



Town Centre Master Plan Sub-Committee

Business Paper

date of meeting: Thursday 5 March 2020

location: Committee 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	25/07/19	29/08/19	24/10/19	28/11/19	23/01/20
Councillor G Hawkins (Chair)	✓	✓	✓	✓	✓
Councillor L Dixon (Deputy Chair)	A	A	X	X	X
Jeffery Sharp (Director Strategy & Growth)	✓	✓	✓	✓	✓
Craig Luff (Landscape Architect)	✓	✓	✓	✓	✓
Jeff Gillespie (CBD Landowner 2018-2019)	✓	A	✓	✓	✓
Robert Sagolj (CBD Landowner 2018-2020)	✓	✓	A	A	A
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
John McGuigan (June 2018 - 2019)	✓	A	✓	✓	✓

Key: ✓ = Present
 A = Absent With Apology
 X = Absent Without Apology

Meeting Dates for 2020

23/01/2020	Function Room	8:00am
27/02/2020	Function Room	8:00am
26/03/2020	Function Room	8:00am
23/04/2020	Function Room	8:00am
28/05/2020	Function Room	8:00am
25/06/2020	Function Room	8:00am
23/07/2020	Function Room	8:00am
27/08/2020	Function Room	8:00am
29/10/2020	Function Room	8:00am
26/11/2020	Function Room	8:00am

Town Centre Master Plan Sub-Committee Meeting

Thursday 5 March 2020

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 23 January 2020 be confirmed.

PRESENT

Members:

Councillor Geoffrey Hawkins (Chair)
Jeffery Sharp (Director Strategy & Growth)
Craig Luff (Landscape Architect)
Jeff Gillespie (CBD Landowner)
Tony Thorne (Chamber of Commerce Representative)
Sharon Beard (Access Committee Representative)
John McGuigan

Other Attendees:

Michael Nunez (TCMP Project Manager / Co-ordinator)

The meeting opened at 8:00am.

01 ACKNOWLEDGEMENT OF COUNTRY

The Acknowledgement of Country was delivered.

02 APOLOGIES

CONSENSUS:

That the apologies received from Robert Sagolj, Michelle Love 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 November 2019 be confirmed.

04 DISCLOSURES OF INTEREST

Mr Tony Thorne declared a Non-Pecuniary - Less Than Significant Interest in Item 07 - Foreshore Priority Projects - Peer Review, reason being his colleague, David Toobey of King and Campbell Pty Ltd, undertook the Peer Review of the Foreshore Priority Projects although Tony had no involvement with it.

Mr Jeff Gillespie declared a Non-Pecuniary - Less Than Significant Interest in Item 07 - Foreshore Priority Projects - Peer Review, reason being he owns property in the vicinity.

Mr Tony Thorne declared a Non-Pecuniary - Significant Interest in Item 08 - Foreshore Priority Projects - Engineering Services, reason being his firm, King and Campbell Pty Ltd, were considering tendering for the RFQ to provide an engineering report for the Foreshore Priority Projects.

05 BUSINESS ARISING FROM PREVIOUS MINUTES

CONSENSUS:

That the Business Arising Schedule be noted with the following updates:

- Item 06 28/11/19: Complete - to be removed from schedule.
- Quotes are being sought on Clarence Place entrance signage.

**06 TOWN GREEN WEST UPGRADE - FEDERAL ELECTION FUNDING
COMMITMENT UPDATE**

CONSENSUS:

That the Port Macquarie Town Centre Master Plan Sub-Committee note the information included within this report.

07 FORESHORE PRIORITY PROJECTS - PEER REVIEW

Mr Tony Thorne declared a Non-Pecuniary - Less Than Significant Interest in this Item and remained in the meeting.

Mr Jeff Gillespie declared a Non-Pecuniary - Less Than Significant Interest in this Item and remained in the meeting.

CONSENSUS:

That the Town Centre Master Plan Sub-Committee :

1. Note the report from King & Campbell was presented to Council on 11 December 2019 not 7 January 2020 as documented in the report.
2. Note the information contained within the Foreshore Priority Projects - Peer Review Report.
3. The following points were agreed on each point in the report:
 - 2 - agreed.
 - 3 - Report back to February on quotes for 6 trees for Town Square.
 - 4 - Agreed.
 - 5 - Agreed, look at adding to Town Green Central.
 - 6 - Agreed.
 - 7 - Agreed, staff to follow up and included .
 - 8 - Agreed in principal, staff to follow up on transitional arrangements between Town Green West and Foreshore Walkway.
 - 9 - Agree but for future consideration.
 - 10 - Agree but for future consideration.
 - 11 - Noted beyond current scope of works.
 - 12 - Noted beyond current scope of works.
 - 13 - Noted beyond current scope of works.
 - 14 - Agree but for future consideration.
 - 15 - Noted, beyond current scope of works.
 - 16 - Noted, beyond current scope of works.

