

DUNGOG SHIRE COUNCIL



Minutes of the Ordinary Meeting

17 July 2007

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COMMITTEE OF THE WHOLE

EXECUTIVE MANAGER – INFRASTRUCTURE & ASSETS

1. Council's Business Operations

COMPLIMENTS

MINUTES OF THE ORDINARY MEETING OF DUNGOG SHIRE COUNCIL HELD AT DUNGOG SHIRE COUNCIL OFFICES ON 17 JULY 2007 COMMENCING AT 6.04 PM.

PRESENT: The Mayor, Councillor G D Wall, and Councillors S T Low AM, M A Flannery, L D Mitchell, J F Thompson and B R Watkins.

OFFICERS IN ATTENDANCE: G W McDonald, A/General Manager, S L Chandler, Executive Manager Corporate Services, K M Cousins, A/Manager – Planning and T J Kavanagh, Manager - Environmental Services.

APOLOGIES: Councillors S B Farrow, E M Murrell and P C Trappel.

Minute No. 33540

RESOLVED on the motion of Cr Low and seconded by Cr Thompson that the apology be accepted and leave of absence granted.

ABSENT: Nil

DECLARATION OF INTERESTS:

The General Manager declared that he had received the following Declarations:-

Councillor Thompson declared a non-pecuniary interest in Item 4 – Manager Planning's Report.

CONFIRMATION OF MINUTES:

Minute No. 33541

RESOLVED on the motion of Cr Mitchell and seconded by Cr Flannery that the Minutes of the Ordinary Meeting of Council, held on Tuesday 19 June 2007 having been circulated amongst the members of the Council be confirmed.

Minute No. 33542

RESOLVED on the motion of Cr Mitchell and seconded by Cr Flannery that the Minutes of the Extra Ordinary Meeting of Council, held on Monday 25 June 2007 having been circulated amongst the members of the Council be confirmed.

Minute No. 33543

RESOLVED on the motion of Cr Mitchell and seconded by Cr Flannery that the Minutes of the Extra Ordinary Committee of the Whole Meeting of Council, held on Monday 25 June 2007 having been circulated amongst the members of the Council be confirmed.

MATTERS ARISING: Nil

NOTICE OF MOTION: Nil

The Prayer was delivered by Rev P Clift, Anglican Church, Dungog.

The Ode was delivered by the Mayor, Cr G D Wall.

MAYORAL MINUTE

Councillor G D Wall

1. **DUNGOG SHOWGROUND REGIONAL PARTNERSHIP GRANT APPLICATION
20/2**
-

RECOMMENDATIONS

1. Allowing for cost fluctuation and CPI increase, Council allocate \$10,000.00 (In-Kind & Donation) towards the Dungog Showground Multi Purpose Facility Project, if the Regional Partnership Grant application is successful.
2. That the Mayor continues to liaise and assist with the project as required.

Minute No. 33544

A MOTION was moved by Cr Wall that:

1. Allowing for cost fluctuation and CPI increase, Council allocate \$10,000.00 (In-Kind & Donation) towards the Dungog Showground Multi Purpose Facility Project, if the Regional Partnership Grant application is successful.
2. The Mayor continues to liaise and assist with the project as required.

On being put the motion was carried.

GENERAL MANAGER'S REPORT

Craig Deasey

1. **WORKCHOICES LOCAL GOVERNMENT PAY INCREASE PROPOSAL
105**
-

Précis:

Reporting on recent correspondence from the NSW Local Government, Clerical, Administrative, Energy, Airlines & Utilities Union.

Minute No. 33545

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

1. The report be received and noted.
2. The General Manager undertake preliminary negotiations with the New South Wales Local Government, Clerical, Administrative, Energy, Airlines & Utilities Union.
3. The General Manager continue to liaise with the NSW Shires Association Industrial Division as regards the outcome of the preliminary negotiations.
4. The outcome of the preliminary negotiations be reported back to Council for determination.

2. HUNTER VALLEY RESEARCH FOUNDATION
49

Précis:

Reporting on correspondence in relation to the annual sponsorship allowance.

Minute No. 33546

RESOLVED on the motion of Cr Flannery and seconded by Cr Mitchell that Council increase their support to the HVRF to \$1500 GST Incl. with the budget adjustment to be met from available funds.

3. ELECTION FUNDING AUTHORITY
34/1

Précis:

Advising Council of receipt of declarations from the candidates of the February 2007 Council by-election.

Minute No. 33547

A MOTION was moved by Cr Wall and seconded by Cr Flannery that:

1. The report be received and the information noted.
2. Council correspond with our Local Member, the Hon George Souris, Hunter Councils, "D" Division and the LGSA seeking representation that the NSW Government reconsider this "Full Cost Recovery" impost to Councils and Local Communities and/or allow Local Government to consider cost saving initiatives during Local Government elections.

