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## CONFIRMED MINUTES

Oberon Council Ordinary Meeting  
Tuesday 17 July 2018

Commencing at 5.30pm  
at the Oberon Council Chambers

| 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 .....                                  | 5    |
| 6. PRESENTATIONS .....   | 5    |
| 7. QUESTIONS FROM THE PUBLIC .....                                 | 12   |
| 8. CONFIRMATION OF MINUTES .....                                   | 15   |
| 13.01 FLUORIDATION OF WATER .....                                  | 16   |
| 9. MAYORAL MINUTE AND REPORT .....                                 | 16   |
| 09.01 MAYORAL MINUTE AND REPORT .....                              | 16   |
| 09.02 MAYORAL MINUTE – PUBLIC LIBRARY FUNDING .....                | 17   |
| 10. NOTICES OF MOTIONS .....                                       | 17   |
| 10.01 NOTICE OF MOTION – TUNNELLING UNDER THE BLUE MOUNTAINS ..... | 17   |
| 11. COUNCILLOR AND DELEGATES REPORTS .....                         | 18   |
| 11.01 OBERON ARTS COUNCIL .....                                    | 18   |
| 11.02 NATIONAL TIMBER COUNCIL & ALGA CONFERENCE CANBERRA .....     | 18   |
| 12. COMMITTEE REPORTS .....  | 19   |
| 12.01 OBERON YOUTH COUNCIL .....                                   | 19   |
| 12.02 LOCAL EMERGENCY MANAGEMENT COMMITTEE .....                   | 19   |
| 13. REPORTS FOR DECISION .....                                     | 19   |
| 13.02 EASY TO DO BUSINESS PROGRAM – SERVICE NSW .....              | 19   |
| 13.03 ROAD NAMING – NEW ROADS OFF SPRINGFIELD STREET OBERON .....  | 20   |
| 13.04 SNAKE VALLEY BRIDGE – DECK REPLACEMENT .....                 | 20   |
| 13.05 OBERON STREET UPGRADE AND BEAUTIFICATION WORKING PARTY ..... | 21   |
| 13.06 REQUEST TO WAIVE DA FEES ‘MACQUARIE’ .....                   | 21   |
| 13.07 RETURNS DISCLOSING INTERESTS .....                           | 21   |
| 13.08 ASBESTOS MANAGEMENT POLICY – POLICY NO. 3130 .....           | 22   |
| 13.09 ENFORCEMENT POLICY – POLICY 3128 .....                       | 22   |
| 14. REPORTS FOR INFORMATION .....                                  | 23   |
| 14.01 MONTHLY ACTIVITY REPORT – GENERAL MANAGER .....              | 23   |
| 14.02 MONTHLY ACTIVITY REPORT – PLANNING & DEVELOPMENT DEPT .....  | 23   |
| 14.03 MONTHLY ACTIVITY REPORT – TECHNICAL SERVICES .....           | 23   |
| 14.04 MONTHLY ACTIVITY REPORT – FINANCE & COMMUNITY SERVICES ..... | 24   |
| 14.05 GRANTS MONTHLY UPDATE .....                                  | 24   |
| 14.06 STATEMENT OF INVESTMENTS .....                               | 24   |
| 14.07 WATER USAGE – DROUGHT ASSISTANCE .....                       | 25   |
| 14.08 WATER AND SEWER PLANT REPORT .....                           | 25   |
| 15. URGENT BUSINESS .....  | 25   |
| 16. CLOSED SESSION / CONFIDENTIAL REPORTS .....                    | 25   |

|       |  |    |
|-------|--|----|
| 16.01 | TENDER T2018/2 CONCEPT DESIGN & REF OBERON SEWERAGE TREATMENT PLANT..... | 27 |
| 16.02 | TENDER 2018/1 – OBERON KERBSIDE GARBAGE COLLECTION.....                  | 27 |
| 16.03 | LAND MATTER .....  | 27 |
| 17.   | CLOSURE OF MEETING .....   | 28 |

## 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 Pastor Jo Korman.

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## 4. RECORD OF ATTENDANCE

|                  |   |
|------------------|---|
| Members          | Mayor Kathy Sajowitz (in the Chair)<br>Deputy Mayor Kerry Gibbons<br>Clr Don Capel<br>Clr Mark Kellam<br>Clr Brenda Lyon<br>Clr Clive McCarthy<br>Clr Mick McKechnie<br>Clr Andrew McKibbin |
| Staff            | Gary Wallace, General Manager<br>Shane Wilson, Planning and Development Director<br>Lynette Safranek, Finance and Community Services Director<br>Sharon Swannell, Executive Coordinator     |
| Leave of Absence | Clr Ian Doney   |
| Apology          | Chris Schumacher, Technical Services Director   |
| Moved:           | Capel   |
| Second:          | McKibbin  |

That the apology be noted for the leave of absence of Councillor Ian Doney and that the apology of Technical Services Director, Chris Schumacher be noted.

Carried 01 170718

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## 5. DECLARATIONS OF INTEREST

File No: Governance/Councillors/Declarations of Interest

|   |   |     |
|---|---|-----|
| Pecuniary                                 | - | Nil |
| Non-Pecuniary<br>Significant              | - | Nil |
| Non-Pecuniary<br>Less than<br>Significant | - | Nil |

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## 6. PRESENTATIONS

Presentations provided as follows:

Mr Hardy Draheim (Engineer) provided a presentation regarding fluoridation – perceptions and reality. Mr Draheim outlined his opposition to having to drink fluoridated water and discussed the following four points:

1. Fluoride in Australia
  - a) Used in toothpaste
  - b) Used in drinking water
2. Fluoride in Oberon
3. Public Work Costing, and
4. Estimates & Guesstimates

### 1. a) Fluoride in Australia used in toothpaste

- In Australia we have 25 million people; around 20 million are older than 12 years of age.
- A 160g tube of toothpaste lasts 3 months - we use 4 tubes per year
- Fluoride is added up to 5000ppm, each tube contains up to 0.8g of Fluoride
- Australia uses 80 million tubes per year, delivering 64 tonnes of Fluoride to the consumer.
- We pay \$4 per tube that's \$330 million of sales per year for toothpaste makers.
- 64 tonnes of Fluoride .... 3 – 9000 \$ per tonne, say on average 4000 ..... Toothpaste makers pay \$250,000 a year for a by-product of the phosphate fertilizer industry
- If the fertilizer industry could not sell Fluoride they'd lose \$250,000 in sales each year.
- Paying for the disposal of 64 tonnes at the Oberon tip would cost \$250,000 ( \$3.80/kg )

### Observation #1:

How to turn a cost of \$250,000 into sales of \$250,000?.....through smart marketing and powerful semantics, change the name from a waste product to a by-product.

