



MINUTES OF THE ORDINARY MEETING OF KEMPSEY SHIRE COUNCIL

Tuesday 8th June 2004 commencing at 9.06am.

PRESENT:

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

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



APOLOGY:

2004. 359

RESOLVED:

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

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



CONSIDERATION OF CONFIDENTIAL REPORT

2004. 360

RESOLVED:

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

That the confidential report be considered in the confidential section of the meeting.



CONSIDERATION OF LATE REPORTS

2004. 361

RESOLVED:

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

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



THIS IS PAGE 1 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 8TH JUNE 2004.

.....
MAYOR

MINUTES OF THE ORDINARY MEETING OF KEMPSEY SHIRE COUNCIL DATED 11TH MAY 2004

2004. 362 RESOLVED: *Moved: Cl. Howell*
Seconded: Cl. Sowter

That the Minutes of the Ordinary Meeting of Kempsey Shire Council dated 11th May 2004, be adopted.



EXTRAORDINARY MINUTES 29TH APRIL & 4TH MAY 2004 (FOR CONFIRMATION)

2004. 363 RESOLVED: *Moved: Cl. Howell*
Seconded: Cl. Green

That the minutes of Kempsey Shire Council Extraordinary Meeting held 29th April & 4th May 2004 be adopted.



PUBLIC FORUM

- 1 - Mr Brian Morrow addressed Council in favour of Rescission Motion 1 – Teeth for Life Campaign.
- 2 - Mr Terry Clout CEO Mid North Coast Area Health Service addressed Council against Rescission Motion1 – Teeth for Life Campaign.



CONSIDERATION OF REPORTS RELATING TO PUBLIC FORUM – Reports RM1 and DBE3.

2004. 364 RESOLVED: *Moved: Cl. Howell*
Seconded: Cl. Green

That reports RM1 and DBE3 be brought forward and dealt with in conjunction.

RM1	TEETH FOR LIFE CAMPAIGN	
	FILE: H2-2	TIH
		{Folio No. 276267}

Notice is hereby given that we intend to move the following Rescission Motion at Ordinary Meeting of Kempsey Shire Council on Tuesday 8th June 2004.

THIS IS PAGE 2 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 8TH JUNE 2004.

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MAYOR

RESOLVED:

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

That resolution number 2004.301 from the Ordinary Meeting held 11th May 2004, as follows;

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

be rescinded.

.....
Councillor J H Howell

.....
Councillor J C Gribbin

.....
Councillor E R Walker

In the event the rescission motion is successful it is proposed that the following motion be moved:

MOVED:

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

.....
MAYOR

That Council approach the NSW Government under the provisions of Section 6A of the Fluoridation of the Public Water Supplies Act 1957 to undertake the following:

- 1. Establish the Fluoridation of Public Water Supplies Advisory Committee to advise the relevant Minister and the Council on the question of whether there is a strong case to fluoridate the Kempsey water supply to address serious public health issues.**
- 2. Under the provisions of the Act, the Committee should consist of the following;**
 - a representative from the Australian Medical Association**
 - a representative from the Australian Dental Association**
 - a representative from the Institute of Engineers**
 - a representative from the Australian Local Government Association**
 - two representatives appointed by the relevant Minister, preferably a member of the Mid North Coast Area Health Service and a resident of the Kempsey Shire**
- 3. That this committee submit documentation on the current impact of fluoridation of water supplies on the environment.**
- 4. That in the event the Committee finds that there is not a strong case for the fluoridation of the Kempsey water supply, Council notify the NSW Government and the Mid North Coast Area Health Service that it will not take up its offer to undertake the capital works required to implement fluoridation.**
- 5. That in the event the Committee finds that a strong case can be demonstrated for the fluoridation of the Kempsey water supply;**
 - (a) Council notify the NSW Government and the Mid North Coast Area Health Service that it will accept a direction to fluoridate the water supply providing NSW Health undertakes to fully fund capital works required including;**
 - i) land acquisition where necessary together with the training**
 - ii) wages costs during training for operators will be met**
 - iii) and that the department will provide appropriate vehicles to facilitate the operation of the systems**

to implement that direction.
 - (b) Council seek a 50% subsidy for the recurrent costs associated with fluoridation and further that NSW Health undertakes to be responsible for the total cost of the replacement of capital works.**

- (c) Council consult with the NSW Government and the Mid North Coast Area Health Service on appropriate levels of fluoride to be added to the Kempsey water supply to address the public health issues.

At this stage a PROCEDURAL MOTION was moved.

MOVED:

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

That this matter be deferred for further consideration at Council's meeting of 15th July 2004.

2004.366

The PROCEDURAL MOTION was PUT to the MEETING and was CARRIED.

DBE3

FLUORIDE

FILE: H2-2 GRP

{Folio No. 276313}

SUMMARY:

Further report on the estimated operations and maintenance costs of fluoride injection systems for Kempsey Shire.



Council is currently considering proposals and options for fluoridation of the town water supplies in the shire. A critical part of this consideration is the ongoing operation and maintenance cost to the ratepayers. To assist Council in making an informed decision a more detailed assessment of likely costs has been undertaken since the last Council meeting.

The Manager Macleay Water has also discussed the cost-estimate methodology with Hastings, Bellingen and Coffs Harbour Councils to ensure that the estimates are realistic, complete and consistent.

Hastings Council have engaged Hunter Water Australia to provide technical advice and cost estimates for fluoridating their four schemes. The 60-page report is detailed and provides Total Present Value Costs over a period up to 40 years. Bellingen Council has not yet undertaken any cost estimates.

As of 25th May 2004, Coffs Harbour Council had just seen the presentation by MNCAHS and was about to commence cost estimates and preparation of a report for their next Council meeting, which is on 3rd June 2004. Their information was not available at the time of writing this report but should be available for distribution at the meeting on 8th June 2004. I am advised that they will carry out their estimates using the same methodology as Hastings and Kempsey.

Macleay Water has revised the O&M costs using the same format as Hastings. The rates for chemicals, energy, process maintenance, equipment

replacement, etc is the same. The significant difference in operating costs between plants is mainly due to labour (testing, travel, vehicles, maintenance). The breakdown of predicted labour requirements for each plant is shown in [\(Appendix B\)](#). The predicted total costs for operating and maintaining individual plants, including labour, are shown in [\(Appendix C\)](#). Costs have been analysed for both liquid and dry fluoride injection systems. The times shown in these cost analyses are for additional time over and above current travel to the various plants. The labour wage rate used for Kempsey is based on our actual operator wage rates and are considerably lower than those used for Hastings. Similarly, vehicle costs are based on our actual hourly rates, not per kilometre, which is lower than Hastings. No attempt has been made to carry out Total Present Value Costs over 20 or 40 years at this time. Therefore costs reflect current day values and do not allow for population growth or inflation.

It should also be noted that an increase in flushing of dead-ends of water mains will be required since fluoride is cumulative in nature and can build up to dangerous levels in low-use areas if flushing is not undertaken. This obviously leads to more wastage of fully treated water for this activity. The estimated cost of this is 6 hrs per week for a man and vehicle (3hrs travel + 3 hrs flushing) which amounts to \$9516 per year plus the value of wasted water at 20 litres/sec for 3 hrs at 83c per litre which adds up to \$9,322 per year. Total cost of extra flushing is \$18,838, say \$19,000.

If fluoride is dosed only in the Kempsey - Lower Macleay (Dam) and SWR systems, operations and maintenance could be undertaken without extra staff or vehicles, albeit with a stretching of resources. Crescent Head could also possibly be catered for with existing resources. If any or all of Stuarts Point, Hat Head, Bellbrook or Willawarrin are included an extra man and vehicle would be required. This would amount to \$25,000 for purchase of a vehicle and \$10,870 per year to run it plus \$49,400 per year wages (including overheads).

Depreciation on capital assets would depend on initial outlay and type of asset provided but would be in the vicinity of \$40,000 - \$50,000 based on an investment of \$800,000 - \$1 million depreciated over 20 years average lifespan.

Fluoridation of Kempsey-Lower Macleay and South West Rocks systems would encompass 20,000 people out of 27,000 serviced. That is, approximately 74%. If Crescent Head is included this would increase to about 85%.

The estimated capital cost of installing a small fluoride plant has been estimated at \$230,000 in the report done for Hastings Council. This figure has been used for estimates of depreciation costs.

The estimated costs of various options is set out in the following table along with impacts on the water usage rate:

TABLE 1 - Annual Costs for Operating Fluoridation Plants

Annual Cost	Liquid	Dry
Kempsey-Macleay & SWR only:		
S.M. Dam O&M	\$ 71,000	\$ 82,000
South West Rocks O&M	\$ 25,000	\$ 31,000
Mains flushing (74% of \$19,000)	\$ 14,000	\$ 14,000
Depreciation on \$460,000 (\$230k x 2)	\$ 23,000	\$ 23,000
Sub Total	\$ 133,000	\$ 150,000
Required increase in usage charge (per kl)	\$ 0.05	\$ 0.06
Add Crescent Head:		
Crescent Head O&M	\$ 29,000	\$ 32,000
Mains flushing (11% of \$19,000)	\$ 2,000	\$ 2,000
Depreciation on \$230,000	\$ 11,000	\$ 11,000
Sub Total	\$ 175,000	\$ 195,000
Required increase in usage charge (per kl)	\$ 0.07	\$ 0.08

Add Stuarts Pt, H'Head, B'brook & W'warrin:		
Stuarts Point O&M	\$ 32,000	\$ 35,000
Hat Head O&M	\$ 29,000	\$ 33,000
Bellbrook & Willawarrin O&M	\$ 47,000	\$ 52,000
Mains flushing (15% of \$19,000)	\$ 3,000	\$ 3,000
Depreciation on \$920,000 (\$230k x 4)	\$ 46,000	\$ 46,000
Purchase of extra vehicle	\$ 25,000	\$ 25,000
Extra Labour & vehicle operations	\$ 60,000	\$ 60,000
TOTAL	\$ 417,000	\$ 449,000
Required increase in usage charge (per kl)	\$ 0.17	\$ 0.18

Director's Comment:

Council is reminded that if it resolves to invite the Director-General of Health to make a health-based decision on fluoridation of Kempsey Shire's town water supplies, it is out of Council's hands and no reversal of this can be made without approval from the Director-General.

Council is also reminded that all town water delivered to consumers is returned to the environment. This means that if fluoride is dosed into our supplies at 1 mg/l approximately 2.5 tonnes of fluoride chemical will be discharged to the environment either via hoses used externally or via the sewerage system through effluent discharge or sludge disposal.

Report Implications:

The financial implication of the ongoing operations, maintenance and asset depreciation costs of the various options under consideration are set out in Table 1 above.

The statutory implications is the need to comply with the Fluoridation of Public Water Supplies Act 1957 and the NSW Code of Practice for the fluoridation of public water supplies if Council resolves to embrace the option of proceeding to refer the issue to the Director General of Health.

The environmental implications may be discharge of a poisonous cumulative chemical to the local environment at a rate of up to 2.5 tonnes per year.

The social implications are uncertain since there are vastly differing views worldwide on the possible benefits and potential health problems associated with fluoridation.

Director Business Enterprises Recommendation:

That Council take into account the information supplied in this report when deciding whether to proceed further with the possible fluoridation of some or all of the Shire's water supplies.

2004. 367

RESOLVED:

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

That this matter be deferred for further consideration at Council's meeting of 15th July 2004.



ADOPTION OF AGENDA ORDER OF BUSINESS

2004. 368

RESOLVED:

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

That the Agenda Order of Business be adopted.



MAYORAL MINUTE

M1	MEETING WITH MINISTER FOR ROADS OFFICE
FILE: R PACIFIC HIGHWAY	MAYOR {Folio No. 276263}

SUMMARY:

Reporting on the meeting with the Minister for Roads Office to discuss issues relating to the Pacific Highway Bypass.



I arranged through the Minister for Local Government and Emergency Services, Tony Kelly a meeting on the 1st June 2004 with Brent Thomas Deputy Chief of Staff for the Minister of Roads and Housing. The Hon Carl Scully to discuss issues relating to the Pacific Highway Upgrade. The meeting was also attended by Brian Walters General Manager Network Development Roads and Traffic Authority.

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MAYOR

Council was represented by Councillor Bob McWilliam, the General Manager and myself.

The concerns of the community in respect of flooding issues were discussed in full and a written submission from Council to the Minister was tabled.

The RTA are conscious of the additional costs that would be involved if the full 4.5 kilometres were bridged but were also aware that the flooding issues are of concern to residents and every effort should be made to alleviate the problems.

As a consequence the RTA have agreed to investigate various options to increase the waterway Area of the eastern option and reduce adverse flooding impacts upstream and then go back to Council and the Community with the results.

The second issue discussed at the meeting was the problem that Council is having with the RTA objecting to the Rezoning of Land at South Kempsey for Industrial purposes until a design for the interchange is prepared in conjunction with an Environmental Input Assessment (Study?)

Mr Walters has agreed to contact Peter Collins Regional Manager of the RTA to see whether the design of the Interchange can be brought forward.

Report Implications

There are no Financial, Statutory or Policy Implications arising from this report.

2004. 369

RESOLVED:

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

1. That the groups/Individuals represented on the Pacific Highway Bypass be informed of the results of the meeting with the Deputy Chief of staff.
2. That the owners of the affected Land in South Kempsey be advised of the steps to be taken by the RTA.



M2	LOCAL GOVERNMENT MANAGERS AUSTRALIA
(SUPP.)	FORUM AND SHIRES ASSOCIATION CONFERENCE
	FILE: A3-2 COPY: C11-4 JACH (NRN) {Folio No. 276337}

SUMMARY:

To give an overview of Councils participation at the LGMA Forum and Shires Association conference.



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MAYOR

On the 31st May Councillors, Howell, Green, Gribbin , McWilliam and Saul, The General Manager and myself attended the Local Government Managers Australia one day Forum which was followed on the 1st and 2nd June by the Shires Association Conference.

