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OBERON COUNCIL

CONFIRMED MINUTES

Oberon Council Ordinary Meeting
Tuesday 21 November 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 Clr Kerry Gibbons.

4. RECORD OF ATTENDANCE

Members Mayor Kathy Sajowitz (in the Chair)
 Deputy Mayor Kerry Gibbons
 Clr Don Capel
 Clr Mark Kellam
 Clr Brenda Lyon
 Clr Clive McCarthy
 Clr Mick McKechnie
 Clr Andrew McKibbin

Staff Gary Wallace, General Manager
 Shane Wilson, Planning and Development Director
 Lynette Safranek, Finance and Community Services Director
 Chris Schumacher, Works and Engineering Director
 Sharon Swannell, Executive Coordinator

Apologies Clr Ian Doney

Moved: McCarthy
Second: Lyon

That apologies be received and noted for the non-attendance of Clr Ian Doney.

Carried 01 211117

5. DECLARATIONS OF INTEREST

File No: Governance/Councillors/Declarations of Interest

Pecuniary	-	Nil
Non-Pecuniary Significant	-	Clr Lyon declared an interest in report item 16.05. Clr Lyon is a Committee Member of a group nominated for an award. Clr Gibbons declared an interest in report item 16.05. Clr Gibbons is related to a person nominated for an award. Clr McCarthy declared an interest in report item 16.05. Clr McCarthy is related to a person nominated for an award. Clr Capel declared a non-pecuniary significant interest in confidential report item 16.05. Clr Capel is a Committee Member of a group nominated for an award.
Non-Pecuniary Less than Significant	-	Nil

6. PRESENTATIONS

A presentation was provided by Jenny Bennett, Executive Officer Central NSW Councils regarding the activities of Centroc.

7. QUESTIONS FROM THE PUBLIC

Nil

8. CONFIRMATION OF MINUTES

Ordinary Meeting 17 October 2017

Moved: Kellam
Second: McKibbin

That the Minutes of the Ordinary Meeting held on 17 October 2017 be confirmed.

Carried 02 211117

Matters Arising from the Minutes

Nil

Moved: McCarthy
Second: Kellam

That report item 13.04 be brought forward and dealt with at this point in time.

Carried 03 211117

Page 5 of the Minutes of the Ordinary Meeting of Oberon Council held on Tuesday 21 November 2017.

13.04 PLANNING PROPOSAL – 2519 O’CONNELL ROAD

File No: PR186-2519

Author: Brendan O’Loan Consulting Town Planner / Shane Wilson Planning & Development

Summary:

Council is been in receipt of a Planning Proposal from ‘Geolyse’ for an amendment to the Oberon Local Environmental Plan 2013. The Planning Proposal has been submitted to Oberon Council on behalf of Belvoir Hill Pastoral Company Pty Ltd in May 2017. The subject site is land located at 2519 O’Connell Road, O’Connell which is to the south of the township of O’Connell and 18km south-east of Bathurst. The Planning proposal is for a rezoning of the subject site from RU1 Primary Production Zone to R5 Large Lot Residential Zone with a 10ha minimum lot size. This rezoning would facilitate a potential 17-lot subdivision on the subject site.

Oberon Council officer’s assessed the planning proposal in August 2017 and identified the following reasons on which not to recommend support to the planning proposal at that time:

- *Does not accord with the Oberon Land Use Strategy criteria in identifying future rural lifestyle living sites as O’Connell is not a primary or secondary service centre.*
- *The additional lot supply in O’Connell may generate disproportionate demands for services and infrastructure in the village of O’Connell which is currently not zoned to allow commercial, retail or community facilities.*
- *There has been no evidence provided within the Planning Proposal that there is less than 10 years supply of rural lifestyle living sites and/or a lack of supply of rural lifestyle living sites in O’Connell or Oberon Council.*
- *In accordance with Section 117 Direction 1.2 Rural Lands, there is no compelling reason that this agricultural land should be rezoned to lifestyle living lots.*
- *Is not supported by SEPP (Rural Lands) 2008, as the Planning Proposal has failed to provide evidence that additional R5 zoned land would contribute to the social and economic welfare of the O’Connell community.*

