



MINUTES OF THE ORDINARY MEETING OF KEMPSEY SHIRE COUNCIL

Tuesday 11th May 2004 commencing at 9.02am.

PRESENT:

Councillors J A C Hayes, (Mayor and Chairman), J H Howell, E A Green, J C Gribbin, T L Hunt, R H McWilliam, B R Sowter and E R Walker.

Councillor D Saul entered the Chambers at 9.28am.

General Manager, A V Burgess; Acting Director Engineering, M G Rootes; Acting Director Environmental Services, R B Pitt; Director Corporate and Community Services, T I Hannam; Acting Director Business Enterprises, G R Pearson, Pat Hanrahan and Donna Pearson.



CONSIDERATION OF CONFIDENTIAL REPORTS

2004. 297

RESOLVED:

*Moved: Cl. Green
Seconded: Cl. Hunt*

That the confidential reports be considered in the confidential section of the meeting for the reasons listed.



MINUTES OF THE ORDINARY MEETING OF KEMPSEY SHIRE COUNCIL DATED 13TH APRIL 2004

2004. 298

RESOLVED:

*Moved: Cl. Hunt
Seconded: Cl. Green*

That the Minutes of the Ordinary Meeting of Kempsey Shire Council dated 13th April 2004, be adopted.



At this stage 9.28am Councillor Saul entered the Chambers.



MINUTES OF THE EXTRAORDINARY MEETING OF KEMPSEY SHIRE COUNCIL DATED 29TH APRIL 2004

2004. 299

RESOLVED:

*Moved: Cl. McWilliam
Seconded: Cl. Sowter*

That the Minutes of the Extraordinary Meeting of Kempsey Shire Council dated 29th April 2004, be adopted.



PUBLIC FORUM

- 1 - Mr Terry Clout addressed Council regarding item DCCS8 - Mid North Coast Area Health Service "Teeth for Life" Campaign.



CONSIDERATION OF REPORTS RELATING TO PUBLIC FORUM MATTERS - DCCS8.

2004. 300

RESOLVED:

*Moved: Cl. Hunt
Seconded: Cl. Bowell*

That the items dealt with in Public Forum be brought forward and dealt with immediately.

DCCS8	MID NORTH COAST AREA HEALTH SERVICE – “TEETH FOR LIFE” CAMPAIGN
FILE: H2-2	TIH
	{Folio No. 274541}

SUMMARY:

Council has received representations from the following organizations to participate in the “Teeth for Life” campaign:

- The Australian Dental Association
- Council for Social Service of NSW
- The Cancer Council NSW
- Andrew Stoner MP

A copy of the Australian Dental Association’s letter, which is representative of them all, is attached at [\(Appendix C\)](#) together with the Australian Dental Association’s information package on the benefits of fluoridation.

Councillors may be aware that the Kempsey Shire has declined to accept previous offers to have the water supplies fluoridated the latest being in 2001.

The scientific evidence is conclusive in as much as tooth decay is reduced in populations where the water supplies are fluoridated.

At a tele-conference hosted by the MNCAHS on 20/4/04 and attended by the Mayor and Director of Corporate and Community Services it was made evidently obvious that our community has a very serious oral health crisis that can no longer be ignored. Although several strategies were canvassed to help the situation the overwhelming benefits of a fluoridated water supply were stressed.

Council's insurers have advised:

"If Council resolved to fluoridate the water, there would be no additional premium contribution payable to Statewide Mutual Liability Scheme."

It is understood that the State Government will meet the capital costs of installing the necessary capital equipment, however, the ongoing costs and training of staff and future maintenance of the plant and supplies of the chemicals will probably have to met by Council.

The Director of Business Enterprise's Macleay Water Manager reports:

Research evidence indicates that adding fluoride to water supplies is beneficial to dental health, especially in children, and there is no detrimental medical side effects from fluoride intake at recommended concentrations. However, there are some facts that Council should be aware of when making the decision to fluoridate the water or not:

- ***There are 3 basic compounds used to fluoridate community drinking water: sodium fluoride crystals, sodium fluorosilicate powder or fluorosilicic acid liquid.***
- ***These forms of fluoride are poisons.***
- ***Fluoride is classified as dangerous goods and requires special storage, transport and handling systems.***
- ***The Fluoridation of Public Water Supplies Act 1957 has many conditions, which impose significant responsibilities on water authorities that fluoridate and penalties for non-compliance. Some extracts are attached as [\(Appendix D\)](#) but, in summary the provisions mean:***
 - ***Council must not increase or decrease capacity of a water supply or make alterations to the water supply works in close proximity to the dosing point without permission.***
 - ***Must sample and analyze each system daily and report results to the Director-General monthly together with a sample.***
 - ***Only qualified operators to operate dosing plant and no unqualified person to enter the premises.***
 - ***Once approval to fluoridate is given the Water Authority cannot discontinue fluoridating without approval by the Secretary.***
- ***The course to gain qualification for fluoride is a 5 day course with university-level mathematics. Only academically inclined people***

pass the course and most outdoor staff fail. We would need to have at least three operators, two fitters and two electricians trained so they could operate and maintain seven dosing systems. Cost of this is in the vicinity of \$21,000.

- *MNCAHS (Terry Clout) indicated to Council that the estimate capital cost of installation of plant was around \$800,000. Based on a 20 year life for this equipment, depreciation is \$40,000 per year. Since separate buildings to house the equipment would be required (so unqualified people do not enter), I believe the amount of \$800,000 is insufficient.*
- *Land would be required at Stuarts Point for the facility.*
- *The operation and maintenance of the seven facilities is estimated to cost around \$160,000 per year. This is based on 12 hrs per day, 7 days per week, 52 weeks per year. It comprises:*

<i>Labour</i>	<i>\$135,000 (includes overtime, travel time)</i>
<i>Vehicles</i>	<i>\$13,000</i>
<i>Chemicals</i>	<i>\$7,000</i>
<i>Parts, admin, etc</i>	<i>\$5,000</i>
<i>TOTAL</i>	<i>\$160,000</i>

- *For, say, 25,000 people this equates to \$6.40 per person per annum plus \$2 per head depreciation (above), totals \$8.40 per head or about \$20 per assessment. This represents a rate increase of around 5%.*
- *There are potential health risks for operators who are working with concentrated fluoride chemicals therefore OH&S ramifications to manage the risks could be significant.*
- *There is some potential for Council to be exposed to future claims from people for any adverse effects of fluoride.*
- *Fluoride can cause minimal increase in the corrosivity of some water which can lead to damage to infrastructure.*
- *Extra staff and vehicles (1.5) will be needed to operate the systems*
- *If the need arises to take the dam off-line (algae, taste and odours) the water supply to Kempsey and the Lower Macleay would be un-fluoridated unless an extra fluoridation facility was provided for this contingency.*

Financial Implications of this report:

An ongoing annual cost of around \$200,000 (or an increase of approximately eight cents/kilolitre in the water usage charge) for operation, maintenance and depreciation (asset replacement), once capital costs have been met.

Reduced need to use reactive medical procedures that are costly and resource intensive. "Prevention is better than cure".

Social Implications of this report:

If the recommendation is adopted to immediately commence to fluoridate the water supplies and to embrace all of the initiatives of the "Teeth for Life" campaign then our community will enjoy a fairly dramatic improvement in oral health both immediately and for future generations. It must be stressed that "tooth decay, just like obesity and heart disease is preventable" and a fluoridated water supply is the most effective way of ensuring a good start for dental health in the population.

There will be significant protest from some sections of the community.

Environmental Implications of this report

Dangerous chemicals (fluoride) will be stored, transported and used throughout the shire, sometimes in National Parks and natural environments, where any spillage could cause some environmental damage. These isolated installations are sometimes subject to vandalism / break-ins.

Director Corporate and Community Services Recommendation:

1. That the NSW Health Dept be advised that Council believes that fluoridation of the water supply is a Public Health issue and that if the Department wishes to have the present 7 Kempsey Shire (Macleay Water) supplies fluoridated. Council would agree provided that the NSW Health Department;
 - * Fully funds all capital works required, including land acquisition and buildings as required.
 - * Fully funds training of 8 operators, including wages.
 - * Contributes \$40,000 per annum to cover depreciation and asset replacement of the capital infrastructure.
 - * Supplies two vehicles to facilitate the operation of the systems as part of the capital infrastructure.
 - * Fields all complaints and protests from the community regarding fluoridation of the water supply.
 - * Grants blanket approval to shut down fluoridisation dosing system if the dam has to be taken off live under the Dam Management Plan.

2. That Council actively embraces the initiatives of the "Teeth for Life" campaign.

3. That extra resources (labour) be approved for the ongoing operations and maintenance of the systems, once built and commissioned.

MOVED:

*Moved: Cl. Green
Seconded: Cl. Hunt*

1. That Council actively embraces the initiatives of the “Teeth for Life” campaign.
2. That the NSW Health Department be advised that Council believes fluoridation of the water supplies under Council’s authority is a public health issue and that Council therefore wishes to refer the question to the Department for consideration and determination. On the undertakings from the CEO of the Mid North Coast Area Health Service that health would;
 - Field all complaints and protests from the community regarding fluoridation of the water supply.
 - Grant blanket approval to shut down fluoridation dosing system if the dam has to be taken off line under the Dam Management Plan.
3. That the following dot points be the subject of a further report from the Director Business Enterprise;
 - Fund all capital works including buildings as required for fluoridation of the 7 water supply plants.
 - Provide to Council \$20,000 in each of the 04/05 and 05/06 financial years to defray costs associated with implementation.
4. The extra resources (labour) be approved for the ongoing operations and maintenance of the systems, once built and commissioned.

An Amendment was MOVED:

*Moved: Cl. Bowell
Seconded: Cl. Walker*

1. That the NSW Health Dept be advised that Council believes that fluoridation of the water supply is a Public Health issue and that Council would give this matter further consideration on advice from the Department on the following items;
 - * Fully funds all capital works required, including land acquisition and buildings as required.
 - * Fully funds training of 8 operators, including wages.
 - * Contributes \$40,000 per annum to cover depreciation and asset replacement of the capital infrastructure.
 - * Supplies two vehicles to facilitate the operation of the systems as part of the capital infrastructure.

- * Fields all complaints and protests from the community regarding fluoridation of the water supply.
 - * Grants blanket approval to shut down fluoridisation dosing system if the dam has to be taken off live under the Dam Management Plan.
2. That Council actively embraces the initiatives of the “Teeth for Life” campaign.
 3. That extra resources (labour) be approved for the ongoing operations and maintenance of the systems, once built and commissioned.

The AMENDMENT was PUT to the Meeting and was LOST.

2004. 301 The MOTION was PUT to the MEETING and was CARRIED.

Councillor Sowter recorded his vote against the foregoing Resolution.

Councillor Howell lodged a Notice of Rescission in relation to the foregoing resolution.



At this stage 10.30 a.m. the Meeting adjourned for Morning Tea and upon resumption at 11.02 a.m. all present at the adjournment were in attendance.



ADOPTION OF AGENDA ORDER OF BUSINESS

2004. 302 **RESOLVED:** *Moved: Cl. Howell*
Seconded: Cl. Hunt

That the Agenda Order of Business be adopted subject to item DBE2 being brought forward and dealt with in conjunction with DCCS7.



NOTICE OF MOTION

NOM1 INVITATION TO HASTINGS COUNCIL
FILE: H2-10 COPY: H6-2, A7-2 TIH NRN {FolioNo274511}

Notice is hereby given that I intend to move the following motion at the Ordinary meeting of Council scheduled for Tuesday, 11th May 2004.

MOVED: *Moved: Cl. Howell*

.....
MAYOR

Seconded: Cl. Sowter

1. That Hastings Shire Council be invited to combine with Kempsey Shire Council to establish a working party in the spirit of community and understanding to review development and improvement of services associated with Public Health, Aged Care and Home and Community Care with the purpose of preparing an appropriate submission to the Premier of New South Wales the Hon Bob Carr, MP.
2. That Mr Andrew Stoner, MP Member for Oxley, Mr Robert Oakeshott, MP Member for Port Macquarie, Representatives of the Hastings and Kempsey Medical Staff Councils, Port Macquarie Base Hospital Board of Advice, Kempsey District Hospital Action Group, Hastings/Macleay Division of GPs be invited to join the Working Party.

An Amendment was MOVED:

Moved: Cl. Hunt
Seconded: Cl. Saul

That the Macleay / Hastings Consumer and Community Consultative Committee be invited to review development and improvement of services associated with Public Health, Aged Care and Home and Community Care with the purpose of preparing an appropriate submission to the Premier of New South Wales, the Hon Bob Carr MP.

Further that the Mid North Coast Area Health Service be invited to join the committee and approach the NSW Government with reference to a more equitable distribution of Resource Funds.

2004. 303

The AMENDMENT was PUT to the MEETING and was CARRIED, became the MOTION and was CARRIED.

NOM2	DISCUSSION WITH NEIGHBORING COUNCILS RE AMALGAMATION
FILE: B4-1	AVB (NRN) {Folio No. 274512}

Notice is hereby given that I intend to move the following motion at the Ordinary meeting of Council scheduled for Tuesday, 11th May 2004.

2004. 304

RESOLVED:

Moved: Cl. Hunt
Seconded: Cl. Saul

That the Mayor or her appointed representatives and the General Manager be the sole Council representatives responsible for discussion with neighboring councils in respect to amalgamation and resource sharing matters, with the results of any negotiations to be reported to Council.

Further that Council arrange for a workshop on structural reform as soon as possible, but before any discussions are held, so that all

Councillors are aware of the potential gains and difficulties which may lie ahead.



RESCISSION MOTION

RM1	FEES & CHARGES FOR USE OF RESERVES AND SPORTS FIELDS OTHER THAN SPECIFIED
FILE: A2-12	GBS
	{Folio No. 274514}

Notice is hereby given that we intend to move the following Rescission Motion at the Ordinary Meeting of Kempsey Shire Council on Tuesday 11th May 2004.

2004. 305

RESOLVED:

*Moved: Cl. Gribbin
Seconded: Cl. Bowell*

That minute number 2004.231 item DE3, as printed below;

"That the Fee of \$100 for the use of Council managed community land, for activities outside the general scope of use for those areas, be included into Kempsey Shire Council Fees and Charges for 2004/2005 and that the necessary changes to Council's Event Management Policy be implemented."

be rescinded.

MOVED:

*Moved: Cl. Gribbin
Seconded: Cl. Bowell*

That the Fee of \$100 for the use of Council managed community land, for activities outside the general scope of use for those areas, with exception of activities organized and conducted by local community non-profit organizations, be included into Kempsey Shire Council Fees and Charges for 2004/2005 and that the necessary changes to Council's Event Management Policy be implemented.

An AMENDMENT was MOVED:

*Moved: Cl. Hunt
Seconded: Cl. Saul*

That the Fee of \$100 for the use of Council managed community land, for activities outside the general scope of use for those areas, with exception of activities organized and conducted by local community non-profit organizations, who are to be charged a fee of \$25, be included into Kempsey Shire Council Fees and Charges for 2004/2005 and that the necessary changes to Council's Event Management Policy be implemented.

The AMENDMENT was PUT to the Meeting and was LOST.

2004. 306

The MOTION was PUT to the MEETING and was CARRIED.

Notice is hereby given that we intend to move the following Rescission Motion at the Ordinary Meeting of Kempsey Shire Council on Tuesday 11th May 2004.

2004. 307

RESOLVED:

*Moved: Cl. Sowter
Seconded: Cl. Saul*

That minute number 2004.286, as printed below;

"That Council make application to the Minister for an additional 5% special rate variation for local roads and bridges for a period of 10 years."

be rescinded.

MOVED:

*Moved: Cl. Hunt
Seconded: Cl. Saul*

That Council make application to the Minister for Local Government for an additional 3% Special Rate Variation for one year with the resulting funds being applied to infrastructure.

The MOTION was PUT to the Meeting and was LOST.

2004. 308

RESOLVED:

*Moved: Cl. Sowter
Seconded: Cl. Gribbin*

1. That;

Korogora Creek Estuary Study	\$20,000
Macleay River Process Study	\$25,000
Pola Creek Rehabilitation	\$ 5,000

be funded from the Environmental Levy

2. That \$10,000 allocated to Bushfire Zoning Mapping be deleted from 2004/05 Budget.
3. That \$109,500 additional funds be allocated to Local Roads Maintenance.
4. That a report on the balance of the Environmental Levy funds allocated to Stuarts Point Tip Capping be submitted to a future meeting.



DIRECTOR ENGINEERING REPORT

DE1

MIDDLETON STREET RAILWAY OVERPASS

FILE: R8-24 KJF (NRN)

{Folio No. 274516}

SUMMARY:

Reporting on costs associated with provision of adequate street lighting on the Middleton Street Railway overpass.



Council, at its meeting of 13th January 2004, resolved:

- “1. That a report be submitted to Council detailing associated costs and options to provide adequate street lighting on the Middleton Street railway overpass.
2. That the costs identified be included in the 2004/2005 budget if necessary.”

A quote was sought from CountryEnergy and received on 25th March 2004. The quote was \$3,692.70, with an annual network charge of \$556.70. Council will also have to cover the cost of tree lopping and provide traffic control. Should any conditions be encountered that require specialist equipment, the price will vary to cover the additional costs incurred.

As sufficient funds are available in the vote for streetlighting to cover the quote, an order was placed on 16th April 2004. Any additional costs would be met from the vote for Streets Maintenance.

Director's Comment:

As funds are available this year, work has been schedule.

Financial Implication:

The financial implication of this report will be expenditure within the votes for street lighting and Streets Maintenance.

Other Implications:

There are no policy or statutory implications arising from this report.

2004. 309

RESOLVED:

*Moved: Cl. Bowell
Seconded: Cl. Sowter*

That the information be noted.

DE2

PROPOSED UPGRADE OF THE PACIFIC HIGHWAY

SUMMARY:

Reporting on the flooding impacts of the proposed upgrade of the Pacific Highway.



As a result of concerns raised by Council and residents regarding the flooding impacts of the proposed upgrade of the Pacific Highway between Kempsey and Eungai, a meeting was convened by Council on 20th February 2004 at the Community Care Centre, Kempsey. The meeting was attended by Councillors, Council staff, representatives of the RTA, Parsons Brickerhoff and Webb McKeown and community representatives of the affected areas.

A copy of the meeting notes is attached [\(Appendix A\)](#). Issues raised by the community representatives were listed and discussed. Issues included the cost of the project, State Floodplain Policy, Western Route option, evacuation, lowering of existing mounds, scouring, memorial avenue of trees, submissions received and ongoing consultation.

Some issues were addressed at the meeting, other issues required further consideration with a response to be provided by the RTA at a subsequent meeting, whilst other issues will be considered at later stages of the project eg. EIS stage.