The Forum had a number of keynote speakers, Dr Richard Hames a Futurist, Corporate Philosopher, Company Director and Author who spoke on community participation and the need to satisfy community needs. Strategic planning is dead – strategic navigation is what is required. There is no need for a plan if conditions are continually changing. Dr Karl Kruszelnick, ABC personality talked about human genetic engineering and progress that will be made in the next 20 years.

There were a number of sessions dealing with Tourism that recognised the benefits to the industry and community but questioned the cost to Local Government. The afternoon comprised presentations on managing problems such as waste disposal in the Hunter, development pressures at Byron, The ACT fires and animal diseases managed by the Department of Agriculture.

The Shires Association Conference was opened by the Premier, The Hon. Bob Carr and conference was addressed by:-

- Hon. Tony Kelly, Minister for Local Government
- Ian Kiernan, Clean Up Australia
- Brett Westbrook, CEO Local Government Superannuation Scheme
- Warwick Hilder, Local Government Financial Services
- Hon. Craig Knowles, Minister for Infrastructure and Planning and Minister for Natural Resources
- John Brogden, Leader of the Opposition
- Hon. Carl Scully, Minister for Roads
- Clr Mike Montgomery, President Australian Local Government Association
- Jennifer Westacott, Director General DIPNR

Very few new announcements were made although Minister Kelly did announce that the current Mayoral Term has been extended by a further twelve months to September 2005. Minister Scully once again devoted a lot of time to answering questions and in response to questions from Kempsey advised that flashing lights are to be installed on the Pacific Highway at the Bellimbopinni School and that consideration will be given to the allocation of funds to Council for noise problems caused by heavy vehicles in Frederickton and Kempsey.

Council had seven (7) motions before conference viz:-

1. That the Shires Association requests the State Government to reform funding arrangements for the NSW Health System as recommended by the Independent Pricing and Regulatory Tribunal of NSW (iPART)
2. That the Shires Association makes representations to both Federal and State Governments with a request that joint funding be allocated by both governments for major capital works associated with public hospitals in NSW

3. That the Association lobbies the NSW Government to review the effectiveness of the Land and Environment Court
4. That the Shires Association makes representation to the Hon. Carl Scully MP Minister for Roads and Federal Minister, John Anderson MP with a request that urgent attention be given to potential Black Spots for example, Pacific Highway and in particular:-
 - Towns including Kempsey, Frederickton, Macksville, Urunga, Ulmarra, Woodburn, Ballina and Coffs Harbour (and others) and
 - Those sections which remain undivided
5. That the Shires Association makes representation to the Minister for Roads to amend Section 38(2) (b) of the Roads Act to put beyond doubt that any sale proceeds of the sale of part of a constructed road vested in Council are paid to the Council
6. That A Division expresses its disgust at the apparent disrespect for Local Government conveyed recently by Mr Sartor and demand an apology
7. That the Association lobbies the Minister for Energy and Utilities for assurance that the Country Towns Water Supply and Sewerage Program will continue with the current format and scope

Motions 1,2,3,5 and 7 were adopted. Motion 4 was amended by deleting from “for example” and the words “with appropriate funding”, added. Motion 6 was referred to the Executive for implementation.

There were two workshops one on Structural Reform and the other on Rural Health. The Structural Reform workshop looked at a number of models of co-operation and there were presentations on recent amalgamation experiences and strategic alliances producing cost savings.

The shortage in doctors is worldwide due to ageing populations, ageing doctors and due to more females becoming doctors and juggling family responsibilities. Doctors are wary of going to the country as the perceived expectation is long medical and business management hours. Councils need to be advocates and provide recreation facilities and encourage use of those facilities, conduct CPR programs and arrange for medical students to attend high school career days. Councils should provide improved water, sewerage and garbage systems.

Councillor Phyllis Miller was elected President for another year and Councillor Colin Sullivan and Councillor Bruce Miller were elected Vice-Presidents.

Report Implications

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

2004. 370

RESOLVED:

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

That the information be noted.

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MAYOR

Janet Hayes
MAYOR



NOTICE OF MOTION

NOM1	STUARTS POINT SEWERAGE SCHEME
FILE: S8-23	GBS {Folio No. 276264}

Notice is hereby given that I intend to move the following motion at the Ordinary Meeting of Council scheduled for Tuesday, 8th June 2004.

- "1. That Council request the Department of Energy Utilities & Sustainability to support Council in progressing the Stuarts Point Sewerage Scheme as far as possible with the current funding including:***
- Finalisation of the Risk Assessment***
 - Preparation of the Project Progression Discussion Paper***
 - Detailed Investigation and Community Consultation***
 - Options Development***
- 2. The Director Business Enterprises provide a report to Council when this work has been finalised recommending a preferred option with estimated costs so that Council can decide whether to:***
- Abandon the scheme due to lack of funds***
 - Wait until eligible, under the Best Practise Management of Water Supply and Sewerage Guidelines, and then apply to the State Government for funding for the completion of the scheme under the Country Towns Water Supply and Sewerage Program (which may be years or perhaps never)***
 - Fund the scheme totally from loan funds without Government assistance with consideration given to possible staging of the scheme."***

.....
Councillor B R Sowter

2004. 371

RESOLVED:

Moved: Cl. Sowter
Seconded: Cl. Bowell

- 1. That Council request the Department of Energy Utilities & Sustainability to support Council in progressing the Stuarts Point Sewerage Scheme as far as possible with the current funding including:**
- Finalisation of the Risk Assessment**
 - Preparation of the Project Progression Discussion Paper**
 - Detailed Investigation and Community Consultation**
 - Options Development**
- 2. The Director Business Enterprises provide a report to Council**

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MAYOR

when this work has been finalised recommending a preferred option with estimated costs so that Council can decide whether to:

- Abandon the scheme due to lack of funds
- Wait until eligible, under the Best Practice Management of Water Supply and Sewerage Guidelines, and then apply to the State Government for funding for the completion of the scheme under the Country Towns Water Supply and Sewerage Program (which may be years or perhaps never)
- Fund the scheme totally from loan funds without Government assistance with consideration given to possible staging of the scheme.



RESCISSION MOTION

RM1	TEETH FOR LIFE CAMPAIGN FILE: H2-2 TIH	{Folio No. 276267}
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This report was dealt with earlier in the meeting just after PUBLIC FORUM.

RM2	DATES OF ORDINARY AND PLANNING MEETINGS FILE: C18-22 CLR JACH	{Folio No. 276766}
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Notice is hereby given that we intend to move the following Rescission Motion at the Ordinary Meeting of Kempsey Shire Council on Tuesday, 8th June 2004.

That resolution number 2004.301 from the Ordinary Meeting held 11th May 2004, as follows;

- 1. That Council actively embraces the initiatives of the "Teeth for Life" campaign.*
- 2. That the NSW Health Department be advised that Council believes fluoridation of the water supplies under Council's authority is a public health issue and that Council therefore wishes to refer the question to the Department for consideration and determination. On the undertakings from the CEO of the Mid North Coast Area Health Service that health would;*
 - *Field all complaints and protests from the community regarding fluoridation of the water supply.*
 - *Grant blanket approval to shut down fluoridation dosing system if the dam has to be taken off line under the Dam Management Plan.*

3. ***That the following dot points be the subject of a further report from the Director Business Enterprise;***
 - ***Fund all capital works including buildings as required for fluoridation of the 7 water supply plants.***
 - ***Provide to Council \$20,000 in each of the 04/05 and 05/06 financial years to defray costs associated with implementation.***
4. ***The extra resources (labour) be approved for the ongoing operations and maintenance of the systems, once built and commissioned."***

be rescinded.

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Councillor J H Bowell

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Councillor J C Gribbin

.....
Councillor E R Walker

In the event the rescission motion is successful it is proposed that the following motion be moved:

1. **That the NSW Health Department be advised that Council agrees the fluoridation of water supplies is a public health issue.**
2. **That the NSW Health Department be further advised that consideration will be given by Council to the fluoridation of water supplies under Council's control on receipt of written advice in respect to the following;**
 - a. **All capital works required, including land acquisition and buildings will be 100% funded**
 - b. **That training including wages costs during training for operators will be met**
 - c. **That the Department will provide for appropriate vehicles, to facilitate the operation of the systems**
 - d. **That the Health Department will;**
 - **Field all complaints and protests from the community regarding fluoridation of the water supplies**
 - **Grant blanket approval to shut down the fluoridation dosing system at the Steuart McIntyre Dam if the dam has to be taken off live under the Dam Management Plan**

- That appropriate alternate measures for the administration of fluoride to prevent dental decay in children have been considered

3. That further consideration be given to future operation and maintenance costs - estimated at around \$160,000 and depreciation of equipment (estimated at \$40,000 pa over 20 years based on Department's installation cost of \$800,000).

Options to include but not restricted to:-

- As the fluoridation of water supplies is identified as a public health issue the total cost of operation, maintenance and replacement of equipment be the responsibility of NSW Health
- The cost of operation and maintenance of equipment be shared on a dollar for dollar basis by NSW Health and Kempsey Shire Council with NSW Health being responsible for all capital replacement costs

The options as detailed above could be the subject of a meeting with Bellingen and Hastings Shire Councils and Coffs Harbour City Council.

NOTE:

At Council's Meeting 11th May 2004 Mr Clout, CEO Mid North Coast Area Health Service, advised;

- installations will be carried out initially for the Kempsey and South West Rocks water supplies, and
- \$20,000 would be offered to Council for two (2) years towards the training of staff, additional vehicles and depreciation of equipment.

2004. 372

RESOLVED:

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

That resolution number 2004.224 Part 1 from the Ordinary Meeting held 13th April 2004, as follows;

“That a Planning Committee of the full Council, with delegated authority, meet on the fourth Tuesday of each month commencing at 9.00am to deal with report covering all Planning matters.”

be rescinded.

Councillor Gribbin recorded his vote against the foregoing Resolution.



At this stage 10.28 a.m. the Meeting adjourned for Morning Tea and upon resumption at 11.06 a.m. all present at the adjournment were in

attendance with the exception of Councillor Hunt, who apologised for non-attendance due to the need to attend a funeral.



DELEGATE'S REPORT

D1	UNIVERSITY OF NEW SOUTH WALES SCHOOL OF RURAL HEALTH, MID NORTH COAST DIVISION
FILE: H2-14	TIH (NRN) {Folio No. 276268}

SUMMARY:

Reporting on attendance at the Community Advisory Board Meeting held in Kempsey on Friday, 14 May 2004.



The Chairperson, Ms Katy Balmaks, Australian Government Department of Health and Ageing, advised that the 2004 Budget had confirmed funding providing for the Regional Health Strategy, which means the Rural Medical Scholarship Scheme will continue for the next four (4) years.

From 2004/05, 25% of the medical students will be required to spend 50% of their time in rural areas.

There were two 4th year medical students in attendance and they gave an assurance that visits to High Schools in the area will continue.

The proposal by Kempsey Shire Council, together with the anticipated support of the Rotary Clubs within the Shire, to provide scholarships was very well received.

Ms Deborah Kuhn, Coffs Harbour Shire Council, requested further advice on the proposal as it unfolds which may lead to a similar proposal to be introduced in Coffs Harbour.

I look forward to the possibility of a scholarship being offered to a student at each of the three High Schools within Kempsey.

The next meeting of the committee will be held in Coffs Harbour in November 2004.

2004. 373

RESOLVED:

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

That the information be noted.

.....
Councillor John Bowell



DIRECTOR ENGINEERING REPORT

DE1	PEDESTRIAN FACILITIES PROGRAM
FILE: R8-101	NJT COPY: APC {Folio No. 276269}

SUMMARY:

Reporting on a proposed alteration to a project under the RTA Pedestrian Facilities Program.



In the 2003-2004 financial year, funding has been provided from the Roads and Traffic Authority under the Pedestrian Facilities Program on a 1:1 shared contribution basis.

One of the projects identified in the program in the amount of \$20,000 was for the construction of a central median in Gordon Young Drive and the construction of a pedestrian refuge and kerb blister in Gregory Street, South West Rocks, at the intersection of Gordon Young Drive.

Concerns have been raised concerning the installation of the pedestrian refuge and kerb blister in Gregory Street. The Local Traffic Committee considered this matter at its meeting on 26th May 2004 and recommended:

“That the matter be deferred and further consultation be undertaken.”

Following discussions, it has been agreed that the pedestrian refuge should not be installed. The central median will still be constructed in Gordon Young Drive to control traffic flow and this will be funded from the Traffic Facilities Program.

It is recommended that funds allocated to this project under the RTA Pedestrian Facilities Program be reallocated to extending the footpath on the eastern side of Smith Street, Kempsey, northerly towards First Lane. This project has been identified as having priority in the Pedestrian Access Mobility Program.

Director’s Comment:

As per report.

Other Implications:

There are no financial, policy or statutory implications arising from this report. Council’s contribution will be financed from footpaving charges recovered from adjoining owners.

2004. 374

RESOLVED:

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

That funds allocated to the installation of a pedestrian refuge and blisters in Gregory Street, South West Rocks, under the RTA Pedestrian Facilities Program be reallocated to extending the footpath on the eastern side of Smith Street, Kempsey, northerly towards First Lane.

DE2

BRIDGE NAMING POLICY

FILE: B6-1 JC COPY: PJH

{Folio No. 276270}

SUMMARY:

Reporting on a proposed new Council policy for the naming of Bridges on Council's local road network.



Council at its meeting of 13th May 2003 considered a report to name a bridge over Toorumbee Creek. Council resolved:

- “1. That the bridge be named Toorumbee Creek Bridge.
2. That Council investigate the history of naming of Parrabel Creek with a view to renaming it Toorumbee Creek.”
3. That Council develop a Policy of naming bridges to avoid confusion in the future.

The draft Bridge Naming Policy is attached as [\(Appendix A\)](#).

The policy will avoid any future confusion when selecting a name for bridges in the Shire and will include the input of the community and other relevant organisations.

Director's Comment:

As per the report.

Other Implications:

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

2004. 375

RESOLVED:

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

That the Bridge Naming Policy be adopted.

DE3

RESURFACING OF KEMPSEY NETBALL COURTS

FILE: R3-20

GJW COPY: APC {Folio No. 276272}

SUMMARY:

Reporting on proposed resurfacing of Kempsey Netball Courts.