08 FORESHORE PRIORITY PROJECTS - ENGINEERING SERVICES

Mr Tony Thorne declared a Non-Pecuniary - Significant Interest in this Item, left the meeting and took no part in the discussion or voting thereon.

CONSENSUS:

That the Town Centre Master Plan Sub-Committee note the information contained within the Foreshore Priority Projects - Engineering Services Report.

09 GENERAL BUSINESS

09.01 FORESHORE WALKWAY - MEETING WITH ELECTED REPRESENTATIVES

Director Strategy and Growth to follow up with Mayor's Office on meeting with Elected Representatives around Foreshore Walkway.

09.02 TCMP CHARTER

A question was raised on the Constitution and Charter and discussion took place.

CONSENSUS:

That a report be presented to the February 2020 TCMP meeting in this matter.

09.03 EDMOND BARTON STATUE

Approach by Mr John Klose on the Edmond Barton Statue and his meeting with Mr Tony Thorne.

The meeting closed at 9:30am.

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:	07	Date:	23/01/2020
Subject:	Foreshore Priority Projects – Peer Review		
Action Required:	Staff to follow up on transitional arrangements between Town Green West and Foreshore Walkway		
Current Status:	An update to be provided in General Business		

Item:	09.01	Date:	23/01/2020
Subject:	Foreshore Walkway		
Action Required:	DSG to follow up with Mayor's Office on meeting with Elected Representatives around Foreshore Walkway		
Current Status:	Meeting is being held on Monday 16 March. The Hon. Leslie Williams and Pat Conaghan have both accepted the invitation. David Gillespie and Melinda Pavey are both apologies.		

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
Gordon St Underpass - Staff to provide a further report to a future meeting when project costs have been further developed	TBA	28 Feb 19
History of the TCMP Rate - Staff to provide a further report to a future meeting providing further historical rating comparisons including the business rate impacts to a future Town Centre Master Plan meeting	TBA	24 Oct 19
General Business (Item 9.02) Report to be presented on the Constitution and Charter of the TCMP	Mar 2020	23 Jan 20

Item: 06

Subject: CORRESPONDENCE FROM PORT MACQUARIE HISTORIC COURTHOUSE CURTILAGE - POLICE CONSTABLES COTTAGE AND LOCKUP

Presented by: Strategy and Growth, Jeffery Sharp

RECOMMENDATION

That the Town Centre Master Plan Sub-Committee;

- 1. Note the information provided in this report**
- 2. Note the details to be included in the proposed response to the Port Macquarie Historic Courthouse Curtilage regarding their request.**

Discussion

Glenn Dick and Janette Hyde have written to Council regarding the Port Macquarie Historic Courthouse Curtilage to seek advice from the TCMP on how to seek a plan of management for the protection of the Historic Police Constable's Cottage and Lockup.

An action of the PMHC Cultural Plan, is to develop and adopt a Cultural Precinct within the Port Macquarie CBD. The generation of such a study and plan would cover the Historic Courthouse and Police Cottages as well as other heritage and cultural sites across the PMCBD. A cultural precinct was originally identified in the TCMP Masterplan Review completed by the sub-committee some time ago.

At this time, it is likely that the draft 2020/2021 Council budget will include this precinct study funded from the TCMP reserve.

Staff propose to respond to the correspondence highlighting the upcoming study and the potential outcomes from this which may identify the need to develop a Conservation Management Plan for precinct.

Council is currently in possession of a lease over the Historic Courthouse, however is not appointed as Council Crown Land Manager. Council is currently in discussions with Crown Land staff over the longer term management of the Historic Courthouse.

Attachments

- 1 [↓](#). Correspondence - Port Macquarie Historic Courthouse Curtilage



PORT MACQUARIE HISTORIC COURTHOUSE CURTILAGE

STAGE 2 HAY STREET, PORT MACQUARIE. NSW

PROJECT: POLICE CONSTABLES COTTAGE AND LOCKUP

Hi *Geoff*,

At a recent meeting held at the Historic Courthouse, concern was raised about the protection of the Historic Police Cottage and Lockup (built circa 1875)

These two buildings make up part of a collection of buildings that are what is identified in the TCMP as Port Macquarie's Historic Precinct.

Would the TCMP be the appropriate channel through which to seek a plan of management, that would lead to reclassification to protect these buildings particularly now as the Police are intending to vacate.

Speaking for those at the meeting, I'm asking you to seek advice at the next TCMP meeting and thereafter to advise Council of the need for protection.