Adding Fluoride to toothpaste, however is just the tip of the iceberg.

**1. b) Fluoride in Australia used in drinking water**

- Australia has 25 million people, each using 340 litres/day of drinking water - 8.5 billion litres/day
- Adding 1ppm Fluoride requires 8.5 tonnes/day – Australia wide
- Councils help dispose of 3100 tonnes of Fluoride annually spending \$12 million of our rates.
- Adding Fluoride to drinking water makes up the bottom of the iceberg – 3100 tonnes every year.
- Without Fluoride sold to councils \$12million of sales would disappear; a lot more than the \$250k going into the toothpaste.
- If the phosphate fertilizer industry would have to dump the 3100 tonnes at the Oberon tip – Oberon would collect \$12million.

Observation #2:

How to turn a cost of \$12million into sales of \$12million?...through even smarter marketing.

**2. Fluoride in Oberon**

We use 1.6 Mega litres per day, adding Fluoride at 1ppm would require 1.6 kg/day. Including operational and licensing cost around \$20,000 per year.

40% of our water goes to households, industry & parks take 60%.

Australia wide 340litres/person/day is supplied to the household but only 2-3 litres is digested each day, that's less than ½ %.

3 kg/year of Fluoride would be required for the amount of water digested by Oberon residents, costing \$12 per year. Public Works and NSW Health promote wasting \$20,000/yr of our rates.

But this is not about facts and figures. This has everything to do with ticking boxes and riding the Fluoride gravy train.

Our water work assets are of poor condition. Instead of throwing away 20,000 per year for the next 15 years, \$300,000 to fix our ailing water works containing asbestos pipes should be of higher priority.

**3. Public Work Costing**

Refer to the Attachment for reports, Item 13.01, #6, pages 69 – 81 from Public Works as published on Council's website.

The costing submitted by Public Works leaves a lot to be desired. They don't accept any liability for mistakes or omissions.

- The cost of fluoride is constant over 20 years, very unusual as most prices increase at least by CPI.
- The annual power cost is constant over 20 years; most unusual considering recent increases were horrendous.

- ATO's assets class 28110 allows a 15 year life cycle for chemical dosing systems. Public Works used 20 years – a 33% increase to make the NPV figures look better? Many other NSW Health documents refer to a 15 year life cycle.
- The cost analysis from Public Works on page 79 compares 25 kg bags with 5kg bottles. The summary figures are based on 9kg bottles.
- The NPV table looks professional upon first glance. Net Present Value is the difference between present value cash inflows and present value cash outflows over time, useful to compare one project or investment with another.
- Comparing two investments requires the capital to be invested and the operating cost over the life cycle – for both options. You have been given only part of the story. To evaluate the NPV the operating cost as well as the capital cost must be known. An NPV showing operating cost only - is pretty much useless, and not an NPV.
- Public Works should advise councillors about the table for the NPV calculations on page 80, in particular what the difference is between \$ and \$K. K stands for KILO or a factor of 1000. Oberon would not need \$85million or \$272million of Fluoride per year.
- On page 77 of the PW Costing, point 4 says: "Any fluoride waste is discharged to Council's sewer system and no additional cost to dispose of the waste is required." Public Works is encouraging Oberon Council to illegally dump Fluoride. Bourke Council was fined for illegally dumping Fluoride, and then found their waste depot can't accept hazardous waste.
- The document in the Attachment for reports, Item 13.01, #6, pages 69 – 81 has very little credibility and comes across as unprofessional.

#### 4. Estimates & Guesstimates

NSW Health on their Questions & Answers website claim it is estimated that \$1m invested saves \$7m over 15 years.

Such claims are easy to make, based on estimating and guesstimating:

- \$1million with a 3%CPI is worth only \$650,000 in 15 years
- \$7million in 15 years with a 3%CPI is worth today only \$4.5million
- Putting \$1million into the bank at 2.8% grows to \$1.5million in 15 years.
- The Fluoride initiative might deliver \$3million in real terms compared to putting \$1million into the bank.
- \$3million over 15 years is \$200,000/year - or the cost of ½ a dentist.

The miniscule amount of Fluoride used in Oberon's town water compared to Australia will not make one iota of a difference, but it will tick one box.

2700 people not in town won't get Fluoride but Oberon gets the tick.

If our councillors tonight vote in favour then you are sentencing 2500 people in town to drink fluoridated water, for the next 15 years, or until the Director General revokes the approval. I trust all Oberon Councillors are aware that this vote is for a 15 year commitment, if not longer?

If you are voting in favour then your commitment should be made public by signing a personal guarantee accepting liability just like Anna Bligh did in QLD in 2008.

Page 7 of the Minutes of the Ordinary Meeting of Oberon Council held on Tuesday 17 July 2018.

I appeal to the Oberon Council to carefully consider the information package noting that some pertinent information is missing, and especially some financial data is incomplete and incorrect.

I agree with Madam Mayor – we need a decision. We need the right decision treating all residents fairly and spending money wisely for all ratepayers, not just some.

Questions – nil

Priscilla Stanley - Manager Health Protection, Public Health provided an overview of the safety of water fluoridation and findings of the Community Survey.

Dr Ben Scalley – Director Environmental Health Unit was also in attendance.

Precilla thanked Councillors for the opportunity to speak and outlined her role which is to oversee the health programs in the NSW Health system. She is also responsible for staff in the Public Health Unit.