The Kempsey Netball Association is investigating the cost of re-surfacing the Kempsey Netball Courts with Rebound Ace Sports Surfacing and carrying out repairs to courts within the Shire's villages. They are currently pricing the project and investigating the possibility of obtaining loan funding and/or grant funding to finance it.

There is \$7,600 remaining in the 2003-2004 budget for Netball/Basketball Court Rehabilitation. It is recommended that these funds be carried forward for use as part of Council's contribution to the resurfacing of the Kempsey Netball Courts.

Director's Comment:

As per report.

Financial Implication:

The financial implication of the following recommendation would be that the current Council funds for these works would need to be transferred to an Uncompleted Works Reserve.

Other Implications:

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

2004. 376

RESOLVED:

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

That the balance of funds for Netball/Basketball Court Rehabilitation be transferred to Uncompleted Works Reserve for use in 2004-2005.

DE4

STORAGE FACILITIES AT VERGE STADIUM

FILE: R3-20 GJW COPY: APC

{Folio No. 276275}

SUMMARY:

Reporting on storage facilities at Verge Stadium.



Verge Street Stadium is now being utilised by the Shire's two Rugby League teams, the Junior Rugby League and the Cannonballs Rugby Union Club. This has meant that storage facilities beneath the Peter O'Donnell Stand are inadequate, forcing the Gimbisi Warriors to transport equipment to and from the ground for training and on game days. It is proposed that a shipping container be purchased, to serve as additional storage space to service the Gimbisi Warriors Club. Council's Environmental Services Department has given tentative approval to the proposal, on the condition that the container can be removed to a flood free area during periods of flooding. Council's Works staff have confirmed that Council has the resources to meet this obligation.

Director's Comment:

It is considered appropriate that storage be available for the Gimbisi Warriors Rugby League Football Club.

Financial Implication:

The financial implication of the following recommendation would be the release of an additional \$4,000 in Section 94 funding for the purchase and installation of the container.

Other Implications:

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

Director Engineering Recommendation:

That Council allocates funds from Section 94 for the purchase a shipping container to act as a storage facility at Verge Street Stadium. It is estimated that the purchase and installation cost of a shipping container for this purpose is \$4,000.

2004. 377

RESOLVED:

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

That this matter be deferred for provision of information on the site and acceptance by the Gimbisi Warriors of responsibility for removal of the container in times of flood.

DE5	KEEP AUSTRALIA BEAUTIFUL CLEAN BEACH CHALLENGE	{Folio No. 276276}
	FILE: B1-2 GJW	

SUMMARY:

Reporting on Keep Australia Beautiful Clean Beach Challenge.



Kempsey Shire Council has for the past two years entered its beaches into the KAB CBC. The Clean Beach Challenge is a fun competition, which aims to enhance beachside communities by promoting personal initiative, civic pride and environmental awareness. Through competition and awards, the program provides recognition to people who care for their community and coastal environment.

The Challenge is to be launched on the north coast at the Tacking Point Surf Club on 10th June 2004, at 2.00pm

Director's Comment:

Council should be encouraging the community to keep our beaches clean and this Challenge will publicize our involvement.

Financial Implication:

There are no financial implications to Council as the cost of attendance would be covered by Council's existing budgetary allocations

Other Implications:

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

Director Engineering Recommendation:

That council nominate a councillor and authorise relevant staff to attend the launch of the Clean Beach Challenge at Tacking Point Surf Club on 10th June 2004.

2004. 378

RESOLVED:

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

That Council's nominee to attend the launch of the Clean Beach Challenge at Tacking Point Surf Club on 10th June 2004 be Councillor Bowell and authority be given to relevant staff to attend.

DE6	INFRASTRUCTURE AT HORSHOE BAY RESERVE, SOUTH WEST ROCKS
FILE: C1-8 GJW	COPY: APC
	{Folio No. 276277}

SUMMARY:

Reporting on funding for the development of infrastructure at Horseshoe Bay Reserve, South West Rocks.



The 2003-2004 Budget contains a number of allocations for the improvement of landscaping and infrastructure in the Horseshoe Bay Reserve at South West Rocks.

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MAYOR

At the commencement of the production of the Horseshoe Bay Plan of Management, it was agreed by Director Engineering, Keith Finnie, consultant Clare Mathieson, and Horticultural Advisor, Greg Williams, that following its completion a Landscape and Infrastructure Masterplan would be produced for the area. As the plan has yet to be adopted, the production of the Masterplan has not yet been implemented.

It is considered appropriate to wait until the Landscape and Infrastructure Masterplan is completed before continuing with improvements.

Director's Comment:

As per report.

Financial Implication:

The financial implication of the following recommendation would be that allocations for 2003-2004 be transferred to an uncompleted Works Reserve for use in 2004-2005.

Other Implications:

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

2004. 379

RESOLVED:

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

That the 2003-2004 allocations for the development of landscaping and infrastructure be consolidated with allocations for 2004-2005 and utilized once a Landscaping and Infrastructure Masterplan has been produced.

DE7 QUESTIONS WITHOUT NOTICE

FILE: C18-28 JC (NRN)

{Folio No. 276278}

SUMMARY:

Reporting on Questions Without Notice from the Council meetings of the 14th May 2002, 13th January 2004, 12th February 2004, 23rd March 2004 and 11th May 2004.



Responses to Councillors Questions Without Notice are listed for information.

Meeting of 14th May 2002

Councillor Sowter

File: R8-2

(Folio No. 234526)

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

A contract has been developed ready for advertising. As roadside slashing is being considered in conjunction with the proposed Parks and Gardens restructure it is proposed to wait until the restructure is finalised before proceeding.



Meeting of 12th February 2004

Councillor Bowell

File: W5

(Folio No. 271439)

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

Pile cap has been replaced.

Councillor Bowen

File: I3-2

(Folio No. 271444)

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

Details being reviewed.

Councillor Sowter

File: R7-1

(Folio No. 271441)

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

Considered at Works Inspection carried out on 22nd May 2004.

Meeting of 23rd March 2004

Councillor J C Gribbin

File: R8-24

(Folio No. 273335)

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

Matter being investigated.

Councillor T L Hunt

File: P1-2

(Folio No. 273377)

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

Report prepared for Local Traffic Committee held on 26th May 2004.

Councillor R H McWilliam

File: D5-2

(Folio No. 273378)

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

Temporary works have been carried out to reduce impact. Further investigation and report to be carried out by Environmental Services Department.

Councillor R H McWilliam

File: R8-27

(Folio No. 273380)

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

Pavers have been re-laid to remove trip hazard.

Councillor R H McWilliam

File: S8-2

(Folio No. 273381)

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

Area inspected and no evidence of ongoing subsidence found. This area was the subject of subsidence due to groundwater washing into a stormwater pit. This was repaired a few years ago.

Meeting of 11th May 2004

Councillor R H McWilliam

File: T11-4

(Folio No. 274847)

That the Director Engineering would investigate the need to prune trees in Gregory Street, South West Rocks opposite Elizabeth Street as they obscure site distance of traffic coming out of Gordon Young Drive.

Area has been cleared to improve sight distance.

Councillor R H McWilliam

File: R8-20

(Folio No. 274848)

That the Director Engineering would consider the erection of Kangaroo warning signs along Gilbert Cory Street, South West Rocks.

Signs have been ordered and will be erected upon receipt.

Councillor E R Walker

File: R Armidale

(Folio No. **274859**)

That the Director Engineering would investigate the need for line marking on Bellbrook road.

Report prepared for Local Traffic Committee held on 26th May 2004.

Councillor T L Hunt

File: T7

(Folio No. **274867**)

That the Director Engineering would investigate the site distance concerns at the junction of River St and Wide St to ensure there are clear lines of sight for traffic emerging from Wide Street.

Trees have been trimmed during week ending 21st May 2004.

Councillor J C Gribbin

File: T7

(Folio No. **274871**)

That the Director Engineering would explain what is happening about the right turn over the pedestrian crossing at South West Rocks School.

Report prepared for Local Traffic Committee held on 26th May 2004.

Councillor E A Green

File: M3

(Folio No. **274876**)

That the Director Engineering would investigate the condition of the War Memorial in Frederickton which has a large crack in its base.

Cost to repair is approximately \$2,500. Engineering is liaising with Community Services regarding repairs.

Councillor E A Green

File: D5-2

(Folio No. **274878**)

That the Director Engineering would investigate pooling of stormwater in the low areas in Frederickton.

Matter being investigated.

Councillor E A Green

File: T11-4

(Folio No. **274879**)

That the Director Engineering would investigate a ring barked tree at 98 Sea Street.

Tree is on private property and has been ring barked and is dying. Referred to Environmental Services.

Councillor E A Green

File: D6

(Folio No. **274880**)

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

Letter to DIPNR being prepared.

Councillor J H Bowell

File: R Pipers Ck

(Folio No. **274877**)

That the Director Engineering would investigate the need for repairs to pot holes along Pipers Creek road.

Maintenance works carried out during week ending 28th May 2004.

Councillor J H Bowell

File: R Barnard St

(Folio No. **274884**)

That the Director Engineering has arranged for repairs to a large pothole in Barnard Street Gladstone.

Pot hole was repaired on 10th May 2004.

Councillor J H Bowell

File: B1-2

(Folio No. **274885**)

That the Director Engineering would investigate concerns at Mattys Flat Reserve regarding pontoon joints, position of mooring anchors, drainage from a tap and access to water point at sewer pump station.

Concerns being investigated.

Report Implications:

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

2004. 380

RESOLVED:

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

That the information be noted.

DE8

WORKS IN PROGRESS

FILE: R8-2 KJF (NRN)

{Folio No. *}

SUMMARY:

Reporting on Works in Progress.



Attached as [\(Appendix B\)](#) is the Works Program for the last Quarter 2003-2004, for information.

ROADS

REGIONAL ROADS

Sealed

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

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

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

The rehabilitation of a section of Crescent Head Road has been completed. The work involved the rehabilitation of 1.35km of road approximately 12.5km from the Pacific Highway intersection.

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

LOCAL ROADS

Sealed Rural

Pavement maintenance work on the sealed road network is continuing.

Second lane has received some remedial treatment in conjunction with the construction of boom gates at the railway crossing. This work has been completed. Rail Infrastructure Corporation has finished their work.

UNSEALED RURAL

Gravel Resheeting

Hickeys Creek road gravel resheeting work has been completed.

Maintenance Grading

The "Shire East" roads maintenance crew is currently finishing in the East Kempsey/Belmore Area (Area East 1).

Roads graded during this month;

Point Plomer Road
Wortley Drive
Verges Creek Road
Pola Creek Road
Boyters Lane

Beranghi Road
Seale Road
Old Station Road
Back Creek Road

Roads potholed during the month;

Boyters Lane

The "Shire West" roads maintenance crew have been involved with gravel resheeting of Hickeys Creek Road.

Both Sundowner Road and Billybyang Creek Road were maintenance graded by the "Shire West" crew during the last month.

TOWN AND VILLAGE STREETS

Kempsey MasterPlan

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

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

Kempsey Town Improvement

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

Hat Head Town Improvement

Stage 2 of the drainage works around the intersection of Fern and Straight Streets has been completed.

Crescent Head Town Improvement

Drainage works is scheduled for Korogora Street and this work will commence in June.

South West Rocks Town Improvement

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

Smithtown Town Improvement

Kerb and gutter works in Belmore Street, Smithtown, between Verge and Jeffery Streets has been completed.

Stuarts Point Town Improvement

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

Roads to Recovery projects

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

Kerb and Gutter works in Mitchell Street (McIntyre to Pacific Streets) in South West Rocks has been completed.

Construction works of the new intersection of Gowings Hill Road and Marys Bay Road has been completed.

Pedestrian Access Mobilisation Plan (PAMP)

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

FLOOD MITIGATION

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

BRIDGES / STRUCTURES

Specific Maintenance

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

A new bridge is being constructed at McCoys Creek on Willi Willi Road where the road is currently being serviced by a causeway. This project is scheduled for completion by the end of June.

HORTICULTURE

Coastal Weeds Rehabilitation Project

Bitou Bush, Lantana and Senna eradication continuing at Goolawah.

Kempsey Shire Council and Macleay Community Catchment Care have been successful in procuring an additional \$8,000 in grant funding to continue the programme in the 2004-2005 financial year.

Littoral Rainforest Rehabilitation Project

Follow up weed control has been carried on the littoral rainforest areas at Racecourse Headland and Goolawah Lagoon.

Upper Macleay Riparian Weeds Project

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

Contractors have commenced work eradicating Cat's Claw Creeper and Madeira Vine in the Upper Macleay. Paul Leddy, who recently resigned as Council's Noxious Weeds Inspector, is co-ordinating the works as an employee of Hastings Bush Regeneration.

Plans of Management

Horseshoe Bay Plan of Management – a late submission has been received from the Department of Lands. The submission will be tabled at the workshop scheduled to take place on the 22nd June 2004.

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

Tree Planting and Maintenance

Tree planting in Gregory Street, South West Rocks, has commenced. The tree species being used are Cupaniopsis (Tuckeroo) and Backhousia (Grey and Lemon Myrtles).

West Kempsey Rotary have contributed their time to assist Council with the replanting of the river bank in Riverside Park. Parks and Gardens staff member Colin Scullion worked with the volunteers and a substantial area was replanted. Greg Williams is liaising with West Kempsey Rotary in regards to more planting works and the installation of new seating in the park.

Kempsey Rotary are liaising with Natasha English, Macleay Community Catchment Care, in regards to seeking grant funding to carry out rehabilitation of an area of river bank. Greg Williams has suggested that a plan be drawn up for weed control and revegetation work to be carried out on the eastern riverbank to the north of the Kempsey Traffic Bridge. Council would contribute to the project by supplying plantstock.

Playground

Playground equipment has been erected at Matty's Flat at South West Rocks Community consultation is being carried out in regard to the installation of new playground equipment at Kundabung.

Sporting Facilities

Development Applications have been lodged for Boyters Lane Sporting Fields and for the establishment of canteen facilities at Gladstone.

