

137 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 Ordinary Meeting Tuesday 20 November 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.....	6
8. CONFIRMATION OF MINUTES.....	8
9. MAYORAL MINUTE AND REPORT.....	9
09.01 MAYORAL MINUTE AND REPORT.....	9
10. NOTICES OF MOTIONS.....	9
11. COUNCILLOR AND DELEGATES REPORTS	9
11.01 LOCAL GOVNMNT NSW ANNUAL CONFERENCE	9
11.02 UPPER MACQUARIE COUNTY COUNCIL MEETING MAYORS, GENERAL MANAGERS AND DELEGATES MEETING 26 OCTOBER 2018 AND UPPER MACQUARIE COUNTY COUNCIL MEETING 2 NOVEMBER 2018	10
11.03 OBERON ARTS COUNCIL.....	10
11.04 COUNTRY MAYORS ASSOCIATION – 2 NOVEMBER 2018	11
11.05 CHIFLEY ZONE LIAISON COMMITTEE MEETING- 7 NOVEMBER 2018	11
12. COMMITTEE REPORTS	11
12.01 CENTRAL TABLELANDS ALLIANCE (CTA) AUDIT COMMITTEE	11
12.02 OBERON YOUTH COUNCIL	12
13. REPORTS FOR DECISION	12
13.01 AUDITED 2017/18 FINANCIAL STATEMENTS.....	12
13.02 ANNUAL REPORT 2017/18	13
13.03 DROUGHT COMMUNITIES PROGRAMME – EXTENSION	13
13.04 FUTURE OF EAST OBERON SEWERAGE PROJECT	14
13.05 JENOLAN STREET TREES BOX ELDER ISSUES	14
13.06 DUDLEY STREET NEW ACCESSIBLE PARKING PROVISION.....	15
13.07 PLANNING PROPOSAL – 2519 O’CONNELL ROAD	15
13.08 OBERON SPORTS COMPLEX.....	16
13.09 CROWN LAND MANAGEMENT ACT 2016 – NATIVE TITLE MANAGER	16
13.10 POLICY REVIEW - 2013 CHILD PROTECTION	16
13.11 DOMESTIC AND FAMILY VIOLENCE POLICY	17
13.12 DRUG AND ALCOHOL POLICY – POLICY 2119	17
13.13 WORKPLACE WELLBEING POLICY.....	17
14. REPORTS FOR INFORMATION	18
14.01 MONTHLY ACTIVITY REPORT – GENERAL MANAGER.....	18
14.02 MONTHLY ACTIVITY REPORT – PLANNING & DEVELOPMENT	18
14.03 MONTHLY ACTIVITY REPORT – TECHNICAL SERVICES.....	18
14.04 MONTHLY ACTIVITY REPORT – FINANCE & COMMUNITY SERVICES.....	19

14.05	GRANTS MONTHLY UPDATE.....	19
14.06	STATEMENT OF INVESTMENTS	19
14.07	WATER USAGE – DROUGHT ASSISTANCE	20
14.08	WATER AND SEWER PLANT REPORT	20
14.09	QUARTERLY BUDGET REVIEW STATEMENT – JUL TO SEP 2018	20
15.	URGENT BUSINESS	21
16.	CLOSED SESSION / CONFIDENTIAL REPORTS	21
16.01	CITIZEN OF THE YEAR AWARDS	21
16.02	TENDER 2018/4 – CONSTRUCTION OBERON SKATE PARK.....	21
16.03	LEGAL MATTERS.....	21
16.04	RATES WRITE OFF – ASSESSMENT 12380723	21
16.05	WATER WRITE OFF – ASSESSMENT 12367778	22
16.06	WATER WRITE OFF – ASSESSMENT 12369845	22
17.	CLOSURE OF MEETING.....	25

1. OPENING OF MEETING

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

2. ACKNOWLEDGEMENT OF COUNTRY

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

3. PRAYER

The meeting was opened in prayer by Pastor Jo Korman.

