



Town Centre Master Plan Sub-Committee

Business Paper

date of meeting: Wednesday 23 September 2015

location: Committee Room
Port Macquarie-Hastings Council
17 Burrawan Street
Port Macquarie

time: 8.00am

Note: Council is distributing this agenda on the strict understanding that the publication and/or announcement of any material from the Paper before the meeting not be such as to presume the outcome of consideration of the matters thereon.



**PORT MACQUARIE
HASTINGS**

Town Centre Master Plan Sub-Committee

CHARTER

1. ROLE

- 1.1 The Committee has the responsibility to make recommendations regarding the development, review and amendment as required of the Town Centre Master Plan.
- 1.2 To recommend works priorities – Capital and Maintenance - to Council for the implementation of the Town Centre Master Plan.
- 1.3 To act as a communication conduit between Council and the CBD stakeholders in respect to the Town Centre Master Plan.
- 1.4 Advocate for the Town Centre Master Plan to the community.
- 1.5 To recommend an annual Works Program and Budget to be adopted by Council as part of the IP&R Framework.
- 1.6 To review expenditures of funds raised externally to Council.

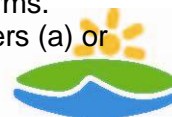
2. DELEGATED AUTHORITIES

- 2.1 To oversee appropriately authorised funds allocated to the Town Centre Master Plan Sub-Committee by Council within the approved budget.
- 2.2 To raise funds other than rates and loans to fund the objectives of the Sub-Committee through partnerships with other stakeholders i.e. Port Macquarie Chamber of Commerce; Tourism Board.
- 2.3 To promote the advantages of the CBD inside and outside the area.
- 2.4 To propose Press Releases promoting, informing and supporting the Town Centre Master Plan project.
- 2.5 From any external funds raised by the Sub-Committee purchase, manufacture, obtain and supply material for the promotion of the CBD.
- 2.6 Establish Working Parties as deemed appropriate.

3. SUB-COMMITTEE MEMBERSHIP

- 3.1 Sub-Committee members will comprise of:
 - Councillor (Chairperson)
 - Council Director Infrastructure & Asset Management
 - Council Group Manager Infrastructure Delivery
 - Council Group Manager Transport & Stormwater Network
 - 1 Community member (b)
 - 2 CBD Landowners (1a + 1b)
 - 1 Port Macquarie Chamber of Commerce representative (a)
 - 1 CBD Trader (a)
 - 1 CBD Trader/Landowner with demonstrated relevant technical expertise (b).
 - 1 Port Macquarie-Hastings Access Sub-Committee representative (a)
 - Non Council Members will be appointed for a two (a) / three (b) year terms. Terms will be staggered so that every year expressions for new members (a) or (b) will be called depending on rotation.

- 3.2 The Councillor appointed to the TCMP will hold the position of Chairperson



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- 3.3 The role of the Chairperson shall be:
- Chairperson of meetings of the Town Centre Master Plan Sub-Committee
 - Representative of Sub-Committee, as appropriate
 - Attend Council Sub-Committee meetings, as appropriate
- 3.4 Additional people with specialised relevant background and expertise may be invited to assist the Committee with specific projects and/or time periods as determined by the Committee. These attendees will have no voting rights.

4. MEETINGS

- 4.1 Meetings will be held monthly depending on demand.
- 4.2 Topics for the agenda should be forwarded to the Chairperson no later than 14 days prior to the meeting date.
- 4.3 Meeting agendas will be circulated to members at least 7 days prior to the meeting.
- 4.4 Minutes from TCMP meetings will be circulated to members within 7 days of the meeting having taken place.
- 4.5 Members must declare, in writing, any interest in any report and/or agenda item before the meeting.

5 QUORUM

- 5.1 A quorum will consist of at least 50% plus one members of the committee, at least one of whom must be a full time Council Employee and at least 3 of whom must not be Council members.

6 VOTING

- 6.1 Voting on recommendations are made by consensus and all decisions regarding the allocation of funding for works must be stated precisely for inclusion in the minutes.

7 COMMUNICATION

- 7.1 Members of the Sub-Committee are not permitted to speak to the media as representatives of the Committee unless approved by the Chairperson.
- 7.2 Where approval has been sought from (and granted by) the Chairperson, views and opinions expressed are those of the Town Centre Master Plan Sub-Committee and not of Port Macquarie-Hastings Council.
- 7.3 When endorsement is required from Port Macquarie-Hastings Council, approval must be sought through the formal process.

