



Town Centre Master Plan Sub-Committee

Business Paper

date of meeting: Thursday 25 July 2019

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

time: 8.00am

Town Centre Master Plan Sub-Committee

CHARTER

1.0 OBJECTIVES

- To advise Council on projects and issues which support and affect the continued development of the Port Macquarie Town Centre using funding from the Town Centre Master Plan Reserve.

2.0 KEY FUNCTIONS

The key functions of the Sub-Committee are to:

- Make recommendations to Council regarding the development, review and amendment as required of the Town Centre Master Plan
- Make recommendations to Council on works priorities - Capital and maintenance - for the implementation of the Town Centre Master Plan
- Act as a communication conduit between Council and the CBD stakeholders in respect to the Town Centre Master Plan
- Make recommendations to Council regarding an annual Works Program and Budget to be adopted by Council as part of the annual Operational Plan
- Maintain an awareness of the capital expenditure of Town Centre Master Plan Reserves and make recommendations to Council regarding such expenditure.
- Raise funds other than rates and loans to fund the objectives of the Sub-Committee through partnerships with other stakeholders
- Make recommendations to the relevant Director in relation to purchasing, manufacturing, obtaining and supplying material for the promotion of the CBD from any external funds raised by the Sub-Committee
- Advocate for the Town Centre Master Plan and promote the advantages of the CBD to the wider community

3.0 MEMBERSHIP

3.1 Voting Members

- Councillor (resolved by Council)
- Director Strategy and Growth
- Senior Landscape Architect- Council
- 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)

3.2 Non-Voting Members

- There may be occasions where other attendees are required at Sub-Committee meetings, such as funding partners, independent people, other levels of government, client side project managers (if applicable), stakeholder engagement specialists and other Council staff. Such people will be invited to Sub-Committee meetings on an as needs basis.

3.3 Obligations of Members

- As per Section 226 (c) of the NSW Local Government Act 1993, the Mayor is the principal spokesperson for the governing body and Councillors that are members of a Sub-Committee are to obtain the Mayors agreement to make media and other statements. Further, only the Mayor, or a Councillor with the Mayor's agreement and otherwise in accordance with Council policies and procedures, may release Council information through media statements or otherwise, and the release of such information must be lawful under the Council adopted Code of Conduct. Council Officers that are members of Sub-committees are bound by the existing operational delegations in relation to speaking to the media.
- All Sub-Committee members are not permitted to speak to the media as representatives of the Sub-Committee unless approved by the Chairperson (prior to this from the Mayor as above)
 - Where approval has been granted by the Chairperson, the views and opinions expressed are those of the Town Centre Master Plan Sub-Committee and not of Port Macquarie-Hastings Council
- A Councillor or a non Council member as a member of a Sub-Committee or the Sub-Committee itself has no delegation or authority to make decisions on behalf of Council, nor to direct the business of Council. The only decision making power open to Councillors is through formal resolutions of Council.
- A Councillor or a non Council member as a member of a Sub-Committee or the Sub-committee itself cannot direct staff and must abide by the decisions of Council and the policies of Council.
- All Sub-Committee members must comply with Council's Code of Conduct and relevant Council policies and procedures with particular reference to Council's Work Health and Safety Policy.

3.4 Member Tenure

- Non Council members will be appointed for a two year term. Terms will be staggered so that every year expressions of interest for new members (a) or (b) will be called depending on rotation.

3.5 Appointment of Members

- Council, by resolution duly passed, will appoint members to the Sub-Committee following an advertised expression of interest.

4.0 TIMETABLE OF MEETINGS

- Meetings of the Sub-Committee shall be held monthly at a date convenient to Sub-Committee members. During election caretaker mode the Sub-Committee may be suspended until after the election once Councillor representation is resolved by Council.

5.0 MEETING PRACTICES

5.1 Decision Making

- Recommendations of the Sub-Committee shall be made by consensus. If consensus is not reached, the item may be reported to Council for determination or deferred pending further information and debate.
- The Chairperson shall not have a casting vote.
- Recommendations to Council are to be made through the relevant Director, who will determine under delegation, the process for implementation.

5.2 Quorum

- A Meeting shall not proceed unless a quorum of at least one (1) more than half the number of members are present, at least one of whom must be a full time Council employee and at least 3 of whom must not be Council employees.

5.3 Chairperson and Deputy Chairperson

- The Chairperson shall be the Councillor, duly appointed by Council resolution.
- At all meetings of the Sub-Committee, the Chairperson shall occupy the Chair and preside. In the absence of the Chairperson, the alternate Councillor will preside at the Meeting.

5.4 Secretariat

- The incumbent Council Director is responsible for ensuring the Sub-Committee has adequate secretariat support. The secretariat will ensure that business papers and supporting papers are circulated at least three (3) days prior to each meeting. Minutes shall be circulated to members within seven (7) days of the meeting having taken place.
- The incumbent Council Director will coordinate a review of the Charter within 12 months of a new Council term and present to Council for adoption.

