

OBERON COUNCIL

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Present: The Deputy Mayor, Councillor M J McMahon (in the Chair), Councillors B O'Bernier, R L Hooper, D Fitzpatrick, N Francis, Z Handelsmann and C L McCarthy

The General Manager, Mr Bruce Fitzpatrick; the Director of Engineering, Mr Leigh Robins; the Director of Corporate Services, Mr John Chapman; the Director of Development, Mr Ralph Tambasco; and the Executive Assistant, Mrs Sharon Swannell.

PRAYER

The meeting was opened in prayer by Pastor Andrew Godden.

A minute silence was held in observance of Remembrance Day.

APOLOGIES

1. **RESOLVED:** Apologies were received and accepted for the non-attendance of Councillors K Sullivan and I Doney. (O'Bernier/Francis)

QUESTIONS FROM THE PUBLIC

Mr. Mark Mason, Pegela Pastoral Company addressed Council in respect to the application for B-Double access which was unresolved at the 21 October 2008 Ordinary Meeting - could the application be reconsidered on the basis of safety and reduced traffic movements on the road?

The Deputy Mayor thanked Mr. Mason for the information and requested Mr. Mason to put his submission in writing to the Director of Engineering outlining his business activities and the potential reduction in truck movements if B-Doubles are approved for the proposed route.

2. **RESOLVED:** That Item B7 be brought forward and dealt with at this point in time and that Ms. Marilyn Wright from Oberon Correctional Centre be invited to address Council in respect to the proposal.
(O'Bernier/Fitzpatrick)

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**ITEM B7 - MINIMUM SECURITY COMMUNITY PROJECTS OPERATIONAL WORKS
Staff Report to the 11 November 2008 Ordinary Meeting
File No. A3.14**

3. **RESOLVED:** That the proposal to develop a partnership between Oberon Correctional Centre and Oberon Council in establishing a method of inmate participation on operational works that Council identify may be undertaken in a community project setting be endorsed.
(Hooper/Fitzpatrick)

CONFIRMATION OF MINUTES

4. **RESOLVED:** that the Minutes of the duly convened Ordinary Meeting held on 21 October 2008 be taken as read and confirmed.
(McCarthy/O'Bernier)

Matters Arising From the Minutes

Nil

DECLARATIONS OF INTEREST

Pecuniary - Nil

Conflicts - Councillor McMahon declared an interest in Item A2 of the Staff Report, Councillor McMahon is related to one of the parties.

Staff - Nil

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MAYORAL MINUTE

A. Meetings

Meetings attended since my last report include:

1. Sport & Recreation Meeting with Schools and Sporting Groups 15 October 2008.
2. Meet with representatives of Carter Holt Harvey & Col Roberts re: Timber Heritage Walk 17 October 2008.
3. Meeting with Peter Mackinnon re Aged Care 20 October 2008.
4. OPTA Annual General Meeting 20 October 2008.
5. Ordinary Council Meeting 21 October 2008.
6. Land Committee Meeting 27 October 2008.

B. Representation

Council was represented at the following:

1. Various media interviews throughout the month.

C. Correspondence

Correspondence received included:

1. From the Hon Alan Griffin MP, Minister for Veterans' Affairs regarding observance of Remembrance Day.
 2. Sydney Catchment Authority regarding Local Government Reference Panel Membership.
 3. Careflight Annual Report 2008.
 4. Mrs Veronica Hodges regarding pool use.
 5. Oberon Senior Citizens Group – Letter of thanks.
 6. Wally and Maree Bond regarding proposed intersection changes between Albion Street East and Duckmaloi Road.
5. **RESOLVED:** That the Mayoral Minute be received and noted.
(McCarthy/O'Bernier)

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GENERAL MANAGERS REPORT

The General Manager's activities for the month of October 2008 are as follows:

Meetings

Meetings attended during October 2008 include:

1. Special meeting with Bob Debus & Councillors 1 October 2008.
 2. Aged Care Public Meeting – Oberon RSL Club 1 October 2008.
 3. Shane Rees – 2 October 2008.
 4. Central Tablelands Alliance Meeting – 13 October 2008.
 5. Manex Meeting – 14 October 2008.
 6. Special Council Meeting – Investments – 14 October 2008.
 7. Sport & Rec Centre meeting with Schools & Sporting Groups – 15 October 2008.
 8. Ordinary Council Meeting – 21 October 2008.
 9. Land Committee Meeting – 27 October 2008.
 10. Councillor Information Training – Governance – 30 October 2008.
 11. Phone Conference – Lucy Motta – 31 October 2008.
6. **RESOLVED:** That the General Manager's report be received and noted.
(McCarthy/O'Bernier)

STAFF REPORT

ITEM A1 - APPLICATION TO VARY CLAUSE C.5.4 OF OBERON'S DEVELOPMENT CONTROL PLAN 2001- IN SUPPORT OF DEVELOPMENT APPLICATION 27/09 FOR ADDITONS TO A DWELLING

Staff Report to the 11 November 2008 Ordinary Meeting
File No. PO49.30

7. **RESOLVED:** That Clause C.5.4 of Oberon's Development Control Plan 2001 be varied to allow the proposed additions to be approved without the need to address noise and odour issues.
(Hooper/McCarthy)

In accordance with Section 375A of the Local Government Act, the following votes are recorded for/against this motion:

Votes for: Fitzpatrick, Handelsmann, McCarthy, Hooper, O'Bernier, Francis, McMahan

Votes against: Nil

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8. **RESOLVED:** That Councillor Hooper assumes the chair to deal with Item A2 of the Staff Report. (McMahon/Handelsmann)

Councillor McMahon declared an interest in Item A2 and left the chambers at 5.56 pm.

ITEM A2 - COMPLAINTS CONCERNING USE OF PREMISES
Staff Report to the 11 November 2008 Ordinary Meeting
File No. PO11.59-61

9. **RESOLVED:** That:
1. No further action be taken in the personal dispute between the McMahon's and the Kilby's.
 2. Mrs M Kilby be advised as suggested in response to items 2, 3 and 4 of her "questions on notice".
 3. A further report be submitted in due course in respect to the use of premises situated at 59-61 Carrington Avenue, Oberon.

(Hooper/McCarthy)

In accordance with Section 375A of the Local Government Act, the following votes are recorded for/against this motion:

Votes for: Fitzpatrick, Handelsmann, McCarthy, Hooper, O'Bernier, Francis
Votes against: Nil

Councillor McMahon returned to the Chambers at 6.04 pm.

ITEM A3 - REVIEW OF DRAFT NSW HOUSING CODES
Staff Report to the 11 November 2008 Ordinary Meeting
File No. D52.5.2

10. **RESOLVED:** That the report be received and noted. (Hooper/Fitzpatrick)

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ITEM A4 - APPLICATION FOR REFUND OF DEVELOPMENT AND CONSTRUCTION CERTIFICATE APPLICATION FEES

**Staff Report to the 11 November 2008 Ordinary Meeting
File No. E34.9.2 (Copy to DA-CC 25/09)**

11. **RESOLVED:** That a donation of \$463.00 be made to the Oberon Tennis Club Inc which is equal to the value of fees paid for Development Application and Construction Certificate Application No 25/09. (Hooper/Handelsmann)

ITEM B1 - SPORT & RECREATION FACILITIES 25 YEAR STRATEGIC PLAN – SOCIAL/COMMUNITY PLAN & INTEGRATED PLANNING

**Staff Report to the 11 November 2008 Ordinary Meeting
File No. A1.6**

12. **RESOLVED:** That:
 1. Subject to Council's agreement on the details that the following be included in the appropriate sections of Council's Social/Community Plan 2006-2011:

Insert following page 50

12. General Community Submissions – post

Commentary:

Council initially developed its Social/Community Plan in 2005 to cover the 2006-2011 mandatory 5 year period. Actions were endorsed by Council which are reported on quarterly in the Management Plan review process and annually in Council's Annual Report.

Below are summaries of general submissions that have been offered or invited since the publication of the original plan. Council intends to capture these so that its plan remains current. As these needs/issues are from individual people or groups and have not been ranked by a consultative process nor are they assigned to a particular target reference group. These submissions have been considered by Council and the actions that Council considers appropriate to address them are included in the Action Plan at the end of this document.

