



PORT MACQUARIE-HASTINGS
COUNCIL



Town Centre Master Plan Sub-Committee

Business Paper

date of meeting: Thursday 27 August 2020

location: Via Skype

time: 8.00am

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

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.

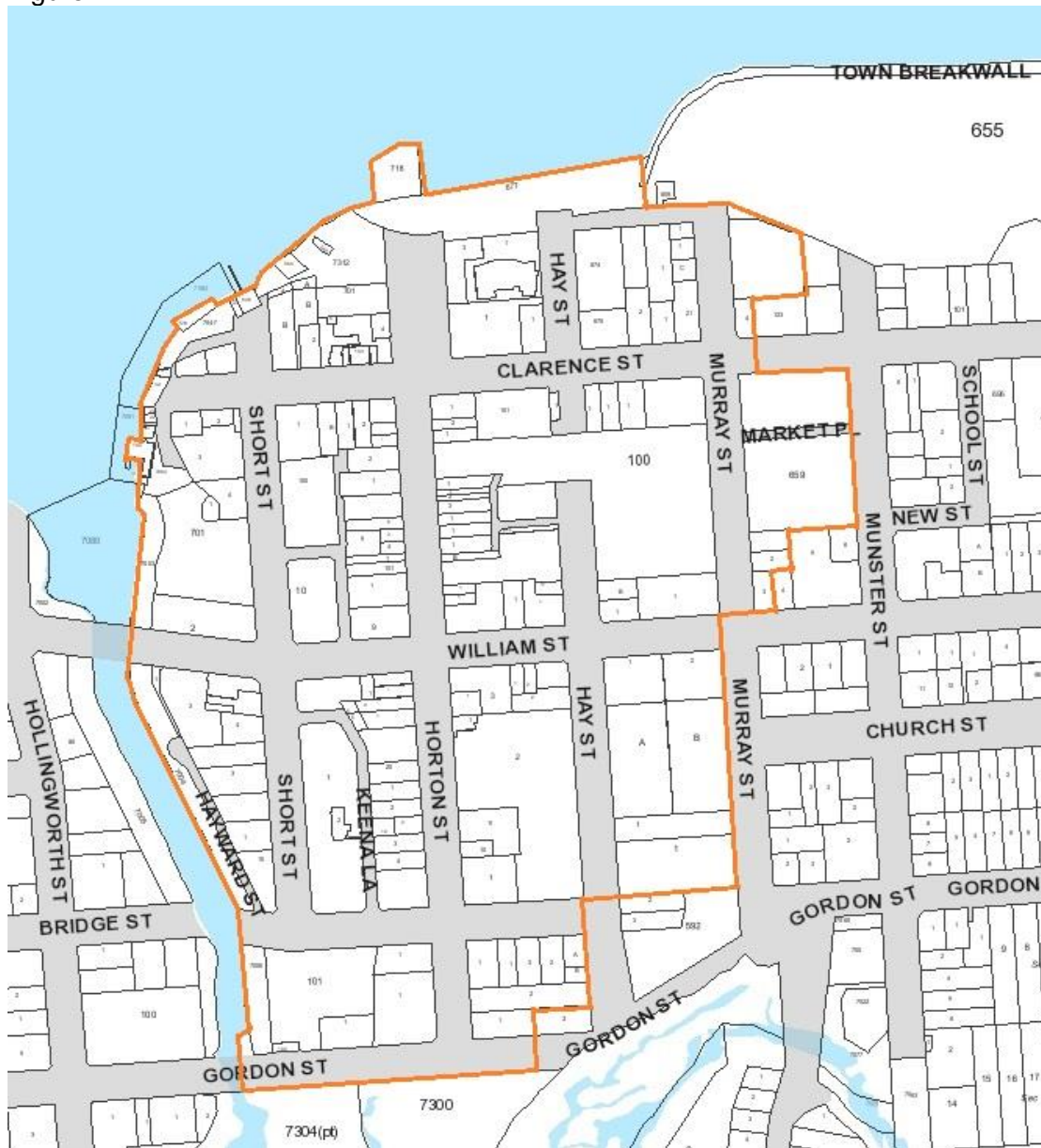
2.0 KEY FUNCTIONS

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 outstanding projects and upgrades identified in the Town Centre Master Plan Review adopted in 2014.
- Act as a communication conduit between Council and the CBD stakeholders in respect to the Town Centre Master Plan
- Present to Council an annual Works Program and Budget in December, to be considered 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

Generally, the Sub-Committee will work within the adopted TCMP boundary highlighted in Figure 1, however there will be projects which will extend beyond these boundaries from time to time, in meeting the implementation of the adopted Town Centre Master Plan.

Figure 1



3.0 MEMBERSHIP

3.1 Voting Members

- Councillor & Alternate (resolved by Council)
- Director Strategy and Growth
- Senior Landscape Architect- Council
- 2 CBD Commercial Property Owners
- 2 CBD Traders
- 1 Greater Port Macquarie Tourism representative
- 1 Port Macquarie Chamber of Commerce representative
- 3 Community members

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 Mayor's 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.

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 quorum must include a minimum of one (1) Councillor or one (1) Council Executive staff member being present. The quorum for the Steering Group will be met if half of the members plus one are present.

