

137-139 Oberon Street
PO Box 84
Oberon NSW 2787

Telephone: (02) 6329 8100
Fax: (02) 6329 8142
Email: council@oberon.nsw.gov.au



OBERON COUNCIL

ATTACHMENTS

Minutes of Previous Meetings

Ordinary Council Meeting

20 February 2018

137-139 Oberon Street
PO Box 84
Oberon NSW 2787

Telephone: (02) 6329 8100
Fax: (02) 6329 8142
Email: council@oberon.nsw.gov.au



UNCONFIRMED MINUTES

Oberon Council Works Committee Meeting 12 December 2017

Commencing at 5.30pm
at the Oberon Council Chambers

Agenda Items	page
1. OPENING OF MEETING & ACKNOWLEDGEMENT OF COUNTRY.....	3
2. RECORD OF ATTENDANCE	3
3. DECLARATIONS OF INTEREST.....	3
4. CONFIRMATION OF MINUTES	3
5. REPORTS	4
05.01 FIXING COUNTRY ROADS - MEADOWS ROAD	4
05.02 BEACONSFIELD ROAD – LAND PURCHASE FUTURE ROAD REALIGNMENT WORK.....	4
05.03 COUNCIL PRIORITY ROAD MATRIX – BITUMEN SEALING PROGRAM.....	5
05.04 EAST OBERON SEWERAGE - UPDATE	5
05.05 CAPITAL WORKS PROGRAM – PROGRESS UPDATE 2017/2018.....	6
05.06 FORESTRY CORPORARTION NSW – FEE WAVIER	6
05.07 PROPOSED CROWN ROAD CLOSURES.....	6
05.08 PROPOSED CLOSURE OF UNFORMED COUNCIL ROAD – JUDDS CREEK.....	7
05.09 LOCAL INFRASTRUCTURE RENEWAL SCHEME - COMPLETION	7
6. GENERAL BUSINESS.....	8
7. CLOSURE OF MEETING	8

1. OPENING OF MEETING & ACKNOWLEDGEMENT OF COUNTRY

The Mayor welcomed members and declared the meeting open at 5.40 pm.

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.

2. RECORD OF ATTENDANCE

Members Mayor Kathy Sajowitz (in the Chair)
 Deputy Mayor Kerry Gibbons
 Clr Don Capel
 Clr Ian Doney
 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 Nil

3. DECLARATIONS OF INTEREST

File No: Governance/Councillors/Declarations of Interest

Pecuniary - Nil

Non-Pecuniary - Nil
Significant

Non-Pecuniary - Nil
Less than
Significant

4. CONFIRMATION OF MINUTES

Works Committee Meeting

Minutes of the Works Committee Meeting held on 2 May 2017 were accepted by Council at its Ordinary Meeting held on 16 May 2017, resolution number 03 160517.

Matters Arising from the Minutes

Nil

Page 3 of the Minutes of the Works Committee Meeting of Oberon Council held on Tuesday, 12 December 2017

5. REPORTS

05.01 FIXING COUNTRY ROADS - MEADOWS ROAD

File No: Roads/Maintenance/Roads General
Author: Prasanna Kariyawasam, Acting Works Manager

Summary

The report is to provide an outline to the scope of works proposed on the Meadows Road with the recent success of the application made through Round 3 of the 'Fixing Country Roads Program'.

Moved: Kellam
Second: McKibbin

That the report 05.01 be received as information.

Carried 01 121217

05.02 BEACONSFIELD ROAD – LAND PURCHASE FUTURE ROAD REALIGNMENT WORK

File No: Financial Management
Author: Director Works and Engineering, Chris Schumacher

Summary

The report provides an update on the recent progress of discussions with respect to Council request to approach the land owner 1004 Beaconsfield Road to facilitate the potential purchase of land for future road realignment works to eliminate the existing 90 degree bend in current road.

Moved: McCarthy
Second: Capel

That:

1. Council proceed to engage a formal land valuation, to be undertaken by an independent registered land valuation agency.
2. A report be brought back to Council for determination once a formal letter of response/offer has been received from the land owners.

Carried 02 121217

Clr Doney left the meeting at 5.56pm. returned to the meeting at 5.58pm.

