

# **DUNGOG SHIRE COUNCIL**



## **Minutes of the Ordinary Meeting**

**18 October 2011**

## **TABLE OF CONTENTS**

---

### **GENERAL MANAGER**

1. Hunter Councils Inc
2. Local Government Elections 2012
3. Code of Conduct – Reporting of Complaints
4. Local Government Reform Fund Project
5. Council Christmas Arrangements
6. Pecuniary Interest Returns
7. NSW Department of Local Government Circulars
8. Council's Management Committee Meeting Minutes
9. Closed Council
10. Upper Hunter Diversification Project

### **EXECUTIVE MANAGER – CORPORATE SERVICES**

1. Statement of Investments
2. Works Cost Statement
3. Councillors Travelling & Other Expenses
4. Summary of Rates & Charges Collected
5. Gresford District Agricultural Society Inc
6. Council's Management Plan – Fees & Charges Adjustment
7. Intention to Adopt a Policy for the Payment of Expenses and Provision of Facilities to the Mayor and Councillors

### **EXECUTIVE MANAGER – INFRASTRUCTURE & ASSETS**

1. Works Progress Report
2. Alison Court Committee Meeting

### **MANAGER – PLANNING**

1. Litigation Report
2. Development Applications and Complying Development Certificates – Delegated Authority

### **MANAGER - ENVIRONMENTAL SERVICES**

1. Noxious Weeds Report
2. Upper Williams River Flood Study Clarence Town Catchment

### **CLOSED COUNCIL**

### **GENERAL MANAGERS REPORT**

1. Staff Resourcing

### **COMPLIMENTS**

# MINUTES OF THE ORDINARY MEETING OF DUNGOG SHIRE COUNCIL HELD AT DUNGOG SHIRE COUNCIL CHAMBERS ON 18 OCTOBER 2011 COMMENCING AT 6.00 PM.

---

**PRESENT:** Mayor H F Johnston and Councillors A G McKenzie, R A Booth, G D Wall, S B Farrow, P D Ainsworth, I S Lloyd, J F Thompson and L D Mitchell.

**OFFICERS IN ATTENDANCE:** C F Deasey, General Manager, S L Chandler, Executive Manager Corporate Services, S W Hitchens, Executive Manager Infrastructure & Assets, J Tupper, Manager Planning and T J Kavanagh, Manager Environmental Services.

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

**APOLOGIES:** Nil

**DECLARATION OF INTERESTS:** Nil

## **CONFIRMATION OF MINUTES:**

*Minute No. 35481*

**RESOLVED** on the motion of Cr Thompson and seconded by Cr McKenzie that the Minutes of the Ordinary Meeting of Council, held on Monday 20 September 2011 and the Extraordinary Meeting held on the 28 September 2011 having been circulated amongst the members of the Council be confirmed.

**MATTERS ARISING:** Nil

The Prayer was delivered by Mr Gordon Crimp.

The Ode was delivered by Cr Johnston.

## **GENERAL MANAGERS REPORT**

---

Craig Deasey

- HUNTER COUNCILS INC  
EF08/577**
- 

### **Precis:**

Reporting on correspondence from the Chief Executive Officer.

\*\*\*\*\*

*Minute No. 35482*

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

**2. LOCAL GOVERNMENT ELECTIONS 2012  
EF11/57**

---

**Précis:**

Reporting on developments associated with Local Government Elections 2012.

\*\*\*\*\*

***Minute No. 35483***

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

---

**3. CODE OF CONDUCT - REPORTING OF COMPLAINTS  
EF09/56**

---

**Precis:**

Provision of annual report on code of conduct complaints.

\*\*\*\*\*

***Minute No. 35484***

**RESOLVED** on the motion of Cr McKenzie and seconded by Cr Mitchell that the General Managers Annual report to Council on Code of Conduct complaints be received and noted.

---

**4. LOCAL GOVERNMENT REFORM FUND PROJECT  
EF07/34**

---

**Précis:**

Reporting on correspondence from the Local Government & Shires Association and also the Division of Local Government.