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.
- In the absence of the Chairperson and alternate Councillor, as the Sub-Committee's first item of business, the Sub-Committee shall elect one of its members to preside at the Meeting (elected chair must be a Council representative)

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 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	23/01/20	05/03/20	28/05/20	25/06/20	23/07/20
Councillor G Hawkins (Chair)	✓	✓	✓	✓	✓
Councillor L Dixon (Deputy Chair)	X	X	X	X	
Director Strategy & Growth (Jeffery Sharp)	✓	✓	✓	✓	-
Director Development & Environment (Melissa Watkins)	-	-	-	-	✓
Landscape Architect (Craig Luff)	✓	X	✓	✓	✓
CBD Landowner 2018-2019 (Jeff Gillespie)	✓	✓	✓	✓	✓
CBD Landowner 2018-2020 (Robert Sagolj)	A	✓	✓	✓	✓
CBD Trader with expertise 2016- 2018 (vacant)	-	-	-	-	-
Chamber of Commerce Representative 2018-2020 (Tony Thorne)	✓	✓	✓	✓	✓
Community Member 2018-2019 (Michelle Love)	A	✓	✓	✓	✓
Access Committee Representative 2018-2020 (Sharon Beard)	✓	✓	✓	A	✓
CBD Trader 2018-2020 (Geraldine Haigh)	A	✓	✓	✓	✓
Community Representative June 2018 - 2019 (John McGuigan)	✓	✓	✓	✓	✓

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
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26/11/2020	Function Room	8:00am

Town Centre Master Plan Sub-Committee Meeting

Thursday 27 August 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 July 2020 be confirmed.

PRESENT

Members:

Councillor Geoffrey Hawkins (Chair)
Director Development and Environment (Melissa Watkins)
Landscape Architect (Craig Luff)
Access Committee Representative (Sharon Beard)
CBD Landowner (Jeff Gillespie)
CBD Landowner (Robert Sagolj)
CBD Trader (Geraldine Haigh)
Chamber of Commerce Representative (Tony Thorne)
Community Member (Michelle Love)
Community Representative (John McGuigan)

Other Attendees:

Councillor Rob Turner
Group Manager Recreation Property and Buildings (Liam Bulley)
TCMP Project Manager / Co-ordinator (Michael Nunez)

The meeting opened at 8:00am.

01 ACKNOWLEDGEMENT OF COUNTRY

The Acknowledgement of Country was delivered.

02 APOLOGIES

Nil.

03 CONFIRMATION OF MINUTES

CONSENSUS:

That the Minutes of the Town Centre Master Plan Sub-Committee Meeting held on 25 June 2020 be confirmed.

04 DISCLOSURES OF INTEREST

There were no disclosures of interest presented.

05 BUSINESS ARISING FROM PREVIOUS MINUTES

The Business Arising Schedule was noted with the following additional information:

Item 08 - 28 May 2020: Historical Rating Comparisons and Business Rate Impacts: Technically, the *TCMP* rate is not a levy but has been absorbed into the business rate (this occurred about 20 years ago). It is noted that whilst the *TCMP* was originally levied separately as per the above, the rate was amalgamated into the Port Macquarie CBD business sub-category rate in May 1999. It was noted at that time that the amalgamation would not affect the yield of the rate to be devoted to the CBD works and indeed the relevant portion of the rate is transferred to the distinct *TCMP* reserve for use on CBD works.

The CBD rate (which contains the *TCMP*) in the current year is 2.35042 cents for every dollar of valuation. The *TCMP* component is 37.28% of the total CBD rate that is levied. There are currently 276 CBD assessments within this rating category.

Rates are reviewed annually by Council. In relation to Council's business rating categories, at the 17 June 2020 Ordinary Council Meeting, Council resolved to review all rating categories and their applicable base rates and ad valorem rates across the LGA during the 2020-2021 financial year, with proposed changes to be incorporated into 2021-2022 Operational Plan. This will include a review of the Port Macquarie CBD business sub-category rate.

CONSENSUS NOT REACHED: ROBERT SAGOLI VOTED AGAINST

06 RECOGNITION OF PREVIOUS MAYORS IN THE LGA

CONSENSUS:

1. That the Town Centre Master Plan Sub-Committee support the request to recognise former Mayor Mr Bob Woodlands in principle.
 2. That the Town Centre Master Plan Sub-Committee request further information be provided outlining what Council is undertaking in respect of a development of a framework and policy for the recognition people who have made a significant contribution to the Local Government Area.
-

**07 PORT MACQUARIE HISTORIC COURTHOUSE CURTILAGE - POLICE
CONSTABLES COTTAGE AND LOCKUP**

CONSENSUS:

That the Committee note the information contained within the report.

08 SPECIAL ENCLAVE PLACE ENTRY SIGN - CLARENCE PLACE

CONSENSUS:

1. That the Town Centre Master Plan Sub-Committee concur with the proposed funding source for the supply and installation of the Clarence Place entry sign.
 2. That the Town Centre Master Plan Sub-Committee approve the sign design as presented excluding the Council logo.
-

09 TOWN CENTRE FORESHORE PROJECT UPDATE

CONSENSUS:

That the Town Centre Master Plan Sub-Committee note the information contained in the Town Centre Foreshore Project Update Report.

10 GENERAL BUSINESS

Nil.

The meeting closed at 9:26am.

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:	08		28 May 2020
Subject:	Historical Rating Comparisons and Business Rate Impacts		
Action Required:	1. DSG to investigate possible methods of assisting Port Macquarie CBD property owners to have greater visibility (particularly via the rates notice) on understanding the contribution individual properties make annually to the TCMP levy and report to go to future meeting.		
Current Status:	Ongoing.		

Item:	06		23 July 2020
Subject:	Recognition of Previous Mayors in the LGA		
Action Required:	1. Further information to be provided outlining what Council is undertaking in respect of a framework and policy for the recognition of people who have made a significant contribution to the Local Government area.		
Current Status:	1. Acting Director Strategy Growth to provide a report to the 27 August 2020 meeting.		

Reports to Future Meetings		
Report	Due Date	Requested
Update on Accessible Parking Costs in the CBD	TBA	26 July 17

Item: 06

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

Presented by: Development and Environment, Melissa Watkins

RECOMMENDATION

That the Committee note the information contained within the report.

