

# **DUNGOG SHIRE COUNCIL**



## **Minutes of the Ordinary Meeting**

**20 December 2017**

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# MINUTES OF THE ORDINARY MEETING OF DUNGOG SHIRE COUNCIL HELD AT DUNGOG SHIRE COUNCIL CHAMBERS ON 20 DECEMBER 2017 COMMENCING AT 6.00 PM.

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**PRESENT:** Councillors T Norman, J R Connors, J L Lyon, D H Rayward, G B Riley, R A Booth, K A Murphy and S T Low AM.

**OFFICERS IN ATTENDANCE:** Shaun Chandler, A/General Manager, S W Hitchens, Executive Manager Infrastructure & Assets and P J Minett, Manager Environmental Services.

**ACKNOWLEDGEMENT OF COUNTRY:** Delivered by Cr Norman.

**APOLOGIES:** Councillor G D Wall and Manager Planning, J Tupper.

***Minute No. 37604***

**RESOLVED** on the motion of Cr Low and seconded by Cr Booth that Cr G D Wall and Manager Planning, J Tupper be recorded as apologies for the Ordinary meeting.

**LEAVE OF ABSENCE:** Nil

**DECLARATION OF INTERESTS:** Nil

**CONFIRMATION OF MINUTES:**

***Minute No. 37605***

**RESOLVED** on the motion of Cr Riley and seconded by Cr Rayward that the Minutes of the Extraordinary Meeting of Council, held on Monday 6 November 2017 and the Ordinary Meeting of Council, held on Wednesday 15 November 2017 having been circulated amongst the members of the Council be confirmed.

**MATTERS ARISING:** Nil

The Prayer was delivered by Councillor Steve Low AM.

The Ode was delivered by Cr Norman.

## MAYORAL MINUTE

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**Cr Tracy Norman**

### 1. NSW COUNTRY MAYORS ASSOCIATION EF08/4

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**Precis:**

As Councillors are aware, I attended the Annual General Meeting (AGM) and November General Meeting of the NSW Country Mayors Association on 3 November 2017.

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***Minute No. 37606***

**A MOTION** was moved by Cr Norman that Dungog Shire Council join the Country Mayors Association and maintain an annual membership.

A speakers request form had been received by Council from Mrs Susan Cowley but Mrs Cowley was not in attendance at the meeting when her name was called.

## **PLANNING DEPARTMENT MANAGER'S REPORT**

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**Garry Warnes**

1. **DEVELOPMENT APPLICATION NO. 125/2017 – FARM BUILDING  
(MACHINERY SHED) – LOT 2 DP 10748, N<sup>o</sup> 842 GLEN MARTIN ROAD, GLEN  
MARTIN  
DA 125/2017**
- 

### **Precis**

The following report considers Development Application No. 125/2017 which seeks approval for the erection of a farm building at Lot 2 DP 10748 Glen Martin Road, Glen Martin which is significantly larger than the 200m<sup>2</sup> maximum prescribed for in Council's DCP.

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***Minute No. 37607***

**RESOLVED** on the motion of Cr Low and seconded by Cr Booth that the proposed farm building at Lot 2 DP 10748 Glen Martin Road, Glen Martin be approved subject to the following conditions:

### **Prescribed Conditions**

1. The work must be carried out in accordance with the requirements of the Building Code of Australia.
2. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
  - (i) showing the name, address and telephone number of the Principal Certifying Authority for the work, and
  - (ii) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
  - (iii) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

3. If the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the
  - a. protect and support the adjoining premises from possible damage from excavation, and
  - b. where necessary, underpin the adjoining premises to prevent any such damage.

