

Action Register

| Meeting Date | Document | Item No. | Item | Status | Action Required | Assignee/s | Action Taken |
|--------------|--|----------|---|-----------|--|--------------------------------|--|
| 15/05/2018 | Ordinary Council Meeting - 15 May 2018 | 13.2 | Proposed Sale of Council Land – South West Rocks and West Kempsey | Commenced | <p>That Council:</p> <p>1 retain Lot 39 DP819591 (Albert Harrower Crescent) and Lot 26 DP844106 (Rafferty Crescent) at South West Rocks at this time and the future of these parcels be considered as part of the Community Infrastructure Strategic Plan.</p> <p>2 proceed with listing the following parcels of land for sale:</p> <p>a) Lot 81 DP805382 (Arthur Street) and Lot 132 DP829565 (Victor Perry Place) at South West Rocks.</p> <p>b) Lot 19 DP20694 (Clarence Ryan Avenue) and Lots 40, 41 and 42 DP1676, (Tabrett Street) at West Kempsey.</p> <p>3 affix the seal of Council to all documentation if the agreed sale price is at least 90% of the independent valuation.</p> <p>4 approach the adjoining property owners of Lot 122 DP1051855 (Dennis Crescent) at South West Rocks to seek expressions of interest for the acquisition of part of the reserve.</p> <p>5 approach the adjoining owners of Lot 10 DP2007 (Perrins Lane) and Lot 4 DP1100421 (River Street) at West Kempsey to seek expressions of interest for the acquisition of these parcels of land.</p> <p>6 direct the net proceeds of sale for lots in South West Rocks to the Section 94 fund for use on improvements to open spaces in South West Rocks specifically for supplementary funding for the grant application the development for the sporting infrastructure.</p> | Director Operations & Planning | <p>11/08/2020 Manager – Governance and Information Services Previous updates from Matters in Progress</p> <p>14 August 2018 Lot 81 DP805382 (Arthur Street) and Lot 132 DP829565 (Victor Perry Place) at South West Rocks will be auctioned on 23 August 2018. Proceeds of the sale directed to Section 94 fund for open spaces improvements in South West Rocks.</p> <p>25 October 2018 Lot 81 DP805382 (Arthur Street) and Lot 132 DP829565 (Victor Perry Place) at South West Rocks were sold at auction in August 2018. Lot 19 DP 20694 (Clarence Ryan Avenue) and Lots 40, 41 and 42 DP 1676 (Tabrett Street) at West Kempsey will soon be marketed for sale. Owners adjoining to Lot 122 DP1051855 (Dennis Crescent) at South West Rocks have been approached. Valuation of land in progress. Adjoining owner of Lot 10 DP2007 (Perrins Lane), West Kempsey, is not interested in acquiring land. Owner adjoining to Lot 4 DP1100421 (River Street) at West Kempsey has been approached. Valuation of land in progress.</p> <p>30 January 2019 Lot 19 DP 20694 (Clarence Ryan Avenue) and Lots 40, 41 and 42 DP 1676 (Tabrett Street) at West Kempsey have had market valuations completed and are planned to be marketed for sale. Proposals from agents being sought. Owners adjoining to Lot 122 DP1051855 (Dennis Crescent) at South West Rocks have been approached. Valuation of land received. Discussion with adjoining owners continuing. Adjoining owner of Lot 10 DP2007 (Perrins Lane), West Kempsey, is</p> |

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| | | | | | | | <p>not interested in acquiring land. Owner adjoining to Lot 4 DP1100421 (River Street) at West Kempsey has been approached. Valuation of land received. Zoning impacts on land also being reviewed.</p> <p>9 August 2019 No further update.</p> <p>8 November 2019 No further update</p> <p>7 February 2020 Internal resourcing has recently been allocated to resume sale process of listed lots.</p> <p>5 May 2020 Council considered the draft Community Infrastructure Strategy at its April meeting and endorsed it to move to the community engagement phase. This will assist in informing point 1 of the resolution.</p> <p>11 August 2020 Action will be reviewed on the adoption of the Community Infrastructure Strategic Plan</p> <p>05/11/2020 Director Operations and Planning Community Infrastructure Strategic Plan now adopted providing framework for consideration of land sales.</p> <p>10/02/2021 Director Operations & Planning Forward action plans for the lots identified are being developed with due consideration of the Community Infrastructure Strategic Plan and past actions undertaken or completed.</p> <p>07/05/2021 Executive Officer No further update</p> |

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| | | | | | | | <p>06/08/2021 Executive Officer Action plans for each lot identified have been developed to prioritise and progress.</p> <p>03/11/2021 Executive Officer - Operations & Planning Proposals from agents sought for Lot 19 DP 20694 (Clarence Ryan Avenue) and Lots 40, 41 and 42 DP 1676 (Tabrett Street) at West Kempsey.</p> <p>Valuation of land received for Lot 122 DP1051855 (Dennis Crescent), Lot 26 DP844106 (Rafferty Crescent), Lot 39 DP819591 (Albert Harrower Crescent) & Lot 36 DP1011989 (Crottys, Lane Yarravel).</p> <p>31/01/2022 (Acting) Executive Assistant Proposal accepted from Elders Real Estate Kempsey for Lot 19 DP 20694 (Clarence Ryan Avenue) and Lots 40, 41 and 42 DP 1676 (Tabrett Street) at West Kempsey. Solicitors instructed to create sales contract and properties currently advertised for Auction on: 24th February 2022.</p> <p>Valuation of land received for Lot 122 DP1051855 (Dennis Crescent), Lot 26 DP844106 (Rafferty Crescent), Lot 39 DP819591 (Albert Harrower Crescent) & Lot 36 DP1011989 (Crottys, Lane Yarravel) for the purposes of informing a future report to Council in response to this resolution.</p> <p>02/05/2022 (Acting) Executive Assistant 2. a) No further update b) Auction passed in - no bidders for Lot 19 DP20694 (Clarence Ryan Ave) and lots 40,41,42 DP1676 (Tabrett Street) at West Kempsey. Properties put back on market and will soon be</p> |

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| | | | | | | | <p>sold. Properties sales prices in line with the most recent valuations. Lot 19 DP20694 (Clarence Ryan Ave) - \$68,000 and Lot 40,41,42 DP1676 (Tabrett Street) - \$275,000 - Contracts exchanged and settlement on planned for 25.5.22.</p> <p>4&5. Letters will be sent in May to adjoining owners of Lot 122 DP151855 (Dennis Crescent), DP2007 (Perrins Lane) and Lot 4 DP1100421 (River Street) at West Kempsey.</p> <p>10/08/2022 (Acting) Executive Assistant</p> <p>2. a) No further update b) Finalised in last update</p> <p>4&5. Expressions of Interest letters sent to adjoining owners of Lot 122 DP151855 (Dennis Crescent), DP2007 (Perrins Lane) and Lot 4 DP1100421 (River Street) at West Kempsey. No interest was expressed for lot 122 DP151855 (Dennis Crescent), DP2007 (Perrins Lane). Lot 4 DP1100421 (River Street) at West Kempsey. 2 neighbouring residents expressed interest in purchasing half the property each. Valuation has been obtained for 50 River Street and investigating cost of subdivision to provide to interested parties before moving ahead with the sale.</p> |
| 21/08/2018 | Ordinary Council Meeting - 21 August 2018 | 20.1 | Central Kempsey Wastewater Treatment Plant - Revised Procurement Model | Commenced | <p>1. No longer pursues a single supplier procurement model involving Aquatec Maxcon for the provision of "Owner's Engineer/Design Input Services" of the Central Kempsey Wastewater Treatment Plant</p> <p>2. Completes a reference design, for the purposes of informing and ensuring competition during the tendering process</p> | Manager Water & Sewer | <p>11/08/2020 Manager – Governance and Information Services Previous updates from Matters in Progress</p> <p>9 November 2018 The option of the single supplier procurement model involving Aquatec Maxcon for the provision of "Owner's Engineer/Design Input Services" of the Central Kempsey Wastewater Treatment Plant</p> |

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| | | | | | <p>for construction, based on the Sequence Batch Reactor process</p> <p>3. Invites expressions of interest for the construction of the Central Kempsey Wastewater Treatment Plant, allowing for alternative design proposals to be submitted</p> <p>4. Receive a report on the outcome of the expressions of interest process for endorsement prior to inviting tenders from the selected (shortlisted) persons</p> <p>5. That the funding model with sources and timeframes be reported to a future Council meeting as soon as ascertained</p> | | <p>has ceased. The Sequence Batch Reactor reference design is being developed with the assistance of consultant Hunter H2O. Once the reference design is complete and necessary approvals obtained Expressions of Interest will be called for the construction of the Central Kempsey Wastewater Treatment Plant, allowing for alternative processes to be accepted. A report on funding will be provided to an upcoming Council meeting.</p> <p>30 January 2019 Status unchanged.</p> <p>8 May 2019 Work on progressing the reference design continues. A review of the Sewer Fund is underway.</p> <p>11 August 2020 Status unchanged</p> <p>06/11/2020 Director Operations and Planning Status unchanged. Project update provided at Councillor Workshop on 4 November 2020.</p> <p>08/02/2021 Manager Water & Sewer Status unchanged. Council is working with consultant Hunter H2O, NSW Environmental Protection Authority and the Department Planning Infrastructure and Environment to develop the Principles Project Requirements and Concept Design.</p> <p>04/05/2021 Manager Water & Sewer Status unchanged</p> <p>19/07/2021 Manager Water & Sewer Status unchanged</p> |

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| | | | | | | | <p>03/11/2021 Executive Officer - Operations & Planning Treatment plant flow odour and sludge management parameters agreed with the Department of Planning Industry and Environment to inform plant design.</p> <p>02/02/2022 Manager Water & Sewer A review was undertaken of DPIE advice in relation to sludge management, existing site layouts and available space. It was identified that DPIE's proposed residuals stream would not be practicable and would add significant cost to the project. Further consultation was undertaken with DPIE and it was agreed to return to the previous strategy.</p> <p>DPIE advice in relation to odour control has been considered and initial options have been identified for inlet collection chamber arrangements. It has been identified that the options / routes selected for the ultimate diversion of catchments from South Kempsey and Frederickton may meaningfully impact on full flow commissioning of the STP.</p> <p>Hunter H2O have been briefed with data pertaining to potential routes for diversions and will undertake preliminary assessment of feasible routes, environmental constraints and issues of flow rate / residence time to inform the inlet collection structure and odour control strategy. This may determine if the odour solution is to be prescriptive or performance based.</p> <p>Development of the Central Kempsey STP contract documents (PPR and reference design) is expected to progress well through 2022.</p> <p>02/05/2022 Manager Water & Sewer</p> |

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| | | | | | | | <p>Status unchanged</p> <p>11/07/2022 Manager Water & Sewer In addition to the development of the Central Kempsey STP contract documents (PPR and reference design) Council and Hunter H2O are working on the options of the connecting pipelines and infrastructure from Frederickton and South Kempsey.</p> |
| 16/10/2018 | Ordinary Council Meeting - 16 October 2018 | 13.10 | Closure of Council Roads at West Kempsey and Nulla Nulla | Commenced | <p>That Council:</p> <ol style="list-style-type: none"> 1. Close that part of Marramah Street, West Kempsey, situated between Lot 701 DP96431 and Lot 255 DP752439, with the land in the closed road to be retained as operational land. 2. Close that part of McIntyres Road where it bisects Lot 131 DP745059, Lot 6 DP752404 and Lot 201 DP633338, and pursuant to Section 44 of the Roads Act 1993 provide the land in the closed road as compensation to the owners of Lot 131 DP745059, Lot 6 DP752404 and Lot 201 DP633338 for the acquisition of land for the purposes of the Roads Act 1993. 3. Close that part of Nulla Nulla Creek Road where it bisects Lot 2 DP777654, and pursuant to Section 44 of the Roads Act 1993 provide the land in the closed road as compensation to the owner of Lot 2 DP777654 for the acquisition of land for the purposes of the Roads Act 1993. 4. Affix the Common Seal to the survey plans of road closure. 5. On acquisition of the lands for McIntyres Road and Nulla Nulla Creek Road, dedicate them as public road | Director Operations & Planning | <p>11/08/2020 Manager – Governance and Information Services Previous updates from Matters in Progress</p> <p>7 November 2018 Quotes being sourced for survey works. Advice in writing is being provided to applicable landowners.</p> <p>30 January 2019 Advice has been provided to applicable landowners. Surveyor has been appointed to undertake surveys.</p> <p>9 May 2019 Awaiting surveys.</p> <p>9 August 2019 Marramah Street – plan of road closure lodged for registration McIntyres Road & Nulla Nulla Creek Road – final surveys underway to prepare the plan of road closure.</p> <p>8 November 2019 No further update</p> <p>4 February 2020 Awaiting delivery of survey from Surveyor</p> <p>5 May 2020</p> |