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, Technical Services Director
 Sharon Swannell, Executive Coordinator

Apologies Nil

5. DECLARATIONS OF INTEREST

File No: Governance/Councillors/Declarations of Interest

Pecuniary -

Non-Pecuniary -

Significant

Non-Pecuniary - Clr Gibbons declared an interest in report item 16.01 –
Less than Australia Day Awards. Clr Gibbons is related to persons
Significant nominated

Clr Lyon declared an interest in report item 16.01 – Australia
Day Awards – Clr Lyon is a committee member of one of
the nominees.

6. PRESENTATIONS

The Audited Financial Statements for 2017/18 were presented to Council by John Thompson, Crowe Horwath.

Apologies were received from Diminika Ryan, Audit Office who was unable to attend.

Clr McKibbin asked is the presentation available to ratepayers not present? John Thompson responded, yes it is available to ratepayers generally, but is not for any other purpose.

Clr McKibbin asked a question about revaluations which was taken on notice.

Debt Service Ratio – Page 118 12.48 - 2018, 12.11 – 2017, 12.48 - 2016 this figure needs to be corrected.

Debt Recovery – trending in negative position. Lynette will be bringing a report to council in relation to this. John Thompson commented this is under the benchmark, marginal increase.

Clr McKibbin asked if we proceed to a fluoride plant and the capital is provided by NSW Health does that have to come into our accounts. This question has been raised directly with Councillors by a number of ratepayers directly. The question was taken on notice by John Thompson. Lynette will provide additional information to John to assist with the enquiry.

Clr Doney asked can you suggest some of the lead quantitative indicators you spoke about. Would they be based on economic forecasts and population trends by and large. John Thompson responded lead financial ones would be more about forecasts, which is what Oberon includes in its QBR Statements. Other things include expectations, surveys. John will provide a more comprehensive list.

Clr Doney asked in our comparison with other Group 10 councils should we be sourcing benchmarking through the Office of Local Government or is it something Crowe Horwath does? John Thompson responded that is something that the Audit Office is looking at, the question was taken on notice.

Page 5 of the Minutes of the Ordinary Meeting of Oberon Council held on Tuesday 20 November 2018.

Clr Doney asked could you please give us a reason why valuing roads, footpaths, bridges at \$177M and sewerage system at \$9M what value is that to us as councils and the community to have numbers on those type of things. John Thompson responded if it is producing a benefit it needs to have a value on the books. We look at the valuers reports and test the rationale behind it and challenge how they came up with their valuations at a high level. The practice of valuations is consistent across all councils. A lot of Council's underground infrastructure is ageing and it is hard to establish the value, but if its working there is a value to it.

Clr Doney commented valuation assumptions are by and large historical cost convention as modified. So are our road valuations based on the constructions costs? John Thompson responded that's the start, but they then look at replacement cost, condition assessment, unit costs. The valuations are quite complex which is why this is an area of focus for the Audit Office.

Clr Doney asked about the capitalised employee costs which is the provision for long service and other leave types, I believe the reserve was at \$1m last year, in your professional opinion is that adequate and should that be increasing? John Thompson responded the question last year was around the adequacy of the restricted assets. I believe is significantly covered. We know in reality that not everyone is going to draw on this in one go, the reserve is adequate for the history of claims and payouts. \$1.5M – restricted assets \$1m. This is considered reasonable and adequate for the liability. Employees are adequately covered.

7. QUESTIONS FROM THE PUBLIC

Chris Freeman asked the following questions:

1. Firstly, the suppression and censorship of fluoride information in town – specifically what has occurred at the local post office over the last week. The posters that were displayed at the time of the takedown request were geared to be informative, not political. This higher level of suppression and intimidation of our Post Office staff should serve as a warning to us all about the danger of standing against the controversial policies of the orthodoxy. I would hope that as other posters go up around the town that shopkeepers opposed to fluoridation do not come under a similar level of intimidation.
2. The ongoing issue of freedom of choice. NSW Health have recently granted Oberon Council permission for Sodium Fluoride or Sodium Fluorosilicate, both of which are confirmed S6 poisons, and as we all well know, contaminated with trace amounts of heavy metals and other toxins. Neither of these are natural calcium fluoride, and to perpetuate the myth that one is the other is to surrender to a marketing campaign to sell a waste product, not to serve the truth. The people have a right to choose. Fluoridation of the water supply takes away that choice.
3. The upcoming JOC Meeting in Oberon and the question of public access. A recent conversation I've had with one of the councillors brought up that how one views this new super-council is a matter of perspective. In light of that, and in the spirit of open and informed understanding I would like to ask the following:

Are the meetings being held in Oberon open to the public as both state and local governments are? If so, where and when would we be able to attend?