This does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

## General

4. This development consent incorporates plans/and or documents referenced and stamped:

(a) Plans Reference:

Document	Reference	Author	Date
Site Location Elevation	-	Applicant	-
Site Location Plan (Aerial Photograph)	-	Applicant	-
Detailed Site Location (Aerial Photograph)	-	Applicant	-
Oblique Aerial Photograph	-	Applicant	-
Slope Diagram (Aerial Photograph)	-	Applicant	-
Sheet 1 of 8 End Elevations	Job 302466	Best Sheds	12-10-2016
Sheet 2 of 8 Side Elevations	Job 302466	Best Sheds	12-10-2016
Page 3 of 8 End Frame Elevations	Job 302466	Best Sheds	12-10-2016
Sheet 4 of 8 Side Frame Elevations	Job 302466	Best Sheds	12-10-2016
Sheet 5 of 8 Cross Section	Job 302466	Best Sheds	12-10-2016
Sheet 6 of 8 Floor Plan	Job 302466	Best Sheds	12-10-2016
Sheet 7 of 8 Connection Details 1	Job 302466	Best Sheds	12-10-2016
Sheet 8 of 8 Connection Details 2	Job 302466	Best Sheds	12-10-2016

(b) Document Reference:

Document	Reference	Author	Date
Statement of Environmental Effects	N/A	Applicant	16-8-2017
Accompanying Letter	N/A	Applicant	-
Engineering Schedule Page 1 of 3	N/A	Best Sheds	17-10-2016
Engineering Schedule Page 2 of 3	N/A	Best Sheds	17-10-2016
Engineering Schedule Page 3 of 3	N/A	Best Sheds	17-10-2016

5. The development shall be undertaken in accordance with the approved plans and any amendments as shown in red on the plans by Council.
6. The farm building shall not be adapted nor used for habitable, commercial or industrial purposes without the prior written consent of Council.

**Note** – Use of a shed/garage or the like, as a dwelling for either part time or a permanent basis, is an offence under the provisions of the Environmental Planning & Assessment Act. Such breaches will result in a **Penalty Infringement Notice** and the issuing of Orders to vacate/cease the unauthorised use of the building.

7. Roof water from the farm building shall be conducted to a suitable water storage tank. All overflow from roof water tank shall be piped clear of building foundations, dispersed by way of a minimum 1.2 m long level spreader located at ground level parallel to the existing contours and a minimum 3m clear of any boundaries, in such a manner so as not cause nuisance to adjacent properties.
8. The colour of the rainwater tank is to be chosen to match that of the Farm building to ensure it blends into the natural surroundings. In this regard, non-reflective materials shall be used in all external finishes.
9. The external finishes of the metal roof and wall construction shall be of Colorbond Deep Sea (Deep Blue) a colour as set out and shown in the Statement of Environmental Effects prepared by the applicant dated August 2017.
10. Any servicing and repairs of farm machinery/vehicles or farm machinery/vehicle parts must be conducted in a covered and bunded area. No repairs of a type where oil, chemicals, or fuels may leak or escape as part of the repair or maintenance procedures are to be undertaken outside of the bunded area of the Farm Building.
11. All refuelling and handling/storage of chemicals used on the farm are to be undertaken within the bunded area of the Farm building.

#### **Prior to Commencement of Works**

12. Prior to the commencement of work for the construction of the building, it will be necessary to obtain a Construction Certificate. Where Council is not the Principal Certifying Authority (PCA), the proponent or private certifier shall submit a Construction Certificate to Council prior to building works commencing on the subject allotment.
13. Plans showing the extent of excavation and or filling together with details of the methods of retaining, draining and stabilising the disturbed areas shall be submitted to Council for approval. Note a maximum cut of 2 metres and a maximum depth of fill of 900 millimetres shall apply to this development

#### **During Construction**

14. There is to be no construction and/or demolition works, including deliveries on or to the site prior to 7.00 am or after 6.00 pm Monday to Friday, prior to 8.00 am and after 6.00 pm Saturday, and prior to 9.00 am and after 4.00 pm Sunday.
15. Approved toilet facilities are to be provided, at or in the vicinity of the work site on which the work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every twenty (20) persons employed at the site.