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| | | | | | <p>pursuant to Section 10 of the Roads Act 1993.</p> <p>6. Delegate to the General Manager, pursuant to Section 377 of the Local Government Act 1993, authority to sign either by electronic means or otherwise:</p> <ul style="list-style-type: none"> a. Contracts for Sale b. Land Registry Services Request Forms for issue of certificates of title for the closed roads c. Revenue NSW Purchaser Declaration Forms d. Revenue NSW letters seeking exemption from the payment of Stamp Duty on the lands acquired for road. | | <p>No further update</p> <p>11/08/2020 Executive Officer Operations & Planning No further update.</p> <p>03/11/2020 Executive Officer Operations & Planning Marramah Street, West Kempsey - subdivision plan lodged early November. Nulla Nulla Creek Road - awaiting the survey plans.</p> <p>11/02/2021 Executive Officer No change, matter is still with the Surveyor for action.</p> <p>04/05/2021 Executive Officer No further update.</p> <p>03/08/2021 Executive Officer No further update</p> <p>02/11/2021 Executive Officer - Operations & Planning No further update</p> <p>01/02/2022 (Acting) Executive Assistant No further update</p> <p>02/05/2022 (Acting) Executive Assistant No further update</p> <p>16/08/2022 (Acting) Executive Assistant No further update.</p> |
| 18/12/2018 | Ordinary Council Meeting - 18 December 2018 | 13.2 | Stuarts Point Sewerage Scheme | Commenced | That Council: 1. Progress with design and investigation work for the proposed alternative option for the Stuarts Point Sewerage Scheme of a Sewage Treatment Plant (STP) near Stuarts | Manager Water & Sewer | <p>11/08/2020 Manager – Governance and Information Services Previous updates from Matters in Progress</p> <p>29 January 2019</p> |

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| | | | | | <p>Point, with dunal discharge of treated effluent, in parallel with pursuing the grant funding Deed.</p> <p>2. Authorise the General Manager to negotiate and amend the Restart NSW Funding Deed to reflect a revised project scope, noting that the revised option delivers the same overall outcome of that originally intended under the grant.</p> <p>3. Revert from progressing the proposed sewer charge for the Stuarts Point area for the 2019/20 financial year to the annual septic charge listed within Council's Fees and Charges.</p> <p>4. Inform the community of this decision.</p> | | <p>Stuarts Point Sewerage Scheme has had a full options review completed and Council determination to proceed with a sewage treatment plant near Stuarts Point. KSC is working with NSW EPA for discharge license parameters and Infrastructure NSW for Deed amendments. Community update to occur in February.</p> <p>8 May 2019 Stuarts Point STP has had a treatment option assessment completed. Survey work is being conducted on the treatment plant site and within the village. The community update occurred on 28 February 2019.</p> <p>9 August 2019 Negotiation with regard to the amendment of the Deed is continuing.</p> <p>8 November 2019 Negotiation on Deed amendment continuing.</p> <p>5 February 2020 Negotiations are occurring with the EPA and further groundwater modelling has taken place to determine dunal discharge license parameters. Detailed survey of the three villages is complete and land matters are well progressed. Negotiations on Deed amendment continuing.</p> <p>5 May 2020 Negotiations with the EPA have confirmed the discharge point and provided draft licence conditions for the site. Land matters are still progressing for the Sewage Treatment Plant site. These are critical steps to the funding deed amendment.</p> <p>11 August 2020 No further update.</p> |

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| | | | | | | | <p>06/11/2020 Director Operations and Planning No further update.</p> <p>08/02/2021 Manager Water & Sewer No further update</p> <p>04/05/2021 Manager Water & Sewer The Stuarts Point Sewer Scheme options assessment for treatment and collection systems has gained Section 60 endorsement from NSW DPIE Water. GHD have been engaged for the preparation of the Concept Design for the treatment facility. A procurement process to engage a pressure sewer network consultant to complete the collection system Masterplan/Concept Design is underway. Negotiations to acquire Crown land for the treatment facility are continuing.</p> <p>19/07/2021 Manager Water & Sewer Council has engaged a consultant to deliver the Treatment Plant Concept Design. Council has also engaged a consultant to deliver the collection system masterplan. Negotiations to acquire the Crown land for the treatment facility are continuing</p> <p>03/11/2021 Executive Officer - Operations & Planning The collection network masterplan is in final draft. The treatment plant concept design is progressing with the flow parameters identified from the network masterplan. A Crown Lands Investigations license has been granted to complete Geotechnical, Survey and Environmental studies on both the treatment plant and discharge sites.</p> <p>02/02/2022 Manager Water & Sewer</p> |

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| | | | | | | | <p>The collection network masterplan is complete. The treatment plant concept design is progressing with the flow parameters identified from the network masterplan. A Crown Lands Investigations license has been granted to complete Geotechnical, Survey and Environmental studies on both the treatment plant and discharge sites. The ability to undertake informing investigations has been delayed as a result of Aboriginal Heritage considerations.</p> <p>02/05/2022 Manager Water & Sewer Geotechnical, Survey and Environmental studies on both the treatment plant and discharge sites are being undertaken. The Aboriginal Heritage considerations were resolved and the geotechnical scope of works were approved by NSW Department of Crown Lands. Once the on ground work is complete the Treatment Plant and Disposal Concept Design can be completed. This work also informs the acquisition and rezoning proposals.</p> <p>08/08/2022 Manager Water & Sewer No further update</p> |
| 19/03/2019 | Ordinary Council Meeting - 19 March 2019 | 13.8 | Mid North Coast High Performance Sports Centre, South West Rocks | Completed | <p>That Council:</p> <ol style="list-style-type: none"> 1. In accordance with section 55(3)(i) of the Local Government Act, not invite tenders for a management agreement to operate the Mid North Coast High Performance Sport Centre, South West Rocks, as this would breach provisions of the current Crown Land lease in place for the South West Rocks Country Club to operate the golf course. 2. Authorise the General Manager to negotiate a draft management agreement for the Mid North Coast High Performance Sport Centre, South West Rocks, with a view | Director Operations & Planning | <p>11/08/2020 Manager – Governance and Information Services Previous updates from Matters in Progress</p> <p>9 May 2019 South West Rocks Country Club notified of Councils decision. Management agreement to be drafted.</p> <p>1 August 2019 No further update. Focus currently on project planning.</p> <p>8 November 2019</p> |

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| | | | | | to entering a contract with the South West Rocks Country Club to operate the facility. 3. Receive a further report to enter into the management agreement once the documents have been developed and agreed with the South West Rocks Country Club for the facility operation. | | <p>No further update</p> <p>7 February 2020 No further update.</p> <p>7 May 2020 No further update.</p> <p>11/08/2020 Director Operations and Planning No further update. Informal discussion as part of project delivery only.</p> <p>06/11/2020 Director Operations and Planning Decision to proceed with construction of the Centre made at October 2020 Council meeting. Further discussions may now occur with regard to the management agreement.</p> <p>10/02/2021 Director Operations & Planning No further update</p> <p>04/05/2021 Director Operations & Planning No further update</p> <p>04/08/2021 Director Operations & Planning Consultation with the South West Rocks Country Club is in progress in relation to the drafting of the Management Agreement and the associated conditions. Legal support engaged to assist with the drafting.</p> <p>03/11/2021 Executive Officer - Operations & Planning No further update.</p> <p>01/02/2022 Director Operations & Planning Management agreement initial draft received with a discussion having occurred with the Club on the principles that shall underpin the agreement. An</p> |

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| | | | | | | | <p>updated draft of the agreement is expected during February.</p> <p>28/04/2022 Director Operations & Planning A further draft agreement has been received and reviewed/commented on. Further discussion with the Country Club is to be scheduled with a view to finalising the draft agreement for reporting to Council to endorse.</p> <p>16/08/2022 (Acting) Executive Assistant This Action is now complete. Draft Management Agreement and Council report were reported to the 28 June 2022 Council meeting. The Management Agreement is with the South West Rocks Country Club for execution.</p> |
| 25/06/2019 | Ordinary Council Meeting - 25 June 2019 | 9.1 | Kempsey Airport - Noise Management Plan and Fly Neighbourly Advice | Commenced | <ol style="list-style-type: none"> 1. That Council acknowledge that the Airport has been operating in its current location being Sherwood Road, Aldavilla since 1936. 2. That Council acknowledge that it has a responsibility to manage the Airport as a valuable community asset to the benefit of the entire Shire. 3. That Council note the submissions received during the 12-week public exhibition period in relation to the draft Noise Management Plan (NMP) / Fly Neighbourly Advice (FNA) and the responses provided by The Airport Group and Council. That they be notified of the outcome in writing. 4. That Council note the amendments made by The Airport Group between the draft NMP/FNA and final NMP/FNA as a result of: <ol style="list-style-type: none"> a. community feedback gained through the public submission process; and | Manager Commercial Business | <p>04/08/2020 Manager – Governance and Information Services Previous updates from Matters in Progress</p> <p>15 July 2019</p> <ol style="list-style-type: none"> 1. Completed 2. Completed 3. Completed 4. Completed 5. Completed 6. FNA currently being drafted 7. Ongoing 8. Completed 9. In progress 10. In progress 11. In progress 12. In progress 13. In progress 14. Not due yet <p>9 November 2019</p> <ol style="list-style-type: none"> 1. Completed 2. Completed |

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| | | | | | <p>b. the Office of Airspace Regulation's submission on the draft NMP/FNA.</p> <p>5. That Council adopt the Kempsey Airport NMP dated June 2019 subject to the following recommendations.</p> <p>6. That Council proceed with the finalisation of the Fly Neighbourly Advice and:</p> <p>a. Place the draft FNA on public exhibition for 28 days; and</p> <p>b. Present the finalised FNA to a future Council meeting for consideration and adoption.</p> <p>7. That prior to executing any agreement negotiated by Council staff with a pilot training operator to undertake circuit training at Kempsey Airport, a report to Council is presented:</p> <p>a. Demonstrating that an overall community benefit is achieved utilising the Quadruple Bottom Line assessment methodology as outlined in this report including appropriate environmental (including noise), social, financial and economic impacts; and</p> <p>b. With Council resolving to endorse the agreement.</p> <p>8. That in the event a Development Application is submitted to Council involving a commercial pilot training operator undertaking circuit training activities within the Kempsey Shire then Council shall notify residences and business within a 5km radius of the airport in writing of the proposed development. For any such development application, Council as the landowner and operator of the Airport will undertake a Quadruple Bottom Line assessment as outlined in</p> | | <p>3. Completed</p> <p>4. Completed</p> <p>5. Completed</p> <p>6. FNA currently on exhibition and will be presented to December 2019 Council meeting</p> <p>7. Ongoing</p> <p>8. Completed</p> <p>9. In progress – subject to finalisation of the FNA</p> <p>10. In progress</p> <p>11. In progress</p> <p>12. In progress</p> <p>13. In progress</p> <p>14. Not due yet</p> <p>3 February 2020</p> <p>1. Completed</p> <p>2. Completed</p> <p>3. Completed</p> <p>4. Completed</p> <p>5. Completed</p> <p>6. Completed</p> <p>7. Completed</p> <p>8. Completed</p> <p>9. Completed</p> <p>10. In progress</p> <p>11. In progress</p> <p>12. Not Commenced – Airport Master Plan deferred to 2020/21</p> <p>13. Not Commenced – Airport Master Plan deferred to 2020/21</p> <p>14. Completed</p> <p>1 May 2020</p> <p>1. Completed</p> <p>2. Completed</p> <p>3. Completed</p> <p>4. Completed</p> <p>5. Completed</p> <p>6. Completed</p> <p>7. Completed</p> |