The Mayor responded the question will be taken on notice.

Robin Ashton made the following statement.

I would like to see greater adherence to the principles of good leadership and democracy as Council persists in a course of action that it deems beneficial, despite evidence that the community is still divided on the issue. True leaders don't dismiss opponents but attract followers to their cause.

As conflicting numbers were circulating on the fluoride matter, I volunteered to knock on doors in an attempt to find out true indications of those in favour of adding fluoride and those who oppose the move. Even if the survey did not measure up to some peoples perception of best practice, the overall message was quite clear. Of those who answered my knock on their door, 77% were opposed and many were quite angry as they felt that Council was not listening to them. On a personal level, I found the insinuations of intimidation and falsifying findings hurtful and unnecessary. Denigrating opponents isn't showing good leadership but rather the low behaviour we see in Federal politics... not what we want here in Oberon. Throughout history there have been groups and individuals who continued to fight against those in power over issues they thought warranted the struggle. This is not a case of 'dummy-spitting' as has been suggested. It is a case of people who are committed to a cause continuing the battle because they believe the issue is worth their time and energy.

Being elected to the Oberon Council does not make you more knowledgeable or your sources of information more valid. True leaders take the time to really listen to other viewpoints and to try to convince others to follow, rather than just forging ahead with the unspoken message of 'we know better than you'.

Your job now is to take steps to mend the division within the community. It is disappointing that no such moves have been visible as yet but it's not too late. Put in place measures to gain a true and accurate picture of the people's will. Take action to convince the people that you are listening to them. While there will always be those on both sides of any debate who will cling to a belief regardless of information it behoves Council to make the effort to heal the wounds. There is still time. Such moves would reaffirm the people's faith that democratic process is still followed here.

Racheal Maher addressed Council and commented although I appreciate Kathy taking the time to respond, I am disappointed by the response to previous questions. I would like to make it clear I stand here greatly supported, I am not categorically anti-fluoride, I am for freedom of choice. I know that this is precisely what the underlying issue of adding fluoride to Oberon water boils down to. Whatever situation you are in it takes extreme conscious effort to distance oneself from bureaucracy. I will continue to be the voice for this town and not have that taken away by those that think their voice is sweeter. When we ignore the truth that is what we become. I have like many of you friends that have had cancer. Two friends chose different paths. 1 chemo, one natural therapies and diet, both made a full recovery, both were able to choose what was right for them. If you were in this situation what treatment would you choose? There is no difference in adding an S6 poison for a whole town because someone thinks they know a better treatment than the person does themselves. Are you really so naive to believe that teeth are a separate identify to the rest of the body. I don't believe anyone here is that uneducated. You are robbing people of the opportunity to learn. Teach and promote healthy eating, proper dental hygiene and whole body health. As each have you compromised your moral values and are you strong enough to seek that within in you. I ask you to leave legacies.

Melissa Jones addressed Council. I think it's great you are growing a Mo for Movember. It has been proven that fluoride can cause depression. There was an anti-amalgamation and no one wanted it, it was fine for Bernice and Wayne to stick up posters then, but it's wrong that they are

Page 7 of the Minutes of the Ordinary Meeting of Oberon Council held on Tuesday 20 November 2018.

getting targeted. Where does the buck stop here with council on that situation? NSW Health can say what should be put up and what shouldn't. I don't think the posters should come down. When it suited council they also put them up in Australia Post's window. We are amalgamating as we have joined a JO now. Ian made a comment weeks and weeks ago as you discussed with Centroc. We are amalgamated by stealth. If you wanted to fight that you would be saying to Wayne and Bernice and I think its bullying.

The Mayor responded that we don't know where that's coming from. Why is it coming to Council? What is the complaint?

