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**OBERON COUNCIL**

*Unconfirmed Minutes  
Oberon Council Ordinary General Meeting  
Tuesday 18 October 2011  
5.30pm Council Chambers*

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General Manager

Mayor

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## 01 Opening of Meeting

File No: A1.2.1

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

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## 02 Prayer

File No: A1.2.1

The Meeting was opened in prayer by Rev Tony Card.

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## 03 Record of Attendance

File No: A1.2.1

Members	Cr Don Fitzpatrick, Mayor - Chair Cr John McMahon, Deputy Mayor Cr Ian Doney Cr Keith Sullivan Cr Kerry Gibbons Cr Clive McCarthy Cr Bob O’Bernier Cr Neil Francis (from 5.42pm)
Officers	Leanne Mash, General Manager John Chapman, Director of Corporate Services Gary Wallace, Director of Development Aruna Wickramasinghe, Director of Engineering Ian Tucker, Works Manager Peta Heffernan, Community and Customer Services Manager Sharon Swannell, Executive Assistant
Apologies	Nil

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## 04 Questions from the Public

None received.

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## 05 Confirmation of Minutes of Previous Meeting(s)

File No: A1.2.1

Moved: Doney  
Second: McCarthy

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

Carried 01181011

Matters Arising from the Minutes

Nil

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## 06 Declarations of Interest

File No: A1.2.4

Pecuniary	-	Councillor McCarthy declared an interest in Item 12.02.01 – Attachment C – of the Staff Report. Councillor McCarthy is one of the landowners affected by the proposed road closures.
Conflicts	-	Nil
Staff	-	Nil

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## 07 Mayoral Minute and Report

File No: A1.2.3

### A. Meetings

1. Ordinary Council Meeting – 20 September 2011
2. Meeting with Member for Calare John Cobb MP – 5 October 2011
3. Meeting with NSW Office of Water – 10 October 2011

### B. Representation

1. St Joseph's Catholic School end of term assembly – 19 September 2011
2. Oberon Public School Assembly attended by Councillor Gibbons – 23 September 2011
3. Official Opening Oberon Men's Shed – 5 October 2011

### C. Correspondence

1. Invitation to attend the Royal Far West Celebration Dinner at Parliament House, Sydney on Monday 21 November 2011
2. Invitation to attend the NSW Police Force Chifley Local Area Command National Police Remembrance Day Ceremony on Thursday 29 September 2011
3. Office of the Hon Tony Abbot MHR regarding the recognition of Local Government in the Australian Constitution
4. NSW Legislative Committee Social Policy Committee advising that they have been asked to conduct an inquiry into international student accommodation in NSW and inviting submissions from Councils
5. Invitation to 2011 Tidy Towns Sustainable Communities Celebration Weekend in Lithgow to be held on 4 – 6 November 2011
6. RMIT University regarding a survey on accountability for infrastructure assets in Local Government
7. The Mayor of Blue Mountains City Council regarding a combined LGA response to the commemorations of the Bicentenary of the Crossings of the Blue Mountains 2013-2015
8. The Hon Katrina Hodgkinson MP in reference to funding under the Country Towns Water Supply and Sewerage program for Council's Integrated Water Cycle Management (IWCM) Evaluation Study
9. Division of Local Government - Destination 2036 Implementation Steering Committee Report

### D. Other Matters

A meeting has been confirmed with the Minister for Transport, the Hon Duncan Gay and Paul Toole MP. The meeting will be held on Wednesday 19 October 2011. The General Manager and I will attend the meeting.

### Mayor Don Fitzpatrick

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General Manager

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Mayor

## 08 Councillor Reports

### Upper Macquarie County Council

File No: E39.6

Councillor McMahon advised that there has been no meeting of the Upper Macquarie County Council held since the last Ordinary Council Meeting. The Upper Macquarie County Council resolved last year that they would meet on a bi-monthly basis. This is being trialled for a 12 month period.

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## 09 Delegates Reports

### 09.01.01 Minutes of the Oberon Promotions Committee Meeting

File No: A2.17

Moved: Sullivan  
Second: O’Bernier

That:

1. The minutes of the Oberon Promotions Committee Meeting held on 6 October 2011 be received and accepted.
2. That a letter be written to Aiden Clark seeking his availability for future meetings.
3. That an additional delegate from the Oberon Business Association be invited to become a member of the Promotions Committee.
4. That an additional delegate from the Oberon Plateau Tourism Association be invited to become a member of the Promotions Committee.
5. That Council write to NSW National Parks and Wildlife Service asking if they would like nominate a delegate and alternate delegate to the Promotions Committee.