On being put the motion was carried.

4. PATERSON LAGOON
79/38

Précis:

Reporting on the status of the implementation of Council resolution as regards the proposed naming of the Reserve.

Minute No. 33548

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

1. The report be received and noted.
 2. Council co-ordinate a meeting with the Executives of both the Paterson Progress Association and the Paterson Rotary Club Inc.
 3. Council advise the Geographic Names Board of our intention to undertake further community consultation.
-

5. NSW DEPARTMENT OF LOCAL GOVERNMENT CIRCULARS
20

Précis:

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

Minute No. 33549

RESOLVED on the motion of Cr Flannery and seconded by Cr Mitchell that the report be received and the information noted.

Tracey Lowrey

6. COMMUNITY PROJECT OFFICER REPORT

Précis:

Reporting on Community Project Officer's activities for the period April to June.

Minute No. 33550

RESOLVED on the motion of Cr Mitchell and seconded by Cr Flannery that the report be received and the information noted.

Greg Fenwick

7. ECONOMIC DEVELOPMENT COMMITTEE
18/26

Précis:

Reporting on the activities of the Economic Development Committee.

Minute No. 33551

RESOLVED on the motion of Cr Flannery and seconded by Cr Thompson that Council accepts this report on the activity of the Economic Development Committee and remains aware of future activity.

Greg Fenwick

8. THE BARRINGTON TOPS TOURISM PROJECT
214 / 8

Précis:

Reporting on the result of an application for funding under Round 4 of the Australian Tourism Development Project (ATDP) for the development of a Regional Tourism Marketing Strategy for the Barrington Tops region.

Minute No. 33552

A MOTION was moved by Cr Flannery and seconded by Cr Mitchell that:

1. Council accepts this report and is continually updated on the progress of the project by the Economic Development and Tourism Coordinator.
2. Council congratulates Greg Fenwick, Economic Development and Tourism Coordinator on obtaining this grant

On being put the motion was carried.

CORPORATE SERVICES DEPARTMENT EXECUTIVE MANAGER'S REPORT

Shaun Chandler

1. STATEMENT OF INVESTMENTS 256

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 Local Government Act.

Minute No. 33553

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

Robert Brown

2. WORKS COST STATEMENT 97/1

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.

Minute No. 33554

RESOLVED on the motion of Cr Low and seconded by Cr Flannery that the Works Cost Statement for the period ending 30 June 2007 be received and noted.

Shaun Chandler

3. COUNCILLORS TRAVELLING & OTHER EXPENSES 120/1

Précis:

Report on Councillors travelling for Councillors information.

Minute No. 33555

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

**4. SPECIAL VARIATION TO GENERAL INCOME 2007/08
96/1**

Précis:

Reporting on Council's application to the Department of Local Governments for Ministerial approval for a special variation to general income.

Minute No. 33556

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

Steve Gorton

**5. INTEREST PAYABLE ON OVERDUE RATES AND CHARGES
96/1**

Précis:

In accordance with the provisions of Section 566 of the Local Government Act, 1993, interest accrues on rates and charges that remain unpaid after they become due and payable.

Minute No. 33557

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

1. An interest rate of ten point zero per centum (10%) per annum on overdue rates and charges be adopted for the rating year 1st July 2007 to 30th June 2008 and be calculated on a daily simple interest basis.
 2. Interest be applicable to Ordinary and Special Rates (excepting the On-Site Sewage Management Special Rate), Annual Water Access and Sewerage Service Charges, Water Consumption Charges, Other Sewerage Charges, Urban Stormwater Charges, Annual Domestic Waste Management Charges, Annual Recycling Charges, Annual Waste Management and Sanitary Charges, Other Waste Management and Sanitary Charges.
-

Steve Gorton

**6. MAKING OF RATES AND CHARGES FOR THE YEAR
COMMENCING 1 JULY 2007
96/1, 144/44**

Précis:

Council is required to make the rates and charges for the financial year commencing 1 July 2007 in accordance with Sections 535, 537 & 538 of the Local Government Act 1993.

