



**Gateway to the Manning!**

8 Station Street, Johns River NSW 2443  
admin@johnsriver.com.au

## **Minutes of 'Johns River Community Progress Association Inc' Committee Meeting. Saturday, 5th January, 2008 at President's Residence**

Present: Kerri Williams, David Sether, Bruce Shaw, Rod Heath.

Meeting: Opened by David Sether at 2:10pm, who welcomed all those present.

Apologies: Glen Ferrero, Tony Galati and Chris Bawn.

In the absence of the President and Vice-President, the Committee elected David Sether to chair today's meeting.

Mr. Sether reads through today's agenda and starts the meeting with the introduction of Bruce Shaw to please resume with the items adjourned from meeting held on the 22nd December, 2007 from the Post-Bypass Committee.

Mr. Shaw states that the guidelines were the main issue, of what the Post-Bypass Committee was all about, with the aim being to investigate the Post-Bypass of Johns River following the commissioning of the bypass and the handing over of the existing highway.

At the Post-Bypass Committee meeting, Chris Bawn had outlined the aims and objectives of our association and that we had distributed maps of existing highway and surroundings for suggestions to be submitted regarding access, street names, toilet facilities, playgrounds etc.

Graham Gardner, GTCC, and Dick Whibley of the RTA, offered the assistance from their perspective, and of the Council's planning department to assist the Association in submitting their final objectives.

Graham Gardner suggested that all objectives of the Association be submitted through him and his office and they, in turn, will consult with RTA.

It was made clear at the Post-Bypass Committee meeting by both Mr. Gardner and Mr. Whibley that the Committee was to purely assess the future of Johns River, after the bypass corridor construction was complete.

A question asked as to the possibility of alterations to the existing Bypass proposal, and it was stated that it was still under review.

Bruce concludes his report by saying that the meeting then closed and will next meet on 8th February, 2008.

David thanks Bruce and asked Bruce if the council has asked for the Association to come up with objectives.

Mr. Shaw- Yes, that's correct.

Mr. Sether- What sort of examples are they looking for? How do they want us to do that?

Mr. Shaw- Basically we go ahead with the plans that were sent to the members, get them all collated and come up with some proposal in the form of objectives.

Mr. Sether- and these objectives should state the purpose and or reason?

Mr. Shaw- all the more information regarding the objectives will be more beneficial.

Mr. Sether moves the meeting onto the next item on the agenda, the upcoming Community Public Forum, intended to get the community together for ideas and objectives to submit at the next Post-Bypass Committee on February 8th.

David states that we need to make it clear that it is a public forum like the many others we had held in the past and was not a Special General Meeting, as it includes all village residents, both members and non-members. This is to ensure the public is fully involved so we not receive complaints that their views were not heard.

Are there any ideas on how it should be run or to how to inform people?

Mr. Shaw suggests a letter drop for all the public.

Mr. Sether agrees and will organise a letter box drop to be delivered by our local postman.

The Community Public Forum was decided unanimously by all Management Committee members to be held on the 2nd of February, 2008, which will give the public plenty of notice. The 19<sup>th</sup> of January was discarded as being too soon, the 26<sup>th</sup> of January was on the Australia Day weekend, not a likely date to get a big turn-out.

Mr. Sether asks the Committee if they have anymore input for the Community Public Forum. Is there anything we should consider or needs to be raised?

Committee declined any further input.

Mr. Sether moves meeting on to other business, and reiterates from the rules that in all Management Committees we must have a unanimous vote of all present of the Management Committee to bring other business into that meeting that was not on the agenda. In that light, we must vote on bringing in further business items, so shall we discuss the new proposed memberships? All in favour of approval please raise your hands...

Mrs. Williams interrupts- I have been informed by Mr. Tony Galati that if there were to be any voting at this meeting, that he is available to do so via phone.

Mr. Sether - That's not really provided for in the rules, you have to attend. If somebody is going to attend we can wait up to a half hour if you don't have a quorum at the meeting, this is standard, but we do have a quorum here and he is not here.

