



Notice of Ordinary Meeting
to be held at the Council Chambers
2 Pulteney Street, Taree; with participation via weblink
provided to Councillors.

16 December 2020 at 2.00pm

The order of the business will be as detailed below (subject to variation by Council):

1. Opening meeting
2. Acknowledgment of Traditional Custodians
3. Prayer
4. Special Activity
5. Apologies or Applications for leave of absence
6. Confirmation of Minutes
7. Disclosures of Interest
8. Mayoral Minute(s)
9. Notices of Rescission
10. Notices of Motions
11. Questions with Notice
12. Reports to Council
13. Matters of urgent business
14. Confidential matters
15. Close of meeting

Adrian Panuccio
General Manager

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SPECIAL ACTIVITY

Jan-Michael Perez and Candy Lee of the NSW Audit Office will make a presentation in relation to Financial Statements.

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NOTICES OF MOTIONS

NOTICE OF MOTION 1

Report Author **Cr Troy Fowler**

File No. / ECM Index **Notices of Motion**

Date of Meeting **16 December 2020**

SUMMARY OF REPORT

Cr Fowler has given notice of his intention to move the motion as detailed below regarding the removal of an Illawarra Flame Tree at the residence of 16 Breeze Parade Forster (Old MidCoast Water Building).

BACKGROUND

There has been an ongoing issue with the resident behind the property in regards to the tree (Illawarra Flame Tree) in regards to the tree cutting sunlight to the small unit the 90 year old lives in. It cuts off the light to the solar panels which has now become a major stress on the resident, not to mention the mould and moss that has now grown on the north facing section of the roof from the lack of sunlight.

NOTICE OF MOTION

That Council:

1. Remove the Illawarra Flame Tree as soon as possible.
2. Use funds from the Tree Maintenance Budget or that Council and Resident split the cost of the removal of the Illawarra Flame Tree. The estimated cost is \$600.

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NOTICE OF MOTION 2

Report Author **Cr Troy Fowler**

File No. / ECM Index **Notices of Motion**

Date of Meeting **16 December 2020**

SUMMARY OF REPORT

Cr Fowler has given notice of his intention to move the motion as detailed below regarding public pools.

BACKGROUND

The COVID-19 pandemic has affected society more than any event in recent history. We as Council too need to adapt to change as have businesses. With the quick actions of Government at all levels, adjusting to the different needs of what today looks like across our beautiful country, we as Council now have the opportunity to adjust to the needs of our Community. For a lot of our Towns/Villages that have a public pool, they rely immensely on them being open. Not just with the temperatures we have already seen and what's predicted this summer, we need to look at the mental and physical health this pandemic has caused our Communities.

If restrictions don't change, these Communities won't have the opportunity to be able to use the Public Pools this summer. Council has been proactive in enabling community groups exclusive but limited access. We need to publicise the opportunities for community groups and work with the community so that the pools are being used in a COVID safe manner and not left idle.

NOTICE OF MOTION

That Council:

1. Lobbies the State Government to ease COVID 19 restrictions so that the public can enjoy their unsupervised community swimming pools.
2. That council staff work and engage with the community groups to publicise and facilitate COVID safe ways groups can use the pool.

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NOTICE OF MOTION 3

Report Author **Cr Karen Hutchinson**

File No. / ECM Index **Notices of Motion**

Date of Meeting **16 December 2020**

SUMMARY OF REPORT

Cr Hutchinson has given notice of her intention to move the motion as detailed below regarding the building known as Bulahdelah Doctors Surgery.

BACKGROUND

This Notice of Motion is to allocate \$20,000 from the sale of the building known as Bulahdelah Doctors Surgery, to Bulahdelah Chamber of Commerce.

NOTICE OF MOTION

That:

1. Council allocate \$20,000 from the proceeds of the sale of 80 Stroud Street Bulahdelah (Former Doctors Surgery) to the Bulahdelah Chamber of Commerce and Tourism in recognition of the \$20,000 contribution that the Chamber made to the extensions to the Doctors Surgery in 2002.
2. The balance of the sale proceeds remain in the Property reserve in accordance with Council's resolution (268/2020) adopted at the 9 September 2020 Council Meeting.

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NOTICE OF MOTION 4

Report Author Cr Len Roberts
File No. / ECM Index Notices of Motion
Date of Meeting 16 December 2020

SUMMARY OF REPORT

Cr Roberts has given notice of his intention to move the motion as detailed below.

BACKGROUND

The Manning River is indeed a unique and wonderful asset that we rely on. We rely on it for our drinking water, our recreation, our seafood industry and of course visual landscape.

Council is required to have a coastal and catchment management plan (CMP) that has a holistic approach to the entire Manning River catchment, which, flows from the Barrington Range through to the coast.

Many towns depend on the river for tourism, lifestyle and the seafood industry to survive. There are many competing interests with respect to sharing the River. Most can co-exist but, in the past, there has been a tendency for one interest to be played off against another.

Council has been able, after much tedious and hard work, to obtain a licence to regularly open the River. This licence has trigger points which enables council to swing into action to open the River.

Local member Stephen Bromhead announced in March, the establishment of an expert taskforce headed by Prof Thom, to provide further advice to the Government on the potential costs, benefits and technical feasibility of the various options for Harrington and Old Bar.