The provision of toilet facilities in accordance with the Condition must be completed before any other work is commenced.

16. A waste containment facility to Council's requirements is to be provided on the building site immediately after the first concrete pour for the building and is to be regularly serviced.

Council and the Environmental Protection Authority may issue "on the spot" fines if breaches of the Environmental Offences and Penalties Act, are detected.

**Note** - your attention is drawn to your responsibility to control any litter arising from building works associated with this consent.

17. Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.
18. ALL EXCAVATED OR FILLED AREAS are to be BATTERED to a slope of not greater than 45 degrees to the horizontal, or alternatively, be retained by a retaining wall. Where the height of the retaining wall exceeds 1000mm, duplicate copies of structural details, prepared by a practicing Structural Engineer, are to be submitted to and approved by the Principle Certifying Authority prior to their construction. All excavated and filled areas are to be drained to the satisfaction of Council
19. To minimise soil erosion during construction, the owner and builder shall ensure that the following measures are implemented in the sequence outlined:-
  - (i) A dish shaped diversion drain or similar structure will be constructed above the proposed house site to divert run-off to a stable discharge area such as an area with a grass cover. (This diversion drain is to be lined with turf or otherwise stabilised if it erodes after rainfall).
  - (ii) A sediment trapping fence using a geotextile fabric specifically designed for such a purpose and installed to manufacturer's specifications is to be placed below the construction area (eg "silt stop").
  - (iii) Vegetation is to be cleared from the construction site only; other areas are to remain undisturbed.
  - (iv) Top soil from the construction site or builders sand is to be stockpiled in a location where it will not be eroded from the site, and is not to be stockpiled on the road reserve.
  - (v) All erosion control measures will require maintenance after rainfall. They should be retained until the site has fully revegetated.
  - (vi) If soil or other materials are spilt accidentally onto the road or gutter, they shall be removed prior to the completion of the day's work.

All erosion and sedimentation controls are to be installed in accordance with Council's erosion and sedimentation control policy and code of practice.

Failure to implement and maintain all erosion and sedimentation control measures is a breach of the Protection of the Environment Operations Act 1997 and is liable to an on-the-spot fine.

20. ALL BUILDING MATERIALS, plant and equipment is to be placed ON THE BUILDING SITE. Building materials, plant and equipment (including water closets), are not to be placed on footpaths, roadways, public reserves etc.

#### **Prior to Issue of Occupation Certificate or Use of the building**

21. The building shall NOT BE USED OR OCCUPIED until completed and conditions of consent have been complied with and an Occupation Certificate has been issued.
22. Prior to the release of any occupation certificate all roof water from the building shall be conducted to the approved disposal system as prescribed by the conditions of this consent.
23. Submission to and approval by Council of a detailed landscape plan, this plan shall show landscaping to be located immediately to the east, north and south of the Farm building so as to reduce its scale in the landscape.
24. All landscaping as approved by Council shall be installed and maintained for the life of the development.

The Mayor in accordance with Section 375A of the Local Government Act called for a Division. The Division resulted in 8 for 0 against as follows:



Jenny Webb

**2. SECTION 96 MODIFICATION – LOT 83 DP 1183633 NO. 15 RENS STREET,  
DUNGOG  
DA 91/2016**

**Precis:**

The following report considers an application under Section 96(1A) of the Environmental Planning and Assessment Act 1979 (EP&A Act) to modify development consent No 91/2016 for the relocation of a dwelling, including alterations and additions at No 15 Rens Street, Dungog.

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**Minute No. 37608**

**RESOLVED** on the motion of Cr Connors and seconded by Cr Low that the application to modify the consent is refused for the following reasons:

1. The staging of the development is not consistent with the aims of Dungog Shire Development Control Plan No 1, Part C, Section 1.1 for Residential Development (Section 79C(1)(a)(iii) of the Environmental Planning and Assessment Act, 1979).
2. The staging of the development is not in the public interest (Section 79C(1)(e) of the Environmental Planning and Assessment Act, 1979).