Discussion

As determined at the Town Centre Master Plan Sub-Committee (TCMP) meeting of 5 March 2020, this matter has been added as a standing agenda item.

There are no updates at this time. A verbal update will be provided at this meeting, following the meeting scheduled for 21 August 2020 with nominated members of the Town Centre Master Plan Sub-Committee, Cultural Steering Group and members of the Port Macquarie Historic Courthouse Curtilage.

Attachments

Nil

Item: 07

Subject: DRAFT PUBLIC ART GUIDELINES

Presented by: Strategy and Growth, Liesa Davies

RECOMMENDATION

That the Committee note the development of the draft Public Art Guidelines through the Cultural Steering Group.

Discussion

At the Cultural Steering Group Meeting on 5 August 2020, staff talked to the development of the Draft Public Art Guidelines which have been informed through research from other Councils around Australia and by our own Public Art Policy.

The draft document is now available for TCMP members to view for their information and discussion.

Attachments

- 1. [!\[\]\(0f13e74bece43321be4542883500ac30_img.jpg\) Draft Public Art Guidelines - 2020 07 28](#)
- 2. [!\[\]\(096ca4c8372bb23497150f03b2c177db_img.jpg\) Policy - Public Art - Adopted 2020 03 19](#)

Public Art Policy Guidelines

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Working with Indigenous Communities and Artists

Section 3

Management and Maintenance

Relocation of Public Art

Decommissioning of Public Art

Disposal of Public Artworks

Section 1

Introduction

Art enhances our quality of life. Port Macquarie-Hastings Council (PMHC) believes access to and participation in the arts is vital to a productive, healthy and creative community.

Public art plays a vital role in reflecting our community's values and experiences; telling stories and connecting us to our place. Public art can be thought provoking, challenging our perceptions. Public art can help us to look differently at the everyday.

Purpose

The purpose of the Port Macquarie-Hastings Council Public Art Policy Guidelines is to provide Council and the community with a framework for the commissioning, acquisition, donation, management, maintenance and assessment that reflect best practice in public arts. The Guidelines sit adjacent to Councils Public Art Policy (adopted by Council in March 2020) - and together their development forms a key actions of the Cultural Plan 2018-2021.

Scope

These guidelines apply to any public art installation (current and prospective) in the PMHC local government area and to:

- All Council employees
- Advisory/committee members
- Councillors
- Businesses
- Residents
- Community groups and organisations
- Community members?

The Public Art Guidelines are guided by the principles of the Public Art Policy that enable Council to deliver on the strategic objectives of the Cultural Plan to *Enrich our community through experiences that embrace and celebrate our diverse and unique art and culture.*

Artworks within the scope of the Public Art Guidelines are:

- PMHC public art assets on public land;
- Memorials with an artistic element;
- Temporary and community public art.

The following are outside the scope of these guidelines:

- Memorials that do not have an artistic element (e.g. plaques, roadside memorials).
- Fountains that do not have an artistic element.
- Architectural features incorporated as part of a larger building or landscape project or architectural ornamentation (e.g. railings, light fixtures, tiles).
- Relocatable artworks displayed inside Council buildings and facilities, referred to as PMHC Art Collection.
- Public art owned by another Australian Government agency/non-government agency such as ANZAC memorials, or commissioned for commercial or privately owned land.

Section 2

This section outlines guidelines for the commissioning, acquisition, donation and management and maintenance of public art in the Port Macquarie-Hastings local government area.

Commissioning Public Art

An artwork specially commissioned for a specific public site. The artwork is generally inspired by and responds to the spatial, cultural and historical context of the site.

Commissioning Process

Prepare an Artist's Brief

An Artist's Brief should outline the scope of the project; provide background and/or contextual information and a summary of the budget, lifespan and conditions of the commission. The Brief should highlight the particular constraints associated with locating artwork externally, such as the need to use robust materials that can withstand exposure to weather and vandalism, minimise ongoing maintenance as well as address public safety concerns. The document should also include project selection criteria and timeframes.

The Artist's Brief should not be too prescriptive, and give artists the opportunity to express their creativity and respond to the site.

Appoint a selection panel

A selection panel should be appointed if a number of artists are asked to respond to the Artist's Brief.

The selection panel should include a Council representative from the business unit responsible for the commission and consist of members with appropriate professional knowledge and experience to judge the artistic, aesthetic and practical qualities of artists' proposals. Cultural Development staff may be able to assist as part of the selection panel and if requested, can provide recommendations for suitable panel members.

The panel should be available to provide additional professional input as required throughout the commission's development.

Determine and undertake procurement

Procurement of public art can occur through open competition, limited tender, direct commission, donation or other.

A two-stage tender process may be appropriate for large-scale commissions. This involves an open public call for expressions of interest from artists followed by a short-listing of applicants. In a two-stage tender process, short-listed artists are required to develop their initial concept design and costing and to present their work to the selection panel during an interview. Where possible, Council supports the remuneration of short-listed artists as payment for concept design development.

Determine and obtain relevant approvals

Certain public art proposals may be exempt from the need for development approval. However, other proposals may require development or works approval and/or building approvals. Councils Development Assessment Group should be contacted to assess and determine whether a Development Application is necessary.

Structural certification from an appropriately qualified engineer may also be necessary in addition to development or works approval, and or, building approval. Other specialist input may be required from electrical engineers and access consultants.

Consultation with utility providers is recommended to ensure that the site location does not conflict with established utility infrastructure or associated access spaces. The services of a specialist underground utility locator may also be required. Visit the 'Dial before You Dig' website (www.1100.com.au) for more information.