05.03 COUNCIL PRIORITY ROAD MATRIX – BITUMEN SEALING PROGRAM

File No: Roads/Maintenance/Roads General
Author: Prasanna Kariyawasam, Acting Works Manager

Summary

During Council's Ordinary Meeting of 21 November 2017 Council elected to defer the Council Priority Road Matrix Report to next available Works Committee Meeting 12 December 2017. At the request of Council a Priority Road Matrix has been established outlining the Roads which Council sees as an important part of prioritising and allocating future Capital Funding, provide for bitumen sealing of unsealed roads.

Moved: Kellam
Second: McKibbin

That:

1. Council Endorse Road Priority Matrix - Option 6 as the ongoing future Council commitment to extending bitumen seal on current local unsealed roads of between 1 and 2km per year in chronological order until all roads have been completed.
2. Budget allocation to continue this work will be sourced from the Roads to Recovery Program on an annual basis.

Carried 03 121217

05.04 EAST OBERON SEWERAGE - UPDATE

File No: Financial Management
Author: Director Works and Engineering, Chris Schumacher

Summary

The report is further to the recent community consultation meeting held at the Oberon RSL Club Tuesday 28 November 2017, outlining a proposal on the options study recently completed by Consultancy Hunter H2O and the preferred methodology of a Low Pressure Sewerage system.

Moved: McCarthy
Second: Kellam

That Item 05.04 is received as information.

Carried 04 121217

05.05 CAPITAL WORKS PROGRAM – PROGRESS UPDATE 2017/2018

File No: Financial Management/Budgeting/Capital Works Program
Author: Director Works and Engineering, Chris Schumacher

Summary

The report provides Council with a progress report on the current Capital Expenditure Program completed to the month of December for the 2017/2018 financial year.

Moved: Gibbons
Second: Capel

That report item 05.05 be received as information.

Carried 05 121217

05.06 FORESTRY CORPORATION NSW – FEE WAVIER

File No: Financial Management
Author: Director Works and Engineering, Chris Schumacher

Summary

The report is a request from Forestry Corporation NSW for wavier of recent charges for the assessment of their application associated with logging from Jeremy at Burruga to Oberon via the Campbell's River Road.

Moved: Gibbons
Second: McKibbin

That the fee associated with the National Heavy Vehicle Regulator road assessment component of \$860.00 be waived as part of the application.

Carried 06 121217

05.07 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. At Council's Ordinary meeting of 21 November 2017 Council resolved "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." Crown Lands have confirmed that they have been in discussions with Forestry NSW who have requested that the closure be subject to easements to benefit them out to Mozart Rd.

Moved: McKibbin
Second: Capel

That Council has no objection to the closure of these sections of Crown Road, case ID 11/10534, provided that no properties are left without legal and practical access.

Carried 07 121217

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

05.08 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. At Council's Ordinary Meeting of 21 November 2017 Council requested a clearer map detailing the area and the road in question.

Moved: Capel
Second: McKibbin

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.

Carried 08 121217

05.09 LOCAL INFRASTRUCTURE RENEWAL SCHEME - COMPLETION

File No: Governance/Meetings/Works Committee
Author: Prasanna Kariyawasam Acting Works Manager, Chris Schumacher, Works & Engineering Director

Summary

The following report outlines the Roads and Expenditure to date of the \$3.4 million LIRS program.

Moved: McKibbin
Second: Doney

That Item 05.09 be received as information.

Carried 09 121217

6. GENERAL BUSINESS

Forestry Corporation Gravel Pits

Clr McCarthy asked about the progress of the approval process for the use of Forestry Gravel Pits. As the matter has been discussed for quite some time Clr McCarthy suggested a contractor be engaged to carry out the approval process.

Works and Engineering Director, Chris Schumacher replied that this would be welcome. There have been ongoing discussions with Forestry Corporation regarding the quality and location of suitable pits.

Gary Wallace confirmed that initially this could be dealt with by Council officers. A report will be provided to Councillors providing an update in early 2018.

Road Standards

Clr Gibbons expressed disappointment regarding the standard of road works being completed by Oberon Council. Clr Gibbons commented that we need to ensure our operators are trained to a high standard, that we are adopting best practice methods, planning works correctly, using appropriate design and pegging works. Further discussion was held regarding plant utilisation.

