



MINUTES OF THE ORDINARY MEETING OF KEMPSEY SHIRE COUNCIL

Tuesday 8th July 2003 commencing at 9.04a.m.

PRESENT:

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

Aboriginal Mentoring Participant Colleen Campbell.

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



APOLOGY:

2003. 588

RESOLVED:

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

That the apology submitted by Councillor T Hunt for non-attendance at the meeting be accepted and leave of absence granted.



MINUTES OF THE ORDINARY MEETING OF KEMPSEY SHIRE COUNCIL DATED 10TH JUNE 2003

2003. 589

RESOLVED:

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

That the Minutes of the Ordinary Meeting of Kempsey Shire Council dated 10th June 2003, be adopted.



MINUTES OF THE EXTRAORDINARY MEETING OF KEMPSEY SHIRE COUNCIL DATED 24TH JUNE 2003

2003. 590

RESOLVED:

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

That the Minutes of the Extraordinary Meeting of Kempsey Shire Council dated 24th June 2003, be adopted.

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MAYOR



CONSIDERATION OF LATE REPORTS

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

That report GM8 (SUPP.) – Structure Reform be deferred to 22nd July on the day of the Planning Committee meeting.

The Motion was PUT to the MEETING and was LOST.

2003. 591 **RESOLVED:** *Moved: Cl. Bowen
Seconded: Cl. Bowen*

That item GM8 (Supp) – Structure Reform be left on the agenda for 8th July for initial consideration.

2003. 592 **RESOLVED:** *Moved: Cl. Bowen
Seconded: Cl. Sproule*

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



ADOPTION OF AGENDA ORDER OF BUSINESS

2003. 593 **RESOLVED:** *Moved: Cl. Bowen
Seconded: Cl. Sproule*

That items NOM2 – Arakoon State Park – The Late Desmond John O’Dell and item DE3 – Naming of Park be dealt with in conjunction.

2003. 594 **RESOLVED:** *Moved: Cl. Bowen
Seconded: Cl. Sowter*

That the Agenda Order of Business be adopted.



MAYORAL MINUTE

M1	MAYORAL ENGAGEMENTS FOR JUNE/JULY
FILE: C18-25	JLM {Folio No. 257022}

SUMMARY:

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MAYOR

Reporting on the Mayoral Engagements since the previous Council meeting, on the 10th June.



Tuesday 10th June

- Management Plan Public meeting

Wednesday 11th June

- Caravan Park Committee meeting
- Water and Sewerage Steering Committee meeting
- Meeting with ratepayer
- Meeting with ratepayer

Thursday 12th June

- Joint Mayors and Board Meeting of the Mid North Coast Area Health Service at Port Macquarie

Friday 13th June

- Opening of the Peter Mainey Bridge at Toorooka
- Executive Briefing meeting

Saturday 14th June

- Rotary Changeover Dinner at SWR

Wednesday 18th June

- Kempsey Town Centre Masterplan Committee meeting

Thursday 19th June

- Hosted morning tea for a group of New Zealanders involved in the Friendship Force exchange.
- Meeting with Doug Burton Regional Marketing Manager for the North Coast Regional Tourism Organisation
- Community Consultative Committee meeting for the Correctional Centre

Saturday 21st June

- Opened and launched the State Finals of the U/12 and U/14 Hockey at Verge Street Kempsey

Tuesday 24th June

- Planning Committee Council meeting
- Works Inspections
- Rotary Science Challenge and Dinner at the RSL Club

Wednesday 25th June

- Meeting with Tom Port General Manager of Nambucca Shire Council

Friday 27th June

- Meeting with The Hon. Carl Scully MP Minister for Transport in Sydney
- Meeting with Horizon Airlines Representatives in Sydney

Sunday 29th June

- Departed Sydney for Local Roads Congress in Kalgoorlie

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Monday 30th June

- Attended Local Roads Congress in Kalgoorlie

Tuesday 1st July

- Attended National Roads Conference in Kalgoorlie

Monday 7th July

- Opening of the Charter Freight Lines Depot at Stuarts Point

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

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

Financial Implications

The financial implications of this report are nil.

2003. 595

RESOLVED:

*Moved: Cl.Hayes
Seconded: Cl.Bowell*

That the information be noted.

MAYORAL SUPPLEMENTARY MINUTE

M2 (SUPP)	MID NORTH GROUP OF COUNCILS FILE: B6-2	COUNCILLOR HAYES
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SUMMARY:

Reporting on the meeting held with the Minister for Roads.



A delegation to the Minister for Roads, the Hon. Carl Scully, MP, was arranged on behalf of the Mid North Group of Councils to discuss the issue of timber bridges on local roads. Co-ordinated through Rob Oakeshott, Member for Port Macquarie, Deputy Mayor of Hastings Council, Councillor Rob Drew, and General Manager, Bernard Smith and myself and Director Engineering, Keith Finnie, represented the Group at a meeting held on Friday, 27th June in Parliament House. The Minister was accompanied by his Chief of Staff and Michael Bushby from the Roads and Traffic Authority. The Group, comprising Nambucca, Greater Taree, Bellingen, Gloucester, Coffs Harbour, Kempsey and Hastings Councils, has a total of 887 timber bridges with a total replacement cost of \$150M. The Minister confirmed his commitment to Timber Bridges on Regional Roads by the \$105M program over the next 7 years, an increase of \$15M/yr specifically for bridges. This program will need clarification through the RTA and individual Councils will need to pursue their Regional Manager.

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As a Group, options need to be explored to prioritise and justify any funding from the State for bridges on local roads. The Minister agreed to look at funding for up to 7 bridges if the Group could identify the worst, in priority order. These bridges would need to show a benefit to the classified road network to justify funding from the State.

Recognising the need for attention to the large number of timber bridges on the north coast, the Minister also suggested a co-operative approach to the development of some form of sinking fund with funding drawn from the community by way of a small rate increase perhaps. This would need further discussion both with the Department of Local Government and perhaps the Local Government Minister, the RTA, LGSA and Councils.

With the assistance of Rob Oakeshott, I was able to gain access to the Minister for Local Government, the Hon. Tony Kelly and raise this concept. The Minister recognised both the need for attention to timber bridges, particularly on the north coast, and to funding being drawn from the local community who need the bridges. He agreed to discuss this concept further with Minister Scully and would welcome a regional approach to the issue. The Minister was not averse to a rate increase to address the issue but, recognising the need for further work to be done, recommended the Group identify an appropriate long term strategy which would come back to both Ministers.

I also took the opportunity to raise the issue of the Pacific Highway Bypass of Kempsey with Minister Scully. The Minister again described Highway upgrade project as "visionary" and urged Council to pursue a federal commitment beyond 2006. He would not be drawn on a date for announcement of the preferred route apart from before Christmas.

Overall the meeting with Minister Scully was extremely worthwhile. I believe further approaches should be made to both Federal members seeking a firm commitment to the Highway upgrade project beyond 2006. On the issue of timber bridges I have asked the Director Engineering to contact the other Council engineers to initiate discussions on prioritising timber bridge replacements across the Group. The subject will be discussed further at future Group meetings and a strategy developed to advance proposals to both Minister Scully and Minister Kelly.

Financial Implication

There are no financial implications from the following recommendation.

2003. 596

RESOLVED:

*Moved: Cl. Hayes
Seconded: Cl. Joukhadar*

1. That the information be noted.
2. That Luke Hartsuyker, Member for Cowper, and the Hon. Mark Vaile, Member for Lyne, be approached seeking their support for funding an extension of the Pacific Highway Upgrade Project beyond 2006.

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SUMMARY:

Reporting on attendance at the 4th National Rural Roads Congress.



The 4th National Rural Roads Congress was held from the 29th June 2003 until 1st July 2003 in Kalgoorlie – Boulder, Western Australia, and was attended by myself and Director Engineering, Keith Finnie. A copy of the program is available for those interested. A copy of the Congress communiqué is attached at [\(Appendix A\)](#).

The opening address was from the Governor of Western Australia, Lieutenant General John Sanderson, A.C., an engineer, who spoke strongly of the need for roads for community benefit. He explained one reason for invitations from the community to this office appeared to be the fact that the roads were sure to be graded before his arrival!

Australian Local Government Association President, Councillor Mike Montgomery, congratulated the Federal Government for the initiative shown by the Roads to Recovery Programme (R2R). This programme, which addressed the huge backlog in local road requirements, had registered more than 10,000 projects, many with multiple benefits, in safety, enhancement of the road network and increase in local jobs opportunities. However, the program finishes in June 2005 and to properly maintain the local road network the R2R program needs doubling. All Local Government Authorities are urged to join the campaign to secure a continuation of R2R by ensuring the benefits of the program to the local electorates are well known and communicated strongly to Federal MP's.

With respect to AusLink, Councillor Montgomery recognised that it was not just about roads or rail but was about the transport of freight. Concerns from local government, exemplified by the fact that of the 550 odd submissions on the Green Paper more than ½ were from local government, where the need for:

- thorough consultation with local government, with local government a signatory to the document.
- quarantining of existing funding blocks or, better still, extension of such programs.
- full representation of all levels of government.

The Keynote address was by the Hon. John Anderson, Deputy Prime Minister and Minister for Transport and Regional Services, who spoke of the \$760M programs available in 2003/04, including R2R. Mr Anderson advised that the Federal Government considered the R2R program a huge success with 3 major pluses:

1. Local Government being the decision makers

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2. A simple reporting system and
3. Direct funding to Local Government.

However, the Deputy Prime Minister did point out that the States have primary responsibility for roads. He felt that the increase in the huge task of land transport had not been fully understood by Government and agencies and that it was essential to get it right, both with road and rail.

The Federal Government recognised the impact on the urban network and passenger transport but emphasised that AusLink was:

- a 5 year strategy, focused on national transport corridors
- to involve the private sector
- have the ALGA as a signatory
- to have no negative impacts on existing Federal funding programs (eg. FAG's, Black Spot etc.)

The white paper would be released before Christmas.

The AusLink Forum, with 5 panellists, provoked good response from delegates and raised a number of key issues:

- Local government needs to join with State and Federal governments on decision making.
- Local government has difficulty in regional planning issues
- need to integrate all modes of land transport, not just roads
- justification for funding is difficult without information and modelling of various options.
- there is a need for development of a national land network to anticipate future requirements, not just to react to current demands.
- the fixed split of Federal/State funding needs review.
- funding is required for maintenance.
- most relevant transport corridors are there and should be the basis for the new system.

The Workshops were also very worthwhile. I attended Workshop B "Intelligent Transport Systems" and found it to be quite inspirational.

I have asked both the General Manager and Director Engineering to investigate the website to see if there is anything which could be applied to this Shire.

The Director Engineering attended the "Intelligent Asset Management" session and drew benefit from that workshop.

Austrroads, the national association of Australian and New Zealand road transport and traffic authorities, aims to provide strategic direction for the integrated development, management and operation of the Australian and New Zealand road system – through the promotion of national uniformity and harmony, elimination of unnecessary duplication of involvement and effort and the identification and application of world best practice.

Austrroads membership comprises the six Australian State and two Territory road transport and traffic authorities, the Commonwealth Department of

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Transport and Regional Services, the Australian Local Government Association and Transit New Zealand. It is governed by a council consisting of the chief executive (or an alternative senior executive officer) of each of its eleven member organisations.

- Roads and Traffic Authority New South Wales
- Roads Corporation Victoria
- Department of Main Roads Queensland
- Mains Roads Western Australia
- Transport South Australia
- Department of Infrastructure, Energy and Resources Tasmania
- Department of Transport and Works Northern Territory
- Department of Urban Services Australian Capital Territory
- Commonwealth Department of Transport and Regional Services
- Australian Local Government Association
- Transit New Zealand

As the Road Modal Group for the Australian Transport Council (ATC), Austroads work plans will be responsive to the needs of ATC. Austroads will also work with and support the National Transport Secretariat (NTS) in fulfilling its purpose and role of advising ATC on transport issues that are of cross-modal, cross-jurisdictional, strategic and national significance.

The chairman of Austroads, Dr Robin Dunlop, presented “Global Trends in local transport”. His main message was to focus on “end-result” specifications and quality assurance for all physical works.

The following day, transport consultant Peter Rufford reported on the Roads to Recovery Review. The significant statistic presented related to the local road asset across the nation being valued at \$75 Billion. However there was a funding shortfall of \$630M/yr nationally required to maintain the basic asset, essential for access.

The keynote address from Martin Ferguson, MP, Shadow Minister for Regional and Urban Development, Transport and Infrastructure, gave the view from the other side. His presentation was polished and details provided gave delegates much food for thought. A copy of his speech is available on the ALGA website.

The session on Improving Transport Services Through Research and Innovation also provided food for thought and precipitated much debate. Can you imagine the trucks of today moving freight in 10 years time? Has the current regulatory regime run its course? Is it too prescriptive and stifling innovation? What is needed for heavy vehicle operation is a truly national cooperative system that ensures:

- safe operation – stay upright and not sway excessively (not a current requirement)
- fit on the road – steerable axles an option
- have environmental and amenity protection – stationary noise and braking noise are issues
- provide pavement and bridge protection – need to reduce wear on infrastructure.

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Dr Arnold McLean, from the University of Wollongong, raised some issues with respect to the facts on air suspension systems.

The closing address was from the Hon. Wilson Tuckey, MP, Minister for Regional Services, Territories and Local Government, always an interesting speaker. He spoke of the outcomes from the Hawker inquiry on Cost Shifting perhaps providing a platform for different sort of Local Government. Changes to the Regional Assistance Program could see direct funding to Local Government, as per the R2R program or all-in Regional partnerships with the \$64M/yr for forward programs, with one important addition – assistance to private enterprise! It will be interesting to see the outcomes.

Financial Implication

There are no financial implications from the following recommendation.

2003. 597

RESOLVED:

*Moved: Cl. Hayes
Seconded: Cl. Sproule*

1. That the information be noted.
2. That Council write to both Local Federal Members to seek their support for a commitment to the continuation of R2R after June 2005.



NOM1	INDOOR STADIUM IN KEMPSEY	
	FILE: R3-51 AVB	{Folio No. 257026}

8th July 2003

Notice is hereby given that I intend to move the following motion at the ordinary meeting of Council scheduled for 8th July 2003.

"That the General Manager report on the feasibility of utilising Section 94 funds accumulated throughout the Shire for the establishment of an Indoor Stadium in Kempsey which would be available for the benefit of all Shire Ratepayers and residents.

That the Department of Sport and Recreation be requested to allocate funding to allow a consultant to be engaged to investigate a suitable site for an Indoor Stadium and to prepare a draft layout for community consultation."

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Councillor J H Bowell

2003. 598

RESOLVED:

*Moved: Cl. Bowell
Seconded: Cl. Parkinson*

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That the General Manager report on the feasibility of utilising Section 94 funds accumulated throughout the Shire for the establishment of an Indoor Stadium in Kempsey which would be available for the benefit of all Shire Ratepayers and residents.

That the Department of Sport and Recreation be requested to allocate funding to allow a consultant to be engaged to investigate a suitable site for an Indoor Stadium and to prepare a draft layout for community consultation.

NOM2	ARAKOON STATE PARK - THE LATE DESMOND JOHN O'DELL
FILE: G5	KJF
	{Folio No. 257031}

8th July 2003

Notice is hereby given that I intend to move the following motion at the ordinary meeting of Council scheduled for 8th July 2003.

"That representations be made to the State Government through Mr Andrew Stoner MP Member for Oxley with a request that appropriate recognition be given to the services of the late Desmond John O'Dell within the area of the Arakoon State Park."

NOTE

The late Des O'Dell was awarded the Medal of the British Empire (MBE) for outstanding service to the community in 1970.

Des was elected to the former Kempsey Municipal Council in 1946 subsequently Macleay Shire Council in 1963 and during his service on this Council he was the inaugural Chairman of Trial Bay Trust which controlled the areas of Trial and Little Bays at South West Rocks. Prior to the establishment of the Trust the area was under the control of Council for some years and as President Des O'Dell was Chairman of the Committee.

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Councillor J H Howell

2003. 599

RESOLVED:

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

That representations be made to the State Government through Mr Andrew Stoner MP Member for Oxley with a request that appropriate recognition, such as a plaque, be given to the services of the late Desmond John O'Dell within the area of the Arakoon State Park.

DE3	NAMING OF PARK
FILE: G5	KJF
	{Folio No. 257074}

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SUMMARY:

Reporting on a request to name a park, reserve or street after a recognised identity.



The family of the late Desmond John O'Dell has requested that Council consider naming a park reserve or street in his honour. A copy of their letter is attached at [\(Appendix E\)](#).

The achievements listed in the attachment to the letter would indicate that such a request is appropriate.

Council has no parkland at Arakoon or Trial Bay however, as the area is surrounded by National Park. Council has provided funds next year for the development of a park at South West Rocks. It was anticipated that the park be developed along the riverbank immediately upstream of the boat ramp at South West Rocks. This area is a Crown Reserve R86775, surrounding some 5660m² of Council parkland. Council may like to consider naming this area after Des O'Dell. Costs involved would be principally for signage, estimated at \$600 which would be drawn from the vote provided.

Financial Implication

There are no financial implications from the following recommendation as costs would be covered by the vote provided in the estimates.

Director Engineering Recommendation::

That the reserve adjacent to the Mattys Flat boatramp be named in honour of Des O'Dell.

2003. 600

RESOLVED:

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

That the matter of Mattys Flat reserve be referred to the Macleay River Historical Society for inclusion in the current heritage study of the Shire and a report come back to Council.

NOM3	PUBLIC RADIATION THERAPY UNIT, PORT MACQUARIE
FILE: H2-10	TIH {Folio No. 257033}

Notice is hereby given that I intend to move the following motion at the ordinary meeting of Council scheduled for 8 July 2003.

“That Kempsey Shire Council support Hastings Shire Council in its efforts to have the Public Radio Therapy Unit established in Port Macquarie as a matter of urgency.

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MAYOR

That Council make representations to The Hon. Mark Vaile MP Member for Lyne with a request that the funding for the project by the Federal Government be made available as a matter of urgency.”

NOTE

The establishment of the Public Radio Therapy Unit in Port Macquarie will provide an obvious benefit to the community of Kempsey Shire.

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Councillor J H Bowell

2003. 601

RESOLVED:

*Moved: Cl. Bowell
Seconded: Cl. Parkinson*

That Kempsey Shire Council support Hastings Shire Council in its efforts to have the Public Radiation Therapy Unit established in Port Macquarie as a matter of urgency.