Over the last few months you will have heard vastly different opinions ranging from fluoride being one of the best programs to an insidious program of mass medication. The supporters and opponents believe they are arguing for the same outcome, the health of the Oberon community.

Colleague Dr Ben Scalley reiterated the reliance of water fluoridation as safe and effective. NSW Health has provided council and the community reliable information. The report on fluoride table in the business papers outlines that the chemicals are safe, fluoride will not negatively impact Oberon water infrastructure, fluoride is not illegal, the ongoing cost is low. The independent survey gives an independent reliable view.

Council can be confident in the ongoing support of NSW Health as the issue is considered. The effects of fluoride have been studied for over 70 years. The National Health and Medical Research Council (NHMRC) has undertaken a detailed review, considered evidence from many sources and overseen by panel of experts.

Evidence of the benefits of fluoride is based on first hand research and that includes Oberon. NSW Health supports water fluoridation, complementing the ongoing education of the community. Reliable evidence shows water fluoridation protects and improves peoples health. Fluoride does not cause negative health impacts.

Dr Ben Scalley – Director Environmental Health Unit also addressed Council. Dr Scalley's department is responsible for fluoridation of drinking water supplies. NSW Health promotes fluoridation through water supplies. We take this seriously and have to consider any negative impacts. The NHMRC Review is an important document in this. They talk about their findings in two categories, the first is that there is such evidence that shows there is no association with the negative health issues. At levels we are talking about in Australia we can confidently say there is no association between fluoride and those issues.

NHMRC confidently says the studies are not of sufficient quality and the evidence isn't reliable, it looked at issues such as chronic kidney, heart, low birth weight, thyroid etc. When experts looked at these in detail it found the evidence was not reliable.

During the NHMRC study there were a couple of themes difficult to pull out the key meanings. The study looked at can outcomes be caused by another factor other than fluoride. A lot of studies don't do that.



The other factor is consistency – try to determine if the chances of the outcome occurring by random outcome is less than 5%. Consistency is important. We need to see consistent findings which is not due to random chance. There are studies that look at fluoride levels much higher than what we are using. Many areas have much higher levels naturally occurring. The regulations in NSW regulate at much lower levels.

When we look at consistency, the outcomes change in each study, they are not consistent. We see international studies that are not relevant to the Australian context. When we consider them in this light the evidence base is reassuring that fluoridation is safe. I think we get lost in the detail of the study. We have been fluoridating large numbers of water supplies to millions of people for decades. Health authorities monitor health outcomes and take this seriously. We are not seeing the major issues people are proposing.

I am really confident and urge you to consider fluoridation of water supply and I am confident of its safety.

Clr Gibbons asked why have we done away with fluoride tablets. Our shire is half populated in the rural areas. What happened to fluoride tablets and why aren't they available?

Dr Scalley replied its great we are talking about the benefits and more broadly. Noted from survey around half are not on the town water supply. My job is the public water supply issue and there is definitely benefits for people adding fluoride into tank water.

Clr McCarthy commented recently on ABC there was a report in Sydney metro basin and north towards Gosford, that tooth decay was on the increase. How do you explain this when the area has been fluoridated for 60 years and tooth decay is on the increase.

Dr Scalley replied fluoride is not a magic bullet, people need normal dental hygiene. If an area is fluoridated they have better dental outcomes than they would if they didn't have the fluoride.

Clr Lyon asked why is there warnings on toothpaste?

Dr Scalley replied that for children under 6 if you swallow you have higher levels of fluoride, children can have mottling on their teeth. Toothpaste has quite a bit more fluoride than what the water would. The fraction from water is very small, the main thing is to avoid swallowing toothpaste. Still a fairly minimal outcome, you can buy toothpaste for children with low fluoride.

What's the outcome for the 27% of children in Lithgow that had fluorosis? Figures show Lithgow had a 27% increase in fluorosis in children under 12.

Annette Mazrani provided a presentation on the Community Strategic Plan and compatibility with the policy to fluoridate Oberon's public water supply

Annette provided an information pack to Councillors which was circulated prior to the meeting.

When you roll out a policy you need to assess the impact of that policy. I did a high level analysis, if you have read the pack I have said what you would need to do an impact statement.

The third point has been the engagement, it has been confusing around whether it is a council decision or a community decision. Council has previously considered fluoridation In 2014, 2008, 2005 and 2004. I know this came up for review due to the letter received from the NSW

Government. If you look at the feedback the residents really don't want it and I think it is for good reason.

We talk about the safety and ethical reasons, the three elements are questioned. Leading advisers in various health fields definitely detailed in my presentation. I don't think this is an absolute discussion. I think this is a moving train, there is so many emerging studies that question the validity of fluoridation. If we have used the internationally agreed principal they say do no harm. Even in science they don't give absolutes. The NSW Health funded study actually did a study which found no statistical difference, this study focussed on regional communities.

The next section is around how does the fluoride policy align with our CSP direction. The General Manager has given the high level parts of the plan. They are a healthy community and ongoing water supply. Is this really a community health initiative? If I was to say based on high level I would say no, it would be the opposite. Manage, maintain and improve the water treatment plant. Are these toxic supplies really improving our water treatment plant? Can we really say that fluoride is not only affecting the town but the workers in the water treatment plant. Are we really improving that system and is to the benefit of the whole community. Even though it wasn't mentioned in the public works report, it's a highly reactive chemical and its corrosive.

On the next slide, Gary said it impacts other areas of the CSP as well. All four areas of social, environmental and civic leadership. Fluoridation not aligned to Oberon's future direction. I have listed questions around those four areas. Need to look at the social wellbeing of the community. Council has done a great start by access to dental in the health centre. When we talk about equitable, kids have \$1,000 over two years for dental visits, things like that need to be considered when we talk about equitable. In today's world we have access to dental care for those less privileged.

If we are looking at the reasons social, environmental, civic. If you can answer yes and are confident you have the answer to all these questions but if you can't I don't think you should vote for fluoride.

Dr Sarah Raphael, Specialist Paediatric Dentist, Australian Dental Association (ADA) NSW Branch provided a presentation regarding fluoridation.