Sincerely

Glenn Dick and Janette Hyde

11 February 2020

Interested Community Group

Cr. Rob Turner & Cr. Geoff Hawkins, Brian Tierney, Jeff Gillespie, Alan Jeffrey,
Janette Hyde, Chris Denny, Steve O'Connor, David Bawden, Paul Dawson,
Mitch McKay,, Ramsey Collins

Item: 07

Subject: REQUEST FOR COMMEMMORATION MAYOR BOB WOODLANDS' CONTRIBUTION TO TOWN GREEN

Presented by: Strategy and Growth, Jeffery Sharp

RECOMMENDATION

That the Town Centre Master Plan Sub-Committee consider the request and potentially refer the matter to the March 2020 Ordinary Council Meeting for resolution.

Discussion


Council have received a request from Mr Ron Mooney for the former Mayor Mr Bob Woodlands, to be commemorated for his association with the Port Macquarie Town Green (see attachments).

Staff suggest that the former Mayor's contribution to the Port Macquarie Town Green be recognised by way of a small plaque to be placed on a seat in Town Green.

Staff will provide further details regarding the request at the meeting.

Attachments

- 1 [↓](#). Correspondence - Ron Mooney - Request for commemoration of former Mayor Bob Woodlands 2017 06 21
- 2 [↓](#). Correspondence - Ron Mooney - Further comments regarding commemoration of former Mayor Bob Woodlands

 PORT MACQUARIE HASTINGS	
TRIM No	COMM No
21 JUN 2017	
Keyword	
Activity	
Subject	Sf61103
Folder	

Ken Mooney
21 Waugh St
Port Macquarie
NSW 2444
02 65 834034

To: Lisa Interman.

Hi,

Hope this finds you well - I'm in Alaska - flying out 20-6-17 - be home 5/7/17.

We meet at the George Bain plaque sitting in Bain Park -

We "I" talked about the town green - How Bob Woodlands played a major role; It all played out like this.

(1) I was on the Board of Directors Hastings River Fish Co-op.

We were being (the fishing ports of NSW) upgraded, Port Macquarie town came up, \$720,000 - \$720,000 was allocated to P.P.I. How 'ever the Town had to agree.

We had to have an open public meeting so the public at large could vote yea or nay.

(2) Public meeting was held - Two movers and shakers tried their best to get the spending (upgrade of the Port) postponed. "They didn't have their fingers in the pie!" Portien and Gerseppie left the meeting when a vote of 35 to 27 voted yea go head, steam expelling from their ears.

①

While at the meeting, I approached the Dept of Works Engineers for the West Port Boat Ramp to be upgraded - Requested 'finger wharves' but got a side on pontoon set up - But now the Town has the original requested finger wharves.
Now to the Green.

③ Bob Woodlands was the Mayor.
He (Bob) approached the Co-op board and put forward a proposal!

"Would you (Co-op Board) agree to me 'Bob' creating a Rock wall - 'from end of existing Breakwall to where ship boat now takes off' and laying sand / silt proof matting on inside of said wall and when the Dept of Works dredges the channel to fish (ob) - all dredged material be placed inside of said wall"

In Union we replied "go for it Bob"
So the Town Green was at least expanded x 3 times in one hit.

Bob Woodlands needs to be remembered in some way in association with the "Town Green"

Please Help -
Regards Ron Poney.

P.T.O.

* Previous Dredging material went of
onto Pelican Island! after rain we
know ~~it~~ where that dredged material
ended up. (Back in the channel).

Bob got us a workable channel
and a spacious Teen Green all in
one hit.
Rest in Peace "Bob"

Hon Mooney
21 Waugh St
T/M. FR. 7/8.

To Teta

Hi. Thanks for the covering note - was wondering if I should write again - Never intended for the Town Green to be renamed Bob Woodlands - all I wanted was some small acknowledgement of his part in extending this Town Green to the size it is now. (Such as a small plaque in a corner etc) I grew up when when we had a bandstand etc at the end of Hoston St - now its a concrete jungle full of cars (progress) Find it hard to have any faith in local government as to when we have a system where a person with 150 votes sits in council where a person

with over 1000 doesn't!!

also fair —

you asked for inputs.
a while back, the road in
Waverly St P/M was listed to
be redone over 15 years ago.
When I inquired as asked
I was told it's (the road) is
beyond repair and won't be
done for at least 5 years —

Only time anything is done
is when a block is DA
developed and (you) impose
a road upgrade (footpath/
kerb gutting etc). I pay
approx \$10000 every 4 years
rates — get nothing in
my street for the cash
input.