That Council make representations to The Hon. Mark Vaile MP Member for Lyne with a request that the funding for the project by the Federal Government be made available as a matter of urgency.

NOM4	QUARRY MANAGEMENT PLAN, CHURCHILL QUARRY
FILE: T6-02-707	RBP (NRN) {Folio No. 257035}

Notice is hereby given that I intend to move the following motion at the ordinary meeting of Council scheduled for 8 July 2003.

“That Kempsey Shire Council resolves to;

Prepare a Quarry Management Plan, for the Churchill Quarry which will set future quarry operating limits, methods and parameters and the maximum noise and overpressure limits for the surrounding dwellings, so that all possible future dwellings or other development can be fairly and properly assessed, sited and designed to be within those limits.”

NOTE

Due to the infrequent noise complaints from residents as well as what has transpired over the past month regarding the application by Ms. Vermeer I believe it has become necessary to Prepare a Management Plan so that Council’s resources are protected as well as allowing local residents to have a clear plan to provide guidance and avoid possible future conflict

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Councillor Nadim Joukhadar

MOVED:

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

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MAYOR

That Kempsey Shire Council resolves to;

Prepare a Quarry Management Plan, for the Churchill Quarry which will set future quarry operating limits, methods and parameters and the maximum noise and overpressure limits for the surrounding dwellings, so that all possible future dwellings or other development can be fairly and properly assessed, sited and designed to be within those limits.

An Amendment was **MOVED**:

*Moved: Cl. Bowen
Seconded: Cl. Parkinson*

That Council prepare Management Plans for all the quarries under Council's control.

The Amendment was **PUT** to the Meeting and was **LOST**.

2003. 602 The **MOTION** was **PUT** to the **MEETING** and was **CARRIED**.



DELEGATE'S REPORT

D1	UNIVERSITY OF NSW SCHOOL OF RURAL HEALTH MNC DIVISION COMMUNITY ADVISORY BOARD FILE: H2 -10 TIH (NRN) {Folio No. 257037}
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SUMMARY:

Reporting on attendance at the meeting held in Coffs Harbour on Friday 13th June 2003.



Progress reports were provided by:

- Ms Katy Balmaks, Commonwealth Department of Health and Ageing
- Professor Richard Henry, Faculty of Medicine, University of New South Wales
- Professor Sandy Reid, Director, University of New South Wales School of Rural Health

Professor Henry advised that there will be 182 additional places provided in the 2004 intake for medical students and that Kempsey District Hospital will gain through students who wish to study Aboriginal Health.

Professor Reid stated that a regular newsletter will be distributed updating information on the School of Rural Health to enable the process of community consultation to be undertaken.

I have been invited to attend Learning Management Committee meetings involving the medical students at Kempsey District Hospital Campus.

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NOTE:

A meeting was held on Monday 23 June 2003 when I had the opportunity to meet two of the current medical students and view the area to be made available at Kempsey Hospital for the medical students to carry out research etc.

The present group of students terminate their attendance at Kempsey District Hospital on Saturday 5 July 2003. A further group of four medical students will be attending Kempsey District Hospital between 18 August and 28 September 2003.

2003. 603

RESOLVED:

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

That the information be noted.

D2

**SUICIDE PREVENTION
FILE: C11-6 TIH**

{Folio No. 257038}

SUMMARY:

Reporting on attendance at the 10th Annual Suicide Prevention Australia National Conference held in Brisbane.



Preventing suicide is everyone's business.

Local solutions to local problems.

Over the past four years there has been a 35% reduction in suicides amongst the 15-24 age group however there has been an increase in the 25 – 44 age group, particularly males, and in the over 65 age group.

Council's Social Plan, which was updated in July 2002, addresses target group strategies including:

- Aboriginal issues - health
- Youth Issues - improved health through education and health promotion
- Women's Issues - improved health and well being
- Men's issues - active role in personal health care - early intervention

The Social Plan is designed to:

- Develop an understanding of the needs of the community
- Identify appropriate strategies to respond to those needs
- Advocate for those services that need to be provided by other government agencies, the private sector or community organisations

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The Suicide Prevention Strategy is one such strategy.

The Conference was officially opened by Senator Kay Patterson Federal Minister for Health when the Government's Community Life (Living is for Everyone) Project was launched.

The LIFE Framework has four broad goals:

1. Reduce deaths by suicide across all age groups in the Australian population, and reduce suicidal thinking, suicidal behaviour, and the injury and self-harm that result.
2. Enhance resilience and resourcefulness, respect, interconnectedness and mental health in young people, families, and communities, and reduce the prevalence of risk factors for suicide.
3. Increase support available to individuals, families and communities affected by suicide or suicidal behaviours.
4. To provide a whole of community approach to suicide prevention and to extend and enhance public understanding of suicide and its causes.

“Effective action requires the involvement and cooperation of the whole Australian community, to work together to build resilience, resourcefulness tolerance and capacity in communities and in people of all ages” (Professor Ian Webster AO, Chairman, National Advisory Council for Suicide Prevention).

Tamworth is an area where youth suicide is an alarming community issue and representatives of Tamworth High School made a presentation to the Conference.

Over the past six years there have been nine youth suicides with the majority occurring in October and November.

A Youth Summit in 2000 identified that there are many causes of stress, anxiety and depression for young people and outcomes which are being addressed include:

- The need to increase awareness and education of Mental Health issues.
- An approach to Council to consider the inclusion of young student leaders on appropriate Council committees, to be heard and their needs acknowledged in the community
- A request that the NSW Board of Studies include Mental Health issues within the Year 9 PD/Health/PE Program
- A recommendation that the State Government:
 - a) increase funding to the Department of Education and Training to provide adequate training and development programs for all staff in Mental Health issues, and
 - b) increase the funding to the Department of Health to provide appropriate, and much needed, medical staff and hospital facilities to meet the increasing demand in the field of mental health

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A presentation was also made by the Mayor, a Councillor and Youth Officer of Toowoomba City Council.

'Beyond the 3R's of Local Government - How our community uses spirituality in the fight against youth suicide – through leadership.'

Yet another presentation from a Local Government perspective was that by the Sutherland Shire Safety Network Inc.

While the Federal Government supports strategies which build social cohesion, Sutherland Shire Council recognises suicide prevention begins within local communities where members look out for each other.

The Sutherland Shire Safety Network is a collaboration of community members and key service providers including government and non-government agencies which have a role in reducing the incidence of suicide.

A whole of Community Approach!!!

Whilst there is a National Suicide Prevention Strategy there is no separate document for the Mid North Coast Area Health Service.

Suicide deaths and directly standardised suicide rates for the period 1972 – 2000 for the Mid North Coast Area Health Service show a significant increase from 1972 (7) to 2000 (35) for all ages.

Between 1996 and 2000 there have been 185 deaths (avg. 37 each year) with 21 deaths in the 15 – 24 year olds (only 1 in 2000) and 26 in the 65+ year olds (5 in 2000). The majority were males.

Further information has been requested from Toowoomba and Sutherland Councils.

Community initiatives currently funded under the National Suicide Prevention Strategy include the 'Gathering resilience and personal growth towards empowerment' project approved for Kempsey Shire Council.

The steps recommended by Community Life for a successful Suicide Prevention Program are attached [\(Appendix A\)](#).

2003. 604

RESOLVED:

*Moved: Cl. Bowell
Seconded: Cl. Parkinson*

- 1. That Council facilitate a meeting of government and non-government stakeholders to establish a Draft Suicide Prevention Program for the Kempsey Shire area.**
- 2. That a meeting of interested members of the Community be arranged to consider adoption of a local Suicide Prevention Program**

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MAYOR

SUMMARY:

Reporting on attendance at a public meeting on 12th June 2003 at the Gladstone Hall to discuss a report and suggested layout of the Hall if part were to be utilised as an art gallery.



In attendance: Councillor Sowter and approximately 38 residents

Apologies: Mayor J Hayes and Councillor Sproule

At the invitation of the Director of Community Services I chaired a public meeting which was held at the hall on Thursday 12 June 2003 to discuss a report and suggested layout of the hall, if part were to be utilised as an art gallery.

The Chairman of the Hall Committee, Mr J. Simon reported on the meetings held with Mr T. Jamison of Jamison Architects Pty Ltd and tabled a draft plan of proposed modifications to the hall which would provide a reasonable compromise for the various uses of the hall.

Mr Trevor Hannam detailed the proposed alterations and provided the rationale for the alterations. Comments were then invited from the residents. This enabled a number of people to query the proposal and many suggestions were made on the suitability of the location of the supper room, the kitchen, the storage room, the need for humidity control and the security of paintings.

The ability to stage touring exhibitions was queried as the storage space was thought by some to be inadequate.

One of the people who had opposed the concept at the previous meeting expressed support for the proposal but there is still some concern by residents that the proposal is not in the best interest of the Gladstone community.

However it was decided, at the conclusion of the meeting, that the concept as provided by the architect was accepted in principle and was to be further considered by the hall committee and amended where the committee agreed. Further it was decided to prepare a memorandum of understanding to provide a clear definition of roles and responsibilities of the committee, the Council, and the community. The amended plan then was to be promulgated in the community.

2003. 605

RESOLVED:

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

That the information be noted.

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



DIRECTOR ENVIRONMENTAL SERVICES REPORT

DES1	MID NORTH COAST CATCHMENT BLUEPRINTS
FILE: R7-1 RFK (NRN)	{Folio No. 257040}

SUMMARY:

Reporting that the Mid North Coast Catchment Blueprints has now been released.



The NSW Government formed the Catchment Management Board (CMB) in mid 2000 following a review of the Total Catchment Management (TCM) Program.

The CMB has overseen the development of the Integrated Catchment Management Plan for the Mid North Coast Catchment 2002 - Mid North Coast Catchment Blueprint.

The 'Blueprints' are plans prepared under the Catchment Management Act 1989. It is reported to be a 'whole of government' approach to natural resource management. They are 10 year plans for integrated catchment management. The actions identified in the 'Blueprint' are not compulsory as the blueprint is an advisory document not a regulatory plan. The CMB has identified that the actions identified in the blueprint will only be implemented with landholder support for the identified action.

The blueprints recognise the PlanFirst initiative and its aims are to identify the areas of greatest need and those projects and methods that result in the maximum returns for those efforts.

The Mid North Coast Catchment Blueprint is one (1) of twenty-one (21) such blueprints developed. The Blueprint Implementation Manual defines the process for review of the blueprint. The CMB is required to produce annual reports and the CMB will review the blueprints every five (5) years. At intervals of no longer than five (5) years the Minister will appoint an independent audit panel to report on the provisions of the blueprints.

The CMB has developed a three (3) year Investment Program and has submitted a three (3) year NHT investment strategy of \$4m a year for three (3) years. Community projects with a value of up to \$30,000.00 will continue to be eligible for direct funding through the NHT Envirofund Program. Local government applications with an overall project value in excess of \$30,000.00

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are no longer available. The CMB blueprint Investment Strategy now forms the framework for such programs, i.e. The Macleay River Floodplain Project.

Primarily the blueprint has five (5) First Order Objectives, which include five (5) catchment targets and twenty-six (26) management targets, four (4) Board-wide Management Actions and seventy-nine (79) identified general actions that have been developed and prioritised by established technical teams.

The following is a summary of the major objectives and actions that have relevance to Kempsey Shire Council.

First Order Objectives:-

- Land use that is strategically planned, sustainable and efficient in its use of resources.
- Healthy aquatic systems, with water quality and quantity meeting the needs of the environment and the community.
- Soils managed for sustainability and productivity.
- Vegetation managed for sustainability and productivity.
- Biodiversity and natural ecosystems conserved and enhanced.

Board wide actions:-

1. Prepare five (5) yearly State of the Catchment Report.
2. Identify and overcome barriers to the Blueprint implementation.
3. Identify new and existing funding incentives.
4. Develop and implement a Community capacity Building Strategy.

Issues relevance to Council from the First Order Objectives:-

The symbol ✓ displayed at the end of the target indicate Council has commenced procedures.

Landuse

Target 1.1 – By 2006 have in place a frame work that integrates land use planning with natural resource management.

Target 1.2 – By 2012 have in place a Plan of Management for the coastal zones for the KSC local government area, which will include;-

- Prepare Coastal Zone Management Plans.
- Prepare and implement a Macleay River Estuary Management Plan.
- Complete and implement Estuarine Management Plans for Killick Creek, Saltwater Creek and Korogoro Creek. ✓

Target 1.2 – By 2005 all new urban development and settlements planned in accordance with *Urban Settlement Strategies*, and by 2012 water managed efficiently and sustainability in all urban areas

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including implementing Urban Stormwater Management Plans and the *NSW Water Conservation Strategy*. ✓

There are other relevant Actions within this management target that have direct implication to Council.

- Target 1.4 – By 2005 all new rural settlements to be planned in accordance with the Rural Settlement Strategy, including the identification of important agricultural land achieve local government cooperation in zoning land accordingly.
- Target 1.5 – By 2004 Aboriginal people identify natural resource management issue targets and actions for incorporation into NRM Plans.
- Target 1.6 – By 2007 identify and manage non-aboriginal cultural heritage, which demonstrates past and present contributions of our natural resources to society.
- Target 1.7 – By 2005 have in place programs for rural land management advisory services.
- Target 1.8 – By 2005 have in place strategies for improved pest management by preparing and implementing weed management strategies and Weed Control Management Plans.

Stream Health

- Target 2 – By 2012 improve key indicators of stream health to the extent identified in each Management Target.
- Target 2.1 – By 2012 rehabilitate and secure physical stream structure along 20% of the stream length in priority reaches of identified sub catchments.
- Target 2.2 – By 2012 at least 10% of stream bank in identified reaches with existing remnant riparian vegetation under appropriate management.
- Target 2.3 – By 2012 establish structural vegetation appropriate to stream order along 10% of streambank in identified priority subcatchments and reaches.
- Targets 2.4 – By 2012 improve water quality through at least a 10% increase in site-specific water quality indicators through such measures as establishing an integrated water quality monitoring and reporting system. ✓
- Target 2.5 – By 2012 prepare and implement Water Sharing Plans.

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Target 2.6 – By 2006 re-establish natural wetting and drying regimes in three (3) sites totalling an area that accounts for 10% of coastal floodplain wetlands. ✓

Target 2.7 – By 2012 manage voluntarily by landholders for conservation, 80% of all ecologically significant coastal floodplain wetlands without statutory protection. ✓

Acid Sulfate Soils

Target 3 – By 2012 identify degraded ASS areas remediated and degraded in non-degraded area prevented. ✓

Target 3.1- By 2012 identified ASS hotspots remediated according to stated objectives and targets which would include the implementation of the 1st stage ASS hot spot project and select and prepare plans for sites to be implemented 2nd Stage Hotspot Program. ✓

Target 3.2 – By 2003 ASS remediation plans for at least two identified ASS hotspots. ✓

Target 3.3 – By 2012 prepare and implement remediation management plans for identified degraded ASS areas. ✓

Target 3.4 – By 2012 manage 95% of non-degraded ASS areas for ecological sustainability, by providing extension services to stakeholders. ✓

Target 3.5 – By 2005 improve the development and activity control system for ASS and enforce consents and activities by adequate compliance and conditions of consents and approvals. ✓
Review KSCs DCP.

Vegetation

Target 4 – By 2012 increase native vegetation cover by 25,000 hectares across the Tablelands, Escarpment and Ranges and Coastal Hills Landscapes to enhance catchment protection while maintaining productive potential.

Target 4.1– No net loss of native woody vegetation (not including plantations) within each of the six Board Landscapes.

Target 4.2 – By 2012 increase the area of native woody vegetation cover to at least 15% of the total subcatchment area in priority subcatchments.

Target 4.3 – By 2012 reduce by 10% the area of substantially cleared lands with a high erosion risk, through the establishment of permanent native vegetation.

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Biodiversity

- Targets 5 – By 2012 manage for biodiversity values 50% of the area of priority high conservation value aquatic and terrestrial ecosystems, and demonstrate habitat linkage values, through voluntary participation.
- Target 5.1 – By 2012 manage 50% of identified priority conservation value ecosystems. There are a number of Management Plans to be implemented under this action such as Threatened Species and Ecosystem Recover Plans.
- Target 5.2 – By 2007 establish priority Bioregional, Subregional and strategic local habitat links with voluntary participation by landholders.
- Target 5.3 – By 2012 implement the recommendations for 50% of agreed priority weirs, floodgates and road crossings that are barriers to fish passage.

Attached are the Management Action Priorities. ([Appendix A](#))

Summary

In total some seventy nine (79) priority targets have been identified in the Mid North Coast Catchment Blueprints of which LGA's have been identified as the lead organisations to implement eleven (11) of those action and thirty-one (31) as co-operating organisations, with Kempsey Shire Council specifically identified for six (6) targets.

Currently, a number of the targets are being address by Kempsey Shire Council (indicated with by the ✓ symbol).

The blueprints equate to a lot of increased pressure on Council's limited resources. An overview of the attached ([Appendix A](#)) describes the estimated costs associated with the implementation of the objectives identified within the blueprints.

It is obvious that for Council to meet its obligations as far as the blueprints are concerned addition resources will needed. Despite the fact that the blueprints actions are not compulsory it would be in Kempsey Shire Councils interest and the interest of the community that all efforts are made by council to meet its perceived obligations.

As the Blueprints have only recently been adopted by Government it is possibly to early to comment on the overall effectiveness of the implementation of the Targets. However, it is understood that Natural Heritage Trust funding that should have been determined in October 2003 is yet to be finalised, between the State and Federal Governments. These funding proposals are, it is understood to be recommended on the basis of whether or not they meet the blueprint targets. It is also not known what impacts the change of the NSW Government Departmental Structure will have on the overall implementation of the Blueprint targets.

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Director Environmental Services Recommendation:

That the information be noted.

2003. 606

RESOLVED:

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

1. That the information be noted.
2. That Council write to Federal Members Mark Vaile and Luke Hartsuyker seeking support for the introduction of an environmental levy.

DES2

ON-SITE SEWAGE MANAGEMENT

FILE: S6-2 BWC (NRN)

{Folio No. 257041}

SUMMARY:

Reporting on the On-Site Sewage Management Systems (OSMS) Strategy progress.



To date 3708 applications seeking approval to operate an On-site Sewage Management Systems have been received. 1570 approvals to operate have been issued. Over 2045 Systems have been inspected since 1st January 1998.