Despite not supporting the planning proposal the Council officer’s assessment of August 2017 stated:

“To a certain extent there is some planning merit to the Planning Proposal as the subject site is located between two areas of R5 zoned land and in the future there may be some land use conflict between the R5 and the subject sites RU1 zoning. The land also has manageable constraints, is close to the centre of O’Connell and is potentially the most suitable RU1 land in the O’Connell surrounds suited for large lot living.”

Initial advice on the draft report was provided to ‘Geolyse’ for their consideration.

‘Geolyse’ have since responded to the Council officer’s recommendation with ‘Further Information’ dated 5 October 2017, which is affirmation of the strategic merit of the planning proposal. This report has subsequently been prepared in response to the Geolyse ‘Further Information’.

Moved: McKechnie
Second: Kellam

That:

1. Council do not support the Planning Proposal or the request for gateway determination for the following reasons.
 - The additional rural residential land in O’Connell will result in a disproportionate demand for services and infrastructure in O’Connell which is currently not zoned to allow commercial or retail uses.
 - The additional rural residential land in O’Connell is not supporting the town of Oberon which is nominated as the primary service centre and has significant amounts of R5 land available in conjunction with existing services and/or the potential to provide these services.
 - This planning proposal is inconsistent with the Rural Planning Principles identified in the State Environmental Planning Policy (Rural Lands) 2008 specifically:
 - *The promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas.*
 - *Recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits of rural land use and development,*
 - *The provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities,*
2. Council authorise the General Manager to inform the proponent that Oberon Council do not support the planning proposal.

Amendment Moved: McCarthy
Second: Gibbons

That the proposal be deferred until an onsite meeting can be held in the New Year.

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

Moved: McKibbin
Second: McCarthy

That the proposal be deferred until an onsite meeting can be held in the New Year.

Carried 04 211117

Votes For: Councillors Sajowitz, Kellam, Lyon, McCarthy, Capel, McKibbin and Gibbons
Against: Councillor McKechnie

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: Lyon
Second: Gibbons

That Report Item 09.01 is received as information.

Carried 05 211117

10. NOTICES OF MOTIONS

10.01 40 KILOMETER PER HOUR SPEED LIMIT AT EMERGENCY INCIDENTS

File No: Emergency Services/Planning/Correspondence
Author: Mayor Kathy Sajowitz

Summary

The President of the NSW Rural Fire Service has requested support to facilitate a safe speed limit for vehicles approaching emergency incidents on the road network through a legislative framework.

Moved: Sajowitz
Second:

That:

1. Council support a request from RFSA to advocate for a 40kms per hour safe speed limit when approaching an emergency incident
2. Council write to the NSW Premier Gladys Berejiklian and other relevant Members of the NSW Parliament advocating for this change.
3. This issue be brought to the attention of the Traffic Committee (TALC) of council for discussion as to what other action may be taken to support this initiative

Carried 06 211117

10.02 BEACONSFIELD ROAD

File No: R4

Author: Deputy Mayor Kerry Gibbons

Summary

Seeking the potential to remove a 90 degree bend on Beaconsfield Road.

Moved: Gibbons
Second: McCarthy

That Council investigate the potential to remove the 90 degree bend on Beaconsfield Road near the property of 'Kentucky'.

Carried 07 211117

11. COUNCILLOR AND DELEGATES REPORTS

11.01 OBERON BUSINESS AND TOURISM ASSOCIATION MEETING 18 OCTOBER 2017

File No: Economic Development/OBTA

Author: Clr Don Capel

Summary

The Mayor, General Manager Gary Wallace and Councillor Capel attended the meeting which was held at the Oberon Golf Club on Wednesday 18 October commencing at 6pm with President, Tim Charge presiding.