Works and Engineering Director Chris Schumacher replied that although there are some issues that could be addressed, Council has a skilled workforce. We utilise the technology available in both 2D and 3D and actively look to upskill our workforce on these technologies.

Gary Wallace responded that Council is continuously looking for opportunities to do things better. Finalisation of Councils Asset Management Plan will assist in ensuring that works are carried out according to road hierarchy. Input will be sought from Engineering staff regarding areas of efficiency that operators can identify. Further Gary indicated the need to address Engineering standards for our road hierarchy and had provided instruction for the Engineering department to undertake a road design strategy for local roads within our LGA.

7. CLOSURE OF MEETING

The Mayor declared the meeting closed at 7.50pm.

The next Works Committee Meeting of Oberon Council will be held on:

To be advised in the Oberon Council Chambers, 137 Oberon Street, Oberon.

137 Oberon Street
PO Box 84
Oberon NSW 2787

Telephone: (02) 6329 8100
Fax: (02) 6329 8142
Email: council@oberon.nsw.gov.au



OBERON COUNCIL

UNCONFIRMED MINUTES

Oberon Council Ordinary Meeting
Tuesday 19 December 2017

Commencing at 5.30pm
at the Oberon Council Chambers

Page 1 of the Minutes of the Ordinary Meeting of Oberon Council held on Tuesday 19 December 2017.

General Manager

Mayor

Agenda Items	page
1. OPENING OF MEETING	4
2. ACKNOWLEDGEMENT OF COUNTRY	4
3. PRAYER.....	4
4. RECORD OF ATTENDANCE	4
5. DECLARATIONS OF INTEREST.....	4
6. PRESENTATIONS.....	4
7. QUESTIONS FROM THE PUBLIC	5
8. CONFIRMATION OF MINUTES	6
13.05 FLUORIDATION OF WATER – EXPRESSION OF INTEREST	6
9. MAYORAL MINUTE AND REPORT	7
09.01 MAYORAL MINUTE AND REPORT.....	7
10. NOTICES OF MOTIONS	7
10.01 NOTICE OF MOTION – CONSTITUTION OF GENERAL MANAGER PERFORMANCE REVIEW PANEL.....	7
11. COUNCILLOR AND DELEGATES REPORTS.....	8
11.01 OBERON BUSINESS AND TOURISM ASSOCIATION MEETING 15 NOVEMBER 2017	8
11.02 UPPER MACQUARIE COUNTY COUNCIL MEETING – 24 NOVEMBER 2017	8
11.03 CENTROC BOARD MEETING NOVEMBER 2017.....	9
11.04 CHIFLEY LOCAL AREA COMMAND COMMUNITY SAFETY PRECINCT MEETING 27 NOVEMBER 2017	9
12. COMMITTEE REPORTS	10
12.01 OBERON YOUTH COUNCIL.....	10
12.02 BLACK SPRINGS COMMUNITY HALL COMMITTEE.....	10
12.03 COMMUNITY SERVICES COMMITTEE.....	10
12.04 HERITAGE COMMITTEE	11
13. REPORTS FOR DECISION.....	11
13.01 DEVELOPMENT APPLICATION 10.2017.85.1 – CHANGE OF USE – FARM BUILDING TO FUNCTION CENTRE	11
13.02 DEVELOPMENT APPLICATION 10.2017.96.1 – TWO LOT SUBDIVISION (BOUNDARY ADJUSTMENT)	12
13.03 DEVELOPMENT APPLICATION 10.2017.99.1 – ADDITION TO AN EXISTING DWELLING.....	13
13.04 EQUAL EMPLOYMENT OPPORTUNITY POLICY	13
13.06 DOG ROCKS ROAD – COMPULSORY ACQUISITION OF FORESTRY CORPORATION NSW LAND - WITHDRAWN	14
13.07 EXPRESSION OF INTEREST – MAYFIELD AUTUMNFEST 2018	14
13.08 REQUEST BY OBERON SHOW SOCIETY	14