5.5 Recording of decisions and explicit discussions on risks

- Minutes of Sub-Committee meetings shall include the decisions made, relevant details of discussions and the nature of any dissenting views expressed by members.

6.0 CONVENING OF “OUTCOME SPECIFIC” WORKING GROUPS

- The Sub-Committee can at times request a working group to be convened, for a limited period of time, for a specific actions, these specifics will be minuted clearly. The working group will report back to the Sub-Committee with outcomes.

7.0 CONFIDENTIALITY AND CONFLICT OF INTEREST

- Councillors, Council staff and members of this Sub-Committee must comply with the applicable provisions of Council's Code of Conduct in carrying out their functions as Council Officials. It is the personal responsibility of Council Officials to comply with the standards in the Code of Conduct and regularly review their personal circumstances with this in mind.

- Sub-Committee members must declare any conflict of interests at the start of each meeting or before discussion of a relevant item or topic. Details of any conflicts of interest should be appropriately minuted.
- Where members or invitees at Sub-Committee meetings are deemed to have a real or perceived conflict of interest, it may be appropriate they be excused from Sub-Committee deliberations on the issue where the conflict of interest may exist.
- Any independent members of the Sub-Committee will be required to complete a confidentiality agreement that will cover the period of their membership of the Sub-Committee.

Town Centre Master Plan Sub-Committee

ATTENDANCE REGISTER

Member	29/11/18	28/02/19	28/03/19	23/05/19	28/06/19
Councillor G Hawkins (Chair)	✓	✓	A	No quorum	✓
Councillor M Cusato (Deputy Chair)	X	✓	✓		✓
Jeffery Sharp (Director Strategy & Growth)	A	✓	✓		✓
Craig Luff (Landscape Architect)	-	✓			✓
Jeff Gillespie (CBD Landowner 2018-2019)	✓	✓	✓		✓
Robert Sagolj (CBD Landowner 2018-2020)	A	✓	X		✓
vacant (CBD Trader with expertise 2016-2018)	-	-	-		
Tony Thorne (Chamber of Commerce Representative 2018-2020)	✓	✓	✓		✓
Michelle Love (Community Member 2018-2019)	A	✓	✓		✓
Sharon Beard (Access Committee Representative 2018-2020)	✓	✓	✓		✓
Geraldine Haigh (CBD Trader 2018-2020)	A	✓	A		A
John McGuigan (June 2018 - 2019)	✓	✓	A		✓
Michael Nunez (TCMP Project Manager / Co-ordinator) (non-voting)	✓	✓	✓		✓

Key: ✓ = Present

A = Absent With Apology

X = Absent Without Apology

Town Centre Master Plan Sub-Committee Meeting

Thursday 25 July 2019

Items of Business

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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 28 June 2019 be confirmed.

PRESENT

Members:

Councillor Geoffrey Hawkins (Chair)
Councillor Michael Cusato (Deputy Chair)
Jeffery Sharp (Director Strategy & Growth)
Craig Luff (Senior Landscape Architect)
Jeff Gillespie (CBD Landowner)
Robert Sagolj (CBD Landowner)
vacant (CBD Trader with expertise)
Tony Thorne (Chamber of Commerce Representative)
Michelle Love (Community Member)
Sharon Beard (Access Committee Representative)
John McGuigan
Michael Nunez (TCMP Project Manager / Co-ordinator)

The meeting opened at 8:02am.

01 ACKNOWLEDGEMENT OF COUNTRY

The Acknowledgement of Country was delivered.

02 APOLOGIES

CONSENSUS:

That the apologies received from Liam Bulley and Geraldine Haigh be accepted.

03 CONFIRMATION OF MINUTES

CONSENSUS:

That the Minutes of the Town Centre Master Plan Sub-Committee Meeting held on 28 March 2019 be confirmed.

04 DISCLOSURES OF INTEREST

There were no disclosures of interest presented.

05 BUSINESS ARISING FROM PREVIOUS MINUTES

CONSENSUS:

That the Committee request:

1. Item 8 from 29 November 2018 be removed from future agendas.
 2. Future report "Master Plan works by Grids" be removed from future agendas.
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06 TOWN CENTRE WORKS/PROJECT UPDATE

Apology to the Committee that a walk-through was not arranged prior to the Kooloonbung Creek area being opened to the public. This is an internal improvement that has been identified for future projects.

