

DUNGOG SHIRE COUNCIL



ORDINARY MEETING

MINUTES

20 FEBRUARY 2019

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COMPLIMENTS

Minutes of Ordinary Meeting 19 December 2018
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Meeting commenced at 6.00 pm.

PRESENT: Councillors T Norman, D Rayward, J Connors, J Lyon, G Riley, R Booth, K Murphy, S Low AM and G Wall.

OFFICERS IN ATTENDANCE: C Nichols, General Manager, S Chandler, Executive Manager Corporate Services, S Hitchens, Executive Manager Infrastructure & Assets, J Tupper, Manager Planning and P Minett, Manager Environmental Services.

ACKNOWLEDGEMENT OF COUNTRY: Delivered by Mayor T Norman.

APOLOGIES: Nil.

LEAVE OF ABSENCE: Nil

DECLARATION OF INTERESTS:

Cr K Murphy declared a non-pecuniary interest in Manager Planning's report No. 1

Cr G Wall declared a non-pecuniary interest in General Managers Confidential Report No. 1.

CONFIRMATION OF MINUTES:

COUNCIL RESOLUTION

37958	<p>That the minutes of the Ordinary Council Meeting held on 19 December 2018, the Extra Ordinary Meeting held on 31 January 2019 and the Extra Ordinary Meeting held on 7 February 2019 be confirmed.</p> <p>Moved Cr R Booth, Seconded Cr J Lyon.</p> <p style="text-align: right;">Carried.</p>
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MATTERS ARISING: Nil

The Prayer was delivered by Mayor T Norman.

The Ode was delivered by Mayor T Norman.

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MOTION

37959	<p>That the Order of Council business be suspended to allow members of the public to address Council.</p> <p>Moved Cr R Booth Seconded Cr K Murphy</p> <p style="text-align: right;">Carried.</p> <p>The Order of Council business was suspended at 6.05 pm.</p>
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Michelle Dado-Millynn spoke on single use soft plastics replacement.
 Ben Hamilton spoke against the recommendation of Manager Planning's Report No. 1
 Grant Le Green from Paterson School of Arts Committee spoke in favour of the recommendation of Executive Manager Infrastructure & Assets Report No. 1

MOTION

37960	<p>That Council resume the Order of Council business.</p> <p>Moved Cr S Low Seconded Cr K Murphy</p> <p style="text-align: right;">Carried.</p> <p>The Order of Council business resumed at 6.14 pm.</p>
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Cr Murphy declared an interest in the following report and left the Chambers at 6.15pm.

PLANNING DEPARTMENT REPORTS

1. DEVELOPMENT APPLICATION – 170/2013 – DEFERRED FROM NOVEMBER ORDINARY MEETING

FILE NO:	DA 170/2013
	A Approved subdivision plan
ANNEXURES:	B Repositioned Building Envelope on proposed Lot 11
	C 4.15 Assessment
AUTHOR:	Independent Planning Consultant
APPLICANT:	Mr B Hamilton
OWNER:	Mr B Hamilton
PROPOSAL:	Modification to Allow Amendment to Conditions 10, 15(A), & 17 of the Development Consent DA 170/2013 – Subdivision Two (2) Lots Into Three (3) Lots
LOCATION:	Lot: 1 DP160104 & Lot 1 DP 256124, No.8 Reservoir Road Dungog
ZONE:	R5 Large Lot Residential Zone

OFFICERS RECOMMENDATION:

That Section 4.55 (1A) Application 130/2013 for subdivision of two (2) lots into three (3) lots at No. 8 Reservoir Road Dungog be amended in respect of Condition 17 only:

Replace Condition 17 in the following manner:

17. A designated Building Envelope, being setback 10m from front boundary (i.e. Reservoir Road) and 10m from western boundary and 15m from eastern boundary for proposed Lot 11 and in accordance with the approved subdivision plan prepared by David Cant Surveyors and dated 7/11/2013 for proposed Lot 10 is to be delineated and fully dimensioned on the final plan of survey and a Section 88B Instrument submitted for Council's acceptance that restricts building outside of the building envelope.