The Mayor in accordance with Section 375A of the Local Government Act called for a Division. The Division resulted in 7 for 1 against as follows:

For: Crs Norman, Booth, Low, Lyon, Riley, Murphy, Connors. Against: Cr Rayward (abstained)

**INFRASTRUCTURE AND ASSETS DEPARTMENT  
EXECUTIVE MANAGERS REPORT**

Steve Hitchens

**1. FIXING COUNTRY ROADS - TIMBER BRIDGE FUNDING  
EF14/77 - EF08/199**

**Precis:**

The purpose of this report is to provide Council with information regarding the result of Council's application under Round 3 of the NSW Government's Fixing Country Roads Program.

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**Minute No. 37609**

**RESOLVED** on the motion of Cr Low and seconded by Cr Murphy that:

1. Council accept the 50% Funding for the replacement of the following four (4) bridges under the NSW Government's Fixing Country Roads Program Round 3:-
  - a. Bullockeys & Wheelabout Bridges - \$1.64 Million; and
  - b. Coulston and Spooner Bridges - \$2.08 Million.
2. Council enter into a Loan Borrowing for the 50% contribution requirement;
3. Council approach the State Government with respect to requesting the State Government providing access to NSW Treasury Loan Borrowing facilities and lower interest loans; and
4. Any interest repayments in 2017/2018 be paid for from Financial Assistance Grants and future repayments be subject to annual review under the normal budget process.

**2. DUNGOG SHIRE SES LOCAL CONTROLLER APPOINTMENT  
EF08/58**

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**Precis:**

Reporting on the reappointment of Mr Matthew Too as Volunteer Controller of the Dungog SES for a further period of two years.

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***Minute No. 37610***

**RESOLVED** on the motion of Cr Booth and seconded by Cr Murphy that Council write to the SES Commissioner:

1. Providing support of the reappointment for Mr Matthew Too as the Local SES Controller for a period of up to 2 years; and
2. Requesting clarification on the process and seeking advice as to why the reappointment was made without Council recommendation in the first instance.

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Steve Hitchens

**3. ALISON COURT  
EF07/68**

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**Precis:**

This report provides further information as regards the tenancy arrangements for the Alison Court units.

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***Minute No. 37611***

**RESOLVED** on the motion of Cr Connors and seconded by Cr Low that Council adopt the revised Council Policy C3.2 - Aged and Invalid Persons Units - Application for Tenancy of Rental Units at Alison Court.

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Michelle Viola

**4. TRAFFIC AND ROAD SAFETY COMMITTEE  
EF08/5**

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**Précis:**

Reporting on the Traffic and Road Safety Committee meeting held on 28 November 2017.

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***Minute No. 37612***

**A MOTION** was moved by Cr Booth and seconded by Cr Murphy that the Minutes of the Traffic & Road Safety Committee from its meeting of 28 November 2017 be received and adopted following the removal of the first paragraph under the Discussion heading in Item 5. Timed Parking Duke/King St, Paterson report.

On being put the motion was carried.

# CORPORATE SERVICES DEPARTMENT EXECUTIVE MANAGERS REPORT

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Shaun Chandler

1. **FINANCIAL REPORTS FOR THE PERIOD ENDED 30 JUNE 2017 – COUNCIL STATEMENT GENERAL PURPOSE FINANCIAL REPORTS EF08/64**
- 

**Precis:**

Statement by Council in the approved form as to its opinion on the general purpose financial reports in accordance with Section 413(2)(c) of the Local Government Act 1993 and a statement by Council in the approved form as to its opinion on the special purpose financial reports in accordance with the Local Government Code of Accounting Practice and Financial Reporting.