A review of sports fields usage for the current Winter season has been completed. A report was presented to the May meeting of the Macleay Valley Sports Council for comment before being presented to Council. All submissions from Sports User Groups will be considered and a report will be presented to the July meeting of Council.

Hornets Soccer Club and Greg Williams are currently investigating development costs and funding opportunities for the upgrading of Kemp 1 Soccer field. The long term plan is to develop the facilities to a regional standard. Improvements being considered are fencing of the field for crowd control purposes as required by the Oxley Soccer Association, the installation of tiered seating to the western side of the field and the installation of an in ground irrigation system.

Medians

The grassed median strip at the north end of Smith Street has been planted out with *Lomandra longifolia* to improve the aesthetics of the northern entry to the town and to reduce the amount of maintenance required in it's upkeep.

Super advanced plants are being purchased and grown on in Council's nursery to replace plants that have not survived. Most plant deaths are being caused by pedestrian traffic and it is hoped that the planting of larger plants will help eliminate this.

NOXIOUS WEEDS

Weed Control Spraying carried out at:

- Plummers Lane
- South West Rocks Road
- Smithtown Road
- Pacific Highway South Kempsey
- River Street Kempsey
- Sherwood Road
- Dondingalong Road
- Point Plomer Road

Private property inspections carried out at

- Stuart's Point
- South West Rocks

- South Kempsey
- Yarravel
- Beranghi
- Kundabung

Greg Williams attended the quarterly meeting of the Mid North Coast Weeds Advisory Committee at Foster.

BUILDING SERVICES

Work completed last 4 weeks

- Ongoing maintenance to amenities.
- Install picnic tables – South Kempsey Tourist Park
- Aged Care Units – miscellaneous repairs.
- Workshop – Louvre ventilation completed.
- Frederickton Cemetery – Gazebos completed.
- Install Bus Shelter – Cedar Crossing Road.
- Gladstone Treatment Works – replace doors – complete.

Work proposed next 4 weeks

- Works Depot - Maintenance to gutters and down pipes – to be outsourced
 - Upgrade Locker Room/Shower (continuing)
 - Alteration to workshop to improve access to mezzanine level – continuing
 - Relocate Stores Compound – demolish Loading Dock – continuing.
- Hat Head water treatment: Replace glass blocks with aluminium windows.
- Clyde Street Mall – Baby Care Facility – Site work commenced, Contractor to substantially complete by end of June.
- Frederickton Cemetery – Site works and installation of modular toilet – continuing. Due for completion at the end of June.
- Timber Bollards – Manufacture a total of 100 (continuing).
- SWR Horseshoe Bay Amenities – commence refurbishment – completion due 25th June 2004.
- Works Depot – construct vehicle ramps to wash bay – continuing.
- Kempsey Traffic Bridge – Install security panels to underside of bridge.

- Dog Pound – improvements.

Implications:

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

2004. 381

RESOLVED:

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

That the information be noted.

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**M G Rootes
ACTING DIRECTOR ENGINEERING**



DIRECTOR CORPORATE AND COMMUNITY SERVICES REPORT

DCCS1	FUNDING TO THE MID NORTH COAST AREA HEALTH SERVICE
FILE: H2-10 JMC (NRN)	{Folio No. 276280}

SUMMARY:

Report on advice received from Cherie Burton MP, Parliamentary Secretary for Health, concerning funding to the Mid North Coast Area Health Service.



"I write in response to your representations of 20 January 2004 to the Minister for Health, the Hon Morris Iemma MP, on behalf Mr Trevor Hannam, Director of Corporate and Community Services, Kempsey Shire Council, concerning funding to the Mid North Coast Area Health Service (MNCAHS). The Minister has asked me to respond on his behalf.

It is the responsibility of the NSW Government, the Department of Health and Area Health Services to ensure that the range of health service needs in the community are appropriately addressed and that there is an appropriate balance across and between the various health services that are provided to the community. This means that the Government and the Department of Health need to decide from within the total available funds how much each Area Health Service should be allocated based on the health needs of that population relative to the health needs of other populations. Funding is allocated to the MNCAHS based on the criteria of the Resource Distribution Formula.

The Mid North Coast Area Health Service (MNCAHS) net cost of service budget for 2003/04 as announced by the Treasurer on 24 June 2003 is

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MAYOR

\$249.8 million. This represented an increase of 8.8% or \$20.3 million dollars on the previous years allocation.

I am advised by Mr Terry Clout, Chief Executive Officer, Mid North Coast Area Health Service, that there is no education in the number of surgical cases undertaken at Kempsey District Hospital. The number of operations undertaken in this financial year so far, exceed last financial year's total operations. Currently the surgical ward provides day surgery, Monday to Friday. This enables an increasing number of residents to have their operations locally.

Mental Health Services have been enhanced within the Emergency Department after hours at Kempsey through the provision of an on-call VMO psychiatrist. This complements the existing services available to the community and further supports the valuable work of the mental health inpatient unit.

I am pleased to advise that on 6 April the Treasurer, the Hon Michael Egan MLC, announced a significant boost to NSW health funding in recognition of the increasing costs and demand pressures on NSW public hospitals. Further details of this funding will be released prior to the release of the State budget in June.

Should Mr Hannam have any further queries please advise him to contact Mr Terry Clout on 65 882941."

Comments by Director

Noted.

Financial, Policy, Statutory, ESD Implications

Nil.

2004. 382

RESOLVED:

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

That the information be noted.

DCCS2	STATEMENT OF BANK BALANCES AS AT 31ST MAY 2004 APC
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SUMMARY:

Submitting the Statement of Bank Balances as at 31st May 2004.



[\(Appendix A\)](#)

Financial Implication

There are no financial implications arising from this report.

2004. 383

RESOLVED:

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

That the information be noted.

DCCS3	STATEMENT OF INVESTMENTS AS AT 31ST MAY 2004 APC
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SUMMARY:

Submitting the Statement of Investments as at 31st May 2004.



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

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

Financial Implication

There are no financial implications arising from this report.

2004. 384

RESOLVED:

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

That the information be noted.

DCCS4	ROTARY LODGE EXTENSION AT PORT MACQUARIE HOSPITAL	File: D1-2	TIH	{Folio No. 276281}
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SUMMARY:

Reporting on a request from the Rotary Lodge Committee for a donation to support the Rotary Lodge extensions at Port Macquarie Base Hospital.



Following is the letter received 21st May 2004:-

“That Rotary Lodge has fulfilled a special need at the Port Macquarie Hospital has been demonstrated many times over since it was established in 1996.

Such has been the response that, unhappily on occasions, numbers of those for whom the Lodge was established to serve and help have had to be turned away.

So Rotary must now take on the task of extending the Lodge in a bid to meet the need, as it now exists and to be able to meet that of the future.

The Lodge, located within the grounds and walking distance to the PMBH is an accommodation facility catering exclusively for Oncology patients receiving outpatient treatment, relatives of accident and emergency patients and those relatives of seriously ill patients and those undergoing surgery who do not have transport and would have difficulty visiting loved ones.

With the announcement that a Radiotherapy facility will be placed in the hospital environs Health Department consultants have estimated that up to a further 16 accommodation units could be required. To meet this need Rotary, with the support of Businesses and the community, proposes to add another floor to the existing Rotary Lodge building which would provide a total of 25 motel type units within walking distance of the Hospital and the Radiotherapy unit. This has been estimated to cost \$1,300,000.

To achieve this Rotary is appealing to businesses and inviting them to become "Major Sponsors" in the needed and planned extensions to the Lodge. People who are eligible to use the accommodation facilities at the Lodge come from the area of Great Lakes in the south to the Nambucca region in the north; others are from interstate and the metropolitan areas.

Costs to those using the Lodge range from \$25 and for the disadvantaged \$15. These charges cover maintenance and running costs. Any shortfall is made up by the district Rotary Clubs.

The Hastings Council is supporting this project and has waived all the Development fees and is giving a donation of \$20,000.00, consequently becoming a Major Donor. The occupancy rate from the Kempsey local government area is currently 25% and this is expected to increase when the Radiotherapy unit becomes operational in October 2005. Our Committee now asks for your assistance, in considering matching the Hastings Councils' donation, as the benefits in your area will be greater than ours. The Rotary Lodge is a registered charity, "Port Macquarie Hospital Lodge Association Inc" with deductible gift recipient status. Cancer Council N.S.W. will match all donations to the Rotary Radiotherapy accommodation appeal on a dollar for dollar basis up to a total of \$100,000.

The Rotary Lodge committee seeks your support in this important community endeavour and trusts that you would be able to give a favourable consideration to our request for assistance; sickness and injury can strike indiscriminately and at any time"

Comments by Director

There is no money in the 2004/05 Budget for this Request.

Financial, Policy, Statutory, ESD Implications

Nil.

2004. 385

RESOLVED:

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

That the Rotary Lodge at Port Macquarie be advised that Council does not have sufficient funds in the Donation Budget for this request.

2004. 386

RESOLVED:

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

That consideration of a donation to the Rotary Lodge at Port Macquarie be listed for the 2005 / 2006 budget.

DCCS5	REPRESENTATIONS FOR FUNDING FOR KEMPSEY DISTRICT HOSPITAL
FILE: H2-10	TIH (NRN)
	{Folio No. 276282}

SUMMARY:

Reporting on letter from Andrew Stoner to Hon Morris Iemma MP, Minister for Health requesting a response to representations and petitions for urgent funding to complete design plans for a new 86 bed hospital at Kempsey.



The following copy of the letter to the Minister was received by Council on 19th May 2004:-

"Further representations are made to you in respect to the Kempsey District Hospital. As you are aware, I have been presenting petitions to the parliament, on behalf of the Kempsey District Hospital Action Group, requesting the provision of urgent funding to complete design plans for a new 86 bed hospital at Kempsey, including the provision of 10 involuntary mental health beds, with construction of a new hospital to be completed in a 5 year timeframe.

In the meantime, it is requested that you ensure that Kempsey District Hospital is maintained at a minimum Level 4 of operation.

To date I have not had your response to my representations or the Petitioners' requests.

At Kempsey Shire Council's ordinary meeting on Tuesday 13th April 2004 it was unanimously resolved to support the position taken by the Kempsey District Hospital Action Group and to endorse their submission.

As Kempsey is the largest centre between Port Macquarie and Coffs Harbour, a fully functioning and resourced district hospital is therefore essential. The Macleay Valley district is growing rapidly, particularly in the outlying towns

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MAYOR

and coastal villages. The area has the largest Aboriginal population outside Sydney. The new gaol will house some 350 prisoners whose families will visit periodically or rent locally, adding pressure to the already stretched health services at Kempsey District Hospital. It is vital that adequate funding and resources are provided in the forthcoming State Budget to ensure Kempsey's hospital services keep pace with growing demand and adequately cater for the specific health needs of the Macleay Valley peoples.

Your predecessor identified the need for a new 86-bed hospital – it is therefore also requested that you seek funding in the 2004 State Budget to begin the planning process.

I would appreciate your support and assurances on behalf of the Kempsey District Hospital Action Group, Kempsey Shire council and the many other concerned citizens of the Macleay Valley.”

Comments by Director

Noted.

Financial, Policy, Statutory, ESD Implications

Nil.

2004. 387

RESOLVED:

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

That the information be noted.

DCCS6	2003/2004 BUDGET VARIATIONS
	FILE: C10-11 COPY C4-6 COPY C4-7 COPY APC MLB
	{Folio No. 276291}

SUMMARY:

Reporting on a request for the variation of the 2003/2004 Budget for the completion of works.



As requested at the Planning Committee meeting of the 24th May 2004 tacit approval was given to proceed on the basis of a full report:-

In the 2003/2004 there are a number of Capital Projects that will not be completed or have funds available to do other works. These projects are:

- Baby Care Room,
- Kinki Cemetery Access Bitumen Seal / East Kempsey Cemetery and
- Frederickton Cemetery Extension.

Baby Care Room

The provision of a Baby Care Room in the Clyde Street Mall has been listed in this years budget.

This project has now progressed to the stage where work can commence on the construction of the building. Engineering Services sought revised quotations from Builders to undertake the work with the cheapest quotation of \$54,500 (GST inclusive) and with External works relating to Paving and Civil works is estimated at \$32,000.

This brings the revised total building costs to \$86,000 for which we currently only have funding to the value of \$74,750 leaving a shortfall of \$11,750 (inclusive of GST) or \$7,750 (exclusive of GST).

A review of this years budgets has been undertaken to see where there are any areas of anticipated under expenditure to meet this shortfall with a number of identified sources being found.

Approval is therefore sought to utilise any unexpended votes from the 2003/2004 Budget within the Community Services area to complete this project namely:-

Safer Cities	\$315.22
Other Cultural Activities	\$1586.46
River Festival	\$2138.06
Watuma	\$500.00
Respite Care Building Mtce	\$432.90
Active Australia Projects	\$400.00
Life Education Caravan	\$2,000.00
Breast Screen Van	<u>\$1,000.00</u>
Total	\$8,372.64

(Please note these values may change by the end of the Financial Year)

Kinki Cemetery Road / East Kempsey Cemetery Carpark

Approval is sought to utilise the remaining \$5,000 unexpended from the Kinki Cemetery Road bitumen seal towards the improvement of the carparking at the Catholic Section of the East Kempsey Cemetery.

This section of the cemetery has an informal carpark that has graves either side of it. Because of lack of definition of the carpark people who utilise it are starting to drive on graves.

The Kinki Cemetery Road project has been completed and approval is sought to transfer the remaining funds to this project so that it can be completed this financial year as the problem needs immediate attention.

Frederickton Cemetery Extension.

Approval is sought to revote the unexpended budget for the Frederickton Cemetery extension.

Work has be proceeding with the planned improvements but is only half completed. It is anticipated that the project will not be completed by the 30th June 2004.

Therefore authorisation is sought to revote the unexpended Capital Budget to the 2004/2005 Financial year to allow for the completion of this project.

Comments by Director

These adjustments will enable important projects to be completed.

Financial Implications

The financial implication is the re-voting of funds from the 2003/2004 Budget to provide to complete commenced projects and works identified as an urgent matter.

