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**OBERON COUNCIL**

*Unconfirmed Minutes  
 Oberon Council Ordinary General Meeting  
 Tuesday 19 April 2011  
 5.30pm Council Chambers*

5.30pm	Opening of meeting
8.15pm - 8.45pm	Dinner

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\_\_\_\_\_  
 General Manager

\_\_\_\_\_  
 Mayor

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## 01 Opening of Meeting

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The Mayor welcomed members and declared the meeting open at 5.31pm

## 02 Prayer

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The Meeting was opened in prayer by Father Adrian Horgan.

## 03 Record of Attendance

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Members	Cr Keith Sullivan, Mayor - Chair Cr John McMahon, Deputy Mayor Cr Ian Doney Cr Don Fitzpatrick Cr Neil Francis Cr Kerry Gibbons Cr Zsuzsanna Handelsmann Cr Clive McCarthy Cr Bob O'Bernier
Officers	Leanne Mash, General Manager John Chapman, Director of Corporate Services Mark Dicker, Acting Director of Development Leigh Robins, Director of Engineering Sharon Swannell, Executive Assistant
Apologies	Nil

## 04 Questions from the Public

File: PR17.2968

Mary-Jane Hoolihan asked a question in relation to DA 10.2009.225.1. Having regard to the fact that the access to the proposed site in the application includes part of land owned by the Hoolihan's, can Council confirm that there is legal access to the site and has Council undertaken investigation into the matter since made aware of the issue?

The Director of Engineering responded and advised that the access to the proposal can still be accommodated from within the road reserve.

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

File No: A1.2.1

Ordinary Meeting 15 March 2011



05.01.01\_Unconfirme  
d\_Minutes\_15\_March\_

Moved:       McMahon  
Second:      Doney

That the Minutes of the duly convened Ordinary Meeting held on 15 March 2011 be taken as read and confirmed.

Carried 01190411

Matters Arising from the Minutes

In reference to the installation of speed humps at the Burruga School on page 24 of the minutes it was noted that the speed humps were to be installed at the rear of the Burruga School in Thompson Street. The minutes will be amended to reflect this.

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General Manager

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Mayor

## 06 Declarations of Interest

File No: A1.2.4

Pecuniary	-	Nil
Conflicts	-	Councillor Gibbons declared an interest in item 10.02.01 of the staff report. Councillor Gibbons is related to the applicant.
Staff	-	Nil

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## 07 Mayoral Minute and Report

File No: A1.2.1

### A. Meetings

1. Ordinary Council Meeting – 15 March 2011
2. Meeting with Labour Candidate, Dale Turner – 16 March 2011
3. Meeting with Beechwood Homes regarding Tasman Estate – 17 March 2011
4. Library Planning Day – 18 March 2011
5. Community Briefing Session – 22 March 2011
6. Meeting with the Applicant, General Manager and planning staff regarding an ongoing development application
7. Events Committee Meeting – 5 April 2011
8. Black Springs Progress Association Meeting – 11 April 2011
9. Interviews for Director of Development position – 13 April 2011
10. Burruga and District Community Association Meeting – 14 April 2011

### B. Representation

1. Official Opening of the Oberon Arts Council Projects in the Common – 13 March 2011
2. Seniors Week Function at Oberon RSL Club – 22 March 2011
3. Oberon High School Captains Induction – 4 April 2011
4. Opening Ceremony of the Library at St Joseph's Catholic School – 6 April 2011
5. Youth Week Event at the Oberon Showground – 8 April 2011

**C. Correspondence**

1. Australian Local Government Association outlining the “Cash for Containers” campaign – 23 March 2011
2. The Bluett Awards inviting Council’s to submit an entry to the AR Bluett Award for 2011 – 23 March 2011
3. Letter from OPTA regarding the presentation at the Councillor Briefing Session – received 27 March 2011
4. Reliance Credit Union invitation to attend the official relaunch of the Reliance Credit Union to be held on 14 April 2011.
5. Invitation to attend the Opening Ceremony of the Library at St Joseph’s Catholic School.
6. Invitation from Oberon Correctional Centre to join the re-launched Oberon Correctional Centre Community Consultative Committee.

**D. Other Matters**

1. Council will be hosting a visit from the Mayor of Eceabat, Kemal Dokuz who will be attending the 2011 Oberon ANZAC Day services. An official dinner will be held to welcome the Mayor on the evening of 24 April 2011.
2. The Shires Association of New South Wales is seeking nominations for election of the Association’s Executive Committee.