General Comments

The following general comments are submitted in respect to the overall program.

Specific Comments

Generally, existing system owner/operators have expressed a genuine willingness to comply, however, many have a confused understanding of compliance - that to comply, additional application area must be constructed to bring their systems into line with the current standard, regardless of its current performance. This misconception is the main concern of owner/operators. An unwillingness to upgrade is encountered in these cases due to the assumption that alterations to the standard will result in mandatory alterations to existing systems. Works are only required where a system is failing to meet performance objectives set out in the Local Government (Approvals) Regulation.

Another general misconception is that a system is working satisfactorily as long as effluent is, for the most part, contained within their property, whether pooling on the surface or otherwise.

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Confusion amongst owner/operators surrounds the status of greywater disposal. The prevalence of inappropriate greywater diversion is cause for concern. Storage of untreated greywater with moveable surface-distribution lines is commonly and falsely considered satisfactory based on a misinterpretation of the NSW Department of Health media release on greywater disposal during the drought. Greywater diversion to ephemeral and permanent watercourses is relatively common.

Owner/operators also need to be more aware of their responsibility to maintain their treatment and application systems and should be encouraged to plan well in advance for inevitable upgrade, systems generally have a 15 - 20 year maximum life span, and general de-sludging expenses.

The expense associated with treatment and application systems, affects strategy efficiency, with very few people undertaking remedial works without first submitting to two additional request letters, a secondary inspection and/or being issued with notice or order. Submission of a remedial plan is quite commonly an effective, whether intentional or not, stalling tactic with the majority of proposed works not being undertaken and alternative action eluded to when a resolution is pursued by council.

A significant immediate and long-term concern is the provision for wastewater disposal on unsewered small lots - typically a small lot for onsite wastewater disposal on clay soil is less than 3000m². There are numerous unsewered sites on clay soil of less than 1000m² in the 1(C) rural residential zone immediately west of Kempsey, which are failing to meet performance objectives and pose an actual risk to health and the environment. The medium and heavy clay soils in this region are generally considered unsuitable for onsite effluent disposal and require proper design and regular maintenance accompanied by sensible water and household product use for satisfactory disposal – there are serious sustainability and health issues on block sizes of less than 3000m².

Since the adoption of the OSMS strategy there has been on average ten (10) inspections per week. This rate has continued over the past twelve months with an increase in the number consultations and reduction in the number of approvals issued on a per week average basis.

Initially, the strategy was involved with system assessment of areas with high occupation densities - for example the Hat Head and Stuarts Point localities. Assessment of these localities produced a large proportion of 'compliant' systems. These approvals have generally been for a limited period of up to a few years and are consequently up for resubmission, or soon to be. The initial approvals issued have most likely been based on the absence of visible problems or obvious nuisance effects. The highly permeable soils and the high water table (1 to 3m) indicate that there is a high risk of groundwater contamination.

Currently, the strategy implementation is focused on the assessment of systems in higher risk areas that for whatever reason have not yet been assessed. This involves a number of sporadic and isolated inspections as well as locality orientated, structured group inspections. Another focus is the facilitation of non-compliant system remediation.

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- **Inspections/Consultations.** There is considerable time in the consultation plan with owner/applicants/plumber. This is as a result of inspections and then requests or directions to up-grade the system.
- **Small area allotments.** As reported above and previously to Council, the proper disposal of effluent on small area lots is of a major concern. The disposal of effluent above ground and even onto adjoining lots is continuing. Adjoining landowners, rightly so, have (are) expressing concern in respect to the discharges onto their property.

Unfortunately it is believed that the current co-operation phase has reached the limit and enforcement of requirements needs to be more actively pursued. This will no doubt generate complaints from landowners, who for whatever reason, have not undertaken remedial work on systems that are non-compliant.

On many small area allotments, owners would not wish to arrange for pump-out of effluent due to the relatively high weekly cost of removal of the effluent. Consequently the only other option is to upgrade on-site disposal. This could result in systems not complying to the full extent with the relevant standards but at least achieving the best possible solution. There will be instances where owners wish to undertake additions. Build outbuildings or other structures where approval will not be forthcoming due to the need to maintain as much open and usable "open-space" as possible on site. Requests/directions for work to be undertaken will possibly result in requests for individual Councillors to become involved, no doubt with a view to having directions withdrawn, or at least amended. That action is no doubt part of the consultative process, however it should not be seen as or permitted to become yet another means of delaying undertaking remediation or corrective work.

- **Compliance.** Should compliance with an Order not be forthcoming as required, then it is more than likely that initially an Infringement Penalty Notice will be issued. The current penalty for non-compliance with an Order under the Local Government Act is \$3,300.00. However, non-compliance with a direction under the Protection of the Environment Operations Act could result in an Infringement Penalty Notice amount of \$750.00, plus \$320.00 for the issuing of the direction. Another option is to initiate Court proceedings where the maximum penalty is considerably more than that applicable to Infringement Penalty Notices.

Council has a Regulatory role to ensure systems do not cause concern in relation to public health and environmental issues.

Whilst there has been a reluctance to take punitive action as stated previously such action will appear to be necessary in the near future. Public Health and the Environment cannot be ignored and owners need to accept their responsibility, more readily, for the operation of their on-site sewage management systems.

Director Environmental Services Recommendation:

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MAYOR

That the information be noted.

2003. 607

RESOLVED:

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

1. That the information be noted.
2. That if the sewerage system at Hat Head is not commissioned by 31st July 2003, that the Mayor make representations to the Minister.
3. That Council make representations to the Local Government Association regarding the status of a Penrith City Council motion on the need for a subsidised scheme for the rectification of onsite sewerage management systems.

DES3

COMPLIMENTS RECEIVED BY ENVIRONMENTAL SERVICES DEPARTMENT STAFF

FILE: S10-2 BWC (NRN)

{Folio No. 257042}

SUMMARY:

Reporting on compliments received.



Mr J Starr: *Thank you for prompt action - had occasion to make late call to Ranger, received prompt action and the next day very good follow-up - need to say the nicest words about 2 blokes.*

Mr J Brady: *I have found Robert Pitt to be very helpful when the going gets tough.*

M/s C Coulter: *Thanks to Andre Dalton for his manner, professionalism and helpfulness.*

Director Environmental Services Recommendation:

That the information be noted.

2003. 608

RESOLVED:

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

1. That the information be noted.
2. That Councillors be also advised of complaints against each Department.



DIRECTOR ENVIRONMENTAL SERVICES SUPPLEMENTARY REPORT

DES4 (SUPP)	SUBDIVISION OF LOT2 DP 803137 OFF NORTH STREET, WEST KEMPSEY FILE: T6-03-281 AJC
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SUMMARY:

Reporting on a proposed residential subdivision.



Applicants:	Gowings Kempsey Pty Ltd and Arakoon Homes
Owners:	Gowings Kempsey Pty Ltd and Arakoon Homes
Subject Land:	Lot 2 DP 803137, off North Street, West Kempsey

Proposal

The proposal before Council is to subdivide the existing residential zoned land so as to create an additional 30 residential allotments with one residue allotment as shown in the plan of application attached to this report as *(Appendix A)*

Evaluation

This proposal has been examined having regard for the matters identified for consideration pursuant to Section 79 C (1) of the Environmental Planning and Assessment Act 1979.

As the proposed residual lot 31 did not comply with Clause 16(1)[a] of Kempsey Local Environmental Plan 1987 (minimum allotment size), an application pursuant to State Environmental Planning No. 1 was lodged by the applicants, seeking the Director General of Planning's concurrence. NSW Planning issued the concurrence on the 6 June 2003.

The subject land parcel is located on bush fire prone land. Section 79BA of the Environmental Planning and Assessment Act 1979 requires subdivision, in a bush fire prone locality, for residential purposes to be referred to the NSW Rural Fire Service for the issue of a Bush Fire Safety Authority pursuant to Section 100B of the Rural Fires Act 1997 before development consent can be issued. A conditional Bush Fire Safety Authority was issued by the NSW Rural Fire Service on the 2 June 2003.

The evaluation process has identified that the subdivision proposal has the potential to affect the operation of the existing Kempsey Salesyards, which currently provides a significant economic and social benefit to the Kempsey Community.

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The source of this impact relates to noise levels from the Kempsey Salesyards. In response to Council requests the developers Acoustic Consultant lodged a preliminary Noise Impact Assessment from the data available to date on the 20 June 2003.

Legislation

The documents referred to by Council in evaluating the noise impacts were the Protection of the Environment Operations Act 1997 and the Regulation (2000), NSW Environmental Protection Authority (EPA) policies *NSW Industrial Noise Policy, Environmental Criteria for Road traffic Noise*.

Applicants Submission

Council required additional information in the form of a Noise Assessment from a recognised Acoustical Consultant. The noise assessment was provided by HK Clarke and Associates Pty Ltd and a précis of the noise assessment follows: -

1. The results were based upon one weaner sale held on the 9 May 2003. At the time of lodging the noise assessment the only recorded data was that held by Council.

2. The background noise data in the locality but not specifically at the development site is as follows: -

Day (0700 to 1800)	= 34dB(A), L ₉₀ , 15 minutes
Evening (1800 to 2200)	= 37dB(A), L ₉₀ , 15 minutes
Night (2200 to 0700)	= 33dB(A), L ₉₀ , 15 minutes

1. The following Project Specific Noise Levels (PSNL) were determined using the EPA *NSW Industrial Noise Policy* using the abovementioned background noise data: -

Day (0700 to 1800)	= 39dB(A), L _{eq} , 15 minutes
Evening (1800 to 2200)	= 43dB(A), L _{eq} , 15 minutes
Night (2200 to 0700)	= 38dB(A), L _{eq} , 15 minutes

1. The cattle noise in close proximity to this development proposal was recorded during the weaner sale at 36dB(A).

2. The measurement results provided show a dB(A) L_{eq} overall range from all sources (cattle, PA system, and Extraneous sources) from 36.3 to 43.4 with a combined overall measurement of 41.

3. Noise of the PA system is under review and a sale audience specific system if installed would not impact on neighbours.

4. The data was collected from one weaner sale activity. There is no guarantee that greater noise impacts will not occur during other sale types.

Planning Comment

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The following comments are provided in respect to the applicant's Acoustical Consultants assessment and details known to Council: -

- a. It is clear from the comments provided by the applicant's Consultant that one weaner sale may not be representative of the noise generated by the Kempsey Salesyards as a whole. More data is required over a substantial period of time in order to determine the most appropriate Project Specific Noise Levels and the impact that might follow.
- b. There are 38 Sales held each year at the Kempsey Salesyards. That's a little over 3 sales per calendar month.
- c. Traffic is generated prior and after the sales. It is not uncommon for deliveries of cattle to be made up to midnight on the day preceding the sale and post sale up to at least 6pm.

Night time noise at unreasonable hours generated by delivery trucks, loading and unloading operations are likely to generate sharp noises that will disturb residents in the neighbourhood regardless of measure taken to reduce the impact.

North Street traffic noise not connected to the Salesyards will not contribute significantly to road noise during the night when traffic volumes on that road will be low.

The measurement provides a value of 41.2dB(A) during the day at the time of the sale representing extraneous (includes traffic) and cattle noise only. If that is extrapolated to the night then it is obvious that the Kempsey Salesyards will exceed the PSNL calculated by the Consultant.

- d. During the day at the time of the sale a measurement of 41dB(A), L_{eq} was recorded from all sources. This value exceeds the daytime Project Specific Noise Level (PSNL) of 39dB(A) by 2dB(A).
- e. The ongoing Management of the Kempsey Salesyards will now and into the future determine the long-term noise impacts on the surrounding neighbourhood. The following management issues are discussed but not limited to these points, having consideration for the limited survey results provided to date: -
 - i. From the data collected to date it is apparent that by replacing the existing old PA system with an audience specific system an overall decrease of 4.4dB(A) can be achieved, which would meet the PSNL design levels contained in the Clarke Noise Assessment.
 - ii. Traffic noise at evenings and at night will have more impact on residents in the neighbourhood prior to sales. However considering that only 3 sales per month occur more data will need to be obtained to determine a likely acceptable threshold or the implementation of a Curfew prior to any sale.

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- f. The Kempsey Salesyards in their present location are socially and economically important to the Kempsey Shire and can ill afford, relocation or worse, closure of the facility.

Therefore it is important Council carefully consider this development proposal to place another 30 residential allotments closer than existing residences to the Kempsey Salesyards.

The applicant has to date indicated that they intend to apply separately for approximately 40 additional residential allotments, being closer to the Salesyards again than the lots in the current development proposal.

It is the developers responsibility to demonstrate to Council that the subject land when subdivided will be suitable for residential development and will not adversely impact upon the operation now or in the future of the Kempsey Salesyards.

- g. There are many factors to consider that have not been fully explored by the applicants Acoustical Consultant owing to lack of available data, i.e. meteorological conditions, changing traffic conditions (North Street), changes to Management Practices, controlling noise at source and receiver and its transmission.
- h. Applicant should prepare a Plan of Management by an accredited Acoustical Consultant ensuring designers, builders and home owners play their part in ameliorating the possible impact of noise from the existing Kempsey Salesyards.
- i. The residential component of the subject land parcel borders the rural 1[a3] agricultural protection zone land to the west, north and east, where traditionally the land has been used for cattle grazing. This practice will continue into the future on land that is flood prone and suited to cattle production and is not included in the Kempsey Land Release Strategy for consideration owing to the location and flood prone nature of the land. Therefore cattle noise will continue to be generated by the adjacent rural properties in addition to the Kempsey Salesyards.

In conclusion there is insufficient available measurements onsite to determine with certainty the impact of a residential development proposal will have upon the short to long-term acceptance of the Kempsey Salesyards.

A Plan of Management prepared by the applicants Acoustical Consultant may help in achieving acceptable noise levels by incorporating best management practices into the operation of the Kempsey Salesyards over time and by controlling noise at the receiving end (lots) through design and appropriate building controls and continuing resident education.

Council should not entertain further subdivision of the subject site (future residual lot 31) until a completed Noise Assessment Study has been finalised by Councils Acoustical Consultant.

Other Matters

1. The Bushfire Safety Authority issued by the NSW Rural Fire Service had attached conditions, with respect to internal road widths and location of hydrants.

The condition concerning the road pavement width will comply with Council's *Engineering Guidelines for Subdivision and Development DCP 36* and will be incorporated into the conditional development approval.

A condition requiring the rear of any proposed structure erected on any allotment within this development to be located less than 70 metres from any hydrant or if greater than 70 metres installation of an additional hydrant unit on the approved water reticulation main servicing the development.

The Asset Protection Zone (APZ) located within residual allotment 31 needs to benefit the property owners of the affected lots and not Council. Therefore a condition is to be incorporated in any conditional development consent requiring a suitable restriction on the use of the affect section of proposed lot 31 whereby the affected lots benefit and lot 31 is burdened. This will allow each of the affected lot owners to continually maintain the APZ area on proposed lot 31.

2. Water and Sewer Reticulation.

Council's Water and Sewer Engineer advises that the following requirements are to be met: -

- a. The proposed water supply connection cannot be made to the existing trunk water main in North Street, as the main was not designed to allow for interconnection to service this development. Therefore the next available connection point is the existing 150mm water main in North Street opposite Mitchell Avenue.
- b. The existing temporary sewage pump station servicing the dwellings in Belmore Street will be decommissioned by Council, and the effluent directed to the existing pump station 21 to the east together with the lots from the new development. Sewage pump station 21 will cater for a maximum equivalent tenement load of 56ET. Any future development of the subject allotment will require PS 21 to be upgraded or replaced to cater for the increased load.

The issue of noise impact from the Kempsey Salesyards is the last remaining issue to be considered prior to a conditional development approval being issued under delegated authority. Council needs to determine whether the proposed subdivision is likely to adversely impact of the operations of the existing salesyards and what, if any, conditions need to be included in any consent issued.

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Director Environmental Services Recommendation:

For the determination of Council.

2003. 609

RESOLVED:

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

That, in respect to existing and potential noise issues, Council include a condition of consent that the applicant provide a detailed acoustic plan of management.

DES5 (SUPP)	DANGEROUS DOG DECLARATION FILE: A8-3 BWC
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SUMMARY:

Reporting on an incident which warrants considering declaring dogs to be dangerous under the provisions of the Companion Animals Act.



On 15th March 2003 a white pit bull male dog and brown mastiff dog normally kept at 8 Airport Road, Aldavilla are alleged to have, without provocation, attacked a Shetland pony on private property. The attack is alleged to have happened on private land in Sherwood Road, Aldavilla.

Police attended the property and a signed statement was taken by the Police Officer. The Veterinary Surgeon report indicates that there were numerous wounds about the head and to other areas of the horse.

A letter was forwarded to the owner of the dogs inviting him to indicate as to why Council should not declare the dog to be dangerous. To date no reply has been received.

If a dog is declared dangerous the following requirements would apply:-

- 1 Have the dog desexed within 28 days from when notice is given to you of Council's decision.
- 2 Ensure that the dog is kept in a child-proof enclosure on the property on which it is ordinarily kept.
- 3 The dog must not at any time be in the sole charge of a person under the age of 18 years.
- 4 One or more signs must be displayed showing wording "WARNING DANGEROUS DOG", and to be clearly visible from the boundaries of the property.
- 5 When the dog is away from the property where it is ordinarily kept, it must be under effective control of some competent person by means

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of an adequate chain, cord or leash and have a muzzle securely fixed on its mouth in such a manner as will prevent it from biting any person or animal.

Exemptions

If the dog is taken by or on behalf of the owner to any property on which the dog is to be kept temporarily (e.g. Vet or Boarding Kennel), the owner must ensure -

- the dog is under the effective control of some competent person by means of an adequate chain, cord or leash or
- the dog is otherwise under effective control so as to prevent it from attacking any person or animal and one or more signs are displayed on the property.

6 The owner must inform any new owner of the declaration on or before a change of ownership and of the requirements applicable to comply with the declaration.

7 The dog must not be sold to any person under the age of 18 years.

8 The Council of the area, where the dog is ordinarily kept must be notified:-

- if the dog has attacked or injured any person - notification be given within 24 hours after the attack or injury.
- the dog cannot be found within 24 hours of absence of dog noticed.
- the dog has died.
- within 24 hours of change of ownership.
- the dog is no longer being kept in the Council area.
- the dog is being kept at another address within the Council area.

9 If the owner intends to keep the dog in the area of a Council that is not the area in which the dog is ordinarily kept, the owner must notify the Council of his or her intention.