The RTA agreed to:

- continue to meet with the Flooding Impacts Working Group during this phase of studies
- confirm the cost to provide a bridge across the whole floodplain
- investigate options regarding the removal of soil on the southern side of the river.
- provide information on the flood modelling and the audit as part of a report at the end of this current stage of works.
- consider whether the consultants engaged to audit the flood studies could attend the next meeting.

All representatives present recognised the value of the meeting and the need for on-going meetings. The next meeting of the Pacific Highway Flooding Impacts Working Group has been scheduled for 18th May 2004 at the Civic Centre. Issues received by Council from representatives will be forwarded to the RTA for discussion at this meeting.

Director's Comment:

The benefits of the Pacific Highway Flooding Impacts Working Group are substantial as the meetings of the group provide an important

opportunity for Council and the community representatives to raise and discuss issues directly with the RTA concerning the flooding impacts of the proposed bypass.

Other Implications:

There are no financial, policy or statutory implications arising from this report.

Director Engineering Recommendation:

That the information be noted.

2004. 310

RESOLVED:

*Moved: Cl. Bowell
Seconded: Cl. Saul*

That the attention of the RTA be drawn to Council's and the State Government's Flood Policies and the effect of the proposed Pacific Highway Upgrade structures by the RTA in relation to these policies.

DE3	HORSESHOE BAY RESERVE	
	FILE: R3-11	KJF
		{Folio No. 274519}

SUMMARY:

Reporting on the Plan of Management for Horseshoe Bay Reserve.



Council, at its meeting of 13th January 2004, resolved:

- "1. That the amended draft Plan of Management for Horseshoe Bay Reserve be advertised, with comments sought by 20th February 2004.*
- 2. That after submissions are received a Council workshop be held to discuss the issues raised in the submissions and to adopt the final Plan of Management".*

The draft Plan of Management was advertised and some submissions received. The submissions are broadly listed below with comments from the Consultant.

SUMMARY OF PUBLIC COMMENTS ON DRAFT PLAN OF MANAGEMENT FOR HORSESHOE BAY RESERVE

REFERENCE	SUMMARY OF COMMENT	RESPONSE
L & M.L Pearson	<p>Oppose removal of Caravan Park Increase parking to Livingstone St Add cul de sac opposite children's playground Relocate markets to Brighton Park No more planting of Norfolk Island Pines</p> <p>Fisherman's hut on Trial Bay beach</p>	<p>Not a recommendation in P of M Not part of Horseshoe Bay Reserve A similar recommendation is included in P of M Already a recommendation in P of M Have historical and aesthetic significance and therefore P of M recommends continuance Not part of Horseshoe Bay Reserve</p>
Stan Keifer	<p>Plant species and structures to be in keeping with the local environment Dredge to creek opening</p> <p>Better maintenance of litter removal required Do not encourage pedestrian linkages through Caravan Park because in jeopardizes security Gross pollutant trap should have been installed as part of recent stormwater improvements Make pedestrian/cycleway to Arakoon a high priority as opposed to medium priority</p>	<p>Already a recommendation in P of M</p> <p>Not part of Horseshoe Bay Reserve and therefore not included in P of M To be considered Noted</p> <p>In hand, as part of overall Stormwater Strategy</p> <p>P of M amended to include recommendation</p>
Michael Hinchey James R Cockram Jan Freemantle KL Gribbin	<p>Inadequate preliminary survey work and contradictory boundaries P of M shows bias in favour of economic gain rather than community use Traffic flow in Gregory Street not addressed</p> <p>Caravan Park amenities should be available to general public Building precinct would dominate and compromise lookout and community park</p> <p>No need to extend bicycle path around perimeter of coastline Brighton Park not to be formalized</p>	<p>Locality Map amended to suit Precinct Plans Disagree</p> <p>Not part of Horseshoe Bay Reserve therefore not included in P of M Amenities available near to the Kiosk for general public Building precinct is to have a DCP written specifically for this zone as per P of M which would ensure these values are not compromised. Disagree – but Point Briner Headland excluded. Amenities and upgraded picnic facilities will improve parks</p>

	<p>Disagree with relocation of markets to Brighton Park Extension of the National Park to a "man made boundary" seems arbitrary excluding a small area of dunal system</p>	<p>existing use as a picnic/bbq recreational area Community opinion is divided with this issue. It is important for Council and DIPNR to have control and maintenance responsibility for the well used surf beach, footbridge and area near to the Surf Club. Therefore this area was excluded from National Parks ownership.</p>
<p>Trevor Scott Friends of South West Rocks</p>	<p>Inadequate community consultation excluding Ratepayers Assoc. & Friends of SWR Traffic concerns to Livingstone St & Gregory St</p> <p>Caravan Park amenities should be available to general public Replanning of Caravan Park is urgent</p> <p>Building Precinct not required</p> <p>Brighton Park not to be formalized</p> <p>Disagree with relocation of markets to Brighton Park</p>	<p>Carried out as per brief. Three members of Ratepayers Association attended workshop. Not part of Horseshoe Bay Reserve therefore not included in P of M Amenities available near to the Kiosk for general public. Numerous issues e.g. access, relocation of sites etc, has been recommended in P of M. A feasibility study concerning future of the Caravan Park and possible replanning of site, if deemed feasible, is a recommendation of P of M A new building for Volunteer Coastguard is required, plus possible consolidation, refurbishment, rebuilding of amenities, kiosk etc. Amenities and upgraded picnic facilities will improve parks existing use as a picnic/bbq recreational area Community opinion is divided with this issue.</p>
<p>Mr JC Gribbin</p>	<p>Disagree with removing public access road behind Boatman's Cottage Disagree with removal of road behind Pilot Station</p> <p>Leave road width as is, no need for trailer parking</p> <p>Disagree with need for traffic calming devices</p> <p>Tree planted in 1915 by Barbara Brown has not been mentioned</p> <p>Suggestions for long term viability of Caravan Park</p>	<p>There are numerous community concerns regarding this proposal. The P of M has been amended to retain this road Rarely used by vehicles with a pedestrian/cycleway creating a greater opportunity for recreational usage Narrowing road width will create greater area for recreational purposed, trailer parking required for tourist use Police and local residents report use of area for car dragging plus to slow car speed will make it safer for recreational users</p> <p>Unknown. Council will consult with Historical Society re: locality and importance of tree Will be addressed in feasibility study as recommended in P of M</p>

	<p>Recommend priority for Stormwater Management be raised from medium to high</p> <p>Concerns about the Building Precinct</p>	<p>To be considered subject to available funds.</p> <p>Building precinct is to have a DCP written specifically for this zone as per P of M which would ensure these concerns and that the Reserves values are not compromised.</p>
Karen Osborne	<p>Suggest that bush regeneration should extend along the tidal creek to the west of Buchanan Dve, the bank of SWR creek below the Caravan Park, bank between Horseshoe Bay Beach and Caravan Park</p> <p>Concerns about the Building Precinct</p> <p>Disagree with embellishing the areas of Aboriginal significance as it will possibly attract vandals and intrusion</p> <p>Concerns regarding the removal of carparking spaces throughout the Reserve</p>	<p>P of M to be amended to include these comments</p> <p>A new building for Volunteer Coastguard is required plus possible consolidation, refurbishment, rebuilding of amenities, kiosk etc.</p> <p>These recommendations were put into place as per the request of the Aboriginal Elders of South West Rocks</p> <p>The P of M suggests consolidating and formalizing most carparking areas not removing them</p>
Catherine Mottee	<p>Concerns about the Building Precinct</p> <p>Concern regarding the fence recently constructed along Livingstone St and its non inclusion in the P of M</p> <p>Concerns regarding loss of recreational space to house increased parking</p> <p>Recommend markets be relocated to Prince of Wales Avenue</p>	<p>A new building for Volunteer Coastguard is required plus possible consolidation, refurbishment, rebuilding of amenities, kiosk etc.</p> <p>Required for public safety, following construction of retaining wall and kerbside footpath in Livingstone Street.</p> <p>P of M recommends consolidating the parking and improving traffic flow not necessarily increasing the number of parking spaces</p> <p>Upon consultation it appeared that safety issues and lack of amenities made this option less available</p>
D.B Thomas South West Rocks Progress Association	<p>Recommendations regarding the future of the Caravan Park</p> <p>Concern about the closure of the road behind the Police Station and Boatman's Cottages</p> <p>Remove the dragline, remove I 14 to SWR Creek, change water flows through SWR Creek etc</p>	<p>Many of these suggestions will be covered following a feasibility study of the Caravan Parks future as per the P of M recommendation</p> <p>There are numerous community concerns regarding this proposal. The P of M has been amended to retain this road</p> <p>These issues are outside the scope of this P of M and the sole responsibility of DIPNR</p>
Nikki Perkins SWR Arts Council	<p>Concern regarding the lack of community consultation</p> <p>Concern regarding recommendations to the Salt Water Creek prior to the Salt Water Creek Estuary Management Plan being carried out</p>	<p>Was carried out as per brief and considered adequate.</p> <p>Any issue and management decision directly relating to Salt Water Creek has been referred by the P of M to this Estuary</p>

	<p>Disagree with embellishing the areas of Aboriginal significance as it will possibly attract vandals and intrusion Disagree with extending the alcohol free zone to SWR Creek</p> <p>SWR Arts Council would like to have an input into the proposed cultural walks and recommends the inclusion of a sculptural walk</p>	<p>Plan that is currently underway These recommendations were put into place as per the request of the Aboriginal Elders of South West Rocks Consultation with the SWR Police and comments from the public led to this being recommended in the P of M The P of M has been amended to include these suggestions</p>
<p>Sarah Gunn Gunn & Scott Architects</p>	<p>Disagree with the inclusion of a restaurant as it may exclude some park users Recommends that Royal Volunteer Coastal Patrol be relocated to the Surf Club.</p> <p>Recommends a performance venue in open reserve area along SWR creek and behind the School of Arts hall Boundary locations differ in Fig 2.1, Fig 5.0 and Fig 5.1 Old school house in Gregory Street has not been included in P of M</p> <p>Concerns regarding the determination of sites of Aboriginal significance have not been fully carried out</p> <p>Recommendations on various tree species that should be used in the various precincts Recommends that where new facilities are proposed that their location doesn't impose on native vegetation, views or recreational open space Disagrees with the removal of the slipway at SWR Creek</p> <p>Disagrees with installation of fences to rear yard of residences backing on to Salt Water Creek reserve as it could trap native animals</p>	<p>This is still an option to be explored in detail with the community. They currently operate from the Surf Club which does not allow visibility to both Trial Bay and the mouth of the Macleay and SWR Creek. After much consultation with KSC and DIPNR this is the most appropriate location and hence has been included in the P of M The P of M has been amended to consider this as an option upon the completion of a feasibility survey P of M Locality Map amended to suit Precinct Plans This parcel of land is not part of the Reserve and therefore outside the scope of this P of M The Elders of the South West Rocks Aboriginal Community and Councils Aboriginal liaison officer had a significant role in determining Aboriginal sites of significance and their proposed treatment within the Reserve and have been included in the P of M Noted and held for consideration when detail plans developed. Agreed</p> <p>If a foreshore promenade is to be established as per the P of M its removal or crossing over will be required. As it is unmaintained and fairly inaccessible it is not used. DIPNR approve removal. Fences will help control domestic pets from entering the Reserve as well as controlling invasive weed species spreading into the bushland from rear gardens. It is seen as an important element to preserving the natural bushland</p>

	<p>Disagree with bicycle path to coastal edge instead a walking track will suffice</p> <p>Caravan Park amenities should be available to general public Recommend changing boundaries, layout and composition of Caravan Park</p>	<p>The P of M is recommending access and recreational use by all the community to coastal edge (e.g. children, disabled, recreational cyclists) while attempting to link up all of South West Rocks to a cycleway route. The P of M sees this as the perfect opportunity to do so. Amenities available near to the Kiosk for general public. Numerous issues e.g. access, relocation sites etc has been recommended in P of M. A feasibility study concerning future of the Caravan Park and possible replanning of site if deemed feasible is a recommendation of P of M</p>
Robert Pitt KSC	<p>Additional relevant policies should be included I's; North Coast REP, Kempsey LEP Need to check with DIPNR re accessibility to dredge before proposing to close road</p>	<p>P of M has been amended to include these policies</p> <p>There are numerous community concerns regarding this proposal. The P of M has been amended to retain this road</p>
Marg Mottee	<p>Disagree with removing public access road behind Boatman's Cottage</p>	<p>There are numerous community concerns regarding this proposal. The P of M has been amended to retain this road</p>
Trevor Hannam	<p>Disagree with removing public access road behind Boatman's Cottage</p>	<p>There are numerous community concerns regarding this proposal. The P of M has been amended to retain this road</p>
Russell Bowen	<p>Numerous recommendations for Saltwater Creek Precinct Recommends increasing parking to Flagstaff Point</p> <p>Numerous recommendations for Horseshoe Bay Precinct Concern about the closure of the road behind the Police Station and Boatman's Cottages Suggests restaurant/kiosk to SWR Creek area Suggests numerous ideas to promote swimming, removal of rocks to ensure channel for boats is maintained, access to Back Beach etc</p>	<p>Most suggestions are already included in P of M P of M amended to recommend formalizing of road to include turning and parking facilities and additional recreation space Many suggestions are already included in P of M There are numerous community concerns regarding this proposal. The P of M has been amended to retain this road</p> <p>Included in P of M These recommendations concern areas outside of the Reserve and therefore are not within the scope of this P of M.</p>
Trial Bay Tourist Park	<p>Concerns regarding the retention of the Caravan Park</p>	<p>The P of M recommends a feasibility study which will look into all the long term issues and concerns relating to the Caravan Park</p>
Bob Wolcott	<p>Concerns regarding the need to upgrade many facilities and the removal of the Caravan Park</p> <p>Concerned about the Building precinct and what is to be included and</p>	<p>The P of M recommends the upgrading of facilities and enhancement of natural and recreational areas. The P of M is recommending a feasibility study to determine long term outcome of Caravan Park A new building for Volunteer Coastguard is required plus</p>

	added	possible consolidation, refurbishment, rebuilding of amenities, kiosk etc.
Terry Hemmingway Department of Lands Mid North Coast	<p>Recommends rewording of a number of sentences</p> <p>Suggests more detail of public consultation process be included</p> <p>Recommends that more detail be included about the siting and impacts of the proposed Royal Volunteer Coastal Patrol building and more detail regarding the possible restaurant</p> <p>Saltwater Creek precinct warrants some fire management considerations</p> <p>The final draft of this P of M must be exhibited for a minimum of 28 days</p>	<p>P of M has been amended to include recommendations</p> <p>P of M has been amended to include this</p> <p>The P of M recommends that these issues be looked at in greater detail as part of the DCP and be included with other proposed buildings to ensure uniformity and planning within this building precinct</p> <p>The P of M has been amended to include some fire protection recommendations</p> <p>Department of Lands to arrange for advertising etc</p>
Ted Weir	Various comments	Difficult to understand – no further action.

Some adjustments have been made to the POM to reflect submissions and a revised draft is available for Council to finalise and submit to the Minister.

Council now needs to determine a date for a Council Workshop to review the issues and adopt the final POM.

Director's Comment:

As per report.

Report Implications:

There are no financial, policy or statutory implications arising from this report.

Director Engineering Recommendation:

That the information be noted and a date be set for the Council workshop.

2004. 311 **RESOLVED:**

*Moved: Cl. Howell
Seconded: Cl. Hunt*

That the information be noted.

2004. 312 **RESOLVED:**

*Moved: Cl. Hunt
Seconded: Cl. Sowter*

That the proposed workshop to review the Plan of Management for Horseshoe Bay Reserve be held Tuesday 22nd June 2004 following the Planning Committee Meeting.

DE4

**BOYTERS LANE SPORTING FIELDS
FILE: LA14295 KJF (NRN)**

{Folio No. 274520}

SUMMARY:

Reporting on the proposed budget and works programme for the Boyters Lane Sporting Fields.



At Council's meeting of 6th November 2003, Council resolved:

"That a report be submitted on the Budgeted \$240,000 and the additional \$80,000 be prepared on the Boyter's Lane Works Program."

A concept plan has been developed and a copy is attached [\(Appendix B\)](#) and preliminary estimates prepared:

Roadworks - \$ 70,000

Carpark	-	\$ 15,000
Sewer and water	-	\$ 60,000
Amenities	-	\$130,000
Electricity	-	\$ 20,000
Irrigation	-	\$ 5,000
Cricket Pitch	-	\$ 5,500
Development Application (DA)	-	\$ 2,500
Levelling Fields	-	\$ 10,000

The DA is being prepared.

An application for grant funding from the Department of Sport and Recreation was submitted in December.

A Consultants brief is also being prepared seeking costings to prepare a management plan for the remainder of the area, mainly a wetland environment. A significant area is available for environmental rehabilitation. Council will seek funding for such environmental enhancement from NSW Fisheries, NHT etc.

Director's Comment:

This project has the potential to become a major attraction, on the outskirts of our largest village.

Financial Implication:

There are no financial implications from this report as expenditure should be contained within the vote provided.

Other Implications:

There are no policy or statutory implications arising from this report.

Director Engineering Recommendation:

That the information be noted.

2004. 313

RESOLVED:

*Moved: Cl. McWilliam
Seconded: Cl. Bowell*

1. That the information be noted and a development application be lodged as soon as possible.
2. That the Macleay District Sports Council be provided with a copy of this report and resolution.

DE5	DONDINGALONG ROAD
	FILE: LA10351 COPY: LA10324 JC NRN {FolioNo274521}

SUMMARY:

Reporting on the progress of Dondingalong Road, road closure.



Council at it's meeting of the 13th May 2003 resolved:

- “1. That land be acquired from Lot 34 in DP752435, for access to Portion 11.
- 2. That the matter of the road reserve which is fenced into Lot 34 to be negotiated between the Council and the owners.”

An onsite meeting was held in October 2003 confirming Council would obtain a survey of the roads to allow acquisition of some 325m² from Lot 34 to allow public access to Portion 11.

Quotations for the survey work have been obtained and A V Spagnolo & Associates will be carrying out the work at a cost of approximately \$1800.00.

Once the survey is complete and linen plan produced further negotiations with the effected landowners with regard to the sale of the road reserve will take place.

Director's Comment:

As per report

Financial Implication

The cost of the survey is \$1800 and funds would be drawn from available funds from road realignments and resumptions vote.

Other Implications:

There are no statutory or policy implications arising from this report.

2004. 314

RESOLVED:

*Moved: Cl. Bowell
Seconded: Cl. Green*

That the information be noted.

