



MINUTES OF THE ORDINARY MEETING OF KEMPSEY SHIRE COUNCIL

Tuesday 14th October 2003 commencing at 9.04 a.m.

PRESENT:

Councillors J A C Hayes, (Mayor and Chairman), J H Howell, R J Bowen, T Hunt, P J Parkinson and B R Sowter.

Councillor N Joukhadar entered the chambers at 9.06am.

Councillor J Sproule entered the chambers at 9.28am.

Aboriginal Mentoring Participant Mr Gerald Hoskins.

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



MINUTES OF THE ORDINARY MEETING OF KEMPSEY SHIRE COUNCIL DATED 9TH SEPTEMBER 2003

2003. 830

RESOLVED:

*Moved: Cl. Hunt
Seconded: Cl. Bowen*

That the Minutes of the Ordinary Meeting of Kempsey Shire Council dated 9th September 2003, be adopted.



ASSESSMENT OF ITEMS LISTED IN CONFIDENTIAL BUSINESS PAPER

2003. 831

RESOLVED:

*Moved: Cl. Sowter
Seconded: Cl. Bowen*

That the items listed in the confidential section of the agenda be dealt with in the confidential section of the Meeting.



THIS IS PAGE 1 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

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MAYOR

CONSIDERATION OF LATE REPORTS

2003. 832

RESOLVED:

*Moved: Cl. Sowter
Seconded: Cl. Bowen*

That the late reports be considered in conjunction with the relevant Director's reports.



ADOPTION OF AGENDA ORDER OF BUSINESS

2003. 833

RESOLVED:

*Moved: Cl. Hunt
Seconded: Cl. Joukhadar*

That the Agenda Order of Business be adopted.



MAYORAL MINUTE

M1

MAYORAL ENGAGEMENTS FOR SEPT/OCT

FILE: C18-25

MAYOR (NRN)

{Folio No. 262734}

SUMMARY:

Reporting on the Mayoral Engagements since the previous Council meeting, on the 9th September 2003.



Wednesday 10th September

- Meeting with Superintendent Mark Hollohan.
- Meeting with Superintendent Kevin Mitcherson – Department Corrective Services.

Thursday 11th September

- Meeting with Kevin Farrowell and Peter Collins – Manager Roads and Traffic Authority.

Friday 12th September

- Community Housing Meeting.

Tuesday 16th September

- Meeting with Resource New South Wales in Sydney.

THIS IS PAGE 2 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

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MAYOR

Wednesday 17th September

- 11.15am Naturalisation Ceremony.
- 3.45pm Naturalisation Ceremony.
- Masterplan Meeting.

Thursday 18th September

- Launch 'Skip to the Beat'.

Friday 19th September

- Country Mayors Executive Meeting in Sydney.

Sunday 21st September

- Emergency Services Thanksgiving Ceremony.

Monday 22nd September

- Opened Corrective Services – Centrelink Conference.
- Interview with Centrelink re- in house video.

Tuesday 23rd September

- Planning Meeting.

Friday 26th September

- Slim Dusty funeral.

Tuesday 30th September

- Water and Sewerage Steering Committee Meeting.

Wednesday 1st October

- South West Rocks Rotary Club – Handing Over Ceremony.

Thursday 2nd October

- Morning Tea with John Brogden.

Friday 3rd October

- Community Housing Meeting.

Thursday 9th October

- Grand Opening South West Rocks Neighbourhood Centre.

Friday 10th October

- Mustang's Presentation Night.

THIS IS PAGE 3 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

Saturday 11th October

- Opening of Gladstone Rural Bushfire Shed.

Monday 13th October

- Meeting with Rob Russell re – Community Transport.

As well as the day-to-day functions of the position.

Thank you to all the Councillors and Staff who represented me, and or supported me, at official functions over the past month, it is very much appreciated.

Financial Implications

The financial, statutory and policy implications of this report are nil.

2003. 834

RESOLVED:

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

That the information be noted.

NOM1	PROPOSED CEMETERY AT YARRAVEL
FILE: C4-13	TIH (NRN) {Folio No. 262735}

2003. 835

RESOLVED:

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

Notice is hereby given that I intend to move the following motion at the meeting at the Ordinary meeting of Council scheduled for 14th October 2003.

That a report be prepared for Councillors providing all relevant information on the proposed cemetery to be located at Yarravel. The report to include the following:-

- Estimated date of completion of the report from Geolink which was commissioned in mid 2002.**
- Whether it is expected that there will be an escalation of costs from the original quote and if so, then the revised final cost estimate.**
- Design of the proposed entrance to cemetery following the objections to the access, which had been proposed. This proposed access restricted vehicle movements and may not comply with the RTA guidelines on 'Traffic Generating Developments'.**
- Whether discussions have been held with adjoining landholders regarding boundary adjustment or land**

THIS IS PAGE 4 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

exchange to facilitate a more accessible entrance and if so, the results of those discussions.

- e) An explanation of the greatly reduced number of plots now available from the original estimate of 26,000 gravesites or 100 years supply. Further, if the reduced number had been factored into the original proposal, would the site in Spooners Avenue have been a more viable option?
- f) Estimated date that the DA will be submitted to Council.

NOM2	KEMPSEY DISTRICT HOSPITAL	
	FILE: H2-10	TIH
		{Folio No. 262888}

Notice is hereby given that I intend to move the following motion at the meeting at the Ordinary meeting of Council scheduled for 14th October 2003.

- " 1. ***That representations be made to the Minister for Health the Honourable Maurice lemna MP with a request that he urgently review the Resources for Kempsey District Hospital to address -***
 - a) ***The reduction of services through the Children's Rehabilitation and Surgical Wards.***
 - b) ***The Restriction of services associated with the Mental Health Wing.***
 - c) ***The increased demand on services within the Emergency Department.***
- 2. ***That Andrew Stoner MP Member for Oxley, be advised of such representations. "***

NOTE:

The reduction in services has been attributed to a reported budget blow out of \$800,000 from 2002/03.

In July 2003 there were 64 admissions and 21 operations over target. There is an obvious demand for treatment.

The 2001/02 Annual Report of the Mid North Coast Area Health Service included reference to the allocation of \$2.5 million to construct a 10 bed Mental Health inpatient unit and in addition \$1.3 million in Annual Operational Funding.

It was stated that the Mid North Coast Area Health Service has made Mental Health Services the highest priority for the Mid North Coast from 2001 to 2005.

THIS IS PAGE 5 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

Unfortunately, the restriction of services from other than on a 24 Hourly basis at Kempsey Hospital does not reflect such priority.

The absence of Bulk Billing is a major cause of the increase in representations to the Emergency Department at the hospital.

With approximately 18000 presentations annually the Emergency Department is currently deficient in the number of beds, adequately trained and experienced staff, as well as equipment necessary to treat patients.

2003. 836

RESOLVED:

*Moved: Cl. Howell
Seconded: Cl. Bowen*

That this Notice of Motion be deferred to the next Council Meeting.



DIRECTOR ENVIRONMENTAL SERVICES REPORT

DES1

NATIONAL ENVIRONMENT LEVY

FILE: R7-1 BWC (NRN)

{Folio No. 262736}

SUMMARY:

Reporting on responses in respect to Council request, of the Federal Government, to work towards and support the introduction of a National Environmental Levy Scheme.



Letters were sent to the Honourable Mark Vaile MP, Minister for Trade and Mr Luke Hartsuyker MP, requesting that they work towards and support the introduction of a National Environmental Levy Scheme.

Both members have replied indicating that they had forwarded Council's correspondence to the Minister for Environmental Heritage, the Honourable Dr David Kemp MP.

The Minister, Dr David Kemp has responded and his reply is attached. [\(Appendix A\)](#)

In summary Dr Kemp advises that an environmental levy "*would be contrary to one of the Government's objective for the New Tax System to increase incentives to work and save - it would also be counter to the emphasis of recent tax reforms -*".

The Minister also advised that the "*Government is committed to working with the Australian community to put Australia on a more sustainable basis.*"

THIS IS PAGE 6 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

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MAYOR

That the information be noted.

DES2

WATER SAMPLING

FILE: W1-7 BWC (NRN)

{Folio No. 262738}

SUMMARY:

Reporting on a likely program for various water sampling matters.



Council at its meeting on the 12th August 2003 resolved that:-

- " 1. *Water samples be obtained and analysed for the presence of faecal conforms, from the following locations:- Macleay River, upstream of Kinchela Creek, Belmore River, Second Lane Kempsey.*
2. *That similar procedures be carried out, if necessary, following a period of continual rain in the area which causes significant run-off into the Macleay River.*
3. *That the cost recovery for such tests be discussed with the Oyster Growers Association."*

In respect to water sampling it is intended during the 2003/2004 swimming season to collect samples from some beaches and adjoining watercourses.

This would involve on a weekly basis 7 to 10 samples being collected. It would be possible to undertake additional collections from the Macleay River as outlined in the resolutions of the 12th August 2003. Currently monthly samples are taken upstream and downstream of sewage outfall near Second Lane.

In respect to the Oyster Farming industry it is understood that over the next 12 months under the NSW Shellfish Program a survey will be undertaken from a number of additional sites on a fortnightly or monthly basis of particularly the lower Macleay area.

As far as a combined River and beach sampling program with up to 15 samples being taken the annual costs are likely to be in the vicinity of \$30,000 made up of casual labour/travelling \$14,500 and analysis \$15,500. After the swimming season the number of samples would reduce as would the costs. The estimated costs attributed to the Macleay River - sampling would be approximately \$14,000 if all sampling can be undertaken in one (1) day.

This does not include the additional costs that would be involved should additional sampling be required in accordance with item (2) of the resolution of 12th August 2003.

THIS IS PAGE 7 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

Currently the Oyster Growers collect, on a weekly basis 4 water samples that are analysed by Council at no cost to the Oyster Growers. The annual cost, to Council, being \$5034, based on current charges. No formal discussions have been held with the Oyster Growers in respect to a contribution from them. However based on previous discussions and the fact that they already have (need) Councils financial support to undertake the analysis of their own sampling program it is unlikely any financial support would be forth coming.

The total program should be able to be funded from funds already allocated for a Beachwatch program and the environmental monitoring allocation, if the Oyster Growers pay for the analysis currently being undertaken at no cost by Council i.e. the 4 samples per week from the areas adjoining leases.

Director Environmental Services Recommendation:

For the determination of Council.

2003. 838

RESOLVED:

*Moved: Cl. Hunt
Seconded: Cl. Bowen*

1. That this matter be deferred to the November or December Council Meeting so that a recommendation can be provided on costs to Council along with further information.
2. That formal discussions be held with the Oyster Growers Association to determine their level of commitment.

DES3	NSW COASTAL CONFERENCE	
	FILE: C11-8 BWC (NRN)	{Folio No. 262740}

SUMMARY:

Reporting that the NSW 2003 Coastal Conference is to be held in Port Macquarie from the 5th to 7th November.



Mr Ron Kempsey, Councils Environmental Sustainability/Floodplain Officer has been invited to present a paper at the NSW 2003 Conference at Port Macquarie.

At this stage Mr Kempsey is scheduled to present his paper on the morning of the 5th November 2003. The Conference is scheduled for the 5th to 7th November 2003. Registration costs are \$550 for the full Conference (Conference Dinner extra \$70) with a daily registration fee of \$330.

Some staff will be attending and Councillors may also be interested.

2003. 839

RESOLVED:

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

That the information be noted.

THIS IS PAGE 8 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

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MAYOR

DES4

REFUND OF FEES, SOUTH WEST ROCKS SURF CLUB

FILE: T6-03-516 RBP

{Folio No. 262743}

SUMMARY:

Reporting that Council has received a request to waive development application fees and Section 64 contributions in respect to proposed extensions to the South West Rocks Surf Club.



Applicant: R McDonagh
Subject Land: Lot 337 DP754396 Livingstone Street, South West Rocks (South West Rocks Surf Club)

On the 4th August 2003, Council received an application to construct additions to the South West Rocks Surf Club including additional amenities, storage area and social area.

The application has been assessed and is to be approved, subject to determination by Council as to whether any contributions should be payable.

In accordance with Councils Water and Sewage Servicing Plans, the following Contributions are payable:-

- Sewage Augmentation - \$4,742
- District Water Supply - \$1,894

Carparking

On the basis that the proposed barbeque/social area is not used in conjunction with the approved restaurant, it is considered that no additional parking requirement would be generated by the extension. In this regard, it is intended to impose a condition restricting the use of the upper level accordingly.

In addition to the above contributions, a Development Application fee of \$534 has been paid for which the Club has also requested a refund.

Council may wish to make a donation to the value of the contributions. As the Development Application fees have been paid, a refund would be required.

Director Environmental Services Recommendation:

For Council's determination.

At this stage 9.28am Councillor Sproule entered the Chambers.

2003. 840

RESOLVED:

Moved: Cl. Hunt

THIS IS PAGE 9 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

That this matter be deferred until later in the meeting for further details on the full financial implications.



DIRECTOR ENGINEERING REPORT

DE1	CRESCENT HEAD COUNTRY CLUB	
	FILE: LA9508	KJF
		{Folio No. 262745}

SUMMARY:

Reporting on discussions on the proposed lease for the Crescent Head Country Club.



Council, at its meeting of 13th May 2003 considered a report on the proposed lease for the Crescent Head Country Club and resolved:

“That the General Manager return to the Board of the Country Club and advise them the suggested \$1,000 per annum is unacceptable and that negotiations be undertaken to arrive at a more appropriate lease fee and arrangement.”

A copy of the report is attached at [\(Appendix A\)](#).

The Country Club were advised of Council's decision and strongly conveyed their disappointment at the decision. They reminded Council that the lease fee was slightly more than that determined by the Departmental formula for leases of Crown Land (approximately \$850) and that the Club has provided substantial capital improvements:

Tennis Court fencing	\$ 5,217.00
Synthetic tennis court surface	\$26,900.00
Greenkeepers Shed	\$32,503.00

The Club also advised that the operating loss on the course for the year ending 31/03/03 was \$80,946.00 plus water charges.

The Club provides ongoing maintenance of the tennis courts and tennis club house, including electricity/lighting. The lock up shed area under the tennis club house is used by Council, at no cost for water, power or rental, for use by the reserve lessee.

Other facilities the club provides for community use include:

- the provision of a library room at no cost;

- the provision of two bowling greens which operated at a loss of \$49,247.00 for year ending 31/03/2003, and
- financial support for Kempsey Crescent Head Surf Club and other community sporting bodies.

The Club confirmed that the area is well maintained by them and fully accessible to the public.

Council, as Trust Manager of Crown Reserve R63725, are required to enter into a formal lease agreement with the Country Club. The lease fee was determined in accord with the policy of the Department of Lands, which provides for rebates on market rent for such activities, and following extensive discussions with the Country Club. The Board has indicated quite strongly that it is not prepared to pay more than the fee determined under this policy.

Directors Comment:

The lease agreement for the Crescent Head Country Club is in line with Departmental policy, with a lease fee in accord with that policy. In light of the community benefit provided by the Club, it is felt the agreed fee is reasonable and should be accepted.

Financial Implications:

The financial implications of the following recommendation would be an increase in income from Crescent Head Reserve R63725.

Statutory Implications:

The statutory implications of the following recommendation would be compliance with Council's obligations as Trust Manager of the Crown Reserve.

Director Engineering Recommendation:

1. That the Lease authorising the use of part of Crown Reserve R63725 by the Crescent Head Country Club be approved.
2. That the Mayor and General Manager be authorised to sign the Lease authorising the use of part of Crown Reserve R63725 by the Crescent Head Country Club and that Council's seal be affixed to the documents.

MOVED:

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

That the Director Engineering Recommendation be adopted.

An Amendment was MOVED:

*Moved: Cl. Joukhadar
Seconded: Cl. Parkinson*

That Council conveys it's disappointment to Crescent Head Country Club that they do not value the privilege that they have and that further negotiations take place for a reasonable outcome.

THIS IS PAGE 11 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

The AMENDMENT was PUT to the Meeting and was LOST.

2003.841

The MOTION was PUT to the MEETING and was CARRIED.

DE2	CLYBUCCA MEMORIAL GARDENS	
	FILE: LA6911	KJF (NRN) {Folio No. 262747}

SUMMARY:

Reporting on the situation with ownership of the Clybucca Memorial Gardens.



In February of this year, Council was contacted by solicitors for the owner of the land on which stands the Clybucca Memorial Gardens, seeking confirmation as to the status of the land. The land was still in private ownership and is maintained by the Lions Club of Kempsey.

A review of records revealed that, in January 1991, a subdivision plan was prepared, creating a small lot for a public reserve and a subdivision application was to be prepared for Council consent. However, no application was ever received by Council. Also, Council has not formally agreed to accept the land as public reserve, although the Shire President and the Shire Clerk of the day had indicated acceptance of the proposal in discussions with the Lions Club.

The Lions Club have confirmed that they will maintain the Memorial Gardens, as they have done in the past. Costs of the plan and registration will also be borne by the Club.

Discussions have followed with members of the Lions Club, solicitors and surveyor and the original plan found. The subdivision has now been approved and the plan signed ready for registration.

Council now needs to formally resolve to accept the land as a public reserve. In so doing, Council will need to classify the land as either operational or community land, with the latter seeming to be the most appropriate option.

Directors Comment:

It would seem appropriate that Council accept ownership of the Public Reserve, particularly as the ongoing maintenance will be carried out by the Lions Club.

Implications:

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

2003. 842

RESOLVED:

*Moved: Cl. Bowell
Seconded: Cl. Sproule*

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MAYOR

1. That ownership of the lot comprising Clybucca Memorial Gardens be accepted.
2. That the Mayor and General Manager be authorised to sign the transfer documents and that Councils seal be affixed to the documents.
3. That the land be classified as Community Land.

DE3

**HORSESHOE BAY RESERVE
FILE: C1-8 KJF (NRN)**

{Folio No. 262748}

SUMMARY:

Reporting on preparation of the draft Plan of Management for Horseshoe Bay Reserve.



In response to a directive from the then Minister for Land and Water Conservation, a draft Plan of Management has been prepared for the Crown Reserve at Horseshoe Bay Reserve R82364, for consideration and exhibition. A copy of the draft plan was circulated to Councillors prior to this meeting. Any comments should be forwarded to the Director Engineering.

It is proposed that the draft plan be now exhibited for comments from the public and other government departments. Comments will then need analysis to determine if any amendments are warranted prior to confirmation by Council. Once confirmed by Council, the plan can then be forwarded to the Minister for adoption.

It is proposed that the draft Plan of Management be exhibited for comment until 21st November 2003.

Directors Comment:

The draft Plan of Management has been prepared under the guidelines from the Department of Planning Infrastructure and Natural Resources and in consultation with the community. Exhibition for public comment is the next step in the process and Council is asked to approve this step.

Financial Implications:

The financial implications of the following recommendation is expenditure from within the vote provided by Council.

Policy Implications:

There are no policy implications from the following recommendation.

THIS IS PAGE 13 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

Statutory Implications:

The recommendation complies with statutory requirements.

Director Engineering Recommendation:

That the draft Plan of Management for Horseshoe Bay Reserve be advertised with comments sought by 21st November 2003.

2003. 843

RESOLVED:

*Moved: Cl. Sproule
Seconded: Cl. Parkinson*

That the consultant refer the draft Plan of Management to the Aboriginal Cultural and Heritage Sub-committee for comment and it then be referred back to Council prior to being placed on exhibition.

Councillor Joukhadar recorded his vote against the foregoing Resolution.

At this stage 10.25 a.m. the Mayor retired from the Chambers and Deputy Mayor Councillor Bowen occupied the Chair.

DE4

SPORTING FIELDS

FILE: R3-11 KJF (NRN)

{Folio No. 262750}

SUMMARY:

Reporting further on utilisation rates on Council's Sporting Fields.



