



# Town Centre Master Plan Sub-Committee

## Business Paper

date of meeting: Thursday 30 September 2021

location: Via MS Teams

time: 8:00am

## **Town Centre Master Plan Sub-Committee**

### **CHARTER**

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#### **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.

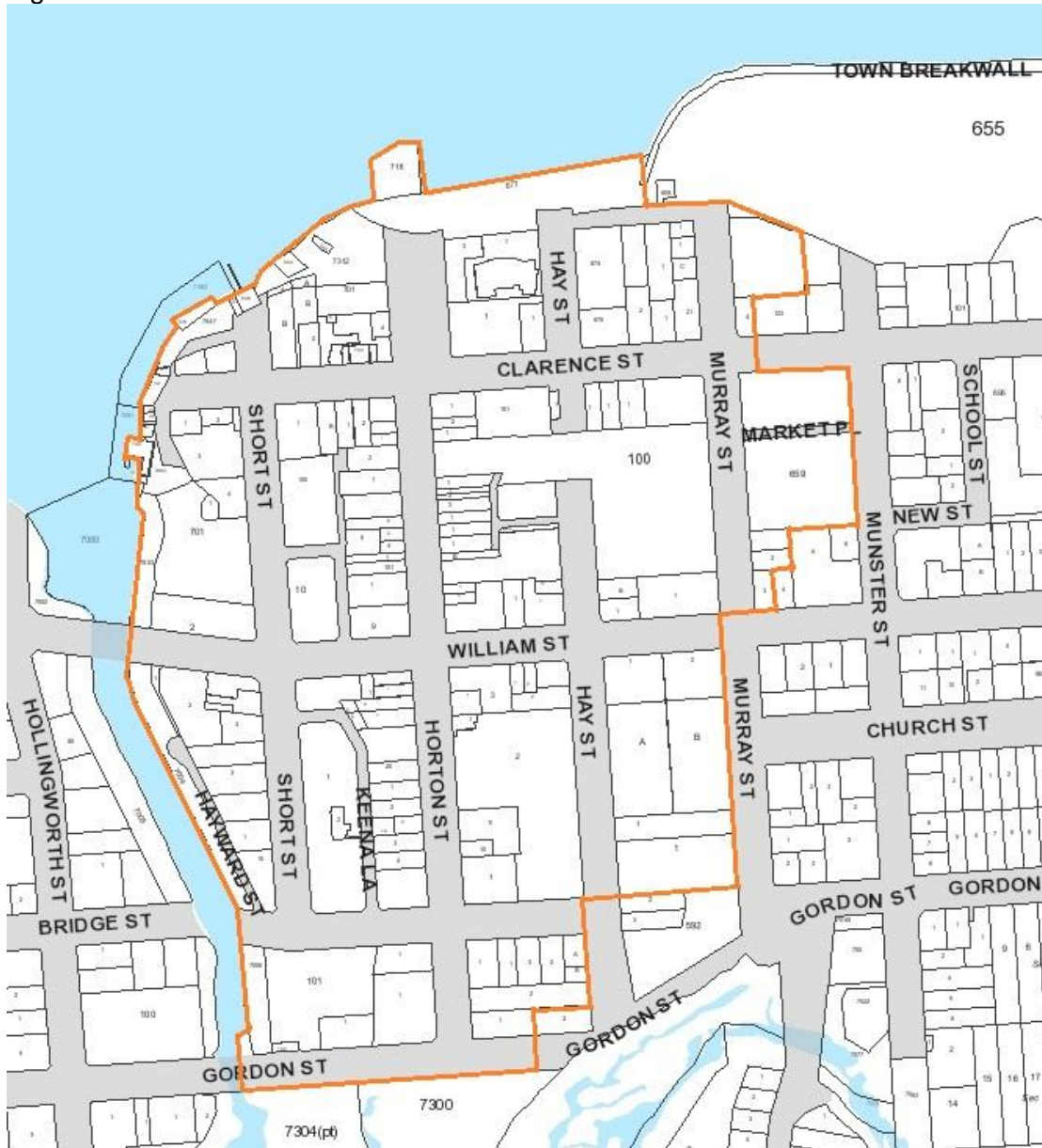
#### **2.0 KEY FUNCTIONS**

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 & Growth (Alternate Director Development & Environment)
- 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	29/04/21	27/05/21	24/06/21	29/07/21	26/08/21
Councillor G Hawkins (Chair)	✓	✓	A	✓	✓
vacant (Deputy Chair)	-	-	-	-	
Director Strategy & Growth (Jeffery Sharp)	A		A		✓
Alternate - Director Development & Environment (Melissa Watkins)	✓	✓	✓	✓	A
Senior Landscape Architect (Craig Luff)	✓	✓	✓	✓	✓
CBD Commercial Property Owner (Jeff Gillespie)	✓	✓	✓	✓	✓
CBD Commercial Property Owner (Adam Spencer)	✓	✓	✓	✓	✓
CBD Trader (Simon Thresher)	A	✓	X	✓	✓
CBD Trader (Kieran Dell)	✓	✓	✓	A	✓
Chamber of Commerce Representative (Tony Thorne)	✓	✓	✓	✓	✓
Greater Port Macquarie Tourism Representative (Janette Hyde)	✓	A	A	✓	✓
Community Member (Michelle Love)	✓	✓	A	✓	✓
Community Member (John McGuigan)	✓	✓	✓	✓	✓
Community Member (Tony McNamara)	A	✓	✓	✓	✓

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

### Meeting Dates for 2021

28/01/2021	Function Room	8:00am
25/02/2021	Function Room	8:00am
25/03/2021	Function Room	8:00am
29/04/2021	Function Room	8:00am
27/05/2021	Function Room	8:00am
24/06/2021	Function Room	8:00am
29/07/2021	Function Room	8:00am
28/10/2021	Function Room	8:00am
25/11/2021	Function Room	8:00am



# Town Centre Master Plan Sub-Committee Meeting

Thursday 30 September 2021

## Items of Business

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

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"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."

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**Item: 02****Subject: APOLOGIES**

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**RECOMMENDATION**

That the apologies received be accepted.

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

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**RECOMMENDATION**

That the Minutes of the Town Centre Master Plan Sub-Committee Meeting held on 26 August 2021 be confirmed.

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## **PRESENT**