Develop contract documents and engage the artist

The artist's contract documents should clearly state the conditions of the commission including insurance responsibilities, copyright and reproduction arrangements, budget guidelines including a schedule of remuneration, decommissioning and relocation guidelines, ownership of maquettes, and other conditions as required.

Where required, a Risk Management Plan should also be completed to identify risks associated with the artwork proposal and to document their management.

Unlike typical construction contracts, artists may require payment upfront for materials purchase followed by payments on milestones achieved. It is important that commissioning agents are mindful that most artists only occasionally take on complex commissions and may not have access to the business support structures possessed by other design and construction professionals.

The contract requirements should ensure that the artist(s), the project leader and the selection panel are in regular dialogue throughout the work's development. A visit to the artist's studio is recommended part way through artwork fabrication.

A contract template 'Commissioning Agreement for Public Artworks' from the Arts Law Centre of Australia is available for use. The broad content of the template allows for the development of a customised contract for every commission. The template outlines detailed processes required for development through a commissioning process, providing transparency, communication and protection for all parties.

Fabrication of the artwork

The fabrication of the artwork, including all costs, is the responsibility of the artist. These costs should be budgeted for in all proposals and contract documentation.

The artist will:

- provide design advice on the preferred approach to installation of the artwork, including materials and layout;
- provide design documentation for fabrication including specifications, plans, elevations, construction details and fabrication notes as required;
- provide a fabrication progress report including photographs;
- provide a final design report including an artist's statement describing the proposed works;
- arrange certification of the artwork components by an appropriately qualified Australian certified professional engineer, such as a Certificate of Structural Sufficiency;
- fabricate, insure and freight the artwork to the designated site;
- insure and provide storage prior to installation if required.

A visit to the artist's studio is recommended part way through artwork fabrication. Council may refuse to accept the artwork should it not appear on delivery, as described in the approved submission.

Installation of the artwork

The site locations of public art on Port Macquarie-Hastings land will be determined by the Council with consideration of advice from the artist on the preferred presentation of the artwork. The site may already be identified and relevant information provided in the Artist's Brief.

Artworks to be placed in urban open space require consultation with and approval from appropriate Council department heads in the early stage of the project. Artworks to be installed near roadways may need approval from Transport for NSW.

In order to seek and receive approval, considerable time must be allowed to thoroughly investigate all regulatory services and agreements. This may extend to pedestrian studies and roadside surveys.

Artist contracts should clearly outline the artist's responsibility for transportation of an artwork to the installation site and for ensuring secure storage if site readiness occurs later than delivery, as well as insurance prior to acceptance of the artwork on site. The artist's responsibility for the cost of artwork installation should also be included in the artist's contract, as appropriate.

The lighting of each public artwork will be considered on a case-by-case basis.

Artists should be credited on an artwork plaque located in a highly visible location adjacent to the artwork. A launch event may be organised by Council at its discretion.

Acquisition of Public Art

The purchase of a pre-existing artwork. Any artwork on consideration must be evaluated using the Public Art Assessment Criteria.

In addition, ensure the following information should also be requested:

- a description of the conceptual basis of the artwork (artist's statement);
- artist's curriculum vitae including exhibition history (if applicable);
- advice on the preferred approach to the installation of the artwork including materials, layout and lighting; and
- certification of the artwork components by an appropriately qualified Australian certified professional engineer (e.g. Certificate of Structural Sufficiency).

Donations of Public Art

From time to time, artists and members of the community offer to donate artworks to the Council, many with the expectation that the works will be cared for and suitably displayed in the public domain/Council premises. The Cultural Steering Group (CSG) or a specially appointed Selection Panel will assess offers of donations on a case-by-case basis. Based on the Public Art Guidelines and Assessment Criteria the reference group will make a recommendation to Council regarding acceptance or rejection of the artwork.

The Council will only accept artwork created by professional artists, or a professional working as part of a multidisciplinary team.

Public Art Assessment Criteria

The Public Art Assessment Criteria ('criteria') is utilised to achieve consistency across Council's public art program. The criteria assists Council evaluate projects and proposals in a transparent and equitable manner.

Public art projects will be assessed using the following criteria.

- 1. Public Art Policy**
How does the artwork meet the objectives of the Public Art Policy?
- 2. Planning Alignment**
How does the artwork align with Council's planning?
- 3. Artistic Merit, Integrity and Engagement**
The proposed artwork must demonstrate high quality, innovative work with high artistic merit, design and fabrication integrity and be relevant and appropriate to the local community in which it is situated.
- 4. Place and Site**
Offers relevance, appropriateness and responsiveness to the proposed place and site. Spatiality compatible whilst enhancing the viewer's understanding/experience and context of the site.
- 5. Design Life - Context Compliance, Access and Viability**
The artwork's design allows for a safe, successful and viable outcome that is sound and durable, requires little or no maintenance, and will have a substantive lifespan.

Memorials with an Artistic Element

Memorials differ from public art because the main intent of the object is to commemorate either a person or an event. The commissioning of a memorial needs to be dealt with sensitively and will involve consultation with stakeholders and the community.

Please note the following:

- Council specifies that there are to be no memorials to private individuals or animals on PMHC public land (with the exception of seats approved under Council's Memorial Benches Policy);
- Plaques should not carry the text 'in memoriam' or similar.

Temporary and Community Art

Temporary art refers to public artworks designed and created for a short life span. The duration of a temporary public artwork may be as brief as minutes, hours or days or as long as weeks or months.

For the purpose of the Port Macquarie-Hastings Public Art Guidelines, this means:

- artworks intended to have a lifespan of less than one year including but not restricted to performance, ephemeral and time-based sculptural installations, temporary installations of durable artworks, light art, sound art, video projections, poster art, broadcast art and other media arts, flash mobbing and/or moveable artworks; and

- community art refers to public artwork of community significance that involve the active participation of community members in its design or creation, often facilitated by an artist or a community arts worker. Community art may be temporary, semi-permanent or permanent.