Mr. Shaw - I don't think he'd worry about it with these application forms anyway, they are straight-forward.

Mr. Sether shows the Committee the new membership forms which have been sent out to all new members. It's a two page welcome letter with a stamped addressed envelope and will be receipted upon payment.

The top half is identical to the original in content from the model rules, and the bottom half asks for further contact details, such as e-mail, fax, and how they'd prefer to be contacted. There is also a section where the member gives permission for their details to be given to other ordinary members.

The new welcome letter is to go to all new members, which will be made available by the Treasurer for the Management Committee view via e-mail in the near future.

Mr. Sether asks Mr. Shaw to please provide background details and information on each of the applicants for membership so the Management Committee may assess each for suitability and consideration.

Mr. Shaw produces new Johns River resident memberships for approval, explaining briefly who they are, and in many cases, how long they have been in the community and what their role in the community is, the names and general addresses being:

- Lynette Langenheim- Wharf Road
- Bradley James Withchard- Algona Road

- John and Jill Curtis-Wharf Road
- Michael and Ann Windress- Wharf Road
- Trevor and Kerry Ann Curtis - Pacific Highway
- David Wylie- Issacs Lane
- Charles Hall- Wharf Road
- Gweniver Hall- Wharf Road
- Jeffery Curtis- Wharf Road

Four of these members have not yet paid but have 28 days to do so. Bruce hands over \$120.00 and membership forms to David Sether.

After considering the bona fides of the applicants, all applicants were accepted unanimously by Management Committee. Applications and payment were given to Mr. Sether, to be passed on to the treasurer, who will issue receipts and welcome letters.

Mrs. Williams asks approximately what the membership numbers to date are.

Mr. Sether estimates roughly 65 members total.

Mr. Sether moves meeting on to the proposal from Mr. Galati of the resolution of the Management Committee, should we also treat this as urgent business and place it on today's agenda?

Mr. Heath agrees, no objections.

Mr. Sether- the Secretary was handed this proposed resolution on the 15th December 2007 and it was once again distributed to letterboxes in the village by Mr. Galati.

This proposed resolution is actually covered in our association rules under section 19, which gives any member under the Management Committee who wishes to make a representation, the opportunity to do so.

They are to send those representations to the Secretary and/or the President, each who then may publish those to the membership at large or to have them read at a general meeting and the AGM. In this case, the four of the Management Committee who did respond with their own representation had those representations mailed to the members of the Association. These were received on Thursday the 3rd.

Of course, it is always up to the membership as to who serves on their Management Committee and the opportunity to vote for their Committee is at the Annual General Meeting. The Committee at this point has no plans for a Special General Meeting prior to the AGM in March.

Prior to the AGM, there will be, as scheduled now, two Committee meetings on the first Saturday of each month. We'll have to coordinate with all

Management Committee members to formulate a date for the AGM.

We may also have an additional Community Public Forum before the AGM according to the needs of the Post-Bypass Committee.

Mr. Sether asks Mrs. Williams if she has any other documents that need to be brought forward.

Mrs. Williams- I have here the reply by Mr. Tony Galati in response to the complaint notice he had received from the Public Officer in the last Committee meeting held on the 22nd December 07.

Mr. Sether- Oh, so Tony has accepted that complaint notice from the Public Officer? Mr. Sether notes the letter from Mr. Galati was received by the Secretary within the requested time frame on the 3rd January 2008.

Mr. Sether refreshes the Committee's memory of the notice dated the 21st December by summarising it aloud and then reads Mr. Galati's response dated "3 - December 2007", and shows the Committee the letter to verify that date as written. Perhaps he meant the 30th December but it is unclear.

Mrs. Williams- I believe it would have to of been because he only received it on the 22nd December.

Mr. Sether- he may of meant 3rd January 08, but it's unclear. However, clearly this was received on the 3rd January. So Mr. Galati has refuted that he has intimidated any member of the community, and the Committee will further consider the complaint now that Mr. Galati has submitted his repudiation.

