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OBERON COUNCIL

*Confirmed Minutes
Oberon Council Ordinary General Meeting
Tuesday 21 February 2012
5.00pm Council Chambers*

5.00pm	Special Closed Council Meeting
5.30pm	Opening of Ordinary Meeting
8.15pm - 8.45pm	Dinner

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General Manager

Mayor

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00 Special Closed Session Reports

01.01.01 General Manager's Appointment Panel

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)

Moved: Gibbons

Second: Sullivan

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 01210212

Council closed the meeting at 5.00pm, there were no members of the public present at this point in time.

Moved: Fitzpatrick

Second: Sullivan

That the information be received and noted, and that, following interviews and reference checks, the position of General Manager be offered to Mr Alan Cairney, subject to the negotiation of a contract.

Carried 02210212

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Moved: Sullivan
Second: O’Bernier

That should contract negotiations be unsuccessful the matter be referred to Council for further action.

Carried 03210212

Moved: O’Bernier
Second: Sullivan

That should negotiations be successful the contract of employment be signed under seal.

Carried 04210212

01 Opening of Meeting

File No: Governance/Meetings/Ordinary

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

02 Prayer

File No: Governance/Meetings/Ordinary

The Meeting was opened in prayer by Pastor Andy Godden.

03 Record of Attendance

File No: Governance/Meetings/Ordinary

Members	Cr Don Fitzpatrick, Mayor - Chair Cr John McMahan, Deputy Mayor Cr Ian Doney Cr Keith Sullivan Cr Neil Francis Cr Kerry Gibbons Cr Clive McCarthy Cr Bob O'Bernier
Officers	Alan McCormack, Acting General Manager John Chapman, Director of Corporate Services Gary Wallace, Director of Development Aruna Wickramasinghe, Director of Engineering Peta Heffernan, Community and Customer Services Manager Sharon Swannell, Executive Assistant
Apologies	Nil

04 Questions from the Public

None received.

05 Confirmation of Minutes of Previous Meeting(s)

File No: Governance/Meetings/Ordinary

Moved: O’Bernier
Second: Sullivan

That the Minutes of the duly convened Ordinary Meeting held on 20 December 2011 be taken as read and confirmed.

Carried 05210212

Matters Arising from the Minutes

Nil

06 Declarations of Interest

Pecuniary	-	Nil
Conflicts	-	Nil
Staff	-	Nil

07 Mayoral Minute and Report

A. Meetings

1. Ordinary Council Meeting – 20 December 2011
2. Meeting with Mark Anderson – LGMS regarding General Manager Recruitment – 30 January 2012
3. Finance Committee Meeting – 31 January 2012
4. Meeting with representatives from Oberon Golf Club – 1 February 2012
5. Oberon Sports Complex Committee Meeting – 1 February 2012
6. Meeting with former members Oberon Swimming Pool Advisory Committee – 6 February 2012
7. General Manager Interviews – 13 February 2012
8. Councillor Briefing – 14 February 2012
9. General Manager Interviews – 15 February 2012

B. Representation

1. Civic Reception for the Hon Melinda Pavey MLC – Orange Regional Gallery – 15 December 2011
2. Volunteers Thank You Lunch – Oberon Community Centre – 16 December 2011
3. Oberon Community Race Night – 18 January 2012
4. Australia Day Recipients Reception – 25 January 2012
5. Australia Day Function – Oberon RSL Club – 26 January 2012

C. Correspondence

1. Australian Local Government Association – Roads to Recovery campaign – 12 December 2012
2. Letter of congratulations from Friends of Oberon Library for Council's new website – 16 December 2011
3. Local Government Shires Association regarding the conduct of the 2012 Local Government Elections – 14 December 2012
4. LGSA Tourism Conference being held 12 – 14 March 2012 in Gunnedah
5. Cabinet Secretary, Parliamentary Secretary for Climate Change and Energy Efficiency regarding the Australian Government's Clean Energy Future Plan