Council encourages ephemeral and temporary and community art in public places that considers the following:

- Does the artwork comply with public safety requirements?
- Does the artwork raise security issues in accordance with crime prevention objectives?
- Does the artwork contain content that may offend?

Community initiated public art projects

Community initiated refers to any proposal by an individual, community group or other external party to create and or fund a piece of public art. Community initiated public art projects do not automatically become assets for which Council is responsible.

All proposals will be added to Council's Public Art/Commemorative Register to allow Council to record, access and prioritise submissions.

Based on the Public Art Guidelines and Assessment Criteria, proposals will be reviewed by members of Councils Cultural Steering Group (CSG) who will make a recommendation to Council regarding acceptance or rejection of the proposal. The proposal should include details of the project's design, timeframes and project management and outline the artist's/applicant's ability to complete the project to a high standard.

Each proposal will require a tailored agreement that outlines the roles and responsibilities of Council and the applicant.

Working with Aboriginal communities and artists

Observing appropriate protocols when working with Aboriginal and Torres Strait Islander peoples and communities is critical to establishing positive and respectful relationships.

It is common practice (and Council encourages) Aboriginal artists to seek approval from the appropriate community for public art-based projects in any particular 'country' within Australia. If the artwork relates to Aboriginal cultures or sites, the proposed work must be assessed by the relevant communities (or their nominated representatives) as to its appropriateness for ownership by the Port Macquarie-Hastings Council. Similarly, for public art instigated by Council, engagement with traditional owners and local Aboriginal community will occur early in the process to ensure art appropriately interprets, reflects and communicates traditional owners or Aboriginal history and stories.

Section 3

Management and Maintenance

It is recognised that Council is obliged to maintain our public assets, including public artworks. Any ongoing management, maintenance and repair of Council owned public artworks becomes the responsibility of Council. All public artworks will be identified on Council's Asset Register with each listing to include all maintenance

requirements and considerations for decommissioning. Where possible, consultation will occur with the artist prior to any restoration/repair work being carried out.

Development of, and funding for, a monitoring and assessment schedule for the public art collection will ensure works are conserved and maintained in a sustainable way for the long-term future. Council will consider a funding allocation in the annual budget process.

Relocation and Decommissioning of Public Art

Circumstances sometimes arise where redevelopment of a site or changed uses require a public artwork to be relocated or decommissioned.

Being outdoors exposed to all weathers, public art is subject to daily wear and tear, as well as being vulnerable to vandalism. Consequently, public artworks can begin to look tired, out of context or lose meaning or relevance for a site.

If it is deemed necessary to relocate or decommission an artwork, Council must consult with the artist before preparing a report addressing insurance, risk assessment, valuation, engineering and legal. If, after making reasonable enquiries the Council cannot identify or locate the artist (or the artist's representative), then the Council

Some reasons to relocate or decommission an artwork include:

- The physical condition of the work is no longer of an acceptable quality
- It possesses faults of construction or materials, that are un-repairable
- It requires excessive or unreasonable ongoing maintenance
- It is damaged irreparably, or to an extent where the repair is unreasonable or impractical
- A suitable place for display no longer exists
- It represents an unacceptable risk to public safety due to deterioration
- A written request from the artist(s) has been received, that seeks removal of the work, return of the work to the artist, or for extensive repair of the work
- Changes to the environment impact on the integrity of the work, affecting the artist's original intent or moral rights.

Disposal of Artworks

Under the provisions of the Copyright (Moral Rights) Amendment Act 2000, Council has a number of legal obligations to the artist when decommissioning a public artwork. Disposal of public art must be done with the knowledge and in consultation with the artist, where possible. If, after making reasonable enquiries the Council cannot identify or locate the artist (or the artist's representative), then the Council may dispose of the public artwork as it sees fit. All decisions and actions should be fully documented.

Council may consider selling the artwork. A sale price would be based on an independent valuation with the artist having first opportunity to purchase, then to other institutions or the public, or at an auction.

Funds from any decommissioned public artwork should be reused for new/ or upgraded public art within the region. Objects that are destroyed should be disposed of in a responsible manner.

DRAFT



Authorised by: Council
Authorised date: 18/03/2020
Effective date: 19/03/2020
Next review date: 2024
File Number: D2020/063319

Council Policy PUBLIC ART POLICY

1. INTRODUCTION

Port Macquarie-Hastings Council recognises that vibrant public art and dynamic local creative industries are intrinsic to Council's cultural vision for the region. Public art plays an important role in creating connected, effective and empowered communities. Council is committed to integrating high quality public art into infrastructure and urban design projects and to enabling communities across the Local Government Area to express their character and identity through public art. This policy is supported by Council's Public Art Guidelines and Master Plan.

2. POLICY STATEMENT AND SCOPE

Public art in the Port Macquarie-Hastings is integral to our region's cultural brand and central to our sense of place. We want our growing collection to be celebrated locally and recognised nationally.

Public art delivers a unique sense of place and time and enhances tourism opportunities for the region. Exciting, dynamic and vibrant artworks help enrich our public places with historical and community significance, and foster a special sense of belonging. Identifying and creating contemporary public art narratives (Indigenous and non-Indigenous) shares community stories with residents and visitors.

Council will ensure that public artworks are relevant, meaningful and physically appropriate to local communities. Building the capacity of our local arts industry and enabling local communities to undertake artistic projects enhances local creative industries. The Public Art Policy details the framework of program parameters, decision-making, funding, procurement and, management for public art throughout the Port Macquarie-Hastings region.

When planning new public art, Council is committed to collaboration and consultation with the community, professional artists, architects, landscape designers, planners and developers, and other professionals.