Amendment to Conditions 10 and 15(a) be refused for the following reasons:

1. To satisfy an objective of the R5 zone: *to provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality* installation of an appropriate inter allotment drainage system is essential as well as necessary road infrastructure in accordance with Council's Road Management Policy;
2. The modification does not satisfy Clause 6.4 Stormwater management of Dungog LEP 2014 as stormwater from the proposed subdivision will not be controlled to avoid any significant adverse impacts of stormwater runoff occurring onto proposed Lot 10 and adjoining properties;
3. The modification does not satisfy Clause 6.5 – Drinking Water Catchments and Clause 6.10 Williams River catchment of Dungog LEP 2014 as the receiving waters will not be adequately protected from uncontrolled stormwater runoff;

4. The proposal will not satisfy Council's Roads Management Policy for Urban areas of Dungog;
5. The modified subdivision is likely to adversely impact onto the locality in terms of uncontrolled stormwater and lack of adequate road infrastructure being provided along Reservoir Road;
6. Approval of the application would not be in the public interest and has the potential to set an undesirable precedent.

Precis:

The following report considers an application submitted to Dungog Council under Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* to modify development consent No. 170/2013 for subdivision of two (2) lots into three (3) lots at No. 8 Reservoir Street Dungog.

MOTION

37961	<ol style="list-style-type: none"> 1. That the matter be deferred as per the request from the applicant. 2. A workshop for Councillors be held regarding standards of constructions of urban roads and drainage throughout the Shire. <p>Moved S Low Seconded D Rayward</p> <p style="text-align: right;">Carried.</p>
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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:

<i>For: Crs Norman, Rayward, Connors, Riley, Booth, Wall, Lyon, Low.</i>
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Cr Murphy returned to the Chambers at 6.17pm.

**2. DEVELOPMENT APPLICATION – DA184/2018
PROPOSED FARM BUILDING, 123 SUMMER HILL ROAD, VACY.**

FILE NO: DA 184/2018

ANNEXURES: A Conditions of Consent
B Applicants submission

AUTHOR: Senior Building/Development Officer

APPLICANT: Mr P Williams

OWNER/S: Mr P Williams, Mr D Williams, Mrs P Williams

PROPOSAL: Construction of a new farm building (animal shelter)

LOCATION: Lot: 1 DP: 170231, Lot: 1 DP: 170974, Lot: 1 DP: 180949, 123 Summer Hill Road VACY.

ZONE: RU1 Primary Production

OFFICERS RECOMMENDATION:

That the proposed farm building at 123 Summerhill Road, Vacy be approved subject to the conditions listed (**Annexure 'A'**).

Precis:

The following report considers Development Application No. 184/2018 which seeks consent for the erection of a farm building at 123 Summerhill Road, Vacy.

RESOLUTION

37962	<p>That the proposed farm building at 123 Summerhill Road, Vacy be approved subject to the conditions listed (Annexure 'A').</p> <p>Moved: Cr D Rayward, Seconded: Cr J Connors.</p> <p style="text-align: right;">Carried.</p>
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The Mayor in accordance with Section 375A of the Local Government Act called for a Division. The Division resulted in 9 for 0 against as follows:

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

ANNEXURE 'A'

Prescribed Conditions

1. The work must be carried out in accordance with the requirements of the Building Code of Australia.
2. In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.
3. 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.

General

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

(a) Plans Reference: ABC Sheds Quality Rural & Industrial Buildings

Drawing No	Issue	Name of Plan	Date
1 / 2	-	Floor Plan	2/11/2018
2 / 2	-	Elevations	2/11/2018
A	-	Site Plan	-
B	-	Site Plan	-
C	-	Site Plan	-

(b) Document Reference:

Document	Reference	Author	Date
Statement of Environmental Effect	-	Peter Williams	12/11/2018
Engineering Schedule	-	Calare Civil Pty Ltd	12 Nov 2018

5. The development shall be undertaken in accordance with the approved plans and any amendments in red by Council.
6. Roof water from the building shall be conducted to the proposed stormwater drainage system i.e. tank/s, by means of a sealed pipeline having a minimum diameter of 90mm. All roof water drainage works shall be undertaken in accordance with the Building Code of Australia (BCA) Part 3.5.2.