DE6	FISHERMAN'S REACH ROAD	
	FILE: LA12528 JC (NRN)	{Folio No. 274522}

SUMMARY:

Reporting on the progress of an exchange of land along Fisherman's Reach Road.



Council at it's meeting of 13th May 2003 resolved:

“That the road reserve adjacent to lots 7 and 8 and lots 9 and 10 in DP788914, be closed in favour of the adjacent owners and that a road be opened within the existing easement for transmission for electricity.”

Council sought quotes for the survey work and A V Spagnolo & Associates were successful.

Council is awaiting the final survey plan. Once the plan is received an application to Department of Lands in Taree will be submitted to open the proposed road and close the existing road reserve.

Director’s Comment:

As per report

Financial Implication

The cost of the survey is \$2750 and funds would be drawn from available funds from road realignments and resumptions vote.

Other Implications:

There are no significant financial, policy or statutory implications arising from this report.

2004. 315

RESOLVED:

*Moved: Cl. Howell
Seconded: Cl. Hunt*

That the information be noted.

DE7	REGIONAL ROAD TIMBER BRIDGE PROGRAM
FILE: B6-2 NJT	{Folio No. 274523}

SUMMARY:

Reporting on the Regional Roads Timber Bridge Program.



At the Council meeting on 9th March 2004, Council considered a report on the Regional Road Timber Bridge Program and a copy of the report is attached as [\(Appendix C\)](#). Council resolved:

“That the Director report back to Council with traffic data for each bridge, alternate routes available and social and economic impacts of not replacing.”

At the Council meeting on 13th April 2004, Council considered a further report on the Regional Road Timber Bridge Program and resolved:

“That this item be deferred until the May 2004 meeting.”

Following the NSW Government April 2004 Mini-Budget, the Minister for Roads announced that the 7 year program to help regional councils replace their timber road bridges on Regional roads will start in July 2006, 2 years later than planned.

Although this announcement has delayed the commencement of the program it is considered that Council should endorse the submission and provide funds in future budgets including the 5 year Financial Plan.

As reported previously it is estimated that the cost of replacement of the 5 timber bridges on Regional Roads in Kempsey Shire, including approach roadworks, is \$4.17M. With the RTA contribution of 50% of the total cost of the replacement of the bridges, Council will need to find its share, i.e. \$2.085M, over the 7 years of the program. The estimates shown are indicative only for planning purposes. Exact costs will be subject to final design, and negotiations regarding apportionment between Council staff and the RTA.

No provision has been made in the forward estimates for such funding and Council's funding sources are limited. It would seem unwise to utilise more than, say, \$120,000 per annum from the Regional Road Block Grant Program for this program, due to the consequent reductions on the roadworks program.

Council is providing a reserve fund for Bridge Construction but this is currently earmarked for Council's Bridge Construction program for bridges on Local Roads, and any diversion of funds will delay works on Council owned bridges.

Approximately \$155,000 to \$202,500 per year would need to be sourced from either Loan Funds, Revenue or Working Funds. Loans funds would seem most affordable.

The RTA has sought a funding profile under the program, and Council has not committed any funds at this stage. Table 1 outlines the likely funding profile over the 7-year life of the program:

TABLE 1

Bridge	Estimate	Year	Funding Proposed			Total
			RTA	Regional Road Block Grant	Loan Funds	
Woolshed Gully (\$160,000)	\$160,000	2006/07	\$80,000	\$80,000		\$160,000
Nulla Nulla Ck (\$915,000)	\$390,000	2006/07	\$195,000	\$40,000	\$155,000	\$390,000
Nulla Nulla Ck	\$525,000	2007/08	\$262,500	\$100,000	\$162,500	\$525,000
Perrets Bridge (\$1,000,000)	\$40,000	2007/08	\$20,000	\$20,000		\$40,000
Perrets Bridge	\$580,000	2008/09	\$290,000	\$120,000	\$170,000	\$580,000
Perrets Bridge	\$380,000	2009/10	\$190,000	\$60,000	\$130,000	\$380,000
Mungay Ck (\$815,000)	\$215,000	2009/10	\$107,500	\$60,000	\$47,500	\$215,000
Mungay Ck	\$600,000	2010/11	\$300,000	\$115,000	\$185,000	\$600,000
Devils Nook Ck (\$1,280,000)	\$10,000	2010/11	\$5,000	\$5,000		\$10,000
Devils Nook Ck	\$625,000	2011/12	\$312,500	\$120,000	\$192,500	\$625,000
Devils Nook Ck	\$645,000	2012/13	\$322,500	\$120,000	\$202,500	\$645,000
TOTAL	\$4,170,000		\$2,085,000	\$840,000	\$1,245,000	\$4,170,000

TABLE 2

Bridge	Road	Location	Chainage (km) from Kempsey	Length (m)	No of Spans	Erected	Traffic (Average Daily Traffic Count)
Perrets Bridge	South West Rocks Rd	Jerseyville	30.73	38.5	3	1935	1500
Woolshed Gully	Armidale Rd	Temagog	23.83	8.3	1	1936	892
Mungay Ck	Armidale Rd	Willawarrin	25.36	36	4	1938	795
Devils Nook Ck	Armidale Rd	Bellbrook	43.46	36.4	4	1939	240
Nulla Nulla Ck	Armidale Rd	Bellbrook	50.74	48	4	1936	276

This program has been forwarded to the RTA.

The timber bridges are approximately 70 years old. The estimated life of a timber bridge is 50 years. Significant funds are currently being spent on these bridges (\$105,000 for Devils Nook Bridge in 02/03, \$40,000 for Mungay Creek Bridge in 00/01). All the bridges are single lane and, over the next few years, will require a significant injection of funds to maintain their serviceability.

PERRETS BRIDGE

This bridge is a single lane bridge over Spencers Creek at Jerseyville on South West Rocks Road.

The existing bridge provides a link between Kempsey and the Lower Macleay area, and South West Rocks.

South West Rocks Road is a Regional Road under the care and control of Kempsey Shire Council. Council receives funds under the Regional Road Block Grant Program to maintain or improve this road.

It is considered that this funding for South West Rocks Road would be in jeopardy if Perrets Bridge was not replaced at some future stage.

There are alternative routes to South West Rocks via Summer Island Road from Smithtown and Plummers Lane from the Pacific Highway. These alternate routes would not be considered as satisfactory for the fast growing township of South West Rocks, the present tourist road status, school and community bus routes, emergency vehicles, freight deliveries, inconvenience, and people commuting to places of work.

Residents on the east side of Spencers Creek in Jerseyville itself, as well as, Kinchela and Hat Head residents will be unable to access South West Rocks, or the Pacific Highway to the north, unless they head south to Smithtown and then north again along Summer Island Road and then Plummers Lane

Bridges on the Armidale Road

The timber bridges on Armidale Road provide an important link for the residents of the Upper Macleay.

If Nulla Nulla Creek and Devils Nook Bridges were not replaced, no alternative access can be provided to the Bellbrook, Comara and other Upper Macleay Residents. The only alternative access is via the tablelands towards Armidale.

The only alternative access to Woolshed Gully and Mungay Creek Bridge would be a diversion to the western side of the Macleay River along Willi Willi Road and back over Toorooka Bridge. This is not considered a serious alternative.

The lack of bridges at these locations would deny access to Kempsey and the Pacific Highway, for commercial, schooling, commuting to places of employment, and emergency services.

It is considered that Council should accept this unprecedented opportunity to obtain 50% funding to replace and widen these bridges. As the bridges are nearly 70 years old, even without this funding, Council would be required to provide a significant injection of funds into the maintenance and upgrading/replacement of these bridges.

Director's comment:

Council needs to be aware of the requirement to set aside funding over 7 years from 2006-2013 as its contribution to this program and is urged to support the recommendation. The program will allow Council to replace existing old single lane timber bridges with 2 lane concrete bridges that comply with current traffic volumes and load requirements of Australian Standards.

Other Implications:

There are no policy or statutory implications from the following recommendation.

Financial Implications:

The financial implications from the following recommendation is that \$120,000pa be set aside from the Regional Road Block Grant over 7 years, and that provision of \$155,000 to \$202,500pa be made in future budgets to fund the balance of Council's contribution.

2004. 316

RESOLVED:

*Moved: Cl. Hunt
Seconded: Cl. Sowter*

1. That the Regional Road Timber Bridge Programme as submitted be endorsed.
2. That \$120,000pa be set aside from future Regional Road Block Grant funding, and that provision of \$155,000 to \$202,500 per annum be made in future budgets from 2006-2013 to fund the balance of Council's contribution to the Regional Road Timber Bridge Program.
3. That the draft budget be amended to reflect the program.

DE8

PROPOSED DEFERRAL OF PROJECTS

FILE: R8-2 MGR

{Folio No. 274524}

SUMMARY:

Reporting on a proposal to defer current year projects to 2004/05.



Council has a number of projects which will not be completed during the current financial year for a variety of reasons. Council has received additional grant funding for projects such as the South Kempsey Park Rest Area, Safety Around Schools Programme, Regional Roads Repair Program and the South West Rocks 40kph High Pedestrian Activity Speed Zone.

Rural

Road Construction

Point Plomer Road	- Awaiting approval. Not expected to be determined in time to complete this year.	\$548,462
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Urban

Kempsey

Kempsey Wharf	- No additional grant funding received. Insufficient funding to complete project.	\$ 40,000
Nicholson/West St	- Kerb & gutter postponed due to determination of potential subdivision nearby.	\$ 55,000
Collin Tait Ave	- Stormwater complete. Awaiting determination of disposal of surplus land.	\$ 15,765

Crescent Head

Comara Terrace Steps	- Insufficient funds to complete project	\$ 3,613
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South West Rocks

Sturt St Kerb & Gutter	- Project deferred awaiting relocation of services.	\$125,777
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Drainage

Balance South West Rocks CBD Drainage Improvements	- Works completed to Landsborough Street. Waiting on finalisation of South West Rocks 40kph High Pedestrian Activity Speed Zone Works. (Will complete River Street works adopted at March meeting).	\$ 58,900
Spencerville Stormwater Drainage	-	\$100,000

- awaiting report from Consultant to determine scope of works.

Director's Comment:

As per report.

Financial Implication:

The financial implication of the following recommendation would be that the current Council funds for these projects would need to be transferred to an Uncompleted Works Reserve. The loan funded works would be funded from loans taken up.

Other Implications:

There are no policy or statutory implications arising from this report.

2004. 317

RESOLVED:

*Moved: Cl. Green
Seconded: Cl. Hunt*

That funds be transferred to allow these works to be completed during 2004/05.

DE9

QUESTIONS WITHOUT NOTICE

FILE: C18-28 JC (NRN)

{Folio No. 274525}

SUMMARY:

Reporting on Questions Without Notice from the Council meetings of the 20th March 2001, 14th May 2002, 13th January 2004, 20th January 2004 and 12th February 2004.



Responses to Councillors Questions Without Notice are listed for information.

Meeting of 14th May 2002

Councillor Sowter

File: R8-2

(Folio No. 234526)

That the Director Engineering will investigate contracting out of roadside slashing.

Suitable contract being compiled, with service standards, assessment criteria, clear description of areas to be mown and requirements for Insurance and OH&S.



Meeting of 13th January 2004

Councillor Sowter

File: R Kinch R/B

(Folio No. 268227)

That the Director Engineering would investigate the need to replace post and guard rails along Kinchela Creek road that were cut off during a house removal some years ago.

Guardrails removed, options being investigated. Posts and rails have been replaced.



Meeting of 12th February 2004

Councillor Bowell

File: R Pacific Hwy

(Folio No. 269866)

That the Director Engineering had not received advice when the RTA Noise Task Force would visit Frederickton but this would be followed up with the RTA.

Bob Higgins, Pacific Highway Manager, attended 13th April 2004 Council meeting and reported on the outcomes of the Noise Task Force.

Councillor Bowell

File: W5

(Folio No. 271439)

That Engineering would investigate the cost of replacing pole capping at Smithtown Wharf.

Details and responsibilities being reviewed.

Councillor Bowen

File: I3-2

(Folio No. 271444)

That the Director of Engineering would conduct risk assessments of structures on Council's road reserves.

Details being reviewed.

Councillor Sowter

File: R7-1

(Folio No. 271441)

That the Director Engineering would investigate the current situation with the riverbank at Gladstone and advise Mr Morley of the Gladstone Tidy Towns Committee.

Deferred to meeting of 4th May 2004.

Meeting of 23rd March 2004

Councillor J H Bowell

File: F11

(Folio No. 272513)

That the Director Engineering would investigate the dangerous condition of footpaths at the following three locations;

- Pavers in front of Action supermarket in Belgrave Street
 - Lifted concrete in front of the Many Rivers building in Elbow Street
 - The footpath in John Street west side between Verge Street and Austral Street.
1. **Pavers in front of Action Supermarket in Belgrave St -The pavers have sunk near the pedestrian crossing and would require removal and relaying.***
 2. **Lifted concrete in front of the Many Rivers Building in Elbow St – the whole footpath requires replacing. One small area of approx 1.2 x .600 can be easily replaced. This small section is classed as H1 and will be repaired.**
 3. **The footpath in John St, West Side between Verge St and Austral St – Half the footpath is broken and dropped away about 30mtrs in length. The whole of the 30mtrs would require removal and replacement.***

***Items 1 & 3. The depressions are less than 10mm and are classed as H3 under Council's Footpath / Cycleway Risk Management Policy (M 11:9). These hazards shall be considered for future works programs based on available funding and priority number.**

Councillor J C Gribbin

File: R8-2

(Folio No. 273334)

That the Director Engineering was aware of the type of gravel used by the Council patching machines and the need for placement of warning signs would be investigated.

Warning signs are placed to comply with Australian Standards.

Councillor J C Gribbin

File: R8-24

(Folio No. 273335)

That the Director Engineering would investigate the need for more street lighting in the industrial area at South West Rocks.

Matter being investigated.

Councillor T L Hunt

File: P1-2

(Folio No. 273377)

That the Director Engineering would arrange to publicize preferred parking areas for semi-trailers in the Kempsey Shire Urban areas.

Report to be prepared for Local Traffic Committee.

Councillor R H McWilliam

File: D5-2

(Folio No. 273378)

That the Director Engineering would investigate stormwater run off from Links View Estate South West Rocks with water running through established homes in the vicinity of Mr R Bright's residence.

Matter being investigated.

Councillor R H McWilliam

File: T11-4

(Folio No. 273379)

That the Director Engineering would investigate potential falling trees and branches adjacent to the pathway in Brighton Park South West Rocks opposite 63 Landsborough Street.

Trees have been pruned and dead branches removed.

Councillor R H McWilliam

File: R8-27

(Folio No. 273380)

That the Director Engineering would investigate broken kerb and gutter at the corner of Prince of Wales Avenue and Paragon Avenue outside Elders Real Estate.

Currently under investigation.

Councillor R H McWilliam

File: S8-2

(Folio No. 273381)

That the Director Engineering would investigate the subsiding of Council land outside 69 Landsborough Street South West Rocks which could be due to a sewerage main.

Currently under investigation.

Councillor R H McWilliam

File: R GORDON YOUNG

(Folio No. 273382)

That the Director Engineering would investigate the poor road surface on Gordon Young Drive South West Rocks and would advise Councillor McWilliam when it was listed for maintenance.

Listed for pavement strengthening and rehabilitation under Roads to Recovery in 2004/05.

Councillor E R Walker

File: P1-7

(Folio No. 273392)

That the Director Engineering would raise the matter of possible enter parking in Belgrave Street at the upcoming Kempsey CBD Masterplan meeting however the width of Belgrave Street would prevent this type of parking.

Referred to Masterplan meeting 14th April 2004 and further discussions with RTA on 21st April 2004 option does not meet traffic guidelines.

Implications:

There are no financial, policy or statutory implications from the following recommendation.

2004. 318

RESOLVED:

*Moved: Cl. Howell
Seconded: Cl. Green*

That the information be noted.

DE10	WORKS IN PROGRESS	
	FILE: R8-2 KJF (NRN)	{Folio No. 274526}

SUMMARY:

Reporting on Works in Progress.



ROADS

REGIONAL ROADS

Sealed

Patching and general maintenance is continuing on all the Regional Roads.

Rehabilitation of 325m of road on MR75 (Armidale Road) has commenced. The location of this work is immediately west of the Nook Creek Bridge.

Black Spot remedial works on MR198 (South West Rocks) involving realignment and rehabilitation of some sections of MR198 in the Austral Eden area, is anticipated to commence in late May.

Raising of a couple of sections of MR198 – South West Rocks Road has been completed as part of the flood mitigation program.

The rehabilitation of a section of Crescent Head Road has commenced. The work will involve the rehabilitation of 1.35km of road approximately 12.5km from the Pacific Highway intersection. It is anticipated that this work will take 6 weeks to complete.

MR198 SWR Rd at Benelong Haven is scheduled for rehabilitation works. This work will commence in June 2004.

LOCAL ROADS

Sealed Rural

Pavement maintenance work on the sealed road network is continuing.

Second lane will receive some remedial treatment in conjunction with the construction of boom gates at the railway crossing. This work will be completed once the Rail Infrastructure Corporation has finished their work. This is anticipated to commence in early May.

UNSEALED RURAL

Gravel Resheeting

Only Hickeys Creek road remains unfinished on the gravel resheeting program and this work is scheduled for May 2004.

Maintenance Grading

The "Shire East" roads maintenance crew is currently finishing in the Crescent Head Area (Area East 8) and then moving to the East Kempsey/Belmore Area (Area East 1).

Roads graded the during this month;

Point Plomer Road

The "Shire West" roads maintenance crew is currently busy with maintenance grading in the Five Day Area (Area West 2).

Roads graded the during this month;

Toose Road

Five Day Creek Road

The "Shire West" crew will thereafter continue with Gravel Resheeting of Hickeys Creek Road.

TOWN AND VILLAGE STREETS

Kempsey MasterPlan

The RSL Club Carpark/York Lane intersection works have been completed. Country Energy is to install lights to finalise this project and this work will commence in March 2004 and should be finalised by end of May 2004.

The Belgrave Street master plan works has been postponed pending a number of alternative designs.

Kempsey Town Improvement

Gladstone Street in Kempsey is scheduled to undergo rehabilitation works in early June. This work will involve replacement of the broken kerb and gutter on the eastern side and rehabilitation of the road. This project is part of the Roads to Recovery program.

Hat Head Town Improvement

Stage 2 of the drainage works around the intersection of Fern and Straight Streets has commenced. It is anticipated the works will be completed by mid May.

Crescent Head Town Improvement

Drainage works is scheduled for Korogora Street and this work will commence by mid May.