Melissa responded you have backed NSW Health to put fluoride into our water supply.

Keith Sullivan commented it seems to be wishful thinking that one day we will re-establish due process and community harmony. I compliment the people who have spoken tonight. Throughout this whole process this group have carried out their side of the debate without making it personal and presenting their facts as clearly as they can. I am concerned about what the council has allowed to happen to the Post Office. My response was that it wouldn't be the councillors and I would like to think no councillor or staff member would conduct themselves this way. We argue amongst ourselves, we object to the fact that outside influences have come into town to join the debate. They spread rumours. The NSW Health Department say that fluoride is a natural substance and it is, but that's not what's going into our water. It's a chemical by-product of an industrial process. The way our Post Master and Mistress have been treated, I want to say that council should go about getting it fixed. The process is simple, council should write to our federal member asking them why are they getting involved in what is a domestic issue in this community. The feeling in town is the tar is boiling. This person is not acting in accordance with what is right. One thing we should have in common is we are here for one another. I will pass my suggestions onto Gary. There are things the Council can do that will show the Councillors doesn't condone this action. Ask them to communicate with the Council not direct with the community.

Hardy Draheim spoke in support of what Keith Sullivan is saying, there is a legal campaign going on against our post master which seems to stem from the same cause. I think this is not right.

8. CONFIRMATION OF MINUTES

Ordinary Meeting 16 October 2018

Moved: McKibbin
Second: Lyon

That the Minutes of the Ordinary Meeting held on 16 October 2018 be confirmed.

Carried 01 201118

Matters Arising from the Minutes

Nil

9. MAYORAL MINUTE AND REPORT

09.01 MAYORAL MINUTE AND REPORT

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

Summary

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

Moved: McKibbin
Second: Capel

That Report Item 09.01 is received as information.

Carried 02 201118

10. NOTICES OF MOTIONS

Nil

11. COUNCILLOR AND DELEGATES REPORTS

11.01 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE

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

General Manager Gary Wallace and Mayor Kathy Sajowitz attended the LGNSW Annual Conference/AGM held in Albury on October 21-23 2018. Over eight hundred Local Government representatives from one hundred and twenty eight councils were in attendance.

Moved: Capel
Second: Gibbons

That report item 11.01 be received as information.

Carried 03 201118

11.02 UPPER MACQUARIE COUNTY COUNCIL MEETING MAYORS, GENERAL MANAGERS AND DELEGATES MEETING 26 OCTOBER 2018 AND UPPER MACQUARIE COUNTY COUNCIL MEETING 2 NOVEMBER 2018

File No: Environmental Management/Meetings/Upper Macquarie County Council
Author: Clr Andrew McKibbin

Summary

The most recent meetings of the Upper Macquarie County Council were held at the Council offices in Kelso as follows:

- Meeting of Mayors, General Managers and Delegates at Upper Macquarie County Council on Friday 26 October 2018 (postponed from 21 September 2018); and
- 2 November 2018 UMCC Meeting

Both these meetings were attended by Council's delegate Clr Andrew McKibbin with Clr Don Capel being on extended leave overseas.

Moved: McKibbin
Second: Capel

1. That the report item 11.02 is received as information.
2. That Oberon Council resolve to contribute the increased contributions to UMCC as requested for the Financial Years as follows:

2019/2020	2020/2021	2021/2022
\$8,860	\$17,942	\$27,250

and that the increased contribution for 2021/2022 continue for future years as adjusted by the rate peg.

Carried 04 201118

11.03 OBERON ARTS COUNCIL

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

Summary

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

Moved: McKibbin
Second: Lyon

That report item 11.03 is received as information.

Carried 05 201118

Page 10 of the Minutes of the Ordinary Meeting of Oberon Council held on Tuesday 20 November 2018.

11.04 COUNTRY MAYORS ASSOCIATION – 2 NOVEMBER 2018

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

Author: Mayor Kathy Sajowitz

On 2 November 2018 Mayor Kathy Sajowitz and General Manager Gary Wallace attended the NSW Country Mayors Association (NSWCMA) AGM/General Meeting held at NSW Parliament House in Macquarie Street Sydney. There were eighty one Council and other organisational representatives in attendance. Cllr Sajowitz and General Manager Wallace also attended the NSWCMA Energy from Waste Forum on November 1 held at Parliament House Sydney.