Carried 02181011

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Councillor Francis entered the meeting at 5.42pm.

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**09.01.02 Seniors Welfare Committee Minutes**

File: A2.30 and C22.4

Moved: O’Bernier  
Second: Sullivan

That the minutes of the Seniors Welfare Committee Meeting held on 10 October 2011 be received and noted.

Carried 03181011

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## **10 Director of Development Reports**

**10.01 Reports for Information**

File No: A1.2.1

Moved: Sullivan  
Second: O’Bernier

That the Director of Development reports for information as presented in Report 10.01.01 to 10.01.03 of the Business Papers be received and noted by Council.

Carried 04181011

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**10.01.01 Monthly Update Report – Development Department**

File: A1.2.1

Moved: Sullivan  
Second: O’Bernier

That the information be received and noted.

Carried 05181011

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**10.01.02 State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP) – Savings and Transition Provisions**

File: D52.5.1

Moved: Sullivan  
Second: O’Bernier

That the information be received and noted.

Carried 06181011

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**10.01.03 Director of Development Status Report**

File: A1.2.1

Moved: Sullivan  
Second: O’Bernier

That the information be received and noted.

Carried 07181011

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**10.02 Reports for Decision**

**10.02.01 Council Seal to 88B Instrument**

File No: PR245.504 and PR245.276

Moved: McCarthy  
Second: O’Bernier

That the Common Seal of the Oberon Council be affixed to the Section 88B instrument for Mr and Mrs Clark and Koora Pty Ltd in relation to Development Application 250/06 for a two lot subdivision and Modification Application 10.2006.250.2 for a boundary adjustment of Lot 1 in DP 1081742 and P Lot 22 in DP 753047, 506 and 276 Mount David Road, Mount David.

Carried 08181011

In accordance with Section 375A of *The Local Government Act 1993* the following votes are recorded for and against the motion:

Votes For: Councillors Francis, McMahon, Sullivan, O’Bernier, Gibbons, McCarthy, Doney and Fitzpatrick  
Votes against: Nil

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**10.02.02 Request Seeking Support to Distribute a Petition from Narrabri Shire Council – Ms Ruth Downey and RSPCA**

File: D54.1

Moved: McMahon  
Second: Francis

The information be noted and discussion held in relation to Councils position concerning this matter.

Carried 09181011

Moved: McMahon  
Second: Francis

That Council send a letter of support to Narrabri Shire Council in relation to the Ms Ruth Downey matter and further a petition be placed on public display at Council's administration office for a period of four weeks.

Carried 10181011

It was noted that staff are requested to forward the information to the Oberon Branch of the NSW Farmers Federation.

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**10.02.03 Development Application 10.2011.53.1**

File: PO1.11

Moved: O'Bernier  
Second: McCarthy

That delegation be granted to Council's General Manager to determine Development Application 10.2011.40.1 which includes a variation to part C.6.4 "*Carports and Garages*" of the Oberon Development Control Plan 2001 to allow the construction of a new garage 63m<sup>2</sup> at Lot 9 in DP 758805, 11 Albert Street, Oberon.

Carried 11181011

In accordance with Section 375A of *The Local Government Act 1993* the following votes are recorded for and against the motion:

Votes For: Councillors Francis, McMahon, Sullivan, O'Bernier, Gibbons, McCarthy, Doney and Fitzpatrick  
Votes against: Nil

**10.03.01 General Business – Development**

Nil

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## **11 Director of Corporate Service Reports**

**11.01 Reports for Information**

Moved: McCarthy  
Second: Sullivan

That the Director of Corporate Services reports for information as presented in Report 11.01.01 to 11.01.04 of the Business Papers be received and noted by Council.

Carried 12181011

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**11.01.01 Monthly Update Report – Corporate Services Department**

File: A1.2.1

Moved: McCarthy  
Second: Sullivan

That the information be received and noted.

Carried 13181011

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**11.01.02 Statement of Bank Balances and Investments**

File: C17.1

Moved: McCarthy  
Second: Sullivan

That the information be received and noted.

Carried 14181011

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**11.01.03 Effective of Proposed Carbon Pricing Mechanism on Council's Operating Funds**

File No: C17.3.5

Moved: McCarthy  
Second: Sullivan

That the information be received and noted.