At the meeting of 9th September 2003, when considering a report on the utilisation of Council's Sporting Fields, Council resolved:

"That this matter be referred to the Sports Council to allow the User Groups to fully consider the report"

A special meeting of the Macleay District Sports Council was arranged for Monday, 29th September 2003, and a copy of the report of that meeting is attached at [\(Appendix B\)](#).

The Sports Council was referred to the two reports presented to Council on this issue, the first in January and the 2nd in September and copies of these reports are attached at [\(Appendix C\)](#) and [\(Appendix D\)](#).

Council staff have pursued Sports Associations and User Groups for more information but, generally, very little substantive data has been provided to justify retention of all fields. With limited utilisation of some sporting fields, Council could justify reducing fields currently maintained to allow

THIS IS PAGE 14 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

concentration of efforts on the more utilised fields. A graph of field utilisation is attached at [\(Appendix E\)](#).

The Sports Council resolved:

- “1. That Birralee Oval be placed on a minimal maintenance regime and that the Crescent Head Public School be approached to provide a contribution towards the cost of that maintenance.
2. That maintenance on Frederickton oval be reduced to a minimal level during summer, if no cricket is played there.
3. That the existing minimal maintenance regime during winter be continued at South Kempsey Oval.
4. That Gladstone fields be placed on a minimal maintenance regime during summer.
5. That utilisation rates of all sporting facilities be reviewed on a seasonal basis and maintenance regimes developed to suit the usage.”

Directors Comment:

The initial report on Sporting Fields utilisation was requested by Council to identify possible savings. Should Council adopt the Sports Council resolution, savings of approximately \$7,500 could be made.

Should Council wish to support the initial recommendation, a saving of approximately \$28,000 could be made.

Financial Implications:

The financial implications of the following recommendation would be a reduction in maintenance costs of approximately \$28,000/yr.

Other Implications:

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

Director Engineering Recommendation:

1. That the following sporting fields be closed and sporting fixtures usually played there be transferred to Kempsey:
 - i) Baker Drive Sporting Fields
 - ii) Frederickton Sporting Fields
 - iii) South Kempsey Oval

2. That Gladstone sporting fields be closed during Summer and sporting fixtures usually played there be transferred to Smithtown.
3. That Birralee Oval be closed as a sporting field and the area offered to the Crescent Head Public School on the understanding that it would be available to the public outside school hours.

MOVED:

*Moved: Cl. Sowter
Seconded: Cl. Parkinson*

1. That utilisation rates of all sporting facilities be reviewed on a seasonal basis and maintenance regimes developed to suit the usage.
2. That the General Manager bring back a report to the next Council Meeting on leasing some of the sports fields.

At this stage 10.33am the Mayor, Councillor Hayes returned to the Chambers.

An Amendment was MOVED:

*Moved: Cl. Joukhadar
Seconded: Cl. Howell*

1. That Birralee Oval be placed on a minimal maintenance regime and that the Crescent Head Public School be approached to provide a contribution towards the cost of that maintenance.
2. That maintenance on Frederickton oval be reduced to a minimal level during summer, if no cricket is played there.
3. That the existing minimal maintenance regime during winter be continued at South Kempsey Oval.
4. That Gladstone fields be placed on a minimal maintenance regime during summer.
5. That utilisation rates of all sporting facilities be reviewed on a seasonal basis and maintenance regimes developed to suit the usage.

2003.844

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

Councillor Sowter recorded his vote against the foregoing Resolution.



At this stage 10.35 a.m. the Meeting adjourned for Morning Tea and upon resumption at 11.08 a.m. all present at the adjournment were in attendance. The Mayor re-occupied the Chair.



THIS IS PAGE 16 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

At this stage 11.10 a.m. Mr David Fry addressed Council on the finalisation of Macleay Valley Economic Development Trust and presented a cheque to the Mayor.



DE5	NOXIOUS WEEDS	
	FILE: N3-2 KJF (NRN)	{Folio No. 262752}

SUMMARY:

Reporting on the possibility of Council's Noxious Weeds Inspector conducting workshops on weed management.



At Council's meeting of 8th April 2003, during Questions without Notice, Councillor Parkinson was advised"

"The Director Engineering advised that a report would be forwarded to Council on the possibility of Council's Weeds Inspector conducting workshops on weed management."

Council's Noxious Weeds program is approved each year by the Noxious Weeds Advisory Committee, who provide some funding, based on the yearly report and proposed program for the following year. Council's program involves the required inspectorial work and a number of extension programs. These extension programs involve:

- providing a display at the local Show
- presentations to various Garden Clubs etc
- joint ventures and field days with the RLPD, NSW Agriculture and DIPNR.
- ongoing liaison with produce stores and nurseries
- liaison with Landcare Groups and Macleay Valley Coastal Working Group.

No funding is available under the programme for conducting a workshop and any such project would need to be fully funded by Council.

The major weed concern in Kempsey Shire is Giant Parramatta Grass and should Council wish to run a workshop, the best approach would be to conduct two on this weed, one in July, early August for early treatment using the Wick Wiper and the second in February using the selective spray Taskforce. The cost of these workshops would be approximately \$10,000 to cover venue, speakers etc.

Directors Comment:

Whilst the concept of Council conducting workshops on weed management is good, it is felt that Council's involvement in the extension programs is sufficient.

THIS IS PAGE 17 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

Implications:

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

Director Engineering Recommendation:

That the information be noted.

MOVED:

*Moved: Cl. Hunt
Seconded: Cl. Sproule*

1. That the information be noted.
2. That an allocation of \$10,000 be considered for inclusion in the 2004 / 2005 budget for Council to host a regional noxious weeds forum.

An Amendment was MOVED:

*Moved: Cl. Howell
Seconded: Cl. Bowen*

1. That the information be noted.
2. That an allocation of \$10,000 be considered for inclusion in the 2004 / 2005 budget for the control of Giant Parramatta grass on lands under Council control.

2003.845 The AMENDMENT was PUT to the MEETING and was CARRIED, became the MOTION and was CARRIED.

DE6

**NOXIOUS WEEDS CONTROL
FILE: N3-2 KJF (NRN)**

{Folio No. 262752}

SUMMARY:

Reporting on options to fund an increase in Noxious Weed Control



At Council's meeting of 10th June 2003, following discussion on a Notice of Motion from Councillor Bowen, Council resolved:

"That the Director Engineering report back to Council on the recommended source of funds for increased Noxious Weed Control."

Funding for Noxious Weed Control is provided by Council and a grant from the Noxious Weeds Advisory Committee. The grant is tied to a specific program principally an inspection regime and extension programs. Some other grants are available and Council's staff are vigilant in their pursuit of

THIS IS PAGE 18 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

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MAYOR

other grants, usually from State Government Departments and tied to specific programs (eg. littoral rainforests, coastal areas etc.).

Any additional funding for control of noxious weeds would need to come from Council and, as no additional funds have been provided within the estimates this year, the only source of funding available is Working Funds.

Implications:

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

2003. 846

RESOLVED:

*Moved: Cl. Sproule
Seconded: Cl. Hunt*

That the information be noted.

DE7	RURAL FIRE SERVICE FILE: F3-30 KJF	{Folio No. 262756}
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SUMMARY:

Reporting on the NSW Rural Fire Fighting Fund allocation.



Details of the approved allocations for the 03/04 Rural Fire Fighting Fund have been provided to Council. The total cost of the service is \$839,846.21. The 02/03 allocation was \$940,777.91. Council's contribution will be \$111,699.55 and includes a reimbursable charge for "Other Programs" of \$32,375.02. Therefore, Council's total cost for 02/03 will be \$79,324.53. Council's budget provision for the year is \$100,000. Details of the allocation and the bid are shown at [\(Appendix F\)](#)

A point of concern is the allocation for maintenance, repairs and running expenses where the allocation of \$88,750 is substantially short of the bid of \$121,000. Over the past 3 years the annual expenditure has been in the order of \$110,000-\$120,000. Any shortfall in the budget would normally be reimbursed in the following year. This marked reduction seems to indicate that the Rural Fire Service are expecting Councils to pick up the full maintenance costs above that allocated.

Directors Comment:

Council may wish to clearly indicate that this budget allocation is unrealistic and that the allocations need to provide a figure in the order of \$120,000 for maintenance, repairs and running costs, even if it means a reduction in capital expenditure (ie. appliances).

Implications:

THIS IS PAGE 19 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

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

Director Engineering Recommendation:

That the Commissioner of the NSW Rural Fire Service and the Minister for Local Government be advised that Council has NOT favourably received the 03/04 NSW Rural Fire Fighting Fund allocations and that Council will not fully fund maintenance beyond that allowed in the Budget.

MOVED:

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

That the Commissioner of the NSW Rural Fire Service and the Minister for Local Government be advised that Council has received with apprehension the 2003 / 2004 NSW Rural Fire Fighting Fund allocations and that Council will not fund maintenance beyond that provided for in Council's budget.

An Amendment was MOVED:

*Moved: Cl. Parkinson
Seconded: Cl. Sowter*

That Council fully fund the maintenance beyond that allowed in the budget allocation.

The AMENDMENT was PUT to the Meeting and was LOST.

2003.847

The MOTION was PUT to the MEETING and was CARRIED.

DE8	RURAL FIRE SERVICE ESTIMATES
	FILE: F3-30 KJF (NRN) COPY: APC {Folio No. 262757}

SUMMARY:

Reporting on the Rural Fire Service Fund Estimate for the 04/05 year.



The 04/05 Rural Fire Fighting Fund Estimates have been prepared. A copy is attached at [\(Appendix G\)](#). However, with the rather hectic period over the last month, there has not been time to hold a Liaison Committee meeting to recommend the estimates to Council. The Zone Manager has asked that Council consider and approve the estimates to allow them to be forwarded to the Commissioner as soon as possible.

The estimates have been reviewed by Council staff and no issues of concern noted. The total estimate is \$600,519 and is within the forward budget provided by Council. Council is asked to endorse the estimates.

Financial Implications:

THIS IS PAGE 20 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

The financial implications of the following recommendation is the commitment to contribute 13.3% of the budget allocated. Council's forward estimates does make provision for such expenditure.

Statutory implications:

Council has a statutory requirement, by way of Sections 109 and 110 of the Rural Fires Act, to provide 13.3% of this budget.

Policy implications:

There are no Policy implications from the following recommendation.

Director Engineering Recommendation:

That the 04/05 Rural Fire Fighting Fund Estimates be approved.

2003. 848

RESOLVED:

*Moved: Cl. Sproule
Seconded: Cl. Hunt*

That the 04/05 Rural Fire Fighting Fund Estimates be referred to the Rural Fire Service Liaison Committee, for comment and input, and subject to discussions with the Commissioner the funding estimates be approved.

DE9	GLADSTONE SES UNIT	
	FILE: LA8201	KJF (NRN) {Folio No. 262758}

SUMMARY:

Reporting on the provision of accommodation for the Gladstone SES Unit.



Gladstone SES Unit operates out of facilities within Crown Land approved for Court House and Police Lockup. The Department of Lands, when approached to approve an extension of the existing facilities, advised that:

“The present occupation of part of the site by the SES building would appear to be inconsistent with the purpose for which the land was approved to be used.”

Council was asked to authorise the use of the land by way of acquisition or lease.

In the case of acquisition, the compensation (purchase price) will be payable on the basis of a valuation determined by the State Valuation Office. Any formal request for acquisition requires an administrative fee of \$487.70. Survey cost etc. and other acquisition costs would be the responsibility of the acquiring authority.

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MAYOR

Any application for lease requires an advance towards application processing costs of \$548 for a lease of 10 years or less. Other costs would include site investigation (if required), land assessment advertising (\$213.70), Native Title investigation (\$274), Non claimant application (if required) \$826, notice of intention to lease (\$109.60), State Valuation Offices' valuation for market rental purposes \$400, survey instruction \$87.60, survey (at cost), survey plan lodgement fees at Land and Property NSW (presently \$720), negotiation/re processing of draft lease document (\$109.60 per hour).

The existing facilities involve half of a 2 bay garage with a wall to separate a small storage area and a boat shed. There is no separate office accommodation, no water and no toilet facilities. These deficiencies were identified during the 2001 flood event. A portable shed and separate portable toilet facility were provided by the SES for installation at Gladstone but did not fit in to the heritage precinct and could not be installed on land not owned by Council. These sheds have now been utilised elsewhere in the valley for SES accommodation.

In an effort to find a solution to the accommodation issues at Gladstone, Council and the unit worked with a heritage architect to design a suitable extension to the current building. However, the building and land is still not owned by Council. Also, Gladstone is flood prone and the question of the suitability of housing a Unit there was raised.

The SES are the prime response agency in flood and storm events and provide support to other agencies in other emergency events. Council has a duty of care to ensure facilities are not just suitable but suitably located for the volunteers. In a flood event similar to the 2001 flood, the location of the facilities was difficult. In a larger flood event, the location would not be sustainable and the issues of access and egress, or evacuation, of the volunteers becomes evident.

Provision has been made in the 04/05 forward budget for \$5,000 for Gladstone Headquarters, which may be sufficient to cover the extensions to the existing facility. No provision has been made for land acquisition costs.

Options available to Council are:

- (i) purchase the land on which stands the existing facility to provide the necessary extensions as scoped by the heritage architect.
- (ii) find other land in Gladstone and provide suitable accommodation and facilities for the Unit.
- (iii) find other land, out of flood reach and provide suitable accommodation and facilities for the Unit.

The preferred option is option (iii), provision of a flood free site and development of new suitable facilities for the Unit as soon as possible. Discussions with the Local Controller and Divisional Controller support this proposal in the long term. Site options are currently being reviewed with a view to finding a suitable flood free site. It is hoped to find some disused land or part of a road reserve that will meet these requirements.

THIS IS PAGE 22 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

Council is asked to support this proposal and to look to provision of funds for construction of accommodation and facilities in 04/05 and 05/06. The estimated cost of such facilities is \$80,000 and a 50% subsidy should be forthcoming from the SES.

Directors Comment:

Council is urged to support the proposal to find a flood free site and provide suitable facilities for the Gladstone SES Unit.

Statutory Implications:

Under Section 17 of the State Emergency Services Act 1989, Council is obliged to provide suitable facilities and accommodation for the SES.

Financial Implications:

The financial implications of the following recommendation is that Council will need to consider provision of suitable funds for construction of facilities and accommodation for Gladstone SES Unit.

Director Engineering Recommendation:

1. That no land be acquired in Gladstone for the SES.
2. That suitable flood free land be identified to house the Gladstone SES Unit.
3. That provision of funds for construction of suitable facilities and accommodation for Gladstone SES Unit be considered with the 04/05 Estimates.

MOVED:

*Moved: Cl. Bowen
Seconded: Cl. Hunt*

1. That Council find a suitable site and provide suitable facilities for the Gladstone SES unit within the Gladstone precinct.
2. That provision of funds for construction of suitable facilities and accommodation for Gladstone SES Unit be considered with the 04/05 Estimates.
3. The area of land at the end of Darkwater Street identified in the General Manager's report on vacant land be investigated as a possible site.

An AMENDMENT was MOVED:

*Moved: Cl. Sproule
Seconded: Cl. Joukhadar*

That the Director Engineering recommendation be adopted.

2003.849

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

SUMMARY:

Reporting on correspondence received from the Department of Infrastructure, Planning and Natural Resources regarding integration of various Council Committees.



Council has received correspondence from the Landscape Manager Mid North Coast from the Department of Infrastructure, Planning and Natural Resources (DIPNR) seeking a meeting with their regional management executive to review integration of departmental programs. A copy of the letter and attached discussion paper are at [\(Appendix H\)](#).

In previous discussion on this issue, the preferred option was to maintain the status quo. The State Government, by way of its Flood Prone Land Policy, Coastal Policy and Estuary Management Policy, require Council to create separate Committees to address the management process for each State policy. Council has combined the Coastal and Estuary Management Committees in an effort to conserve resources but the benefits to Council of the recommended option is questionable.

It is recommended the Council nominate two Councillors to attend the meeting scheduled for 24th October 2003 together with the Mayor and Council staff to review the options with the departmental regional management executive.

Implications:

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

Director Engineering Recommendation:

That two Councillors be nominated to attend the meeting with officer of Department of Infrastructure, Planning and Natural Resources on 24th October 2003 together with the Mayor and Council staff.

2003. 850

RESOLVED:

*Moved: Cl. Bowen
Seconded: Cl. Joukhadar*

That Council contact Department of Infrastructure, Planning and Natural Resources and advise that the date of 24th October 2003 is unsuitable to Council and suggest that the meeting be held on Tuesday 28th October 2003 at 3.30 p.m. and that all available Councillors will attend.

DE11

REGIONAL ROAD TIMBER BRIDGE PROGRAM

FILE: B6-2 APV

{Folio No. 262762}

Item DE11 was dealt with later in the Meeting prior to DE15.

DE12

ROADS TO RECOVERY PROGRAM

FILE: R8-103 (261741) NJT (NRN)

{Folio No. 262766}

SUMMARY:

Reporting on a request to support a campaign to renew the Federal Governments Roads to Recovery Program (R2R).



Council has received a letter from the Australian Local Government Association requesting active support for the campaign to renew the Federal Governments Roads to Recovery Program (R2R). The existing program will conclude in June 2005 unless renewed by the Federal Government. A copy of the letter is attached [\(Appendix D\)](#).

Council has been very active in lobbying for the continuation of the program as summarised below:

- At the Council Meeting on 9th October 2001, a report was considered regarding the "Road Acquisition Policy". Council resolved:

"That a submission be made to the Federal Government Local Members and the Roads Congress for the continuation of the Local Roads to Recovery funding past 2005 and the information be supplied as detailed in this report."

- 5th February 2002, a reply was received through the Federal Local Members from The Hon John Anderson MP, Minister for Transport and Regional Services, stating that:

"The Programme was established as a single intervention by the Commonwealth to address the specific problem that much local government road infrastructure is about to reach the end of its economic life and its replacement is beyond the capacity of local government."

The Government is committed to working with the Australian Local Government Association to review the Programme before it ends in 2005. Councils will need to demonstrate that the funding has achieved effective outcomes for the community and business before an extension may be considered."

THIS IS PAGE 25 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

- At the Council Meeting on 11th June 2002, a report was considered regarding the reduction in funding in 2002/2003 to the Roads to Recovery Program. Council resolved:

“That attention be brought to Mr M Vaile, MP and Mr L Hartsuyker MP on the need to continue the Roads to Recovery Program beyond the current program and not renege on the undertakings given.”

- On 19th August 2002, a reply was received through the Federal Local Members from The Hon John Anderson MP Minister for Transport and Regional Services stating that:

“The four-year Roads to Recovery Programme was announced by the Federal Government in recognition of local road needs. I am committed to working with the Australian Local Government Association to review the Programme before it ends in 2005. As part of this commitment, I recently approved expenditure of \$150,000 on a project to collect data to support the case for future local roads funding and to promote strategic asset management in local government, which forms the first stage of the review.”

- On 9th July 2002, Council replied to a letter from Mr Gavan O’Connor MP Shadow Minister for Regional Services, Territories and Local Government stating that:

“Council also seeks a commitment from the Federal Government to continue the Roads to Recovery Program funding beyond 2005, as without such funding Council will be unable to adequately maintain its road infrastructure, or satisfy increasing community expectations.”

- 7th July 2003 – a letter was received from The Hon John Anderson MP Minister for Transport and Regional Services stating that:

“I am writing to provide you with an update on the Federal Government’s \$1.2 billion Roads to Recovery Programme.

ALGA and I recently released a review into the performance of the Roads to Recovery Programme over its first two years. The results of this evaluation were positive. It found that local councils had spent Roads to Recovery funds well with a strong emphasis on safety and transport efficiency.