Not fair.

signed Ron Mooney

Port Macquarie-Hastings Council
PO Box 84
Port Macquarie
NSW Australia 2444
DX 7415
• council@pmhc.nsw.gov.au

ABN 11 236 901 601



3 September 2018

Refers to: CRM 12221/2017

Mr R Mooney
21 Waugh Street
PORT MACQUARIE NSW 2444

Dear Mr Mooney

Request to Name the Port Macquarie Town Green after the late Bob Woodlands

Thank you again for your correspondence to Council last year requesting consideration of naming the Port Macquarie Town Green after the late Mayor and Alderman, Bob Woodlands. *never asked this - see notes*

Firstly, please accept my sincere apologies in providing a formal response to your correspondence. Unfortunately, a formal response to you was inadvertently overlooked and I again apologise for this.

At the Ordinary Council Meeting held in October 2017, Council resolved to place on public exhibition revised policies relating to the Naming and Renaming of Reserves and Roads. Following exhibition of the draft policies, a further report was tabled at the Ordinary Council Meeting held on 13 December 2017, wherein the revised policies were adopted.

A copy of the "Naming and Renaming of Reserves" policy and the "Naming and Renaming of Roads" policy are attached for your information. Both policies state that the use of names of people (living and deceased) are excluded as a source of reserve and road names, except in exceptional circumstances by a formal resolution of Council.

The dedication and commitment to our local area by the former Mayor and Alderman, Bob Woodlands, is acknowledged and I thank you for writing to Council with this suggestion. However, at this point in time, it is not intended to rename the Town Green in Bob's memory.

Thank you again for writing to Council and again please accept my sincere apology for the length of time to respond.

Yours sincerely

Peta Pinson
MAYOR

Encls.

PORT MACQUARIE HASTINGS	
TRIM No	CRM No 12221/19825
13 SEP 2018	
Keyword	
Activity	
Subject	
Folder SF 16/103	

pmhc.nsw.gov.au

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PORT MACQUARIE OFFICE
17 Burrawan Street, Port Macquarie NSW 2444
t 02 6581 8111 f 02 6581 8123

WAUCHOPE OFFICE
49 High Street, Wauchope NSW 2446
t 02 6589 6500

LAURIETON OFFICE
9 Laurie Street, Laurieton NSW 2443
t 02 6559 9958

Item: 08

Subject: PARKLET TRIAL UPDATE

Presented by: Development and Environment, Melissa Watkins

RECOMMENDATION

That the Town Centre Master Plan Sub-Committee note the update report on the Port Macquarie Town Centre Parklet Trial and consider recent interest from eatery operators for additional parklets within Port Macquarie Town Centre.

Discussion:

This report is intended as an update, with a final report to Council due at the end of the two-year trial period.

In September 2017, the Town Centre Master Plan Sub-Committee endorsed an Expression of Interest to trial a maximum of two Parklets for a period of two years. One operator (Reyhanna's Turkish Restaurant) proceeded with the trial, with construction completed and activated as of 28 October 2019 (refer to Attachment 4 for chronology of events).

Challenges:

1. *Limited interest from local business in participating*

Council approached 70 operators; only four operators attended the Council information session and only 2 operators submitted an expression of interest.

Council will conduct a brief survey to investigate reasons behind the limited responses, and whether this has changed since implementation of the trial at Reyhanna's Turkish Restaurant i.e.

- Reason why operator did not submit an EOI
- How could the EOI have been improved
- If opportunity was presented again - would the operator be interested

2. *Only one of the two accepted EOIs was constructed*

No formal correspondence received from Blackbox Pizza confirming why they chose not to proceed to detail design. Council were informed by telephone that the reason was due to difficulty securing a builder to undertake the works.

3. *Drawing submissions and approvals took much longer than programmed.*

Rework on drawings due to the operator not following the brief and deviating from the approved concept drawings.

In future, Council is to make it very clear to the operators and designers at a project initiation meeting that design developments away from the approved concept and brief are unlikely to be approved.

4. *Cost to construct the parklet was much more than originally estimated.*

The operator made decisions during design and construction, which have resulted in cost escalation (i.e. selection of premium materials). The operator has also had coordination issues between its Contractors which have resulted in additional costs.

Moving Forward:

- Discuss with the Town Centre Master Plan Sub-Committee additional operator interest in development of new parklets in Port Macquarie Town Centre.
- Parklet Working Group to assess the proposed shade structure for Reyhana's when submitted for approval.
- Parklet Working Group to assess the proposed signage for Reyhana's.

Attachments

- 1 [↓](#). Parklet EOI Invitation and images
- 2 [↓](#). Example Parklet Concept Plan
- 3 [↓](#). Reyhana's Proposed Parklet Signage
- 4 [↓](#). Parklet Trial Chronology



PORT MACQUARIE-HASTINGS
COUNCIL

INVITATION TO SUBMIT EXPRESSION OF INTEREST PORT MACQUARIE TOWN CENTRE OUTDOOR DINING PARKLET TRIAL

Background

The Port Macquarie Town Centre Master Plan (TCMP) Sub-Committee endeavours to reinvigorate and activate the streets throughout the Town Centre. There is much demand for outdoor dining with limited space available within the existing verges.