Carried 15181011

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**11.01.04 Corporate Services Status Report**

File: A1.2.1

Moved: McCarthy  
Second: Sullivan

That the information be received and noted.

Carried 16181011

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**11.02 Reports for Decision**

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**11.02.01 Power of Attorney – General Manager**

File: A6.2

Moved: O'Bernier  
Second: McMahon

That the Seal of Council be affixed to the Power of Attorney to appoint the General Manager to sign on Council's behalf documents to which the Common Seal of Council is required to be affixed following a specific resolution of Council on such matters.

Carried 17181011

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**11.02.02 Draft Policy 1103 – Payment of Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Other Councillors**

File: A1.2.7

Moved: Doney  
Second: Sullivan

That:

1. Council give public notice of its intention to amend the Policy for the Payment of Expenses or Provision of Facilities to The Mayor, Deputy Mayor and Other Councillors in accordance with the attached amended policy, allowing at least 28 days for the making of public submissions.
2. If no submissions are received, the amended policy be adopted and forwarded to the Director General within 28 days.

Carried 18181011

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**11.02.03 Policy Reviews**

File: A1.2.7

Moved: McCarthy  
Second: Gibbons

That the following policies as amended be adopted:

- a) Policy 2118 Smoke Free Workplace
- b) Policy 2119 Drugs and Alcohol
- c) Policy 4103 Driveway Accesses to Rural Properties

Carried 19181011

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**11.02.04 Request for Financial Assistance – 2011 Carols in the Caves**

Files: A3.3, P72.1

Moved: O’Bernier  
Second: McCarthy

That the invitation to participate in the 2011 Carols in the Caves event in the form of \$2,500 sponsorship be declined.

Carried 20181011

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**11.02.05 Proposal for Mobile Dental Clinic**

File: A3.1

Moved: Sullivan  
Second: Doney

That no action be taken in relation to supporting the proposal to establish a mobile dental clinic to service the local area.

Carried 21181011

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**11.02.06 Proposed Change in Postcode - Essington**

File No: E31.1

Moved: O’Bernier  
Second: McCarthy

That Council support the request from Australia Post to alter the postcode in the Essington area from 2795 to 2787, subject to Australia Post consulting with affected residents regarding the proposed change.

Carried 22181011

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**11.02.07 Centroc Beyond the Range Project**

Files: A4.2

Moved: O’Bernier  
Second: Sullivan

That the matter be considered at the November Meeting in conjunction with the quarterly budget review.

Carried 23181011

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**11.02.08 2012 Youth Week**

File: A3.2

Moved: McMahon  
Second: Sullivan

That the offer from the NSW Department of community Services for a \$1230.00 contribution toward the cost of 2012 Youth Week activities at Oberon be accepted and the funding matched on a dollar for dollar basis.

Carried 24181011

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**11.02.09 Annual Financial Reports**

File: C15.2

Moved: McMahon  
Second: O’Bernier

That:

1. Council resolve that:
  - a. The Annual Financial Statements for the year ended 30 June 2011 have been drawn up in accordance with:
    - the Local Government Act 1993 (as amended) and the Regulations made thereunder,
    - the Australian Accounting Standards and professional pronouncements, and
    - The Local Government Code of Accounting Practice and Financial Reporting.
  - b. To the best of Council’s knowledge and belief, the reports:
    - present fairly the Council’s financial position and operating result for the year, and
    - Accord with Council’s accounting and other records.
  - c. Council is not aware of any matter that would render the reports false or misleading in any way.
  - d. The special purpose Financial Statements for the year ended 30 June 2011 have been prepared in accordance with the:
    - the NSW Government Policy Statement *“Application of National Competition Policy to Local Government”*
    - The Department of Local Government guidelines *“Pricing and Costing for Council Businesses: A Guide to Competitive Neutrality”*.

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- the Local Government Code of Accounting Practice and Financial Reporting, and
  - The Department of Energy, Utilities and Sustainability “*Best Practice Management of Water Supply and Sewerage*” guidelines.
- e. To the best of Council’s knowledge and belief, these reports:
- present fairly the financial position and operating result for each of Council’s declared Business Activities for the year, and
  - accord with Council’s accounting and other records
- f. Council is not aware of any matter that would render the reports false or misleading in any way.
2. Council determine not to request the Auditor to attend the meeting at which the financial reports are presented.
3. The Annual Financial Reports, incorporating the Auditor’s Report, be presented to the public at the November 2011 Ordinary Council Meeting
4. The General Manager be delegated authority to authorize the year end accounts for issue immediately upon receipt of the auditor’s report, subject to there being no material audit changes or audit issues, in accordance with AASB 110.

Carried 25181011

It was noted that Councillor Sullivan requested staff to provide additional information in relation to the following items:

1. Nett loss in relation to the disposal of assets, and
2. Employee Leave entitlements – the effect of long term employees leaving the organisation verses action taken by management to reduce overall leave liability.

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### **11.02.10 Draft Community Engagement Policy**

File No: C15.7

Moved: O’Bernier  
Second: Sullivan

That the draft Community Engagement Policy included with this report be adopted.

Carried 26181011

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### **11.03.01 General Business – Corporate Services**

Nil

Moved: O’Bernier  
Second: Sullivan

That item 13.02.06 be bought forward and dealt with at this point in time.

Carried 27181011

### **13.02.06 Waste to Art Competition 2012**

File No: C20.1

Moved: O’Bernier  
Second: Sullivan

That support be given to the Waste to Art Project 2012 as proposed by the Friends of the Oberon Library by providing support to the value \$500.00 cash contribution towards prizes for the event and in-kind assistance with the production of promotional and associated materials for the event up to a total of \$250.00 to be funded from the discretionary donations budget.

Carried 28181011

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## **12 Director of Engineering Reports**

### **12.01 Reports for Information**

Moved: O’Bernier  
Second: McCarthy

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 29181011

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### **12.01.01 Monthly Update Report – Engineering Department**

File: A1.2.1

Moved: O’Bernier  
Second: McCarthy

That the information be received and noted.

Carried 30181011



**12.01.02 Status Report**

File: A1.2.1

Moved: O’Bernier  
Second: McCarthy

That the information be received and noted.

Carried 31181011

**Edith Road Bridge**

File No: R191

The Works Manager advised that staff have measured the width of the Edith Road Bridge. Under the Road Design Guide a bridge less than 5.4m wide is classified as a single lane bridge. 5.4m – 6.1m is classified as a narrow bridge and suitable signage indicating narrow bridge is required. Greater than 6.1m there is no signage required.

The Edith Road Bridge is 6.1m wide. The current signage in place at the bridge complies with the Road Design Guidelines.

Councillor Gibbons asked if Council were going to install 60km/hour speed signs to the eastern side of the bridge. The Works Manager advised that this had been considered by the Traffic Committee and the proposal had been rejected.

Councillor McCarthy asked staff to pursue sources of funding to widen the bridge as the Bridge is on a Regional Road and is used as a tourism route.

The Works Manager advised that it may be possible to source funding for this under the REPAIR Program and he will assess the suitability of the project under this funding.

The Works Committee will inspect this bridge on their site tour to be conducted on Monday 24 October 2011, commencing at 2.30pm.

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## 12.02 Reports for Decision

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Councillor McCarthy declared an interest in Item 12.02.01 – Attachment C – of the Staff Report. Councillor McCarthy is one of the landowners affected by the proposed road closures. Councillor McCarthy remained in the room during consideration of the matter and did not participate in the discussion.

### 12.02.01 Land and Property Management Authority Proposal to Close Various Crown Roads

File: E31.6.2

Moved: O’Bernier  
Second: Doney

That Council make no objection to the closure of the roads listed subject to confirmation that the Land and Property Management Authority has contacted all adjoining landowners to ensure they have been notified and no objections are received and further that this creates no land locked parcels.

Carried 32181011

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## 12.03.01 General Business – Engineering

### Box Flat Road

File No: R3

Councillor McCarthy asked about the recent seal applied on Box Flat Road. There have been heavy patching repairs carried out on the seal – what was the problem with the original seal?

The Works Manager undertook to investigate the problem.

Councillor McCarthy also asked if the curve elevations had been evaluated on the road.

The Works Manager advised that several curves had been improved and all work had been carried out within the existing road reserve.

Councillor Gibbons advised that he has observed an area of water pooling on the bitumen at the Beaconsfield Road end of the works.

Box Hill Road will be inspected as part of the Works Committee Inspection Tour being held on 24 October 2011.

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### **O’Connell Avenue Works**

File No: R253.2.9

Councillor McMahon asked if the remaining trees in the O’Connell Avenue will be protected during the road works.

The Works Manager advised that the trees will be protected in sections as the works continues through the Avenue.

Councillor McCarthy asked if the drainage will be carried out all at once to minimise the disruption to residents.

The Works Manager took the question on notice.

Councillor McCarthy asked why there is a dip in the O’Connell Road at the section of works at Carlwood Road.

The Works Manager advised that he was unaware of the dip and it would be inspected during the Works Committee inspection.

Councillor McMahon asked if there had been correspondence forwarded to Councillors by the General Manager in relation to a footpath at O’Connell.

The General Manager undertook to investigate the matter.

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### **Clayton’s Pit Gravel**

File No: E36.8

Councillor Gibbons asked about the quality of gravel stockpiled in Clayton’s Pit.

The Works Manager advised that there have been no reports of a quality issue in the pit. He undertook to inspect the material.

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## 13 General Manager Reports

### 13.01 Reports for Information

Moved: McCarthy  
Second: Sullivan

That the General Manager reports for information as presented in Report 13.01.01 to 13.01.03 of the Business Papers be received and noted by Council.

Carried 33181011

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#### 13.01.01 Monthly Update Report – General Manager

File: A1.2.1

Moved: McCarthy  
Second: Sullivan

That the information be received and noted.

Carried 34181011

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#### 13.01.02 Staff Appointments

File: C19.1

Moved: McCarthy  
Second: Sullivan

That the information be received and noted.

Carried 35181011

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#### 13.01.03 General Manager Status Report

File: A1.2.1

Moved: McCarthy  
Second: Sullivan

That the information be received and noted.

Carried 36181011

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**13.02 Reports for Decision**

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**13.02.01 January Ordinary Council Meeting**

File No: A1.2.1

Moved: Sullivan  
Second: McMahon

That the Ordinary Council Meeting scheduled to be held in January 2012 not be held.

Carried 37181011

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**13.02.02 Constitutional Recognition of Local Government**

File: A1.4.6

Moved: O’Bernier  
Second: Sullivan

That Council make a submission to the Discussion Paper issued by the Expert Panel on the Constitutional Recognition of Local Government supporting the option of financial recognition for Local Government in the Australian Constitution through the amendment of Section 96.

Carried 38181011

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**13.02.03 Funding Opportunities**

File No: A5.3

Moved: McCarthy  
Second: O’Bernier

That an application be submitted to the NSW Community Building Partnership Fund for the establishment of a new ablutions block at Cunynghame Oval.

Carried 39181011

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**13.02.04 Nominations for CENTROC Executive**

File No: A4.2

Moved: O’Bernier  
Second: Sullivan

That no action be taken in relation to this matter.

Carried 40181011

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**13.02.05 Delegate to Oberon Correctional Centre Community Consultative Committee**

File No: A2.1

Moved: McMahon  
Second: Sullivan

That Councillor O’Bernier be nominated as the Council’s Delegate to the Oberon Correctional Centre Community Consultative Committee for the next 12 months.

Carried 41181011

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**13.02.07 Establishment of PCYC**

File No: A3.1

Moved: McCarthy  
Second: O’Bernier

That Oberon Council submit an expression of interest to be considered for the establishment of a PCYC in Oberon.

Carried 42181011

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**13.02.08 Delegate to Oberon Indoor Sports and Tennis Centre Management Committee**

File No: A2.1

Moved: McMahon  
Second: McCarthy

That Councillor Gibbons be nominated as the Council's Delegate to the Oberon Indoor Sports and Tennis Management Committee for the next 12 months. Further that the Community and Customer Services Manager be appointed as an alternate delegate on this committee.

Carried 43181011

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**13.03.01 General Business – General Manager**

**Wind Policy**

File No: D52.10

Councillor McMahon asked staff to review the Council's Wind Policy taking into consideration new information such as health, noise etc. and provide a revised policy to Council as soon as possible.

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**14 New Business of an Urgent Nature Admitted by Council**

The Mayor welcomed Council's new Community and Customer Services Manager, Peta Heffernan to the Council.

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**Consideration of Future Community Projects**

File No: C15.7

Discussion was held regarding additional community infrastructure projects which have been identified by Councillors for consideration in future planning.

Moved: Doney  
Second: Gibbons

That the acquisition and development of a recreational ground at O'Connell be included on a list of future projects.

Carried 44181011

Moved: McMahon  
Second: O'Bernier

That the upgrading of the Burruga Dam facilities be included on a list of future projects.

Carried 45181011

Moved: Sullivan  
Second: McCarthy

That the expansion of facilities to cater for an ageing population including expansion of the Oberon Library be included on the list of future projects.

Carried 46181011

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**The Oberon Common**

File No: E34.9

Councillor Gibbons asked about the project to install a Wishing Well at the Oberon Common. What has happened to progress this project?

Rotary had requested a concrete Wishing Well be constructed at the Common and Rotary would then complete the project. Staff will contact Rotary to request a timeline for the project completion.

Councillor Gibbons advised that the Oberon Men's Shed would like to include a model replica of the original Oberon Well in the Common.

The General Manager suggested that the group meet with Council to establish the project.



**Oberon Sports Complex Playing Fields**

File No: PO36.16 and A2.29

Councillor McCarthy raised the drainage problem located on the south western end of the Senior League field at the Oberon Sports Complex, Lowes Mount Road. The playing surface of the Senior League field has recovered well, however the rear field requires work.

The Director of Engineering advised that he had inspected the site with Councillor McCarthy and an estimate of costs to repair the drainage issues is \$15,000. This area will be included on the Works Committee inspection list.

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**Black Springs Forestry Park**

File No: E34.8

Councillor Doney asked if any action could be taken in relation to the rubbish that needs to be collected from the Forestry Park at Black Springs.

The General Manager advised that staff will refer the matter to Forests NSW.

## 15 Closed Session Reports

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### 15.01.01 Purchase of Truck and Trailer – Additional Information

File No: E37.3

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.

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### 15.01.02 Draft Land Use Strategy Update

File: D52.2.5

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
- 

### 15.01.03 Lease of Land for Rural Fire Service Brigade Shed

File No: PR186.253

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
-

**15.01.04 Fish River Water Supply Scheme**

File: E32.2

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
- 

**15.01.05 Tasman Estate Land Offer**

File No: E38.8

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.
- 

Moved: Sullivan  
Second: O’Bernier

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 47181011

*Council closed the meeting at 7.50pm, members of the public present at this point in time left the meeting.*

Moved: McCarthy  
Second: Sullivan

That Council move out of closed Council and into open Council.

Carried 48181011

*Open Council resumed at 8.02pm.*

The following resolutions made by 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.

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**15.01.01 Purchase of Truck and Trailer – Additional Information**

File No: E37.3

Moved: McCarthy  
Second: O’Bernier

That:

1. The tender from Western Star Trucks for the supply of a Western Star Cummins ISX with Sloane Trailer be accepted
2. The offer from City Bus and Truck Centre to purchase plant 51 and 53, being a Freightliner Truck and Borcat Trailer, be accepted.

Carried 49181011

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**15.01.02 Draft Land Use Strategy Update**

File: D52.2.5

Moved: McMahon  
Second: O’Bernier

That the information be received and noted.

Carried 50181011

**15.01.03 Lease of Land for Rural Fire Service Brigade Shed**

File No: PR186.253

Moved: O’Bernier  
Second: Sullivan

That the seal of Council be affixed to the lease with Mr Peter Sheppard of land in O’Connell Road, Oberon for use as a Rural Fire Service shed.

Carried 51181011

Councillor McCarthy asked if the cost of establishing a lease could be supplied to Council. The Director of Corporate Services will provide a report to the November Meeting in relation to the costs.

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**15.01.04 Fish River Water Supply Scheme**

File: E32.2

Moved: O’Bernier  
Second: McCarthy

That Council endorse the proposed changes to the Fish River Water Supply Scheme carryover rules as follows:

- Remove completely the 10% rule
- Change the 20% rule so that it is calculated continuously rather than at the end of the water year
- Back-date these arrangements to 1 July 2011

Further the endorsement of these changes is subject to a 12 month trial period applied retrospectively from July 1 2011, followed by analysis by State Water and review by customers, with the final decision to come into effect after this review is completed.

Carried 52181011

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**15.01.05 Tasman Estate Land Offer**

File No: E38.8

Moved: O’Bernier  
Second: Sullivan

That the offer for sale of Lot 16 in Tasman Estate be accepted.

Carried 53181011

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## **16 Closure of Meeting**

The next Ordinary Meeting of Oberon Council will be held on 15 November 2011, commencing at 5.30pm in the Oberon Council Chambers, 137 – 139 Oberon Street, Oberon.

This concluded the business of the meeting, the meeting rose at 8.03pm.

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General Manager

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Mayor

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General Manager

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Mayor