In the interests of considering this complaint further, the Committee will forward his reply to the Public Officer for further investigation and the Management Committee requests that he report back to us within seven days.

Mr. Heath- I think that would be the best direction to take.

Mr. Sether- Grand. Are there any further items?

Mrs. Williams- Yes there are. There have been complaints apparently from the general public and members that we have chosen delegates to the Post-Bypass Committee without their consultation.

With this in mind, Mr. Tony Galati has written up a petition/letter with signatures of at least five percent of members, as stated in the rules under section 25.

Even with the rise in current members to 60 odd, six signatures still falls with in the 5% I believe.

I also have signed this letter even though I originally voted the delegates in myself, and am still happy with whom I nominated, I have signed this letter due to such complaints.

It means if the community have a say or not, it is up to the Committee whether that will go ahead or not, you will have to read the letter.

Mr. Sether- Yes, to summarise, the letter is dated the 4th January 2008, and is signed by six individuals of the community whom I believe to be members at this point: Anthony Galati, Dianne Stace, Kerri Williams, Ron Paton, Peter Cross, and an M. N. Williams presumably, Michael Williams.

Mrs. Williams clarifies that it is Michael Williams.

Mr. Sether continues to summarise the letter that calls for a meeting under section 25, with the stated purpose of to ask why the Committee appointed two delegates, Bruce Shaw and Chris Bawn to the Post-Bypass Committee.

It states here the purpose of the Post-Bypass Committee is to have Johns River become a highway service town. It is unclear if that is actually the purpose of the Post-Bypass Committee. Bruce, would you clarify for the committee whether that is accurate?

Mr. Shaw- Yes, it was discussed, but we didn't go into any depths on that at all. There was a discussion on whether it was to become a highway service town or a highway service centre. One we ruled out, the 24hr-open one. The other we qualify for. And that could be an objective for the Post-Bypass Committee.

Mr. Sether- Mr. Galati feels, as do the members who signed this that you and Chris have rejected Mr. Galati's proposal and presumably the second roundabout, and rejected the idea that Johns River becomes a highway service town, and that you and Chris have previously objected to that idea in your representations to the Greater Taree City Council. Bruce, is that true in any way?

Mr. Shaw - Incorrect. It was clearly stated that the 355 Post-Bypass Committee was formed to discuss the future of Johns River AFTER the bypass - whether that bypass includes Tony's proposal or not after the bypass is commissioned.

Mr. Sether- Right, and to your knowledge, has Chris Bawn represented the Association in a manner seeking to reject Tony's proposal?

Mr. Shaw- None whatsoever.

Mr. Sether- Okay, we will read this request of the Committee, it will be included in the minutes and I have been somewhat paraphrasing here as it's a bit long.

'The undersigned members of the Association do request that they are able to vote on this issue prior to February another words with in the month of January this year. And that they would like to vote themselves for the representation of the Committee,

in other words to overturn the decision of the Management Committee and to vote on the two members that we delegate to the Post-Bypass Committee.'

Mr. Shaw asks for a clarification of what the letter meant and Mr. Sether explains that under Section 25, 5% of the membership at large is able to petition the Management Committee to have a Special General Meeting.

The purpose must be stated, which is it here, "for the purpose of to ask the committee why Criss Bawn and Bruce Shaw were nominated to represent the Johns River village in a Section 355 Post-Bypass Committee with the Greater Taree City Council".

Mr. Sether repeats what the President had said in the Management Committee meeting of the 22nd December, that 'the community elected the Management Committee to manage the affairs of the Association. Assigning delegates to a government body is well within the normal and customary management powers of the Management Committee according to the rules.'

The Management Committee has gone to great lengths to canvas the community on its wishes and desires, and our guiding document is our Village Wish List.

