



MINUTES OF THE ORDINARY MEETING OF KEMPSEY SHIRE COUNCIL

Tuesday 9th March 2004 commencing at 9.04am.

PRESENT:

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

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



CONSIDERATION OF CONFIDENTIAL REPORT

2004. 147

RESOLVED:

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

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



MINUTES OF THE ORDINARY MEETING OF KEMPSEY SHIRE COUNCIL DATED 12TH FEBRUARY 2004

2004. 148

RESOLVED:

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

That the Minutes of the Ordinary Meeting of Kempsey Shire Council dated 12th February 2004, be adopted.



MINUTES OF THE EXTRAORDINARY MEETING OF KEMPSEY SHIRE COUNCIL DATED 24TH FEBRUARY 2004

2004. 149

RESOLVED:

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

That the Minutes of the Extraordinary Meeting of Kempsey Shire Council dated 24th February 2004, be adopted.

The South West Rocks Aged Care Committee was established in October 2001, following a public meeting called to consider the findings of a survey, done on behalf of the SWR Uniting Church on the needs for an aged care facility.

South West Rocks has no aged care facility and those who need such a facility must leave and take up residence in a town at some distance from family and friends.

The SWR Aged Care Committee propose a 3 stage development that would eventually cover all requirements - self care unit, hostel facilities and nursing home (high care) as well as administrative and other ancillary facilities.

The latest consensus indicates that the South West Rocks catchment now qualifies in its own right for consideration of the allocation of aged care beds by the Commonwealth Government (in excess of 1000 persons of or over the age of 70 years).

Whilst there has been mention of a Multi Purpose Service and a Grade 3 Hospital to serve the future needs it must be remembered that the Area Asset Strategic Plan adopted by the Mid North Coast Area Health Service has identified a Community Health Centre as the preferred option for South West Rocks and land has been purchased for this purpose.

Likewise the preferred option in so far as a hospital is concerned for the Macleay is the construction of a new complex in Kempsey.

At the last meeting of Council the General Manager in reporting on the State of the Regions Report stated:-

“Kempsey Shire Council has already recognised many of the problems of an ageing population – “

An Aged Care Facility is an integral component of the future infrastructure of South West Rocks.

2004. 153

RESOLVED:

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

1. **That Council support the South West Rocks Aged Care Committee with its proposal to establish a three stage aged care facility at South West Rocks.**
2. **That the establishment of an aged care facility at South West Rocks be included in the agenda for the meeting with Mr Luke Hartsuyker, MP Member for Cowper and the Hon. Mark Vaile, MP Member for Lyne.**
3. **That representations be made to the Minister for the Department of Lands Mr Kelly and the Minister for Planning Natural Resources and Infrastructure Mr Craig Knowles concerning crown land assessment at South West Rocks.**



ADOPTION OF AGENDA ORDER OF BUSINESS

2004. 154

RESOLVED:

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

That the Agenda Order of Business be adopted.

MAYORAL MINUTE

M1	MAYORAL ENGAGEMENTS FOR FEB/MARCH
FILE: C18-25	MAYOR (NRN) {Folio No. 270962}

SUMMARY:

Reporting on the Mayoral Engagements since the previous Council meeting, on the 12th February 2004.



Friday 13th February

- Meeting with Yarrahappinni Wetlands Committee – Civic Centre
- Meeting with ratepayer

Sunday 15th February

- National Servicemen's Association of Australia – Macleay Valley Sub-Branch Memorial Day Celebration – Kempsey Macleay RSL Club

Monday 16th February

- Naturalisation Ceremony – Kempsey Macleay RSL Club – 6.00pm

Tuesday 17th February

- Police Accountability Community Team Meeting – Scotts Head Recreation Hall

Wednesday 18th February

- Caravan Park Meeting – Civic Centre
- Community Consultative Meeting

Friday 20th February

- Meeting with RTA and Parsons Brickerhoff – Highway Bypass – Macleay Valley Care Centre

Sunday 22nd February

- Presentations and speech at the Trial Bay Triathlon – Trial Bay Beach

Monday 23rd February

- Interview by Leanne Beers – Holy Trinity Day Care Centre – Civic Centre

Tuesday 24th February

- Planning and Extra-ordinary Meeting
(Rating price structure, Sewer and Liquid Waste pricing)

Wednesday 25th February

- Meeting with South West Rocks Senior Citizens – School of Arts Hall
- Attended Official Telstra Launch of CDMA and GSM – SWR Country Club
- Caravan Park Meeting – Civic Centre

Thursday 26th February

- Floodplain Management Authority Meeting - Sydney

Friday 27th February

- Country Mayors Association Meeting - Sydney

Wednesday 3rd March

- Meeting with Rob Willis – National Library of Australia - Recording

Friday 5th March

- Attend Kempsey Baptist Church – Annual World Day of Prayer - Kempsey

Saturday 6th March

- International Women's Day Awards Night - Willawarrin

Tuesday 9th March

- Council Ordinary Meeting – Civic Centre

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

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

Financial Implications

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

2004. 155

RESOLVED:

Moved: Cl. Bowell

That this information be noted.

M2	FLOODPLAIN MANAGEMENT AUTHORITIES OF NSW
FILE: C18-25	MAYOR (NRN) {Folio No. 270963}

SUMMARY:

Reporting on attendance at the quarterly meeting of the Floodplain Management Authorities of NSW.



The quarterly meeting of the Floodplain Management Authority of NSW (FMA) was held on Thursday, 26th February 2004, in Sydney and I represented Council together with the Director Engineering.

Chairman of the FMA, Councillor Allan Ezzy, presented a report, attached at [\(Appendix A\)](#). His concerns with respect to amalgamations were justified in light of the Minister's announcement the previous day whereby the Clarence River County Council was subsumed by the one Local Government Authority around Grafton. A number of speakers spoke of the concern for the decline in importance of flood mitigation practices.

The Executive Officer provided a quarterly report (at [\(Appendix B\)](#)) and also notes for discussion FMA membership. The latter provided much discussion and food for thought regarding the long-term functioning of the FMA. A copy of these notes is attached as [\(Appendix C\)](#) and I would welcome any thoughts from Councillors on the issues raised.

The SES was represented by Dr Melanie Herbert who advised of operations activated in January 2004 with floods in some 13 coastal and inland rivers. The most notable was in Tamworth where 2,400 campers, gathered for the Country Music Festival, needed to be relocated due to quickly rising and quickly flowing floodwaters. The FMA was also advised of:

1. The Natural Disaster Risk Management Studies Program where funding is available for education and risk mitigation activities.
2. A "Pallet Barrier System" Working party formed to review the efficiency and applicability of this flood protection system.

The DIP&NR's Mark Porter spoke on expenditure on Flood Mitigation projects over time, with the major emphasis on ensuring grant funds were expended promptly. Some concerns were raised with the backlog of funding on some major projects being substantial, which could indicate to the State an opportunity to reduce funding in the future. The Director Engineering assures me this is not the case with Kempsey Shire Council.

Of major concern to the FMA is a recent case in the Land and Environment Court involving Tamworth City Council. Details are attached at [\(Appendix](#)

D) The FMA resolved to seek a ruling from the Minister for Local Government and Minister for Emergency Services on this issue and also seek advice from the Minister for Infrastructure Planning and Natural Resources. The issue will also be referred to the Insurance Council of Australia. I agreed to raise the matter at the Country Mayors Association meeting the next day as I believe the entire concept of the Land and Environment Court ignoring the local LEP incredible.

Policy and Statutory Implications:

The policy and statutory implications of this report are a weakening of Council's Policies on Flooding and on the power of any LEP. I have asked the Director Engineering to confer with the Acting Director Environmental Services to review the impacts of the Court decision.

Financial Implications:

There are no financial implications from the following recommendation.

Mayoral Recommendation:

That the information be noted.

2004. 156

RESOLVED:

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

That this Council advise Tamworth City Council of our support in the matter of Kahler Vs Tamworth City Council and we seek further information to enable us to support them.

M3

COUNTRY MAYOR'S ASSOCIATION

FILE: C11-14 AVB

{Folio No. 270964}

SUMMARY:

To inform Council of the issues discussed by the Country Mayors Association Meeting held on the 27th February.



The General Manager and I attended the Country Mayors Meeting in Sydney on Friday, 27th February. The Meeting was addressed by the Hon. Tony Kelly, MLC Minister for Local Government and Jane Gray and Mack Gold from Third Person.

Prior to the Ministers address the Administrator of Greater Goulburn City Council, the former Mayor of Goulburn Max Hadlow, outlined the positives of the amalgamation process and expressed the view that in Goulburn and other provincial cities cases the only way to overcome the inequalities of larger Councils providing services for smaller Councils without compensation was amalgamation and the amalgamations in the Canberra region had been generally accepted.

The Minister outlined the amalgamations that had taken place, that is, Sydney and South Sydney, the Canberra region and the Clarence. The total number of Councils has now been reduced to 165. Facilitations have been completed in the Peel Region and are continuing in the Macquarie Region. Facilitations in the Albury/Home Area and the Inner City are yet to commence. The Minister stressed that the amalgamations are based on economic savings.

The Local Government Amendment Bill has been withdrawn and a new Bill is being prepared for cabinet discussion. The new bill is to provide for:-

- An advantageous rating system allowing Council to apply for rating variations that can fluctuate (different percentage increases) over a seven year period.
- The postponement of elections where Councils are under review by the Boundaries Commission.
- The provision to make proclamations to alter areas in a minor way.
- Employment protection.
- The right to appeal to the Supreme Court on the validity of making a proclamation or implementing a proposal.

The Association resolved to support the Bill, in general and in particular the flexible rating system, the postponement of elections and the power to alter a council's boundaries in a minor way to overcome anomalies. I raised the question with the Minister regarding the six-month Mayoral Term from April 2004 to September 2004.

The Act stipulates that Mayoral elections are to be held in September and within three weeks of an Ordinary Election. The Act would need to be amended to have a first term of eighteen months. The Association resolved to support an amendment to the Act for the first Mayoral term this year to be eighteen months.

Jane Gray and Mark Gold from Third Person, a consumer coalition on rural health issues, spoke about the doctor shortage crises in rural areas. The problem is not one of funding, as there are currently 230 vacancies. Sydney on the other hand had an over supply. Medicare Plus is only a band-aid solution. The solution is:-

- Geographic medical provider numbers (similar to pharmacists)
- Overseas trained doctors and
- Specialist training programs

The solution needs to be rammed through and pressure needs to be maintained on key decision makers and a community call to action developed. The medical colleges are opposed to the solutions as they believe it amounts to civil conscription.

The Association adopted the three strategies of Third Person [\(Appendix E\)](#) and adopted Councils Resolution;

“That the Association support the proposal to reform funding arrangements for the NSW Health System as recommended in

the Independent Pricing and Regulatory Tribunal of NSW (iPART)”

The matter of funding a scholarship for a medical student was raised and the association has requested details so the matter can be listed on its May agenda.

On Thursday I attended the Floodplain Management Authority of NSW Meeting and the very important issue of the Land the Environment Court overturning a consent refusal by Tamworth City Council for a development in a floodplain. Details of the issue are outlined in my Mayoral Minute M2. The Hon. Tony Kelly is also the Minister for Emergency Services so I took the opportunity to bring the case to the Ministers attention. The Minister wants details of the case and Tamworth City Council has agreed to forward the information to him. The Association has expressed dissatisfaction at the decision of the Land the Environment Court, and it is to follow up the Local Government Association resolution calling for a review of the Land and Environment Court.

Report Implications

There are no financial, Statutory or Policy implications arising from this Report.

Mayoral Recommendation:

- 1. That Council contact the Third Person Consumer Coalition to obtain details of their lobbying program with a view to supporting their efforts.**
- 2. That Council reiterate its grave concern to the Minister that the Land and Environment Court’s decision will have serious implications for all shires with floodplains.**
- 3. That Council demand an urgent review of the efficacy of the Land the Environment Court.**

2004. 157

RESOLVED:

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

- 1. That Council contact the Third Person Consumer Coalition to obtain details of their lobbying program with a view to supporting their efforts.**
- 2. That Council reiterate its grave concern to the Minister that the Land and Environment Court’s decision will have serious implications for all shires with floodplains.**
- 3. That Council demand an urgent review of the efficacy of the Land the Environment Court.**
- 4. That a copy of Kempsey Shire Councils representation be forwarded to the Local Government Association and Shires Association of NSW.**

5. That an appropriate motion be submitted to the annual conference of the Local Government and Shires Association of NSW.

DELEGATE'S REPORT

D1	PROPOSED AGED CARE FACILITY, SOUTH WEST ROCKS FILE: A7-5 TIH	{Folio No. 270965}
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This report was dealt with earlier in the meeting just after PUBLIC FORUM.

D2	MID NORTH WEIGHT OF LOADS GROUP FILE: R8-190 KJF (NRN)	{Folio No. 270966}
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SUMMARY:

Reporting on the Mid North Weight of Loads Group Committee Meeting held at Nambucca Shire on 1st March 2004.



2004. 158

RESOLVED:

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

That the information be noted and that an enquiry be made into the collection of fines.



DIRECTOR ENGINEERING REPORT

DE1	NORTH STREET, GLADSTONE FILE: R NORTH GLAD KJF COPY: APC	{Folio No. 270967}
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SUMMARY:

Reporting on a request for funds for maintenance to North Street, Gladstone.



A letter has been received, via Councillor Sowter, requesting funding of \$6,000 to extend gravel in North Street, Gladstone. A copy of the letter is attached at [\(Appendix A\)](#). Council will recall that a similar arrangement was completed in 2002. Some \$9,000 remains unallocated from the vote for Minor Roads should Council wish to accede to this request.

Directors Comment:

The section of road for which the funds are sought is not normally maintained by Council and it is felt that Council should concentrate all available funds on roads that are within the maintained road network.

Financial Implication

The financial implication of the following recommendation would be expenditure of \$6,000 from the vote for Minor Roads.

Other Implications:

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

Director Engineering Recommendation:

That \$6,000 be allocated to road maintenance in North Street, Gladstone.

MOVED:

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

That the rate for minor roads be allocated to;

North Street, Gladstone	\$2,000
Yessabah Road (beyond Howard's Gate)	\$2,000
Roses Road, Collombatti	\$1,500
Hickeys Creek Road (beyond 2 nd grid on "Pindah")	\$1,500
Upper Belmore River Road (beyond Seale Road)	\$1,000
Syd Sutherlands Lane	\$1,000

Subject to landholders contributing 50% of funds allocated by Council.

An Amendment was MOVED:

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

That an amount of \$2,000 be allocated to North Street, Gladstone.

The AMENDMENT was PUT to the Meeting and was LOST.

2004. 159

The MOTION was PUT to the MEETING and was CARRIED.



PRESENTATION

At this stage 10.39am the Mayor made a presentation of certificates of merit for sporting achievements in baseball and softball to Shane Azzopardi, Owen Crouch, Joel Jeskie and Ryan McMillan.



At this stage 10.45 a.m. the Meeting adjourned for Morning Tea and upon resumption at 11.15 a.m. all present at the adjournment were in attendance.



DE2	ROAD CLOSURE – PARKES STREET, ARAKOOON
FILE: LA20190, LA20189	KJF {Folio No. 270968}

SUMMARY:

Reporting on the results of the Local Land Board enquiry regarding the partial closure of Parkes Street, Arakoon.



Following Council's application to close part of Parkes Street, Arakoon, on behalf of adjacent property owners Pamplin and Sheppard, a Local Land Board hearing was undertaken on 18th November 2003. The Land Board decided "that the circumstances do not warrant the closing of the road". A copy of the letter of advice and a copy of the Board's decision is attached at [\(Appendix B\)](#).

Council is now asked to advise if it would be prepared to accept the land as community land should the road be closed. If not, the application will be refused.

As originally reported, the land was seen as surplus to Council's needs, as either roadway or as community land. There appears to be no benefit to Council in proceeding with the road closure.

Directors Comment:

The Land Board decision is disappointing. Proceeding with the road closure to acquire a narrow portion of community land is not seen as a viable proposition.

Report Implications:

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

2004. 160

RESOLVED:

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

That the partial closure of Parkes Street Arakoon not proceed.

DE3	QUESTIONS WITHOUT NOTICE
FILE: B6-2 MGR (NRN)	{Folio No. 270969}

SUMMARY:

Reporting on the costs to Council as a result of the river rise during 17th & 18th January 2004.



At Council's meeting of 12th February 2004, during Questions Without Notice, Councillor Bowen was advised:

"That the Director Engineering would investigate the repairs to washouts on the approaches to the Temagog and Toorooka Bridges and if funding was provided for flood damage to bridge decks it is on a like for like basis".

As a result of a flood warning from the Bureau of Meteorology, a decision to close the floodgates prior to a rise in the river was made. On Friday, 16th January, Council staff lowered the floodgates at the following locations:

Belmore River
Belmore Floodway Gates
Kinchela Creek Floodway
Euroka Creek
Christmas Creek
Killick Creek.

The estimated cost to lower these gates is \$1,000. The cost is the same to raise them after the event. These costs will be borne by the vote for Flood Mitigation Maintenance.

The river rise closed all of the upriver bridges and left silt and debris when the water subsided. The following is a summary of the works required and the estimated cost to open the bridges to the public.

Bellbrook – Silt & debris removed - \$200.

Toorooka – Silt & debris removed, washout on the Armidale Road side. Road crew repaired under traffic - \$3,500.

Temagog - Silt & debris removed, washout on the western abutment temporarily repaired - \$1,300. The abutment will require work to permanently repair the washout, at an estimated cost of \$2,500.

Turners Flat - Silt & debris removed. A tree lay across the deck and this was removed - \$600.

Sherwood - Silt & debris removed - \$300.

The boat ramp area at Riverside Park and the cul-de-sac at the Eastern end of Forth Street had silt and debris removed - \$800.

The storm event that led to the river rise was not declared a "Natural Disaster" and as such the cost of repairs has to be borne by Council. These costs will be borne by the various maintenance budgets.

Directors Comment:

Council staff responded well to the minor flood event of 17th and 18th January 2004. Unless Council is prepared to cover the costs from a

special vote from Working Funds, the costs will be drawn from the normal maintenance budgets.

Financial Implications:

The financial implications from this report will be a slight reduction in maintenance funding available for routine maintenance activities.

Other Implications:

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

2004. 161

RESOLVED:

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

That the information be noted.

DE4	40KPH HIGH PEDESTRIAN ACTIVITY SPEED ZONE
FILE: R8-29	NJT {Folio No. 270970}

SUMMARY:

Reporting on an invitation for Council to consider the introduction of a 40kph High Pedestrian Activity Speed Zone.



Council has been invited to submit projects for consideration for the installation of a 40kph High Pedestrian Activity Speed Zone. It was considered that the South West Rocks Central Business Area met the RTA's criteria for such a zone.

Due to the short timeframe for submissions, and the possibility of obtaining 100% funding for the project, a consultant was commissioned to develop a proposal based on the South West Rocks CBD Master Plan.

The area submitted for funding is bounded by Gregory Street, Livingstone Street, Mitchell Street and Landsborough Street, South West Rocks.

The scope of works include:

1. Intersection improvements at the intersection of Gregory Street and Landsborough Street.
2. New Kerb and Gutter in Gregory Street, from the Catholic Church to the Hall.
3. Central Parking in Landsborough Street.
4. A new roundabout at the intersection of Landsborough Street and Memorial Avenue.

5. Blister and angle parking in Memorial Avenue from Livingstone Street to Landsborough Street.
6. Threshold treatments at the intersection of both Carol Street and Mitchell Street with Landsborough Street.

The total estimated cost of the works is \$854,000.

The Local Traffic Committee at its meeting on the 25th February 2004 endorsed the plan. A copy of the plan is attached [\(Appendix C\)](#).

It is envisaged that by the introduction of a 40kph speed limit in this location of high pedestrian activity, there would be an improvement in a driver's ability to stop and therefore avoid hitting a pedestrian, and that if pedestrian crashes do occur, then they would be less severe, especially for children and elderly pedestrians.

The RTA have advised that limited funding is currently available in 2003/2004 and expect to advise of any funds for this project by the end of March.

It is recommended that Council support this initiative if funding is made available. The proposal is consistent with Council's CBD MasterPlan concept. Public consultation would be undertaken during the project planning phase.

Director's comment:

Council has the opportunity to introduce a traffic management regime in South West Rocks that is consistent with the South West Rocks MasterPlan and fully funded by the RTA. Council is urged to endorse the submission.

Implications:

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

2004. 162

RESOLVED:

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

That the submission for the introduction of a 40kph High Pedestrian Activity Speed Zone for the South West Rocks CBD be endorsed.

DE5

RAILWAY LEVEL CROSSINGS

FILE: T9-5 NJT (NRN)

{Folio No. 270971}

SUMMARY:

Reporting on work to be carried out on Railway Level Crossings by Railway Infrastructure Corporation.



Council has been in negotiations with the Railway Infrastructure Corporation (RIC) over the last year and, as a result, advice has been received that it intends to carry out improvement works at the two (2) rail level crossings in Kempsey.

The following work is proposed:

1. Belgrave Street

- Install pedestrian swing gates on both sides of level crossing
- Replace signage to appropriate standards
- Improve existing level crossing lighting

2. Second Lane

- Install boom gates
- Improve existing level crossing lighting
- Relocate lighting signals to provide better clearances for motorists and pedestrians.

The anticipated start date for work in Belgrave Street is 9th March 2004. As a result the footpath on both the northern and southern side will in turn need to be closed for approximately 10 days. It is anticipated that the work will take 3 weeks.

It is programmed that the work on Second Lane will take place immediately after the Belgrave Street works.

The works will greatly enhance the safety of pedestrians and motorists at the two level crossings.

Director's comment:

The proposals are fully funded by RIC and result from lobbying by Council's Engineering staff over a number of years to upgrade the facilities at these two level crossings. Council should be appreciative of the efforts of staff to bring to fruition safer crossings for both pedestrians and drivers.

Financial Implications:

There are no financial implications from this report as all works will be funded by the RIC.

Implications:

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

2004. 163

RESOLVED:

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

That the information be noted.

SUMMARY:

Reporting on a stormwater drainage issue in River Street, West Kempsey.



Council has received advice from the owner of Lot 11, DP248428, corner of Short and River Street, Kempsey, that he intends to construct a dwelling on his property where stormwater is currently being discharged onto his block from Council's stormwater pipe.

A 375mm diameter stormwater pipe is currently collecting water, principally from the south-eastern corner of River and Short Street, and discharging at the boundary of Lot 11 at a point approximately $\frac{1}{3}$ along the River Street frontage of the property ([Appendix D](#)).

There is an easement for drainage on the property but this easement is for conveyance of water being discharged by a 450mm pipe onto the property at the northeast corner. This flow is generally confined to the easement however improvements to the drainage outlet in Short Street would be desirable and are recommended.

There is no easement for drainage over the property for the conveyance of stormwater from the 375mm pipe across River Street. Section 94 of the Roads Act 1993 states that:

1. A Roads Authority may, for the purpose of draining or protecting a public road, carry out drainage work in or on any land in the vicinity of the road;
2. The Roads Authority must pay compensation to the owner of the land for any loss or damage arising from the exercise of any power under this section.

Because of the site topography and the existing drainage easement, the options for siting a dwelling on the lot are extremely limited. Two options to relocate the discharge of stormwater drainage have been investigated.

Option 1

Direct stormwater via a pipe to southern boundary of property and pipe stormwater across property (via a new drainage easement) to existing drainage easement.

Estimated cost for this work including survey and legal costs is \$15,000.

Option 2

Divert stormwater via a new pipe along the western side of River Street to the existing stormwater pipe and easement opposite Angus Avenue. Estimated cost for this work is \$13,500.

The discharge of stormwater onto Lot 11 is preventing the approval for the construction of a dwelling. The relocation of the stormwater discharge is therefore considered necessary and urgent. It is recommended that the stormwater be redirected as per Option 2 at an estimated cost of \$13,500 and that these funds be provided from Working Funds.

Council will recall that in 2002, the owner of Lot 13, DP248428, raised concerns regarding drainage through his property. The preferred option was the reshaping of the natural watercourse at an estimated cost of \$20,000. It is estimated that a further amount of \$17,175 is required to improve the existing discharge of stormwater at the northeast corner of Lot 11. An amount of \$37,175 had been set aside for the 2 improvement projects in the Kempsey Town Improvement Program. However, with the withdrawal of funds for the 2003/2004 Town Improvement Programs, this project had to be deferred and will now be considered for the 2004/2005 Program.

Directors Comment:

Council needs to address this issue as a matter of urgency and is urged to support the recommendation.

Financial Implication

The financial implication of the following recommendation is the provision of \$13,500 from Working Funds.

Report Implications:

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

2004. 164

RESOLVED:

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

1. That the stormwater discharge onto Lot 11, River Street, West Kempsey, be redirected as per Option 2 and at an estimated cost of \$13,500 and that these funds be provided from Working Funds.
2. That Stormwater Drainage improvements in River Street between Short Street and Wide Street be listed for consideration in 2004/2005 Town Improvement Program.

DE7	REGIONAL ROAD TIMBER BRIDGE PROGRAM
FILE: B6-2 APV COPY: APC	{Folio No. 270973}

SUMMARY:

Reporting on the Regional Roads Timber Bridge Program for 2004/05 to 2010/11.



At the Council meeting on 14th October 2003, Council considered a report on the Regional Road Timber Bridge Program and resolved:

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

Council has recently received advice from Tony Stewart, MP, Parliamentary Secretary for Roads advising that Council may replace single lane bridges with two lane bridges “*providing Engineering design standards conform with current Austroads Standards and that the construction of a two lane bridge reflects road function and usage.*” Further Council is free to utilise funding from its Block Grant allocation.

A copy of the Administration Guidelines for the program has recently been received from the RTA.

For each of the five timber bridges on Council’s Regional Roads, because of the traffic volumes, the 1992 Austroads Bridge Design code requires the bridges to be designed as two lane bridges.

Council has been asked by the RTA to submit details of its proposals for funding under the Regional Roads Timber Bridge Program, for 2004/05 to 2010/11, by 1st March 2004.

More detailed pre-design preliminary estimates have been completed and submitted to the RTA for approval. The preliminary estimates have made provision for design costs, construction of bridge, sidetrack where necessary, approach roadworks and demolition of existing structures.

It is estimated that the cost of replacement of the 5 timber bridges on Regional Roads in Kempsey Shire, including approach roadworks, is \$4.17M. With the RTA contribution of 50% of the total cost of the replacement of the bridges, Council will need to find its share, ie. \$2.085M, over the 7 years of the program. No provision has been made in the forward estimates for such funding and Council’s funding sources are limited. It would seem unwise to utilise more than, say, \$120,000 per annum from the Block Grant for this program due to the consequent reductions on the roadworks program. Council is providing a reserve fund for Bridge Construction but this is currently earmarked for Council’s Bridge Construction program and any diversion of funds will delay works on Council owned bridges. Some \$180,000 per year would need to be sourced from either Loan Funds, Revenue or Working Funds. Loans funds would seem most affordable.

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

Bridge	Estimate	Year	Funding Proposed
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Woolshed Gully	\$160,000	04/05	\$160,000
Nulla Nulla Ck	\$915,000	04/05	\$390,000
		05/06	\$525,000
Perrets Bridge	\$1,000,000	05/06	\$ 40,000
		06/07	\$580,000
		07/08	\$380,000
Mungay Ck	\$815,000	07/08	\$215,000
		08/09	\$600,000
Devils Nook Ck	\$ 1,280,000	08/09	\$ 10,000
		09/10	\$625,000
		10/11	\$645,000
TOTAL	\$4,170,000		

This program has been forwarded by the RTA.

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

It is considered that Council should accept this unprecedented opportunity to obtain 50% funding to replace and widen these bridges. Even without this funding Council would be required to provide a significant injection of funding into the maintenance and upgrading/replacement of these bridges.

Director's comment:

Council needs to be aware of the requirement to set aside funding over the next 7 years as its contribution to this program and is urged to support the recommendation.

Implications:

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

The financial implications from the following recommendation, is that \$120,000pa be set aside from the Regional Road Block Grant, and that provision of \$180,000pa be made in future budgets to fund the balance of Council's contribution.

Director Engineering Recommendation:

1. That the proposed Regional Road Timber Bridge Programme be endorsed.
2. That \$120,000pa be set aside out of future Regional Road Block Grant funding, and that provision of \$180,000pa be made in future budgets to fund the balance of Council's contribution to the Regional Road Timber Bridge Program.

MOVED:

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

1. That the proposed Regional Road Timber Bridge Programme be endorsed.
2. That \$120,000pa be set aside out of future Regional Road Block Grant funding, and that provision of \$180,000pa be made in future budgets to fund the balance of Council's contribution to the Regional Road Timber Bridge Program.

An Amendment was MOVED:

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

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

2004. 165 The AMENDMENT was PUT to the MEETING became the MOTION and was CARRIED.

2004. 166 **RESOLVED:**

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

That a report be prepared and come back to Council on the implications of the deferral of the second bridge crossing.

At this stage 12.27 pm Councillor Hunt left the Chambers.

DE8	CONTROL OF GIANT PARRAMATTA GRASS IN URBAN AREAS
FILE: N3-2 GJW COPY: APC	{Folio No. 270974}

SUMMARY:

Reporting on control of Giant Parramatta Grass in urban areas.



There have been numerous requests made to Council in the past month in regard to Parramatta Grass eradication from streets in urban areas.

Funding this year for Parramatta Grass Control was \$11,200, \$5,600 being grant funds and \$5,600 from Council's own funds. This funding has been exhausted in treating approximately 400kms of Rural Roads.

To control GPG in urban areas it is estimated that an additional \$4,500, in funding would be required.

The best method of control is to utilise the specific Weedicide "Taskforce" in spring (ie. September/October) as this not only kills the grass but acts as a

pre-emergent weedicide, killing seeds and seedlings. To spray now would involve a general weedicide, Glyphosate, that would kill everything.

It is suggested that funds be provided in the next financial year to cover such work.

Directors Comment:

Council would need to increase its vote by at least \$4,500 to cover the additional work in the urban areas.

Financial Implications:

The financial implications of the following would be the allocation of an additional \$4,500 in funding to cover urban areas.

Other Implications:

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

Director Engineering Recommendation:

That consideration be given to allocation of \$4,500 for control of Giant Parramatta Grass in Urban Areas in the 04/05 Budget.

2004. 167

RESOLVED:

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

1. That consideration be given to allocation of an additional \$4,500 for control of Giant Parramatta Grass in Urban Areas in the 04/05 Budget.
2. That a request be forwarded to Telstra, Country Energy and other services enquiring as to their protocol around protecting properties from the spread of noxious weeds, in particular, Giant Parramatta Grass.
3. That the program for Giant Parramatta Grass be amended to ensure the maximum effort in eradicating be between August and October.

At this stage, 12.30 pm, Councillor Hunt returned to the Chamber.

DE9

QUESTIONS WITHOUT NOTICE

FILE: C18-28 JC (NRN)

{Folio No. 270975}

SUMMARY:

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



Responses to Councillors Questions Without Notice are listed for information.

Meeting of 20th March 2001

Councillor Sowter

File: D5-2

(Folio No: 211596)

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

RTA has finally issued a schedule of works. Works planned to commence in March 2004.



Meeting of 14th May 2002

Councillor Sowter

File: R8-2

(Folio No. 234526)

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

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



Meeting of 13th January 2004

Councillor Sowter

File: R Kinch R/B

(Folio No. 268227)

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

Guardrails removed, options being investigated.



Meeting of 20th January 2004

Councillor J H Bowell

File: R Pacific Hwy

(Folio No.268563)

That the Director Engineering would investigate the RTA plan currently on exhibition, closing 30th January 2004, relating to the Pacific Highway improvements from Carri Street to Hill Street and whether a submission has been sent by Council.

Copy of formal submission provided to Councillor Bowell. Discussions ongoing with RTA.

Meeting of 12th February 2004

Councillor Bowell

File: R Pacific Hwy

(Folio No.269866)

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

Meeting tentatively set for 13th April 2004.

Councillor Bowell

File: R Pacific Hwy

(Folio No.269870)

That a copy of the submission to the Minister for Roads on the Pacific Highway upgrade out of this Council meeting would be sent to Councillors and copies left in the libraries for the community to read.

Copies provided.

Councillor Sowter

File: R8-32

(Folio No.269945)

That the Director Engineering understood that Smithtown Road from the Pacific Highway to Gladstone had been approved as a B-Doulbe route and this would be checked.

Route is gazetted for B-Doubles.

Councillor Sowter

File: N3-2

(Folio No.269946)

That the Director Engineering would investigate the presence of Nagurra Burr in Syd Sutherlands Lane and Giant Parramatta Grass underneath the railway viaduct in Kempsey.

Inspections undertaken and spraying arranged.

Councillor R Bowen

File: R8-19

(Folio No.270033)

That the Director Engineering would investigate the situation regarding drainage outside Aldavilla school which was raised at Council on 13th May 2003 and was to be referred to the Department of Education. Also the Director Engineering would investigate parking outside the Aldavilla School and whether there was a need to refer this to the Traffic Committee.

Referred to in report to Council on Roads to Recovery Funding at Council's meeting of 8th July 2003. Council resolved to list the construction of a concrete dish gutter on the western side of Sherwood Road, south of Armidale Road at an estimated cost of \$20,000 in a future R2R program.

The reshaping of the existing drains and shoulder will be undertaken under the roads maintenance program and scheduled for completion by May 2004.

Meeting held with Department of School Education representatives and RTA on 12th June 2003 but no positive outcomes achieved as Department feel they have done all that is required.

Councillor J Sproule

File: G1-3

(Folio No. 270023)

That the Director Engineering would follow up who is coordinating the Clean Up Australia Day and Council's involvement including the need for publicity prior to the event of sites to be targeted.

Facilities Management Coordinator is coordinating Clean Up Australia Day 2004.

- ***Sites registered will be advertised in Mayor Column and Media in week prior to collection.***
- ***Council providing bulk bins for waste collection, collection of wastes from sites and waiver of disposal costs at landfill.***

Report Implications:

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

Director Engineering Recommendation:

That the information be noted.

2004. 168

RESOLVED:

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

1. That the information be noted.
2. That a letter of complaint be forwarded to the RTA expressing the disgraceful performance of taking 3 years to deal with the issue of drainage in Croads Esplanade Smithtown and a copy be sent to Tony Stewart MP Parliamentary Secretary for Roads.

SUMMARY:

Reporting on Works in Progress.

**ROADS*****REGIONAL ROADS*****Sealed**

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

Strengthening and sealing on MR 7740 (Stuarts Point Road) at chainage 5.05 to 5.57km has been completed and awaits line marking.

Rehabilitation of 300m of road on MR75 (Armidale Road) is to commence shortly. The location of this work is immediately west of the Nook Creek Bridge.

Black Spot remedial works is to commence on MR198 (South West Rocks Road) once the design has been finalised. The project involves realignment and rehabilitation of some sections of MR198 in the Austral Eden area and it is anticipated that this work will commence in April.

LOCAL ROADS**Sealed Rural**

Pavement maintenance work on the sealed road network is continuing.

Construction works of the new intersection of Gowings Hill Road and Marys Bay Road is currently underway and work should be completed by the end of March. As part of this project, the remaining gravel section of Marys Bay Road will be sealed with funding from Section 94 Contributions.

Second lane will receive some remedial treatment in conjunction with the construction of boom gates at the railway crossing. This work will be completed by the end of March.

UNSEALED RURAL**Gravel Resheeting**

Willi Willi Road and Warbro Brook Road resheeting has been completed.

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

Maintenance Grading

The "Shire East" roads maintenance crew is currently finishing in the Kundabung Area (Area East 7) and then moving to the Crescent Head Area (Area East 8).

Roads graded the during this month;

Mingalleta Road	Winstead Road
Point Plomer Road	Back Beach Road
Upper Smith Creek Road	Wharf Road

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

Roads graded the during this month;

MR75 Armidale Road	Towal Creek Road
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The "Shire West" crew will thereafter continue with maintenance grading in Warbro Area (Area West 3).

TOWN AND VILLAGE STREETS

Kempsey MasterPlan

The RSL Club Carpark/York Lane intersection works have been completed. CountryEnergy is to install lights to finalise this project and this work will commence in March 2004.

The Belgrave Street master plan works was advertised as below but has been postponed pending a number of alternative designs.

'Beautification works in Belgrave Street northern side are due to commence soon and this work will include some drainage works, kerb and gutter, exposed aggregate foot paving and minor road works. This work will complement the beautification works completed on the southern side of Belgrave Street.'

Hat Head Town Improvement

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

South West Rocks Town Improvement

Sturt Street, Pacific to Seaview Street, is to be widened to accommodate two-way traffic. This work is scheduled for June.

Stuarts Point Town Improvement

Kerb and Gutter works has commenced in Marine Parade between Ninth and Thirteenth Avenue. This work will compliment the existing Kerb and gutter on

either side and complete the formalisation of the western side of Marine Parade.

South West Rocks MasterPlan

The kerb and gutter and associated works at the Paragon/Memorial Avenue intersection, in line with the MasterPlan, has commenced and Stage 1 of the works completed prior to Christmas. Stage two is currently underway and will include traffic islands and foot paving around the Paragon Avenue/ Memorial Street area.

Further work under this program involve footpath on the northern side Livingstone Street adjacent to the new retaining wall between the caravan park and the road. The work is scheduled to commence once the fence has been completed.

Roads to Recovery projects

Ocean Avenue in Stuarts Point will receive some attention shortly with Kerb and Gutter, and road works to commence in March 2004.

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 delayed awaiting Fisheries Department approval in order to commence with this work.

BRIDGES / STRUCTURES

Specific Maintenance

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

HORTICULTURE

Coastal Weeds Rehabilitation Project

Continuing, using Council's existing funding, removing Bitou Bush from roadways in the coastal zone.

Upper Macleay Riparian Weeds Project

Trial spraying continuing on Cat's Claw Creeper in the Upper Macleay, Bellbrook CDEP office has indicated it will provide assistance in removing the weed from Aboriginal Land.

Riverbank

Macleay Valley Community Care has been approached in regard to securing grant funding to commence revegetation works on the riverbank in the Urban area. The areas highlighted for the work are the eastern bank from the Kempsey traffic bridge north to Dock Flat, below Rudder Park to the river

bank, the Greenhill's Ferry Reserve, the riverside Park at Frederickton, and the Smithtown wharf area.

Smith/Belgrave Street Medians

Shopping precinct medians replanted. Additional planting to continue between Belgrave and Stuart Streets and in Smith Street in the northern end of the median.

Plans of Management

The period for public submissions is now over for the Horseshoe Bay. Submissions being considered.

Plan for Verge Street Ovals continuing. Awaiting feed back from User Group

Tree Planting and Maintenance

Tree planting in Gregory Street at South West Rocks was delayed due to dry and hot conditions. To proceed in March.

Staff

Two new employees, Hector Thompson and Cecil Griffen have been appointed in designated Aboriginal positions to carry out Parks and Gardens and Civic Maintenance Work.

Council's Noxious Weeds Inspector, Paul Leddy has tendered his resignation.

Sporting Facilities

Bookings for field usage for the 2004 Winter have now closed

Capital Works

South Kempsey Cricket Pitch

Under construction.

Stuart's Point

Carpark sealing completed.
Storage shed under construction.

NOXIOUS WEEDS

Roadside inspections have been carried out along the following roads:

Old Station Road, Verges Creek, Collombatti, New Entrance, South West Rocks, for Giant Parramatta Grass. These Roads will be sprayed by the end of the month.

Organised private contractor for works were carried out during February spraying the following roads for Giant Parramatta Grass, Willi Willi Road, Brazzles Creek, Bellbrook Streets and Toorumbie.

Completed Work Method Statements, JSA's, Standard Operating Procedures for Noxious Weed Control - Roadsides, waterways, parks and reserves, private works. All procedures to be implemented by the following Councils: Taree, Great Lakes, Hastings, Gloucester and Kempsey.

Attended a Regional Weed meeting at Taree to discuss Classification of Giant Parramatta Grass and Red Lantana. Our recommendation to The Noxious Weeds Advisory Committee are Giant Parramatta Grass to stay as a W3 and not to be taken off the list. Red Lantana to be classified as a W4 -F. The weed must not be sold, propagated or knowingly distributed. All other forms W4-G

BUILDING SERVICES

Work completed last 4 weeks

- Ongoing maintenance to amenities.
- Aged Care Units – miscellaneous repairs.
- Exeloo repairs to Belgrave Street site..
- SWR Museum – Install retaining wall behind boat shelter
- Cabins prepared for recycling to waste management sites SWR/Stuarts Point. Now waiting DA approvals.
- Town improvement – Manufacture 50 bollards to date.

Work proposed next 4 weeks

- Provision of Training Room – Works Depot (Continuing)
- Works Depot - Maintenance to gutters and down pipes
 - Upgrade Locker Room/Shower (continuing)
 - EPA – Pavement Works – Work approx 90% complete.
- Hat Head water treatment: Replace glass blocks with aluminium windows.
- SWR Boatcover – install pedestrian rail.
- Clyde Street Mall – Preliminary Site works to Nursing Mothers Room
- Belgrave Street Exeloo – Install 25mm water supply
- Frederickton Cemetery – Site works for installation of modular toilet and gazebos.
- Timber Bollards – Manufacture a total of 100.
- SWR – Supply and install loop-top terrace fencing to retaining wall in Livingstone street.

Implications:

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

2004. 169

RESOLVED:

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

That the information be noted.

DIRECTOR ENGINEERING SUPPLEMENTARY REPORT

DE11	SERVICES
	FILE: A2-36 KJF

SUMMARY:

Reporting on service provision in line with Council's budget.



At its meeting of 12th February, 2004, Council resolved:

"That a report be submitted to Council on Tuesday, 9th March 2004, detailing services, which have been substantially reduced or withdrawn completely due to the expenditure of those funds allocated within the 2003/2004 budget."

At the budget discussions, Council was advised that the costs of living increase was greater than the allowed increase in rates. Also, additional environmental and OH&S constraints have led to unit cost increases on all Council activities. Therefore, to maintain any service within the existing budget, service levels must be reduced. However, no service has been withdrawn completely.

For Parks and Gardens and Sports Fields, for the past 2 budgets, Council has provided an increase in line with the allowable rate increase and directed that works be completed within the budget provided. Adjustments to the range of works and levels of service have been made to reflect these constraints. Attached at [\(Appendix E\)](#) is a summary of costs to date for Parks and Sporting Fields.

The vote for Parks mowing is	72% expended
Parks Building Cleaning is	74% expended
Sports Fields Cleaning is	82% expended

and the buildings cleaning vote for Sports Fields is fully expended. Reallocations of funds within these functions will be needed to get through the financial year.

Also, Council's vote of \$76,000 for tree maintenance is 93% expended, leaving only \$4,500 for the rest of the financial year. This will be expended on very dangerous trees. Those trees not seen as very dangerous will be deferred until the next financial year.

Attached at [Appendix F](#) is a summary of costs to date for functions covered by Council's Works Section. Within these costs the vote for Urban Road-mowing is fully expended. Roadside-mowing staff will be redeployed to other areas. All other programs appear manageable within the budget provided.

The attention of Council is drawn to the Transportation Infrastructure Strategic Plan (TISP) where comments on levels of service are made with respect to roads maintenance programs. The following notes made with respect to funding provided compared to funding required:

General Maintenance, Sealed Local Roads	-	50% funded
Pavement Strengthening:		
Urban Roads (funded by R2R Program)	-	50% funded
Rural Roads	-	45% funded
Resealing:		
Kempsey Streets	-	47% funded
Village Streets	-	41% funded
Rural Residential Roads	-	24% funded
Rural Roads	-	50% funded
Unsealed Roads:		
Relatively Heavily Trafficked	-	45% funded
Relatively Lightly Trafficked	-	50% funded

A further report on funding options to address these TISP issues will be presented to the next Council meeting.

Directors Comment:

All services previously provided by Council's Engineering Department are still being provided albeit at reduced levels in line with Council's budget.

Report Implications:

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

2004. 170

RESOLVED:

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

That the information be noted.

DIRECTOR CORPORATE AND COMMUNITY SERVICES REPORT

DCCS1	RATING – AGGREGATION OF CERTAIN PARCELS OF LAND IN SUBDIVISIONS
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SUMMARY:

Reporting on a proposal to abandon Council Policy C21.16 Aggregation of certain parcels of land in subdivisions.



Council adopted the policy to amalgamate certain land parcels in a subdivision for rating purposes on 6 September 1994. The Policy was initiated in response to several complaints received from developers that the practice of Council to rate each land parcel separately, if not adjoining, was unreasonable bearing in mind the fees and contributions paid to Council. The argument may well have had merit at that time, bearing in mind that many of the land parcels in a subdivision stayed in the developer's ownership for considerable time, because of the state of the local real estate market and economic climate.

The turnaround in the local, and indeed state, housing market would suggest that this policy is no longer required. Indeed, developers today are selling "off the plan" and are not holding subdivided land in their names for any length of time.

It should also be noted that the Valuation of Land Act, Divisions 3 and 4, section 14 provides some relief from the increased ratable land value by way of allowances for subdivision and profitable expenditure. The allowances are deducted from the land value, with the reduced land value being used for rating purposes. The allowances are only applicable to the developer and lapse on sale or improvement works.

The developer, may under section 26 of the Valuation of Land Act, apply to the Valuer General to have the land amalgamated for rating purposes, provided the land parcels are adjoining. The Valuer General has the discretion to amalgamate land parcels for rating purposes.

Neighbouring Councils rate land separately in accordance with the values provided by the Valuer General.

Should Council determine to abandon the current policy the land owner/developer will be subject to additional charges as a result of each land parcel being rated separately. Each rate assessment is subject to a base rate amount, water access and sewer access charges, where applicable, as well as the ad valorem rate based on the land value. The base/access charges applicable to each rate account (land parcel) based on current year charges would be \$758.00.

It is estimated that 74 land parcels are amalgamated into 8 rate assessments in the current year. It should be noted that the majority of these land parcels have been sold and will be rated separately for 2004/2005.

Comments by Director

Information noted.

**Financial Implications, Policy Implications, ESD Implications,
Statutory Implications**

The financial implications arising from this report is that Council would receive additional income from the base charges levied on the individual land parcels.

Director Corporate and Community Services Recommendation:

That Council Policy C21.16 be withdrawn.

MOVED:

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

That the information be noted.

An Amendment was MOVED:

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

That the Directors Recommendation be adopted.

2004. 171

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

Councillor Joukhadar recorded his vote against the foregoing Resolution.



At this stage 1.09 p.m. the Meeting adjourned for Luncheon and upon resumption at 2.08 p.m. all present at the adjournment were in attendance.



DCCS2	MID NORTH COAST AREA HEALTH SERVICE ASSET STRATEGIC PLAN 2003
FILE: H2-10	TIH (NRN)
	{Folio No. 271010}

SUMMARY:

Reporting on advice received back from the Hon lemma MP, Minister for Health concerning a new Hospital at Kempsey.



Following the release of the Mid North Coast Area Health Service Asset Strategic Plan 2003 representations were made to the Hon Morris lemma MP, Minister for Health concerning a new hospital at Kempsey. The following response was received:-

“Mr Terry Clout, Chief Executive Officer, Mid North Coast Area Health Service (MNCAHS), advise that the situation has not changed since your letter of 4 September 2003. The MNCAHS Plan is currently with NSW Health for consideration for inclusion in the State’s Capital Works Program and subsequent funding.

As advised, there was no commitment to construct a new hospital within a specified time made by the former Minister for Health when he visited the MNCAHS in March 2003.”

Comments by Director

Information noted.

Financial Implications, Policy Implications, ESD implications, Statutory Implications

There are no adverse implications arising from this report.

2004. 172

RESOLVED:

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

That the information be noted.

DCCS3	STATEMENT OF BANK BALANCES AS AT 29TH FEBRUARY 2004 APC
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SUMMARY:

Submitting the Statement of Bank Balances as at 29th February 2004.



[\(Appendix A\)](#)

Comments by Director

Noted.

Financial Implications, Policy Implications, ESD implications, Statutory Implications

There are no implications arising from this report.

2004. 173

RESOLVED:

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

That the information be noted.

DCCS4	STATEMENT OF INVESTMENTS AS AT 29TH FEBRUARY 2004
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SUMMARY:

Submitting the Statement of Investments as at 29th February 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.

Comments by Director

Noted.

***Financial Implications, Policy Implications, ESD implications,
Statutory Implications***

There are no implications arising from this report.

2004. 174

RESOLVED:

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

That the information be noted.

DIRECTOR BUSINESS ENTERPRISES REPORT

DBE1 JERSEYVILLE SEWERAGE SCHEME
FILE: S8-19 GRP COPY: APC {Folio No. 271013}

SUMMARY:

Reporting on the progress of construction of the Jerseyville Sewerage system.



When Council approved the construction of sewerage facilities for the Spencerville area it directed that installation of sewerage facilities for Jerseyville should follow this project. A total of \$200,000 was budgeted in 2001/02 as a preliminary estimated cost for the Jerseyville work.

It was recognized that, in order to up-size the Spencerville pumping station and rising main to cater for the load from Jerseyville, a contribution of \$62,393 was required from the Jerseyville budget. This left \$137,607 in the provision for Jerseyville sewerage.

Council has commenced construction of sewerage facilities for the Jerseyville area. The pumping station has been constructed and fitted out. This was done between May and December 2003. The construction of this well proved to be very difficult due to very high ground-water levels and the need for extensive de-watering, ground support measures and large machinery to cope with the conditions. This had a significant affect on costs but also established that similar problems would be encountered when the reticulation pipework was commenced. It became obvious that the available funding was significantly short of the amount needed to complete the project. The pumping station has cost approximately \$116,000, which leaves only \$22,000 available in the 2003/04 budget.

The cost of constructing the pipework on a conventional gravity mains system, with an allowance for de-watering on 33% of the lines, has been estimated at \$235,000.

Since it is very expensive when de-watering is required, investigations have been made into possible alternative collection systems, such as vacuum or pumping systems, which would reduce the depths of pipes and therefore reduce de-watering requirements. The estimated costs for these systems are:

- Vacuum system \$330,000 plus \$15,000 for extra houses
- Grinder Pumping system \$462,000
- Modified Gravity system \$255,000

Each of the systems have advantages and disadvantages. These are set out in [\(Appendix A\)](#).

It is stressed that the estimated cost for the apparently cheapest option (a standard gravity system) is very uncertain. It is based on an estimated requirement for de-watering on 33% of lines. If this increases, to say 50%, the estimated cost becomes \$265,000. It should also be noted that with the deeper excavation exposure of the saturated soils may present acid-sulphate problems which would need to be dealt with accordingly together with extra costs. Local maps indicate that there is an acid-sulphate layer between 1 and 3 metres deep. Both water and soil would need to be treated with lime to adjust pH.

As the ground water level was only 800mm below the surface, it was decided that construction of pipelines should be delayed until the drier late-winter and early spring months and before the spring/summer king tides were due. It is hoped that this will somewhat reduce groundwater problems.

It is proposed that a vacuum system is the preferred option. Although it is estimated to cost an extra \$95,000 it is a lot more certain than a gravity system with potential over-run in cost due to de-watering and acid-sulphate problems. A vacuum system is expected to impact much less on residents and the environment during construction. Access for ongoing maintenance is much better and ongoing operation and maintenance costs are assessed as being comparable. It should be noted that the houses on the eastern side of the bridge across Spencers Creek can also be serviced by a vacuum system for a minimal extra cost of about \$15,000. This is not possible with a gravity system.

It is proposed that the funds for this work be provided from existing funding for the augmentation of South West Rocks Sewerage Treatment Plant. The augmentation of this plant commenced this year. Budgets were prepared on preliminary estimates for the staged augmentation over a number of years. There is a current budget of \$1,300,000 of which \$617,000 has been spent to date. It is envisaged that another \$300,000 will be spent over the next 12 months on UV disinfection of effluent for re-use, chemical dosing facilities and extra aeration. This totals approximately \$920,000 to complete the programmed work. When this work is complete it is expected to give the plant sufficient capacity until 2010. It is proposed that \$350,000 of the remaining loan funds be utilized to construct a vacuum reticulation system at Jerseyville.

It is envisaged that it would take approximately 3 months to prepare and advertise for tenders for the work. This would enable construction to take place during the planned late winter / early spring timetable.

Directors Comment:

Council already has a vacuum system operating at Hat Head which is operating well now that teething problems have been overcome. It is likely that a vacuum system will be a very competitive option for Stuarts Point sewerage.

Report Implications:

The financial implication of the following recommendation is the utilization of \$350,000 of loan funds currently allocated to the SWR STW Augmentation work for the construction of the Jerseyville sewerage reticulation system.

There are no statutory or Policy implications.

Director Business Enterprises Recommendation:

1. That Council undertake a selective tendering process to construct a vacuum sewerage reticulation system at Jerseyville at an estimated cost of \$345,000.
2. That the project be funded from loan funds currently allocated to SWR STW Augmentation.
3. That the Director Business Enterprises report back to Council following assessment of tenders with recommendations for formal acceptance of a tender for the work.

2004. 175

RESOLVED:

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

1. That Council undertake a selective tendering process to construct a vacuum sewerage reticulation system at Jerseyville at an estimated cost of \$345,000.
2. That the project be funded from loan funds currently allocated to SWR STW Augmentation.

3. That the Director Business Enterprises report back to Council following assessment of tenders with recommendations for formal acceptance of a tender for the work.
4. That the Director Business Enterprises investigates the cost of connection of the sporting fields at Boyters Lane and of all residences in the area.

DBE2**KEMPSEY AIRPORT****{Folio No. 271019}**

FILE: A5-2 GTS

SUMMARY:

Reporting on the status of operations at Kempsey Airport.



Regular public transport operations ceased at the end of February 2004, 7 months after commencement. Passenger numbers were as follows;

Whilst the Macair flights schedule may not have been conducive to attracting passengers, the successive failures of Impulse, Horizon and Macair clearly indicate a problem in operating a viable passenger service from Kempsey Airport, even when triangulated with other centres.

2003	-	August	70
		September	137
		October	178
		November	106
		December	125
2004		January	<u>73</u>
			<u>689</u>

The existence of the well-appointed Port Macquarie airport in close proximity to Kempsey (30 minutes by road) with a good spread of available flight times provides strong competition to Kempsey airport.

A range of options exists in relation to the future management of the aerodrome site.

These include, but are not limited to;

- continued safe, compliant operation of the facility to a particular standard
 - current industry standards for a reasonably well-appointed facility
 - to minimum absolute minimum standards allowable
- closure of the infrequently-used grass strip
- reduction to a daylight (only) operation ie. removal of night lighting; NDB; illuminated windsock; etc.
- sale, leasing / subdivision of site
- alternative / additional uses of site
 - industrial
 - trailer park (all short-term sites including rural cabins)

- o other tourist facility
- o grazing

A significant amount of investigations and consultations would be required to progress the latter options.

In the case of continued operations as is, and under the CASA regulatory reform programme, the aerodrome would be either:-

- a) registered (without a formal, documented manual, safety management system or technical inspection regime), or
- b) certified (with strict adherence to the manual, safety management system and technical inspection obligations).

The reform programme is due for completion by June 2006.

It is proposed that Kempsey Airport be maintained as a "registered" Airport.

Within 2004/2005 there was to be an audit of security arrangements at regional airports but the demise of RPT services at Kempsey would mean that the airport may or may not come under the aviation security regulatory regime depending on the DOTARS assessment of charter services (and suchlike operations) at the location.

In any case, owners of general aviation aircraft will be required to secure their aircraft against theft. It is anticipated that any site assets which could be utilised for terrorist or unlawful activities will be required to be secured.

Current operating revenues for the airport run at around \$28,000 per annum whilst expenditure runs at about \$100,000 per annum.

Additional funding of \$150,000 has been requested in the Draft 2004/2005 Budget for fencing to prevent animals (kangaroos particularly) from entering the airport (\$600,000 in costs has been experienced by an interstate airport where a light aircraft clipped a kangaroo, even without a crash occurring).

Without RPT, aerodrome inspections would be required twice weekly (minimum) as opposed to daily. Weather conditions and other contingent / unforeseen circumstances may necessitate additional inspections in any case. It is expected that reductions in inspectorial obligations would see a reduction of \$20,000pa in annual expenditure.

In regard to the future long-term options for Kempsey Airport, Council is forewarned that any activities which would be undertaken as part of "scaling down" operations (or assessment of feasibility of same) have met with vigorous opposition from local industry stakeholders.

Any change of use or ownership of the site would require federal Government approval which, under historical terms of transfer, would not be unreasonably withheld.

Consolidations to three 40ha lots for sale could be done now under the existing zoning but a rural subdivision to 1 ha lots (say) would require

rezoning and would not be justified in the short, 5-10 years, planning horizon in view of the current and foreseeable availability of rural residential land.

Further detailed investigations and consultations are required to assess the viability of any or all options. Following the completion of investigations, it would be appropriate that a committee representative of council, its departments, aviation industry stakeholders and the wider community be formed to recommend a preferred option to council in relation to the provision of aviation and air industry services in the shire and future utilisation of the airport site.

Directors Comment:

It should now be accepted by Council, and the community, that the Kempsey Airport will not be able to sustain an economical RPT air service. In the short-term Airport operations will be reviewed to reduce wherever possible Council's expenditure, and in the longer-term a strategic review of the need for airport services will be undertaken.

Report Implications:

The withdrawal of RPT services will see a reduction in Passenger Landing Fees of \$13,000pa and reduced expenditure of approximately \$20,000pa on operational expenses.

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

Director Business Enterprises Recommendation:

1. That, in view of the demise of regular public transport services at Kempsey Airport, an airport business / management plan be prepared which includes feasibility statements, costs and projected returns for various strategic options as currently identified and as developed during the process.
2. That the draft plan be submitted to the May meeting of Council at which time Council consider the potential formation of a committee to review the plan, carry out requisite stakeholder consultations in respect of options and recommend a preferred option to the July meeting of Council.

2004. 176

RESOLVED:

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

1. That, in view of the demise of regular public transport services at Kempsey Airport, an airport business / management plan be prepared which includes feasibility statements, costs and projected returns for various strategic options as currently identified and as developed during the process and the cost options be presented to the Extraordinary Council Meeting 23rd March 2004.
2. That the draft business / management plan be submitted to the May meeting of Council at which time Council consider the

potential formation of a committee to review the plan, carry out requisite stakeholder consultations in respect of options and recommend a preferred option to the July meeting of Council.

DBE3

SWIMMING POOLS

FILE: R3-2 GTS COPY: APC

{Folio No. 271034}

SUMMARY:

Reporting on the requisite risk reduction works and plans for the Council's shire swimming pools.



Council resolved at 13th January 2004 meeting of Council to undertake a programme to rectify the identified risk reduction works at the Kempsey pool at a cost of \$120,000 and a provision of \$50,000 was made for the village pools pending more detailed assessments at those sites.

High priority works required at the village pools have now been assessed at \$133,400. Details of works programmes for each of the pools are attached at [\(Appendix B\)](#). This assessment is consistent with previous bulk determinations where it was found that the 3 village pools sites / operations (in total) roughly equate in order of magnitude to the Kempsey pool site / operation.

In summary the requisite expenditures on high priority works are set out below;

	<u>Amount</u>
<i>Kempsey</i>	\$ 146,200
<i>SW Rocks</i>	\$ 59,600
<i>Crescent Hd</i>	\$ 34,900
<i>Gladstone</i>	\$ 38,900
<i>Village Pools</i>	<u>\$ 133,400</u>
TOTAL	<u>\$ 279,600</u>

\$170,000 of this amount has been accounted for in terms of reallocation of existing 2003/2004 budget items and provisions (\$40,000), Section 94 contributions (\$40,000) and provisions to be made in the 2004/2005 budget (\$90,000).

The remaining 110,000 (including an additional \$10,000 for underground infrastructure investigations and testing at the Kempsey pool as mentioned below) could be funded in the following way;

2003/04 Budget – Savings on M&R	\$ 10,000
2004/05 Budget Provision	\$100,000

Longer term, medium priority works have been assessed as follows;

<i>Kempsey</i>	\$ 52,500
<i>South West Rocks</i>	\$ 6,700
<i>Crescent Head</i>	\$ 33,000
<i>Gladstone</i>	\$ 38,200
<i>Village Pools</i>	\$ 77,900

Embellishments ("wish list") works which would be undertaken to bring the pools up to a standard consistent with well-appointed, current-day standards are;

<i>Kempsey</i>	\$ 250,000 (assumed)
<i>South West Rocks</i>	\$ 144,500
<i>Crescent Head</i>	\$ 117,000
<i>Gladstone</i>	\$ 61,500
<i>Village Pools</i>	\$ 323,000

The risk assessments carried out to date relate to above ground infrastructure.

Below ground infrastructure will require specialist investigations to determine the extent of dilapidation and the extent of requisite remedial measures. It is thought that the issue is mainly relevant to the Kempsey complex in view of the amount of below-ground maintenance required each year and the shifting foundation materials located in a floodway. The investigations can only be carried out at the end of the year when the pools are emptied and the premises unoccupied. Techniques which may be utilised include smoke testing, pressure testing, dye testing, ultrasonics, camera work, pot-holing and groundwater testing.

The cost of the investigations works will be approximately \$10,000 and it has been found that the cost of consequent remedial measures associated with complexes of age and condition as the Kempsey Pool generally run up to the \$100,000 mark.

Council resolved at the 12 February Council Meeting to form an advisory committee to review the draft business / management plan and consultation process and make a recommendation to the April meeting of Council in relation to the future provision of public bathing facilities.

The significant amount of risk reduction works and potential upgrade works will be duly considered by the committee in its review activities.

Director Business Enterprises Recommendation:

- 1. That an additional provision of \$100,000 be included in the 2004/2005 budget for high priority works at the village pools.**
- 2. That \$10,000 be re-allocated from 2003/2004 savings on Pools operation and expenditure for underground infrastructure investigations and testing at the Kempsey Pool complex.**
- 3. That Council nominate 2 councillors for membership of the community committee.**

MOVED:

Moved: Cl. Joukhadar

1. That an additional provision of \$100,000 be included in the 2004/2005 budget for high priority works at the village pools.
2. That \$10,000 be re-allocated from 2003/2004 savings on Pools operation and expenditure for underground infrastructure investigations and testing at the Kempsey Pool complex.
3. That Council nominate 2 councillors for membership of the community committee.
4. That the committee consider options on operating the 4 pools in a similar manner to the caravan parks and investigate the cost savings.

That the two Councillors nominated to be on the community committee be Councillor Bowell and Councillor Hunt.

DBE4	CRESCENT HEAD SWIMMING POOL
FILE: R3-3 WJL COPY: APC	{Folio No. 271035}

SUMMARY:

Reporting on the construction of a multipurpose room at the Crescent Head swimming pool.



In August 2003, a proposal was put forward to extend and enclose part of the undercover area at the Crescent Head swimming pool complex.

The project includes the construction of a first aid room, storage rooms, change rooms, and in the long-term could provide for shower and toilet facilities. The area of the roof extension is approximately 3.5m x 7.1m, to give a total enclosed area of 6.5m x 7.1m.

The present undercover area is exposed to most prevailing winds and often to rain, creating a lack of protection and comfort to patrons.

Two (2) local builders were approached to provide a quote to complete the works, these quotes were:

- **S&P Tamblyn \$10,839.15**
- **J Lewis \$11,220.00**

S&P Tamblyn would be the preferred contactor. Some additional funds will be required for filling and compaction of slab and minor electrical works.

The proposed funding arrangements are as follows:

- \$ 3,070 Revote of funds (Replace/extend kiosk floor)
- \$ 2,700 Revote of funds (Rubber expansion joint of 25m pool)

- \$ 1,893 Savings on M&R
 - \$ 4,337 Crescent Head Swimming Club Contribution
Original estimate \$3,600)
- \$12,000 Total Funds available**

A recent OH&S audit of village pools indicated that Crescent Head pool lacked any provision for a suitable amenities area and first aid facilities, which is against Royal Life Saving Society Australia "Guidelines for Safe Pool Operations". The construction of the multipurpose room will address this issue and result in a safer and more comfortable site for patrons.

Council has also received a letter from the Crescent Head Swimming Club to advising that \$4337.18 will be contributed to the multi purpose room and that the donation is subject to the understanding that the club will make no claim of future ownership or use of the room or part thereof.

Directors Comment:

The proposal is an example of the community joining with Council to provide a worthwhile improvement to a community facility.

Report Implications:

The reallocation of existing funds will have no effect on the overall existing budget for Crescent Head swimming pool, nor its currently planned works or maintenance programme.

2004. 177

RESOLVED:

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

1. That Council proceed with the proposed construction of a multi purpose room at the entrance to the Crescent Head swimming pool.
2. That Council reallocate the funds revoted for "Replace/extend kiosk floor - \$3,070" and " Rubber expansion joint - \$2,700" to the cost of construction of the proposed multi purpose room.
3. That Council recognise the Crescent Head Swimming Pool Club's donation in the media and issues an appropriate letter of thanks.

DBE5	FLEET MANAGEMENT	
	FILE: P6-2 MSW (NRN)	{Folio No. 271036}

SUMMARY:

Reporting on Fleet purchases/sales during the month of February 2004.



The following plant was **Purchased**.

	Purchase Price

	New Vehicle	(excl. GST) \$
V2110	Toyota Commuter Bus (KAP)	38,101

The following plant was **Sold.**

Plant No.	Vehicle	Sale Price Realised at Auction (GST Inc) \$
V1343	Jet Patcher	6,000

Directors Comment:

Report noted.

Report Implications:

All costs are covered by approved Budget allocations.

There are no Policy or Statutory implications.

2004. 178

RESOLVED:

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

That the information be noted.

DBE6	QUESTIONS WITHOUT NOTICE	{Folio No. 271037}
	FILE: C18-28 JC (NRN)	

SUMMARY:

Reporting on Questions Without Notice from the Council meetings of the 12th February 2004.



Responses to Councillors Questions Without Notice are listed for information.

Meeting of 12th February 2004

Councillor Bowell

File:

(Folio No.)

That the Director Business Enterprise had received reports on passenger numbers on the MacAir service showing 120 to 150 passengers per month and the Director would seek a copy of the letter sent from the Kempsey Chamber of Commerce to MacAir and provide a copy to Councillors.

Copy of Chamber of Commerce letter sent to Councillors.

2004. 179

RESOLVED:

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

That the information be noted.

DBE7

WORKS IN PROGRESS

FILE: W1-2 DWS (NRN)

{Folio No. 271039}

SUMMARY:

Reporting on Works in Progress.



WATER SUPPLY

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

Works Completed for last 4 weeks

1. Meter Replacement Program, South Area - complete for 2003/04.
2. Construction of Sutherlands Lane water main – complete.
3. Watermain adjustment for Mary's Bay Road roadworks – Stage 1 completed, Stage 2 continuing
4. Smithtown Road, Smithtown – stop valve replacement and main lowering – complete.

Works Proposed for next 4 weeks

1. Install Meters on all bore pumps – continuing.
2. Invite Tenders for South West Rocks Water Treatment Plant.
3. Monitoring and testing of dam continuing.
4. Meter Replacement Program continuing in North area.

5. Bulk water meter installation Potters Hill Reservoir.
6. Macleay Street, Frederickton – 0.3km new main stage 1 RTA roadworks continuing.
7. Two Hills Lane, Seven Oaks – 1.6km new water main continuing.

MONTHLY WATER CONSUMPTION

	February 2004 Kilolitres
<u>Kempsey Dam</u>	229,297
<u>Belgrave Falls</u>	0
<i>Bellbrook</i>	771
<i>Crescent Head</i>	17,931
<i>Hat Head</i>	10,051
<i>Sherwood – Lime Plant</i>	750
<i>South West Rocks</i>	54,110
<i>Stuarts Point</i>	19,118
<i>Willawarrin</i>	951
Total Consumption	332,979

Kilolitres to Financial Year to Date: 1,939,789kl

Applications for connection in February – 28

SEWERAGE

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

Works Completed for last 4 weeks

1. Continuing construction of new inlet works at South West Rocks Sewerage Treatment Plant – Precision Pipelines – complete.
2. Install new fence around R4 pump station near Brighton Park - complete.
3. Infiltration studies East and South Kempsey – complete.
4. Sewer main rehab Carrington Street – complete.

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. South West Rocks storage shed contract let to commence early March.
5. Fence repairs, sewer installations and pump stations continuing.
6. De sludge lagoon at South West Rocks Sewerage Treatment Plant on hold.
7. De sludge lagoon at Crescent Head Sewerage Treatment Plant – continuing.
8. Manhole repair/renewal program, South West Rocks R1 catchment – continuing.
9. RTA Stage 1 – Sewer adjustments Macleay Street, Frederickton - continuing.
10. Sewer main rehab Polwood Street – continuing.
11. Infiltration repairs East and South Kempsey commenced.

A. SALEYARDS

Works Completed during last 4 weeks

1. Normal maintenance and operation.
2. Tenders for Kiosk operation – completed.
3. Installation of skylights in roof – completed.
4. Develop 2003/04 Capital Works Program.

Works proposed for next 4 weeks

1. Normal maintenance and operation.
2. Develop Risk Management Manuals.
3. Seek expressions of interest in sponsorship.
4. Commence Environmental Protection Works (upgrade effluent treatment).

AIRPORT

Works Completed during last 4 weeks

1. Normal maintenance and operation.
2. Slashing and mowing of site.
3. Mowing and gardening of terminal grounds.

Works proposed for next 4 weeks

1. Reduced maintenance and operation related to Macair withdrawal.
2. Audit of additional maintenance requirements.

CARAVAN PARKS

Crescent Head

Works Completed during last 4 weeks

1. Compile Standardised Contract Documents for use by organisation.
2. Create Standardised Project Safety Plan to be used by organisation.
3. Accept Tender C15-657 & perform Service Provider Pre Start process.
4. Compile and draft Committee Meeting reports.
5. Training: OH&S for Caravan Park Operators.
6. Caravan Park Management Plan Community Meetings.
7. Re-establish site for works after Christmas Holidays.

Works proposed for next 4 weeks

Crescent Head

1. Engage Hydraulics Works Service Provider.
2. Commence Hydraulics, Electrical and Civil Works for Stage 2.
3. Landscaping of main bank.
4. Call for quotes and engage Cabin supplier.
5. Scope and Commission Landscape Design Works

Other Parks

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

WASTE SERVICES

Works Completed during last 4 weeks

1. Normal operation and maintenance.
2. Continued grading of landfill roads.
3. Formation of alternative site roads to new cell.

4. Phase 2 capping of KWR&DF begun.
5. Landfill cell construction 20% completed.
6. Improved drainage and diversion of stormwater systems.
7. Clearing of area for Stage 3 cell construction.
8. Stabilisation of dams (vegetation).

Works proposed for next 4 weeks

1. Sealing of roads at Waste Transfer Station Facility.
2. Installation of Signage at Transfer Station.
3. Continue with construction of new landfill cell at KWR&DF.
4. Installation of Waste Oil Facility.
5. Relocation of Recyclable stockpiles.
6. Planting of vegetation at Stage 1 Capping area.

DEPOT

Works completed during last 4 weeks

1. Installation of speed humps on main access road.

Work proposed for next 4 weeks

1. Construction of parks and gardens hardstand and completion of wash-bay hardstand.
2. Request quotes for contractor to install undercover parking.
3. Construct new compound.
4. Construct pedestrian pathway.

BATHS

Works completed during last 4 weeks

1. Normal operation.
2. Continued implementation of OH&S upgrades.
3. Job Safety Analysis reports for pools completed.
4. DA for Kempsey Pool Backwash System sought.
5. Automated Pump and Line investigations conducted

Work proposed for next 4 weeks

1. Kempsey Pool Site upgrade works.
2. Seek quotes for backwash system at village pools.
3. Upgrade of automated dosing and pipework required.

Director's Comment:

Nil.

Report Implications:

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

2004. 180

RESOLVED:

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

That the information be noted.

DIRECTOR BUSINESS ENTERPRISES SUPPLEMENTARY REPORT

DBE8	ECONOMIC DEVELOPMENT – PROGRESS REPORT FILE: I2-2 GBS
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SUMMARY:

Reporting on progress of projects adopted by Macleay Development and Promotion for 2003/04.



The attached report at [\(Appendix C\)](#) covers progress of the major projects which have been allocated funding in the 2003/04 Budget.

Progress on some projects has been slower than anticipated as a consequence of the changeover in the Economic Development Manager's position. Staff are currently working on a number of projects and the majority will be actioned by the end of this financial year.

The feasibility study for the Agribusiness Park has been considered by both Council and MDAP, and it is proposed to continue investigations with a view to making submissions for Federal and State Grant funding.

As the original project Budget was for the feasibility study only it will be necessary to allocate further funding to allow the project to move on to the next stage.

The MDAP Committee recommends that Council re-allocate the funding originally provided for the Agricultural Options Study (\$13,500) to the Agribusiness Park Project to enable a suitably qualified consultant to carry out tasks relating to the following matters:

- a) site selection (incl. consultation with landowners and primary tenants),
- b) shareholder agreement – Company formations, and
- c) grant funding.

Directors Comment:

As per report.

Financial Implications:

The projects are running within Budget. Council's approval to reallocate \$13,500 from Agricultural Options Study to the Agribusiness Park project is sought. The Agricultural Options Study will be resubmitted for funding in 2004/05.

Report Implications:

There are no policy or statutory implications.

2004. 181

RESOLVED:

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

1. That the progress of economic development projects be noted.
2. That Council approve of the re-allocation of \$13,500 from the Agricultural Options Study to the Agribusiness Park project.

GENERAL MANAGER'S REPORT

GM1	OUTSTANDING REPORTS / RESOLUTIONS
FILE: C18-2 AVB (NRN)	{Folio No. 271040}

SUMMARY:

Council's report on outstanding reports / resolutions.



Following is listed each Director's outstanding reports / resolutions up to and including 12th February 2004 meeting of Council.

OUTSTANDING REPORTS / RESOLUTIONS

Director Environmental Services

9.12.2003 DES4	That Environmental Services Department report on provision in 2004/05 budget to complete bushfire zoning mapping	The draft maps have now been completed and are with the RFS.
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Director Engineering

13.5.2003 DE2	Bridge Naming	Draft policy being reviewed.
9.9.03 DE1	Point Plomer Rd - report costs to upgrade sections of road - not proceed with works until consultants reports & public consultations completed - consider Sacred Indigenous Cultural and Heritage issues	Progressing.
14.10.2003 DE9	That suitable flood free land be identified to house the Gladstone SES Unit.	Land being reviewed.
6.11.2003 DE1	Sports field improvements funding - Section 94 funds be allocated - report be submitted on budgeted \$240,000 & additional \$80,000 be prepared Boyter's Lane works program.	Plans and details being compiled.
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 NOM5	Street lighting Middleton Street Railway Overpass – report be submitted re costs and be included in 2004/05 budget if necessary	Options being reviewed and quote sought from Country Energy.
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.

Director Corporate & Community Services

13.1.2004 DE7	NSW Coastline Cycleway – investigate alternative means of funding – if none can be found Council not continue with program	Investigations still proceeding.
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Director Business Enterprise

13.1.2004 DBE8 (SUPP.)	Agribusiness Park – application federal grant \$635,000 – support establishment – apply for grant funding provide financial	Project considered at MDAP meeting of 23 rd February 2004. Committee supports subject to finding suitable land. Council concurrence sought to re-allocate funding to engage
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	support by way of loans re provision of infrastructure	consultant to pursue grant application.
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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.	Progressing with submissions 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.
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Financial Implication

There are no financial implications arising from this report.

2004. 182

RESOLVED:

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

That the information be noted.



ABORIGINAL LIAISON COMMITTEE

FILE: A1-2

DJM (NRN)

{FOLIO NO. 271041}

REPORT OF THE ABORIGINAL LIAISON COMMITTEE MEETING, HELD 18TH FEBRUARY 2004 IN THE MACLEAY VALLEY COMMUNITY CENTRE MEETING ROOM COMENCING AT 3:00 PM.

2004. 183

RESOLVED:

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

That the report of the Aboriginal Liaison Committee Meeting held 18th February 2004 be adopted.



CARAVAN PARK COMMITTEE

FILE: C1-2

GBS (NRN)

{Folio No. 271042}

REPORT OF THE MEETING OF THE CARAVAN PARK COMMITTEE HELD IN THE COMMITTEE ROOM, CIVIC CENTRE, ELBOW STREET, WEST KEMPSEY, COMMENCING AT 12.30PM ON WEDNESDAY, 18TH FEBRUARY, 2004, AND 2.00PM, WEDNESDAY, 25TH FEBRUARY 2004.

2004. 184

RESOLVED:

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

That the report of the Local Traffic Committee Meeting held 25th February 2004 be adopted.



QUESTIONS WITHOUT NOTICE

Councillor **Bowell**

Councillor **Bowell** was advised:-

1. That the Director Corporate and Community Services would investigate the sealing of the access road to Kinki Cemetery.
2. That the Director Engineering would investigate the maintenance grading of Saleyards Road.
3. That the Engineering would investigate the cost of replacing pole capping at South West Rocks Wharf.
4. That the Deputy Mayor advised the current status of the Women in Local Government Committee is to be referred to the Chairman of the Committee.
5. The matter of the stormwater drainage in Hillview Drive in view of provisions of S94 of the Roads Act 1993 will be reviewed by the incoming Council.

Councillor **Bowen**

Councillor **Bowen** was advised:-

1. That the General Manager would investigate the matter of recruitment of new staff from the local employment agencies.
2. That the General Manager would provide a report on the current telephone system.
3. That the Director of Engineering would conduct risk assessments of structures on Council's road reserves.

Councillor **Hunt**

Councillor **Hunt** was advised:-

1. By the Director Engineering that the drainage work at Colin Tait Avenue had been completed but the rezoning of the land needs to be carried out before the turning circle can be put into place.

Councillor **Parkinson**

Councillor **Parkinson** complimented Council's telephone operators, he said he had not encountered any problems and he found them always courteous and efficient.

Councillor Parkinson was advised:-

1. That the General Manager would investigate if the beach was closed at the time of the drowning of the young boy at Main Beach South West Rocks at the end of last month.
2. That the Acting Director Environmental Services would investigate the lodgement of development application for 25th celebrations Torumbee Pastoral Co.

Councillor Sowter

Councillor Sowter was advised:-

1. That the Director Corporate and Community Services would investigate the incidents of broken windows in buildings at Smithtown Football grounds.
2. That the Director Engineering would investigate the current situation with the riverbank at Gladstone and advise Mr Morley of the Gladstone Tidy Towns Committee.

Councillor Sproule

Councillor Sproule was advised:-

1. That the Director Engineering would investigate the possibility of Parks & Gardens staff being included in CPTED training (in house).
2. That the Director Business Enterprise report to Council in order to ensure cost neutrality on options available to waive the access fee on the fire hose at St Paul's College and possibly all schools in this shire.
3. The Director Engineering advised that work would commence on the baby care facility in the mall after Easter.
4. The Director Engineering advised that the location and construction of the truck stop at Kundabung was referred to the Local Traffic Committee by Councillor Bowell and not the RTA.



MOTION FOR COMMITTEE

2004. 188

RESOLVED:

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

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



GENERAL MANAGER'S CONFIDENTIAL REPORT

GM1	LEGAL MATTERS			
	FILE: L3-1	AVB	(NRN)	{Folio No. 271044}

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. 189

RECOMMENDED:

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

That the information be noted.



REPORT OF THE MEETING OF THE COMMITTEE OF THE WHOLE

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



ADOPTION OF REPORT OF THE COMMITTEE OF THE WHOLE

2004. 190

RESOLVED:

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

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



The Mayor officially and personally thanked staff, Councillors and Directors for their efforts and input over the last 4 years.

CONCLUSION:

There being no further business, the Meeting terminated at 5.22 p.m.

