 23 150817

#### **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 July 2017, plus planned activities for the upcoming months.

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Moved: McCarthy  
Second: Gibbons

That report item 14.04 is received as information.

Carried 24 150817

#### **14.05 STATEMENT OF INVESTMENTS**

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

##### **Summary**

Reporting of Statement of Investments as at 31 July 2017.

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Moved: Morgan  
Second: Gibbons

That report item 14.05 is received as information.

Carried 25 150817

#### **14.06 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 July 2017.

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Moved: McCarthy  
Second: Francis

That report item 14.06 is received as information.

Carried 26 150817

#### **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 July 2017.

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Moved: McCarthy  
Second: Doney

That report item 14.07 is received as information.

Carried 27 150817

#### **14.08 FIRE AND EMERGENCY SERVICES LEVY INQUIRY**

File No: Governance/Meetings/Ordinary/August 2017

Author: Lynette Safranek, Finance & Community Services Director

##### **Summary**

Following the decision by the State Government to halt the Fire and Emergency Services Levy by Local Councils, an Inquiry into the fire and emergency services levy has been formed.

Moved: Gibbons  
Second: McCarthy

That Report Item 14.08 is received as information.

Carried 28 150817

#### **14.09 HIRE OF PLANT 2017/18**

File No: Risk Management/Insurance/Contractors

Author: Chris Schumacher, Works & Engineering Director

##### **Summary**

Expressions of Interest were invited and rates have been received for the Comprehensive Hire of Plant on a contract basis for a period of eleven (11) months from 1 August, 2017. Quotations are assessed and recorded in the approved Plant Hire Schedule and contacted when plant items are required to cater for temporary fluctuations of workloads or where specialist items are required.

Moved: Gibbons  
Second: Morgan

That report item 14.09 is received as information.

Carried 29 150817

### **15. URGENT BUSINESS**

Nil

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

**16.01 ROTARY CLUB MOU – ALTHEA TAMAR JOHNSON MEMORIAL TRUST**

File No: Community Services/Service Provision/Aged Care Services  
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 LAND SALE – OPERATIONAL LAND ABERCROMBIE RD**

File No: PR187.1300  
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.

This report item contains matters and information listed in Section 10A (2) of the Act:

- (c) Information that would if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

**16.03 LAND PURCHASE CORNER ABERCROMBIE & CAMPELLS RIVER ROAD  
BLACK SPRINGS**

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: Lord  
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 30 150817

*Council moved into Closed Session at 6.56pm. Members of the public present left the meeting at this point in time.*

#### **16.01 ROTARY CLUB MOU – ALTHEA TAMAR JOHNSON MEMORIAL TRUST**

File No: Community Services/Service Provision/Aged Care Services  
Author: General Manager – Gary Wallace

Moved: McCarthy  
Second: Morgan

That:

Council enter into a Memorandum of Understanding with the trust managers of the Althea Tamar Johnson Memorial Trust to spend the bequest on senior's low cost housing within Oberon.

Council accepts the offer from the Trust to partner with council and contribute the Trust Funds to the Curtis Street Project under the Memorandum of Understanding.

That the Memorandum of Understanding be limited to twelve months and should the monies not be utilised then the Trust be afforded the opportunity to reallocate the monies accordingly.

Council allocate \$20,000 from the sale of Hathaway Cottage to develop a design for additional accommodation for seniors on Curtis Street.

Carried 31 150817

**16.02 LAND SALE – OPERATIONAL LAND ABERCROMBIE RD**

File No: PR187.1300

Author: Chris Schumacher, Works and Engineering Director

Moved: Gibbons  
Second: Morgan

That:

1. Council determine the sale of 2.1267ha of road reserve fronting 1300 Abercrombie Road, Oberon.
2. Council determine an appropriate price for the sale of the land in accordance with the valuation of OPTEON Group Pty Ltd.
3. The General Manager and Mayor be delegated authority to sign relevant legal documents associated with the transfer of the land.

Carried 32 150817

**16.03 LAND PURCHASE CORNER ABERCROMBIE & CAMPELLS RIVER ROAD  
BLACK SPRINGS**

File No: R191

Author: Works & Engineering Director, Chris Schumacher

Moved: Gibbons  
Second: Francis

That:

1. Council approve the sale of the land parcel on the Corner of Abercrombie and Campbell's River Road land for the value in accordance with the Opteon valuation.
2. That all costs associated with formalising the allotment including legal, survey, valuation and registration of the land shall be borne by the applicant.
3. Councils General Manager be authorised to sign and affix the Councils Common Seal to Contract of Sale.

Amendment Moved: Gibbons  
Second: Francis

That the matter be deferred pending further discussion with the proponent and a further report be bought back to Council.

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

Moved: Gibbons  
Second: Francis

That the matter be deferred pending further discussion with the proponent and a further report be brought back to Council.

Carried 33 150817

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*Open Council resumed at 7.45pm.*

The Mayor advised that resolutions 31 150817, 32 150817 and 33 150817 were 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 7.45pm.

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

Thursday 22 September 2017  
commencing at 5.30pm

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