South West Rocks Town Improvement

Paragon Avenue is currently receiving kerb and gutter as well as footpaving on the northern side in front of the new development and the two houses immediately to the east. This will complete the kerb and gutter on the northern side of Paragon.

Smithtown Town Improvement

Belmore Street in Smithtown is currently receiving kerb and gutter between Verge and Jeffery streets. The work is scheduled to finish by mid May.

Stuarts Point Town Improvement

Kerb and Gutter works is scheduled to commence in early June in Ocean Ave. The kerb and gutter will join the existing kerb on the eastern side and be constructed on both sides of Ocean Ave heading west.

South West Rocks MasterPlan

The kerb and gutter and associated works at the Paragon/Memorial Avenue intersection, in line with the MasterPlan, Stage two, has been completed and included traffic islands and foot paving around the Paragon/Memorial Avenue Street area. Only a small island in Memorial Ave remains to be completed as part of this project.

Further work under this program involving footpath on the northern side of Livingstone Street adjacent to the new retaining wall between the caravan park and the road has been completed and the fencing installed.

Roads to Recovery projects

Ocean Avenue in Stuarts Point will receive some attention shortly with kerb and gutter and road works to commence in June 2004.

Mitchell Street (McIntyre to Pacific Streets) in South West Rocks is currently receiving kerb and gutter and the road will be widened and reformed. This work will be completed by mid May 2004.

Construction works of the new intersection of Gowings Hill Road and Marys Bay Road is currently underway. However, work has temporarily been suspended to allow the fill to settle. As part of this project, the remaining gravel section of Marys Bay Road will be sealed with funding from Section 94 Contributions.

Pedestrian Access Mobilisation Plan (PAMP)

PAMP work will commence in early June in Belgrave Street, Marsh Street (Kempsey) and Gregory Street, SWR. The work will involve blisters and pedestrian refuge islands to accommodate pedestrians at these very busy locations.

FLOOD MITIGATION

General maintenance and repair of the floodgates on Kinchela Creek and Belmore River flood structures is continuing. The concrete maintenance repair work on the Belmore Head works structure has currently been completed.

BRIDGES / STRUCTURES

Specific Maintenance

Specific maintenance on Fullers Creek Bridge (Nook Creek Road) is to commence in May. This bridge is the last on the specific maintenance program.

A new bridge will be constructed at McCoys Creek where the road is currently being serviced by a causeway. This project will commence in late May and is scheduled for completion by the end of June.

HORTICULTURE

Coastal Weeds Rehabilitation Project

Continuing. Gloriosa Lilly sprayed at South West Rocks and Hat Head.

Pioneer has confirmed \$10,000 worth of funding towards the control of coastal weeds. The preferred site for the use of the funding is the dunal area of Goolawah Lagoon, as a follow up to aerial spraying completed last winter. An allocation has also been set aside to carry out initial fauna and flora studies in recently gazetted sections of the reserve.

Upper Macleay Riparian Weeds Project

Chemcert training currently being organized for Bellbrook CDEP workers so that the initial eradication stage of the programme can commence.

Plans of Management

Horseshoe Bay Plan of Management – Revised draft submitted top Council for comment.

Plan for Verge Street Ovals continuing – Clare Mathieson currently liaising with User Group. Draft plan to be completed by the end of June, 2004.

Tree Planting and Maintenance

Tree planting in Gregory Street, South West Rocks, delayed due to sports fields change over. Residents have been letterboxed in regards to the project and planting will be completed in May 2004.

Playground

Playground equipment has been delivered for installation at South West Rocks and Kundabung.

Sporting Facilities

Greg Williams liaising with Ron Kemsley in regards to the DA for the construction of sporting fields at Boyters Lane.

A review of sports fields usage for the current Winter season is under way. A report will be presented to the next meeting of the Macleay Valley Sports Council for comment before being presented to Council.

NOXIOUS WEEDS

Weed Control Spraying carried out at:

- Smithtown
- New Entrance Road, South West Rocks
- Plummers Lane
- South West Rocks Road

Private property inspections carried out at

- Stuart's Point
- South West Rocks
- South Kempsey
- Yarravel
- Bruces Lane, Kempsey.

BUILDING SERVICES

Work completed last 4 weeks

- Ongoing maintenance to amenities.
- Aged Care Units – miscellaneous repairs.

- Works Depot - EPA – Pavement Works – Work 100% complete.
- Belgrave Street Exeloo – Install 25mm water supply – complete.

Work proposed next 4 weeks

- Works Depot - Maintenance to gutters and down pipes – to be outsourced
 - Upgrade Locker Room/Shower (continuing)
 - Alteration to workshop to improve ventilation and access – continuing
 - Relocate Stores Compound – demolish Loading Dock.
- Hat Head water treatment: Replace glass blocks with aluminium windows.
- Clyde Street Mall – Preliminary Site works to Baby Care Facility.
- Frederickton Cemetery – Site works and installation of modular toilet and gazebos – continuing.
- Timber Bollards – Manufacture a total of 100 (continuing).
- Gladstone Treatment Works – replace doors.
- SWR Horseshoe Bay Amenities – commence refurbishment.
- Works Depot – construct vehicle ramps to wash bay.

Implications:

There are no financial, policy or statutory implications from the following recommendation.

2004. 319

RESOLVED:

*Moved: Cl. Hunt
Seconded: Cl. Sowter*

That the information be noted.

DIRECTOR ENGINEERING SUPPLEMENTARY REPORT

DE11	LONDON TO SYDNEY MARATHON	
	FILE: P12-21 (274293) NJT	{Folio No. 274685}

SUMMARY:

Reporting on an application to hold a stage of the London to Sydney Marathon car rally in Kempsey Shire.



An application has been received from the organisers of the 2004 London to Sydney Marathon to complete a leg of the car rally within Kempsey Shire on Saturday, 3rd July 2004.

At this stage 59 vehicles will be leaving London, and it is expected that approximately 40 vehicles will still be mobile in this stage of the event.

On Saturday 3rd July 2004 (day 29 of the rally), competitors will be leaving Glen Innes at 7.00am travelling through shires of Severn, Guyra, and Armidale/Dumaresq and then proceeding down the Armidale Road from Point Lookout to Bellbrook. The majority of this section of road is a non-competitive stage with vehicles leaving at 1 minute intervals.

The lead vehicles are expected to arrive at Bellbrook around 1.00pm where members of the Bellbrook Rural Fire Service will be conducting a "sausage sizzle" for the benefit of competitors and spectators alike.

The organisers are seeking permission to close the following roads for the next competitive stage from 12.20pm to 3.20pm:

Toose Road from Bellbrook	-	3.4kms
Mackenzies Creek Road (north)	-	3.4kms
Balls Road	-	7.2kms
Mackenzies Creek Road (south)	-	<u>2.3kms</u>
		16.3kms

A non-competitive stage then proceeds along Warbro Brook Road, Toorooka Road and then easterly along Armidale Road to Kempsey and then southbound along the Pacific Highway to Port Macquarie.

The Special Event Management Plan documentation submitted is of a high quality and addresses most concerns that might arise. The event has a high degree of supervision by the organisers and traffic control personnel.

Director's comment:

As per report.

Implications:

There are no financial, policy or statutory implications from the following recommendation.

MOVED:

*Moved: Cl. Howell
Seconded: Cl. Sowter*

- 1. That the application to complete a leg of the 2004 London to Sydney Marathon car rally within Kempsey Shire on Saturday, 3rd July 2004, be approved.**
- 2. That the following roads be closed on Saturday, 3rd July 2004, from 12.20pm to 3.30pm:**

Toose Road from Bellbrook	-	3.4kms
Mackenzies Creek Road (north)	-	3.4kms
Balls Road	-	7.2kms
Mackenzies Creek Road (south)	-	2.3kms

2004. 320

RESOLVED:

*Moved: Cl. Hunt
Seconded: Cl. McWilliam*

That this item be deferred until just after the luncheon adjournment to allow for further information to be provided by the Acting Director Engineering.



DIRECTOR CORPORATE AND COMMUNITY SERVICES REPORT

DCCS1	KEMPSEY HOSPITAL	
	FILE: H2-10	TIH (NRN)
		{Folio No. 274528}

SUMMARY:

Reporting on correspondence with the Minister for Health, Morris lemma MP.



Council wrote the following to the Minister on 18th February 2004:-

“At its meeting held 12th February Council resolved that you be requested to receive a Deputation from Council and representatives of the Community Health Forum to discuss matters of concern regarding the Kempsey District Hospital.

Could you please advise of a time convenient to you to receive this Deputation.”

The Minister responded with the following letter:-

“I refer to your letter dated 18 February 2004 concerning your requests for a meeting to discuss matters in relation to Kempsey Hospital.

Thank you for your interest in Kempsey Hospital and your recognition of the Consumer and Community Health Forums as the most appropriate avenue to be informed and have input into the activities of the Area Health Service.

I regret that I am unable to meet with you at this time due to a number of other commitments.

If you require any further information, please contact Mr Terry Clout, Chief Executive Officer, Mid North Coast Area Health Service.”

Comments by Director

Perhaps the Minister May change his mind when presented with the Community petition.

Financial, Policy, Statutory, ESD Implications

There are no implications arising from this report.

2004. 321

RESOLVED:

*Moved: Cl. Gribbin
Seconded: Cl. Sowter*

That the information be noted.

DCCS2	STATEMENT OF BANK BALANCES AS AT 30TH APRIL 2004 APC
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SUMMARY:

Submitting the Statement of Bank Balances as at 30th April 2004.



[\(Appendix A\)](#)

Financial Implication

There are no financial implications arising from this report.

2004. 322

RESOLVED:

*Moved: Cl. Sowter
Seconded: Cl. Hunt*

That the information be noted.

DCCS3	STATEMENT OF INVESTMENTS AS AT 30TH APRIL 2004 APC
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SUMMARY:

Submitting the Statement of Investments as at 30th April 2004.



The Local Government Act 1993 requires that Council be notified at each Ordinary meeting of details of all money invested by Council.

Attached at [\(Appendix B\)](#) is that Statement of Investments.

Financial Implication

There are no financial implications arising from this report.

2004. 323

RESOLVED:

*Moved: Cl. Green
Seconded: Cl. Saul*

That the information be noted.

DCCS4	QUARTERLY REPORT - LIBRARY	
FILE: L4-2	GB (NRN)	{Folio No. 274532}

SUMMARY:

Reporting on library activities from January 1 to March 31, 2004



A member of the library's Reading Group has donated the library \$1,000. The funds will be spent on reference books and other resources for the Hat Head library.

The little building at Hat Head on the grounds of the Anglican Church is very close to completion. It was consecrated by the Anglican Bishop on the 27th of February and it is likely to be in use before the end of the financial year.

The State Library has run a number of courses during February and March this year. As they are free, and the SL contributes to the travel costs, most members of library staff have attended at least one session. They have become acquainted with the services the SL offers to country public libraries, as well as receiving some specialist training that is of considerable assistance to them in the successful carrying out of their duties. We are very heavily reliant on the State Library for the supply of resources we don't hold.

Libraries all over the state report falling circulation and people through the door. It is gratifying to see that since we started counting the library's website hits in January, the figures have doubled; from 386 in January to 636 in March. Although it is a low base from which to start, we are noticing an increasing number of people reserving their books on the internet, and only coming in when we phone them to say they are available.

Comments by Director

Noted.

Financial Implications

All donations gratefully received.

Policy Implications

Nil

Statutory Implications

Nil

ESD Implications

Nil

2004. 324

RESOLVED:

*Moved: Cl. Hunt
Seconded: Cl. Green*

That the information be noted.

DCCS5	COUNCIL MEETING DATES	
	FILE: C18-22 PJH	{Folio No. 274534}

SUMMARY:

Reporting on the proposed schedule of meeting dates for 2004.



Following the Council's previous decision to hold Ordinary Council meetings on the second Tuesday of each month and Planning meetings on the fourth Tuesday of each month, a schedule of meeting dates has been prepared up until the next Mayoral election in September 2004:-

Tuesday	11 th May 2004	Ordinary Meeting
Tuesday	25 th May 2004	Planning Meeting
Tuesday	8 th June 2004	Ordinary Meeting
Tuesday	22 nd June 2004	Planning Meeting
Tuesday	13 th July 2004	Ordinary Meeting
Tuesday	27 th July 2004	Planning Meeting
Tuesday	10 th August 2004	Ordinary Meeting
Tuesday	24 th August 2004	Planning Meeting
Tuesday	14 th September 2004	Mayoral Election and Ordinary Meeting

As the Mayoral Election is to be held in September each year, the fixing of the date and time of meetings from September 2004 onwards will be determined in conjunction with the Mayoral election.

The dates of particular meetings may be changed if necessary by Council resolution.

Director Corporate and Community Services Recommendation:

That the schedule of meetings as detailed in the report be noted.

Director's Comment:

Report noted.

Report Implications:

There are no financial, statutory or policy implications arising from this report.

2004. 325

RESOLVED:

*Moved: Cl. Hunt
Seconded: Cl. Sowter*

That the schedule of meetings as detailed in the report be noted subject to the July ordinary Council meeting being held on Thursday 15th July.

DCCS6	KEMPSEY COMMUNITY GALLERY FORMATION OF COMMUNITY GALLERY 355 COMMITTEE
FILE: LA8199 BAH	{Folio No. 274536}

SUMMARY:

Reporting on the need to form a 355 Committee for the Kempsey Community Gallery at Gladstone.



Included in the memorandum of Understanding between the Kempsey Shire Council and Gladstone Hall committee was Kempsey Shire Council's intention of establishing a Kempsey Community Gallery 355 committee. This committee's delegation would be the establishment and management including policy development of the Kempsey Community Gallery.

It is anticipated the Community Gallery committee consist of the following members: -

- One councillor,
- Representation (1) from the Gladstone Hall Committee,
- Macleay Valley Arts Council member (1) visual artist,
- Two community representatives with relevant experience knowledge or skills.
- One Aboriginal representative and
- Kempsey Shire Council staff (1)
- This committee may also report to the Arts and Cultural Development Committee as well as to the Director Corporate and Community Services.

The committee would be serviced by the Community Services Department and be the responsibility of the Director of Corporate and Community Services.

Comments by Director

Now is the appropriate time to form this Committee

Financial Implications

Financed from fund raising activities undertaken by gallery committee. Funding, if needed, would be mainly for training of volunteer staff.

Policy Implications, Statutory Implications and ESD Implications

Nil.

2004. 326

RESOLVED:

*Moved: Cl. Sowter
Seconded: Cl. Green*

1. That Council form the Kempsey Community Gallery Committee with the delegation to establish and manage the Community Gallery at Gladstone.
2. That Council nominate its delegate to the Committee.



At this stage 12.55 p.m. the Meeting adjourned for Luncheon and upon resumption at 1.58 p.m. all present at the adjournment were in attendance.

DE11	LONDON TO SYDNEY MARATHON		
	FILE: P12-21 (274293)	NJT	{Folio No. 274685}

SUMMARY:

Reporting on an application to hold a stage of the London to Sydney Marathon car rally in Kempsey Shire.



An application has been received from the organisers of the 2004 London to Sydney Marathon to complete a leg of the car rally within Kempsey Shire on Saturday, 3rd July 2004.

At this stage 59 vehicles will be leaving London, and it is expected that approximately 40 vehicles will still be mobile in this stage of the event.

On Saturday 3rd July 2004 (day 29 of the rally), competitors will be leaving Glen Innes at 7.00am travelling through shires of Severn, Guyra, and

Armidale/Dumaresq and then proceeding down the Armidale Road from Point Lookout to Bellbrook. The majority of this section of road is a non-competitive stage with vehicles leaving at 1 minute intervals.

The lead vehicles are expected to arrive at Bellbrook around 1.00pm where members of the Bellbrook Rural Fire Service will be conducting a "sausage sizzle" for the benefit of competitors and spectators alike.

The organisers are seeking permission to close the following roads for the next competitive stage from 12.20pm to 3.20pm:

Toose Road from Bellbrook	-	3.4kms
Mackenzies Creek Road (north)	-	3.4kms
Balls Road	-	7.2kms
Mackenzies Creek Road (south)	-	<u>2.3kms</u>
		16.3kms

A non-competitive stage then proceeds along Warbro Brook Road, Toorooka Road and then easterly along Armidale Road to Kempsey and then southbound along the Pacific Highway to Port Macquarie.

The Special Event Management Plan documentation submitted is of a high quality and addresses most concerns that might arise. The event has a high degree of supervision by the organisers and traffic control personnel.

Director's comment:

As per report.

Implications:

There are no financial, policy or statutory implications from the following recommendation.

Director Engineering Recommendation:

- 1. That the application to complete a leg of the 2004 London to Sydney Marathon car rally within Kempsey Shire on Saturday, 3rd July 2004, be approved.**
- 2. That the following roads be closed on Saturday, 3rd July 2004, from 12.20pm to 3.30pm:**

Toose Road from Bellbrook	-	3.4kms
Mackenzies Creek Road (north)	-	3.4kms
Balls Road	-	7.2kms
Mackenzies Creek Road (south)	-	2.3kms

2004. 327

RESOLVED:

*Moved: Cl. Bowell
Seconded: Cl. Sowter*

That the Director Engineering Recommendation be adopted with the addition of:

3. That Council contact the organising authority seeking their contribution towards dust amelioration along the route adjacent to residences.



DCCS7	APPOINTMENT OF DELEGATES TO COMMITTEES
FILE: C18-22 PJH	{Folio No. 274539}

SUMMARY:

To appoint Councillor delegates to committees.



Council has previously resolved to appoint Councillor delegates to various committees at this May 2004 Council meeting. The appointment of Councillor delegates will be initially for the period to the September 2004 Council meeting when the re-appointments of delegates will be made in conjunction with the Mayoral election.

The appointment of community members to these Committees is to be advertised for expression of interests with a view to appointing community members at the June 2004 Council meeting. The existing community members will continue on the Committees until the appointments are made by Council.

The following are the current Committees that will need the appointment of delegates.

The Mayor is an automatic member of all Committees.

2004. 328

RESOLVED:

*Moved: Cl. Hayes
Seconded: Cl. Hunt*

That a maximum of two (2) Council Delegates on each committee and community representatives be reviewed each September in conjunction with the re-appointment of Council Delegates.

ABORIGINAL LIAISON COMMITTEE FILE: C18-13 TIH
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The former Council Delegates were Councillors Parkinson and Sproule. This Committee involves 2 staff and community members. Meetings are held monthly.

Following nominations the Mayor declared the Council Delegates for the Aboriginal Liaison Committee be Councillors Green and Gribbin.

ACCESS COMMITTEE
FILE: C18-13 TIH

Following nominations the Mayor declared the Council Delegate for the Access Committee be Councillor McWilliam.