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| | | | | | <p>this report including appropriate environmental (including noise), social, financial and economic impacts.</p> <p>9. That Council make a request to CASA/Airservices Australia for an En-Route Supplement Australia (ERSA) entry for Kempsey Airport to be made detailing the Noise Abatement Procedures relating to circuit training as follows:</p> <p>a. Local Aircraft Operators - Hours of Operation as follows:</p> <p style="padding-left: 20px;">i. Monday - Friday (other than Public Holidays)</p> <p style="padding-left: 40px;">1. 07:00 - 19:00 Australian Eastern Standard Time</p> <p style="padding-left: 40px;">2. 07:00 - 22:00 Australian Eastern Daylight Savings Time</p> <p style="padding-left: 20px;">ii. Saturday (Other than Public Holidays)</p> <p style="padding-left: 40px;">1. 08:00 - 19:00 all year round</p> <p style="padding-left: 20px;">iii. Sunday (Other than Public Holidays)</p> <p style="padding-left: 40px;">1. 09:00 - 18:00 all year round</p> <p style="padding-left: 20px;">iv. New South Wales Public Holidays</p> <p style="padding-left: 40px;">1. 09:00 - 18:00, with the exception of Christmas Day.</p> <p>b. Visiting Aircraft Operators - Hours of Operation as follows:</p> <p style="padding-left: 20px;">i. Monday - Friday (other than Public Holidays)</p> <p style="padding-left: 40px;">1. 08:00 - 19:00 all year round.</p> <p style="padding-left: 20px;">ii. Saturday - Sunday (Other than Public Holidays)</p> <p style="padding-left: 40px;">1. Nil hours. None permitted on weekends.</p> <p style="padding-left: 20px;">iii. New South Wales Public Holidays</p> <p style="padding-left: 40px;">1. Nil hours. None permitted on</p> | | <p>8. Completed</p> <p>9. Completed</p> <p>10. In progress</p> <p>11. In progress</p> <p>12. Not Commenced – Airport Master Plan deferred to 2020/21</p> <p>13. Not Commenced – Airport Master Plan deferred to 2020/21</p> <p>14. Completed</p> <p>10/08/2020 Manager Commercial Business</p> <p>1. Completed</p> <p>2. Completed</p> <p>3. Completed</p> <p>4. Completed</p> <p>5. Completed</p> <p>6. Completed</p> <p>7. Completed</p> <p>8. Completed</p> <p>9. Completed</p> <p>10. In progress</p> <p>11. In progress</p> <p>12. Not Commenced – Airport Master Plan deferred to 2021/22</p> <p>13. Not Commenced – Airport Master Plan deferred to 2021/22</p> <p>14. Completed</p> <p>02/11/2020 Manager Commercial Business</p> <p>1. Completed</p> <p>2. Completed</p> <p>3. Completed</p> <p>4. Completed</p> <p>5. Completed</p> <p>6. Completed</p> <p>7. Completed</p> <p>8. Completed</p> <p>9. Completed</p> <p>10. In progress</p> <p>11. In progress</p> |

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| | | | | | <p>public holidays in NSW.</p> <p>c. Aircraft are required to climb to 1000 (preferred) or 500 feet above the aerodrome elevation prior to making the turn into the circuit, subject to consultation with CASA</p> <p>d. Transponders are to be turned on and operated in accordance with CAAP 166-01 V4.2 for all operations.</p> <p>e. Engine ground runs and run-ups should be kept to the minimum time operationally required.</p> <p>Note: the above proposed ERSA considerations are subject to feedback and consultation with CASA and may be altered in future. These considerations may also be subject to a risk assessment process prior to implementation.</p> <p>10. That Council's strategic planning activities are strengthened with the aim to minimise conflict between incompatible land uses surrounding the Airport and ensure that permissible uses are compatible with aviation activities and subsequent identified development standards are reflected in the Local Environmental Plan (LEP) and Development Control Plan (DCP).</p> <p>11. That Council resolve to notate on section 10.7 planning certificates:</p> <p>a. for s10.7.2 - the applicable ANEF contour overlay constraints, as included in the planning scheme; and</p> <p>b. for s10.7.5 - the same as the s10.7.2 and, if applicable, a notation identifying the linear distance to the boundary of the airport land if it is within 5 kilometres.</p> | | <p>12. Not Commenced – Airport Master Plan deferred to 2021/22</p> <p>13. Not Commenced – Airport Master Plan deferred to 2021/22</p> <p>14. Completed</p> <p>03/02/2021 Manager Commercial Business</p> <p>1. Completed</p> <p>2. Completed</p> <p>3. Completed</p> <p>4. Completed</p> <p>5. Completed</p> <p>6. Completed</p> <p>7. Completed</p> <p>8. Completed</p> <p>9. Completed</p> <p>10. In progress</p> <p>11. In progress</p> <p>12. Not Commenced – Airport Master Plan deferred to 2021/22</p> <p>13. Not Commenced – Airport Master Plan deferred to 2021/22</p> <p>14. Completed</p> <p>28/04/2021 Manager Commercial Business</p> <p>1. Completed</p> <p>2. Completed</p> <p>3. Completed</p> <p>4. Completed</p> <p>5. Completed</p> <p>6. Completed</p> <p>7. Completed</p> <p>8. Completed</p> <p>9. Completed</p> <p>10. In progress</p> <p>11. In progress</p> <p>12. Not Commenced – Airport Master Plan deferred to 2021/22</p> <p>13. Not Commenced – Airport Master Plan</p> |

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| | | | | | <p>12. That Council resolve to develop a draft Airport Master Plan, inclusive of ANEF contours which will be used to inform Council's land-use planning instruments and present this to a future Council meeting for consideration prior to public exhibition.</p> <p>13. That Council note that once ANEF contours are developed (in conjunction with an Airport Master Plan for Kempsey Airport) and adopted, clause 7.8 of the LEP regarding development in areas subject to aircraft noise would have effect. That in the interim that Council informs the proponent of any development application within 5 km of the airport that there is a potential noise impact that needs to be further investigated or considered.</p> <p>14. That Council acknowledge the involvement of the Kempsey Airport Reference Group (KARG) in the development of the NMP and that in accordance with the KARG Terms of Reference that after finalisation of the FNA KARG has fulfilled the role, is thanked for its service and is disbanded.</p> | | <p>deferred to 2021/22</p> <p>14. Completed</p> <p>05/08/2021 Manager Commercial Business As per previous comments.</p> <p>09/11/2021 Manager Commercial Business As per previous comments.</p> <p>01/02/2022 Manager Commercial Business As per previous comments.</p> <p>28/04/2022 Manager Commercial Business</p> <ol style="list-style-type: none"> 1. Completed 2. Completed 3. Completed 4. Completed 5. Completed 6. Completed 7. Completed 8. Completed 9. Completed 10. In progress 11. In progress 12. Commenced – RFQ underway for the engagement of a consultant to develop an Airport Master Plan 13. Commenced – RFQ underway for the engagement of a consultant to develop an Airport Master Plan 14. Completed <p>25/07/2022 Manager Commercial Business</p> <ol style="list-style-type: none"> 1. Completed 2. Completed 3. Completed 4. Completed 5. Completed 6. Completed 7. Completed |

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| | | | | | | | <p>8. Completed</p> <p>9. Completed</p> <p>10. In progress</p> <p>11. In progress</p> <p>12. Commenced – Aviation Consultant engaged to develop Airport Master Plan. Inception meeting held, initial site visit completed and stakeholder engagement has commenced.</p> <p>13. Commenced – Aviation Consultant engaged to develop Airport Master Plan. Inception meeting held, initial site visit completed and stakeholder engagement has commenced.</p> <p>14. Completed</p> |
| 22/10/2019 | Ordinary Council Meeting - 22 October 2019 | 9.7 | Outdoor Dining Approvals | Commenced | <p>1. That the moratorium on the payment of fees and charges associated with the commercial use of footpath areas within the Kempsey Shire, villages and town centres be extended to 30 June 2025.</p> <p>2. That Council opt in to the NSW Outdoor Dining Policy 2019 and work with Service NSW and the Easy To Do Business program to ensure that all safety and legislative compliance issues are met by business owners through the self-assessment and lodgement process as outlined in the Policy.</p> <p>3. That Council receive a report to the June 2024 meeting to consider the reintroduction of charges for outdoor dining.</p> | Manager Commercial Business | <p>04/08/2020 Manager – Governance and Information Services Previous updates from Matters in Progress</p> <p>2 November 2019</p> <p>1. Complete</p> <p>2. Complete</p> <p>3. Not yet due</p> <p>22 January 2020</p> <p>1. Complete</p> <p>2. Complete</p> <p>3. Not yet due</p> <p>1 May 2020</p> <p>1. Complete</p> <p>2. Complete</p> <p>3. Not due until June 2024. No further updates will be provided on this item until 2024.</p> |
| 19/05/2020 | Ordinary Council Meeting - 19 May 2020 | 9.3 | Water Restrictions Implementation Review | Commenced | <p>That Council:</p> <p>1. Note the information summary provided on management of water supply provisions during recent intense drought conditions.</p> <p>2. Revise the Drought Management Plan in accordance with the recommendations of</p> | Manager Water & Sewer | <p>10/08/2020 Process Engineer</p> <p>1. Council noted the information summary provided on management of water supply provisions during recent intense drought conditions.</p> |

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| | | | | | <p>this report in conjunction with the development of the Integrated Water Cycle Management Strategy.</p> <p>3. Acknowledge the efforts of the Water and Sewer team and other key Council staff involved in the management of water supply during the intense drought conditions.</p> | | <p>2. Revision of the Drought Management Plan in accordance with the recommendations of this report in conjunction with the development of the Integrated Water Cycle Management Strategy is underway.</p> <p>3. Council acknowledge the efforts of the Water and Sewer team and other key Council staff involved in the management of water supply during the intense drought conditions.</p> <p>09/11/2020 Director Operations & Planning Status of item 2 remains per previous update.</p> <p>08/02/2021 Manager Water & Sewer No update</p> <p>04/05/2021 Manager Water & Sewer No update as Integrated Water Cycle Management Strategy is progressing</p> <p>19/07/2021 Manager Water & Sewer Status remains unchanged</p> <p>03/11/2021 Executive Officer - Operations & Planning Status remains unchanged</p> <p>03/02/2022 Executive Officer - Corporate and Commercial Status remains unchanged. Awaiting on Integrated Water Cycle Management Plan to be implemented.</p> <p>02/05/2022 Manager Water & Sewer Status remains unchanged. Awaiting on Integrated Water Cycle Management Plan to be implemented.</p> <p>08/08/2022 Manager Water & Sewer</p> |

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| | | | | | | | Status remains unchanged. Awaiting on Integrated Water Cycle Management Plan to be implemented. |
| 19/05/2020 | Ordinary Council Meeting - 19 May 2020 | 11.2 | Crescent Head Water Treatment Plant Procurement Update | Commenced | That Council: 1. Not continue with negotiations with Microfloc Pty Ltd for tender TQE 17/25 as previously resolved under the provisions of clause 178(3)(e) of the Local Government Regulation 2005. 2. Not proceed with entering into a contract for tender TQE 17/25 under the provisions of clause 178(3)(a) of the Local Government Regulation 2005. 3. Progress with the Concept Design and Specification development work for the proposed revised package Water Treatment Plant option for the Crescent Head water supply scheme, prior to calling tenders via the open tendering method for the detailed design and construction. | Manager Water & Sewer | <p>10/08/2020 Process Engineer Council has discontinued with negotiations with Microfloc Pty Ltd for tender TQE 17/25 as previously resolved under the provisions of clause 178(3)(e) of the Local Government Regulation 2005.</p> <p>Council did not proceed with entering into a contract for tender TQE 17/25 under the provisions of clause 178(3)(a) of the Local Government Regulation 2005.</p> <p>Council is progressing with the Concept Design and Specification development work for the proposed revised package Water Treatment Plant option for the Crescent Head water supply scheme.</p> <p>06/11/2020 Director Operations and Planning The status remains unchanged. Project update provided at Councillor Workshop on 4 November 2020.</p> <p>08/02/2021 Manager Water & Sewer Status remains unchanged</p> <p>04/05/2021 Manager Water & Sewer Council has gained Section 60 Endorsement for the Options Assessment for Crescent Head Water Treatment Plant after completing a rigorous testing program. GHD have been engaged to prepare the Concept Design for the Plant.</p> <p>19/07/2021 Manager Water & Sewer Status unchanged</p> |

