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**OBERON COUNCIL**

*Unconfirmed Minutes  
Oberon Council Ordinary Meeting  
Tuesday 15 February 2011  
5.30pm Council Chambers*

5.30pm	Opening of meeting
5.30pm – 6.10pm	Presentation from Ashay Prabhu – ACEAM regarding Assets Management System
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 5.30pm.

## 02 Prayer

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The Meeting was opened in prayer by Pastor Andy Godden.

## 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 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    Councillor Zsuzsanna Handelsmann

Moved:        Doney  
Second:      O'Bernier

That apologies be received and accepted for the non-attendance of Councillor Zsuzsanna Handelsmann.

Carried 01150211

## 04 Questions from the Public

None received.

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Mr Ashay Prabhu of the Australian Centre for Excellence in Assets Management (ACEAM) provided a presentation to Council regarding the draft Asset Management Plan as submitted.

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

File: A1.2.1

Ordinary Meeting 14 December 2010



141210 Unconfirmed  
Minutes 14 December

Moved: Doney  
Second: Fitzpatrick

That the Minutes of the duly convened Ordinary Meeting held on 14 December 2010 be taken as read and confirmed.

Carried 02150211

Matters Arising from the Minutes

Nil

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## 06 Declarations of Interest

File: A1.2.1

Pecuniary	-	Nil
Conflicts	-	Nil
Staff	-	Nil

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

\_\_\_\_\_  
Mayor

## 07 Mayoral Minute and Report

File: A1.2.1

### A. Meetings

1. Meeting with General Manager and LGSA representative regarding General Manager Performance Contract – 8 December 2010
2. Oberon Promotions Committee Meeting – 9 December 2010
3. Meeting with representatives from Boral – 9 December 2010
4. National Timber Council Executive Meeting (Phone Conference) – 9 December 2010
5. Ordinary Council Meeting – 14 December 2010
6. Meeting with representatives of Oberon RSL Sub-Branch regarding Official Opening of Ataturk Stone – 15 December 2010
7. Meeting with Shadow Minister for Industry, Duncan Gay – 18 January 2011
8. Meeting with Gerard Martin – 19 January 2011
9. National Timber Council Executive Meeting (Phone Conference) – 31 January 2011
10. Works Committee Meeting – 2 February 2011
11. Finance Committee Meeting – 7 February 2011

### B. Representation

1. Oberon Business Association Awards Dinner – 8 December 2010
2. Oberon High School Annual Presentation Night – 9 December 2010
3. Oberon Public School Annual Presentation Night – 13 December 2010
4. St Joseph's Central School Annual Presentation – 14 December 2010
5. Friends of the Oberon Library Christmas Function – 14 December 2010
6. Oberon Junior Sports Awards – 15 December 2010
7. Citizenship Ceremony – 15 December 2010
8. Official Opening of Ataturk Stone – 18 December 2010
9. Oberon Community Pacing Day – 23 January 2011
10. Australia Day Cocktail Function – 25 January 2011
11. Australia Day Celebrations – 26 January 2011

### C. Correspondence

Correspondence was received from:

1. The Hon Jodi McKay MP, Minister for Women regarding Council's 2011 International Women's Day Grant Application
2. Oberon High School regarding School Based Trainee program
3. Invitation to attend the Oberon Junior Sports Awards to be held on 15 December 2010

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General Manager

\_\_\_\_\_  
Mayor

4. Blue Mountains Association of Cultural Heritage Organisations regarding a meeting to discuss the commemoration of the 200<sup>th</sup> anniversary of the first European crossing of the Blue Mountains in 1813
5. Burruga Public School – letter of thanks for donation
6. Auburn City Council apologising for not attending the Official Unveiling of the Ataturk Stone and passing on best wishes for the event
7. National Tree Day 2011 – invitation to participate in 2011 National Tree Day program
8. Invitation to attend the Highlands Steam and Vintage Fair to be held on 11<sup>th</sup>, 12<sup>th</sup> and 13<sup>th</sup> February 2011
9. Bathurst Harness Racing Club Inc. – invitation to attend Oberon Community Race Meeting to be held on 23 January 2011
10. Highlands Steam and Vintage Fair – invitation to sponsors and stakeholders afternoon tea to preview the event – 1 February 2011
11. Rear Admiral Ken Doolan AO RAN (Retd) expressing thanks following the unveiling of the Ataturk Stone
12. Invitation to attend the Oberon Correctional Centre Waitangi Day to be held on Friday 25<sup>th</sup> February 2011
13. Invitation to officiate at the Oberon Arts Council's Opening of the Community Artworks in The Common – Saturday 13<sup>th</sup> March 2011

The Mayor advised that a meeting has been arranged with Commander Michael Robinson and Inspector Tony Hoolihan from the Chifley Local Area Command for Wednesday 16 February 2011, commencing at 10.00am to discuss manning levels in the Oberon LGA.