### **Members:**

Councillor Geoffrey Hawkins (Chair)  
Director Strategy and Growth (Jeffery Sharp)  
Senior Landscape Architect (Craig Luff)  
Jeffrey Gillespie (CBD Commercial Property Owner)  
Adam Spencer (CBD Commercial Property Owner) attended late  
Simon Thresher (CBD Trader)  
Kieren Dell (CBD Trader)  
Anthony Thorne (Port Macquarie Chamber of Commerce Representative)  
Janette Hyde (Greater Port Macquarie Tourism Representative)  
Michelle Love (Community Member)  
John McGuigan (Community Member)  
Tony McNamara (Community Member)

### **Other Attendees:**

TCMP Project Manager / Co-ordinator (Michael Nunez)  
Acting Group Manager Recreation Property and Buildings (Lucilla Marshall)

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The meeting opened at 8:05am.

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## **01 ACKNOWLEDGEMENT OF COUNTRY**

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The Acknowledgement of Country was delivered.

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## **02 APOLOGIES**

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### **CONSENSUS:**

That the apology received from Director Development and Environment (Melissa Watkins (alt. Director) be accepted.

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### **03 CONFIRMATION OF MINUTES**

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**CONSENSUS:**

That the Minutes of the Town Centre Master Plan Sub-Committee Meeting held on 29 July 2021 be confirmed.

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### **04 DISCLOSURES OF INTEREST**

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There were no disclosures of interest presented.

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### **05 BUSINESS ARISING FROM PREVIOUS MINUTES**

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**CONSENSUS:**

That the Business Arising from Previous Minutes schedule be noted.

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### **06 TOWN CENTRE MASTER PLAN RATE HISTORY**

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**CONSENSUS:**

That the Group note the information provided in the report.

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### **07 BICENTENNIAL WALKWAY PROJECTS UPDATE**

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**CONSENSUS:**

That the Town Centre Master Plan Sub-Committee note the information contained within the Bicentennial Walkway Update Report.