Moved: Gibbons
Second: McKibbin

That report item 11.04 be received as information.

Carried 06 201118

11.05 CHIFLEY ZONE LIAISON COMMITTEE MEETING- 7 NOVEMBER 2018

File No: Emergency Services/Meetings/NSW RFS

Author: Cllr Clive McCarthy

Summary

Councillor McCarthy attended the meeting of the Chifley Zone Liaison Committee held on 7 November 2018.

Moved: McCarthy
Second: McKibbin

That report item 11.05 is received as information.

Carried 07 201118

12. COMMITTEE REPORTS

12.01 CENTRAL TABLELANDS ALLIANCE (CTA) AUDIT COMMITTEE

File No: Governance/Meetings/CTA/Audit Committee

Author: Lynette Safranek, Finance & Community Services Director

Summary

This report details the meeting held on 19 October 2018 of the Central Tablelands Alliance (CTA) Audit Committee.

Moved: Kellam
Second: McKibbin

That Council receive report 12.01 as information.

Carried 08 201118

12.02 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.

Moved: Capel
Second: Kellam

That the Oberon Youth Council report 12.02 is received as information.

Carried 09 201118

13. REPORTS FOR DECISION

13.01 AUDITED 2017/18 FINANCIAL STATEMENTS

File No: Governance/Ordinary/November 2018
Author: Lynette Safranek, Finance & Community Services Director

Summary

The 2017/18 Financial Statements are showing a net surplus of \$3.9 million, before grants and contributions for capital purposes. The Statement of Cash Flows on pages 8 and 9 of the Financial Statements shows the total cash, cash equivalents and investments at \$15.3 million, which is made up of \$1 million in cash and \$14.3 million in investments.

Moved: McKibbin
Second: Kellam

That Council adopt the Audited 2017/18 Financial Statements following no public submissions during the public exhibition period.

Carried 10 201118

13.02 ANNUAL REPORT 2017/18

File No: Government Relations/OLG/Ordinary/November 2018

Author: Lynette Safranek, Finance & Community Services Director

Summary

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

Moved: McKibbin
Second: McCarthy

That Council:

1. Receive the Annual Report for the year ended 30 June 2018 as information
2. Approve the upload the Annual Report on Oberon Council's website and
3. Notify the Office of Local Government that the Annual Report is on Oberon Council's website and provide a copy of the Annual Report to the Minister in accordance with s426(5) of the Local Government Act 1993.

Carried 11 201118

13.03 DROUGHT COMMUNITIES PROGRAMME – EXTENSION

File No: Grants and Subsidies/Grants

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

Summary

On 19 August 2018, the Australian Government announced \$75 million for the Drought Communities Programme (DCP) - Extension to support communities impacted by the current drought. Oberon Council is one of the eligible Councils who will receive funding for local community infrastructure and other drought relief projects up to the amount of \$1 million

Moved: Kellam
Second: McKibbin

That Council approve the progressive submission of prioritised projects for assessment by the Department of Industry, Innovation and Science (the administering entity), until the \$1 million has been fully allocated.

- a. Drought Relief Event at O'Connell \$27,500
- b. Kitchen Upgrade at Black Springs Community Hall \$44,000
- c. Burruga Dam Picnic and Camp Ground Facilities \$140,800
- d. Primitive Camping Facilities at the Reef \$49,500

Further that the remaining priorities be considered at the December Ordinary Meeting with full costings provided.

Carried 12 201118

Page 13 of the Minutes of the Ordinary Meeting of Oberon Council held on Tuesday 20 November 2018.

13.04 FUTURE OF EAST OBERON SEWERAGE PROJECT

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

Summary

This report provides information on funding, East Oberon Sewerage Project and growth projections for the Oberon Sewage Treatment Plant (STP).

Moved: McKibbin
Second: Kellam

That:

1. Until Council received instruction as to the funding allocation for the entire project any decision for the Oberon East Sewerage Project development be deferred.
2. No further expenditure be undertaken on the Oberon East Sewerage Project until a decision is made regarding the project.
3. Council adopt proposed design flow projections for Oberon STP.