8 PARENT COMMITTEE

- 8.1 Ordinary Council Meeting.

9 CODE OF CONDUCT

- 9.1 All members of the Committee are to abide by Council's Code of Conduct



**PORT MACQUARIE
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Town Centre Master Plan Sub-Committee

ATTENDANCE REGISTER

Member	22/04/15	27/05/15	24/06/15	22/07/15	26/08/15
Councillor G Hawkins	A	A	A	✓	✓
Councillor M Cusato (alternate)	✓	✓	A	✓	✓
Councillor R Turner			✓		
Jeffery Sharp	✓	✓	✓	✓	✓
Gary Randall	✓	✓	✓	✓	✓
Brian Buckett	X	✓	A	✓	✓
Brian Tierney	✓	A	✓	✓	✓
Jeff Gillespie	✓	✓	✓	✓	A
Michael Mowle	A	A	A	✓	✓
Michelle Love	✓	✓	✓	✓	✓
Tony Thorne	✓	✓	A	✓	✓
Michaela Sisk (non-voting)	✓	✓	A	X	✓

Member						
Councillor G Hawkins						
Councillor M Cusato (alternate)						
Councillor R Turner						
Jeffery Sharp						
Gary Randall						
Jeff Gillespie						
Michael Mowle						
Michelle Love						
Tony Thorne						
John Gowing						
Sharon Beard						
Michaela Sisk (non-voting)						

Key: ✓ = Present

A = Absent With Apology

X = Absent Without Apology



**PORT MACQUARIE
HASTINGS**

Town Centre Master Plan Sub-Committee Meeting

Wednesday 23 September 2015

Items of Business

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**PORT MACQUARIE
HASTINGS**

Item: 01**Subject: ACKNOWLEDGEMENT OF COUNTRY**

"I acknowledge that we are gathered on Birpai Land. I pay respect to the Birpai Elders both past and present. I also extend that respect to all other Aboriginal and Torres Strait Islander people present."

Item: 02**Subject: APOLOGIES**

RECOMMENDATION

That the apologies received be accepted.

Item: 03**Subject: CONFIRMATION OF PREVIOUS MINUTES**

RECOMMENDATION

That the Minutes of the Town Centre Master Plan Sub-Committee Meeting held on 26 August 2015 be confirmed.

PRESENT

Members:

Councillor Geoffrey Hawkins
Councillor Michael Cusato (alternate)
Jeffery Sharp
Gary Randall
Brian Buckett
Brian Tierney
Michael Mowle
Michelle Love
Tony Thorne
Michaela Sisk (non-voting)

Other Attendees:

Sharon Beard - new member
Rebecca Doblo - Landscape Architect
Lucilla Marshall - Group Manager Community Place
Matt Rogers - Director Development & Environment

The meeting opened at 8.04am.

01 ACKNOWLEDGEMENT OF COUNTRY

The Acknowledgement of Country was delivered.

02 APOLOGIES

CONSENSUS:

That apology received from Jeff Gillespie be accepted.

03 CONFIRMATION OF MINUTES

CONSENSUS:

That the Minutes of the Town Centre Master Plan Sub-Committee Meeting held on 22 July 2015 be confirmed.

04 DISCLOSURES OF INTEREST

Tony Thorne declared a Non-Pecuniary - Significant Interest in Item 08 - Working Party Updates.

05 BUSINESS ARISING FROM PREVIOUS MINUTES

Item 2: Town Green Returfing.

Item 3: Foreshore Walk - update provided by Rebecca Doblo, Landscape Architect.

Item 4: Graffiti Kooloonbung Creek Pedestrian Bridge.

Item 5: Clarence Street Event - Winter Solstice - presentation on event outcomes by Lucilla Marshall, Group Manager Community Place.

A draft proposal on TCMP assistance for future CBD place making events will be presented to a future meeting for Sub-Committee consideration.

Item 6: Short Street Car Park - update provided by Matt Rogers, Director Development & Environment.