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6. Senator Barnaby Joyce regarding Regional Development Funding, Regional Development Policy and Constitutional Recognition of Local Government – 6 December 2011
7. Destination 2026 inviting Council to comment on the Destination 2036 Outcomes Report
8. Friends of the Oberon Library Invitation to officially open the 2012 Waste to Art Competition being held on Friday 30 March 2012
9. The Hon Katrina Hodgkinson MP regarding Hunting in NSW Forests – 19 January 2012
10. Oberon RSL Sub-Branch invitation to attend the Annual General Meeting to be held on 26 February 2012
11. Neville Stapleton in relation to police issues in Oberon – 23 January 2012
12. WorkCover NSW regarding Work Health and Safety Legislation removal of requirement to Register Clothing Factories in NSW
13. The Hon Pru Goward MP regarding 2012 International Women's Day Celebrations to be held on 8 March 2012
14. Central West Catchment Management Authority regarding Information about Membership of the Board – 24 January 2012
15. Australian Local Government Association 2012 National General Assembly of Local Government – Call for Motions – 24 January 2012
16. Invitation to attend the 2012 Oberon Miss Show Girl Cocktail Function being held on 10 February 2012
17. The Hon Jillian Skinner MP invitation to attend the Western NSW Community Health Forum being held in Dubbo on 9 February 2012
18. Invitation to attend the Local Government and the NBN Summit being held on 29 March 2012.

Don Fitzpatrick
Mayor

08 Councillor Reports

Weeds Report

File No: Waste Management/Maintenance/Weed Control

Councillor McMahon provided a verbal report regarding the last meeting of the Upper Macquarie County Council (UMCC). Councillors McMahon and Francis attended the meeting.

Member for Bathurst, Paul Toole addressed the meeting. Discussion was held in relation to funding of the UMCC. There has been no increase in the grant funding for the UMCC. Paul Toole undertook to take up the matter of funding with the relevant Minister.

The aerial spraying program is proceeding well and is one of the most successful programs in NSW. There are five inspectors employed to the four shires that make up the UMCC.

Discussion was also held in relation to invasive weeds such as Biddy Bush. The Senior Weeds Officer has done some costing on trying to eradicate this weed and the cost is several million. The cost is considered prohibitive without additional grant funding.

It was noted that a letter of support be forwarded to Member for Bathurst, Paul Toole to seek additional funding for the control of noxious weeds.

Blue Mountains Lithgow and Oberon Tourism

File No: Governance/Meetings/Blue Mountains Tourism Ltd

Councillor Sullivan attended the Blue Mountains, Lithgow and Oberon Tourism Board Meeting held on Thursday 16 February 2012. The matters discussed are commercial in confidence.

09 Delegates Reports

09.01.01 Finance Committee Meeting Minutes

File No: Governance/Meetings/Finance Committee

Moved: Sullivan
Second: Doney

1. That the Minutes of the Finance Committee Meeting held on 31 January 2012 be accepted.
2. That Council accede to the request to transfer to current lease of Jenolan Caravan Park from MJBA Pty Ltd to Mr R and Mrs S Parrington.
3. That Council's Investments Policy be amended in accordance with the attached draft subject to the inclusion of the following statement "*The General Manager has the responsibility to manage and overview the Council investments ensuring the portfolio is maintained within Council's guidelines*" and the deletion of paragraph 2 and 3 under the heading 3. *Guidelines* under the sub-heading *Delegation*.
4. That staff be requested to contact previous committee members to arrange a meeting with the Manager of Community and Customer Services and interested Councillors to establish an understanding of how they would like the funds to be utilised and a further report be provided to Council.
5. That the information relating to New South Wales rate pegging limits be noted and that the draft budget for 2012/2013 include provision for an increase of 3.6% in ordinary rates levied.
6. That the Mayor be delegated the task of ensuring:
 - The selection panel is established
 - The General Manager position description is current and evaluated in terms of salary to reflect the responsibilities of the position
 - The proposed salary range reflects the responsibilities and duties of the position
 - The position is advertised according to the requirements of the Act
 - Information packages are prepared
 - Applicants selected for interview are notified.
7. That the Acting General Manager be authorised to engage outside assistance in implementing the IPR reforms using funds allocated in the current budget

Carried 06210212

09.01.02 Library Committee Meeting Minutes

File No: Governance/Meetings/Library Committee

Moved: O’Bernier
Second: Sullivan

That the minutes of the Library Committee Meeting held on 7 February 2012 be received and noted.