2003. 610

RESOLVED:

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

That Council declare the white pit bull male dog and a brown mastiff dog ordinarily kept at 8 Airport Road, Aldavilla to be dangerous under the provisions of the Companion Animals Act.



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DIRECTOR ENGINEERING REPORT

DE1

AUSLINK GREEN PAPER
FILE: T9-2 KJF (NRN)

{Folio No. 257072}

SUMMARY:

Reporting on a response to Council's submission on the Auslink Green Paper.



At Council's meeting of 11th February 2003, Council considered a report on the AusLink Green Paper and resolved:

- “1. That Council support the initiative of the Commonwealth Government in adopting a new approach to planning, developing and managing Australia's national land transport infrastructure, but continue to lobby, through the Australian Local Government Association, Lgov NSW and the Institute of Public Works Engineering, Australia, for an increase in revenue at a local government level to support existing transport infrastructure at a sustainable level.
2. That Council, through the ALGA and Lgov, question the Federal Government's approach to Auslink regarding direction of funding to rail at the expense of road funding.”

Subsequently, in response to a Councillors Information Request from Councillor *Bowell*, copies of Council's submission were forwarded to the Hon. Mark Vaile, MP, Minister for Trade, Federal member for Lyne, and to the Hon. Luke Hartsuyker, MP, Member for Cowper. Both Federal members forwarded the information to the Hon. John Anderson, MP, Deputy Prime Minister, Minister for Transport and Regional Services. A copy of his response is attached at [\(Appendix A\)](#).

Financial Implication

There are no financial implications from the following recommendation.

2003. 611

RESOLVED:

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

That the information be noted.

DE2

SOUTH WEST ROCKS TOWN CENTRE MASTERPLAN
FILE: T4-85 KJF (NRN)

{Folio No. 257073}

SUMMARY:

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Reporting on proposals for improvements to the Livingstone Street – Memorial Avenue intersection.



Improvements to the footpaths and roadway at the Livingstone Street – Memorial Avenue intersection were sought as the next stage of the South West Rocks MasterPlan implementation. Designs were prepared and presented to the last meeting of the MasterPlan Committee who recommended changes particularly for vehicles exiting Horseshoe Bay Reserve.

The plan presented to the Committee is shown at [\(Appendix B\)](#). The plan preferred for the intersection removes the proposed loading zone in favour of extended paving and makes provision for right turn from Horseshoe Bay Reserve into Livingstone Street. For this to occur, median adjustments as shown on [\(Appendix C\)](#) would be required. However, this will allow the intersection and entrance into Horseshoe Bay to become too busy and heighten the opportunity for accidents, particularly with pedestrians. This option is not favoured.

The recommended arrangement is shown on the plan at [\(Appendix D\)](#) which restricts turning movements for vehicles and creates a much safer precinct for both vehicles and pedestrians. Council is asked to adopt the plan in [\(Appendix D\)](#) in preference to that received by the Committee.

Financial Implication

There are no financial implications of the following recommendation as funds are provided in Council’s estimates.

2003. 612

RESOLVED:

Moved: Cl. Joukhadar
Seconded: Cl. Howell

That the improvements to the Livingstone Street – Memorial Avenue intersection be as shown in the plan in [\(Appendix D\)](#).

DE3	NAMING OF PARK	
	FILE: G5 KJF	{Folio No. 257074}

This report was dealt with earlier in the meeting just after NOM2.

DE4	PACIFIC HIGHWAY, FREDERICKTON	
	FILE: R Pacific Hwy KJF (NRN)	{Folio No. 257075}

SUMMARY:

Reporting on responses received following representations regarding the Pacific Highway through Frederickton.

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MAYOR



At Council's meeting of 11th March 2003, Council resolved:

“That Council make urgent representations to the Minister for Transport, the Hon. Carl Scully, MP, for the allocation of funding for a Social Impact Statement on traffic movement via the Pacific Highway through the town of Frederickton to determine the desirability for an Environmental Impact Statement for an alternate route for the bypass of the town of Frederickton.

That the support of Mr Mark Vaile MP, Member for Lyne, The Hon. Craig Knowles MP, Minister for Health, Mr Luke Hartsuyker MP, Member for Cowper, Mr Andrew Stoner MP, Member for Oxley, Mr Tony Kelly MP, President Country Labor and Mr Gerard Hayes Country Labor candidate for the Seat of Oxley be requested.

That Kempsey Shire Council approach the State and Federal Government for funding to install double glazing and air conditioning in all residences along the Pacific Highway in Macleay Street, Frederickton, and Lord Street / Lachlan Street, Kempsey.”

Letters were dispatched to those identified and responses received are attached at [\(Appendix F\)](#).

Financial Implication

There are no financial implications from the following recommendation.

Director Engineering Recommendation:

That the information be noted.

2003. 613

RESOLVED:

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

1. **That Council reply to the writers of the letters and ask them to confirm that Kempsey Shire is included and represented in the Northern Pacific Highway Noise Task Force.**
2. **That Council request the terms of reference from the Northern Pacific Highway Task Force and that this matter be referred to the Mid North Coast Group of Councils.**

DE5	ROADS TO RECOVERY
	FILE: R8-103 APV (NRN) COPY APC {Folio No. 257076}

SUMMARY:

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Reporting on the Roads to Recovery Program.



Following a reduction in funding by the Federal Government for the Roads to Recovery Program for 2002/2003 a revised programme of works for 2002/2003 and 2003/2004 was prepared. This program was adopted by Council at its meeting in June 2002.

In preparing the Five Year Financial Plan and the 2003/2004 Budget, a program of works for the Roads to Recovery Program for 2004/2005 was prepared and subsequently adopted by Council. Copy attached at [\(Appendix G\)](#).

In line with the previous philosophy adopted by Council, the majority of the funding in 2004/2005 has been targeted to projects that address urban pavement rehabilitation. In addition, two projects, Hat Head Road (at Kinchela Creek Right Bank Road) and Sherwood Road (west of Link Road), have been included to address safety issues and the rehabilitation of the pavement at these two locations.

At the Council meeting on 8th April 2003, Council resolved:

“That in determination of the projects under the Roads to Recovery Program for 2004/5 consideration be given to:

- a) extension of the kerb and guttering in Main Street, Bellbrook, opposite the Bellbrook School to the sump, from which the stormwater is conveyed across the road.*
- b) Construction of a path/cycle way from Willawarrin School to the sporting fields.”*

Site investigations have been carried out and preliminary estimates prepared for both projects.

The construction of approximately 160 lineal meters of kerb and gutter and associated roadworks and the installation 100 metres of concrete stormwater pipe in Main Street, Bellbrook, is estimated to cost \$55,000.

The construction of a 500m long, 1.5m wide concrete footpath along the Armidale Road, at Willawarrin from the school to the sporting fields is estimated to cost \$45,000.

Projects have already been determined and adopted by Council for the current Roads to Recovery Program until June 2005. Within this current program, as requested by Council, funding was specifically allocated for improvement works in each of the urban areas. Work has already been undertaken at both Bellbrook (reconstruction and sealing of Toose Road) and Willawarrin (reconstruct and seal low level access road).

It is recommended that these two projects be listed for consideration in a future Roads to Recovery Programme should that program be extended by the Federal Government.

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At the Council meeting on 13th May 2003, Council resolved:

“That the Director of Engineering investigate sources of funding including Roads to Recovery funding to finance the construction of bitumen sealed dish drain on the western side of Sherwood Road, from the end of the kerb and gutter to the gully at the bottom of the hill and the same or an acceptable alternative from the end of kerb and guttering to the bottom of the hill on the eastern side.

The work to be carried out as soon as possible.”

Site investigations along Sherwood Road south of Armidale Road have been carried out and preliminary estimates prepared. The following work is recommended:

Western side of Sherwood Road

Convert existing culvert outlet and kerb and gutter and construct concrete dish drain for approximately 75m. Estimated cost: \$20,000.

2. Reshape grass verge and shoulder. Estimated cost: \$5,000.

Eastern side of Sherwood Road

1. Place rock in table drain and reshape drain and shoulder. Estimated cost: \$5,000.

The construction of a concrete lined dish gutter on the eastern side is estimated to cost \$25,000 and is difficult to justify at this rural location.

It is recommended that item 1 (construction of concrete lined dish drain on the western side) be listed for consideration in a future Roads to Recovery Program. Items 2 and 3 (reshaping of the existing drains and shoulder) can be undertaken in 2003/2004 under the existing road maintenance programs.

Financial Implication

There are no financial implications from the following recommendation. An expenditure of \$10,000 will be incurred under the existing sealed Rural Road Maintenance Budget in 2003/2004.

2003. 614

RESOLVED:

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

1. That the following projects be listed for consideration in a future Roads to Recovery Program:
 - a) the construction of a concrete footpath along the Armidale Road, Willawarrin, from the school to the sporting fields at an estimated cost of \$45,000.

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- b) the construction of kerb and gutter and drainage in Main Street, Bellbrook, east of Ford Street, in the amount of \$55,000.
 - c) the construction of a concrete dish gutter on the western side of Sherwood Road, south of Armidale Road at an estimated cost of \$20,000.
2. That maintenance reshaping of the table drains and shoulders in Sherwood Road, south of Armidale Road be undertaken in 2003/2004 under the Sealed Rural Roads Maintenance Program.

DE6	PEDESTRIAN ACCESS MOBILITY PLAN	
	FILE: T7 NJT (NRN)	{Folio No. 257079}

Reporting on the Kempsey and South West Rocks Pedestrian Access Mobility Plan.



Council received 1:1 funding from the Roads and Traffic Authority to prepare a Pedestrian Access Mobility Plan (PAMP) for both Kempsey and South West Rocks urban areas. Consultants Cardno MBK were engaged to prepare the PAMP on behalf of Council.

A public workshop was held with key stakeholders at the commencement of the study with the aim of defining attractors/generators of pedestrian traffic and pedestrian issues in the two towns.

Following the workshop, audits, site visits, and with considerable input from Council staff, a Draft PAMP was produced and placed on public exhibition. Comments received have been incorporated into the final PAMP document.

The plan has identified a total of 115 projects in Kempsey and 57 projects in South West Rocks that ideally, over time, should be carried out in order to improve the safety and accessibility of the pedestrian network. The estimated costs to undertake all of these projects at Kempsey and South West Rocks is \$1,435,100 and \$883,900 respectively.

A copy of the Work Schedules is attached at [\(Appendix H\)](#). The Work Schedules detail all items of new construction as well as upgrading of existing facilities where required.

The projects have then been classified into three groups: high priority (1 - 6 years), medium priority (7 – 12 years) and low priority (12 – 20 years).

Projects that upgrade and improve the safety of existing infrastructure have been identified as having high priority. Many of these projects include the construction of central pedestrian refuges and/or kerb blisters to improve the safety of pedestrians at existing crossing locations. Extensions to the existing

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pedestrian footpaths and facilities have been listed as medium priority and low priority.

High priority projects have been further prioritised into a 6 year works schedule (Appendix I). Whilst the total cost of these projects in any year is more than the funds specifically set aside in Council's 5 year Financial Plan for the Implementation of the PAMP, many of the proposed projects can be funded under various affiliated, relevant programs.

It is anticipated that 1:1 funding from the RTA Pedestrian Facilities Program can be obtained to undertake these projects identified in the PAMP. Depending on the type of facility and its location, Council's share of the funding can then be sourced from the relevant following programs:

Regional Roads Block Grant Program, Traffic Facilities Program, Cycleways Program, Kempsey and South West Rocks Town Improvement Programs and the South West Rocks MasterPlan Program.

Copies of the PAMP will be made available for interested Councillors. A copy of the PAMP will be made available via Council's Web Page.

Financial Implication

There are no financial implications from the following recommendation as projects will be carried out within existing budgets.

2003. 615

RESOLVED:

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

That the Kempsey and South West Rocks Pedestrian Access Mobility Plan be adopted.

DE7	2003/2008 TRANSPORTATION INFRASTRUCTURE STRATEGIC PLAN
	FILE: R8-2 NJT (NRN) {Folio No. 257080}

SUMMARY:

Reporting on the 2003/2008 Transportation Infrastructure Strategic Plan.



The 2003-2008 Transportation Infrastructure Strategic Plan (TISP) is a revision of the 2002-2005 TISP adopted by Council at it's Meeting on the 9th July 2002. The document sets out a direction for works based on existing funding trends, and existing programming. A copy of the Plan will be provided to Councillors, General Manager and Directors accompanying this business paper.

As part of this Strategic Plan, Council will need to consider the included Regional Road Block Grant Program and the Town Improvement Programs.

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The following details are listed to highlight to Council changes and the reasons for these changes to the projects previously listed for the 5 year program.

1. Regional Roads

Council has not received official advice from the Roads and Traffic Authority, but verbally the RTA has indicated that the Regional Road Block Grant Funding for 2003/2004 will be increased from \$1,020,000 to \$1,049,000, an increase of \$29,000.

The proposed program of works for the 2003/2004 Regional Roads Block Grant Program has been included in the TISP for adoption.

2. Local Roads

A number of programs of works have been listed for adoption in the TISP as listed below:

Town Improvement Programs

\$70,080 has been provided for projects already commenced or partially funded in 2002/2003. Proposed allocations are listed below.

- **Kempsey Town Improvement Program**

No funds have been provided. Future projects have been listed in priority order for adoption.

- **Crescent Head Town Improvement Program**

\$10,000 has been included for the Korogora Street stormwater drainage project. Future projects have been listed for adoption.

- **Frederickton Town Improvement Program**

\$10,000 has been included to allow the construction of kerb and gutter work in Great North Road for which insufficient funds were available in 2002/03. Future projects have been listed for adoption.

- **Gladstone Town Improvement Program**

No funds have been provided. Future projects have been listed for adoption.

- **Hat Head Town Improvement Program**

No funds have been provided.

- **Stuarts Point Town Improvement Program**

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\$5,000 has been provided to allow the construction of kerb and gutter in Marine Parade for which insufficient funds were available in 2002/03.

- **Smithtown Town Improvement Program**

No funds have been provided.

- **South West Rocks Town Improvement Program**

\$45,000 has been provided to allow the kerb and gutter project in Sturt Street to be undertaken. Only partial funding was provided in 2002/03. Future projects have been listed for adoption.

- **Federal Roads to Recovery Program**

Projects listed for 2003/04 reflect changes to funding and timing of projects as resolved by Council in June 2002.

Projects listed for 2004/05 are as adopted by Council in the 2003/04 Budget. See separate report regarding the Roads to Recovery Program.

- **Gravel Resheeting Program**

Projects to the amount of the available funding (\$739,000) have been listed for adoption.

3. Ancillary Road Facilities

Projects listed reflect Council's Budget for 2003/2004.

Council has not received official advice from the Roads and Traffic Authority, but verbally the RTA has indicated that the Traffic Facility Funding for 2002/2003 will be \$122,000, can increase of \$6,000. From within this funding Council will again set aside an amount of \$30,000 to continue the upgrade of warning signs on arterial roads and will commence a program to provide warning signs for single lane bridges on rural roads.

4. Bridges

Projects listed reflect Council's Budget for 2003/2004.

5. Car Parking

Projects listed reflect Council's Budget for 2003/2004.

6. Footpaths and Cycleways

Projects listed reflect Council's Budget for 2003/2004. No funding has been provided for by the construction of cycleways in 2003/2004.

- **PAMP**

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PAMP priorities have been listed for consideration. See separate report regarding PAMP.

7. Traffic Facilities

Following receipt of the PAMP, priorities have been adjusted for this program. The projects identified in the budget had been listed for a number of years. The need for adjustment to the intersection of Forth Street and Gladstone Street is no longer considered necessary with alterations to the traffic pattern following installation of traffic lights at the intersection of Stuart and Belgrave Streets.

Council's Works Program is dependent upon the adoption of the 2003/2008 TISP.

Financial Implications

There are no specific financial implications from the following recommendation as all expenditure is within approved budgetary limits.

Director Engineering Recommendation:

That the 2003/2008 Transportation Infrastructure Strategic Plan be adopted.

2003. 616

RESOLVED:

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

That the Director Engineering recommendation be adopted with the addition of:-

2. That Council investigate funding options to meet maintenance costs on our existing kerb and guttering, foot paths and tar resealing.

DE8	TENDER NO. C15-653 - 2003/2004 BITUMEN SEALING
FILE: C15-653	AJP {Folio No. 257082}

SUMMARY:

Reporting on tenders received for the 2003/2004 Bitumen Sealing Program.



Tenders for the 2003/2004 Bitumen Sealing Program closed at 10.00am on Tuesday, 24th June 2003. The following tenders (based on 250,000m²) were received:

Pioneer Road Services Pty Ltd	\$750,250
CSR Emoleum Road Services	\$984,550

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The aforementioned totals exclude 10% GST

The lowest tenderer, Pioneer Road Services Pty Ltd, has a depot in Kempsey and have performed the work very capably in the past.

(Appendix J) indicates the unit rates tendered by each tenderer for predetermined quantities. The total amount is calculated using the estimated quantity of product required by the programme.

Financial Implication

There are no financial implications from the following recommendation as the funds are provided in the current budget.

2003. 617

RESOLVED:

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

That the tender of Pioneer Road Services Pty Ltd in the amount of \$750,250 for the 2003/2004 Bitumen Sealing Program be accepted.

DE9	REMOVAL OF GEESE – RIVERSIDE PARK
	FILE: A8-2 GJW (NRN) {Folio No. 257083}

SUMMARY:

Reporting on a proposal to remove the geese from Riverside Park, Kempsey.



There have been several instances in the last twelve months where park users have been harassed by the geese. The birds also produce large amounts of dung, which is constantly fouling the footpaths and lawns, making it difficult for people to fully utilise the area. Concerns have also been raised regarding public health risks associated with the geese.

As non-native species, they also have the potential to become pests if some control is not exercised over their population.

A suitable new home for the geese has been found with a private landholder. The removal of the geese should be carried out before proposed replanting works on the riverbank commence in five weeks.

Financial Implication

There are no financial implications from the following recommendation as any associated costs would be covered by Council's Parks Maintenance budget.

Director Engineering Recommendation:

That the geese be removed from Riverside Park.

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MAYOR

MOVED:

*Moved: Cl. Parkinson
Seconded: Cl. Bowen*

That the Director Engineering recommendation be adopted.

An Amendment was MOVED:

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

That the geese be severely culled on a regular basis.

The AMENDMENT was PUT to the Meeting and was LOST.