Additional outdoor dining space within the Town Centre can be achieved with the installation of parklets. A parklet is the repurposing of part of the street roadway and/or parking bays into a pedestrianized space. Refer to the images overleaf for examples of outdoor dining parklets. The parklet trial is expected to provide a range of benefits including additional vibrancy & interest in the streetscape as well as delivering economic benefits to adjacent businesses.

Process

This is an open invitation for suitable businesses and/or property owners within the Port Macquarie Town Centre to submit a conceptual parklet scheme for review and selection by panel. Up to two separate parklet schemes will be selected for approval. This is a two year trial scheme, after which Council may select to extend or discontinue the parklets.

Wed 05	Sep 2018	Business operators and owners notified
Thu 13	Sep	Public drop in information session
Wed 03	Oct	Submission due (4 weeks following notification)
Wed 10	Oct	Notification of successful applications
Wed 05	Dec	Construction documents due (8 weeks following notification)
Fri 21	Dec	Approval of construction plans
Fri 22	Mar 2019	Latest construction completion & activation (12 weeks following approval)

Costs

Although Council will be available to assist in regards to advice and approvals, the construction and maintenance costs are to be funded by the operator and/or property owner.

Council outdoor dining space fees and rates for the parklet will apply.

Submission Brief and Documentation

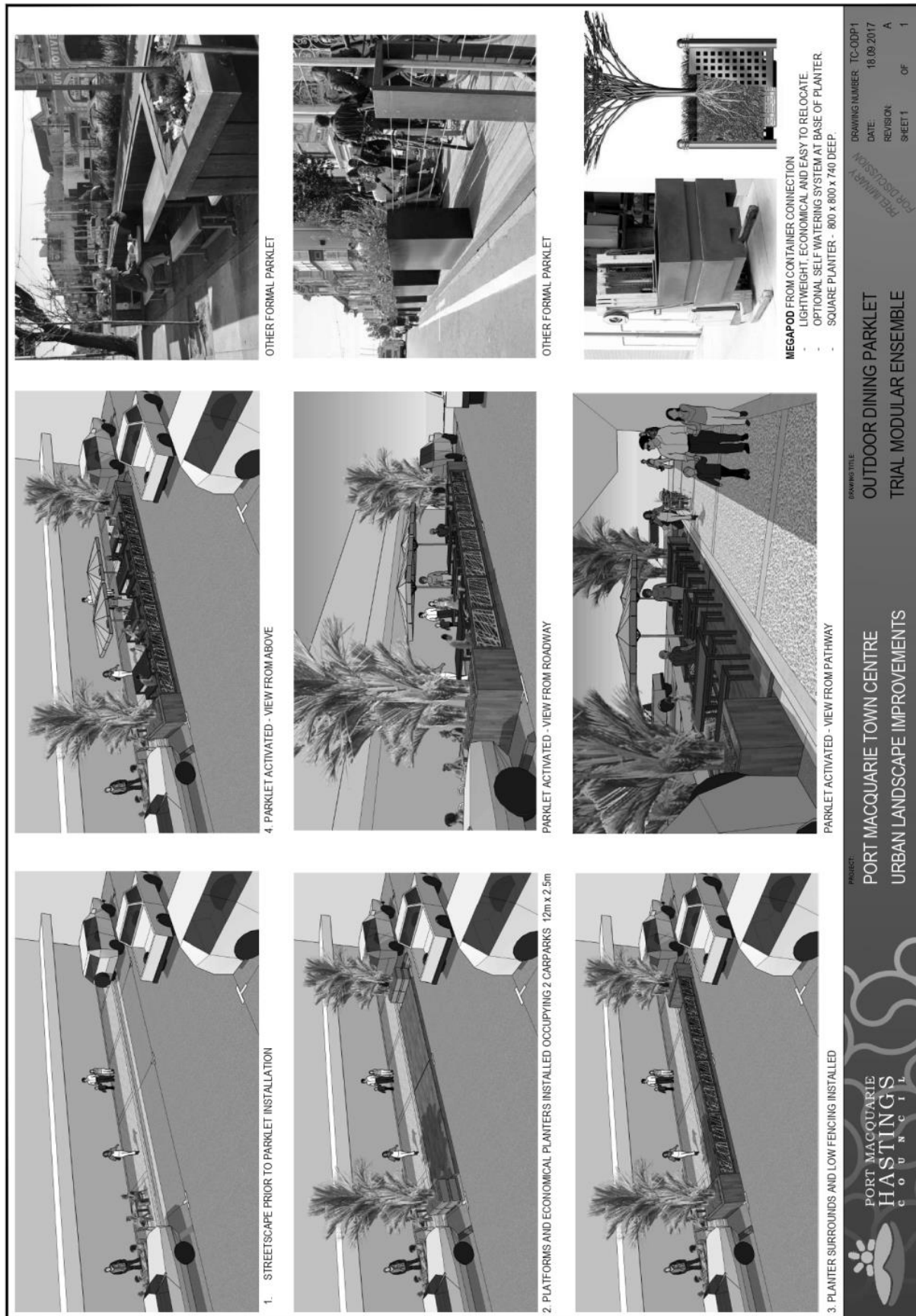
For further information and downloads visit pmhc.nsw.gov.au/parklet.