The ADA position on water fluoridation is clear, it is a safe effective and equitable means of preventing dental decay in children, adolescents and adults in the community.

Fluoridation of community water supplies is an effective way of delivering fluoride to all members of the community.

It is an umbrella and safety net for that group of people. ADA recommends water fluoridation should be implemented and maintained in areas where it is possible. There are more than 150 credible health organisations around the world that endorse water fluoridation.

On the other side there is no credible health or scientific organisation that oppose. In Australia there are many organisations that endorse and support water fluoridation. Why? It's because of the evidence. Are the facts true and valid? The NHMRC Public Statement in 2017 refers to the study of work undertaken. They support water fluoridation because of its known benefits. The expertise of the Fluoride Reference Group included representatives from many other experts. It is a rigorous process of systematic review. The NRMRC publication is different as it was a systematic review. This searches all of the literature looking at a particular question. Is water fluoridation effective at preventing tooth decay and are there any harmful health effects. There are many checks and balances, it is a very extensive process. Studies have to relate to the Australian population, there

Page 10 of the Minutes of the Ordinary Meeting of Oberon Council held on Tuesday 17 July 2018.

has to be an intervention that is the same that we are talking about 1ppm. Whether comparing to a population of the same level of water fluoridation, no fluoridation or much higher.

Several people have looked at more than 800 pieces of literature, many are excluded along the way as they don't fit into the criteria. From that rigorous process the NRMRC found that water fluoridation reduces tooth decay by 26%% in adults and 44% in children.

There were over 1700 papers searched. Public were invited to submit all the papers you are talking about. Some were included in the study. The ones that were left are the ones that fit water fluoridation in the Australian scenario. 41 studies were included, they were valid. That's why it is important not to put up the NHMRC against one study in particular as all of these papers have been considered as part of the public statement. Rest assured that safety has been covered and all of your papers were able to be included in that review.

The Oberon public have been asking for a verification of the claim that there is twice the dental decay in Oberon. This was shown in a graph 1.7 caries compared to Oberon at 3.8. The number of children decay free was Dubbo 49%, Orange 46% Oberon 18%. One in five children living in Oberon in 2007 were free of decay. Decay is not just something that can be washed away after childhood. Great oral health over whole life is reliant on having good oral health as a child. Compare NSW to QLD, in QLD 72% fluoridated and has a much greater decay in 12 year olds. If you compare Lithgow to Orange and Bathurst we see the same pattern.

ADA has been very supportive of the whole process, very happy to keep supporting the Oberon community to achieve greater oral health.

Clr McCarthy asked why is the survey 11 years old?

Dr Raphael advised ADA don't conduct the survey's. 2007 is the latest material that is Oberon specific, we have much later surveys but they don't drill down to smaller communities.

Clr Gibbons asked why are we using bottled water in Bathurst Base Hospital, Royal Prince Alfred and many other major hospitals?

Dr Ben Scalley advised one reason is that so that the bottle can be left next to the bed and closed. It relates to more of a safety issue than a quality issue.

Clr Lyon commented I am querying the 2007 figures because I thought if it was recognised that we had a problem with tooth decay back then. At the CSP Meeting where a lot of dentists turned up and made claims that we had a massive dental problem, you have had 11 years to fix it, what happened? You come representing the dentists, I know we don't have a huge populations, we receive the service of NSW Dentist. Council has supported the service and supplied the equipment. The ratepayers have supported that for 40 years. You have come at the CSP Meeting and it appeared we have an epidemic of dental caries, I found that quite astounding.

Dr Raphael replied there was the opportunity 11 years ago to vote for water fluoridation which would have done a great job of reducing the dental caries in the Oberon community.

Clr Lyon – most people know its common sense to clean their teeth, getting the food out of your mouth gets the job done. Why wasn't this being pushed? The dentist at Lithgow presented us with a picture of a child with half their teeth missing, who is going to write to the kids in the rural area and tell them that they aren't getting the fluoride. The whole shire is serviced by 26 dentists – do we need more?

Dr Raphael replied some people that are unable to achieve an appropriate diet and good brushing and cannot access the dental care they need and this is one of the pieces of the puzzle that can help. Those graphs all showed you that all you have to do is put water fluoride in place and you will have significantly improved dental health.

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## 7. QUESTIONS FROM THE PUBLIC

Greg Bourne – Bachelor Science, Teacher and taught science for 42 years. I have been the recipient of a document that has been in letterbox for everyone in Oberon. Fact 6 Australian Food Standard show levels sodium fluoride in food. Why add a heavy metal version of it to the water. They are suggesting sodium fluoride is a heavy metal and that is absolutely wrong.

Nine times the mass one atom of sodium, sodium is not a heavy metal. Fluoride is a non-metal because it behaves like a non-metal in chemical reaction. The main fluoride compound is sodium fluoride. Sodium fluoride has a sodium ion and a fluoride ion. The sodium ion is an essential component of the human diet. Look up fluorine and it will say it is an important element in teeth production. Also acts in calcium in bone formation. The stuff that is going to go into our water is probably beneficial to us. There are two other compounds that may be added but don't need to discuss at the moment.

Greg presented a set of CD's collected in East Timor, which has 27 CD's which elaborate on public health issues, we need to be careful not to discount them.

Veronika Cvitanovic – lived in Oberon for 8 years. I came to Oberon because I saw this as a pristine beautiful countryside and I want to live here for the rest of my life. When I see what council want to do by polluting this environment it doesn't make me happy. Back in March I told you it was going to be a waste of time. 70% of people said they don't want it, that cannot be ignored, if people don't want it they don't want it. How many times does this community have to say no to get this point across. I understand ADA and Health are going to advocate for this as its their job. Veronica quoted Eve Ensler, – playwright and activist. "An activist is someone that cannot help but fight for something, a person driven slightly mad by some injustice so much so that he or she is compelled to act to make it better." I have spent 13 weeks on the street talking to the people in this town. They don't want the water fluoridated. They have access to fluoride by the bucket load in the supermarket. What would be more beneficial would be to follow Scotland's lead that have the best dental, more effective programs that stop tooth decay.