2003. 618

The MOTION was PUT to the MEETING and was CARRIED.

Councillors Sowter and Sproule recorded their votes against the foregoing Resolution.

DE10

QUESTIONS WITHOUT NOTICE

FILE: C18-28 JC (NRN)

{Folio No. 257085}

SUMMARY:

Reporting on Questions Without Notice from the Council meetings of the 20th March 2001, 14th May 2002, 8th October 2002, 11th February 2003, 8th April 2003, 13th May 2003 and 10th June 2003.



Responses to Councillors Questions Without Notice are listed for information.

Meeting of 20th March 2001

Councillor B R 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.

Design options are being reviewed – referred to Roads and Traffic Authority for funding.



Meeting of 14th May 2002

Councillor B R Sowter

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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.

Options being reviewed.



Meeting of 11th February 2003

Councillor Sproule

File: R8-2

{Folio No. 249232}

That the Director Engineering would investigate the need to repaint the pedestrian crossing near the Queen Street/Middleton Street intersection.

The problem with this area is the “bleeding of the bitumen” which is carrying onto the crossing.

Still awaiting advice from Pioneer who carried out an inspection of the sites prior to Christmas.



Meeting of 8th April 2003

Councillor Bowell

File: LA6911

{Folio No. 252596}

The Director Engineering was following up the request of Kempsey Lions Club to acquire the land at the site of the Clybucca Memorial Garden.

Matter proceeding.



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Meeting of 13th May 2003

Councillor Bowen

File: LA945

{Folio No.254248}

The Director of Engineering would investigate removal of the center pipe roof support in the cover outside the public toilets in Elbow Street, West Kempsey.

Options being investigated.

Councillor Bowen

File: D5-2

{Folio No.254201}

The Director of Engineering would investigate drainage of the stormwater at Jerseyville and ensure that the work associated with the installation of the new sewerage pumping station has not impeded drainage.

Contractors re-laid the pipe access at the pump station.

Councillor Bowell

File:R3-15

{Folio No.254209}

That the Director of Engineering would investigate whether provision could be made for the installation of a new barbecue in Bellbrook Park.

BBQ will be replaced in the 2003/2004 financial year.



Meeting of 10th June 2003

Councillor Bowell

File: R8-2

{Folio No. 255541}

That the Director Engineering would investigate reports of school buses parking in the driveway of the Crescent Head Road Nursery to pick up/set down students from the Kempsey Adventist Primary School on Crescent Head Road.

The driveway to the Crescent Head Nursery has never been formalised or approved. Council will pursue the owners to clarify the issue and correctly formalise a piped access.

The Kempsey Adventist Primary School, in accordance with Council Development Consent have provided for buses to deliver and collect children completely within the school grounds. This is the current practice.

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Children travelling to other schools in the district catch buses from this location and arrangements have been made for the pick up location to be further east.

Councillor Bowell

File: D5-2

{Folio No. 255546}

That the Director Engineering would investigate the overgrowth in Perrins Lane, Kempsey.

Being Reviewed

Councillor Sowter

File: R VERGE S/TN

{Folio No. 255553}

That the Director Engineering would investigate potholes at the corner of Verge and Belmore Streets, Smithtown.

The works will be carried as part of routine maintenance.

Councillor Sowter

File: T11-4

{Folio No. 255555}

That the Director Engineering would investigate tree branches overhanging the road at Mills Lane, off Goulds Lane, Clybucca.

To be inspected and appropriate works will be carried out.

Councillor Sowter

File: D5-2

{Folio No. 255620}

That the Director Engineering had made contact with the landowner regarding the drainage problem at Ledge Street, Hat Head.

Onsite inspection revealed an open drain at the rear of houses holding water in places.

Referred to Councils design section for future TI project.

Councillor Sowter

File: P6-2

{Folio No. 255556}

That the Director Engineering would investigate the possible retrieval and display of an old horse drawn roller that is located in Church Lane, Smithtown.

Costings to retrieve the roller are being prepared.



Meeting of 24th June 2003

Councillor Sowter

That the Director Engineering was awaiting a response on the pile driving contractor regarding the Smithtown Wharf extensions.

Contractor has indicated he will be onsite on 7th July 2003.

2003. 619

RESOLVED:

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

That the information be noted.

At this stage 1.09pm Councillor Bowell left the Chambers.

DE11	WORKS IN PROGRESS	
	FILE: R8-2 KJF (NRN)	{Folio No. 257087}

SUMMARY:

Reporting on Works in progress.



ROADS

REGIONAL ROADS

Sealed

Pavement Strengthening works on South West Rocks Road (MR198) chainage 17.5 to 18.3 km (south of Kinchela Left Bank Road) have commenced and is scheduled for completion by the first week in July.

The repair work on the bridge at Devils Nook Creek (MR75) is currently underway and is scheduled for completion by end of June.

LOCAL ROADS

Sealed Rural

Pavement maintenance work on the sealed road network is continuing.

UNSEALED RURAL

Reconstruction work on River Road, Kundabung, has been completed except for the seal. This seal will be undertaken after the road has settled.

Gravel Resheeting

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The resheeting program for the current financial year has been completed. The resheeting program for the 03/04 financial year will commence early in the financial year.

Maintenance Grading

The "Shire East" roads maintenance crew is currently in the Stuarts Point Area (Area East 3).

Roads that were graded during this month:

Barbers Lane
Pavans Access
Rogers Lane

The "Shire East" crew will thereafter continue with maintenance grading in the Frederickton/Collombatti Area (Area East 4).

The "Shire West" roads maintenance crew is currently busy with maintenance grading in the Temagog Area (Area West 5).

Roads that were graded during this month:

Willi Willi Road (between Moparrabah Road and Toorumbee Road)
Toorumbee Road

The "Shire West" crew will thereafter continue with maintenance grading in the Temagog Area (Area West 5).

Note:- due to inclement weather the grading program has fallen behind slightly and fewer roads than anticipated were graded.

TOWN AND VILLAGE STREETS

Kempsey Town Improvements

Drainage, kerb and gutter works and associated road works have been completed in Polwood Street adjacent to the Hospital. The road seal will be completed in the first week of July.

Hat Head Town Improvement

Stage 1 of the stormwater drainage improvements (around the intersection of Vine and Straight Streets) has been completed.

Stage 2 (around the intersection of Fern and Straight Streets) will commence in July.

South West Rocks Town Improvement

The CBD drainage improvement project in Memorial Avenue near Livingstone Street is to commence shortly.

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FOOTPATHS AND CYCLEWAYS

The cycleway in Philip drive has commenced. 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.

BRIDGES / STRUCTURES

Smithtown Wharf

The extension of the Smithtown wharf will commence early in July.

HORTICULTURE

Coastal Weeds Rehabilitation Project

Continuing with bush regeneration contractors working at various locations throughout the Shire.

Littoral Rainforest Rehabilitation Project

Bitou Bush spraying on Racecourse complete. Shark Island continuing.

River Bank

Work commenced on the final stages of the riverbank restoration. Plants will be available in 4 weeks. Rotary have been contacted in regards to contributing to the installation of the same.

Smith/Belgrave Street Landscaping.

Delay in plant delivery. Work to commence in the first week in July.

Plans of Management

Horseshoe Bay Plan is in a final draft stage. Copies have been forwarded to relevant stakeholders and Council directors for comment.

Nursery

Report on viability of nursery completed. Presented to June meeting of MANEX

Process Improvement

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Draft report completed. The report will be presented to the next meeting of Team 21.

Horticultural Strategy

5 year Horticultural Plan to be completed by the end of June.

NOXIOUS WEEDS

Aerial Inspections

Carried out in:
Sherwood, Dungay Creek, East Kempsey, Belmore, Kinchela, Hat Head, Jerseyville and Clybucca.

Private Property Inspections

Carried out at:
Kinchela, Kemps Access, Pipers Creek, Stuart's Point.

Attended Customer Service Training

Attended Mid North Coast Advisory Committee meeting at Gloucester.

Organising the National Noxious Weeds Conference, to be held at Taree in the first week in July, with other members of the Mid North Coast Weeds Advisory Committee.

BUILDING SERVICES

Work completed last 4 weeks

- Ongoing maintenance to amenities and realignment of pavers in public areas.
- Aged Care Units – Miscellaneous repairs.
- Crescent Head East Street steps – completed.
- SWR Museum – prepare foundation for relocation of pilot boat – completed.

Work proposed next 4 weeks

- South West Rocks Boatmans Cottage No. 2 – painting (Contract).
- Civic Centre – commence work associated with disabled access to first floor, install lift shaft and brickwork.
- Bellbrook Depot – improve lighting/install fax machine.
- South West Rocks Museum – erect cover for Pilot Boat.

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- Hat Head Surf Club – commence work associated with disabled access ramp.
- Thompson Street Depot – EPA Waste Management requirements – pressure washer to install.
- Thompson Street Depot – supply and install hazardous chemical storage container and emergency shower.
- Thompson Street Depot – construct concrete slab for waste oil collection tank for workshop.

Financial Implication

There are no financial implications from the following recommendation.

2003. 620

RESOLVED:

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

That the information be noted.

DE12	COMPLIMENTS RECEIVED BY ENGINEERING STAFF
	FILE: S10-2 JC (NRN) {Folio No. 257088}

SUMMARY

Reporting on compliments received by Engineering staff for the month of June.



- Mr Van Den Berg - Thanks to Outdoor Staff for cleaning up the stormwater drain in Great North Road.
- Ian Knight - Thanks to guys from South Water Team, nice to see happy and pleasant people, it was a credit as to how neat and tidy they left the property.
- Celica Cruden - Great job by Tommy McKiernan and crew for work on footpath on Phillip Drive. Kept everyone informed etc.
- Mr P Needs - Great job done by Kevin Shore and Andrew Child regarding getting everything done for marathon.
- Linda Smith - Congratulating Council (Garth Roberts and Mark Jackson, working under Lyn Kingma) on stairway linking East Street

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and Dulconghi Street, Crescent Head. It looks fantastic. Great idea!

Kim Love - Thank you for speedy action with Killick Creek Bridge extending footrail/handrail – northern end.

Financial Implication

There are no financial implications from the following recommendation.

2003. 621

RESOLVED:

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

That the information be noted.

At this stage 1.10 p.m. the Meeting adjourned for Luncheon and upon resumption at 2.01 p.m. all present at the adjournment with the addition of Councillor Bowell were in attendance with the exception of Councillors Joukhadar and Sproule.



DIRECTOR CORPORATE AND COMMUNITY SERVICES REPORT

DCCS1	COMPLIMENTS RECEIVED
FILE: S10-2	MLB (NRN) {Folio No. 257043}

SUMMARY:

Reporting on compliments received in the Community Services Department.



Jacqueline King *Thankyou for plaque for my mother it looks good.*

Doreen Martin *Thankyou for all your assistance in organising my husband’s funeral. Greatly appreciated.*

Cemeteries & Crematorium Assoc of NSW *Thankyou for your sponsorship of the CCA attendance at the National Trust Workshop.*

National Trust of NSW *Thankyou for your assistance and sponsorship of the Cemeteries Workshop in Kempsey. It is greatly appreciated.*

Financial Implication

The financial implication of the following recommendation would be nil.

2003. 622

RESOLVED:

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

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That the information be noted.

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

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



[\(Appendix A\)](#)

Financial Implication

There are no financial implications arising from this report.

2003. 623

RESOLVED:

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

That the information be noted.

DCCS3	STATEMENT OF INVESTMENTS AS AT 30TH JUNE 2003 APC
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SUMMARY:

Submitting the Statement of Investments as at 30th June 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 implications arising from this report.

2003. 624

RESOLVED:

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

That the information be noted.

SUMMARY:

Reporting on a Questions Without Notice from Council's meeting of the 13th May 2003 concerning the Arakoon Cemetery.



At Council's meeting of the 13th May 2003 Councillor Sowter in Questions without Notice was advised that:-

"The Director Corporate and Community Services would investigate the dangerous trees at Arakoon Cemetery"

Cemeteries Services staff have been aware for sometime of the dangerous trees at Arakoon Cemetery and in late March early April contracted a local tree lopper who undertake the removal of dangerous limbs and any trees deemed to be of a hazardous nature at the cemetery at a cost of \$5,000.

The remaining trees will again be accessed in May 2004 when any works deemed necessary will be undertaken.

Financial Implication

The financial implication of the following recommendation could be a further \$5,000 in the 2003/2004 Cemeteries Budget for tree lopping and removal.

2003. 625

RESOLVED:

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

1. That the information be noted.
2. That any necessary tree lopping at Arakoon Cemetery be met from the existing 2003/2004 budget.

At this stage 2.05 p.m. Councillors Joukhadar and Sproule entered the Chambers.

SUMMARY:

Reporting on the progress of the proposed Baby Care Room Clyde Street Mall.



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At its meeting held 14th January 2003 Council considered a progress report on the proposed Baby Care Room and resolved:

“That this matter be referred back to the Director Corporate and Community Services to source funding for the balance of funds required for the project”

As previously reported Council in accordance with Council’s Strategic Plan Goal 2 “*To ensure that Kempsey Town is a viable and vibrant economic hub for the shire*” in its 2002/2003 budgeted \$40,000 from loan funds for the provision of a Baby Care Room as an extension to the Clyde St Mall toilets.

The project revised cost estimates are:

Baby Care Room	\$43,636
External Works such as earthworks, drainage, kerb & Gutter, relocate footpath stone wall etc	\$16,600
Design costs, contingencies and project management	<u>\$15,464</u>
	<u>\$75,700</u>

Funding Sources to date:

Council Loan Funds	\$40,000
Grant Funds	\$ 5,000
Reallocation of unexpended Community Services Funds approved by the Community Services Committee and Council	<u>\$13,500*</u>
	<u>\$61,500</u>

* - The final amount will be dependent upon the finalisation of the 2003/2004 financial years budgeted programs.

The Building Plans have been submitted to Council but are yet to be approved. In the preparation of the Development Application the issue concerning access details over an existing Right of Way to Pead’s Arcade was uncovered and this caused a delay as has the need to consider relocating a Country Energy junction box.

Further grant funds will be pursued once the Building Certificate is issued. Usually grant funding bodies need “Council Approved Plans” before offering the grant.

Financial Implication

The financial implication of this report is a shortfall of \$14,200.

2003. 626

RESOLVED:

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

- 1. That once Building Approval is obtained that quotations be called for the work so that the true cost of construction is known.**
- 2. That once the costs are known further funding sources be investigated.**

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SUMMARY:

Reporting on the progress of the Disabled Access Lift to the Council Chambers and associated works.



As you are aware a disabled access lift is currently being installed to the Council Chambers. This lift was approved in the 2002/2003 financial year budget with an allocation of \$80,000 from loan funds.

The project for the provision of a lift to the chambers has two (2) components being:-

- Stage 1 - The installation of the lift to the Chambers and associated building works and
- Stage 2 - The provision of a disabled toilet by converting part of the existing storage room.

The costing for each component is as follows:-

Stage 1 - Lift installation	\$39,874
Stage 1 – Building Works	\$27,280
Stage 2 – Disabled Toilet	\$20,000
Architect Fees	<u>\$ 7,200</u>
	<u>\$94,354</u>

As a result of the reallocation of unspent monies from the 2002/2003 Financial year to the value of \$12,248 will cover the remainder of the project including Disabled Toilet.

It should also be noted that there may be some savings due to GST being deducted with any over expenditure being also met from the Access Committee's budget for 2003/2004 should any unexpected costs arise.

Therefore work should commence on Stage 2 of the improvements to the Civic Centre immediately after the completion of the lift installation.

Financial Implication

The financial implication of the following recommendation would be the allocation of monies from the Access Committee vote for 2003/2004

Director Corporate and Community Services Recommendation:

1. That Stage 2 of the Improvements to the Civic Centre proceed immediately after the completion of the lift installation,

2. That any over expenditure be met from the 2003/2004 Access Committee Budget.

2003. 627

RESOLVED:

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

That the Director Corporate and Community Services recommendation be adopted with the addition of:-

3. That the Access Committee and staff involved be thanked for input into access issues in the Kempsey Shire.

DCCS7	PAYMENT OF EXPENSES TO THE MAYOR AND COUNCILLORS
FILE: C18-16 PJH	(NRN) {Folio No. 257047}

SUMMARY:

Reporting on the review of Council's policy on the payment of expenses to the Mayor and Councillors.



Council at its meeting of 10th June 2003 resolved that a report be prepared on Councillors expenses and allowances policy.

A copy of the existing policy is attached at [\(Appendix C\)](#)

The request for this report related to a question raised regarding the level of telephone allowance provided. The following comments are provided on the categories listed in the policy.

Travel Allowance

The travel allowance paid to Councillors is based on the kilometres travelled in the Councillors own vehicle with the rate in line with the current staff award i.e. 60c per km (vehicles over 2.5litres) and 52c per km (vehicles under 2.5 litres).

Telephone Allowance

The monthly Councillor telephone allowance of \$55.00 per month is in line with that paid to the General Manager.

Enquiries with neighbouring Councils show they vary from our policy. Hastings, Great Lakes and Nambucca Councils do not pay an allowance for telephone calls believing that these costs would be adequately covered by payment of the monthly Councillors fee.

Coffs Harbour and Bellingen Councils have installed separate telephone lines into the homes of their Councillors, the calls and line rentals being billed to

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Council with the Councillors reimbursing any private calls made on this separate line. The line rental cost would be approximately thirty dollars (\$30.00) per month.

Accommodation and Sustenance Allowance

This clause covers the payment of accommodation and/or sustenance allowance where this is paid for by Councillors and needs to be reimbursed. The current amounts are in line with the current staff policy and are:-

Capital Cities	\$210.00 per overnight stay
Country	\$135.00 per overnight stay
Sustenance	\$60 per day

Clothing

On 11th February 2003 Council resolved to include polo shirts in this policy and have a new design for Councillors name badges with these to be introduced after the September 2003 elections. With the elections deferred until March 2004, Council may wish to indicate if it wishes these to be made available to Councillors for the remainder of this term of Council.

Summary

In accordance with section 253 of the Local Government Act, should Council wish to amend the policy it must give 28 days public notice of its proposal before adopting an amended policy. If however, Council is of the opinion that any amendments are not substantial, it may adopt the amended policy without giving public notice.

Financial Implication

Any proposed increases in the allowances under this policy may require a review of the allocations provided in the 2003/2004 budget.

Director Corporate and Community Services Recommendation:

For Council's determination.