CONSENSUS:

That the Town Centre Master Plan Sub-Committee request:

1. The TCMP Project Manager investigate and report back to the Committee on the potential for more spontaneous footpath cleaning within the available budget.
 2. The TCMP Project Manager contact Essential Energy regarding landscaping around the substation along Kooloonbung Creek Foreshore.
 3. The TCMP Project Manager work in conjunction with Council's Communications Team to develop an advertisement to promote the Town Centre Master Plan Reserve through the Kooloonbung Creek project and present a concept back to the July meeting.
 4. The TCMP Project Manager present a bi-annual report on funding sources for maintenance works within the CBD.
-

07 FORESHORE WALKWAY PROJECTS UPDATE

CONSENSUS:

That the Town Centre Master Plan Sub-Committee request the TCMP Project Manager present to a meeting of the Foreshore Working Group in two weeks' time, a timeline required to deliver a 'shovel ready' path and playground for Town Green West.

08 QUARTERLY FINANCIAL REPORT

CONSENSUS:

That the Town Centre Master Plan Sub-Committee not the information within the Quarterly Financial Report.

09 GENERAL BUSINESS

09.01 PROPOSED SIGNAGE - 'CLARENCE PLACE'

Jeff Gillespie:

Focus Magazine are suggesting that the river end of Clarence Street is identified via signage only as Clarence Place for marketing purpose, similarly to how Town Square is identified separately to Horton Street.

CONSENSUS:

That the Town Centre Master Plan Sub-Committee request:

1. Jeff Gillespie recommend that businesses and property owners at the river end of Clarence Street contact Council regarding renaming, via signage only, the area as 'Clarence Place.'
2. Councillor Hawkins contact Group Manager Community Place, Lucilla Marshall regarding renaming, via signage only, the river end of Clarence Street as Clarence Place.

The meeting closed at 10:00am.

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, the undersigned, hereby declare the following interest:	
<input type="checkbox"/> Pecuniary: Take no part in the consideration and voting and be out of sight of the meeting.	
<input type="checkbox"/> Non-Pecuniary – Significant Interest: Take no part in the consideration and voting and be out of sight of the meeting.	
<input type="checkbox"/> Non-Pecuniary – Less than Significant Interest: May participate in consideration and voting.	
For the reason that:	
Name: Signed:	Date:
Please submit to the Governance Support Officer at the Council Meeting.	

(Refer to next page and the Code of Conduct)

Pecuniary Interest

- 4.1 A pecuniary interest is an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to you or a person referred to in clause 4.3.
- 4.2 You will 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 you might make in relation to the matter, or if the interest is of a kind specified in clause 4.6.
- 4.3 For the purposes of this Part, you will have a pecuniary interest in a matter if the pecuniary interest is:
- (a) your interest, or
 - (b) the interest of your spouse or de facto partner, your relative, or your partner or employer, or
 - (c) a company or other body of which you, or your nominee, partner or employer, is a shareholder or member.
- 4.4 For the purposes of clause 4.3:
- (a) Your "relative" is any of the following:
 - i) your parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
 - ii) your spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
 - iii) the spouse or de facto partner of a person referred to in paragraphs (i) and (i)
 - (b) "de facto partner" has the same meaning as defined in section 21C of the *Interpretation Act 1987*.
- 4.5 You will not have a pecuniary interest in relation to a person referred to in subclauses 4.3(b) or (c)
- (a) if you are unaware of the relevant pecuniary interest of your spouse, de facto partner, relative, partner, employer or company or other body, or
 - (b) just because the person is a member of, or is employed by, a council or a statutory body, or is employed by the Crown, or
 - (c) just because the person is a member of, or a delegate of a council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body.

Non-Pecuniary

- 5.1 Non-pecuniary interests are private or personal interests a council official has that do not amount to a pecuniary interest as defined in clause 4.1 of this code. These commonly arise out of family or personal relationships, or out of involvement in sporting, social, religious or other cultural groups and associations, and may include an interest of a financial nature.
- 5.2 A non-pecuniary conflict of interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your official functions in relation to a matter.
- 5.3 The personal or political views of a council official do not constitute a private interest for the purposes of clause 5.2.
- 5.4 Non-pecuniary conflicts of interest must be identified and appropriately managed to uphold community confidence in the probity of council decision-making. The onus is on you to identify any non-pecuniary conflict of interest you may have in matters that you deal with, to disclose the interest fully and in writing, and to take appropriate action to manage the conflict in accordance with this code.
- 5.5 When considering whether or not you have a non-pecuniary conflict of interest in a matter you are dealing with, it is always important to think about how others would view your situation.