Donna Russo from Gingkin spoke in opposition to fluoride. Donna spoke about Dr Emoto's work on water carrying frequencies. Dr Emoto talked about the effects of water. When you freeze water Dr Emoto observed the differences in the appearance of the water frozen molecules when exposed to music. When water crystals are exposed to hateful stuff they form disfigured images.

If we look at the chemistry of people, their make up is of water. What are the frequencies doing to our body when we consume water? When natural water was photographed it showed such beauty it could pass as a gem. I am interested in quality of life, everything is frequency and is effected in life. Cells vibrate and are affected by the frequency not the amount.

How do you feel when you hear the word fluoride that is the effect you will have. Will you wonder if fluoride is really harmful in small amounts, will you be able to drink fluoridated water without absolutely knowing it is safe. There lies the truthful answer.

Margaret Allen – Paediatric Nurse. I am a keen advocate for the best outcomes for our children. I am not a winner or loser in this my children are grown up it's about my responsibility as a

Paediatric Nurse, an employee of NSW Health, a mother, a grandmother and a community member. What are the outcomes for our children of tooth decay?

Melissa Jones, I do have children in the community, none of my children have any dental decay or issues. I have read the studies they are shocking. I want to say I have a child when they were 2 years old they were suffering from joint pain. When we came here it came better, they put my child on a tablet that contains fluoride and now he has joint pain. He has been to hundreds of specialists. I have to travel miles for specialists and he told me my child could not take more than 0.6 and it is not safe for my child. Who is going to be there when my child is in pain and it is costing me a fortune, sending him to specialists. I have seen two councillors running people down that are anti-fluoride, watch my child it is heart wrenching. You are going to put this in the water and the specialist have told me its not ok for my child. I live in Oberon, I pay the water bills, not you. There are studies that prove it is not effective. I have four children. Will one of you come to my house when I am distressed looking after that child. From his daily food intake he is consuming more than the safe recommended levels before you add fluoride to the water.

Alan Alquist – Gingkin resident for 43 yrs. Councillors are going to vote one way or another. There are seven countries left in the world with fluoride and there is great concern in the European Union that fluoride is in the food chain. If they say no to our lambs and beef what responsibility will the council and NSW Government take. You ought to think about it. In 1965 I came across fluoride when I did military service and we did hypothetical nuclear bombs contains 5 - 14% fluoride.

Neville Moore – I am against putting fluoride in the town water supply. The State Government is trying to con Council into doing something they don't want to do. If they get what they want my opinion is it will relieve them of any liability that will occur in the future, also I think it is designed as a payback to Oberon Council for the backlash they got over the amalgamation stuff. They couldn't take that one, I think they are trying to get even with Oberon Council. Don't let them get what they want.

Phillip Haynes – I have been listening to NSW Health and the ADA and I am thinking am I in the twilight zone? I am going to quote their own research now. This is a study done on the hospitalisation of 0 – 4 yr old kids the South Coast of NSW is the lowest, non fluoridated. The other interesting bit of information was a grant for NSW Health Centre, Dr Shanti was one of the people who wrote the final document. In it they discovered 27% of kids in Lithgow were suffering dental fluorosis, that is their document. What is it in Oberon, we don't know. The last research was done in 2007, I don't think it was for Oberon. Is there dental fluorosis in Oberon we don't know. In a study out of the US .3 ppm becomes toxic for the human body. Given the study by Dr Shanti that 27% of the kids already had dental fluorosis they are already overloaded. I would like to Dr Skinner words "finding that water fluoridation was not significantly associated with dental caries was unexpected". Dr Shanti stated gender, water fluoridation, aboriginal status and parental factors were not significant predictors of dental caries. From the ADA they were asked would you take responsibility? Their response was to deny, Councillors will be responsible.

Janet Poole – I would like to talk about an alarming truth kept hidden by NSW Health. Dr Geoff Pain, Melbourne. In 2014 Dr Shanti actively promoted fluoridation to our Oberon Council and residents and knowingly contradicted her own findings. Children in fluoridated areas had 1 ½ times the dental issues of non-fluoridated areas. NSW Health are saying it themselves, fluoride doesn't work. The research of Dr Shanti showed her that her entire career pushing fluoride was a complete failure. Dr Shanti left her NSW Health role and is now at the Cancer Council as her own research showed her that water fluoridation doesn't work. Children who drank tank water had one fifth the dental caries, these were Dr Skinner findings. People are tired of NSW fudging the figures. The dishonesty we are seeing is unbelievable. We need NSW Health and ADA to open their eyes and

see the truth and publically have the courage to alter their position. If you tell a lie often enough people will believe it. It is 100% a lie.

Keith Sullivan – personally like to compliment the General Manager and staff for the report and the briefing of Councillors, he has done a fantastic job, must have been hard for them to maintain neutrality. With so much evidence on each side the only thing that's clear is that people cannot agree. We are lucky to have the opportunity for the community to come together and discuss these issues. We have fought for this Council three times, one of the reasons is to maintain the status quo. There is an expectation of how the council will operate and the community will have a lot of say. For all the people who have come along on both sides they all have an opinion. My concern is to ensure the process is followed and this whole episode does not upset the credibility of this council. I don't know that things will go the way we want it too tonight as I appears some people have made up their minds, no one here is a fool. The NSW Government has to believe in it they can't sell it. If in doubt shut it out.

Dr Nigel Swan – we are talking about fluoride like its rare, its in almost all the food we eat and things we drink, tea, foods, vegetables. Fluoride already occurs in Oberon water at .01ppm. The ideal dosage is only 1ppm which is insignificant as far as health outcomes that may come from it but very significant in the dental benefits that will come from it. The Royal College of Physicians have said there are no issues from fluoride. The health benefits are undeniable.