2.1 Objectives

This Policy aims to:

- ☐ Enhance the Port Macquarie-Hastings Council's 'Cultural Brand' with high quality public art that contributes to its recognition as a cultural leader.
- ☐ Provide clarity regarding the acquisition and management of public art for Council, developers, artists, project partners and the broader community.
- ☐ Develop artistically innovative and environmentally sustainable well-maintained public art.
- ☐ Recognise and promote the region's local culture and character (including the indigenous cultural history and traditions and European heritage and contemporary culture) and natural and environmental assets, to enhance a distinctive sense of place.
- ☐ Encourage local artists and creative industry participation in public art projects.
- ☐ Encourage partnerships and collaborations with other agencies, governments, the private sector and our community to extend existing resources to create a significant public art collection.

2.2 The Nature of Public Art

Council will support a diverse range of public artworks that are most suited to the nominated site, and shaped by the following themes:

- ☐ Our Environment - engaging with and showcasing the diversity of our natural environment and the unique features of this land.
- ☐ Our Community - the histories and stories of Indigenous and non-Indigenous peoples.
- ☐ Our History and Heritage - our rich and diverse history and these journeys in time and landscapes.
- ☐ Our Seasons and Culture - recognising agriculture, tourism, and a thriving cultural and festival economy.

Public artwork may include, but is not limited to the following types:

- ☐ Decorative;
- ☐ Iconic;
- ☐ Integrated/functional;
- ☐ Site specific;
- ☐ Interpretive;
- ☐ Commemorative; and
- ☐ Temporary.

Public artworks will be considered in the following type of projects in accordance with Council's Public Art Masterplan:

- ☐ Council infrastructure projects and digital corridors;
- ☐ Gateways and thresholds (transport nodes) - arterial corridors / cycleways and walkways;
- ☐ Streetscape projects - laneways and community spaces / leisure and entertainment precincts;

Green spaces – eg. open space, play space; nature reserves and pathways;

- ☐ Festivals, events and celebrations;
- ☐ Private developer projects; and
- ☐ Community and artist led projects.

2.3 Funding

The Public Art Program will be funded via a range of opportunities, including:

- ☐ Council Investment - specific allocations considered via the annual budget process and as a component of key capital projects (to be defined);
- ☐ Private development - as outlined in the Port Macquarie-Hastings Development Control Plan or Voluntary Planning Agreements;
- ☐ Grants and Philanthropy;
- ☐ Community or business-led initiatives or collaborations.

2.4 Procurement of Public Art

Public Art will be procured via a range of methods, and in accordance with the processes identified in Council's Public Art Guidelines. These include:

- ☐ Council commissioning via open competition, limited tender and direct commission. These commissions will be subject to consistent public art assessment criteria.
- ☐ Donations by artists and members of the community, on the basis that they are professional artworks and meet the donations guidelines;
- ☐ Community initiated and Social Engagement Public Art Projects, that is, where an individual, community group or other external party create and or fund a piece of public art.

Each procurement will be assessed against Council's Public Art Assessment Criteria. Council's Public Art guidelines will detail the appropriate assessment body, which may include Council staff, the Cultural Steering Group and/or Council's Professional Reference Group.

The key criteria include:

1. Public Art Policy and Planning Alignment;
2. Artistic Merit, Integrity and Engagement;
3. Place and Site;

4. Design Life - Context Compliance, Access and Viability.

2.5 Managing and Maintaining Public Art

All procured artwork will be added to Council's asset register and detail a description of the artwork, maintenance/restoration requirements and considerations for decommissioning. Where circumstances change and an artwork is rendered inappropriate or requires relocation, Council will consult with the artist and consider requirements regarding insurance, risk assessment, valuation, engineering and legal, before making a decision on the future management/location of the artwork.

3. RESPONSIBILITIES AND AUTHORITIES

- Group Manager Economic & Cultural Development: will oversee the implementation, compliance with and review of this policy.
- Cultural Steering Group: will act as a reference Group to support assessment of proposed new artworks in accordance with the Public Art Guidelines.
- Professional Reference Group: a panel of highly qualified arts and cultural practitioners and urban development professionals, to be convened as required, to provide advice on and assess proposed new artworks (particularly those being undertaken by private developers), in accordance with the Public Art Guidelines.

4. REFERENCES

The Port Macquarie-Hastings Public Art Policy and Plan (2019–2024) draws upon the following Council documents, in respect of both governance and vision for public art in the Port Macquarie-Hastings region:

- Port Macquarie-Hastings Council Cultural Plan (2018-2021)
- Port Macquarie-Hastings Development Control Plan 2013
- Greater Port Macquarie Destination Management Plan
- Aboriginal Awareness and Understanding Strategy (2013–2017)
- Port Macquarie-Hastings Council Towards 2030 Community Strategic Plan
- Economic Development Strategy 2017-2021.

5. DEFINITIONS

- Public art: art in any visual media that is planned and executed to be seen in the public domain, usually outside the traditional gallery/museum system and accessible to all. Public art can adopt a wide range of art forms and can be permanent, temporary or movable, or installations such as street banners, performance-based work, or lighting and multi-media installations utilising photographic, digital or illuminated imagery.
- Public Art Guidelines: provide further detail to assist with decisions around the acquisition, management and disposal of public art.
- Public Art Masterplan: outlines a five-year plan for Council's Public Art including strategic placement opportunities for public art across the local government area.
- Group Manager: 3rd tier management position and titled assuch;
- Council officer: A member of Council staff.

6. PROCESS OWNER

The Group Manager Economic & Cultural Development is responsible for the Public Art Guidelines that provide more detail on the processes supporting this policy.

7. AMENDMENTS

N/A.