Many councils have over the past 12 months, raised with me the importance of the continuation of the Roads to Recovery programme. A decision on the future of this programme will be taken closer to its completion in 2005. You may be reassured, however, the completion of this programme and its future will not be affected by the introduction of Auslink as some would have you believe.”

- At the Council Meeting on 8th July 2003, a report was considered regarding the 4th National Rural Roads Congress. Council resolved:

“That Council write to both Local Federal Members to seek their support for a commitment to the continuation of R2R after June 2005.”

- On 12th August 2003, a reply was received through the Federal Local Members from The Hon John Anderson MP Minister for Transport and Regional Services stating that:

“The Programme has recently been reviewed, and the main finding was that the funds provided to councils under Roads to Recovery have been well spent. The Programme still has nearly two years to run, and the question of its future will be addressed closer to the completion of the Programme.”

The Australian Local Government Association is asking Council to undertake as many lobbying activities as possible over the next 6 months, as detailed in the attached letter.

Also attached [\(Appendix J\)](#) is a pamphlet providing information about the campaign, together with suggested activities, reports, media statements, examples of letters, presentations and other useful campaign material.

Local Government has fought hard to win R2R funding, and needs now to continue to fight hard to keep it.

As detailed above, Council has been very active in lobbying for the continuation of the R2R Programme. It is now appropriate to involve the community to lobby the local Federal MP's. This can be achieved through media releases and through the weekly Mayoral Column.

Directors Comment:

Council has been consistent in their pursuit of local members for the same result. A more widespread campaign from the community is required to reinforce Council's efforts.

Implications:

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

Director Engineering Recommendation:

That ratepayers be urged to lobby the local Federal MPs to ensure the Roads to Recovery Program is extended beyond 2005.

2003. 851

RESOLVED:

*Moved: Cl. Sowter
Seconded: Cl. Sproule*

THIS IS PAGE 27 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

That residents and ratepayers be urged to lobby the local Federal MPs to ensure the Roads to Recovery Program is extended beyond 2005.

DE13	ERECTION OF PUBLIC GATE AND GRID ON WARBRO BROOK ROAD, TOOROOKA
FILE: R8-14 NJT	{Folio No. 262768}

SUMMARY:

Reporting on an application to erect a Public Gate and Grid on Warbro Brook Road, Toorooka.



An application has been received from Mr F J Hope to erect a Public Gate and Grid on Warbro Brook Road on the boundary of Lot 37 and 38, DP752431, Parish of Warbro, Toorooka.

The application was advertised and no objections have been received.

The position of the gate and grid was inspected and found to be in a safe location, consistent with site distances that exist along the road.

Directors Comment:

It is recommended that Council approve the application.

Implications:

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

2003. 852

RESOLVED:

*Moved: Cl. Sproule
Seconded: Cl. Bowell*

That the application to erect a Public Gate and Grid on Warbro Brook Road, at the boundary of Lot 37 and Lot 38, DP752431, Parish of Warbro, Toorooka, be approved.

DE14	STATE BLACK SPOT FUNDING PROGRAM
FILE: R8-19 NJT COPY: APC	{Folio No. 262770}

SUMMARY:

Reporting on advice received on State Black Spot Program Funding.



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MAYOR

Council has received advice from the RTA that it has been successful in obtaining funding of \$320,000 under the State Black Spot Funding Program in the 2003/2004 financial year. This funding is a result of concerted efforts in seeking additional funding under the various programs. Construction will be required to be completed by 30th June 2004.

The project approved is for the realignment and reconstruction of MR198 (South West Rocks Road) from 8.3 to 9.9kms east of the Pacific Highway (adjacent to Austral Eden Outer Road – western end). The project will be fully funded by the RTA.

This section of road has a bad accident record with 6 reported accidents involving injuries during the period 1997 – 2002.

Survey of the section has been completed and design work has commenced. Improvements to the alignment, superelevation, intersection treatment and safety fencing will be considered and incorporated into the design. Council's Works Program has been adjusted to include this project.

Council has also identified the section of MR198 between 21.5km and 22.6km (adjacent to Benelong Haven) as requiring urgent upgrading. This section was submitted to the RTA as a project under the Repair Program for funding in the amount of \$185,000 on a 1:1 basis. Council has received advice from the RTA that the project has been included for funding under this program in the 2006/2007 financial year. Council has requested the RTA to bring this project forward.

Council now needs to formally accept the funding in line with the standard funding arrangements.

Directors Comment:

Additional funding for roadworks is essential to maintain the road network and it is recommended that Council accept the funding.

Implications:

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

2003. 853

RESOLVED:

*Moved: Cl. Sowter
Seconded: Cl. Joukhadar*

That \$320,000 allocated under the 2003/2004 State Black Spot Program for the realignment and reconstruction of MR198 (South West Rocks Road) from 8.3 to 9.9kms east of the Pacific Highway be accepted.



The following item DE11 was deferred from earlier in the Meeting.

At this stage 12.50pm the Mayor welcomed to the Chambers, the Regional Director of the Roads and Traffic Authority, Mr Peter Collins.

SUMMARY:

Reporting on a new Regional Roads Timber Bridge Program proposed by the NSW Government.



Council has received advice by the Roads and Traffic Authority of the Regional Roads Timber Bridge Program. This is a new program of State Government funding assistance to replace existing timber bridges on Regional Roads.

In a press release dated 1st June 2003, the Minister for Roads announced the NSW Government's commitment of \$105M over seven years, commencing from 2004-2005, with funding being provided on a 1:1 basis.

Council has four timber bridges on MR75 (Armidale Road) and one on MR198 (South West Rocks Road). All of these bridges are single lane except one (Woolshed Gully), which is a narrow two-lane bridge.

On 11th September 2003 a meeting to discuss this program was held between Council, represented by the Mayor, General Manager and Acting Director Engineering, and the RTA, represented by Regional Manager, Peter Collins, and Manager Infrastructure, David Bell. The RTA advised that the exact guidelines for the program had not yet been finalised. However, the offer, it is understood, is for Council to replace the current timber bridges with concrete structures within a 7 year period. Apparently the offer is generally confined to the replacement of a 'like' structure for dimension, deck height and width.

Should Council desire to improve the width of the bridge, ie. upgrading the bridge to a two lane standard in accordance with the current provisions of the Bridge Code of Australia, the additional cost is to be met by Council. It is considered that the full replacement of the bridge in line with current traffic volumes and current bridge standards should be undertaken as part of the total package and should qualify for the 50% subsidisation. As part of Council's contribution to the program, it was proposed to partly utilise funding from the Block Grant Program as well as loan funds. The RTA representatives were not able to confirm whether this would be allowable under the new program.

A preliminary estimate for the replacement of the 5 timber bridges in Kempsey Shire without enhancement is \$1.4M and \$2.5M with widening. Unless the RTA contribute 50% of the total cost of the replacement of the bridges, including upgrading, Council may be called on to contribute \$1.8M.

Even if the RTA do fund the full replacement program, Council will need to find its share, \$1.25M, over the 7 years of the program. 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, \$100,000

THIS IS PAGE 30 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

from the Block Grant for this program due to the consequent reductions on the roadworks program. Council is developing a funding reserve for Bridge Construction but this is currently earmarked for Council's Bridge Construction program and any diversion of funds will delay works on Council owned bridges. It would seem that some \$100,000 per year would need to come from either Loan Funds, Revenue or Working Funds.

As the final details of the program are not yet finalised, Council should seek a commitment of a minimum of 50% subsidy for the bridge replacement program, including any necessary upgrading to meet current standards, and that Block Grant funds may be used as part of Councils contributions.

At the meeting with the RTA representatives Council took the opportunity to raise its concerns with the following other issues:

- Traffic Management Plan – Pacific Highway, South Kempsey
- Rehabilitation Work – Pacific Highway, South Kempsey
- Proposed rehabilitation – Macleay Street, Frederickton
- Intersection of Plummers Lane and Pacific Highway
- Pacific Highway Noise Task Force
- Default 50km/hr Urban Speeds
- Improvements to carpark adjacent to Kempsey Traffic Bridge
- Improvements to under western approach Kempsey Traffic Bridge
- Repainting Kempsey Traffic Bridge
- Rezoning of Industrial land adjacent to Highway, South Kempsey (a separate report is being prepared on this issue)

Regional Manager, Peter Collins, indicated his intention to hold similar discussions on a regular basis in the future.

Director's comment:

Council needs to ensure the RTA funding is for a new bridge, to current design standards. To expect Council to fund any improvement above existing facilities is not acceptable.

Council also needs to be aware of the requirement to set aside funding over the next 7 years as its contribution to this program.

Implications:

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

Director Engineering Recommendation:

That representations be made to the Minister for Roads and the Member for Oxley to ensure the 50% subsidy under the Regional Roads Timber Bridge Replacement Program includes the replacement of bridges to the standard of the current Bridge Code of Australia.

2003. 854

RESOLVED:

*Moved: Cl. Sproule
Seconded: Cl. Joukhadar*

THIS IS PAGE 31 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

1. That representations be made to the Minister for Roads to negotiate the subsidy under the Regional Roads Timber Bridge Replacement Program with a view to the replacement of bridges to the standard of the current Bridge Code of Australia.
2. That the Member for Oxley, Mr Andrew Stoner MP be advised.



At this stage 12.58 p.m. Mr Peter Collins Regional Manager RTA addressed Council on the proposal to upgrade the Pacific Highway through Frederickton.



At this stage 1.24 p.m. the Meeting adjourned for Luncheon and upon resumption at 2.23 p.m. all present at the adjournment were in attendance.



The following item DES4 was deferred from earlier in the Meeting.

DES4	REFUND OF FEES, SOUTH WEST ROCKS SURF CLUB
FILE: T6-03-516	RBP
	{Folio No. 262743}

SUMMARY:

Reporting that Council has received a request to waive development application fees and Section 64 contributions in respect to proposed extensions to the South West Rocks Surf Club.



Applicant: R McDonagh
Subject Land: Lot 337 DP754396 Livingstone Street, South West Rocks (South West Rocks Surf Club)

On the 4th August 2003, Council received an application to construct additions to the South West Rocks Surf Club including additional amenities, storage area and social area.

The application has been assessed and is to be approved, subject to determination by Council as to whether any contributions should be payable.

In accordance with Councils Water and Sewage Servicing Plans, the following Contributions are payable:-

- Sewage Augmentation - \$4,742

THIS IS PAGE 32 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

- District Water Supply - \$1,894

Carparking

On the basis that the proposed barbeque/social area is not used in conjunction with the approved restaurant, it is considered that no additional parking requirement would be generated by the extension. In this regard, it is intended to impose a condition restricting the use of the upper level accordingly.

In addition to the above contributions, a Development Application fee of \$534 has been paid for which the Club has also requested a refund.

Council may wish to make a donation to the value of the contributions. As the Development Application fees have been paid, a refund would be required.

Director Environmental Services Recommendation:

For Council's determination.

MOVED:

*Moved: Cl. Sowter
Seconded: Cl. Parkinson*

That the applicant be refunded for any application fees paid and Council make a donation to the value of the contributions required for water and sewerage.

An Amendment was MOVED:

*Moved: Cl. Hunt
Seconded: Cl. Sproule*

That the SWR Surf Life Saving Club be made an offer of an interest free loan of \$6636 comprising the water & sewerage contributions and repayments to commence in the first quarter of 2005.

2003.855

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

DE15	AFFIXING OF COUNCIL'S SEAL	
	FILE: R COOPER SWR JC	{Folio No. 262771}

SUMMARY:

Reporting on the need to affix Council's seal to documents.



Council previously considered a report, at it's meeting of 10th October 2000, regarding encroachments on the road reserve on the southern side of Cooper Street, South West Rocks, west of Gregory Street.

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MAYOR

The survey plan has now been registered and some of the adjacent landowners are now prepared to purchase the lots adjacent to their respective properties. This process involves the preparation of transfer documents by Councils' Solicitors, Howard Sheridan Cooney Harvey. The Council's seal is required to be affixed to these transfer documents.

Directors Comment:

Council needs to formally resolve to affix the seal to the required documents.

Implications:

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

2003. 856

RESOLVED:

*Moved: Cl. Joukhadar
Seconded: Cl. Sproule*

1. That the Mayor and General Manager be authorised to sign the transfer documents.
2. That the affixing of the seal to the relevant transfer documents associated with Cooper Street, South West Rocks, be authorised.

DE16	QUESTIONS WITHOUT NOTICE	
	FILE: C18-28 JC (NRN)	{Folio No. 262772}

SUMMARY:

Reporting on Questions Without Notice from the Council meetings of the 20th March 2001, 14th May 2002, 8th October 2002 & 9th September 2003.



Responses to Councillors Questions Without Notice are listed for information.

Meeting of 20th March 2001

Councillor Sowter

FILE D5-2

{Folio No. 211596}

That the Director Engineering would investigate a drainage problem in Croads Esplanade, Smithtown, at the Smithtown Traffic Bridge where water runs down the footway into a resident's backyard.

Quotation has been dispatched to the RTA. The RTA have done their own design to their standard. Council is now waiting for the RTA to present a design for quotation for Council to complete the work.

THIS IS PAGE 34 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR



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 8th October 2002

Councillor Parkinson

File: LA9508

{Folio No. 243510}

That the Director Engineering would make enquiries about whether there was a possibility of the water towers at the Crescent Head Golf Course being used for whale watching shelters.

The old water towers are unroofed concrete structures. To convert into a shelter would require construction of access ways and provision of roofing, estimated to cost \$25,000 per reservoir.

If Council was of a mind to provide a whale watching facility, it may like to consider platforms, with seating at appropriate locations. These could be included in the yet to be developed Plan of Management for Crescent Head Reserve.



Meeting of 9th September 2003

Councillor Parkinson

File: G1-2

{Folio No.261162 }

That the Director Engineering would discuss with the roadside mower operators the matter of plastic bags on the road reserves.

Operators inspect the roadsides prior to slashing for obstacles and visible rubbish. Any residue left after the operation is not normally picked up as this would increase operational costs by 200 to 400%.

Implications:

THIS IS PAGE 35 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

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

2003. 857

RESOLVED:

*Moved: Cl. Sowter
Seconded: Cl. Sproule*

That the information be noted.

DE17

WORKS IN PROGRESS

FILE: R8-2 KJF (NRN)

{Folio No. 262773}

SUMMARY:

Reporting on Works in progress.



ROADS

Regional Roads

Sealed

Patching and general maintenance is continuing on all the Regional Roads. The intersection of Smithtown Road and Rawson Street, Smithtown, is currently being rehabilitated and should be completed by mid October.

LOCAL ROADS

Sealed Rural

Pavement maintenance work on the sealed road network is continuing.

The raising of sections of the levee bank along Summer Island Road as part of the Lower Macleay Levee raising project has been completed.

Remedial work on Goulds Lane has been completed and an additional section has been sealed as part of dust mitigation for the nearby residences.

Rehabilitation works has been completed on Belmore River Right Bank Road.

Rehabilitation works on Collombatti Road is currently in progress and should be completed by mid October.

UNSEALED RURAL

Gravel Resheeting

The resheeting of Collombatti Road has been completed. The resheeting of Spooners Avenue is due to commence shortly. This project was originally scheduled for later in the financial year but brought forward due to the dry and dusty climatic conditions.

THIS IS PAGE 36 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

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MAYOR

The next road on the resheeting program is Old Station Road, due to start in December.

Maintenance Grading

The "Shire East" roads maintenance crew is currently in the Aldavilla Area (Area East 5).

Roads that were graded during this month:

Spooners Avene	Sual Cowbails Road
Saleyards Road	White Rocks Road
Jacks Crossing Road	Chain O'Ponds Road
Cedar Crossing Road	Roses Road
Johnstone Access	Ptolemys Access

The "Shire East" crew will thereafter continue with maintenance grading in the South Kempsey/Yessabah Area (Area East 6).

The "Shire West" roads maintenance crew is currently busy with maintenance grading in the Milbank Area (Area West 7).

Roads that were graded during this month:

Mungay Flat Road	Secombs Lane
Kesbys Road	Sundowner Road
Mungay Creek Road	Dennis Road
Mines Road	Dungay Creek Road
Mooneba Road	Jacks Crossing Road
Corrangula Road	Anembo Lane
Lawrences Road	

The "Shire West" crew will thereafter continue with maintenance grading in Nulla Nulla (Area West 1).

TOWN AND VILLAGE STREETS

Kempsey Town Improvements

Pavement Strengthening has been completed in Sea Street (Broughton to Polwood and Leith to Elrington). This work was performed under the Roads to Recovery program.

Hat Head Town Improvement

Stage 2 of the drainage works around the intersection of Fern and Straight Streets will commence in April 2004.

South West Rocks Town Improvement

The CBD drainage improvement project in Memorial Avenue near Livingstone Street is in progress. The section of pipeline through the public park has been completed from the creek up to the corner of Memorial/Livingstone Streets and from this intersection to Paragon Avenue. The pipeline south of this intersection towards Landsborough Street is currently under construction.

The kerb and gutter and associated works at the Paragon/Memorial intersection in line with the MasterPlan will commence after the School Holidays.

FOOTPATHS AND CYCLEWAYS

The cycleway in Philip Drive has been completed in front of the properties in Philip Drive. The continuation of the cycleway will re-commence in November. The works will link up with the footpath running through Brighton Park and continue towards Arakoon, beside Phillip Drive roadway, to the limit of available funds.

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 Headworks structure is scheduled for October after dewatering of the site.

The Macleay River levee has been raised along Summer Island Road in three sections.

BRIDGES / STRUCTURES

Smithtown Wharf

The extension of the Smithtown wharf is complete with minor cleaning up works still in progress.

Specific Maintenance

Emergency repair work has been performed on Kyles Bridge (Toms Gully Rd). Specific maintenance on Fullers Bridge on Nulla Nulla Creek Road has been completed.

The bridge crew will assist with the Belmore flood structure works and thereafter continue with specific maintenance on McManus Bridge.

HORTICULTURE

Coastal Weeds Rehabilitation Project

Meeting by Steering Committee to inspect areas sprayed in the last three months undertaken.

Riverside Park

THIS IS PAGE 38 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

Planting works 75% complete. Remainder to be completed by Kempsey Rotary.

Smith/Belgrave Street Landscaping

Medians replanted, except for those adjacent to the railway line and roundabout at West Kempsey. These medians are difficult and dangerous to maintain due to the close proximity of the railway line and roundabout. A quote is being prepared to concrete infill these medians.

Plans of Management

Horseshoe Bay Plan is in a final draft stage and on public display.

Draft of Verge Street Plan has been commenced.

Gregory Street Streetscape Improvements

Tree maintenance work underway. Mulching and street tree planting to proceed immediately afterwards

Sporting Season Changeover

All sporting facilities have been prepared for the Summer sporting season.

Crescent Head Landscaping

Plans are being prepared for the upgrading of the Business precinct at Crescent Head. The Crescent Head Chamber of Commerce has been approached to provide input.

Netball Courts

To remain closed until the end of the school holidays following renovation works

BUILDING SERVICES

Work completed last 4 weeks

- Ongoing maintenance to amenities and realignment of pavers in public areas.
- Aged Care Units – miscellaneous repairs.
- South West Rocks Museum – erect cover for Pilot Boat.
- Thompson Street Depot – EPA Waste Management requirements:
 - construct concrete slab for waste oil collection tank for workshop
 - remove old waste oil tank for disposal.

THIS IS PAGE 39 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

- Swimming Pools – prepare for new season and paint.