Chris Freeman – talk in opposition of fluoride. A lot of the points have already been covered. One of the things that has been of concern to me over the last 13 weeks and something that has come out in the last couple of months is the amount of sodium fluoride that is already in our food. I have interviewed a young person 11 years old, a retiree, and a working members of the town. The young person was consuming 17.8mg in their diet for the day 10mg for the retiree, and the worker 17.2mg. 4mg is the recommendation and 10mg is the upper limit, we are already way over. Another issue of concern is the contamination of the sodium fluoride going into our water supply. This is a product from the aluminium phosphate industry. It does have other contaminants. The council can apply for a list of contaminates. If its not contaminated why would the list of contaminants be listed. NSW Health and ADA deny any liability of what is going to occur. Oberon Council would be responsible for ensuring the product they purchase does not cause harm. The ADA on their seal of approval listing have no sodium fluoride on their seal of approval listing. We are already consuming far too much in our food and beverages.

Dr Jeremy McNulty – Director Health Protection, NSW Health - the evidence for water fluoridation is overwhelming positive. It clearly provides benefit for all children. It is clear from a scientific point of view. NSW Health stands ready to support Council.

Maree Arrow – I grew up in Oberon, worked Sydney and Newcastle for 30 years and now come back to tank water. I spend a lot of time in Oberon. If fluoride is so dreadful why aren't we seeing mass uprising in our capital cities. This strong anti fluoride movement doesn't seem to have taken hold in larger areas. How can you say the majority of Oberon residents are opposed to fluoridation. The Oberon Review is selling 600 copies per week, I know the community newsletter goes to 2,000 households. Lot of letters in Oberon Review does not mean there is a mass movement. 54% survey results, are we going to dismiss that survey, 10% didn't care, 36% opposed. I would argue and councillors know this you should give Oberon residents some choice. They haven't had the choice of fluoride for 50 plus years. There are other options, there are water tanks, bottled water. Those people who want fluoride in their water also deserve to have a choice, at the moment they don't have a choice. I would urge councillors to consider those people when they make their decision.

Sam Harris – does toothpaste contain fluoride?

Page 14 of the Minutes of the Ordinary Meeting of Oberon Council held on Tuesday 17 July 2018.

Tracey Watson – I did not get a call for the survey, I feel the figures are biased. I have 5 children and don't even use fluoridated toothpaste. We get enough fluoride in the food we eat. It is not all what the people say, the slide that was meant to be shown was not shown. Its biased and not fair, please don't put it in our water, its not fair.

Raleigh Serrichi – my teeth when I was younger was absolutely horrible, I had tooth decay and that was due to what we were eating. Now I have my own choice for diet and brushing my teeth using non-fluoridated toothpaste as I don't want to ingest it into my body. All the food is watered, its in the ground. You say it is going in the water 1ppm how are you able to control the amount of water that people are ingesting as people drink more than others. How is that going to be controlled. If fluoride is good for you why do people that have to work with fluoride wear hazmat suits. Its obviously not good for you. I don't want it in my water. Your skin absorbs it as well.

Robin Wiseman – I am asking councillors to sign a personal guarantee. Hope you have read the papers I presented last meeting. You said you wanted to hear from experts and you should include others that are reliable websites. Fluoride has undesirable effects. Robin quoted a document from the fluoride action network from Merilyn Haynes asking councillors to accept liability. I want you to put your signature where your vote is.

Christine Symington – Health Service Manager Oberon Health Service. In the 6 years I have been in this role as Health service Manager the involvement with council to improve the health and wellbeing of this community has been fantastic. Never worked with such a proactive group to improve the health and wellbeing of the community. Fluoride is not seen as a silver bullet. NSW Health is committed including health and wellbeing programs, healthy lifestyle programs. That won't change. NSW Health regularly add programs about oral health and lots of other things. Survey was evidence based and we know from that the majority of people in the Oberon community want one thing.

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## 8. CONFIRMATION OF MINUTES

### Ordinary Meeting 19 June 2018

Moved: Capel  
Second: Kellam

That the Minutes of the Ordinary Meeting held on 19 June 2018 be confirmed.

Carried 02 170718

### Matters Arising from the Minutes

Clr McKibbin requested that the minutes of the 19 June 2018 Ordinary Meeting be amended to include the questions from Councillors and responses provided by Phillip Haynes following his presentation to the meeting and that questions and responses be included in all subsequent meetings.

Moved: Kellam  
Second: McKechnie

That report item 13.01 be brought forward and dealt with at this point in time.

Carried 03 170718

### **13.01 FLUORIDATION OF WATER**

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

#### **Summary**

This report seeks Council direction pertaining to the potential to implement the fluoridation process into the Oberon reticulated water supply network stemming from the resolution in March that Council look at its current long standing resolution not to fluoridate the Oberon reticulated supply. Additionally, this report provides a background to previous considerations, the current community consultation process and some general commentary around fluoridation.

Moved: Kellam  
Second: Capel

That the Council directs the General Manager to write to NSW Health requesting approval to commence fluoridation of the Oberon town water supply in accordance with Section 6 of the Fluoridation of Public Water Supplies Act.

Carried 04 170718

Clr Lyon requested her vote against the motion be recorded.

## **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: McKibbin  
Second: McCarthy

That Report Item 09.01 is received as information.

Carried 05 170718



## 09.02 MAYORAL MINUTE – PUBLIC LIBRARY FUNDING

File No: Community Services/Library  
Author: Kathy Sajowitz, Mayor

### Summary

I am calling on Councillors to support the NSW Public Libraries Association and Local Government NSW in their advocacy to State Government for additional funds for Public Libraries.

Moved: Sajowitz  
Second:

That Council:

1. Endorse the NSW Public Libraries Association and Local Government NSW library funding advocacy initiative, *Renew Our Libraries*.
2. Make representation to the local State Member(s), Hon Paul Toole, in relation to the need for additional funding from the NSW State Government for the provision of public library services.
3. Write to the Hon. Don Harwin, Minister for the Arts and the Hon. Walt Secord, Shadow Minister for the Arts, calling for bi-partisan support for the provision of a significant increase in state funding for NSW public libraries, supported by a sustainable future funding model.
4. Take a leading role in activating the campaign locally.
5. Endorse the distribution of the NSW Public Libraries Association and Local Government NSW library funding advocacy initiative information in Council libraries, as well as involvement in any actions arising from the initiative.
6. Formally advise the NSW Public Libraries Association and Local Government NSW that Council has endorsed the library funding advocacy initiative.