Item: 08

Subject: PUBLIC ART DONATIONS - PORT MACQUARIE FISHERMANS WHARF

Presented by: Strategy and Growth, Liesa Davies

RECOMMENDATION

That the Town Centre Master Plan Sub-committee note:

- 1. The donation of a sculpture created by Roberto Giordani to Port Macquarie-Hastings Council.**
- 2. That plans are in place for inclusion of the sculpture as part of the new Fisherman's Wharf.**
- 3. That Council has been approached regarding a second sculpture donation, also proposed for the Port Macquarie foreshore.**

Discussion

At the Cultural Steering Group Meeting held on 5 August 2020, staff shared background information on the donation of a shark sculpture to Council and the proposed installation of the sculpture in the new Fisherman's Wharf development. The Group also discussed a second public art sculpture that has been presented to Council as a donation, with a location for its placement along the foreshore yet to be confirmed.

In early 2019, the Artists Blacksmiths Association of NSW exhibited a range of works at the Glasshouse in an exhibition titled 'Discovery FE26'. The exhibition was a success, receiving high visitation and overwhelmingly positive feedback. It included a satellite sculpture created by Roberto Giordani in 2018 as part of a masterclass programme at Everleigh Works, Redfern Sydney. The sculpture has since been offered and accepted as a donation by Matt Everleigh to Council.

Roberto Giordani is an internationally recognised artist, designer and teacher with thirty years' experience. He founded the international Academy Arts Factory, producing artworks for public and private clients. His artwork is on display in several cities in Italy and around the world.

Previous consultation and discussion with the TCMP and Crown Lands delivering beautification works along the Port Macquarie foreshore identified a site for inclusion of this sculpture - at the western end of the new Fisherman's Wharf, currently under construction by NSW Crown Lands (refer illustrations overleaf).

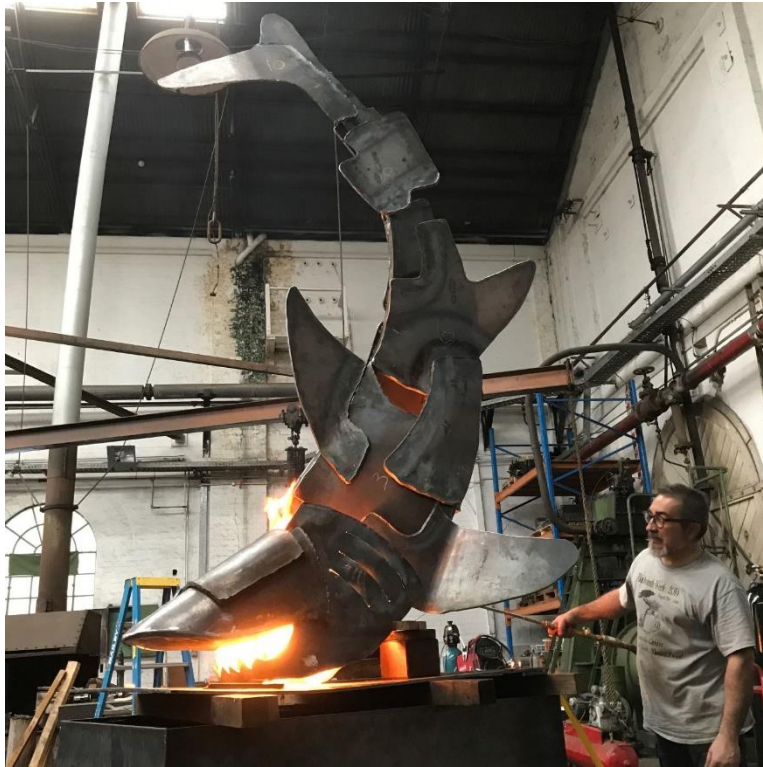
Contact has been made with the artist to discuss proposed installation including any necessary considerations this presents. Formal documentation including a Deed of Gift and a maintenance manual will be exchanged prior to installation.

Further, during the 'Discovery FE26' exhibition, the Artist Blacksmith Association provided a public demonstration that produced a sculpture that has also been offered and accepted as a donation to PMHC for display along the region's coastline. The

sculpture is a whimsical representation of a ball of seagulls squabbling over chips. Consideration is being given to an appropriate location on the foreshore.

It should be noted that the donation of these sculptures was a historical agreement made prior to the development of the Public Art Policy and the Draft Public Art Guidelines. Any subsequent offers of public artwork to Council would be considered in line with the Public Art Guidelines and Assessment Criteria





Attachments

1 [!\[\]\(99f58673407353e96a019fbca558fd72_img.jpg\)](#) [!\[\]\(2113e5cba4d11862fa536c379e9b61cd_img.jpg\)](#) TCMP Fishermans Wharf Upgrade Plan



Item: 09

Subject: RECOGNITION OF PREVIOUS MAYORS IN THE LGA

Presented by: Strategy and Growth, Liesa Davies

RECOMMENDATION

That the Town Centre Master Plan Sub-Committee:

1. Note current Council Policy does not allow the recognition of individuals, excepting in exceptional circumstances as determined only by a formal resolution of Council.
2. Note that during 2020/21 staff will develop local interpretation guidelines to support a more consistent and measured approach to new interpretation assets (such as signage, sculpture or digital interpretation) across the region.
3. Note the intent of the guidelines is to enable interpretation of site-specific stories to be told, rather than recognise individuals.
4. Agree former Mayor Bob Woodlands be recognised via a commemorative bench plaque at an appropriate location.