Work proposed next 4 weeks

- Civic Centre – complete work associated with disabled toilet to first floor.
- Bellbrook Works Depot – improve lighting/install fax machine.
- Hat Head Surf Club – commence work associated with disabled access ramp.
- Airport – secure storage for aircraft power unit.
- Kempsey Pool – replace shade structure to baby pool.

Implications:

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

Director Engineering Recommendation:

That the information be noted.

2003. 858

RESOLVED:

*Moved: Cl. Hayes
Seconded: Cl. Bowen*

That a report be provided on the actions to improve and upgrade the condition of the median in Belgrave Street and the Elbow Street roundabout.

2003. 859

RESOLVED:

*Moved: Cl. Howell
Seconded: Cl. Sproule*

That the information be noted.

DIRECTOR ENGINEERING SUPPLEMENTARY REPORT

DE18 (SUPP.)	MINISTERIAL INQUIRY INTO PUBLIC PASSENGER TRANSPORT FILE: T9-2 KJF
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SUMMARY:

Reporting on the Interim Report into the Ministerial Inquiry into Public Passenger Transport.



The Minister for Transport Services, the Hon. Michael Costa, MLC has released an Interim Report into the Ministerial Inquiry into Public Passenger

THIS IS PAGE 40 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

Transport, also known as the Parry Report. The deadline for submissions was 10th October 2003. A final report will be presented to the Minister in December 2003.

Key public transport reform options outlined in the interim report include:

(1) Rail Sector

- Simplify existing complex CityRail operating patterns through increased sectorisation
- Replace some CountryLink rail services with CountryLink bus services
- Implement a five year public contract for State Rail Board and CEO that specifies delivery of designated improvements, changes to culture, operations and infrastructure.

(2) Bus Sector

- Give State Transit a more business unit structure, competing within itself and with other operators for its existing contract areas
- Subject future private contract areas to State Transit competition, and require all contracts to be performance-based
- Ensure the government rather than operator makes decisions on providing unprofitable services.

(3) Ferry Sector

- Improve cost effectiveness of government-operated ferry services by separating ferry operations from State Transit.

(4) Light Rail Sector

- Integrate planning for light rail expansion with planning for other modes especially in Sydney CBD.

(5) Fares and Ticketing

- Have IPART set real fare increases for all transport services over a longer term price path – to improve the acceptability of fare increases greater than inflation, service improvements would need to be delivered in conjunction with improvements to service quality
- Use the peak period single trip fare as the basic ticket product, with any discounts tied to a greater use of smart-card technology.

(6) Other revenue options

- Developer bonus for developers that contribute to public transport
- Sale of developer density rights within infrastructure value capital districts
- Expansion of existing Section 94 contribution plans
- Increased commercialisation, eg by sale of property and air space near public transport
- CBD employee tax from non-user beneficiaries of public transport, ie employers
- Transport levy on motor vehicles or households across NSW to be used specifically for transport funding.

The Mayor raised the issue at the 19th September 2003 meeting of the Country Mayors Association and they resolved:

THIS IS PAGE 41 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

1. That an urgent letter be forwarded to the Minister for Transport Services seeking an extension to the closing of the 10 October 2003 for submissions to the Parry Inquiry.
2. That the Secretary liaise with the Presidents of the LGA and LGSA to discuss an urgent response to the Parry Inquiry.
3. That an appropriate media release be distributed by the Chairman of the Association expressing the concern of the Association at any recommended cutbacks or downgrading of the CountryLink train services.

The Local Government Association of NSW (LGA) and Shires Association of NSW called an urgent meeting of councillors from across the state on 1 October to discuss the implications of the Parry Report into public transport, especially relating to the planned reductions to CountryLink services outlined in the report. Unfortunately, due to the lateness of notice, Council was not represented at this meeting.

There was particular concern about plans to scrap or scale back many country rail services. The meeting heard that without \$100 million per year for investment in new rolling stock, there would be no country rail in NSW by the end of the decade. This includes the Sydney to Melbourne corridor and services to Canberra. Australia would then be the only developed country in the world without a rail service to our national capital.

Country councils and communities are working hard to keep their areas viable. The loss of rail services would be a huge blow. Victoria and Queensland have had major boosts to rail funding, and NSW is being left behind. This has impacts on everything from health and education to economic development and tourism in country areas. At the meeting it was decided that local government would undertake a campaign to see recommendations to slash CountryLink overturned.

L.G.S.A immediate actions include:

- Letters to the Minister for Transport Services, Minister for Regional Development, Minister for Tourism and Minister for Agriculture rejecting the sections of the Parry report relating to the reduction of CountryLink Services and demanding a meeting with the Minister
- Contacting every council in the state and encouraging them to make submissions in response to this report
- Supporting local lobbying efforts in whatever way they can, including the provision of a kit emailed to all councils early last week to assist councils in their community campaign.
It will include:
 - a draft letter to local MPs
 - a generic media release
 - generic flyer for use in local communities
- Urging ongoing community action even beyond the closing date for submissions because this issue is vitally important.

A submission was made to the Inquiry, on behalf of Council, and a copy is attached at [\(Appendix K\)](#).

THIS IS PAGE 42 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

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MAYOR

Council may like to determine the level of response to the LGSA actions. No funding has been made available to Council to support an extensive campaign, but it is proposed that Council urge the community to lobby the Minister to not only retain but enhance country rail services. This can be achieved through media releases and through the weekly Mayoral Column.

Implications

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

Director Engineering Recommendation:

1. That representations be made to the Minister for Transport Services and the Member for Oxley urging retention of country rail services.
2. That ratepayers be urged to lobby the Minister for Transport Services to not scrap or cut back country rail services.

2003. 860

RESOLVED:

*Moved: Cl. Howell
Seconded: Cl. Joukhdar*

1. That representations be made to the Minister for Transport Services urging retention of country rail services.
2. That the Member for Oxley be requested to support the representations.
3. That the ratepayers and residents be urged to lobby the Minister for Transport Services to maintain current country rail services.

DE19 (SUPP.)	PROPOSED NEW BRIDGE – MACLEAY RIVER – KEMPSEY	FILE: T9-2, B6-62 KJF	{Folio No. *}
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SUMMARY:

Reporting on progress to date on the proposed new bridge over the Macleay at Kempsey.



In February 2003, Mr Tony Stewart, Parliamentary Secretary for Roads, advised Council of funding for further investigations for the Second Bridge Crossing over the Macleay River at Kempsey.

The Roads and Traffic Authority subsequently advised that funding in the amount of \$200,000 was available for Council to continue with the

THIS IS PAGE 43 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

environmental assessment, geotechnical studies and design work on the project.

Council prepared a detailed brief outlining the scope of the work required and tenders were publicly invited. The tender was divided into the following five components:

- Item 1 - Investigation
- Item 2 - Concept Design
- Item 3 - Environmental Issues
- Item 4 - Detailed Design
- Item 5 - Construction Tender Documentation.

Tenders (Tender C15-652) for the Professional Services for the Concept and Detailed Design were advertised publicly and closed at 10.00am on 3rd June 2003.

The following complying tenders were received:

TENDERER	TENDER PRICE
Cardno MBK	\$396,000
GHD	\$458,137
Roadnet	\$498,600
Sinclair Knight Merz	\$556,617
Connel Wagner	\$620,000

Assessment of the tenders was undertaken by Council's Engineering Department. All tenders were assessed against the following 5 attributes:

Offer Price	30%
Quality	15%
Design	30%
Track Record/Reputation	15%
Enhancement of Capabilities of Local Business	10%
	100%

As a result of this assessment, the preferred tenderer is Cardno MBK. This tender conforms to the requirements set out in Council's Tender C15-652. Cardno MBK has the expertise and capabilities to undertake this project and has a proven track record in similar projects.

Details were forwarded to the RTA seeking their concurrence to the appointment of Cardno MBK. This was only recently received.

However, as shown, the total of the tender is \$396,000 plus GST and funding available is only \$200,000. The RTA has asked that Council insert a Hold Point in the contract requiring approval before proceeding with Items 4 and 5. This will allow the RTA and Council to progress discussions on a decision to proceed with the project and the funding arrangements whilst the consultant proceeds with concept design and REF. Council could provide the balance of funds to complete these preconstruction activities but, in this instance,

THIS IS PAGE 44 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

Council funds would be expended with no guarantee of the project proceeding to construction. Council could approve the acceptance of the tender from Cardno MBK and engage them to undertake professional services to the value of \$200,000.

Council should note that no allowance has been made for Council staff to project manage this contract. However, details on time and costs to date will be collated for discussions with the RTA on funding arrangements and the funding apportionment.

Also, Council should be very aware of the possibility of delays to the Kempsey Bypass. The major benefit of the Second Bridge project is in the short term, whilst the decision on the Pacific Highway Upgrade is made and that project progresses through the EIS and design stages. No commitment has been made, by either State or Federal Government, to fund the Pacific Highway Upgrade beyond 2006. Progress on the 2nd Bridge project has also been longer than anticipated. At the Value Management Study for the Pacific Highway Upgrade in February, the RTA indicated that the construction of the 2nd Bridge would allow deferral of the Kempsey Bypass. Also, the 2nd Bridge proposal offers no benefit to Frederickton and does not remove heavy vehicles from Central and South Kempsey.

Council has previously pursued the RTA and relevant MP's, Ministers etc. to upgrade the Highway through Kempsey and Frederickton.

Apart from informal discussions with the RTA in 2002, Council has not formally resolved its preference for the highway to bypass Kempsey or for the current alignment of the highway to be upgraded. Council may like to formally resolve to support the Pacific Highway Bypass of Kempsey in preference to an upgrade of the current highway.

Council did resolve on 12th February 2000:

"That the RTA be advised that the by-pass of the Frederickton residential area is still a matter of urgency."

At this point in time, the Minister is still to make an announcement on the preferred route of the Bypass and the likelihood of such an announcement before Christmas is limited. Traffic volumes will continue to increase, particularly the number of heavy vehicles and road safety and noise issues need attention now.

Council may like to vigorously pursue the Minister for:

1. further funding for the Second Bridge Project, as the benefits are greatest in the short term.
2. the prompt announcement of the preferred Pacific Highway Bypass route.
3. an immediate commitment to the construction of the Bypass.

Financial Implication

THIS IS PAGE 45 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

The financial implication of the following recommendation is expenditure of RTA grant funds of \$200,000. For further funding on the Second Bridge Proposal, provision has been made in Council's forward budget.

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

Director Engineering Recommendation:

1. That the tender submitted by Cardno MBK for the provision of Professional Services for the Concept and Detailed Design of the Second Bridge Crossing of the Macleay River, Kempsey, be accepted and that Cardno MBK be engaged to undertake professional services to the value of \$200,000.
2. That the preferred option for the Upgrade of the Pacific Highway at Kempsey is by way of a Pacific Highway Bypass of Kempsey.
3. That the Hon. Carl Scully MP, Minister for Roads, be approached to:
 - (i) provide further funding for the Second Bridge Project
 - (ii) make a prompt announcement on the route for the Pacific Highway Bypass of Kempsey
 - (iii) make an immediate commitment for the construction of the Pacific Highway Bypass of Kempsey.

MOVED:

*Moved: Cl. Bowen
Seconded: Cl. Hunt*

1. That the Hon. Carl Scully MP, Minister for Roads, be approached to:
 - a) make a prompt announcement on the route for the Pacific Highway Bypass of Kempsey
 - b) make an immediate commitment for the construction of the Pacific Highway Bypass of Kempsey
2. That Council approach the Shires Association for that body to make representation to the Federal Government to act upon the concept espoused by the Deputy Prime Minister to improve rural infrastructure.

An Amendment was MOVED:

*Moved: Cl. Parkinson
Seconded: Cl. Sowter*

That Council write to the relevant minister and request that the \$200,000 offered for the second bridge crossing be re-allocated for investigation of a crossing over the Lower Macleay.

The AMENDMENT was PUT to the Meeting and was LOST.

THIS IS PAGE 46 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

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MAYOR

The MOTION was PUT to the Meeting and was LOST.

MOVED:

Moved: Cl. Joukhadar
Seconded: Cl. Hunt

That the tender submitted by Cardno MBK for the provision of Professional Services for the Concept and Detailed Design of the Second Bridge Crossing of the Macleay River, Kempsey, be accepted and that Cardno MBK be engaged to undertake professional services to the value of \$200,000.

An Amendment was MOVED:

Moved: Cl. Hunt
Seconded: Cl. Howell

1. That the tender submitted by Cardno MBK for the provision of Professional Services for the Concept and Detailed Design of the Second Bridge Crossing of the Macleay River, Kempsey, be accepted and that Cardno MBK be engaged to undertake professional services to the value of \$200,000.
2. That the preferred option for the Upgrade of the Pacific Highway at Kempsey is by way of a Pacific Highway Bypass of Kempsey and Frederickton.

The AMENDMENT was PUT to the Meeting and was LOST.

2003.861

The MOTION was PUT to the MEETING and was CARRIED.

DE20 (SUPP.)	FLOOD LEVELS FILE: F5 KJF
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{Folio No. *}

SUMMARY:

Reporting on adoption of flood levels and the public meeting to advise the community.



Council's Macleay Flood Risk Management Committee, at its meeting in June 2003, resolved:

"That the datum for flood levels at the Kempsey Traffic Bridge be Australian Height Datum (AHD) and that appropriate community education be undertaken".

The benefits of converting to AHD from the old Kempsey Flood Gauge are:

- common reference to other gauges down stream (upstream gauges are to local arbitrary level)
- consistent with engineering modelling and development controls

THIS IS PAGE 47 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

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MAYOR

- avoidance of confusion and/or errors associated with reference to levels which aren't obviously different
- best long term outcome

The SES has reviewed their Flood Plan and made the appropriate adjustments.

Council has completed preparation of the Flood Web Page and it is proposed to launch this publicly accessible site at the same time. This Web Page, which is linked to Council's Web Page and the Bureau of Meteorology Web Page, provides real-time data on rainfall and river heights.

It is proposed to launch the new level data and the Web Page during National SES Week, 10th – 16th November 2003 on Wednesday, 12th November 2003, at the Kempsey RSL, commencing at 6.00pm. The SES and Council will man a shopfront display and information centre for the week. Advertising will be initiated prior to the public meeting and the SES will visit all CBD shop owners in advance.

Implications:

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

2003. 862

RESOLVED:

*Moved: Cl. Hunt
Seconded: Cl. Sproule*

That the information be noted.

DIRECTOR CORPORATE AND COMMUNITY SERVICES REPORT

DCCS1	REPRESENTATIONS TO MINISTER FOR HEALTH BY ANDREW STONER MP FILE: H2-10 JMC (NRN)	{Folio No. 262780}
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SUMMARY:

Reporting on action taken by the member for Oxley, Mr Andrew Stoner MP in regard to a proposed new Kempsey District Hospital.



Andrew Stoner has written to the Minister for Health, The Hon Morris Iemma MP as follows:-

“Herewith correspondence from Kempsey Shire Council in support of a new 86-bed hospital at Kempsey following release

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MAYOR

of the Mid North Coast Area Health service Area Asset Strategic Plan 2003.

During the March State Election campaign, then Minister for Health, Craig Knowles, committed to a new 86-bed hospital at a cost of \$43.6m for an 11,500 square metre new building. Although Kempsey District Hospital has a fine record of service to the Macleay community, it had reached its used-by date in terms of contemporary medical standards and a new hospital is warranted rather than another refurbishment.

Please give priority to the reconstruction of Kempsey District Hospital along with the promised Community Health Centre at South West Rocks.”

Implications

The report has been edited and there are no financial, policy or statutory implications.

2003. 863

RESOLVED:

*Moved: Cl. Parkinson
Seconded: Cl. Joukhadar*

That the information be noted.

DCCS2	STATEMENT OF BANK BALANCES AS AT 30TH SEPTEMBER 2003 APC
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SUMMARY:

Submitting the Statement of Bank Balances as at 30th September 2003.



[\(Appendix A\)](#)

Financial Implication

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

2003. 864

RESOLVED:

*Moved: Cl. Parkinson
Seconded: Cl. Joukhadar*

That the information be noted.

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MAYOR

**DCCS3 STATEMENT OF INVESTMENTS HELD AS AT 30TH
SEPTEMBER 2003
APC**

SUMMARY:

Submitting the Statement of Investments held as at 30th September 2003.



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, policy or statutory implications arising from this report.

2003. 865

RESOLVED:

*Moved: Cl. Sowter
Seconded: Cl. Sproule*

That the information be noted.

**DCCS4 QUESTIONS WITHOUT NOTICE – AUSTRALIA DAY
FILE: P12-3 (261168) MLB (NRN) {Folio No. 262782}**

SUMMARY:

Reporting on Questions without Notice by Councillor T Hunt regarding the Great Ideas Grants for Australia Day 2004.



At Council's meeting of the 9th September 2003 in Questions without Notice Councillor Hunt was advised:-

"That the Director Corporate and Community Services would investigate the availability of a grant of up to \$5,000 for an Australia Day event as detailed in the weekly circular of 5th September 2003."

The Australia Day Council of NSW announced a new concept, which is the Great Idea Grants Program that is supported by Woolworth's Limited.

The Great Idea Grants have been designed to encourage local government areas in developing new events or activities for their Australia Day activities. An amount of up to \$5,000 can be applied for in order to trial a new event or implement a new concept.

THIS IS PAGE 50 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

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MAYOR

The criteria for the events are:-

- Project / activity must be of direct benefit to the local community,
- The application must demonstrate that the activity is open to wide community involvement
- Project / activity must be a new initiative. Pre-existing activities will not be considered for funding.
- Applications should demonstrate consultation with any community group involved in or affected by the activity,
- Buildings / Permanent Structures will not be considered
- Projects cannot be a profit making exercise.

Applications closed on Friday, 10th October 2003.

A grant application was placed in for a Still Photo Competition to the value of \$4490.00 with Council meeting \$200 of this from our existing budgets.

The Still Photo Competition would provide a record of what Australia Means to our youth through their eyes.

The funding will help provide disposable cameras and film for up to 200 people to participate in the competition and the processing of the cameras and film. Those photos selected will be then on display at the official function at the Kempsey Macleay RSL Club.

Financial Implication

The financial implication of the following recommendation would be a grant to the value of \$4290.00.

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

2003. 866

RESOLVED:

*Moved: Cl. Sowter
Seconded: Cl. Sproule*

That the information be noted.

DCCS5	QUESTIONS WITHOUT NOTICE – PROPOSED CEMETERY
FILE: C4-13 (261172)	MLB (NRN) {Folio No. 262785}

SUMMARY:

Reporting on Questions without Notice by Councillor T Hunt regarding the Aboriginal Consultants Report on the proposed Cemetery Site, Crottys Lane Yarravel.



At the Council meeting of the 9th September 2003 in Questions without Notice Councillor T Hunt was advised:-

THIS IS PAGE 51 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

“That the Director Corporate and Community Services would arrange for a copy of the Aboriginal Consultants report on the Crottys Lane cemetery land, costing \$3,000, to be provided to Councillors.”

In January 2001 Council commissioned the Kempsey Local Aboriginal Land Council to undertake an Aboriginal Archaeological Study / Assessment of the site that complies with the requirements of the National Parks and Wildlife Service.

The Aboriginal Land Council then arranged for three (3) officers to undertake this study over two (2) to three (3) days resulted in the report attached at [\(Appendix C\)](#).

Implications

The report has been edited and there are no financial, policy or statutory implications.

2003. 867

RESOLVED:

*Moved: Cl. Sproule
Seconded: Cl. Hunt*

That the information be noted.

DCCS6	WORKING TOGETHER FOR MENTAL HEALTH
FILE: H2-13	TIH (NRN) {Folio No. 262788}

SUMMARY:

Reporting on a response received from Dr A Chesterfield-Evans MLC concerning Mental Health Services in NSW.