14. REPORTS FOR INFORMATION	15
14.01 MONTHLY ACTIVITY REPORT – GENERAL MANAGER	15
14.02 MONTHLY ACTIVITY REPORT – PLANNING & DEVELOPMENT DEPT.	15
14.03 MONTHLY ACTIVITY REPORT - WORKS AND ENGINEERING.....	15
14.04 MONTHLY ACTIVITY REPORT – FINANCE & COMMUNITY SERVICES	16
14.05 GRANTS MONTHLY UPDATE	16
14.06 STATEMENT OF INVESTMENTS	16
14.07 INVESTMENT POLICY	17
14.08 WATER AND SEWER PLANT REPORT.....	17
14.09 FORECASTED RATES LEVY 2018-19.....	18
15. URGENT BUSINESS.....	18
16. CLOSED SESSION / CONFIDENTIAL REPORTS	18
16.01 WATER WRITE-OFF REQUEST – ACCOUNT 12360996	20
16.02 WATER WRITE-OFF REQUEST – ACCOUNT 12368465	20
16.03 LEGAL MATTER	20
16.04 OPERATIONAL LAND MATTERS – O’CONNELL RECREATIONAL LAND.....	21
17. CLOSURE OF MEETING	21

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 Ian Doney.

4. RECORD OF ATTENDANCE

Members Mayor Kathy Sajowitz (in the Chair)
 Deputy Mayor Kerry Gibbons
 Clr Don Capel
 Clr Ian Doney
 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 Nil

5. DECLARATIONS OF INTEREST

File No: Governance/Councillors/Declarations of Interest

Pecuniary - Nil

Non-Pecuniary - Nil
Significant

Non-Pecuniary - Clr McCarthy declared a less than significant non pecuniary
Less than interest in report item 13.02. Clr McCarthy has been advised he
Significant has previously provided information to the applicant in relation to
 the matter.

6. PRESENTATIONS

Nil

7. QUESTIONS FROM THE PUBLIC

Lyndall Precians addressed Council regarding the proposed closure of St Aidens Anglican Church, Black Springs.

The Heritage Listed St. Aidan's Anglican Church is a 126 year old pioneer church, which adjoins the village of Black Springs. I speak as a former very active member of that church community which is devastated by the prospect of losing the church.

The Bishop of Bathurst has recently ordered the immediate closure of the church. He informed the Oberon Parish that the church is to be sold and that the proceeds from its sale are to be used for the very important \$2 million redress to abuse victims by lay people and clergy of the Anglican Diocese of Bathurst.

As Council is aware, the property has serious limitations as to usage, cannot be lived in, there is a baby's grave next to the church and the property has limited commercial value. In fact, there are several more suitable and remunerative sights elsewhere in the Parish and in the Diocese of Bathurst that could be sold to assist with this redress.

Simple tin on the outside, with beautiful timber panelling on the inside, St. Aidan's is an integral and much treasured part (along with the Avoca Church) of Black Springs Village and district infrastructure. The loss of St. Aidan's will be a tragedy to the district.

It is important for us to remember that the Courts, Robinson, Stevenson and McKinnon families, among others, were significant benefactors in establishing, furnishing and endowing St. Aidan's and still have descendants living in the district. I understand that Beryl Courts, whose baby is buried beside the western foundations, provided funding to build the Oberon Parish Rectory.

There is a documented history of rural churches being secretly stripped out, including the stained-glass windows, without consultation with the community and before offering the churches for sale. We owe it to those original families and to the community that have continued to worship there until last month not to let this happen to St. Aidan's.

I appeal to Council to immediately write a cautionary letter to the Anglican Diocese of Bathurst before the Christmas break. The Diocese should be reminded of its obligations in relation to the heritage status, the baby's grave and the requirements such as – that the exterior cannot be changed, fixtures, including the stained-glass windows (which I understand were provided by the community) cannot be removed and the building cannot be removed etc.

I would like to thank Council for the opportunity to speak.

Kevin Webb also addressed Council in relation to St Aidan's Anglican Church, Black Springs and reiterated the comments made by Lyndall Precians. Kevin expressed concern for the future of other small Church's in the LGA. Kevin is an avid supporter of local history and strongly urged Council to do what it can to preserve not only St Aidan's Church but all heritage items in the area.