Policy Implications, Statutory Implications and ESD Implications

Nil.

2004. 388

RESOLVED:

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

That Council authorise the use of the funds identified in the body of the report.

**DCCS7 2003 / 04 LOAN BORROWING
FILE: L6-7 APC**

{Folio No. 276292}

SUMMARY:

Reporting on the proposal to borrow \$1,190,000 for General Fund works and \$700,000 for Sewer Fund projects.



The Local Government Act requires that the borrowing of monies is a function that Council must determine and cannot delegate.

The Department of Local Government has approved that Council may borrow \$8,398,333 in the 2003/04 year made up as follows:

General Fund	\$1,190,000
General Fund – Environmental Levy Projects	\$2,068,333
Water Fund	\$2,940,000
Sewer Fund	\$2,200,000

Council raised a loan for \$2,068,333 for works under the Environmental levy in March 2004.

Water Fund Loan Approval

The loan program consists of:

Project:		Current Position
Water Treatment Plant McIntyre Dam	\$2,500,000	Project Deferred
Aerator Replacement	\$100,000	Work in Progress
		Subsidized Schemes:
Stuarts Point	\$240,000	Funds not required prior to 30 June
Integrated Urban Water Strategy	\$100,000	Funds not required prior to 30 June

It is not proposed to borrow any funds for water supply in the current year. Approval for loan funds for the aerator replacement and subsidized scheme will be sought in the 2004/05 year.

Sewer Fund Loan Approval

The loan program consists of:

Project:		Current Position
Willawarrin Sewerage	\$600,000	Project Deferred
Bellbrook Sewerage	\$900,000	Project Deferred
SWR Treatment Works Augmentation	\$355,000	Work in Progress
Jerseyville Sewerage	\$345,000	Work Scheduled

It is proposed to borrow \$700,000 in respect of the SWR Sewer Augmentation and Jerseyville Scheme in the current year.

General Fund

In accordance with Council's 2003/04 budget and the borrowing approval issued by the Department of Local Government, it is proposed to borrow \$1,190,000 for General Fund works.

Loan Offers

Council enquiries during the previous financial year confirmed that the major banks.

Continue to provide the optimum borrowing rates to Local Government, and that the second tier institutions are not competitive. The advantage that the banking institutions enjoy is attributed to the size of their portfolios, the lower risk ratio applicable to local government borrowings, and the regulatory capital

adequacy requirement's applicable to these institutions which make lending to local government attractive to the banks.

Council approached five major lending authorities requesting quotes in respect of the above borrowing, the following quotes for the loans totaling \$1,890,000 have been provided:

National Australia Bank

Term	10 years, half yearly repayment
Rate	6.644%
Term	10 years, quarterly repayment
Rate	6.592%
Term	10 years, (4 year renewal) half yearly repayment
Rate	6.321%

Quote Valid to 7 June 2004

Commonwealth Bank:

Term	10 years, half yearly repayment
Rate	6.53%
Term	10 years, quarterly repayment
Rate	6.49%
Term	10 years, (4 year renewal) half yearly repayment
Rate	6.31%

Quote Valid to 31 May 2004

ANZ:

Term	10 years, half yearly repayment
Rate	7.65%
Term	10 years, quarterly repayment
Rate	7.60%
Term	10 years, (4 year renewal) half yearly repayment
Rate	7.37%

Quote Valid to 31 May 2004

Westpac:

Term	10 years, half yearly repayment
Rate	6.67%
Term	10 years, quarterly repayment
Rate	6.62%
Term	10 years, (4 year renewal) half yearly repayment
Rate	6.43%

Quote Valid to 31 May 2004

Updated rates will be available to Council at its meeting of the 8 June 2004 to enable determination of the successful lender.

Financial Implications

The borrowing will create a liability of \$1,190,000 in General Fund and \$700,000 in Sewer Fund.

The annual loan repayments will be approximately \$162,693 and \$95,701 in the General and Sewer Funds respectively, whilst the debt service ratio will be impacted by approximately .92% in General Fund and 2 % in the Sewer Fund.

Director Corporate and Community Services Recommendation:

1. That Council resolves to accept the offer of a General Fund loan of \$1,190,000 and a Sewer Fund loan of \$700,000 based upon a ten year fixed term quarterly installments from the financial institution offering the lowest interest rate.
2. That the seal of Council be affixed to the necessary loan documents.

2004. 389

RESOLVED:

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

1. That Council accepts the offer of a General Fund loan of \$1,190,000 and a Sewer Fund loan of \$700,000 based upon a ten year fixed term quarterly installments from the Commonwealth Bank offering the interest rate of 6.44%.
2. That the seal of Council be affixed to the necessary loan documents.

DCCS8	DEPARTMENT OF COMMUNITY SERVICES COMMUNITY SERVICES GRANTS PROGRAM - ABORIGINAL LIAISON OFFICER FILE: S10-97-182 DJM COPY APC {Folio No. 276299}
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SUMMARY:

Reporting on the need for Council to affix its seal to documents.



The Local Government (Meetings) Regulations requires Council to authorise the affixing of the Council seal to any document. The resolution of Council must specifically refer to the document.

Department of Community Services Community Services Grants Program

Council is required to affix its seal to an agreement relating to recurrent funding that has been made available to subsidize wages for the ALO position.

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Director's Comments

The 2004/05 budget allowed for a grant of \$40,000 so \$1,050 is the added cost for Council above the \$17.405.

Financial Implication

The grant funding of \$39,450 and CPI adjustment is toward the ALO position and is recurrent funding for the next five (5) years from 2004/2005

2004. 390

RESOLVED:

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

- 1 That Council's seal is affixed to the specification of service agreement for the Aboriginal Liaison Officer position.
- 2 That the additional amount of \$1,050 be deducted from the Aboriginal Liaison Committee vote of \$5,000

DCCS9	INCIDENTS OF VANDALISM WITHIN KEMPSEY SHIRE
FILE: V1	KRW {Folio No. 276300}

SUMMARY:

Reporting on the regular occurrence of incidents of vandalism within the Kempsey Shire and the ongoing Social and Financial costs to the Shire.



The ongoing incidents of vandalism within the Kempsey Shire are costing the Council and the community, both financially and socially.

The reporting of senseless defacing to and destroying of council property that is captured and compiled using Councils reporting system does not give a complete picture of the problem throughout the shire.

Incidents of vandalism to Council maintained property range from the removing or bending of a road sign to acts of arson, destroying public toilets by setting fire to the cubicles and wilful and malicious damage to property such as smashing glass brick walls as was done at the South Kempsey Tourist Information Centre or acts of desecrating gravesites that has been reported on numerous occasions at West Kempsey Cemetery.

The unseen costs that need to be highlighted are the effect on Council Staff cleaning up after a vandalism attack, the effect on the Senior Staff who have to arrange for the repairs to an amenity they and their staff took pride in constructing, the effect on local residents seeing on going damage to their town, villages and businesses and the far reaching effect of visitors to the Macleay who unfortunately encounter these vandalised amenities and take with them and also pass onto others this image of Kempsey.

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MAYOR

Photos of vandalism incidents will be available on CD for display at the Council meeting.

Attached as [\(Appendix C\)](#) are reports on incidents of vandalism that occurred from 1st January 2004 to 31st May 2004

Attached as [\(Appendix D\)](#) [\(Appendix E\)](#) [\(Appendix F\)](#) are reports of the costing against vandalism occurred by Civic Maintenance Teams in the CBD of Kempsey and the South West Rocks area for minor repairs and cleaning and it should be noted that these cost do not include repairs to buildings and amenities as to date these amounts are not available.

Director's Comments

There is a need to quickly repair areas that have been vandalised as a measure to prevent further damage and it will be recommended that the Community Safety Council investigate strategies to prevent and take remedial action of vandal damage.

Financial Implication

The ongoing cost of cleaning off graffiti and repairing facilities and replacing signage can be calculated but as stated in the report no real cost on the related effects that these acts of vandalism are having on the Shire can be accurately measured.

2004. 391

RESOLVED:

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

That the information be noted and that the Community Safety Council endeavour to formulate strategies to address the problem of vandalism.

DCCS10	AAS FUNDING 2003-04 SUCCESSFUL APPLICATIONS
FILE: C10-3	BAH COPY APC {Folio No. 276303}

SUMMARY:

Three Area Assistance Scheme grant applications from Kempsey Shire were successful in the 2003 - 2004 round of funding.



The successful Area Assistance Applications for the 2003-2004 funding round are:-

1. Stuarts Point Hall Annexe \$21,320 one off grant.

Grant funds plus \$20,00 raised by the Stuarts Point and District Senior Citizens will be used in the construction of an annexe onto the Stuarts Point Hall.

2. Greenhills Community Centre Coordinator \$215,000 over four years.

(Grant break up, year 1, \$60,430.00; year 2, \$50,128.00; year 3, \$51,365.00; year 4, \$52,287.00). Grant funding to cover salary, administration and establishment. This position is similar to one held by Mavis Symonds at West Kempsey.

3. Tank Radio - SWR to Bellbrook Community Radio Project - one off grant \$28,000.

Equipment for additional transmission power and contribution towards a talk back desk.

Total \$264,320

Two of the grants, Stuarts Point Hall and Greenhills Community Centre are to be auspiced through Kempsey Shire Council.

Director's Comments

The Stuarts Point Hall grant will enable a much needed addition to the hall. The Greenhills grant will enable much needed community development work to be undertaken in the Goorie community.

Financial Implication

Nil, as administration costs are covered in grant applications.

Director Corporate and Community Services Recommendation:

That Kempsey Shire Council accepts the grants for the Stuarts Point Hall and Greenhills Community Centre Co-ordinator.

2004. 392

RESOLVED:

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

- 1. That Kempsey Shire Council accepts the grants for the Stuarts Point Hall and Greenhills Community Centre Co-ordinator.**
- 2. That Council's seal be affixed to the necessary documents.**
- 3. That a letter of thanks be sent to the Regional Director of the Area Assistance Scheme.**

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T I Hannam
DIRECTOR CORPORATE AND COMMUNITY SERVICES



DIRECTOR BUSINESS ENTERPRISES REPORT

DBE1

STUARTS POINT WASTE TRANSFER STATION

FILE: G1-11

WEW

{Folio No. 276305}

SUMMARY:

Report on the groundwater investigation at the Stuarts Point Waste Transfer Station and proposed options for final landfill closure.



As part of the closure of the former landfill at Stuart Point a groundwater investigation has been undertaken at the site. This involved the installation of three monitoring bores down hydraulic gradient of the site and one background monitoring bore up hydraulic gradient of the site. Groundwater beneath the site is expected to flow to the east toward the Macleay Arm.

Groundwater analytical testing data collected to date at the site does not indicate that the former landfill is significantly impacting groundwater at the site.

Discussion with Council staff has indicated that the majority of waste buried at the site was burnt prior to burial. The site is also underlain by sand with groundwater encountered at an approximate range of 4.5 to 5.5 metres below ground level. Therefore, any potential contaminants (if any) would be expected to migrate quickly to the water table and off-site. Based on the age of the landfill it is likely that some typical landfill contaminants, such as nutrients and salts, would likely have been 'flushed' from the site.

The purpose of a clay seal cap is to limit the infiltration of water into the landfill and reduce potential exposure to the buried waste. Based on the above geological conditions and the lack of typical landfill contaminants present in the groundwater a full sealed and drained capping of the former landfill is not currently considered necessary.

Three options could be considered for the site.

Option 1 would be to proactively increase the coverage of cover material over the buried waste using sands currently stockpiled on-site and the establishment of road-base pads in waste storage areas. This would reduce the potential for exposure to waste materials including asbestos fragments that can be observed in some areas on-site. This would enable the site to continue usage as a Waste Transfer Station.

Option 2 would be to consider assessing the full extent (area and depth) of the buried waste with a view to potentially removing the material to the Crescent Head Road landfill and fully remediating the Stuarts Point site to a level suitable for potential Residential Development.

Option 3 would be to do nothing. Due to the known presence of asbestos fragments in areas across the site this should not be the preferred option.

A limited ongoing groundwater program should continue at the site to establish a suitable data set to base future site remedial decisions.

Director's Comment:

Capping of the Stuarts Point former landfill site was originally included in the Environmental Levy program of works at a cost of \$300,000. No provision has been made in the 2004/05 Budget, or subsequent years, on the basis that there is currently no direction from the EPA to undertake remedial works.

Financial Implication:

The estimated cost to conduct Option 1 would be approximately \$30,000.00 and would establish a safer and more aesthetically pleasing site for ongoing use as a public access Waste Transfer Station.

The full cost to remediate the site as in Option 2 has not been qualified, but would be at significant expense. The cost to excavate and transport waste, receive the waste at Crescent Head Road landfill, remediate the site and assess the success of same are major works. Potential property values may not justify the cost of remediating the site.

The ongoing use of the site as a Waste Transfer Station is considered an appropriate Environmental, Social and Economically beneficial use of the site. Any proposed change in use of the site would necessitate the need to relocate the Transfer Station within the Stuarts Point area.

Other Implications:

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

2004. 393

RESOLVED:

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

1. That approval for the proposed limited capping (Option 1) of the former landfill site be sought from the NSW EPA.
2. That a limited ongoing monitoring program be established to further assess the groundwater quality at the site from which to base future decision making for the site.
3. That provision be included in the 2005/06 Draft Budget for \$30,000 to cover the cost of limited capping of the Stuarts Point landfill site.

DBE2	VILLAGE SWIMMING POOLS – BACKWASH WATER DISPOSAL
FILE: G15-660	WEW (NRN) {Folio No. 276312}

SUMMARY:

Reporting on the details of tender calculations for installation of backwash water disposal tanks at village swimming pools.



At Council's meeting of 11th May 2004 Council was advised that no tenders were received before the closing time for tenders. It was resolved to decline to invite fresh tenders and instead enter into negotiations with Hydrocare Pool Services Pty Ltd with a view to entering into a contract for the installation of backwash disposal tanks at the three (3) village pools.

Hydrocare had submitted a tender but it was hand delivered to Council approximately 3 hours after the closing time. Accordingly Council could not formally consider the tender under the normal tendering provisions.