The Mayor commented on the tremendous success of the Highland Steam and Vintage Fair held on 14 – 16 February 2011 and the large number of volunteers who helped to make the weekend such a success.

Moved: McMahan  
Second: McCarthy

That a letter of congratulations be forwarded to the organisers of the Highland Steam and Vintage Fair for the outstanding job done at the recently held fair.

Carried 03150211

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## **08 Councillor Reports**

Nil

## 09 Delegates Reports

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### 09.01.01 Traffic Advisory Local Committee Meeting

File No: A2.2

Moved: Fitzpatrick  
Second: McCarthy

1. That the Minutes of the Traffic Advisory Local Committee meeting held on 22 December 2010 be accepted.
2. That the application for 25m B-Double access on Moss Grove Road off Campbells River Road not be approved.
3. That the application for 25m B-Double access on Edith Road and Bastard Point Road not be approved.
4. That the application for 25m B-Double access on Arkstone Road west of Campbells River Road, and on Jeremy road, not be approved.

Carried 04150211

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### 09.01.02 Minutes of the Oberon Promotions Committee Meeting

File No: A2.17

Moved: Doney  
Second: Gibbons

That the minutes of the Oberon Promotions Committee discussion held on Thursday 9<sup>th</sup> December 2010 be received for information.

Carried 05150211

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**09.01.03 Minutes of the Timber Heritage Walk Committee**

File No: A2.27

Moved: Fitzpatrick  
Second: Francis

That the Minutes of the Timber Heritage Walk Committee held on the 6 December 2010 be received for information.

Carried 06150211

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**09.01.04 Minutes of the Heritage Committee**

File No: A2.27

Moved: McMahon  
Second: Fitzpatrick

- a. That the Minutes of the Heritage Committee meeting held on the 6 December 2010 be received for information.
- b. That a letter of appreciation be forwarded to Mr MacKenzie for his input and time spent on the Heritage committee.
- c. That a letter of thanks be forwarded to the Coxs Road Committee for their assistance with the Old Coxs Road Heritage signs.
- d. That the section of the Old Coxs Road that passes through the Oberon LGA be recommended for listing on the State Heritage Register.
- e. That a letter be sent to Lithgow City Council requesting that they address the preservation of the Old Coxs Road located in their LGA near Fish River with a view of protecting it for the future.

Carried 07150211

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**09.01.05 Events Committee Meeting Minutes**

File No: A2.5

Moved: O’Bernier  
Second: Gibbons

That:

1. The Minutes of the Events Committee Meeting held on 1 February 2011 be received and noted.
2. The Rotary Club of Oberon be invited to facilitate the Open Gardens component of the 2011 Oberon Spring Gardens Festival.
3. It be noted that the Rotary Club will endeavour to engage the Oberon Garden Club’s assistance to conduct the Open Gardens event.
4. Council support, in principle, the proposed endurance mountain bike ride on 16 October 2011 subject to further clarification of the proposed event.

Carried 08150211

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**09.01.06 Library Committee Meetings Minutes**

File No: A2.8

Moved: O’Bernier  
Second: McCarthy

That:

1. The Minutes of the Library Committee Meetings held on 7 December 2010 and 1 February 2011 be received and noted.
2. Council approach Christine Parker to attend the meeting of the Country Public Libraries Association to be held in Sydney on 4 March 2011.

Carried 09150211

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## 10 Director of Development Reports

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Moved: O’Bernier  
Second: Fitzpatrick

That item 10.02.03 be brought forward and dealt with at this point in time.

Carried 10150211

### 10.02.03 Development Application 154/05

File: PR16.54

Moved: McMahon  
Second: O’Bernier

That the works undertaken on the property access associated to Development Application 154/05 (which lapsed on the 29 January 2010) in accordance with Construction Certificate 11.2004.154.1 at Lots 1 and 2 in DP: 390371, Lot 10 in DP: 111675 and Lot 130 in DP: 757047, “Ryan View”, 54 Sloggetts Road, Oberon be considered as physical commencement in accordance with staff merit assessment.

Carried 11150211

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

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

Moved: O’Bernier  
Second: McMahon

That Council’s Policy, Lapsing of Development Consents, in respect of Physical Commencement be removed from Councils policy register to enable each application to be assessed on its merits and with consideration of the requirements of the Environmental Planning and Assessment Act, 1979, the proposed amendments to the Regulations and to the appropriate case law applicable at the time of assessment.