Minute No. 33558

RESOLVED on the motion of Cr Low and seconded by Cr Flannery that in accordance with Chapter 15 of the Local Government Act 1993, Council make the following rates and charges for the year 1st July 2007 to 30th June 2008:-

(A) ORDINARY RATES

- (i) The Farmland Category of the Ordinary Rate shall consist of a Base Amount to which an ad valorem amount is added, as follows:-
- (a) the Base Amount shall be **two hundred and fifty dollars (\$250.00)** on all rateable land within the category, within the Shire; and
- the percentage of the total amount payable by the levying of the Rate for the Farmland Category of the Ordinary Rate that the levying of the Base Amount will produce, is **14.51%**.
- (b) the ad valorem amount shall be **zero point two one nine three (0.2193) cents in the dollar** applied to the land value of all rateable land within the category, within the Shire.
- (ii) The Residential Category, excepting Sub-categories Clarence Town, Dungog and Village, of the Ordinary Rate shall consist of a Base Amount to which an ad valorem amount is added, as follows:-
- (a) the Base Amount shall be **two hundred and forty dollars (\$240.00)** on all rateable land within the category, within the Shire; and
- the percentage of the total amount payable by the levying of the Rate for the Residential Category of the Ordinary Rate that the levying of the Base Amount will produce, is **32.49%**.
- (b) the ad valorem amount shall be **zero point one eight one nine (0.1819) cents in the dollar** applied to the land value of all rateable land within the category, within the Shire.
- (iii) The Residential - Clarence Town Sub-category of the Ordinary Rate shall consist of a Base Amount to which an ad valorem amount is added, as follows:-
- (a) the Base Amount shall be **two hundred and twenty nine dollars (\$229.00)** on all rateable land within the sub-category, within the Shire; and
- the percentage of the total amount payable by the levying of the Rate for the Residential - Clarence Town Sub-category of the Ordinary Rate that the levying of the Base Amount will produce, is **49.97%**.
- (b) the ad valorem amount shall be **zero point one eight four three (0.1843) cents in the dollar** applied to the land value of all rateable land within the sub-category, within the Shire.
- (iv) The Residential - Dungog Sub-category of the Ordinary Rate shall consist of a Base Amount to which an ad valorem amount is added, as follows:-
- (a) the Base Amount shall be **one hundred dollars (\$100.00)** on all rateable land within the sub-category, within the Shire; and
- the percentage of the total amount payable by the levying of the Rate for the Residential - Dungog Sub-category of the Ordinary Rate that the levying of the Base Amount will produce, is **21.20%**.
- (b) the ad valorem amount shall be **zero point three seven seven seven (0.3777) cents in the dollar** applied to the land value of all rateable land within the sub-category, within the Shire.

- (v) The Residential - Village Sub-category of the Ordinary Rate shall consist of a Base Amount to which an ad valorem amount is added, as follows:-
- (a) the Base Amount shall be **one hundred and ninety dollars (\$190.00)** on all rateable land within the sub-category, within the Shire; and
- the percentage of the total amount payable by the levying of the Rate for the Residential - Village Sub-category of the Ordinary Rate that the levying of the Base Amount will produce, is **48.05%**,
- (b) the ad valorem amount shall be **zero point one nine two five (0.1925) cents in the dollar** applied to the land value of all rateable land within the sub-category, within the Shire.
- (vi) The Business Category, excepting Sub-categories Clarence Town, Dungog and Village, of the Ordinary Rate shall consist of a Base Amount to which an ad valorem amount is added, as follows:-
- (a) the Base Amount shall be **Three hundred dollars (\$300.00)** on all rateable land within the category, within the Shire; and
- the percentage of the total amount payable by the levying of the Rate for the Business Category of the Ordinary Rate that the levying of the Base Amount will produce, is **40.54%**.
- (b) the ad valorem amount shall be **zero point two six nine seven (0.2697) cents in the dollar** applied to the land value of all rateable land within the category, within the Shire.
- (vii) The Business - Clarence Town Sub-category of the Ordinary Rate shall consist of a Base Amount to which an ad valorem amount is added, as follows:-
- (a) the Base Amount shall be **two hundred and eighty dollars (\$280.00)** on all rateable land within the sub-category, within the Shire; and
- the percentage of the total amount payable by the levying of the Rate for the Business - Clarence Town Sub-category of the Ordinary Rate that the levying of the Base Amount will produce, is **48.75%**.
- (b) the ad valorem amount shall be **zero point three four seven one (0.3471) cents in the dollar** applied to the land value of all rateable land within the sub-category, within the Shire.
- (viii) The Business - Dungog Sub-category of the Ordinary Rate shall consist of a Base Amount to which an ad valorem amount is added, as follows:-
- (a) the Base Amount shall be **two hundred and sixty dollars (\$260.00)** on all rateable land within the sub-category, within the Shire; and
- the percentage of the total amount payable by the levying of the Rate for the Business - Dungog Sub-category of the Ordinary Rate that the levying of the Base Amount will produce, is **41.39%**.
- (b) the ad valorem amount shall be **zero point three nine four six (0.3946) cents in the dollar** applied to the land value of all rateable land within the sub-category, within the Shire.