Carried 13 201118

13.05 JENOLAN STREET TREES BOX ELDER ISSUES

File No: Recreational/Maintenance/Gardens and Street Trees
Author: Gary Wallace, General Manager

Summary

Council is in receipt of two letters from three concerned residents in Jenolan and Brennan Streets over the invasive nature of the Box Elder street trees in their locality.

Moved: Gibbons
Second: McCarthy

That Council consider the representations from the residents and consider the replacement of the invasive trees with an appropriate replacement.

Amendment Moved: Lyon
Second: Capel

That Council consider the representations from the residents and consider the replacement of the invasive trees in Jenolan Street with an appropriate replacement and the trees in Brennan Cres be retained.

The amendment was put and lost, the original motion stands.

Moved: Gibbons
Second: McCarthy

That Council consider the representations from the residents and consider the replacement of the invasive trees with an appropriate replacement following consultation with residents.

Carried 14 201118

Clr Lyon requested her vote against the motion be recorded.

13.06 DUDLEY STREET NEW ACCESSIBLE PARKING PROVISION

File No: Traffic and Transport/Parking
Author: Peter Morgan, Technical Services Manager

Summary

This report provides further detail and cost estimation in relation to relocation of existing Accessible Parking to the eastern side of Dudley, adjacent to the entrance of the Oberon RSL Club.

Moved: Gibbons
Second: Kellam

That the matter be deferred until a report is received from the Traffic Advisory Local Committee Meeting held on 15 November 2018.

Carried 15 201118

13.07 PLANNING PROPOSAL – 2519 O’CONNELL ROAD

File No: PR186-2519
Author: Shane Wilson - Planning & Development Director

Summary:

The proponent applied for a review of the Gateway Determination to remove the requirements of condition 1 being: *Council is to prepare an addendum to the Oberon Land Use Strategy 2013 (Oberon Strategy) in respect to the rural/large lot residential component.*

The Independent Planning Commission (IPC) has now released its advice on the review and has advised the Minister’s delegate that the condition should be retained in its entirety.

Moved: Doney
Second: McKechnie

That Council;

1. Note the findings of the Independent Planning Commission,
2. Await formal advice from NSW Department of Planning & Environment, after which a further report be prepared detailing the options now available to Council.

Carried 16 201118

Page 15 of the Minutes of the Ordinary Meeting of Oberon Council held on Tuesday 20 November 2018.

13.08 OBERON SPORTS COMPLEX

File No: Parks and Reserves/Design and Construction/Recreational Grounds

Author: Shane Wilson - Planning & Development Director

Summary:

Council with the support of Borg have been working on the creation of a master plan for a modern sporting complex for Oberon. This concept design is now complete and recommended to be placed on public exhibition.

Moved: McKechnie
Second: McKibbin

That Council resolve to place the concept plan on community consultation for a period of 28 days, with a further report to be presented after that period.

Carried 17 201118

13.09 CROWN LAND MANAGEMENT ACT 2016 – NATIVE TITLE MANAGER

File No: Land Use and Planning/Crown Land

Author: Shane Wilson - Planning & Development Director

Summary

Further to the report presented to Council at its 19 June 2018 Ordinary Meeting, Council give notice to the Minister Lands and Forestry of the name and contact details of any person the council has engaged or employed as a native title manager.

Moved: McKibbin
Second: Capel

That Council give notice to the Minister for Lands and Forestry that the Planning & Development Director, Mr Shane Wilson is to be employed as a Native Title Manager, until 30 June 2019.

Carried 18 201118

13.10 POLICY REVIEW - 2013 CHILD PROTECTION

File No: Governance/Policies

Author: Lynette Safranek, Finance & Community Services Director

Summary

This report contains several policies that require a review to bring them up to date with current standards, processes and Acts.

Moved: Capel
Second: Kellam

That Council approve the Policy 2013 Child Protection.

Carried 19 201118

Page 16 of the Minutes of the Ordinary Meeting of Oberon Council held on Tuesday 20 November 2018.