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| | | | | | | | <p>03/11/2021 Executive Officer - Operations & Planning Concept Design for the plant is due 4/11/2021. Council has applied for a liquid trade waste license through the Department of Planning Industry and Environment for sludge disposal for the new treatment plant.</p> <p>02/02/2022 Manager Water & Sewer Concept Design for the plant is still pending liquid trade waste approvals from DPIE.</p> <p>02/05/2022 Manager Water & Sewer Concept Design for the plant is still pending liquid trade waste approvals from DPIE. Project to be tendered once Section 60 approval of Concept Design is achieved.</p> <p>08/08/2022 Manager Water & Sewer Status unchanged</p> |
| 19/05/2020 | Ordinary Council Meeting - 19 May 2020 | 9.10 | Great Koala National Park Proposal | Commenced | That Council: 1. Note the Mid North Coast Joint Organisation has resolved to support the Great Koala National Park (GKNP) project. 2. Recognise the potential for broader regional and ecological benefits that could be realised through the GKNP proposal. 3. That council receive a further report including a business case for the proposal prior to further considering it's support | Manager Strategic & Asset Planning | <p>07/08/2020 Manager Strategic and Asset Planning The following extract was recently posted on the Great Koala National Park Facebook page on 5 August 2020:</p> <p>In July the University of Newcastle was successful in its bid to undertake a business case and economic study for the proposed Great Koala National Park (GKNP).</p> <p>The output will be the development of a business case, which demonstrates the benefits of investment in the GKNP for the following areas. Employment Opportunities Economic benefits Visitors and tourism</p> |

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| | | | | | | | <p>The study has been funded jointly by Bellingen Shire Coffs Harbour City Council Destination North Coast</p> <p>06/11/2020 Manager Strategic and Asset Planning No further update.</p> <p>05/02/2021 Manager Strategic & Asset Planning An independent assessment of the economic impact and an environmental benefit analysis of the Great Koala National Park was jointly commissioned by Bellingen Shire Council, Coffs Harbour City Council and Destination North Coast. This report was recently completed by the University of Newcastle in February 2021. It is planned to brief Councillors on this report in March 2021.</p> <p>05/05/2021 Manager Strategic & Asset Planning Councillors were briefed by the University of Newcastle on their findings in March 2021.</p> <p>09/08/2021 Executive Officer No further update.</p> <p>09/11/2021 Manager Strategic & Asset Planning No further update.</p> <p>03/02/2022 Manager Strategic & Asset Planning No further update.</p> <p>16/08/2022 (Acting) Executive Assistant No further update</p> |
| 16/06/2020 | Ordinary Council Meeting - 16 June 2020 | 11.5 | Steuart McIntyre Dam Water Treatment Plant | Commenced | That Council: 1. Not continue with negotiations with Microfloc Pty Ltd for provision of single tender design and construct contract as | Manager Water & Sewer | <p>06/08/2020 Process Engineer 1.Council has ceased negotiations with Microfloc Pty Ltd for the provision of a single tender design and construct tender.</p> |

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| | | | Procurement and Capacity | | <p>previously resolved under the provisions of clause 55(3)(k) of the Local Government Act 1993.</p> <p>2. Progress with the Options Assessments, Concept Design and Specification development work for the proposed 10ML/day Water Treatment Plant option for the Kempsey and Lower Macleay water supply scheme, prior to calling tenders via the open tendering method for the detailed design and construction.</p> | | <p>2. Council is negotiating finalisation of the options assessment with Department of Planning Industry & Environment to enable progression to the concept design phase.</p> <p>09/11/2020 Director Operations & Planning With regard to item 2 the options assessment is complete and agreed with Department of Planning Industry & Environment. Concept design and specification development phase now commencing. Project update provided at November Councillor Workshop.</p> <p>08/02/2021 Manager Water & Sewer Status unchanged</p> <p>04/05/2021 Manager Water & Sewer Council has gained Section 60 endorsement for the Options Assessment for the Treatment Plant. A consultant is being engaged for the preparation of the Concept Design.</p> <p>19/07/2021 Manager Water & Sewer Council has engaged a consultant to prepare the Concept Design for the Treatment Plant.</p> <p>03/11/2021 Executive Officer - Operations & Planning Concept Design is progressing with a 60% concept design and safety in design workshop completed.</p> <p>02/02/2022 Manager Water & Sewer The Water Treatment Plant has recently reached the 90% concept design section 60 endorsement, and will be tendered once the 100% concept design section 60 endorsement is received along with the endorsed specifications and tender documentation.</p> |

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| | | | | | | | <p>02/05/2022 Manager Water & Sewer The Water Treatment Plant design has reached the 100% concept design Section 60 endorsement with the workshop being held on 3/5/2022. The project will be tendered late 2022 once the 100% concept design Section 60 endorsement is received along with the endorsed specifications and tender documentation, and the project Review of Environmental Factors is determined.</p> <p>08/08/2022 Manager Water & Sewer The Water Treatment Plant design has gained Section 60 endorsement for the 100% concept design. The project will be tendered late 2022 once DPE have endorsed the specifications and tender documentation. The project Review of Environmental Factors will be determined after the Willawarrin Doubletail Orchid flowering period in mid October.</p> |
| 15/12/2020 | Ordinary Council Meeting - 15 December 2020 | 9.8 | Proposed Road Closure at Willi Willi | Commenced | <p>That Council:</p> <ol style="list-style-type: none"> Pursuant to Section 38D of the <i>Roads Act 1993</i> publish a Notice of Road Closure in the NSW Government Gazette to close part of the unnamed Council public road situated on the western boundary of Lot 26 DP752424 (1338 Warbro Brook Road, Willi Willi) with the extent of road to be closed sufficient in dimensions to ensure that the dwelling and all other structures no longer encroach onto the public road network. On closure, vest the land contained in the closed road as operational land. Pursuant to Section 44 of the <i>Roads Act 1993</i> accept the opening of a public road within Lot 26 DP752424 as compensation for the land comprised in the road closure; provided that the | Director Operations & Planning | <p>11/02/2021 Executive Officer Land owner advised to retain surveyor to prepare plan of road closure and land acquisition.</p> <p>04/05/2021 Executive Officer No further update</p> <p>03/08/2021 Executive Officer Land owner expected to provide survey in the next two months to enable matter to progress.</p> <p>02/11/2021 Executive Officer - Operations & Planning No further update</p> <p>01/02/2022 (Acting) Executive Assistant No further update</p> <p>02/05/2022 (Acting) Executive Assistant No further update</p> |

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| | | | | | <p>road to be opened continues to link Warbro Brook Road with the Council public road network to the north of Lot 26 DP752424; and the road is opened and dedicated to the public prior to the Notice of Road Closure being published.</p> <p>4. Pursuant to Section 377 of the <i>Local Government Act 1993</i> delegate Authority to the General Manager to sign:</p> <ol style="list-style-type: none"> a. Survey plan of road closure and road opening b. Deed of road opening and road closure c. Land Registry Services Forms <p>5. Confirm that all fees and costs involved in the road closure and road opening be the sole responsibility of the owners of Lot 26 DP752424.</p> | | <p>10/08/2022 (Acting) Executive Assistant No further update</p> |
| 16/02/2021 | Ordinary Council Meeting - 16 February 2021 | 9.4 | Proposed Road Closure - Part Waianbar Avenue, South West Rocks | Commenced | <p>That Council:</p> <p>Pursuant to Section 38D of the <i>Roads Act 1993</i> publish a Notice of Road Closure in the <i>NSW Government Gazette</i> to close part of Waianbar Avenue comprising an area of 504m² (or thereabouts) adjoining the southern boundary of Lot 10 DP882846. Vest the land in the closed road in Council as operational land.</p> <p>Sell the land contained in the closed road by process of public auction.</p> <p>Pursuant to Section 377 of the <i>Local Government Act 1993</i> delegate Authority to the General Manager to:</p> <ol style="list-style-type: none"> a. Sign the survey plan of road closure, b. Sign all Land Registry Services documents, | Director Operations & Planning | <p>04/05/2021 Executive Officer Survey plan of road closure received. Sub division application to be lodged and processed prior to plan registration.</p> <p>03/08/2021 Executive Officer Subdivision application lodged and awaiting determination.</p> <p>02/11/2021 Executive Officer - Operations & Planning Sub-division approved. Plan of road closure lodged at Land Registry Services. Survey plan has been registered. Application for title lodged with Land Registry services.</p> <p>01/02/2022 (Acting) Executive Assistant No further update</p> |

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| | | | | | <ul style="list-style-type: none"> c. Sign the Agency Agreement for the appointment of an agent to sell the land, d. Negotiate with any potential purchaser post auction, a sale price that the General Manager considers advantageous to Council should the land not sell at auction, and e. Sign the Contract for the Sale of Land. | | <p>02/05/2022 (Acting) Executive Assistant No further update</p> <p>10/08/2022 (Acting) Executive Assistant Title has been confirmed with Land Registry. Will move onto appointing Agent for Sale of property in the next quarter.</p> |
| 16/03/2021 | Ordinary Council Meeting - 16 March 2021 | 10.1 | Request for Speed Zone Review - Crescent Head Road | Commenced | That Council request the Local Traffic Committee to undertake a formal review of the speed limit for Crescent Head Road. | Manager Strategic & Asset Planning | <p>05/05/2021 Manager Strategic & Asset Planning This will be considered at the LTC meeting scheduled for the 1 June 2021.</p> <p>06/08/2021 Executive Officer This was reported to the June LTC. Council endorsed at its June 2021 meeting the recommendation of the Committee to request TfNSW to undertake a speed zone review of Crescent Head Road (end 70kmh zone to 50kmh zone Crescent Head). Council is preparing a submission to TfNSW and expect a review completed by end September 2021.</p> <p>10/11/2021 Executive Officer The outcome of the review is expected to be reported to the December Local Traffic Committee meeting.</p> <p>03/02/2022 Manager Strategic & Asset Planning Matter still being assessed by TfNSW with an expectation that the outcome shall be reported to the Local Traffic Committee.</p> <p>05/05/2022 Manager Strategic & Asset Planning No further update.</p> <p>09/08/2022 (Acting) Executive Assistant No further update</p> |

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| 16/03/2021 | Ordinary Council Meeting - 16 March 2021 | 9.2 | Plans of Management for Council Managed Community Crown Lands | Commenced | <p>That Council in accordance with Sections 38, 39, 40 and 40A of the Local Government Act 1993:</p> <ol style="list-style-type: none"> 1. Update the draft Council Managed Crown Land Plan of Management for the Macleay Valley Coast Holiday Parks Annual Licence and Concept Plans as reported at agenda item 9.1 of the 16 March 2021 Ordinary Council meeting; 2. Forward a copy of the draft Council Managed Crown Land Plan of Management to the NSW Department of Planning, Industry and Environment, as the landowner, prior to public exhibition; 3. Revise the draft Council Managed Crown Land Plan of Management with any direction received from the NSW Department of Planning, Industry and Environment, before placing on public exhibition for a minimum period of 28 days and inviting the public to make submissions over a period of 42 days; 4. Hold a public hearing in respect of the draft Plan of Management given the proposed alteration of the initial assigned categories of some community land; 5. Bring the final version of the draft Plan of Management (inclusive of any changes made as a result of the community consultation) back to a future Council meeting for consideration and adoption; and 6. That we review and update the draft Council Managed Crown Lands Plan of Management to provide additional information, in relation to operations and upgrade plans of other licence holders. | Manager Commercial Business | <p>28/04/2021 Manager Commercial Business</p> <ol style="list-style-type: none"> 1. Completed; 2. In progress - waiting for Native Title Advice to be completed prior to forwarding the draft POM to DPIE for concurrence and subsequent public exhibition; 3. subject to 2. above; 4. Not commenced; 5. Not Commenced; 6. Commenced. <p>05/08/2021 Manager Commercial Business</p> <ol style="list-style-type: none"> 1. Completed; 2. Draft POM sent to DPIE - waiting for DPIE concurrence before placing on public exhibition; 3. subject to 2. above; 4. Not commenced; 5. Not Commenced; 6. Commenced. <p>09/11/2021 Manager Commercial Business As per above - no further progress at this stage.</p> <p>01/02/2022 Manager Commercial Business As per above - no further progress at this stage.</p> <p>28/04/2022 Manager Commercial Business As per above - no further progress at this stage.</p> <p>25/07/2022 Manager Commercial Business As per above - no further progress at this stage.</p> |