Managing non-pecuniary conflicts of interest

- 5.6 Where you have a non-pecuniary conflict of interest in a matter for the purposes of clause 5.2, you must disclose the relevant private interest you have in relation to the matter fully and in writing as soon as practicable after becoming aware of the non-pecuniary conflict of interest and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter. In the case of members of council staff other than the general manager, such a disclosure is to be made to the staff member's manager. In the case of the general manager, such a disclosure is to be made to the mayor.
- 5.7 If a disclosure is made at a council or committee meeting, both the disclosure and the nature of the interest must be recorded in the minutes on each occasion on which the non-pecuniary conflict of interest arises. This disclosure constitutes disclosure in writing for the purposes of clause 5.6.
- 5.8 How you manage a non-pecuniary conflict of interest will depend on whether or not it is significant.
- 5.9 As a general rule, a non-pecuniary conflict of interest will be significant where it does not involve a pecuniary interest for the purposes of clause 4.1, but it involves:
- a) a relationship between a council official and another person who is affected by a decision or a matter under consideration that is particularly close, such as a current or former spouse or de facto partner, a relative for the purposes of clause 4.4 or another person from the council official's extended family that the council official has a close personal relationship with, or another person living in the same household
 - b) other relationships with persons who are affected by a decision or a matter under consideration 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 the council official and an organisation (such as a sporting body, club, religious, cultural or charitable organisation, corporation or association) that is affected by a decision or a matter under consideration that is particularly strong. The strength of a council official's affiliation with an organisation is to be determined by the extent to which they actively participate in the management, administration or other activities of the organisation.
 - d) membership, as the council's representative, of the board or management committee of an organisation that is affected by a decision or a matter under consideration, in circumstances where the interests of the council and the organisation are potentially in conflict in relation to the particular matter
 - e) a financial interest (other than an interest of a type referred to in clause 4.6) that is not a pecuniary interest for the purposes of clause 4.1
 - f) the conferral or loss of a personal benefit other than one conferred or lost as a member of the community or a broader class of people affected by a decision.
- 5.10 Significant non-pecuniary conflicts of interest must be managed in one of two ways:
- a) by not participating in consideration of, or decision making in relation to, the matter in which you have the significant non-pecuniary conflict of interest and the matter being allocated to another person for consideration or determination, or
 - b) if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a council or committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.28 and 4.29.
- 5.11 If you determine that you have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest you must also explain in writing why you consider that the non-pecuniary conflict of interest is not significant and does not require further action in the circumstances.
- 5.12 If you are a member of staff of council other than the general manager, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of your manager. In the case of the general manager, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of the mayor.
- 5.13 Despite clause 5.10(b), a councillor who has a significant non-pecuniary conflict of interest in a matter, may participate in a decision to delegate consideration of the matter in question to another body or person.
- 5.14 Council committee members are not required to declare and manage a non-pecuniary conflict of interest in accordance with the requirements of this Part where it arises from an interest they have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if they have been appointed to represent the organisation or group on the council committee.

SPECIAL DISCLOSURE OF PECUNIARY INTEREST DECLARATION

This form must be completed using block letters or typed.

If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.

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 the affected principal place of residence of the councillor or an associated person, company or body <i>(the identified land)</i>	
Relationship of identified land to councillor <i>[Tick or cross one box.]</i>	<input type="checkbox"/> The 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"/> An associated person of the councillor has an interest in the land. <input type="checkbox"/> An associated company or body of the councillor has interest in the land.
MATTER GIVING RISE TO PECUNIARY INTEREST¹	
Nature of land that is subject to a change in zone/planning control by proposed LEP <i>(the subject land²)</i> <i>[Tick or cross one box]</i>	<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 <i>[Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]</i>	
Proposed change of zone/planning control <i>[Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]</i>	
Effect of proposed change of zone/planning control on councillor or associated person <i>[Tick or cross one box]</i>	<input type="checkbox"/> Appreciable financial gain. <input type="checkbox"/> Appreciable financial loss.

[If more than one pecuniary interest is to be declared, reprint the above box and fill in for each additional interest]

Councillor's Signature: **Date:**

This form is to be retained by the council's general manager and included in full in the minutes of the meeting

Last Updated: 3 June 2019

Important Information

This information is being collected for the purpose of making a special disclosure of pecuniary interests under clause 4.36(c) of the Model Code of Conduct for Local Councils in NSW (the Model Code of Conduct).

The special disclosure must relate only to a pecuniary interest that a councillor has in the councillor's principal place of residence, or an interest another person (whose interests are relevant under clause 4.3 of the Model Code of Conduct) has in that person's principal place of residence.

Clause 4.3 of the Model Code of Conduct states that you will have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative or because your business partner or employer has a pecuniary interest. You will 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.

"Relative" is defined by clause 4.4 of the Model Code of Conduct 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.

You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting at 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.

¹ Clause 4.1 of the Model Code of Conduct 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 clause 4.6 of the Model Code of Conduct.

² 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 clause 4.3 of the Model Code of Conduct has a proprietary interest

Item: 05

Subject: BUSINESS ARISING FROM PREVIOUS MINUTES

Item:	06	Date:	28/02/2019
Subject:	Gordon Street Underpass		
Action Required:	Staff to provide a further report to a future meeting when project costs have been further developed		
Current Status:	Work is continuing on finalisation of costs for the project.		