AGED CARE SOUTH WEST ROCKS
FILE: C18-13 TIH

The former Council Delegate was Councillors Bowell. Councillor Sproule was the alternate Delegate. Also involves 1 staff member. Meetings held as required.

Following nominations the Mayor declared the Council Delegates for the Aged Care South West Rocks Committee be Councillors Gribbin and McWilliam.

AUSTRALIA DAY COMMITTEE (SECTION 377 COMMITTEE)
FILE: C18-13 TIH

The former Delegate was Councillor Hunt. Also involves 3 staff and a community member. Meetings are held twice a year.

Following nominations the Mayor declared the Council Delegates for the Australia Day Committee be Councillors Green and Hunt.

BUSH FIRE MANAGEMENT COMMITTEE
FILE: C18-13 KJF

The former delegate on the Bush Fire Management Committee was Councillor Hunt. Councillor Sowter was the alternate delegate. Also involves one staff member and meetings are held four times a year.

Following nominations the Mayor declared the Council Delegates for the Bush Fire Management Committee be Councillors Hunt and McWilliam.

CARAVAN PARK ADVISORY COMMITTEE
FILE: C18-13 GBS

The former Council Delegates were Councillors Bowell, Parkinson and Bowen. Also involves three staff. Meetings are held every two months.

Following nominations the Mayor declared the Council Delegates for the Caravan Park Advisory Committee be Councillors Bowell and Gribbin.



At this stage Council dealt with item DBE 2.

SUMMARY:

Reporting on a request from a Community Group to have a member on the Caravan Park Committee



The Hat Head Community Group Inc. has requested that Council consider appointing one member from its Group to the Committee as a point of reference between Council and the community. A copy of the letter of request dated 26 April 2004 is attached as [\(Appendix A\)](#).

Council resolved on 10th December 2002 (Resolution 2002.981) to "appoint a Caravan Park Committee comprising no more than 3 Councillors, The Director Business Enterprises, Small Business Manager and Tourism Services Manager for the sunset period ending the September 2003 Council meeting."

The purpose of the Committee was;

- a) To review and make recommendations to Council on the Management Plans/Business Plans for the operation of the 4 Shore Tourist Parks
- b) Implement actions as set out in the Management Plans/Business Plans
- c) Make recommendations to Council on policies and priorities relating to the Tourist Parks
- d) Develop and recommend to Council budget proposals

Most of the Committee's work relates to operational and business matters pertinent to the whole 4-parks collective and in the context of Council's business enterprises overall planning. Stakeholder groups include various local communities, the wider community, park patrons, day visitors, businesses, the tourism sector, sporting/recreational bodies, the agencies and several others. As such, the membership of the Committee for the continuance of the current intent should remain as previously resolved.

Director's Comment:

The request from the Hat Head Community Group should be considered in conjunction with the re-appointment of Council Committee.

Report Implications:

There are no financial, policy or statutory implications arising from the following recommendation.

Director Business Enterprises Recommendation:

That the Hat Head Community Group's application for membership of the Caravan Park Committee be considered in conjunction with the reappointment of Council Committees.

2004. 329

RESOLVED:

*Moved: Cl. Bowell
Seconded: Cl. Sowter*

That the Hat Head Community Groups be advised that Council has resolved not to appoint any community members to the caravan park committee but would consider all submissions from the group in relation to the caravan park or other matters.



**COASTAL AND ESTUARY MANAGEMENT COMMITTEE
FILE: C18-13 KJF**

The former Council Delegates were Councillors Bowell and Bowen. Also involves 2 staff and community members. Meetings are monthly.

Following nominations the Mayor declared the Council Delegates for the Coastal and Estuary Management Committee to be Councillors McWilliam and Walker.

**COMMUNITY SERVICES COMMITTEE / COMMUNITY SAFETY
COMMITTEE
FILE: C18-13 TIH**

The former Council Delegate was Councillor Sproule. Also involves 4 staff and community members. Meetings are held bimonthly but there are subcommittees that meet regularly and commit staff resources.

Following nominations the Mayor declared the Council Delegates for the Community Services Committee / Community Safety Committee to be Councillors Green and Saul.

**COMMUNITY TENANCY ASSOCIATION
FILE: C18-13 TIH**

The former delegate was Councillor Hayes. Also involves 1 staff member and community members. Meetings are held every four months.

Following nominations the Mayor declared the Council Delegate for the Community Tenancy Association Committee to be Councillor Hayes.

DEVELOPMENT ASSISTANCE COMMITTEE

FILE: C18-13 RBP

The former Council Delegates were all Councillors. Also involves Senior Staff on an as required basis.

2004. 330

RESOLVED:

*Moved: Cl. Hunt
Seconded: Cl. Howell*

That the Development Assistance Committee be deleted.

**ECOLOGICALLY SUSTAINABLE DEVELOPMENT PLAN STEERING
COMMITTEE
FILE: C18-13 AVB**

The former Council Delegates were Councillors Howell, Bowen and Sproule. Also involves Senior Staff meeting on an as required basis.

2004. 331

RESOLVED:

*Moved: Cl. Howell
Seconded: Cl. Sowter*

That the Ecologically Sustainable Development Plan Steering Committee be deleted.

**GENERAL MANAGER'S PERFORMANCE REVIEW COMMITTEE
FILE: C18-13 AVB**

The former Council Delegates were Councillors Bowen, Hunt and Joukhadar.

Nominations for Council Delegates on the General Manager's Performance Review Committee were received for Councillors Green, Hunt and Gribbin.

Following an election the Mayor declared the Council Delegates for the General Manager's Performance Review Committee to be Councillors Green and Hunt.

**HAT HEAD SEWERAGE LIAISON COMMITTEE
FILE: C18-13 GBS**

The former Council Delegates were Councillors Howell and Sowter.

2004. 332

RESOLVED:

*Moved: Cl. Howell
Seconded: Cl. Sowter*

That the Hat Head Sewerage Liaison Committee be deleted.

BELLBROOK SEWERAGE LIAISON COMMITTEE

FILE: C18-13 GBS

Following nominations the Mayor declared the Council Delegate for the Bellbrook Sewerage Liaison Committee to be Councillor Hunt.

**WILLAWARRIN SEWERAGE LIAISON COMMITTEE
FILE: C18-13 GBS**

Following nominations the Mayor declared the Council Delegate for the Willawarrin Sewerage Liaison Committee to be Councillor Hunt.

**STUARTS POINT SEWERAGE LIAISON COMMITTEE
FILE: C18-13 GBS**

Following nominations the Mayor declared the Council Delegates for the Stuarts Point Sewerage Liaison Committee to be Councillors Saul and Sowter.

**HOSPITAL ACTION GROUP
FILE: C18-13 TIH**

The former Council Delegate was Councillor Bowell. A delegate from Council was appointed to the Hospital Action Group following a request from the Group.

Following nominations the Mayor declared the Council Delegates for the Hospital Action Group to be Councillors Bowell and Green.

**KEMPSEY ASSISTANCE PATROL ADVISORY MANAGEMENT
COMMITTEE
FILE: C18-13 TIH**

The former Council Delegate was Councillor Hunt. Also involves 4 staff and community members. Meetings held on a monthly basis.

Following nominations the Mayor declared the Council Delegate for the Kempsey Assistance Patrol Advisory Management Committee to be Councillor Hunt.

**KEMPSEY DISTRICT SILVER BAND COMMITTEE
(SECTION 377 COMMITTEE)
FILE: C18-13 TIH**

Council's former Delegate was Councillor Bowell.

Following nominations the Mayor declared the Council Delegates for the Kempsey District Silver Bank Committee to be Councillors **Bowell and McWilliam.**

**KEMPSEY LOCAL RANKING COMMITTEE (AREA ASSISTANCE SCHEME)
FILE: C-18 TIH**

The former Council Delegate was Councillor Sproule. Involves 2 staff and meets on an as needs basis.

Following nominations the Mayor declared the Council Delegates for the Kempsey Local Ranking Committee (Area Assistance Scheme) to be Councillors **Hayes.**

**KEMPSEY MASTERPLAN IMPLEMENTATION COMMITTEE
FILE: T4-49 RBP**

The former Council Delegates were Councillors Hunt and Sproule. Also involves 2 staff and community representatives. Meetings are quarterly.

Following nominations the Mayor declared the Council Delegates for the Kempsey Master Plan Implementation Committee to be Councillors **Hunt and Saul.**

**LAND RELEASE TASK FORCE COMMITTEE
FILE: C18-13 RBP**

The former Council Delegates were Councillors Sowter , **Bowell** and **Bowen.** Also involves 2 staff and community representatives. Meetings are held as required.

Following nominations the Mayor declared the Council Delegates for the Land Release Task Force Committee to be Councillors **Green and Sowter.**

**LOCAL HERITAGE COMMITTEE
FILE: C18-13 RBP**

The former Council Delegate was Councillor Sproule. Also involves one staff and community representatives. Meetings are held bimonthly.

Following nominations the Mayor declared the Council Delegates for the Local Heritage Committee to be Councillors **Saul and Walker.**

MACLEAY DEVELOPMENT AND PROMOTION

FILE: C18-13 GBS

The former Council Delegates were Councillors Hunt and Joukhadar. Councillor Bowell was the alternate Delegate. Also involves three staff. Meetings are held monthly.

Following nominations the Mayor declared the Council Delegates for the Macleay Development and Promotion Committee to be Councillors Green and Hunt.

MACLEAY DISTRICT SPORTS COUNCIL

FILE: C18-13 KJF

The former Council Delegates were Councillors Bowell and Bowen. Also involves 2 staff and community representatives. Meetings held quarterly.

Following nominations the Mayor declared the Council Delegates for the Macleay District Sports Council to be Councillors McWilliam and Walker.

MACLEAY FLOODPLAIN PROJECT

FILE: C18-13 RBP

The former Council Delegates were Councillors Bowell, Sowter, Hunt and Bowen. Also involves 2 staff and community representatives. Meetings are bimonthly.

Following nominations the Mayor declared the Council Delegates for the Macleay Floodplain Project Committee to be Councillors Saul and Sowter.

MACLEAY FLOOD RISK MANAGEMENT COMMITTEE

FILE: C18-13 KJF

The former Council Delegates were Councillors Bowell, Bowen and Sproule. Also involves 2 staff. Meetings are held every four months.

Following nominations the Mayor declared the Council Delegates for the Macleay Flood Risk Management Committee to be Councillors Hunt and Saul.

MACLEAY RIVER HISTORICAL SOCIETY (SECTION 377 COMMITTEE)

FILE: C18-13 TIH

Council's former Delegate was Councillor Sproule.

Following nominations the Mayor declared the Council Delegate for the Macleay River Historical Society to be Councillor Saul.

**MELVILLE COMMUNITY CENTRE MANAGEMENT COMMITTEE
SECTION 377 COMMITTEE)
FILE: C18-13 TIH**

Council's former Delegate was Councillor Sproule.

Following nominations the Mayor declared the Council Delegate for the Melville Community Centre Management Committee to be Councillor Green.

**MEN'S ACCOMMODATION AND RESOURCE CENTRE COMMITTEE
FILE: W3-5 COPY: C18-13 TIH**

The former Council Delegate was Councillor Bowell. Also involves 1 staff member and community representatives. Meetings held bimonthly.

2004. 333

RESOLVED:

*Moved: Cl. Bowell
Seconded: Cl. Green*

That no Council delegate be appointed to Mens Accommodation and Resource Centre Committee.

**MID NORTH COAST REGIONAL ARTS BOARD
FILE: C18-13 TIH**

The former Council Delegate was Councillor Sproule.

Following nominations the Mayor declared the Council Delegates for the Mid North Coast Regional Arts Board to be Councillors Green and Gribbin.

**PCYC COMMITTEE
FILE: C18-13 TIH**

The former Council Delegates was Councillor Bowell. Also involves 2 staff and community members. Meetings held on a monthly basis.

Following nominations the Mayor declared the Council Delegate for the PCYC Committee to be Councillor McWilliam.

**PLANT COMMITTEE
FILE: C18-13 KJF**

The former Council Delegates were Councillors Bowell, Hunt, Sowter, Sproule and Bowen. Also involves 2 staff. Meetings held quarterly.

Following nominations the Mayor declared the Council Delegates for the Plant Committee to be Councillors Gribbin and Hunt.

**SALEYARDS ADVISORY COMMITTEE
FILE: C18-13 GBS**

The former Council Delegates were Councillors Sowter, Bowell and Bowen. Also involves 2 staff and community representatives. Meetings held every 2 months.

Nominations for delegates for the Sale Yards Advisory Committee were received from Councillors Gribbin, Saul and Sowter.

Following an election the Mayor declared the Council Delegates for the Sale Yards Advisory Committee to be Councillors Saul and Sowter.

**SOUTH WEST ROCKS CBD MASTERPLAN IMPLEMENTATION
COMMITTEE
FILE: T4-20 RBP**

The former Council Delegates were Councillor Bowell and Bowen. Also involves three staff and community representatives. Meetings are generally held bimonthly.

Following nominations the Mayor declared the Council Delegates for the South West Rocks Masterplan Implementation Committee to be Councillors Gribbin and McWilliam.

**SOUTH WEST ROCKS STRUCTURE PLAN REVIEW COMMITTEE
FILE: T4-20 RBP**

The former Council Delegates were Councillor Sproule and Bowen.

2004. 334

RESOLVED:

*Moved: Cl. Hunt
Seconded: Cl. Bowell*

That the South West Rocks Structure Plan Review committee be deleted.

**SWIMMING POOLS COMMUNITY COMMITTEE
FILE: T4-20 GBS**

The former Council Delegates were Councillor Bowell and Bowen. Also involves three staff and community representatives. Meetings are generally held bimonthly.

Councillor Green was appointed to this Committee at Council's meeting of 13th April 2004 as a replacement for former Councillor Bowen.

Following nominations the Mayor declared Councillors **Bowell and Green** to be the Council delegates for the **Swimming Pools Community Committee**.

TRAFFIC COMMITTEE
FILE: C18-13 KJF

The Mayor is the Council delegate to the Traffic Committee.

UP-RIVER CAMPING AND PICNIC AREA COMMITTEE
(SECTION 377 COMMITTEE)
FILE: C18-13 KJF

2004. 335

RESOLVED:

Moved: Cl. Bowell
Seconded: Cl. McWilliam

That the Upriver Camping and Picnic Area committee be deleted.

WATER AND SEWERAGE STEERING COMMITTEE
FILE: C18-13 GBS

The former Council Delegates were Councillors **Bowell and Mainey**. Also involves 3 staff and project managers. Meetings are held as required.

Following nominations the Mayor declared the Council delegates for the **Water and Sewerage Steering Committee** to be Councillors **Bowell and McWilliam**.

WEST KEMPSEY COMMUNITY RENEWAL PROJECT ADVISORY COMMITTEE
FILE: C18-13 TIH

The former Council Delegates was Councillor **Hayes**. Also involves 2 staff and community members. Meetings held as required.

Following nominations the Mayor declared the Council delegate for the **West Kempsey Community Renewal Project Advisory Committee** to be Councillor **Green**.

WIGAY CULTURAL EDUCATION PARK MANAGEMENT COMMITTEE
FILE: LA3005 COPY: C18-13 TIH

The former Council Delegates was Councillor **Sproule**. Also involves 2 staff. Meetings are bimonthly.

Following nominations the Mayor declared the Council delegate for the **Wigay Cultural Education Park Management Committee** to be Councillor **Green**.

**WOMEN IN LOCAL GOVERNMENT COMMITTEE
FILE: C18-13 AVB**

The former Council Delegates were Councillors *Bowell, Bowen and Sproule*. Meetings are held on an as needs basis.

2004. 336

RESOLVED:

*Moved: Cl. Bowell
Seconded: Cl. Sowter*

That the Women in Local Government committee be deleted.

**KEMPSEY COMMUNITY GALLERY COMMITTEE
FILE: LA8199 COPY: C18-13 TIH**

Following nominations the Mayor declared the Council delegate for the Kempsey Community Gallery Committee to be Councillors *McWilliam and Saul*.

**SCHOOL OF RURAL HEALTH – MID NORTH COAST DIVISION
FILE: C18-13 TIH**

Following nominations the Mayor declared the Council delegate for the School of Rural Health Mid North Coast Division to be Councillor *Bowell*.

Directors Comment

Noted

Report Implications

The financial costs related to committees are staff time and travelling costs paid to Councillor delegates.

There are no policy or statutory implications arising from this report.

2004. 337

RESOLVED:

*Moved: Cl. Bowell
Seconded: Cl. Sowter*

That the appointment of Council delegates to the Committees as declared by the Mayor be confirmed.



**DCCS1 KEMPSEY HOSPITAL
FILE: H2-10 TIH**

SUMMARY:

Reporting on correspondence with the Minister for Health, Morris Iemma MP.



Council wrote the following to the Minister on 18th February 2004:-

“At its meeting held 12th February Council resolved that you be requested to receive a Deputation from Council and representatives of the Community Health Forum to discuss matters of concern regarding the Kempsey District Hospital.

Could you please advise of a time convenient to you to receive this Deputation.”

The Minister responded with the following letter:-

“I refer to your letter dated 18 February 2004 concerning your requests for a meeting to discuss matters in relation to Kempsey Hospital.

Thank you for your interest in Kempsey Hospital and your recognition of the Consumer and Community Health Forums as the most appropriate avenue to be informed and have input into the activities of the Area Health Service.

I regret that I am unable to meet with you at this time due to a number of other commitments.

If you require any further information, please contact Mr Terry Clout, Chief Executive Officer, Mid North Coast Area Health Service.”

Comments by Director

Perhaps the Minister May change his mind when presented with the Community petition.

Financial, Policy, Statutory, ESD Implications

There are no implications arising from this report.

RECOMMENDATION

That the information be noted.

DCCS2	STATEMENT OF BANK BALANCES AS AT 30TH APRIL 2004 APC
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SUMMARY:

Submitting the Statement of Bank Balances as at 30th April 2004.



[\(Appendix A\)](#)

Financial Implication

There are no financial implications arising from this report.

RECOMMENDATION:

That the information be noted.

**DCCS3 STATEMENT OF INVESTMENTS AS AT 30TH APRIL
2004
APC**

SUMMARY:

Submitting the Statement of Investments as at 30th April 2004.



The Local Government Act 1993 requires that Council be notified at each Ordinary meeting of details of all money invested by Council.

Attached at [\(Appendix B\)](#) is that Statement of Investments.

Financial Implication

There are no financial implications arising from this report.

RECOMMENDATION:

That the information be noted.

**DCCS8 MID NORTH COAST AREA HEALTH SERVICE –
“TEETH FOR LIFE” CAMPAIGN
FILE: H2-2 TIH {Folio No. 274541}**

This report was dealt with earlier in the meeting just after PUBLIC FORUM.