Council has requested details of the Hydrocare tender calculations, and a copy of the documentation is attached - [\(Appendix A\)](#).

Director's Comment:

Nil.

Report Implications:

The total available existing budget for the works at the three pools is \$162,980, while the proposed cost from Hydrocare Pool Services Pty Ltd to construct the works is \$161,700.

	<u>Budget Provision</u>	<u>Quote</u>
Crescent Head	\$54,430	\$52,500
Gladstone	\$53,550	\$53,000
South West Rocks	\$55,000	\$56,200
	\$162,980	\$161,700

It should also be noted that there would likely be significant savings within the budget from the current works being conducted at Kempsey Pool. The budget for Kempsey pool backwash system is \$109,566, while the estimated cost of works is approximately \$85,000 including signage and an additional in-line water treatment system.

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

Director Business Enterprises Recommendation:

That the information be noted.

2004. 394

RESOLVED:

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

- 1. That the information be noted.**

2. That Council accept the quotation received from Hydrocare Pool Services P/L in the sum of \$161,700 and enter into a contract for the installation of back-wash water disposal tanks at the village pools.

DBE3 FLUORIDE
FILE: H2-2 GRP {Folio No. 276313}

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

DBE4 FLEET MANAGEMENT
FILE: P6-2 MSW (NRN) {Folio No. 276315}

SUMMARY:

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



There following items of plant have been purchased for the month of May.

Plant No.	Description	Amount (GST inc)
V2136	12H Grader (awaiting supply)	\$373,000.00
V2143	Sykes Pump (awaiting supply – Macleay Water)	\$37,026.00
V2144	Nissan Navara 4x4 (awaiting supply – SES)	\$37,143.57

Director’s Comment:

Nil.

Report Implications:

The purchases are within Budget provisions.

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

2004. 395

RESOLVED:

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

That the information be noted.

DBE5 QUESTIONS WITHOUT NOTICE

SUMMARY:

Reporting on Questions Without Notice from the Council meetings of the 11th May 2004.

**Councillor J C Gribbin****File: W1-6****(Folio No: 274869)**

That the Director Business Enterprise would supply the reason why reducers cannot be fitted to water meters.

A reducer is not an effective means of achieving pipework downsizing if placed at a water meter. To achieve effective pipework downsizing, a significant length of smaller sized pipework must be placed or the result will be a restrictor and not a reducer.

Macleay Water does not want restrictors placed in the supply network. Restrictors slow down flow by causing localised hydraulic loss. Hydraulic loss is the resistance to flow when a volume of water needs to race faster to pass through a small space. A further casualty of the hydraulic loss is water pressure. Water pressure is important for achieving reasonable flows for showers/basins/sinks, hot water services, running sprinkler systems, dishwashers, washing machines, other water appliances and the length/height a flow can reach (eg second storey, house on a slope, trough in back paddock). For this reason a restrictor is only used by Macleay Water in cases of water disconnection for account non-payment and are then only a temporary measure.

The reducers Macleay Water has been placing achieve downsizing whilst managing customer's pressure and dropping the downsizing costs. The 'reducer' that Macleay Water has been placing is a 1.5-2.0m length of pipework of the smaller diameter. The 'reducer' is placed on the upstream side of the water meter, being part of the property service line from the water main to the water meter. This 'reducer' achieves the downsizing by giving a steady reduced flow, the loss of pressure being the correct pressure loss for the pipework downsizing. The 'reducer' used by Macleay Water is also a means to achieve a cheaper downsizing cost for customers (50% cost reduction until June 30 2004, \$405.50 instead of \$811) as opposed to replacing the whole property service line, water main to water meter.

Councillor E A Green**File: G1-15****(Folio No: 274873)**

That the Director Business Enterprise would investigate if the recycling bins at the entrance to Hat Head could be relocated to a less visible area rather than at the entrance to the village.

The placement of recycling bins in all the villages is a contentious issue. It seems that no matter where they are put, there is community objection

against the allocated site. Noise, visual pollution and the perceived notion that the area will become an illegal dumping ground severely impacts on possible sites for the bins.

It is envisaged that the issue of placement and relocation of the recycling bins in the villages will be addressed in the review of Kempsey Shire Council's Waste Management Strategy, due 30th June 2004.

The Hat Head Community Group have been contacted and asked to facilitate discussion within the community as to the most ideal location for the bins. The Small Business Department is awaiting feedback from the group.

In the interim, facades that were ordered 2 years ago to be installed around some of the bins will be located and installed, to screen the area off. This is in no way addressing the issue of illegal dumping of materials, but will reduce the complaint of visual rubbish.

Councillor E A Green

File: G1-2

(Folio No: 274881)

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

A Works Order for clean up of the area in the vicinity of 173 River Street, West Kempsey, was issued on 13th May 2004 and the request has been processed and acted upon by the Civic Maintenance Team. The source of the material is unknown.

Director's Comment:

Nil.

Other Implications:

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

2004. 396

RESOLVED:

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

That the information be noted.

DBE6

WORKS IN PROGRESS

FILE: W1-2 GBS (NRN)

{Folio No. 276318}

SUMMARY:

Reporting on Works in Progress.



WATER SUPPLY

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

Works Completed last 4 weeks

1. Eliminate watermain dead ends, Crescent Head – completed.
2. Remove 375 Tee and 300 stop valve to dead end old main to Smithtown Reservoir Site – completed.
3. Stage 2 RTA job, Macleay Street, Frederickton – completed.

Works Proposed for next 4 weeks

1. Install Meters on all bore pumps – continuing.
2. Invite Tenders for South West Rocks Water Treatment Plant – ongoing.
3. Monitoring and testing of dam - continuing.
3. Bulk water meter installation Potters Hill Reservoir and Sherwood Prod Meter replacement - continuing.
4. Stage 3 RTA job, Macleay Street, Frederickton – 30% complete.
5. Sherwood Borefield, production bore testing.

MONTHLY WATER CONSUMPTION

	May 2004 Kilolitres
<u>Kempsey Dam</u>	157,393
<u>Belgrave Falls</u>	0
<i>Bellbrook</i>	814
<i>Crescent Head</i>	13,638
<i>Hat Head</i>	6,348
<i>Sherwood – Lime Plant</i>	687
<i>South West Rocks</i>	43,068
<i>Stuarts Point</i>	12,823
<i>Willawarrin</i>	676
Total Consumption	235,447

Kilolitres to Financial Year to Date: 2,725,311kl

Applications for connection in May – 10

SEWERAGE

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

Works Completed last 4 weeks

1. Manhole repair/renewal program, South West Rocks R1 catchment – completed.
2. West Kempsey STW – Humas Tank Bypass – completed.
3. Sewer main rehab Polwood Street – completed.
4. De sludge lagoon at South West Rocks Sewerage Treatment Plant – completed.

Works Proposed for next 4 weeks

1. Sewerage Pump Stations Fall Prevention Systems – manufacture and install – continuing.
2. South West Rocks Sludge Trial - continuing.
3. South West Rocks sewer rehabilitation - continuing.
4. Fence repairs, sewer installations and pump stations - continuing.
5. De sludge lagoon at Frederickton Sewerage Treatment Plant – continuing.
6. Infiltration repairs East and South Kempsey continuing.
7. Tender process – Jerseyville sewer – continuing.
8. Sewer main camera inspections West and South Kempsey.
9. Repair to sewer main in Athol Elliott Street, South West Rocks.
10. Sewer Pump Station K22 to be decommissioned.

A. SALEYARDS

Works Completed during last 4 weeks

1. Normal maintenance and operation.
2. Amendment of truckwash facility/water treatment ponds drawings completed.
3. Development application for truckwash facility/water treatment ponds drawings submitted (40 days turnaround).

Works proposed for next 4 weeks

1. Submit revised locations for truckwash facility (DA).
2. Arrange quotes for construction of truckwash facility/water treatment ponds.
3. Arrange acoustic/environmental mounding and plantings (work).
4. Installation of new display screens in Selling Ring.
5. Upgrading Yards/Gates on northern end.

AIRPORT

Works Completed during last 4 weeks

1. Normal maintenance and operation.
2. New illuminated wind indicator inspected and assessed (structurally).

Works proposed for next 4 weeks

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

CARAVAN PARKS

Crescent Head

Works completed over last 4 weeks

Crescent Head

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

Works proposed for next 4 weeks

Crescent Head

1. Schedule works around Malibu Competition and Skyshow/Fishing Competition/Surfing Competition.
2. Commence Landscaping works.
3. Complete Civil Design and commence Roadworks
4. Order boom gates
5. Install remainder of Powerheads
6. Coordinate works with park management bookings and events
7. Update and manage safety plan
8. Install additional taps

Other Parks

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

WASTE SERVICES

Works Completed during last 4 weeks

1. Normal operation and maintenance.
2. Sealing of Transfer Station Roads
3. Continued formation of landfill roads.
4. Commence use of Transfer Station
5. Receipt of Stage 2 Capping Materials
6. Continued formation of alternative site roads to new cell.
7. Phase 2 capping works continues
8. Receipt of Water Tank at Transfer Station
9. Landfill cell construction 100% completed.
10. Repair to both rear load vehicles. (Breakdown repair)
11. Trade Waste Service failure in provision of service
12. Commence use of new cell

13. Receipt of Draft Recycling Report from GHD

Works proposed for next 4 weeks

1. Normal Operation and Maintenance
2. Line marking of roads at Waste Transfer Station Facility
3. Installation of Signage at Transfer Station
4. Installation of main signage and recycling signage at site
5. Connection of Transfer Station sheds to Water collection system.
6. Official opening of Transfer Station
7. Difficult Customer Training fro Landfill Staff
8. Relocation of Stuarts Point Recycling Centre
9. Advertise change of Hours at Transfer Stations

DEPOT

Works completed during last 4 weeks

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

Work proposed for next 4 weeks

1. Construct a new compound – continuing.
2. Move compound and demolish old.
3. Purchase shed for undercover parking.
4. Construct truck ramp at washbay.
5. Truck ramp design finalised and fabrication commenced.
6. Bunded pallets installed in store to prevent spills.

BATHS

Works completed during last 4 weeks

1. Kempsey Pool Site upgrade works.
2. Excavation of Backwash Tank
3. Received prices for Village Pools
4. Kempsey Superintendent attending Pool Managers Conference
5. Audit of remaining kiosk stock

Work proposed for next 4 weeks

1. Sale of Kiosk goods
2. Pool Committee Meeting
3. Installation of Backwash System at Kempsey
4. Appoint backwash contractor for village pools pending success of Kempsey installation and commence work of Backwash System at Village Pools (starting with DAs)
5. Development of employment contracts

Director's Comment:

Nil.

Report Implications:

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

2004. 397

RESOLVED:

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

That the information be noted.

.....
G B Snape
DIRECTOR BUSINESS ENTERPRISES



GENERAL MANAGER'S REPORT

GM1	OUTSTANDING REPORTS / RESOLUTIONS	
	FILE: C18-2 AVB (NRN)	{Folio No. 276319}

SUMMARY:

THIS IS PAGE 58 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 8TH JUNE 2004.

.....
MAYOR

Council's report on outstanding reports and resolutions.



Following is listed each Director's outstanding reports and resolutions up to and including 11th May 2004 meeting of Council.

OUTSTANDING REPORTS / RESOLUTIONS

Director Environmental Services

23.3.04 NOM1	That a report be submitted to Council in respect to the preparation of master environmental plans initially for all undeveloped land within coastal urban areas.	Progressing.
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Director Engineering

13.5.2003 DE2	Bridge Naming	Draft policy to be reported to June meeting.
9.9.03 DE1	Point Plomer Rd - report costs to upgrade sections of road - not proceed with works until consultants reports & public consultations completed - consider Sacred Indigenous Cultural and Heritage issues	Progressing.
14.10.2003 DE9	That suitable flood free land be identified to house the Gladstone SES Unit.	Land being reviewed.
9.12.2003 DE1	That the Director Engineering report on the possibility of Council running a trial of computerised floodgates.	Details being pursued.
13.1.2004 DE13	Stuarts Point footbridge – repairs to be carried out as a matter of urgency at a cost \$15000 from working funds.	Awaiting confirmation of contractor's arrival.
9.3.2004 DE6	Stormwater drainage River Street West Kempsey - discharge to Lot11 be redirected as per option 2 at cost \$13,500 from working funds - improvements between Short & Wide Streets be listed for 2004/05 town improvement program.	Awaiting final design plans.
DE11 11.5.2004	London to Sydney marathon car rally approved 3.7.04 - seeking contribution from organising committee - dust amelioration route adjacent to residences.	Resolution initiated.

Director Corporate & Community Services

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Director Business Enterprise

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General Manager

9.12.2003 D3	Local Govt. & Natural Resource Forum 2/12/03 - prepare submissions, review natural resource management methods, investigate and pursue establishment ROC from Taree to Tweed Shire.	Submissions forwarded organisational structure and committee structure will be investigated when reports submitted to Council. One ROC from Tweed to Taree being investigated by Mid North Coast Group of Councils.
13.4.04 GM5	Road closures - interpretation of maintained road - text Dept. Lands interpretation of a constructed road by submitting application - challenge interpretation that requires proceeds of sale to be paid to Dept. Lands - advise LGSA, Country Mayors & Mid	Application to be made to the Dept of Lands in June.
11.5.04 NOM2	Amalgamation discussion neighbouring Councils - Mayor and General Manager to be sole representatives.	Workshop on structural reform so councillors are aware of potential gains and difficulties scheduled for June 24th.

Financial Implication

There are no financial implications arising from this report.

2004. 398

RESOLVED:

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

That the information be noted.

GM2	LGMA NATIONAL CONGRESS AND SEA CHANGE WORKSHOP
	FILE: A3-2 COPY: C11-17 AVB {Folio No. 276321}

SUMMARY:

To advise Council of meetings attended from 23rd to 27th May 2004.



From the 23rd to 26th May I attended Local Government Managers Australia National Congress. Delegates came from all states of Australia and were both Councillors and staff.