Our delegates to the Post-Bypass Committee, Bruce Shaw and Chris Bawn, are fully aware that they are only to represent the goals of the community at large in the Post-Bypass Committee. And as such I move that the Management Committee present Resolve: That we feel the current delegates are fully representing the guidelines of the Committee. All in favour?

Unanimous approval of the resolution, with one abstention (Bruce Shaw, as it involves him).

Mr. Shaw- I believe Mr. Galati may be a little misguided by thinking that Chris and I are against his proposal, that firstly, we can only represent the Committee as the Committee indicates; we can't bring our personal thoughts into it, whether we personally like Tony's proposal or not. And secondly, if Tony's proposal was approved, that would be another plus to the community, which would be a matter for RTA.

Mr. Sether- I agree. I have not heard of anything positive from either council or RTA that the proposal that Tony Galati is putting forward would be feasible, or, that there is even a budget at this time to facilitate such a proposal.

We have been invoked by the council and the RTA to engage in Post-Bypass urban design issues which is what we are indeed doing. However, until the

Management Committee receives information that Mr. Galati's proposal is either going to happen, or is doable, then I don't see how we can include such a proposal as a worthy consideration.

Mr. Heath- It seems like a fruitless effort at this point of time.

Mr. Shaw- It looks like there will be two Post-Bypass Committee meetings before the AGM. If we are voted out of office at the AGM then the new committee would elect new representatives.

Mrs. Williams mentions that in the last Committee meeting it was stated the Post-Bypass members remain; it is in the draft minutes.

Mr. Sether- that is for the decision of the new Management Committee, we can't force them to keep them.

Mr. Shaw- I can't see much happening within the Post-Bypass Committee happening until after March anyway, so the new Management Committee has every opportunity to put their proposals forward.

Mr. Heath- I can't see the problem, I have not heard or seen in the past minutes from meetings your comments on the proposal of Mr. Galati's two roundabouts and Chris Bawn's as I read it.

Mr. Shaw- I have no problem whatsoever.

Mr. Sether- So what in particular has been talked about by council and RTA?

Mr. Shaw- Whibley said it is still under consideration, still under design. I think he said about it was around about 80% design completion of the whole project with his proposal falling within the remaining 20%.

Mr. Sether- Have they made any comment as to budget?

Mr. Shaw- He did say budget is pretty tight and they are trying to pull the strings in as much as possible, but he wasn't prepared to say Tony's proposal was eliminated altogether, it is still under consideration.

Mr. Sether- Aha. And you reiterated that you have said nothing at the Post-Bypass Committee that would cause anybody to believe that anyone at our Association rejects the proposal?

Mr. Shaw- Nothing at all, in fact, at the meeting, they said this is Post-Bypass. This, to me, clearly means whether the bypass goes in as they are on plans now, or if it is modified, like the movement of the off ramp a little or whether it includes Tony's proposal, at this stage there is nothing further.

Mr. Sether- Have you had approaches, or has anybody here at the Committee heard any feedback from the community of Johns River, to have a truck stop or to have a service centre?

Mr. Heath- The only discussion I have heard has been at the Committee meetings.

Mrs. Williams- I have heard comments in the way of 'no trucks' and I'm not just talking about myself, it has been quite 'anti' trucks. The only thing is, as my husband said, we need to take into consideration that we have two semi drivers as resident, so we can't be anti-truck.

Mr. Sether - Yes, we have residents that do drive for a living, however they are not responsible for the sort of high traffic levels or braking noises or anything else like a truck stop or being highway service centre would attract.

I understand by Tony Galati's proposal that he wishes to have a large series of petrol bowsers, along with fuel truck refuelling bays including payment and toilet facilities on the property. Also allowing for a nice highway rest area adjacent to the proposed roundabout and proposed service centre next to that roundabout.

I have not heard feedback personally from community members in favour of Johns River becoming a highway service town nor Johns River providing for truck refuelling and the like to that. Most people I have talked to are very negative to this issue of having trucks in the village whatsoever.