At Council's meeting of the 9th September 2003 Council considered a delegates report on Working Together for Mental Health Conference. It was resolved:-

- “1. That Council request to the Minister for Health the Honourable Maurice Iemma MP to urgently review the recommendations of the Legislative Council inquiry into Mental Health Services in NSW.*
- 2. That the Honourable Mr Mark Vaile MP, Mr Luke Hartsuyker, Dr Chesterfield-Evans and Mr Andrew Stoner MP Member for Oxley be advised accordingly.”*

Advise has been received from Dr Chesterfield-Evans as follows:-

“ I have been active in attempting to get a response from the government to the Mental Health report, which as you know was released on 6/12/02.

THIS IS PAGE 52 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

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MAYOR

Letter has been sent to the National Parks and Wildlife Services required this to happen, at the date of this report being prepared no response has been received.

2003.750

Methods of investigating unknown sites.

This matter has been referred to the newly established Culture and Heritage Sub Committee of the ALC to hold its first meeting on the 16th October 2003. (see 2003.754)

2003.752

Roads and Traffic Authority (RTA) – Flowchart of handling Aboriginal Culture and Heritage matters.

Flowcharts sent to Department of Environmental Services with Department of Environmental Services to set a date to discuss and workshop these flowcharts to Council's specifications. At time of preparing this report meeting had not yet be held.

2003.753

Tabling of flowchart at next ALC – Item listed on the Agenda.

2003.754

Establishing Reference Groups / Sub Committees of the ALC to cover, Culture and Heritage, Education, Law and Order, Health, Aged Care and Disabilities, Housing.

- 1 Meeting held at the Greenhills Community Centre on 22nd September 2003 to establish Culture and Heritage Sub Committee, Minutes of that meeting attached at [\(Appendix D\)](#).
- 2 Discussions planned for 1st October 2003 with ATSIC Many Rivers Region Chairperson Steve Blunden regarding other sub committees and the Culture and Heritage Sub Committee.

2003.755

That negotiations be undertaken to form Regional Treaties as outlined in Statement of Commitment Action Plan.

Council's Resolution:-

That the ALC recommendation be deferred until wording in the Statement of Commitment Action Plan has been clarified.

The Statement of Commitment refers to Regional Agreements not Treaties.

The proposal is for the ALC and eventually Council to prepare a number of agreements regarding such issues as employment, Crown Land Management, Council Land Management etc etc. All of these issues will be discussed

THIS IS PAGE 54 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

and debated fully by the newly formed sub committees before being report to Council for “adoption”.

2003.756 Statement of Commitment Action Plan / Planning Committee Report – 14th August 2003.

Attached at [\(Appendix E\)](#) are the relevant details of the 14th August 2003 report.

2003.757 That an on site meeting be held with the Bradshaw family, Kempsey Local Aboriginal Land Council representatives, Elders, the developers and Kempsey Shire Council to identify the Burial sites on the land opposite the old Pipers Creek Road intersection along Gowings Hill Road.

At the time of preparing this report the meeting had not yet been held.

2003.758 See 2003/756 – Statement of Commitment Action / Planning Report 14th August 2003.

2003.759 That the Human Resources Manager be invited to the next meeting to give an update of the Aboriginal Employment Strategy.

Talks have been held with the Human Resources Manager and the Aboriginal Liaison Officer with an invitation given. The Human Resources Manager has requested the proposed nominated Team Leaders, Jim Rose and Trevor Atkinson to be able to attend this meeting also. Next ALC meeting to be held on the 22nd October 2003.

2003.761 That the Department of Housing Team Leader, John Hart be required to attend ALC together with Coordinators of South and West Kempsey Projects whenever possible.

Open invitations have been extended to John Hart, Mavis Symonds and Andrew Smith to attend whenever possible.

2003.762 That the ALC be required to establish a sub committee for Local Aboriginal Events Coordinator (with the power to co-opt externally to the ALC) with main objective being to run events for NAIDOC Week, Sorry Day, Australia Day, Back to Burnt Bridge and other festivals relevant to Local Aboriginal activities.

Council's resolution – That the Aboriginal Liaison Committee Recommendation 7.6 be adopted subject to the deletion of Australia Day from the Recommendation and that a representative from the Aboriginal Liaison Committee be invited to be a member of the Australia Day Committee.

THIS IS PAGE 55 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

Listed for nominees to be appointed at next ALC meeting and call for nominees for Australia Day Committee.

2003.763 Anti Social Behaviour proposal – Community Projects Officer has held talks with the Goorie Interagency Group but has still yet to further consultations with the ALC, South West Rocks (Fig Tree Estate), South and West Kempsey, Burnt Bridge, Greenhills and Bellbrook Reserves.

2003.764 Aboriginal Network Conference – Wollongong
Councillor Howell and Mentor, Gerald Hoskins registration to attend conference have been made.

2003.767 Cultural Awareness Training
Is listed for April 2004 following the Local Government Elections.

2003.768 Heritage Study of Goolawah Area.
Listed for discussion and action at the 16th October 2003 meeting of the ALC Culture and Heritage Sub Committee.

2003.769 Financial costs of undertaking the Culture and Heritage Studies.
This matter to be discussed at the Culture and Heritage Sub Committee meeting to be held on the 16th October 2003.

COMMENT BY GENERAL MANAGER

Financial Implication

The financial implication of the following recommendation would be met from the various budgets.

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

2003. 869

RESOLVED:

*Moved: Cl. Sproule
Seconded: Cl. Joukhadar*

That the information be noted.

DCCS8	INVESTMENTS AS AT 30 JUNE 2003	
	FILE: A2-16 APC (NRN)	{Folio No. 262793}

SUMMARY:

Reporting on Council's investment portfolio as at 30 June 2003.

THIS IS PAGE 56 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR



Council at its meeting of the 9 September resolved that a report be prepared on the balance of funds invested as at 30 June 2003 detailing the programs and projects that the general fund amount of \$5,216,156 represented

The Investment Return to the 30 June 2003 was prepared prior to the finalisation of the 2002/03 financial accounts and the transfer of funds between Council's general investments and restricted reserves.

The transfer of funds both internally between Council General, Water and Sewer funds, loan accounts and reserves is carried out on an annual basis.

Details of Council's investment portfolio and bank account balances together with loan, RTA Advances, Unexpended Grants and reserve balances as at 30 June 2003 are set out below:

Cash & Investments:

Bank Accounts	\$ 960,991.52
Investments	\$17,817,489.05
Total Cash & Investments	\$18,778,480.57

Restrictions:

Contributions:

General Fund Developer Section 94 Contributions	\$2,356,676.54
Sewer Section 64 Developer Contributions	\$2,363,653.61
Water Section 64 Developer Contributions	\$ 908,780.31
Ancillary Works Contributions	\$ 11,929.50

Grants:

Specific Purpose Unexpended Grants	\$1,171,135.06
RTA Advances	\$ 272,677.76

Loan Funds:

General Fund Loans	\$1,751,248.70
Water	\$2,323,430.70
Sewer	\$ 912,024.31

Reserves:

Water Augmentation	\$ 843,892.63
Water Tariff Equalisation	\$ 165,000.00
Water Uncompleted Works	\$ 400,947.00
Sewerage Augmentation	\$ 765,000.00
Sewer Uncompleted Works	\$ 355,477.00
Domestic Waste Management	\$ 249,503.46
Caravan Parks	\$ 211,859.29
Employee Leave Entitlements	\$ 868,902.53
Plant	\$ 139,893.70
Onsite Sewerage	\$ 67,527.83
Homes for Aged	\$ 5,521.68
Bridge	\$ 47,372.61

THIS IS PAGE 57 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

- 1 Whether or not the Council's annual financial reports have been drawn up in accordance with:-
 - the act and the regulations; and
 - the Local Government Code of Accounting Practice and Financial Reporting; and
 - the Local Government Asset Accounting Manual; and
 - the Australian Accounting Standards; and
- 2 Whether or not those reports present fairly the Council's financial position and operating result for the year; and
- 3 Whether or not those reports accord with the Council's accounting and other records; and
- 4 Whether or not the signatories know of anything that would make those reports false or misleading in any way.

Council's financial reports have been prepared in accordance with the above requirements.

The Local Government Act provides that Council's financial reports must be prepared and audited within four months after the end of the year, ie by 31st October 2003. Council's auditors will conduct the audit in the week commencing 13 October 2003.

Attached at [\(Appendix G\)](#) are copies of the Statement of Financial Performance and Financial Position for the year ended 30 June 2003. In comparison with the previous year:-

- Operating Revenue increased by 2.26% to \$32.1m
- Operating expenses increased by 1.21% to 35m
- Total equity increased by 7.45% to 359m.

The Auditor's report will be represented to Council upon its receipt.

Implications

The Statement complies with statutory guidelines provided under the Local Government Act. There are no financial or policy implications arising from the following recommendation.

2003. 871

RESOLVED:

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

That pursuant to Section 413(2)(c) of the Local Government Act 1993 Council declares that in its opinion:-

- a) **the financial reports fairly represent the financial position of Kempsey Shire Council as at 30 June 2003; and**
- b) **the financial reports have been prepared in accordance with the requirements of the Local Government Act 1993,**

THIS IS PAGE 59 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

the Local Government Regulations 1993, the Local Government Code of Accounting Practice and Financial Reporting, the Local Government Asset Accounting Manual and the Australian Accounting Standards; and

- c) the financial reports are in accord with Council's accounting and other records; and
- d) Council is not aware at this time of any circumstances, which would render any particulars included in the financial report to be misleading or inaccurate.

DIRECTOR BUSINESS ENTERPRISES REPORT

DBE1	RENTAL PROPERTY – AKUBRA PLACE WORKSPACE FILE: LA18995 GBS (NRN) COPY: APC {Folio No.262797}
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SUMMARY:

Reporting on the need to undertake repairs to the concrete floor of the building leased to Fredo Pies and Ice Creams Pty Ltd.



The premises at Lot 98, Akubra Place, South Kempsey, is leased to Fredo Pies and Ice Creams Pty Ltd. The term of the lease is 5 years with an option to renew for a further 5 years.

The Lessees have drawn Council's attention to the condition of the concrete flooring in the food preparation area. There are a number of cracks which have steadily deteriorated over the past year or so.

Fredo Pies are undergoing quality control with regular audits. The floor faults may well jeopardise the attainment of the required standard.

Council's staff have examined the building and assessed the damage as being the result of expansion and contraction of the sub-base.

It is proposed that repair be effected by using an epoxy grout and repainting the surface. The repair works would need to be done at a time so as to not unduly interfere with production.

Directors Comment:

This report should be considered in conjunction with a Confidential Report relating to the possible sale of the premises.

Report Implications:

THIS IS PAGE 60 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

The 2003/04 Budget provision for routine maintenance is \$1,200. The estimated cost of the repair work is \$5,500.

If Council is to proceed with the repair work it will be necessary to increase the Budget allocation by \$4,300 with a vote from Working Funds.

There are no Policy or Statutory implications.

Director Business Enterprise Recommendation:

That should Council not sell the Akubra Place premises, Council agree to undertake the necessary repairs to the concrete floor and allocate an additional \$4,300 from Working Funds for this purpose.

2003. 872

RESOLVED:

*Moved: Cl. Howell
Seconded: Cl. Bowen*

That Council agree to undertake the necessary repairs to the concrete floor and allocate an additional \$4,300 from Working Funds for this purpose.

DBE2	SALE YARDS – ALLOCATION OF SALE DATES FOR 2004
	FILE: S1-2 GBS
	{Folio No. 262805}

SUMMARY:

Reporting on discussions held with applicants for use of Sale yards in 2004.



A report on the application by two (2) agents for use of the Sale yards in 2004 was submitted to the 9th September 2003 meeting of Council, whereat it was resolved:

“That the matter be referred to the General Manager to negotiate with the agents on a possible rearrangement of sale days in an attempt to achieve a system whereby the regular Council sale days allow multiple stock agencies to operate whilst retaining the concept of exclusive use by agents for special sales of certain classes of stock.”

The General Manager and Director Business Enterprises have held discussions with the principals of both Kempsey Stock and Land and Macleay Valley Stock and Station in order to properly evaluate the applications.

The principal of Macleay Valley Stock and Station indicated that his application was on the basis of permission being granted for his company to commence operations and use the Sale yards in conjunction with the existing Agents Kempsey Stock and Land, who run fortnightly sales on a Thursday.

THIS IS PAGE 61 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

Macleay Valley Stock and Station are not prepared to initiate the commencement of a sale day on another day and would need to re-assess any proposal for commencing a sale in conjunction with Kempsey Stock and Land on a Tuesday, being the official Council sale day.

It appeared that Macleay Valley Stock and Station were still developing their financial and other business plans.

Kempsey Stock and Land seek Council's approval to continue with the current arrangements which they have established and developed over the past decade whereby Special Market Day sales are held on a fortnightly basis on Thursdays. In accordance with Council's Policy in relation to Special Sales, Kempsey Stock and Land have had exclusive use of the Sale yards on these days.

Kempsey Stock and Land felt that they had expended considerable time, effort and expenses to develop their current practice and the opportunity exists for any new Agents to similarly develop their sales on any other day.

It was also indicated that Kempsey Stock and Land were investigating other opportunities for increasing the utilisation of the Sale yards, including the possible re-commencement of sales on a Tuesday being the official Council nominated sale day. Should this eventuate Kempsey Stock and Land would be prepared to share the day with any other Agents who may wish to participate.

Director's comment:

As per report.

Report Implications:

The following recommendations are in accordance with the budget provisions for 2003/04, and with Council's Sale yards Policy.

There are no Statutory implications from the following recommendation.

2003. 873

RESOLVED:

***Moved: Cl. Joukhadar
Seconded: Cl. Sproule***

- 1. That the application by Kempsey Stock and Land for the use of Kempsey Regional Sale yards on an exclusive basis for their regular Thursday Market Day Sales, and other Special Sales as requested, be approved for 2004.**
- 2. That Kempsey Stock and Land be invited to submit a proposal for recommencement of sales on Councils official sale day, being Tuesday, on the basis of shared sales with any other Agents who may wish to participate.**
- 3. That the Sale yards Committee investigate the options for Agents fees and leasing of the Sale yards complex where exclusive use is granted.**

THIS IS PAGE 62 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

Councillor Parkinson recorded his vote against the foregoing Resolution.

DBE3	2001/02 NSW WATER SUPPLY AND SEWERAGE PERFORMANCE COMPARISONS FILE: W1-2 GRP (NRN)	{Folio No. 262812}
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SUMMARY:

Reporting on the performance of Kempsey Shire Council in comparison to the results of the 2001/02 Performance Monitoring Reports which benchmark performance of non-urban Councils throughout NSW.



The Ministry of Energy and Utilities produces an annual benchmarking report which compares performance indicator figures from each non-urban Council in NSW for water supply and sewerage activities. The report for 2001/02 has just been released.

This report is to provide Council with a broad overview of this Council's performance in relation to the top 20%, the median (50%) and the lowest 20% of other Councils.

The Summary Report for Kempsey is attached as [\(Appendix A\)](#) for information. The full Performance Monitoring Report giving fine detail is available for inspection on request to the Manager Water Services.

Directors Comment:

Kempsey Shire Council's overall performance compares favourably with most other Council's of a similar size and characteristics.

Report Implications:

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

2003. 874

RESOLVED:

*Moved: Cl. Bowell
Seconded: Cl. Joukhadar*

That the information be noted.



At this stage, 4.15 p.m., Councillor Parkinson retired from the Chambers and apologised for his absence for the remainder of the Meeting.



THIS IS PAGE 63 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

SUMMARY:

Reporting on the existing Council Policy C20:1 for the Implementation of Water Restrictions and the need to consider changes to portions of the policy.



Along with all the other social, economic and environmental pressures exerted during the current drought the introduction of Water Restrictions last year across the North Coast of NSW caused widespread confusion in the community. A lot of this confusion was due to differing conditions from shire to shire, particularly regarding the times specified for external use and the over-lapping of advertising into other shire areas. For example, radio advertisements put out by Hastings are heard by Kempsey and Midcoast Water consumers and vice-versa.

The severity of the drought has prompted relevant water authorities to form a North Coast Regional Drought Management Committee which has met on several occasions. Co-ordinated by the Premiers Department, this committee comprises representatives from all water authorities from Taree to Tweed Heads and has addressed many drought related issues in an attempt optimise efforts to manage drought conditions.

One issue addressed by the Committee was water restrictions. The Committee has formulated a set of uniform domestic Water Restrictions which have the support of all members except Bellingen. Some Councils have formally adopted these restrictions already. All other members, except Bellingen, are submitting reports to their respective Councils this year recommending adoption of these uniform water restrictions. This report is to serve that purpose for Kempsey.

Attached as [\(Appendix B\)](#) is a proposed amended policy. Attached as [\(Appendix C\)](#) is the existing policy.

No change has been made to the commercial section of the policy. Extensive discussions by the Committee finally recognised that the vast difference in commercial activities made it too difficult to formulate a uniform commercial policy which addressed the differing needs of each Council. It was also recognised that most of the confusion in the public arena was from domestic consumers, especially the elderly.

It should also be noted that a new Stage 6 and an Emergency Water Supply Management level has been added which applies to both domestic and commercial use.

Directors Comment:

THIS IS PAGE 64 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

There is no further comment by the Director.

Report Implications:

There is no financial implication of the following recommendation.

The Policy Implication of the following recommendation is the replacement of existing Council Policy C20:1 with a new Policy.

Council is empowered to apply water restrictions under the Local Government (Water Services) Regulation 1999 – Sect 5.

2003. 875

RESOLVED:

*Moved: Cl. Joukhadar
Seconded: Cl. Hunt*

That Council replace the existing Policy C20:1 “Implementation of Water Restrictions” with the amended policy C20:1 exhibited as [\(Appendix B\)](#).

DBE5	WATER SUPPLY ACCESS CHARGES FOR FIRE SERVICES	
	FILE: W1-2 AMB (NRN)	{Folio No. 262818}

SUMMARY:

This report discusses whether water supply customers that have large water supply meters for fire fighting purposes should pay an access charge. Water Services staff and Councillors have been approached questioning the current pricing policy.



As part of the water supply pricing workshops held on April 22 with Councillors the issue of fire services and access charges was raised. At that time the discussion concluded acknowledging that if a business required a fire service the access charge was a cost related to the business and should not be subsidized. At that stage there was not a lot of information available on which meters were fire services, so the issue was decided on principles. At the time it was acknowledged that some Councils had different policies in this regard.

Through the implementation phase of the new water supply pricing, this issue of customers paying access charges for water supply services that are sized for fire requirements has arisen on many occasions. The decision tree has been as indicated in Table 1.

Table 1: Access charge decision tree for fire services

Fire Service Type	Usage Pattern	Decision
Larger water supply meter than normally required	Constant or regular usage	Pay access charge
Separate fire service with internal fire hose reels	No usage	Pay access charge

THIS IS PAGE 65 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

Separate fire service with combinations of external and internal hose reels and hydrants within the property	No usage	Pay access charge
Separate fire service with combinations of external and internal hose reels and hydrants within the property	Some usage	Pay access charge

Many of the enquiries regarding access charges have arisen from school principals sighting restricted budgets and requesting further assistance than the 50% reduction offered to the larger water supply meters. After approaches from several state school principals who were being asked to reduce their educational budgets to compensate contact was made with the education departments property section. As several of these meters were the larger water supply meters the cost implications to the schools in this financial year was in the order of \$1,500-\$8,000 and would be likely to double next financial year. It was acknowledged that the issue was one to be resolved within the Department's budget allocations and not a cost to the schools and this issue would be relayed at the next area principals meetings. However, this facilitation did not assist the private schools.

Other businesses with fire risk have no immediate avenue for the additional costs recuperation.