Carried 12150211

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

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

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**10.01 Reports for Information**

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**10.01.01 Monthly Update Report – Development Department**

File: A1.2.1

Moved: McCarthy  
Second: McMahan

That the information be received and noted.

Carried 13150211

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**10.01.02 Director of Development Status Report**

File: A1.2.1

Moved: McCarthy  
Second: McMahan

That the information be received and noted.

Carried 14150211

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**10.02 Reports for Decision**

**10.02.01 Development Application: 10.2010.86.1**

File: PO47.73-99

Moved: Fitzpatrick  
Second: O’Bernier

Council endorse the refund of application fees totalling \$519.00 paid on 18/11/2010 in respect to Development Application 10.2010.86.1, Construction Certificate 11.2010.86.1 and On-Site Waste Water (Section 68) Application No 20.2010.16.1 for a proposed meeting room and toilet facilities at Lot 3 in DP: 758805, Ross Street Oberon, as requested by the Oberon Men’s Shed in accordance with Councils Policy Number 2209, upon approval of the abovementioned applications.

Carried 15150211

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

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

**10.02.02 Development Application 10.2011.2.1**

File: PO11.41

Moved: McMahon  
Second: Francis

That subject to Council receiving no submissions from the neighbour notification;

- Part C.5.5 “*Building Height Planes*” of the Development Control Plan 2001 is varied to allow the construction of a new garage 0.9m off the Northern and Western property boundaries at Lot 5 DP 32231, 41 Carrington Avenue Oberon.
- That Part C.6.4 “*Carports and Garages*” of the Development Control Plan 2001 is varied to allow the construction of a new garage approximately 72m<sup>2</sup> at Lot 2 in DP 758805, 18 Dart Street Oberon.

Carried 16150211

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

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

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**10.03.01 General Business – Development**

Nil

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

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**11.01 Reports for Information**

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

File: A1.2.1

Moved: O’Bernier  
Second: McCarthy

That the information be received and noted.

Carried 17150211

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**11.01.02 Statement of Bank Balances and Investments**

File: C17.1

Moved: O’Bernier  
Second: McCarthy

That the information be received and noted.

Carried 18150211

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**11.01.03 Staff Appointments**

File: C19.1

Moved: O’Bernier  
Second: McCarthy

That the information be received and noted.

Carried 19150211

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**11.01.04 Director of Corporate Services Status Report**

File: A1.2.1

Moved: Doney  
Second: O’Bernier

That the information be received and noted.

Carried 20150211

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**Jenolan Caravan Park**

File: PO14.7

Moved: Doney  
Second: O’Bernier

That a review be undertaken regarding the lease arrangements in relation to Jenolan Caravan Park and that the review take into consideration Council’s capital investment in the facility, the process of the Department of Land’s involvement in the light of the potential sale of the lease and the terms of the lease.

Carried 21150211

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**11.02 Reports for Decision**

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**11.02.01 Integrated Planning and Reporting Implementation**

File: C15.7

Moved: McCarthy  
Second: Gibbons

That the revised schedule for the implementation of the Local Government Amendment (Planning and Reporting) Act 2009 be adopted.

Carried 22150211

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**11.02.02 Assets Management Plan**

File: C15.7

Moved: Fitzpatrick  
Second: McMahon

That:

1. The first draft of Council's Assets Management Plan as presented be received for information.
2. The draft plan be reviewed by the Executive Management Team.
3. Following the review by the Executive Management Team, a workshop for Councillors be arranged to facilitate their input to the plan.

Carried 23150211

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**11.02.03 Requests for Donations**

File: A3.3

Moved: McMahon  
Second: O'Bernier

That:

1. The invitation to participate in the 2011 Bush Bursary/Country Women's' Association Scholarship Scheme be declined.
2. A donation of \$140 be made to the Oberon Writers' Workshop for sponsorship of the 3<sup>rd</sup> Oberon Young Writers' Competition.

Carried 24150211

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**11.02.04 Review of Management Plan – Quarter 2 2010/2011**

File: C15.5

Moved: O'Bernier  
Second: Doney

That the Quarter 2 Management Plan review for 2010/2011 be received and noted.