CONSENSUS:

That it be a recommendation to Council, with respect to Item 6 - Short Street Car Park, that the Sub-Committee:

1. Express strong support for the activation of the Port Macquarie foreshore
 2. Ensure that any development on the site must be consistent with the Port Macquarie Town Centre Master Plan and the vision outlined in the Port Macquarie Hastings Development Control Plan
 3. Prioritise the progression of the Foreshore Plan with a focus on pedestrian connectivity with the broader CBD, particularly in the sector between William Street and the Town Green and present to Council for consideration and adoption.
 4. Note that Council's 2013-2016 Economic Development Strategy highlights the
-

importance of this activation - both in aiming to create 'vibrant and desirable places' and as specifically referenced in Action 8 of the Strategy.

06 PRIORITIES FOR FUTURE OPERATIONAL PLANS

CONSENSUS:

That the report be deferred to an additional full session of the TCMP Sub-Committee in either September / October 2015 to be discussed with updated financials.

07 STREETScape IMPROVEMENT WORKS - GORDON STREET, WEST OF HORTON STREET PORT MACQUARIE

CONSENSUS:

That the Sub-Committee allocate \$55,960 from the Capital Works Program for streetscape improvements to the section of Gordon Street, fronting the Finnian's Tavern.

08 WORKING PARTY UPDATES

Tony Thorne declared a Non-Pecuniary - Significant Interest in this item and took no part in the discussion or voting in relation to the Town Square.

CONSENSUS:

That the Sub-Committee receive and note the updates provided by the TCMP Major Projects and Special Projects and Preconstruction Working Parties.

09 GENERAL BUSINESS

Nil.

10 TCMP MEMBERSHIPS

CONSENSUS:

That the Sub-Committee:

1. Formally offer its thanks in writing to the departing Committee members.
2. Welcome the newly elected members.

The meeting closed at 10.25am.

Item: 04

Subject: DISCLOSURES OF INTEREST

RECOMMENDATION

That Disclosures of Interest be presented

DISCLOSURE OF INTEREST DECLARATION

Name of Meeting:

Meeting Date:

Item Number:

Subject:
.....

I, declare the following interest:

☐

Pecuniary:

Take no part in the consideration and voting and be out of sight of the meeting.

☐

Non-Pecuniary - Significant Interest:

Take no part in the consideration and voting and be out of sight of the meeting.

☐

Non-Pecuniary - Less than Significant Interest:

May participate in consideration and voting.

For the reason that:

.....

Signed: Date:

(Further explanation is provided on the next page)

Further Explanation

(Local Government Act and Code of Conduct)

A conflict of interest exists where a reasonable and informed person would perceive that a Council official could be influenced by a private interest when carrying out their public duty. Interests can be of two types: pecuniary or non-pecuniary.

All interests, whether pecuniary or non-pecuniary are required to be fully disclosed and in writing.

Pecuniary Interest

A pecuniary interest is an interest that a Council official has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the Council official. (section 442)

A Council official will also be taken to have a pecuniary interest in a matter if that Council official's spouse or de facto partner or a relative of the Council official or a partner or employer of the Council official, or a company or other body of which the Council official, or a nominee, partner or employer of the Council official is a member, has a pecuniary interest in the matter. (section 443)

The Council official must not take part in the consideration or voting on the matter and leave and be out of sight of the meeting. (section 451)

Non-Pecuniary

A non-pecuniary interest is an interest that is private or personal that the Council official has that does not amount to a pecuniary interest as defined in the Act.

Non-pecuniary interests commonly arise out of family, or personal relationships, or involvement in sporting, social or other cultural groups and associations and may include an interest of a financial nature.

The political views of a Councillor do not constitute a private interest.

The management of a non-pecuniary interest will depend on whether or not it is significant.

Non Pecuniary – Significant Interest

As a general rule, a non-pecuniary conflict of interest will be significant where a matter does not raise a pecuniary interest, but it involves:

- (a) A relationship between a Council official and another person that is particularly close, for example, parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the Council official or of the Council official's spouse, current or former spouse or partner, de facto or other person living in the same household.
- (b) Other relationships that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship.
- (c) An affiliation between a Council official an organisation, sporting body, club, corporation or association that is particularly strong.

If a Council official declares a non-pecuniary significant interest it must be managed in one of two ways:

1. Remove the source of the conflict, by relinquishing or divesting the interest that creates the conflict, or reallocating the conflicting duties to another Council official.
2. Have no involvement in the matter, by taking no part in the consideration or voting on the matter and leave and be out of sight of the meeting, as if the provisions in section 451(2) apply.