Prior to issue of a Construction Certificate

7. Prior to release of the construction Certificate structural details for the farm building, shall be submitted to council.

Prior to Commencement of Works

8. 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.

During Construction

9. 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.
10. 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 Clause must be completed before any other work is commenced.
11. 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
12. 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 shed 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.

Prior to Issue of Occupation Certificate or Use of the building

13. 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.
14. 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.

3. DRAFT DUNGOG LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN 2019

FILE NO:	EF07/55
ATTACHMENT:	Draft Contributions Plan
AUTHOR:	Janina Olmos–New and Jacqui Tupper
COMMUNITY STRATEGIC PLAN:	Rural and Urban Development
DELIVERY PROGRAM:	Strategy 1: Ensure that there is adequate land supply to accommodate future expected population growth.

OFFICERS RECOMMENDATION:

1. That the draft Dungog Local Infrastructure Contributions Plan 2019 be placed on public exhibition for a minimum of 28 days.
2. That Council receives a further report that outlines the responses to any submissions received during the exhibition period.
3. If no submissions are received during the public exhibition period, Council automatically adopt the Dungog Local Infrastructure Plan 2019 and a notice be placed within the local newspaper notifying the public of the adoption of the Plan and it becomes operational.

Precis

This report is to seek Council's resolution to exhibit the draft Dungog Local Infrastructure Contributions Plan 2019 for a minimum of 28 days.

RESOLUTION

37963	<ol style="list-style-type: none"> 1. That the draft Dungog Local Infrastructure Contributions Plan 2019 be placed on public exhibition for a minimum of 28 days. 2. That Council receives a further report that outlines the responses to any submissions received during the exhibition period. 3. If no submissions are received during the public exhibition period, Council automatically adopt the Dungog Local Infrastructure Plan 2019 and a notice be placed within the local newspaper notifying the public of the adoption of the Plan and it becomes operational. <p>Moved: Cr G Wall, Seconded: Cr K Murphy.</p> <p style="text-align: right;">Carried.</p>
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The Mayor in accordance with Section 375A of the Local Government Act called for a Division. The Division resulted in 9 for 0 against as follows:

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

4. DEVELOPMENT APPLICATIONS – DELEGATED AUTHORITY

FILE NO:	EF 08/228
ANNEXURES:	Nil
AUTHOR:	Jacqui Tupper
COMMUNITY STRATEGIC PLAN:	Rural & Urban Development - Ensure that our land use planning for the Shire acknowledges the importance of our rural character and agricultural activities.
DELIVERY PROGRAM:	4.2 Processing of Development Applications to ensure the ongoing environmental sustainability of the LGA.

OFFICERS RECOMMENDATION:

That the report be received and the information noted.

Precis:

Development Consent has been granted to the following development applications under delegated authority for the months of December 2018 and January 2019.

MOTION

37964	<p>That the report be received and the information noted.</p> <p>Moved: Cr D Rayward, Seconded: Cr J Lyon.</p> <p style="text-align: right;">Carried.</p>
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The Mayor in accordance with Section 375A of the Local Government Act called for a Division. The Division resulted in 9 for 0 against as follows:

For: Crs Rayward, Connors, Riley, Murphy, Booth, Wall, Lyon, Low. Against: Cr Norman.

INFRASTRUCTURE AND ASSETS DEPARTMENT

1. FACILITY REPAIR FUNDING

FILE NO:	EF07/99, EF08/372
ANNEXURES:	Nil
AUTHOR:	Assets and Facilities Manager
COMMUNITY STRATEGIC PLAN:	Public Infrastructure and Services
DELIVERY PROGRAM:	5.1 Asset Management

OFFICERS RECOMMENDATION:

That Council allocate \$40,000 to the repair of the Paterson School of Arts Building and \$105,000 to the repair of the Dungog Community Centre building from existing Loan Borrowings.