Carried 07210212

09.01.03 Events Committee Meeting Minutes

File No: Governance/Meetings/Events Committee

Moved: O’Bernier
Second: Sullivan

The Minutes of the Events Committee Meeting held on 7 February 2012 be received and noted.

Carried 08210212

09.01.04 Minutes of the Heritage Committee

File No: Governance/Meetings/Heritage Committee

Moved: McMahon
Second: Doney

That:

1. The Minutes of the Heritage Committee Meeting held on the 30 January 2012 be received for information.
2. That the letter of resignation from Mrs Margaret Connors as the representative from the Oberon Tarana Heritage Railway Group be accepted.
3. That Mr Ian Davis be nominated to the Heritage Committee as the new representative from the Oberon Tarana Heritage Railway Group.
4. The report from Garth Dean of Calare Civil Consulting Engineers regarding the preservation of the Cobb Barn at Lindlegreen O’Connell be accepted.

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5. That Mr Christo Aitken in conjunction with the current owner be requested to prepare an application to consider the Cobb Barn at Lindlegreen, O'Connell listed as a State Heritage item.
6. The brochure depicting the history of the Coxs Road through the Oberon Council area be accepted and seeks promotion through the Visitors Information Centre with financial support from Council for the printing and distribution of the brochure.
7. The brochure depicting the history of the O'Connell Anzac Memorial Avenue of trees be accepted and seeks promotion through the Visitors Information Centre with financial support from Council for the printing and distribution of the brochure.

Carried 09210212

09.01.05 Minutes of the Oberon Promotions Committee Meeting

File No: Governance/Meetings/Promotions Committee

Moved: Sullivan
Second: O'Bernier

That the minutes of the Oberon Promotions Committee Meeting held on 2 February 2012 be received and accepted.

Carried 10210212

09.01.06 Minutes of the Oberon Sports Complex Committee

File No: Governance/Meetings/Oberon Sports Complex Committee

Moved: Gibbons
Second: O'Bernier

That the Minutes of the Oberon Sports Complex Committee Meeting held on Wednesday 1 February 2012 be received for information.

Carried 11210212

09.01.07 Seniors Welfare Committee

File: Governance/Meetings/Seniors Welfare Committee

Moved: Sullivan
Second: Francis

That:

1. The Minutes of the Seniors Welfare Committee Meeting held on 13 February 2012 be received and noted.
2. Provision be made by Council for a stand to accommodate “Seniors Welfare Committee” at the Seniors Expo and further be promoted through a brochure to go out with the Expo flyer.
3. The Traffic Committee be requested to investigate the feasibility of installing two additional pedestrian crossings in the main street of Oberon.

Carried 12210212

10 Director of Development Reports

10.01 Reports for Information

Moved: Sullivan
Second: McMahon

That the Director of Development reports for information as presented in Report 10.01.01 to 10.01.02 of the Business Papers be received and noted by Council.

Carried 13210212

10.01.01 Monthly Update Report – Development Department

File: Governance/Meetings/Ordinary

Moved: Sullivan
Second: McMahon

That the information be received and noted.

Carried 14210212

It was noted that Council requested clarification of the Oberon Animal Pound report in relation to dogs that were seized during the months of December 2011 and January 2012. Staff are requested to confirm if the animals were seized or surrendered.

The Director of Development advised he will investigate the matter and report back to Council.

Councillor Doney advised that a Bathurst Veterinary Surgery has advertised subsidies available for animal de-sexing. Staff are requested to investigate the availability of this.

The Director of Development advised he will investigate the matter and report back to Council.

10.01.02 Director of Development Status Report

File: Governance/Meetings/Ordinary

Moved: Sullivan
Second: McMahon

That the information be received and noted.

Carried 15210212

10.02 Reports for Decision

10.02.01 Policy 3122 – Rural Fencing

File: Governance/Policies/Council Adopted Policies

Moved: McCarthy
Second: McMahon

That a definition for “substantial post” is included in Policy 3122 – Rural Fencing as follows;
“A substantial post includes;

- Reinforced concrete post,
- 90mm diameter treated pine post,
- 90mm diameter steel tubing,
- Hardwood post,
- Waratah Galstar Maxy post, or other such post which justification and/or certification is provided to the satisfaction of the Director of Development.