Non Pecuniary – Less than Significant Interest

If a Council official has declared a non-pecuniary less than significant interest and it does not require further action, they must provide an explanation of why they consider that the conflict does not require further action in the circumstances.

SPECIAL DISCLOSURE OF PECUNIARY INTEREST DECLARATION

By <i>[insert full name of councillor]</i>	
In the matter of <i>[insert name of environmental planning instrument]</i>	
Which is to be considered at a meeting of the <i>[insert name of meeting]</i>	
Held on <i>[insert date of meeting]</i>	
PECUNIARY INTEREST	
Address of land in which councillor or an associated person, company or body has a proprietary interest (<i>the identified land</i>) ⁱ	
Relationship of identified land to councillor [Tick or cross one box.]	<input type="checkbox"/> Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease trust, option or contract, or otherwise). <input type="checkbox"/> Associated person of councillor has interest in the land. <input type="checkbox"/> Associated company or body of councillor has interest in the land.
MATTER GIVING RISE TO PECUNIARY INTEREST	
Nature of land that is subject to a change in zone/planning control by proposed LEP (<i>the subject land</i>) ⁱⁱⁱ [Tick or cross one box]	<input type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	
Effect of proposed change of zone/planning control on councillor [Tick or cross one box]	<input type="checkbox"/> Appreciable financial gain. <input type="checkbox"/> Appreciable financial loss.

Councillor's Signature: Date:

Important Information

This information is being collected for the purpose of making a special disclosure of pecuniary interests under sections 451 (4) and (5) of the *Local Government Act 1993*. You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints made about contraventions of these requirements may be referred by the Director-General to the Local Government Pecuniary Interest and Disciplinary Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting in respect of which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

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- i. Section **443** (1) of the *Local Government Act 1993* provides that you may have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative^{iv} or because your business partner or employer has a pecuniary interest. You may also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.
- ii. Section **442** of the *Local Government Act 1993* provides that a **pecuniary interest** is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter or if the interest is of a kind specified in section **448** of that Act (for example, an interest as an elector or as a ratepayer or person liable to pay a charge).
- iii. A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in section **443** (1) (b) or (c) of the *Local Government Act 1993* has a proprietary interest—see section **448** (g) (ii) of the *Local Government Act 1993*.
- iv. **Relative** is defined by the *Local Government Act 1993* as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

Item: 05**Subject: BUSINESS ARISING FROM PREVIOUS MINUTES**

Item:	2	Date:	13/07/2015
Subject:	Town Green Returfing		
Action Required:	Council resolved to returf a section of Town Green at the 20 May 2015 Ordinary Council meeting.		
Current Status:	Council staff are working on options to prevent waste collection trucks driving over the green to collect waste in order to prevent turf damage, wheel ruts and damage to the irrigation system. Returfing has been undertaken. Temporary fencing will remain in place until the end of September to allow for the turf to become established.		

Item:	3	Date:	13/07/2015
Subject:	Foreshore Walk		
Action Required:	In the development of design, be mindful of the management and maintenance liabilities arising from works proposed to be carried out on the breakwall and potential for cost shifting. Landscape Architect to investigate seating, including numbers and options to cantilever seating, lighting, waste collection and signage options for foreshore walk.		
Current Status:	Director Infrastructure & Asset Management investigate the current Caravan Park Lease with regards to foreshore plans.		

Item: 06

Subject: CLARENCE STREET LANDSCAPE PROJECT

Presented by: Infrastructure & Asset Management, Jeffery Sharp

RECOMMENDATION

That the concept designs for Clarence Street landscaping be endorsed as presented to allow staging plans to be developed.

Discussion

At the 22 July 2015, TCMP Sub-Committee meeting it was resolved that:

The Sub-Committee request the Landscape Architect bring, at a minimum, concept designs for this project to the September TCMP Meeting.

Council's Landscape Architect presented some DRAFT Concept Designs for this project to the TCMP Special Projects Working Group meeting, 9 September 2015.

The presented designs are attached.