Precis:

To provide Council with information regarding major maintenance and repair works required on the Paterson School of Arts and the Dungog Community Centre buildings.

RESOLUTION

37965	<p>That Council allocate \$40,000 to the repair of the Paterson School of Arts Building and \$105,000 to the repair of the Dungog Community Centre building from existing Loan Borrowings.</p> <p>Moved: Cr R Booth, Seconded: Cr S Low.</p> <p style="text-align: right;">Carried.</p>
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2. ENERGY TENDER – STREET LIGHTING

FILE NO:	EF08/329
ANNEXURES:	Nil
AUTHOR:	Michelle Viola
COMMUNITY STRATEGIC PLAN:	Public Infrastructure and Services
DELIVERY PROGRAM:	5.1 Asset Management

OFFICERS RECOMMENDATION:

A late report detailing the preferred tenderer for Supply of Energy to the Street lighting network will be presented at the March meeting.

Precis:

The energy supply contract that Council is currently utilising for Street Lighting is due to expire on the 30 September 2019. A proposed new contract will run for a period of 24 months from 1 October 2019 until 30 Sept 2021.

MOTION

37966	<p>That the report be received and the information noted.</p> <p>Moved: Cr G Wall, Seconded: Cr S Low.</p> <p style="text-align: right;">Carried.</p>
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3. WORKS PROGRESS REPORT

FILE NO: EF02/208

ANNEXURES: A Major Works to continue or commence in the next 3 months

AUTHOR: Works Manager

COMMUNITY STRATEGIC PLAN: Public Infrastructure & Services

DELIVERY PROGRAM: 8. Council Programs and Activities Supporting Public Infrastructure and Services

OFFICERS RECOMMENDATION:

That the report be received and the information noted.

Precis:

Reporting on construction and maintenance works undertaken in December 2018 and January 2019.

RESOLUTION

37967	<p>That the report be received and the information noted.</p> <p>Moved: Cr G Riley, Seconded: Cr R Booth.</p> <p style="text-align: right;">Carried.</p>
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CORPORATE SERVICES DEPARTMENT

1. QUARTERLY FINANCE REPORT FOR THE PERIOD ENDING 31 DECEMBER 2019

FILE NO:	EF08/224
ANNEXURES:	A Quarterly finance report for the period ending 31 December 2019
AUTHOR:	Executive Manager Corporate Services
COMMUNITY STRATEGIC PLAN:	7. Council Governance and Finance
DELIVERY PROGRAM:	5. Council undertakes prudent financial management to ensure its long-term viability

OFFICERS RECOMMENDATION:

That the variations to budgeted expenditures and revenues for the December quarter be approved and form part of the Operational Plan 2018/19.

Precis:

Review of expenditure and revenues as per Section 203 of the Local Government (General) Regulation 2005 for the quarter ending 31 December 2019.

RESOLUTION

37968	<p>That the variations to budgeted expenditures and revenues for the December quarter be approved and form part of the Operational Plan 2018/19.</p> <p>Moved: Cr G Riley, Seconded: Cr J Lyon.</p> <p style="text-align: right;">Carried.</p>
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2. STATEMENT OF INVESTMENTS

FILE NO:	EF08/220
ANNEXURES:	'A' Statement of Investments
AUTHOR:	Executive Manager Corporate Services
COMMUNITY STRATEGIC PLAN:	Council Governance & Finance - Council undertakes prudent financial management to ensure its long-term viability
DELIVERY PROGRAM:	5.4 Finance – Investments

OFFICERS RECOMMENDATION:

The report be received and the information noted.

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

37969	<p>The report be received and the information noted.</p> <p>Moved Cr J Connors, Seconded Cr D Rayward.</p> <p style="text-align: right;">Carried.</p>
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3. WORKS COST STATEMENT

FILE NO:	EF08/221
ANNEXURES:	'A' Works Cost Statement
AUTHOR:	Executive Manager Corporate Services
COMMUNITY STRATEGIC PLAN:	Council Governance & Finance - Council undertakes prudent financial management to ensure its long-term viability.
DELIVERY PROGRAM:	5.1.1 Continue to provide monthly works cost statement to Council.