**Black Springs and Burruga Waste Transfer Stations**

File No: E35.1

The Mayor, Councillor Gibbons and Francis attended the Black Springs Progress Association Meeting held on Monday 11 April 2011 and the Burruga and District Community Association Meeting held on Thursday 15 April 2011 to discuss the proposed closure of the Black Springs and Burruga Waste Transfer stations.

Moved: Sullivan  
Second: O’Bernier

That the General Manager and staff be requested to review town collection and the opening of the tips on certain days every three months to accommodate the collection of non-domestic waste in the village areas as part of the budget preparation.

Carried 02190411

**One Association**

File No: A1.4.1

A copy of a draft letter has been circulated to Councillors regarding the proposed amalgamation of the LGA and Shires Association. The Mayor tabled a copy of correspondence prepared to send the letter to the President of the Shires Association and the Chair of Centroc opposing the current proposal.

Councillors endorsed this action.

**Visit from Mayor of Eceabat**

File No: A3.1.1

The Mayor of Eceabat is visiting Oberon for this year's ANZAC ceremony and will be arriving in Oberon on Sunday 24 April 2011. A civic dinner has been arranged in celebration of the Mayor's visit and Councillors are invited to attend this function.

Moved: O'Bernier  
Second: Fitzpatrick

That Council support the visit by the Mayor of Eceabat and meet the costs of accommodation during the Mayor's visit.

Carried 03190411

## 08 Councillor Reports

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### Weeds Report

File No: E39.6

Councillor McMahon attended the Upper Macquarie County Council Meeting held on Friday 1 April 2011. There were no matters that impact on the Oberon Council discussed at the meeting. The control of Bidy Bush was again discussed and the aerial spraying program is progressing very well.

Councillor McMahon also provided a verbal report regarding a meeting held between Councillors McMahon and Francis with Michael McLean from Forests NSW. Forests NSW advised they are aware of the Bidy Bush problems on Forestry Roads so it was not necessary to undertake an inspection of the area. Mr McLean undertook to write to Council outlining Forests NSW plans to address the issue on Forestry roads.

### Oberon Business Association and Oberon Plateau Tourism Association Meetings

File No's: P73.4 and P73.5

Councillor Handelsmann attended the meetings of the Oberon Business Association and Oberon Plateau Tourism Association as Council's delegate. Both Associations have been focusing on attending the 2011 Country and Regional Living Expo. Funds have been provided by both Associations and additional funds will be raised from business houses in the local community.



## 09 Delegates Reports

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### 09.01.01 Library Committee Meeting Minutes

File No: A2.8

Moved: O’Bernier  
Second: Handelsmann

That:

1. The minutes of the Library Committee Meeting held on 5 April 2011 be received and noted.
2. That the report on the Library Planning Day held on 18 March 2011 be received and noted.
3. That the General Manager be removed as a voting delegate on the Library Committee.

Carried 04190411

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### 09.01.02 Events Committee Meeting Minutes

File No: A2.5

Moved: O’Bernier  
Second: Fitzpatrick

That:

1. The Minutes of the Events Committee Meeting held on 5 April 2011 be received and noted.
2. That the General Manager be authorised to determine dates for opening weekend of the 2011 Open Gardens in conjunction with the Rotary Club of Oberon and the Anglican Church.
3. That Council’s 2011/2012 budget deliberations include consideration of continued funding to support the Open Gardens Event that will be co-ordinated by Rotary Club of Oberon in 2011/12.

Carried 05190411

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General Manager

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Mayor

**09.01.03 Finance Committee Meeting Minutes**

File No: A2.14

Moved: O’Bernier  
Second: Doney

1. That the Minutes of the Finance Committee Meeting held on 5 April 2011 be accepted.
2. That in relation to the draft fees and charges for 2011-2012:
  - a) The minimum charge for wages on page 23, Private Works and Other Charges be amended to the state award rate plus 55%.
  - b) The dry hire for the grader and loader as shown on page 24 be removed as this service is not provided.
  - c) The annual waste management charge for vacant land per annum be increased to \$30.00 per annum as shown on page 27.
  - d) The Subdivision and/or Strata Certificate (Release of Linen Plan) base fee on Page 4 of the draft fees and charges be increased from \$174 to \$200 and the fee per lot increase from \$25.00 to \$50.00.
  - e) That two new fees be inserted in the miscellaneous section on page 17 of the draft fees as follows:
    - Written confirmation that Development Consent has commenced (inspection required) \$150.00
    - Written confirmation that Development Consent has commenced (no inspection required) \$60.00

Carried 06190411

Moved: McCarthy  
Second: McMahon

Council endorse the increases in fees and charges for 2011/2012 as presented in the preliminary budget.