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### **08 FORESHORE PROJECTS UPDATE**

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**CONSENSUS:**

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

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**09 GENERAL BUSINESS**

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**09.01 BRIDGE STREET BRIDGE - FUTURE CONNECTION BETWEEN  
BRIDGE STREET AND HAYWARD STREET**

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Staff will provide an update at a future meeting in Business Arising.

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**09.02 BREAKWALL PROJECT**

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Verbal discussion on current NSW State Government Project, and a further update will be presented to a future TCMP meeting.

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The meeting closed at 9:15am.

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Item: 04  
Subject: DISCLOSURES OF INTEREST

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**RECOMMENDATION**

That Disclosures of Interest be presented

**DISCLOSURE OF INTEREST DECLARATION**

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

*(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 Chief Executive Officer, such a disclosure is to be made to the staff member's manager. In the case of the Chief Executive Officer, 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 Chief Executive Officer, 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 Chief Executive Officer, 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.*

<b>By</b> <i>[insert full name of councillor]</i>	
<b>In the matter of</b> <i>[insert name of environmental planning instrument]</i>	
<b>Which is to be considered at a meeting of the</b> <i>[insert name of meeting]</i>	
<b>Held on</b> <i>[insert date of meeting]</i>	
<b>PECUNIARY INTEREST</b>	
Address of the affected principal place of residence of the councillor or an associated person, company or body <i>(the <b>identified land</b>)</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.
<b>MATTER GIVING RISE TO PECUNIARY INTEREST<sup>1</sup></b>	
Nature of land that is subject to a change in zone/planning control by proposed LEP <i>(the <b>subject land</b><sup>2</sup>)</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 Chief Executive Officer 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.

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<sup>1</sup> 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.

<sup>2</sup> 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

<b>Item:</b>	08	28 May 2020
<b>Subject:</b>	Historical Rating Comparisons and Business Rate Impacts	
<b>Action Required:</b>	1. DDE 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.	
<b>Current Status:</b>	Ongoing.	

Reports to Future Meetings		
Report	Due Date	Requested
Update on Accessible Parking Costs in the CBD	TBA	26 July 17
Foreshore Projects Update to be provided by the Project Manager and regular updates thereafter	Ongoing	28 Jan 21
Breakwall Project Update	Future Meeting	26 August 21
Update on Bridge St Bridge - Future connection to Hayward St	Future Meeting	26 August 21

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Item: 06

Subject: PARKLET TRIAL OUTCOME REPORT

Presented by: Development and Environment, Melissa Watkins

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## RECOMMENDATION

That the Town Centre Master Plan Sub-Committee:

1. Note the information contained within this report
2. Recommend to Council that both existing parklets be offered the opportunity to renew their lease for their parklet based on Council's standard outdoor dining lease.
3. Recommend to Council that a policy for parklets be developed with input from the Sub-Committee to encourage low cost, short-term parklet installations that are easily relocatable (i.e. 1-2months) to further activate the Town Centre.

## Discussion

### Background

#### *1. Initial activation*

In May 2018 Council resolved to support a 2-year trial for Outdoor dining parklets within the Port Macquarie Town Centre. A maximum 4 parking spaces were to be taken up from over 400 car parking spaces within the town centre. The parklets were to be constructed by the operators, entirely at their cost. A report was to be submitted at the end of the trial period for Council to resolve as to whether to support the continuation of the scheme, and, if so, consider improvements to the scheme.

Invitations to submit were hand delivered to all eateries with street frontage in September, with 4 parties attending an information session and 2 businesses submitting a proposal. Both submissions were approved to be taken to detailed design stage, however only one of the two proponents proceeded.

Construction of Reyhana's parklet was approved in late October and it was activated in early November 2019, with the parklet proving to be very popular with customers, much more so than eating inside the restaurant.

#### *2. Second activation*

In early 2020 Council received several enquiries from eateries in the Port Macquarie Town Centre interested in installing a parklet. As only one of the maximum 4 maximum parking bays for this trial had been taken over, Council resolved to conduct another round of invitations to submit, which was activated in May 2020. A 1 year trial period was to be granted to this next round of parklets in order to bring them closer to the end of term of the original 2 year scheme trial period.