Item:	06	Date:	28/03/2019
Subject:	Town Centre Tree Replacements		
Action Required:	Staff to investigate why trees used by Council are not to NATSPEC specifications.		
Current Status:	Information being provided in Agenda item at this meeting		

Item:	06	Date:	28/06/2019
Subject:	Town Centre Works/Project Update		
Action Required:	<ol style="list-style-type: none"> 1. Staff to investigate the potential for more spontaneous footpath cleaning within available budget. 2. Staff to contact Essential Energy regarding landscaping around the substation along Kooloonbung Creek Foreshore. 3. Staff to work develop an advertisement to promote the Town Centre Master Plan Reserve and present a concept back to the July meeting. 4. Staff to present a bi-annual report on funding sources for maintenance works within the CBD. 		
Current Status:	Information being provided in Agenda item at this meeting		

Item:	09.01	Date:	28/06/2019
Subject:	Proposed Signage - 'Clarence Place'		
Action Required:	TCMP Chair and businesses and property owners at river end of Clarence Street to contact Council regarding renaming via signage only, the area as Clarence Place.		
Current Status:	Information to be provided at future meeting.		

Reports to future meetings		
Report	Due Date	Requested
Town Square Monthly Progress Report	Monthly	29 Jun 17
Update on Accessible Parking Costs in the CBD	TBA	26 July 17

Item: 06

Subject: SPECIAL RATES AT 97 WILLIAM STREET

Presented by: Strategy and Growth, Jeffery Sharp

RECOMMENDATION

That the Town Centre Master Plan Sub-Committee note the information provided and respond to Mr Thompson regarding his request.

Discussion

John Thompson, owner of 97 William Street Port Macquarie, has written to the Sub-Committee requesting a review of the special rates paid in association to this property.

Mr Thompson's email is attached for consideration of the Sub-Committee.

Attachments

1 [View](#). Correspondence from John Thompson

From: [John Thompson](#)
To: [Jeffery Sharp](#)
Subject: 97 William St
Date: Monday, 24 June 2019 10:42:16 AM

24th June 2019.

I write to the CBD Masterplan Committee in an effort to have the rates reviewed at the property at 97 William St, Port Macquarie. To date the rates have been duly paid but have become crippling over the last number of years, and in spite of numerous approaches to council staff I have not persuaded council of my predicament.

Some twenty five or so years ago a levy was added to my rates to go towards the improvements to the CBD. As a proud and keen businessman I was happy to contribute to this levy and raised no objection. Some years on I did enquire when the 'levy' would be lifted and was told it was in perpetuity. About the same time the 'levy' morphed into general rates; this being done without any consultation whatsoever. I had no opportunity at that time to raise objection, although I have raised the topic since.

I was left with enormous property rates, far exceeding neighbouring properties along William St, with whom I associate. Previous approaches to council have fallen on deaf ears, however I would ask your committee to revisit my request to assess the rates.

I put forward the following facts to support my case.

At present my property is rated approximately three time higher than the adjacent property in William St.William St being the street to which my property is fronted. Both properties are exactly the same dimensions .

I am informed that in normal practice, when a corner block is assessed for rates, the shorter boundary is taken as the rateable frontage. This is not the case in assessing my property. Council has chosen to depart from normal practice to capitalise on a higher rateable return.

For over twenty years a barrier (in the form of four vacant parcels of land) has existed cutting off my section of William St from the actual CBD. This often unkept property acts as a deterrent for CBD foot traffic to venture further along William St. Council has been aware of this situation for many years.

Over the many years of contributing I have received no CBD benefits. I have had to fight to have a concrete footpath laid along Murray St in an effort to reduce the red mud so frequently brought into my office. This was whilst many non CBD properties who contributed lower rates were given concrete footpaths . Added to the rates, I maintain the nature strip for council, an added impost and clearly a rare situation in the CBD.

A long and frustrating issue (over ten years) to rectify a badly designed drainage system at my front gate was ultimately fixed when council adapted MY suggestion and installed the correct style drain. This correction halted the frequent flooding into my office rooms in times of heavy downpours and also the need to wade out knee deep and clear the blockages. The former drain (and it's rectified addition) remains to collect debris to this day. The cleaning of this drain is carried out by myself, as it is outside the CBD area!

Recently my property has become vacant and in the search for a tenant I am hampered with distribution of the rates, which normal practice involves including in 'outgoings'. I am advised that to add the excessive rates to the asking rental makes the property unrentable. To cover the rates myself consumes more than 25% of the rent. This, added to other outgoings does not make economic sense.

Similarly, when pursuing a notion to sell the property, I am advised that the rates are acting as a deterrent to prospective buyers.

I ask you to carefully consider the points raised in this letter and make a determination as to what you feel is a fair and reasonable rate for my property.

John Thompson
0403199458

Item: 07

Subject: TOWN CENTRE WORKS / PROJECT UPGRADE

Presented by: Strategy and Growth, Jeffery Sharp

RECOMMENDATION

That the Town Centre Master Plan Sub-Committee note progress on the following items from the previous meeting, as well as Town Centre works and other projects.