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General Community Submissions		
Submissions received from an initiation to comment on 25 year strategic planning for Sport and Recreation – 3 April 2008		
Ref #	Issue/Need Identified	Submitted by
1	Need for an indoor sporting and recreational facility that is safe warm and professional to motivate active lifestyles and to enable skills to be developed to succeed competitively. This centre can facilitate the local Gymnastics Club, gym with equipment, meetings place for issues related to sport, health and movement based therapy. It should have operating hours that fit in with shift work and should be able to grow with the community. therapy strategic planning – at times the elected members time is taken up with day-to-day issues so they no time to deal with strategic issues providing clear directions	<i>Paula Slattery</i> <i>Parent & Teacher St Josephs School</i> <i>12/5/2008</i>
2	In their endeavour to see equestrian sports develop in Oberon and to attract competitors it is recommended that: 1. Oberon Council consider providing to Oberon Equestrian Club (OEC) limited access to the land between the Oberon Horse Centre and Oberon Dam on which to run one and three day events; 2. Council consider further supporting the OEC by assisting with maintenance and development of the Oberon Horse Centre. For their part OEC will develop horse sports in Oberon with the aim of attracting equestrian visitors to Oberon and its services.	<i>Oberon Equestrian Club Inc.</i> <i>12/5/2008</i>
3	Need for Oberon Council to provide a recreation ground at O'Connell which provides the benefits of <ul style="list-style-type: none"> ▪ The ability to host sports carnivals for the school and to host other schools for sports carnivals ▪ Allowing full scale matches of soccer and cricket to be undertaken which are too large for the current school facilities ▪ Alleviating the strain of the growing school population on existing sporting facilities. ▪ Hosting community events The site of the recreational ground would need to be within safe, accessible walking distance from O'Connell Public School and a suggested location is the level ground directly across the highway from the current picnic grounds.	<i>O'Connell School P & C Association</i> <i>26/5/2008</i>

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4	With regard to sporting facilities at Black Springs it is suggested that a BMX and a skate park would complement the present sporting activities.	<i>Black Springs Progress Association</i> <i>14/5/2008</i>
5	The Golf Club Board resolved to support a 25 year strategic plan and would be pleased to send a representative to attend all meetings called to facilitate this plan for Oberon's sporting future.	<i>Oberon Golf Club</i> <i>17/5/2008</i>

Insert/Modify in current Action Plan pages 66-68

ACTION PLAN		
NEXT 4 YEARS		
1 JUNE 2007 – 30 JUNE 2011		
Need	Target Groups	Strategy
Multi-Purpose Recreation Centre <i>(active activities)</i>	Children	<i>Action plan continued from 2006-2007</i>
	Young People	2. Develop a concept plan which incorporates the gymnastic club, gymnasium and movement based therapy.
	Women	
	People with Disabilities	3. Seek funding sources (Grants, Sec 94 Reserves, Loans)
More Space for the Equestrian Centre	Women Young People Children Men	1. Provide assistance to research sit for expansion. 2. Provide grant officer assistance for the ECO to seek funding assistance.
Recreation Ground @ O'Connell	Women Young People Children Men	1. Research possible safe and accessible locations with the O'Connell community. 2. Develop a concept plan with a committee that incorporates The ability to host sports carnivals, full scale matches of soccer and cricket and community events 3. Cost facility 4. Factor into strategic plans and priorities 5. Seek funding sources(Grants, Sec 94 Reserves, Loans)

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Black Springs BMX and Skate Park		<ol style="list-style-type: none">1. Conduct consultations with Black Springs Community to determine if this idea is a community priority and need.2. Research sites3. Concept Plan4. Cost5. Factor into strategic plans and priorities6. Seek funding sources (Grants Sec 94, Reserves, Loans)
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2. Invitations and submissions that reveal community aspirations be collected, recognised and included in the Social/Community Plan on an on-going basis.
3. The contributors be advised that their contributions have been recognised and included in Council's strategic planning processes.
(O'Bernier/Handelsmann)

ITEM B2 - JUNCTION ROAD

Staff Report to the 11 November 2008 Ordinary Meeting
File No. R30

13. **RESOLVED:** That \$110,000 be allocated from Section 94 roads reserve for sealing of 1.3km of Junction Road. (O'Bernier/McCarthy)

ITEM B3 - POLICY 3113 – STREET FURNITURE

Staff Report to the 11 November 2008 Ordinary Meeting
File No. A1.2.7

14. **RESOLVED:** That Policy Number 3113 – Street Furniture be adopted as presented in **Attachment B3**. (Hooper/Handelsmann)

ITEM B4 - POLICY 1204 – APPOINTMENT OF SOLICITORS

Staff Report to the 11 November 2008 Ordinary Meeting
File No. A1.2.7

15. **RESOLVED:** That Policy Number 1204 – Appointment of Solicitors be adopted as presented in **Attachment B4**. (Handelsmann/O'Bernier)

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ITEM B5 - POLICY 1112 - GOVERNANCE

Staff Report to the 11 November 2008 Ordinary Meeting
File No. A1.2.7

16. **RESOLVED:** That Policy Number 1112 – Governance be adopted as presented in **Attachment B5**. (O’Bernier/Handelsmann)

ITEM B6 - “FOR SALE” SIGNS

Staff Report to the 11 November 2008 Ordinary Meeting
File No. E31.2.1

17. **RESOLVED:** That real estate agents be advised that “For Sale” signs in the town areas must be erected within the property or attached to the fence, and that any signs erected within the road reserve without approval from Council staff will be removed without notice.
(O’Bernier/Francis)

Councillor Fitzpatrick left the meeting at 6.25 pm due to illness.

ITEM B8 - QUARTERLY BUDGET REVIEW AS AT 30 SEPTEMBER 2008

Staff Report to the 11 November 2008 Ordinary Meeting
File No. C15.3

18. **RESOLVED:** That the Quarter 1 Budget Review Statements for 2008/2009 be received and noted.
(McCarthy/Francis)

ITEM B9 - REVIEW OF MANAGEMENT PLAN – QUARTER 1, 2008/09

Staff Report to the 11 November 2008 Ordinary Meeting
File No. C15.5

19. **RESOLVED:** That the Quarter 1 Management Plan review for 2008/2009 be received and noted.
(O’Bernier/Hooper)

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ITEM B10 - ANNUAL FINANCIAL REPORTS

Staff Report to the 11 November 2008 Ordinary Meeting

File No. C15.2

20. **RESOLVED:** That the Annual Financial Reports, incorporating the Auditor's Report, for the year ended 30 June 2008, be presented to the public. (O'Bernier/McCarthy)

It was noted that questions from the public were invited at this point in respect to Councils Annual Financial Reports.

ITEM B11 - COMMUNITY TRANSPORT

Staff Report to the 11 November 2008 Ordinary Meeting

File No. A3.1

21. **RESOLVED:** That the General Manager be delegated authority to thoroughly investigate this opportunity with staff and the Ministry of Transport addressing any concerns that Council may have and to submit a tender if appropriate. (Hooper/O'Bernier)
22. **RESOLVED:** That item B12 of the Staff Report be referred to Closed Council as it involves discussion relating to a member of staff. (McCarthy/Hooper)

ITEM B13 - LGSA MEDIA RELEASE – SERVICES FOR COMMUNITIES AT RISK

Staff Report to the 11 November 2008 Ordinary Meeting

File No. A1.4.1

23. **RESOLVED:** That a letter be written expressing the Council's concern that appropriate consultation with key stakeholders has not taken place prior to the decision to change the legislation. (O'Bernier/McCarthy)

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ITEM B14 - PROPOSED PLACENAME CHANGE – MEGALONG TO MEGALONG VALLEY

**Staff Report to the 11 November 2008 Ordinary Meeting
File No. P73.1**

24. **RESOLVED:** That Council offer no objection to the proposed placename change Megalong to Megalong Valley. (McCarthy/Handelsmann)