\*\*\*\*\*

***Minute No. 35485***

**RESOLVED** on the motion of Cr Lloyd and seconded by Cr Booth that Council receive and note the report.

---

**5. COUNCIL CHRISTMAS ARRANGEMENTS  
EF07/53**

---

**Précis:**

Reporting on the proposed Christmas arrangements.

\*\*\*\*\*

***Minute No. 35486***

**RESOLVED** on the motion of Cr McKenzie and seconded by Cr Ainsworth that Council receive and note the report.

---

**6. PECUNIARY INTEREST RETURNS  
EF08/525**

---

**Précis:**

Reporting on the statutory requirement to table pecuniary interest declarations.

\*\*\*\*\*

***Minute No. 35487***

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

1. The report be received and noted.
2. The General Manager tabled the Pecuniary Interests Register.

**7. NSW DEPARTMENT OF LOCAL GOVERNMENT CIRCULARS  
EF08/142**

---

**Précis:**

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

\*\*\*\*\*

***Minute No. 35488***

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

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

---

**Précis:**

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

\*\*\*\*\*

***Minute No. 35489***

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

**9. CLOSED COUNCIL**

---

**Précis:**

Report referring matters to Closed Council.

\*\*\*\*\*

**Minute No. 35490**

**RESOLVED** on the motion of Cr Ainsworth and seconded by Cr McKenzie 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*.

---

Ivan Skaines

**10. UPPER HUNTER DIVERSIFICATION PROJECT  
EF09/124**

---

**Précis:**

To provide an update on the Upper Hunter Diversification Project and likely future developments resulting from the project.

\*\*\*\*\*

**Minute No. 35491**

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

**CORPORATE SERVICES DEPARTMENT  
EXECUTIVE MANAGER'S REPORT**

---

Shaun Chandler

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

---

**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. 35492**

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

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

---

**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. 35493**

**RESOLVED** on the motion of Cr Booth and seconded by Cr Mitchell that the Works Cost Statement for the period ending 30 September 2011 be received and noted.

---

Shaun Chandler

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

---

**Précis:**

Report on Councillors travelling for Councillors information.

\*\*\*\*\*

**Minute No. 35494**

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

---

Cheryl Hyde

**4. SUMMARY OF RATES & CHARGES COLLECTED  
EF08/261**

---

**Précis**

A report detailing rates outstanding after the due date of the first rate instalment for the 2012 rating year.

\*\*\*\*\*

**Minute No. 35495**

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

---

Shaun Chandler

**5. GRESFORD DISTRICT AGRICULTURAL SOCIETY INC  
EF08/3; 11/48574**

---

**Precis:**

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

\*\*\*\*\*

**Minute No. 35496**

**RESOLVED** on the motion of Cr Mitchell and seconded by Cr Thompson that Council donate \$250 to the Gresford District Agricultural Society Inc.

---

**6. COUNCIL'S MANAGEMENT PLAN - FEES AND CHARGES ADJUSTMENT –  
DUNGOG SHOWGROUND & RECREATION RESERVE PROPOSED FEES  
EF08/461**

---

**Précis:**

This report outlines proposed amendments to the Dungog Showground and Recreation Reserve fees in Council's Fees and Charges.

\*\*\*\*\*

**Minute No. 35497**

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

1. Council approve the proposed fees and amend the current Dungog Shire Council Fees and Charges as detailed in the above report.
2. The proposed changes to the Management Plan be placed on public exhibition in accordance with the *Local Government Act 1993*.
3. If no submissions are received during the exhibition period, the changes be applied to the Dungog Shire Council Management Plan – Fees and Charges 2011-2014 as detailed above.

---

Shaun Chandler

**7. INTENTION TO ADOPT A POLICY FOR THE PAYMENT OF EXPENSES AND  
PROVISION OF FACILITIES TO THE MAYOR AND COUNCILLORS  
EF08/566**

---

**Precis:**

Reporting on the requirement for Council to review and adopt its policy on payment of expenses and the provision of facilities to mayors and councillors in accordance with annual reporting requirements.