Carried 07190411

## 10 Director of Development Reports

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### 10.02 Reports for Decision

Moved: O’Bernier  
Second: Doney

That item’s 10.02.01 and 13.02.04 be brought forward and dealt with at this point in time.

Carried 08190411

#### 10.02.01 Development Application: 10.2009.225.1.

File: PR17.2968

Councillor Gibbons declared an interest in item 10.02.01 of the staff report. Councillor Gibbons left the meeting at 6.07pm.

Mr Michael Atkinson was invited to address Council in respect to the matter. Mr Atkinson stated that the first report to Council prepared for the meeting of 14 December 2010, concluded that the proposed development was contrary to the objectives of Rural 1(a) Zone under the Oberon LEP. It quoted three objectives to promote the proper management and utilisation of resources being subparagraphs (a) (b) and (e) of the rural A Zone Objectives.

Subparagraph (b) requires preventing the unjustified development of prime crop and pasture land for purposes other than agriculture. The current report to Council has excised from it any reference to subparagraph (b). My question is, why is this no longer a valid consideration and will Council be taking into account the objectives in subparagraph (b) in making their determination?

The Acting Director of Development responded advising that the recommendation in the 14 December 2010 meeting was for refusal and made as there was insufficient information submitted by the applicant for Council Officers to assess the proposal against the zone objectives. The report to the 14 December 2010 meeting was withdrawn prior to being determined by Council. The applicant has since provided sufficient information for staff to assess the proposal and therefore make the current recommendation. The reference to subparagraph (b) has been removed from this report as staff felt that it had been justified and hence the recommendation for approval.

Mr Mark Weeks spoke in support of his application. He advised that he wished to work with anyone necessary regarding their concerns. His primary reason for undertaking the development is due to the restrictions placed on motorcycle riders from National Parks, State Forests and the fact that there is very limited access to places where people can ride. He wishes to create a safe controlled environment where people can legitimately ride. He has obtained over 1000 signatures and has 30 letters of support from local businesses and is happy to address the concerns of objectors to the development.

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Councillor McMahon enquired why the details of the buffer management plans have not been submitted at this time.

The Acting Director of Development responded advising the buffer management plans will be addressed in stage 2 of the proposed development.

Councillor McMahon enquired as to how the hours and days of operation would be policed?

The Acting Director of Development responded advising that the hours and days of operation are detailed on page 6 of the Renzo Tonin & Associates document (attachment H). This document will form part of the Development Consent and therefore should the applicant operate outside these hours or days would be in breach of their Development Consent.

Moved: O’Bernier  
Second: Handelsmann

That the Staged Development Application 10.2009.225.1 for a proposed Tourist Facility consisting of a Motocross Track and associated Camping Area at Lots 73, 50, 51, 66 and 67 in DP: 753027 and Lot 4 in DP: 1079460, 2968 Shooters Hill Road, Shooters Hill be approved subject to the conditions of Development Consent in attachment D.

Carried 09190411

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, Doney, O’Bernier, McCarthy, Handelsmann, Sullivan  
Votes against: Councillors Francis and Fitzpatrick

Councillor Gibbons returned to the chambers at 6.28pm.

**13.02.04 Community Centre Extension**

File: C21.1

Moved: McCarthy  
Second: Handelsmann

That the Bicentennial Tapestries remain in their current location in the Cobweb Shop.

Carried 10190411

Moved: McCarthy  
Second: O’Bernier

That the General Manager develop an operation procedure to maximise the use of the Community Centre extension as a multi-purpose facility.

Carried 11190411

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**10.01 Reports for Information**

File: A1.2.1

Moved: Doney  
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 12190411

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**10.01.01 Monthly Update Report – Development Department**

File: A1.2.1

Moved: Doney  
Second: O’Bernier

That the information be received and noted.

Carried 13190411

**10.01.02 New Access to Premises Standards for people with Disabilities.**

File: D50.3

Moved: Doney  
Second: O’Bernier

That the information be received and noted.

Carried 14190411

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**10.01.03 Director of Development Status Report**

File: A1.2.1

Moved: Doney  
Second: O’Bernier

That the information be received and noted.

Carried 15190411

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**10.03.01 General Business – Development**

Nil

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**11 Director of Corporate Service Reports**

**11.01 Reports for Information**

File: A1.2.1

Moved: O’Bernier  
Second: McMahon

That the Director of Corporate Services reports for information as presented in Report 11.01.01 to 11.01.05 of the Business Papers be received and noted by Council.

Carried 16190411

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

File: A1.2.1

Moved: O’Bernier  
Second: McMahon

That the information be received and noted.

Carried 17190411

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**11.01.02 Government Information (Public Access) Act 2009 – Publication Guide**

File: A2.1

Moved: O’Bernier  
Second: McMahon

That the information be received and noted.

Carried 18190411

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**11.01.03 Statement of Bank Balances and Investments**

File: C17.1

Moved: O’Bernier  
Second: McMahon

That the information be received and noted.

Carried 19190411

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**11.01.04 Shires Association of New South Wales Election Notice**

File: A1.4.1

Moved: O’Bernier  
Second: McMahon

That the information be received and noted.

Carried 20190411

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**11.01.05 Director of Corporate Services Status Report**

File: A1.2.1

Moved: O’Bernier  
Second: McMahon

That the information be received and noted.

Carried 21190411

Councillor Gibbons left the meeting at 7.04pm.

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**11.02 Reports for Decision**

**11.02.01 Management Manual - Section 355 Committees and Volunteers**

File: A2.1

The General Manager withdrew the report to allow further information to be considered. An amended report will be provided to the May 2011 Ordinary Meeting.

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**11.02.02 2011 International Women’s Day – Event Debrief**

File: A3.2

Moved: O’Bernier  
Second: Francis

That the information be received and noted regarding the 2011 International Women’s Day event.

Further that Council seek nominations from the public to form an International Women’s Day Working Group to facilitate the 2012 International Women’s Day event. That the decision regarding membership of the working group be delegated to the General Manager, along with implementation of the working group to achieve the end result of an event to celebrate International Women’s Day 2012 in line with provisions made in the 2011-12 budget.

Carried 22190411



**11.02.03 Upgrade to Records Management Computer Software**

File: C18.2.1

Moved: O’Bernier  
 Second: McCarthy

The General Manager be authorised to proceed with the replacement of Council’s records management software (Infovision), funded from anticipated savings in computer replacement costs and from the office equipment reserve as follows:

<u>Description</u>	<u>Original Budget</u>	<u>Budget Saving</u>
Store/Depot	4,300	4,000
Engineering Services	4,910	2,300
CTC	11,000	10,000
Roads & Bridges	1,500	1,500
Water Treatment Plant	6,000	3,000
Sewerage Treatment Works	6,400	2,000
Library	13,740	10,000
Swimming Pool	1,400	1,200
Development Control	1,400	1,400
		<u>35,400</u>
Office Equipment Reserve		<u>4,600</u>
		<u>\$40,000</u>

Carried 23190411

**11.02.04 Delegations of Authority – Financial Delegations**

File: C19.8.5

Moved: Fitzpatrick  
 Second: McMahon

That the following delegations of authority to staff for the purchase of goods and services on behalf of Council is endorsed and in effect replace all previous delegations, effective immediately.

<b>Position</b>	<b>Maximum</b>	<b>Criteria</b>
General Manager	\$150,000	Within Budgeted Provision
Director of Engineering	\$100,000	Within Engineering Department Budgeted Provision
Director of Corporate Services	\$100,000	Within Corporate Services Department Budgeted Provision
Director of Development	\$100,000	Within Development Department Budgeted Provision

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\_\_\_\_\_  
 General Manager

\_\_\_\_\_  
 Mayor

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Works Manager	\$10,000	Within Engineering Department Budgeted Provision
Finance Manager	\$10,000	Within Corporate Services Department Budgeted Provision
Storeman	\$5,000	Within Works and Depot Budgeted Provision
Relief Storeman	\$5,000	Within Works and Depot Budgeted Provision
Plant Foreman	\$5,000	Within Workshop Budgeted Provision
Sewer and Water Operator	\$2,000	Within Water and Sewer Treatment Plants Budgeted Provision
OHS/Risk Manager	\$1,000	Within Engineering Department Budgeted Provision
Rural Fire Service Zone Manager	\$10,000	Within Rural Fire Service Budgeted Provision
Rural Fire Service Business Officer	\$1,000	Within Rural Fire Service Budgeted Provision
Manager Health and Building	\$2,000	Within Development Department Budgeted Provision
Information Technology Manager	\$2,000	Within Information Technology Budgeted Provision
Library Manager	\$2,000	Within Library Budgeted Provision
Visitor Information Centre Manager	\$2,000	Within Corporate Services Department Budgeted Provision
Swimming Pool Superintendent	\$1,000	Within Swimming Pool Budgeted Provision

Carried 24190411

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### 11.03.01 General Business – Corporate Services

Nil

## 12 Director of Engineering Reports

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### 12.01 Reports for Information

File No: A1.2.1

Moved: McMahon  
Second: Doney

That the Director of Engineering reports for information as presented in Report 12.01.01 to 12.01.03 of the Business Papers be received and noted by Council.

Carried 25190411

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### 12.01.01 Monthly Update Report – Engineering Department

File No: A1.2.1

Moved: McMahon  
Second: Doney

That the information be received and noted.

Carried 26190411

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### 12.01.02 Glyndwr Avenue Park

File No: E34.2

Moved: McMahon  
Second: Doney

That the information be received and noted.

Carried 27190411

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### 12.01.03 Director of Engineering Status Report

File No: A1.2.1

Moved: McMahon  
Second: Doney

That the information be received and noted.

Carried 28190411

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\_\_\_\_\_  
General Manager

\_\_\_\_\_  
Mayor

**12.02 Reports for Decision**

**12.02.01 Liquid Trade Waste Regulation Policy**

File No: E33.1

Moved: McMahon  
Second: O’Bernier

That the draft Policy for liquid trade waste regulation be adopted.

Carried 29190411

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**12.02.02 Car Parking at the Common**

File No: E34.9

Moved: O’Bernier  
Second: Fitzpatrick

That no action be taken to provide additional car parking spaces at the Common.

Carried 30190411

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**12.03.01 General Business – Engineering**

**Road Alignment at Deep Creek**

File No: E31.1.1

Councillor McCarthy requested a meeting be arranged between the RTA and Council to progress action regarding road alignment at “Deep Creek”.

The Director of Engineering will arrange the meeting.

**Oberon Skate Park and Recreation Ground**

File No: E34.9.3

Councillor McMahon has been approached by a representative of the Soccer Club regarding the noise generated at the skate park impacting on the people playing sport at the Recreation Ground. Councillor McMahon suggests that a new skate park could be considered at the Common.

The Director of Engineering will investigate.

**Sheepstation Forest Road**

File No: R157

Councillor McMahon asked if an inspection had been carried out on the works carried out on Sheepstation Forest Road. Is the work satisfactory?

The Director of Engineering advised that he has had representation from other landowners from the area and that he did not believe the work is satisfactory. The Director has asked Forests NSW to address the issues.

**Endeavour Street**

File No: R102

Councillor O’Bernier asked if speed signs can be erected in Endeavour Street?

The Director of Engineering advised that 50km per hour speed limit signs can be erected.

**Bald Ridge Road**

File No: R223

Councillor Francis discussed raised drainage issues at Bald Ridge Road. An area of the road needs additional drainage pipes installed.

The Director of Engineering will inspect the area.

**Speed Humps at Burruga School**

File No: PR238.44-66

Councillor Francis requested the speed humps installed in Thompson Street at the rear of the Burruga School be extended as drivers are avoiding the existing speed humps.

The Director of Engineering will action this request.

## 13 General Manager Reports

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### 13.01 Reports for Information

File No: A1.2.1

Moved: McMahon  
Second: Doney

That the General 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 31190411

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#### 13.01.01 Monthly Update Report – General Manager

File: A1.2.1

Moved: McMahon  
Second: Doney

That the information be received and noted.

Carried 32190411

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#### 13.01.02 General Manager Status Report

File: A1.2.1

Moved: McMahon  
Second: Doney

That the information be received and noted.

Carried 33190411

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**13.02 Reports for Decision**

**13.02.01 Sale of Dart Street Property**

File: PO16.70

Moved: McCarthy  
Second: Handelsmann

That the sale of the property located at 70 Dart Street be deferred for two years.

The motion was put and lost. The Mayor used his casting vote and maintained the status quo.

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**13.02.02 The Tablelands Way**

File No: 71.6

Moved: Doney  
Second: Handelsmann

That in 2011/12 Council continues to facilitate and coordinate the marketing of The Tablelands Way drive tourism route and further that Council approach the Councils of Upper Lachlan, Goulburn, Lithgow and Mudgee to re-engage and support the ongoing marketing and future development of the tourism drive route in a coordinated and equitable manner.

Carried 34190411

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**13.02.03 Community Briefing Session**

File: A1.2.3

Moved: Handelsmann  
Second: McMahon

That Council receive the report regarding the Community Briefing Session for information.

Carried 35190411

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Councillor O’Bernier left the meeting at 8.10pm.

**13.02.05 Upcoming Meetings**

File: A1.2.1

Moved: Fitzpatrick  
Second: McMahon

That no delegate attend the Waste 2011 Conference.

Carried 36190411

Councillor O’Bernier returned to the meeting at 8.12pm.

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**13.02.06 Constitutional Recognition for Local Government**

File: A1.4.1

Moved: Fitzpatrick  
Second: McMahon

That Council declares its support for financial recognition of Local Government in the Australian Constitution so that the Federal Government has the power to fund Local Government directly and also for inclusion of Local Government in any new Preamble to the Constitution if one is proposed, and calls on all political parties to support a referendum by 2013 to change the Constitution to achieve this recognition.

Carried 37190411

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**13.03.01 General Business – General Manager**

Councillor McMahon commented on the format of the Business Paper and the thickness of the papers with attachments being inserted into the papers. The Councillor finds the report slower to read.

The General Manager will review the format.

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

On Wednesday 20 April 2011 a meeting will be held with the Aged Care Committee commencing at 9.00am. A meeting will then be held with representatives from OPTA commencing at 10.00am. Councillors are welcome to attend both meetings.

Page 24 of the Minutes of the duly convened Ordinary Meeting of Oberon Council held at the Council Chambers, Oberon on Tuesday, 19 April 2011, commencing at 5.30pm.

\_\_\_\_\_  
General Manager

\_\_\_\_\_  
Mayor



Council rose for dinner at 8.24pm.

Council resumed at 8.58pm.

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## 15 Closed Session Reports

### 15.01.01 Albion Street Land

File No: E38.4

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 Seniors Welfare Committee

File: A2.30

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)

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### 15.01.03 Investments – Legal Action Update

File Nos: A6.2, C17.2.2

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

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**15.01.04 Outstanding Rates, Charges and Legal Costs**

File: PR188.54

This item is classified CONFIDENTIAL under section 10A(2)(b) and (g) 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
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege

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Moved: O’Bernier  
Second: McMahon

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 38190411

*Council closed the meeting at 8.58 pm. There were no members of the public present at this point in time.*

Moved: Fitzpatrick  
Second: O’Bernier

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

Carried 39190411

*Open Council resumed at 9.32pm.*

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

**15.01.01 Albion Street Land**

File No: E38.4

Moved: O’Bernier  
Second: Handelsmann

That no action be taken in relation to this matter.

The motion was put and lost.

Moved: Sullivan  
Second: McMahon

That Lot 5, DP 241148 be offered for sale.

Carried 40190411

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**15.01.02 Seniors Welfare Committee**

File: A2.30

Moved: Handelsmann  
Second: McCarthy

That the following nominations be endorsed to form the Oberon Council 355 Seniors Welfare Committee:

- Mr Mark Boffa
- Ms Joanne Campbell
- Mr Ian Davis
- Mr Ray Mawhood
- Ms Janice Musgrave
- Mr Graham Parker
- Mr Ian Whalan
- Ms Jill Evans
- Ms Belinda Massey

Further that Council invite the Member for Bathurst to be an Observer on this committee and further that the Charter as presented for the Oberon Council 355 Seniors Welfare Committee be endorsed by Council.

Carried 41190411

Councillor O’Bernier withdrew as the Council’s delegate from the committee.

**15.01.03 Investments – Legal Action Update**

File Nos: A6.2, C17.2.2

Moved: McCarthy  
Second: Fitzpatrick

That the information be received and noted.

Carried 42190411

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**15.01.04 Outstanding Rates, Charges and Legal Costs**

File: PR188.54

Moved: McMahon  
Second: Doney

That the information be received and noted.

Carried 43190411

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

File No: E39.6

Councillor Francis discussed the fact that Council has approached Forestry regarding Bidy Bush infestation. The Councillor is concerned that Private Forest areas are also infested. Councillor Francis asked if Council can approach private forest owners to ask them to reduce infestations on their land.

## 16 Closure of Meeting

The next Ordinary Meeting of Oberon Council will be held on 17 May 2011, commencing at 5.30pm in the Oberon Council Chambers, 137 – 139 Oberon Street, Oberon.

This concluded the business and the meeting rose at 9.40 pm.

Confirmed this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

\_\_\_\_\_  
General Manager

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
General Manager

\_\_\_\_\_  
Mayor