OFFICERS RECOMMENDATION:

The report be received and the information noted.

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

37970	That the report be received and the information noted. Moved Cr G Wall, Seconded Cr G Riley. Carried.
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4. COUNCILLORS TRAVELLING & OTHER EXPENSES

FILE NO:	EF08/222
ANNEXURES:	Nil
AUTHOR:	Executive Manager Corporate Services
COMMUNITY STRATEGIC PLAN:	Council Governance & Finance - Councillors are responsive, accessible and actively involved within local communities
DELIVERY PROGRAM:	1.1 Councillor representation

OFFICERS RECOMMENDATION:

The report be received and information noted.

Precis:

Report on Councillors travelling for Councillors information.

RESOLUTION

37971	That the report be received and the information noted. Moved Cr K Murphy, Seconded Cr S Low.	Carried.
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5. LOCAL GOVERNMENT ELECTION ADMINISTRATION SEPTEMBER 2020

FILE NO:	EF17/64
ANNEXURES:	Nil
AUTHOR:	Executive Manager Corporate Services
COMMUNITY STRATEGIC PLAN:	7. Governance and Finance.
DELIVERY PROGRAM:	2. Decision making processes are open, transparent and inclusive.

OFFICERS RECOMMENDATION:

1. That Council resolves in principal, without known costs, to enter into an arrangement with the Electoral Commissioner to administer all council's elections, polls and constitutional referenda in relation to the September 2020 local government election and
2. A final determination on the administration of the election will be made when election costs are known.

Precis:

Council is required to make a decision on how the September 2020 ordinary elections are to be administered at least 18 months before the next ordinary election of councillors.

MOTION

37972	<ol style="list-style-type: none"> 1. That Council resolves in principal, without known costs, to enter into an arrangement with the Electoral Commissioner to administer all council's elections, polls and constitutional referenda in relation to the September 2020 local government election and 2. A final determination on the administration of the election will be made when election costs are known. <p>Moved Cr J Connors, Seconded Cr J Lyon.</p> <p style="text-align: right;">Carried.</p>
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GENERAL MANAGERS REPORTS

1. AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT

FILE NO:	EF09/1
ANNEXURES:	Nil
AUTHOR:	The General Manager
COMMUNITY STRATEGIC PLAN:	Council Governance & Finance
DELIVERY PROGRAM:	8.1 Governance - Advocacy

OFFICERS RECOMMENDATION:

1. That Council determine as to whether the Council should or should not be attending the Australian Local Government Association (ALGA) National General Assembly of Local Government (NGA) 2019 and appoint delegates to represent the Council.
2. That Councillors bring forward matters they wish to be submitted to the Australian Local Government Association (ALGA) National General Assembly of Local Government (NGA) 2019 for consideration in accordance with the NGA criteria and checklist for submission of motions.

Precis:

Reporting on the Australian Local Government Association (ALGA) - National General Assembly of Local Government (NGA) 2019.

MOTION

37973	<ol style="list-style-type: none"> 1. That Council attend the Australian Local Government Association (ALGA) National General Assembly of Local Government (NGA) 2019 and that the Mayor and General Manager represent Council. 2. That Councillors bring forward matters they wish to be submitted to the Australian Local Government Association (ALGA) National General Assembly of Local Government (NGA) 2019 for consideration in accordance with the NGA criteria and checklist for submission of motions. <p>Moved Cr T Norman, Seconded Cr D Rayward.</p> <p style="text-align: right;">Carried.</p>
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2. NSW OFFICE OF LOCAL GOVERNMENT CIRCULARS

FILE NO: EF08/142
ANNEXURES: Nil
AUTHOR: The General Manager

OFFICERS RECOMMENDATION:

That the report be received and the information noted.