All enquiries are to be directed to Michael Nunez, Town Centre Coordinator / Landscape Architect on (02) 6581 8583.

A standard outdoor dining application will also be required from the selected operators.












Client	Reyhana
Job Description	Shopfront Signage
File	
Date	25th February 2020
Approval Notification	<p>This proof is an accurate representation of how your signage will look in real life. Please check all spelling, numbers, dimensions, quantities, colours & overall layout before accepting to ensure satisfaction of the final product.</p> <p>Your signature will be constituted as your approval of the information shown on this page as accurate and acceptable</p> <p>Do not scale this drawing. Verify all dimensions onsite before commencing any work. Copyright © of this drawing remains the property of Macquarie Signs & Tinting. Reproduction in whole or in part is forbidden.</p>
Client Approval:	<p>I've reviewed all artwork and hereby approve for production.</p> <p>Name</p> <p>Signed</p> <p>Date</p>

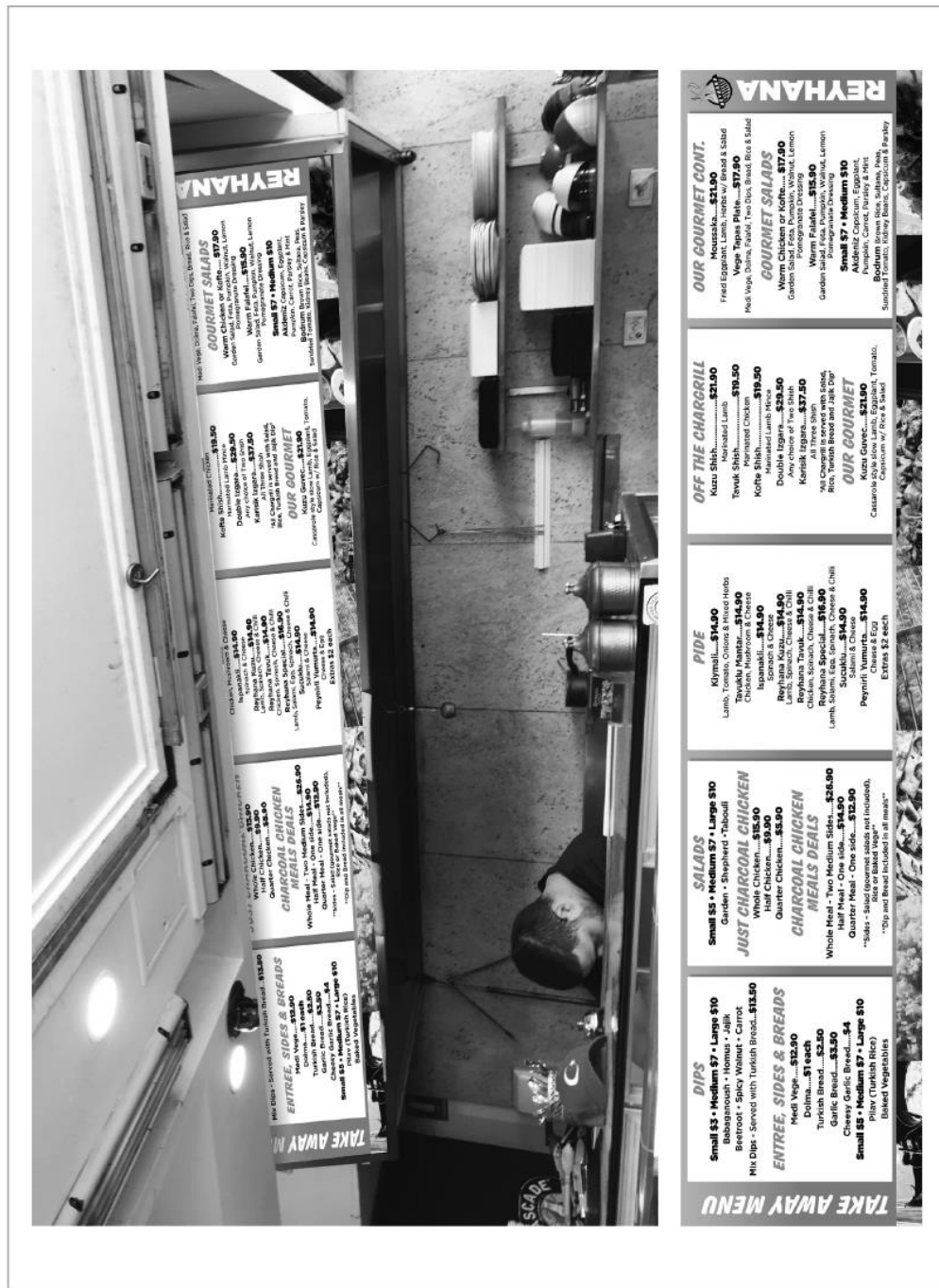


Client	Reyhana
Job Description	Shopfront Signage
File	
Date	25th February 2020
Approval Notification	<p>This proof is an accurate representation of how your signage will look in real life. Please check all spelling, numbers, dimensions, quantities, colours & overall layout before accepting to ensure satisfaction of the final product.</p> <p>Your signature will be constituted as your approval of the information shown on this page as accurate and acceptable</p> <p>Do not scale this drawing. Verify all dimensions onsite before commencing any work. Copyright © of this drawing remains the property of Macquarie Signs & Tinting. Reproduction in whole or in part is forbidden.</p>
Client Approval:	I've reviewed all artwork and hereby approve for production.
Name	
Signed	
Date	





Client	Reyhana
Job Description	Shopfront Signage
File	
Date	25th February 2020
Approval Notification	
