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CONFIRMED MINUTES

Oberon Council Ordinary Meeting
Tuesday 16 September 2014

Commencing at 5.30pm
at the Oberon Council Chambers

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1. OPENING OF MEETING

The Mayor welcomed members and declared the meeting open at 5.32pm.

2. ACKNOWLEDGEMENT OF COUNTRY

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

3. PRAYER

The Meeting was opened in prayer by Pastor Andy Godden.

4. RECORD OF ATTENDANCE

Members Mayor John McMahon (in the Chair)
 Deputy Mayor Kerry Gibbons
 Clr Jill Evans
 Clr Neil Francis
 Clr Sam Lord
 Clr Clive McCarthy
 Clr John Morgan
 Clr Kathy Sajowitz

Staff Alan Cairney, General Manager
 Gary Wallace, Planning and Development Director
 Lynette Safranek, Finance and Community Services Director
 Sharon Swannell, Executive Coordinator

Leave of Absence:
 Clr Ian Doney (Refer minute no. 13 190814)

Apologies Rodney Wallace, Acting Works and Engineering Director

5. DECLARATIONS OF INTEREST

File No: Governance/Councillors/Declarations of Interest

Pecuniary	-	Nil
Non-Pecuniary Significant	-	Nil
Non-Pecuniary Less than Significant	-	Nil

6. GENERAL AND CIVIC PRESENTATIONS

Nil

7. COMMUNITY PRESENTATIONS AND QUESTIONS

None received.

8. CONFIRMATION OF MINUTES

WORKS COMMITTEE MEETING –12 AUGUST 2014

Moved: Francis
Second: Gibbons

That the Minutes of the Works Committee Meeting held on 12 August 2014 be confirmed.

Carried 01 160914

Matters Arising from the Minutes

Nil

ORDINARY MEETING 19 AUGUST 2014

Moved: Lord
Second: Morgan

That the Minutes of the Ordinary Meeting held on 19 August 2014 be confirmed.

Carried 02 160914

Matters Arising from the Minutes

Nil

FINANCE COMMITTEE MEETING – 28 AUGUST 2014

Moved: Evans
Second: Francis

That the Minutes of the Finance Committee Meeting held on 28 August 2014 be confirmed.

Carried 03 160914

Matters Arising from the Minutes

Nil

9. MAYORAL MINUTE AND REPORT

09.01 MAYORAL MINUTE AND REPORT

File No: Governance/Meetings/Ordinary
Author: Clr John McMahon, Mayor

Summary

Providing details of the main activity for the Mayor since reported to the August Council Meeting.

Moved: Morgan
Second: McCarthy

That Report Item 09.01 is received as information.

Carried 04 160914

09.02 ELECTION OF MAYOR AND DEPUTY MAYOR

File No: Governance/Elections/Local Government Elections
Author: Alan Cairney, General Manager and Sharon Swannell, Executive Coordinator

Summary

Council is required to elect a Mayor for the coming 12 month period. The report provides the procedure for the Election of Mayor and Deputy Mayor.

The Mayor vacated the Chair and the General Manager assumed the role of Returning Officer for the Election of Mayor and Deputy Mayor.

ELECTION OF MAYOR

The General Manager advised that one nomination had been received for the position of Mayor, being Councillor John McMahon, and declared the election of Councillor McMahon to the position of Mayor unopposed.

ELECTION OF DEPUTY MAYOR

The General Manager advised that one nomination had been received for the position of Deputy Mayor, being Councillor Kerry Gibbons, and declared the election of Councillor Gibbons to the position of Deputy Mayor unopposed.

09.03 COUNCIL COMMITTEES

File No: Governance/Meetings/Committees General

Author: Alan Cairney, General Manager and Sharon Swannell, Executive Coordinator

Summary

There are a number of Section 355 Committees and other Council Committees. This report seeks the confirmation of the Councillor appointments to these Committees.

Moved: McCarthy

Second: Francis

Council confirm its appointments and Chair of the Section 355 Committees; and make appointments to other Council Committees, Community Committees and Working Parties.