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**Minute No. 37613**

**RESOLVED** on the motion of Cr Low and seconded by Cr Lyon that approval be granted for the financial statements, pursuant to Clause 215 of the Local Government (General) Regulation 2005 and the Local Government Code of Accounting Practice and Financial Reporting, to be signed on behalf of Council and attached to the Annual Financial Reports.

## ACTING GENERAL MANAGER

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Shaun Chandler

1. **REVIEW OF DELEGATIONS OF AUTHORITY- MAYOR, DEPUTY MAYOR AND GENERAL MANAGER EF16/46**
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**Precis:**

In accordance with Section 380 of the Local Government Act 1993 (the Act) Councils are required to review their delegations during the first twelve months of each term of office. These delegations apply to the Mayor, Deputy Mayor and General Manager. Council is requested to review and delegate functions in accordance with the Instrument of Delegations attached to this report. Whilst the term General Manager is used throughout this report, it is also intended to apply to the Acting General Manager to reflect Dungog Shire Council's current situation of having an Acting General Manager for an extended period.

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**Minute No. 37614**

**RESOLVED** on the motion of Cr Connors and seconded by Cr Rayward 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 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.

4. Any person acting as General Manager pursuant to this resolution has all the functions, delegations and sub-delegations given to the General Manager by the Council.

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**Shaun Chandler**

**2. FINANCIAL CRITERIA REASSESSMENT – ROUND 3  
EF07/53**

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**Precis:**

Invitation for council to nominate for reassessment of its financial sustainability benchmarks previously assessed by IPART.

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**Minute No. 37615**

**RESOLVED** on the motion of Cr Murphy and seconded by Cr Booth that:

1. Council endorse acceptance of the minister's invitation.
2. The report is received and the information noted.

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**Shaun Chandler**

**3. REQUEST FOR FINANCIAL ASSISTANCE FOR THE DUNGOG HIGH SCHOOL  
GIRLS VOLLEYBALL TEAM  
EF 08/3**

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**Precis:**

Request for financial assistance from Dungog High School for support towards the Girls Volleyball Team to attend the National Championships.

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**Minute No. 37616**

**RESOLVED** on the motion of Cr Booth and seconded by Cr Riley that Council donate \$100 from the 2017/18 Section 356 Budget Allocation to the Dungog High School in support of the Girls Volleyball Team.

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**Shaun Chandler**

**4. SPECIAL OLYMPICS NATIONAL GAMES REPRESENTATION 2018  
EF08/3**

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**Precis:**

Request for financial assistance under Sec 356 of the Local Government Act 1993.

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**Minute No. 37617**

**RESOLVED** on the motion of Cr Murphy and seconded by Cr Booth that Council give public notice of its intention to pass a resolution to donate \$100 to Dylan Saunders and provide 28 days public notice in accordance with Sect 356 of the Local Government Act 1993.

**5. CLOSED COUNCIL**

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**Précis:**

Report referring matters to Closed Council.

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**Minute No. 37618**

**RESOLVED** on the motion of Cr Low and seconded by Cr Riley that:

1. Council resolve into Closed Council to consider business identified, together with any late 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 Sec 10A(2) as outlined above.
3. Correspondence and reports relevant to the subject business be withheld from access to the media and public as required by Sec 11(2) of the *Local Government Act 1993*.

**REPORTS FROM COMMITTEES AND OUTSIDE ORGANISATIONS**

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**1. COUNCIL'S MANAGEMENT COMMITTEE MEETING MINUTES**

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**Précis:**

Reporting on Minutes of Council Management Committee Meetings provided to Council.

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**Minute No. 37619**

**RESOLVED** on the motion of Cr Connors and seconded by Cr Booth that the minutes of the Management Committee Meeting be received and noted.

**COUNCILLOR REPORTS**

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**1. MAYORS WEEKEND  
EF07/34**

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**Precis:**

A report on the Local Government (LG) NSW Mayor's Weekend.

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**Minute No. 37620**

**RESOLVED** on the motion of Cr Low and seconded by Cr Riley that the report be received and the information noted.

**2. LOCAL GOVERNMENT NSW CONFERENCE  
EF07/34**

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**Precis:**

Councillors Tracy Norman and Digby Rayward attended the annual Local Government (LG) NSW Conference, 4-6 December 2017.

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***Minute No. 37621***

**RESOLVED** on the motion of Cr Low and seconded by Cr Riley that:

1. The report is accepted and information noted.
2. The Mayor writes a letter of congratulations to both the President and the Vice President - Rural/Regional, on behalf of Council.

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**Councillor Greg Riley**

**3. GRANTS OFFICER POSITION  
EF17/56**

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**Precis:**

Dungog Shire is highly dependent upon grant funding – both for community and Council projects and asset maintenance/renewals.

A full-time Grants Officer will improve the performance and number of grants applications and reduce the load on staff whose main priorities are other than grant writing.

The expected financial implications are a positive return for both Council and the Community.

Given the critical issues concerning Council are largely income-based, a dedicated Grants Officer is clearly a necessity.

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***Minute No. 37622***

**A MOTION** was moved by Cr Riley and seconded by Cr Rayward that Council consider the appointment of a full-time grants officer during the 2019 budget process and in the meantime seek to expand current roles within the organisation to provide a dedicated grants officer for two days per week.

On being put the motion was carried.

## REPORTS BY DEPARTMENT FOR INFORMATION ONLY

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Jacqui Tupper

1. **DEVELOPMENT APPLICATIONS - DELEGATED AUTHORITY  
EF08/228**

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**Precis:**

Development Consent has been granted to the following development applications under delegated authority for the month of December 2017.

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**Minute No. 37623**

**RESOLVED** on the motion of Cr Booth and seconded by Cr Low that the report be received and the information noted.

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Paul Minett

2. **NSW CONTAINER DEPOSIT SCHEME- "RETURN AND EARN"  
EF13/65**

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**Precis:**

The purpose of this report is to provide Council with the latest information in regard to the commencement of the NSW Container Deposit scheme which commenced on 1 December 2017.

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**Minute No. 37624**

**RESOLVED** on the motion of Cr Connors and seconded by Cr Rayward that the report be received and the information noted.

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Paul Minett

3. **SUCCESSFUL GRANT APPLICATION - EARLY FLOOD WARNING SYSTEM  
FOR DUNGOG  
EF15/84**

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**Precis:**

The purpose of this report is to advise of the approval of grant funding for the design, installation and maintenance of an Early Flood Warning System for Dungog.

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**Minute No. 37625**

**RESOLVED** on the motion of Cr Connors and seconded by Cr Rayward that the report be received and the information noted.

4. **IMPLICATIONS OF THE CROWN LAND MANAGEMENT ACT 2016**  
**EF08/493**

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**Precis:**

This report provides Council with updated information with regards to the implications of the New Crown Lands Management Act 2016 that the NSW Government expects to commence Early 2018.

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**Minute No. 37626**

**RESOLVED** on the motion of Cr Rayward and seconded by Cr Booth that the report be received and the information noted.

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Nigel Atkins

5. **WORKS PROGRESS REPORT**  
**EF08/208**

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**Precis:**

Reporting on construction and maintenance works undertaken in November 2017.

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**Minute No. 37627**

**RESOLVED** on the motion of Cr Low and seconded by Cr Lyon that the report be received and the information noted.

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Shaun Chandler

6. **STATEMENT OF INVESTMENTS**  
**EF08/220**

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**Précis:**

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.

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**Minute No. 37628**

**RESOLVED** on the motion of Cr Murphy and seconded by Cr Booth that the report be received and the information noted.

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Shaun Chandler

7. **WORKS COST STATEMENT**  
**EF08/221**

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**Précis:**

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.

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**Minute No. 37629**

**RESOLVED** on the motion of Cr Booth and seconded by Cr Rayward that the Works Cost Statement for the period ending 30 November 2017 be received and noted.

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**8. COUNCILLORS TRAVELLING & OTHER EXPENSES  
EF08/222**

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**Précis:**

Report on Councillors travelling for Councillors information.

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***Minute No. 37630***

**RESOLVED** on the motion of Cr Connors and seconded by Cr Murphy that the report be received and the information noted.

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**9. NSW OFFICE OF LOCAL GOVERNMENT CIRCULARS  
EF08/142**

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**Précis:**

Providing a summary of circulars that have been released by the Office of Local Government.

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***Minute No. 37631***

**RESOLVED** on the motion of Cr Rayward and seconded by Cr Lyon that the report be received and the information noted.

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**10. COMMUNITY PROJECT OFFICERS REPORT**

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**Precis:**

Reporting on Community Project Officer's activities for the period July to December 2017.

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***Minute No. 37632***

**RESOLVED** on the motion of Cr Lyon and seconded by Cr Booth that the report be received and the information noted.

**BUSINESS OF AN URGENT NATURE**

Nil.

**CLOSED COUNCIL**

***Minute No. 37633***

**RESOLVED** on the motion of Cr Low and seconded by Cr Connors that:

1. Council resolve into closed council to consider business identified, together with any late 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 confidential under the provisions of section 10A(2) of the *Local Government Act 1993*.
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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*.

Council closed its meeting at 6.47 pm. The public and media left the Chambers.

***Minute No. 37634***

**RESOLVED** on the motion of Cr Low and seconded by Cr Connors that Council move out of Closed Council and into Open Council.

On being put the motion was carried.

Open Council resumed at 6.53 pm.

***Minute No. 37635***

**RESOLVED** on the motion of Cr Low and seconded by Cr Booth that:

1. Council resolve into closed council to consider business identified, together with any late 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 confidential under the provisions of section 10A(2) of the Local Government Act 1993.
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*.

Council closed its meeting at 6.54 pm.

***Minute No. 37638***

**RESOLVED** on the motion of Cr Low and seconded by Cr Murphy that Council move out of Closed Council and into Open Council.

On being put the motion was carried.

Open Council resumed at 6.54 pm.

The following resolutions of Council while the meeting was closed to the public were read to the meeting by the Acting General Manager.

# INFRASTRUCTURE AND ASSETS DEPARTMENT EXECUTIVE MANAGERS REPORT

Steve Hitchens

## 1. COUNCIL PROPERTY – REAL ESTATE MATTERS EF08/475

### Precis:

Reporting on the outcomes of the Expressions of Interest process for the sale of Lots in Melbee 4 Stage Two.

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**Minute No. 37636**

**RESOLVED** on the motion of Cr Rayward and seconded by Cr Low that:

1. Dillon & Sons be appointed as the Agents for the sale of Melbee 4 Stage Two;
2. The preferred method of sale be by way of Public Auction;
3. Any unsold Lots then be offered by sale by Private Treaty.
4. Councillors accept the contents of the report as presented.

The Mayor called for a Division. The Division resulted in 8 for 0 against as follows:

*For: Crs Norman, Rayward, Booth, Low, Lyon, Riley, Murphy, Connors.*

## MAYORAL MINUTE

Cr Tracy Norman

## 2. GENERAL MANAGER RECRUITMENT EF12/23

**Minute No. 37637**

**A MOTION** was moved by Cr Norman that Dungog Shire Council accept the proposal from Local Government NSW recruitment consultant, Mark Anderson, to assist in the recruitment of the new General Manager beginning mid-January.

On being put the motion was carried.

The Mayor called for a Division. The Division resulted in 8 for 0 against as follows:

*For: Crs Norman, Rayward, Booth, Low, Lyon, Riley, Murphy, Connors.*

There being no further business the meeting terminated at 6.55 pm.

Confirmed .....

Date

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