Carried 16210212

10.03.01 General Business – Development

Nil

11 Director of Corporate Service Reports

11.01 Reports for Information

Moved: McMahon
Second: Francis

That the Director of Corporate Services reports for information as presented in Report 11.01.01 to 11.01.03 of the Business Papers be received and noted by Council.

Carried 17210212

11.01.01 Monthly Update Report – Corporate Services Department

File: Financial Management/Financial Reporting/Periodic Reports

Moved: McMahon
Second: Francis

That the information be received and noted.

Carried 18210212

11.01.02 Statement of Bank Balances and Investments – 31 December 2011 and 31 January 2012

File: Financial Management/Investments/Register

Moved: McMahon
Second: Francis

That the information be received and noted.

Carried 19210212

11.01.03 Corporate Services Status Report

File: Governance/Meetings/Ordinary

Moved: McMahon
Second: Francis

That the information be received and noted.

Carried 20210212

11.02 Reports for Decision

11.02.01 Policy Reviews

File: Governance/Policies/Council Adopted Policies

Moved: O’Bernier
Second: Gibbons

1. That the Policy 3202 Street Vending without amendments be adopted
2. That the Policy 3503 Travelling Stock without amendments be adopted
3. That the Policy 4105 Kerb and Gutter Construction as amended be adopted

Carried 21210212

Moved: McCarthy
Second: O’Bernier

That the General Manager report to Council in relation to the benefits of allowing advertising on the three bus shelters in the Oberon area.

Carried 22210212

11.02.02 Quarterly Management Plan Review

File: Corporate Management/Management Plan 2012

Moved: McCarthy
Second: McMahon

That the Quarterly Management Plan Review and report on the progress of actions required in response to the internal audit reports and recommendations for the period to 31 December 2011 be received and noted.

Carried 22210212

Moved: Sullivan
Second: McCarthy

That the proposed deleted items in the Quarterly Management Review Plan be identified and addressed at the appropriate committee meeting.

Carried 24210212

11.02.03 Quarterly Budget Review as at 31 December 2011

File: Financial Management/Budgeting/Reviews

Moved: Doney
Second: Gibbons

That Council approve the request from the Oberon Golf Club to waive development application fees of \$898 for the proposed club building extension.

Carried 25210212

Moved: Doney
Second: Gibbons

That following the necessary adjustment for the refund of the development application fees of \$898 for the proposed Oberon Golf Club building extension, the Quarter 2 Budget Review Statements for 2011/2012 be received and noted and the revised budgeted income and expenditure items be voted.

Carried 26210212

11.03.01 General Business – Corporate Services

Nil

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12 Director of Engineering Reports

12.01 Reports for Information

Moved: McCarthy
Second: Sullivan

That the Director of Engineering reports for information as presented in Report 12.01.01 to 12.01.02 of the Business Papers be received and noted by Council.

Carried 27210212

12.01.01 Monthly Update Report – Engineering Department

File: Governance/Meetings/Ordinary

Moved: McCarthy
Second: Sullivan

That the information be received and noted.

Carried 28210212

It was noted that Councillor Gibbons asked about the increased cost of earthworks on the current works being undertaken on Abercrombie Road.

The Director of Engineering advised that the increased cost is due to the road design. It is anticipated that the next stage of works planned for Abercrombie Road in Black Springs will be able to proceed.

Moved: O’Bernier
Second: Sullivan

That Council investigate alternate sources of funding for the road rehabilitation planned for Abercrombie Road in the village of Black Springs with a view to completing the works if it is found the works cannot be completed within the current budget.

Carried 29210212

It was noted that Councillor McCarthy requested that road works expenditure be listed on the agenda for the next Works Committee Meeting.

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Councillor McCarthy also requested a report be provided to the next Works Committee Meeting in relation to the requirement to install safety fencing around the Stormwater Harvesting Dams.

12.01.02 Director of Engineering Status Report

File: Governance/Meetings/Ordinary

Moved: McCarthy
Second: Sullivan

That the information be received and noted.

Carried 30210212

12.02 Reports for Decision

12.02.01 Forests NSW Road Funding

File No: Roads/Notifications/Roads and Intersections

Moved: O’Bernier
Second: Francis

That the information be received and noted.