8. CONFIRMATION OF MINUTES

Ordinary Meeting 21 November 2017

Moved: Lyon
Second: McKibbin

That the Minutes of the Ordinary Meeting held on 21 November 2017 be confirmed.

Carried 01 191217

Matters Arising from the Minutes

Nil

Moved: Doney
Second: Capel

1. That Urgent Business and Report item 13.05 be brought forward and dealt with at this point in time.
2. That Council consider the following matters as they are considered to be of an urgent nature requiring immediate consideration by Council:
 - Sale of St Aidan's Anglican Church, Black Springs

Carried 02 191217

Moved: Kellam
Second: McKibbin

That:

A letter be sent urgently to the Right Reverend Ian Palmer, Anglican Bishop of Bathurst, requesting consideration is given to reversing the decision to close and sell St Aidan's Church at Black Springs.

The letter also states Councils support for the congregation of St Aidan's Church, recognising the impact the closure will have on the community.

Carried 03 191217

13.05 FLUORIDATION OF WATER – EXPRESSION OF INTEREST

File No: Water Supply/Reporting/Fluoridation
Author: Gary Wallace, General Manager

Summary

To advise Council of information received by the Oberon Health Council as a result of a letter sent to Oberon Council from The Minister for Health, The Hon Brad Hazzard MP in relation to the benefits of fluoridation.

Moved: Capel
Second: Kellam

That Council note the letter from Oberon Health Council and the Minister for Health and Minister for Medical Research and accept the offer for a face to face briefing for the Council and senior staff led by suitably qualified people from NSW Health on the evidence supporting fluoridation of Oberon's water supply

And further that suitably qualified people amongst opponents to fluoridation brief council and senior staff on the evidence against fluoridation of Oberon's water supply

And further that the meetings be held before council makes any determination of the matter.

Carried 04 191217

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: Doney
Second: McCarthy

That Report Item 09.01 is received as information.

Carried 05 191217

10. NOTICES OF MOTIONS

10.01 NOTICE OF MOTION – CONSTITUTION OF GENERAL MANAGER PERFORMANCE REVIEW PANEL

File No: Personnel/General Manager
Author: Clr Kathy Sajowitz

Summary

Currently the General Manager Performance Review is conducted by a "Whole of Council" Panel. To comply with enforceable Office of Local Government Guidelines under Section 23a of the Local Government Act, Oberon Council needs to consider a panel as prescribed under the said Act.

Moved: Sajowitz
Second:

That Council:

1. Establish a Performance Review Panel consistent with the Office of Local Government Guidelines under Section 23a of the Local Government Act.
2. The Performance Review Panel to include - The Mayor, Deputy Mayor, a Councillor nominated by Council and a Councillor nominated by the General Manager.
3. That Councillor McKibbin be endorsed as council nominated representative on the Review Panel.
4. That Councillor Kellam be endorsed as the General Managers nominated representative on the Review Panel.

The motion was put and lost.

11. COUNCILLOR AND DELEGATES REPORTS

11.01 OBERON BUSINESS AND TOURISM ASSOCIATION MEETING 15 NOVEMBER 2017

File No: Economic Development/OBTA
Author: Clr Don Capel

Summary

On 15 November 2017 Mayor Kathy Sajowitz, General Manager Gary Wallace and Councillor Don Capel attended the Annual General Meeting of the Oberon Business and Tourism Association held at the Oberon Golf Club.

Moved: Capel
Second: McCarthy

That report item 11.01 is received as information.

Carried 06 191217

11.02 UPPER MACQUARIE COUNTY COUNCIL MEETING – 24 NOVEMBER 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 24 November 2017 at the Council offices in Kelso. The meeting was attended by Council's delegates Clr Andrew McKibbin and Councillor Don Capel.

Moved: Capel
Second: McKibbin

That:

1. Report item 11.02 is received as information.
2. Council support the Upper Macquarie County Council (UMCC) continuing to operate under the current governance structure and noting that UMCC will:
 - a) identify targets that it wishes to achieve over the coming 12 months; and
 - b) review the status of the organisation at the December 2018 UMCC meeting.

Carried 07 191217

11.03 CENTROC BOARD MEETING NOVEMBER 2017

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

Summary

Mayor Kathy Sajowitz and General Manager Gary Wallace attended the CENTROC Board.