ITEM B15 - MINISTER FOR LOCAL GOVERNMENT – VISION FOR THE LOCAL GOVERNMENT SECTOR

**Staff Report to the 11 November 2008 Ordinary Meeting
File No. A1.1**

25. **RESOLVED:** That a letter be written to the Department of Local Government advising that Oberon Council has undertaken a more intensive training course, delivered by Mr. Gerry Holmes, which incorporates professional development for Councillors as required by the Department of Local Government. (Handelsmann/McCarthy)

ITEM B16 - FLUORIDATION OF PUBLIC WATER SUPPLIES PROVIDED BY OBERON COUNCIL

**Staff Report to the 11 November 2008 Ordinary Meeting
File No. E32.1**

Moved and Seconded: That:

1. Mr. John Irving, Project Manager Teeth for Health be invited to deliver a presentation to Council at its Ordinary Meeting on 16 December 2008.
2. Following the presentation by Mr. Irving, consideration be given to the installation of a fluoridation plant at Council's Water Treatment facility.

(O'Bernier/Handelsmann)

The motion was put and lost.

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ITEM B17 - A.R. BLUETT MEMORIAL AWARD 2008
Staff Report to the 11 November 2008 Ordinary Meeting
File No. A1.4.1

26. **RESOLVED:** That a letter of congratulations be sent to Auburn and Gilgandra Council's for their outstanding achievement of winning the A.R. Bluett Memorial Award for 2008.
(McCarthy/Francis)

ITEM M1 - MULTI-PURPOSE SPORT & RECREATION CENTRE SPORTING GROUPS & SCHOOLS MEETING MINUTES
Staff Report to the 11 November 2008 Ordinary Meeting
File No. E34.9.1

27. **RESOLVED:** That the information be received and noted. (O'Bernier/McCarthy)
28. **RESOLVED:** That the Supplementary Staff Report be received and dealt with at this point in time. (Hooper/McCarthy)

SUPPLEMENTARY STAFF REPORT

ITEM S1 - EFFLUENT RE-USE SCHEME
Supplementary Staff Report to the 11 November 2008 Ordinary Meeting
File No's. E33.2.3

29. **RESOLVED:** That \$60,000 be allocated for the design of an effluent treatment process funded from Section 94 Sewer Fund.
(Hooper/Handelsmann)

PRECIS OF INFORMATION

30. **RESOLVED:** That items P1 – P6 be received and noted.
(Handelsmann/O'Bernier)

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ITEM P1 - RATE PEGGING REVIEW

Staff Report to the 11 November 2008 Ordinary Meeting
File No. A1.4.1

31. **RESOLVED:** That the information be received and noted.
(Handelsmann/O’Bernier)

ITEM P2 - PROPOSED VISIT BY AUBURN COUNCILLORS

Staff Report to the 11 November 2008 Ordinary Meeting
File No. A3.1.2

32. **RESOLVED:** That the information be received and noted.
(Handelsmann/O’Bernier)

ITEM P3 - LGSA MEDIA RELEASE – RATEPAYERS SLUGGED \$200 MILLION

Staff Report to the 11 November 2008 Ordinary Meeting
File No. A1.4.1

33. **RESOLVED:** That the information be received and noted.
(Handelsmann/O’Bernier)

ITEM P4 - ELECTION FUNDING AND DISCLOSURE ACT 1981

Staff Report to the 11 November 2008 Ordinary Meeting
File No. A7.1

34. **RESOLVED:** That a letter be sent to the Electoral Commission:
1. Querying the method of payment to Councillors and how funds will be transferred without bank account details being provided and why refunds have not been made to date.
 2. Requesting an explanation as why, when it is a mandatory requirement that income and expenditure has to be declared, the form is not sent to Councillors at the appropriate time.
 3. Requesting information as to why the Returning Officer was required to be employed for a further three weeks following the local government election.