Carried 31210212

Moved: Sullivan
Second: McMahon

That staff be requested to evaluate the cost impact of haulage of forest products on local roads with the view of establishing a possible cost recovery process.

Carried 32210212

12.02.02 Edith Road Parking

File No: Engineering/Roads/R191

Moved: McCarthy
Second: Francis

That the Works Committee be requested to review the current parking at the Common, including the two existing carparks and the proposal to establish additional parking adjacent to the Common on Edith Road.

Carried 33210212

12.02.03 Jenolan Caravan Park

File No: Council Properties/Jenolan Caravan Park

Moved: O’Bernier
Second: Sullivan

That Council note the information on the report and the lessee be advised of Councils decision to take no further action at this time.

Carried 34210212

12.02.04 Rural Fire District Service Agreement

File No: Emergency Services/Meetings/NSW RFS

Moved: O’Bernier
Second: McCarthy

That the content in this report be noted and Council endorse signing the Rural Fire District Agreement, by the Mayor and the General Manager under the Council’s common seal.

Carried 35210212

12.02.05 Fencing Around Ponds at The Common

File No: Parks and Reserves/Maintenance/Parks

Moved: O’Bernier
Second: Sullivan

That no action be taken to install fencing around the ponds at The Common.

Carried 36210212

12.02.06 Black Springs and Burruga Residential Waste

File No: Waste Management/Service Provision/Domestic Collection

Moved: Sullivan
Second: Francis

That Council note the information in the report and approve granting two sessions per year free of charge at Black Springs and Burruga transfer stations for the residents to dispose of private and domestic waste.

Carried 37210212

12.02.07 Work Health and Safety (WHS) Act

File No: Government Relations/Legislation/Legislative Impacts

Moved: O’Bernier
Second: McMahon

That the Council note the information related to new Work Health and Safety (WHS) Act 2011.

Carried 38210212

**12.02.08 Land and Property Management Authority Proposal to Close
Various Crown Roads**

File: Roads/Road Closures

Moved: Doney
Second: Sullivan

That the matter be deferred pending a further report to Council regarding the implications and process including notification to all adjoining landholders.

Carried 39210212

12.03.01 General Business – Engineering

Abercrombie Road Works

File No: Engineering/Roads/R256.1

Councillor Gibbons expressed his disappointment that the outdoor road crew were on leave from 22 December 2011 until 9 February 2012. Councillor Gibbons stated that he believes January is the best time to carry out roadworks and he cannot understand why the full crew was not working during that period.

Council request that management review this practice and identify ways that works can continue during this period.

The General Manager advised that this matter would be documented through the new Councillor Reporting Forms and a report would be provided back to Council.

Mount Victoria to Lithgow Great Western Highway Upgrade

File No: Roads/Liaison/Roads and Traffic Authority

Councillor McCarthy commented that when the RTA was doing the study for the Mount Victoria to Lithgow preferred route Council had provided a submission suggesting that a suitable underpass and slip lane be constructed at the intersection of the Great Western Highway and Jenolan Caves Road. Council's submission is not listed in the Preferred Route Report. Councillor McCarthy requested a letter be written to Member for Bathurst, Paul Toole advising that Council's submission has not been included in the report and requesting that this matter be listed.

Jenolan Street Trees

File No: Engineering/Roads/R112

Councillor McMahon raised concern in relation to large trees growing from the bank in Jenolan Street. The trees are a safety concern and Councillor McMahon requested staff inspect this matter.

The Director of Engineering advised that the matter would be investigated.

Schumachers Road

File No: Engineering/Roads/R231

Councillor Francis asked about the schedule of works for Schumachers Road. A section of this road was gravelled last year. It was understood at the time that further sections would be completed over a three year period. The eastern end the road is quite slippery when it is wet. Councillor Francis asked if there would be further work carried out in the current financial year.

The Director of Engineering responded that he does not believe there is a funding allocation in the 2011/12 budget but if there is urgent work required it will be reviewed.

Biddy Bush

File No: Waste Management/Maintenance/Weed Control

Councillor McMahon raised concern about the current program for Biddy Bush control. Council's weed spraying contractor has been carrying out work on Sewells Creek Road and has missed a large percentage of the Biddy Bush along the roadside. Two large blackberry bushes were also sprayed along Foleys Creek and one was completely missed.