Moved: Kellam
Second: Capel

That report item 11.03 is received as information.

Carried 08 191217

11.04 CHIFLEY LOCAL AREA COMMAND COMMUNITY SAFETY PRECINCT MEETING 27 NOVEMBER 2017

File No: Community Services/Service Provision/Police Services (Community Precinct)
Author: Mayor Kathy Sajowitz

Summary

Mayor Kathy Sajowitz and General Manger Gary Wallace attended the last Chifley Local Area Command Community Safety Precinct Meeting.

Moved: Capel
Second: McKibbin

That report item 11.04 is received as information.

Carried 09 191217

12. COMMITTEE REPORTS

12.01 OBERON YOUTH COUNCIL

File: Governance/Meetings/OYC

Author: Lynette Safranek, Finance and Community Services Director

Summary

The Oberon Youth Council meet each month to consider how they can support youth from the Oberon LGA. This report summarises the meetings held in September and November for Council's information and consideration.

Moved: Capel
Second: Gibbons

1. The Minutes of the Oberon Youth Council Meeting held on 27 September 2017 be received as information.
2. The Minutes of the Oberon Youth Council Meeting held on 22 November 2017 be received as information.

Carried 10 191217

12.02 BLACK SPRINGS COMMUNITY HALL COMMITTEE

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 9 October 2017 is submitted for Council's information.

Moved: Gibbons
Second: Lyon

That the Minutes of the Black Springs Community Hall Committee Meeting held on 9 October 2017 are received as information.

Carried 11 191217

12.03 COMMUNITY SERVICES COMMITTEE

File: Governance/Meetings/Community Services Committee

Author: Lynette Safranek, Finance & Community Services Director

Summary

Minutes of the Community Services Committee held on 23 November 2017 is submitted for Council's information.

Moved: Lyon
Second: Kellam

That Council:

1. The Minutes of the Community Services Committee Meeting held on 23 November 2017 be received as information, and
2. The Traffic Committee is advised of drivers not using the medium strip in Albion Street correctly and report back to the Council on how it can be improved.

Carried 12 191217

12.04 HERITAGE COMMITTEE

File: Governance/Meetings/Heritage Committee
Author: Shane Wilson Planning and Development Director

Summary

Minutes of the Heritage Committee held on 27 November 2017 submitted for Council's information and consideration.

Moved: Doney
Second: McCarthy

That:

1. The Minutes of the Heritage Committee held on 27 November 2017 received as information.
2. Council write to the DPI Lands seeking a copy of the Digital imagery of the Cox's Road route.
3. Council formally support the listing of the property known as "Macquarie" on the State Heritage register.
4. Council write to RMS seeking their approval for a proposed trail along the western side of the O'Connell Avenue of trees between Box Hill Road and Beaconsfield Road

Carried 13 191217

13. REPORTS FOR DECISION

13.01 DEVELOPMENT APPLICATION 10.2017.85.1 – CHANGE OF USE – FARM BUILDING TO FUNCTION CENTRE

File No: PR53-280
Author: Planning & Development Director, Shane Wilson

Summary

An application for a change of use from Farm Building to Function Centre has been received and is referred to Council for determination in accordance with Part H.3.10 of the Development Control Plan (DCP) 2001. Part H.3.10 of the DCP requires:

"In determining applications Council and/or delegated officers of Council, will consider all submissions before the application is determined."

Moved: McCarthy
Second: Lyon

That:

1. Council approve Development Application 10.2017.85.1 for a proposed Function Centre on Lot 6 in DP 757050, being known as, 280 Burrough's Crossing Road, Oberon in accordance with the 79C Assessment and conditions contained within this report.
2. A division be called in accordance with Section 375A of The Local Government Act 1993.

Carried 14 191217

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

Clr McCarthy declared an interest in report item 13.02. Clr McCarthy left the meeting at 6.22pm.

13.02 DEVELOPMENT APPLICATION 10.2017.96.1 – TWO LOT SUBDIVISION (BOUNDARY ADJUSTMENT)

File No: PO49-47

Author: Planning and Development Director, Shane Wilson

Summary

An application for a two lot residential subdivision (Boundary Adjustment) on land described as Lot 1 in DP 580532 and Lot 30 Section A in DP 2364, being known as 45-47 Scotia Avenue Oberon. This application is referred to Council for determination as the application proposes an exception to the development standards.