At this stage, there is not enough information to assess the financial impact of any reduction of access charges for fire services. There is not enough information on the number of fire services in Council's customer base, their usage pattern and the numbers of water meters in the various sizes whilst downsizing and disconnections are still occurring. Also, in view of Council's already reduced access charges in the 2003/4 financial year it is not recommended to change the current fees.

The options for a reduction of access charges are going to be assessed towards the end of the current financial year, in preparation for the 2004/5 Management Plan. If reduced access charges were to be offered, that decision would be determined on the basis of whether the service was regularly used, whether the service could be easily used (for example high pressure wash downs) and the financial implications to Council's water supply business.

Directors Comment:

Matter to be reviewed for 2004/05.

Report Implications:

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

2003. 876

RESOLVED:

*Moved: Cl. Joukhadar
Seconded: Cl. Hunt*

That the information be noted.

THIS IS PAGE 66 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

SUMMARY:

The Bellbrook and Willawarrin sewerage schemes were previously reported upon at the August Ordinary Council meeting and further information was requested for the October meeting. This report advises of the outcomes from the August resolutions and discusses the options available for the construction and funding of the Bellbrook and Willawarrin sewerage schemes.



Following the August Council meeting, budget adjustments for the Bellbrook and Willawarrin sewerage schemes were made; a meeting was organised with the respective Sewerage Liaison Committees; and information compiled on the progress to-date of the investigation on these two schemes.

The budget adjustments to move expenditure provisions for Bellbrook and Willawarrin sewerage schemes in the 2003/4 financial year to the 2004/5 financial year have been completed.

A combined meeting with the Bellbrook and Willawarrin Sewerage Liaison Committees has been organised for the morning of November 18 as the inaugural meeting of these committees, to inform them of the progress to-date and the direction over the next few months. Once presented, dissemination of this information to the community via their representatives will be possible.

Of the many options for the type of sewerage scheme that would be appropriate for Bellbrook and Willawarrin, centralised sewer or centralised effluent disposal have been confirmed as appropriate both through the preliminary 'traditional' investigation work for these schemes and the more 'comprehensive' investigation approach of the Integrated Water Cycle Management Strategy (IWCMS). Further investigation is required into the most appropriate scheme within these broad types but have been narrowed down to those listed in Table 1 for further assessment. In each case, the 'do nothing' option of the existing septic systems with on-site disposal has been discounted as a long-term sewage service option.

Table 1: Sewage service options currently being further investigated

GE SERVICES BROAD TYPE	Scheme type
Centralised	Modified conventional gravity sewerage
	Vacuum sewerage
	Grinder pumps
Centralised effluent	Common effluent drainage
	Variable grade sewerage
	Septic Tank effluent pumping

THIS IS PAGE 67 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

It is important that the IWCMS, although not yet complete, has to this stage been able to yield answers for the Bellbrook and Willawarrin schemes. The IWCMS considers the whole water cycle (water supply, sewerage and stormwater) and then assesses the triple bottom line (environmental, social and financial) for each option, successively screening out less favourable options. The traditional mode of scheme assessment, whilst useful, only considers the sewerage issues with almost tunnel vision and does not appraise the full costs to the community.

The IWCMS has to-date completed the coarse screening and is amidst the fine screening that attributes costs, those being financial, social and environmental. After the fine screening, the IWCMS goes on to complete financial rate impact assessment based on the fine screen cost results. Water Services intends to complete detailed design and detailed costing in parallel with the financial rate impact assessment and then proceed to obtain the necessary approvals and licensing. For these reasons, costs are not discussed in this report but rather the broad options of funding. These broad funding options would be applicable, whatever the outcome for each village's sewerage scheme final detailed design.

There are two options available for the funding of the Bellbrook and Willawarrin sewerage schemes. The two options are listed below.

- A Council constructed and funded sewerage scheme
- A State Government subsidised sewerage scheme under the Country Towns programme

There are advantages and disadvantages for each funding option. The major issue is the cost of a subsidised scheme to Council. In terms of timeframe to commissioning, reporting and ensuring Council receives a quality asset into the future, the cost to Council negates the benefits of gaining a financial grant for the relatively small scale sewerage schemes required for Bellbrook and Willawarrin.

The timeframe to a schemes commissioning is substantially increased for a subsidised because of the additional reporting and risk assessment required when receiving grants. The reporting endeavours to ensure pertinent expenditure, seek all parties approval/awareness for project and cost changes during the project and provide clear auditable trails both financially and for the purposes of contract administration. Whilst the reporting and additional procedures are warranted for medium to major expenditure such as the Stuart McIntyre Dam or larger new sewerage schemes, they are not warranted for the Bellbrook and Willawarrin sewerage schemes. The more appropriate method of management and cost control for these scale projects is the same as any other construction project that Council manages. It is more akin to asset replacement programmes that are occurring within the Water Services Teams or the inlet works construction at the South West Rocks Sewerage Treatment Plant. In addition, for the Bellbrook and Willawarrin schemes, the staff time taken to complete the additional reporting equate to the time required to project manage the construction.

The Bellbrook and Willawarrin schemes can be achieved as in-house managed projects. The scale of the Bellbrook and Willawarrin sewerage schemes do not warrant the Department of Commerce (DoC) project

THIS IS PAGE 68 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

management seen for the Hat Head scheme or that likely to be required for the Stuarts Point scheme. Water Services has the resources available to project manage the Bellbrook and Willawarrin sewerage schemes. Water Services staff numbers and staff expertise have been geared up to complete the increased asset replacement expenditure required for Water Services assets over the next 10 years. Council has experienced construction and project management staff and have complimented this expertise by training other staff members. We have design staff and dedicated field operatives with ownership of their assets. This ownership in conjunction with our own project management would ensure quality assets would be constructed.

The Bellbrook and Willawarrin sewerage schemes would comprise a package sewerage treatment plant and reticulation and are of a scale to permit Council project management and construction.

However, in the immediate future (next 2 to 3 years), it is unlikely that Council staff would be able to complete the reticulation construction of the sewerage schemes. The high asset replacement workload of the Water Services West Team in the next few years would make this impossible. Reticulation construction in this timeframe would be contracted out with a Water Services project manager to ensure a quality asset was secured. Reticulation construction and project management beyond the next three years would be possible by Council staff.

Directors Comment:

Report noted.

Report Implications:

Broad financial impacts show that the Bellbrook and Willawarrin sewerage schemes would be best completed without State Government funding assistance. The costs to Council attached to receiving a State Government grant far outweighed the benefits of the financial assistance.

Specific financial impacts are not available as yet. The IWCMS rate impact assessment due for completion in early March will allow Council to properly assess the options for levies to property owners serviced by the Bellbrook and Willawarrin sewerage schemes.

Policy Implication:

In regard to policy implications where a new sewerage scheme has been constructed in the past, Council has levied an unconnected sewerage rate on the lead up to a scheme's construction. This remains an opportunity for Council, to maintain consistency but this is not recommended at this stage, as better information will be available in March on which to base such decisions.

There are no statutory implications.

2003. 877

RESOLVED:

*Moved: Cl. Joukhadar
Seconded: Cl. Sproule*

THIS IS PAGE 69 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

That the information be noted.

DBE7

SHIRE POOLS RISK AUDIT
FILE: R3-2 GTS (NRN)

{Folio No. 262821}

SUMMARY:

Reporting on the status of the Shire Pools Risk Audit.



The completed risk audit and the associated costs of remedial measures is appended at [\(Appendix D\)](#). The risk audit (as it currently stands) primarily covers the identified issues from OH&S and insurance risk perspectives consequent to site inspections by Council's Risk Officer, Safety Officer, site superintendents, Small Business Manager and Human Resources Manager.

Statewide Insurance carried out a risk audit of the Kempsey Pool on 15 September and a report addressing same is to be issued during October. Workcover accredited consultancy (ESP P/L) conducted a safety review of Council's dangerous goods' sites in January 2000. This included a walk-through review of the chemical areas at the swimming pools.

It is now appropriate that a full assessment of the sites be made from a WorkCover viewpoint (including site OH&S management) and the accredited consultancy is poised to carry out the audit in October. Sufficient attention will be given to the antiquated pump houses and their inclusions as well as prioritising all outstanding works.

The findings of both reports will be integrated into the existing risk audit document and reported to Council. Concurrently a draft business plan for the pools is being prepared in the context of the abovementioned matters, upcoming environmental works and future options.

It is Council's current position that the pools continue operation with identified works being sequentially attended to within the constraints of existing budgets and in priority order.

Directors Comment:

This is an interim report outlining progress towards the compilation of a full Risk Assessment of Council's Pools. Upon completion of this task it will be necessary to develop a prioritised listing in order of most urgent items so that Council may progressively move towards addressing the matters of greatest risk exposure.

Report Implications:

The Risk Audit identifies the requirement for a significant allocation of funds to address identified matters. Funds are not available within the

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MAYOR

current Budget. Unless funds are specifically voted Council will continue to be exposed to some elements of risk in pool operations.

There are no policy implications arising from this report.

Council is required under the Occupational Health and Safety Act to ensure the health, safety, and welfare at work of all employees, and ensure that the general public are not exposed to risks to their health or safety whilst at the “workplace”.

2003. 878

RESOLVED:

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

1. That the information be noted
2. That a further report be submitted to Council following finalisation of the full risk assessment of Council’s Pools.

DBE8	TRANSFER OF LANDS TO NATIONAL PARKS AND WILDLIFE SERVICE
	FILE: C1-4 GTS
	{Folio No. 262822}

SUMMARY:

Reporting on the progress of the proposed transfer of Crown Land in the vicinity of Grassy Head and Stuarts Point to the National Parks and Wildlife Service (NPWS)



Northern Area – Grassy Heads

Council’s preliminary position and concerns in relation to the proposed transfer (as Adopted at the 12 August Ordinary Meeting of Council) have been conveyed to the NPWS and Lands Department.

The NPWS has addressed those concerns to the satisfaction of the Business Enterprise Directorate. Despite those concerns, the practical delineation of the boundary was found to be driven somewhat by physical and geographical features (eg creek, wetlands, access ways, configuration of adjacent boundaries).

The text of the NPWS proposal (as brokered during a visit to Council on 9 September 2003 and supplied to Council on 16 September 2003) follows along with a map [\(Appendix E\)](#) to which the items relate:

“The northern and western boundaries of the area north of the access road remain as the cadastre.

1. *Entrance road into the day visitor's area and caravan park is excluded – offset 10m from road centre.*

THIS IS PAGE 71 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

2. 15 m offset from centre of road in day visitor's area as shown on "Grassy Head Caravan Park Detail Plan".
3. From the 15 m offset from the northern most point in the day visitor's area (start of fence - as shown on "Grassy Head Caravan Park Detail Plan") the boundary continues north east until it meets the cadastre of Lot 2 DP 608275.
4. 5. The boundary on the western edge of the caravan park follows the creek and the physical SEPP 14 Wetlands.
6. The south eastern boundary of the excluded caravan park is offset 5m east of the walking track to beach and headland as shown on "Grassy Head Holiday Park – Draft Master Plan for Proposed Improvements, Dec 1997"
7. The turning circle is excluded by 5 m offset linking boundary points 5 + 6
8. The boundary remains as the cadastre.

An 8 m wide easement for the powerline that runs from Millington Avenue to the caravan park will be incorporated into the gazettal description"

A draft of this report has been circulated to the various Council Departments and, subject to agreement or minor variations which may be forthcoming from those areas, it is recommended that a response generally in the following terms be issued to the NPWS and a copy of same forwarded to the Department of Lands.

"That Council agrees to the establishment of the proposed Grassy Heads caravan park boundaries as described in NPWS correspondence of 16 September 2003".

It is understood that the management regimes for the areas will essentially not change and that the Agencies will undertake appropriate public consultation processes as part of the proposed transfer.

Southern Area – Stuarts Point

It has come to Council's attention that there are additional proposed NPWS acquisitions (particularly east of the Macleay arm) and these matters were not brought to the attention of Council during previous deliberations with the NPWS on 9 September.

There are additional issues now to be considered including, but not limited to, public access to beaches (including those with dogs crossing the Stuarts Point pedestrian bridge adjacent to the caravan park), vehicles on beaches, caravan park effluent disposal area, potential sewerage disposal area, future water bore sites, reserves management in the wider context and purchase options of Council land adjacent to the Stuarts Point residential precinct.

THIS IS PAGE 72 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

Attached is a copy of a plan of the originally notified areas subject to transfer [\(Appendix F\)](#), together with a map showing the additional areas now included in the proposed transfers [\(Appendix G\)](#).

Directors Comment:

Report noted.

Financial Implication:

There are no financial implications arising from the following recommendation.

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

Director Business Enterprises Recommendation:

1. That Council agrees to the establishment of the proposed Grassy Heads caravan park boundaries as described in NPWS correspondence of 16 September 2003.
2. That the matter of the additional proposed NPWS acquisitions adjacent to the village and caravan park at Stuarts Point be the subject of further consideration taking into account the latest concerns set out in the above Report.
3. That a further progress report be submitted to the next ordinary meeting of Council.

2003. 879

RESOLVED:

*Moved: Cl. Joukhadar
Seconded: Cl. Bowen*

1. That the matter of the additional proposed NPWS acquisitions adjacent to the village and caravan park at Stuarts Point be the subject of further consideration taking into account the latest concerns set out in the above Report.
2. That a further progress report be submitted to the next ordinary meeting of Council.
3. That contact be made with the relevant department to hold up any transfer of lands in the shire to National Parks & Wildlife and that Council demands that consultation take place immediately to ensure there is no conflict with Council's forward planning.

DBE9	WASTE OIL COLLECTION INFRASTRUCTURE
FILE: G1-18 WJL	{Folio No. 262825}

SUMMARY:

THIS IS PAGE 73 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

Reporting on the successful funding application for Waste Oil Collection Infrastructure.



Environment Australia, funded by the Federal Government has allocated transitional assistance funding of \$60 million for strategic initiatives to increase oil recycling and ensure a sustainable oil recycling industry. The funds are used to:

- ensure a sustainable waste oil recycling industry;
- accelerate the uptake of waste oil from urban and rural Australia; and
- to the extent possible, address special difficulties that remote Australia has in the recovery and management of waste oil for appropriate recycling.

The Australian Government has approved approximately 280 Grants with a total value of \$5.5 million to local governments to construct or upgrade collection facilities.

In May 2003 an application was made to Environment Australia for funding to install waste oil collection facilities at two of Council's waste disposal sites under the Local Government Waste Oil Collection Infrastructure Small Grants Program.

The application requested a grant of \$18,668 + GST for the purchase of waste oil receptacles, the implementation of an education and awareness campaign for oil diversion and any costs associated with site preparation.

Kempsey Shire Council was notified recently of the approval of funds totalling \$20,534 to fund the above project. To accept the offer Council must agree to the Conditions of Funding and sign the form of acceptance. These are standard for Commonwealth Government Grants.

Directors Comment:

Report noted.

Report Implications:

The grant funds may only be used for the project and must be fully acquitted and any unexpended funds returned to the Commonwealth.

The funding was based on the expenditure breakdown of:

Item	Cost
2 x Oil receptacles	\$12,380
Freight	\$ 2,288
Education and Awareness Campaign	\$ 1,000
Site Preparation	\$ 3,000
GST	\$ 1,866
Total	\$20,534

THIS IS PAGE 74 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

Ongoing maintenance and operating costs will be minimal, and can be met from existing Waste Services budgets.

There are no policy and statutory implications.

2003. 880

RESOLVED:

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

1. That Council accept the offer of \$20,534 funding from the Waste Oil Collection Infrastructure Grants Program.
2. That the Facilities Management Coordinator be authorised to sign the form of acceptance on behalf of Council.

DBE10	RECYCLING DROP-OFF CENTRE LOCATIONS AND KERBSIDE RECYCLING	{Folio No. 262826}
	FILE: G1-15 WEW (NRN)	

SUMMARY:

Reporting on Recycling Drop-Off Centre Locations and Kerbside Recycling.



Community concerns have been raised about the location and maintenance of the Recycling Drop-Off Centres at Crescent Head and South West Rocks. Numerous letters have been received from the public, including individuals, the Southwest Rocks Ratepayers Association, the Crescent Head Chamber of Commerce and via local media outlets voicing dissatisfaction with the current recycling system and, at the same time, supporting a kerbside recycling collection system.

BACKGROUND

The recurring themes in the received correspondence are dissatisfaction with the location and appearance of the Drop-Off Centres particularly with regard to mess around the bins and noise complaints, and that Kempsey Shire should adopt similar Waste Recovery strategies to neighbouring councils and the majority of NSW councils.

Council will probably be aware of the Federal Minister for the Environment and Heritage, Dr David Kemp, unveiling on 22 September 2003 a new report (*Corporate Sustainability: An Investor Perspective*) that shows a company's approach to sustainability can provide investors with an important indicator of long-term corporate performance and risk. In his media release, the Minister referred to companies needing to "more clearly demonstrate how they approach sustainability principles in their business. Sustainability is closely linked to resource efficiency, cost management and management performance indicators. It can provide a particularly useful window into management efficiency and competency for analysts who need a deeper view into a company's performance."

THIS IS PAGE 75 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

Reference was made to a company which has “won approval to build a new waste treatment plant in Sydney to 'mine the waste stream' to produce energy and fertiliser. The facility will recover 17,000 tonnes of plastic, glass, paper and metals each year, then will separate and clean the organic waste to produce renewable energy and return the carbon to the soil as organic fertiliser”.

It is quite apparent that the mood of governments, agencies, some industries and the community is tracking very quickly to minimising waste and maximising resource recovery.

Community surveys that were recently conducted by the Corporate Services Department and also independently by the Mid-North Coast Waste Forum (MidWaste) have demonstrated in principle majority public support for kerbside recycling.

The 2003 Community Satisfaction Survey indicated that 85.6% of respondents would be prepared to separate materials for the purpose of recycling if appropriate collection receptacles were provided. 38.1% of respondents indicated that they would support an increase in the garbage service charge for the provision of kerbside recycling, 25.1% of indicated that they may be prepared to support such an increase, whilst the remaining 36.1% of respondents indicated they did not support an increase in charges.

Council adopted a revised Waste Management Strategy in June 2003. The Strategy incorporates the philosophies of Waste Avoidance and Resource Recovery and commits to investigation and improvement in these areas. The Strategy will be the subject of ongoing review and revision to address a rapidly changing operational and administrative framework.

Kempsey Shire Council, in cooperation with MidWaste and Hastings Council is preparing to undertake an investigation into resource sharing opportunities (waste related) that will include, but not be limited to, the viability of transporting recyclables to the Hastings Council's Materials Recovery Facility (MRF) as compared to setting up an MRF within Kempsey Shire. This preliminary investigation is proposed to be fully funded by ResourceNSW through MidWaste. The results of the investigation will later need to consider the current and projected operational costs for the landfilling of waste.

CURRENT SITUATION

The pressure to introduce kerbside recycling appears sufficient to motivate Council to aim to introduce the same in the 2004/2005 financial year. As mentioned above, investigation of the logistics and schemes of arrangement associated with the initiative are currently under way.

Information from similarly sized council areas indicates an average cost of between \$20 and \$40 per household per year to operate a kerbside recycling service.

Existing recycling drop-off points will continue as interim arrangements until such time that a kerbside collection service is operating. However, alternative locations will be investigated for the receptacles at South West Rocks and

THIS IS PAGE 76 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

Crescent Head. On this basis, further embellishment of these facilities at their current locations cannot be justified.

The 2003/2004 Kempsey Shire Council budget included a \$60,000.00 revoted provision for the upgrade of the Drop-Off Centres. There has been a significant amount of opposition to their locations, proposed relocations (other than the proposal to move them to the transfer stations), their utilisation and their effectiveness. This has meant a substantial delay in finalising a decision on their relocation.