Discussion

No walk through conducted with TCMP prior to opening the Kooloonbung Creek upgrade to the public. Improvement identified for future TCMP funded projects.

Council will conduct a site walk with the TCMP Sub-Committee on completion of the works and prior to opening to the public, for any TCMP funded projects.

Town Centre Master Plan Sub-Committee requests:

1. The TCMP Project Manager investigate and report back to the Committee on the potential for more spontaneous footpath cleaning within the available budget.

Council is considering tendering the Town Centre Cleaning Services as separable portions i.e. scheduled cleaning services with a provisional sum for spontaneous cleaning services.

Another consideration is to increase the frequency of scheduled cleaning to 3 month intervals from the present 4 months.

2. The TCMP Project Manager contact Essential Energy regarding landscaping around the substations along Kooloonbung Creek Foreshore.

Consultation with Essential Energy conducted. Proposed upgrades indicated on the attached landscape plan (subject to Essential Energy approval).

A refresh or replacement of the faded artwork on the two substations has been requested the local Essential Energy Community Relations Officer.

3. The TCMP Project Manager work in conjunction with Council's Communications Team to develop an advertisement to promote the Town Centre Master Plan Reserve through the Kooloonbung Creek project and present a concept back to the July meeting.

Council project webpage updated as follows for Kooloonbung Creek Stage 1:

'The Port Macquarie Town Centre Masterplan Reserve funding is sourced from additional rate contributions from Port Macquarie Town Centre property owners.'

Similar wording to be applied to all future TCMP funded projects, and will be included on project information boards / any associated media releases.

4. The TCMP Project Manager present a bi-annual report on funding sources for maintenance works within the CBD.

Reports will be issued October and April to coincide with ongoing financial activities.

5. Town Green West Foreshore Walkways & Playground

Item covered under a separate report.

Other Town Centre Works Items

1. Heavy Timber Bollards

- a) Bollards to the Clarence / Murray intersection

- i. 11 x bollards recently repaired or replaced due to timber decay.

- b) Various painted steel bollards throughout Town Centre to be replaced with oiled timber bollards matching those on Clarence Street.

- i. Council to prepare plan which identifies quantity and location of all bollards to be replaced.
- ii. Council to prepare replacement programme based on annual budget of \$8600.

- c) Several of the heavy timber bollards are displaced and reinstated each year. Several spare bollards are stored at our depot, oiled to match existing as to be ready for future replacement requirements.

2. Tree Specifications

- a) PMHC standards currently refer to NATSPEC
- b) PMHC transitioning to AUSPEC to coincide with current industry practice.
- c) Updates to PMHC standards required; will include a departure clause to allow some flexibility during review of stock - i.e.

'Trees shall conform to AS2303 2018. Any departure from this standard is subject to the review and acceptance of PMHC's arborist. Any trees that do not meet this standard, or are not accepted by PMHC arborist, shall be replaced by the Contractor at his own cost.'

3. Kooloonbung Creek Stage 1 Grafitti

- a) The anti graffiti coating has been applied to the entry stairway wall. The wall has been subjected to graffiti 3 times so far, one removed with much difficulty while the concrete was curing. The following two were easily removed following coating.
- b) The bench seats and picnic tables have also been subjected to graffiti, with some ghosting remaining on the timber elements following removal efforts. The affected areas will be sanded back prior to re-oiling as part of the maintenance program.