Mrs. Williams- yes, what I said about the anti truck issue, I have also heard that they love the idea that possibly this will bring more money for the town and possibly more employment for the town with the proposed, what is it? A hotel or motel? And fuel station and things like that? So I have heard great things about that.

Mr. Sether- So you have heard positive feed back as to the employment issues.

Mrs. Williams- Yes, mostly employment issues and bringing money into the town. But what I meant by anti-truck is not that we don't want them to come to the service centre; I mean by anti-trucks that community members are as worried about as I am.

I have spoken to Ron down the road, and he says that truck drivers are always looking for a quiet place or town to stop and rest or sleep. He said this would be the perfect place to come off and sleep. They don't care, they just want to come off and sleep, and they will.

Mr. Sether- So becoming a highway service town from what you have heard may increase the incidents of overnight parking for trucks.

Mrs. Williams- No, regardless. They are looking for small towns where they can park on the side of the road and get a decent sleep regardless of whether it's a service town or not.

Mr. Sether- So if they can refuel here they would.

Mrs. Williams- Oh yes. But there should be a large area for trucks where they could stop, like the doughnut at Port Macquarie. I remember when we were first forming the Committee and it is in past minutes that it was either Graham Gardner or Dick Whibley who committed himself to putting no overnight parking and the likes to discourage trucks.

So then I spoke to Ron, our local truck driver and he said if we can get the police to help us in that way, where they will come out and fine them for parking where they are not allowed to park, they will stop because it's a quick fine that they don't want to pay.

That means they will have to get up in the middle of their sleep and move on. So that will discourage them, so if we can get the help and co-operation of the police it would be great.

Mr. Sether- It will be interesting for the Management Committee to see at the Community Public Forum on the 2nd February, what sort of feedback and opinions we can get back from the community regarding Johns River as a Service Town.

As we've stated we have not had wide support to date, but if there is support shown at the Community Public Forum obviously we will include that as well as other options in our community objectives.

Mr. Shaw- With that issue, with the table of the Post-Bypass Committee, as Post-Bypass, it would be a matter for council to come in and putting in such restrictions as speed zones, parking areas, non parking areas. Our object could be we don't want overnight truck stops.

Mr. Sether- Yes, that's the point of having the public community forum. To formulate the objectives for our delegates to the 355 Post-Bypass Committee.

Mr. Shaw- We can put towards the Post-Bypass Committee if that is what the community instructs us to.

Mr. Sether asks if there is any other business.

Mrs. Williams tenders in her resignation as Secretary. I would like to resign from the position of Secretary and would like to thank everyone for their support.

Mr. Sether- Kerri, we would very much appreciate it if you would remain a ordinary member as you have a very good institutional memory of everything we have done. While the Management Committee can meet with a quorum of three members, it is always best to have more informed people and to have them from different segments of the community as well.

Mrs. Williams- Yes, I would like to remain as a member of the committee. I have always and still do, I want to be involved. And I have enjoyed the

position of Secretary; it has been a challenge, its just I feel it has conflicted with my personnel and work life.

Mr. Sether- We do understand Kerri. Chris Bawn has offered to take up the Secretary's duties; we have also had suggestions that Bruce Shaw be Secretary. Do you have any feelings otherwise about anyone else who might want the position?

Mrs. Williams- No, I'm quite confident in both. I know it says in the rules that if there is no Secretary than the Public Officer carries out those duties, so if we can appoint a Secretary...

Mr. Sether- Well, for him to have three titles might be a little...

Mrs. Williams- Yeah, people might have something to say about that.

Mr. Sether- Would Mr. Shaw have any interest in holding the position until the March AGM?

Mr. Shaw- Time is my problem.

Mr. Sether- We certainly understand you may need time if you wish to consider.

Mr. Shaw- I would have to consider it.

Mr. Sether- If you could consult with family and friends and arrange it, that would be great.

Mr. Shaw- I would have to give it great thought because at the moment I just haven't had time.

Mr. Heath- Declines even the thought of the position.

Mr. Williams- I will type up these minutes and send them through.