Currently, a proposal to incorporate the Crescent Head Drop Off Centre into proposals for a joint Caravan Park and Country Club integrated waste facility on land currently occupied by the Country Club.

The proposed upgrade of the Drop-Off centres will not have a significant effect, if any at all, on Resource Recovery rates. Based on the concerns raised by the community with regard to the location of the bins and lack of household kerbside recycling it is also considered likely that upgrading the appearance of the existing facilities would be seen as an inappropriate utilisation of funds.

Under the revised situation, it is recommended that these funds be reallocated as follows:

Investigation & trials of kerbside collection	\$25,000
Community Education (\$2/household currently receiving waste service)	\$20,000
Upgrade recycling Drop-Off facilities at Waste Receival and Waste Transfer Facilities	\$15,000

Directors Comment:

Report noted.

Report Implications:

The recommendation proposes a reallocation of funding provided within the 2003/2004 budget.

There are no policy or statutory implications.

2003. 881

RESOLVED:

*Moved: Cl. Sproule
Seconded: Cl. Bowen*

1. That the provision of \$60,000 in the 2003/2004 Budget for upgrading the Recycling Drop-Off Centres be reallocated to:

Investigation & trials of kerbside collection	\$25,000
Community Education (\$2/household currently receiving waste service)	\$20,000
Upgrade recycling Drop-Off facilities at Waste Receival and Waste Transfer Facilities	\$15,000

THIS IS PAGE 77 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

2. That Council be kept informed of the progress in relation to the proposed introduction of a kerbside recycling service
3. That the community be informed of the proposed investigation to establish a kerbside recycling collection program.

DBE11

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

{Folio No. 262828}

SUMMARY:

Reporting on Fleet purchases/sales during the month of September 2003.



The following plant was **Purchased**.

New Plant No.	New Vehicle	Sale Price (excl. GST) \$
V2089	Toyota Hilux Table Top	15,700
V2090	Ford Falcon XT Table Top	21,933
V2091	Toyota Hilux Dual Cab (DT) 4WD	29,529
V2086	Mitsubishi Outlander	24,720
V2092	Toyota Hilux Dual Cab (V6) 4WD	29,178
V2085	Mitsubishi Outlander	24,720
V2083	Holden Commodore Berlina Sedan	30,263

The following plant was **Sold**.

Plant No.	Vehicle	Sale Price Realised at Auction (GST Inc) \$
V1942	Mitsubishi Magna	12,000
V1923	Mitsubishi Pajero io Wagon	14,000
V1833	Mitsubishi Pajero io Wagon	11,400
V1885	Ford Courier 4WD	15,000

THIS IS PAGE 78 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

V1076	Ford Courier 4WD	15,000
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Directors Comment:

Report noted.

Report Implications:

All costs are covered by approved Budget allocations.

There are no policy or statutory implications.

2003. 882

RESOLVED:

*Moved: Cl. Joukhadar
Seconded: Cl. Hunt*

That the information be noted.

DBE12	QUESTIONS WITHOUT NOTICE	{Folio No. 262996}
	FILE: C18-28 JC (NRN)	

SUMMARY:

Reporting on Questions Without Notice from the Council meeting of the 12th August 2003 & 9th September 2003.



Responses to Councillors Questions Without Notice are listed for information.

Meeting of the 12th August 2003.

Councillor Howell

File: G1-15

{Folio No. 259605}

That the Director Business Enterprise would follow up the preferred locations for recycled containers at Crescent Head.

Currently Norton Recycling is quoting to provide receptacles at South West Rocks Transfer Station to replace ones at the Country Club.

Investigations into suitable sites have proved the "NIMBY" principle. Everyone willing to say where they shouldn't go, no constructive information into where they should go. Contact made with various target groups at Crescent Head and South West Rocks to seek suggestions on suitable sites.

THIS IS PAGE 79 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

Report submitted to October 2003 Council meeting recommending that in view of proposal to introduce kerb-side recycling service in 2004/05 no further embellishment of current facilities be undertaken.



Meeting of 9th September 2003

Councillor Hunt

File: G1-2

{Folio No. 261171}

That the Director Business Enterprise would investigate the significant amount of rubbish dumped in the bush opposite the Waste Transfer Station at Stuarts Point.



The illegal dumping of material in the vicinity of the Stuarts Point Transfer Station was brought to the attention of the Transfer Station Operator, in late August 2003.

The quantity of material that is present in the location prohibits the clearance by one or two staff using conventional vehicles. It will require the use of earthmoving equipment (loader, tip truck) to properly remove and transport the waste to an appropriate disposal site.

The clean up of the site has been organised using a Council contractor located in Stuarts Point and is due to commence the final week of September.

Much of the material (green waste, metal, timber) deposited on the site will be transferred to the Stuarts Point Transfer Station site where it will be either processed and/or sold on to scrap metal dealers or the general public, essentially adding to the income stream for the site.

Within the Budget Estimates for 2003/2004, an allocation of \$16,800 was provided under the auspice of "Community Litter Cleanup" costs. The associated costs for the clean up will be met from the above allocation.

Directors Comment:

Report noted.

Report Implications:

The abovementioned works will be undertaken within provided Budget allocations.

There are no policy or statutory implications.

2003. 883

RESOLVED:

***Moved: Cl. Joukhadar
Seconded: Cl. Sproule***

THIS IS PAGE 80 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

That the information be noted.

At this stage 4.50pm Councillor Sproule retired from the Chambers.

DBE13

**WORKS IN PROGRESS
FILE: W1-2 DWS (NRN)**

{Folio No. 262829}

SUMMARY:

Reporting on Works in Progress.



WATER SUPPLY

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

Works completed during last 4 weeks

1. Replace roof at South West Rocks Water Treatment Plant.
2. 100mm water main in Perry Street, Hat Head.

Works Proposed for next 4 weeks

1. Install Meters on all bore pumps – continuing.
2. Monitoring and testing of dam continuing.
3. Belgrave Falls Rising Main continuing.
4. Meter Replacement Program continuing.
5. 200mm water main in Gordon Lane and 150mm in River Street commencing.
6. Commence construction of Sutherlands Lane water main.

MONTHLY WATER CONSUMPTION

	September 2003 Kilolitres
<u>Belgrave Falls</u>	44,000
<i>Bellbrook</i>	1,247
<i>Crescent Head</i>	17,275
<i>Hat Head</i>	6,528
<i>Sherwood – Lime Plant</i>	119,969
<i>South West Rocks</i>	55,946
<i>Stuarts Point</i>	17,244
<i>Willawarrin</i>	1,367
Total Consumption	263,576

THIS IS PAGE 81 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

Kilolitres to Financial Year to Date: 867,103kl

Applications for connection in September – 24

SEWERAGE

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

Works Proposed for next 4 weeks

1. Sewerage Pump Stations Fall Prevention Systems – manufacture and install – continuing.
2. Paint and erect platform and vent R28 Jerseyville – continuing
3. Paint Via Duct at Burnt Bridge – continuing (90% complete).
4. Continuing construction of new inlet works at South West Rocks Sewerage Treatment Plant – Precision Pipelines.
5. South West Rocks Sludge Trial continuing.
6. Install new fence around R4 pump station near Brighton Park.
7. Commence South West Rocks sewer rehabilitation.
8. Commence replacement sewer rising main in Washington Street, East Kempsey.

SALE YARDS

Works Completed during last 4 weeks

1. Normal maintenance and operation.
2. Upgrade PA system – completed.
3. Renew section of laneway fencing on southern side – 60% complete.
4. Invite tenders for Sale yards Kiosk operation – advertised late September 2003.
5. Inspected Sale yards Effluent Treatment systems at Gloucester, Scone, Singleton and Maitland.
6. Started regular pump-out of dam.

Works proposed for next 4 weeks

1. Normal maintenance and operation.
2. Assess risk management manuals.

THIS IS PAGE 82 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

3. Seek expressions of interest in sponsorship naming rights.
4. Installation of skylights in roof.
5. Prepare plan for upgrade of effluent treatment system and construction of truck wash.

AIRPORT

Works Completed during last 4 weeks

1. Normal maintenance and operation.
2. Terminal upgrade (95% complete).
3. Annual Safety Inspection.
4. Grass burn-off.

Works proposed for next 4 weeks

1. Normal maintenance and operation.
2. Loop lighting investigation.
3. Kangaroo cull.
4. Emergency Field Exercise – 17th October 2003
5. Twice daily inspections as per CASA directive.

CARAVAN PARKS

Crescent Head

Works Completed during last 4 weeks

1. Completion of Cabin C89 & C90 relocation
2. Site service investigations
3. Coordinate site logistics
4. Organise tree removals
5. Design management
6. Continue service provider and materials procurement

Works proposed for next 4 weeks

1. Request for quotes for Lakeside Hydraulic and Electrical works

THIS IS PAGE 83 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

2. Organise Works Section for Civil and General Work in Lakeside precinct
3. Survey Lakeside for all works
4. Commence works (Hydraulic/Electrical/Civil) in Lakeside precinct (13/10/03)
5. Remove trees in Lakeside for Van relocations
6. Set up site office in Area Health Building
7. Relocate two (2) Holiday/Permanent Vans to new locations
8. Manage design consultants to progress into Lakeside Detailed Design and Oceanside GA plans.

Hat Head

Works Completed during last 4 weeks

1. Sewer infrastructure upgrade – completed.

WASTE SERVICES

Works Completed during last 4 weeks

1. Normal operation and maintenance.
2. SWR & SP Transfer Station site clearance.
3. Quotes obtained for material supply for capping at Crescent Head Landfill.
4. Improved site layout at SWR & SP Transfer Station.
5. Slab formed and poured for Waste Transfer Station at Kempsey Waste Reveal and Disposal Facility (KWR&DF).
6. Trade Waste Business Detailed Review completed.
7. Installation of plumbing and electricity to amenity block at Crescent Head.
8. Purchase of steam cleaner for plant cleaning.
9. Install landfill gas monitoring wells at KWR&DF and monitor.
10. Selected contractors for capping works.
11. Quarterly sampling conducted at KWR & DF.

THIS IS PAGE 84 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

Works proposed for next 4 weeks

1. Continued construction of Waste Transfer Station facility at KWR&DF.
2. Weed eradication assessment at Crescent Head.
3. Order materials for capping.
4. Select contractors for provision of capping materials.

DEPOT

Works completed during last 4 weeks

1. Waste oil tank installed.
2. Site survey conducted for site redesign.

Work proposed for next 4 weeks

1. Relocation of security light for electric fence.
2. Undertake site redesign.
3. Investigate undercover parking area options.
4. Decommissioning of old waste oil tank.
5. Site users to remove waste materials from site.

BATHS

Works completed during last 4 weeks

1. Preseason checks and startups.
2. Advertisement and selection of Kiosk operator for Kempsey Baths.
3. Acceptance of Kiosk Agreement both Kempsey Shire Council and provider.
4. Kiosk refurbishment.

Work proposed for next 4 weeks

1. Normal operation.
2. Backwash systems to be investigated.
3. OH&S works at pools.

Directors Comment:

Report noted.

THIS IS PAGE 85 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

Report Implications:

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

2003. 884

RESOLVED:

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

That the information be noted.

DIRECTOR BUSINESS ENTERPRISE SUPPLEMENTARY REPORT

DBE14 (SUPP.)	KEMPSEY WASTE RECEIVAL & DISPOSAL FACILITY
FILE: G1-6 WEW	{Folio No. *}

SUMMARY:

Reporting on a proposal to waive the requirement to tender for the supply of materials for landfill capping.



Preliminary work is nearing completion in preparation for the proposed capping of the completed sections of the Kempsey Waste Recieval & Disposal Facility (KWR&DF) on Crescent Head Road. In an effort to conserve funds for these extensive works, project management is being conducted internally by the Small Business Sections Environmental Outcomes Officer, Will Weir, and efforts have been made to minimise costs wherever possible.

BACKGROUND

The proposed capping will consist of the following:

- **Seal Bearing Surface** – the final seal bearing surface consists of 0.5m of compacted clay sourced from site that was put in place some time ago as temporary capping. The surface will be prepared by the Works Department ready for the laying of geosynthetic liners and drainage materials;
- **Gas Drainage Layer** – Bidim A44 Geosynthetic liner will be installed as a passive landfill gas drainage layer. The material was selected in lieu of the NSW EPA standard 300mm of graded sand and represents a significant cost saving (less than half the cost) over the imported sand.
- **Sealing Layer** – Bentofix [X1000] Geosynthetic Clay Liner will be installed by a qualified contractor over all landfilled areas. This material was successfully used in the capping of the South West

THIS IS PAGE 86 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

Rocks landfill and is used in lieu of 300mm of compacted clay, with cost saving of a similar order as above;

- **Water Drainage Layer** – Geosheet drainage material from Geofabrics Australia P/L (the supplier) was investigated as an option to the NSW EPA standard of 300mm of graded sand. The supplier went to significant effort to assist in demonstrating that not only was the material suitable for the proposed use, but in fact out performed the NSW EPA specifications. The Geosheet material also represents a significant cost saving over importing high-grade sands to the site.
- **Revegetation Layer** – the revegetation will be a minimum of 1m thick and be capable of supporting the growth of the species used in stabilising the cap. The materials to be used consist of a mixture of 60% moderate quality topsoil currently stockpiled on site, 20% sawdust received at the site at no cost and 20% Biosolids sourced from the Shires Sewer Treatment Plants. The materials will be mixed onsite and installed by the Works Department.

The use of geosynthetic materials in the sealing and drainage layers is expected to provide an overall cost saving in the vicinity of 50% of imported clay and sands. The materials will also allow for a reduction in the thickness of the final capping in the order of approximately 0.9m. The installation of the materials is also significantly less time consuming and resource intensive. The NSW EPA has accepted that the use of the materials will meet their standards and have made changes to the Landfill Operating License accordingly.

The landfill capping will be conducted in two separate phases due to site operation constraints. Phase 1 will involved the capping of 6,000m² of completed landfill leaving approximately 12,000m for Phase 2 works.

CURRENT SITUATION

The Phase 1 works have been divided into three components.

The works department will conduct the site preparation and installation of the revegetation layer.

Quotes were sought for the laying of the geosynthetic materials and the works have been awarded to AJ Pipelines P/L of Coffs Harbour (cost approximately \$18,000).

A request for a quote for supply of the geosynthetic materials from Geofabrics Australia P/L for 6,000m² of the three materials combined for Phase 1 works has indicated a GST exclusive cost (delivered) of \$97,320.

This cost can be assumed to be approximately double for the Phase 2 works.

As Geofabrics Australia is the primary supplier in Australia of the Geosheet drainage material it is not likely that going through a tendering process would make any significant savings. Geofabrics Australia Pty Ltd have also

THIS IS PAGE 87 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

provided a very competitive cost estimate for the additional materials based on an overall bulk order.

The NSW EPA has specifically approved the use of the materials outlined above as alternatives to their recommended standard. The process of gaining approval for the material was undertaken over many months and involved providing engineering data and interpretation to the NSW EPA to demonstrate the suitability of the proposed capping materials. Geosheet Australia Pty Ltd, at no cost to Council, provided significant input into this process, including attending a meeting with the NSW EPA.

Consideration of alternative materials through a tendering process is considered not a viable option due to the time restraints for completion of the project within the 2003/2004 financial year.

An exemption to the requirements of the tendering provisions can be made to "a contract where, because of extenuating circumstances, remoteness or locality and the availability of competitive or reliable tenders, a Council decides by resolution (which states the reason for the decision) that a satisfactory result would not be achieved by inviting tenders."

DIRECTORS COMMENT:

The requirement for tendering is grounded on the understanding that it provides a mechanism to "test the market". The open and public nature of the tendering process instils a high level of accountability and promotes a greater degree of procedural fairness in the decision making process.

However, tendering is not always the most efficient method of transacting business. Costs associated with tendering may act as a burden, and add to the costs of both the person putting out the tender and to the respondents to the tender. The tendering process may add up to 6 weeks to the timeframe for securing goods and services.

REPORT IMPLICATIONS:

The financial implication of not entering into the tendering process for the supply of the materials at this stage in the project would be a cost saving in the administration of the project due to potential significant delays the process would cause, which would likely include the need for time consuming approval of alternative products.

The above products have been fully investigated and approved and demonstrated significant cost savings over the use of imported high grade sands and compacted clays.

The 2003/2004 Budget makes a total provision of \$1,100,000 for the capping of the completed portion of the landfill site. The estimated total cost for the supply of the geosynthetic materials required is approximately \$280,000.

The recommendation proposes an exemption to the compliance with the provisions of the tendering regulations.

THIS IS PAGE 88 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

RESOLVED:

*Moved: Cl. Hunt
Seconded: Cl. Bowen*

1. That in accordance with the provisions of Section 55 of the Local Government Act 1993, Council waive the requirements to invite tenders for the supply of geosynthetic materials required for landfill capping on the basis of extenuating circumstances due time constraints, the NSW EPA approval of the Geosheet product and as it is considered unlikely that a competitive tendering process will achieve significant (if any) cost savings.
2. It is recommended that Council enter into a contract with Geosheet Australia Pty Ltd to supply the above materials for the Phase 1 and Phase 2 works on a single invitation basis.

Councillor Joukhadar recorded his vote against the foregoing Resolution.



GENERAL MANAGER'S REPORT

GM1	OUTSTANDING REPORTS AND OUTSTANDING COUNCIL RESOLUTIONS	
	FILE: C18-2 AVB (NRN)	{Folio No. 262830}

SUMMARY:

Council's report on outstanding reports and outstanding resolutions.



Following is listed each Director's outstanding resolutions and outstanding reports up to and including 9th September 2003 meeting of Council.

OUTSTANDING REPORTS

Director Engineering

MEETING DATE	REPORT NUMBER	SUMMARY OF REPORT REQUIRED	DUE DATE / REASON
12.11.02	NOM 4	That the Director Engineering report back to Council on funding options of constructing Gilbert Cory Street to the same width as the section of the road between Government Road and Gordon Young Drive.	DLWC assessing area for Aged Care Housing – awaiting outcome of advertising.

THIS IS PAGE 89 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

Director Business Enterprises

13.5.2003	LATE BUS.	Kempsey Shire Pools – A further report be submitted to Council of the financial effect of the Risk Audit that has been carried out.	Risk Audit yet to be completed. Report to assess financial effects of Risk Audit to be scheduled for November 2003. Interim report to Council 14.10.03.
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Director Corporate & Community Services

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Director Environmental Services

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General Manager

8.7.2003	GM6	That the General Managers Report to Council on how it is to address issues where the community strongly disagree with the statements (in Community Survey)	Report 6th November
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OUTSTANDING RESOLUTIONS

Director Engineering

13.5.2003 DE2	Bridge Naming	Policy on naming of Bridges to be developed.
9.9.03 NOM	Beach access points - report be submitted detailing works required to ensure access improved to standards of State Govt.	
9.9.03 DE2	Road Safety Officer program - request from RTA to reconsider employing Road Safety Officer.	Pursuing other councils.
9.9.03	One way signage Jubilee St SWR be reviewed and no standing signs be replaced	Progressing
9.9.03	Warning signs Russell St on approach to Phillip Drive.	Will be done in conjunction with intersection redesign.
9.9.03	50KPH Gregory St & Gordon Young Dr - recommend to RTA speed zone be changed to 50 KPH.	Progressing
9.9.03	Request extra 2 taxi ranks - no stopping zone Walkers Funerals & exit to Woolworths be changed to taxi rank -	On hold.