Attachments

1 [View](#). DRAFT Clarence Street Landscaping Plans

UKAHL 4.0 CLARENCE STREET INTRODUCTION

Existing Character

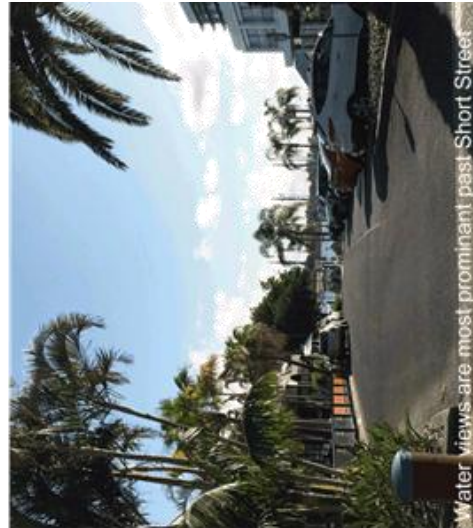
Most people will approach Clarence Street traveling from East to West. The driver will have already driven around Stewart Street and into Grant Street with panoramic views of Town Beach and the Breakwall. The topography is steep at the eastern entry but flattens out at the intersection of Clarence and Murray Streets. This intersection acts as a gateway to the town centre and is a point where pedestrian activity intensifies. The landscape character changes significantly at the Hay Street forecourt where there is a dense mix of vegetation that provides a pleasant, shady, sub-tropical environment with the high quality civic square and architecture of the Glasshouse. The trees west of Hay Street are in very poor condition and give the street a scruffy presentation. The scale of the Bumpy Ash are appropriate for the street and while they are badly malformed, they have a unique and sculptural appearance. When on foot travelling west you can easily see the water from Short Street onwards, inviting you towards it. The western end of Clarence Street, with its clear connection to the water, should be a focus of events and al fresco dining. However, it is a mostly treeless car park.

Proposed Character

Clarence Street is one of the main arteries of Port Macquarie and is a key focus for alfresco dining, tourism and shopping. It should have large central tree planting to provide shade and amenity. The footpath plantings should contain a columnar tree species and masses of understory planting. Alfresco dining areas are already sheltered from the street with Golden Cane Palms adding to the verdant subtropical character. Additional tree plantings especially at the western extent of the street are essential to encourage the al fresco dining and pedestrian activity in this key part of the entertainment precinct.

Views

Views to the water are fleeting. You can see a glimpse of the water from around Munster Street as you are driving but as the road flattens out, traffic blocks the views until you get to Short Street. As you are walking, views are apparent at intersections looking north along Hay, Horton and Short Streets. Looking west, they start to appear past Horton Street but are mostly obscured by other pedestrians until you reach Short Street. Clarence Place is the main area you can enjoy views of the river beneath the tree canopy.



4.0 CLARENCE STREET PLANS

PROPOSAL

1. Remove existing Bumpy Ash in poor condition (most) and replace with Crows Ash.
2. Trees in central row to be planted in permeable paving so that pedestrian crossing point is opened up. Remove banner poles and realign power where needed. 2 Car parks gained in Short/ Horton block
3. Plant in all existing centre islands with structural cells to achieve greater root volume and retain the most car parks
4. Remove all Blueberry Ash in side beds and replace with alternative small tree with more narrow form eg Crepe Myrtle or Magnolia 'Exmouth'
5. Retain Cabbage Tree Palms and Canary Island Date Palms as intersection feature



Clarence West End is currently treeless although the dense intersection planting on the south west corner is attractive and should be emulated through this block

Large trees removed through new road development have created sparse, harsh environment