Moved: McKechnie
Second: Gibbons

That:

1. Council approve Development Application 10.2017.96.1 for a proposed two lot residential subdivision (Boundary Adjustment) on land described as Lot 1 in DP 580532 and Lot 30 Section A in DP 2364, being known as 45-47 Scotia Avenue Oberon in accordance with Section 79C of the *Environmental Planning and Assessment Act 1979* and conditions contained within this report, should no objections from adjoining land owners be received.
2. A division be called in accordance with Section 375A of The Local Government Act 1993.

Carried 15 191217

Votes For: Councillors Sajowitz, Kellam, Doney, Lyon, McKechnie, Capel, McKibbin and Gibbons
Against: Nil

Clr McCarthy returned to the meeting at 6.24pm.

13.03 DEVELOPMENT APPLICATION 10.2017.99.1 – ADDITION TO AN EXISTING DWELLING

File No: Property/PO43-14

Author: Health and Building Surveyor, Kerry Davison

Summary

A Development Application has been received for an addition to an existing dwelling at 14 Prince Street, Oberon with particular reference Part C.5.5 – “Building Height Plane”.

Moved: Capel
Second: Lyon

1. That delegation is granted to the General Manager to vary Part C.5.5 – “Building Height Plane” of its current DCP 2001 associated to Development Application 10.2017.99.1 for an addition to an existing dwelling at Lot 19 in DP 554714, being known as 14 Prince Street, Oberon.
2. A division be called in accordance with Section 375A of The Local Government Act 1993.

Carried 16 191217

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

13.04 EQUAL EMPLOYMENT OPPORTUNITY POLICY

File No: Governance/Policies/2017 Reviews

Author: Lynette Safranek, Finance & Community Services Director

Summary

Council’s Equal Employment Policy 2121 has been updated and is presented to Council for ratification. This policy is intended to demonstrate management and staff commitment to the principles of equal employment opportunity.

Moved: McKibbin
Second: Kellam

That Council approve the Equal Employment Opportunity Policy 2121 as provided to the meeting.

Carried 17 191217

13.06 DOG ROCKS ROAD – COMPULSORY ACQUISITION OF FORESTRY CORPORATION NSW LAND

File No: Roads/Maintenance/Roads
Author: Works & Engineering Director, Chris Schumacher

Report Item 13.06 was withdrawn.

13.07 EXPRESSION OF INTEREST – MAYFIELD AUTUMNFEST 2018

File No: Eco Develop/Tour Develop/Tour Development 2017
Author: Gary Wallace, General Manager

Summary

To advise Council of an opportunity to become a Sponsor of the 2018 AutumnFest at Mayfield Garden.

Moved: Kellam
Second: Capel

That Council endorse Option 1 of the AutumnFest package for 30 guests from General Revenue of the 2017-18 Operational Plan.

Carried 18 191217

Clr Lyon requested her name be recorded against the motion.

13.08 REQUEST BY OBERON SHOW SOCIETY

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

Summary

Council received a request from the Oberon Show Society on for further assistance with the 2018 Oberon Show in February.

Moved: McKechnie
Second: Kellam

That Council staff facilitate the hire of toilets and a light tower for use at the 2018 Oberon Show.

Carried 19 191217

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

Moved: McKibbin
Second: McCarthy

That report item 14.01 is received as information.

Carried 20 191217

Lynette Safranek left the meeting at 6.42pm. Lynette returned to the meeting at 6.44pm.

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 November Council Meeting.

Moved: Doney
Second: McCarthy

That report item 14.02 is received as information.

Carried 21 191217

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

Moved: Gibbons
Second: McCarthy

That report item 14.03 is received as information.

Carried 22 191217

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 November 2017, plus planned activities for the upcoming months.

Moved: McKibbin
Second: Kellam

That report item 14.04 is received as information.

Carried 23 191217

14.05 GRANTS MONTHLY UPDATE

File No: Governance/Grants/December 2017
Author: Gillian Salmon, Grants Coordinator; Lynette Safranek, Finance & Community Services Director

Summary

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

Moved: McKibbin
Second: Gibbons

That report item 14.05 is received as information.