THIS IS PAGE 90 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

	provide rank Elbow St - remove rank C/H	
9.9.03	Macleay St Freddo - upgrading - RTA be requested to include left turn lane into Cyrus Saul Crt - refuge west North St no be installed.	Kempsey R Taxi still debating the issue.
9.9.03	Speed zone Aldavilla - recommend to RTA speed zones be changed as per list - owner 29 Sherwood Rd be notified mirror could be installed at own cost.	In progress.
9.9.03 DE1	Point Plomer Rd - report costs to upgrade sections of road - not proceed with works aside from maintenance grading until consultants reports & public consultations completed - consider Sacred Indigenous Cultural and Heritage issues	Progressing.

Director Corporate & Community Services

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Director Business Enterprise

13.5.2003 DBE10	Alterations to Trade Waste Collection Service	New single front lift vehicle to be purchased. Retrofitting of trade waste bins commenced in July. Interim report to Council on 14.10.03. Tender document to be advertised in October.
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Director Environmental Services

12.8.2003 DES2	Rainforest restoration Big Hill Paperbark Lane Lot2 DP259465 - withdraw caveat - authorise affixing of seal	Waiting on Government Department responses.
12.8.2003 M3	Sealing of Point Plomer Road	Considerable research required in respect to Aboriginal Liaison Committee input and costs.

General Manager

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Financial Implication

There are no financial implications arising from this report.

2003. 886

RESOLVED:

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

That the information be noted.

*THIS IS PAGE 91 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY
SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.*

.....
MAYOR

At this stage 4.55pm Councillor Sproule returned to the Chambers.

GM2	APPLICATION FOR HALF DAY HOLIDAYS 2004
FILE: P12-9	MAM
	{Folio No. 262833}

SUMMARY:

Reporting that applications have been made for two half day holidays in the Kempsey Shire for the year 2004.



Council has received two applications for half-day Public Holidays in the year 2004.

The Central North Coast National Agricultural Society Ltd will be holding their 123rd Annual Show on Tuesday and Wednesday April 20 and 21, 2003. They have applied for a public holiday for the afternoon of Wednesday, April 21, 2004.

The Kempsey Race Club will be holding the Kempsey Cup on Wednesday May 5, 2004. They have applied for a half day holiday on that afternoon.

Council has given notice of the applications to local Chambers of Commerce and the proposed dates have also been published in Council's advertising pages in either or both the Macleay Argus and the Macleay Valley Happynings in the weeks commencing August 25, September 2, 9, 16 and 23, 2003. Public comment was invited on the proposed half day holidays and the closing date for submissions was set at September 26, 2003.

Two submissions on the proposed half day holidays were received.

The Crescent Head Chamber of Commerce stated that they had "no objection to these half day holidays, they have been part of Kempsey's schedule for many years, even though most Business Houses in Crescent Head do not get the holiday."

The Kempsey and District Chamber of Commerce and Industry Inc did not object to the gazetting of the holidays but would "like to reinforce the impact these have on business owners, tourists and travellers. Whilst many business owners are not required to close for these holidays, there is an expectation from staff that this be done and this does place a financial burden on the business community. To reduce this impact, it is hoped that Kempsey Shire Council will endeavour, through its media contacts, to advise business owners and employees that taking off a half day holiday for many businesses is optional. The other impact is on tourists and travellers passing through the town who see a "ghost town" CBD and because of little or no signage explaining the reason, are often angry at the non supply of services/shops and it leaves a poor impression of the town. To prevent this poor impression perhaps Kempsey Shire Council could develop some appropriate signage to

THIS IS PAGE 92 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

inform both locals and visitors of the situation on the day, perhaps even encouraging additional show and race course visitation.”

For the past two years, the following statement, which highlights a business’s responsibility in relation to these half day holidays, has been advertised in the lead up to these holidays. “Local public holidays are gazetted under the Banks and Banks Holidays Act of 1912. This act requires that banks are closed on local public holidays. An appointed local holiday under the Act benefits employees who have an industrial award, agreement or contract of employment which confers a right of paid absence (or penalty rates in lieu) on the local public holiday. In the absence of such express coverage within an applicable industrial instrument, the conferring of the benefit of a local public holiday to employees is entirely within the discretion of individual employers.”

The idea of providing signage advising of the holidays and inviting visitors to attend the events is a sound one and the posters could be designed and printed in house and distributed to interested businesses at a minimal cost to Council.

Should Council resolve to approve these proposed half day holidays, the Director General of the NSW Department of Industrial Relations must be notified in writing by mid November to allow for gazettal and for the dates of the holidays to be advertised in the Government Gazette in December 2003.

Financial Implications

The financial implications arising from this report are the (2) half day Public Holidays represents a cost of approximately \$45,884.00 for the wages and salaries of Council staff.

General Manager’s Recommendation:

For determination by Council.

2003. 887

RESOLVED:

*Moved: Cl. Sowter
Seconded: Cl. Sproule*

1. That application be made to the NSW Department of Industrial Relations for the two (2) half day public holidays for 21st April 2004 and 5th May 2004.
2. That the Manager Tourism Services investigate having signs installed across the highway at either end of Kempsey advertising the events.

GM3	STRATEGIC DIRECTION SOUTH WEST ROCKS
FILE: T4-88	AVB (NRN) {Folio No. 262835}

SUMMARY:

THIS IS PAGE 93 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

To finalise the discussion paper on the infrastructure needs of South West Rocks from 2003 to 2016.



Council has resolved that the action of the Executive Committee regarding the Strategic Direction of South West Rocks be endorsed and has requested that the Committee prepare a similar paper ensuring that matters referred to in the Parson Brinckerhoff Report which are relevant to this matter are included together with recommendations on how to involve the South West Rocks community. For a copy of the Strategic Direction Paper refer [\(Appendix A\)](#).

The Strategic Directions paper for South West Rocks is not about Town Planning issues per se. Council's planning infrastructure, including the recent recommended changes to DCP 22, will cover Town Planning and Aesthetical issues. The Residential Land Release Strategy covers the whole Shire and provides a basis for the release of land for future residential development in the short, medium and long term. The Strategic Direction paper for South West Rocks is identifying what infrastructure needs to be provided in South West Rocks if the future residential areas identified in the Land Release Strategy are in fact released on the market.

The Parsons Brinckerhoff Report was a review of the 1995 Structure Plan for South West Rocks and had the following objectives:

- Document the current legislative and policy framework affecting development potential in the study area, particularly any legislative or policy changes which have occurred which may affect the accuracy and/or implementation of the current Structure Plan;
- Identify any physical constraints and opportunities which require updating or may have changed since 1995 (including flora and fauna, acid sulphate soils, hydrology, geotechnical and physical hazards) and which would affect future development potential of the study area;
- Identify any changes to social and economic infrastructure and service which may affect the capacity and/or location of future development in the study area (for example, health, recreation, social, sewerage, transport, water facilities and services);
- Identify the location and type of development which has occurred in the study area since 1995 (including residential, rural residential, commercial/retail, industrial, tourist and town centre development);
- Identify future development trends (including regional trends, authority requirements and community views); and
- Provide recommendations for any adjustments to the Structure Plan, further work to be undertaken, or new directions that the Structure Plan should take.

Council did not adopt the Parsons Brinckerhoff report, as it was unable to finance some of its recommendations and due to the uncertainty and possible conflict with Plan First. One of the recommendations of the report was to review the Land Release Strategy to assist in identifying any need for greater quantity or quality of services which could then be provided in a revised

Section 94 Contributions Plan. The Strategic Direction paper is this review process in respect to infrastructure planning.

Comment on recommendations in the Parsons Brinckerhoff report as they apply to infrastructure provisions are as follows:

RECOMMENDATION:

It is recommended that initial work be undertaken to verify that the latest information in relation to ocean design levels has been incorporated in the flood studies that have been used to define the one percent annual exceeding probability flood mapping. It is also recommended that mapping of sensitive waterways be undertaken to define receiving waters that would require treatment of runoff for water quality from upstream development.

RESPONSE:

Estuary Management Plan for Saltwater Creek is being prepared and a Flood Study of Saltwater Creek Catchment Area is being undertaken. Any work that needs to be done as a result of the study would be the responsibility of the developer.

RECOMMENDATION:

There are a number of issues in regard to the groundwater system that require further investigation. These include:

- The long term impact on the groundwater system and dependant ecosystems resulting from the extraction for water supply. An investigation should be undertaken to determine the sustainable yield of the bore field and the options for expansion. A study should utilise existing groundwater monitoring data to examine the issues associated with an increase in pumping rates, which include the possibility of saltwater ingress and the potential effects on ecosystems reliant on the groundwater system.
- Options for alternative water supply development if expansion of the Hat Head National Park bore field is not possible. Defined water supply catchment areas and protection measures are important aspects to be included in local area plans.
- The current and future impact of the effluent disposal on the coastal sand dune system, particularly the sustainability and expansion issues.
- The potential ongoing effect (if any) of contaminated sites and urban runoff on the groundwater system. Contaminated sites that should be considered include the old landfill site at Arakoon and the former Caltex and Shell oil terminals.

RESPONSE:

The first three dot points have been included in the discussion paper. In respect of dot point four Council is not responsible as it is not our aquifer. The site could be addressed in the Integrated Water Cycle Management Study.

RECOMMENDATION:

Recommendations contained in the report by Hunter Water Australia need to be implemented to address the sewerage requirements of predicted population growth at South West Rocks.

RESPONSE:

The Recommendations by Hunter Water Authorities are covered in the discussion paper.

RECOMMENDATION:

The *Technical Report* identified future road infrastructure needs. These should be revisited when development opportunities are determined following the implementation of the recommendations of this study. The existing road system does not provide any major constraints to the further development of the study area. As local environmental studies are undertaken or development applications are received, traffic issues will need to be considered in the context of the study area and in the planning of individual developments.

RESPONSE:

The Mitchell McCotter Report 1994 has been referred to and a number of suggested roadworks are outlined in the discussion paper.

RECOMMENDATION:

It is recommended that a study on the adequacy of community and recreational service provision for the South West Rocks area be undertaken as part of the development of the new Structure Plan in order to quantify service gaps and future service needs.

RESPONSE:

A number of community facilities to be provided have been identified in the discussion paper. Community facilities need to be identified by Government Departments as part of the consultation process.

As part of the Parsons Brinckerhoff Review community workshops were held. The infrastructure issues identified in these workshops were:

- Provide infrastructure and community services to meet existing and likely future needs
- Establish desired population growth and plan for this rather than developing to meet demand
- Need for an Aged Care facility and High School

THIS IS PAGE 96 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

- Section 94 Contribution Plan required specifically for South West Rocks to more adequately provide services required by new developments (stormwater, parking and landscaping)
- Improved bicycle and pedestrian network
- Plan for community open space
- Better public transport
- Need for entertainment for young people

It should be noted that although the opportunity to levy Section 94 Contributions could be expanded, the following contribution plans already apply at South West Rocks:

- Outdoor Recreation
- Carparking
- Stormwater
- Distributor Road
- Sewerage
- Water Supply

Council also has a plan for providing community open space which requires review.

Those areas that relate to Council have been included in the discussion paper by way of either comment or inclusion in the list of facilities that need to be provided. Input from Government Departments as to the need for an Aged Care facility, High School and Public Transport will need to be obtained during the consultation process.

The discussion paper needs to go to the South West Rocks community for comment and input. In the first instance it is suggested that the discussion paper be advertised and copies provided to those people who wish to comment. Copies should be forwarded to groups and organisations in South West Rocks and to Government Departments with an invitation to make a submission. Following the closing date for comments and submissions a Public Meeting should be held to discuss the community input.

REPORT IMPLICATIONS:

At this stage of the process there are no financial, policy, or statutory implications. Adoption of a position paper will involve future financial commitments.

2003. 888

RESOLVED:

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

1. That the discussion paper be titled 'Future Infrastructure Planning for South West Rocks
2. That the discussion paper be advertised Shire-wide and community comments invited.
3. That copies of the discussion paper be forwarded to groups and organisations in South West Rocks and Government Departments.

THIS IS PAGE 97 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

4. That the comments/submissions received be discussed at a public meeting to be held in South West Rocks.

GM4	IMPLEMENTATION OF 2002-2003 MANAGEMENT PLAN
FILE: A3-8	JCC (NRN) {Folio No. 262840}

SUMMARY:

Reporting on the implementation of Council's 2002/2003 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 the quarter.

Attached at [\(Appendix B\)](#) is a report on the achievements in respect to Council's Targets/Performance Measures for the quarter ended 30 June 2003.

Financial Implication

There are no financial implications arising from this report.

2003. 889

RESOLVED:

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

That the achievement of performance targets set by the 2002/2003 Management Plan for the period to the end of June 2003 quarter be noted.

GM5	OFFICE ACCOMMODATION – TRAINING ROOM
FILE: LA825 AVB COPY: APC	{Folio No. 262841}

SUMMARY:

Reporting on the proposed installation of a training room at the Works Depot.



In order to address some of the staff accommodation problems currently being experienced at the Civic Centre it is proposed to –

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MAYOR

1. Utilise the current Staff Training Room as office space for the Water Services Section, and
2. To install a prefabricated building at the Works Depot for use as a staff training facility.

The Draft Plan of Management for the Depot includes provision for a Staff Training Room to be located adjacent to the Works Office.

In addition to assisting the accommodation arrangements at the Civic Centre, the proposal will be much more convenient for the training of “outdoor” staff and will obviate the need for Council vehicles, trucks, etc. to be parked at the Civic Centre for the duration of training courses.

The accommodation at the Civic Centre is becoming critical with Council taking on more and more functions and with the level of development and service provision increasing. To construct new offices or purchase additional accommodation would be an expensive option. In the first instance I believe Council should be investigating how to maximise the use of the current space available through the introduction of modern layouts and furniture design. An office space architect should be engaged for this purpose.

Report Implication

The cost of a 12m x 6m prefabricated building, including installation and fit out, is estimated to be \$35,000.

This cost can be funded from existing 2003/04 Budgets for the Water Services Section (\$20,000 – Team Development) and from the Depot Improvements allocation. The cost of an architect approximately \$7500 could be financed from the allocation available from land sales but in the meantime would need to be financed from working funds. There are no policy implications or statutory implications.

2003. 890

RESOLVED:

*Moved: Cl. Powell
Seconded: Cl. Sproule*

1. That the information be noted.
2. That the Budget allocation of \$35,000 for the establishment of a Staff Training Room at the Works Depot be approved, with offsetting reductions in the Budgets for Water Services Section and Depot Improvements.
3. That an architect be engaged to internally redesign the current Civic Centre accommodation.



QUESTIONS WITHOUT NOTICE

Councillor Powell

THIS IS PAGE 99 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

Councillor Bowell was advised:-

1. That the Director Environmental Services would provide Councillor Bowell with a progress report with regard to Mr John Brady's development at Belmore involving land filling.
2. That the Mayor was not aware of the current patronage of the Horizon Airlines service.
3. That the next Caravan Park Committee meeting was scheduled for 5th November 2003.
4. That the Director Engineering was aware of the matter involving the Wigay Park committee seeking possible rezoning to allow for commercial activities.
5. That the Director Engineering would follow up proposals for improvements at the Memorial Park in South Kempsey.
6. That the Director Engineering had not received any advice on the crown land subdivision at Crescent Head in recent times and would make some enquiries with the Department of Lands.
7. That a pathway between Boronia Gardens and Roy Sanders Street, South West Rocks was included in the SWR Strategy Plan.
8. That the Director Corporate and Community Services would arrange a report on the Suicide Prevention conference attended recently by the Youth Officer.
9. That the Director Engineering had arranged, due to public liability concerns, an access area to Spencers Creek used to launch boats, to be barricaded off.

Councillor Bowen

Councillor Bowen was advised:-

1. That the Director Engineering would investigate the need for stabilizing the bank of the drain at the end of Simpson Street, South West Rocks where sand sub base is washing into the drain.
2. That the Director Engineering would investigate the need for vegetation to be removed from the drain at Hill Street, South West Rocks however this was crown land so Council would not normally undertake work in this drain.
3. That the Director Engineering would investigate the report of a women's toilet being locked and unable to be used at the Mattes Flat reserve.

Councillor Sowter

Councillor Sowter was advised:-

THIS IS PAGE 100 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR

1. That the Director Engineering would investigate the reports of falling limbs from the large camphor laurel trees at Smithtown Park.
2. That the camphor laurel trees in Kemp Street in front of Church of England are to eventually be removed.
3. That the Director Business Enterprise would investigate the status of a request for a garbage service along Summer Island road.
4. That the General Manager was aware of a letter and reports relating to delays in processing development applications and the delays were the result of staff in Environmental Services being away on sick leave and other leave and also the fact that temporary Planning staff are not available. The availability of private certifiers is also limited in the Kempsey area.
5. That the Director Corporate and Community Services would investigate the protocols used by the National Parks and Wildlife Service when requiring consultants to assess Aboriginal cultural issues and a quotation will be obtained before such investigative consultant work is undertaken in regard to Point Plomer Road.

Councillor Sproule

Councillor Sproule was advised:-

1. That the Director Engineering would consider use of steam in the eradication of weeds, particularly in and round the CBD area.
2. That the Director Business Enterprise would arrange removal of rubbish dumped approximately 3 kilometers along Pipers Creek Road.
3. That the Director Engineering would arrange for the sign for motorcycle parking in the Clyde Street Mall car park which has been removed ie. the one on the power pole near the toilet block, to be replaced.
4. That the Director Engineering would investigate the status of the replacement of the information board in the Clyde Street Mall which had been vandalized.

Councillor Hayes

Councillor Hayes was advised:-

1. That the Director Business Enterprise would investigate the notice board at the Shell Garage on the Pacific Highway which has no notices in it and will discuss its use with the Tourism Services Manager.
2. That the Director Corporate and Community Services has been following up the issues relating to the use of the Hat Head Surf Club hall for a party which resulted in property damage in the area.

THIS IS PAGE 101 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

.....
MAYOR



MOTION FOR COMMITTEE

2003. 891

RESOLVED:

*Moved: Cl. Joukhadar
Seconded: Cl. Howell*

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.



**DIRECTOR BUSINESS ENTERPRISES
CONFIDENTIAL REPORT**

DBE 1	LOT 98, AKUBRA PLACE	
	FILE: LA18995 GBS	{Folio No. 262844}

SUMMARY:

Reporting on proposals for leaving Councils Akubra Place premises.

REASON FOR PRESENTATION OF REPORT ON A CONFIDENTIAL BASIS

This report is submitted on a confidential basis as it contains information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting business.



2003. 892

RECOMMENDED:

*Moved: Cl. Joukhadar
Seconded: Cl. Howell*

That Council advise Fredo Pies and Ice Cream Pty Ltd that the freehold title of the property may be purchased for the current market price of \$200,000, with payment to be made on the basis of \$20,000 deposit and 9 annual instalments of \$26,730 and this offer remain open until 31st December 2003.

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MAYOR

GENERAL MANAGER'S CONFIDENTIAL REPORT

GM1

LEGAL MATTERS

FILE: L3-1 AVB

{Folio No. 262843}

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)).



2003. 893

RECOMMENDED:

*Moved: Cl. Joukhadar
Seconded: Cl. Bowell*

- 1 That the information be noted.
- 2 That in the matter Council V Hanratty the action proposed in the General Manager's report be adopted.



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

2003. 894

RESOLVED:

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

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



REQUEST FOR LEAVE OF ABSENCE

File: C18-2

2003. 895

RESOLVED:

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

THIS IS PAGE 103 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

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MAYOR

That this matter be dealt with at this meeting as it is deemed by the Mayor to be a matter of great urgency.

2003. 896

RESOLVED:

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

That leave of absence be granted to Councillor Hunt for non-attendance at the Council meeting on 6th November 2003.

CONCLUSION:

There being no further business, the Meeting terminated at 5.40 p.m.



THIS IS PAGE 104 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 14TH OCTOBER 2003.

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MAYOR