13.11 DOMESTIC AND FAMILY VIOLENCE POLICY

File No: Governance/Policies

Author: David Lawson – WHS and Risk Coordinator

Summary

A request has been received from the USU (United Services Union) for Council to develop a Domestic and Family Violence Policy.

Moved: Gibbons

Second: Doney

That Council adopt the draft Domestic and Family Violence Policy

Carried 20 201118

13.12 DRUG AND ALCOHOL POLICY – POLICY 2119

File No: Governance/Policies

Author: David Lawson – WHS and Risk Coordinator

Summary

A review of the current Drug and Alcohol policy was conducted and found it lacked the proposed process for testing oral fluids.

Moved: Kellam

Second: Capel

That Council adopt the draft Drug and Alcohol Policy 2119.

Carried 21 201118

13.13 WORKPLACE WELLBEING POLICY

File No: Governance/Policies

Author: David Lawson – WHS and Risk Coordinator

Summary

As part of Councils ongoing commitment to support our staff in Health and Wellbeing and also to finalise a commitment to continue to improve workplace psychosocial issues the draft Workplace Wellbeing Policy is tabled for Council consideration.

Moved: Capel

Second: Doney

That Council adopt the draft Workplace Wellbeing Policy

Carried 22 201118

Page 17 of the Minutes of the Ordinary Meeting of Oberon Council held on Tuesday 20 November 2018.

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 October 2018 Council Meeting. Items include Human Resources, Workplace Health & Safety, Community Activity, Regional Issues, Executive Management Team Meetings and planned activities.

Moved: McKechnie
Second: Capel

That report item 14.01 is received as information.

Carried 23 201118

14.02 MONTHLY ACTIVITY REPORT – PLANNING & DEVELOPMENT

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 October Council Meeting.

Moved: Lyon
Second: Doney

That report item 14.02 is received as information.

Carried 24 201118

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 October 2018 and proposed works in the Technical Services area for the month of November 2018.

Moved: Doney
Second: McKibbin

That report item 14.03 be received as information.

Carried 25 201118

Page 18 of the Minutes of the Ordinary Meeting of Oberon Council held on Tuesday 20 November 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 October 2018, plus planned activities for the upcoming months.

Moved: McCarthy
Second: Capel

That report item 14.04 is received as information.

Carried 26 201118

14.05 GRANTS MONTHLY UPDATE

File No: Governance/Grants/ November 2018

Author: Gillian Salmon, Grants Coordinator

Summary

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

Moved: Doney
Second: Kellam

That report item 14.05 is received as information.

Carried 27 201118

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 31 October 2018.

Moved: McKibbin
Second: Kellam

That report item 14.06 is received as information.

Carried 28 201118

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 11 October 2018 to 12 November 2018

Moved: McKechnie
Second: Capel

That report item 14.07 be received as information.

Carried 29 201118

14.08 WATER AND SEWER PLANT REPORT

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

Summary

This report provides a summary of Oberon Council LGA water consumption and sewerage treatment operations for the month of October 2018.

Moved: McKibbin
Second: Kellam

That report item 14.08 is received as information.

Carried 30 201118

14.09 QUARTERLY BUDGET REVIEW STATEMENT – JUL TO SEP 2018

File No: Governance/Meetings/Ordinary/Nov 2018
Author: Lynette Safranek, Finance & Community Services Director

Summary

The Quarterly Budget Review Statement (QBRS) is presented with income and expenditure for the period from 1 July to 30 September 2018.

Moved: Capel
Second: McKibbin

That report item 14.09 is received as information.

Carried 31 201118

15. URGENT BUSINESS

Nil

16. CLOSED SESSION / CONFIDENTIAL REPORTS

16.01 CITIZEN OF THE YEAR AWARDS

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

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

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

16.02 TENDER 2018/4 – CONSTRUCTION OBERON STAKE PARK

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 LEGAL MATTERS

File No: Legal
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 RATES WRITE OFF – ASSESSMENT 12380723

File No: Governance/Ordinary/Confidential
Author: Lynette Safranek, Finance & Community Services 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:

(b) the personal hardship of any resident or ratepayer,

16.05 WATER WRITE OFF – ASSESSMENT 12367778

File No: Governance/Ordinary/Confidential

Author: Lynette Safranek, Finance & Community Services 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:

(b) the personal hardship of any resident or ratepayer.