2003. 628

RESOLVED:

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

That the information be noted.

DCCS8 KEMPSEY SHIRE COUNCIL PROPOSED COMMUNITY GALLERY FILE: LA8199 BAH COPY:APC COPY:TIH {Folio No. 257048}

SUMMARY:

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Reporting on the feasibility of establishing a Community Gallery in association with the Gladstone Hall.



REPORT:

Architect Trevor Jamison has completed the feasibility study of the Gladstone Hall. He has determined that it is possible to construct a Gallery within the supper room area of the hall without disturbing community use of the main hall except during major exhibitions.

See attached financial details [\(Appendix D\)](#)

The feasibility report from Trevor Jamieson was put to the Gladstone Hall Committee who approved the idea with the exception of the inside storage area. This report was then taken to a public meeting on the 12th June 2003 where most people supported the proposed Gallery.

Trevor Jamison's enthusiasm for continued community use of the hall and incorporation of a gallery encouraged the hall committee to support the proposed Gallery.

The plan includes the building of an additional meeting room to replace the supper room at the back of the kitchen and building a storage area either within the main hall or outside the building on the southern side. This storage area would take chairs, tables and Gallery items etc.

The proposed Gallery would be a Community Gallery holding exhibitions from Council's collection, local artists and regional travelling exhibitions. Other Council Galleries (Taree City, Hastings, Coffs Harbour, Grafton, Lismore and Tweed) on the Mid North/ North Coast started in response to their Council's having accumulated artists work through art competitions, so this is a logical development for Kempsey.

MEMORANDIUM OF UNDERSTANDING

A MOU between the Gladstone Hall Committee, Kempsey Shire Council and the Community Gallery setting areas of responsibility for each organisation is being negotiated. The Gladstone Hall Committee at their next meeting on 15th July will discuss this MOU.

STAFFING:

Starting a steering or advisory committee to establish a group of volunteers to assist in running the Gallery is a priority. Videos for training volunteers are available from other Galleries. It is proposed to staff the gallery by volunteers for the first two years of operation and by then it is anticipated that a part time curator could be appointed. Ongoing volunteer support will always be an important part of the gallery.

HOURS OF OPERATION:

Opening hours possibly Friday, Saturday, Sunday or to coincide with existing businesses hours in the village, gaining maximum attendance, or determined by events at the Gallery or public holidays.

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CAPITAL EXPENDITURE:

An application has been lodged with the NSW Ministry for the Arts 2004 Capital Infrastructure Program for \$68,500 towards building the Gallery. Successful applications will be announced in November.

Expenditure to date:

Painting: \$15,300
Electrical: \$6462.33
Consultant: \$8500

Total: \$30,262

From allocation of \$50,000 for 2002/03 = \$19,738 remaining.

Allocation for 2003/04 = \$50,000

Proposed Grant = \$68,500

TOTAL = \$138,238

Estimated total cost of the project as proposed by Trevor Jamison: \$136,700.00.

FINANCIAL VIABILITY:

As indicated labour costs will be by volunteers, however, it is anticipated that the following revenue sources will be available:

- Available to local artists for exhibitions. A hiring fee determined by the Gallery Committee.
- Donations and bequests. Some Galleries register as charities so that donors can make tax-deductible donations.
- Curate local exhibitions for touring to other areas, hiring fee charged.
- Hiring for corporate events.
- Kempsey Shire Art Prize surplus funds to support Gallery.
- Special fundraising event to raise additional funding e.g. sale of artworks
- Commission charged on sale of artworks. Commission ranges from 25% to 40% depending on Gallery
- Application of available grant funds to mount exhibitions
- Workshops and lectures programs.

The focus for the first few years would need to be financial, as the gallery has to have a firm financial footing exhibitions would need to reflect this goal and planning for this given a priority.

Payment of Council Charges like the rates, garbage, water etc, formerly met by the Hall Committee will be costed to the gallery as a rent contribution.

It should be noted that for the 2003/04 financial year the gallery may only be operating from early 2004 allowing a construction period of 6 - 9 months.

FINANCIALS

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Anticipated financial expenditure

Loan repayment year per year on \$100,000 *	\$13132
Rates to be paid by Council as rent for space from Hall committee *	\$882.20
Exhibition expenses / publicity / openings	\$2500
Gallery contribution to cleaning of common areas and consumables	\$1100
Electricity / air conditioning	\$500
Sundries	\$1000
Annual security for building incl GST *	\$457.60
Total	\$19571.80
Operational costs 2003 - 2004	\$6441

Anticipated Income

Hiring of Gallery to artists for exhibitions	\$600
Special fundraising events	\$2000
Donations	\$200
Workshops / talks	\$1500
Commission and merchandising	\$500
Gallery membership \$10 x 30	\$300
Kempsey Shire Art Prize funds	\$1000
Exhibition entry for special exhibitions	\$300
Total	\$6400

CONTINGENCY PLANNING:

If the Gallery is established and fails, other uses could include hiring as a Commercial Gallery, Museum or shop. Gallery infrastructure and location should make it an attractive commercial site. There is widespread support for a Gallery within the Shire, hopefully this support will be enough to sustain a Gallery making it the catalyst for further cultural events and venues.

Financial implications of this report:

1. *The capital costs met from loan funds already provided in the 2002/03 and 2003/04 budgets, plus anticipated grant funds of \$68,500.*
2. *Breakeven or perhaps a small operating loss for the first 6 months and then a return to the black following the 2004/05 art prize.*

2003. 629

RESOLVED:

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

1. That the proposed Community Gallery for the Gladstone Hall be adopted.
2. That the Memorandum of Understanding between the three parties be negotiated in line with the information in this report.



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DIRECTOR BUSINESS ENTERPRISES REPORT

DBE1	TENDER - AUGMENTATION OF SOUTH WEST ROCKS SEWERAGE TREATMENT PLANT STAGE ONE - INLET WORKS FILE: C15-651 DWS COPY APC {Folio No. 257049}
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SUMMARY:

Reporting on tenders received for the replacement of South West Rocks Sewerage Treatment Plant inlet works and the civil component of a chemical dosing plant.



As reported at the Council meeting of 13th May 2003 Augmentation of South West Rocks STW is required to accommodate the increasing population together with peak holiday loadings. Stage one consists of the construction of a new inlet works.

The tender was advertised following approval from Council with a closing date of 13th June set. A summary of tender schedule of rates/lump sum items is attached - see [\(Appendix A\)](#).

Precision Pipelines Pty. Ltd. offered the lowest tender price of \$574,504 (Excl. GST). This was some \$50,000 cheaper than the next tender offered.

Precision Pipelines are based at Huskisson NSW and specialise in the construction of STP inlet works. Reference checks were carried out for previous contracted works with Mid-Coast Water, DPWS (for Hastings Council) and Narrabri Council, with only praise given. The company has appropriate OH&S, Environmental and QA management systems in place.

Financial Implication

Budget allocations of \$510,000 were made for 2002/03 financial year and \$1,300,000 for the current financial year. Sufficient funds are available to award this contract and carry out other planned works.

2003. 630

RESOLVED:

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

That the contract for South West Rocks Sewerage Treatment Plant inlet works be awarded to Precision Pipelines Pty Ltd at the tender price of \$574,504 (excl. GST).

DBE2	2003 WATER MANAGEMENT CONFERENCE FILE: C11-7 GRP (NRN) COPY APC {Folio No. 257050}
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SUMMARY:

Reporting on the 2003 Water Management Conference at Taree in July/August.



The 2003 Water Management Conference will be held at Taree on Thursday, 30th July and Friday, 1st August 2003.

The program is expected to include discussion of the implementation of water reforms in NSW, Water Trading, Impact of Water Reforms on Local Government Rating, OHS issues in the water industry and workshops on environmental, operational and innovation aspects of the water industry. A copy of the program is attached as [\(Appendix B\)](#).

The cost of the Conference is \$300 per head plus travel and accommodation.

Financial Implication

The financial implication of the following recommendation would be the provision of approximately \$500 for each Councillor to attend from the 2003/2004 Elected Members Expenses budget.

Director Business Enterprises Recommendation:

For Council's decision.

2003. 631

RESOLVED:

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

That Councillor Sowter be nominated to attend the conference as Council's delegate with Councillor Bowen as alternate delegate.

DBE3	ILLEGAL DUMPING		
	FILE: H2-21	WJL (NRN)	{Folio No. 257051}

SUMMARY:

Reporting on the system adopted at Bellingen Council for dealing with illegal dumping of household waste.



At Council's meeting of 11th March 2003, it was resolved –

“That the Director Business Enterprises investigate the system at Bellingen Council in regard to household waste and report back to Council.”

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MAYOR

Bob Burgess, Waste Manager for Bellingen Council was contacted in regard to the system adopted by Bellingen Council for dealing with reports of illegal dumping and the procedure (if any) for a reward for information scheme that may be in place.

The system at Bellingen is such that any report of illegal dumping is investigated by the Council Rangers who seek evidence of the source of the waste. Any evidence obtained is used to pursue the person responsible for the dumping and fines are issued directly or via the to court system.

The problem of illegal dumping in Bellingen Council is not seen as a high priority with only 3 incidences reported and pursued in the last 12 months. Bellingen Council has not adopted the implementation of a reward for information system.

Financial Implication

There are no financial implications arising from the following recommendation.

2003. 632

RESOLVED:

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

That the information be noted.

DBE4	REVISED WASTE MANAGEMENT STRATEGY
	FILE: G1-2 WJL (NRN) {Folio No. 257053}

SUMMARY:

Reporting on the Revised Waste Management Strategy.



The revised Waste Management Strategy is appended at [\(Appendix C\)](#).

At Council's Meeting of the 11th March 2003, it was resolved that –

“Council's Waste Management Strategy be reviewed and revised to incorporate the philosophies and outcomes as provided for in the Waste Avoidance and Resource Recovery Strategy 2003 (Resource NSW)”.

The revision of the Strategy was timely considering that Milestone 11 of the Resource NSW grant to MidWaste was the integration of member council's Waste Strategies.

It was the aim of the Strategy revision to integrate the programs and directions adopted by Kempsey Shire Council in accordance with both Resource NSW and MidWaste objectives and prepared giving due consideration to the nature of Kempsey Shire Council's infrastructure, communities (including the spatial distribution of

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same), affordability and sentiments expressed in the Resource NSW Waste Avoidance and Resource Recovery Strategy.

The Strategy is divided into component businesses or project areas and structured to be easily

- understood
- amended, and
- expanded

over the life of the Plan.

The Waste Management Strategy is designed to be a "living" document that will be reviewed and amended as necessary, in line with any change in objectives of Resource NSW, MidWaste and Kempsey Shire Council.

The issue of integrated waste management has also necessitated radio interviews on community and local radio by Council's Small Business Team to explain the philosophy of approach to recycling waste, litter cleanup and environmental compliancing in the Kempsey Shire.

Current community focus is on recycling; littering and illegal dumping as gauged by the letters and phone calls on the subjects received by Council and have been addressed as key areas for strategic focus within the Waste Strategy.

Provision of sufficient recycling drop-off facilities, regional networking; resource sharing and community education are key strategies in these areas of endeavour and have been identified as key components in the revised Strategy.

The revised Waste Management Strategy demonstrates strength of resolve and commitment by Kempsey Shire Council to address current solid waste industry challenges and provides a strong platform for realisation of sustainable service, commercial and environmental outcomes for future generations.

Financial Implication

All Strategies, Actions and associated Fees and Charges contained within the revised Strategy are structured so that both the technical and commercial viability of any Solid Waste Management program can be included in future Plan of Works and budgetary considerations.

2003. 633

RESOLVED:

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

1. **That information presented in the Report be noted and accepted as Council's philosophy of approach to the issues raised therein.**
2. **That the revised Waste Management Strategy be adopted as Kempsey Shire Council's Waste Management Strategy.**

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3. That the Strategy be reviewed quarterly in the context of the operating framework of the day and where necessary requisite amendments and additions to the Strategy be reported to Council.

DBE5	KEMPSEY SHOWGROUND PUBLIC HEALTH ISSUES
FILE: G1-10	WEW (NRN) {Folio No. 257054}

SUMMARY:

Reporting on Kempsey Showground – Public Health Issues.



The Small Business Department has been investigating the potential contamination of stormwater in open channel drains, the effectiveness of a recently constructed leachate interception trench and other remedial activities and potential soil contamination in the “Wigay Aboriginal Cultural Park” in relation to the former landfill that underlies the Showground Precinct, Kempsey, NSW (the Site). The investigations have been undertaken in accordance with the conditions of NSW EPA Notice of Preventative Action (Notice No. 1016307, dated 15 April) including biannual and wet weather surface water and groundwater sampling.

The purpose of the investigation was to evaluate any potential risks to human health and/or the environment related to open stormwater channels and Wigay Park “bush tucker” potentially resulting from the former landfill.

A report titled *Contamination Investigation Report, Showground Precinct, Kempsey NSW* was prepared and provided to the NSW EPA and Mid North Coast Area Health Service - Population Health & Planning (MNCAHS) specifically detailing the findings of environmental sampling activities conducted since November 2002 and compares the results to environmental data collected prior to this date, and incorporated a review of available historical information pertaining to the Site.

The investigation included the following:

- (a) *review existing contamination reports held by the Council in relation to the Site;*
- (b) *review all historical files held by council relating to the Site and former landfill operations;*
- (c) *prepare a scope of work and undertake the necessary further investigations in order to prepare a contamination investigation report which accurately describes the nature and extent of any contamination of the open stormwater channels and soils within Wigay Park region of the former landfill site and leachate impacts on groundwater on site or emanating from the landfill; and*
- (d) *advise whether the Site presents a potential significant risk of harm to human health or the environment, and if so, what strategies can be taken to ensure the areas of concern do not present a significant risk of harm;*

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On the basis that:

- Contamination levels in leachate, groundwater and surface waters are considered to be low and in some cases appear to reflect background conditions within the catchment;
- Ecological receptors are unlikely to be significantly effected by any potential contamination emanating from the Site;
- Phenols contamination appears to have dissipated at the site following the repair of sewer discharges in the catchment;
- Soil sampling in Wigay Park did not demonstrate elevated heavy metals concentrations; and
- Consumption of “bush-tucker” from Wigay Park is likely to be significantly less than a volume that would represent average dietary intake.

It was concluded that the open drains and the Wigay Park foods are unlikely to pose a significant risk of harm to human health or the environment.

Based on the discussion above, no areas of contamination within the open channel drains or Wigay Park appear to warrant remediation for continued public access to the Site. It was also recommended that the ban on consumption of samples of “bush-tucker” from Wigay Park be lifted.

It was recommended that ongoing periodic monitoring (of reduced scope) of the open channel drains be conducted to further evaluate the effectiveness of the remedial measures already undertaken within the catchment. It was also recommended that the open box drain within Wigay Park be fenced off for reasons of public safety, with regard to the potential for injury from falling into the drain and dangers related to high flow rates during storm events. It was advised that public education with regard to the general hazards associated with the open channel drains should be conducted via a media release and through information provided to schools and sporting clubs within Kempsey area.

The NSW EPA responded to the report in March 2003 indicating that Council has complied with conditions 1 (Remediation Options) and condition 3 (Monitoring Program). The NSW EPA indicated they would seek comments from MNCAHS prior to making a determination on condition 2 (Managing Exposure to Stormwater) and condition 4 (Supplementary Monitoring Program – Source Investigation).

The MNCAHS conducted a review of the Contamination Investigation Report and provided the following comment to the NSW EPA in June 2003 indicating support of the findings and recommendations of the report summarised as follows:

- The ongoing monitoring of surface waters was supported;
- The recommendation to conduct a public education program was supported as long as it represented an ongoing campaign and not a one-off media release;
- Allowing visitors to consume samples from Wigay Park is supported, advising that it would be appropriate to advise consumers that they may contain some low levels of heavy metals.

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- MNCAHS supported the recommendation to fence the open box drain to prevent risk of injury from falling in the drain.

Based on the MNCAHS recommendations the NSW EPA reported that subject to the successful implementation of the recommendation that no further action in relation to the Prevention Notice is required. The NSW EPA stated its appreciation Council's ongoing commitment to ensuring compliance with all aspects of the Prevention Notice and in commitment to conduct ongoing monitoring.

The NSW EPA also suggested that consideration be given to the redesign of the stormwater management system in the Showground Precinct to deliver better outcomes, both in environmental and public health terms. Such a project could be linked to Wigay Cultural Park and could include natural treatment system such as wetlands.

Financial Implication

The cost to implement the recommendations to ensure final compliance with the Prevention Notice, including education, fencing and monitoring would likely be \$10,000.00 with an ongoing monitoring cost \$500.00 annually.

The cost to undertake the suggested redesign of the stormwater system has not been assessed, but should consider potential funding opportunities and the potential social benefits of involving local community groups such as the Wigay Cultural Park Committee.

Director Business Enterprise recommendation:

1. That information presented in the Report be noted.
2. That the necessary works be undertaken to ensure final compliance with the Prevention Notice.
3. That consideration be given in the 2004/05 Budget to the redesign of the stormwater management system in the Showground Precinct, as suggested by the NSW EPA, to deliver better outcomes, both in environmental and public health terms.

2003. 634

RESOLVED:

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

That the Director Business Enterprise recommendation be adopted with the addition of:-

4. That this report be made available to the Wigay Park Management Committee.

At this stage 2.35pm Councillor Parkinson left the Chambers.

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DBE6	QUESTIONS WITHOUT NOTICE
FILE: C18-28	JC (NRN) {Folio No. 257056}

SUMMARY:

Reporting on Questions Without Notice from the Council meeting of the 10th June 2003.



Responses to Councillors Questions Without Notice are listed for information.
Meeting of 10th June 2003

Councillor Howell

File: S8-2 **{Folio No. 255544}**

That the Director Business Enterprise would investigate reports of a sewerage surcharge in the lane beside the Pearl Perch Hotel in Kempsey.

No evidence of surcharging. Staff to inspect during next rainfall event.

Councillor Sowter

File: G1-2 **{Folio No. 255621}**

That the Director Business Enterprise would investigate rubbish, including an old caravan, being left on the road reserve in Belmore Street, Smithtown.

Council Rangers have inspected and given notice to remove old caravan. No sign of rubbish at time of inspection.

2003. 635

RESOLVED:

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

That the information be noted.

DBE7	FLEET MANAGEMENT
FILE: P6-2	MSW (NRN) {Folio No. 257057}

SUMMARY:

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



The following plant was **Purchased** during June 2003.