<p>This proof is an accurate representation of how your signage will look in real life. Please check all spelling, numbers, dimensions, quantities, colours & overall layout before accepting to ensure satisfaction of the final product.</p> <p>Your signature will be constituted as your approval of the information shown on this page as accurate and acceptable</p> <p>Do not scale this drawing. Verify all dimensions onsite before commencing any work. Copyright © of this drawing remains the property of Macquarie Signs & Tinting. Reproduction in whole or in part is forbidden.</p>	
Client Approval:	I've reviewed all artwork and hereby approve for production.
Name	
Signed	
Date	

Parklet Trial Chronology

September 2017 - At the TCMP Sub-Committee meeting an Expression of Interest parklet model was endorsed. A maximum of 2 Parklets, each taking up a maximum of 2 car parks, was to be allowed within the Port Macquarie Town Centre for a trial period of 2 years.

April 2018 - The Model for Trailing Parklets Report to Council was completed.

May 2018 - A report proposing the trial of Parklets within Port Macquarie Town Centre was presented at the Ordinary Council Meeting and it was resolved that Council:

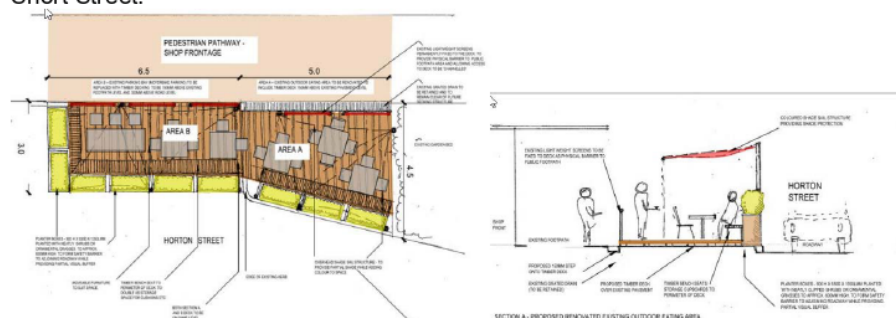
1. Note the information contained within the Trialling of Parklets in the Port Macquarie Town Centre Report.
2. Support the implementation of a trial for Parklets in the Port Macquarie Town Centre in accordance with the proposed model and processes as outlined in this report.
3. Adopt Funding Option 2 as outlined in this report requiring the Operator to fully fund Parklet construction, installation and maintenance.
4. Request the General Manager provide a future report to Council.

September 2018 - An invitation notice to submit an expression of interest was hand delivered to approximately 70 suitable eateries with street frontage. The notice included a link to the brief and application forms in the Council website. A drop in information session was held a week later which was attended by 4 interested eatery operators.