Despite the initial interest, only one proposal was received in June by the Ritz owners for the corner of Horton and Clarence Streets. The area mirrored that of Reyhana's parklet directly across the road, also with only one car park taken up.

This parklet was approved for construction in September, to be managed by the building owner and utilised by the 3 tenant eateries fronting the street. It was completed and activated in December 2020.

Several Covid 19 lockdowns occurred during the trial, affecting locals and tourist numbers. When the eateries were allowed to operate, the parklets acted as a means to accommodate greater numbers of customers within the social distancing rules. With strict capacity limits being imposed by the NSW Government, the additional area allowed the operators to access additional outdoor dining space.

### Feedback

Feedback was sought on the success of the parklets. The experiences and opinions from the relevant groups were obtained via a variety of methods and from key groups including the existing parklet operators, interested parties that did not submit or proceed with the approved concept submission and from discussions with the many operators when the invitations to apply were distributed.

Parklet operators and interested parties which did not submit or did not proceed with the construction of the parklet were sent questionnaires and interviewed. *The feedback received was as follows:*

#### *Parklet Operators*

1. What were the approximate cost for consultants, approvals and construction?
  - 1.
  2. *Total costs were approximately between \$80,000 and \$100,000; with construction attributing to approximately 75% and design fees 25%.*
- 3.
2. What was the Parklet effect on trade and profit and the degree of change, if any?

*One operator stated that the parklet has helped increase trade to a certain degree. The other operator did not comment.*

3. Do you consider the parklet a worthwhile undertaking, please explain?

*'We are extremely happy with our parklet and we thank council for giving us the opportunity to take part in this endeavour.'*

*'Yes, very worthwhile. We are very happy with the way it turned out. All of the eateries in the centre have expressed how good it has been for their customers who enjoy sitting there.'*

4. Would you do anything differently. Any suggestions for Council?
  - 4.
  5. *'We worked well with Council and hope that they are happy with the end result as well'.*
  - 6.
  7. *'We would appreciate more communication from council representatives in terms of what's needed by council and it's criteria'.*

Parklet operators and interested parties which did not submit or proceed with the construction of the parklet were sent questionnaires and interviewed. *Three eatery managers responded providing the following feedback:*

*Interested parties which did not submit or proceed*

1. Why did you consider installing a parklet?

8.

9. *The main reason stated was additional capacity. Other reasons included creating a more attractive outdoor eating environment; achieving greater street exposure; creating a safer outdoor dining environment with added protection from vehicles, and people prefer to eat outdoors.*

10.

2. Why did you not proceed with the project?

*Cost prohibitive was the main reason, availability of Contractors provided as another.*

3. If the opportunity was presented again, would you apply?

*Most stated that they would not apply again if presented with the same opportunity due to cost and duration.*

*Two operators advised that they would consider applying again.*

4. Any suggestions to Council in regards to the parklet scheme?

11.

12. *All respondents requested longer period i.e. 3 to 5 year term and to be in line with the outdoor dining permit term, or even that these become a 'permanent' fixture.*

13.

14. *One operator suggested Council should consider leasing a already constructed parklet to eateries.*

*Other business operators*

15.

When invitations to submit were handed to over 70 eateries with street frontage most viewed the parklet scheme in a positive light. Only 2 eateries voiced concern that their largely take-away based business would benefit more from parking spaces rather than a parklet.

During the construction of one parklet, an adjacent business complained to Council regarding the loss of the carpark, because they relied on short term parking availability. As this was a 1 hour parking bay, it provided limited short term parking benefit.

Businesses either side of the parklet were supporting noting it would attract more people near their shops. However, both expressed concerns with reduced visibility to their shopfront from the roadway.

*General public* Due to the recent Covid 19 lockdown. Council was unable to conduct the proposed on site questionnaire with members of the public that actually visited the Port Macquarie Town Centre. Instead, public opinion was searched for on websites, including, news articles, facebook discussions, Trip Advisor and restaurant reviews. Reyhana's is a popular dining restaurant with an active clientele in regards to

populating their website. A select group of parklet relevant extracts from their facebook page is shown in the following page.