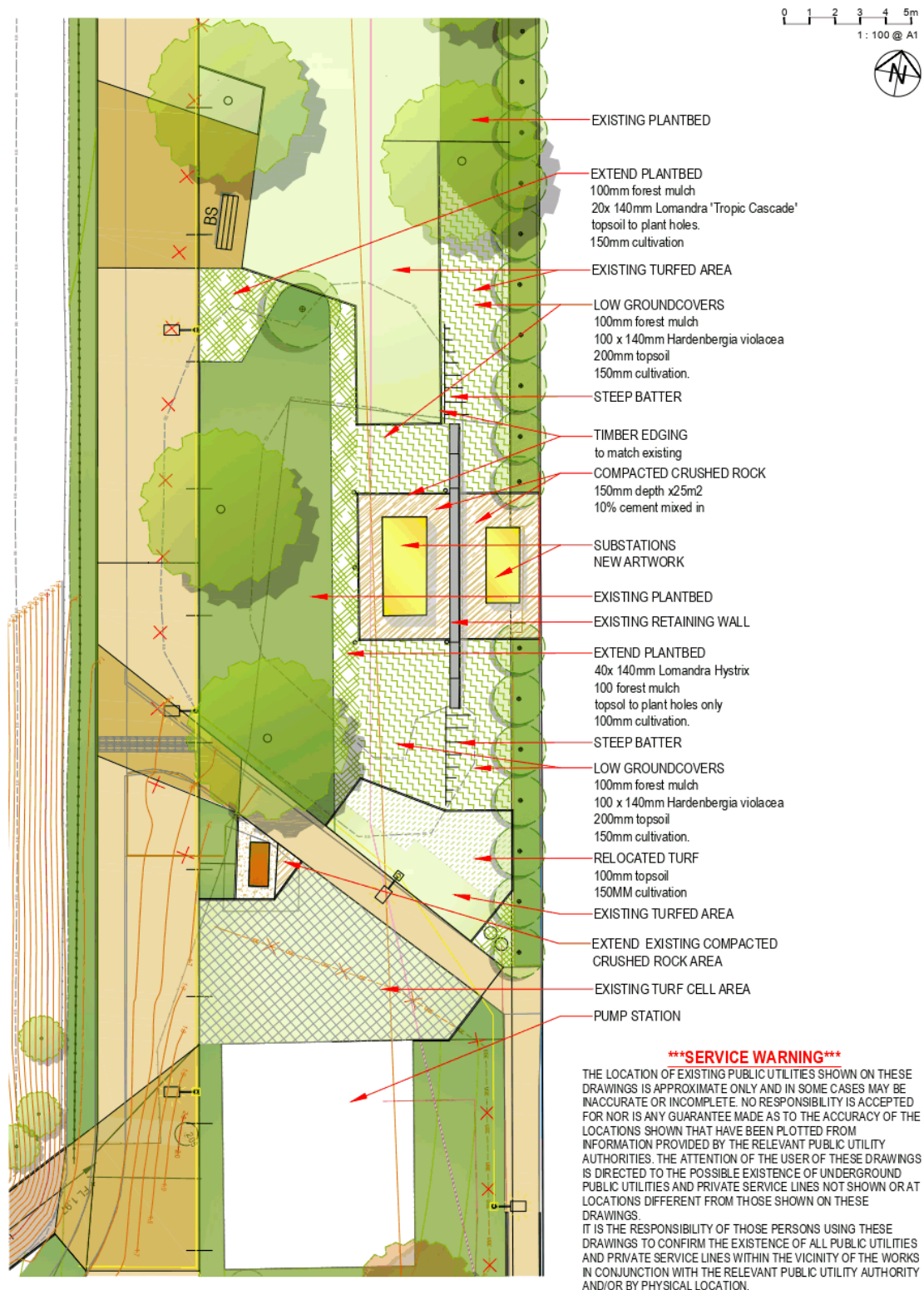
4. Foreshore Walkway Design Projects.

- a) The geotechnical report was completed for the Gordon Street underpass. The geotechnical report for the rest of the Foreshore walkway projects is in progress.
- b) Council is presently awaiting for quotes for an archaeological report for all of the Foreshore walkway projects. The geotechnical report has identified 'historical fill' on the south side of the Gordon street bridge due to a previous bridge and weir. This area has now been added to the scope of archaeological investigations.
- c) As part of the project lies within a Protected Coastal Protection Zone, the application for exempt development has not been granted. Development approval may now be required, awaiting confirmation.
- d) A third contractor has been invited to provide an installation quote for a modular boardwalk system.
- e) The following tasks are proposed to be undertaken in the coming month:
 - i. DA application, for Gordon St underpass, if required.
 - ii. Design Coordination meeting with Crown Lands for Fisherman's Wharf section scheduled for 30 July 2019.

- iii. Design development of the William Street underpass including options. Priority now is to provide a safe link from Fishermen's Wharf under William St Bridge prior to delivering Kooloonbung Stage 2.

Attachments

1 [View](#). Kooloonbung Creek Substation Proposed Landscape Works



DRAWING TITLE:

KOOLONBUNG CREEK SUBSTATION LANDSCAPE

DRAWING NUMBER: KC SS

DATE: 17.07.2019

REVISION: A

SHEET 1 OF 1

Item: 08

Subject: TOWN GREEN CENTRAL AND WEST

Presented by: Strategy and Growth, Jeffery Sharp

RECOMMENDATION

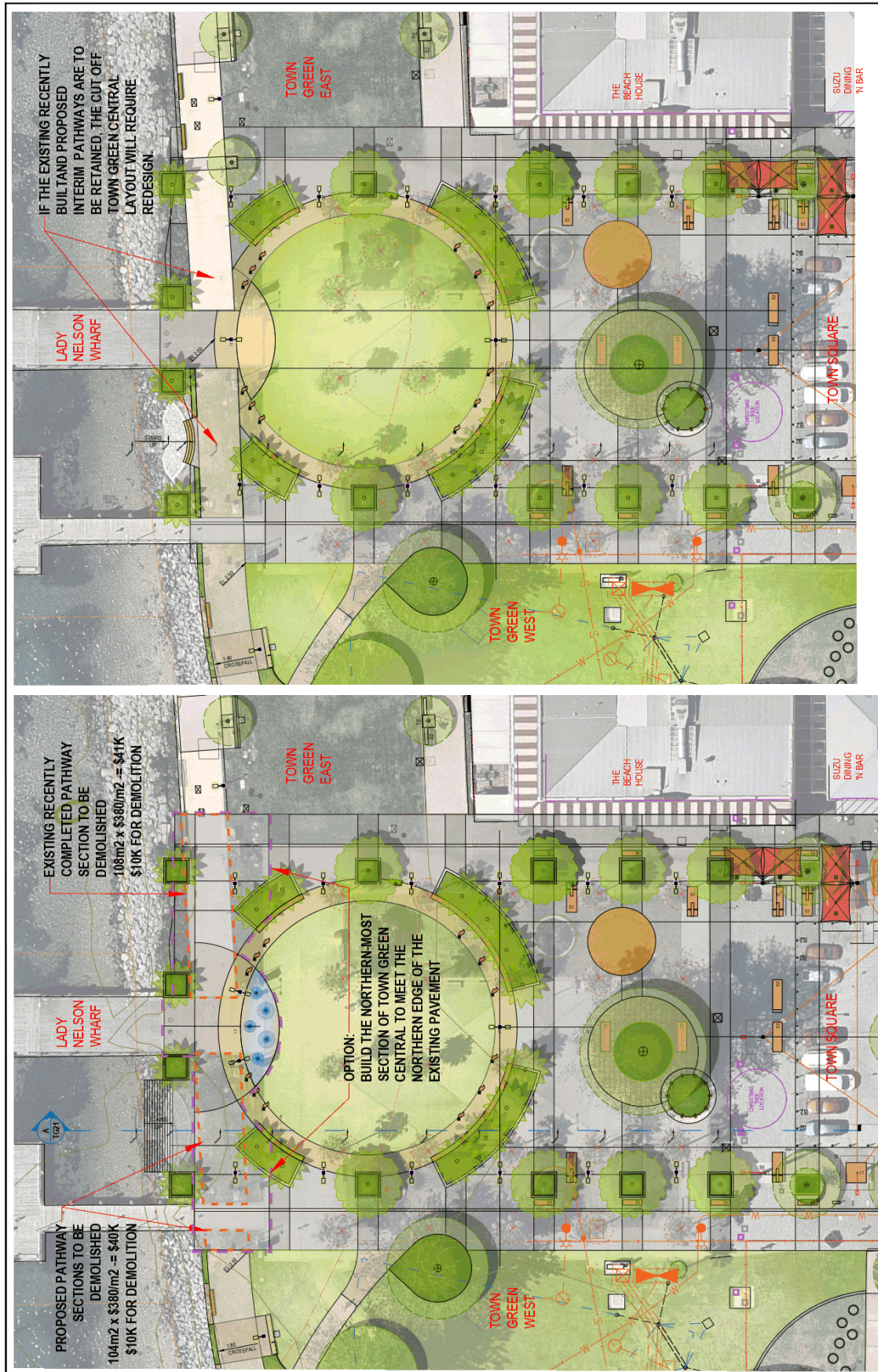
That the Town Centre Master Plan Sub-Committee note progress on the following items.

Discussion

1. Meeting conducted with TCMP - Foreshore Working Group on 10th July 2019 to discuss the programme for delivery of a 'shovel ready design' for Town Green Central and West.
2. TCMP sub-committee communicated the following priorities for design of the Foreshore Walkway projects:
 - Priority 1a - Town Green West Foreshore Walkway
 - Priority 1b - Town Green Playground
 - Priority 2 - Remaining sections of the Bicentenary Walk (sequence starting from Town Green West ending at Westport Park)
 - Priority 3 - Town Green Central
3. Key milestones for Town Green West Foreshore Walkway & Playground:
 - Geotechnical investigations - complete
 - Architectural investigations - complete
 - Environmental assessment (incl. aboriginal heritage inclusions) - 6 to 9 months
 - Community consultation (playground only) - 3 months
 - Detail design (playground) - 1 month
 - Detail design (civil / electrical) - 4 to 6 months
 - Construction procurement - 3 months
 - Commence onsite - June 2020
4. Current activities for Town Green West Foreshore Walkway & Playground:
 - Commencement of Environmental assessments (incl. aboriginal heritage inclusions)
 - Commencement of community consultation (playground only)
5. Program risks for Town Green West Foreshore Walkway & Playground:
 - OEH/DPIE engagement and approvals
 - Electrical supply approvals
 - Aboriginal liaison

Attachments

- 1 [View](#). Town Green Central Foreshore Walkway Options



DRAWING NUMBER: TG11.2
DATE: 14.07.2019
REVISION: C
SHEET: 1 OF 2

DRAWING TITLE
TOWN GREEN CENTRAL
FORESHORE WALKWAY OPTIONS

PROJECT
PORT MACQUARIE TOWN CENTRE
FORESHORE PROJECTS

PORT MACQUARIE
HASTINGS
COUNCIL