Carried 25150211

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General Manager

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Mayor



**11.02.05 Finance Committee Meeting Minutes**

File No: A2.14

Moved: Fitzpatrick  
Second: O’Bernier

That:

1. That the minutes from the February 7 2011 Finance Committee Meeting be received for information.
2. That a sale price be set for the residential property at 70 Dart Street Oberon as advised to the General Manager
3. That the property be listed with both of the local agents, Ray White Rural and First National Real Estate; and
4. That authority be delegated to the General Manager to negotiate a figure to a minimum value as advised to the General Manager should a counter-offer be received.
5. That the Quarter 2 Budget Review Statements for 2010/2011 be received and noted and the revised budgeted income and expenditure items be voted including provision for a reduction in the budgeted capital works on Beaconsfield Road by \$200,000 to be reviewed following completion of the major RTA works on The Mount.
6. That the information relating to New South Wales rate pegging limits be noted and that the draft budget for 2011/2012 include provision for a 2.8% increase in costs of materials and contracts, and an increase of 2.8% in ordinary rates levied.

Carried 26150211

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**11.02.06 Oberon Swimming Pool – Potential Extension of 2010-2011 Opening Period**

File: D55.3.1

Moved: Fitzpatrick  
Second: O’Bernier

That, as no provision has been made in the current budget, no action be taken to extend the period of operation of the Oberon Swimming Pool beyond the planned and budgeted dated of 20 March 2011.

Carried 27150211

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General Manager

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Mayor

**11.03.01 General Business – Corporate Services**

Nil

## 12 Director of Engineering Reports

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**12.01 Reports for Information**

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**12.01.01 Monthly Update Report – Engineering Department**

File: A1.2.1

Moved: McMahon  
Second: Francis

That the information be received and noted.

Carried 28150211

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**12.01.02 Director of Engineering Status Report**

File: A1.2.1

Moved: McMahon  
Second: Francis

That the information be received and noted.

Carried 29150211

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**12.02 Reports for Decision**

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**12.02.01 Naming of Council Road – Golden Valley Road, Duckmaloi**

File: E31.9, R215

Moved: O’Bernier  
Second: McMahon

That the name “Golden Valley Road” be accepted by Council and a notification to the public be placed in the Oberon Review advising of Council’s intention to formally name the road and objections be received within the required timeframe of 28 days. Relevant authorities will then be notified in writing of Council’s decision.

Carried 30150211

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**12.02.02 Robinson Park Fencing**

File No: PO40.20

Moved: McMahon  
Second: McCarthy

That the request for Council to contribute towards the cost of fencing part of the boundary of Robinson Park be declined.

Carried 31150211

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**12.02.03 Minutes of the Works Committee Meeting**

File No: A2.3

Moved: Fitzpatrick  
Second: McMahon

That:

1. The Minutes of the Works Committee Meeting held on 2 February 2011 be received and accepted.
2. That the Director of Engineering inspect and commence appropriate negotiations with surrounding landholders from Jeremy Road with a view to realign access onto Arkstone Road.

Carried 32150211

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General Manager

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Mayor

**12.03.01 General Business – Engineering**

File: E31.1

Councillor McCarthy asked if a plan of works has been completed to the end of the current financial year.

The Director of Engineering advised that a 12 months works plan which is flexible dependent on changing conditions is in place. A report will be provided to Council regarding this matter.

Councillor Gibbons raised concerns regarding the width of the bridge at the foot of the hill on the Edith Road.

Moved: Gibbons  
Second: Fitzpatrick

That the Traffic Local Advisory Committee be requested to evaluate moving the speed limit signs on Edith Road to the eastern side of the bridge.

Carried 33150211

Councillor Francis asked if any progress had been made with locating gravel for work on Schumachers Road. The Director of Engineering advised that a source of gravel has been identified and work will be completed when possible.

Moved: Francis  
Second: McMahon

That signs be erected on Schumachers Road that say “No Through Road When Wet” as the road is accessible during dry weather.

Carried 34150211

## 13 General Manager Reports

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### 13.01 Reports for Information

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#### 13.01.01 Monthly Update Report – General Manager

File: A1.2.1

Moved: McCarthy  
Second: Fitzpatrick

That the information be received and noted.

Carried 35150211

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#### 13.01.02 Lachlan Regional Transport Committee

File: E31.15.2

Moved: McCarthy  
Second: Fitzpatrick

That the information be received and noted.

Carried 36150211

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#### 13.01.03 General Manager Status Report

File: A1.2.1

Moved: McCarthy  
Second: Fitzpatrick

That the information be received and noted.

Carried 37150211

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**13.02 Reports for Decision**

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**13.02.01 Australia Local Government Women's Association**

File: A1.1

Moved: McMahon  
Second: Doney

That Council decline to take up membership of the Australian Local Government Women's Association.