DCCS9 MAYORAL AND COUNCILLOR FEES

SUMMARY:

Reporting on the Local Government Remuneration Tribunal determinations for the 2004/2005 year.



The Local Government Remuneration Tribunal sets the maximum increase in fees for all Councillors in the state each year, after consultation with Councils and the Local Government and Shires Association.

On 29th April 2004 the Minister for Local Government, the Hon Tony Kelly MLC announced the Local Government Remuneration Tribunal determinations for the 2004/2005 year. The minimum/maximum fees in the relative categories have been increased by 3% for both Councillors fees and mayoral fees.

Kempsey Shire Council is classified as a Category 3 for remuneration purposes along with Councils such as Coffs Harbour, Hastings, Greater Taree and Great Lakes.

A full copy of the Remuneration Tribunal's report will be forwarded to each Councillor as soon as available.

The determination for Category 3 Councils for 2004/2005 is as follows:-

<u>Councillor</u>		<u>Mayor</u>	
Minimum	Maximum	Minimum	Maximum
\$5,875	\$12,925	\$12,490	\$28,215

The Mayoral fee is paid in addition to the Councillor fee.

Council resolved for the 2003/2004 year that the fees payable be the maximum in its category as determined by the Remuneration Tribunal.

The Draft 2004/2005 budget allows for total Councillors allowances of \$117,500 for the year and a Mayoral allowance of \$28,500. Adoption of the maximum fees in the category 3 will result in Councillors allowances of \$116,325 and a Mayoral allowance of \$28,215. The net affect on the draft budget would be a reduction in expenses of \$1,460.

Financial Implications

Adoption of the following recommendation will provide for total Councillors allowances in 2004/2005 of \$116,325 (draft budget reduced by \$1175) and a Mayoral allowance of \$28,215 (draft budget reduced by \$285).

There are no policy or statutory implications arising from this report.

RESOLVED:

*Moved: Cl. Howell
Seconded: Cl. Sowter*

That fees payable in the 2004/2005 year for the Mayor and Councillors be the maximum allowed in category 3 as determined by the Local Government Remuneration Tribunal.

DCCS10	FINANCIAL STATEMENT FOR THE PERIOD TO 31 MARCH 2004 FILE: A2-22 APC	{Folio No. 274546}
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SUMMARY:

Reporting that the Budget Review for the period ending 31 March 2004 has been prepared for all funds.



In preparing the review every effort has been made to contain costs within the approved budgetary allocation for the respective Council activities.

The Budget Review Summary is attached at [\(Appendix E\)](#).

The Budget review summary incorporates a note's section outlining major variations for the quarter.

A comparison of the estimated financial result of each fund for the March quarter is as follows:

Fund	Adopted Budget	December 2003 Budget Review	March 2004 Budget Review
General	2,733 (S)	64 (S)	5,037 (D)
Water	8,799 (D)	10,738 (S)	12,241 (S)
Sewer	53,995 (D)	4,060 (D)	16,844 (S)

General Fund

The Budget review shows a deficit for the quarter of \$5,101.

The significant variations in revenue funded items that contributed to the deficit result in the quarter are set out below:

Increased Expenditure:

Stormwater Drainage	\$19,500	Includes \$13,500 for River St drainage approved by Council
Parks & Sports Field Maintenance	\$33,005	

Private Works Expenditure	\$76,500	Offset by increased income of \$96,000
Thompson Street Depot Maintenance Operation	\$23,000	Offset by other fund contributions of \$9,000

Decreased Expenditure

Laboratory Operation	\$15,500
Salaries EH&D	\$30,000

Increase Income:

Private Works	\$96,000
Development Fees	\$24,250
Investment Interest	\$20,000
Floodplain Grant	\$58,300

Decreased Income:

Tip Fees	\$20,000
Property Development	\$50,000
Dividend – Civicview	\$25,000

Working Funds

Working funds comprise uncommitted funds held by Council’s from surplus generated in previous years, by nature working funds are convertible to cash in the short term. Council attempts to maintain a level of approximately \$650,000 as its working funds balance.

The estimated working fund balance as at 30 June 2004 is set out below:

Unrestricted Working Funds	\$334,105
Provision: Civicview	\$125,000
Provision: Statewide Mutual Liability	\$167,667
Total	\$626,772

Provisions

The following provisions currently impact upon Council’s working funds balance:

- Council is a member of Statewide Mutual, a mutual scheme providing public liability insurance to local government. Statewide Mutual has advised that Council that its proportion of the operational deficit as at 30 June 2003 is estimated to be \$167,667 (\$245,619 as at 30/6/2002). Statewide anticipate a further surplus of \$5 million in the 2003/04 year thus supporting previous actuarial projections that the deficit would be fully funded by June 2004 from surpluses generated by the scheme.
- Council is a partner in Civicview, Civicview is a local government computer software development company whose software is currently used by seven Council’s. As at 30 June 2003 Council was owed \$262,755 by Civicview, a payment of \$20,000 was

received in October. Settlement of the debtor is dependent upon the generation of sales income from the entity. Civicview continues to actively develop and market its product.

I remain confident that the provisions created will not be required and that the level of working funds will not be adversely impacted in the medium term.

Water Fund

The review reveals a budget surplus of \$1,503 for the quarter.

The significant variations in revenue funded items that contributed to the deficit result in the quarter are set out below:

Increased Income

Connection Fees	\$45,000
Sale Scrap Metal	\$14,986

Decreased Income

Late Payment Fees	\$35,000
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Increased Expenditure

Service Connections	\$40,000
Electricity Pump Stations	\$25,000
Borefield's Fencing	\$11,000

Decreased Expenditure

Pump Station Maintenance	\$26,000
Mains Maintenance	\$39,500

The estimated Working Fund balance as at 30 June 2004 is \$546,116.

Sewerage Fund

The review reveals a budget surplus of \$20,904 for the quarter.

The significant variations in revenue funded items that contributed to the deficit result in the quarter are set out below:

Increased Income

Drainage Application Fees	\$10,000
Sewer Charges	\$25,000

Increased Expenditure

Treatment Works Operation	\$14,000
Safety Training	\$ 6,000

Decreased Expenditure

Sewer Maintenance	\$15,500
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The estimated Working Fund balance as at 30 June 2004 is \$814,310.

Financial Implications

The financial implications of the following recommendation would be a reduction in the surplus in General Fund \$5,101, whilst the surplus in the Water Fund and Sewer Fund would increase by \$1,503 and \$16,844 respectively.

2004. 339

RESOLVED:

*Moved: Cl. Bowell
Seconded: Cl. Hunt*

That the Budget Review for the period ended 31 March 2004 is adopted and the variations contained therein be approved and financed from the sources as indicated.



Councillor Hunt declared an interest in the following item for the reason that he is a director on the board of the Macleay Valley Workplace Learning Centre and retired from the Chamber.

DIRECTOR BUSINESS ENTERPRISES REPORT

DBE1	MACLEAY VALLEY WORKPLACE LEARNING CENTRE
FILE: LA2608	GBS
	{Folio No. 274551}

SUMMARY:

Reporting on the conditions applicable to the proposed lease of Council land at Queen Street, South Kempsey.



Council, at its meeting of 10th June 2003, resolved –

- “1. That Council Lease Council land, being Lots 4, 5 & 6, DP262433, Queen Street, South Kempsey, to the Macleay Valley Workplace Learning Centre Incorporated for use as a school and training college at a nominal rent plus all outgoings.*
- 2. The period of the lease being 20 years with an option to purchase at any time in this period at market value as determined by the State Valuation Officer.*
- 3. The cost of lease preparation, lease registration and the cost of services such as roads, sewer and water being the responsibility of the Macleay Valley Workplace Learning Centre Inc.*

4. *The arrangement being conditional upon commencement of school/college operations no later than three years from the date of this resolution.*
5. *The arrangement being conditional upon the lessee maintaining registration and accreditation as a school with the NSW Board of Studies.*
6. *The arrangement being conditional upon the Macleay Valley Workplace Learning Centre Inc. obtaining development approval.”*

The Board of the MVWLC have asked Council to consider the following matters:-

- a) Term of Lease – Council’s resolution in relation to a 20 year term was in accordance with the Board’s original request. However, the Board now request Council to consider a longer term in view of the infrastructure and capital works required to be created by the Board.

Council’s lease to PCYC is for a 50 year term, and the Board seek the same arrangement.

- b) Option for renewal – The current conditions do not provide for an option to renew the lease.

The PCYC lease includes an option to renew for a period of 49 years.

If Council accedes to this request it would place both PCYC and MVWLC on a similar footing as community based organizations.

If Council does not concur with the Board’s request, an alternative would be a 20 year lease with 10 year renewal option.

Director’s Comment:

As per report.

Report Implications:

The following recommendation would in effect forgo rental income currently valued at approximately \$3 - \$4,000pa. When established the College would be responsible for rates of approximately \$2,200pa.

There are no policy or statutory implications arising from this report.

2004. 340

RESOLVED:

***Moved: Cl. Howell
Seconded: Cl. Green***

That Council agree to amend the conditions to apply to the lease of Lots 4, 5 & 6, DP262433, Queen Street, South Kempsey, to Macleay Valley

Workplace Learning Centre Inc. so that the term of the lease is 50 years with a 49 year renewal option.

Councillor Hunt returned to the Chambers.

DBE2	CARAVAN PARK COMMITTEE		
	FILE: C1-2 Copy C1-5	GTS	{Folio No. 274553}

This report was dealt with earlier in the meeting in conjunction with DCCS7.

DBE3	WATER SUPPLY ACCESS CHARGES POLICY FOR FIRE SERVICES		
	FILE: W1-1 AMB COPY: PJH		{Folio No. 274554}

SUMMARY:

This report presents a draft Policy for the reduction of water supply Access Charges where the water meter records the water usage of a fire service



At Council's Extra-Ordinary meeting of 23rd March 2004 it was resolved:

"That a Draft Policy be submitted to the next Ordinary meeting of Council with regards the qualifying requirements for capped Access Charges for fire services."

A draft Policy has been developed and is presented for Council's consideration [\(Appendix B\)](#).

In time, it may be necessary to develop a Procedure to go with this Policy but at present a Procedure is considered unnecessary. The Policy is relatively straightforward and the foreseen issues would be that of disputing the decision or the constraints of the Policy. It is believed that Macleay Water staff could deal with issues arising from the Policy, on the merits of the case. If issues were deemed significant, a decision would then be sought from Council. Should reoccurring issues present themselves, a procedure for disputes or amendments to the Policy would then be developed.

Director's Comment:

As per report.

Report Implications:

The financial implications of this draft Policy have already been considered by Council and accommodated within in the water supply

pricing structure. At present there are 26 water meters that would be meet the qualifications of the draft Policy.

The following recommendation establishes a new Policy.

There are no statutory implications arising from the following recommendation.

2004. 341

RESOLVED:

*Moved: Cl. Howell
Seconded: Cl. Sowter*

1. That Council adopt the draft Policy “Water Supply Access Charges for Fire Services”.
2. That Macleay Water staff resolve issues arising from the Policy’s application on a ‘merits of the case’ basis
3. Should significant issues arise from the application of this Policy that the matter be referred to Council for a decision.

**DBE4 FLEET MANAGEMENT
FILE: P6-2 MSW (NRN)**

{Folio No. 274555}

SUMMARY:

The Fleet Management Business Plan adopted by Council requires that Council be advised of Plant purchases each month.



There have been no plant purchases for the month of April.

Financial Implications

There are no financial implications arising from the following recommendation.

2004. 342

RESOLVED:

*Moved: Cl. Hunt
Seconded: Cl. Sowter*

That the information be noted.

**DBE5 QUESTIONS WITHOUT NOTICE
FILE: C18-28 JC (NRN)**

{Folio No. 274556}

SUMMARY:

Reporting on Questions Without Notice from the Council meetings of the 13th April 2004.



Councillor J C Gribbin
File: W1-2

(Folio No: 273330)

That the Director Business Enterprise was aware that reducers could be fitted by licensed plumbers as a way to achieve water meter size reductions however, it has been found that such reducers have minimal effect due to the length of pipe.

Reducers are “restricting devices” that are not a satisfactory long term solution.

Councillor B R Sowter
File: G1-2

(Folio No: 273386)

That the Director Business Enterprise is currently reviewing garbage routes and would investigate possible extension to the Collombatti Rail area.

Report to be submitted to June meeting on review of current service routes, workloads etc and development of Policy guidelines for future extension of garbage services?

Report Implications:

There are no financial, policy or statutory implications arising from the following recommendation.

2004. 343

RESOLVED:

Moved: Cl. Howell
Seconded: Cl. Hunt

That the information be noted.

DBE6	WORKS IN PROGRESS	
	FILE: W1-2 GBS (NRN)	{Folio No. 274557}

SUMMARY:

Reporting on Works in Progress.



WATER SUPPLY

Normal operation and maintenance of Water Supply Pumping Stations and Treatment Plants continues.

Works Completed for last 4 weeks

1. Eliminate watermain dead ends, Crescent Head – completed.

Works Proposed for next 4 weeks

1. Install Meters on all bore pumps – continuing.
2. Invite Tenders for South West Rocks Water Treatment Plant – ongoing.
3. Monitoring and testing of dam continuing.
4. Bulk water meter installation Potters Hill Reservoir continuing.
5. Remove 375 Tee and 300 stop valve to deaden old main to Smithtown Reservoir Site – continuing.
6. Stage 2 RTA job, Macleay Street, Frederickton.

MONTHLY WATER CONSUMPTION

	April 2004 Kilolitres
<u>Kempsey Dam</u>	205,380
<u>Belgrave Falls</u>	0
<i>Bellbrook</i>	1,034
<i>Crescent Head</i>	17,849
<i>Hat Head</i>	10,557
<i>Sherwood – Lime Plant</i>	983
<i>South West Rocks</i>	51,133
<i>Stuarts Point</i>	14,303
<i>Willawarrin</i>	976
Total Consumption	302,215

Kilolitres to Financial Year to Date: 2,489,864kl

Applications for connection in April – 11

SEWERAGE

Normal Operation and maintenance of sewage treatment plants and pumping stations continues.

Works Completed for last 4 weeks

1. South West Rocks storage shed – completed.
2. Manhole repair/renewal program, South West Rocks R1 catchment – completed.
3. West Kempsey STW – Humas Tank Bypass – completed.

Works Proposed for next 4 weeks

1. Sewerage Pump Stations Fall Prevention Systems – manufacture and install – continuing.

2. South West Rocks Sludge Trial continuing.
3. South West Rocks sewer rehabilitation continuing.
4. Fence repairs, sewer installations and pump stations continuing.
5. De sludge lagoon at South West Rocks Sewerage Treatment Plant – continuing.
6. Sewer main rehab Polwood Street – continuing.
7. Infiltration repairs East and South Kempsey continuing.
8. Tender process – Jerseyville sewer – continuing.
9. Sewer main camera inspections West and South Kempsey.

A. SALEYARDS

Works Completed during last 4 weeks

1. Normal maintenance and operation.

Works proposed for next 4 weeks

1. Amendment of truckwash facility/water treatment ponds drawings commenced.
2. Finalisation of truckwash facility/water treatment ponds drawings.
3. Submission of development application for truckwash facility/water treatment ponds drawings (40 days turnaround).
4. Arrange quotes for construction of truckwash facility/water treatment ponds.
5. Arrange acoustic/environmental mounding and plantings (work).

AIRPORT

Works Completed during last 4 weeks

1. Normal maintenance and operation.
2. New illuminated wind indicator delivered to site.
3. Disconnection and withdrawal of night landing facilities erroneously reported 13th April 2004 as works proposed for next 4 weeks. No current intention to withdraw night landing facilities.

Works proposed for next 4 weeks

1. Redesign and retrofitting of illuminated wind indicator in workshop prior to installation (more stiffening of lights support arms required – light fittings heavier than existing ones).
2. Arrange for emergency field exercise and update of emergency procedures and manual.

CARAVAN PARKS

Crescent Head

Works Completed during last 4 weeks

1. Install Powerhead bases
2. Decommission site for Easter Holiday break
3. Draft site plans for park management
4. Call for quotes and negotiate with Cabin Supplier

Works proposed for next 4 weeks

Crescent Head

1. Specify and order Powerheads for Oceanside.
2. Scope and Commission Landscape Design Works.
3. Coordinate works around booking after Easter Holidays
4. Order boom gates
5. Organise civil works
6. Coordinate works with park management bookings and events
7. Update and manage safety plan
8. Order new cabin
9. Install additional taps

Other Parks

1. Develop Specification for Hat Head, Stuarts Point and Grassy Head design packages

WASTE SERVICES

Works Completed during last 4 weeks

1. Normal operation and maintenance.
2. Formation of Transfer Station and landfill roads.
3. Continued formation of alternative site roads to new cell.
4. Phase 2 capping works continues
5. Landfill cell construction 90% completed.
6. Irrigation of Stage 1 Capping Area
7. Stabilisation of dams
8. Sealing of roads at Waste Transfer Station Facility – Construction
9. Placement of Site sheds at SWR and Stuarts Point Transfer Station
10. Repair to both rear load vehicles. (Breakdown repair)
11. Repair to side arm vehicles (brakes, oil, transmission)
12. 4 School groups visit to Landfill
13. Kempsey Show presence both days

Works proposed for next 4 weeks

1. Sealing of roads at Waste Transfer Station Facility
2. Installation of Signage at Transfer Station
3. Installation of main signage and recycling signage at site
4. Complete construction of new landfill cell at KWR&DF.
5. Award works for Phase II Capping
6. Continued grading and formation of landfill roads.
7. Continue KWR&DF site stabilisation and storm water upgrade works.
8. Connection of Transfer Station sheds to power, water etc
9. Installation of Oil facility at SWR Transfer Station

DEPOT

Works completed during last 4 weeks

1. Inspection by contractor to assess workshop ventilation requirements

2. Construct Pedestrian Fence
3. Design new compound
4. Finalise design for truck wash ramps and appoint contractor to construct same
5. Remove materials from timber loading dock

Work proposed for next 4 weeks

1. Get prices for modular undercover parking structure
2. Demolish timber loading dock in compound.
3. Construct new compound
4. Seek development approval for undercover parking

BATHS

Works completed during last 4 weeks

1. Pool Season official closed 28 March 2004
2. Post season at Kempsey Pool until 9 April 2004
3. Continued implementation of OH&S upgrades.
4. DA for Kempsey Pool Backwash System lodged.

Work proposed for next 4 weeks

1. Kempsey Pool Backwash System installation.
2. Continued implementation of OH&S upgrades.
3. Development of staff contracts/ agreements for all pools.

Director's Comment:

Nil.