Discussion

At the 23 July Town Centre Masterplan meeting, it was resolved:

CONSENSUS:

1. *That the Town Centre Master Plan Sub-Committee support the request to recognise former Mayor Mr Bob Woodlands in principle.*
2. *That the Town Centre Master Plan Sub-Committee request further information be provided outlining what Council is undertaking in respect of a development of a framework and policy for the recognition people who have made a significant contribution to the Local Government Area.*

Council currently has a number of Policies that are relevant to consideration of naming/recognition, specifically:

- Naming and Renaming of Road Policy (2017)
- Naming and Renaming of Reserves Policy (2017) and
- Public Art Policy and Guidelines (2020)

Under these policies, both Road and Reserve names must be drawn from the following sources, either:

- Aboriginal names associated with the locality;
- Local history themes, flora, fauna, ships etc.;
- Names reflecting NSW multicultural heritage.

The use of names of people (living and deceased) are excluded as a source of both road and reserve names. Notwithstanding this, in exceptional circumstances as determined only by formal resolution of Council, the names of deceased persons, e.g. early settlers, war servicemen and women and other persons who have contributed significantly to the heritage of the area, may be used having regard to the Principles and Guidelines published by the Geographical Names Board.

The nature of Public Art supported under our Public Art Policy is assessed against a number of key criteria and according to the following themes:

- Our Environment - engaging with and showcasing the diversity of our natural environment and the unique features of this land.
- Our Community - the histories and stories of Indigenous and non-Indigenous peoples.
- Our History and Heritage - our rich and diverse history and these journeys in time and landscapes.
- Our Seasons and Culture - recognising agriculture, tourism, and a thriving cultural and festival economy.

Public artwork may include 'commemorative' work, and our draft Public Art Guidelines do provide scope for 'memorials' with an artistic element. That said, however, memorials are not supported for private *individuals* or animals on PMHC public land. The exception to this are the plaques approved and installed under Council's Commemorative Seat Guidelines.

During the current financial year, Cultural Development staff (working with specialists in this field) will be working to develop local interpretation guidelines to support a more consistent and measured approach to new interpretation assets (such as signage, sculpture or digital interpretation) across the region. The focus of this work will be to support interpretation of stories appropriate to specific sites, rather than recognise individuals.

As such, it is recommended that the most appropriate way in which to recognise former Mayor Bob Woodlands is via a Commemorative Bench plaque in an appropriate location.

Attachments

Nil

Item: 10

Subject: TOWN CENTRE FORESHORE PROJECTS UPDATE

Presented by: Development and Environment, Melissa Watkins

RECOMMENDATION

That the Town Centre Master Plan Sub-Committee note the information contained in the Town Centre Foreshore Project Update Report.

Discussion

1. TOWN GREEN WEST

- **Environmental approvals** - Received 31 July 2020 permitting construction to proceed
- **Construction commencement** - 3 August 2020
- **Target completion** - 31 January 2021
- **Progress for the month** - Temporary pedestrian detour path construction, demolition, tree removal and service identification
- **1 month 'lookahead'** - Rock wall widening and pathway foundations
- **Playground** - Project planning has commenced



2. FORESHORE WALKWAY - GENERAL (Town Green West Link, Town Wharf, Fisherman's Wharf, William Street Underpass, Kooloonbung Creek Stage 2; Underpass; Fishermen's Wharf, Westport Park Link Path, Town Green West Link).

- **Drawings** - Complete
- **Environmental approvals / Crown Licence** - Target to engage Consultant by early September 2020

3. GORDON STREET UNDERPASS

- **Design Development Drawings** - Complete
- **Environmental approvals** - EIS commenced, target completion early October

- 4. FISHERMEN'S WHARF

- **Construction** - Target completion now post-Christmas 2020
- **Landscape works** - No funding will be allocated by Maritime Infrastructure Delivery Office (MIDO) with the exception of the emergency access driveway from end of unloading wharf through to existing carpark. Contractor will make good any damages resultant from the works.
- **Fish cleaning table** - Installation of fish cleaning table (by Council) cannot commence until completion of the wharf construction. Council is in discussion with MIDO to enable a small overhanging fish cleaning table to be installed by each of the fishing charter operators on the wharf near their boats at Town Wharf.

-

It is recommended that the information provided in this report regarding progress of the various components the Town Centre Foreshore Project be noted.

Attachments

Nil

Item: 11

Subject: RESIGNATION OF MEMBER - SHARON BEARD

Presented by: Development and Environment, Melissa Watkins

RECOMMENDATION

That the Town Centre Master Plan Sub-Committee:

- 1. Note the resignation of committee member Sharon Beard.**
- 2. Formally thank Sharon Beard for her commitment and contribution to the Town Centre Master Plan Sub-Committee.**

Discussion

The Acting General Manager, Jeffery Sharp has received correspondence from Sharon Beard, tendering her resignation from the Town Centre Master Plan Sub-Committee due to personal commitments.

In her correspondence, Ms Beard asked that her thanks be passed on to the other committee members. It is recommended that Sharon Beards' commitment and contribution to the sub-committee be formally acknowledged.

Attachments

- 1 [!\[\]\(8ba0a8bc08cfb681721719303df69bb8_img.jpg\) Correspondence - Sharon Beard to Acting General Manager](#)

Mr Jeffery Sharp
Acting General Manager
Port Macquarie Hastings Council
17 Burrawan Street
Port Macquarie NSW 2444

10 August 2020

Dear Jeffery

It is with regret that I tender my resignation from the Town Centre Master Plan Committee. I have serviced on the committee as the representative of the Council's Access Committee for some time now, and I have very much enjoyed the support of yourself and the other committee members. My personal commitments make it impossible for me to continue in this role, so please accept this letter as my resignation from the committee.

I am very appreciative for the opportunities this committee has given me and the experience I have gained will assist me in my future endeavours.

I would personally like to thank you for your support and the outstanding leadership you have shown, in my time on the committee. Please pass on my thanks to the other committee members, and I wish the committee all the best for the future.

Your faithfully

Sharon Beard
Sharon Beard