The Director of Engineering undertook to investigate the matter.

13 Community and Customer Services Manager Reports

13.01 Reports for Information

Moved: McCarthy
Second: O’Bernier

That the Community and Customer Services Manager reports for information as presented in Report 13.01.01 to 13.01.02 of the Business Papers be received and noted by Council.

Carried 40210212

13.01.01 Monthly Update Report – Community and Customer Services Manager

File No: Governance/Meetings/Ordinary

Moved: McCarthy
Second: O’Bernier

That the information be received and noted.

Carried 41210212

13.01.02 Community and Customer Services Manager Status Report

File No: Governance/Meetings/Ordinary

Moved: McCarthy
Second: O’Bernier

That the information be received and noted.

Carried 42210212

13.02 Reports for Decision

13.02.01 Library Container

File No: Governance/Meetings/Library Committee

Moved: Sullivan
Second: McCarthy

That

1. It be confirmed that the Library Container is required to be moved.
2. Staff be requested to investigate the feasibility of an alternative location that could allow the container to still be utilised by the Friends of the Oberon Library.

Carried 43210212

13.03.01 General Business – Community and Customer Services Manager

Nil

14 General Manager Reports

14.01 Reports for Information

Moved: Sullivan
Second: McCarthy

That the General Manager reports for information as presented in Report 14.01.01 to 14.01.07 of the Business Papers be received and noted by Council.

Carried 44210212

14.01.01 Monthly Update Report – General Manager

File: Governance/Meetings/Ordinary

Moved: Sullivan
Second: McCarthy

That the information be received and noted.

Carried 45210212

Moved: McMahon
Second: O’Bernier

That a letter be written to the Hon Katrina Hodgkinson advising that Council see no future in meeting with the Game Council in relation to hunting in State Forests and would like to meet with the Minister to progress the matter.

Carried 46210212

14.01.02 Public Interest Disclosures – New Reporting Requirements

File No: Governance/Meetings/Ordinary

Moved: McMahon
Second: Francis

That the information be received and noted.

Carried 47210212

14.01.03 Local Infrastructure Renewal Scheme Guidelines

File No: Government Relations/Publications/DLG

Moved: Doney
Second: O’Bernier

1. That the information be received and noted.
2. That investigations be made of possible projects for future rounds.

Carried 48210212

14.01.04 Election Update

File No: Governance/Elections/Local Elections

Moved: Doney
Second: McMahon

That the information be received and noted.

Carried 49210212

14.01.05 Councillors Report Forms

File: Governance/Councillors

Moved: McCarthy
Second: Gibbons

That the information be received and noted.

Carried 50210212

14.01.06 Integrated Planning and Reporting (IPR)

File: Integrated Planning and Reporting

Moved: O’Bernier
Second: Doney

That the information be received and noted.

Carried 51210212

14.01.07 General Manager Status Report

File: Governance/Meetings/Ordinary

Moved: O’Bernier
Second: Doney

That the information be received and noted.

Carried 52210212

14.02 Reports for Decision

14.02.01 Section 355 Committees Review

File: Governance/Meetings/Committees/General

Moved: O’Bernier
Second: Sullivan

- 1) That the following 355 Committees be disbanded, effective immediately:
 - The Library Committee
 - The Events Committee
 - The Oberon Promotions Committee

- 2) That the Oberon Sports Complex Committee be renamed the Oberon Sports Facilities Committee, further that the membership be expanded to include one representative from the Oberon Pool Complex user groups and the Charter be revised to reflect these changes

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- 3) That the following 355 Committees be established:
- Oberon Community Services Committee
 - Oberon Events and Tourism Marketing Committee
 - Economic Development Committee (new committee to be established)
- 4) That the Charter as presented for the Oberon Community Services Committee be adopted by Council
- 5) That the Charter as presented for the Oberon Events and Tourism Marketing Committee be adopted by Council
- 6) That expressions of interest be sought from the community for appointment to the Oberon Community Services Committee to establish the following membership representation:
- Community Centre recreational/craft user groups x 2
 - CTC users x 2
 - Non aligned community members with specific skills base in the management of community facilities x 2
 - Councillors x 2
- 7) That the defunct Library Committee members be asked to nominate two existing members to transition to the Oberon Community Services Committee as the Library user group representatives
- 8) That Councillor O’Bernier and Councillor Doney accept nomination to the Oberon Community Services Committee
- 9) That expressions of interest be sought from the community for appointment to the Oberon Sports Facilities Committee to represent Oberon Pool user groups.
- 10) That the membership of the Oberon Events and Tourism Marketing Committee comprise:
- OPTA representatives x 2
 - OBA representatives x 2
 - National Parks and Wildlife Service representative x 1
 - Festivals representative x 1
 - Non affiliated community members with an appropriate skills base x 2
 - Councillors Doney and O’Bernier
- 11) That the Section 355 Committee Management Manual be revised to reflect the resolutions made and brought to a future meeting of Council for adoption.

Carried 53210212

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General Manager

Mayor

14.02.02 Destination 2036

File: Government Relations/Local Government Liaison/DLG

Moved: Sullivan
Second: Doney

1. That the information be received and noted
2. The Council indicate its support for the Draft Action Plan

Carried 54210212

14.02.03 Engagement of General Manager

File No: Human Resources/Recruitment/Executive

Moved: O’Bernier
Second: Sullivan

That:

1. The Mayor be delegated the role of day to day oversight and liaison with the General Manager
2. A review system and performance plan be established
3. The Mayor and Deputy Mayor at the time of the review, together with the full Council comprise the General Managers Performance Review panel. If deemed necessary the panel may engage an external facilitator (for example a representative of Local Government Management Solutions) to assist with the review and establish performance plans.

Carried 55210212

14.02.04 RMS Bike Week

File No: Recreation and Cultural Services/Event Management/Sporting & Cultural Events

Moved: McMahon
Second: Gibbons

That Council facilitate and coordinate the Oberon Bike Week 2012 Family Fun and Learning Days in conjunction with the RMS NSW Bike Week Funding opportunities.

Carried 56210212

14.02.05 Water Security

File No: Government Relations/Local and Regional Liaison/Water Directorate

Moved: O’Bernier
Second: McMahon

That:

1. Council note this report
2. Council note the General Manager has engaged external assistance (estimated to be 10 hours work) to complete the Drought and Demand status
3. The General Manager be authorised to obtain external assistance as deemed necessary to assist with the completion of other studies as required, provided that such costs are within the current budget
4. The Mayor nominate persons to the Project Reference Group (PRG)
5. Council note that fees for the Central West Utilities Alliance will be determined at the next Centroc Meeting.

Carried 57210212

14.02.06 TASAC Tourist Drive 1 Signage – Bathurst Hartley via Oberon

File No: Economic Development/Tourism Development/Tourism Development

Moved: Sullivan
Second: McCarthy

That

1. Council writes a letter to Tourist Attraction Signposting Assessment Committee (TASAC) confirming that Tourist Drive 1 signage be retained, with a copy of the Tourist Drive 1 audit containing the location and condition of existing signage, written commitment to maintain signposting, copies of promotional material relating to the tourist drive and where visitors are able to obtain the promotional material.
2. Council request that additional signage be installed for The Tablelands Way at the turnoff to Taralga and Oberon on the Old Hume Highway as well as signs north and south of Goulburn on the Hume Highway.

Carried 58210212

14.02.07 Constitutional Recognition – Contribution of Funds

File No: Government Relations/Local Regional Liaison/Shires Association

Moved: Sullivan
Second: McCarthy

That:

1. The information regarding the National Campaign be noted.
2. Council budget for a payment of \$3,515 for each of the next three years unless otherwise advised by LGSA.

Carried 59210212

14.02.08 Senior Staff Contracts

File No: Governance/Meetings/Ordinary

Moved: Sullivan
Second: McMahon

That the information be received and noted.

Carried 60210212

14.02.09 Upcoming Meetings

File: Governance/Meetings/Ordinary

Moved: Sullivan
Second: O’Bernier

That the interested Councillors be nominated to attend the Local Government and Shires Association 2012 Tourism Conference.

Carried 61210212

Moved: O’Bernier
Second: McMahon

That no Councillors or officers attend the 2012 Local Government and the NBN Summit.

Carried 62210212

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Moved: Sullivan
Second: O’Bernier

That a letter be written to the Minister for Broadband, Telecommunications and the Digital Economy pointing out that there has been no response to Councils application to be considered as a pilot site for wireless and seek his further advice in relation to the matter.

Carried 63210212

It was noted that a further report will be provided to Councillors in relation to the current status of the NBN.

Moved: Doney
Second: O’Bernier

That the General Manager nominate a representative to attend the Women in Local Government Forum

Carried 64210212

Moved: O’Bernier
Second: Doney

That no Councillors nominate to attend the Centroc Social Media Training.

Carried 65210212

14.03.01 General Business – General Manager

Nil

15 New Business of an Urgent Nature Admitted by Council

Black Springs Telephone Issues

File No: Energy Supplies and
Telecommunications/Maintenance/Telecommunications Infrastructure

Councillor Gibbons advised that he believes the issue of the low life of the battery back up for the telephone exchange at Black Springs has been resolved. During the last power failure at Black Springs the phones were out. Councillor Gibbons contacted Telstra and they advised that the matter was being addressed.

16 Closed Session Reports

16.01.01 Central NSW Councils (Centroc) Compliance and Cost Savings Program – Bitumen Emulsion Contract

File: Government Relations/Local and Regional Liaison/Centroc and
Roads/Agreements/General

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.

16.01.02 Interest Charges Refund – Account 12365016

File No: Property and Development/Property/PO26.38

This item is classified CONFIDENTIAL under section 10A(2)(b) 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.

16.01.03 Disposal of Waste Material

File: Waste Management/Service Provision/Commercial Waste

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.

16.01.04 Legal Costs Update

File No: Legal Services/Reporting

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

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

16.01.05 Animal Boarding and Breeding Establishment – 119 Bosworth Falls Road, O’Connell - Development Application: 10.2011.38.1

File: Property and Development/Property/PR6.119

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

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

16.01.06 Lease of Dental Surgery

File: Property and Development/Property/PO16.72

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

- (d) commercial information of a confidential nature that would, if disclosed:
- (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret

Moved: Gibbons
Second: Sullivan

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 66210212

Council closed the meeting at 5.15pm, there were no members of the public present at this point in time.

16.01.01 Central NSW Councils (Centroc) Compliance and Cost Savings Program – Bitumen Emulsion Contract

File: Government Relations/Local and Regional Liaison/Centroc and Roads/Agreements/General

Moved: McCarthy
Second: Sullivan

That Council endorse the selection of Boral Asphalt for Council's bitumen emulsion supplier.

Carried 67210212

16.01.02 Interest Charges Refund – Account 12365016

File No: Property and Development/Property/PO26.38

Moved: Sullivan
Second:

That the request for a refund of interest charged on account 12365016 be refused.

Carried 68210212

16.01.03 Disposal of Waste Material

File: Waste Management/Service Provision/Commercial Waste

Moved: McMahon
Second: Gibbons

That the General Manager be authorised to negotiate an agreement to bring before Council with CSR for the disposal of waste material from Endeavour Street to the Oberon Waste Depot.

Carried 69210212

16.01.04 Legal Costs Update

File No: Legal Services/Reporting

Moved: Sullivan
Second: O’Bernier

That the information be received and noted.

Carried 70210212

16.01.05 Animal Boarding and Breeding Establishment – 119 Bosworth Falls Road, O’Connell - Development Application: 10.2011.38.1

File: Property and Development/Property/PR6.119

Moved: Sullivan
Second: McMahon

That the information received be noted.

Carried 71210212

16.01.06 Lease of Dental Surgery

File: Property and Development/Property/PO16.72

Moved: Sullivan
Second: O’Bernier

That Council not acceded to the request to vary the lease as previously approved for the Oberon Dental Surgery at 72 Dart Street.

Carried 72210212

17 Closure of Meeting

This concluded the business of the meeting, the meeting rose at 8.58pm.

The next Ordinary Meeting of Oberon Council will be held on 20 March 2012, commencing at 5.30pm in the Oberon Council Chambers, 137 – 139 Oberon Street, Oberon.

Confirmed this _____ day of _____ 2012.

General Manager

Mayor