Report Implications:

There are no policy or statutory implications arising from the following recommendation.

2004. 344

RESOLVED:

***Moved: Cl. Howell
Seconded: Cl. Green***

That the information be noted.

SUMMARY:

Reporting on proposals for rating of properties to be serviced by Jerseyville Sewerage extension.



At Council's meeting of 9th March 2004 it was resolved that construction of the Jerseyville Sewerage extension proceed on the basis of selective tenders being invited for a vacuum reticulation system at an estimated cost of \$345,000.

It is expected that the Jerseyville sewerage system will be operational by February 2005.

In the 2004/05 Budget provision was made for the raising of a loan of \$300,000 in December 2004 with loan repayments of \$13,616 in the 2004/05 year.

The Budget also provided for rate income of \$9,600, being 38 assessments x \$252 (2003/04 unconnected rate).

Clarification of Council's intention regarding the rating of properties to benefit from the Jerseyville sewerage scheme is required for the purposes of:-

- a) the Management Plan, and
- b) notifications of landowners.

Council has two (2) options:-

Option 1

The provision of sewerage services to Jerseyville could be considered as an extension of the SWR sewerage scheme with properties not to be liable for sewerage charges until completion of the scheme. After the scheme is commissioned the unconnected sewerage rate would be applied initially, and then as properties connect to the sewerage scheme the sewerage rate would be applied.

Under Option 1 it would not be legally possible to rate the benefiting properties as from 1st July 2004 as the service will not be available at that time.

Option 2

The rating for the sewerage system would be treated in a similar manner as that adopted for the new scheme at Hat Head, and that proposed for Stuarts

Point, Willawarrin and Bellbrook. That is, that a Sewerage Local Loan rate be levied in advance of the scheme construction in order to recoup (or partly recoup) the loan repayments on loans raised to fund the scheme. The Local Loan Rate would be of an amount up to the equivalent of the Sewerage Unconnected Rate.

Upon connection to the Sewerage Scheme properties would be charged the full-connected Sewerage Rate on a pro-rata basis for the balance of the year.

Director's Comment:

In order to maintain consistency in Council's approach to rating it is suggested that Council adopt Option 2.

Report Implications:

Option 2 would not require any adjustment to the 2004/05 Budget. Should Council prefer Option 1 the rate income would need to be adjusted downwards by say \$7,000.

There are no Policy or Statutory implications of the following recommendation.

2004. 345

RESOLVED:

*Moved: Cl. Bowell
Seconded: Cl. Hunt*

1. That Council's 2004/05 Management Plans include provision for the levy of a Sewerage Local Loan Rate for the properties in the Jerseyville area proposed to be serviced by the sewerage system, and that such rate be \$261.
2. That the owners of properties in the Jerseyville area to benefit from the provision of sewerage services be notified of Council's proposals.

DBE8	VILLAGE SWIMMING POOLS – BACKWASH WATER DISPOSAL
FILE: G15-660	WEW {Folio No. 274560}

SUMMARY:

Reporting on the results of tendering for installation of backwash water disposal tanks (April 2004).



The Small Business Department advertised for tenders in April 2004 for the supply and installation of backwash water treatment and disposal systems for the three village pools at Crescent Head, Gladstone and South West Rocks. The systems are required to comply with New South Wales Environmental

Protection Authority requirements to discontinue the practice of disposing contaminated water to the environment (stormwater system).

Hydrocare Pool Services Pty Ltd is currently installing a backwash disposal system at the Kempsey Swimming Pool.

The tendering process was required as the combined works for the three village sites was expected to exceed \$100K. The cut-off time and date for receipt of tenders was 10:00am on Tuesday, 4th May 2004. Two companies conducted compulsory pre-tender inspections of the sites.

On opening of the tender box on 4th May 2004 no tenders had been submitted for the subject works by the deadline for closing of tenders.

On the afternoon of 4th May 2004 at 1:19pm, Hydrocare Pool Services Pty Ltd hand delivered tender documentation (Tender No: 315-660) to the main desk and it was subsequently sent to the records department to be processed as received.

As the above tender documentation was received after the deadline for the closing of tenders council cannot consider the tender under the normal tendering provisions of the Local Government Regulations (NSW, Clause 2 of Section (40-300)).

Hydrocare Pool Services Pty Ltd has been the only respondent to the request for a cost proposal for the design and installation of the backwash disposal systems. They are also currently installing an equivalent (larger) system at the Kempsey Pool and have installed equivalent systems for other council and private sector clients.

Clause 19(3) of the Local Government Tendering Regulation provides that where no tenders are received a Council must, by resolution, do one of the following:

- a) postpone or cancel the proposal for the contract
- b) invite fresh tenders
- c) enter into negotiations with any person with a view to entering into a contract.
- d) carry out the works itself.

Where Council resolves to enter into negotiations, the resolution must state the reasons for declining to invite fresh tenders.

Therefore, in accordance with Clause 19(3) it is proposed that Council enter into negotiations with Hydrocare Pool Services Pty Ltd with a view entering into a contract for the proposed works.

Director's Comment:

Re-advertising for tenderers will add additional cost to the project through lost time and advertising expenses and is considered unlikely to provide a better outcome due to the lack of response to initial request to tenders.

As the late tender documentation provided by Hydrocare Pool Services Pty Ltd meets the technical requirements and the estimated cost of the works can be accommodated within the existing budgets it is suggested that negotiations be entered into with Hydrocare Pool Services Pty Ltd with a view to appointing them as the contractor for the proposed works. Appointment of Hydrocare Pool Services Pty Ltd should not take place until such time as Council is satisfied with backwash treatment system installation at Kempsey Pool.

Report Implications:

The total available budget for the works at the three village pools is \$162,980, and the proposed cost from Hydrocare Pool Services Pty Ltd to conduct the works is \$161,700. It should also be noted that there would likely be significant savings within the budget from the current works being conducted at Kempsey Pool. The budget for Kempsey pool backwash system is \$109,566, while the estimated cost of works is approximately \$85,000 including signage and an additional in-line water treatment system.

There are no Policy or Statutory Implications arising from the following recommendation.

Director Business Enterprise Recommendation:

- 1. That Council decline to invite fresh tenders for the installation of backwash water disposal tanks at the village swimming pools for the reasons that no tenders were received in response to previous advertising and any re-advertising would result in additional expense, lost time, and little likelihood of achieving a better outcome.**
- 2. That Council enters into negotiation with Hydrocare Pool Services Pty Ltd with a view to entering into a contract for the installation of backwash water disposal tanks at the village pools**

2004. 346

RESOLVED:

*Moved: Cl. Howell
Seconded: Cl. Saul*

- 1. That Council decline to invite fresh tenders for the installation of backwash water disposal tanks at the village swimming pools for the reasons that no tenders were received in response to previous advertising and any re-advertising would result in additional expense, lost time, and little likelihood of achieving a better outcome.**
- 2. That Council seek from Hydrocare Pool Services Pty Ltd details on their tender calculations and these details be provided within seven (7) days.**
- 3. That Council enters into negotiation with Hydrocare Pool Services Pty Ltd with a view to entering into a contract for the**

installation of backwash water disposal tanks at the village pools.

GENERAL MANAGER'S REPORT

GM1	OUTSTANDING REPORTS & RESOLUTIONS	{Folio No. 274562}
	FILE: C18-2 AVB (NRN)	

SUMMARY:

Council's report on outstanding reports.



Following is listed each Director's outstanding reports up to and including 13th April 2004 meeting of Council.

OUTSTANDING REPORTS / RESOLUTIONS

Director Environmental Services

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Director Engineering

13.5.2003 DE2	Bridge Naming	Draft policy being reviewed.
9.9.03 DE1	Point Plomer Rd - report costs to upgrade sections of road - not proceed with works until consultants reports & public consultations completed - consider Sacred Indigenous Cultural and Heritage issues	Progressing.
14.10.2003 DE9	That suitable flood free land be identified to house the Gladstone SES Unit.	Land being reviewed.
9.12.2003 DE1	That the Director Engineering report on the possibility of Council running a trial of computerised floodgates.	Details being pursued.
13.1.2004 DE13	Stuarts Point footbridge – repairs to be carried out as a matter of urgency at a cost \$15000 from working funds.	Awaiting confirmation of contractor's arrival.
9.3.2004 DE6	Stormwater drainage River Street West Kempsey - discharge to Lot11 be redirected as per option 2 at cost \$13,500 from working funds - improvements between Short & Wide Streets be listed	Awaiting final design plans.

	for 2004/05 town improvement program.	
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Director Corporate & Community Services

13.4.04 GM6B	Appointment of delegates to committees - current representatives continue until new appointments - Councillor Bowell be nominated as Shires Association delegate on Caravan Park Levy committee.	Report to 11th May Ordinary meeting.
13.4.04 DCCS1	Kempsey Community Gallery Gladstone 355 Committee formation - be deferred until May meeting.	Report resubmitted to 11th May Ordinary meeting.
13.4.04	Approval Kundabung Macleay Endurance & Pleasure Riders Club annual ride 29-30/5/04 - subject completion submission event management document	Waiting on documentation from Traffic Committee.

Director Business Enterprise

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General Manager

9.12.2003 D3	Local Govt. & Natural Resource Forum 2/12/03 - prepare submissions, review natural resource management methods, investigate and pursue establishment ROC from Taree to Tweed Shire.	Submissions forwarded organisational structure and committee structure will be investigated when reports submitted to Council. One ROC from Tweed to Taree being investigated by Mid North Coast Group of Councils.
13.4.04 GM5	Road closures - interpretation of maintained road - text Dept. Lands interpretation of a constructed road by submitting application - challenge interpretation that requires proceeds of sale to be paid to Dept. Lands - advise LGSA, Country Mayors & Mid	Application to be made to the Dept of Lands in May.

Financial Implication

There are no financial implications arising from this report.

2004. 347

RESOLVED:

***Moved: Cl. Bowell
Seconded: Cl. Green***

That the information be noted.

SUMMARY:

To advise Council of details of elections to be held during the 2004 Shires Association Conference.



The State Electoral Office has advised that elections for the positions of President, Vice-President, Treasurer and Executive Councillor will be held on Tuesday and Wednesday, 1st and 2nd June at the Annual Conference of the Shires Association of New South Wales.

Nominations for the position of President close on Tuesday, 18th May 2004, for Executive Councillor on the 1st June 2004 and for the positions of Vice-President and Treasurer on Wednesday, 2nd June.

Nomination forms must be signed by two Councillors of financial ordinary member Councils who are delegates to the Annual Conference for the positions of President, Vice-President and Treasurer. For the position of Executive Councillor the nomination form must be signed by two elected Councillors of financially ordinary member Councils within the electoral division for which the nomination is made.

The Shires Association is divided into a number of State Divisions. Kempsey Shire is in Division "A" along with Ballina, Kyogle, Nambucca, Richmond River and Tweed.

A nomination form for Executive Councillor would need to be signed by a Councillor from one of those Councils. The successful applicant would represent those Councils within the Shires Association. It is normal practise for an existing Divisional Councillor to fill the positions of President and Vice-President.

Report Implications

There are no financial, Statutory or Planning Implications arising from this report.

2004. 348

RESOLVED:

*Moved: Cl. Bowell
Seconded: Cl. Hunt*

That the information be noted.

GM3

**AUSTRALIAN LOCAL GOVERNMENT WOMENS
ASSOCIATION CONFERENCE**

FILE: C11-2 AVB

{Folio No. 274566}

SUMMARY:

To ascertain whether Council wishes to be represented at the Conference.



The Australian Local Government Womens Association Conference is to be held at Parramatta from the 17th –20th June 2004. The Conference is open to all elected members and staff but the program usually reflects general issues as well as issues from a women's perspective.

Registrations are generally by women and allow female Councillors and staff to network on matters of common interest. A copy of the Conference program is outlined in [\(Appendix A\)](#)

Report Implications

The registration fee for the Conference is \$535.00, accommodation at the conference venue is \$140.00 per night and sustenance and travelling expenses would be incurred. There are no statutory or policy implications arising from this report.

General Manager's Recommendation:

That Council determine whether it wishes to be represented at the Australian Local Government Women's Association Conference.

2004. 349

RESOLVED:

*Moved: Cl. Bowell
Seconded: Cl. Green*

That Council not be represented at the Australian Local Government Women's Association Conference.

GM4

COUNCILLOR PROFESSIONAL DEVELOPMENT

FILE: C18-2 AVB

{Folio No. 274567}

SUMMARY:

To plan Councillor Professional Development over the next six months.



Councillors and new Councillors in particular need to understand their roles in managing a Local Government enterprise.

The Local Government and Shires Associations conduct professional development training and between now and October are offering a number of programs to allow Councillors to become up to date with the latest trends. Courses being offered and the dates of courses located closest to Kempsey are listed below:-

Elected Life

This one day program will introduce Councillors to the structure of Local Government, trends in our industry, the management planning process, the role of the Councillor, the role of the General Manager, the balance of family, work, and Council and the Local Government Act 1993.

Cost \$363.00

24 th May	Lismore
26 th May	Coffs Harbour
4 th June	Sydney
30 th June	Armidale

B. Conflict of Interest

Covers conflict of interest and pecuniary interest issues, Includes case studies and a video produced by ICAC.

Cost \$363.00

25 th May	Lismore
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C. Effective and Fair Meeting Procedures

Assists new and existing Councillors to more effectively deal with issues at Council meetings.

Cost \$363.00

27 th May	Coffs Harbour
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Effective Chair in Local Government (1/2 day)

A short program on how to chair Council meetings, sub-committees, community meetings etc.

Cost \$242.00

1 st August	Sydney
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D. Strategic Management

Helping Councillors understand the Management Plan Process and their visionary role in developing it.

Cost \$363.00

14 th September	Port Macquarie
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Financial Issues in Local Government

Assists Councillors to understand budget and other financial reports and includes basic accounting procedures.

Cost \$363.00

22nd July Port Macquarie

Know Your Planning Legislation

The aim of this workshop is to identify the responsibilities of Local Government for regulating land use and the role of Councillors in implementing environmental planning instruments.

Cost \$363.00

15th October Sydney

Other Councillor programs include:

Connecting with the Community – aims to provide skills in developing good relationships, communicating more effectively, and presenting community ideas to Council.

Lobbying for Success – assists Councillors to conduct more effective lobbying campaigns to State and Federal Governments.

Community Leadership – an intensive leadership program to assist Councillors to more effectively lead their communities.

Media Skills – assists Councillors to be more proactive in managing the media so that Local Government and Council will gain a more positive image.

Councillors and Change Management – this workshop covers change leadership models, communication and planning issues, Local Government reform, and the role of the Councillor in organisational and community change.

Additional delegates expenses have been provided in the 2004/05 budget to provide training to new Councillors in particular.

Councillors need to advise me of the courses that they are interested in to allow registrations to be undertaken. When additional information is received from the Associations this will be forwarded to Councillors.

Report Implications

Financial provision has been provided in the budget. There are no policy or statutory implications arising from the report.

2004. 350

RESOLVED:

*Moved: Cl. Hunt
Seconded: Cl. Green*

That Councillors advise the General Manager of courses they wish to attend so that registrations can be undertaken and where necessary accommodation booked.

GM5

CORPORATE STRATEGIC PLAN

FILE: A3-8

AVB

{Folio No. 274568}

SUMMARY:

To provide Council with details of submissions received as a result of the Draft Corporate Strategic Plan being placed on public exhibition.



The Kempsey Shire Corporate Strategic Plan was adopted in February 2001 after an extensive community and council consultation process facilitated by Dr John Marin, then with the University of Technology in Queensland.

Council again engaged Dr John Martin in July 2003 to workshop a review of the plan with Councillors and Senior Staff. Subsequently this review was circulated to all staff for input and a draft plan was presented to Council and placed on exhibition [\(Appendix B\)](#) with an invitation to the public to make submissions.

The Draft Corporate Strategic Plan has expanded the original six goals to seven and has amended performance indicators and strategies to reflect current community aspirators. Although the goals have been increased the draft plan has not changed dramatically from the original plan developed in 2001.

The goals, objectives, measures, performance indicators and strategies in the plan are designed to be very broad and all encompassing and are not program specific. Once adopted the Corporate Plan will incorporate a program of works and services in respect of each goal and as budgeted for in the 5 year financial plan. It should be remembered that performance measures need to be able to be measured using minimal resources and our own resources. Once adopted the Corporate Strategic Plan will have attached to each goal details of specific programs to be undertaken.

The following submissions have been received from the public:-

- **Bruce Caldwell**

That an additional goal, "To ensure that the Shire is in the best possible position to deal with the eventual Highway Bypass" be included.

E. Comment

F. This is a program and would be included under Goal 4.

- That an additional goal, “To ensure that the Shire achieves the best possible outcome from any amalgamation proposal” be included.

Comment

This is a program and would be included under Goal 5.

- **South West Rocks Ratepayers and Citizens Association**
Goal 1, Measure 1 - Performance Indicator to include, “Growth rate is to be shown by communities within the Shire”.

Comment

Council needs to be able to measure and this information is not available on an annual basis by the ABS.

- **Goal 1, Measure 2** - Performance Indicator to include, “Employment growth rate must come from local employment, not from employment outside the Kempsey Shire. Growth rate of outside employment to be shown separately”.

Comment

Council has not control over who is employed. Measurement without considerable resources would not be achieved.

- **Goal 1, Measure 1** - Add Strategy 3, “Kempsey Shire Council to provide assistance for the establishment of new business eg. A period of rate reduction”.

Comment

This is a program that is in place under Measure 2, Strategy 1.

- **Goal 1, Measure 3** - Include examples of how the measure will be accomplished.

Comment

These will be included in the programs attached to the Corporate Plan.

- **Goal 1, Measure 4** – Strategy 1 add, “List the positions of those on Council or those who will be carrying out this task”.

Comment

The Corporate Strategic Plan is a long term document and positions change during the timeframe and should not be included in the document. When the programs are attached to the plan the position carrying out each program could be identified.

- **Goal 2, Measure 1** – Strategy 1 to include, “Council to develop a means that more actively involves the male indigenous community”.

Comment

This is a program and should be covered by the strategy.

- **Goal 3, Measure 2** – Strategy 1 add, “Drastically improve the crime prevention strategy”.

Comment

The crime prevention strategy is dependent on grant funding. To drastically improve would require significant additional resources that are not available.

- **Goal 3, Measure 2** – Add Strategy 4, “Business communities and Council work together to develop shop and business front standards”.

Comment

This could be added as an additional strategy.

- **Goal 3, Measure 2** – Add Strategy 5, “Land lords to maintain their shop front images in line with the standards set by Council and business communities.

Comment

This is outside of Council's control and can't be achieved.