- (ix) The Business - Village Sub-category of the Ordinary Rate shall consist of a Base Amount to which an ad valorem amount is added, as follows:-
- (a) the Base Amount shall be **two hundred and thirty five dollars (\$235.00)** on all rateable land within the sub-category, within the Shire; and
- the percentage of the total amount payable by the levying of the Rate for the Business - Village Sub-category of the Ordinary Rate that the levying of the Base Amount will produce, is **49.82%**.
- (b) the ad valorem amount shall be **zero point two six three nine (0.2639) cents in the dollar** applied to the land value of all rateable land within the sub-category, within the Shire.

(B) SPECIAL RATES

- (i) A Clarence Town Sewerage Special Rate of **zero point one three (0.13) cents in the dollar, subject to a minimum rate of two hundred and sixty dollars zero cents (\$260.00)**, applied to the land value of all rateable land within the township of Clarence Town as delineated on a map held at the Council Office, and which will have access to the proposed sewerage scheme for Clarence Town.
- (ii) In accordance with the provisions of the Catchment Management Authorities Act 2003 and the Hunter Central Rivers Catchment Management Authority Regulation 2005 a Special Rate of **zero point zero one one (0.0110) cents in the dollar** be applied to the Land Value of land contained in the portion of the Hunter Central Rivers Catchment Management Authority District as is located within the Shire, and is rateable for the time being under the provisions of the Local Government Act 1993.
- (iii) An On-site Sewage Management (OSM) Special Rate of **thirty dollars zero cents (\$30.00)** per on-site sewage management facility will be levied on all assessments that are currently charged an annual approval fee throughout the Dungog Shire, excluding those properties that are levied the Clarence Town Sewerage Special Rate or a Dungog Sewerage Charge.

(C) CHARGES

- (i) Clarence Town District Water
- (a) In lieu of a rate for the rendering of water supply to land rateable to the Clarence Town Water Supply in pursuance of Section 552 of the Local Government Act 1993, an Access Charge of **one hundred and ninety nine dollars (\$199.00) per 20mm and fire service connection, two hundred and forty two dollars (\$242.00) per 25mm connection, three hundred and twenty dollars (\$320.00) per 32mm connection, four hundred and thirty two dollars (\$432.00) per 40mm connection, six hundred and six dollars (\$606.00) per 50mm connection, one thousand three hundred and sixty three dollars (\$1363.00) per 80mm connection, two thousand and sixty two dollars (\$2062.00) per 100mm connection and one hundred and ninety nine dollars (\$199.00) per unconnected property** under Section 501 for properties within 225 metres of the supply.
- (b) In respect of rateable and non rateable properties subject to the Access Charge, under Section 502 of the Local Government Act 1993 a charge by measure of **seventy four (74.00) cents per kilolitre** for the first 220 kilolitres of water used and a charge by measure of **one hundred and forty four point six (144.60) cents per kilolitre** for each kilolitre used thereafter.

- (c) In respect of properties that are not subject to an Access Charge under Section 502 of the Local Government Act 1993, or which receive a Community Service Obligation rebate for an Access Charge, a charge by measure of **one hundred and forty four point six (144.6) cents** per kilolitre of water used.
- (ii) Dungog District Water
- (a) In lieu of a rate for the rendering of water supply to land rateable to the Dungog Water Supply in pursuance of Section 552 of the Local Government Act 1993, an Access Charge of **one hundred and ninety three dollars (\$193.00) per 20mm and fire service connection, two hundred and thirty five dollars (\$235.00) per 25mm connection, three hundred and nine dollars (\$309.00) per 32mm connection, four hundred and sixteen dollars (\$416.00) per 40mm connection, five hundred and eighty three dollars (\$583.00) per 50mm connection, one thousand three hundred and eight dollars (\$1308.00) per 80mm connection, one thousand nine hundred and seventy seven dollars (\$1977.00) per 100mm connection and one hundred and ninety three dollars (\$193.00) per unconnected property** under Section 501 for properties within 225 metres of the supply.
- (b) In respect of properties subject to the Access Charge, under Section 502 of the Local Government Act 1993 a charge by measure of **seventy two point one (72.10) cents** per kilolitre for the first 220 kilolitres of water used and a charge by measure of **one hundred and forty four point six zero (144.60) cents** per kilolitre for each kilolitre used thereafter.
- (c) In respect of properties that are not subject to an Access Charge under Section 502 of the Local Government Act 1993 or which receive a Community Service Obligation rebate for an Access Charge, a charge by measure of **one hundred and forty four point six zero (144.60) cents** per kilolitre of water used.
- (iii) Gresford District Water
- (a) In lieu of a rate for the rendering of water supply to land rateable to the Gresford Water Supply in pursuance of Section 552 of the Local Government Act 1993, an Access Charge of **four hundred and fifty three dollars (\$453.00) per 20mm and fire service connection, five hundred and seventy five dollars (\$575.00) per 25mm connection, seven hundred and ninety dollars (\$790.00) per 32mm connection, one thousand one hundred and one dollars (\$1101.00) per 40mm connection, one thousand five hundred and eighty six dollars (\$1586.00) per 50mm connection, three thousand six hundred and ninety dollars (\$3690.00) per 80mm connection, five thousand six hundred and thirty one dollars (\$5631.00) per 100mm connection and four hundred and fifty three dollars (\$453.00) per unconnected property** under Section 501 for properties within 225 metres of the supply.
- (b) In respect of properties subject to the Access Charge, under Section 502 of the Local Government Act 1993 a charge by measure of **eighty point four zero (80.40) cents** per kilolitre for the first 220 kilolitres of water used and a charge by measure of **one hundred and ninety six point nine zero (196.9) cents** per kilolitre for each kilolitre used thereafter.
- (c) In respect of properties that are not subject to an Access Charge a charge by measure of **one hundred and ninety six point nine zero (196.90) cents** per kilolitre of water used.