As the Ritz parklet was installed and is managed by the building owner and the businesses it serviced were casual day time eateries, we were unable to find public comment in regards to their use of the parklet.

Port News article 18.06.2021:

<https://www.portnews.com.au/story/7303340/outdoor-dining-parklet-serves-up-results-at-cbd-restaurant/>

*"Outdoor dining parklet serves up results at Reyhana Turkish Restaurant*

*An outdoor dining parklet, as part of a trial process, is popular with customers at Reyhana Turkish Restaurant.*

*Reyhana Turkish Restaurant manager Omer Elma said the outdoor dining parklet had doubled the restaurant's seating capacity. That, in turn, has boosted revenue. "When it's a beautiful day outside, we leave the umbrellas closed, because the sun shines through and people love it," he said.*

*Mr Elma said diners loved the setting and the initiative had been highly successful. The restaurant decorates the outdoor dining parklet during holidays, such as Christmas, to add atmosphere."*

Port News article 18.06.2021:

<https://www.portnews.com.au/story/6769401/parklet-trial-goes-al-fresco-in-cbd-dining-offer/>

*"Parklet trial goes al fresco in CBD dining offer*

*"When other restaurants and cafes saw how well it worked, we started receiving more enquiries about how they could activate the front of their business as well.*

*"Businesses are recognising the opportunity to activate our town centre a little more and create vibrancy and more outdoor dining options. There is also an economic driver there as well for business and that's particularly important at the moment given the significant number of business impacted by COVID-19," Mr Bulley said.*

*Meanwhile, NSW Treasurer Dominic Perrottet and NSW Planning Minister Rob Stokes have discussed lifting restrictions on cafe and restaurant businesses to help them adhere to social distancing measures.*

*"Lifting restrictions on businesses could be in the form of giving them more space on footpaths, allowing pop up shops or markets to operate in public spaces (such as parks) - we've got to move on from a nimby approach that strangles economic growth," Mr Perrottet said."*

#### *Council*

The parklet was intended as an ephemeral installation that occupies up to two parking spaces and is able to be moved on or discontinued after a season or year without resulting in a substantial net loss to the operator. Although a degree of quality



finish and safety standard was expected, the resultant parklets are both, much costlier and more permanent structures than what was initially intended. Both parklets continue to be well used and present a positive, attractive and vibrant element to the streetscape.

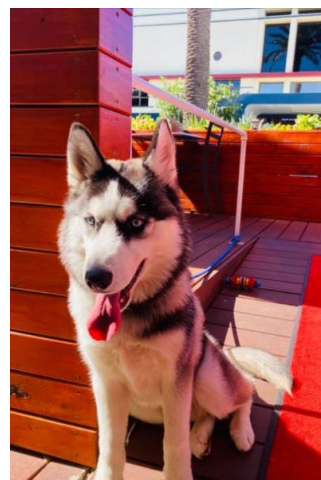
An evaluation criteria scoring item in the selection process gave preference to street extents in need of activation. The outcome of this trial did not achieve activation in quieter locations, noting that both parklets eventuated in an already busy area.



Images from Reyhana's facebook page with captions:



Welcome back guys! /Girls just wanna have fun!



Summer's here / who's missing our deck? We sure are and can't wait to pick up where we left off! / Did you know that Reyhana is pet friendly?



Calm before the storm...Ahh so thankful Port Macquarie we love you! / No way we're letting some virus get the better of us!

Recommendations

Following this trial period, it will be recommended to Council that both existing parklets be offered the opportunity to renew their lease for the parklet based on the outdoor dining lease.

It will also be recommended that a policy for parklets be developed for Council's consideration, with input from the Sub-Committee based on low cost, short-term installations that are easily relocatable (i.e. 1-2months).

**Attachments**

Nil

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Item: 07

Subject: BICENTENNIAL WALKWAY UPDATE

Presented by: Development and Environment, Melissa Watkins

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### RECOMMENDATION

That the Town Centre Master Plan Sub-Committee note the information within the Bicentennial Walkway update report.