Moved: Capel
Second: Lyon

That report item 11.01 is received as information.

Carried 08 211117

11.02 UPPER MACQUARIE COUNTY COUNCIL MEETING – 20 OCTOBER 2017

File No: Environmental Management/Meetings/Upper Macquarie County Council

Author: Clr Andrew McKibbin

Summary

The most recent meeting of the Upper Macquarie County Council was held on Friday 20 October 2017 at the Council offices in Kelso. The meeting was attended by Council's delegates Clr Andrew McKibbin and Clr Don Capel.

Moved: McKibbin
Second: Capel

That report item 11.02 is received as information.

Carried 09 211117

11.03 OBERON ARTS COUNCIL MEETING – 25 OCTOBER 2017

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 of the previous meeting are provided for Council's information.

Moved: McCarthy
Second: Capel

That report item 11.03 is received as information.

Carried 10 211117

11.04 NSWPLA CENTRAL WEST ZONE MEETING - 27 OCTOBER 2017

File No: Community Services/Library
Author: Clr Kathy Sajowitz

Summary

Councillor Sajowitz attended the NSW Public Libraries Association (NSWPLA) Central West Zone Meeting held at Bathurst on 27 October 2017

Moved: McCarthy
Second: Capel

That report item 11.04 is received as information.

That Oberon Council host the NSWPLA Central West Zone Meeting in March 2018.

Carried 11 211117

**11.05 COUNTRY MAYORS ASSOCIATION AGM AND GENERAL MEETING
3 NOVEMBER 2017**

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

Summary

On November 3 2017 General Manager Gary Wallace and I attended the NSW Country Mayors Association (NSWCMA) AGM and General Meeting held at NSW Parliament House in Macquarie St Sydney. There were eighty two people in attendance.

Moved: Capel
Second: McKibbin

That report item 11.05 is received as information.

Carried 12 211117

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 8 November 2017 are submitted for Council's information and consideration.

Moved: Gibbons
Second: Kellam

That:

1. Minutes of the Traffic Advisory Local Committee held on 8 November 2017 are received as information.
2. Council incorporate the proposed items into a Concept Plan for the Dart Street School Zone Parking, as below:
 - a) The No Stopping Zone is to be moved towards the Pedestrian Crossing to reduce the No Stopping distance to 7.5 m.
 - b) The Disabled Parking Zone is to be moved towards the Pedestrian Crossing. Install correct Disabled Zone Parking Stencil on the Road & Install correct Disabled Zone Parking sign.
 - c) The Disabled Ramp is to be extended so that the Ramp goes across the full gap between the posts.
 - d) Install Double Barrier (BB) Lines on the Eastern Side of the Crossing across the Bowling Club Driveway.

- e) Remove the Green Parallel Parking signs & Install New signs with only the (AM) School Zone drop off Zone Parking restrictions to remain.
- f) Supplement the Parallel (AM) School Zone Drop Off Zone Area Parking Bays with Perpendicular Lines from the Kerb to mark each parking spot.

Carried 13 211117

13. REPORTS FOR DECISION

13.01 DEVELOPMENT APPLICATION 10.2017.86.1 – CONSTRUCTION OF A NEW SHED WITH ATTACHED CARPORT AND TEMPORARY USE OF SHIPPING CONTAINER
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File No: Property/PO3-2

Author: Health and Building Surveyor, Kerry Davison

Summary

A Development Application has been received for the construction of a new shed and attached carport and temporary use of shipping container at 2 Armstrong Place, Oberon with particular reference Part C.5.5 – “Building Height Plane” and Part C.6.4 – “Carports and Garages”.

Moved: Capel
Second: Kellam

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 10.2017.86.1 for the construction of a new shed with attached carport and temporary use of shipping container at Lot 8 in DP 219824, being known as 2 Armstrong Place, Oberon.
2. A division be called in accordance with Section 375A of The Local Government Act 1993.