(McCarthy/Hooper)

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ITEM P5 - OBERON ANIMAL POUND

**Staff Report to the 11 November 2008 Ordinary Meeting
File No. D54.1**

35. **RESOLVED:** That the information be received and noted.
(Handelsmann/O’Bernier)

ITEM P6 - STATEMENT OF BANK BALANCES AND INVESTMENTS

**Staff Report to the 11 November 2008 Ordinary Meeting
File No. C17.1**

36. **RESOLVED:** That the information be received and noted.
(Handelsmann/O’Bernier)

BUSINESS WITHOUT NOTICE

37. **RESOLVED:** That a letter be written to Oberon Senior Citizens Group Inc advising the amount of \$672.08 left from the Seniors Concert will be made available for a Christmas function for its members.
(O’Bernier/Hooper)
38. **RESOLVED:** That a further letter be written to Gerard Martin in respect to the deputation to speak to the Hon Verity Firth regarding the Burruga School seeking an urgent date for the meeting.
(McCarthy/Francis)

INFORMATION BULLETIN

39. **RESOLVED:** That the information be received and noted.
(O’Bernier/Handelsmann)

REPORTS FROM DELEGATES

Councillor Francis provided a verbal report on the Upper Macquarie County Council Meeting held Friday 7 November 2008.

Councillor McCarthy advised a Rural Fire Service meeting for Chifley Area is being

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held this evening.

40. **RESOLVED:** That a report be provided to Council on the various bodies associated with the Rural Fire Service and their roles.
(Hooper/McCarthy)

Councillor Handelsmann provided a verbal report on the Remembrance Day Memorial Service held at O'Connell.

GENERAL BUSINESS

41. **RESOLVED:** That an estimate of costs be prepared for earth works on the site between the Recreation Ground and the existing pool complex for the Multi-purpose Sport & Recreation Centre.
(McCarthy/Hooper)

Council rose for dinner at 8.06 pm.

Council resumed the meeting at 8.34 pm.

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CLOSED COUNCIL

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 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.

Set out below is Section 10A(2) of the *Local Government Act 1993* in relation to matters which can be dealt with in the closed part of a meeting.

The matters and information are the following:

- (a) personnel matters concerning particular individuals (other than Councillors),*
- (b) the personal hardship of any resident or ratepayer,*
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,*
- (d) commercial information of a confidential nature that would, if disclosed:*
 - (i) prejudice the commercial position of the person who supplied it, or*
 - (ii) confer a commercial advantage on a competitor of the council, or*
 - (iii) reveal a trade secret,*
- (e) information that would, if disclosed, prejudice the maintenance of law,*
- (f) matters affecting the security of the Council, Councillors, Council staff or Council property,*
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,*
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.*

ITEM B12 - ECONOMIC DEVELOPMENT OFFICER

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),*

This matter is classified confidential as it involves discussion of personnel matters relating to a member of staff.

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ITEM C1 – LAND COMMITTEE MEETING

This item is classified CONFIDENTIAL under section 10A(2)(c) & (d) 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

(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

This matter is classified confidential because it contains information about the purchase of a property that, if disclosed, would confer a commercial advantage on a person with whom the council is conducting business.

It is not in the public interest to reveal the details of deliberations on this matter at this stage.

ITEM C2 – PROPOSED ACQUISITION OF OBERON RUGBY LEAGUES GROUNDS AND LICENSED PREMISES

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.

This matter is classified confidential because it contains information about the purchase of a property that, if disclosed, would confer a commercial advantage on a person with whom the council is conducting business. It is not in the public interest to reveal the details of deliberations on this matter at this stage.

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42. RESOLVED: that

1. Council resolve into closed council to consider business identified, together with any late 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*.

(Hooper/McCarthy)

Council closed the meeting at 8.35 pm. There were no members of the public present at this time.

43. RESOLVED: that Council move out of closed council and into open council.
(McCarthy/O’Bernier)

Open Council resumed at 9.38 pm.

The following resolutions of Council while the meeting was closed to the public were read to the meeting by the Mayor, there were no members of the public present.