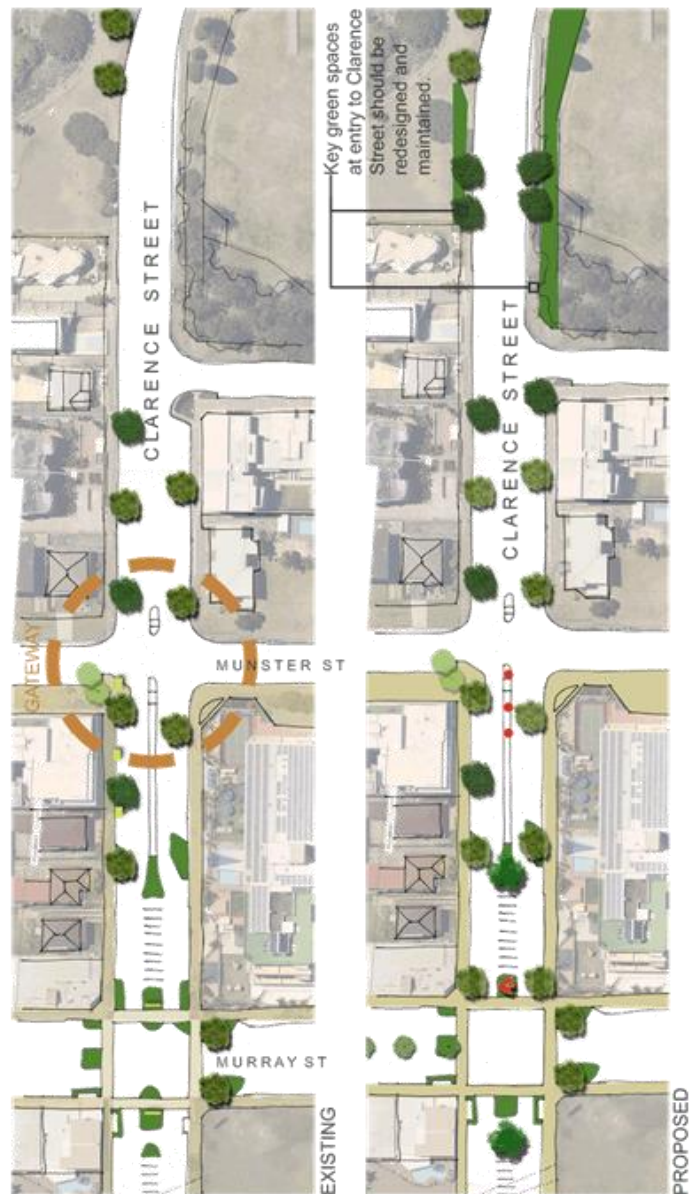
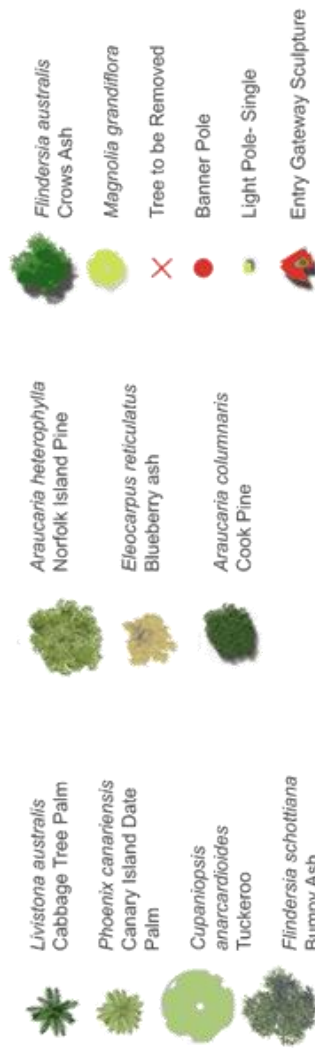
Most trees in this zone are in very poor condition and should be removed



4.0 CLARENCE STREET PLANS

PROPOSAL

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5. Retain Cabbage Tree Palms and Canary Island Date Palms as intersection feature



A Note About Norfolk Island Pines

Use as street tree only where space allows (Zone of upheaval 4.0m to 5.0m radius). Good tree for open space.

Based on mature size, tree would require approximately 176m2 area or 106m3 root volume.

Roots are surface orientated and can lift hard surfaces. Consideration will need to be given to allowing room for both upper crown development and root buttress expansion. Root barrier should be used where possible.



4.0 CLARENCE STREET TREE SELECTION



Magnolia grandifolia
BULL BAY MAGNOLIA
Mature Size (h x w): 12-15 x 5-8m



Lagerstroemia indica
CREPE MYRTLE
Mature Size (h x w): 8 x 6m



Flindersia australis
CROWS ASH
Mature Size (h x w): 15-20 x 10-12m



Araucaria heterophylla
NORFOLK ISLAND PINE
Mature Size (h x w): 40 x 1

Item: 07

Subject: WORKING PARTY UPDATES

Presented by: Infrastructure & Asset Management, Jeffery Sharp

RECOMMENDATION

That the Committee receive and note the updates provided by the TCMP Major Projects and Special Projects and Preconstruction Working Parties.

Discussion

Major Projects Working Party Updates

Special Projects and Preconstruction Working Party Updates

Attachments

Nil