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| 18/05/2021 | Ordinary Council Meeting - 18 May 2021 | 9.5 | Proposed Road Closure at Bellbrook | Commenced | <p>That Council:</p> <ol style="list-style-type: none"> 1. Pursuant to Section 38D of the <i>Roads Act 1993</i> publish a Notice of Road Closure in the <i>NSW Government Gazette</i> to close part of the unnamed Council public road situated within Lot 85 Deposited Plan 752426 with the extent to be closed sufficient in dimensions to ensure that the dwelling and garage and any other built structures no longer encroach onto the public road network. 2. On closure, vest the land contained in the closed road as operational land. 3. Pursuant to Section 44 of the <i>Roads Act 1993</i> accept the opening of a public road elsewhere within Lot 85 Deposited Plan 752426 as compensation for the land comprised in the road reserve, provided that the road to be opened continues to provide a link in the Council public road network, albeit if the road network is not presently constructed. 4. Ensure that the road opening and public dedication occurs either prior to, or simultaneous to, the publication of the Notice of Road Closure. 5. Pursuant to Section 377 of the <i>Local Government Act 1993</i> delegate Authority to the General Manager to sign: <ol style="list-style-type: none"> a. Survey plan of road closure and road opening b. Deed of road closure and road opening c. Subdivision Application d. Land Registry Services forms | Director Operations & Planning | <p>10/08/2021 Executive Officer The landowner has been advised of the Council resolutions and instructed to engage a surveyor. No response from either the landowner or a surveyor he may have engaged at this stage.</p> <p>02/11/2021 Executive Officer - Operations & Planning No further update</p> <p>01/02/2022 (Acting) Executive Assistant No further update</p> <p>02/05/2022 (Acting) Executive Assistant No further update</p> <p>10/08/2022 (Acting) Executive Assistant No further update</p> |

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| | | | | | 6. Confirm that all fees, costs and charges involved in the road closure and road opening be the sole responsibility of the owner of Lot 85 Deposited Plan 752426. | | |
| 18/05/2021 | Ordinary Council Meeting - 18 May 2021 | 9.2 | Lease of South West Rocks Tourist Village | Commenced | That Council in its capacity as the Crown Land Manager of the South West Rocks Holiday and Leisure Reserves Reserve Trust sign the lease agreement of 30 years plus a 10-year option with INA Operations Pty Limited. | Manager Commercial Business | <p>04/08/2021 Manager Commercial Business The Reserve Trust has signed the lease. The lease has been forwarded to the lessee for signature. Once the lease has been signed by both parties the lease will be forwarded to DPIE for Minister's consent.</p> <p>09/11/2021 Manager Commercial Business Execution of the lease agreement has been delayed due to COVID-19 situation in Sydney.</p> <p>01/02/2022 Manager Commercial Business Lease agreement has been sent to NSW Crown Lands for signing by the Minister's Delegate.</p> <p>28/04/2022 Manager Commercial Business As per above - no further progress at this stage.</p> <p>25/07/2022 Manager Commercial Business As per above - no further progress at this stage.</p> |
| 29/06/2021 | Ordinary Council Meeting - 29 June 2021 | 9.5 | Belgrave Street Traffic Study | Commenced | That Council: <ul style="list-style-type: none"> 1. Endorse the completion of the Belgrave Street Traffic Study as the first phase in the development of the Belgrave Street Master Plan; and 2. Defer the development of the Belgrave Street Master Plan until the completion of the NSW Government's State and Regional Road classification review; and 3. Receive a further report on the development of the Belgrave Street Master Plan on completion of the road | Manager Strategic & Asset Planning | <p>06/08/2021 Executive Officer No further action on this project to be undertaken until the Government's State and Regional Road classification review has been completed.</p> <p>09/11/2021 Manager Strategic & Asset Planning The Government's State and Regional Road classification has been completed and will affect Belgrave Street. Council is awaiting the details of the review outcomes before determining the next steps for this project.</p> <p>03/02/2022 Manager Strategic & Asset Planning</p> |

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| | | | | | classification review including any impact for the second bridge crossing or by June 2023. | | No further update. 05/05/2022 Manager Strategic & Asset Planning No further update. 09/08/2022 (Acting) Executive Assistant No further update |
| 29/06/2021 | Ordinary Council Meeting - 29 June 2021 | 9.6 | Road Opening and Road Closing - Dowlings Falls Road, Toorooka | Commenced | That Council: <ol style="list-style-type: none"> Pursuant to Section 38D of the <i>Roads Act 1993</i> publish a Notice of Road Closure in the <i>NSW Government Gazette</i> to close that part of Dowlings Falls Road shown as Lots 1 and 5 in the Plan of Acquisition for Road Purposes Within Lot 2 DP752425 and Lot 484 DP829632 and Proposed Road Closing Under the Roads Act 1993 dated 21 November 2020 prepared by Surveyor Graham McLeod Burns. On closure, vest Lots 1 and 5 comprising the closed road as operational land. Pursuant to Section 44 of the <i>Roads Act 1993</i> give the land in the closed road (Lots 1 and 5) to the owners of Lot 2 DP752425 and Lot 484 DP829632 as compensation for the acquisition of land for road purposes (Lots 2 and 4). Pursuant to Section 10 of the <i>Roads Act 1993</i>, dedicate Lots 2 and 4 as public road. Ensure that the road opening and road dedication occurs either prior to, or simultaneous to, the publication of the Notice of Road Closure. Pay the legal/land conveyancing costs reasonably incurred by the owners of | Director Operations & Planning | 03/08/2021 Executive Officer Council solicitors to be instructed to prepare acquisition deed. 02/11/2021 Executive Officer - Operations & Planning Solicitor instructed. Survey at Land Registry Services awaiting registration. 01/02/2022 (Acting) Executive Assistant Survey plan has been registered. Land owners have the deed of acquisition to sign. 02/05/2022 (Acting) Executive Assistant No further update 08/08/2022 (Acting) Executive Assistant Deed of acquisition has been signed by Council and registered survey plan has been provided to solicitor. |

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| | | | | | <p>Lot 2 DP752425 and Lot 484 DP829632 arising from the Section 44 <i>Roads Act 1993</i> proposal.</p> <p>7. Pursuant to Section 377 of the <i>Local Government Act 1993</i> delegate Authority to the General Manager to sign:</p> <ol style="list-style-type: none"> a. Survey plan of Acquisition and Road Closing b. Deed of Road Closure and Road Opening c. Subdivision Application d. Land Registry Services Forms | | |
| 20/07/2021 | Ordinary Council Meeting - 20 July 2021 | 9.1 | Crescent Head Public Domain Plan - Foreshore Car Parking Area | Commenced | <p>That Council:</p> <ol style="list-style-type: none"> 1. acknowledge the significant community consultation to date. 2. report back to August 2021 ordinary council meeting to present the engagement scope and how it will be delivered, how will the work be funded and impacts to the Operational Plan 2021/2022. 3. bring a further report back to council in approximately 24 months with more options balancing the need for car parks on the foreshore and the need for green space, the playground design, a skate park design and location in an overall concept design that recognises the various cultures of Crescent Head, developed through a community advisory group including members of the most relevant groups (Dunghutti, ratepayers, surfing community, community groups, business owners, tourism and others) and continue to keep the community engaged throughout this process. | Director Operations & Planning, Manager Strategic & Asset Planning | <p>04/08/2021 Director Operations & Planning A report has been prepared for the August Ordinary Meeting of Council in accordance with the resolution.</p> <p>03/11/2021 Executive Officer - Operations & Planning Report considered by Council at the August 2021 Ordinary Meeting of Council with regard to the adoption of the engagement plan.</p> <p>09/11/2021 Manager Strategic & Asset Planning The engagement plan adopted by Council in August 2021 detailed Stage 1 as an "Audit Project Scope". This has been undertaken by Council's Internal Change Project Manager and the report is expected to be finalised in the coming weeks.</p> <p>03/02/2022 Manager Strategic & Asset Planning The 'Audit Project Scope' undertaken by Council's Internal Change Project Manager has been finalised and is expected to be reported to Council at the March 2022 meeting.</p> <p>05/05/2022 Manager Strategic & Asset Planning</p> |

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| | | | | | | | <p>The Audit report has been reported to Council and Council has confirmed the footprint that will be subject to further community engagement and design options. An RFQ is currently being prepared to engage a consultant to undertake the next steps of the project.</p> <p>16/08/2022 (Acting) Executive Assistant No further update</p> |
| 17/08/2021 | Ordinary Council Meeting - 17 August 2021 | 9.1 | Slim Dusty Centre Ongoing Management | Completed | <p>That Council:</p> <ol style="list-style-type: none"> 1. Acknowledges the importance of the Slim Dusty Centre to the Kempsey Shire as an ongoing key cultural tourism attraction. 2. Notes the outcomes of the detailed due diligence completed by Council officers regarding the future operation and management of the Slim Dusty Centre, as detailed within the confidential 'Overview of Commercial Negotiations' and 'Slim Dusty Centre Business Plan' attachments. 3. Authorise the General Manager to: <ol style="list-style-type: none"> a. Enter into an agreement with the Slim Dusty Foundation Limited (as trustee for the Slim Dusty Museum Trust Fund) to convey and transfer the Slim Dusty Centre buildings, fixtures and fittings, excluding the Slim Dusty Museum fixtures, exhibits and memorabilia, to Council for nil cost. b. Enter into an agreement with Slim Dusty Foundation Limited for Council to operate and manage the Slim Dusty Centre, including the Slim Dusty Museum, based on the following key commercial terms: | Director Corporate & Commercial | <p>29/10/2021 Executive Officer - Corporate and Commercial The negotiation of legal agreements to convey the Slim Dusty Centre to Council are in progress and are expected to be finalised by 31 December 2021.</p> <p>31/01/2022 Executive Officer - Corporate and Commercial Negotiations are ongoing.</p> <p>28/04/2022 Director Corporate & Commercial Negotiations are ongoing.</p> <p>17/08/2022 Executive Officer - Corporate and Commercial This resolution has been superseded by the 28 June 2022 resolution.</p> |

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| | | | | | <ul style="list-style-type: none"> <li data-bbox="1037 220 1395 614">i. The payment by Council of an \$85,000 per annum fee to Slim Dusty Foundation Limited for the right to operate the Slim Dusty Museum. The annual fee incorporates the provision of museum curation services by Slim Dusty Foundation Limited, is indexed to CPI, and is subject to review at five (5) yearly intervals. <li data-bbox="1037 624 1395 895">ii. Council retains all future income generated from the operation and management of the Slim Dusty Centre, including all Slim Dusty Museum income, but excluding income from the “Mates” and “Pavers” programs. <li data-bbox="1037 904 1395 1236">iii. Council is responsible for all future operating and capital expenditure associated with the operation and management of the Slim Dusty Centre and the associated parcels of freehold and Crown Land, except for those costs associated with the maintenance and curation of museum exhibits. <li data-bbox="1037 1246 1395 1453">iv. Council will purchase the parcel of freehold land (Lot 7 DP 737376) from Slim Dusty Foundation Limited at an agreed time in the future using the just terms compensation process to | | |

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| | | | | | <p>determine sale value. In the interim, and for an initial period of five (5) years, Slim Dusty Foundation Limited will lease the freehold land to Council at a peppercorn rate of \$1 per annum.</p> <p>v. The inclusion of a contract re-opener clause that provides for a review after 10 years of the terms of the agreement between Slim Dusty Foundation Limited and Council based on the performance of the Slim Dusty Centre, taking into consideration museum visitation, and which allows either party to terminate the agreement.</p> <p>c. Subject to the execution of the agreement(s) referred to items 3(a) and (b) above, negotiate with the Department of Planning, Industry and Environment, Crown Lands, to novate the existing lease of Lot 299 DP 729768 from Slim Dusty Foundation Limited to Council, or if more advantageous, the transfer of ownership to Council.</p> <p>d. Implement the Slim Dusty Centre Business Plan.</p> <p>e. Continue to manage the Slim Dusty Centre in accordance with the terms of conditions of the current Management Deed between Slim Dusty Foundation Limited and Council should the agreements contemplated in items 3(a) and 3(b) above not be executed by 10 December 2021.</p> | | |