**ITEM B12 - ECONOMIC DEVELOPMENT OFFICER
Staff Report to the 11 November 2008 Ordinary Meeting
File No. P74.1**

44. RESOLVED: That an offer be made to extend the Economic Development Officer’s current contract for a further two years from the current contract expiry date at \$65,000 per year. (Hooper/Handelsmann)

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ITEM C1 – LAND COMMITTEE MEETING MINUTES
Staff Report to the 11 November 2008 Ordinary Meeting
File No: A2.24

Moved and Seconded: That:

1. Authority be given to proceed with the development of Stage 1 of the proposed residential Subdivision on the corner of Tasman & Parkes Streets, Oberon.
2. Stage 2 of the development be deferred.
3. Each block be valued on a weighted index.
4. Blocks of land located in the lower area of the site be built up to overcome the necessity for purchasers to pay additional costs to accommodate services.
5. Once earthworks have been completed both local real estate agents be requested to provide advice on the appropriate price per block.
6. First home buyers be encouraged to purchase the blocks and build within the required timeframe in order to access the maximum incentive for first home buyers introduced by the Commonwealth Government on the understanding that only one lot per purchaser would be provided.
7. Investigations be undertaken in respect to the opportunity to provide terms for local builders to purchase lots for the development of speculative homes, which can be marketed as house and land packages.

(O’Bernier/Hooper)

Amendment Moved and Seconded: That:

1. Authority be given to proceed with the development of Stage 1 of the proposed residential Subdivision on the corner of Tasman & Parkes Streets, Oberon.
2. The adjoining land owner be given 14 days to advise if he wishes to accept the previous offer and if not Council proceed with Stage 2 of the Development and that work be curtailed within 3 days pending the outcome of this offer.
3. Each block be valued on a weighted index.
4. Blocks of land located in the lower area of the site be built up to overcome the necessity for purchasers to pay additional costs to accommodate services.

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5. Once earthworks have been completed both local real estate agents be requested to provide advice on the appropriate price per block.
6. First home buyers be encouraged to purchase the blocks and build within the required timeframe in order to access the maximum incentive for first home buyers introduced by the Commonwealth Government on the understanding that only one lot per purchaser would be provided.
7. Investigations be undertaken in respect to the opportunity to provide terms for local builders to purchase lots for the development of speculative homes, which can be marketed as house and land packages.

(Hooper/McCarthy)

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

45. **RESOLVED:** That:

1. Authority be given to proceed with the development of Stage 1 of the proposed residential Subdivision on the corner of Tasman & Parkes Streets, Oberon.
2. The adjoining land owner be given 14 days to advise if he wishes to accept the previous offer and if not Council proceed with Stage 2 of the Development and that work be curtailed within 3 days pending the outcome of this offer.
3. Each block be valued on a weighted index.
4. Blocks of land located in the lower area of the site be built up to overcome the necessity for purchasers to pay additional costs to accommodate services.
5. Once earthworks have been completed both local real estate agents be requested to provide advice on the appropriate price per block.
6. First home buyers be encouraged to purchase the blocks and build within the required timeframe in order to access the maximum incentive for first home buyers introduced by the Commonwealth Government on the understanding that only one lot per purchaser would be provided.
7. Investigations be undertaken in respect to the opportunity to provide terms for local builders to purchase lots for the development of speculative homes, which can be marketed as house and land packages.

(Hooper/McCarthy)

Councillor O'Bernier asked that his vote against the motion be recorded.

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ITEM C2 - PROPOSED ACQUISITION OF OBERON RUGBY LEAGUES GROUNDS AND LICENSED PREMISES

Staff Report to the 11 November 2008 Ordinary Meeting
File No. PO36.16

46. **RESOLVED:** That following the extraordinary meeting of members of the Oberon Rugby Leagues Club Limited further consideration be given to this matter including the allocation of funds.

(O'Bernier/Hooper)

GENERAL BUSINESS

Director of Development provided a verbal update on Version 3 of the Issues Paper.

47. **RESOLVED:** That Council endorse Version 3 of the Issues Paper prior to public consultation taking place as soon as possible. (Hooper/O'Bernier)

48. **RESOLVED:** That a letter be written to the Department of Education requesting they provide records of when the time capsules from Burruga School were buried and when they were to be opened and details regarding the closure of the school. (Francis/O'Bernier)

This concluded the business and the meeting rose at 9.50 pm.

Confirmed this _____ day of _____ 2008.

General Manager.

Mayor.

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General Manager

Mayor