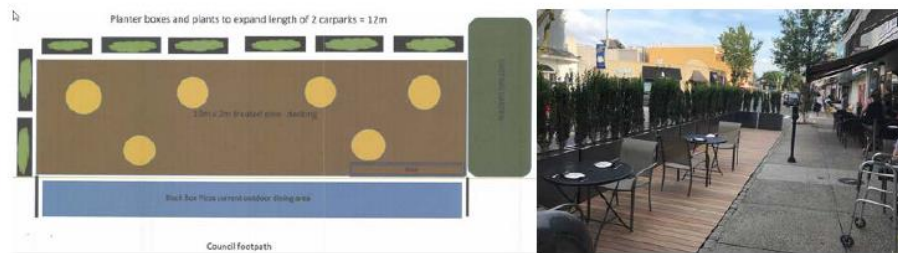
The programme as per brief included as part of the EOI was as follows:

Wed 05	Sep 2018	Business operators and owners notified
Thu 13	Sep	Q&A Drop in Session
Wed 03	Oct	Submission due date (4 weeks from notification)
Wed 10	Oct	Notification of successful applicants
Wed 05	Dec	Construction documentation due (8 weeks from notification)
Fri 21	Dec	Approval of construction documentation
Fri 22	Mar 2019	Latest date for construction completion and activation (3 months from approval)

October 2018 - Two submissions were received; Reyhanna's Turkish Restaurant near the Northern end of Horton Street and Black Box Pizza near the Northern end of Short Street.



Concept Drawings - Reyhanna's Turkish Restaurant (above)



Concept Drawings - Black Box Pizza (above)

November 2018 - The Parklets for both of these eateries were accepted by the evaluation team, which included 3 Council officers and one (non-Council) TCMP Subcommittee member. The two winning submissions were notified with only minor adjustments required to their concept submissions for the detailed design phase.

February 2019 - A preliminary detailed drawing set was submitted by an engineer for Reyhana's Turkish Restaurant. The evaluation team rejected these drawings as they resembled a building extension rather a parklet, as stipulated in the brief and portrayed in the approved concept drawings.



Blackbox Pizza was contacted several times requesting submission of the overdue construction drawings for approval. Council assisted with a list of suitable designers/builders as they were experiencing great difficulty in securing such services.

March 2019 - Letter issued to Black Box Pizza requesting confirmation of intent to progress and advising that their approval may be withdrawn. Black Box Pizza confirmed that they have decided not to progress with construction of the parklet.

June 2019 - Following several drawing issues for Reyhana's parklet requiring further adjustments to adhere to the brief, the drawings were deemed acceptable by the evaluation team to allow the engineer to proceed with an application undertake work/activity on or alongside a public roads (S138) to proceed. They had replaced the heavy roof structure with a series of umbrellas, instead of the light fabric shade structure depicted on the concept drawings.

July 2019 - A request to waiver or reduce the \$27,630 fee, including a \$20,000 bond was considered with only a reduction in bond to \$10,000 granted by Council. The construction drawings, application and fee were submitted for approval.

August 2019 - Council officers required further changes, to provide minimal setbacks for access to several service pits, to reduce damage to the existing pavements and the risk of blocking roadway drainage flows.

September 2019 - An application for an increase in outdoor dining space and additional furniture was submitted and approved.

October 2019 - S138 was finally formally granted, the client appointed a contractor and construction of the parklet commenced. Further adjustments to the surrounding walling were requested by the client and builder and granted by Council. Council relocated the adjacent motorcycle parking bay from where the parklet was to be positioned.

November 2019 - Parklet construction completed and approved by Council following further minor adjustments to the built structure and the parklet was finally activated, with the parklet proving to be very popular with customers, much more so than eating in the restaurant. It is assumed that the trial period would commence from this activation date, yet to be confirmed.



January 2020 - Reyhana's had repositioned tables from the parklet to the pedestrian thoroughfare during wet weather, under the building awning. Council informed them that this was outside their approved outdoor dining space and would not be allowed.

February 2020 - Reyhana's complained that the umbrellas were not providing adequate rain shelter and that they intend to submit a proposal for a light continuous shade structure across their parklet. Reyana's are also proposing to install signage as shown on the attached drawing. The intended signage is currently being assessed, including compliance with Council signage conditions.

Item: 09

Subject: TOWN SQUARE REPLACEMENT TREES

Presented by: Development and Environment, Melissa Watkins

RECOMMENDATION

That the Town Centre Master Plan Sub-Committee note the information contained in the Town Square Replacement Trees Report.

Discussion

At the January 2020 Town Centre Master Plan Sub-Committee meeting it was resolved to purchase six (6) Zelcova Serrata 'Green Vase' as replacements for the trees in Town Square which did not fully recover from 2019's extended period of hot high winds.

Two suppliers were identified to have stock available in a size similar to those in town square. Refer to below image of the selected tree stock, which is 4.5 - 5m in height and has good overall form.



Council's Arborist and the supplier have recommended that these trees remain at the tree farm until mid-April to be hardened off, and then transported to site and planted.

Tree planting works will include reconditioning of the site soil prior to planting.

As previously advised, purchase and installation costs associated with the trees are not being funded by TCMP.

Attachments

Nil