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| | | | | | <ol style="list-style-type: none"> 4. Notes that the financial operating impacts of the Slim Dusty Centre operations, including building depreciation, but excluding future capital expenditure requirements, are included within Council's adopted 2021-22 Budget and Long Term Financial Plan. 5. Require a report be provided to a future meeting of Council once the agreements referred to in item 3 above have been finalised. 6. Require an update on the operations and performance of the Slim Dusty Centre be reported to Council: <ol style="list-style-type: none"> a. Annually for the proposed initial ten-year term of the agreement between Slim Dusty Foundation Limited and Council; and b. Prior to the 10-year anniversary of the agreement at which time a contract review would occur under the terms of the contract re-opener clause. | | |
| 26/10/2021 | Ordinary Council Meeting - 26 October 2021 | 9.1 | Planning Proposal to Facilitate the Airport Adventure Park | Commenced | That Council: Following Section 3.34 of the Environmental Planning and Assessment Act 1979, submit the attached Planning Proposal to the Minister, seeking a Gateway Determination. Receive a further report on completion of all consultation activities set out in the Gateway Determination. | Manager Strategic & Asset Planning | <p>09/11/2021 Manager Strategic & Asset Planning The Planning Proposal was forwarded to DPIE for a Gateway determination. DPIE assessed the Planning Proposal and advised that it was not adequate to proceed as additional information is required. The consultant who prepared the Planning Proposal is currently collating further information for submission to DPIE.</p> <p>03/02/2022 Manager Strategic & Asset Planning The proponent provided additional information in response to feedback received from DPIE. This was forwarded to DPIE for consideration and the issue of a Gateway determination.</p> |

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| | | | | | | | <p>DPIE have advised that the Gateway Request is not adequate to proceed to assessment because the proposal is inconsistent in its assessment and identification of the area to which the Additional Permitted Uses will apply.</p> <p>Council staff are currently liaising with Council's consultant who prepared the planning proposal and DPIE staff to address this matter so that the planning proposal can be resubmitted for a Gateway determination.</p> <p>05/05/2022 Manager Strategic & Asset Planning Gateway was granted 18 March 2022 with a number of conditions to be met prior to proceeding to public exhibition.</p> <p>The proponent is amending the planning proposal to comply with these conditions prior to public exhibition.</p> <p>02/08/2022 (Acting) Executive Assistant Post exhibition report presented to the July Ordinary Council Meeting with recommendation to proceed to the making of the LEP Amendment. Officer is currently preparing the documentation to enable the finalisation of the LEP amendment.</p> |
| 26/10/2021 | Ordinary Council Meeting - 26 October 2021 | 9.11 | Disclosure of Interest Returns | Completed | That Council: note the lodgement and tabling of the Disclosure of Interest Returns, and publish these returns, in a redacted form consistent with the Information Commissioner's Guideline 1, on Council's website. | Manager Governance & Information Services | <p>03/02/2022 Executive Officer - Corporate and Commercial Disclosures are being prepared for placement on Council's website.</p> <p>05/05/2022 Executive Officer - Corporate and Commercial No further update.</p> <p>23/08/2022 Manager Governance & Information Services</p> |

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| | | | | | | | <p>Disclosures are published on Council's website at https://www.kempsey.nsw.gov.au/Your-Council/About-Council/Corporate-management/Disclosure-of-Interests.</p> <p>Future disclosures will be published as received, prior to reporting to Council.</p> |
| 16/11/2021 | Ordinary Council Meeting - 16 November 2021 | 9.2 | Planning Proposal Part Lot 35 DP1214499 South West Rocks | Commenced | <p>That Council:</p> <ol style="list-style-type: none"> Note the outcome of the Rezoning Review undertaken by the Northern Regional Planning Panel that the Planning Proposal proceed to a Gateway determination, subject to conditions. Advises the Planning Panels Secretariat that it accepts the invitation of the Northern Regional Planning Panel to be the Planning Proposal Authority for the planning proposal to rezone part of Lot 35 DP 1214499, South West Rocks from RU2 Rural Landscape to R1 General Residential and amend the minimum lot size and height of building standards. Invites the proponent to submit further information to enable the conditions of the Rezoning Review Decision issued in respect of land on 15 October 2021 to be complied with prior to submitting the planning proposal for a Gateway determination. | Manager Strategic & Asset Planning | <p>03/02/2022 Manager Strategic & Asset Planning The Planning Panels Secretariat were advised that Council accepts the role of Planning Proposal Authority. The proponent has submitted further information which is under review to assess compliance with the conditions of the Rezoning Review Decision.</p> <p>05/05/2022 Manager Strategic & Asset Planning Council has reviewed the information provided by the proponent and identified a number of matters that need to be addressed before the planning proposal could be considered compliant with the eight conditions set by the Northern Regional Planning Panel's Record of Decision.</p> <p>The proponent was advised of this in writing on 1 March 2022 and a response has not yet been received.</p> <p>02/08/2022 (Acting) Executive Assistant Proponents have provided no response to Council's request for further information. Proponents have requested the appointment of an alternative Planning Proposal Authority (PPA). Following determination by ELT on 26 July 2022, Council advised DPE in writing on 28 July 2022 that due to potential inconsistencies between the Planning Proposal and the outcomes sought by Council through the SWR Structure Plan it would be inconsistent for Council to remain PPA and that Council should be removed as the PPA.</p> |

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| 15/03/2022 | Ordinary Council Meeting - 15 March 2022 | 9.3 | Planning Proposal PP-2021-7403 - Rosedale Avenue, South West Rocks | Commenced | That council: <ol style="list-style-type: none"> 1. submit the Planning Proposal, which seeks to permit the minor realignment of LEP mapping layers consistent with existing development approvals at Lot 801 DP1270742 Rosedale Avenue South, South West Rocks, to the Minister for Planning for Gateway consideration pursuant to section 3.34 of the Environmental Planning and Assessment Act 1979; 2. request the Secretary of the Department of Planning and Environment to issue council with written authorisation to exercise plan making delegations in relation to this proposal; and 3. undertake, subject to the Gateway determination, community consultation for the planning proposal as required. | Manager Strategic & Asset Planning | <p>05/05/2022 Manager Strategic & Asset Planning Gateway determination was issued to Council on 20 April 2022..</p> <p>Condition 1 of the Gateway requires minor amendments to the planning proposal before community consultation commences.</p> <p>Once the amendments are made, Council will commence the 28-day public exhibition period.</p> <p>02/08/2022 (Acting) Executive Assistant Post exhibition report presented to the July Ordinary Council Meeting with recommendation to proceed to the making of the LEP Amendment.</p> |
| 15/03/2022 | Ordinary Council Meeting - 15 March 2022 | 9.1 | Crescent Head Public Domain Plan - Foreshore Car Park | Commenced | That council: <ol style="list-style-type: none"> 1. endorse the geographical footprint for the foreshore car park component of the Crescent Head Public Domain Plan as recommended in the attached 'Crescent Head Foreshore Review of Project Scope Report' and described as: <ol style="list-style-type: none"> a. western limit: past the footbridge to the point where the path narrows along Killick Creek; b. southern limit: bounded by the existing Crescent Head holiday park boundaries; c. eastern limit: where the path meets the Crescent Head golf club boundary; and | Manager Strategic & Asset Planning | <p>05/05/2022 Manager Strategic & Asset Planning An RFQ is being developed to engage a consultant to progress the next steps.</p> <p>10/08/2022 (Acting) Executive Assistant No further update</p> |

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| | | | | | <ul style="list-style-type: none"> d. excluding the surf club crown land lease, Crescent Head holiday park and Crescent Head golf course. 2. based on the geographical footprint described in point 1, proceed with the next steps of the engagement plan adopted by council at its Ordinary Meeting of 17 August 2021, which includes: <ul style="list-style-type: none"> a. appointing a consultant to lead engagement and design; b. developing a detailed engagement plan and establishment of a Community Advisory Group; and c. development of design options to inform the final Crescent Head Public Domain Plan. 3. proceed to finalise the Crescent Head Public Domain Plan, excluding the area described in point 1, to provide certainty to the community about the future of those public areas and to enable council to seek funding to further deliver on improvements to these public areas in Crescent Head; and 4. provides to the community by various means information in relation to the financial impacts and the decision of council. | | |
| 15/03/2022 | Ordinary Council Meeting - 15 March 2022 | 8.1 | Australia Day Committee | Completed | <p>That council:</p> <ul style="list-style-type: none"> 1. vary the membership of the Australia Day Awards Committee to comprise of the Mayor; two (2) councillors; one council staff member; and to increase the number of community representatives by one (to be up to six [6]). | Executive Assistant | <p>05/05/2022 Executive Assistant Matter is progressing.</p> <p>12/05/2022 Executive Assistant Nomination forms are now open</p> <p>17/08/2022 Executive Officer - Corporate and Commercial</p> |

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| | | | | | <ol style="list-style-type: none"> 2. seek, via an expression of interest process, that representatives from the Upper Macleay and Lower Macleay communities be encouraged to join the committee. 3. note the information in the report. | | Four (4) applications from community members have been received. The two (2) Council positions on the Committee will be determined at the September 2022 Council meeting with the Committee to then meet in September to determine the new members. |
| 15/03/2022 | Ordinary Council Meeting - 15 March 2022 | 9.2 | Kempsey Airport - Commercial Agreement for Pilot Training Proposal | Commenced | <p>That council:</p> <ol style="list-style-type: none"> 1. authorise the General Manager to enter into a commercial agreement between Sportfly Aviation and Kempsey Shire Council with the following key terms and conditions: <ol style="list-style-type: none"> a. annual fixed fee of \$1,356.00 (including GST) per recreational aircraft with CPI increase applied annually; b. a contract term of one (1) year with a further one (1) year option at council's absolute discretion; c. a maximum of 2,200 aircraft movements per annum (including take-offs, touch and goes, landings) within the fixed fee. Any movements above the maximum 2,200 movements will be charged in accordance with the aircraft movement fee published in council's annual Schedule of Fees and Charges; 2. endorse the annual fee being retrospectively applied to 1 January 2022; and 3. notify Sportfly Aviation of the requirement to operate in accordance with applicable legislative requirements; Kempsey Aerodrome Manual, Kempsey Airport Conditions of Use; and the Kempsey Airport Fly Neighbourly Advice, and that breaches | Manager Commercial Business | <p>28/04/2022 Manager Commercial Business Commercial Agreement is being drafted and executed.</p> <p>29/07/2022 Manager Commercial Business Council is currently working through the execution of the agreement with Sportsfly aviation.</p> |

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| | | | | | of these requirements may result in termination of the commercial agreement. | | |
| 15/03/2022 | Ordinary Council Meeting - 15 March 2022 | 9.4 | Procedure 1.2.7 – Rental Assessment and Rebate | Completed | That council place the draft Procedure 1.2.7 – Rental Assessment and Rebate be placed on public exhibition for a period of 28 days, with a report to be provided back to council following the conclusion of the exhibition period. | Manager Commercial Business | <p>28/04/2022 Manager Commercial Business Public Exhibition period for the Rental Assessment and Rebate Procedure has now closed. Final version of the procedure will be presented to a Council meeting prior to end of financial year.</p> <p>10/06/2022 Manager Commercial Business Final Rental Assessment and Rebate Procedure was adopted at the May 2022 Council meeting.</p> |
| 26/04/2022 | Ordinary Council Meeting - 26 April 2022 | 9.5 | KLEP2013 - Employment Zones Reforms | Commenced | That council: <ul style="list-style-type: none"> 1. endorse the translation of the Employment Zones land use tables for the Kempsey Local Environmental Plan 2013; 2. take the necessary steps to assist the Department of Planning and Environment in the public exhibition of the translation of the existing Standard Instrument Principal Local Environmental Plan 2006 zones into the new zones; and 3. receive a further report at the conclusion of the public exhibition period. | Manager Strategic & Asset Planning | <p>05/05/2022 Manager Strategic & Asset Planning DPE are to undertake the public exhibition of the Employment Zone Reforms and Council is to assist. Council is waiting on DPE to provide it with the necessary material, as outlined in their Communication Strategy, for public exhibition to commence.</p> <p>02/08/2022 (Acting) Executive Assistant DPE undertook public exhibition for 6 weeks from 31 May to 12 July 2022. Council provided the relevant information and links to the Planning Portal and the Employment Zones Reform webpage. All submissions were to be made directly to DPE. DPE propose to provide Council with a submissions report. The Employment Zone Reforms are to be implemented on 1 December 2022.</p> |
| 26/04/2022 | Ordinary Council Meeting - 26 April 2022 | 9.2 | Integrated Planning and Reporting 2022-2026 | Completed | That council: <ul style="list-style-type: none"> 1. place the draft integrated planning and reporting suite of documents be on public exhibition for a period of 28 days including: <ul style="list-style-type: none"> a. Delivery Program 2022-26 and Operational Plan 2022-23; | Manager Corporate Projects | <p>03/05/2022 Manager Corporate Projects Documents have been placed on public exhibition for 28 days</p> <p>30/06/2022 Manager Corporate Projects Action is complete</p> |