Precis:

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

RESOLUTION

37974	<p>That the report be received and the information noted.</p> <p>Moved Cr J Connors, Seconded Cr J Lyon</p> <p style="text-align: right;">Carried.</p>
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3. CLOSED COUNCIL

FILE NO:	N/A
ANNEXURES:	Nil
AUTHOR:	The General Manager
COMMUNITY STRATEGIC PLAN:	Council Governance & Finance - Decision-making processes are open, transparent and inclusive
DELIVERY PROGRAM:	2.1 Governance – Meetings.

OFFICERS RECOMMENDATION:

1. That Council resolve into Closed Council to consider business identified, together with any late reports tabled at the meeting.
2. That 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. That 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*.

Precis:

Report referring matters to Closed Council.

RESOLUTION

37975	<ol style="list-style-type: none"> 1. That Council resolve into Closed Council to consider business identified, together with any late reports tabled at the meeting. 2. That pursuant to section 10A (1)-(3) of the <i>Local Government Act 1993</i>, 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. That 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 <i>Local Government Act 1993</i>. <p>Moved Cr R Booth, Seconded Cr S Low.</p> <p style="text-align: right;">Carried.</p>
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4. DELIVERY PROGRAM – SIX MONTHLY REPORT

FILE NO: EF09/142
ANNEXURES: A Delivery Program Update
AUTHOR: Coralie Nichols

OFFICERS RECOMMENDATION:

That the report be received and the information noted.

Precis:

Six monthly progress report on Council's Delivery Program for the period 1 July, 2018 to the 31 December, 2018.

RESOLUTION

37976	<p>That the report be received and the information noted.</p> <p>Moved Cr D Rayward, Seconded Cr K Murphy.</p> <p style="text-align: right;">Carried.</p>
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REPORTS FROM COMMITTEES AND OUTSIDE ORGANISATIONS

1. COUNCIL'S MANAGEMENT COMMITTEE MEETING MINUTES

FILE NO: N/A

ANNEXURES: A Management Committee Meeting Minutes

AUTHOR: The General Manager

OFFICERS RECOMMENDATION:

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

Precis:

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

MOTION

37977	<p>That the minutes of the Management Committee Meeting be received and noted.</p> <p>Moved: Cr R Booth, Seconded: Cr J Lyon.</p> <p style="text-align: right;">Carried.</p>
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BUSINESS OF AN URGENT NATURE

Nil.

CLOSED COUNCIL

MOTION

37978	<ol style="list-style-type: none"> 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 <i>Local Government Act 1993</i>, 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 <i>Local Government Act 1993</i>. 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 <i>Local Government Act 1993</i>. <p>Moved Cr S Low, Seconded: Cr K Murphy.</p> <p style="text-align: right;">Carried.</p> <p>Council closed its meeting at 6.41 pm. The public and media left the Chambers.</p>
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MOTION

37979	<p>That Council resume the Order of Council business.</p> <p>Moved Cr R Booth, Seconded: Cr J Lyon.</p> <p style="text-align: right;">Carried.</p> <p>The Order of Council business resumed at 7.51 pm.</p>
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The following resolutions of Council while the meeting was closed to the public were read to the meeting.

ENVIRONMENTAL SERVICES DEPARTMENT

1. DUNGOG FLOOD RISK MANAGEMENT STUDY AND PLAN – SUCCESSFUL GRANT APPLICATION FOR VOLUNTARY HOUSE RAISING OF 4 PROPERTIES IN DUNGOG.

FILE NO:	EF15/84
ANNEXURES:	Nil
AUTHOR:	Manager Environmental Services
COMMUNITY STRATEGIC PLAN:	Rural and Urban Development-Strategy 4
DELIVERY PROGRAM:	4.1 Improvement in Council's Policy framework to enable delivery of high quality development outcomes

OFFICERS RECOMMENDATION:

1. That Council co-ordinate the voluntary house raising project in partnership with interested property owners in accordance with NSW Office of Environment and Heritage Guidelines.
2. That Council waive all Development related fees applicable to the raising of the properties as a contribution to the process.
3. Where property owners do not wish to participate in the project, that OEHL be advised accordingly.

Precis:

The purpose of this report is to advise Council of a successful grant application for the Voluntary House Raising of 4 properties in Dungog. The report also seeks Council's direction in progressing the Voluntary House Raising project which is an action of the Dungog Flood Risk Management Study and Plan.