There were a number of keynote speakers:-

- John Landy, Governor of Victoria
- Christine Nixon, Victorian Chief Commissioner of Police
- Kevin Sheedy, Coach Essendon Football Club
- Jason Clarke, Mind worker

Each spoke about cultural change through partnerships with Local Government, getting your messages across through working together, how to introduce change by being ideas smart, thinking about solutions that will advance your organisation, getting feedback from your peers and having a coaching leadership style.

The Congress had three streams focusing on Community, Organisation and People. I attended streams on:-

- Organisational culture that examined barriers that prevent effective communication.
- Lifestyle balance that looked at leaving time for yourself and relationships, other than work, which will ultimately result in increased productivity and well-being.
- The Council as a strategic leader that promotes elected members to be community leaders and informing residents through call centres and websites.
- High performance leadership through focusing on outcomes, developing those around you and by delegating.
- Do you want to be an employer of choice, which examined barriers to successful recruitment and the consequences of vacancies such as lack of innovation, reduction in quality and non-achievement of strategic goals.

In addition the Congress presented a debate on, "Perform or Perish" and had an International Roundup from international guests from the United States, United Kingdom, New Zealand and South Africa.

Whilst in Melbourne I attended the workshop on Sea Change on the 26th and 27th May.

Communities around the Australian seaboard and their local Councils are seeking new and effective strategies to address accelerating growth. Councils are also attempting to manage the effect that growth is having on their priorities, their operations and the character of their communities. Currently 19% of Australia's population that is, 3.9 million people, live on the coast outside of the capital cities and this is growing by 70,000 per annum. A large percentage of the annual influx are baby boomers in the 40 to 60 years age group.

A group of local government CEO's from 27 high growth Councils met earlier this year at an event called, The Sea Change Summit which took place on the Sunshine Coast in February. An action plan was prepared which identified the following initiatives:-

- Establishment of a national task force to gain the co-operation of state and federal governments to address the challenge of growth in sea change areas
- Development of a specific 'Sea Change Funding Program' to assist Councils and regions to deal with increasing demand associated with rapid growth, and
- Development of co-ordinated regional plans by state governments that provide greater certainty about the extent and rate of growth in sea change communities.

The meeting in Melbourne was called to advance the Action Plan. The meeting was attended by representatives from fifty seven Councils from each State. Investigations have shown:-

- ✓ That everything the new arrivals left behind they want duplicated
- ✓ Coastal areas have high unemployment, low wages, narrow specialised economy and welfare dependence
- ✓ New arrivals maintain linkages to the metropolitan areas eg. Medical, financial, businesses who report to a head office which sees an outflow of financial resources which limits the coastal area economy
- ✓ Coastal Councils generally do not get past a tourism economy and progress to multi-functional regional areas

It was recognised that to progress, elected members need to become heavily involved and a policy committee was elected with two councillor representatives from New South Wales, Queensland, Victoria, South Australia and Western Australia and one from Tasmania.

Actions currently in hand include:-

- Developing a database of Federal and State MP's
- Pursuing the concept that coastal development is a whole of government approach and states need to commit to infrastructure that is beyond the means of Local Government to finance
- There is a need for regional planning
- Alternative financial arrangements need to be pursued including:-
 - Federal National Estate Levy for preservation of conservation areas such as the Barrier Reef
 - Need for an infrastructure levy on each parcel of land
 - National and State approach for infrastructure funding to be funded from tourism revenues
 - The introduction/revamping of developer contributions
 - 50% surcharge on non-resident owners

A follow up to the Melbourne meeting is to be held in a few months. Some councils are already contributing financially to this new national body and I anticipate a request for funding to provide operating expenses. This is the second funded national lobby group to be created in the last six months. The other is the Regional Cities Group that has been formed to lobby the Federal Government for services in Regional areas. To be a member you need to have a population of 25,000 or more. The cost of joining the Regional Cities

group is \$5,000 and no doubt the membership fee for the Sea Change group will be similar.

Report Implications

There are no Statutory or Policy Implications arising from this Report. If Council were interested in membership of the Sea Change Group it would need to pay a membership fee.

2004. 399

RESOLVED:

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

That the information be noted and when the cost of membership of the Sea Change group is known a further report be considered by Council.

2004. 400

RESOLVED:

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

That the cost of memberships for Regional Cities Group and Sea Change Group be further considered in July 2004 in conjunction with the budget adjustments.

GM3	ANNUAL PERFORMANCE REVIEW OF GENERAL MANAGER
FILE: S10-13 AVB	{Folio No. 276322}

SUMMARY:

To determine a date for the Annual Performance Review of the General Manager.



The Annual Performance Review of the General Manager is generally held in July. As part of the review process Council finalises the General Manager's Outcomes and Outputs for the subsequent year in this case the 2004/05 year. For this reason the review should be held as early in July as possible to enable the adopted program to commence implementation.

The General Manager's contract provides that the process be facilitated by an external consultant. As well as the performance appraisal the consultant who is paid a daily fee also conducts a Councillor / Senior Staff Workshop to get maximum value for the day.

In the past this has been undertaken by associate professor Dr John Martin of the Royal Melbourne Institute of Technology. I will contact Dr Martin and ascertain what dates he will be available in July.

Report Implications

The cost of the facilitator has been provided in the 2004/05 budget. There are no policy or statutory implications.

General Manager's Recommendation:

That Council determine a date for the Annual Performance Appraisal of the General Manager.

2004. 401

RESOLVED:

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

That the date for the Annual Performance Appraisal of the General Manager be set for Friday 23rd July 2004.

.....
A V Burgess
GENERAL MANAGER



ABORIGINAL LIAISON COMMITTEE

FILE: A1-2 DJM (NRN)

{Folio No. 276324}

REPORT OF THE ABORIGINAL LIAISON COMMITTEE MEETING, HELD ON WEDNESDAY 12TH MAY 2004 COMMENCING AT 2:00 PM IN THE COUNCIL'S COMMITTEE ROOM.

Present:

Councillor Betty Green, Gerald Hoskins, Mavis Davis, Gary Morris, Madeline Donovan, Gerald Bradshaw, Trevor Hannam, Debra J Morris, Ashley Rose.

Apologies:

Councillor Gribbin, Bronwyn Leon, Beverly Roberts, Mary Lou Buck, Ren Perkins, Fred Kelly, Elizabeth Holden and Ursula Donohoue

Recommendation:

Hannam/Davis

That the Apologies be accepted.

Welcome – Councillor Betty Green

Adoption of the Minutes of 18th February 2004. [Appendix A](#)

Recommendation:

Hannam/Davis

“ That the Report of the Aboriginal Liaison Committee meeting held the 18th of February 2004 was adopted at Council' s Ordinary meeting held Tuesday 9th of March 2004.”

.....
MAYOR

Business Arising from the Minutes of 18th February 2004 (to be dealt with item by item)

Aboriginal Project Officer- Bronwyn Leon - DOCS

The Director expressed to the Committee of a verbal request from the Project Officer (Bronwyn Leon) to seek an audience with the Councillors at the next Council meeting.

Recommendation: **Hannam/G. Morris**

That the DOCS Aboriginal Project Officer's (Bronwyn Leon) request to address council be deferred to the next meeting of the ALC.

Gowing Hill Road Subdivision.

Discussions took place.

Recommendation: **All in Favour**

That the Gowings Hill road subdivision has been sufficiently dealt with and is to be referred to the Dunghutti Elders and/or the Bradshaw Family.

That this item be removed from the agenda of further meetings.

3.3 Shire Boundary Signage.

It is noted that the wording of the signage for the Shire Boundaries has been chosen and the issue is now with the Engineering Department.

3.4 Aboriginal Education Review Team Task Force.

It is noted that the Education Taskforce Submission has been received however that no further correspondence has been sent.

Recommendation: **Hannam/Donovan**

That the Aboriginal liaison Officer Debra J Morris and the ALO trainee Ashley Rose follow up with the Aboriginal Education Review Team and see what recommendations they are taking on board.

1.5 Aboriginal Sub-Committees.

The issue of the Sub-Committees was referred to General Business.

3.6 The Great Eastern Centenary Walking Track.

The Centenary Walking Track was discussed and it was noted that at the moment it is too hard to proceed until such time as it has become a priority in the Premier's department.

1.7 The Aboriginal Employment strategy.

Is not in writing as a policy at the moment, however it is progressing well with employment moving from 6 Aboriginal workers to 15 in recent months.

Recommendation:

Rose/Davis

That the Human Resource Manager meet with the ALC Employment Sub-Committee to further discuss and brief the committee on the progress of the Aboriginal Employment Strategy.

1.8 Health Services.

General discussions took place.

Recommendation:

G. Morris/Donovan

That Gerald Hoskins be invited to give an overview of his role and responsibilities at the next ALC and in particular roles and the issues confronting the Aboriginal community within the health system.

1.9 Wutuma Keeping Place.

Discussions took place and was noted that the committee's Governing body met last week and are apparently moving towards the re-submitting of amendments / alterations re car parking spaces and amendments to construction for their development application as requested from Council's Environment Services.

With this request this has enabled the DA to continue at no cost.

Recommendation:

Davis/Donovan

That the Chairperson of the Wutuma Keeping Place Committee be invited to brief the ALC on the progress of its primary goal in constructing the Wutuma Keeping place and all relevant issues.

NOTE :

Gerald Hoskins was excused from the meeting 2:50 pm

Gerald Bradshaw – enters 2.55pm

Statement of Commitment Strategic Plan Matters –

Recommendation:

G. Morris/Rose

That the Statement of Commitment Taskforce first meeting for the year be held on Thursday the 17th of June commencing at 10:00 AM to 12:00 PM in the Council Committee meeting room.

NAIDOC Week matters.

The Traffic Committee has met today and our request to hold the March on the Monday of NAIDOC week has been put on their agenda.

Durri Aboriginal Medical Centre has confirmed they will be hosting the Annual Community BBQ for the Monday after the Annual Naidoc Week March. ATSI Submission is to be completed by the 31st of May 2004. Reconciliation Small Grants – For Information only Reports from the meetings held 22nd March, 5th April and 19th April. Noted.

Recommendation:

Bradshaw/Rose

That invites to the Mayor and/Or Councillors to the activities of NAIDOC Week be written and forwarded.

**Recommendation:
Green/Davis**

That the [NAIDOC Week Report of the 22nd March 2004](#), [5TH of APRIL 2004](#) and [19th of April 2004](#) be accepted.

Recommendation:

Rose/Donovan

That advertising to the broader community be followed up via tank FM and the Argus and via Council's Public Officer (Marg Mottee)

Questions Without Notice- Nil

Correspondence in-

Annual NSW Local Government Aboriginal Network Conference – For Information only
Premiers Department- Survey

To Be Noted: That it was identified by this committee that there is a need for an Aboriginal Policy officer at this level.

Partnership for Aboriginal Care – Information distributed.
Resitech- Community Working Party Minutes and Agendas – For Information Only.
ATSIC- Family Violence Community Workshop – Report at next meeting.
Spellbound Television – No Action
Local Government Cultural Awards – For Information Only
Purfleet-Taree Local Aboriginal Lands Council – Survey completed and sent.
NSW Department of Education and Training – For Information Only
NSW National Parks & Wildlife Services – For Information Only
Partnership for Aboriginal Care – Information disseminated.
Mid North Coast Area Health Services- Kempsey Mental Health Service

- Lack of representation
- Need to Circulate to relevant agencies
- Services not being adequately sourced on the ground
- Need for Scheduled beds
- Need for workshops
- It needs to be recognised that mental Health issues are different between cultural communities.

Booroongen Djugun College – For Information Only
NSW Police Service – For Information Only

Native Title News- Vol 6 NO 8 2004 – For Information Only
National CDEP News - For Information Only
Collaborative Indigenous Policy Development - For Information Only

Recommendation:

GMorris/Davis

That the above incoming correspondence be tabled and accepted as it reads.

8 Correspondence out-

- 8.1 Naidoc Week Invites
 - a) Ernie Dingo – Non-Attendance
 - b) Linda Burney MP – Attending
 - c) Steven Blunden ATSI Chairperson – Attending
 - d) Senator Aden Ridgeway – Non-Attendance
 - e) Anthony Mundine – Non-Attendance

9 General Business.

9.1 Aboriginal Education Review – Results to be followed up by the ALO and the ALO Trainee.

9.1 Kempsey Shire Council Social Plan.

Discussion held.

It was raised as a concern from the last Goorie Interagency meeting held that it was inappropriate and disrespectful to be holding the proposed Aboriginal Community Consultation workshop on the 27th May 2004.

The reasons being that there is events of significance happening on this day and during this week- Reconciliation Week and National Sorry Day.

It was suggested to be the 1st agenda item for the next Goorie Interagency meeting to be held on the 28th May 2004 at Council's Committee Room commencing at 10am and concluding at 12 Noon.

This process has been handled with Madeline Lacroix and the Facilitator has agreed to conduct the workshop at the Goorie Interagency meeting.

Although this forum is for Aboriginal service Providers, community members will be able to attend just for this session.

9.2 Kempsey Shire Council Survey responses.

Recommendation:

Green/Rose

That Margaret Mottee be consulted to establish if the number of Aboriginal respondents can be identified.

9.3 Macleay River Historical Society – FYI.

9.4 The Wutuma Keeping Place Chairperson has recommended that an invitation be sent to the Wutuma Consultants to attend the next ALC meeting.

10 Any Other General Business:

Recommendation: **Bradshaw/Green**

That the Aboriginal Education and training Sub-committee meet on Thursday 17th June commencing at 1:00 to 3:00 in the Council Committee room.

Recommendation: **GMorris/Donovan**

B. That the Aboriginal Health Sub-Committee meet on Monday the 18th of June at 2:00 PM in the Council's Committee room.

Recommendation: **GMorris/Rose**

That the Aboriginal Employment Sub-Committee meet on Monday the 28th of June commencing at 2:00pm in the Council Committee room

Recommendation: **Davis/Donovan**

That a letter of thanks and appreciation be forwarded to former Councillor Jenny Sproule from the ALC representatives and the Aboriginal Culture and Heritage Sub-Committee representatives.