Mr. Sether- If you could send all your secretarial files through to the president that would be great, and as of now, at this point all secretarial business can still be sent through to Secretary@johnsriver.com or mailed until such time as the Secretary position is reappointed by the Committee.

The Management Committee does have the power to appoint vacancies at any time and will do so by consensus of majority of the Committee members. Does that sound good to everyone? All in favour?

Unanimous

Mr. Sether- Any other business?

Mr. Shaw- Are there any reports of these [he holds the representations of the Committee members in response to Mr. Galati's call to remove all Management Committee members] letters sent out to community?

Mr. Sether- Well, to be honest we have done our representations, so what sort of feedback have you heard?

Mrs. Williams- Negative actually. Negative feedback, which isn't great. As far as what I have heard with the letters going out from both sides - the word CIRCUS is used and at the top of the list. And that is not a great thing for our image...

Mr. Sether- That's why we need to concentrate on things like the wish list.

Mrs. Williams- Exactly. I don't know how this is going to be fixed but it was all negative, people are asking what the hell is going on there.

Mr. Sether- Yes, that's a good point about our image.

Mrs. Williams- Yes, it is because people are going to be thinking 'I'm not going to that meeting, they're bunch of idiots. Look at what they're doing.'

Personal things need to be left out and let's just get on with it. I mean I know we are getting things done but people on the outside don't see that, they see the letters, hear the rumours. They don't see the internet site. Only people with an interest go to see it.

Mr. Shaw- They don't have that access

Mrs. Williams- That's true.

Mr. Sether- We are putting out a flyer for the Community Public Forum, so what do you think the Management Committee should do to help with their image? What do you think would be good items to put on the flyer?

Mrs. Williams- I understand Chris Bawn already stated progress being made but possibly if we could put that on the flyer, the list of achievements. Because all they are seeing is this [she holds the letterbox drop done by Mr. Galati with the representations] -- it's just not a good thing to see.

Mr. Sether- We did try to state that in our representation of what we've been doing. We did try to take that opportunity but we'll put out a simpler one along with our flyer. I hope that it isn't too far away, thanks all, those are good ideas for the flyer.

As for minutes for the meetings go, Chris has brought up a great point that the way council does it is the Secretary sends it to all members there, they view for accuracy and then the revised version is forwarded to the president to sign off then at that point it is a matter of public record.

Mrs. Williams- yeah, because at the moment all minutes are to be read out at the AGM and no one is going to remember what was said to be accurate.

Mr. Sether- there is a couple of residual issues like that and rule changes we can only do at general meeting or AGM. So we should consider at this point reviewing some existing rules but unfortunately we can't really enforce on a new Committee.

Mrs. Williams- You can't enforce but you can suggest.

Mr. Sether- The next general meeting will be the AGM, that we know of at this time, but we could suggest to the next Committee some changes.

Since the membership will be present there at the AGM you can bring up some additional business and some possible rule changes if there is time. It would be a clever time to do that because there are things in there that aren't extremely appropriate for Johns River. We are a little less formal, such as how we call for a meeting notice, an email could be fine for things like that. And also Chris' point of how minutes become public record.

Mr. Sether proposes we vote on new way minutes could be handled, Resolved that we agree to the process of the Secretary submitting minute meetings to all Committee members present at the meeting for review, and for the revised version to be submitted by e-mail to the president for his approval. Once signed off it will become public record. All in favour?

Unanimous.

Mrs. Williams asks what will happen to the past draft minutes.

Mr. Sether- They will fall under the new ruling.

Mr. Shaw Announces status of villager Kym ----- [a sad event], we the Committee send our condolences.

Mr. Sether- Is there any other business?

Mr. Heath- I'd like to thank Kerri Williams for the fine work as Secretary she has done.

Mrs. Williams- Thank you every one.

Mr. Sether- Very well. This meeting of the Management Committee is closed at 3:28pm, 05 January 2008.

*These minutes were reviewed by all members present for accuracy, and approved by the presiding member.*