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OBERON COUNCIL

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

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General Manager

Mayor

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General Manager

Mayor

01 Opening of Meeting

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

02 Prayer

The Meeting was opened in prayer by Pastor Andy Godden.

03 Record of Attendance

Members	Cr Keith Sullivan, Mayor - Chair Cr John McMahon, Deputy Mayor Cr Ian Doney 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	Cr Don Fitzpatrick
Moved:	O'Bernier
Second:	McMahon

That apologies be received and accepted for the non-attendance of Cr Don Fitzpatrick.

Carried 01150311

04 Questions from the Public

Ms Kathy Sajowitz asked on behalf of 43 concerned community members before the decision is taken to relocate the Bicentenary tapestries from their present location at Cobweb to the new extension at the Community Centre will there be community consultation to explain to interested parties why this move is deemed necessary? If no community consultation is planned can Council please explain why not, considering the extensive community involvement in the design and sewing of the works?

The Mayor responded advising there has been some previous advice to the community regarding the relocation of the tapestries and further community consultation will be undertaken. One of the reasons for constructing the extension was to house the tapestries for several reasons including security of this valuable community asset. The tapestries will need to be cleaned and security will be in place in the Community Centre to ensure that the tapestries cannot be touched or damaged. Appropriate lighting will also need to be installed. The Community Centre extension has been designed to accommodate these and other cultural displays. The General Manager has been asked to develop a protocol for the Community Centre.

05 Confirmation of Minutes of Previous Meeting(s)

Ordinary Meeting 15 February 2011



110215 -
Unconfirmed Minutes :

Moved: O'Bernier
Second: Francis

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

Carried 02150311

Matters Arising from the Minutes

Nil

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General Manager

Mayor

06 Declarations of Interest

Pecuniary	-	Nil
Conflicts	-	<p>Councillor McMahon declared an interest in item 11.02.03 of the staff report. Councillor McMahon is related to the author of the correspondence contained in the report.</p> <p>Councillor Gibbons declared an interest in item 14.01.04 of the Confidential Staff Report. Councillor Gibbons is related to the applicant.</p>
Staff	-	Nil

07 Mayoral Minute and Report

A. Meetings

1. E Division Meeting, Cowra – 11 February 2011
2. Ordinary Council Meeting – 15 February 2011
3. Meeting with Chifley LAC Commander Michael Robinson and Inspector Tony Hoolihan – 16 February 2011
4. Meeting with Pat Bird, Bird Legal – 16 February 2011
5. Works Inspection – 17 February 2011
6. One Association Conference – 23 February 2011
7. Meeting with representatives of NSW Fire Service – 28 February 2011
8. Meeting with Department of Planning representatives in Orange – 2 March 2011
9. Community Safety Precinct Committee Meeting, Bathurst – 7 March 2011
10. Meeting with Bill Wilcox of Oberon RSL Sub-branch – 9 March 2011 regarding advice that the Mayor of Eceabat, Kemal Dokuz will be visiting Oberon for the 2011 ANZAC Day Celebrations

B. Representation

1. Highland Steam and Vintage Fair – 11 – 13 February 2011
2. William Dickson, Oberon Correctional Centre Inmate to receive a painting to be auctioned for QLD Flood Victims – 15 February 2011
3. 111th Oberon Show – 19 - 20 February 2011
4. International Women's Day – 8 March 2011

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General Manager

Mayor

C. Correspondence

1. From Central West Catchment Management Authority - Invitation to Dubbo business forum on operating sustainably to be held on 24 February 2011
2. Invitation to attend the Oberon Showgirl Cocktail Function – 11 February 2011
3. Invitation to attend the LGSA Tourism Conference 2011 – 9 – 11 March 2011
4. Invitation to attend the NSW National's State Election Campaign Launch in Dubbo on Sunday 27 February 2011
5. Shires Association of NSW regarding One Association and the NSW Aboriginal Land Council received on 2 March 2011
6. Letter from the Hon Phillip Costa MP regarding the FRWS Water Sharing Arrangements – 3 March 2011
7. Letter from Barry O'Farrell, NSW Liberal Leader regarding the NSW Liberals and Nationals policy of Voluntary Local Government Amalgamations received on 9 March 2011.
8. Invitation to attend the Burruga Ag Bureau Seniors Week Luncheon 2011 on 24 March 2011.

The Mayor also raised the following matters for discussion.

1. It is suggested that Council introduce a perpetual plaque for Australia Day Citizen of the Year recipients.
2. Advice has been received that the Mayor of Eceabat will visit Australia and attend ANZAC Day celebrations in Oberon. The Mayor will arrive in Oberon on 24 April 2011 and spend the day with Councillors and staff, he will then spend ANZAC Day with the Oberon RSL Sub-branch and return to Sydney on 26 April 2011.
3. The issue of children swimming in the dams at the Oberon Common has been raised. Staff have been requested to erect signs at the Common.
4. One Association – currently doing some work on the proposal, indications are that if the proposal goes ahead smaller rural Council's will have no say at all.
5. The General Manager is still pursuing communications issue and the National Broadband rollout.

Keith Sullivan
Mayor

08 Councillor Reports

Nil

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General Manager

Mayor

09 Delegates Reports

09.01.01 Minutes of the Heritage Committee

File No: A2.27

It was noted that there is an error in the Minutes of the Heritage Committee Meeting. Philippa Gemmell-Smith declared an interest in Item G at the Heritage Committee Meeting and left the room during the discussion. The minutes will be amended to reflect this change.

Moved: McCarthy
Second: Handelsmann

That:

1. The Minutes of the Heritage Committee held on the 7 February 2011 be received for information.
2. The Heritage Committee support Philippa Gemmell-Smith by matching the \$1,000 grant from the Royal Australian Historical Society with \$1,000 from the Heritage fund.
3. The Heritage Committee sees the project of updating the Thematic History of Oberon as an important part of the 2013 Sesquicentenary Celebration (150 years since the declaration of Oberon as a Village) and consideration should be given in the 2012 and 2013 budgets for further funding to assist this project, to ensure completion.
4. A contribution be made from the Heritage Fund towards the cost of photocopying/scanning of the history of 'Gingkin Station' documents to the value of \$500 collated by Philippa Gemmell-Smith with a copy to go to the Library subject to the consent of the current owner Mr Brett Bailey.

Carried 03150311

10 Director of Development Reports

10.01 Reports for Information

File No: A1.2.1

Moved: McMahon
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 04150311

10.01.01 Monthly Update Report – Development Department

File No: A1.2.1

Moved: McMahon
Second: O'Bernier

That the information be received and noted.

Carried 05150311

10.01.02 Local Development Performance Monitoring 2009-10

File: D50.5

Moved: McMahon
Second: O'Bernier

That the information be received and noted.

Carried 06150311

10.01.03 Director of Development Status Report

File: A1.2.1

Moved: McMahon
Second: O’Bernier

That the information be received and noted.

Carried 07150311

10.02 Reports for Decision

10.02.01 Section 96 (A1) Modification 10.2005.349.2 to Development Consent 349/05

File: PO38.79 and PO38.81

Moved: McMahon
Second: Gibbons

That the matter be dealt with as two separate items.

Carried 08150311

Moved: McMahon
Second: Gibbons

That the Section 96 (A1) Modification 10.2005.349.2 to Development Consent 349/04 for the retrospective approval for a front fence on Lot 43 DP: 1009069 and Lot 7 DP: 2364, 79 – 81 North Street, Oberon be approved.

Carried 09150311

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, Gibbons, McCarthy, and Handelsmann
Votes against: Councillor O’Bernier

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General Manager

Mayor

Moved: Sullivan
Second: McMahon

That the Section 96 (A1) Modification 10.2005.349.2 to Development Consent 349/05 for the retrospective approval for a further reduction of Common Open Area to increase Private Open Space on Lot 43 DP: 1009069 and Lot 7 DP: 2364, 79 – 81 North Street, Oberon, be refused due to non-compliance with the Oberon Development Control Plan, 2001, Common Open Area, in accordance with Section 79C (1)(a)(iii) of the Environmental Planning and Assessment Act, 1979.

Carried 10150311

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 Handelsmann
Votes against: Nil

10.03.01 General Business – Development

Nil

11 Director of Corporate Service Reports

11.01 Reports for Information

Moved: O’Bernier
Second: McMahon

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 11150311

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 12150311

11.01.02 Statement of Bank Balances and Investments

File: C17.1

Moved: O’Bernier
Second: McMahon

That the information be received and noted.

Carried 13150311

11.01.03 Staff Appointments

File: C19.1

Moved: O’Bernier
Second: McMahon

That the information be received and noted.

Carried 14150311

11.01.04 Director of Corporate Services Status Report

File: A1.2.1

Moved: O’Bernier
Second: McMahon

That the information be received and noted.

Carried 15150311

11.02 Reports for Decision

11.02.01 Conduct Review Committee

File: A2.21

Moved: McMahon
Second: Doney

That the following be confirmed as members of the Central Tablelands Strategic Alliance Conduct Review Committee:

- Mr Pat Bird, Solicitor, Oberon LGA
- Mr Stephen Blackadder, Solicitor, Mid-Western LGA
- Mr David Clarke, Solicitor, Mid-Western LGA
- Mr Steve Flynn, Solicitor, Mid-Western LGA
- Mr Tim Le Fevre, Solicitor, Lithgow LGA
- Mr Russel Sear, Solicitor, Mid-Western LGA
- Mr Ian Woodward, Solicitor, Lithgow LGA

Carried 16150311

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General Manager

Mayor

11.02.02 Requests for Donations

File: A3.3

Moved: Doney
Second: Handelsmann

That a contribution of \$200 be provided to St Joseph's Central School from the 2010/11 Donations Budget.

Carried 17150311

Councillor McMahon declared an interest in Item 11.02.03 of the staff report. Councillor McMahon is related to the author of the correspondence. Councillor McMahon left the chambers at 6.12pm.

11.02.03 Council Traineeships

File: C19.2

Moved: Doney
Second: Handelsmann

That Council refer provision for one Local Government Administration School-Based traineeship for consideration in the 2011/2012 budget deliberations.

Carried 18150311

Councillor McMahon returned to the Chambers at 6.15pm.

11.02.04 Upper Macquarie County Council Funding

File: E39.6

Moved: McMahon
Second: Francis

That Council refer the provision of \$86,749 to the 2011/2012 budget in relation to the Upper Macquarie County Council contribution.

Carried 19150311

11.03.01 General Business – Corporate Services

Nil

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General Manager

Mayor

12 Director of Engineering Reports

12.01 Reports for Information

Moved: McCarthy
Second: O’Bernier

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 20150311

12.01.01 Monthly Update Report – Engineering Department

File: A1.2.1

Moved: McCarthy
Second: O’Bernier

That the information be received and noted.

Carried 21150311

12.01.02 Progress of 2010/11 Road Projects

File No: E31.1

Moved: McCarthy
Second: O’Bernier

That the information be received and noted.

Carried 22150311

12.01.03 Director of Engineering Status Report

File: A1.2.1 and F90.4

Moved: McCarthy
Second: O’Bernier

That the information be received and noted.

Carried 23150311

Moved: Sullivan
Second: O’Bernier

That the matter of the Headquarters of the Chifley Zone being at Oberon be raised again following the outcome of the State Government election.

Carried 24150311

12.02 Reports for Decision

12.02.01 Fish River Water Supply Review

File No: E32.2

Moved: McMahan
Second: McCarthy

That the Minister for Water and staff involved with the review be congratulated on the progression of the Review of the Fish River Water Supply water sharing arrangements, notwithstanding this Council remains concerned regarding the access by Delta and SCA from Duckmaloi Water supply with regards to the wording and intent being preferential rather than mandatory.

Carried 25150311

12.02.02 Stormwater Harvesting Scheme

File No: E32.11

Moved: O’Bernier
Second: Handelsmann

That the information be received and noted.

Carried 26150311

12.02.03 Oberon Waste Depot Licence

File No: E35.1

Moved: McCarthy
Second: O’Bernier

That the information be received and noted.

Carried 27150311

12.02.04 Oberon Sports Complex Works Program

File No: E34.9.1

Moved: O’Bernier
Second: Gibbons

That an application be submitted under the Communities NSW Sport and Community Facilities Program for funding to the value of \$41,000 for sporting field enhancements. Further that a provision of matching funds of \$41,000 from the 2011-12 budget be allocated to this project.

Carried 28150311

12.02.05 Local Emergency Management Committee

File No: A3.5.2

Moved: McMahon
Second: O’Bernier

That the following organisations be represented on the Local Emergency Management Committee:

- NSW Police
- Fire and Rescue NSW
- SES
- RFS
- Ambulance Service
- Forests NSW
- NPWS
- Jenolan Gaves Reserve Trust
- Livestock Health and Pest Authority
- Oberon Hospital
- Country Energy
- Department of Community Services
- Department of Corrective Services
- State Water

Carried 29150311

12.02.06 CSR Rehabilitation of Kings Stockyard Creek

File No: E35.1

Moved: McMahon
Second: O’Bernier

That the information regarding CSR disposing suitable cover material at the Oberon Waste Depot be noted.

Carried 30150311

12.03.01 General Business – Engineering

Dart Street Footpath Construction

File No: E31.2.1

Councillor McCarthy requested an update regarding the status of the project to construct a footpath between Mitre 10 and the corner of Dart and Ross Streets.

The Director of Engineering advised that the works are scheduled to be commenced within the next six weeks.

Parking at the Common

File No: E34.9

Councillor Gibbons raised the matter of vehicles being parked along the Edith Road roadside adjacent to the Common and asked if it is possible to move the fence line along Edith Road to allow cars to park nose in rather than parking along the side of the road.

Discussion was held regarding this matter and staff are requested to investigate.

13 General Manager Reports

13.01 Reports for Information

Moved: McMahon
Second: Handelsmann

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 31150311

13.01.01 Monthly Update Report – General Manager

File: A1.2.1

Moved: McMahon
Second: Handelsmann

That the information be received and noted.

Carried 32150311

13.01.02 Minutes E Division Meeting

File: A1.4.3

Moved: McMahon
Second: Handelsmann

That the information be received and noted.

Carried 33150311

13.01.03 General Manager Status Report

File: A1.2.1

Moved: McMahon
Second: Handelsmann

That the information be received and noted.

Carried 34150311

13.02 Reports for Decision

13.02.01 Telecommunications

File: A3.4

Moved: McCarthy
Second: McMahon

That Mayor, on behalf of Council begin discussions with alternative telecommunications providers with the aim being to address mobile phone coverage throughout the Oberon LGA.

Carried 35150311

13.02.02 Seniors Welfare Committee

File: C22.4

Moved: McMahon
Second: O'Bernier

That Council establish a 355 Committee, known as the Seniors Welfare Committee, with the charter of offering Council input, feedback and recommendations on matters pertinent to the resident over 55 years population of the Oberon Local Government Area.

Carried 36150311

Moved: McMahon
Second: Doney

That Councillors Sullivan, O’Bernier and Gibbons be the nominated Council representative on the Seniors Welfare Committee.

Further that the Expressions of Interest for membership of the Seniors Welfare Committee be considered by the nominated Councillors and suitable persons be invited to a preliminary meeting of the proposed committee to establish current issues.

Carried 37150311

13.02.03 Kanangra Classic MTB

File No: 72.1

Moved: Doney
Second: McMahon

That Council facilitate and coordinate the Family Fun and Learning Day in conjunction with the MTB October 2011 event.

Carried 38150311

13.02.04 Sale of Dart Street Property

File: PO16.70

Moved: McCarthy
Second: Francis

That the matter be deferred to the April 2011 Ordinary Meeting.

Carried 39150311

13.02.05 Upcoming Meetings

File: A1.2.1

Moved: McMahon
Second: McCarthy

That the Mayor, Councillor Fitzpatrick and the General Manager be nominated to attend the Shires Association of NSW Annual Conference 2011.

Carried 40150311

Moved: McCarthy
Second: McMahon

That no Councillor attend the Local Government and the NBN Summit on 4 May 2011.

Carried 41150311

13.03.01 General Business – General Manager

Nil

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

Kerbside Recycling

E35.4

Moved: Doney
Second: Sullivan

That the Director of Engineering be requested to investigate the cost of a kerbside recycling program.

Carried 42150311

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General Manager

Mayor

Overgrown Vegetation on Town Blocks

File: D52.1

Councillor O’Bernier raised an issue in relation to overgrown house blocks in Oberon. There are several blocks in Oberon that are vastly overgrown. Residents have raised the matter with the NSW Fire Brigade and have been advised that they do not consider these blocks to be a fire hazard under one hectare land mass. Councillor O’Bernier asked if Council can take further action in relation to this matter.

The Acting Director of Development advised that several Notices of Intent to Issue an Order have been processed and this matter will be progressed by staff if no action is taken by the landowner.

Smoking in Public Outdoor Areas

File No: A3.1

Councillor O’Bernier raised the matter of smoking in public outdoor areas following receipt of a letter in relation to this matter.

Moved: O’Bernier
Second: Sullivan

That staff investigate a policy in relation to smoking in public outdoor areas.

The motion was put and lost.

Schumachers Road

File No: R231

Councillor McMahon asked if suitable gravel appropriate for Schumachers Road has been identified.

The Director of Engineering advised that a source of gravel has been identified and that preliminary grading and resheeting will be undertaken as soon as possible on the most affected areas.

Burruga School

File No: PR238.44-66

Councillor Francis asked on behalf of the Burruga School P and C if speed humps could be installed on the street at the front of the Burruga School.

The Director of Engineering advised that Council has received correspondence from the Burruga P and C in relation to this matter and undertook to investigate the options.

Burruga Seniors Week Function

File No: A3.1

An invitation has been received for the Mayor to attend the Burruga Seniors Week Function. Councillor Francis will attend this function on behalf of Council.

Oberon Community Centre Extension

File No: A3.11

Councillor McCarthy requested that a tour be arranged for Councillors to view the extension at the Community Centre. This will be arranged for 22nd March 2011 following the Councillor Briefing Session.

14 Closed Session Reports

14.01.01 Mayoral Minute LEP

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

14.01.02 Garbage Collection Options for Burruga and Black Springs

File No: E35.1

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

14.01.03 Blue Mountains, Lithgow and Oberon Tourism (BMLOT)

File: P73.1

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

14.01.04 Wastewater Refund – Account 12365098

File Nos: C16.1 and PO26.3

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

(b) the personal hardship of any resident or ratepayer

The reason for discussion of this item in closed Committee of Council is that it relates to the personal hardship of any resident or ratepayer and is therefore confidential in accordance with Section 10(2)(b).

14.01.05 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

14.01.06 Investments – Legal Action Update

File No: 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

14.01.07 Jenolan Caravan Park – Oberon

File: PO14.7

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

14.01.08 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

Moved: McMahon
Second: Handelsmann

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 43150311

Council closed the meeting at 7.53pm. The members of the public present at this point in time left the meeting.

Moved: O’Bernier
Second: McMahan

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

Carried 44150311

Open Council resumed at 9.26pm.