Recommendation: **Bradshaw/G. Morris**

That the Aboriginal Housing Sub-Committee and the Aboriginal Aged Care Sub-Committee issues be deferred to the next meeting of the ALC

TO BE NOTED:

- Due to incomplete census data on the Aboriginal population in the LGA and throughout NSW the proper allocation of funds to Local Governments is insufficient thus leading to inappropriate funding for Aboriginal issues.
- In the Macleay LGA alone an estimated short fall of \$250,000 alone.
- Members of the ALC would like the following to be noted.

That so long as funding allocated to the Local Government, whose allocation originates or is associated with the Aboriginal Population of the LGA, is used else where in the community other than Goorie specific and governed forums, there will inevitably be a continual short fall in socially acceptable outcomes in not just the Aboriginal Community but the Community as a whole.

That it should be recognised that the use of Aboriginal expertise in an unrestricted partnership with Local government and other government arms of Australia can achieve far more than purely tokenistic Forums.

Recommendation:

That the Aboriginal Mentoring program continue, but under new guidelines and conditions to be negotiated.

10 Next Meeting.

16th June 2004 at Council's Committee Room Commencing at 2PM.

11 Meeting Closed.

No further business meeting was declared closed at 4:30PM.



2004. 402

RESOLVED:

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

That the report of Aboriginal Liaison committee Meeting held 12th May 2004 be adopted subject to the recommendation on the Aboriginal Mentoring Program be amended to read;

That unless new guidelines and conditions can be negotiated, the Aboriginal Mentoring Program not be continued.



At this stage 12.42 pm Councillor Hunt returned to the Chamber.



LOCAL TRAFFIC COMMITTEE

MINUTES OF THE MEETING OF THE LOCAL TRAFFIC COMMITTEE HELD ON WEDNESDAY, 26th MAY 2004, IN THE COUNCIL CHAMBERS COMMENCING AT 9:20 AM.

PRESENT:

Mayor Councillor Janet Hayes – **Mayor**, Senior Constable Wayne Lollback - **Kempsey Police**, Greg Sciffer – **Roads & Traffic Authority**, Michael Rootes, Neil Thomson, Tony Castle, Greg Long, Dan Croft, Kathryn Trentini

A G E N D A

1. APOLOGIES

Andrew Stoner, MP, **Member for Oxley**, Rod Dale – **Andrew Stoner's Representative**, Graham Carthew, Keith Finnie.

2. PREVIOUS MINUTES

2.1 The minutes of the meeting of 25th February 2004 were adopted by Council at its meeting on 9th March 2004.

RECOMMENDATION

That the information be noted.

3. BUSINESS ARISING

3.1 York Lane

RECOMMENDATION

1. That additional linemarking be introduced in Belgrave Street to improve traffic movements into York Lane.
2. That a 'Stop Sign' be placed in Belgrave Street at the intersection of York Lane.
3. That the existing centre linemarking be refurbished.
4. The situation to be monitored and reviewed in 6 months.
5. That the request for a marked pedestrian crossing be referred to the RTA.

4. GENERAL BUSINESS

**4.1 Development Application T6-04-017 –
off Crotty's Lane
Ref: T6-04-017 (274239)**

RECOMMENDATION

That the developer carry out a traffic study to justify lowering the speed limit at this location according to the appropriate standards.

**4.2 Development Application T6-01-147 -
76 Smith Street, Kempsey
Ref: T6-04-147**

RECOMMENDATION

1. That the developer resubmit traffic management plan to include current statistics for traffic movements.
2. That the developer submits amended plans to incorporate new traffic lights on the corner of Smith Street and Stuart Street.

**4.3 Development Application T6-04-016 -
Lachlan Street, South Kempsey
Ref: T6-04-016 (273847)**

RECOMMENDATION

1. That the developer submits amended plans rectifying the conflict occurring between vehicles and pedestrians at the front of the building.
2. That the developer submits amended plans for off-street servicing of the loading docks.

4.4 BP Clybucca Rally
Ref: P12-21 (271569)

RECOMMENDATION

That approval be granted to hold the BP Clybucca Rally on Saturday, 26th June 2004, subject to Police approval and the submission of a Traffic Management Plan.

4.5 Pedestrian Crossing, corner of Rawson Street and Cannane Street
Ref: T7 (272894)

RECOMMENDATION

That Council investigate the matter further.

4.6 NAIDOC Week March 2004
Ref: P12-21 (274158)

RECOMMENDATION

That approval be granted to hold the NAIDOC Week March on Monday, 5th July 2004.

4.7 Kempsey Country Music Festival
Ref: P12-21 (272982)

RECOMMENDATION

1. That approval be granted to hold the Kempsey Country Music and Trucking Festival street parade on Saturday, 11th September 2004, subject to Police approval.
2. That a letter of thanks be sent to the organising committee for an excellent submission.

4.8 Intersection of Gregory Street and Gordon Young Drive, South West Rocks - Traffic Facilities
Ref:

RECOMMENDATION

That the matter be deferred and further consultation be undertaken.

4.9 Intersection of North Street and Kemp Street, Kempsey
Ref:

RECOMMENDATION

1. That centre line marking be introduced on all road approaches to the rail crossing on North Street/Second Lane.
2. That a stop sign be placed in Kemp Street and Saleyards Road, on the corner of North Street.

4.10 Belgrave Street – Traffic Facilities

Ref:

RECOMMENDATION

That the information be noted.

4.11 Gregory Street, South West Rocks – Traffic Facilities

Ref:

RECOMMENDATION

That the median in the vicinity of the marked pedestrian/school crossing not be altered.

4.12 Armidale Road – Centre Linemarking

Ref:

RECOMMENDATION

That the refurbishment of old, or the introduction of new linemarking be to current Australian Standards.

4.13 Crescent Head Skyshow

Ref:

RECOMMENDATION

1. That approval be granted to hold a street parade as part of the Crescent Head Skyshow on Sunday, 13 June 2004, subject to Police approval.
2. That a correctly completed Traffic Management Plan be resubmitted to Council.

4.14 Smith Street, Kempsey

Ref: T7 (274893)

RECOMMENDATION

That the matter be referred to the RTA.

4.15 Truck Parking
Ref: P1-2 (273377)

Legislation prevents Heavy vehicles parking on roads in urban areas. It is recommended that specific secured parking areas for heavy vehicles would be more suitable, and, that the Economic Development Officer be requested to investigate the opportunity for a specific business to develop such facilities.

RECOMMENDATION

That the Economic Development Officer be requested to investigate the opportunity for a business to develop facilities to provide secured parking for heavy vehicles.

4.16 South West Rocks High Pedestrian Activity Speed Zone
Ref:

RECOMMENDATION

That the information be noted.

5. OTHER BUSINESS

6. NEXT MEETING

To be advised.

7. CLOSURE

The meeting closed at 12.10pm.

2004. 403

RESOLVED:

Moved: Cl. Howell
Seconded: Cl. Green

That the report of the Local Traffic Committee meeting held 26th May 2004 be adopted.



WORKS INSPECTION

**REPORT OF THE WORKS INSPECTION HELD ON THE 25TH MAY 2004
COMMENCING FROM THE CIVIC CENTRE, CORNER ELBOW AND
TOZER STREETS, WEST KEMPSEY, AT 11.30AM.**

PRESENT:

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

Also in attendance were Acting General Manager, T I Hannam and Acting Director Engineering M G Rootes.

APOLOGIES:

Councillor Walker.



**1. Smithtown Wharf
File W5**

RECOMMENDED:

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

That the Smithtown Wharf Committee be thanked for their efforts via the Mayor's column and a letter to the committee.

**2. Gladstone Riverside Park – Privet Trees
File T11-4**

RECOMMENDED:

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

1. That authority to remove the trees be granted.
2. That an approach be made to country Energy to remove the trees as a training exercise or as a community service.
3. That if Country Energy do not accept the offer the Gladstone Tidy Towns Committee be invited to have the trees removed professionally.

**3. Belmore River Right Bank Road – Request to extend sealing
File R/B Belmore**

RECOMMENDED:

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

1. That further investigation of this matter, including traffic counts, be conducted and a report be prepared for a future meeting of Council.
2. That the landholders be approached regarding a contribution towards a dust seal along this section of road.

4. Dangerous Trees

RECOMMENDED:

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

That the list held by Council prioritising dangerous trees be reported to Council to include the tree opposite 73 Tozer Street and the privet trees in Gladstone park.

CONCLUSION

The Works Inspection terminated at 1.30pm.

2004. 404

RESOLVED:

Moved: Cl. Howell
Seconded: Cl. Green

That the report of the Works Inspection held 25th May 2004 be adopted.



QUESTIONS WITHOUT NOTICE

Councillor J H Howell

Councillor Howell was advised:-

- 1 That the advertisement seeking nominations from members of the community to serve on Council's committees detailed the numbers of community members on committees where these members do not represent organizations. There has been no proposal to reduce the number of community members on the committees.
- 2 That the General Manager would seek further information on Great Lakes Council seeking support of other Councils in its decision to refuse a development for a Service Centre on the Pacific Highway at Karuah.
- 3 That the Acting Director Environmental Services would investigate the number of fishing shelters being erected along the coastal strip of the Shire.
- 4 That the Director Engineering would investigate a trip hazard on the footpath at corner John and Belgrave Streets Kempsey where a nearby tree is causing pavers to be lifted.
- 5 That the edited minutes provided in the Library are the same minutes as provided to Councillors.
- 6 That the Director Engineering would further consider what is the best system for stormwater disposal at Crescent Head.
- 7 That the Mayor had not pursued with the relevant Minister the future of the Kempsey Showground but would do so at the earliest opportunity.
- 8 That the Mayor would give consideration to listing on the next agenda of the Mid North Coast Group of Councils the matter regarding the State Governments proposals to have a Business Enterprise Super Centre

and also a Super Health Centre comprising a number of Area Health Centres.

- 9 That an undertaking was given to allow an Aboriginal Site Officer present during the construction of Point Plomer Road and the cost of this person was to be paid for by Council.

Councillor E A Green

Councillor Green was advised;

- 1 That Quarry Road and Kemps Access in the Frederickton area would be listed for a special Works Inspection to be held specifically to inspect the roads of the Shire.
- 2 That the new intersection of Collombatti Road and the Pacific Highway would be listed for the Works Inspection on roads.
- 3 That the old Service Station buildings at the northern entrance to Frederickton have been the subject of orders issued by the Director Environmental Services.
- 4 That Section 94 funds received from roads must be spent on the specific road that generated the funds and cannot be used for works on other roads.
- 5 That the Department of Infrastructure Planning and Natural Resources is the consent authority for clearing of land in rural zones. In rural residential zones Councils Tree Preservation Order is applicable however coastal heath is allowed to be cleared under Councils existing Tree Preservation Order.
- 6 That the siting of new cabins at Hat Head Caravan Park near the footbridge is in accordance with the Management Plan adopted by Council.
- 7 That the Director Environmental Services would investigate the clearing of littoral rainforest at an area near the Hat Head Caravan Park to create additional car parking area.

Councillor J C Gribbin

Councillor Gribbin was advised

- 1 That the edited minutes are the official minutes of the Council meetings but do not include a full copy of the officers reports. A full copy of the minutes including officers reports is kept by Council and referred to as the full text minutes.

Councillor R H McWilliam

Councillor McWilliam was advised

- 1 That the Director Engineering would consider the installation of traffic safety measures at the intersection of Ocean Street and Marlin Drive, South West Rocks and also at the intersection of Frank Cooper Street and Lionel Hogan Place, with a view to improving vision for traffic making right hand turns.
- 2 That the General Manager would investigate the reasons for the removal of the sign in Gregory Street indicating the businesses at the South West Rocks Industrial Area and whether a new sign is to be erected.
- 3 That to request a number of sites at South West Rocks to be listed on a Works Inspection, a Notice of Motion should be submitted to the July Council meeting.
- 4 That appreciation of a resident for the quick and excellent work on the new pathway at Phillip Drive, South West Rocks would be passed on to the relevant staff.

Councillor B R Sowter

Councillor Sowter was advised

- 1 That the detailed report on the garbage services would be submitted to the July Council meeting.
- 2 That problems with the computer at the Frederickton Dog Pound which delayed identification of some impounded dogs had been fixed.

Councillor J A C Hayes

Councillor Hayes was advised

- 1 That the Director Environmental Services would investigate cars being displayed for sale at the former Service Station site in Smith Street, Kempsey.



MOTION FOR COMMITTEE

2004. 405

RESOLVED:

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

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.

Councillor Gribbin declared an interest in the following item for the reason that he is a member of the Friends of South West Rocks and retired from the Chamber and apologized for non-attendance at the remainder of the Meeting.



GENERAL MANAGER'S CONFIDENTIAL REPORT

GM1	LEGAL MATTERS			
	FILE: L3-1	AVB	(NRN)	{Folio No. 276328}

SUMMARY:

Reporting on the current position regarding legal matters.

REASON FOR PRESENTATION OF REPORT ON A CONFIDENTIAL BASIS

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



2004. 406

RECOMMENDED:

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

That the information be noted.

GM2	LEGAL MATTERS			
	FILE: L3-1	RBP		{Folio No. 276329}

SUMMARY:

Reporting on the current position regarding legal matters.

REASON FOR PRESENTATION OF REPORT ON A CONFIDENTIAL BASIS

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



2004. 407

RECOMMENDED:

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

That the information be noted.



REPORT OF THE MEETING OF THE COMMITTEE OF THE WHOLE

THIS IS PAGE 79 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 8TH JUNE 2004.

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MAYOR

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



ADOPTION OF REPORT OF THE COMMITTEE OF THE WHOLE

2004. 408

RESOLVED:

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

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



QUESTIONS WITHOUT NOTICE

Councillor J A C Hayes

Councillor Hayes was advised

- 1 That the Acting Director Engineering had made contact with Mr Steve Sproule regarding a letter of request for assistance in maintaining the reserve at Kalateenee and investigations would be undertaken to determine if this reserve was a Crown Reserve and therefore be eligible for State Government funding available for work on Crown Reserves.

CONCLUSION:

There being no further business, the Meeting terminated at 1.42 p.m.