### Discussion

FORESHORE BICENTENNIAL WALKWAY- Priority Projects Stage 1 :  
(Town Green West Link, Town Wharf, Fisherman's Wharf Parklands, William Street Underpass, Kooloonbung Creek Stage 2; Westport Park Link Path)

#### *Completed since last report:*

- Heritage Excavation Permit Exception Notification S139(4) 1C (Town Wharf to Gordon St Underpass) - Approval from Heritage NSW on 20/08/21.
- Heritage Archaeology + Planning engaged by PMHC (23/08/21) to complete further Archaeological Assessment for the Town Green West Link, for proposed separate S139(4) 1B Excavation Permit Exception Notification for this area.
- PMHC lodged the online application for the Town Green West Link S139(4) 1B Excavation Permit Exception Notification through to Heritage NSW - 15/09/21.
- Foreshore Bicentennial Walkway Priority Projects - Project Control Group meeting #002 was held 30/08/21. Quarterly reporting was completed and issued to Public Works Authority.
- Design for Sewer Rising Main (SRM) and Recycled Water Main relocations issued for Tender on 06/09/21 for inclusion into the T-21-36 procurement scope. For Construction Issue drawings expected to be completed by 24/09/21 prior to Tender Close (07/10/21).
- TfNSW confirmation of Environmental Approvals to complete Maintenance Scope for Town Wharf - still ongoing following meeting 7/09/21. Resolution of this matter is expected before 24/09/21. Maintenance scope is a Provisional Item in the T-21-36 tender, with an expectation that this Provisional Item will be confirmed at tender award (Nov 2021).
- T-21-36 - Major Construction Contractor Package - Open Tender Date of 7/09/21 and Close date of 07/10/21 to meet 3 November Council meeting procurement timeline.

*Planned work for the coming month:*

- Obtain final Heritage Excavation Exemption Approval for TGWL.
- REF approval is now conditional on receiving final Heritage Licence approvals prior to Construction commencing.
- Complete procurement processes for Major Contractor engagement (T-21-36).

1. GORDON STREET

UNDERPASS

*Completed since last report:*

- Payment made for offset credit obligations to Biodiversity Conservation Fund (for minor impact on local species) - completed August 2021
- Biodiversity Conservation Trust - payment certificate BCF234 was received 7/09/21.
- Notice of determination of S138 Application (Roads Act 1993) - Approved Determination received 30/08/21 by PMHC.

*Planned work for the coming month:*

- Complete Procurement Process for Major Contractor engagement.

**Attachments**

Nil



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Item: 08

Subject: FORESHORE PROJECTS UPDATE

Presented by: Development and Environment, Melissa Watkins

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### RECOMMENDATION

That the Town Centre Master Plan Sub-Committee note the information contained within the Foreshore Projects update report.

### Discussion

1. TOWN GREEN WEST PLAYGROUND:

*Completed since last month:*

- Re-design completed.
- Community engagement for re-design completed.
- RFQ package complete.
- RFQ released to Contractors for pricing.
- Small design alterations from Consultant to respond to community consultation during RFQ.
- Respond to community member re approach
- EoT (Extension of Time) for construction completion approved to June 2022.

*Planned for next month:*

- Complete RFQ and award construction.

2. ALL FORESHORE PROJECTS Town Wharf, Fisherman's Wharf Parklands, William Street Underpass, Kooloonbung Creek Stage 2; Westport Park Link Path):

*Note: Matters pertaining to the Priority Bicentennial Walkway projects are addressed in a separate report to provide focus on progress of this important priority project.*

3. FISHERMEN'S WHARF - Maritime Infrastructure Delivery Office (MIDO) Project:

*Completed since last month:*

- Line marking completed end early September.
- 4 solid hardwood seats installed on wharf in late August.

*Planned for next this and next month:*

- Inspection for 3-month establishment period ending in early October.
- 8 solid hardwood seats to be received and installed by mid-October, to be installed along the edge of the boardwalk.
- Relocation of existing twin bin enclosure from edge of car park to edge of wharf main deck (as requested by Council Waste Services Coordinator).

**Attachments**

Nil