Carried 06 170718

## 10. NOTICES OF MOTIONS

### 10.01 NOTICE OF MOTION – TUNNELLING UNDER THE BLUE MOUNTAINS

File No: Government Relations/Local and Regional Liaison  
Author: Cllr Andrew McKibbin

### Summary

A paper outlining the feasibility of tunnelling under the Blue Mountains is provided FOLLOWING this Notice of Motion. I am seeking Council's endorsement of this paper to submit a submission to the Government as a proposal for improving transport links across the Blue Mountains.

Moved: McKibbin  
Second: McCarthy

That Council endorse the Paper “Tunnelling under the Blue Mountains” as a Council submission to Government and to the community on its proposal for improving transport links across the Blue Mountains.

Carried 07 170718

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## 11. COUNCILLOR AND DELEGATES REPORTS

### 11.01 OBERON ARTS COUNCIL

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

#### Summary

Councillor Sajowitz attended the last meeting of the Oberon Arts Council Committee.

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Moved: Capel  
Second: Kellam

That report item 11.01 is received as information.

Carried 08 170718

### 11.02 NATIONAL TIMBER COUNCIL & ALGA CONFERENCE CANBERRA

File: Government Relations/Local and Regional Liaison/Nation Timber Council Association  
Author: Deputy Mayor Kerry Gibbons

#### Summary

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

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Moved: Gibbons  
Second: Capel

That report item 11.02 is received as information.

Carried 09 170718

## 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 meeting is held on the fourth Wednesday of each month, except for January. This report provides an update on outcomes from this meeting and any other activities that have been undertaken.

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Moved: Capel  
Second: Kellam

That the Oberon Youth Council report 12.01 is received as information.

Carried 10 170718

### 12.02 LOCAL EMERGENCY MANAGEMENT COMMITTEE

File: Governance/Meetings/Local Emergency Management Committee

Author: Chris Schumacher, Technical Services Director

#### Summary

Minutes of the Local Emergency Management Committee Meeting held on 14 May 2018 are submitted for Council's information and consideration.

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Moved: McKibbin  
Second: McCarthy

That the Minutes of the Local Emergency Management Committee Meeting held on 14 May 2018 are received as information.

Carried 11 170718

## 13. REPORTS FOR DECISION

### 13.02 EASY TO DO BUSINESS PROGRAM – SERVICE NSW

File No: Government Relations/Local and Regional Liaison/Office of the Small Business Commissioner

Author: Gary Wallace, General Manager

#### Summary

Oberon Council has been invited by Service NSW, a NSW Government agency, to be part of its Easy to do Business program. Being implemented in conjunction with the NSW Small Business Commissioner Robyn Hobbs, the initiative aims to make it easier to open and run businesses in the State.

Moved: Capel  
Second: McKibbin

That:

1. Council accept an invitation from Service NSW to join the Easy to do Business Program.
2. Authorise the General Manager to enter into a Memorandum of Understanding with Service NSW regarding the Easy to do Business Program.

Carried 12 170718

### **13.03 ROAD NAMING – NEW ROADS OFF SPRINGFIELD STREET OBERON**

File No: BCS/ Roads /Naming /Roads and Lanes  
Author: Chris Schumacher, Works and Engineering Director

#### **Summary**

This report is further to the recent Council advertisement inviting public submissions for road naming for the two (2) new bitumen roads that are part of the new subdivision off Springfield Street, Oberon.

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Moved: McKibbin  
Second: McCarthy

That in accordance with the NSW Geographical Names Board – NSW Addressing User Manual (September 2016), that Council endorse Ellis Drive (Road 1) and Charles Throsby Way (Road 2) for the two (2) new bitumen roads that are part of the new subdivision off Springfield Street.

Carried 13 170718

### **13.04 SNAKE VALLEY BRIDGE – DECK REPLACEMENT**

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

#### **Summary**

Further to Councils request at the Ordinary Meeting of Council 19 June 2018, further information is provided below outlining costs associated with both timber and concrete options for the replacement decking of the Snake Valley Bridge.

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Moved: McKibbin  
Second: Capel

That Council note the report and defer the matter to the next available Council Meeting.

Carried 14 170718

Clr McKechnie requested his vote against the motion be recorded.

### **13.05 OBERON STREET UPGRADE AND BEAUTIFICATION WORKING PARTY**

File No: Roads/Maintenance/Roads General

Author: Chris Schumacher, Works and Engineering Director

#### **Summary**

Council appoint a working party to develop a strategy for the upgrade and beautification of Oberon Street CBD and to consider various options for the paving, street furniture and parking.

Moved: McCarthy

Second: Lyon

That:

1. Council Establish a working party consisting of Councillors and Council Staff, to develop ideas for Oberon Streets and make recommendations to Council in regards to the proposed amenity, improvements to the existing area.
2. Upon investigation a report be submitted to Council outlining costs for improvements recommended for further consideration.

Carried 15 170718

### **13.06 REQUEST TO WAIVE DA FEES ‘MACQUARIE’**

File No: PR186-3397

Author: Shane Wilson - Planning & Development Director

#### **Summary:**

The applicant for DA10.2018.47.1 has requested that Council waive the development application fees for the retrospective works undertaken on the “Convict Barracks”.

Moved: McCarthy

Second: Capel

That Council does not support the request for waiving the fees for DA10.2018.47.1 as the application is for retrospective approval of works.

Carried 16 170718

### **13.07 RETURNS DISCLOSING INTERESTS**

File No: Corporate Management/Administration/Register of Disclosures

Author: Gary Wallace, General Manager

#### **Summary**

In accordance with Section 449 of the Local Government Act; all Councillors and designated persons who hold a position at 30 June must complete and lodge with the General Manager within 3 months a return. To facilitate this process a form has been sent to all Councillors and relevant staff, including the General Manager.