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| | | | | | <ul style="list-style-type: none"> b. Revenue Policy 2022-23; c. Schedule of Fees and Charges 2022-23; d. Rates Maps 2022-23; e. Long Term Financial Plan 2022-32; f. Workforce Management Plan 2022-26; g. Strategic Asset Management Plan 2022-32; and h. Digital Strategy. <p>2. receive a report at the June 2022 council meeting detailing the submissions received during the public exhibition period and presenting the final integrated planning and reporting documents for adoption by council.</p> | | |
| 26/04/2022 | Ordinary Council Meeting - 26 April 2022 | 9.9 | Disclosure of Interest Returns | Completed | That council: <ul style="list-style-type: none"> 1. note the lodgement and tabling of the disclosure of interest returns; and 2. publish these returns, in a redacted form consistent with the Information Commissioner's guideline 1, on council's website. | Manager Governance & Information Services | <p>05/05/2022 Manager Governance & Information Services Disclosures are being prepared for placement on Council's website.</p> <p>23/08/2022 Manager Governance & Information Services Disclosures are published on Council's website at https://www.kempsey.nsw.gov.au/Your-Council/About-Council/Corporate-management/Disclosure-of-Interests.</p> <p>Future disclosures will be published as received, prior to reporting to Council.</p> |
| 26/04/2022 | Ordinary Council Meeting - 26 April 2022 | 9.4 | Planning Proposal PP-2021-7144 – 1022 Crescent Head Road, Crescent Head | Commenced | That council: <ul style="list-style-type: none"> 1. submit the planning proposal which seeks to amend the Lot Size Map at Lot 17 DP 818185, 1022 Crescent Head Road Crescent Head, to the Minister for Planning for gateway consideration pursuant to section 3.34 of the | Manager Strategic & Asset Planning | <p>05/05/2022 Manager Strategic & Asset Planning Request for Gateway Determination submitted to DPE on 27/04/2022.</p> <p>02/08/2022 (Acting) Executive Assistant Planning Proposal for Lot 17 DP88185, 1022 Crescent Head Road was on public exhibition until</p> |

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| | | | | | <p>Environmental Planning and Assessment Act 1979;</p> <p>2. request that the Secretary of the Department of Planning and Environment to issue council with written authorisation to exercise plan making delegations in relation to this proposal; and</p> <p>3. undertake, subject to the gateway determination, community consultation for the planning proposal as required.</p> | | 28 July 2022. This report has been prepared for the August 2022 Council meeting. |
| 17/05/2022 | Ordinary Council Meeting - 17 May 2022 | 9.6 | Oven Mountain Pumped Hydro Energy Storage Project | Commenced | <p>That council:</p> <p>1. receives and notes the update regarding the proposed Oven Mountain Pumped Hydro Energy Storage project contained within this report;</p> <p>2. notes that the proponent of the project is undertaking investigations on the environmental, social, and economic effects of the declared Critical State Significant Infrastructure project, with the Minister for Planning to determine the proposal;</p> <p>3. continues to advocate or advise with respect to:</p> <p>a. Local and Regional Road access;</p> <p>b. water security and quality;</p> <p>c. amenity of the community;</p> <p>d. public health;</p> <p>e. economic activity, including local employment readiness and training;</p> <p>f. local and regional resources;</p> <p>g. Aboriginal heritage and culture; and</p> <p>h. natural environment</p> | Director Operations & Planning | <p>16/08/2022 (Acting) Executive Assistant</p> <p>Oven Mountain Pumped Hydro Energy Storage is currently preparing an Environmental Impact Statement for the project and continuing with design work. Site and field investigations have continued on the lower and upper reservoir areas, including surface water investigations, flora and fauna, and cultural heritage work.</p> <p>Oven Mountain Pumped Hydro held community drop-in sessions in Armidale, Hillgrove, Kempsey, and Willawarrin and opened a Community Information Hub in Kempsey. The Oven Mountain Pumped Hydro team also recently visited locations across the area completing Landscape and Visual Impact Assessment work. The project will sit out of sight from Mary's View but will look to form an integral part of the region's industrious history.</p> <p>Council will commence action once REF has been completed.</p> |

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| | | | | | 4. provides a submission to the Department of Planning & Environment when the Environmental Impact Statement is exhibited; and 5. notes the interest within sections the community with respect to the origin of ownership of key partners within the project, however, acknowledge that this is a matter for higher levels of government. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 17/05/2022 | Ordinary Council Meeting - 17 May 2022 | 9.2 | Community Grant Program - Round 2 | Completed | That council, pursuant to section 356 of the Local Government Act 1993, grant financial assistance from the Community Grants 2021-2022 Round 2 program for the total amount of \$12,639 to the following recipients: <table border="1" data-bbox="958 746 1417 1469"> <thead> <tr> <th colspan="3">Environmental Levy Grants</th> </tr> <tr> <th>Community Group</th> <th>Project</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>South West Rocks Community Dune Care</td> <td>Weed eradication</td> <td>\$5,000</td> </tr> <tr> <td colspan="3" style="text-align: right;">Total Funding Allocated: \$5,000</td> </tr> <tr> <th colspan="3">Mayoral Community Fund – Quick Grants</th> </tr> <tr> <th>Community Group</th> <th>Project</th> <th>Amount</th> </tr> <tr> <td>Bellbrook School of Arts Community Hall</td> <td>Hall Upgrade</td> <td>\$2,000</td> </tr> <tr> <td>Upper Macleay District Rodeo Association</td> <td>Refrigerator</td> <td>\$2,000</td> </tr> <tr> <td>Kempsey Showground Association</td> <td>Tables and Seating</td> <td>\$2,000</td> </tr> <tr> <td>Rotary Club of Kempsey West</td> <td>Gazebo</td> <td>\$1,639</td> </tr> <tr> <td colspan="3" style="text-align: right;">Total Funding Allocated: \$7,639</td> </tr> </tbody> </table> | Environmental Levy Grants | | | Community Group | Project | Amount | South West Rocks Community Dune Care | Weed eradication | \$5,000 | Total Funding Allocated: \$5,000 | | | Mayoral Community Fund – Quick Grants | | | Community Group | Project | Amount | Bellbrook School of Arts Community Hall | Hall Upgrade | \$2,000 | Upper Macleay District Rodeo Association | Refrigerator | \$2,000 | Kempsey Showground Association | Tables and Seating | \$2,000 | Rotary Club of Kempsey West | Gazebo | \$1,639 | Total Funding Allocated: \$7,639 | | | Manager Community Partnerships | 22/08/2022 Executive Officer - Corporate and Commercial Funds distributed to all groups as per resolution |
| Environmental Levy Grants | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Community Group | Project | Amount | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| South West Rocks Community Dune Care | Weed eradication | \$5,000 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total Funding Allocated: \$5,000 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Mayoral Community Fund – Quick Grants | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Community Group | Project | Amount | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Bellbrook School of Arts Community Hall | Hall Upgrade | \$2,000 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Upper Macleay District Rodeo Association | Refrigerator | \$2,000 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Kempsey Showground Association | Tables and Seating | \$2,000 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Rotary Club of Kempsey West | Gazebo | \$1,639 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total Funding Allocated: \$7,639 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| 17/05/2022 | Ordinary Council Meeting - 17 May 2022 | 7.1 | Recognition of Dave Sands | Commenced | That council: <ol style="list-style-type: none"> 1. establish a working party and liaise with the Ritchie family on an appropriate plan for due and deserving recognition in Kempsey of the Sands brothers boxers for their sporting feats; 2. seek support from The Honourable Melinda Pavey MP, Member for Oxley, The Honourable Stuart Ayres MP, Minister for Tourism and Sport, and any other relevant bodies in gaining financial support to implement the plans for recognition; and 3. receives an update to the September 2022 ordinary council meeting on progress of planning and costings of this recognition project. | General Manager | <p>17/08/2022 Executive Officer - Corporate and Commercial</p> <p>1. General Manager, Craig Milburn, has had several conversations with Chad Ritchie and Phil Dotti who represent the family of Dave Sands. Mayor Leo Hauville has also spoken with them at the NAIDOC Week Ball.</p> <p>2. A Teams meeting was held on Monday, 1 August with Chad Ritchie, Phil Dotti and artist, Blak Douglas. Points from this meeting and agreed actions:</p> <ul style="list-style-type: none"> • Blak Douglas to finalise the design by the end of August 2022 • Chad Ritchie and Phil Dotti plan to travel to Kempsey in September to look at finalising the site selection • Craig Milburn to get draft costings for concrete/landscaping work • Chad Ritchie to get draft costing from previous bronze statues to use as a basis for total project costs • When these actions are finalised, we can approach local Members of Parliament, Melinda Pavey and Pat Conaghan, to seek funding for the project. <p>3. General Manager to include details of actions taken in a report for the September 2022 Council Meeting.</p> |
| 17/05/2022 | Ordinary Council Meeting - 17 May 2022 | 9.7 | Voluntary Planning Agreement Maxus Gardens 334-356 Gregory Street, South West Rocks | Completed | That council: <ol style="list-style-type: none"> 1. receive the proposed planning agreement relating to 334-356 Gregory Street, South West Rocks; 2. authorise public notification of the proposed planning agreement for a minimum period of not less than 28 days; and 3. delegate to the general manager the authority to execute the agreement if | Manager Development & Compliance | <p>03/08/2022 Manager Development & Compliance</p> <p>Publicly notified with no objections. The agreement has been executed and funds deposited in accordance with the Voluntary Planning Agreement.</p> |

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| | | | | | he is satisfied that there are no further changes required following the notification period. | | |
| 28/06/2022 | Ordinary Council Meeting - 28 June 2022 | 9.12 | Trial Bay Gaol Access Road Inclusion into Arakoon National Park | Commenced | That Council: 1. concur with the reservation of Trial Bay Gaol Access Road for inclusion in Arakoon National Park; and 2. advise the National Parks and Wildlife Service in writing accordingly, including of Council's key interests in preservation of public and boating access from the location. | Director Operations & Planning | 18/08/2022 (Acting) Executive Assistant No further update - Letter expected to be distributed by September 2022 |
| 28/06/2022 | Ordinary Council Meeting - 28 June 2022 | 9.9 | Mid North Coast High Performance Centre, South West Rocks - Management Agreement | Commenced | That Council: 1. notes the progress made to implement the Council resolution (2018.408) of 19 March 2019; 2. notes the terms of the draft management agreement as attached to this report; and 3. authorises the General Manager, or their delegate, to finalise negotiations and enter into a management agreement with the South West Rocks Country Club to operate the Mid North Coast High Performance Centre, South West Rocks for a period of five years with a further two x five year options. | Director Corporate & Commercial | 17/08/2022 Director Corporate & Commercial The terms of the management agreement between Council and the South West Rocks Country Club have been agreed and execution of the management agreement is expected to occur by 31 August 2022. |
| 28/06/2022 | Ordinary Council Meeting - 28 June 2022 | 9.14 | Land Acquisition for Sewage Pumping Station - Gregory Street, South West Rocks | Commenced | That Council: 1. pay compensation in the amount of \$21,750 (GST-exclusive) for the acquisition of Lot 3 DP1123511; 2. pursuant to section 59 of the Land Acquisition (Just Terms Compensation) Act 1991 pay the legal and valuation fees reasonably incurred by the owners of Lot 3 DP1123511; | Manager Water & Sewer | 08/08/2022 Manager Water & Sewer Direction sent to Council's legal counsel to negotiate purchase. Current landowner is drawing up contracts for the agreed purchase price of \$21,750. |