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 Mayoral Minute LEP

File: D52.2.5

Moved: Handelsmann
Second: McCarthy

That Council pursue the completion of the LEP withholding the provision of Minimum Lot Size for Rural Lands on the basis that it will be resolved at a later date subject to the provision of funds to conduct a Variable Minimum Lot Size Land Use Study.

Carried 45150311

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, McMahan, Doney, O’Bernier, Gibbons, McCarthy and Handelsmann

Votes against: Nil

14.01.02 Garbage Collection Options for Burruga and Black Springs

File No: E35.1

Moved: Handelsmann
Second: McMahan

That a kerbside collection for Burruga and Black Springs be endorsed for inclusion in the 2011/12 budget process.

Carried 46150311

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General Manager

Mayor

14.01.03 Blue Mountains, Lithgow and Oberon Tourism (BMLOT)

File: P73.1

Moved: McMahon
Second: Sullivan

That this report be received and noted by Council for information.

Carried 47150311

Moved: Sullivan
Second: McMahon

That the General Manager be requested to hold discussions with representatives from Lithgow and Blue Mountains Councils regarding the BMLOT with the view of organising a meeting between the three Councils and the BMLOT Board to discuss shared concerns.

Carried 48150311

Councillor Gibbons declared an interest in item 14.01.04 of the Confidential Staff Report. Councillor Gibbons is related to the applicant. Councillor Gibbons left the meeting at 8.28pm.

14.01.04 Wastewater Refund – Account 12365098

File Nos: C16.1 and PO26.3

Moved: O’Bernier
Second: Handelsmann

That no action be taken in relation to this request until the March quarter reading is taken and a further report be provided in relation to the matter.

Carried 49150311

Councillor Gibbons returned to the Chambers at 8.32pm

Council rose for dinner at 8.33pm

Council resumed at 9.01pm

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General Manager

Mayor

14.01.05 Potential Public Liability Claims Register

For File: C25.6

Moved: McCarthy
Second: O’Bernier

That the information be received and noted.

Carried 50150311

14.01.06 Investments – Legal Action Update

File Nos: A6.2, C17.2.2

Moved: McCarthy
Second: McMahon

That the information be received and noted.

Carried 51150311

14.01.07 Jenolan Caravan Park – Oberon

File: PO14.7

Moved: O’Bernier
Second: Doney

That Council proceed with the establishment of a five year x 4 lease arrangement with the current lessee of the Jenolan Caravan Park, based substantially on the negotiations from December 2009.

Carried 52150311

14.01.08 Outstanding Rates, Charges and Legal Costs

File: PR188.54

Moved: McMahon
Second: McCarthy

That Council proceeds with the action recommended by its solicitor in relation to the outstanding Land and Environment Cost Order.

Carried 53150311

15 New Business of an Urgent Nature Admitted by Council

Civic Function

File No: A3.1

Moved: McCarthy
Second: Sullivan

That Council arrange a Civic Function for Gerard Martin to extend the Oberon communities appreciation and that staff be asked to review venues and costs and liaise with the Mayor.

Carried 54150311

Oberon Sports Complex

File No: A2.29

Councillor McCarthy requested that the use of the parcel of land which accesses the Oberon Sports Complex from Albion Street be evaluated and that a report be provided to the April Ordinary Meeting in relation to this matter.

Glyndwr Avenue Park

File No: E34.2

Staff are requested to investigate the process of converting the block of land at the southern end of Glyndwr Avenue from community to operational land.

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General Manager

Mayor

16 Closure of Meeting

The next Ordinary Meeting of Oberon Council will be held on 19 April 2011, commencing at 5.30pm in the Oberon Council Chambers, 137 – 139 Oberon Street, Oberon.

This concluded the business and the meeting rose at 9.27pm.

Confirmed this _____ day of _____ 2011.

General Manager

Mayor

Unconfirmed

General Manager

Mayor