Carried 38150211

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**13.02.02 Upcoming Meetings**

File: A1.2.1

Moved: Doney  
Second: O'Bernier

1. That Councillor O'Bernier and the Director of Engineering attend the Australian Water Congress 2011 if they deem it worthwhile.
2. That Councillor Sullivan, the General Manager and other interested Councillors attend the half day Building Better Communities with Tourism Seminar being held on 9 March 2011.
3. That the dates for the National General Assembly of Local Government and the National Local Roads and Transport Congress be noted for future opportunities.

Carried 39150211

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**13.03.01 General Business – General Manager**

**Heritage Interpretive Signs**

File: A2.22

Councillor McCarthy raised the matter of construction of structures for three interpretive signs for Black Springs, O'Connell and Burruga. The contractor who had been engaged to construct the interpretive signs is now unable to complete the work.

Moved: McCarthy  
Second: O'Bernier

That the General Manager explore options for the construction of the heritage interpretive sign frame structure and proceed on the basis of obtaining new quotes for such work.

Carried 40150211

**Fundraiser for Flood Victims**

File: A3.1

The Mayor acknowledged the Art Work which has been created by William Dixon and will be displayed in the foyer of the Oberon Council for silent auction to raise money for the victims of the floods.

**Golden Valley Road**

File: R215

Mr Lee Cook raised the matter of Golden Valley Road from the gallery and advised that he believes there are two roads with the same name within the LGA. The Director of Engineering noted the comments will investigate the matter.

## 14 Closed Session Reports

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

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

*The matters and information are the following:*

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

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### 14.01.01 Legal Costs Update

File No: A6.2

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*



**14.01.02 Water Restrictions**

File: E32.1

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
- 

**14.01.03 Potential Public Liability Claims Register**

File: C25.6

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

**14.01.04 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.
- 

**14.01.05 General Manager's Key Performance Indicators**

File: Personnel

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

\_\_\_\_\_  
Mayor

**14.01.06 Update of Actions – Draft Land Use Strategy**

File: D52.2.1

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

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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 41150211

*Council closed the meeting at 7.44pm. The members of the public present at this point in time left the meeting.*

Moved: O’Bernier  
Second: McMahon

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

Carried 42150211

*Open Council resumed at 8.20pm.*

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.

**14.01.01 Legal Costs Update**

File No: A6.2

Moved: McCarthy  
Second: Gibbons

That the information be received and noted.

Carried 43150211

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**14.01.02 Water Restrictions**

File: E32.1

Moved: McCarthy  
Second: Gibbons

That the water restrictions currently in place be lifted to Level 1 restrictions.

Carried 44150211

Councillor O’Bernier requested that his vote against the motion be recorded.

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**14.01.03 Potential Public Liability Claims Register**

File: C25.6

Moved: McCarthy  
Second: McMahon

That the information be received and noted.

Carried 45150211

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**14.01.04 Investments – Legal Action Update**

File Nos: A6.2, C17.2.2

Moved: McCarthy  
Second: Francis

That the information be received and noted.

Carried 46150211

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General Manager

Mayor

**14.01.05 General Manager's Key Performance Indicators**

File: Personnel

Moved: McCarthy  
Second: Fitzpatrick

That the information be received and noted.

Carried 47150211

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**14.01.06 Update of Actions – Draft Land Use Strategy**

File: D52.2.1

Moved: McMahon  
Second: McCarthy

That the information be received and noted.

Carried 48150211

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

**Country and Regional Living Expo 2011**

File: P72.6

Moved: McCarthy  
Second: Fitzpatrick

That the matter regarding the Country and Regional Living Expo for 2011 be tabled for discussion.

Carried 49150211

Moved: Fitzpatrick  
Second: O'Bernier

That Council reaffirms its November 2010 resolution and will not consider any proposal to participate at the 2011 Country and Regional Living Expo.

Carried 50150211

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General Manager

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Mayor

## Road Safety Matters

File: A1.2.1

Councillor Doney raised concerns over road safety on rural roads. The Councillor's comments were noted.

## Cadetship

File: A1.2.1

Councillor Doney also advised that a cadetship is currently being run by the Rural Fire Service for students at St Joseph's Central School. The General Manager will make enquiries regarding the program.

## Section 355 Committee Meeting Schedule

File: A2.1

Councillor McCarthy raised the issue of Minutes from Committee Meetings not being presented to Council in a timely fashion. The General Manager will review the meeting schedule to enable the minutes to be presented in a more timely fashion.

## 16 Closure of Meeting

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

This concluded the business and the meeting rose at 8.29pm.

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

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

\_\_\_\_\_  
Mayor

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

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Mayor