		Purchase
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New P/No.	New Vehicle	Price (excl. GST) \$
V2074	Holden Commodore	\$25,349
V2073	ZD21 Kubota (zero turn) Mower	\$21,889

Financial Implications

All costs are covered by approved Budget allocations.

2003. 636

RESOLVED:

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

That the information be noted.

DBE8	WORKS IN PROGRESS	
	FILE: W1-2 PH (NRN)	{Folio No. 257058}

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. 6 monthly meter read – completed.

Works Proposed for next 4 weeks

1. Install Meters on all bore pumps – continuing.
2. Repair leaks at Potters Hill Reservoir. Empty to repair and control rust in roof support posts – continuing with associated works required before emptying.
3. Monitoring and testing of dam after algistat dosing.
4. Commence replacement Maguires Crossing Aerator and replace ladder and platform – Preens to construct.
5. 300mm main and interconnection works, Memorial Avenue, South West Rocks – 85% complete.
6. Belgrave Falls Rising Main.

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7. Meter Replacement Program.
8. Stuarts Point Sludge Trial.

MONTHLY WATER CONSUMPTION

	June 2003 Kilolitres
Belgrave Falls	0
<i>Bellbrook</i>	695
<i>Crescent Head</i>	12,400
<i>Hat Head</i>	5,670
<i>Sherwood – Lime Plant</i>	224,017
<i>South West Rocks</i>	36,253
<i>Stuarts Point</i>	11,765
<i>Willawarrin</i>	1,002
Total Consumption	291,802

Kilolitres to Financial Year to Date: 4,210,176kl

Applications for connection in June – 20

SEWERAGE

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

Works completed during last 4 weeks

1. Sewerage Pump Station upgrades at South West Rocks – completed for 2002/03.
2. Tenders closed for inlet works at South West Rocks Sewerage Treatment Works.

Works Proposed for next 4 weeks

1. Sewerage Pump Stations Fall Prevention Systems – manufacture and install – continuing.
2. De sludge lagoons at South Kempsey Sewerage Treatment Works – continuing.
3. Paint and erect platform and vent R28 Jerseyville – continuing.
4. Paint Via Duct at Burnt Bridge – continuing.
5. Main rehabilitation Carrington Street.

SALEYARDS

Works Completed during last 4 weeks

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1. Normal maintenance and operation.

Works proposed for next 4 weeks

1. Normal maintenance and operation.
2. Upgrade Public Address system.
3. Renew section of laneway fencing on southern side.

AIRPORT

Works Completed during last 4 weeks

1. Normal maintenance and operation.

Works proposed for next 4 weeks

1. Normal maintenance and operation.

CARAVAN PARKS

Works Completed during last 4 weeks

1. Normal operation and maintenance.
2. Finalise redesign plans for Crescent Head Holiday Park.

Works proposed for next 4 weeks

1. Commence implementation of upgrading at Crescent Head.

WASTE SERVICES

Works Completed during last 4 weeks

1. Normal operation and maintenance.
2. Pollution Reduction Program completed.
3. Return of South West Rocks and Stuarts Point Transfer Station to Day Labor.
4. Commencement of Works on Transfer Station at Crescent Head Road.
5. Site clearing at SWR and SP Transfer Station.
6. Erosion control and turf installation in stormwater drains at Crescent Head Road Tip.

Works proposed for next 4 weeks

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1. Normal operation.
2. Relocation of recycling depots (Crescent Head and South West Rocks).
3. Roofing of DrumMuster Compound at SWR WR & DF.
4. Operation of SWR & SP Transfer Station by day labour.
5. Improved site layout at SWR & SP Transfer Station.
6. Security audit by Crime Prevention Officer at all waste disposal facilities.
7. Seeking concrete tenders for Waste Transfer Station at Kempsey Waste Reival and Disposal Facility (KWR & DF).
8. Change to fees/charges and Transfer Station hours of Operation.

DEPOT

Works completed during last 4 weeks

1. Project Development Plan completed.
2. Replacement waste oil tank ordered.

Work proposed for next 4 weeks

1. Preparation of strategic plan for Depot.

PURCHASING

Works completed during last 4 weeks

1. Staff purchase cards made available to appropriate staff.
2. Investigate process for pre-qualification of suppliers of services (eg. Contractors).
3. Expressions of interest invited for supply of Contract Haulage and Water Carters.

Work proposed for next 4 weeks

1. Invite expressions of interest for pre-qualification of suppliers for –
 - a) Plant and vehicle hire
 - b) Services by Contractors
 - c) Supply of goods.

Financial implication

There are no financial implications from the following recommendation.

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2003. 637

RESOLVED:

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

That the information be noted.

DBE9	COMPLIMENTS RECEIVED BY BUSINESS ENTERPRISE STAFF
FILE: S10-2 JC (NRN)	{Folio No. 257059}

SUMMARY

Reporting on compliments received by Business Enterprise staff for the month of June.



- Leanne, Trial Bay Tourist Park - Thank you to Anne-Maree Burke for informative water pricing workshop.
- Mrs Richardson - Thank you to Peter Ingold and Team for their understanding and follow through.

Financial Implication

There are no financial implications from the following recommendation.

2003. 638

RESOLVED:

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

That the information be noted.

At this stage 2.44pm Councillor Parkinson returned to the Chambers.

**DIRECTOR BUSINESS ENTERPRISES
SUPPLEMENTARY REPORT**

DBE10 (Supp)	AIRPORT
FILE: A5-2	GTS

SUMMARY:

Reporting on resumption of RPT (Regular Public Transport) at Kempsey Airport



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MAYOR

The Business Enterprises Directorate became aware on 4th July 2003 that Horizon Airlines would be including Kempsey as part of its Sydney – Grafton service which commences on 28th July 2003.

A speedy review of the status of the airport site, operations, works and management has been done. A copy of the review is attached [\(Appendix A\)](#). A schedule of outstanding issues is included.

Financial Implication

The resumption of RPT services will require expenditure above the existing 2003/04 Budget provisions for:

- a) **increased maintenance costs** - \$30,000p.a.
 - b) **immediate upgrading works** - \$23,500
- (refer [\(Appendix A\)](#))

At Councils meeting of 24th June 2003 it was resolved that any 2002/03 Aerodrome maintenance funds unspent as at 30th June 2003 be revoted to 2003/04. Approximately \$7,000 will be revoted.

The 2003/04 Fees and Charges schedule adopted by Council did not include provisions for the charging of Passenger Landing Fees. It is proposed that the fee of \$11.00 (plus GST) per passenger be applied – the same fee as applied in 2001.

The income to be derived from passenger landing landing fees on a one flight per day service schedule is difficult to estimate.

The previous schedule for Impulse with 17 services per week yielded approximately 7,500 passengers per annum.

On this basis, the Horizon service is estimated to attract approximately 3,000 passengers per annum, and earn Council \$33,000p.a. in income.

In addition to the increased maintenance costs and immediate works requirements, there is a need for Council to address some long standing asset replacement works relating to safety. These are set out on [\(Appendix A\)](#), and a programme of works to the value of \$48,000 is recommended for 2003/04.

Director Business Enterprises Recommendation:

1. That Council adopt the schedule of proposed works for the immediate upgrading of the Kempsey Airport, and allocate an additional \$23,500 from Working Funds.
2. That passenger landing fees for Kempsey Airport be set at \$11.00 (plus GST) per passenger, and that the proposal to apply such fees effective as from 28th July 2003 be advertised.
3. That Council recognize the potential calls for additional funding of approximately \$70,000 per year for capital works pending the

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outcome of further runway loop lighting assessments and boundary fencing condition monitoring.

4. That Council provide additional funds over the next five (5) years for Capital Works at Kempsey Airport, with the sum of \$48,000 to be allocated in 2003/04 from Working Funds.

2003. 639

RESOLVED:

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

That Mr Merv Elbourne from the Public Gallery be invited to comment on this report.

Councillor Parkinson recorded his vote against the foregoing Resolution.

At this stage the Mayor invited Mr Merv Elbourne to address the meeting.

2003. 640

RESOLVED:

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

1. That council stick to it's proposed schedule of works and funds already committed for the airport.
2. When a satisfactory service is introduced Council will reconsider further expenditure on the airport.



GENERAL MANAGER'S REPORT

GM1	OUTSTANDING REPORTS AND OUTSTANDING COUNCIL RESOLUTIONS
	FILE: C18-2 AVB (NRN) {Folio No. 257060}

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 the 13th May 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	DLWC assessing area for Aged Care Housing – awaiting

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		Gilbert Cory Street to the same width as the section of the road between Government Road and Gordon Young Drive.	outcome.
11.3.2003	DE 3	Yarrahapinni Floodgates – That a workshop be held and a report come back to Council.	Workshop Meeting held 1 st April 2003. Trustees to discuss with Government Agencies issue of preparation of an EIS.

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.
10.6.03	NOM3	That the Director of Engineering report back to Council on the recommended source of funds for increased Noxious Weeds control.	Details being reviewed.

Director Corporate & Community Services

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Director Environmental Services

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General Manager

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OUTSTANDING RESOLUTIONS

Director Engineering

13.5.2003 DE1	Point Plomer Road	Submissions to Minister for Trade and Minister for the Environment seeking funding to be completed.
13.5.2003 DE2	Bridge Naming	Policy on naming of Bridges to be developed.

Director Corporate & Community Services

10.6.03 DCCS4	Department of Community Services Community Services Grant Program	Program being reassessed to limit of grant funding.
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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 in July 2003. Retrofitting of trade waste bins to commence in July.
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10.6.2003 DBE3	Water supply to Syd Sutherlands Lane.	Matter progressing - further cost information being compiled.
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Director Environmental Services

General Manager

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Financial Implication

There are no financial implications arising from this report.

General Manager's Recommendation:

That the information be noted.

2003. 641

RESOLVED:

*Moved: Cl. Bowell
Seconded: Cl. Bowen*

That the information be noted with the notation that the outstanding resolution relating to a report on costs relating to Point Plomer road was an omission from the report.

GM2	MEMORANDUM OF UNDERSTANDING
FILE: R5-2	AVB {Folio No. 257061}

SUMMARY:

Reporting on a proposal to enter into a Memorandum of Understanding between members of the Mid North Coast Group of Councils.



Kempsey, Greater Taree, Hastings, Nambucca, Bellingen and Coffs Harbour Councils meet on a quarterly basis to discuss matters of concern and matters of regional significance.

Some years ago the six Councils formed a Regional Council with a paid secretariat but when the position became vacant the regional organisation was abandoned and an informal meeting structure was adopted.

This Council has asked the Group to again consider formalising the structure as it believes that a formalised group would receive recognition from both Commonwealth and State bodies and be eligible for regional grant funds.

The Group has agreed to enter into a Memorandum of Understanding and the Memorandum has been forwarded to us for execution ([Appendix A](#)).

Financial Implications

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There are no financial implications arising from this report.

2003. 642

RESOLVED:

*Moved: Cl.Bowell
Seconded: Cl.Parkinson*

That Council sign the Memorandum of Understanding with the other five Mid North Coast Councils.

GM3	LOCAL GOVERNMENT ELECTIONS BILL
	FILE: E5 AVB (NRN) COPY APC {Folio No. 257062}

SUMMARY:

To advise Council of amendments to Local Government Elections that affect the conduct of future elections.



The Local Government Amendment (Elections) Bill has reached its first reading in the Legislative Council and provides:

- The ordinary election in a council will be held on the 4th Saturday in March every four years, so that the next ordinary election will be held on Saturday 27 March 2004
- Mayors and Deputy Mayors elected by Council or by popular vote of electors are to continue to hold office until 27 March 2004, or such further time until they take up duties after the election
- Councillors appointed as delegates to country councils will remain in office until 27 March 2004
- Any casual vacancies of Councillors that occur up to 27 March 2004 need not be filled
- The Minister for Local Government may approve a reduction in the number of Councillors if Council publicly exhibits a proposal for 21 days and submits a resolution to the Minister by 31 December 2003 together with public submissions received and considered. This process will avoid the need for a constitutional referendum to be held to effect the reduction
- Consequential amendments are made for phasing in of new membership for registration of Local Government parties and lodging of returns disclosing pecuniary interests

Council may, by resolution, establish such committees as it considers necessary. Council's committees have been elected for the 2002/2003 year that is from September 2002 to September 2003. With the Election of the Mayor and Deputy Mayor deferred to March 2004 it would seem appropriate to extend the current committee structure and membership to March 2004.

Council also should give consideration to the number of Councillors that should serve on Kempsey Shire Council in the future. If the number is to be less than 9 the Minister will be able to reduce the number without the need of a referendum.

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Financial Implications

If the number of Councillors were reduced there would be a reduction of expenditure of \$26,800 for each position eliminated.

General Manager's Recommendation:

- a) That the existing Committee Structure and membership be extend to 26th March 2004.
- b) Council determine whether it wishes to call public submissions as to the number of Councillors to serve on Council from 27th March 2004.

MOVED:

*Moved: Cl. Howell
Seconded: Cl. Sower*

That the existing Committee Structure and membership be extend to 26th March 2004.

An Amendment was MOVED:

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

- a) That the existing Committee Structure and membership be extend to 26th March 2004.
- b) That Council call for public submissions for the reduction of the number of councillors from Kempsey Council from 9 to 7.

The AMENDMENT was PUT to the meeting and was LOST.

2003. 643

The MOTION was PUT to the MEETING and was CARRIED.

Councillor Parkinson recorded his vote against the foregoing Resolution.

GM4	COMPARATIVE INFORMATION FOR COUNCILS
FILE: G11	AVB (NRN) {Folio No. 257064}

SUMMARY:

To compare Council's performance with other Councils of similar size for the 2001/2002 year.



The Department of Local Government has released comparative information on Councils for the 2001/2002 year. Last year I undertook a comparison with 10 coastal Councils. This year I have compared Kempsey Shire with a mixture of coastal and inland Councils (15 in all) within a population range of 17,000 to 33,000 ([Appendix B](#)).

A number of these comparisons are worth highlighting. Kempsey Shire has:

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- The 5th lowest average residential rate
- The 6th lowest average farmland rate
- The 5th highest average water bill residential
- The highest average sewerage bill residential
- The 2nd lowest domestic waste charge (Council does not provide a kerbside recycling service).
- The 6th lowest outstanding rates, fees and charges
- The highest debt ratio/borrowing costs based on all funds
- The 6th highest capital expenditure ratio

2001/02 property plant etc – 2000/01 property plant etc
2001/02 depreciation expense

- The equal 4th lowest Current Ratio

Current Assets less all external restrictions
Current Liabilities Less specific purpose liabilities

- The 6th lowest employment costs
- The 8th lowest materials and contracts costs
- The 7th lowest meantime to process DA's
- The equal 6th median time to process DA's

Financial Implications

There are no financial implications arising out of this report.

General Manager's Recommendation:

That the information be noted.

2003. 644

RESOLVED:

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

That the General Manager provide a report on how Kempsey Shire Council can improve its performance in relation to the Department of Local Government's comparative information on Councils.

GM5	REVIEW OF COMMUNITY CONSULTATION PROCESS
FILE: C18-38	MAM (NRN) (folio no. 257065}

SUMMARY:

Reporting that a review has been conducted on Council's Community Consultation Process



In July 2002, the comprehensive Community Consultation Policy, Strategy and Matrix were developed and endorsed by Council. These documents have been prepared to provide councillors, management and staff with a

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guide to refer to when planning any project which involves community consultation.

Since the adoption of the Policy, regular information has been provided to the community regarding the:-

- importance of the consultation process
- the methods which are currently being used to communicate or consult with the community
- encouragement of feedback from the community and methods which can be used and
- opportunity for community groups to invite a Councillor or staff member to attend their meeting on an annual basis or when an issue of concern is raised.

See [\(Appendix C\)](#)

Feedback has been sought from the community and staff on ways to improve the consultation process and the following suggestions have been provided:-

- increase the locations for the public to view draft documents, LEPs etc
- Use of online forms on the website for feedback
- Use of focus groups
- Increased use of letterbox drops and direct mail
- Increase number of community newsletters from two to four
- Introduce a mini newsletter in rates reminder notices
- Erect community/council notice boards in the Shire
- Council meetings to be held in villages
- Single issue Mini-polls, questions or surveys to be conducted on-line with ongoing results published
- Copies of newsletters at public counters
- The introduction of Meet the Councillor Days
- Make use of the shopfront window at the Economic Development Office for displays, notices etc.

While not all of these suggestions have been implemented due to budgetary constraints, a number of improvements to the way Council consults or communicates with the community have been introduced:-

- A weekly program on Tank FM
- The erection of a council notice board in the Kempsey Mall
- Increased venues for display of advertised items which seek public input
- The addition of major documents as a PDF on Council's website eg. Management Plan, Annual Report, Strategies etc
- Feedback form on website and at all customer service counters to facilitate customer feedback
- As part of the Community Survey in 2003, Micromex conducted two focus groups to further expand on the information contained within the survey results
- Random Tracking surveys were conducted to seek feedback on specific issues

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- Major changes have been communicated by letterbox drop or direct mail eg. New water pricing strategy.

As part of this year's Community Survey, the public were asked to rate which forms of communication used by Council were useful to them and to identify the single most useful method of communication. The results are provided below:-

	Very low importance		Low importance		Neither		High importance		Very high importance		Total	
	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%
Weekly ads in the Macleay 'Argus' and 'Macleay Valley Happenings'	12	3.8%	4	1.3%	35	11.0%	78	24.5%	190	59.6%	319	100%
Mayoral column	50	17.2%	26	9.0%	62	21.4%	64	22.1%	88	30.3%	290	100%
Media releases in press, radio and television	33	11.7%	40	14.2%	72	25.6%	69	24.6%	67	23.8%	281	100%
Public meetings, forums or exhibitions	34	12.2%	37	13.3%	82	29.4%	69	24.7%	57	20.4%	279	100%
Community newsletter	49	18.0%	49	18.0%	87	32.0%	55	20.2%	32	11.8%	272	100%
Radio advertising	54	19.9%	69	25.5%	70	25.8%	42	15.5%	36	13.3%	271	100%
Letterbox drops	77	28.1%	54	19.7%	67	24.5%	39	14.2%	37	13.5%	274	100%
Brochures	67	24.9%	65	24.2%	93	34.6%	28	10.4%	16	5.9%	269	100%
Council's website	86	32.8%	48	18.3%	64	24.4%	43	16.4%	21	8.0%	262	100%

In answer to the question as to which is the most useful method of communicating, 90.9% felt the weekly advertisement in the Macleay Argus and the Macleay Valley Happynings was the most useful.