16.06 WATER WRITE OFF – ASSESSMENT 12369845

File No: Governance/Ordinary/Confidential

Author: Lynette Safranek, Finance & Community Services 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:

(b) the personal hardship of any resident or ratepayer.

Moved: Doney

Second: Capel

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 32 201118

Council moved into Closed Session at 8.55pm. Members of the public present left the meeting at this point in time.

16.01 CITIZEN OF THE YEAR AWARDS

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

Moved: Capel
Second: Kellam

That:

1. Australia Day Awards be made in the following categories:
 - a. Citizen of the Year
 - b. Young Citizen of the Year (persons up to and including 18 years)
 - c. Sportsperson of the Year
 - d. Young Sportsperson of the Year (persons up to and including 18 years)
 - e. Sports Team of the Year
 - f. Community Event of the Year
 - g. Volunteer or Volunteer Group of the Year
2. That an invitation be extended to all award nominees, Councillors and Management Staff and their partners to meet the Australia Day Ambassador and partner at a function on the evening of 25 January 2019.
3. That the 2019 Australia Day Celebrations be held at the Oberon Showground Hall.

Carried 33 201118

16.02 TENDER 2018/4 – CONSTRUCTION OBERON SKATE PARK

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

Moved: Capel
Second: McKibbin

That Council award the construction of the Oberon Skate Park tender – T2018/4 to Oasis Skate Parks Pty Ltd for a tendered price of \$352,000 including GST in accordance with Clause 178 of the Local Government (General) Regulation 2005.

Carried 34 201118

16.03 LEGAL MATTERS

File No: Legal
Author: Shane Wilson – Planning & Development Director

Moved: Kellam
Second: McKibbin

That Council receive the report for information.

Carried 35 201118

16.04 RATES WRITE OFF – ASSESSMENT 12380723

File No: Governance/Ordinary/Confidential

Author: Lynette Safranek, Finance & Community Services Director

Moved: McKibbin
Second: Capel

That Council:

1. Write off unpaid rates and debt recovery charges to a total of \$6,867.64, and
2. Instruct Council staff to write to the owners advising that PLT 1, DP389173 is not considered to be landlocked.

Amendment Moved: Capel
Second: Doney

That the matter be deferred pending further information being provided in relation to the matter.

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

Moved: Capel
Second: Doney

That the matter be deferred pending further information being provided in relation to the matter.

Carried 36 201118

16.05 WATER WRITE OFF – ASSESSMENT 12367778

File No: Governance/Ordinary/Confidential

Author: Lynette Safranek, Finance & Community Services Director

Moved: McCarthy
Second: Capel

That Council staff refer Assessment 12367778 to debt recovery to set up a payment plan arrangement for both water and rates.

Carried 37 201118

16.06 WATER WRITE OFF – ASSESSMENT 12369845

File No: Governance/Ordinary/Confidential

Author: Lynette Safranek, Finance & Community Services Director

Moved: Kellam
Second: Doney

That Council do not write off water for Assessment 12369485 as the leak was not a Council fault.

Carried 38 201118

Page 24 of the Minutes of the Ordinary Meeting of Oberon Council held on Tuesday 20 November 2018.

Council staff left the meeting at 9.31pm.

16.07 LATE REPORT – STRUCTURE

File No: Governance/Ordinary/Confidential

Author: Gary Wallace, General Manager

Moved: Andrew McKibbon

Second: Mark Kellam

That report item 16.07 is tabled for Council endorsement.

Carried 39 201118

Open Council resumed at 11.10pm.

The Mayor advised that resolutions 33 201118, 34 201118, 35 201118, 36 201118, 37 201118, 38 201118 and 39 201118 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 11.10 pm.

The next Ordinary Meeting of Oberon Council will be held on Tuesday 18 December 2018, commencing at 5.30pm in the Oberon Council Chambers, 137 – 139 Oberon Street, Oberon.