RESOLUTION

37980	<ol style="list-style-type: none"> 1. That Council co-ordinate the voluntary house raising project in partnership with interested property owners in accordance with NSW Office of Environment and Heritage Guidelines. 2. That Council waive all Development related fees applicable to the raising of the properties as a contribution to the process. 3. Where property owners do not wish to participate in the project, that OEHL be advised accordingly. <p>Moved: Cr S Low, Seconded: Cr J Lyon.</p> <p style="text-align: right;">Carried.</p>
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INFRASTRUCTURE & ASSETS DEPARTMENT

1. COULSTON and SPOONER BRIDGE REPLACEMENTS TENDER 04/2018

FILE NO:	EF16/57
ANNEXURES:	Nil
AUTHOR:	Executive Manager Infrastructure and Assets
COMMUNITY STRATEGIC PLAN:	Public Infrastructure and Services
DELIVERY PROGRAM:	Strategy 5.2 – Asset Maintenance

OFFICERS RECOMMENDATION:

It is recommended that Council:

- a. Accept the Tender from **Saunders Civilbuild Pty Ltd** for the replacement of Coulston and Spooner Bridges (Tender 04/2018);
- b. Notify all unsuccessful Tenderers of Council's decision;
- c. Displays a notice containing the name of the successful Tenderer and the amount of said Tender.

Precis:

This report gives the analysis of the tenders received for Tender 04/2018 for the Design and Construction of Coulston and Spooner Bridges on the Paterson River.

RESOLUTION

37981	<p>It is recommended that Council:</p> <ol style="list-style-type: none"> a. Accept the Tender from Saunders Civilbuild Pty Ltd for the replacement of Coulston and Spooner Bridges (Tender 04/2018); b. Notify all unsuccessful Tenderers of Council's decision; c. Displays a notice containing the name of the successful Tenderer and the amount of said Tender. <p>Moved: Cr D Rayward, Seconded: Cr K Murphy.</p> <p style="text-align: right;">Carried.</p>
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Cr Wall declared a non-pecuniary interest in the following report and left the Chambers at 6.45pm.

COMMITTEE OF THE WHOLE

MOTION

37982	That Council move into Committee of the Whole. Moved: Cr T Norman, Seconded: Cr S Low. Council resolved into Committee of the Whole at 6.46pm.	Carried.
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Cr Low left the Chambers at 7.15 pm and did not return.

MOTION

37983	That Council resume Closed Council. Moved: Cr R Booth, Seconded: Cr J Lyon. Council resolved into Closed Council at 7.50pm.	Carried.
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GENERAL MANAGER

1. WILLIAMS RIVER HOLIDAY PARK

FILE NO: EF11/56

ANNEXURES: Nil

AUTHOR: Manager Business Investment and Strategy

COMMUNITY STRATEGIC PLAN: Local Economy

DELIVERY PROGRAM: Strategy 8: Identify and develop, in partnership with local business operators, local tourism opportunities with a focus on overnight stay visitors to the Shire.

OFFICERS RECOMMENDATION:

That:

1. Council receive and note the report.
2. Council determine its position in regard to Point I in the Action Summary provided at the end of the report
3. Subject to Council's determination in regard to Point 1 in the Action Summary, the items contained within Point 2 of the Action Summary be implemented
4. An update report on the matter be provided to the March 2019 Council Meeting.

Precis:

The purpose of this report is to outline a range of issues associated with the operation of the Williams River Holiday Park and to seek endorsement of measures to address those issues.

MOTION

37984	<p>That the Action Plan as presented to the February 2019 Ordinary Meeting be adopted and implemented forthwith.</p> <p>Moved Cr J Connors, Seconded: Cr D Rayward.</p> <p style="text-align: right;">Carried.</p>
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Cr Wall returned to the Chambers at 7.51pm.

There being no further business the meeting terminated at 7.54 pm.

Confirmed:
Mayor

Confirmed:
General Manager

Date:

Date: