



MINUTES OF THE ORDINARY MEETING OF KEMPSEY SHIRE COUNCIL

Tuesday 9th April 2002 commencing at 9.05am.

PRESENT:

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

General Manager, A V Burgess; Director Engineering, K J Finnie; Director Environmental Services, B W Casselden; Acting Director Corporate and Community Services, A P Curtin; Director Business Enterprises, G B Snape, Pat Hanrahan and Melanie Sutherland.



APOLOGY:

2002. 228

RESOLVED:

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

That the apologies submitted by Councillor N Joukhadar and Councillor P J Mainey for non attendance at the meeting be accepted and leave of absence granted.



MINUTES OF THE ORDINARY MEETING OF KEMPSEY SHIRE COUNCIL DATED 12TH MARCH 2002.

2002. 229

RESOLVED:

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

That the Minutes of the Ordinary Meeting of Kempsey Shire Council dated 12th March 2002, be adopted.



At this stage the meeting observed one minutes silence in memory of the Queen Mother.



THIS IS PAGE 1 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

PUBLIC FORUM

- 1 Mr Jamie Wheeler, an objector, addressed Council regarding the proposed honey extraction plant at John Lane Road. Report DES 4 Home Activity – Yarravel.



CONSIDERATION OF LATE REPORTS

2002. 230

RESOLVED:

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

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



CONSIDERATION OF REPORTS RELATING TO PUBLIC FORUM – Report DES 4

DES 4	HOME ACTIVITY – YARRAVEL	
	FILE LA 19571 RBP	{Folio No. 232264}

This matter was deferred to later in the meeting following the Morning Tea Adjournment to allow for receipt of further information from the Director Environmental Services.



ADOPTION OF AGENDA ORDER OF BUSINESS

2002. 231

RESOLVED:

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

That item M 2 - Mid North Coast Group of Councils be deferred to after the presentation by Mr Graham Cooper at 12.40pm.

2002. 232

RESOLVED:

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

That DES 1 Confidential Item – Macleay Floodplain Project be dealt with prior to the Luncheon adjournment.

THIS IS PAGE 2 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

RESOLVED:

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

That the remaining Agenda Order of Business be adopted.



MAYORAL MINUTE

M1 COMMUNITY CONSULTATIONS
FILE: C18-25 Councillor Hayes {Folio No. 232252}

SUMMARY:

Reporting on the success of the 2002 Community Consultation Meetings.



My thanks to the Councillors and staff who were involved in the nine (9) consultations throughout the Shire.

Thursday March 28 marked the end of these community consultations for 2002. In my view the consultations were not particularly productive and were costly and exhausting.

I would therefore propose that we attempt to find another method of consulting with the residents, given that there will never be a perfect solution.

Financial Implications

There are no financial implications arising from this report.

Mayoral Recommendation:

That the General Manager investigate alternative methods of consultation with the ratepayers.

MOVED:

*Moved: Cl. Howell
Seconded: Cl. Parkinson*

That General Manager re-evaluate current consultative processes with ratepayers.

An Amendment was MOVED:

*Moved: Cl. Hunt
Seconded: Cl. Parkinson*

That the General Manager re-evaluate current consultative processes with ratepayers and investigate alternative methods of consultation.

.....
MAYOR

2002.234 The AMENDMENT was PUT to the MEETING and was CARRIED, became the MOTION and was CARRIED.

2002. 235 RESOLVED:

*Moved: Cl. Howell
Seconded: Cl. Parkinson*

That Council not proceed with the proposed rate levy application.

M 2	MID NORTH COAST GROUP OF COUNCILS
	FILE: R 5-2 Councillor Hayes, Copy JCC
	{Folio No. 232253}

This matter was dealt with later in the meeting following a presentation by Mr Graham Cooper prior to the Luncheon adjournment.



MAYORAL SUPPLEMENTARY MINUTE

M1	MAYORAL ENGAGEMENTS FOR MARCH/APRIL
	FILE: C18-25 Councillor Hayes (NRN)
	{Folio No. 232523}

SUMMARY:

Reporting on the Mayors engagements since Councils meeting on the 12th March 2002.



Tuesday 12th March

- Ordinary meeting of Council

Wednesday 13th March

- Meeting with ratepayer
- Addressed the ACC with the General Manager
- Meeting regarding the proposed adjustments to the LEP – Council Chambers

Thursday 14th March

- Meeting with ratepayer from Stuarts Point
- Community Consultation meeting at Crescent Head

Friday 15th March

- Mid North Coast Group of Councils' meeting

Monday 18th March

- Meeting with Tony Kelly in Sydney

THIS IS PAGE 4 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

Wednesday 20th

- Meeting with John Aquilina's Chief of Staff

Thursday 21st March

- Seniors luncheon at the RSL club.

Tuesday 26th March

- Meeting with Guri Wa Nundagar

Thursday 28th March

- Community Consultation Meeting at Kundabung

Tuesday 2nd April

- Meeting with ratepayer
- Community Safety Council meeting

Wednesday 3rd April

- Meeting with The Hon. Ian Sinclair

Friday 5th April

- Meeting with Barry Jamieson, Administrator for Guri Wa

Monday 8th April

- Budget Committee Meeting in the Council Chambers

As well as day to day requirements of the position including liaising with media and individuals from the community.

Financial Implication

There are no financial implications arising out of this report.

2002. 235a

RESOLVED:

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

That the information be noted.



NOTICE OF MOTION

File: C18-22 AVB (NRN)

{Folio No. 232255}

2002. 236

RESOLVED:

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

That the General Manager report to Council on 14 May 2002 on proposals to address (a) community perceptions related to "CUSTOMER SERVICE" within the recent Customer Satisfaction Survey and (b)

THIS IS PAGE 5 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

Resolution 3 General Managers Supplementary Report Council 12 March 2002.

‘To publicise the results of the survey and highlight what Council intends to do with those results so that people will realise the completion of these customer satisfaction surveys is a worthwhile task and more people will complete the surveys in the future.’



RESCISSION MOTION

File LA944 KJF {Folio No. 232256}

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

That resolution number 2002:225 from the meeting of 12th March 2002 as printed below be rescinded:-

That the Director Engineering be authorised to enter into the negotiations for acquisition of a property in West Kempsey.

The MOTION was PUT to the MEETING and was LOST.



DELEGATE’S REPORT

D 1	REPRESENTING THE MAYOR
FILE: C18-25	CLR J H BOWELL {Folio No. 232259}

SUMMARY:

Reporting on attendance at the opening of Mitre 10 Hardware and Trade Centre.



On Thursday 21 March 2002 the Centre was opened at a site in Smith Street Kempsey and approximately 200 people including representatives of Mitre 10 Head Management were in attendance. I was invited to speak on behalf of the Mayor Clr. Janet Hayes and I congratulated the owners David and Helen Parker and the operators Joycelyn and Jayson Shelley on their faith in the economic future of Kempsey Shire.

During the official proceedings the late Mr Peter Shelley was remembered for his participation in the planning of the proposal.

.....
MAYOR

Mr Parker gave credit to Council for its support with rezoning the land and the approval of the application and praised the support given by David Wilkie Councils Development Control Officer.

The Centre which occupies 2200m² provides an extensive range of hardware items and timber products. A garden centre is provided with a range of plants and statues.

The businesses in Eden Street Kempsey and South West Rocks will continue to operate with a total of 31 employees on the payroll.

Financial Implications

There are no financial implications arising from this report.

2002. 237

RESOLVED:

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

That the information be noted.



DIRECTOR ENVIRONMENTAL SERVICES REPORT

DES 1	MID NORTH COAST CATCHMENT AND MANAGEMENT BOARD	{Folio No. 232257}
	FILE R7-1 BWC	

SUMMARY:

Reporting that a revised Mid North Coast Draft Catchment Blueprint has been released.



Councillors will recall that at its meeting on 13th November 2001, in respect to a Draft Catchment Blueprint, it was resolved –

- 1 That Council not give any in-principle endorsement to the Blueprint until there is a broader Community Consultation and the issues raised in this report are addressed.*
- 2 That Council notify the LGSA of Council's concerns by providing a copy of the report to the LGSA and ask that the LGSA make representations on behalf of all NSW Councils to the relevant agencies and Ministers.*

A revised Draft Blueprint was released in February 2002 and a very well attended public meeting to discuss the Draft Blueprint was held in Kempsey on 27th February 2002.

Unfortunately, particularly from the Catchment Management Board's perspective, the document had been called in by the Minister prior to the meeting and no doubt that action led to questioning of the Board's integrity. This is explained in a letter by the Chairperson by letter dated 18th March 2002. [\(Appendix 'A'\)](#)

The public meeting also expressed concern regarding the voluntary nature of the document, particularly in respect to likely fencing of riparian areas. This is particularly related to priorities 13 and 14, 17 and 18, which indicates assistance to landowners to establish adequate native riparian vegetation. The concern appears to be that "assist" may change to "require". Thus making a voluntary action a direction.

A copy of the revised Draft priorities is attached at [\(Appendix "B"\)](#). A plain English document is being produced by the Board and it is anticipated that it will be available for distribution with the Business Paper.

Unfortunately, many of the priorities and actions are different to the previous document and it is difficult to relate the February document to the draft discussed in November 2001.

In regard to Council's previous submission, the Board has provided a response, that is attached at [\(Appendix "C"\)](#).

A further letter, from the Chairperson (4.3.02) mainly related to Council's submission regarding a Plan of Management for the Macleay River is attached at [\(Appendix "D"\)](#)

As Council is aware, the Mid North Coast Blueprint in part of a Statewide process, the Blueprints are intended to guide natural resource management for the next 10 years. It would also be expected that the Blueprints will be the basis of maximizing investment in NSW.

The documents are to be endorsed by the State Government and no doubt will be used to guide the actions of government, agencies and local Government and set priorities for the investment of funds (including grants) into natural resource management.

Council's initial concern regarding broader Community Consultation and addressing issues raised in the September 2001 document have been acknowledged by the Board. Unfortunately as stated previously the consultation was after the Minister had called in the revised document. However submissions on the revised document can be made to the Minister by 30th April 2002.

The Board has acknowledged Council's specific concern regarding a Plan of Management for the Macleay River. The Board has agreed to look in more

THIS IS PAGE 8 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

detail about estuary planning activities when revising the document. However a Plan of Management needs to go beyond the coastal/estuary limits of the river.

The Targets of the Draft Blueprint have also changed slightly.

September 2001		February 2002	
1	90% of land used according to its social, economic and environmental capability by 2021.	1	By 2012 processes in place, within an integrated planning framework, to protect agricultural land, natural and cultural heritage, manage priority rural lands for sustainable production and biodiversity, and rehabilitate pollution and erosion hotspots.
2	By 2016 improve specific site indicators of water quality by at least 10% in targeted sub-catchments.	2	By 2012 water quality in priority subcatchments improved through at least a 10% increase in site-specific water quality indicators.
3	Remediate identified degraded acid sulfate soil areas by 2011 and prevent degradation in non-degraded areas across the Board area.	3	By 2012 identified degraded acid sulfate soil (ASS) areas remediated and degradation in non-degraded areas prevented.
4	By 2016 increase native vegetation cover across the Board area by 5% to enhance catchment protection whilst maintaining the agricultural and commercial potential of each Landscape.	4	By 2012 native vegetation cover across the Tablelands, Escarpments and Ranges and Coastal Hills Landscapes, and Coastal Macleay subcatchment, increased by 30,000 hectares to enhance catchment protection while maintaining productive potential.
5	By 2011 at least 80% of the area of targeted high conservation value ecosystems outside the reserve system protected, linked to other high conservation value ecosystems, and actively managed for biodiversity values across the Board area.	5	By 2012, through voluntary participation, at least 50% of the area of priority high conservation value ecosystems on private land managed for biodiversity values and linked to other high conservation value ecosystems.

THIS IS PAGE 9 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

As stated in the previous report to Council, and which Council has acknowledged the targets are generally worthy of support on the basis of sustainability and strategic planning. However there are still issues that Council should draw to the attention of the Minister, namely:-

- 1 The need to commence a Plan of Management for the whole Macleay River System, such a plan would more than likely include many of the issues seen as priorities within the Draft Blueprint.
- 2 The need to include a high priority in respect to completion of studies in respect to bed loading (shingle) and gravel extraction, even though it is seen as a responsibility of DLWC.
- 3 The concern of residents as to the "voluntary" status of various priorities being changed over time to compulsory. Some form of undertaking should be given to allay that genuinely held fear.
- 4 Social and economic studies should be undertaken and completed before priorities are implemented.
- 5 The concern of Council that the priorities given in the Draft Document may not reflect the same priority as that given by Council. There needs to be some mechanism whereby Councils and other organisations are not disadvantaged, in obtaining government funding purely on the basis that the program is not within or given a high priority by the Catchment Blueprint. There is a need to ensure a review and/or discussion can occur should such a situation arise.
- 6 Priority 61, relating to the special character of small towns should be deleted, as it is not related to Catchment issues.

Director Environmental Services Recommendation:

That the Minister for Land and Water Conservation be advised of the issues 1 to 6 above.

2002. 238

RESOLVED:

*Moved: Cl. Howell
Seconded: Cl. Parkinson*

That the Director of Environmental Services recommendation be adopted subject to :-

- A That the Minister be asked to reconsider the blueprint document and to allow further community consultation process in this issue; and**
- B The Director Environmental Services Recommendation be subject to amendments of issues 1 and 3 to read as follows:**
 - 1 The need to commence a Plan of management for the whole Macleay River System, such a plan should include**

THIS IS PAGE 10 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

many of the issues seen as priorities within the draft Blueprint.

- 3 The concern of residents as to the status of various priorities being changed over time from voluntary to compulsory. Some form of undertaking should be given to allay that genuinely held fear.

C That Council refer its concerns in this matter to the Local Government Association and the Shires Association.

DES 2	CHANGES TO PLANNING AND DEVELOPMENT IN BUSHFIRE PRONE AREAS
FILE F3-2 SNB (NRN)	{Folio No. 232261}

SUMMARY:

Reporting that there have been significant changes recently to how Council must deal with planning and development in bushfire prone areas.



Recently there have been more changes to legislation relating to development in areas that are prone to bushfire attack. On 10th January 2002, a new document entitled "Planning for Bushfire Protection" commenced in New South Wales. This document was developed by the NSW Rural Fire Service in consultation with planningNSW. It provides the necessary planning considerations for residential development where development sites are in close proximity to areas likely to be affected by bushfire events.

The document is applicable to Class 1, 2 and 3 residential development as defined under the Building Code of Australia. It also applies to development under State Environmental Planning Policy No 5 (SEPP5) – Housing for Older People or People with a Disability. In addition, Council may apply the principles to the protection of other developments, such as schools, hospitals, and tourist developments where it is considered appropriate.

The document sets out the matters relating to bushfire planning which need to be considered at various stages of the planning process. This includes the consideration of bushfire issues in the preparation of Local Environmental Plans (LEP's), during subdivision design, as well as the building construction stages.

There is a new State Environmental Planning Policy (SEPP) due to be introduced on 1 July 2002. This SEPP is intended to strengthen the requirements for Councils to consult the Rural Fire Service on development proposals in bushfire prone areas. At this stage there are no other details available on the new SEPP, however, it should be released for consultation and comment two (2) months prior to its introduction.

.....
MAYOR

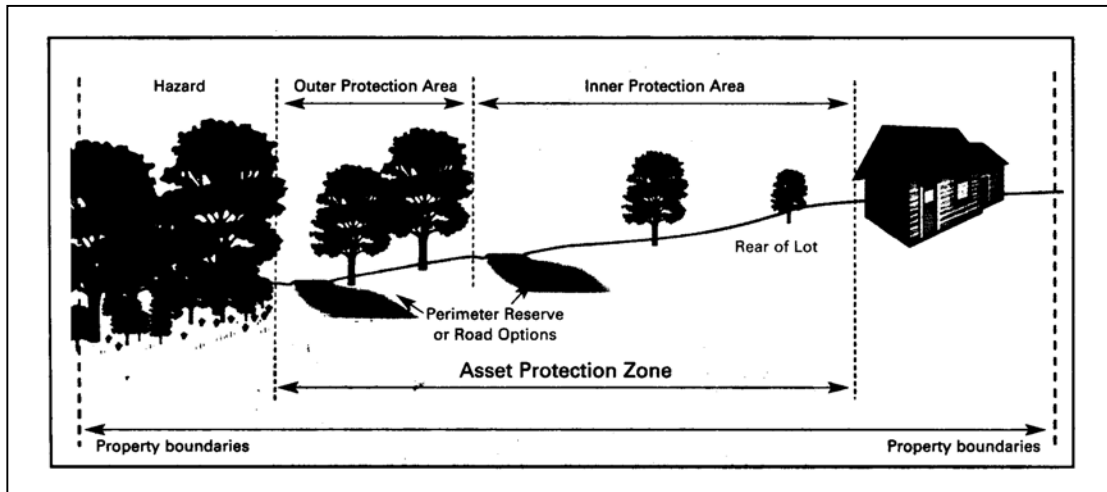
In the meantime, the requirements to consider and apply the principles of "Planning for Bushfire Protection" has been established under Section 79C of the Environmental Planning and Assessment Act 1979, where Council must consider the likely impacts of a development. In 1998, the Department of Urban Affairs and Planning issued a "Guide to Section 79C" which includes a specific reference to bushfire risk and the document "Planning for Bushfire Protection" as a potential matter for consideration under Section 79C(1)(b) – the likely impacts of that development.

The "Planning for Bushfire Protection" document identifies LEP's and DCP's as the best way of strategically achieving bushfire protection objectives. Council areas deemed to have a bushfire risk are required to prepare a Bushfire Risk Management Plan under the provisions of the Rural Fires Act. This requires the production of a bushfire hazard map that shows areas of high, medium, low and no hazard. The bushfire hazard map can be used to designate bushfire prone areas in LEP's. The document also recommends that councils include objectives and criteria in LEP's to ensure that developments are adequately protected from bushfire and that impacts from protection measures do not cause unreasonable environmental damage. Any draft LEP resulting from amendments to LEP's in response to bushfire issues should apply – Appendix 2 of the "Planning for Bushfire Protection" document which sets out the method and procedure for calculating appropriate setbacks.

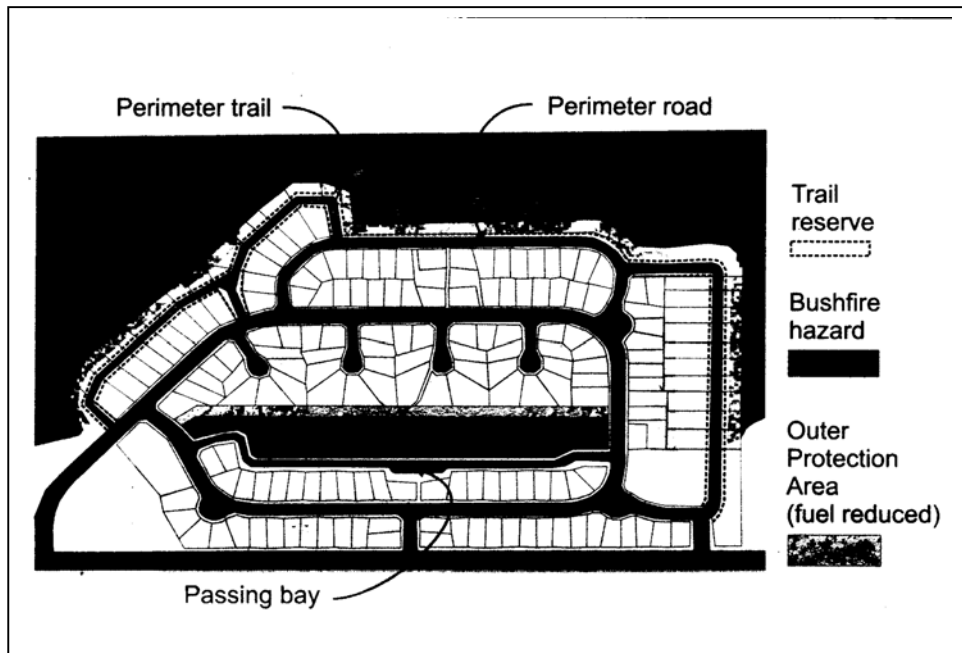
For the development stage the "Planning for Bushfire Protection" document sets out the provisions that should be addressed under Section 79C of the E P & A Act 1979 when a development application is to be determined for residential subdivision and development, rural dwellings, infill development and special protection developments. In each of these types of developments there are a number of provisions that are required. These include:-

1 Asset Protection Zone (APZ)

- This serves to act as a buffer zone between the development and the hazard (forest, woodland etc).
- It comprises an Outer Protection Area (OPA) and an Inner Protection Area (IPA) which should include a perimeter road or reserve (which incorporates an access track).
- The OPA is an area of reduced fuel loads – commonly 8 tonnes per hectare.
- The IPA should have minimal (not necessarily nil) fuel loads.
- The depth of the APZ is variable depending on the level of risk – i.e. vegetation type, the slope and the type of development.



- The perimeter road or fire trail can be situated between the OPA and allotment boundary, or may form part of the IPA (a perimeter road is the preferred option).
- There are specifications for the perimeter road that must be satisfied e.g. minimum width, access to public road, construction standards and so on.



(Appendix 2)

2 Access

- Access includes the perimeter road and the internal road system of an urban subdivision, as well as public roads in rural-residential subdivisions and property access roads.

THIS IS PAGE 13 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

- There are design criteria that must be satisfied which includes widths, all-weather accessibility, curves radius etc.

3 Design and Staging of the Development

- Applies primarily to subdivision design to minimize bushfire risk

4 Siting of Buildings in Bushfire-Prone Areas

- Sets out a number of siting principles such as avoiding ridge tops and steep slopes etc.

5 Infill Development

These are developments in existing developed areas which may present difficulties in achieving the required Asset Protection Zone depths.

6 Isolated Rural Development

Because of their isolation these developments present difficulties such as distances to travel to safety and distances from firefighting assistance. Access and water supply are the main issues.

7 Subdivision Development

In evaluating an application for land subdivision pursuant to Section 79C(1) of the Environmental Planning and Assessment Act 1979, Council is required to consider any natural hazards. Bushfire is such a hazard, which can affect people, property and biophysical environment and was prior to 10th January 2002 assessed using the NSW Government's 1991 Publication "*Planning for Bushfire Protection*".

The release of the new planningNSW document of the same name on 10th January 2002 and proposed introduction of a new State Environmental Planning Policy (SEPP) from the 1st July 2002 will introduce changes from the previous document as listed in the table below:-

2002 Publication	1991 Publication	Impact
Introduction of Bushfire Risk Management Plans using Management Committee (local government area representatives) pursuant to Rural Fires Act 1997.	Not required	<ul style="list-style-type: none"> • Will restrict subdivision potential in bushfire prone areas of the Shire. • Significant increase in development costs related to provision

THIS IS PAGE 14 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

		<p>of access to facilitate fire fighting operations.</p> <ul style="list-style-type: none"> • Maintenance of fire trails and access by Council, will significantly increase road maintenance burden. • Extra cost to Council being represented and implementing the risk management plan. • Changes to the 149/2 Certificate layout is required notifying the applicant of the risk management plan. Council is currently reviewing this matter.
Introduction of Bushfire Hazard mapping.	Not required	<ul style="list-style-type: none"> • Will form a useful tool in future planning of new residential areas and evaluation of subdivision applications associated with provisions of the Risk Management Plan. Not yet finalized.
Section 94 Contributions, Section 3.5	Discussed under Section 7.5 Council has no S94 Plan for Bushfire in place at this time.	<ul style="list-style-type: none"> • A typical plan would include provision for fire trail construction, brigade stations, brigade equipment and provision of water for fire fighting.

THIS IS PAGE 15 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

		<ul style="list-style-type: none"> • This provision would increase the cost of subdivision. • To manage the new legislation and development, Council may need to consider creating a 94 plan.
Rural Residential Developments and Asset Protection Zone.	Fire Protection Zones, check to ensure compliance with guide Section 6.3 and associated tables. No zone specific guidelines provided.	<ul style="list-style-type: none"> • Where practical use of a single Asset Protection Zone for the whole of the zoned rural residential areas. • Where not practical use of grouping future dwellings into clusters to form larger Asset Protection Zones. Use of more restrictions on title at subdivision stage to ensure compliance. • Need to ensure electricity supply during fire. Overhead does not guarantee this supply. Extension of underground cabling to rural residential developments will at the very least double establishment costs to the development. • Cumulative Impacts with respect to other legislation have

THIS IS PAGE 16 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

		not been addressed. For example, onsite disposal of effluent, threatened species. etc.
--	--	--

8 Special Protection Developments

- SEPP5 developments are excluded from high bushfire-prone areas. Asset Protection zones are greater than for other types of residential developments.

The "Planning for Bushfire Protection" document calls up AS3959 – Construction of Buildings in Bushfire-Prone Areas" as the document for determining construction standards for bushfire protection. The impacts of this standard has been previously reported to Council. However, the "Planning for Bushfire Protection" document emphasizes the fact that the Australian Standard forms only part of the 'bushfire protection solution'. The document states that an assessment of a development application for a building proposal on land likely to be subject to bushfire attack, pursuant to Section 79C of the Environmental Planning and Assessment Act 1979, should result in the provision of appropriate setbacks and other protection measures in addition to the relevant construction requirements of AS3959. Therefore, neither document can be considered in isolation. The new SEPP will provide that Appendix 3 of the "Planning for Bushfire Protection" document will have precedence over Part 2 of AS3959, dealing with site assessment.

In addition to the above, general matters that will now impact on development from the planning stage through to the construction, the following additional issues were raised at a recent workshop which was conducted by the Rural Fire Service:-

- 65mm outlets should be provided to water storage tanks for filling fire tankers. Council currently requires 38mm outlets.
- The RFS does not support the use of swimming pools and dams as water storage for fire fighting. The RFS prefer dedicated storage tanks at the building to be protected.
- The capacity of water for fire fighting purposes should not be fixed. Rather the RFS recommends that the water capacity requirements be variable depending on housing density (More housing provides more overall protection thus permitting smaller individual storage. Conversely isolated development should have greater storage). Also the risk is variable, therefore water capacity for fire fighting should not be fixed. (Note: From a policy point of view this may not be practical and the Fire Officer has been requested to report on Council's existing Policy.)

.....
MAYOR

- Heat barriers (construction techniques from AS3959) as a means to reducing the depth of Asset Protection Zones is only acceptable in low hazard situations.
- Council may choose not to apply the principles of the "Planning for Bushfire Protection" document. However, if there is a bushfire incident involving a development that has been approved outside the guidelines of the document, the Council could be open to litigation. However, if Council applies the provisions of Section 79C of the E P & A Act 1979, and remains within the guidelines of the "Planning for Bushfire Protection" document the RFS have advised (verbally) that they would support the document and in doing so support Council in any appeal to the Land and Environment Court.

The new requirements for planning, developing and undertaking of construction within bushfire prone areas is certain to have significant ramifications for all parties involved. Council has work to do at the planning stage with the likelihood of amending LEP's and DCP's. Developers will face increased costs and perhaps lower returns from developments in bushfire prone areas as a result of the additional infrastructure required to be provided. Council will also need to be vigilant and ensure that adequate bushfire protection is provided in all developments at risk from bushfire attack so as to avoid any potential litigation in the future. Other issues such as who will be responsible for the ongoing maintenance of perimeter roads and fire trails would also need to be addressed.

Until the new SEPP is available the total impacts will not be known. However at this stage it is obvious that consideration of all issues associated with building on non-urban land will make the process more complex and the consideration of a number of issues, not only bushfire, could result in certain parcels of land not being suitable for a dwelling.

Director Environmental Services Recommendation:

That the information in respect to the use of the Planning Guidelines be noted.

2002. 239

RESOLVED:

*Moved: Cl. Hunt
Seconded: Cl. Parkinson*

That the Director of Environmental Services Recommendation be adopted with the addition of:-

That Council requests the Department of Planning to release for public consultation and comment on 1st May 2002 the new SEPP concerning changes to planning and development in bushfire prone areas, i.e. two months prior to the likely introduction on 1st July 2002.



At this stage 10.40 a.m. the Mayor presented Clean up Australia Day Awards to Frederickton School and Smithtown School. East Kempsey School also received an Award but were unable to attend.



At this stage 10.45 a.m. the Meeting adjourned for Morning Tea and upon resumption at 11.10 a.m. all present at the adjournment were in attendance.



At this stage Council dealt with Item DES 4 – Home Activity Yarravel which was deferred from earlier in the meeting.

DES 4	HOME ACTIVITY – YARRAVEL	{Folio No. 232264}
	FILE LA 19571 RBP	

SUMMARY:

Reporting that Council has received an application to formalise an unauthorised home activity being the extraction of honey for which objections have been received.



Applicant:	M White
Subject land:	Lot 1, DP 846850, 121 John Lane Road, Yarravel
Zone:	1(c) Rural Residential

Heads of Consideration:

The proposal has been examined having regard for the Heads of Consideration identified under Section 79 C(1) of the Environmental Planning and Assessment Act with the following matters considered to be of particular relevance to the proposal.

On the basis that the activity is undertaken by the resident of the dwelling on the subject land, no bees are kept on the property, the business operates one truck only used to transport bees and honey, and hours of operation are restricted to within normal working hours, it is considered that the proposal may be considered as a home activity and is thereby permissible with development consent.

The proposal is not contrary to North Coast Regional Environmental Plan 1988 or any State Environmental Planning Policy.

The proposal involves transporting of bees and honey to a 4 x 8 metre shed, uncapping of frames, removal of honey in the centrifuge and extraction of wax. The application states that in peak periods honey would be extracted

THIS IS PAGE 19 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

one day per week for eight (8) weeks and two days per month for the remainder of the year. No waste products are created and honey is placed in the 200 litre drums for transport to a local haulage company of a maximum three (3) tons of honey per month.

In order to ensure that the activity remains within acceptable levels the above parameters, as proposed by the applicant should be incorporated into any conditions of consent.

Traffic Impacts

On the basis that transportation to and from the site is restricted to one only truck operated by the proponent and limited to within 7 am to 6 pm Monday to Friday and 7 am to 12 noon Saturdays, impacts of traffic associated with noise and dust is likely to be acceptable.

On the basis that transportation is restricted to a single vehicle operated by the proponent, the increase in traffic over and above normal residential traffic would be minimal, however in accordance with Council’s Section 94 Plan for Rural Roads, a contribution of \$592 would be payable.

Public Exhibition

The proposal was exhibited in accordance with Council’s policy with two (2) letters of objection having been received which may be summarised as follows:-

[\(Appendix “F”\)](#)

Objection		Planning Comment	
1	Rural industries are prohibited in the rural residential zone.	1	The proposal is permissible as a ‘home activity’, subject to there being no likely adverse impacts on the amenity of the neighbourhood. Provided conditions are imposed to restrict the scale of the development and hours of operation, no unacceptable adverse impacts are likely.
2	Numerous trucks with fork lifts enter the property not owned by the operator.	2	The applicant has stated that the business is operated by one (1) only truck owned by the operator which should be incorporated in conditions of consent.
3	Deliveries of bees occurs at night.	3	The applicant has agreed

THIS IS PAGE 20 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

		to a condition limiting the activity, including transportation, to between 7.00 am and 6.00 pm Monday to Friday and 7.00 am to 12 noon Saturdays.
4	Dirt road too narrow	4 As per 2 and 3 above.
5	Road can't take traffic.	5 As per 2 and 3 above. In accordance with Council's S94 Plan for Rural Roads, a contribution of \$592 is also payable.

Director Environmental Services Recommendation:

A That consent be granted subject to the following conditions:-

- 1 The development referred to in this application is to be carried out substantially in accordance with the approved development plans as modified by any conditions of this consent.
- 2 All activities, including the transportation of hives and honey and operation of equipment are to be restricted to between 7.00 am and 6.00 pm Monday to Friday and 7.00 am to 12 noon Saturdays.
- 3 No bees associated with the extraction plant are to be kept on the subject land or on the adjoining road reserve at any time.
- 4 All loading and unloading is to be carried out wholly within the subject land.
- 5 Production of honey shall be restricted to a maximum of 3 tonnes per month.
- 6 Payment of contribution towards the upgrading and maintenance of John Lane Road of \$592 (Indexed 01/02) prior to commencement of the use.
- 7 The business is to be operated using one (1) only truck for the transportation of bees and honey to and from the site.

B That the objectors be advised of Council's decision.

MOVED:

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

That the Director of Environmental Services recommendation be adopted with the addition of:-

That consent be reviewed in two years.

An Amendment was MOVED:

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

That the Director of Environmental Services recommendation be adopted with the addition of:-

- 1 That consent be reviewed in two years.**
- 2 That the Home Activity be limited to extraction of honey from hives owned by the applicant.**

2002.240

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



<p>DES 3 PROPOSED COMMERCIAL AND RESIDENTIAL BUILDING SOUTH WEST ROCKS FILE T6-01-611, LA 5443 RBP {Folio No. *}</p>

SUMMARY:

Reporting that Council has received an application to erect a three (3) storey building containing three (3) units and a dental clinic, which requires a variation to DCP 34.



Applicant:	D Northey
Subject land:	Lot 5, DP 3785, 19 Memorial Avenue South West Rocks
Zone:	3(v) Village Business zone

Heads of Consideration:

The proposal has been examined having regard for the Heads of Consideration identified under Section 79 C(1) of the Environmental Planning and Assessment Act with the following matters considered to be of particular relevance to the proposal.

.....
MAYOR

Kempsey Local Environmental Plan 1987 (KLEP 1987)

The proposed units are permissible under KLEP 1987 as they are proposed to be constructed in accordance with a ground floor commercial premises within the 3(v) business zone.

The proposal complies with Clause 25 of KLEP 1987, which provides that Council shall not consent to the erection of a building which contains more than three (3) storeys.

Clause 33 of KLEP 1987 provides for a maximum floor space ratio of 1.5:1 where a floor space ratio of 1.1:1 is proposed.

The proposed design is consistent with the aims and objectives of DCP 34 – South West Rocks Town Centre, thereby being consistent with the NSW Government's "Coastal Design Guidelines".

The proposal is not contrary to any State Environmental Planning Policies, or North Coast Regional Environmental Plan 1988.

Development Control Plan No 34 – South West Rocks Town Centre (DCP 34)

DCP 34 was adopted by Council on 12th June 2001 and became effective from 19th June 2001.

DCP 34 identifies a number of precincts within the South West Rocks Town Centre area based on the South West Rocks Town Centre Master Plan and seeks to maintain and enhance the character within each precinct.

The subject land falls within the Tourist Accommodation Area Precinct of DCP 34, which sets a maximum height limit of two (2) storeys where three (3) storeys are proposed. [\(Appendix "E"\)](#)

No objection is raised to the variation to permit a third storey for the following reasons:-

- 1 Three storeys are permissible under KLEP 1987, subject to Council being satisfied that the proposal has demonstrated adequate regard for impacts on adjoining properties and the overriding aims and objectives of the DCP 34 as:-
- 2 The proposed development is considered to be consistent with the aims and objectives of DCP 34, as:-
 - a the design has incorporated a maritime or nautical theme by the extensive use of "sail-type" awnings.
 - b the design reinforces the existing two and three storey character of the area with substantial step of the third storey so as to present as a two storey building at street level.

THIS IS PAGE 23 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

- c the lower entry area to the commercial premises has been set from 2 to 3.5 metres from the front boundary to provide for a landscaping area in accordance with the requirements of the plan. The subject land is on the boundary between the Tourist Accommodation Precinct and Commercial Village Precinct, (which permits three (3) storeys) thereby providing an appropriate transition between the three (3) storey and two (2) storey precincts.
- 3 Being adjacent to the three (3) storey precinct and having regard for the concessions the applicant has been prepared to incorporate into the design by stepping of the development, the variation will not result in any undesirable precedent for future developments seeking to utilise the three (3) storey maximum permissible under Kempsey Local Environmental Plan 1987.

DCP 34 requires Council to have regard for the effect of developments on adjoining residential units as a result of overshadowing. The shadow diagram provided by the applicant indicates that the proposed building will have a significant impact on the adjoining first floor unit to the south.

No objection is raised to the degree of overshadowing in this instance for the following reasons:-

- 1 The adjoining residence is associated with two (2) existing shops and is set well back from Memorial Avenue, such that the development potential of the subject land would be severely impacted upon if the standard relating to overshadowing is rigidly enforced.
- 2 Although non compliant with solar access requirements, the third storey is stepped back to the line of the adjoining residence such that the upper living area will be in sunlight up until 10.00 am on 22nd June.
- 3 A significant proportion of the rear yard would also comply with the overshadowing standard.
- 4 The owner of the adjoining premises does not object to the proposed development.

DCP 34 requires that the dwellings shall comply with the requirements of DCP 31 – Energy Smart Homes. In accordance with DCP 31, an assessment was submitted by an accredited certifier which indicates that the minimum energy rating requirement will be met having regard for the substantial thermal mass and orientation of the building.

DCP 34 requires Council to have regard for the potential impacts of the proposed building on the future potential development of adjoining land. This requirement has been the subject of discussions with the applicant who has been prepared to compromise by stepping the first and second floor of the building to minimise impacts on future development of both the southern and northern lots. It should be noted that the applicant has also agreed to delete

THIS IS PAGE 24 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

a proposed ground floor unit to be incorporated in the commercial area on the basis of the likely impacts on future development of the land to the north having regard to the effects of overshadowing.

It should be noted that the proposed building is likely to impact on the development potential of the adjoining land to the north which will require greater setbacks in order to maintain adequate solar access. However, stepping of the building would reduce such effects within acceptable levels, so as not to sterilise or, unreasonable restrict future development potential.

Loading/unloading

No provision has been made for a loading/unloading area to cater for small delivery trucks. No objection is raised on the basis that the applicant is prepared to accept a condition on the consent which restricts the use of the commercial area to that of a dental clinic which is serviced by sedan vehicles and does not require a facility for trucks. In the event the premises was to be used for another use in the future, Council would be able to restrict future uses to those not requiring deliveries by trucks.

Public Exhibition

The proposal was exhibited in accordance with Council's policy with no submissions having been received.

Stormwater disposal

It should be noted that whilst Council has incorporated the area in its Section 94 contributions planned for stormwater. Council must ensure that the required upgrading of the drainage system connecting to Saltwater Creek proceeds without undue delay in order to overcome existing overflow problems into Memorial and Livingstone Streets which the proposed development would contribute to.

2002. 241

RESOLVED:

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

That Council agree to vary the provisions of DCP 34 relating to height and overshadowing to permit the development subject to conditions as determined under the delegated authority of the General Manager and which incorporate the issues raised in this report.

DES 4 HOME ACTIVITY – YARRAVEL FILE LA 19571 RBP
--

This report was dealt with earlier in the meeting following the Morning Tea adjournment.

.....
MAYOR

SUMMARY:

Reporting that Council has received an application to erect a dwelling at Jerseyville, which requires variation to Council's Floodplain Management Strategy Policy.



Applicant:	Arcad Design and Drafting
Owner:	B & T Shannan
Subject land:	Lot 23, DP 625887, No 2920 South West Rocks Road, Jerseyville
Proposed development:	Dwelling

Heads of Consideration:

The proposal has been examined having regard for the Heads of Consideration identified under Section 79 C(1) of the Environmental Planning and Assessment Act with the following matters considered to be of particular relevance to the proposal.

The subject land enjoys a dwelling entitlement pursuant to Clause 17 of Kempsey Local Environmental Plan 1987 being created in accordance with a Council approved subdivision.

The subject land is dissected by an electricity easement with available building areas being either immediately adjacent to South West Rocks Road or closer to Saltwater Inlet. [\(Appendix "G"\)](#)

The applicant wishes to build on an area closer to Saltwater Inlet on the basis that it is impractical to construct a mound (being Council's preferred method of floodproofing) between the easement and South West Rocks Road. [\(Appendix 'H'\)](#)

The proposal is marginally non-compliant with Council's Floodplain Management Strategy Policy which requires dwellings to be located on the highest practical point of an allotment.

No objection is raised to the variation in this instance for the following reasons:-

- 1 The difference in elevation between the highest point and the chosen site is only 90mm.

Note: It should also be noted that under the draft Lower Macleay Floodplain Management Plan, the designated floor level would be marginally reduced from 3.575 to 3.565 metres AHD.

- 2 As a result of the marginal variation in elevations, any increased risk to life and property would be negligible.
- 3 The proposed location enables the dwelling to be erected on earth mound which is Council's preferred method of flood proofing. A mound could not be located between the electricity and easement and South West Rocks Road in compliance with Council's 18 metre setback requirements.

2002. 242

RESOLVED:

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

That consent be granted subject to standard conditions, as determined under delegated authority by the General Manager. Such conditions to ensure that the dwelling is erected on a mound and the material is provided from an approved source.

DE 6	REGISTRATION OF FOOD PREMISES	
	FILE H2-6 BWC (NRN)	{Folio No. 232267}

SUMMARY:

Reporting on the introduction of a Food Premises notification (registration) procedure.



Under the National Food Safety Standards, all food premises will need to notify, by registration certain details which will be kept on a State-wide database developed by the NSW Health Department.

The proprietors of all food businesses, except those already licensed by Safefood NSW and those that are only engaged in community or charity fundraising events, will need to supply the required information.

After the initial notification, notification will be required on the following occasions:

- before any new food business starts operation
- when the nature of an existing business changes
- when the ownership of an existing business changes.

NSW Health will be offering assistance to local councils for the implementation of the notification system. This will include a training package for operating the database, database support, standard forms for businesses to lodge notification information and a campaign for food

THIS IS PAGE 27 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

businesses to be made aware of the new requirement. The campaign should run up to 24 May when existing businesses need to notify.

Notification is meant to be a simple and low cost process for the business proprietor and a cost effective and practical system for government. A processing fee based on cost recovery may be charged to the business for hard copy data entry notification. An amendment to the Food Regulation 2001 will set a maximum one off fee of \$50 to be charged to each business for hardcopy notifications. For larger business (>5 premises) a \$10 per premises fee may also be charged. Councils will be entitled to charge this fee for entering the businesses data on the Internet from the hard copy forms that are lodged by businesses.

Owners are also able to enter the required data direct onto the register electronically.

The notification registration process is to be completed by 24th May 2002.

Currently inspections are being undertaken of various food premises and the operators are being advised of the need to register their premises.

Council is also able to claim for additional costs that may be incurred in the transition period. Each Council will be notified by the LGSA of its notional allocation and then invited to claim up to that amount, with supporting documentation.

2002. 243

RESOLVED:

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

That Council charge the Regulation fee of \$50 for undertaking registration of premises.

DES 7	ENVIRONMENTAL TRAINING	
	FILE C13-2 BWC (NRN)	{Folio No. 232268}

SUMMARY:

Reporting on training seminars conducted in relation to erosion and sediment control, litter training and other environmental issues.



During the 18th and 19th March 2002, training seminars were undertaken in relation to mainly erosion, sediment control and litter.

Mr Chris Gray was engaged to carry out the training. Mr Gray has recently carried out similar training programs with Tweed, Byron, Ballina and Coffs Harbour Councils.

THIS IS PAGE 28 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

Training was provided to Council staff as well as people associated with the Building and Development industry and involved more than 90 participants. A total of six (6) sessions were conducted over the two (2) days and nights.

The need for the training has arisen due to the introduction of the Protection of the Environment Operations Act, and that the definition of pollution is not only that it is occurring but also that it is likely to occur.

Resulting from those seminars, Mr Gray will submit a report on suggested procedures Council could put in place to improve various procedures and responsibility e.g. issuing of clean-up notices in respect to Building and Development sites.

The litter section related mainly to reporting instances and the issuing of Infringement Penalty Notices in respect to litter thrown from motor vehicles. In that regard, Infringement Penalty Notices are issued to the registered owner of the vehicle – penalties vary from \$60 to \$375. Since January 2002, the State Government has been conducted an advertising campaign on litter reduction, and the associated fines for littering. Council has also advertised the penalties associated with littering. Council's Rangers were during January and February only, advising people of the need to ensure litter was not placed/thrown/deposited in a public place or in some cases private land, as part of that campaign.

It is likely that Infringement Notices will be issued in the future.

2002. 244

RESOLVED:

Moved: Cl. Sowter

Seconded: Cl. Howell

That the information be noted.

DES 8

**MACLEAY RIVER
FILE R7-1 BWC**

{Folio No. 232271}

SUMMARY:

Reporting on the possibility of a meeting to discuss Council's request related to dredging of the Macleay River.



The Department of Fisheries has advised that, if Council is still of the opinion that dredging of the Macleay River is necessary, an inter-agency meeting could be held to discuss that issue.

The meeting, if needed, could be held on Wednesday 15th May 200 at 2.00 pm.

It is suggested that those Councillors interested in the issue of dredging attend the meeting.

THIS IS PAGE 29 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

If Council is, in light of recent information, of the opinion dredging is now unlikely and/or unnecessary there would be no need for the discussion to be held.

Director Environmental Services Recommendation:

That Council indicate whether a meeting is necessary and if so nominate Councillors who would attend.

MOVED:

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

That Council proceed with the meeting to discuss dredging of the Macleay River.

The MOTION was PUT to the MEETING and was LOST.

DES 9	REZONING OF LAND IN YORK LANE, KEMPSEY FOR THE DURRI ABORIGINAL CORPORATION MEDICAL SERVICE	{Folio No. 232273}
	FILE T5-83 MEI	

SUMMARY:

Reporting on progress in the rezoning of land from 4(a) Industrial to 3(a) Business to permit the development of a medical centre.



Subject land:	Lot 1 DP 775173, York Lane, Kempsey
Owner:	Durri Aboriginal Corporation Medical Service (DACMS)
Current zoning:	4(a) Industrial/ 1(e) Rural (Floodway)
Proposed zoning:	3(a) Business

As previously reported at the ordinary meeting of 15 January 2002, Council has received an application to rezone the Durri Aboriginal Corporation Medical Service property in York Lane to permit the development of a medical centre. At that meeting Council resolved to –

- 1 *Prepare a draft local environmental plan to rezone Lot 1 DP 775173, York Lane, Kempsey, from 4(a) Industrial (General) to 3(a) Business (General); and*
- 2 *Seek further information from the proponent relating to the demand for carparking at the Durri Aboriginal Corporation Medical Service likely to be generated at the subject site prior to final adoption of any LEP amendment.*

.....
MAYOR

The draft plan has been prepared and exhibited and the relevant consultations undertaken. With regard to carparking a survey of existing parking needs indicates that the proposed development requires the provision of 39 carparking spaces. It should be noted that this figure is close to that required by Council's carparking code of 42 spaces as detailed in the previous report.

Council has consulted the Roads and Traffic Authority (RTA) and the Department of Land and Water Conservation (see attached). Neither have raised any objections to the proposal.

Now that the issue of carparking appears to be finalised Council can proceed with rezoning. This will involve the preparation of a report to the Minister requesting that he "make" the plan. Upon notice being published in the Government Gazette Council will be able to determine a development application for the site.

As the development currently proposes 34 spaces, the applicants will be liable for contributions for 5 spaces at \$5,561 per space (i.e. \$27,805). Additional contributions would also be required to expand into currently not utilised floor area which the applicant has acknowledged and agreed to.

2002. 245

RESOLVED:

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

That Council proceed with the rezoning for the subject land.

DES 10	BUILDING AND DEVELOPMENT	
	FILE B9-2 BWC (NRN)	{Folio No. 232274}

SUMMARY:

Reporting on various issues related to building and development.



A LOCAL DEVELOPMENT APPLICATIONS

At a recent community meeting, a member of the public made comments regarding Council refusing development applications. It was implied that Council had a history of refusing developments that were likely to create employment.

A review of Council's Local Development Application statistics indicates that from 1st July 1998 to 22nd March 2002, 2190 Local Development applications with a value of \$109,873,170.00 were received.

Over that period 21 applications (1%) were refused, with a value of \$290,000.00. Of that number –

3 were refused by the Department of Planning
3 were refused by failure to provide the minimum required information
4 were refused as they did not comply with mandatory conditions.

Amongst those refused were applications for a South Kempsey Tavern, a Brothel, a School, a Rehabilitation Centre (Dondingalong), Fish Storage (Gregory Street), Crescent Head Skate Park (2nd application approved), Crushing Plant (Turners Flat), Home Units (Frederickton), Storage/destruction of timber (Boyers Lane), Mechanical Workshop (Toms Gully).

The number <1% and the type of applications refused would not support the inference made at the public meeting.

B LD 2002/82 – Patio Awning, Lot 28 Pisces Place, South West Rocks
Owner: A Burgess and K Cooper
The above patio awning was approved on 5th March 2002 under Delegated Authority

C APPROVALS

Local Development (LD) [\(Appendix 'I'\)](#)

Construction Certificates (CB) [\(Appendix 'J'\)](#)

2002. 246

RESOLVED:

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

That the information be noted.



DIRECTOR ENGINEERING REPORT

DE 1	MAGUIRES CROSSING ROAD FILE: R Maguires Cross KJF (NRN) {Folio No. 232277}
-------------	---

SUMMARY:

Reporting on the response received from the Department of Local Government.



At Council's meeting of 11th December 2001, Council resolved:

“That an application be made to the Minister for Local Government seeking approval to issue a Proposed Acquisition Notice and that Council's seal be affixed to the application.”

THIS IS PAGE 32 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

An application was forwarded on 14th December 2001.

Attached at [\(Appendix A\)](#) is a copy of the letter of response.

Issues raised are being assessed to allow a suitable response. Clearly some issues need further clarification.

Financial Implication

There are no financial implications from the following recommendation.

Director Engineering Recommendation:

That the information be noted.

MOVED:

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

That Council halt the compulsory acquisition of land for a road at Maguires Crossing.

The Motion lapsed for want of seconder.

2002. 247

RESOLVED:

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

That the questions raised by the Department of Local Government be addressed and the proposed responses come back to Council for consideration as early as possible.

DE 2

LANDCARE

FILE: C13-2

KJF

{Folio No. 232278}

SUMMARY:

Reporting on a request for Council to cover the cost of Public Liability Insurance.



The Landcare Coordinator of the Hastings, Camden Haven and Macleay has sought Council assistance to cover the rising cost of Public Liability Insurance. Details are shown in letters attached at [\(Appendix B\)](#)

Should Council be prepared to accept these groups as Committees, there would be no direct additional costs to Council, as they would be covered by Council's Public Liability. However, Council would accept the risk exposure. The level of risk with these groups is seen as quite low.

.....
MAYOR

Council's Insureres, however, are recommending that councils not take on any further risks and, in fact, withdraw support for such committees.

Other similar 377 Committees are:

South West Rocks Dune Care Group
Hat Head Dune Care Group
and Macleay Acid Sulphate Soil Local Action Group.

In view of the environmental improvements achieved by these groups, Council may like to appoint these Groups as Committees of Council under Section 355.

Financial Implication

There are no immediate financial implications from the following recommendation.

Director Engineering Recommendation:

That the **Belmore and Kinchela Landcare Group
Fishermans Reach Horticultural Landcare Group Inc.
Upper Macleay Horticultural Landcare Group Inc.
and Yarravel Landcare Group**

be appointed as Committees of Council under Section 355 with delegation to undertake weed control and erosion suppression.

MOVED:

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

That the Director Engineering recommendation be adopted.

The MOTION was PUT to the MEETING and was LOST.

DE 3	STREET LIGHTING	{Folio No. 232280}
	FILE: E9-2 APV (NRN)	

SUMMARY:

Reporting on the contestability of public street lighting electricity loads.



Councillors would be aware that the NSW electricity market has been progressively opened up to competition. From 1st January 2002 Councils are able to enter into agreements with energy providers for the supply of electricity for street lighting.

Kempsey Council currently has a Franchise Energy Agreement with Country Energy. This agreement covers the supply of electricity for public street

THIS IS PAGE 34 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

lighting. Under existing arrangements, Council's total costs for street lighting is \$307,468 per annum. This comprises \$45,128 for energy costs (approximately 15%) and \$262,340 for maintenance and operational costs and network charges.

At the present time only the supply of electricity is contestable. The Local Government and Shires Association together with NSW Supply are, however, exploring how councils may reduce expenditure associated with installation, maintenance and repair of street lighting.

Council has received offers for the supply of electricity for street lighting from both NSW Supply and the Maps Group who have negotiated tender prices with Energy Australia and Energex respectively. The tender prices, at first glance, appear favourable. However when regulatory charges, levies, fees and energy losses are taken into account, Council's existing arrangements with Country Energy is the cheapest and preferred option.

A comparison of costs is summarised below based on Council's current annual consumption of 1,214,543 kilo watt hours per annum.

Country Energy	Energy Australia	Energex
Franchise Agreement	NSW Supply	Maps Group
\$45,128	\$47,540	\$46,485

Because of the high network energy losses in this part of the State, Council's existing arrangement is cheaper than entering into the contestable market. Should it become mandatory in the future that all street lighting has to be contestable, then Council should again review its preferred supplier at that time. Both NSW Supply and the Maps Group have indicated that councils can enter into a contract at any time in the future.

Country Energy have provided Council with an inventory table of 2,744 lamps. They have provided a Transition Plan which sets out their procedure to progressively, over the next 4.5 years, improve the accuracy of that inventory from - 10% + 0% to ± 2%.

The supply of electricity to Council's other facilities will be investigated separately. It should be noted however, that Council currently has an agreement for 5 years with Country Energy to supply electricity at extremely competitive rates to Council's 13 major power-using facilities.

Financial Implication

There are no financial implications from the following recommendation.

2002. 248

RESOLVED:

*Moved: Cl. Parkinson
Seconded: Cl. Hunt*

That Country Energy continue to supply electricity for Council's street lighting network under the existing franchise agreement.

SUMMARY:

Reporting on an offer of a grant from the Stormwater Trust.



Council has received advice from the Hon. Bob Debus, MP, Minister for the Environment, of a grant of up to \$176,000 under the NSW Government's Stormwater Trust Stage 4 Grant Scheme.

The application proposes a suite of measures, both structural and non-structural, to address the type and quantity of pollutants in the stormwater run-off from the South West Rocks business district and adjacent areas into Saltwater Creek.

The measures include the construction of gross pollutant traps at the end of the existing stormwater pipe as well as the proposed new stormwater pipe east of the surf club. Other measures will include a catchment audit and a community education and awareness program.

The project must be completed by June 2003. Council's contribution has been nominated as an 'in-kind' contribution and valued at \$27,000.

The project is similar in nature to the current project underway at Crescent Head. The project will seek to achieve outcomes of safe primary contact recreational water quality and amenity for residents and tourists at Saltwater Creek.

Financial Implication

There are no financial implications from the following recommendation.

2002. 249

RESOLVED:

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

That the offer of a grant from the Stormwater Trust, in the amount of \$176,000 for South West Rocks CBD Stormwater Quality Management Scheme, be accepted.

SUMMARY:

Reporting on an offer of grant funding.



THIS IS PAGE 36 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

Council has received advice from the Hon. John Aquilina, MP, Minister for Land and Water Conservation, of financial assistance in the amount of \$14,000 under the Regional Flood Mitigation Program.

This offer is made based on a contribution of \$7,000 from each of the Commonwealth and State Governments and is available for the Macleay Flood Warning Scheme. For projects involving flood warning systems, no contribution is required by Councils.

Funds in the amount of \$32,000 were provided in the 2000/2001 program to establish a Council based web page with current 'real time' flood data, including rainfall and river heights throughout the catchment, being made available via the internet. The dissemination of flood information via the internet will be used as a 'pilot' for other areas. Manly Hydraulics Laboratory have been engaged by Council to develop the Web Page and a 'Beta' version is currently under trial. Following final refinements, the Web Page is expected to be completed shortly.

The funding of \$14,000 in the 2001/2002 Program will be used to further develop the flood warning system by making rainfall and river level data available through an automatic voice activated menu system via the telephone.

Financial Implication

There are no financial implications from the following recommendation.

2002. 250

RESOLVED:

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

That the grant offer of \$14,000 under the Regional Flood Mitigation Program for the Macleay Flood Warning Scheme be accepted.

DE 6	2001/2002 FLOODPLAIN MANAGEMENT PROGRAM
FILE: FM326	APV, Copy APC {Folio No. 232284}

SUMMARY:

Reporting on a grant offer for Council's Floodplain Management Program for 2001/2002.



Council has received advice from the Hon. John Aquilina, MP, Minister for Land and Water Conservation, of financial assistance in the amount of \$33,000 under the Commonwealth Assisted Program.

At its meeting on 14th August 2001, Council resolved to accept the offer of financial assistance in the amount of \$87,200 for the maintenance element of the Program on a 1:1 basis.

THIS IS PAGE 37 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

At its meeting on 13th November 2001, Council resolved to accept only the offer of \$200,000 for the Kinchela Creek Levee project under the Program on a 2:1 basis.

These funds, under the Commonwealth Assisted 1:1:1 program (formerly 2:2:1 program), are made available for the Lower Macleay Floodplain Management Study. Council has recently written to both Local Members of Federal Parliament requesting that they make representations on Council's behalf regarding restoration of 2:2:1 Commonwealth Funding for Flood Mitigation.

It is proposed that, using these funds, Stage 4 of the Study (for the Kempsey urban area) be undertaken.

The study will:

- determine existing flood behaviour in Kempsey
- review recent performance of flood mitigation works in relation to expected performance.
- assess strategic development options in the floodways in Kempsey CBD.
- assess impacts of cross-sectional changes due to sedimentation.

The brief for the study has been issued. Council is currently negotiating the extent of the work and the fee with the consultant. An application under the Regional Solutions Program has been submitted for funding the difference between the project fees and the funding provided under the Floodplain Management Program.

An amount of \$10,000 (based on 2:2:1 program) has been provided in the 2001/2002 budget for this project. Additional funding in the amount of \$6,500 will need to be provided from Working Funds if Council is to accept this offer.

This project is considered important to review the flooding impacts on the Kempsey Urban area and the Central Business District.

Financial Implication

The financial implication of the following recommendation would be a reduction in Working Funds of \$6,500.

2002. 251

RESOLVED:

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

That the offer of financial assistance in the amount of \$33,000 for the Lower Macleay Floodplain Management Study under the 2001/2002 1:1:1 Floodplain Management Program be accepted and funded from Working Funds.

SUMMARY:

Reporting on access problems at the end of the maintained length of Dungay Creek Road.



Council's maintenance of Dungay Creek Road terminates at the Davis' Stockyards. The length of existing road access from the stockyards deviates from the Dedicated Public Road Reserve and Crown Road Reserve and is not maintained by Council.

Mr Simmons of 1451 Dungay Creek Road has padlocked a gate across the road denying access to the Kumbatine National Park and 24 other assessments further along the road. The problem of access beyond Davis' stockyards is a direct result of the road passing through private property and not within both the Dedicated and Crown Road Reserves.

The gate across the road is approximately 1.8km from the end of the maintained section of Dungay Creek Road. Mr Simmons has, in the past, attempted to maintain a section of this road, and has indicated that he is not prepared to continue this arrangement while the road is open to the general public. Therefore the locked gate access on private property needs consent of the owner.

Access to the properties beyond this section of road was previously gained via Forestry roads, which are now under the care and control of the National Parks and Wildlife Service. It has been indicated to Council that access to these properties was via Davis Road, off Dungay Creek Road, previously maintained by State Forests. The road is now impassable due to collapsed timber bridges, which State Forests is not maintaining.

A meeting was convened and chaired by Mr Andrew Stoner, MP, and held onsite adjacent to the locked gate on the 28th March 2000. Those present were Andrew Stoner, MP, Colin Campbell and Greg Croft (NP&WS), Bill Knight (DLWC), Tom Vermeulen and Neil Thomson (Kempsey Shire Council), Mr and Mrs Simmons, Mr Garland, and Mr Jones (landholders traversed by the track). The meeting sought to find a solution to the problem.

At the meeting the National Parks and Wildlife Service (NP&WS) advised that they intended to make Bears Road accessible again by repairing or replacing damaged bridges over the next three years. Bears Road is accessed from Davis Road.

Mr Stoner has contacted the Minister of Land and Water Conservation regarding a transfer of land in order that a new road reserve reflects the location of the current access. A reply has been received from the Minister

THIS IS PAGE 39 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

who has agreed to waive the administration costs associated with the cost of transfer of the land.

Due to the number of residents involved it seems appropriate for Council to initiate action to clarify the situation.

It is recommended that Council engage surveyors to carry out the survey for the transfer of land in order that a new road reserve reflects the location of the current access road. This will allow secure road access to the affected landholders by removing the padlock on the gate. The estimated cost of the survey is approximately \$15,000.

It is also recommended that Council consider constructing this section of road to minimal road standard and that Council then maintain it. The estimated cost to bring to minimal road standard is \$5,000, with an annual maintenance cost of \$1,000.

Financial Implication

The financial implication of the following recommendation would be:

1. **Survey costs can be funded from the Survey and Acquisition Vote.**
2. **No financial implication for transfer as costs will be waived by the Department of Land and Water Conservation.**
3. **Road Construction costs of \$5,000 can be allocated from Unsealed Road Maintenance Vote.**
4. **\$1,000 per annum can be allocated from Unsealed Road Maintenance Vote.**

2002. 252

RESOLVED:

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

1. That a surveyor be engaged to carry out the survey for the transfer of land in order that a new road reserve reflects the location of the current access road.
2. That the new road be dedicated as Public Road.
3. That the road be constructed to minimal road standard.
4. That this section of road be included in Council's maintained roads.

DE 8	MARIA RIVER ROAD	
	FILE: R Maria River (230826)	NJT (NRN)
	{Folio No. 232288}	

SUMMARY:

Reporting on Hastings Council's resolution regarding Maria River Road.

THIS IS PAGE 40 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR



A letter has been received from Hastings Council outlining their intentions in regard to the future works on Maria River Road within Hastings Shire. A copy of the letter is attached [\(Appendix C\)](#)

In summary Hastings Council will continue to maintain Maria River Road in Hastings Shire as a gravel road, although providing a higher level of service for the road due to its unique circumstances regarding local, tourist and business traffic as well as general deterioration that occurs following periods of wet weather. Hastings Council maintains approximately 12 kilometres of gravel road.

Kempsey Shire Council maintains Maria River Road from Crescent Head Road (MR7737) 16.83 kilometres to the boundary with Hastings Council. Kempsey Shire has upgraded and sealed 5.4 kilometres of Maria River Road.

Since 1996/1997 Kempsey Shire Council has expended approximately \$417,000 on the road, including Roads to Recovery, Gravel Resheeting Programs, and Section 94 Contributions, not including routine maintenance grading work. This has allowed Council to initial seal sections in previous years, and more recently to increase the depth of gravel and improve the condition of the gravel section of the road to its present standard. In future years it is envisaged that Gravel Resheeting funds would be provided to improve the standard so that it is consistent over the length of the road.

Recent traffic volumes taken at the start of the gravel section of road indicate that the average traffic volume for the road is 90 vehicles per day. These traffic volumes do not justify the extension of the bitumen seal, but rather the upgrade and maintenance as a gravel road.

It is recommended that the remainder of the Maria River Road remain gravel, and that Council continue to expend funds under the gravel re-sheeting program to improve the level of service. This will allow a consistency over its length in line with Hastings Council's decision.

Financial Implication

There are no financial implications from the following recommendation.

2002. 253

RESOLVED:

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

- 1 That the information from Hastings Council be noted.**
- 2 That the unsealed section of Maria River Road be maintained as a gravel road.**

.....
MAYOR

SUMMARY:

Reporting on Mildura Local Roads Committee Bulletin No 2.



Mildura Local Roads Committee Bulletin No 2 has been received by Council from the Committee Secretariat at the Australian Local Government Association. A copy of the bulletin is attached [\(Appendix D\)](#)

The bulletin outlines a number of issues:

1. Toowoomba Congress

The next congress is to held at Toowoomba on the 29-30th July 2002

2. ALGA Project on Asset Management

Funding has been sought from the Commonwealth Government over an 18 month period to applying Commonwealth Roads to Recovery funding through a regional approach to asset management.

3. Roads to Recovery Program

The Committee is keen to develop a template for evaluating projects funded from the Roads to Recovery Program.

4. Work Program

Assessing the feasibility of regional groups taking a greater regional and transport focus in assessing future infrastructure priorities.

5. Status of the Mildura Committee

The ALGA Executive will consider a request from the Mildura Committee at their next meeting that they be formally recognized as a committee of the ALGA.

A copy of the Moree Rural Road Funding Report is available should Council wish to peruse it. This report was prepared by the Steering Committee established following the Moree Rural Roads Congress in March 2000.

The purpose of the report is to encourage the Commonwealth, State and Local Governments, and regional industries to:

1. establish a national framework for investigation in 'local roads of regional significance'

THIS IS PAGE 42 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

2. commit to \$1.9 billion of new funding over 5 years for a regional infrastructure program.

Financial Implication

There are no financial implications from the following recommendation.

2002. 254

RESOLVED:

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

That the information be noted.

2002. 255

RESOLVED:

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

That the Mayor and Councillor Sowter be nominated to attend the Local Roads Congress to be held at Toowoomba on 29th & 30th July 2002.

DE 10	2002 FLOODPLAIN MANAGEMENT AUTHORITIES ANNUAL CONFERENCE
FILE: C11-15	TLW (NRN) {Folio No. 232291}

SUMMARY:

Reporting on the 2002 Floodplain Management Authorities Annual Conference to be held in Kempsey from 30th April to 3rd May 2002.



As Council is aware the 2002 Floodplain Management Authorities 42nd Annual Conference is to be held in Kempsey from 30th April to 3rd May 2002.

It is expected that between 250-300 delegates will be attending the conference, with delegates from Queensland, New South Wales, Victoria and the Northern Territory.

The Keynote speaker, Mr Gerald Galloway Jr is travelling to attend the conference from the United States of America. Mr Galloway is the Secretary of the United States Section of the International Joint Commission (IJC) in Washington DC, a US-Canadian organisation that deals with border water resources issues. The Secretary serves as the principal administrator of the Washington Office of the Commission and as senior advisor to the Commissioners.

Mr Galloway was the project manager on the development of a report following the midwest flood called "Sharing the Challenges-Floodplain Management into the 21st Century". This report was prepared at the direction of the Office of the President. He also was involved with the IJC in the development of a report associated with flooding on the Red River in the late 90's. This flood impacted both the US and Canada.

THIS IS PAGE 43 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

The conference will “kick off” on Tuesday, 30th April 2002, with a Welcome – Ice Breaker at Brindabella Function Centre overlooking the Macleay River, giving delegates the opportunity to network and catch up on activities.

The Conference will be held at the Kempsey-Macleay RSL Club, commencing at 8am with registrations and the conference from 9am each morning. Technical sessions will be held on Wednesday morning, with a social afternoon at the Kempsey Akubra Cup Race Day. A social evening is planned at the Kempsey-Macleay RSL Club for Wednesday night.

Thursday will see the Conference officially opened by The Hon. Wilson Tuckey, MP, Minister for Regional Services, Territories and Local Government. An address will be also given by Amanda Fazio, MLC, on behalf of the Hon. John Aquilina, MP, Minister for Land & Water Conservation. Technical tours of the Lower Macleay Floodplain flood structures will be conducted following the Official opening. The AGM of the Floodplain Management Authorities is scheduled for after lunch on Thursday the 2nd, along with further technical sessions.

The official Conference Dinner will be held on Thursday evening.

Friday morning will start with early morning golf. Technical session will be held from 9am, Friday.

The conference will close with lunch on Friday, 3rd May.

An invitation has been extended to both Federal and State Government Members of Parliament to address the delegates following the Official opening.

Presenters have been selected and final Technical papers have been requested to be submitted to Council by 5th April 2002. A sound technical program is expected, with two concurrent streams provided.

Throughout the total coordination of the conference, staff have endeavoured to ensure that all catering, venues, transportation, stationary and conference packages are produced locally and, if not produced locally, that they are purchased through a local supplier, ensuring that almost every dollar put into the conference remains within the Shire. In putting together the conference packages for delegates we have been able to purchase the conference bags through a local supplier along with a pottery mug, made locally which will have KEMPSEY embossed on it and we are looking at including lavender tea and biscuits which are all Kempsey produced. We have tried to create a “tourist” feel to ensure that whenever the delegates use their mug in the future they will think of Kempsey and may return for future holidays, whilst helping the local industries where possible.

Councillors wishing to attend the conference, who have not already registered, are asked to do so with Executive Assistant, Mrs Jo McGoldrick, as soon as possible to enable final preparations to be made.

THIS IS PAGE 44 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

Financial Implication

The financial implication of the following recommendation would be covered under the registration fees levied for the delegates and the existing vote in Council's budget.

2002. 256

RESOLVED:

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

That the information be noted.

DE 11	STUARTS POINT SIGN	{Folio No. 232294}
	FILE: R8-20 GJW (NRN)	

SUMMARY:

Reporting on the installation of artwork at the Stuarts Point Gateway signage.



Following the installation of the Stuarts Point gateway sign, the local aboriginal community was asked if they would like to contribute something to the landscaping of the sign.

An offer was made from Rosalind Donovan, a renowned local artist, to install a piece of artwork adjacent to the Council sign. She submitted several artworks and one was selected as the most appropriate. See [\(Appendix E\)](#)

The design is currently on display in the local community. The project has the approval of Debra Morris, Council's Aboriginal Liaison Officer.

Financial Implication

There are no financial implications from the following recommendation.

2002. 257

RESOLVED:

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

That the installation of the artwork within the landscaped area around the Stuarts Point gateway sign be approved.

DE 12	SOUTH WEST ROCKS MOTEL	{Folio No. 232296}
	FILE: T11-4 GJW	

SUMMARY:

Reporting on an inspection of trees adjacent to the South West Rocks Motel



A report was put to the previous Council meeting regarding complaints from Tomas Kreps, the owner of the SWR Motel, in regard to alleged damage caused by trees growing on Council property.

Council resolved that an engineers report should be obtained on the reported structural damage to the Motel allegedly caused by tree roots.

Council Horticulturist, Greg Williams, and Design Engineer, Jeff Moore, inspected the site on Wednesday, 27th March 2002.

The report from this inspection is attached as [\(Appendix F\)](#). From this report it would not appear necessary to remove the trees.

Council has also carried out remedial pruning work on the trees, to remove dangerous and overhanging limbs. Regular inspections will continue as part of Council's Tree Maintenance program.

Financial Implication

There are no financial implications from the following recommendation as the cost of inspections and maintenance would come from Councils existing Tree Maintenance Vote.

2002. 258

RESOLVED:

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

That Council not remove the Eucalypt trees adjacent to the South West Rocks Motel and that the owner be advised in terms of the report.

DE 13	O H & S AND WORK COVER REQUIREMENTS FOR VOLUNTEER WORKERS
FILE: S10-2	GJW (NRN) {Folio No. 232298}

SUMMARY:

Reporting on Council's O H & S and WorkCover obligations to Volunteer Workers.



After consultation with Council's Safety Officer, the following basic O H & S and WorkCover requirements were established.

1. Supervision

Volunteer workers should have a Council employee to supervise their activities. The level of supervision necessary will vary depending upon the degree of risk involved.

.....
MAYOR

2. Training

The level of training required would vary, depending upon the amount of risk involved. All volunteer workers would need to be put through a WorkCover O H & S and Kempsey Shire Council O H & S induction. Volunteers using Council equipment would need to be trained to the same level as Council employees engaged in the same activities.

For example – Person A is using a Council supplied ride-on mower to maintain an oval. This is perceived as a high-risk activity.

Person A would require:

1. Kempsey Shire Council O H & S and WorkCover O H & S induction. Supervision (by P & G Team Leader). Team Leader to meet on a regular basis with Person A and to be informed of the days Person A will be working in advance.
2. Provision of Personal Protective Equipment (PPE) and First Aid Equipment.
3. Provision of a communication system for emergency use.
4. A plant maintenance programme to be drawn up for daily checks and scheduled maintenance.
5. Training in the use of plant and equipment.
6. Provision of equipment that meets O H & S and industry standards.

The cost of induction training is approximately \$100 per person and will take 1 day. PPE could cost in the order of \$200 with a further \$100 should first aid training be required. Suitable training on mechanical equipment will take a minimum of some 4 hours per person.

Investigations into the full impacts is continuing further and final details will be presented to Council, perhaps on a case by case basis.

Financial Implication

The financial implication of the following recommendation would be the cost of a basic training package for all volunteers and specific training for higher risk work.

2002. 259

RESOLVED:

*Moved: Cl. Parkinson
Seconded: Cl. Hunt*

That the information be noted.

SUMMARY:

Reporting on the appointment of a representative to the Local Government and Shires Association Noxious Weeds Advisory Committee.



Council at its meeting of 14th August 2001, resolved:

“That Councillor Sowter be nominated to be the Local Government and Shires Association Noxious Weeds Advisory Committee representative.”

Councillor Sowter’s nomination was completed and forwarded to the Noxious Weeds Advisory Committee. The Mid North Coast Weeds Advisory Committee Meeting will be held on Thursday, 18th April 2002.

Advice has been received notifying Council that in December 2001, the Minister for Agriculture, Hon. Richard Amery, appointed Councillor Peter Campbell (Lockhart Shire Council) to the Noxious Weeds Advisory Committee for a period ending December 2003.

Financial Implication

There are no financial implications from the following recommendation.

2002. 260

RESOLVED:

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

That the information be noted.

SUMMARY:

Reporting on Questions Without Notice from the Council meetings of the 9th January 2001, 20th March 2001, 15th January 2002, and 12th March 2002



Responses to Councillors Questions Without Notice from the Council meeting of the 9th January 2001 are listed for information.

Responses to Councillors Questions Without Notice from the Council meeting of the 12th March 2002 are listed for information.



Councillor J Sproule

File R Bloomfield KJF (NRN) {Folio 231069}

That the Director Engineering would investigate the road condition of Bloomfield Street in the vicinity of the former King Gee building.

The area in question, together with the curve on the eastern side of the bridge, is earmarked for application of asphaltic concrete by the contractor within the month.

Councillor B Sowter

File R Back Ck Rd KJF (NRN) {Folio No. 230977}

That Back Creek Road, Kinchela, was due for maintenance grading in May 2002.

Maintenance works commenced on 20th March 2002

File N3-2 KJF (NRN) {Folio No. 231064}

That the Director Engineering would investigate instances of Noogoora Burr along the lanes of the lower river.

Council's Noxious Weeds Inspector has arranged appropriate treatment.

File N3-2 KJF (NRN) {Folio No. 231064}

That the Director Engineering would arrange attention to the bamboo along Smithtown Road.

Works completed.

Councillor J Bowell

File F3-2 KJF (NRN) {Folio No. 231044}

That the Director Engineering would report to the next Council meeting on the meeting to be held with the Fire Control Officer.

Matters previously discussed with the Regional Manager (Rural Fire Service). Fire Control Officer unavailable this month due to sickness.

File T11-4

KJF (NRN)

{Folio No. 231039}

That the Director Engineering would investigate trees overhanging the Pacific Highway at Frederickton, near the old factory corner, which are a hazard to high vehicles.

Work Order issued for attention as soon as possible.

Councillor J Hayes

File R Beranghi

KJF (NRN)

{Folio No. 231017}

That the Director Engineering would investigate the condition of Beranghi Road (near Jewel Drive) where the road is badly corrugated.

Site inspection revealed some loose material (gravel) adjacent to Beranghi Road at Jewel Drive intersection.

Road surface on Beranghi Road is sound and with no sign of corrugation. Road maintenance team have been instructed to remove loose gravel

Financial Implication

There are no financial implications from this recommendation.

Director Engineering Recommendation:

That the information be noted.

2002. 261

RESOLVED:

*Moved: Cl. Powell
Seconded: Cl. Hunt*

- 1 That the information be noted.
- 2 That Council make representation to the Traffic Committee regarding concerns of safety of the Pacific Highway/Cyrus Saul Circuit intersection at Frederickton.

DE 16	WORKS IN PROGRESS	
	FILE: R8-2 KJF (NRN)	{Folio No. 232302}

SUMMARY:

Reporting on works in progress.



ROADS

.....
MAYOR

Regional Roads

- MR75 Armidale Road - Maintenance grading west of Bellbrook in progress
- MR198 South West Rocks Rd - Flood damage repairs in progress
- MR198 South West Rocks Road Ch. 5.3 – 8.3 - Pavement strengthening in progress
- MR75 Mooneba Intersection - Completed

Sealed Rural Local Roads

- Belmore River Road (Left Bank Road) - Completed
- Gowings Hill Road - Completed

Gravel Rural Local Roads

Gravel Resheeting

- Upper Smiths Creek Road - Completed
- Wharf Road - Completed
- Chain O Ponds Road - In progress
- Hickeys Creek Road - Planned
- Spooners Avenue - Completed

Maintenance Grading

Work Completed

Beranghi Road
Verges Creek Road
Toose Road
Maria River Road
Dangars Lane
Western Lane
McCarthy's Lane
Boyers Lane
Nulla Nulla Creek Road
Prince Street
Billybyang Road
Sundowner Road
Mitchell Access
Spooners Avenue
Chain O' Ponds
Fairweather's Lane
Upper Kinchela (both sides)
Back Creek Road

Works in Progress or Proposed

Seven Hills Road
Collombatti Link Road
Upper Collombatti Road
Kemps Access
Saleyards Road
Five Day Creek Area
MR75 Armidale Road

THIS IS PAGE 52 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

Verges Creek Road

TOWN AND VILLAGE WORKS

Kempsey

Bloomfield Street (Pavement strengthening)	-	Completed
Innes Street footpath	-	Completed
Kemp Street Pavement Strengthening	-	Completed
Sea Street kerb and gutter	-	Completed
PO Corner paving (Masterplan Works)	-	In progress

Crescent Head

Dulconghi Street drainage	-	Planned
Stewart Street kerb and gutter	-	Planned

Stuarts Point

Marine Parade kerb and gutter	-	Planned
Ocean Street footpath	-	Completed

Smithtown

Croads Esplanade Drainage	-	Planned
---------------------------	---	---------

Frederickton

Yarrabandinni Road (reconstruct shoulders)	-	Planned
Macleay Street – Construct and seal	-	Planned

FLOOD MITIGATION

General Maintenance and Repair	-	In progress
--------------------------------	---	-------------

Bridge Major Repairs

Christmas Creek Bridge (Saleyards Road)	-	In progress
--	---	-------------

THIS IS PAGE 53 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

Flood Damage Restoration Works

Collombatti Link Road	-	In progress
Summer Island Road	-	Planned

HORTICULTURE

- Winter/Summer season changeover complete.
- Kemp Street fields being given extra treatment to be at their best for NSW Under 14 Girls Soccer championships on 19th April.
- Auditing system being established for Parks and Sporting fields. A safety and replacement/repair audit will be eventually carried out on a monthly basis.
- Street Tree register being established to assist in Tree Management and Tree Replacement works.
- Safety analysis underway in regards to all Parks and Gardens work.
- Macleay Littoral Rainforest Rehabilitation project has commenced. Funding has been provided by Kempsey Shire Council, Coastcare and DLWC.
- Weed control work is underway at Racecourse Headland and Shark Island.

NOXIOUS PLANTS

- Sprayed Giant Parramatta Grass – Euroka, Keirs Lane, Marys Bay Road, Boyters Lane, Saleyards Road.
- Sprayed Cuphea – Back Creek Road, Kinchela.
- Attended Riparian Vine meeting at Hastings Council.
- Attended Noxious Weeds Estimates for year 2003 at Bellingen Shire Council.
- Office enquiries, Grant Estimates.
- Private property inspections – Aldavilla, Sherwood.
- Contractor sprayed Camphor Laurel and Privet on Pacific Highway from Frederickton to Kempsey.
- Contractor sprayed Giant Parramatta Grass – Dungay Creek, Old Station Road, Verges Creek Road, Bellbrook, Collombatti.

THIS IS PAGE 54 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

- Contractor sprayed Noogoora Burr – Lanes at Smithtown - Two Hills Lane and Church Lane.

BUILDING SERVICES

Work completed last 4 weeks

- Ongoing maintenance and repair of public toilets including graffiti removal.
- Taxi Rank shelter and waiting area, Belgrave Street.
- Repairs to fencing at PCYC (old King Gee building)
- Verge Street oval – locks have been fixed.
- Furniture restructure, Water and Sewer Sections, Civic Centre.
- Extra maintenance and repairs following increased vandalism to public toilets in Kempsey.
- Structural work associated with new office accommodation at Depot.

Work proposed next 4 weeks

- Continue office modifications to store at Depot and complete construction of office for Works Section at Depot. Relocate staff to new accommodation.
- Continue to adjust offices at Civic Centre for restructuring.
- Prepare foundations and hold-downs ties for office at Taxi Rank site in Kempsey.
- Airconditioning modifications to Environmental Services.
- Rehabilitation of Unit 9, Tozer Street.
- Disabled access modifications to Unit 14, Leith Street.
- Continue to manufacture timber bollards for Kempsey Master Plan works.

Financial Implication

There are no financial implications from the following recommendation.

2002. 262

RESOLVED:

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

That the information be noted.

THIS IS PAGE 55 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

SUMMARY

Reporting on compliments received by Operational Services for the month of March.



- Jill Ferguson - Thank you for the Hampden Hall and Pola Creek locality signs – “they look great”.
- Aldavilla Primary School - Thanking Council for the kind donation of native trees and shrubs and appreciate the fine service of Greg Egan in accessing our needs and kind delivery of plants.
- Trial Bay Triathlon - Thanking Council for their assistance.
- Bert Curnow - Thanking Council for the great job done on his drain in front of his property.
- Gladstone Sports Association - Thanks to your “crew” for the splendid work they are doing at our fields.

2002. 263

RESOLVED:

*Moved: Cl. Parkinson
Seconded: Cl. Hunt*

That the information be noted.

**DIRECTOR ENGINEERING SUPPLEMENTARY REPORT****SUMMARY:**

Reporting on discussions with the RTA on various roads issues.



On 28th March 2002 a meeting was held with the RTA Regional Manager, Peter Collins, to discuss a number of issues, as detailed below:

THIS IS PAGE 56 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

1. Second Bridge over Macleay River

Details are with the RTA's Sydney Office and they are awaiting outcomes.

It would now seem timely for Council to seek an appointment with Minister Scully to attempt to progress this matter.

2. Traffic Management – Pacific Highway, South Kempsey

Surveys of the area from South Kempsey Park to Hill Street have been completed and details are with their design section for options. No funds are available for construction this financial year and funds are being sought for 02/03 and 03/04. Community consultation is expected in May.

Council needs to maintain a watching brief on this matter.

3. South Kempsey Park – Rest Area

Designs are almost finalised for turning lanes between the Crescent Head Road and Middleton Street and funds are available for improvement works within the Park, although not sufficient to cover Council's initial proposals, estimated at \$127,000.

Council's staff are to provide details and estimates on lighting upgrades, a new shelter and BBQ and some improvements to fencing which can be completed this financial year. Funding approval is expected.

Further improvement works will be planned and submitted for consideration in the following financial year.

4. Frederickton – Highway maintenance

The possible surface improvement works discussed previously with Council do not appear to be included in the 02/03 works programme. Discussion on opportunities for funding in the near future drew limited response.

Council may like to pursue this issue more vigorously.

5. Stuarts Point Intersection – Lighting

Whilst some intersections with the Highway are lit, the RTA's current policy is to not provide lights except where there is difficult merging issues for traffic. Better differentiation is available at night if lighting is not provided and, as there is no accident history in the area, safety is not an issue.

It is felt that Council has done all it can on this issue.

6. Kempsey Traffic Bridge – painting

Whilst surface paint is flaking, there is no structural issues with the coating and Kempsey's Traffic Bridge is not a priority, especially compared to the 70 other bridges in this region.

It is felt that Council has done all it can on this issue.

7. Five Day Creek Bridge

Construction of the new structure is well advanced and it would appear possible to complete works ahead of schedule. The RTA has not received a permit to destroy the older timber truss and the RTA is pursuing a workable outcome with the Heritage Trust. One option appears to be that the bridge may need to be relocated and re-erected for display purposes.

Council's staff will need to continue involvement to resolve any likely cost imposts.

8. Highway Signage

The RTA is revising its signage, with a new numbering system. Information is on its way and costs will be borne by the RTA. Some signage will be removed (eg. Gill/Macleay Street Alternate Route) and all advertising signage will be reviewed.

9. Speed Zones

The RTA are the authority responsible for authorising speed zones and it is not appropriate to refer issues raised for consideration by the Local Traffic Committee. All requests for adjustments to existing zonings should be referred to the RTA.

Council's staff will look to review requests with the Police and RTA on a regular basis.

10. Plummers Lane intersection

Concerns with tight turning movements and larger vehicles crossing the centreline on Humpty Back Bridge when entering from the Highway were discussed.

Council's staff will seek a review of the intersection geometry.

11. Repair Program – future priorities

A meeting is planned for August, with all Councils welcomed.

Council's staff will gather information for this meeting.

12. Highway Maintenance

Concerns with a number of surface problems were discussed.

Council's staff will take part in a site inspection with Regional Officer Brett Butcher.

13. Traffic Facilities

Broad details on funding and approvals for traffic facilities were discussed.

Council's staff will forward submissions for Safety Around Schools, Cycleways and Rural Bus Stop remedial works.

The Regional Manager also offered to speak with the Mayor or Council at any time.

Financial Implication

There are no financial implications from the following recommendation.

2002. 264

RESOLVED:

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

1. That the information be noted.
2. That representations be made to the Minister for Roads, the Hon. Carl Scully, seeking support for provision of a second bridge over the Macleay River adjacent to the railway bridge.
3. That strong representations be made to Regional Manager, Peter Collins, for prompt surface improvements to the Pacific Highway through Frederickton.



DIRECTOR CORPORATE AND COMMUNITY SERVICES REPORT

DCCS 1	APPLICATIONS LODGED BY GRANTS ADVISOR
FILE: G10-2	DCT (NRN) {Folio No. 232304}

SUMMARY:

Reporting on Applications lodged by Grants Advisor.



.....
MAYOR

Applications lodged.

Grant Applications	Number	\$ Value
Grant applications lodged	17	\$1,195,775.00
Successful	5	\$123,600.00
Unsuccessful	5	\$753,900.00
Pending	7	\$319,275.00

For further detail see [\(Appendix A\)](#).

100% Funding

Very, very few funding sources provide 100% grants. Those that do come in two kinds. The first almost always assumes some level of contribution by the applicant; these contributions are often in kind, i.e. administration or labour. The second kind very often provides a contribution towards something that already exists for example funds for programs run out of the South Kempsey Neighbourhood Improvement Program and/or West Kempsey Community Renewal Project where Council has already committed funding or is in partnership with other organisations who are making a financial contribution.

Partnerships

This role has provided a great opportunity to facilitate the establishment of a number partnerships and strategic alliances. Partnerships provide an ideal way of harnessing and drawing together scarce resources. For example Air Conditioning of the Bandbox Theatre, total budget \$28,000.00. The partnership between Council and the Kempsey Singers providing \$7,000.00 each, total \$14,000.00 with the balance being provided by the NSW Ministry of Arts. A number of similar partnerships have and are being developed around a number of community projects.

Community Projects or Council Projects

There is a tension in this position between supporting community groups (i.e. Kempsey Singers, SWR Aged Care Facility Committee, Historical Society) to make applications for funds and only working on council projects. As can be seen from the above example of a successful partnership with community group, groups provide both funds for projects and the manpower to make things happen. Successful partnerships also develop significant amounts of social capital and provide Council with great public relations.

Strategic Planning

In many areas of council responsibility i.e. sport and recreation facilities developing a strategic hierarchy of needs and consulting with the respective funding body about that hierarchy is essential. Funding bodies like the NSW Departments of Sport and Recreation and the Ministry of Art who provide capital assistant grants of up to \$300,000.00 require substantial contributions from applicants. Given that very few funding bodies provide 100% grants in

THIS IS PAGE 60 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

[\(Appendix B\)](#)

Financial Implication

There are no financial implications arising from this report.

2002. 267

RESOLVED:

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

That the information be noted.

DCCS 3	STATEMENT OF INVESTMENTS AS AT 31ST MARCH 2002 APC
---------------	--

SUMMARY:

Submitting the Statement of Investments as at 31st March 2002.



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

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

Financial Implication

There are no financial implications arising from this report.

2002. 268

RESOLVED:

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

That the information be noted.

DCCS 4	COMMUNITY SERVICES DEPARTMENT FILE: C10-1 JMC (NRN)	{Folio No. 232305}
---------------	--	---------------------------

SUMMARY:

Reporting on the activities of the Community Services Department between January and March 2002.



Since the previous report the following projects and services have been rendered:-

THIS IS PAGE 62 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

1 **Aged Housing**

- Unit 14 is being adapted for disabled access for current tenant who is now in a wheelchair.
- Only 1 unit is vacant , tenant to move in shortly.
- Boronia Gardens – security screen doors are currently being placed on units at the tenant’s expense.

2 **Community Service Order Gang**

The Community Service Order Gang continues to work on Fridays.

3 **Cemeteries**

Regular maintenance is being undertaken. Between January and March there have been 34 funerals, 2 ashes inurnment and 10 reservations.

4 **Grants**

As per Item 1 of this Report.

5 **Street Stalls and Raffles**

Location	NUMBER OF BOOKINGS			
	January	February	March	TOTAL
Clyde St Mall:	6	12	30	48
Other Locations:	10	5	14	29

6 **Community Safety Council**

The Community Safety Council has held three (3) meetings during this quarter, i.e. 5th February, 5th March and 2nd April 2002.

7 **Slim Dusty Museum**

Regular meetings are still being held to raise funds for the project. The exhibit of the pavers at the Royal Easter Show was a major effort involving voluntary participation by Board Members and members. Results not yet known.

8 **Aboriginal Liaison Officer**

Aboriginal Liaison Committee

The Aboriginal Liaison Committee has held 1 meeting during this quarter and 2 Statement of Commitment Task Force meetings.

The Aboriginal Liaison Committee activities involvement include:-

THIS IS PAGE 63 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

- a) *Planning for Reconciliation, Naidoc Week July 2003, including organising the "Drovers Boy" Art Collection.*
- b) *Ongoing meetings of the Statement of Commitment Task Force to devise and implement strategies identified.*
- c) *Dunghutti Community Working Party – progressing towards Stage 2 and commencement of works.*

Aboriginal Liaison Committee participation is ongoing in the areas of:-

- *Reconciliation projects.*
- *Lobbying at a State and Federal level for better service delivery to Aboriginal and wider communities.*
- *Crime Prevention issues.*
- *Attendance at Goorie – Interagency meetings.*
- *Input into Families First programs.*
- *Support and advice for the Regional Extended Families Service.*
- *Ongoing support for the Youth Development Officer's re Aboriginal Youth issues.*
- *Local Government Aboriginal Mentoring Program.*
- *Aboriginal Employment Strategy.*
- *Local Government and Shires Association Aboriginal Reference Group.*
- *Local Government Aboriginal Network.*

Wutuma Keeping Place

Annual General Meeting to be held in May 2003.

Kempsey Assistance Patrol

Has been consistently operational 3 nights a week and now have a CDEP component of 10 workers.

9 Kempsey Shire Library

During the summer school holidays, Angie Meers the Children's Librarian ran a Summer Reading Club. It was most successful, with 108 children enrolling and most of them completing the minimum of 20 books to read. At the end of the programme, Roger the Clown drew some entries in front of an audience of 50 giggling children, for prizes. Participants and more importantly parents, urged us to run this programme again next year.

The following circulation figures show the real success of this activity. In December 2000, 1429 junior books were borrowed, and in December 2001, 2318: an increase of 62%. In January 2001, 3054 junior books were borrowed and in January 2002, 4077, an increase of 33%.

THIS IS PAGE 64 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

At the other end of the age spectrum, the promotional activity for Seniors Week in March 2002 was Internet tutorials for seniors. It was a one on one activity, people were encouraged to make a booking and they received a tutorial tailored to their needs and lasting for as long as they needed, generally 30-45 minutes. 15 people participated, at least two of them had never been inside a public library and were so pleased that they joined up at the end of their session. Again we were urged to repeat this programme.

The summer was very busy this year, without the usual quiet period around Christmas – New Year, partly due to Angie’s Summer Reading Club. Since school has started, every day has been very busy. Some of St Joseph’s classes still come in, as their library is only temporary premises and not quite adequate to their needs. We have also noticed quite a few young children, in the 7-10 age group coming to the library after school and staying there until nearly closing time at 6.00pm. Partly in response to a perceived need expressed by some of these children, the library has started to sell small packages of nuts and dried fruit purchased from the Dulconghi Delights health food shop in Elbow Street. The library makes a small profit, the health food shop gets a little bit of advertising and the children are a little calmer through not being quite so hungry. Adults who stay in the library for extended periods are also availing themselves of these little snacks.

We have also purchased a chair on wheels for the large print area of the library, as some of our older patrons have expressed their difficulties in getting to some of the lower shelves of books. By having a secure seat, they are enabled to safely bend to the lower shelves.

10 COMMUNITY CARE OPTIONS

Total Clients – 180.

a. Community Care Packages

Domestic Assistance	
Personal Care	
Respite	1944 hours
Meals	1080 hours
Lawn Maintenance	142 hours
Transport	80 hours

b. Community Options

Nursing Care	690 hours
Lawns	75 hours

c. Veteran’s Home Care

THIS IS PAGE 65 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

- | | |
|---------------------|-------------|
| Domestic Assistance | 1020 hours |
| Garden Maintenance | 88 hours |
| Personal Care | 45 hours |
| Respite | 275.5 hours |
- d. Neighbourhood Aid
- | | |
|---------------------|-----------|
| Domestic Assistance | 293 hours |
| Home Maintenance | 112 hours |
| Meal Preparation | 273 hours |
| Social Support | 578 hours |
| Transport | 264 trips |
- e. Bus has travelled 14487 km

11 Compliments Received

- a. H & W Alderton

Thank you for the opportunity to go along last night to the resuscitation training. We found it very good and our instructors excellent.

- b. Extract from South West Rocks Ratepayers and Citizens Association Inc letter:-

Thank Mr Trevor Hannam for having the lights in the Shelter Shed, Horseshoe Bay repaired on New Years Day (1.1.02)

Financial Implication

The financial implication of the following recommendation would be Nil.

2002. 269

RESOLVED:

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

That the information be noted.

SUMMARY:

Reporting on Questions Without Notice from the Council meeting of 12th March 2002.



Responses to Councillors Questions Without Notice from the Council meeting of the 12th March 2002 are listed for information.

Councillor Parkinson**Macleay River Historical Society – Loan Balance**

Council provided a loan in 1983 of \$55,000 subject to interest of 14.7% repayable over a twenty year period to enable the society to meet its contribution in respect of the construction of the museum. The agreement with the society provided for the payment of an annual rental containing both a loan repayment and maintenance component. The current balance of the loan as at 1 January 2002 is \$31,617 (principal and interest) based upon current rental the loan will be repaid in the 2004 year.

Councillor Joukhadar

Consider acquisition of a high speed scanner to allow documents to be scanned into pdf format.

Newly rented Xerox copier is to be connected as a printer / scanner in 3 – 4 weeks. This will be a 65 per minute scanner and should meet the need without capital outlay on a separate high speed scanner which costs about \$7,000.

Financial Implication

The financial implication of the following recommendation would be Nil.

2002. 270

RESOLVED:

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

That the information be noted.

DCCS 6

SENIOR'S LUNCHEON

FILE: P12-8 HR (NRN)

{Folio No. 232308}

SUMMARY:

Reporting on the luncheon held on Thursday 21st March at Kempsey RSL to celebrate senior's week.



Council's annual senior's luncheon was held on Thursday 21st March at the Kempsey RSL to celebrate senior's week. Approximately 380 older residents of the shire attended and appeared to enjoy the entertainment and companionship greatly. Awards were presented to Richard McKay and the Leisure Link group in appreciation of their community participation. The Lions Club and school students assisted with catering and a most enjoyable time was had by all.

Financial Implication

The financial implication of the following recommendation would be Nil.

2002. 271

RESOLVED:

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

That the information be noted.

DCCS 7

**NORTH COAST ACADEMY OF SPORT -
SUB REGIONAL COMMITTEE (HASTINGS MACLEAY)
AND ACADEMY BOARD MEMBERSHIP**

FILE: R3-11 TIH (NRN)

{Folio No. 232310}

SUMMARY:

Reporting on Council's need to nominate representation on the Academy Sub Regional Committee and if any Councillors are interested the Academy Board membership.



Council contributes to the North Coast Academy of Sport and Councillor Bowell is Council's current Delegate and active participant.

The Academy is calling for nominations for membership of its Sub Regional Committee and Academy Board membership.

The Sub Regional Committee generally meets 4 times per annum usually in Port Macquarie or Kempsey and the Academy Board meets 5 per annum, usually at Lismore.

Financial Implication

The financial implication of the following recommendation would be Councillors travelling and attendance at the respective meetings.

2002. 272

RESOLVED:

*Moved: Cl. Hunt
Seconded: Cl. Parkinson*

That Councillor Bowell be nominated to represent Council on the North Coast Academy of Sport Sub Regional Committee and the Academy Board.

DCCS 8	COMMUNITY ADVISORY BOARD MEMBERSHIP – UNIVERSITY OF NSW, SCHOOL OR RURAL HEALTH MID-NORTH COAST RURAL CLINICAL SCHOOL FILE: C18-35 TIH	{Folio No. 232311}
---------------	--	---------------------------

SUMMARY:

Reporting on advice from the Hon Mark Vaile MP for Council to seek membership of the Community Advisory Board (CAB).



By letter received 13th March, Mark Vaile suggested:-

“The University plans to establish a Kempsey Campus and I would encourage Council to contact the School’s Coordinator, Mr Derek Wright, to ensure Council has input on the Board”.

I contacted Derek Wright to seek his advice on how to pursue this matter and he advised that the CAB’s are Ministerial appointments and at this stage all positions are occupied, however he suggested that Council might consider writing to him to suggest that Kempsey Shire Council be represented on the CAB as Hastings and Coffs Harbour have Councillor representation.

Financial Implication

The financial implication of the following recommendation would be Delegate’s expenses to attend and travel to meetings.

Director Corporate and Community Services Recommendation:

That Council make application for membership on the Community Advisory Board of the University of NSW School of Rural Health Mid-North Coast Rural Clinical School.

.....
MAYOR

That the Director Corporate and Community Services recommendation be adopted and that Councillor Bowell be nominated as a Kempsey Shire Council representative on the Board.

DCCS 9	CODE OF MEETING PRACTICE	
	FILE: C18-3 PJH (NRN)	{Folio No. 232312}

SUMMARY:

Reporting of the exhibition of Council's amended Code of Meeting Practice.



Council at its meeting of 12th February 2002 adopted an amended Code of Meeting Practice for exhibition purposes. This followed a workshop held in conjunction with the January 2002 meeting to discuss amendments to the Code.

The draft Code of Meeting Practice was then placed on public exhibition for 28 days as required with submissions to be received for a period of 42 days until 8th April 2002.

In brief the new draft Code of Meeting Practice incorporated the following amendments:-

- Inserting start time of ordinary meetings at 9.00am.
- Public forum clause to state that addresses are to be on topics contained in the business paper and the Mayor may restrict number of speakers on the same topic to one for and one against.
- Amending clause on debate by inserting that the mover of a motion has the right to speak to the motion as well as the right of general reply.
- Inserting a clause allowing that where a majority of Council do not wish to vote on a matter, a Councillor may move that the meeting proceed to the "next business" with the matter considered disposed of for that meeting.
- Inserting a clause allowing a Councillor to move "the previous question" to dispose of a motion without committing anybody. If carried the motion cannot be brought forward again at the same meeting.
- Amending adjournment times to 10.30am to 10.50am for morning tea and 1.00pm to 1.45pm for luncheon.
- Inserting under questions without notice that questions are asked to gain information and are not an avenue to initiate an action.
- Inserting a clause under committee chairpersons stating that the chairperson of a committee is to be elected for 12 months from the first meeting after appointment of Councillors to committees.
- Inserting a Council Meeting Minutes clause on matters to be recorded in the minutes i.e. motions, amendments and movers/seconders.

THIS IS PAGE 70 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

As of the date of preparing this report there were no submissions received. Any submissions that may be received up to 8th April 2002 will be tabled at the meeting on 9th April 2002.

Financial Implication

There are no direct financial implications arising from this report. Once adopted, copies of the amended Code will be distributed to Councillors and Staff and copies made available for the public if requested.

2002. 274

RESOLVED:

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

That the draft Code of Meeting Practice be adopted.

DCCS 10	AFFIXING OF COUNCIL'S SEAL
FILE: I3-12, LA20868, F5	PJH {Folio No. 232313}

SUMMARY:

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



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

StateCover Workers Compensation Proposal Form

Council at its meeting of 12th March 2002 resolved to join the StateCover Workers Compensation Scheme from 1st April 2002. Following receipt of the formal application form from StateCover it required Council's seal to be affixed.

A cover note has been issued by StateCover to cover Council until the document is signed and returned.

Lease of Community Housing Units at 71-73 Leith Street, Kempsey to Community Housing Mid North Coast

Council has an agreement with the NSW Land and Housing Corporation to provide housing units at 71-73 Leith Street, Kempsey. Council is the second lessor in this agreement. The lessee is Community Housing Mid North Coast Incorporated.

The lease document renews the lease for a further term of five (5) years from 7th January 2002 to 6 January 2007 and Council's seal is required to be affixed to the lease document.

THIS IS PAGE 71 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

Federal Flood Damage Grant

The Department of Transport and Regional Services have provided Council with a grant of \$128,926 to assist in the restoration of assets following the March 2001 Flood.

The deed of grant is required to be signed under the seal of Council.

Financial Implications

The StateCover scheme showed a premium quotation of \$453,000, a saving of \$25,000 on the alternative quote from GIO Australia our former workers compensation insurer.

The Leith Street Housing Project lease is based on a rental of \$1.00 per annum paid by the Lessee with the Lessee being responsible for all rates, maintenance and insurance costs.

Federal Flood Damage Grant. Council will receive a grant of \$128,926 to restore assets damaged in the March 2001 flood.

2002. 275

RESOLVED:

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

- 1 That Council authorises the affixing of the seal to the StateCover Workers Compensation application documents.
- 2 That Council authorises the affixing of the seal to the Lease from NSW Land and Housing Corporation and Kempsey Shire Council to Community Housing Mid North Coast Incorporated relating to housing units at 71-73 Leith Street, Kempsey
- 3 That Council authorises the affixing of the seal to the deed of grants offered by the Federal Department of Transport and Regional Services.

DCCS 11	ACCOMMODATION MEDICAL STUDENTS AND VISITING MEDICAL STAFF
FILE: H2-2	TIH (NRN) {Folio No. 232314}

SUMMARY:

Reporting on advice from the Senator the Hon Kay Patterson, Minister for Health and Ageing.



The attached letter [\(Appendix D\)](#) has been received with the compliments of the Hon Mark Vaile MP.

THIS IS PAGE 72 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

Financial Implication

The financial implication of the following recommendation would be nil.

2002. 276

RESOLVED:

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

That the information be noted.

DCCS 12	2001-02 LOAN BORROWING PROGRAM
File L6-3 APC (NRN)	{Folio No. 232315}

SUMMARY:

Reporting on the amended 2001/02 Loan Borrowing Allocation as approved by the Department of Local Government.



Council at its meeting of the 15 January resolved to apply to the Department of Local Government for approval to raise additional loan funds of \$1.65m to enable the installation of a filtration plant for the South West Rocks water supply.

The Department of Local Government has approved Council's request.

Financial Implication

The loan borrowing will create a liability within the Water Fund and increase Council's overall debt service ratio by 0.58%.

2002. 277

RESOLVED:

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

That the information be noted.

DCCS 13	2001- 02 RATES AND CHARGES COLLECTION
FILE: R1-2 APC (NRN)	{Folio No. 232316}

SUMMARY:

Reporting on the percentage of rates and charges collected to the 28 February 2002.



A summary of rates and charges collected with the key milestones being the respective rate instalment dates are attached [\(Appendix E\)](#).

The summary reveals an improvement in the collection percentages over the corresponding periods in 1999/00 and 2000/01.

The improvement is a reflection of the recovery action initiated by Council in respect of ratepayers with outstanding balances from the 2000/01-year, cumulating in the issue of some ninety summons in February 2002. Reminder notices have also been issued in March to those ratepayers who have failed to meet their instalment obligation in the current year, it is proposed to carry out further legal action in those instances where no attempt is made to settle the account.

Financial Implication.

Improved collection of outstanding accounts will enhance Council's cash flow.

2002. 278

RESOLVED:

*Moved: Cl. Howell
Seconded: Cl. Parkinson*

That the information be noted.



DIRECTOR BUSINESS ENTERPRISES REPORT

DBE 1	KEMPSEY AIRPORT		
	FILE: A5-2, C18-23	GBS (NRN)	{Folio No. 232323}

SUMMARY:

Reporting on a request to establish an Airport Grounds Maintenance Committee as a Section 355 Committee of Council.



Due to some legislative impediments the Kempsey Air Cadets have not yet been formally recognised under the Defence Act.

The Cadets have sought, and been given permission, to utilise the terminal building for their purposes and in lieu of rental (approximate value \$2,000pa) the Cadets are to maintain the interior of the building and the surrounding grounds, lawns, gardens, etc.

In the interim period until the legal requirements are in place, it is suggested that a Council Committee be established under Section 355 of the Local Government Act, 1993, so as to provide public liability and voluntary workers insurance coverage.

.....
MAYOR

The executive of the Airport Grounds Maintenance Committee are:

President	-	Mr R Gough
Vice President	-	Mr G Fisher
Secretary	-	Mrs R Da Costa Ennes
Treasurer	-	Mrs G Lewthwaite
Rota Organiser	-	Mr J Burns

Financial Implication

There are no financial implications arising from the following recommendation.

2002. 279

RESOLVED:

*Moved: Parkinson
Seconded: Sowter*

That the Airport Grounds Maintenance Committee be appointed as a Committee of Council under Section 355 of the Local Government Act, 1993, and delegated the functions of the maintenance of the terminal building and surrounding lands.

DBE 2	COURTESY TRANSPORT	
	FILE: T9-5 GBS (NRN)	{Folio No. 232324}

SUMMARY:

Reporting on progress with investigations into the provision of courtesy transport.



Council has resolved to investigate a service to attract residents of Nambucca Heads and Macksville to shop in Kempsey by providing courtesy transport between Kempsey Railway Station and the Kempsey CBD, and return.

In order to properly investigate this proposal it would be necessary to hold a joint meeting between possible transport providers and the Kempsey and District Chamber of Commerce. For the service to be a success it would require some promotional effort and the Chamber appears to be the appropriate body to carry out such activities.

A further report will be presented to the next meeting.

Financial Implication

There are no financial implications arising from the following.

Director Business Enterprises Recommendation:

That the information be noted.

.....
MAYOR

MOVED:

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

That the Director Business Enterprise recommendation be adopted.

An Amendment was MOVED:

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

That the matter be referred to Kempsey and District Chamber of Commerce.

2002.280

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



At this stage 12.22pm, Lesley Schoer addressed Council in relation to Item GM 5 – Economic Development and Tourism Board.



2002. 281

RESOLVED:

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

That Standing Orders be suspended to allow immediate consideration of Item GM 5.

GM5	ECONOMIC DEVELOPMENT & TOURISM BOARD
FILE: I2-17	AVB (NRN) {Folio No. 232338}

SUMMARY:

To consider the Draft Final Report of Lesley Schoer and Associates Pty Ltd on the formation of an Economic Development and Tourism Board.



The Final Draft Report on the formation of an Economic Development and Tourism Board has been received from Lesley Schoer and Associates Pty Ltd. A copy of the report has been provided to Councillors as a separate document.

Council on the 12th March 2002 adopted the following model for the Board: -

- Economic Development Officer (EDO) and Tourism Services Manager (TSM) are employed by Council.
- EDO and TSM are directed by General Manager and report to General Manager.
- ED & T Committee is a 355 Advisory Committee of Council and
- Council retains control of the ED & T budget.

THIS IS PAGE 76 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

The Final Draft Report covers the following matters:-

Purpose and responsibilities of the Committee

- Implementing the Strategic Plan for the Economic Development of Kempsey.
- Making recommendations to Council for economic development and tourism policy and priorities.
- Developing and proposing to Council projects and annual budgets to further its recommendations.
- Take advice from groups representing various sectors of the local economy.
- Independently carrying out projects upon budget approval.
- Giving instruction to the Economic Development Officer and Tourism Manager and their staff who will, in turn, be responsible to the Committee for meeting project milestones within budget.
- Collecting fees and expending a budget.

Criteria for Committee Membership

- Have an interest in economic development for the Shire, including tourism, and are able to see the link between tourism and economic development.
- Have experience in the community.
- Have experience in successful businesses.
- Have a realistic vision for the economic development of the Shire and are willing to promote that vision.
- Are willing to work openly with others to achieve outcomes.
- Will not seek direct personal or commercial benefit from their membership.
- Will be able to coordinate with Regional, State and Federal agencies.

Representation

- Committee should not be representative of particular geographic areas.
- Membership should be skills based.
- Membership is to be between seven (7) and nine (9) members.
- If the General Manager is to be a member of the Committee the Committee may need to be expanded to ten (10).

Term of Office

- The term of office is to be 4 years.
- Half of the Committee should be turned over every two (2) years

Selection Process

- Expressions of Interest
- Selective encouragement

THIS IS PAGE 77 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

Staffing

- Economic Development Officer
- Tourism Manager
- Two full time Tourism Officers
- Two part time Tourism Officers
- Clerical Assistant

Budget

- Within existing allocation
- Membership fees to be collected for Promotion

The relationship of the staff to the Committee needs to be sorted out. The Local Government Act 1993 confers the following functions on the General Manager:-

- the day-to-day management of the council
- to exercise such of the functions of council as are delegated by the council to the General Manager
- to appoint staff in accordance with an organisation structure and resources approved by the council
- to direct and dismiss staff
- to implement the council's equal employment opportunity management plan

The General Manager may delegate any of the functions of the general manager other than the power to delegate. I would be very reluctant to delegate the function of directing staff unless I or a staff delegate was a member of the committee.

Council, once the Committee has been established, would need to develop performance criteria for the Committee particularly if it delegates functions to the Committee.

Financial Implications

The structure suggested by the consultants would be covered by current budgetary provisions.

General Manager's Recommendation:

- 1 That Council determine the structure (including numbers), responsibilities and delegations of the Economic Development and Tourism Committee.**
- 2 That Expressions of Interest be called for membership of the Committee.**
- 3 That two (2) Councillor representatives be appointed to the Committee.**

- 4 That the General Manager or his staff delegate be a committee member.
- 5 That the positions of Economic Development Officer and Clerical Assistant be advertised.

2002. 282

RESOLVED:

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

That Council thank Lesley Schoer & Associates for their work undertaken in this matter.

2002. 283

RESOLVED:

*Moved: Cl. Hunt
Seconded: Sproule*

- 1 That the Economic Development and Tourism Committee consist of 9 members.
- 2 That the General Manager be a member of the Committee.
- 3 That two Councillors be appointed to the Committee with one to be the Mayor.
- 4 That expressions of interest be called for the remaining membership positions on the committee.

Councillor Parkinson recorded his vote against the foregoing Resolution.

2002. 284

RESOLVED:

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

- 1 That the purpose and responsibilities of the committee be:-
 - Implementing the Strategic Plan for the Economic Development of Kempsey.
 - Making recommendations to Council for Economic Development and Tourism policy and priorities.
 - Developing and proposing to Council projects and annual budgets to further its recommendations.
 - Take advice from groups representing various sectors of the local economy.
- 2 That Council delegate the responsibilities of:-
 - Independently carrying out projects upon budget approval.
 - Collecting fees and expanding the budget approved by Council.
- 3 That the General Manager be requested to delegate to the Committee the authority to instruct the Economic Development Officer and Tourism Manager and their staff who will, in turn, be

THIS IS PAGE 79 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

responsible to the Committee for meeting project milestones within budget.

2002. 285 **RESOLVED:** *Moved: Cl. Hunt*
Seconded: Cl. Sproule

That with the remaining balance of the membership that half be appointed for a four (4) year period and the other half for a two (2) year period to be determined by ballot.

2002. 286 **RESOLVED:** *Moved: Cl. Sproule*
Seconded: Cl. Hunt

That the positions of Economic Development Officer and Clerical Assistant be advertised.

2002. 287 **RESOLVED:** *Moved: Cl. Hunt*
Seconded: Cl. Sproule

That the panel selection committee be the General Manager and 2 Business persons.



At the stage 12.50 p.m. Mr Graham Cooper addressed Council with a presentation in relation to Item M 2 concerning the Regional Television Project.



At this stage 1.18 p.m. the Meeting adjourned for Luncheon and upon resumption at 2.08 p.m. all present at the adjournment were in attendance with the exception of Councillor Sowter who apologised for non attendance for the remainder of the meeting.



The following Item was deferred from earlier in the meeting.

M 2	MID NORTH COAST GROUP OF COUNCILS
	FILE: R 5-2 Councillor Hayes, Copy JCC
	{Folio No. 232253}

SUMMARY:

Reporting on the Group meeting held at Macksville on Friday 15th March, 2002.



The Director Business Enterprises, Mr Bruce Snape, and I represented Council at the meeting of the Mid North Coast Group of Councils.

Other Council's represented were Coffs Harbour, Bellingen, Nambucca, Hastings, and Greater Taree.

A copy of the Minutes of the meeting is attached at [\(Appendix A\)](#)

Participants at the meeting supported the continuation of regional meetings, and I agreed to report back to the next meeting, on the possible formation of a low key, low cost Regional Organisation.

The Group agreed to offer support in principle to the Topoclimate project based on Dorrigo as submitted by Bellingen Shire Council for Dairy RAP funding. No commitment was given for financial support from the Group.

Further difficulties in administering the On-Site Sewerage Management Legislation were discussed, particularly in relation to the aspect of the consent attaching to the "person" rather than the property. All Councils were asked to write to the relevant Ministers seeking a review.

The Group discussed the problems with Public Liability Insurance, and in particular the exclusion of Local Government from the meeting of Governments convened to find solutions to the problems. The Group and individual Councils should write to Local, Federal and State Members.

Tim Rogers, CEO\ Resource NSW, provided the meeting with information regarding the State Waste Strategy. Resource NSW replaces all of the former Waste Boards operating across the State, and to-date its activities have mainly involved the plans and projects of those former Boards. Resource NSW is now beginning to work with regional NSW, and aiming to improve existing arrangements.

A very interesting presentation was given by Mr Graham Cooper in respect of a proposal for the establishment of a Regional Film and TV Production Unit.

Mr Cooper has been employed by Hastings Municipal Council on a part-time basis from Area Consultative Committee funding. He outlined significant achievements to date and indicated the potential for economic growth in relation to film production and film location on the Mid North Coast.

Funding for Mr Cooper's position expired on 20th March, 2002.

The proposal is to expand the project to a regional one, with the six (6) local councils contributing 30¢ per head of population (Kempsey Shire = \$8,100) to raise a total of \$68,000, and additional funding of \$50,000 each from the Holiday Coast Area Consultative Committee and NSW Department of State and Regional Development. Total annual Budget is approx \$168,000.

The Group's recommendation was that "all Council members of the Mid North Coast Group of Councils make provision in their respective draft budgets to contribute towards the Regional Film Officer Manager proposed".

THIS IS PAGE 81 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

Also, Hastings Council has written to each member Council seeking a voluntary contribution to continue Mr Cooper's employment until the end of the 2001/2002 financial year.

Kempsey Shire Council's contribution would be \$972 (based on population of 27,000 x 3.6¢).

Mr Cooper has been invited to address Kempsey Shire Council on this project at to-days meeting at 12.40pm.

The group meeting was also addressed by Manning Valley events Co-ordinator, Jeremy Miller, on proposals for the appointment of additional events co-ordinator and a Regional Events Development Officer over-arching all the individual events co-co-ordinators.

The Group Meeting resolved to support the proposal in principle.

The next meeting of the MNC Group of Councils is scheduled for 10th May, 2002 at Kempsey.

Financial Implication

If Council is of a mind to participate in the Regional Film and Television Project provision will need to be made in the 2002/03 Budget for its contribution of \$8,100.

Mayoral Recommendation:

- 1 That the information be noted.
- 2 That consideration be given to the inclusion in the 2002/03 Budget of \$8,100 as Council's contribution to the Regional Film and Television Office project.
- 3 That Council allocate \$972 from the 2001/02 Budget for Economic Development as Council's share of the cost of employing a Regional Films and Television Project Officer.
- 4 That Council investigate the opportunities for grant funding the position of Macleay Valley Events Co-ordinator.
- 5 That Council write to the Minister for Local Government seeking a review of the on-site Sewerage Management legislation.

2002. 288

RESOLVED:

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

That the Mayoral Recommendation be adopted subject to the addition of:-

THIS IS PAGE 82 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

- 6 That representations be made to the Minister of Police Michael Costa and through Andrew Stoner MP to the Opposition Leader John Brogdan regarding rural police issues and that a copy be forwarded to Councillor Shirley Close Mayor of Barraba.

DBE 3	SEWERAGE LIAISON COMMITTEES
	FILE: S8-32, S8-23, S8-24 GBS (NRN)
	{Folio No. 232325}

SUMMARY:

Reporting on the need to appoint Sewerage Liaison Committees for the villages of Hat Head, Stuarts Point and Willawarrin.



Hat Head

When Council appointed its Committees on 11th September 2001, Councillors Bowell and Mainey were appointed as Delegates to the Hat Head Sewerage Liaison Committee, with Councillor Sowter as an alternate Delegate.

No citizen members were appointed at that time. Following the recent announcements regarding progress towards installation of sewerage facilities, a meeting of the Hat Head Sewerage Liaison Committee was convened for 5.00pm on Wednesday, 20th March 2002, and citizen members of an earlier Committee were invited to attend.

At the meeting there were only two (2) former citizen members (not enough to form a quorum) but approximate 30 members of the community attended.

There appeared to be general confusion about the Committee membership; how it was appointed; and who should be a member. Some former members were no longer appropriate, or available.

It is suggested that Council should re-call for expressions of interest from citizens, and then appoint a new Hat Head Sewerage Liaison Committee.

Stuarts Point

At the recent Stuarts Point community consultation meeting it was indicated that the Department of Public Works had been engaged to proceed with investigations in relation to the proposed Stuarts Point sewerage scheme.

The meeting was also advised that Council would form a local sewerage liaison committee as had been the case for the other villages.

Willawarrin

Council has provided \$600,000 in the 2002/03 Budget from loan funds for the installation of a sewerage scheme for the village of Willawarrin.

THIS IS PAGE 83 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

A local liaison committee should be established to assist Council through the investigation, design and installation process.

Financial Implication

There are no financial implications arising from the following recommendation.

2002. 289

RESOLVED:

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

That Council invite expressions of interest from citizens of Hat Head, Stuarts Point and Willawarrin for membership on respective sewerage liaison committees.

DBE 4	NORTH COAST REGIONAL TOURISM ORGANISATION
FILE: C11-13	SJR (NRN) {Folio No. 232327}

SUMMARY:

Reporting on the progress to date with our partnership with the North Coast Regional Tourism Organisation (RTO)



On 6, 7 and 8 September 2001 Southern Cross Universities Centre for Regional Tourism Research hosted the Australian Regional Tourism Convention, which was attended by Tourism Manager, Steve Read.

An outcome from the convention was the production of the Australian Regional Tourism Handbook – Industry Solutions 2001. Copies of this publication have been provided to Councillor’s Bowell and Joukhadar as requested at the November 2001 General Meeting of Council.

It is timely to update Council on the operations of our Regional Tourism Organisation North Coast NSW.

Support

Traditionally Kempsey have enthusiastically embraced the principles of Regional Tourism Organisations (RTO’s) in the belief that:

- a. Partnerships in marketing with our neighbouring local government areas (LGA’s) are beneficial.
- b. Marketing economies of scale are evident at a regional level.
- c. Our participation provides opportunities for involvement in large-scale marketing endeavours, which are in excess of our financial resources in terms of financial entry level.

.....
MAYOR

- d. Participation in regional tourism provides access to funding and marketing programs subsidised by Tourism New South Wales (TNSW)
- e. Pooling of resources and intelligence will benefit the local tourism industry.
- f. As a developing local government area we need to “ride on the coat tails” of our adjoining shires who perhaps have a higher recognition as tourist destinations.

History

In prior years Kempsey and the Macleay Valley were members of the Mid North Coast RTO, which encompassed the LGS’s of Great Lakes, Greater Taree, Hastings and Kempsey. This RTO enjoyed numerous successes in marketing initiatives and recognition from both TNSW and industry peers. The RTO was awarded Best Developing RTO, the previous Tourism Manager, Margaret Mottee and current Tourism Manager, Steve Read, received awards for Contributions to Regional Tourism at state level. Support and participation from local operators was strong and Kempsey provided two out of four Chairpersons in Jenny Kelly and Marion Blythe.

Amalgamation Development

In 2000 it was decreed that TNSW would amalgamate the Mid North Coast RTO, which included the LGA’s of Nambucca, Bellingen and Coffs Harbour. Consultation with industry operators had in the main opposed this amalgamation but the decision was taken to proceed. Nicole Sheridan and Association facilitated the amalgamation process on behalf of TNSW. The process took an inordinately long time and numerous projects were stalled and in my view regional tourism promotion sat in limbo for far too long.

At the culmination of the amalgamation process a new player was accepted to this new RTO as Port Stephens wished to leave the Hunter Valley RTO. The reality is that this new RTO covers a huge tract of the NSW Mid North Coast, has incredible diversity of tourism appeal and product and communication and consensus through eight LGA’s presents an enormous challenge.

Structure

Previously Mid North Coast RTO had one board consisting of Tourism Managers from each LGA as well as one industry representative from each LGA, a Regional Manager appointed by TNSW and an Executive Officer employed by the board. TNSW sought and formed three groupings for the structure of the new RTO.

Executive Board

They formed an Executive Board of seven directors selected on a skill-based basis from within the region and appointed Ms Fiona Ellis, Director of Marketing TNSW. Kempsey Shire has no automatic right to a representative but was fortunate to have Mr Paul Stagg, Director of Beach Holidays Pty Ltd,

who provides contract management of Council's 4 Shore Holiday Parks selected.

Marketing Team

TNSW selected a marketing team of eight representatives who were generally the LGA Tourism Manager, Steve Read as Kempsey Tourism Manager sits on this team and Cindi Cowen, TNSW Market Development Manager was appointed to this board.

Development Team

TNSW selected a Development Team of nine representatives who only recently held their inaugural meeting. It is envisaged that this board will work closely with the Australia's Holiday Coast Regional Development Board, Mr Chris Voase was originally selected to this committee but decline to attend after nearly 9 months had elapsed from his acceptance to the initial meeting. Mr Richard Emmerson, proprietor of the South West Rocks Tourist Park has filled this vacancy at short notice, Mr Bill Mabey TNSW Northern Area Manager was appointed to this board.

Manager

TNSW experienced difficulty in securing a manager to coordinated the new structure, the initial selected applicant declined to accept the position and hence the position was not confirmed until very late in 2001. The new RTO has suffered as a result and has lost much ground to recover in the future. Ms Jane Morgan has now filled the position.

Complete lists of representatives to each of these boards/committees are attached at [\(Appendix A\)](#)

Council's financial commitment

Membership subscriptions to the new RTO have been retained at levels of the previous RTO. Annual costs are \$2,000. This subscription has not been invoiced to date and perhaps initial subscriptions will not be requested until subscriptions will not be requested until the 2002/03 financial year.

Achievements to Date

- The North Coast RTO have produced 50,000 full colour glossy A4 8 page triple fold brochures as collateral for marketing campaigns. A copy is available for Councils perusal.
- Production of display posters for each LGA to be used for trade show promotions.
- Planning for staging of regional tourism awards for excellence.
- The Executive Board has met over the preceding 8 months to formulate a business plan for the RTO. The Tourism Manager has a draft copy of this Business Plan.

- The Development team have held an initial meeting to investigate development issues for the region, see [\(Appendix B\)](#)
- Promotions have been undertaken at the Adelaide, Sydney Getaway, New Zealand OZ Talk, Sydney Royal Easter Show, Sydney Caravan and Camping Show and Canberra Lifestyle Expo's.
- Future regional campaigns include both the Brisbane and Melbourne Caravan and Camping Shows.
- Involvement in regional conference studies in conjunction with the NSW Convention Bureau.
- Advertising in NSW Conventions publication.
- Participation in an upcoming Sun Herald Food and Vine Trails feature.
- Advice and support to operators of Sun Herald Getaways Feature in May 2002.
- Proposals to UK and NZ Travel Agents to conduct familiarisation tours of the regional.

Strategies

North Coast NSW RTO have applied to the Australia's Holiday Coast Area Consultative Committee (ACC) for funding to \$30,000 to produce the NCNSW Integrated Tourism Marketing and Development Plan. This plan will identify key areas for growth and development of the region as a whole and provide strategies for the future of tourism in the North Coast.

Initial familiarisation tours as the first step in the process begin on 10 April with tours throughout the region and discussions with key industry players. Development of sustainable tourism strategies will be incorporated into this plan.

The Future

Whilst the previous RTO had an effective organisation in place we accede to direction from TNSW, as providers of major funding. In the belief that the revised RTO structure will benefit the growth, development and marketing of the region,

The transitional phase in the melding of the two RTO's is nearing completing. The new structure incorporates a stronger commitment and participation from TNSW selected staff with specific expertise.

Kempsey Shire should be prepared to allow time for this new structure to set in place plans and procedures and achieve worthwhile results. Given time and support it is hoped that the RTO can deliver similar benefits to the Shire and the previous RTO Mid North Coast.

Footnote

A copy of this report has been forwarded to Ms Jane Morgan, Manager North Coast NSW RTO seeking an update on progress of the RTO to date.

Financial Implication

The financial implication arising from the following recommendation is \$2,000, which is fully funded from the Tourism Services Section budget.

Director Business Enterprises Recommendation:

1. That Kempsey Shire continues to participate in the North Coast Regional Tourism Organisation.
2. That future performance of the RTO be monitored and reported to Council within six months.
3. That a reply from the Manager of North Coast NSW RTO be reported to Council upon receipt.

2002. 290

RESOLVED:

*Moved: Cl. Howell
Seconded: Cl. Parkinson*

That this matter be deferred to the next meeting of Council when the Tourism Manager can be present.

DBE 5

HAT HEAD SEWERAGE

FILE: S8-24 GRP

{Folio No. 232328}

SUMMARY:

Reporting on the progress of provision of sewerage facilities for Hat Head.



The Department of Public Works and Services, as Project Managers for this project, have received and assessed tenders for the design and construction of sewerage facilities at Hat Head. Council and DLWC, as the clients, were involved in this tender assessment procedure.

The scheme has been tendered in two parts, one for the collection system and one for the treatment and disposal system.

The recommended tenders were submitted to the Board of Advice & Reference (BAR) for their concurrence with the recommendation. This concurrence was obtained on 18th March 2002.

Council was also asked to indicate its concurrence, and an appropriate notice from Council was issued on 21st March 2002.

Following final approval from the Group General Manager, Project Management Group (DPWS), the letters of advice to the successful tenderers are issued through the DPWS corporate solicitor.

THIS IS PAGE 88 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

The successful tenderers are:

Collection System:

New England Excavations, adjusted tendered amount \$2,131,829.20.

Treatment & Disposal System:

United Kilpatrick Green, adjusted tendered amount \$2,932,554.

The Contract period for practical completion is 42 weeks from receipt of Letter of Acceptance. Testing, Commissioning, etc follows practical completion. It is anticipated that the detailed design phase of the contract will be approximately 6 weeks with construction activities commencing shortly after.

Financial Implication

The successful tendered amounts fall in line with the approved estimated costs for the scheme.

2002. 291

RESOLVED:

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

- 1 That Council notes the progress towards the provision of sewerage facilities for the village of Hat Head.
- 2 That Council ratify the action of the Director Business Enterprises in offering Council's concurrence to the recommendations of the Department of Public Works and Services.

DBE 6 STORMWATER INFILTRATION TO SEWAGE MAINS IN CRESCENT HEAD
FILE: S8-24 AMB (NRN) , Copy APC
{Folio No. 232329}

SUMMARY:

Report brought forward following concerns raised at the Crescent Head Community Consultation.



Stormwater infiltration can take several forms but the majority of infiltration is a result of:

- a) illegal connections,
- b) improper connections, and/or
- c) main disrepair.

.....
MAYOR

The more common illegal connections include intentional connection of a property's stormwater, instances of broken mains and filling around gully traps, which allow surface water to access the sewerage system.

Improper connections are where pipes are poorly or incorrectly joined allowing groundwater to infiltrate the sewerage system.

Main disrepair is where a cracked or broken main allows groundwater infiltration and/or tree roots to access the main. Tree roots in a sewage main, in time either blocks or reduces the capacity of the sewage main.

Smoke testing is the usual way to identify illegal connections and Camera inspections (a small robotic video camera films the main as it travels while the camera operator identifies and logs what is seen) is used to identify instances of improper connections and main disrepair.

Approximately two years ago, staff in what is now Council's Water Services prioritised the need for smoke testing in the Kempsey Shire. Areas of the Shire were prioritised on the basis of the increase in volumes received at the Sewage Treatment Plants in wet weather periods. The increased volumes were considered to be as a result of stormwater infiltration. Priority was given to West Kempsey and South/East Kempsey. Crescent Head was considered to be the next priority.

Smoke testing in South/East Kempsey was completed late last year, a press release was issued in early February and 'notices to rectify' were issued to property owners in mid-February. The 60-day compliance requirement will be followed up in late April.

Although further smoke testing has not been programmed for the remainder of the current financial year, it would be possible to carry out some works this year by the re-direction of funds.

Camera inspections are scheduled for priority problem areas in this financial year, following the Easter break. The priority areas have been designated as West Kempsey, South Kempsey and South West Rocks. South West Rocks has been included on the priority list as sand infiltration is damaging Council's pumping equipment. It would be possible to add some of the problem stormwater inundation areas of Crescent Head to this contract.

Following the February 5 inundation of heavy rain in Crescent Head, Council received several complaints regarding surcharging of sewage manholes and field staff attended several instances on the actual day and days following. Concerns were also raised at the recent Community Consultation Meeting at Crescent Head.

The rainfall received on February 5 was not isolated as rain was received on the preceding and following day. Rainfall on February 5 was measured as 237mm in 24 hours with a peak intensity of 74mm in 30 minutes followed by several similar but slightly less high intensity periods. The peak intensity was a 1 in 100 year storm for Crescent Head. Water Services staff believe the primary factor for the surcharging was the unusually heavy rain, in

THIS IS PAGE 90 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

combination with instances of illegal stormwater connections and the need to augment the sewage pump stations.

Budgeted amounts in the sewer fund for rehabilitation, repairs, renewals, cleaning and maintenance have already been either spent or allocated to projects due to be completed before the end of the financial year.

One such project is the augmentation of the three Crescent Head sewage pump stations scheduled for the two months following Easter. This augmentation alone will not rectify the surcharging problem but it may improve the problem considerably.

To alleviate remaining infiltration problems it was intended to complete smoke testing and/or camera inspections in the ensuing financial year. This timeframe would allow the commissioning of the augmentation and a reasonable operational proving time. The inspection of gully trap levels (and where necessary issuing of notices to complete work to the property owners) in the known problem infiltration areas of Crescent Head may provide a quick way of reducing the amount of stormwater infiltration. The restructuring of workloads in the South Team is being investigated to enable this work to be completed, however the gully trap inspections would not be possible until later in the financial year. South Team's current high priority projects (Crescent Head pump station augmentations and the East Kempsey School vent pipe renewal) would take precedence over the infiltration investigations.

Financial Implication

The following recommendation provides for the re-direction of existing Budget allocations.

2002. 292

RESOLVED:

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

That the sum of \$20,000 be allocated from existing expenditure votes for investigation of infiltration to sewerage mains in Crescent Head.

DBE 7	FINANCIAL VIABILITY OF TRADE WASTE
FILE: G1-18	TLW (NRN) {Folio No. 232330}

SUMMARY:

Reporting on the Financial Viability of Council's Trade Waste Garbage collection service.



Council at its meeting of 17th April 2001 resolved:

“That the Director Operational Services report to Council on the continued profitability of the Trade Waste Service.”

.....
MAYOR

Council then considered a report at the October 2001 meeting and resolved:

“That the report be recommitted when it is reassessed.”

The following report is submitted for Councils consideration.

Revenue

As advised in previous reports the final adopted budget for the 2001/2002 financial year listed revenue for Trade Waste at \$343,440. This figure includes revenue generated as a result of the normal trade waste service and the commercial 240L sulo bin service.

Council at its February 2002 meeting considered the Quarterly Budget review to the 31st December 2001, at which time the revenue was increased to \$440,740, the revenue has been subsequently reviewed as follows:

Trade Waste Bins	\$245,000
Commercial Wheelie Bins	\$ 98,000
SWR Transfer Station	\$ 31,300
St Pt Transfer Station	\$ 11,000
Bellbrook Transfer Station	\$ 2,000
Caravan Parks	\$ 40,000
Sundry Income	\$ 1,000
TOTAL	\$428,300

Council is continuing to negotiate with additional businesses as they are established and there are some opportunities for existing businesses to become a customer of Councils.

Expenditure

The following table details current operational expenditure for the Trade Waste Service and the Street and Park Bin Service. Both services are carried out using the same vehicles with collection staff allocating costs based upon time taken to complete the respective services. It should be noted that the street and park bin collections do not come under the trade waste services within Council budget but instead under 'Rubbish Tips, Street Sweeping and Sundry Services'.

TRADE WASTE SERVICE	Approved Budget 2001/2002	Expenditure 22/3/2002	Revised Budget 2001/2002
Management Charges	52,857	39,645	52,857
Collection Service:			
Carters Wages	64,722	51,610	69,000
Vehicle Expenses	86,327	57,162	77,000
Trade Waste Bin Maintenance	10,750	2,813	5,000
Sundries	3,708	497	2,000
Disposal Charges	150,000	102,704	148,000

THIS IS PAGE 92 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

Loan Repayments	4,395	2,287	4,024
Provision of new bins	40,000	22,950	30,000
Total Trade Waste Expenditure	412,759	279,668	387,881

STREET & PARK BINS	Approved Budget 2001/2002	Expenditure 22/3/2002	Revised Budget 2001/2002
Collection Service			
Carters Wages	38,150	35,684	48,000
Vehicle Expenses	45,000	31,323	42,000
Total Street & Park Bins	83,150	67,007	90,000

The above tables reflect that the cost of the trade waste service is under current budget projections whilst the cost to Council to collect the street and park bins is expected to exceed current provisions by \$6,850.

Conclusion

Based upon the revised revenue and expenditure projections the trade waste service will realise a "profit" of \$40,419 in the current year.

Coupled with the profit generated to Council by the operation of the trade waste service Council also benefits in the following manner.

The utilisation of the Rear Loading collection vehicles at the Waste Transfer Stations has proven highly effective. The expansion of the waste transfer facilities within the Shire will generate additional work for the rear loading compactor and in turn enhance the profitability of the trade waste service.

The rear loading collection vehicles are not purely engaged with the trade waste service. These vehicles also provide valuable support to Council's domestic waste collection service. In times of breakdown and during the busier holiday periods, the rear loading vehicles are often used to empty domestic waste bins. If the trade waste service was terminated, domestic waste collection costs would invariably increase due to the need to cater for work currently undertaken by the trade waste vehicle.

Financial Implication

The financial implication of the following recommendation will result in a net annual profit to 'Other Waste Services' of \$40,419 in 2001/02

2002. 293

RESOLVED:

*Moved: Cl. Parkinson
Seconded: Cl. Hunt*

That Council continue to operate the Trade Waste Collection Service.

SUMMARY:

Reporting on Questions Without Notice from Council meetings of the 12th March 2002.



Responses to Councillors Questions Without Notice from the Council meeting of the 12th March 2002 are listed for information.

Councillor B Sowter

File G1-16

GBS (NRN)

{Folio No. 231066}

That the Director Business Enterprise would investigate providing a fortnightly garbage service for the residents of Back Creek Road, Kinchela.

A survey is being conducted to gauge community support. A further report will follow when the results of the survey are known.

Councillor P Parkinson

File G1-16

GBS (NRN)

{Folio No. 231061 }

That the Director Business Enterprise would investigate extending the garbage service to Crowther Drive and this would be listed for the Community meeting agenda at Kundabung.

The Kundabung meeting was advised that a survey is being conducted to gauge community support. A further report will follow when the results of the survey are known.

Financial Implication

There are no financial implications from this recommendation.

2002. 294

RESOLVED:

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

That the information be noted.

SUMMARY:

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



The following plant was **purchased** in March 2002.

Date	Dealership	New P/No.	New Vehicle	Cost \$
21.3.02	Bill Slattery's Truck and Bus Sales Victoria	V1958	Mobile Site Amenities Van Road construction	\$15,900
		V1962	Mobile Site Amenities Van Road construction	\$15,900
28.03.02	Thoroughgood Motors	V1978	Holden VX Commodore Executive	\$25,300
		V1979		\$25,300
		V1980		\$25,300

The following plant was **sold** in March 2002.

Date	Dealership	New P/No.	New Vehicle	Cost \$
28.3.02	Thoroughgood Motors	V1834	Magna	\$12,000
		V1841	Magna	\$12,500
		V1853	Magna	\$12,300

Financial Implications

There are no financial implications arising from this report as all costs are covered by the Fleet Management Budget (these prices include GST).

2002. 295

RESOLVED:

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

That the information be noted.

SUMMARY:

Reporting on works in progress.

**WATER SUPPLY**

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

Works completed during last 4 weeks

1. Connect Trunk Mains – John Lane Pumping Station.
2. Construct new link main – Ledge Street, Hat Head.

Works Proposed for next 4 weeks

1. Meter Replacement Program – continues.
2. Cut in water main connection for new subdivision at Belle O'Connor Street, South West Rocks – awaiting contractor.
3. Roofing SWR Collection Tank and Willawarrin and Bellbrook reservoirs – continuing.
4. Install Meters on all bore pumps – continuing.
5. Replace main in Greenfield Avenue, Kempsey – 90% complete.
6. Replace main in Polwood Street, Kempsey.
7. Construction of new re-chlorination plant at Bellimbopinni – awaiting DA approval.
8. First Lane water main – Kemp to Smith Street.
9. Clean Willawarrin and Bellbrook Reservoirs.
10. Clean Potters Hill Reservoir and install Cathodic Protection.

MONTHLY WATER CONSUMPTION

	March 2002 Kilolitres	March 2001 Kilolitres
<i>Belgrave Falls</i>	135,114	98,622
<i>Bellbrook</i>	1,187	946
<i>Crescent Head</i>	0	17,772
<i>Hat Head</i>	7146	5,038
<i>Sherwood</i>	428,528	208,744
<i>South West Rocks</i>	53,828	0
<i>Stuarts Point</i>	15,228	15,899
<i>Willawarrin</i>	1,565	802
Total Consumption	1,581,908	347,823

Kilolitres to Financial Year to Date: 8,889,888 KL

Connections for March – 11

SEWERAGE

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

Works Completed during last 4 weeks

1. Construct Rising Main and pump station from Kempsey Pump Station 11A – 100% complete.
2. Take Crescent Head pasveer off line.
3. Transport dried sludge from West Kempsey Sewerage Treatment Works.

Works Proposed for next 4 weeks

1. Repair faults found by Smoke Testing – continuing (South Kempsey).
2. Crescent Head Pump Station refurbishment.
3. Construct new pump station Spencerville, South West Rocks – 90% complete, awaiting Country Energy connection.
4. Upgrade access West Kempsey Sewerage Treatment Works, South Kempsey Sewerage Treatment Works and South West Rocks Treatment Works.
5. Refurbish sewer main Leith Street to Polwood Street.
6. Camera inspections of South West Rocks and Kempsey Sewage mains.
7. Epoxy coating of channels at South West Rocks Treatment Plant.

THIS IS PAGE 97 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

8. Pump station well washer installations by South Team.

SALEYARDS

Works Completed during last 4 weeks

1. Normal maintenance and operation.
2. Construction of 2 new steel loading chutes (including adjacent yards).
3. Construction of 17 new steel yards.
4. Connection of water troughs in new yards.
5. Installation of new cattle crush.

Works Proposed for next 4 weeks

1. Normal maintenance and operation.
2. Commence concrete yards/lanes leading to loading chutes.
3. Connect 1½" Tap to Truck Wash.
4. Fill and gravel truck parking area.
5. Re-locate water line at southern end.
6. Design of Effluent Treatment system.

AIRPORT

Works Completed during last 4 weeks

1. Normal maintenance and operation.
2. Arrangements made for re-introduction of landing fees.
3. Audit of airport users.

Works proposed for next 4 weeks

1. Normal maintenance and operation.
2. Pavement restoration in refuelling area (Flood Damage grant).

GENERAL MATTERS

Works Completed during last 4 weeks

1. South West Rocks Country Club –
 - a) Finalised draft lease for leaseback of Pool and other community amenities upon sale of Lot 7 to Club.
 - b) Obtained Title Deeds for Lot 11, so that lease of golf course can be registered.

THIS IS PAGE 98 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

That the information be noted.



DIRECTOR BUSINESS ENTERPRISES SUPPLEMENTARY REPORT

DBE 1	CELEBRATE THE MACLEAY	
	FILE: I2-16 GBS (NRN)	{Folio No. 232353}

SUMMARY:

Reporting on Council's involvement in Celebrate the Macleay.



The Celebrate the Macleay event is to be held at Warwick Park Racecourse on 19th and 20th April 2002. It has evolved from the former Made on the Macleay festival which was held in 1997, 1998, and again in 2000.

This year Council has taken out a major sponsorship package at a cost of \$1,000, which entitles Council to –

- 1 site at the event (\$310)
- 10 entry tickets (\$30)
- 4 tickets to Gala Dinner on Wednesday, 17th April (\$240)
- advertising in the Macleay Argus (\$500)

The organisers of the event, Regional Publishers Pty Ltd, will also include Council in print, radio, and TV advertising as a major sponsor.

Council's stand will feature the business activities of Council, including waste services, water, sewer, fleet management and saleyards.

As in previous years Councillors will be invited to become part of the promotion by way of a "duty roster". Staff will also be assigned to support the display.

The Tourism Services Section will also take up a stand to promote the tourism industry.

Financial Implication

The costs involved in Council's participation in Celebrate the Macleay will be funded from within existing Budget allocations.

THIS IS PAGE 99 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

2002. 297

RESOLVED:

*Moved: Cl. Howell
Seconded: Cl. Parkinson*

That the information be noted.

DBE 2	AIRPORT FEES AND CHARGES
FILE: A5-3 KJF (NRN)	{Folio No. 232354}

SUMMARY:

Reporting on the level of fees and charges recovered from airport users.



At Council's meeting of 15th January 2002, it was resolved:

"That Council's Policy on fees and charges for the aerodrome be reviewed with a view to achieving 30% cost recovery."

The 2002/03 Draft Budget provides for –

Operating Revenues		\$27,250
Operating Expenses (Excl. Depreciation)	\$72,653	
Capital Expenses – Loan Principal	<u>\$19,598</u>	
Total Expenses		\$92,251

Financial Implication

30% of total expenses = \$27,675, which indicates a shortfall of \$575 on the revenue target.

If expenses were reduced by \$1,725 the target would be achieved.

2002. 298

RESOLVED:

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

That the information be noted.



**DIRECTOR BUSINESS ENTERPRISES
SUPPLEMENTARY REPORT – 2**

DBE 1	CRESCENT HEAD ROAD LANDFILL FACILITY
FILE: G 1-6	TLW (NRN) {Folio No. 232525}

THIS IS PAGE 100 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

SUMMARY:

Reporting on the operating hours at the Crescent Head Road Landfill Facility.



Staff and management over the past six months have been working together in an effort to reduce operation costs at the Crescent Head Road Landfill Facility. The end result has been that the staff have agreed to investigate an annualised salary system through a Workplace agreement, which would reduce operating costs.

As part of this new agreement the operating hours at the facility would need to be altered. The facility currently offers a total of 68 hours access to the public, operating from:

Monday to Friday – 7am to 5pm
Saturday & Sunday – 8am to 5pm

The alteration to these hours is due to the fact that at present whilst the facility opens and closes at the above times, staff are required to operate outside these hours to ensure that the facility is ready for business on time and that the facility is secure after the closing time.

It is proposed as part of the new agreement to alter the opening hours, providing access to the public to 61.5 hours with the opening hours as follows:

Monday to Friday – 7am to 4.30pm
Saturday & Sunday – 9am to 4pm

The new opening hours would be in line with coordinating staff working a 38 hours week under the new workplace agreement. This would enable the facility to be operated using three (3) staff, who would all be multi-skilled which enables each staff member to be used across the total operation of the facility and provides greatly flexibility for customer service.

Council would also have improved environmental compliance and of other legislation.

Financial Implication

The following recommendation would allow the Landfill Facility to operate within the current Budget provisions.

2002. 299

RESOLVED:

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

- 1. That the opening hours of the Crescent Head Road Landfill Facility be altered as follows:**

THIS IS PAGE 101 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

Monday to Friday – 7am to 4.30pm
Saturday & Sunday – 9am to 4pm

2. That the new opening hours be advertised to the public.



GENERAL MANAGER'S REPORT

GM 1	COUNCIL COMMITTEE REPRESENTATION
FILE: C18-13 AVB (NRN)	{Folio No. 232334}

SUMMARY:

To fill the vacancies created by the resignation of Max Armour.



Former Councillor Max Armour was a delegate on the following committees: -

- Airport Committee
- Land Release Task Force Committee
- South West Rocks Masterplan Implementation Committee

These vacancies need to be filled by Council.

Financial Implications

There are no financial implications arising from this report.

General Manager's Recommendation:

That Council fill the vacancies created by the resignation of former Councillor Max Armour.

2002. 300

RESOLVED:

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

- 1 That Councillor Bowen be nominated to replace former Councillor Armour on the Land Release Taskforce Committee and the SWR Masterplan Implementation Committee.
- 2 That no replacement be appointed to the Airport Committee.

SUMMARY:

Informing Council of a framework that has been developed to overcome the factors that have contributed to the low participation rate of women in all aspects of Local Government.



In March 2001, the Minister for Regional Services, Territories and Local Government supported a "Women in Local Government Roundtable" for elected and senior officer representatives from across Australia. The agenda of the meeting was to consider the issues, which contribute to a low rate of participation in decision making in Local Government by women, both in the elected sphere and within Local Government administrations.

Following this Roundtable the Australian Local Government Women's Association (ALGWA) commissioned a project to develop a national approach to improving women's participation, and to build upon the actions already being undertaken by some States and individual Councils. This project has produced the National framework for Women in Local Government.

Issues for elected women and women staff/managers have been identified and it is proposed to establish a national framework for the advancement of women in Local Government decision making with the following features.

1. A commitment by each sphere of government and all strategic partners to the Framework.
2. The establishment of a National Steering Committee by agreement between the Australian Local Government Women's Association, the Australian Local Government Association, Local Government Managers Australia, the Commonwealth Office of Local Government, the Commonwealth Office of the Status of Women; to operate during the calendar years 2002 - 2005 and provide national leadership for the implementation of the Framework.
3. An invitation to each State association and State Government to form a coalition of appropriate strategic partners OLG (where not already established) to prepare an action and implementation plan for each State and to provide support and coordinated resources to Councils.
4. An invitation to each Council to commit to the Framework, within the context of current State activities and its own current initiatives.
5. The development of local action plans by each Council (if not existing).

All major stakeholders are invited to endorse this framework:

- Each local Council.
- State Ministers of Local Government.

THIS IS PAGE 103 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

- The Commonwealth Minister for Local Government.
- State Local Government representative bodies.
- National and State LGMAs.

A. Statement of Commitment

1. We acknowledge that in Local Government women are under represented both as elected members and as senior members of administrations and that their increased participation in both of these arenas should be encouraged.
2. We agree to review our own policies and practices to ensure that no discrimination or impediment exists, and will take action to ensure that barriers to women's full participation in Local Government are removed.
3. We will work to create and support an environment in Local Government which is harassment-free and that encourages the expression of and respect for a wide range of views.

B. Goals

1. To increase the number of and participation of women in Local Government so that Councils more clearly represent and/or reflect the communities they serve, by
 - a) increasing the number of women as elected members and Mayors, and
 - b) increasing the number of women as CEO/General Managers, second and third level managers

C. Objectives

1. To create Councils and communities where women feel able to fully participate and share their skills, knowledge and experience
2. To work towards harassment-free, participative Councils where opinions and differences are respected
3. To develop a climate of understanding among Councillors, CEOs/General Managers and senior staff of the need for the initiatives in this Framework and to enlist their support
4. Where women choose women-only training and networking, to gain acceptance and support of their participation in these activities

A. Proposed Actions for Councils to Support Elected Members

Education about Local Government

- Support young people through specific programs and consultations to participate in decision making with Councils, including the establishment of youth Councils.
- Arrange discussions with local school career advisors to promote Local Government as a career option.

Pre election support

- Establish local systems of support for women candidates, to provide advice on dealing with the media and promoting themselves, campaigning and local voting patterns.

THIS IS PAGE 104 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
 MAYOR

- Run preparatory sessions for aspiring new members including specific sessions for women
- Issue personal invitations and encourage women to stand for Council.

Meeting Times

- Ensure that meeting times for Council meetings and other meetings involving elected members are flexible and are timed to avoid clashes with family responsibilities.

Elected Members Training

- Support women attending specific women's training opportunities if desired.
- Ensure that women have equal access to training opportunities.

Mentoring and Support

- Link and match elected members with more experienced elected members for the first few months of office.
- Arrange team-building with other elected members, working with the CEO/General Manager and senior staff, developing positive group dynamics.
- Develop a Council harassment prevention policy.

Entitlements

- Review entitlements for elected members including allowances and childcare and ensure adequate provision is made for all Councillors for those entitlements under Council control.

Administration

- Ensure CEO/GMs and senior staff are aware of the needs of female Councillors for support and assistance.
- Ensure good meeting preparation including briefings for all elected members.
- Ensure that all Councillors understand EEO and anti-discrimination legislation.

Equal Opportunity Issues

- Consult with and investigate the particular local issues for Indigenous women, women of culturally and linguistically diverse backgrounds, and women with disabilities.
- Develop specific action plans that include these groups of women.
- Develop cultural awareness training for all elected members.

Proposed Actions for CEOs/General Managers (and where appropriate, Councils) to support Council Staff

Mentoring

- Introduce mentoring programs for emerging leaders and young women.
- Introduce recognition programs for the achievements of women.
- Introduce leadership scholarships for emerging leaders.

THIS IS PAGE 105 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

Training

- Ensure equal participation of women in current training opportunities.
- Encourage participation in targeted women's training where desired by female staff.
- Ensure women's participation in management training regardless of their professional backgrounds.
- Arrange training for all staff that considers EEO, harassment, stereotyping.

Selection and Promotion

- Ensure that appropriate and senior women are included on all selection panels.
- Ensure job description and selection criteria recognise management skills and experience and are not solely related to technical expertise.
- Consider selection criteria which recognises different management paths.
- Ensure age discrimination does not occur.
- Review acting and development opportunities, and the existence of career paths for all staff.

Equal Opportunity

- CEO/GM prepare a Plan to increase the participation of women staff in decision making.
- CEO/GM report to Council annually on percentage of women in senior positions with trend information to be included in the Annual Report.
- Staff appraisal systems and processes to be reviewed to ensure the absence of bias.
- CEO/GM identify the particular issues for Indigenous women, women of non-English speaking background and women with disabilities and take action to address any difficulties.
- Run cultural awareness training for all staff.

Development of Women's Networks

- Encourage interested women to participate in women's networks and provide travel subsidy for attendance at meetings and training.

Cultural Change

- Review the organisational culture and undertake a climate survey.
- Ensure harassment policies are operational and understood.
- Include support for senior women staff in the CEO/GM performance indicators.

Family Responsibilities

- Ensure family friendly human resources policies for all staff.
- Consider part-time, job share and work-at-home (sometimes) positions for managers and team leaders.
- Consider child care provisions for staff at required evening Council meetings.

Proposed strategies at the State level and the National Level have also been identified.

THIS IS PAGE 106 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

The Minister for Regional Services, Territories and Local Government the Hon. Wilson Tuckey MP is inviting Council's to endorse the framework and to actively develop and implement a strategy.

Financial Implications

There are no financial implications arising for this report.

General Manager's Recommendation:

- 1 That Council endorse the statement of Commitment, Goal and Objectives of the National Framework for Women in Local Government.
- 2 That a Councillor working party review the proposed actions for Council's to support elected members and report back to Council.
- 3 That the General Manager review the proposed actions to support Council staff and introduce policy changes where necessary.

2002. 301

RESOLVED:

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

That the General Managers Recommendation be adopted subject to recommendation 2 being amended to read:-

That a Councillor and staff working party review the proposed actions for Councils to support elected members and report back to Council.

GM3	ELECTION OF SHIRES ASSOCIATION EXECUTIVE
FILE: C11- 4	AVB (NRN) {Folio No. 232336}

SUMMARY:

Advising that Elections for the Shires Association Executive will be held at the Shires Association Conference.



Nominations for the position of President of the Shires Association are now being invited and must be received by the Returning Officer not later than noon Tuesday 21st Mary 2002.

Nominations for two Vice Presidents, Treasurer and nine (9) Executive Councillors, one to represent each of the electoral divisions will be invited at the Annual Conference. Nominations must be in writing signed by the candidate and at least two nominators other than the candidate. Candidates and nominators for the positions of Executive Councillor must be elected Councillors of financial ordinary member Councils within the electoral division for which the nomination is made. Candidates for the positions of Vice

.....
MAYOR

President and Treasurer must be elected Executive Councillors, their nominators must be delegates to the Annual Conference.

Nominations for the positions of Executive Councillor close at 12.30pm Tuesday 4th June 2002 for the positions of Vice President 9.30am Wednesday 5th June 2002 for the position of Treasurer 10.00am Wednesday 5th June 2002.

Kempsey Shire is in Division A and the current representative is Councillor Col Sullivan from Richmond Valley Shire. Councillor Sullivan is also a Vice President of the Association.

Financial Implications

There are no financial implications arising from this report.

2002. 302

RESOLVED:

*Moved: Cl. Parkinson
Seconded: Cl. Hunt*

That the information be noted.

GM 4	2001 LOCAL GOVERNMENT PUBLIC RELATIONS & COMMUNICATIONS CONFERENCE
FILE: A3-8 MAM (NRN)	{Folio No. 232337}

SUMMARY:

Reporting that the Public Relations Officer attended the Local Government Public Relations & Communications Conference in Sydney on March 7 and 8, 2002.



This annual conference provides an opportunity for Public Relations practitioners in Local Government to gather and have access to a range of high quality speakers on the subjects of Public Relations and communications. Once again, the calibre of the speakers and the relevance of the topics was a highlight of this years conference:-

Keynote Speaker – Geoffery Atherden – Writer “Grassroots”

Internal Communication – Rodney Gray – Employee Communication and Surveys Pty Ltd

- Communication tends to be reactive rather than proactive – reactive communication is about what has happened; proactive communication is about the future – what will happen – it prepares employees for change by explaining things and creating meaning for them.
- Internal communication is really the transfer of meaning and understanding, not just the provision of entertainment and information. Importantly, it’s about changing behaviour.

THIS IS PAGE 108 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

- Robert D'Aprix in his book "Communicating for Change: Connecting the Workplace to the Marketplace" said that employees want to know
 - What is my job and what is expected of me?
 - How am I going – feedback?
 - What is my contribution – does anybody care?
 - How is my team going? Objectives v's results
 - Where are we headed? Vision, Mission Statement and values
 - How can I help? Am I empowered to perform?
- On average, only 40% of employees are satisfied with internal communication – this can be improved by:-
 - Understanding the needs and concerns of employees
 - Managers should visit staff on site, ask questions, listen, discuss, be open and frank
 - Consult and involve employees in change processes
 - Clarify the value of employee contributions
 - Provide ongoing feedback
 - Acknowledge and recognise individual and team contributions

Teamwork and Leadership – Jo Brosnahan, CEO, Auckland Regional Council (this Council topped the New Zealand Business Excellence Awards)

- Teamwork evolves out of good leadership – leadership is the catalyst for change and the source of courage and innovation
- What makes a good leader? The leader must:
 - Be a catalyst for change (walk the talk)
 - Inspire others to see a vision
 - Have the ability to strategise
 - Be the keeper of values
 - Accept personal responsibility
 - Empower others to reach goals
 - Be passionate about learning and teaching
 - Have energy and drive
 - Have a sense of judgement (Can it appear on the front page of the Macleay Argus?)
 - Nurture innovation and risk taking
 - Communicate and engender trust (trust is an essential element)
 - Have the ability to listen
 - Recognise the value in people
 - Have a sense of fun
 - Be caring, have empathy, respect, compassion, integrity and engender trust.
- Good leadership results in staff satisfaction
- Robert Greenleaf said the "The great leader is seen as a servant first".

How to Get Exposure for your Staff – Anna Lucia Mackay, HCM Global

- Have value statements and a corporate personality – "team values dictate team behaviour. A team value system is the code through which they evaluate their actions and assess their performance. Team values are the foundation, which in turn will determine their profile and reputation".
Anthony Sark HCM Global

THIS IS PAGE 109 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

- Same = Same (If you do the same things, you get the same results)
- If you can prove your success, experience tells us that your team's credibility will increase and therefore the likelihood of further support increases.
- Have a marketing plan – marketing mix and customers needs combined
- Create strategic alliances
- Develop a “can do” attitude

IT and the Web - Allison Hornery and Roger Jayasundara – LGSA Online Services Delivery Project

- Information on the web development project funded by Networking the Nation and coordinated by the LGSA
- Council will be participating in this project and is currently part of the pilot program
- Council staff members participated in a training course to learn how to update this parallel website on Wednesday March 20, 2002-03-18

Amalgamation – Neil Armstrong, One Vision LGPRO; Ian McKendry, Mediate Now; and Lea Rosser, General Manager City of Canada Bay Council

- An extremely interesting discussion on amalgamation.
- 3 major issues to be considered – governance (democratic participation and administrative integrity), accountability (public transparency and communication) and performance (relevant services, value for money and prudent management).
- The legacy of amalgamation:
 - In Victoria, promised 20% savings – delivered 8.5% mainly as a result of compulsory competitive tendering, not mergers – public backlash for a time.
 - In South Australia, promised 17.4% savings – delivered 2.3%. Rates escalated after a temporary freeze – public disenchanted.
 - Tasmania – shift from tiny to medium sized Councils had mixed results. Further attempts at achieving bigger Councils backfired. Public backlash.
 - Canada Bay – 75% of respondents rejected the union of Concord and Drummoyne, yet it went ahead. Newly elected Council faced very tough times. This Council is now working hard to build a positive corporate reputation and work on a strategy of fair dinkum public consultation - “display, discuss and then decide”.
 - Burwood and Strathfield – 56% and 75% of respondents opposed to amalgamation. Strathfield Councillors balked and pulled out of merger talks.
 - Sydney City Council – long history of failed mergers. Finally succeeded when it was confined to the CBD and kept out of suburbia.

Change Management – Peta Bayman, Facilitating Results

- Change is about moving from the current state to the desired state.
- 70-80% of Change programs result in failure – often because they did not deal with the emotional responses to change.

THIS IS PAGE 110 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

- Experience says change can be achieved by considering the following:
 - Picture – including values (trust, loyalty, respect, integrity, teamwork, discipline, honesty) and vision (must be shared, compelling and clear)
 - People – don't tell people what to do but give them the chance or opportunity to be involved, motivate them and ensure they have the skills to make it happen.
 - Process – numerous models can be used – if you can change 15% you can change the organisation.
- Strong leadership is the key to change (be what you want to see, get actively involved, encourage questioning, work for the vision, manage by walking around, be flexible and willing to change).
- It is important to remember that change puts you outside your comfort zone, isolates you and pushes you to your limits.
- An expression to note is “yes and” instead of “yes but”.

Crisis and Issues Management – Dr Randolph Stewart, Timmins Stewart

- Recognition that it is usually better to move early on an issue than to wait until positions are hardened and someone else has selected the arena for resolution.
- Form stakeholder alliances
- Manage diverse conditions

This conference is always an excellent opportunity for updating communication skills. Peta Bayman was an impressive presenter who facilitates sessions for a number of Councils in the metropolitan area. Whilst Peta covered the subject of Change Management at the conference, she also provides training and coaching programs on communication and facilitation skills, team building and motivation, performance and conflict management, general management skills, service delivery and improvement and customer service. Peta could be an extremely valuable presenter for a future team building exercise for Councillors and Management.

Financial Implication

The conference cost of \$595, one nights accommodation in Sydney and return airfare was covered within the Professional Development budget of the Public Relations Officer.

2002. 303

RESOLVED:

*Moved: Cl. Howell
Seconded: Cl. Parkinson*

- 1 That the information be noted.
- 2 That the Public Relations Officer investigate the possibility of Peta Bayman from Facilitating Results coordinating a one day team building exercise for Councillors and Management.

GM5 ECONOMIC DEVELOPMENT & TOURISM BOARD
FILE: I2-17 AVB (NRN) {Folio No. 232338}

This report was dealt with earlier in the meeting just after Item DBE 2.

GM 6 STATUS OF COUNCIL RESOLUTIONS
FILE: C18-2 AVB (NRN) {Folio No. 232339}

SUMMARY:

Reporting on the status of Council resolutions.



Attached at [\(Appendix A\)](#) is the report on the status of Council resolutions.

Financial Implication

There are no financial implications arising from this report.

2002. 304

RESOLVED:

Moved: Cl. Howell
Seconded: Cl. Parkinson

That the information be noted.



PLANT COMMITTEE

26th March 2002

FILE: P6-2 GTS (NRN) {Folio No. 232341}

REPORT OF THE MEETING OF THE PLANT COMMITTEE OF THE COUNCIL OF THE SHIRE OF KEMPSEY HELD ON TUESDAY, 26th MARCH 2002, IN THE CIVIC CENTRE, ELBOW STREET CONFERENCE ROOM, COMMENCING AT 2.05PM.

2002. 305

RESOLVED:

Moved: Cl. Howell
Seconded: Cl. Hunt

That the report of the meeting of the Plant Committee meeting held on 26th March 2002 be adopted.



AIRPORT COMMITTEE

3rd April 2002

FILE: A5-2 GBS (NRN)

{Folio No. 232526}

REPORT OF THE MEETING OF THE AIRPORT COMMITTEE HELD IN THE CIVIC CENTRE, ELBOW STREET, WEST KEMPSEY, ON WEDNESDAY, 3rd APRIL 2002, COMMENCING AT 2.30 PM.

2002. 306

RESOLVED:

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

That the report of the meeting of the Airport Committee meeting held on 3rd April 2002 be adopted.



QUESTIONS WITHOUT NOTICE

Councillor Howell

Councillor Howell was advised:-

- 1 That the Director Engineering had sought funding under the Waterways Program for a sewerage pump out facility for vessels on the Macleay River at New Entrance.
- 2 That the Director Engineering would follow up the need for maintenance at the memorial site at South Kempsey Park.
- 3 That the Director Engineering would arrange an onsite inspection with the landowner of flood mitigation structures reportedly causing erosion in the Pola Creek area and report back to Council.
- 4 That consideration would be given to setting a date for a works inspection of the Depot and Saleyards and a drainage easement matter in River Street, West Kempsey in the vicinity of Short Street.
- 5 That the works on the groyne for Jerseyville boatramp had not received funding and was unlikely to receive any funding, and that Council had deferred funding for a new boat ramp even though there was some concern with the present launching of boats in time of high current flow.
- 6 That the main taxi stand structure in Belgrave Street was not designed to be removable in times of flood.
- 7 The Director Environmental Services was aware that a consultant was involved regarding land in Akubra Place beside Council's building and the need to clean up the site.

THIS IS PAGE 113 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

Councillor Hunt

Councillor Hunt was advised:-

- 1 That the matter concerning Mrs Portch at River Street, Greenhill has been finalised.
- 2 That the Mayor had delegated authority to approve Councillor Hunts attendance at the 2002 Country Libraries Conference.

Councillor Parkinson

Councillor Parkinson was advised:-

- 1 That the establishment of sites for multi-storey carparks in the Kempsey CBD were restricted as these must be outside the designated floodway.
- 2 That the Director Engineering would make available to Councillor Parkinson plans of the localities that have recently been signposted, particularly the Kundabung locality.
- 3 That the Director Environmental Services would investigate the untidy state of Mr Norton's property at South Kempsey.
- 4 That Council officers were not aware of any invitation having been received by Council to the treaty discussions to be held involving ATSIC and the Kempsey Local Aboriginal Land Council on Wednesday 10th April 2002.
- 5 That in times of poor water quality at the Civic Centre consideration would be given to providing Councillors with bottled water at meetings.

Councillor Sproule

Councillor Sproule was advised:-

- 1 That the Director Engineering would consider submitting a funding program for road safety grants that close on 20th May 2002.
- 2 That the net profit figures in relation to the operation of the Saleyards were estimated at a surplus of \$7,000 to \$8,000 for the 2001/02 year and projected surplus of \$22,000 for the 2002/03 year.
- 3 That the upgrading work at the Saleyards on the new yards and loading shutes were undertaken by the company Metalcorp whose quote was some 50% less than the local firms that quoted.
- 4 That the Director Environmental Services would discuss with Councillor Sproule the history of the property along Crescent Head in regard to accumulatiobg rubbish on the property.

THIS IS PAGE 114 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

- 5 That the Director Corporate and Community Services would undertake a review of the current section 355 committees.

Councillor Hayes

Councillor Hayes was advised:-

- 1 That the Director Environmental Services had held previous discussions with the skip bin contractor in Kempsey Shire who operates from South West Rocks regarding disposal of building materials and would make contact with Hastings Council regarding their procedures for safe disposal of building materials.



MOTION FOR COMMITTEE

2002.307

RESOLVED:

*Moved: Cl. Parkinson
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.



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.



DIRECTOR ENVIRONMENTAL SERVICES CONFIDENTIAL REPORT

DES 1	MACLEAY FLOOD PLAIN PROJECT	
	FILE FM 326 BWC (NRN)	{Folio No. 232342}

SUMMARY:

Reporting on various issues associated with operation of the Macleay Floodplain Project.

This report was considered on a confidential basis as it contained personnel matters concerning particular individuals (Local Government Act 1993, Section 10A(2) (a)).

THIS IS PAGE 115 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR

RECOMMENDED:

*Moved: Cl. Howell
Seconded: Cl. Parkinson*

That the information be noted.

DES 2	PREMISES 1052 SOUTH WEST ROCKS ROAD, AUSTRAL EDEN FILE T4-93-171 BWC	{Folio No. 232344}
--------------	---	---------------------------

SUMMARY:

Reporting that work to comply with Council’s direction, in respect to building has not been completed.

This report was considered on a confidential basis as it contained information that would if disclosed, prejudice the maintenance of law (Local Government Act 1993, Section 10A(2) (e)).

RECOMMENDED:

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

That the matter be referred to Council’s Solicitor with a view to commencing proceedings in the Land and Environment Court.



**DIRECTOR BUSINESS ENTERPRISES
CONFIDENTIAL REPORT**

DBE 1	IMPROVEMENT TO WATER QUALITY AT SOUTH WEST ROCKS FILE: W1-28 GRP	{Folio No. 232349}
--------------	---	---------------------------

SUMMARY:

Reporting on the proposed Water Treatment Plant augmentation to improve water quality supplied to South West Rocks.

REASON FOR PRESENTATION OF REPORT ON A CONFIDENTIAL BASIS

This report was submitted on a confidential basis as it included information that would, if disclosed, confer a commercial advantage on a person with whom council is conducting business.

.....
MAYOR

RECOMMENDED:

*Moved: Cl. Parkinson
Seconded: Cl. Hunt*

1. That the General Manager proceed with negotiations for the purchase of land to accommodate a water treatment facility at South West Rocks.
2. That the land purchased be classified as Operational Land.
3. That Council authorise the affixing of the Common Seal to any documents relating to the purchase of lands at South West Rocks for the purpose of establishing a water treatment facility.



CONFIDENTIAL GENERAL MANAGER'S REPORT

GM 1	LEGAL MATTERS	FILE: L3-1 AVB (NRN)	{Folio No. 232351}
-------------	----------------------	-----------------------------	---------------------------

SUMMARY:

Reporting on the current position regarding legal matters.

REASON FOR PRESENTATION OF REPORT ON A CONFIDENTIAL BASIS

This report was submitted on a confidential basis as it involved 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)).

RECOMMENDED:

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

That the information be noted.



ADOPTION OF REPORT OF THE COMMITTEE OF THE WHOLE

2002. 308

RESOLVED:

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

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



.....
MAYOR

CONCLUSION:

There being no further business, the Meeting terminated at 3.27 p.m.



THIS IS PAGE 118 OF THE FULL TEXT MINUTES OF THE ORDINARY MEETING OF THE KEMPSEY SHIRE COUNCIL HELD ON TUESDAY 9TH APRIL 2002

.....
MAYOR