Carried 24 191217

14.06 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 30 November 2017.

Moved: Capel
Second: Doney

That report item 14.06 is received as information.

Carried 25 191217

14.07 INVESTMENT POLICY

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

Summary

The newly elected Councillors have requested that the Investment Policy be reviewed to ensure that the policy reflects the current risk appetite. Council's Investment Policy 2211 provides a framework for the investment of Council's funds at the most favourable rate of interest available to it at the time, while having due consideration of risk and security for the investment type, and ensuring that its liquidity requirements are being met.

Moved: McKibbin
Second: Doney

That Report Item 14.07 is received as information.

Carried 26 191217

14.08 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 November 2017.

Moved: Kellam
Second: Gibbons

That report item 14.08 is received as information.

Carried 27 191217

14.09 FORECASTED RATES LEVY 2018-19

File No: Governance/Meetings/Ordinary/Dec 2017

Author: Theresa Boyd, Acting Finance Coordinator; Lynette Safranek, Finance & Community Services Director

Summary

Based on current land values supplied by the Valuer General on monthly supplementary listings as well as movement between land classifications, Council has for budgeting purposes forecasted the Rates Levy for 2018-19. This report is supplied to Council in advance of the "Making of the Rates" for information in relation to the allocation of rating percentages [%] between the various rating categories.

Moved: Capel
Second: McKibbin

That report item 14.09 is received as information.

Carried 28 191217

15. URGENT BUSINESS

Nil

16. CLOSED SESSION / CONFIDENTIAL REPORTS

16.01 WATER WRITE-OFF REQUEST – ACCOUNT 12360996

File No: Governance/Ordinary/Confidential

Author: Lynette Safranek, Finance & Community Services Director

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:
Section 10A (2)

- (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 WATER WRITE-OFF REQUEST – ACCOUNT 12368465

File No: Governance/Ordinary/Confidential

Author: Lynette Safranek, Finance & Community Services Director

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:
Section 10A (2)

- (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

16.03 LEGAL MATTER

File No: PR201-582

Author: Shane Wilson – Planning & Development 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:

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

16.04 OPERATIONAL LAND MATTERS – O’CONNELL RECREATIONAL LAND

File No: Parks and Reserves/Acquisitions

Author: Gary Wallace, General Manager

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:
Section 10A (2)

- (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: 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 191217

Council moved into Closed Session at 7.02pm. Members of the public present left the meeting at this point in time.

16.01 WATER WRITE-OFF REQUEST – ACCOUNT 12360996

File No: Governance/Ordinary/Confidential

Author: Lynette Safranek, Finance & Community Services Director

Moved: Doney

Second: McKechnie

That Council write off 200kl being \$584.00 of excess water rates for the period 1/7/17 – 30/9/17 in accordance with Council's Policy 2201.

Carried 30 191217

16.02 WATER WRITE-OFF REQUEST – ACCOUNT 12368465

File No: Governance/Ordinary/Confidential

Author: Lynette Safranek, Finance & Community Services Director

Moved: Capel

Second: Kellam

That Council:

1. Write off the residential water and sewer consumption of 58kL, \$353.83 on Assessment 12368465 due to the unforeseen damage sustained from the severe frost Saturday 22 July 2017.
2. Issue a water account to the resident, on historical averages, totalling water and sewer consumption of 4kL each, being \$22.81.

Carried 31 191217

16.03 LEGAL MATTER

File No: PR201-582

Author: Shane Wilson – Planning & Development Director

Moved: Doney

Second: Capel

That Council receive and note the legal update.

Carried 32 191217

16.04 OPERATIONAL LAND MATTERS – O’CONNELL RECREATIONAL LAND

File No: Parks and Reserves/Acquisitions
Author: Gary Wallace, General Manager

Moved: Doney
Second: Gibbons

That Council endorse the action outlined in the report.

Carried 33 191217

Open Council resumed at 7.25pm.

The Mayor advised that resolutions 30 191217, 31 191217, 32 191217 and 33 191217 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 7.27pm.

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

Tuesday 20 February 2018
commencing at 5.30pm

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