At the two Focus Groups conducted to build on the information gathered in the survey, the participants felt that while "Council had systems in place that allow the community to raise issues of concern, these systems were let down by a perceived lack of accountability within Council." In addition, the participants said that "although Council held regular community consultations, which were considered sufficient, the perception was that the outcomes of these consultations were not taken seriously. Of particular concern was that there was little to no feedback provided after these consultations." The groups also believed it would be beneficial to "conduct more community consultation with representative groups" and "be seen to be acting on the results of community surveys and consultations with particular emphasis on community feedback".

In a further effort to optimise community consultation, the Director Corporate and Community Services and the Public Relations Manager attended the first International Association for Public Participation (IAP2) Conference in Sydney in November 2002. As a result of this, Council has joined this organisation to gain access to a range of information which is considered to be world best practice on community consultation techniques. Many of these techniques are already being utilised by Council to consult with the community but additional ideas will be included in the update of the Corporate Image and Public Relations Strategy for 2003/04.

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As an international leader in public participation, IAP2 has developed the "IAP2 Core Values for Public Participation" for use in the development and implementation of public participation processes. These core values were developed over a two year period with broad international input to identify those aspects of public participation which cross national, cultural, and religious boundaries. The purpose of these core values is to help make better decisions which reflect the interests and concerns of potentially affected people and entities.

Core Values for the Practice of Public Participation

- The public should have a say in decisions about actions that affect their lives.
- Public participation includes the promise that the public's contribution will influence the decision.
- The public participation process communicates the interests and meets the process needs of all participants.
- The public participation process seeks out and facilitates the involvement of those potentially affected.
- The public participation process involves participants in defining how they participate.
- The public participation process provides participants with the information they need to participate in a meaningful way.
- The public participation process communicates to participants how their input affected the decision.

These values could be incorporated in the next review of the Consultation Strategy if Council believed the information is of value. At the next Councillor/Management Workshop, it is proposed to discuss the consultation process and it is suggested that these core values, in conjunction with IAP2's chart aimed at increasing the level of public impact on decision making, be workshopped with a view to maximising opportunities for community consultation.

Financial Implication

There are no financial implications regarding the following recommendation.

2003. 645

RESOLVED:

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

That the Public Relations Manager continue to investigate optimising methods of consultation with the community and update the Consultation Policy and the Corporate Image and Public Relations Strategy and Action Plan to reflect the suggestions made by the community within budgetary constraints.

SUMMARY

Reporting that a Community Survey was undertaken in 2003 and a summary of the results are contained within this report.



On April 2, 2003, a four page Community Satisfaction Survey was printed in the Macleay Valley Happynings to determine how the community felt about a number of issues identified by Councillors and Management as important to future planning. The survey was also posted on Council's website and copies were available from the Civic Centre, the Kempsey, Stuarts Point and South West Rocks Library, the Crescent Head Country Club, the Hat Head PO & General Store, the Smithtown General Store, the Gladstone General Store, the Frederickton Newsagency, the Willawarrin Take-away, the Bellbrook General Store and the Kundabung Service Station. In addition, upon request, copies could be posted to interested residents.

For the past three years, Council had conducted an annual customer survey which sought information from residents on how important Council services were to them and how satisfied they were with Council's performance of those services. After three years, Council had a good understanding of the areas that were causing residents concern and have, in a number of cases, implemented programs or initiatives to improve them. This year, the survey was redesigned to provide additional information to Councillors and Management.

370 residents completed the survey and the forms were sent to Micromex Marketing Services Pty Ltd, a company specialising in undertaking research in the Local Government sector. The report was distributed to all Councillors and Management in June 2003. The major results were advertised in the press in the week commencing June 23, 2003 and a media release was sent out on June 24, 2003 informing residents of the major findings and explaining that a copy of the results could be downloaded from the website or could be forwarded to interested people upon request.

Residents were asked to rate how important the following issues were to them and, in order of priority, from most important to least important, the results were.

1. Community safety
2. Improving local roads
3. Provision of services for older people
4. Provision of services and facilities for people with disabilities
5. Managing residential development
6. Town centre and village maintenance
7. Provision of services and facilities for children
8. Provision of services and facilities for youth
9. Provide adequate parking, footpaths and cycleways
10. Protecting heritage values and buildings
11. Building a sense of community

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12. Improving sporting and recreational facilities
13. Provision of services and facilities for Aboriginal people
14. Developing an identity for the shire in our region
15. Promoting cultural activities.

The % of residents who believed that Council had an active role to play in the following areas is displayed below:-

- Weed control 92%
- Considering environmental issues when planning for the future 91.2%
- Protecting the environment 88.4%
- Encouraging the establishment of new businesses in the Shire 85.6%
- Promoting the tourism potential of the Shire 78.7%
- Promoting local employment 76.7%
- Value adding to local produce 69.6%

When asked which services Council could forego to implement changes or to introduce new services, the following results in % were obtained (each obtaining greater than 100 responses);-

- Cultural services 65.9%
- Additional library hours 60.2%
- Boat ramps 41.8%
- Saleyards 35.9%
- Airport 32.9%
- Community halls 30.6%

On the question of recycling, 85.6% of residents were prepared to separate their waste materials if Council provided the appropriate bins. When asked if they would support an increase in the garbage disposal charge for the provision of a kerbside recycling service the results were inconclusive.

When asked to what extent residents agreed with these ten statements, the findings were as follows:-

	Strongly disagree or disagree %	Neither %	Strongly agree or agree %
The natural attributes and beauty in the Kempsey Shire enhances lifestyle and are recognized by the community	19.9	25.9	54.1
The nature of economic development in the Shire is beneficial	20.2	29.1	50.7
The nature of development in the Shire will improve quality of life	34.9	28.9	36.1
The community is optimistic about the future of the Shire	37.5	33.5	29.1
Cultural activities are seen to add to civic pride building relations	41.8	29.5	28.7
Council's level of service is improving	39.4	36.4	24.3
Council is considering regulatory,	41	32.2	26.9

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environmental and community issues when planning for future services in areas of rapid growth or economic decline			
Council is endeavouring to make processes and applications easier for me	38.7	39.9	21.3
I believe that Council is addressing the issues that fall under its control	41.5	37.9	20.5
There is a strong sense of community spirit in the Kempsey Shire	44.7	35.2	20.2

When asked which were the most useful methods that Council uses to communicate with residents, the results were:-

- 84.1 % rated the weekly ads in the Macleay Argus and the Macleay Valley Happynings as most useful
- 52.4% Mayoral Column
- 48.4% Media Releases
- 45.1% Public Meetings, forums or exhibitions
- 32% Community Newsletter
- 28.8% Radio Advertising
- 27.7% Letterbox drops
- 24.4% Council's website
- 16.3% Brochures

An overwhelming 90.9% of survey respondents ranked the weekly advertisements in the press as the most useful method of communicating.

83.8% of respondents had some contact with Council in the past 12 months. Of those, the identified percentages rated staff as high or very high for the following qualities:-

Courteous and helpful	72%
Quick and efficient	51.8%
Overall satisfaction	52.1%

38% of respondents contacted Councillors when they were aggrieved in any way and, of these, 44.7% were satisfied with the result achieved by taking this action.

In response to the question what people liked most about living in the area, the beauty of the area, the climate, the beaches, the relaxed lifestyle and the friendliness of the people were the most predominant answers.

When asked what people liked least about living in the area, crime and vandalism, unemployment, racial issues, feeling unsafe on the streets, the condition of roads, drunkenness and the lack of recycling facilities featured strongly.

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Respondents believed that the biggest issues facing Council in the next five years related to crime, development, the environment, employment and the Kempsey By-pass.

Micromex also conducted two focus groups to expand on the information contained within the survey report. 48 community groups and active individual community members were invited to attend one of these focus groups and of those, 19 people attended the workshops. The results of the two focus groups are attached at [\(Appendix D\)](#)

Financial Implication

The Community Survey was conducted within budget allocation.

General Manager's Recommendation:

1. That the information provided by the public in response to the Community Survey be considered when planning for the future.
- 2 That feedback on Council's actions as a result of the survey be reported to the community as they occur.

2003. 646

RESOLVED:

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

That the General Manager's recommendation be adopted with the addition of:-

3. That the General Manager report to Council on how it is to address issues where the community strongly disagree with the statements.



GENERAL MANAGER'S SUPPLEMENTARY REPORT

GM7 (SUPP.)	NORTH COAST REGIONAL TOURISM FILE: T3-2 AVB
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SUMMARY:

Advising Council of a vacancy on the board of North Coast NSW Tourism.



Due to a vacancy on the Executive Board of North Coast NSW Tourism nominations are being called for the position of Board Director.

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North Coast Tourism is seeking an industry representative with expertise in the areas of strategic marketing and planning, economic development, training and professional development, legalese, finance or entrepreneurship.

The role of Board Director is a voluntary one. Directors must be prepared to travel to meetings and commit the time necessary to play a pivotal role in growing tourism in the region through strategic planning development and marketing.

Council in conjunction with Macleay Development and Promotion is invited to submit nominations for candidates that meet the criteria. Nominations close 1st August 2003.

Financial Implications

There are no financial implications arising from this report.

2003. 647

RESOLVED:

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

That Macleay Development and Promotion be requested to nominate a candidate on Council's behalf.

At this stage 3.40pm Councillor Parkinson left the Chambers.

GM8 (SUPP.)	STRUCTURE REFORM FILE: B4-1 AVB
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SUMMARY:

To inform Council of the latest developments in respect of Structural Reform.



Councillors would be aware that the State Government has been pressuring Councils to enter into negotiations with their neighbours to discuss structural reform.

Council on 13th May resolved to hold discussions with Nambucca Council on a number of issues including boundary changes. A meeting has been arranged for the morning of 6th August 2003 prior to the Mid North Coast Group of Council's meeting.

Because of the sensitive nature of amalgamation proposals and the need to be transparent with our neighbour arrangements were made for the Mayor and I to meet with Councillor George Hicks, Mayor and Tom Port General Manager, Nambucca 25th June. However due to a mix up with the date Councillor Hicks was not present and preliminary discussions were held with Tom Port only. It was agreed to arrange a further meeting between the four of us as soon as possible after the Roads Conference.

Since then the Minister for Local Government has announced time frames for the reform process and has indicated that facilitators may be engaged to

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undertake regional reviews to ensure that the reform process proceeds
(Appendix *)

The Shires Association has also published a discussion paper to assist it's
members in planning for reforms (Appendix *)

I have already commenced a review of Kempsey and Nambucca Councils
(Appendix *) the 2001/2002 figures are incomplete as we do not as yet have
a copy of Nambucca's 2001/2002 Annual Financial Statements.

Financial Implications

The financial implications of amalgamation are not know at this stage.

General Manager's Recommendation:

That the information be noted.

At this stage 3.46pm Councillor Parkinson returned to the Chambers.

2003. 648

RESOLVED:

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

That after the preliminary discussions with both Nambucca and
Hastings Councils, that a meeting be arranged between Kempsey and
those Councils that wish to pursue structural reform discussions.



CARAVAN PARK COMMITTEE

FILE: C1-2 GBS (NRN)

{Folio No. 257068}

**REPORT OF THE MEETING OF THE CARAVAN PARK COMMITTEE
HELD IN THE COMMITTEE ROOM, CIVIC CENTRE, ELBOW STREET,
WEST KEMPSEY, COMMENCING AT 9.00AM ON WEDNESDAY, 11th
JUNE, 2003.**

2003. 649

RESOLVED:

*Moved: Cl. Parkinson
Seconded: Cl. Bowen*

That the report of the Caravan Park Committee meeting held 11th June
2003 be adopted.



SALEYARDS COMMITTEE

FILE: S1-2 RAB (NRN)

{Folio No. 257070}

REPORT OF THE SALEYARDS COMMITTEE MEETING HELD AT THE

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**KEMPSEY REGIONAL SALEYARDS ON MONDAY, 23rd JUNE 2003,
COMMENCING AT 2.30PM.**

2003. 650

RESOLVED:

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

That the report of the Saleyards Committee meeting held 23rd June 2003 be adopted.



ABORIGINAL LIAISON COMMITTEE

FILE:

**REPORT OF THE ABORIGINAL LIAISON COMMITTEE MEETING HELD
18TH JUNE 2003.**

2003. 651

RESOLVED:

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

That the report of the Aboriginal Liaison Committee meeting held 18th June 2003 be adopted.



QUESTIONS WITHOUT NOTICE

Councillor J H Bowell

Councillor Bowell was advised:-

- 1 That the Director Engineering would raise at the next Traffic Committee the need to have the warning signs further north in Smith Street, Kempsey which warn motorists to being in the correct lane to head south over the Traffic Bridge.
- 2 That the next meeting of the South West Rocks DCP 22 review committee was scheduled for 15th July 2003.
- 3 That Director Engineering would investigate the need for maintenance at the beach access at the northern entrance to Hat Head and whether there would be beach permit funding available for this work.
- 4 The Director Engineering would raise at the next Traffic Committee the loading zone in Ocean Avenue, Stuarts Point.
- 5 That the lighting installed by the RTA at the Stuarts Point Road Pacific Highway intersection was an alternative proposal as a result of limited funding and Council agreed to this alternative proposal.

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- 6 That the Director Engineering would investigate the need for repairs to some of the seating at the Verge Street oval grandstand.
- 7 That the Director Corporate and Community Services would investigate ways to limit the noise of meetings held in the Committee Room being heard in the Council Chambers through the petition.
- 8 That the proposed bollards to be erected at the New Royal Tavern will be put in shortly by Council and the proprietor will be asked to contribute to the costs.
- 9 That the Director Engineering would investigate the need for maintenance to the road surface at the corner of Nance Road and South Street Kempsey.
- 10 That the Director Engineering would investigate the sanding up at the boat ramp at Riverside Park Kempsey.

Councillor R Bowen

Councillor Bowen was advised:-

- 1 That the Director Engineering would refer to the Traffic Committee parking issues at Chadwick's Store East Kempsey and the Minute Market at South Kempsey.
- 2 That the Director Engineering would endeavor to approach the relevant schools regarding children walking across South West Rocks Road toward the bus stop in the vicinity of Lindsay Noonan Drive. It is considered that it would be safer for the children to cross South West Rocks Road at the one point opposite the bus stop.
- 3 That the Director Engineering had arranged the removal of white goods and other rubbish dumped in the table drains along the roadways at the back of Gladstone.
- 4 That the sports fields land at Boyters Lane South West Rocks was no longer leased for grazing due to concerns over environmental issues and the Director Engineering would arrange mowing on a periodic basis.

Councillor N Joukhadar

Councillor Joukhadar advised the meeting:-

- 1 That he would be submitting a Notice of Motion to the next Council Meeting regarding the Director Corporate and Community Services Report on Statement of Investments seeking details of the programs / projects represented by the General Fund Loans amounts.

Councillor Joukhadar was advised:-

- 2 That the Mayor had commenced having executive meetings with the Deputy Mayor, General Manager and Directors which is a similar arrangement to that in place at Coffs Harbour City Council.

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3 That the Director Environmental Services does submit applications for Local Government Environmental awards where the relevant criteria can be met.

4 That the Mayor agreed that Councillor Joukhadar need not attend the upcoming Local Government Awards Meeting if there was no specific reason for Kempsey Council to be represented.

Councillor P Parkinson

Councillor Parkinson was advised:-

1 That the Director Business Enterprise would investigate the Kempsey Shire Tourist Promotion sign near Stuarts Point Turn Off that is in need of some repair due to 'wrinkles'.

2 That the Director Engineering would check the presence of the old structures from the floral clock that was formerly established at Chappell Park and if in working order the Mayor would consider an approach to service clubs or community groups to reactivate the clock.

3 That the Director Environmental Services understood that the former service station building on the east side of the Pacific Highway on the northern entrance to Kempsey had undergone a recent clean up of the site.

4 That the Mayor had sent condolences to the Detheridge family following the passing of former Mayor of Bellingen Council, Sue Detheridge.

Councillor B Sowter

Councillor Sowter was advised:-

1 That the General Manager would report to the August Council Meeting on results of the consultant's report regarding Council's car park land at South West Rocks.

2 That the Director Engineering would follow up a previous request regarding the need for maintenance to the riverbank at Gladstone and contact would be made with Mr Ivan Morley in relation to this request.

3 That the Director Business Enterprise is aware of water leaks at Sutherland's Lane and staff are investigating.

4 That the Stuart McIntyre Dam is not as yet online and a further report from an algae expert has been requested before 30th September and a report would be presented to the October 2003 Council Meeting.

5 That the Director Environmental Services was aware that the floodgates at Yarrahappini were being opened by persons unknown.

Councillor J Sproule

Councillor Sproule was advised:-

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1 That the Director Business Enterprise had not yet circulated the Macleay Development and Promotions Committee achievements document to the end of May 2003.

2 That the Director Engineering was to present the viability report on Council's nursery to a meeting of Manex and this has not been done as yet and the matter of a tree give-away would be listed for discussion at the next Wigay Park Committee meeting.

3 That the Director Engineering would make contact with Mr Passell regarding the lease / purchase of a road reserve at Dondingalong and would give him an update of the status of the matter.

4 That the Mayor would give consideration to following up the need to ensure funding is ongoing from Planning NSW for the Area Assistance Scheme.

Councillor J Hayes

Councillor Hayes advised the Meeting:-

1 That she would be meeting with Dr Andrew Refshauge, Deputy Premier and Minister for Aboriginal Affairs, on Thursday 10th July regarding rating of Aboriginal land and the amount of lost rate revenue to Kempsey Shire Council.



At this stage 4.55 p.m. Colleen Campbell left the chambers.



MOTION FOR COMMITTEE

2003. 652

RESOLVED:

*Moved: Cl. Bowell
Seconded: Cl. Parkinson*

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



GENERAL MANAGER'S CONFIDENTIAL REPORT

GM1	LEGAL MATTERS			
	FILE: L3-1	AVB	(NRN)	{Folio No. 257071}

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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. 653

RECOMMENDED:

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

That the information be noted.



REPORT OF THE MEETING OF THE COMMITTEE OF THE WHOLE

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



ADOPTION OF REPORT OF THE COMMITTEE OF THE WHOLE

2003. 654

RESOLVED:

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

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



CONCLUSION:

There being no further business, the Meeting terminated at 5.01 p.m.