Moved: McKibbin  
Second: Capel

That Council note the requirement to lodge a return disclosing interests of Councillors and designated persons.

Carried 17 170718

**13.08 ASBESTOS MANAGEMENT POLICY – POLICY NO. 3130**

File No: Governance/Policies  
Author: Shane Wilson, Planning & Development Director

**Summary**

Oberon Council acknowledges the serious health hazard of exposure to asbestos. In reflection of the potential health hazards a policy and procedure have been drafted and presented to Council for adoption.

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Moved: McKibbin  
Second: Gibbons

That Council approve the Asbestos Management Policy and Procedure as provided to the meeting.

Carried 18 170718

**13.09 ENFORCEMENT POLICY – POLICY 3128**

File No: Governance/Policies  
Author: Shane Wilson - Planning & Development Director

**Summary**

A review of Council policies is being undertaken and it has been identified that the Unauthorised Building Works policy is no longer current and it is proposed to replace it with the Enforcement Policy.

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Moved: McKibbin  
Second: Kellam

That Council adopt the draft Enforcement Policy No. 3128.

Carried 19 170718

The General Manager advised that report item 13.10 had been withdrawn prior to discussion and will be considered at a future Works Committee Meeting.

## 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 summarises the main activity by the General Manager since the June 2018 Council Meeting. Items include Human Resources, Workplace Health & Safety, Community Activity, Regional Issues, Executive Management Team Meetings and planned activities.

Moved: McKechnie  
Second: Kellam

That report item 14.01 is received as information.

Carried 20 170718

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

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

#### Summary

This report item summarises the main activity in the Planning and Development Department since the June Council Meeting.

Moved: Kellam  
Second: McCarthy

That report item 14.02 is received as information.

Carried 21 170718

### 14.03 MONTHLY ACTIVITY REPORT – TECHNICAL SERVICES

File: Governance/Meetings/Ordinary  
Author: Chris Schumacher, Technical Services Director

#### Summary

This report provides a summary of the completed works for June and proposed works in the Technical Services area for the month of July/August.

Moved: McCarthy  
Second: McKibbin

That report item 14.03 be received as information.

Carried 22 170718

Page 23 of the Minutes of the Ordinary Meeting of Oberon Council held on Tuesday 17 July 2018.

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

File No: Governance/Meetings/Ordinary

Author: Lynette Safranek, Finance and Community Services Director

##### **Summary**

This report provides a summary of work within the Finance and Community Services Department during June 2018, plus planned activities for the upcoming months.

Moved: Capel  
Second: Lyon

That report item 14.04 is received as information.

Carried 23 170718

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

File No: Governance/Grants/ July 2018

Author: Gillian Salmon, Grants Coordinator

##### **Summary**

This report provides a summary of Grant Funding applications and submissions, both internal and external, during April 2018

Moved: Capel  
Second: McKibbin

That report item 14.05 is received as information.

Carried 24 170718

#### **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 June 2018.

Moved: Kellam  
Second: Gibbons

That report item 14.06 is received as information.

Carried 25 170718



#### **14.07 WATER USAGE – DROUGHT ASSISTANCE**

File No: Water Supply/Monitoring/Water Standpipe  
Author: Gary Wallace, General Manager

##### **Summary**

This report outlines the take up of drought assistance (water usage) for the period 13 June 2018 – 10 July 2018.

Moved: McKechnie  
Second: McKibbin

That report item 14.07 is received as information.

Carried 26 170718

#### **14.08 WATER AND SEWER PLANT REPORT**

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

##### **Summary**

Providing a summary of Oberon Council LGA water consumption and sewerage treatment processes for the month of June 2018 and WaterNSW Oberon Dam activity update.

Moved: Gibbons  
Second: McCarthy

That report item 14.08 is received as information.

Carried 27 170718

### **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 TENDER T2018/2 CONCEPT DESIGN & REF OBERON SEWERAGE TREATMENT PLANT**

File No: Sewerage and Drainage/Sewerage General  
Author: Chris Schumacher, Technical Services 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.

**16.02 TENDER 2018/1 – OBERON KERBSIDE GARBAGE COLLECTION**

File No: Governance/Ordinary/Confidential  
Author: Shane Wilson, Planning & Development Director

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

(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 MATTER**

File No: Governance/Ordinary/Confidential  
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.

- (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

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Moved: Capel  
Second: McKechnie

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 28 170718

*Council moved into Closed Session at 8.47pm. Members of the public present left the meeting at this point in time.*

**16.01 TENDER T2018/2 CONCEPT DESIGN & REF OBERON SEWERAGE TREATMENT PLANT**

File No: Sewerage and Drainage/Sewerage General  
Author: Chris Schumacher, Technical Services Director

Moved: McKibbin  
Second: Kellam

That Council accept the tender from Hunter H2O in the amount of \$197,597 ex. GST for 'Concept Design and Review of Environmental Factors' for the Oberon Sewage Treatment Plant (STP) upgrade.

Carried 29 170718

**16.02 TENDER 2018/1 – OBERON KERBSIDE GARBAGE COLLECTION**

File No: Governance/Ordinary/Confidential  
Author: Shane Wilson, Planning & Development Director

Moved: Gibbons  
Second: McCarthy

That Council award the Oberon kerbside waste collection tender – T2018/1 to Oberon Trash-Pak for a tendered price of \$110,990.88 per year (plus annual CPI) in accordance with Clause 178 of the Local Government (General) Regulation 2005.

Carried 30 170718

**16.03 LAND MATTER**

File No: Governance/Ordinary/Confidential  
Author: Shane Wilson, Planning & Development Director

Moved: Capel  
Second: McKibbin

That Council approve the actions as detailed within the report.

Carried 31 170718

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*Open Council resumed at 8.59pm.*

The Mayor advised that resolutions 29 170718, 30 170718 and 31 170718 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 9.00pm.

The next Ordinary Meeting of Oberon Council will be held on Tuesday 21 July 2018 commencing at 5.30pm in the Oberon Council Chambers 137 – 139 Oberon Street, Oberon.