- **Goal 4** - Add Measure 5, “Identify the income that is derived from communities under Development Plans 64 and 94”.

Comment

This is a task that is automatically undertaken in our accounting statements that are publicly available.

- **Goal 4** – Add Measure 6, “Identify the amount of money spent on individual communities from monies derived from those communities during each financial year”.

Comment

This is not a measure of the objective but a task.

- **Goal 4, Measure 2** – Amend strategy to have analysis undertaken in consultation with each community.

Comment

It would be impracticable to refer to the community every capital work eg. kerb and guttering, play ground equipment. The intent was to identify ongoing costs. Perhaps the words environmental and social should be removed.

- **Goal 5** – Add to measures 2 and 3, “The type of co-operation required eg. Sharing of sporting and social gathering facilities etc”.

Comment

These could be included in programs attached to the plan.

- **Goal 5** – Performance Indicator 1 replace, “does not diminish” with the words, “must improve”.

Comment

Council can and does act as a lobbyist to ensure that services are not diminished. It cannot guarantee improvement as it does not control the funding.

- **Goal 5, Measure 1** – Add to Strategy 1 eg, “health, transport, sporting complexes, social facilities etc”.

Comment

The strategy as is, is all encompassing. Examples will not cover everything.

- **Goal 6, Measure 1** – Amend Strategy 2 by replacing, “Don’t compete with our neighbours” with, “We must compete with neighbours and at the same time we must”.

Comment

The intent of the strategy was not to follow our neighbours just because they have adopted a certain development philosophy. I believe the strategy best reflects Council’s intentions for sustainable development.

- **Goal 6, Measure 1** – Add strategy, “Ensure the development and sale of public land is strictly in line with the appropriate State Government regulations etc”.

Comment

If there is legislation that requires compliance, Council is legally bound to do so and does not need to have this included in a corporate plan.

- **Goal 6, Measure 2** – To state how this is to be accomplished.

Comment

The measure would be accomplished by survey but this would not be included in a Corporate Plan.

- **Goal 7, Measure 2** – Performance indicator be amended to read, “By use of random questionnaire surveys confirm that the majority of communities understand that the level of service provisions is linked to limited financial resources”.

Comment

A performance indicator indicates how the strategy is achieved. The method of measurement is not part of a performance indicator.

- **Goal 7, Measure 3** – Is unacceptable.

Comment

The performance indicator requires Council’s decisions to be upheld by the Court. If this is so Council must be responding effectively to applications. If the community is not going to accept court decisions perhaps the words, “The community believes”, should be deleted.

- **That two new goals be added to the Corporate Plan Viz:-**
 “To ensure that coastal and hinterland communities are recognised as providing maximum economic contribution to Kempsey Shire”
 and
 “To ensure that all development within Kempsey Shire is planned and carried out in a manner that meets the need to maintain the Shire in a visual perception of the natural beauty and expectations of our unique rural and coastline environmental wonders”.

Comment

The first new goal relates to recreational services and is covered by goal 4 regarding infrastructure needs. All infrastructure is covered by this goal. If one particular service is highlighted with its own goal then all other services should be as well.

The second new goal is covered by Goal 6. Planned growth is the intent of the strategies outlined within that goal. A new strategy could be included that puts Council at the forefront with development standards.

Sarah Gunn

A number of comments are outlined in the submission but no suggested alternatives made.

Council’s current Mission Statement reads, “Working with the Community to improve our country lifestyle through excellence in service and leadership”.

The draft Mission Statement placed on exhibition reads, “Working with the Community to achieve the provision of high quality services and facilities through excellence in leadership and with consideration for the needs of future generations”.

The South West Rocks Ratepayers and Citizens Association have suggested the inclusion of the word environment with the last few words to read, “Consideration for the needs of the environment and of future generations”.

Report Implications

There are no financial, statutory or policy implications arising from this report.

2004. 351

RESOLVED:

*Moved: Cl. Hunt
 Seconded: Cl. Green*

1. **That the programs attached to the Corporate Plan Goals include reference to:-**
 - **Council’s position regarding the highway by-pass**
 - **Council’s involvement in structural reform**
 - **Council’s Business Incentive Policy**
 - **The position responsible for implementing each program**
 - **Resource sharing arrangements pursued with other Councils**

2. **That the following amendments be made to the Corporate Plan:-**

- Goal 3, Measure 1 – “Business Communities and Council work together to develop shop and business front standards”, be included as a strategy
- Goal 4, Measure 2 – Remove the words, “Environmental, Social and” from the strategy
- Goal 7, Measure 3 – Remove the words, “The Community believes and “ from the measure
- Goal 6, Measure 1 – Add a third strategy to read, “Develop policies and procedures that will put Kempsey Shire at the forefront of development control”
- Amend the Mission Statement to read, “We will work with the Community to provide high quality services and facilities through excellence in leadership and with consideration for the needs of the environment and of future generations”

3. That those people and organisations that made a submission be thanked for their input

GM6	IMPLEMENTATION OF 2003-2004 MANAGEMENT PLAN	
	FILE: A3-8 JCC (NRN)	{Folio No. 274570}

SUMMARY:

Reporting on the implementation of Council's 2003/2004 Management Plan.



The Local Government Act 1993 requires that a report be submitted to Council within two (2) months of the end of each quarter as to the extent to which the performance targets set by the Management Plan have been achieved during that quarter.

Attached at [\(Appendix C\)](#) is a report on the achievements in respect to Council's Targets/Performance Measures for the quarter ended 31st March 2004.

Report Implications

There are no financial implications arising from this report.

2004. 352

RESOLVED:

*Moved: Cl. Sowter
Seconded: Cl. McWilliam*

That the achievement of performance targets set by the 2003/2004 Management Plan for the period to the end of the March 2004 quarter be noted.

GM7	ORGANISATIONAL VALUES
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SUMMARY:

To present to Council the Organisational Values developed by the Valuing Values Team.



Steps have been introduced by management to change the culture of the organisation. Lines of internal communication have improved dramatically with staff being involved in Team Meetings where organisation decisions by Council, Manex and Departmental Management are discussed. Staff have been, and are being, involved in investigating work practices and making recommendations for improvement through Best Practice. Management Reporting Systems have been introduced, benchmarking undertaken and Service Standards and Key Performance Indicators for each Team developed supported by a Performance Pay system. Put simply the staffs management philosophy or Business Plan is, "To Increase Service to our Customers - to Increase Customer Satisfaction".

It has been recognised that Council needs to develop values which will form the basis of our dealings with our customers, determine how Council will operate, align organisational values and individual values and which will establish a results driven organisation.

Jan Strom, former Deputy Mayor Coffs Harbour City Council, was engaged to undertake the values project. Staff were invited to be on a Project Team and an 11 person Valuing Values Team was formed comprising cross organisation and cross-hierarchical representation, including indoor and outdoor staff.

Workshops were held and Team Members liased with other staff throughout the organisation before receiving input from Team 21, the Councils Staff Management Team.

The values that have been developed are:-

- **Trust** **We earn trust by being honest, respecting differences and by encouraging open communication.**
- **Co-operation** **We achieve the best for our community through effective teamwork.**
- **Service** **We value our community by providing quality professional service to all.**
- **Innovation** **We encourage creative and visionary thinking to achieve sustainable outcomes.**

- **Pride** **We take pride in Kempsey Shire Council's contribution to our community.**

and have been adopted by Manex and are now submitted to Council for adoption.

The values will change what is expected by the organisation and provide the staff with a shared vision and bind us together to act as a group rather than a set of individuals.

The process requires leadership and the behaviour and mind set and subsequently the decisions of Manex needs to reflect the adopted values. All staff need to be engaged to enable them to embrace the new Vision and Mission in the Corporate Strategic Plan and to aspire to live the inspirational values in their daily working life.

Ownership will be built across Council by:-

- The Management Team, Team 21 leading by example.
- Strong communication including feedback.
- Celebrate values development and adoption with cross-organisational launch. This is scheduled for a customer service breakfast to be held on 23rd June.
- Utilise Valuing Values Team members in-values facilitating process and
- Communicate the aspirational values using various visual aids – posters, mugs/cups, screen savers.

Importantly the Council's values will be used in future recruitment and performance appraisals and management. Intending employees will need to display that their personal values align with Council's values.

Report Implications

There are no financial implications arising from this report.

2004. 353

RESOLVED:

*Moved: Cl. Howell
Seconded: Cl. Sowter*

That Council adopt:-

**TRUST
CO-OPERATION
SERVICE
INNOVATION AND
PRIDE**

as its organisational values.



WORKS INSPECTION

REPORT OF THE WORKS COMMITTEE INSPECTION HELD ON 27TH APRIL 2004 DEPARTING FROM THE CIVIC CENTRE, WEST KEMPSEY AT 10.50 A.M.

2004. 354

RESOLVED:

*Moved: Cl. Sowter
Seconded: Cl. Bowell*

That the Report of the Works Committee Meeting held 27th April 2004, be adopted.

PRESENT

Councillors J A C Hayes (Mayor and Chairman), J H Bowell, B Green, J Gribbin, T Hunt, R McWilliam, D Saul, B Sowter and E Walker.

Also present were Director Engineering K J Finnie, Acting Director Environmental Services R B Pitt.

- 1 Kempsey Macleay Off Road Club Inc – Application for off road racing events – Dungay Creek Road, Wittitrin
File T6-03-559**

RECOMMENDED

That the application be referred to the Planning Meeting on 27th April 2004 for determination.

- 2 Silverwood Avenue, Temagog – Request to accept as dedicated public road.
File R Silverwood**

RECOMMENDED

1. That Council confirm not to accept Silverwood Avenue, Temagog as a dedicated public road.

2. Council recommend to the landowners that they make representations to The Hon. Craig Knowles Minister for Infrastructure and Planning, and Minister for Natural Resources.

RECOMMENDED

The date for the completion of this inspection of the following items be deferred to Council's Extraordinary Meeting 29th April 2004, for determination.

- **Smithtown Wharf**
- **Gladstone Riverside Park Privet Trees**
- **Belmore River Right Bank Road – Request to extend seal**



CONCLUSION

The Works Committee inspection terminated at 2.55 p.m.



QUESTIONS WITHOUT NOTICE

Councillor R H McWilliam

Councillor McWilliam was advised:-

1. That the Director Corporate and Community Services would investigate the need to replace the handrail behind the School of Arts Hall in Gregory Street, South West Rocks.
2. That the Director Engineering would investigate the need to prune trees in Gregory Street, South West Rocks opposite Elizabeth Street as they obscure site distance of traffic coming out of Gordon Young Drive.
3. That the Director Engineering would consider the erection of Kangaroo warning signs along Gilbert Cory Street, South West Rocks.

Councillor D F Saul

Councillor Saul was advised:-

1. That the playground equipment that was at the Depot has been allocated to South West Rocks and Kundabung and there is currently no playground equipment available for allocation to Bellbrook.

Councillor B R Sowter

Councillor Sowter was advised:-

1. That the Director Corporate and Community Services would refer consideration of the need for a disabled parking bay near the Library to the Access Committee at its next meeting..
2. That the Acting Business Enterprise was aware of an odour and taste problem with the water supply and he would be looking at bypassing the dam supply if there is no improvement in the near future.
3. That a Notice of Motion would be required to seek a report from the Director Business Enterprise on options and costs of Council funding work on the Stuarts Point Sewerage Scheme so as to move forward this project.
4. That the Director Corporate and Community Services would be including figures on vandalism in his next quarterly report to Council which should be to the next Council meeting.

5. That it is considered that attendance by Councillors at conferences is important in gaining knowledge of issues and in comparison with other Councils this Council spends minimal cost in sending Councillors to conferences.
6. That the Director Environmental Services had received advice that the parking of trucks in industrial areas was permitted providing signage is in place designating the area for truck parking.

Councillor E R Walker

Councillor Walker was advised:-

1. That the Director Engineering would investigate the need for line marking on Bellbrook road.
2. That clearing of bush fire hazard vegetation on the southern side of Skyline Crescent at Crescent Head has been done by the Bush Fire Brigade as much as possible considering the slope of the land.
3. That the Director Corporate and Community Services was aware that West Kempsey Cemetery could have received more maintenance attention prior to Mothers Day but resources did not permit more than minimal work to be done.
4. That the Acting Director Business Enterprise understood that figures relating to amount of water drunk by residents compare with water used for other purposes was 0.1% drunk and 99.9% used for other purposes.

Councillor T L Hunt

Councillor Hunt was advised:-

1. That the Director Environmental Services was aware that while his staff may advise that a site has a potential building entitlement they cannot confirm such advice until a development application is lodged as other factors may ultimately determine an approval such as bush fire or other requirements.
2. That the Director Engineering would investigate the site distance concerns at the junction of River St and Wide St to ensure there are clear lines of sight for traffic emerging from Wide Street.

Councillor J C Gribbin

Councillor Gribbin was advised:-

1. That the Director Corporate and Community Services would supply the following information:
 - how many staff we employ in Council Administration Department
 - how many blue collar workers employed

2. That the Director Business Enterprise would supply the reason why reducers cannot be fitted to water meters.
3. That the Director Environmental Services would supply a plan of all three (3) storey building areas in South West Rocks.
4. That the Director Engineering would explain what is happening about the right turn over the pedestrian crossing at South West Rocks School.

Councillor E A Green

Councillor Green was advised:-

1. That Council was not involved in the removal of Silky Oak trees in Lachlan Street.
2. That the Director Business Enterprise would investigate if the recycling bins at the entrance to Hat Head could be relocated to a less visible area rather than at the entrance to the village.
3. That new playground equipment for Steele Park in North Street was to be funded as part of the West Kempsey Community Renewal Project.
4. That speeding vehicles on beaches, particularly in the Hat Head area, can be issued with a letter from Council if the registration numbers are reported to Council.
5. That the Director Engineering would investigate the condition of the War Memorial in Frederickton which has a large crack in its base.
6. That the Director Engineering would investigate pooling of stormwater in the low areas in Frederickton.
7. That the Director Engineering would investigate a ring barked tree at 98 Sea Street.

Councillor Walker declared an interest in the following matter as he is contracted to dredge Back Creek at South West Rocks and retired from the Chambers.

8. That contact would need to be made with the Department of Infrastructure and Natural Resources regarding the need to dredge more often at Back Creek, South West Rocks.

Councillor Walker returned to the Chambers.

9. That the Director Business Enterprise would investigate dumped rubbish such as old footpath and other debris on riverbank in vicinity of 173 River Street, West Kempsey.

Councillor J H Bowell

Councillor Bowell was advised:-

1. That the Director Corporate and Community Services was waiting on further information from Luke Hartsuyker MP and the proponents regarding a possible medical surgery being established in the former Smithtown Baby Health Centre.
2. That the Director Engineering would investigate the need for repairs to pot holes along Pipers Creek road.
3. That the Director Engineering has arranged for repairs to a large pothole in Barnard Street Gladstone.
4. That the Director Engineering would investigate concerns at Mattys Flat Reserve regarding pontoon joints, position of mooring anchors, drainage from a tap and access to water point at sewer pump station.
5. That the Director Corporate and Community Services was aware of a report on Community Adversity and Resilience by Professor Tony Vinson.
6. That the parking restriction times on the bus zone in Belgrave Street is to be listed for the next Traffic Committee.
7. That the Director Environmental Services would note the concerns of some private premises at South West Rocks regarding the Heritage Study.
8. That the water used for car washes at the Ampol Car Park would be charged to the carpark costs and paid by Council.
9. That the Mayor would discuss with Graham Carthew of the RTA the concerns of using the two (2) north bound lanes on the Kempsey side of the traffic bridge which can block local traffic attempting to go up Belgrave Street.
10. That a safety concern of the laneway off Lachlan Street between Caltex and Ducats Liquor store would be listed for the Community Safety Council.

Councillor J A C Hayes

Councillor Hayes advised the meeting:-

1. That she had received a letter from Coffs Harbour Council seeking support for establishment of a rescue helicopter service in Coffs Harbour but would not be committing Council to anything at this stage as more information was required.
2. That while the General Manager had received a request from the Department of Land for comments from Council regarding the priorities for use of the Crown land in Gordon Young Drive it was proposed to

wait for the draft proposals from the Department and make comment at that stage.



At this stage the Mayor advised the meeting that a notice of rescission had been received from Councillors Bowell in regard to item DCCS 8 – Mid North Coast Area Health Service – Teeth for Life Campaign.



At this stage, 4.14pm, Councillor Bowell retired from the Chamber and apologised to his non-attendance for the remainder of the meeting.



MOTION FOR COMMITTEE

2004. 355

RESOLVED:

*Moved: Cl. Green
Seconded: Cl. Saul*

That Council form itself into the Committee of the Whole, and at this stage the meeting be closed to the public to permit discussion of the confidential business items listed for the reasons as stated in the Agenda.



GENERAL MANAGER'S CONFIDENTIAL REPORT

Councillor Gribbin declared an interest in item 2 of the GM1 report for the reason that he is a member of the Friends of South West Rocks Committee and retired from the Chamber during discussion on this item.

GM1	LEGAL MATTERS	
	FILE: L3-1	AVB (NRN)
		{Folio No. 274571}

SUMMARY:

Reporting on the current position regarding legal matters.

REASON FOR PRESENTATION OF REPORT ON A CONFIDENTIAL BASIS

This report is submitted on a confidential basis as it involves advice concerning litigation or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege. (Local Government Act 1993, section 10A(2)(G)).



2004. 356

RECOMMENDED:

*Moved: Cl. Sowter
Seconded: Cl. Hunt*

That the information be noted.

Councillor Walker declared an interest in the following item for the reason that he is a party to the proceedings and retired from the Chamber and apologised for non-attendance at the remainder of the meeting.

GM2	LEGAL MATTERS		
	FILE: L3-1	RBP (NRN)	{Folio No. 274572}

SUMMARY:

Reporting on the current position regarding legal matters.

REASON FOR PRESENTATION OF REPORT ON A CONFIDENTIAL BASIS

This report is submitted on a confidential basis as it involves advice concerning litigation or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege. (Local Government Act 1993, section 10A(2)(G)).



2004. 357

RECOMMENDED:

*Moved: Cl. Hunt
Seconded: Cl. Saul*

That the information be noted.



REPORT OF THE MEETING OF THE COMMITTEE OF THE WHOLE

Upon resumption of Open Council, the following Report of the Committee of the Whole was submitted by the General Manager.



ADOPTION OF REPORT OF THE COMMITTEE OF THE WHOLE

2004. 358

RESOLVED:

*Moved: Cl. Hunt
Seconded: Cl. Sowter*

That the foregoing recommendations of the Committee of the Whole, as reported by the General Manager, be adopted.



CONCLUSION:

There being no further business, the Meeting terminated at 4.37 p.m.

