



Dungog Shire Council

MINUTES

**Ordinary Council Meeting
Wednesday, 22 April 2020**

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Nil

**MINUTES OF DUNGOG SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, BROWN STREET, DUNGOG AND VIA ZOOM
ON WEDNESDAY, 22 APRIL 2020 AT 6.05PM**

PRESENT: Cr Tracy Norman, Cr Digby Rayward, Cr Robert Booth, Mayor John Connors (Mayor), Cr Steve Low AM (Deputy Mayor), Cr Jan Lyon, Cr Kate Murphy, Cr Greg Riley.

IN ATTENDANCE: Stephen Glen (Interim General Manager), Shaun Chandler (Executive Manager Corporate and Customer Services), Steve Hitchens (Executive Manager Infrastructure and Assets), Jacqui Tupper (Manager Planning), Paul Minett (Manager Environmental Services).

1 ACKNOWLEDGEMENT OF COUNTRY

Delivered by Mayor J Connors.

2 APOLOGIES

Cr Glenn Wall was an apology for the April Ordinary Meeting.

3 LEAVE OF ABSENCE

Nil

4 DECLARATION OF INTERESTS

Cr T Norman declared a Pecuniary Interest in item 11.1.

Cr K Murphy declared a Pecuniary Interest in item 11.2.

5 CONFIRMATION OF MINUTES

RESOLUTION 2020/61

Moved: Cr Robert Booth

Seconded: Cr Jan Lyon

That the minutes of the Ordinary Council Meeting held on 18 March 2020 be confirmed.

CARRIED

6 MATTERS ARISING FROM MINUTES

Nil

7 PRAYER

Delivered by Mayor John Connors

8 ODE

Delivered by Mayor John Connors

9 MAYORAL MINUTE

9.1 MAYORAL MINUTE - COVID-19 FINANCIAL SUPPORT

RESOLUTION 2020/62

Moved: Mayor John Connors

That Council:

1. Call on the Federal Government and NSW Government to urgently deliver comprehensive and multifaceted financial support and stimulus packages to local government to enable them to continue to operate effectively and provide essential services during the COVID-19 pandemic.
2. Call for the packages to include the following measures:
 - a. Increasing financial assistance grants payments to 1% to help councils maintain essential functions and services, acknowledging the increased costs and mounting revenue losses arising from COVID-19 as well as giving councils capacity to provide hardship assistance to businesses and residents.
 - b. the NSW State Government to fully fund pensioner rebates to assist in offsetting the impacts on council rates and other revenues as a consequence of the COVID-19 Coronavirus Pandemic noting that NSW is currently the only State in which pension concessions are not fully funded.
 - c. Freezing or deferring the intended 2020/21 increase in the State Emergency Services Levy noting that whilst Council strongly supports fairer workers compensation for paid and volunteer fire fighters, to impose the levy increase on councils in the current pandemic circumstances will unreasonably increase the financial challenges being faced by Council.
 - d. Remove restrictions on those funds rebated to Council under the NSW Waste Levy for financial years 2019/20 and 2020/21 to allow discretionary use of those funds over the course of the COVID-19 Coronavirus Pandemic, or alternatively, rebate an additional tranche of Waste Levy funds to council for discretionary use over the course of the pandemic.
 - e. Immediate financial assistance to support council employees, especially in early education and care.
 - f. Providing stimulus funding to councils for projects that will help sustain council operations and boost local economies. This could be achieved through increasing or bringing forward funding under existing funding programs or introducing new programs.
 - g. Increased access to TAFE, VET and other apprenticeship opportunities that council staff can undertake to address skill shortages, especially for staff in non-essential services who are unable to be redeployed.
3. Commend the NSW and Federal Governments on their stewardship during this crisis and commits to working in partnership to protect community health and sustain local economies through this crisis.
4. Write to the local Federal and State member(s) Michael Johnsen MP, the Hon. David Gillespie MP, the Prime Minister the Hon. Scott Morrison MP, NSW Premier the Hon. Gladys Berejiklian MP, Federal Treasurer the Hon. Josh Frydenburg MP, NSW Treasurer the Hon. Dominic Perrottet MP, NSW Local Government Minister the Hon. Shelley Hancock MP, Federal Minister for Local Government the Hon. Mark Coultan, Federal Opposition Leader

the Hon. Anthony Albanese, NSW Opposition Leader Jodi McKay MP, Federal Shadow Minister for Local Government Jason Clare MP and NSW Shadow Minister for Local Government Greg Warren MP to confirm their support for increased financial assistance and stimulus funding for local government to help councils maintain essential services and employment during the COVID-19 pandemic.

5. Endorse Local Government NSW sector-wide campaign to obtain financial assistance, employment support and stimulus funding for the local government sector.
6. Advise LGNSW President Linda Scott of the passage of this Mayoral Minute.

CARRIED

9.2 MAYORAL MINUTE - DUNGOG CHRONICLE

RESOLUTION 2020/63

Moved: Mayor John Connors

That:

1. Council write to Australian Community Media expressing concern at the closure of the Dungog Chronicle and asking that they review the decision due to the impact on a community that is already suffering due to the prolonged drought and COVID-19. An impact that will be exacerbated by the loss of local news on any online service that might be maintained.
2. The General Manager investigate options on how best to deliver Council and local information to the Dungog Shire community, in the absence of a local newspaper.

CARRIED

10 PUBLIC ACCESS SESSION

SUSPENSION OF STANDING ORDERS

RESOLUTION 2020/64

Moved: Cr Steve Low AM

Seconded: Cr Jan Lyon

A motion was moved that Council suspend standing orders. Standing Orders suspended at 6.16pm.

CARRIED

Mr Stephen Head spoke on the Dowling Street Revitalisation project.

RESUMPTION OF STANDING ORDERS**RESOLUTION 2020/65**

Moved: Cr Steve Low AM

Seconded: Cr Jan Lyon

A motion was moved that Council resume standing orders. Standing Orders resumed at 6.21pm.

CARRIED

Cr T Norman declared a Pecuniary Interest in item 11.1. Cr Tracy Norman left the Zoom meeting at 6.22pm.

11 PLANNING DEPARTMENT**11.1 CONVERSION OF EXISTING SHED TO CREATE A FUNCTION CENTRE AND CONSTRUCTION OF ANCILLARY TOURIST AND VISITOR ACCOMMODATION****Precis**

The application is being reported to Council in accordance with the provisions of Council's policy C4:12 *Delegated Authority Policy for the assessment of Development Applications* (Adopted 17 February 2009), due to the following:

- 6.4 The application is subject to three (3) public or more submissions representing objections provided that the objection is not of a minor nature and is specific to the development proposal.

In this regard, the application received six (6) submissions raising objection to the development.

RECOMMENDATION

That Development Application No. 122/2019 being for the conversion of the existing shed to create a function centre and construction of a tourist and visitor accommodation at Lot 59 DP 752445, 483 Black Rock Road, Martins Creek be approved subject to the conditions in Annexure '1'.

RESOLUTION 2020/66

Moved: Cr Steve Low AM

Seconded: Cr Greg Riley

That DA 122/2019 be deferred for the following reasons:

1. To enable the applicants to expand their previously submitted Plan of Management such that it fully addresses/demonstrates how the conditions specified in the General Terms of Approval issued by NSW Rural Fire Service for protecting attendees of Functions and the occupants of the tourist and visitor accommodation are going to be met. Particular attention should be focused on the following:-
 - o Evacuation and Emergency Management Requirements (Condition 6) and a Draft Emergency/Evacuation Plan provided.
 - o Procedures for activation of fire pumps and operation of firefighting appliances to protect occupants of the site.

2. That the amended Plan of Management is to include measures to respect and preserve the biosecurity of neighbouring properties under the NSW Biosecurity Act 2015 and in particular Section 44C of the 2017 Regulation, and prevent occupants trespassing.
3. To enable further investigation to be undertaken in association with the Infrastructure and Assets Section as to appropriate construction requirements on Black Rock Road and to adjust the recommended conditions if required before further consideration by Council

CARRIED

In Favour: Crs Robert Booth, John Connors, Steve Low AM, Jan Lyon, Kate Murphy and Greg Riley

Against: Cr Digby Rayward

CARRIED 6/1

Cr Tracy Norman returned to the Chambers at 6.32pm

Cr K Murphy declared a Pecuniary Interest in item 11.2. Cr Kate Murphy left the Zoom meeting at 6.32pm.

11.2 DEVELOPMENT APPLICATION - DA71/2019

Precis

The following report considers Development Application No.71/2019 which seeks approval for the change of use of site remediation works and Industrial Premises at Lot 4 DP856876 8 Drovers Way Dungog.

RESOLUTION 2020/67

Moved: Cr Greg Riley

Seconded: Cr Steve Low AM

That Council, as the consent authority pursuant to s4.16 of the Environmental Planning and Assessment Act 1979, approve Development Application No. 71/2019 for site remediation works and Industrial Premises at Lot 4 DP856876 8 Drovers Way Dungog subject to the conditions of consent in **Annexure '1'**.

CARRIED

In Favour: Crs Tracy Norman, Digby Rayward, Robert Booth, John Connors, Steve Low AM, Jan Lyon and Greg Riley

Against: Nil

CARRIED 7/0

Cr Kate Murphy returned to the Chambers at 6.34pm.

11.3 CLARENCE TOWN WAR MEMORIAL CONSERVATION MANAGEMENT PLAN

RESOLUTION 2020/68	
Moved: Cr Steve Low AM Seconded: Cr Jan Lyon	
That:	
<ol style="list-style-type: none"> 1. The Draft Conservation Management Plan for the War Memorials Clarence Town be endorsed in principle. 2. The Draft Conservation Management Plan for the War Memorials Clarence Town be placed on public exhibition for a period of 28 days. 3. Should no objections be received during the exhibition period that the Draft Plan be adopted and notified on Council website and other Council associated media. 	
CARRIED	
<u>In Favour:</u>	Crs Tracy Norman, Digby Rayward, Robert Booth, John Connors, Steve Low AM, Jan Lyon, Kate Murphy and Greg Riley
<u>Against:</u>	Nil
CARRIED 8/0	

11.4 DEVELOPMENT APPLICATIONS - DELEGATED AUTHORITY & TRACKING

Precis

Development Consent has been granted to the following development applications under delegated authority for the month of March 2020.

RESOLUTION 2020/69	
Moved: Cr Digby Rayward Seconded: Cr Robert Booth	
That the report be received and the information noted.	
CARRIED	
<u>In Favour:</u>	Crs Tracy Norman, Digby Rayward, Robert Booth, John Connors, Steve Low AM, Jan Lyon, Kate Murphy and Greg Riley
<u>Against:</u>	Nil
CARRIED 8/0	

12 ENVIRONMENTAL SERVICES

Nil

13 INFRASTRUCTURE AND ASSETS DEPARTMENT**13.1 PROPOSED CLOSURE AND SALE OF PUBLIC ROAD LOT 45 DP883919 895 FOSTERTON ROAD, FOSTERTON****Precis**

Council has received an application to acquire the land of an unformed “paper road” running through a property, being Lot 45 DP 883919, known as 895 Fosterton Road, Fosterton. It is considered a reasonable request and this report highlights the processes required.

RESOLUTION 2020/70

Moved: Cr Digby Rayward

Seconded: Cr Jan Lyon

That Council:-

1. Agree in principle to the closure and sale of the road reserve within lot 45 DP 883919; and
2. Provide approval for Council Officers to proceed with the processes as required.

CARRIED**13.2 WORKS PROGRESS REPORT****Precis**

Reporting on construction and maintenance works undertaken in March 2020.

RESOLUTION 2020/71

Moved: Cr Robert Booth

Seconded: Cr Kate Murphy

That the report be received and the information noted.

CARRIED

14 CORPORATE AND CUSTOMER SERVICES DEPARTMENT**14.1 STATEMENT OF INVESTMENTS****Precis**

Clause 212 of Local Government (General) Regulation 2005 requires a monthly report to Council outlining all money's Council has invested under Section 625 of the Local Government Act.

RESOLUTION 2020/72

Moved: Cr Greg Riley

Seconded: Cr Digby Rayward

That the report be received and the information noted.

CARRIED**14.2 WORKS COST STATEMENT****Precis**

A selective summary of expenditures on capital works and maintenance expense areas within Council's roads, bridges, cemeteries, toilets, parks and sports grounds cost centres.

RESOLUTION 2020/73

Moved: Cr Digby Rayward

Seconded: Cr Jan Lyon

That the report be received and the information noted.

CARRIED

15 OFFICE OF THE GENERAL MANAGER**15.1 DELEGATIONS OF AUTHORITY - MAYOR, DEPUTY MAYOR AND GENERAL MANAGER****Precis**

Reporting on the need to delegate powers of authority to the Mayor, Deputy Mayor and Interim General Manager to enable the undertaking of day to day operations of the Council.

RESOLUTION 2020/74

Moved: Cr Greg Riley

Seconded: Cr Steve Low AM

That:

1. Council delegate the Functions in accordance with the Instrument of Delegation to the Mayor.
2. Council delegate the Functions in accordance with the Instrument of Delegation to the Interim General Manager.
3. Delegate the Functions of the Mayor to the Deputy Mayor with the general limitations that the Deputy Mayor may only exercise these Functions:
 - a) at the request of the Mayor; or
 - b) if the Mayor is prevented by illness, absence or otherwise from exercising these Functions; or
 - c) if there is a casual vacancy in the Office of Mayor.

CARRIED

15.2 RESOLUTIONS TRACKING REPORT 2020**Precis**

The purpose of this report is to provide Council with a regular update on the implementation of Council resolutions.

RESOLUTION 2020/75

Moved: Cr Digby Rayward

Seconded: Cr Steve Low AM

That the report be received and the information noted.

CARRIED

16 NOTICES OF MOTION

Nil

17 COMMITTEE & OUTSIDE ORGANISATIONS REPORTS

17.1 COUNCIL'S MANAGEMENT COMMITTEE MEETING MINUTES

Precis

Reporting on minutes of the Management Committee Meetings provided to Council.

RESOLUTION 2020/76

Moved: Cr Greg Riley

Seconded: Cr Jan Lyon

That the minutes of the Management Committee Meeting be received and noted.

CARRIED

18 QUESTIONS WITH NOTICE

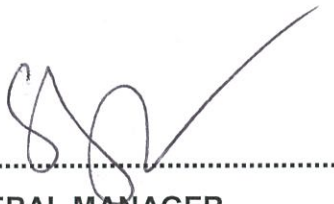
Nil

19 CLOSED COUNCIL

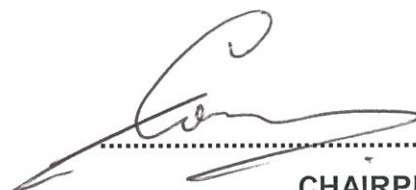
Nil

The Meeting closed at 6.50pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 20 May 2020.



.....
GENERAL MANAGER



.....
CHAIRPERSON