\*\*\*\*\*

**Minute No. 35498**

**RESOLVED** on the motion of Cr Wall and seconded by Cr Ainsworth that Council give public notice of its intention to adopt the draft policy C1:11 and allow 28 days for public submission in accordance with Sect 253 of the Local Government Act 1993.

## **INFRASTRUCTURE & ASSETS DEPARTMENT EXECUTIVE MANAGER REPORT**

---

Steve Hitchens

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

---

**Précis:**

Reporting on construction and maintenance works undertaken in September 2011.

\*\*\*\*\*

**Minute No. 35499**

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



2. ALISON COURT COMMITTEE MEETING  
EF10/70

---

**Précis:**

Reporting on Minutes of the Alison Court Committee held on 05 September 2011.

\*\*\*\*\*

*Minute No. 35500*

**RESOLVED** on the motion of Cr Wall and seconded by Cr Ainsworth that the Minutes of the last Alison Court Committee meeting be received and noted.

**PLANNING DEPARTMENT  
MANAGERS REPORT**

---

Jacqui Tupper

1. LITIGATION REPORT  
EF08/227

---

**Précis:**

Reporting on Planning Legal Costs in relation to litigation matters.

\*\*\*\*\*

*Minute No. 35501*

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

2. DEVELOPMENT APPLICATIONS AND COMPLYING  
CERTIFICATES - DELEGATED AUTHORITY  
EF08/228; EF08/423

---

Jacqui Tupper  
DEVELOPMENT

**Precis:**

Development Consent has been granted to the following development applications and complying development certificates under delegated authority for the month of September 2011.

\*\*\*\*\*

*Minute No. 35502*

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

# ENVIRONMENTAL SERVICES DEPARTMENT MANAGERS REPORT

---

Eric Pasenow

## 1. NOXIOUS WEEDS REPORT EF08/209

---

### Precis:

Reporting on the Noxious Weeds Program for the period 1 July 2011 through to the 30 September 2011.

\*\*\*\*\*

**Minute No. 35503**

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

---

## 2. UPPER WILLIAMS RIVER FLOOD STUDY CLARENCE TOWN CATCHMENT EF08/656

---

Terry Kavanagh

### Précis:

This report is to provide an update on the Upper Williams River Flood Study for the Clarence Town Catchment and to advise on the latest grant funding received for this project from the Office of Environment and Heritage (OEH).

\*\*\*\*\*

**Minute No. 35504**

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

---

## QUESTIONS WITH NOTICE

---

Nil

---

## BUSINESS OF AN URGENT NATURE

---

Nil.

---

---

## CLOSED COUNCIL

---

**Minute No. 35505**

**RESOLVED** on the motion of Cr McKenzie seconded by Cr Mitchell 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 6.36 pm. The public and media left the Chambers.

**Minute No. 35507**

**A MOTION** was moved by Cr McKenzie and seconded by Cr Mitchell that Council move out of Closed Council and into Open Council.

On being put the motion was carried.

Open Council resumed at 7.00 pm.

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

## GENERAL MANAGER

---

**Craig Deasey**

1. **STAFF RESOURCING  
EF08/249**
- 

### **Précis:**

Reporting on staff resourcing matters.

\*\*\*\*\*

**Minute No. 35506**

**RESOLVED** on the motion of Cr Lloyd and seconded by Cr McKenzie that:

1. Council receive and note the report.
2. Funds (\$40,000) be allocated towards the establishment of a part time Development Engineer position within Council creating an equivalent full time employee of 0.4(FTE) to the Councils organisation structure.

Cr Wall called for a Division. The Division resulted in 9 for and 0 against, as follows:

<i>For: Crs Johnston, Wall, Mitchell, Booth, Ainsworth, McKenzie, Thompson, Farrow, Lloyd.</i>
--

There being no further business the meeting terminated at 7.01 pm.

Confirmed .....

Date .....