(iv) Paterson District Water

- (a) In lieu of a rate for the rendering of water supply to land rateable to the Paterson Water Supply in pursuance of Section 552 of the Local Government Act 1993, an Access Charge of **three hundred and five dollars (\$305.00) per 20mm and fire service connection, three hundred and sixty nine dollars (\$369.00) per 25mm connection, four hundred and eighty two dollars (\$482.00) per 32mm connection, six hundred and forty five dollars (\$645.00) per 40mm connection, nine hundred dollars (\$900.00) per 50mm connection, two thousand and five dollars (\$2005.00) per 80mm connection, three thousand and twenty five dollars (\$3025.00) per 100mm connection and three hundred and five dollars (\$305.00) per unconnected property** under Section 501 for properties within 225 metres of the supply.
- (b) In respect of properties subject to the Access Charge, under Section 502 of the Local Government Act 1993 a charge by measure of **eighty nine point seven zero (89.70) cents** per kilolitre for the first 220 kilolitres of water used and a charge by measure of **one hundred and ninety two point three zero (192.3) cents** per kilolitre for each kilolitre used thereafter.
- (c) In respect of properties that are not subject to an Access Charge under Section 502 of the Local Government Act 1993 a charge by measure of **one hundred and ninety two point three zero (192.30) cents** per kilolitre of water used.

(v) Dungog Sewerage

- (a) In lieu of a rate for the rendering of sewerage services to land rateable to the Dungog Sewerage Scheme in pursuance of Section 552 of the Local Government Act 1993, an Annual Charge of **four hundred dollars zero cents (\$400.00)** under Section 501 for properties connected to the scheme or built upon and an Annual Charge of **three hundred and one dollars (\$301.00)** under Section 501 for properties not connected to the scheme nor built upon.
- (b) For sewerage services in respect of additional tenements flats or dwellings on the one parcel of land an Annual Charge of **\$420.00 per service for up to three additional services and \$210.00 per service for each service in excess of four services.**

No. of Services per Assessment	Annual Charge per Assessment
1.	\$ 420.00
2.	\$ 840.00
3.	\$1260.00
4.	\$1470.00
5.	\$1680.00
6.	\$1890.00
7.	\$2100.00

- (c) For sewerage services in respect of Licensed Clubs and licensed areas of Hotels a Charge of **one hundred and eighty nine dollars zero cents (\$189.00)** per annum per Water Closet and a Charge of **one hundred and fifty seven dollars zero cents (\$157.00)** per annum per Urinal.

- (d) For sewerage services in respect of Motels and guest areas of Hotels a Charge of **ninety four dollars zero cents (\$94.00)** per annum per Water Closet and a Charge of **seventy nine dollars zero cents (\$79.00)** per annum per Urinal.
- (e) For sewerage services rendered to non rateable lands Charges as follows:-

Water Closets - Residential Aged Care Facility	\$94.00 per annum per water closet
Water Closets - Schools, religious bodies	\$189.00 per annum per water closet
Urinals - Schools, religious bodies	\$157.00 per annum per urinal
Water Closets - Other non-rateable properties	\$377.00 per annum per water closet
Urinals - Other non-rateable properties	\$157.00 per urinal

(vi) Domestic Waste Management Services

- (a) In pursuance of Section 496 of the Local Government Act, 1993 an Annual Domestic Waste Management Charge of **one hundred and thirty six dollars and fifty cents (\$136.50)** for a weekly service to domestic premises will be levied as follows:-

No. of Services per Assessment	Annual Charge per Assessment
1.	\$136.50
2.	\$273.00
3.	\$409.50
4.	\$546.00
5.	\$682.50
6.	\$819.00
7.	\$955.50

- (b) An Annual Domestic Waste Management Charge of **twenty six dollars and twenty five cents (\$26.25)** for each vacant parcel of rateable land for which the service is available in pursuance of Section 496 of the Local Government Act, 1993.

(vii) Waste Management Services

- (a) In pursuance of Section 501 of the Local Government Act, 1993 an annual Waste Management Charge of **one hundred and fifty seven dollars (\$157.00)** for a weekly service to business/commercial premises will be levied as follows:-

No. of Services per Assessment	Annual Charge per Assessment
1	\$157.00
2	\$314.00
3	\$471.00
4	\$628.00
5	\$785.00
6	\$942.00

7	\$1,099.00
8	\$1,256.00
9	\$1,413.00
10	\$1,570.00
11	\$1,727.00
12	\$1,884.00

- (b) A Waste Management Charge of **one hundred and forty four dollars and sixty cents (\$144.60)** per service per annum to non-rateable properties where the weekly service is provided in pursuance of Section 502 of the Local Government Act, 1993.

(viii) Recycling Services

- (a) In pursuance of Section 496 of the Local Government Act, 1993 an Annual Recycling Charge of **eighty four dollars (\$84.00)** for a fortnightly service will be levied on domestic premises that are subject to the charge.
- (b) In pursuance of Section 501 of the Local Government Act, 1993 an annual Recycling Charge of **eighty four dollars (\$84.00)** per annum for a fortnightly service will be levied to business/commercial premises where the service is provided.
- (c) In pursuance of Section 502 of the Local Government Act, 1993 a Recycling Charge of **eighty four dollars (\$84.00)** per annum for a fortnightly service will be levied to non-rateable properties where the service is provided.

(ix) Sanitary Services

- (a) In pursuance of Section 501 of the Local Government Act, 1993 an annual charge of **one thousand three hundred and ten dollars (\$1,310.00)** per service for the weekly removal of nightsoil will be levied as follows:-

No. of Services per Assessment	Annual Charge per Assessment
1.	\$1,310.00
2.	\$2,620.00
3.	\$3,930.00

- (b) In pursuance of Section 502 of the Local Government Act, 1993 a Sanitary Charge of **one thousand three hundred and ten dollars (\$1,310.00)** per service per annum will be levied to non-rateable properties where a weekly service is provided.

(x) Stormwater Management Charge

In pursuance of the Local Government (General) Regulation 2005 a levy of **twenty five dollars (\$25.00)** per urban rateable property for planning and provision of urban stormwater management services, with the exception of those properties exempted under the Regulation.

7. **SUMMARY OF RATES & CHARGES COLLECTED**
96/1

Précis

Reporting on the level of outstanding rates and charges as at 30 June 2007.

Minute No. 33559

A MOTION was moved by Cr Low and seconded by Cr Mitchell that:

1. The report be received and the information noted.
2. Council congratulations Steve Gorton, Senior Revenue Officer and the finance staff on this result.

On being put the motion was carried.

Shaun Chandler

8. **AUTHORISATION OF EXPENDITURE FOR 2007/2008**
144/46

Précis:

Authorisation of expenditure included within the Management Plan 2007-2010 for the year ending 30 June 2008 as per the requirements under Clause 211 of the Local Government (General) Regulation 2005.

Minute No. 33560

RESOLVED on the motion of Cr Low and seconded by Cr Mitchell that the amounts shown as estimated expenditure for 2007/2008 detailed in the Estimates of Expenditure and Income (inclusive of capital items) be approved and the funds be voted to meet the expenditure.

Shaun Chandler

9. **REQUEST FOR FINANCIAL ASSISTANCE FROM DUNGOG A & H ASSOCIATION INC.**
268

Précis:

Request for financial assistance from Dungog A & H Association Inc.

Minute No. 33561

RESOLVED on the motion of Cr Flannery and seconded by Cr Mitchell that Council decline this request for assistance as Council already contributes significantly throughout the year toward the showground and committee.

INFRASTRUCTURE & ASSETS DEPARTMENT EXECUTIVE MANAGER REPORT

Terry AG Wilson

1. REVISED STREET NAMING POLICY 97/2

Précis:

This report outlines a new Street Naming policy to bring it in line with current methods required by the Geographical Names Board of New South Wales for Council's consideration.

Minute No. 33562

RESOLVED on the motion of Cr Mitchell and seconded by Cr Thompson that:

1. Council endorses the policy in principle.
2. The policy be advertised for a period of not less than 28 days.
3. In the event objections are received a further report will be presented to Council otherwise the policy be adopted.

Greg McDonald

2. COUNCIL'S BUSINESS OPERATIONS 143/2

Précis:

Reporting on a position concerning Council's Business operations.

Minute No. 33563

RESOLVED on the motion of Cr Flannery and seconded by Cr Low that the matter be considered in a Closed Session of the Committee of the Whole as the report is **CONFIDENTIAL** and contains information that would if disclosed, confer a commercial advantage on a person with whom the Council is proposing to conduct business with.

Steve Hitchens

3. WORKS PROGRESS REPORT 184

Précis:

Reporting on construction and maintenance works.

Minute No. 33564

A MOTION was moved by Cr Low and seconded by Cr Flannery that:

1. The report be received and the information noted.
2. Council congratulates the outdoor staff on their efforts since the June storm.

On being put the motion was carried.

**4. TRAFFIC AND ROAD SAFETY COMMITTEE
119**

Précis:

Reporting on the Traffic Committee meeting held on 4 June 2007 as per Annexure C attached to this report.

Minute No. 33565

A MOTION was moved by Cr Flannery and seconded by Cr Low that:

1. The minutes of the Traffic and Road Safety Committee be received
2. The works identified be undertaken as funding become available.
3. The wording of Item 7 be changed to: The Western wombat crossing be marked as a pedestrian crossing to match the Eastern crossing.

On being put the motion was carried.

**MANAGER PLANNING
PLANNING DEPARTMENT**

Glen Harper

**1. REIMBURSEMENT OF DEVELOPMENT APPLICATION FEES
DA 168/05, 37/2006, 212/2006, 44/2007**

Précis:

Applications for financial assistance for Development Application fees paid for DA's 168/2005, 37/2006, 212/2006 and 44/2007.

Minute No. 33566

A MOTION was moved by Cr Thompson and seconded by Cr Low that:

Development Application 168/2005

Given that half of the funds for this Development Application were obtained through a Department of Sport, Tourism and Recreation grant, Council rejects the request for reimbursement of the Development Application fees.

Development Application 37/2006

Given that this is for a skatepark for the community Council will reimburse 50% of the actual Development Application fee (\$175.00).

Development Application 212/2006

Given that this is the first month of the financial year and reimbursement of 50% of the total Application fees will consume almost one quarter of the Sec 356 budget, Council will reimburse 50% of the Development Application component (\$128.50).

Development Application 44/2007

Given that this is a market, Council will reimburse 50% of the Development Application component (\$50.00).

On being put the motion was carried.

**2. STRATEGIC PLANNING UPDATE
171/64**

Précis:

There are at present a number of strategic planning applications being processed and projects underway.

Minute No. 33567

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

**3. TILLEGRA DAM WORKING PARTY
253**

Précis:

Update Tillegra Dam Related Planning Studies.

Minute No. 33568

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

Councillor Thompson declared a non-pecuniary interest in the following item and left the Chambers at 6.26 pm.

Rezoning Panel

**4. THE CORNISH GROUP – LOT 1 DP 190456 NO. 50 SUMMERHILL ROAD, VACY
171/82/11**

Précis:

Reporting on Rezoning Application.

Minute No. 33569

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

1. Pursuant to Section 54 of the Environmental Planning and Assessment Act 1979, Council resolve to prepare and exhibit a draft Local Environmental Plan to rezone Lot 1 DP 190456 No. 50 Summerhill Road, Vacy from 9(a) Transition to 1(l) Lifestyle.
2. Pursuant to Section 62 of the Environmental Planning and Assessment Act 1979, Council consult with public authorities and other organisations that may have an interest in the draft LEP.

<i>Councillor vote: For – Wall, Low, Flannery, Mitchell. Against - Watkins</i>
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Councillor Thompson returned to the Chambers at 6.27 pm.

5. **BRISBANE GROVE, LOT 1 IN DP 1111257, 263 MARTINS CREEK ROAD, PATERSON
171/82/10**

Précis:

Amendment to Minute number 33515 from the June Ordinary Meeting of Council.

Minute No. 33570

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

1. Pursuant to Section 54 of the Environmental Planning and Assessment Act 1979, Council resolve to prepare and exhibit a draft Local Environmental Plan to rezone Lot 1 in DP 1111257, 263 Martins Creek Road, Paterson from 9(a) Transition to partly 1(l) Rural Lifestyle, partly 1(a) Rural and partly 7(a) Environment.
2. Pursuant to Section 62 of the Environmental Planning and Assessment Act 1979, Council consult with public authorities and other organisations that may have an interest in the draft LEP.

<i>Councillor Vote: Unanimous</i>

Lisa Schiff

6. **LITIGATION REPORT
171/60**

Précis:

Reporting on Planning Legal Costs in relation to litigation matters.

Minute No. 33571

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

Lisa Schiff

7. **DEVELOPMENT APPLICATIONS - DELEGATED AUTHORITY
171/17**

Development Consent has been granted to the following development applications under delegated authority for the month of June, 2007.

Minute No. 33572

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

Minute No. 33573

A MOTION was moved by Cr Wall and seconded by Cr Mitchell that Standing Orders be suspended to allow members of the public to address Council.

On being put the motion was carried.

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Standing Orders were suspended at 6.31 pm.

Mr Jeff Wall spoke against item no. 5 Manager Planning's report.

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Minute No. 33574

A MOTION was moved by Cr Wall and seconded by Cr Low that Standing Orders resume at 6.37 pm.

On being put the motion was carried.

ENVIRONMENTAL SERVICES DEPARTMENT MANAGER'S REPORTS

Eric Pasenow

1. QUARTERLY NOXIOUS WEEDS REPORT 70/1

Précis:

Reporting on Noxious Weeds Program for the period 5 March to the 29 June 2007 and providing a summary of activities for the 2006/2007 period.

Minute No. 33575

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

Terry Kavanagh

2. LANDFILL AND WASTE OPERATIONS 153/2

Précis:

This report is to provide Councillors with an update on the landfill operations and Councils waste collection and recycling programs for the period 2006/2007.

Minute No. 33576

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

Terry Kavanagh

3. COMPANION ANIMALS AND RANGER SERVICES 319/3

Précis:

Reporting on the Companion Animal Program and Ranger activities for the 2006/2007 period.

Minute No. 33577

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

**4. MARTINS CREEK RAILCORP QUARRY
TPA's 1553/1502, 1553/16, 1553/17**

Précis:

This report is to provide Council with a background and update on negotiations with RailCorp in relation to Martins Creek Quarry and to propose the convening of a public information session with the community, RailCorp and integrated State Authorities.

Minute No. 33578

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

1. A public meeting is held in Paterson to address issues in relation to the operation of Martins Creek Quarry.
 2. Representatives from the various integrated authorities, RailCorp and the Local Member are invited to attend.
-

QUESTIONS WITHOUT NOTICE

Councillor Mitchell - tabled a letter from Robin McDonald which asked several questions regarding the storm in June and Council's response to the flooding in Hooke Street. Cr Mitchell enquired if Council will be conducting any drainage clearing?

A/General Manager answered he was unaware of any problems on Council owned land. Application has been made for funding to capture some of the excess runoff from the Showground area but was doubtful of success. A small study would be undertaken of the Myall Creek.

Councillor Low - enquired if Council had data on stormwater capacity and design?

A/General Manager answered that the rainfall event was greater than 1 in 100. Any current stormwater catchment would be unlikely to handle the capacity.

Councillor Thompson – Tillegra Dam Project - With the announcement of the Tillegra Dam, the NSW government has inadvertently bestowed the role of "custodians of water" on the Dungog shire community, whether we like it or not. This is an exceptionally important role which this shire already plays, and one which will be expanded considerably in the future, if the dam is constructed.

I don not believe that this concept of "custodianship" is being explored, and therefore cannot be exploited to the fullest advantage.

I remain opposed to the construction of the Tillegra Dam.

CLOSED COUNCIL

Minute No. 33579

RESOLVED on the motion of Cr Wall and seconded by Cr Low 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 6.58 pm. The public and media left the Chamber.

OUTCOME OF REPORT REFERRED TO CLOSED COUNCIL

The following resolutions of council while the meeting was closed to the public were read to the meeting by the A/General Manager.

**INFRASTRUCTURE & ASSETS DEPARTMENT
EXECUTIVE MANAGER'S REPORT**

Greg Horvath

1. **COUNCIL'S BUSINESS OPERATIONS
143/2**
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Précis:

Reporting on a proposal concerning certain business operations of Council, being the Category 2 business operations of Council under the National Competition Policy.

Minute No. 33580

RESOLVED on the motion of Cr Low and seconded by Cr Mitchell that staff continue to undertake investigations into all potential options.

Minute No. 33582

Moved by Cr Wall and seconded by Cr Flannery that the recommendations of the Closed Council be adopted.

On being put the motion was carried.

There being no further business the meeting terminated at 7.03 pm.

Confirmed

Date