1. Section 355 Committees

Committee	Current Councillors Appointed
Oberon Community Services	Councillor Sajowitz – Chair Councillor Lord Councillor Evans
Hazelgrove Public School Reserve	Clr McCarthy - Chair
Heritage	Councillor McCarthy - Chair Councillor Doney
Oberon Sports Facilities	Councillor Gibbons – Chair Councillor McCarthy (alternate)
Seniors Welfare	Councillor Morgan – Chair Councillor Evans Councillor Sajowitz

Note: the Elected Mayor is also a member of these Committees

2. Council Committees

Finance Committee	Whole Council
Performance Review Committee	Whole Council
Traffic Advisory Local Committee Is a statutory Committee	Councillor Gibbons Councillor Morgan (alternate)
Works Committee	Whole Council

3. Community Committees & Working Parties

Australia Day Working Party	Mayor Councillor Gibbons
Cemetery Headstone Maintenance Committee (Working Party reporting to Works Committee)	Mayor
Community Precinct Working Party	Chair of Community Services Committee
Self Care Units Tenants Panel	Councillor McCarthy Councillor Lord (alternate delegate)
Timber Heritage Walk Committee (Working Party reporting to Heritage Committee)	Chair of Heritage Committee
Youth Council Working Party	Councillor Sajowitz
Oberon Common Working Party	Councillor Evans Councillor Lord Councillor Sajowitz

Carried 05 160914

09.04 DELEGATES TO EXTERNAL ORGANISATIONS

File No: Governance/Meetings

Author: Alan Cairney, General Manager and Sharon Swannell, Executive Assistant

Summary

Following the election of the Mayor and Deputy Mayor, Council traditionally reviews its delegates to a number of external organisations. In some cases the Mayor is automatically designated as a delegate representing Council.

Moved: McCarthy
Second: Sajowitz

That Council appoint its delegates to external organisations for the following twelve months.

- Arts OutWest
 - Fran Charge, Oberon Arts Council
- Ben Chifley Catchment Management Steering Committee
 - Councillor Francis
- Bicentennial Crossing Alliance
 - Mayor

- Blue Mountains, Lithgow and Oberon Tourism Association (BMLOT)
 - General Manager
 - Councillor Lord (alternate delegate)
- Central Tablelands Alliance Internal Audit Committee
 - Mayor
- CENTROC (Board)
 - Mayor and General Manager are automatic delegates
- CENTROC Health Workforce
 - Councillor Morgan
- Chifley Local Area Command – Community Safety Precinct Committee
 - Mayor and General Manager are automatic delegates
- Hawkesbury/Nepean Catchment Management Authority
 - No delegate currently appointed
- Joint Regional Planning Panel
 - Councillors Doney and McCarthy
 - Councillor McMahon (alternate delegate)

Note: Any delegate or alternate nominated by Council needs to be endorsed by the Director General of the NSW Department of Planning and Infrastructure.

- Lachlan Catchment Management Committee
 - No delegate currently appointed
- Lachlan Regional Transport Committee Incorporated
 - No delegate currently appointed
- Macquarie Catchment Management Committee
 - No delegate currently appointed
- NSW Public Libraries Authorised Elective Representative
 - Councillor Kathy Sajowitz
- Oberon Arts Council (OAC)
 - Mayor and General Manager
- Oberon Correctional Centre Community Consultative Committee
 - Councillors Evans and Gibbons
- Oberon Plateau Tourism Association (OPTA) and Oberon Business Association (OBA) (including newly formed merged Tourism and Business Association)
 - Mayor and General Manager
 - Cllr Lord
- Oberon Timber Complex Community Consultative Committee Meeting
 - Councillors Doney and Evans

- Rural Fire Service Chifley Zone Liaison Committee
 - Councillors Francis and McCarthy (also attend Brigade Captains' Meetings)
 - Works & Engineering Director and Finance & Community Services Director
- Sydney Water Catchment Management Authority
 - No delegate currently appointed
- Union Fenosa Pre Development Application Community Consultative Committee
 - Councillors Evans, Francis, Morgan and Sajowitz
 - Planning & Development Director
- Upper Macquarie County Council
 - Councillors McMahon and Francis

Carried 06 160914

09.05 RETURNS DISCLOSING INTERESTS

File No: Corporate Management/Administration/Register of Disclosures
Author: Alan Cairney, General Manager and Sharon Swannell, Executive Coordinator

Summary

All Councillors and designated persons who hold a position at 30 June must complete and lodge with the General Manager within 3 months a return of disclosures.

Moved: Morgan
Second: Evans

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

Carried 07 160914

10. NOTICES OF MOTIONS

Nil

11. COUNCILLOR AND DELEGATES REPORTS

11.01 CENTROC BOARD MEETING – CANBERRA 26 AUGUST 2014

File No: Government Relations/Local and Regional Consultation/Centroc
Author: Mayor John McMahon and Jenny Bennett, Centroc

Summary

The Mayor, Councillor John McMahon and General Manager, Alan Cairney attended the Centroc Board Meeting held in Canberra on Tuesday 26 August 2014.

Page 10 of the Minutes of the Ordinary Meeting of Oberon Council held on Tuesday, 16 September 2014.

General Manager

Mayor

Moved: Evans
Second: Francis

That Delegates Report Item 11.01 is received as information.

Carried 08 160914

11.02 OBERON PLATEAU TOURISM ASSOCIATION

File No: Economic Development/Visitor Information Centre/OPTA
Author: Mayor John McMahon

Summary

The Oberon Plateau Tourism Association (OPTA) was held on Monday 11 August 2014. Oberon Council was represented by the Mayor and staff member Lynne Causer at the Meeting. Council's delegate to OPTA Councillor Lord was unable to attend the meeting.

Moved: McCarthy
Second: Morgan

That report item 11.02 is received as information.

Carried 09 160914

11.03 OBERON TIMBER COMPLEX COMMUNITY CONSULTATIVE COMMITTEE

File No: Governance/Oberon Timber Complex Community Consultative Committee
Author: Alan Cairney, General Manager

Summary

Councillor Ian Doney, Councillor Jill Evans and the General Manager attended the last meeting of the Oberon Timber Complex Community Consultative Committee held on 27 August 2014.

Moved: Evans
Second: Gibbons

That report item 11.03 is received as information.

Carried 10 160914

11.04 OBERON BUSINESS ASSOCIATION

File No: Community Relations/Community Consultation/Oberon Business Association
Author: Alan Cairney, General Manager

Summary

The Mayor, Councillor McMahon and the General Manager are Council's delegates to the Oberon Business Association (OBA) and attended the meeting held on Wednesday 3 September 2014.

Moved: Sajowitz
Second: Gibbons

That delegate's report item 11.04 is received as information.

Carried 11 160914

12. COMMITTEE REPORTS

12.01 SENIOR WELFARE COMMITTEE

File: Governance/Ordinary/September 2014
Author: Lynette Safranek, Finance & Community Services Committee

Summary

Minutes of the Senior Welfare Committee Meeting held on 1 September 2014 are submitted for Council's information and consideration.

Moved: Morgan
Second: Evans

That Council:

1. Investigate organisations that may be interested in the future use of Hathaway and bring any expressions of interest in the facility back to the Committee for consideration.
2. Evaluate converting Hathaway Cottages into Self Care Units and make them fit for purpose.
3. That a letter be sent to the two retiring members of the Seniors Welfare Committee thanking them for years of service to the committee.

Carried 12 160914

12.02 OBERON YOUTH COUNCIL

File: Governance/Meetings/Oberon Youth Council
Author: Lynette Safranek, Finance & Community Services Committee

Summary

Minutes of the Oberon Youth Council Meeting held on 2 September 2014 are submitted for Council's information and consideration.

Moved: Evans
Second: Sajowitz

That Council approve the following recommendations:

1. That Council have a Reception for the 2014 Youth Council and their family members before the end of 2014.

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2. That Council approve the Oberon Youth Council holding the Community Fun Run early in 2015.
3. That the Oberon Youth Council cancel the Youth Creative Collection Exhibition and investigate the organisation of an alcohol free Music Festival on News Year Eve from 2.00pm to 6.00pm at The Common.
4. That Council approve the development of the concept to combine the Youth Week activities with the Healthy Life Festival proposed for March 2015.

Carried 13 160914

12.03 OBERON SPORTS FACILITIES COMMITTEE

File: Governance/Meetings/Oberon Sports Facilities Committee
Author: Matilda Dwyer, Engineering Administration Assistant

Summary

Minutes of the Oberon Sports Facilities Committee held on 27 August is submitted for Council's information and consideration.

Moved: McCarthy
Second: Gibbons

That the Minutes of the Oberon Sports Facilities Committee held on 27 August be received as information.

Carried 14 160914

13. REPORTS FOR DECISION

13.01 NSW PUBLIC LIBRARY ASSOCIATION FUNDING CAMPAIGN

File: Governance/Ordinary/September 2014
Author: Lynette Safranek, Finance & Community Services Committee

Summary

There has been widespread support by NSW Councils for the NSW Public Library Funding Campaign, which is being coordinated by the NSW Public Libraries Association (NSWPLA), representing country and metropolitan libraries across the state.

Moved: Sajowitz
Second: Lord

That Council continue its support to the campaign mounted by the NSW Public Library Association for increased State funding to local government for public libraries by:

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- a. Making further representation to the local State Member, Paul Toole, in relation to the need for additional funding from the NSW State Government for the provision of public library services, noting that the 2014 State budget did not address recurrent funding needs,
- b. Writing to the Hon. Troy Grant, Minister for the Arts, noting the allocation of \$15m over four (4) years for a public library infrastructure grants program, and calling upon the Government to implement the Reforming Public Library Funding submission of the Library Council of NSW in 2012 for the reform of the funding system for NSW public libraries,
- c. Continuing to encourage and support the distribution of NSW Public Library Association campaign information in the Oberon Council Library, and
- d. Taking a lead role in activating the campaign locally and encouraging community participation.

Carried 15 160914

13.02 TITANIA ESTATE RELEASE AREA – PLANNING PROPOSAL

File No: Land Use and Planning\Planning\LEP Local Environmental Plan
Author: Gary Wallace, Planning & Development Director

Summary

A Planning Proposal and Development Application for the Urban Release Area of Titania Estate have been received on land known as 175 Titania Road, Oberon.

Moved: Evans
Second: Gibbons

That Council support the Planning Proposal submitted by Fragar Planning & Development for land known as 175 Titania Road, Oberon and forward the document to the Department of Development & Environment under the Gateway (Section 55(3)) process.

Carried 16 160914

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

Votes For: Councillors McMahon, Gibbons, Francis, Morgan, Sajowitz, McCarthy, Lord and Evans
Against: Nil

13.03 2014/15 REPAIR PROGRAM

File No: Roads/Programs/Repair
Author: Rodney Wallace, Acting Works and Engineering Director

Summary

This report item provides an update regarding the proposed rehabilitation works on Abercrombie Rd from the 2014/15 REPAIR Program.

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Moved: Gibbons
Second: McCarthy

That Council proceed with rehabilitation works on the Abercrombie Rd Project for 1.7km as originally planned.

Carried 17 160914

13.04 DEVELOPMENT APPLICATION 10.2014.28.1 – THREE LOT SUBDIVISION

File No: PR186-3397
Author: Jaclyn Burns, Health and Building Manager

Summary

An application for a three (3) lot subdivision, creating two (2) lots of 100 hectares for the purpose of residential dwellings and a third lot (residue) consisting of 759 hectares has been received and is referred to Council for determination in accordance with Part H.3.10 of the Development Control Plan (DCP) 2001. Part H.3.10 of the DCP requires:

“In determining applications Council and/or delegated officers of Council, will consider all submissions before the application is determined.”

The application also requires Councils consideration to the acceptance of a 21.28m wide by 64m long Crown Road Reserve as a dedicated public road to provide both legal and practical access to proposed Lot 5.

Moved: McCarthy
Second: Morgan

That Council approve Development Application 10.2014.28.1 for a proposed 3 Lot Subdivision on Lot 2 in DP 576703, 3397 O’Connell Road, O’Connell in accordance with the 79C Assessment and conditions contained within this report and dedicate the 64m Crown Road Reserve to the south of Lot 21 in DP 872194 as legal and practical access off O’Connell Plains Road to service the proposed Subdivision.

Carried 18 160914

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

Votes For: Councillors McMahon, Gibbons, Francis, Morgan, Sajowitz, McCarthy, Lord and Evans
Against: Nil

13.05 DEVELOPMENT APPLICATION 10.2014.40.1 – FOUR LOT SUBDIVISION

File No: PR2-977

Author: Jaclyn Burns, Health and Building Manager

Summary

An application for a four (4) lot Subdivision, creating lots all in excess of 100 hectares for the purpose of residential dwellings has been received and is referred to Council for determination in accordance with Part H.3.10 of the Development Control Plan (DCP) 2001. Part H.3.10 of the DCP requires:

“In determining applications Council and/or delegated officers of Council, will consider all submissions before the application is determined.”

Moved: Morgan
Second: McCarthy

That Council approve Development Application 10.2014.40.1 for a proposed 4 Lot Subdivision on Lot 6 DP 1079209, 977 Carlwood Road in accordance with the Section 79C Assessment and conditions contained within this report.

Carried 19 160914

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

Votes For: Councillors McMahon, Gibbons, Francis, Morgan, Sajowitz, McCarthy, Lord and Evans
Against: Nil

13.06 JEREMY RD, BURRAGA

File No: Roads/R254

Author: Rodney Wallace, Acting Works and Engineering Director

Summary

This report item provides details of a proposal to upgrade Jeremy Rd, Burraga, following a request by PF Olsen who is operating a private forest plantation and are about to commence harvesting.

Moved: Morgan
Second: McCarthy

That Council consult with the Traffic Advisory Local Committee (RMS and Police Representatives) in relation to the safety of the proposed realignment of the Jeremy Road intersection.

That a further report be provided to the October Ordinary Council Meeting in relation to proposed upgrades on Jeremy Road.

Carried 20 160914

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14. REPORTS FOR INFORMATION

14.01 MONTHLY ACTIVITY REPORT – GENERAL MANAGER

File No: Governance/Meetings/Ordinary
Author: Alan Cairney, General Manager

Summary

This report item summaries the main activity by the General Manager during August including Human Resources and Workplace Health & Safety, Executive Support matters, Information Technology & Communications, Community Activity, Regional Issues, Executive Management Team, and details of planned activity for the coming months.

14.02 MONTHLY ACTIVITY REPORT – PLANNING AND DEVELOPMENT

File: Governance/Meetings/Ordinary
Author: Gary Wallace, Planning and Development Director

Summary

Providing details of major work within the Planning & Development Department for August.

14.03 MONTHLY ACTIVITY REPORT - WORKS AND ENGINEERING

File: Governance/Meetings/Ordinary
Author: Rodney Wallace, Acting Works and Engineering Director

Summary

Providing a summary of the major work in the Works & Engineering Department for August 2014.

14.04 MONTHLY ACTIVITY REPORT – FINANCE & COMMUNITY SERVICES

File No: Financial Management/Financial Reporting/Periodic Reports
Author: Lynette Safranek, Finance and Community Services Director

Summary

This report provides a summary of major work within the Finance and Community Services Department during August 2014 plus planned activities for the following months.

14.05 STATEMENT OF INVESTMENTS

File No: Financial Management/Investments/Register
Author: Tim Booth, Management Accountant

Summary

Reporting the Statement of Investments as at 31 August 2014.

14.06 INTERIM IMPROVEMENT ACTION PLAN

File No: Corporate Management
Author: Alan Cairney, General Manager

Summary

An Interim Improvement Action Plan is in place to address concerns about current Work Practices associated with Road Construction on Local Sealed Roads. A number of initiatives have been implemented by the General Manager and the Works & Engineering Director and a monthly progress report is submitted pending a reassessment in December 2014.

14.07 COUNCILLOR REQUEST FORMS

File No: Governance/Councillors
Author: Alan Cairney, General Manager

Summary

Providing an update on the status of Councillor Request Forms submitted during the last month.

14.08 COUNCILLOR ROADS INSPECTION – 4 SEPTEMBER 2014

File No:
Author: Alan Cairney, General Manager

Summary

Providing details of the Councillor Roads Inspection held on 4 September.

14.09 INWARDS CORRESPONDENCE

File No: Governance/Meetings/Ordinary
Author: Sharon Swannell, Executive Assistant

Summary

Providing a summary of incoming correspondence for the period 1 – 31 August 2014.

14.10 MEDIA

File No: Information Management/Information and Communications/Media Releases
Author: Carolyn Hendry, Information and Communications Officer

Summary

The Report Item provides a list of Media Releases issued during August 2014 and a sample of Media Articles where Council is mentioned.

14.11 STATUS REPORT – ACTIONING COUNCIL DECISIONS

File No: Governance/Meetings/Ordinary
Author: Sharon Swannell, Executive Assistant

Summary

Providing details of the status in actioning Council decisions, with reference to the actual Resolution Number as shown in the Minutes for each Council Meeting.

14.12 UPCOMING MEETINGS

File No: Governance/Meetings/Ordinary
Author: Sharon Swannell, Executive Assistant

Summary

A calendar of upcoming meetings is provided for information.

Moved: Morgan
Second: Lord

That report items 14.01 to 14.12 is received as information.

Carried 21 160914

15. URGENT BUSINESS

Summary

In accordance with Clause 241 of the Local Government (General) Regulations 2005 business may be transacted at a meeting of Council even though due notice of the business has not been given to the Councillors. However, this can happen only if:

- a) A motion is passed to have the business transacted at the meeting; and
- b) The business proposed to be brought forward is ruled by the Chairperson to be of great urgency.

Moved: Gibbons
Second: McMahon

That Council endorse the removal the designated pedestrian crossing and no parking signs in Fleming Street adjacent to St Joseph's School.

Carried 22 160914

16. CLOSED SESSION / CONFIDENTIAL REPORTS

Summary

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in Section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

There are no Closed Session Reports listed for Council's consideration.

17. CLOSURE OF MEETING

The Meeting closed at 7.57pm.

The next Ordinary Meeting of Oberon Council will be held on:

Tuesday 21 October 2014
commencing at 5.30pm

in the Oberon Council Chambers
137 – 139 Oberon Street, Oberon.