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| | | | | | <ol style="list-style-type: none"> 3. pursuant to section 34 of the Local Government Act 1993, give public notice for a minimum of 28-days of the draft resolution to classify Lot 3 DP1123511 (land in Gregory Street, South West Rocks) as operational land; and 4. pursuant to section 377 of the Local Government Act 1993 delegate authority to the General Manager to sign: <ol style="list-style-type: none"> a. the Contract for the Sale of Land/Deed of Land; and b. Revenue NSW Purchaser Declaration Forms; and c. Letters to Revenue NSW requesting exemption from the payment of stamp duty for the acquisition of Lot 3 DP123511 | | |
| 28/06/2022 | Ordinary Council Meeting - 28 June 2022 | 9.5 | Slim Dusty Centre | Commenced | <p>That Council:</p> <ol style="list-style-type: none"> 1. notes the progress made to implement the Council resolution (2021.147) of 17 August 2021; 2. endorses the proposed changes to key commercial terms that have resulted from ongoing negotiations with Slim Dusty Foundation Limited (as trustee for the Slim Dusty Museum Trust Fund) as detailed within this report. 3. authorises the General Manager to: <ol style="list-style-type: none"> a. finalise negotiations with Slim Dusty Foundation Limited (as trustee for the Slim Dusty Museum Trust Fund) to convey and transfer the Slim Dusty Centre buildings, fixtures and fittings, excluding the Slim Dusty Museum fixtures, exhibits and memorabilia, to Council; and | Director Corporate & Commercial | 17/08/2022 Director Corporate & Commercial Negotiations with Slim Dusty Foundation Limited have successfully continued with commercial terms for all legal agreements needed to transfer ownership of the Slim Dusty Centre (SDC) to Council and allow for the ongoing operation of the SDC by Council now agreed. It is expected that these legal agreements will be executed by 30 September 2022. |

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| | | | | | <ul style="list-style-type: none"> b. enter into all legal agreements required to transfer the ownership and allow the future ongoing operation and management of the Slim Dusty Centre by Council. 4. notes that in accordance with the Council resolution (2021.147) of 17 August 2021 that: <ul style="list-style-type: none"> a. a report will be provided to a future meeting of Council once the agreements referred to in item 3b above have been finalised; and b. an annual update on the operations and performance of the Slim Dusty Centre be reported to Council. | | |
| 28/06/2022 | Ordinary Council Meeting - 28 June 2022 | 9.6 | Sustainability and Resilience Strategy | Commenced | <p>That Council:</p> <ul style="list-style-type: none"> 1. endorse the draft Sustainability and Resilience Strategy for the Kempsey Shire to proceed to public exhibition for a period of 28 days; 2. receive a further report at the conclusion of the public exhibition period; and 3. formally congratulate all the staff involved for the Excellence in Sustainability Award recently received at the Macleay Valley Business Awards, and their work and achievements. | Coordinator Strategic and Environmental Planning | <p>17/08/2022 (Acting) Executive Assistant</p> <ul style="list-style-type: none"> 1. Draft Sustainability and Resilience Strategy for Kempsey Shire was endorsed and has gone on exhibition. 2. Exhibition has been completed and submissions are being collated and responses sent. Further report to go to September 2022 Council meeting. 3. General Manager has sent formal congratulation to the staff involved in the Excellence in Sustainability Award recently won at the Macleay Business Awards. |
| 28/06/2022 | Ordinary Council Meeting - 28 June 2022 | 9.13 | Inclusion of a Public Road within Limeburners Creek National Park into the National Park | Commenced | <p>That Council:</p> <ul style="list-style-type: none"> 1. concur with the reservation of part of unnamed Public Road R21297-1603 for inclusion in Limeburners Creek National Park; and 2. advise the National Parks and Wildlife Service in writing accordingly. | Director Operations & Planning | <p>18/08/2022 (Acting) Executive Assistant</p> <p>No further update. Response is awaiting on a resolution from a ATSIHP Act application within the National Park.</p> |

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| 28/06/2022 | Ordinary Council Meeting - 28 June 2022 | 10 1.1 | Dhungutti Language | Not Commenced | <p>That Council:</p> <ol style="list-style-type: none"> 1. resolve that Councillors and Council leadership team use Dainggati greeting words; 2. invite children from Dalaigur pre-school to Council chambers, after a Council meeting, to teach the Councillors and Council leadership team Dainggati language greetings; 3. resolve that Councillors and staff be provided with training in relevant Dainggati language (such as greetings) so Councillors and staff are confident using these during Council business including Council meetings; 4. resolve that Councillors and staff use a combination of English and Dainggati language in the Acknowledgement of Country; 5. seek advice of the elders to: <ol style="list-style-type: none"> a. discuss the extent and appropriateness of using language in the Acknowledgement of Country, and; b. determine whether it is appropriate for Councillors and Council staff to use language/words in Council meetings; 6. collaborate with the primary schools in the Kempsey Shire area to make short video clips of the children doing a Welcome to Country piece to be played at the commencement of each Council meeting; and 7. resolve that this will not replace the Acknowledgement of Country prior to commencement of the actual meeting. | Manager Community Partnerships | <p>22/08/2022 Executive Officer - Corporate and Commercial</p> <p>Actions to be added to the workplan of the Community Development Team, implementing the RAP.</p> |

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| 28/06/2022 | Ordinary Council Meeting - 28 June 2022 | 9.15 | Fee & Charges Associated with Landowner Replacement of Bridges over Flood Mitigation Drains | Commenced | That Council: <ol style="list-style-type: none"> 1. note that property owners in the Lower Macleay may seek to replace timber bridges over flood mitigation drains constructed as part of the Lower Macleay Flood Mitigation Scheme in coming years; 2. where property owners seek to replace these timber bridges, the following supports be applied as relevant: <ol style="list-style-type: none"> a. A nil charge apply for all Council related development fees and charges which may include pre-lodgement meeting, development application/s, advertising, certificates and inspections; and b. If Council's resourcing at the time allows, undertake modelling of flood impacts based on the property owners proposal utilising the latest lower Macleay floodplain model to assist with submission requirements of the development application; and 3. place on public exhibition for 28 days the proposed amendment of the outlined fees within point 2 from Council's Fees & Charges. | Manager Development & Compliance | 12/08/2022 Manager Development & Compliance Draft fees and charges outlining the timber bridges over flood mitigation drains fee waiver are on public notification for comments until 9 September 2022 |
| 19/07/2022 | Ordinary Council Meeting - 19 July 2022 | 9.2 | Planning Proposal PP-2022-529 - Facilitate the Macleay Valley Recreation and Adventure Park | Commenced | That Council: <ol style="list-style-type: none"> 1. endorse the progression of this planning proposal, which applies to part of Lot 1 DP 1144474 and part of Lot 2 DP 1144474, 20 Airport Road, Aldavilla, to the making of the amendment to the Kempsey Local Environmental Plan (KLEP) 2013; 2. staff request the Parliamentary Counsel's Office to draft the legal instrument, KLEP 2013 (Amendment | Coordinator Strategic and Environmental Planning | 02/08/2022 (Acting) Executive Assistant Council is now preparing material to lodge with Parliamentary Counsel to enable the LEP amendment process. |

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| | | | | | <p>34), under s 3.36(1) of the Environmental Planning and Assessment Act 1979 to give effect to the final planning proposal;</p> <p>3. endorse the General Manager to exercise delegation from the Minister for Planning to make the amending instrument, KLEP 2013 (Amendment 34); and</p> <p>4. upon the making of KLEP 2013 (Amendment 34), the Department of Planning and Environment be requested to notify the plan on the NSW Legislation webpage.</p> | | |
| 19/07/2022 | Ordinary Council Meeting - 19 July 2022 | 9.1 | Planning Proposal PP-2021-7403 - Rosedale Avenue, South West Rocks | Commenced | <p>That Council:</p> <p>1. endorse the progression of this planning proposal, which applies to Lot 801 DP1270742 Rosedale Avenue, South West Rocks, to the making of the amendment to the Kempsey Local Environmental Plan 2013 (KLEP 2013);</p> <p>2. request the Parliamentary Counsel's Office draft the legal instrument, under subsection 3.36(1) of the Environmental Planning and Assessment Act 1979 to give effect to the final planning proposal;</p> <p>3. authorise the General Manager to exercise the delegation from the Minister for Planning to make the amending instrument to KLEP 2013; and</p> <p>4. request that upon the making of the amendment to KLEP 2013, the Department of Planning & Environment (DPE) be notify the plan on the NSW Legislation webpage.</p> | Coordinator Strategic and Environmental Planning | 02/08/2022 (Acting) Executive Assistant Council is now preparing material to lodge with Parliamentary Counsel to enable the LEP amendment process. |

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| 19/07/2022 | Ordinary Council Meeting - 19 July 2022 | 9.3 | Cemetery Fees and Charges - Reservations | Commenced | That Council place the proposed cemetery fees as noted within this report on public exhibition for 28 days to allow for submissions, prior to being reported to a future meeting of Council for adoption. | Manager Commercial Business | 26/07/2022 Manager Commercial Business Cemetery amendment fee was placed on public exhibition 26 July 2022. |
| 19/07/2022 | Ordinary Council Meeting - 19 July 2022 | 9.4 | New South Wales Local Roads Conference Communique 2022 | Commenced | That Council: <ol style="list-style-type: none"> 1. notes the information provided within this report on the annual Local Roads Conference held for 2022; 2. endorses the Conference Communique; and 3. progresses the Conference Communique by writing to the following Ministers and NSW and Australian Government MPs, seeking their support for the 2021 NSW Local Roads Conference outcomes: <ol style="list-style-type: none"> a. Member for Oxley, the Honourable Melinda Pavey MP b. Member for Cowper, Pat Conaghan MP c. The Honourable Wendy Tuckerman MP, Minister for Local Government d. The Honourable David Elliott MP, Minister for Transport and Minister for Veterans e. The Honourable Rob Stokes Minister for Infrastructure, Minister for Cities and Minister for active Transport f. The Honourable Samuel Farraway MP, Minister for Regional Transport and Roads g. The Honourable Catherine King MP, Minister for Infrastructure, Transport and Regional Development h. The relevant Shadow Ministers | Director Operations & Planning | 16/08/2022 (Acting) Executive Assistant DRAFT Response created. ELT approved letter to be sent from Mayor to Ministers and shadow ministers. |

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| 19/07/2022 | Ordinary Council Meeting - 19 July 2022 | 7.1 | Accounting Treatment Of Rural Fire Service ('Red Fleet') Assets | Completed | <p>That Council:</p> <ol style="list-style-type: none"> 1. writes to the local State Member for Oxley, The Hon Melinda Pavey MP, the Treasurer, The Hon Matt Kean MP, Minister for Emergency Services and Resilience, The Hon Steph Cook MP, and the Minister for Local Government, The Hon Wendy Tuckerman MP: <ol style="list-style-type: none"> a. expressing Council's objection to the NSW Government's determination on ownership of Rural Fire Service assets; b. advising of the impact of the Government's position on Council finances of this accounting treatment; c. informing that Council will not carry out RFS assets stocktakes on behalf of the NSW Government and will not record RFS assets in Kempsey Shire Council's financial statements; d. calling on the NSW Government to take immediate action to permanently clear up inequities and inconsistencies around the accounting treatment of Rural Fire Service (RFS) assets by acknowledging that rural firefighting equipment is vested in, under the control of and the property of the RFS; and e. amending s119 of the Rural Fires Act 1997 so that the effect is to make it clear that RFS assets are not the property of councils. 2. writes to the Shadow Treasurer, The Hon Daniel Mookhey MLC, the Shadow Minister for Emergency Services, Mr | Executive Assistant | 17/08/2022 Executive Officer - Corporate and Commercial Letters have been sent as per resolution. |

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| | | | | | <p>Jihad Dib MP, the Shadow Minister for Local Government, Mr Greg Warren MP, the Greens Spokesperson for Local Government, Mr Jamie Parker MP, and the leaders of the Shooters, Fishers and Farmers, Animal Justice and One Nation parties, The Hon Robert Borsak MLC, The Hon Emma Hurst MLC and The Hon Mark Latham MLC:</p> <ol style="list-style-type: none"> a. advising Members of Kempsey Shire Council's position, including providing copies of correspondence to NSW Government Ministers; and b. seeking Members' commitments to support NSW Councils' call to amend the Rural Fires Act 1997 as set out in correspondence. <p>3. notes the letter that has been sent to the Auditor General advising that notwithstanding any overtures of future qualified audits, it will not carry out RFS stocktakes on behalf of the NSW Government and will not record RFS assets in Kempsey Shire Council's financial statements, noting that the State Government's own Local Government Accounting Code of Practice and Financial Reporting provides for councils to determine whether or not they record the RFS assets as council assets.</p> <p>4. re-affirms its complete support of and commitment to local RFS brigades noting that Kempsey Shire Council's action is entirely directed towards the NSW Government's position that rather than being owned and controlled by local brigades, RFS assets are somehow controlled by councils,</p> | | |

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| | | | | | 5. affirms its support to Local Government NSW (LGNSW) and requests LGNSW continue advocating on Council's behalf to get clarification finally from the State Government about the accounting treatment of RFS assets | | |