Carried 14 211117

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, Kellam, Lyon, McKechnie, McCarthy, Capel, McKibbin and Gibbons
Against: Nil

13.02 DEVELOPMENT APPLICATION 10.2017.87.1 – CONSTRUCTION OF A NEW SHED

File No: Property/PO12-8

Author: Health and Building Surveyor, Kerry Davison

Summary

A Development Application has been received for the construction of a new shed at 8 Cook Street, Oberon with particular reference Part C.5.5 – “Building Height Plane” and Part C.6.4 – “Carports and Garages.”

Moved: McKibbin
Second: McCarthy

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 10.2017.87.1 for the construction of a new shed at Lot 20 in DP 576053, being known as 8 Cook Street, Oberon.
2. A division be called in accordance with Section 375A of The Local Government Act 1993.

Carried 15 211117

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, Kellam, Lyon, McKechnie, McCarthy, Capel, McKibbin and Gibbons
Against: Nil

13.03 WAIVER REQUEST SECTION 94 FEES - DEVELOPMENT APPLICATION 10.2017.72.1

File No: PR4-1269

Author: Shane Wilson, Planning and Development Director

Summary

Correspondence has been received from Burruga Recreation Reserve Trust requesting that Council waive the Section 94 Developer Contribution fees associated with the placement of a four room accommodation building at the Burruga Recreation Ground.

Moved: McKibbin
Second: Gibbons

That Council waive the \$5,749.50 Development Section 94 Developer Contribution fees associated with the placement of four room accommodation building at the Burruga Recreation Ground.

Carried 16 211117

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13.05 DEVELOPMENT APPLICATION 10.2016.78.1 – COMMUNITY CONSULTATIVE COMMITTEE NOMINATION

File No: PR14-54

Author: Shane Wilson, Planning and Development Director

Summary

Correspondence has been received from Pine Hill Quarries requesting that Council nominate one Councillor and one Council Officer to sit on the required “Community Consultative Committee” as required by condition 23 of the Development Consent for the Pine Hill Quarry.

Moved: McCarthy
Second: Capel

That Councillor Ian Doney and the Planning Development Director be appointed to sit on the Pine Hill Quarry “Community Consultative Committee”.

Carried 17 211117

13.06 LOCAL GOVERNMENT NSW – NON-RATEABLE FORESTRY LAND WORKING PARTY

File No: Govt Relations/Local and Regional Liaison/LGNSW Unrateable Forestry Land Working Party

Author: Gary Wallace, General Manager

Summary

To advise Council of undertakings made by the Mayor and General Manager to gain support for equitable funding for those Councils who are affected by unrateable land.

Moved: Kellam
Second: McKibbin

That Council endorse the motion outlined within the report.

Carried 18 211117

13.07 CODE OF CONDUCT – NSW GOVERNMENT PROPOSED REVIEW

File No: Governance/Meetings/Ordinary

Author: Gary Wallace, General Manager

Summary

This report seeks Councils endorsement to prepare a response to the NSW State Government in relation to the proposed new requirements outlined in the current draft Model Code of Conduct.

Moved: Kellam
Second: Capel

That Council prepare a response to the draft Model Code of Conduct outlining its concerns and support those raised by LGNSW.

Carried 19 211117

13.08 PARK RUN – EXPRESSION OF INTEREST

File No: Community Services/Planning/Community Development
Author: Gary Wallace, General Manager

Summary

To advise Council of a request from the community to support the implementation of a Park Run in the Oberon LGA.

Moved: McKibbin
Second: Kellam

That:

1. Council 'in principle' support the concept of a Park Run in the Oberon LGA
2. Council indicate to the interested parties that they lodge an expression of interest through the s356 Donations in the 2018/19 deliberations.

Carried 20 211117

13.09 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 Crown Roads within the Oberon Local Government Area.

Moved: Gibbons
Second: Capel

That Council has no objection to the closure of these sections of Crown Road, File ref: CL/00467, 17/06944 and 11/10534 provided that no properties are left without legal and practical access.

That a letter be sent to Crown Lands in relation to Lot 97 DP757065 seeking clarification of how Forestry Corporation will access this lot if the Crown Road closure proceeds, as there is not adequate sight distance on the alternate open route onto Abercrombie Road.

Carried 21 211117

13.10 PROPOSED CLOSURE OF UNFORMED COUNCIL ROAD – JUDDS CREEK

File No: Roads/RCI/Perm

Author: Chris Schumacher, Works and Engineering Director

Summary

Council has received correspondence from Steele & Co on behalf of the land owners relating to the purchase of Crown Road and unformed Council Road through Lots 11, 12 & 13 DP 774591.

Moved: Kellam
Second: Gibbons

That Council write to the Department of Industry Lands and advise it has no objection to the closure of the unformed Council Road through Lots 11, 12 & 13 DP 774591.

Amendment Moved: Capel
Second: McKibbin

That the matter be deferred to allow additional information including a site map to be bought back to Council.

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

Moved: Capel
Second: McKibbin

That the matter be deferred to allow additional information including a site map to be bought back to Council.

Carried 22 211117

13.11 ANNUAL REPORT 2016/17

File No: Government Relations/OLG/Ordinary/November 2017

Author: Gary Wallace, General Manager

Summary

As part of Council's statutory obligations it is required to prepare an Annual Report.

A copy of Council's Annual Report for the year ended 30 June 2017 will be provided to Councillors at the Ordinary Council Meeting.

Moved: McCarthy
Second: Capel

That Council:

1. Receive the Annual Report for the year ended 30 June 2017 as information
2. Approve the upload the Annual Report on the Council's website and
3. Notify the Office of Local Government that the Annual Report is on Council's website and provide a copy of the Annual Report to the Minister in accordance with s426(5) of the LG Act.

Carried 23 211117

13.12 QUARTERLY BUDGET REVIEW STATEMENT: JULY - SEPTEMBER 2017

File No: Governance/Meetings/Ordinary/November 2017
Author: Lynette Safranek, Finance & Community Services Director

Summary

The Quarterly Budget Review Statement (QBR) is presented with income and expenditure for the period from 1 July to 30 September 2017.

Moved: McKibbin
Second: Kellam

That report item 13.12 is received as information.

Carried 24 211117

It was noted that on page 112, in the second last paragraph of the report the figure quoted should be \$3,067M. The M was not included in the report.

13.13 BUILDING BETTER REGIONS FUND APPLICATION FOR OBERON SEWERAGE TREATMENT PLANT AND EAST OBERON SEWERAGE PROJECT

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

Summary

Round two of the Australian Governments Building Better Regions Fund (BBRF) opened on 7 November 2017. The BBRF represents Council's best opportunity to date to secure additional funding for the Oberon STP and East Oberon Sewerage Project. Council have already secured \$4.95 million of Restart NSW funding for this project through the Water and Waste Water Backlog Program and is doubtful that its current Expression of Interest application to the Restart NSW Safe and Secure Water programme for \$2.475 million will not be successful.

Moved: McKibbin
Second: Capel

The matter be deferred to the Closed Council section of the meeting and late report item 13.03a also be considered in relation to this matter.

Carried 25 211117

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

Moved: McCarthy
Second: Kellam

That report item 14.01 is received as information.

Carried 26 211117

14.02 MONTHLY ACTIVITY REPORT – PLANNING & DEVELOPMENT DEPT.

File No: Governance/Meetings/Ordinary
Author: Shane Wilson, Planning and Development Director

Summary

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

Moved: Capel
Second: McKibbin

That report item 14.02 is received as information.

Carried 27 211117

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 October 2017 and including scheduled work for the coming month of November 2017.

Moved: Gibbons
Second: McKibbin

That report item 14.03 is received as information.

Carried 28 211117

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 October 2017, plus planned activities for the upcoming months.

Moved: Capel
Second: Lyon

That report item 14.04 is received as information.

Carried 29 211117

14.05 STATEMENT OF INVESTMENTS

File No: Financial Management/Investments/Register

Author: Lisa Koleda, Management Accountant; Lynette Safranek, Finance & Community Services Director

Summary

Reporting the Statement of Investments as at 31 October 2017.

Moved: McCarthy
Second: McKibbin

That report item 14.05 is received as information.

Carried 30 211117

14.06 GRANTS MONTHLY UPDATE

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

Summary

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

Moved: Kellam
Second: McCarthy

That report item 14.06 is received as information.

Carried 31 211117

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 October 2017.

Moved: Kellam
Second: McKibbin

That report item 14.07 is received as information.

Carried 32 211117

14.08 NEW COUNCILLOR HANDBOOK

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

Summary

This report seeks to advise and supply Councillors with the new Councillor Handbook provided by the Office of Local Government.

Moved: McCarthy
Second: McKibbin

That report item 14.08 be received as information.

Carried 33 211117

14.09 COUNTRY AND OUTBACK DESTINATION NETWORK WORKSHOP

File No: Economic Development/Regional Tourism Development
Author: Gary Wallace, General Manager

Summary

This report seeks to advise Council of ongoing tourism initiatives for the Country and Outback Destinations Network.

Moved: Capel
Second: Kellam

That report item 14.09 be received as information.

Carried 34 211117

15. URGENT BUSINESS

Nil

16. CLOSED SESSION / CONFIDENTIAL REPORTS

16.01 ENTERING INTO A CONTRACT FOR SUPPLY AND DELIVERY OF ROAD SIGNS TO CENTRAL NSW COUNCILS

File No: Roads/Maintenance/Road Signs and Street Lighting
Author: Chris Schumacher, Director of Works & Engineering

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

- (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 COURT OF APPEAL

File No: Governance/Legal
Author: Gary Wallace, General Manager

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)(g) of the Act:

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

16.03 LAND SALE – OPERATIONAL LAND ABERCROMBIE RD

File No: PR187.1300

Author: Gary Wallace, General Manager

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)(c) 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.

16.04 TOURISM AND ECONOMIC DEVELOPMENT – OBERON OPPORTUNITIES

File No: Governance/Tourism/Staff

Author: Gary Wallace, General Manager

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)(a) of the Act:

- (a) Personnel matters concerning particular individuals (other than Councillors)

16.05 CITIZEN OF THE YEAR AWARDS

File No: Community Relations/Awards

Author: Gary Wallace, General Manager

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

- (a) personnel matters concerning particular individuals (other than councillors)

13.13a BUSINESS CASE STUDY & COST BENEFIT ANALYSIS OBERON STP

File No: Governance/Grants/November 2017

Author: Lynette Safranek, Finance & Community Services Director; Chris Schumacher, Works & Engineering Director; Gillian Salmon, Grants Coordinator

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)(g) 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
- (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: Capel
Second: Gibbons

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 35 211117

Council moved into Closed Session at 7.41pm. Members of the public present left the meeting at this point in time.

16.01 ENTERING INTO A CONTRACT FOR SUPPLY AND DELIVERY OF ROAD SIGNS TO CENTRAL NSW COUNCILS

File No: Roads/Maintenance/Road Signs and Street Lighting
Author: Chris Schumacher, Director of Works & Engineering

Moved: McKibbin
Second: Kellam

That Council:

1. Endorse the panel of providers of road signs which is made up of Artcraft Pty Ltd, Barrier Signs Pty Ltd and De Neefe Pty Ltd, and
2. Advise Centroc of its decision.

Carried 36 211117

16.02 COURT OF APPEAL

File No: Governance/Legal
Author: Gary Wallace, General Manager

Moved: Gibbons
Second: McKibbin

That Council authorise the affixing of the Common Seal to the Deed of Release between Oberon Council, Minister for Local Government, State of New South Wales, the Acting Chief Executive of the Office of Local Government and Mr Richard Pearson.

Carried 37 211117

16.03 LAND SALE – OPERATIONAL LAND ABERCROMBIE RD

File No: PR187.1300

Author: Gary Wallace, General Manager

Moved: Kellam
Second: Capel

That:

1. Council proceed with the sale of 2.1267ha of road reserve fronting 1300 Abercrombie Road, Oberon.
2. The General Manager and Mayor be delegated authority to sign relevant legal documents associated with the transfer of the land.

Carried 38 211117

16.04 TOURISM AND ECONOMIC DEVELOPMENT – OBERON OPPORTUNITIES

File No: Governance/Tourism/Staff

Author: Gary Wallace, General Manager

Moved: Capel
Second: Sajowitz

That:

1. Council support the inclusion of a Tourism and Economic Development position into the current operational structure.
2. The General Manager finalise a Position Description and advertise for the new position in 2017.

Carried 39 211117

13.13 & 13.13A BUILDING BETTER REGIONS FUND APPLICATION FOR OBERON SEWERAGE TREATMENT PLANT AND EAST OBERON SEWERAGE PROJECT

File No: Governance/Grants/November 2017

Author: Gillian Salmon, Grants Coordinator

Moved: McCarthy
Second: Gibbons

That Council:

1. Approve the submission of an application to the Building Better Regions Fund requesting a grant of \$4.95 million for the Oberon STP and East Oberon Sewerage Project.
2. Seek support from both our State and Federal Members for funding through the BBRF to meet the estimated \$9.9 million cost of the project.

3. Approve the engagement of AP Sheere Consultants to develop a Cost Benefit Analysis (CBA) and Business Case Study for the quoted fee contained within the report.

Carried 40 211117

16.05 CITIZEN OF THE YEAR AWARDS

File No: Community Relations/Awards
Author: Gary Wallace, General Manager

Moved: McCarthy
Second: Kellam

That:

1. Australia Day Awards be made in the following categories:
 - a. Citizen of the Year
Clr Gibbons declared an interest in this category and left the meeting at 8.43pm.
 - b. Young Citizen of the Year (18 years and under)
Clr Gibbons returned to the meeting at 8.45pm.
 - c. Sportsperson of the Year
Clr McCarthy declared an interest in this category and left the meeting at 8.49pm.
 - d. Young Sportsperson of the Year (18 years and under)
Clr McCarthy returned to the meeting at 8.51pm.
Clr Gibbons declared an interest in this category and left the meeting at 8.51pm.
 - e. Sports Team of the Year
Clr Gibbons returned to the meeting at 8.53pm.
 - f. Community Event of the Year
Clr Lyon and Clr Capel declared an interest in this category and left the meeting at 8.55pm.
 - g. Volunteer or Volunteer Group of the Year
Clr Lyon and Clr Capel returned to the meeting at 8.56pm.
2. That an invitation be extended to all award nominees, Councillors and Management Staff and their partners to meet the Australia Day Ambassador and partner at a function on the evening of 25 January 2018 to be held at McKeown's Rest, Jenolan Caves.
3. That the 2018 Australia Day Celebrations be held at the Oberon Showground Hall.
4. That a budget allocation of \$10,000 be provided from Town Improvement Reserve Funds to facilitate the purchase and installation of community celebration flags in the Oberon Street Gardens.

Carried 41 211117

Open Council resumed at 9.02pm.

The Mayor advised that resolutions 36 211117, 37 211117, 38 211117, 39 211117, 40 211117 and 41 211117 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 9.02pm.

The next Ordinary Meeting of Oberon Council will be held on Tuesday 19 December 2017 commencing at 5.30pm in the Oberon Council Chambers, 137 Oberon Street, Oberon.