It is important that MCC works with the scientists and the local people to champion evidence-based solutions and where possible use the advice in its own CMP. The taskforce has its own technical and consultative processes to follow.

The community is anxiously waiting for and wanting solutions. They also want to know **who will pay** for the recommended works and actions. The community and Council do not want to have the solutions; only to wait years for funding to occur before the recommendations can be put into action. Given that the Expert Task force was an initiative of State Government there should be no cost burden shifted onto Council.

To that end, Crs. Smith and Roberts, co-chairs of the committee, along with Cr Christensen, resident of Harrington, are pleased to sponsor the following motion.

NOTICE OF MOTION

That Council:

1. Supports the Expert Task Force and associated investigations, its processes and scientific rigour and will use the Task force recommendations to appropriately inform our Old Bar Manning Point CMP

2. Calls upon our State and Federal members to proactively obtain sufficient funding for any actions recommended by the taskforce so that there is no burden or ongoing burden on MCC.
3. Publicise the work undertaken to date for the CMP.

NOTICE OF MOTION 5

Report Author Cr Peter Epov

File No. / ECM Index Notices of Motion

Date of Meeting 16 December 2020

SUMMARY OF REPORT

Cr Epov has given notice of his intention to move the motion as detailed below regarding the Manning River.

BACKGROUND

The Manning River is an extraordinary resource (and asset) within the MidCoast Council Local Government Area (LGA) which in recent times has been significantly underutilised.

Historically, since the 1840's, the Manning River had developed into the economic lifeblood of the region as a transport link for timber and agricultural products to Sydney. It was the major source of economic prosperity for Taree, Wingham, Tinonee, Harrington and many other towns and villages in the surrounding districts.

Now in the 21st Century, initially through the growth in Recreation and Tourism, followed by the rapid and dynamic changes in Communications and Information Technologies including the evolution of '*disruptive innovations, technologies and industries*' and now particularly, compounded with a declining public interest in urban polarisation (*underscored by the Corona Virus Pandemic*), the opportunities for people to relocate to our region for the pristine living conditions, leisure and lifestyle opportunities, have never been better.

So once again, the Manning River represents significant economic potential with benefits and opportunities that could lead to meaningful growth and employment and again be a major contributor to our prosperity throughout the LGA.

What is required is an operational waterway system along the Manning River which includes a well-designed and navigable entrance at Harrington and an effective management plan at Farquhar to create safe and easy access for watercraft. Effectively this would require the opening up of the Manning River entrances at both Harrington and Old Bar.

Recently, a group of prominent business people have been encouraging Councillors and Council to lobby our State and Federal Members to secure funding to achieve the above stated objectives.

Council, as a significant and highly resourced stakeholder, which could and should be playing a substantive role as a driver towards achieving financial support from both the State and Federal Government to fund a detailed Cost Benefit Analysis Study as well as future funding for any necessary works to be subsequently carried out.

NOTICE OF MOTION

That MidCoast Council:

1. Recognises that an operational waterway system along the Manning River which includes and incorporates the opening up of the Manning River at both Harrington and Farquhar (Old Bar); creating safe and efficient access for watercraft, would significantly

contribute to a dynamic economic expansion which would result in widespread benefits and opportunities including meaningful growth in commerce, industry and employment throughout the LGA.

2. Views the opening of the Manning River at both Harrington and at Farquhar (Old Bar) as a significant priority which should be included in the current Delivery Program and the 2020/21 Operational Plan.
3. Directs the General Manager to write to the Member for Myall Lakes, The Hon. Stephen Bromhead, The Member for Port Macquarie, the Hon Leslie Williams and the Member for Lyne the Hon Dr David Gillespie, indicating our support for opening up of the Manning River at both Harrington and Farquhar (Old Bar) and seeking grants to fund Cost Benefit Analysis Studies.
4. Directs the General Manager to extend invitations to the abovementioned State and Federal Members to meet at mutually agreed times with Councillors early in the 2021 year to discuss these proposals.
5. Directs the General Manager to present a Report to 28 April 2021 Meeting of Council which should address (but not be limited to) the following:
 - a. An outline of the contents of a Cost Benefit Analysis for both locations.
 - b. An estimate of costs to undertake these studies.
 - c. An outline of a Lobby Strategy to achieve the objectives identified Paragraph 1
6. In achieving the Report and matters identified in paragraph 5 (above), Council recommends that the General Manager consults with the various business and community groups that have recently expressed an interest in this initiative.

NOTICE OF MOTION 6

Report Author Cr Peter Epov

File No. / ECM Index Notices of Motion

Date of Meeting 16 December 2020

SUMMARY OF REPORT

Cr Epov has given notice of his intention to move the motion as detailed below regarding the Taree Universities Campus.

BACKGROUND

Extract TUC

“Taree Universities Campus is a not-for-profit community organisation established to assist with expanding the accessibility and delivery of local higher education and university degree programs in the MidCoast Council area.

Courses will be delivered via a mixed-mode teaching and learning model which includes face-to-face tutorials by academics in Taree, online lectures through the university partner’s main campus, local industry mentoring workshops, local student and academic support services on campus in Taree and local student placement in relevant courses such as teaching and nursing.”

The opportunity and benefits of having a University Campus in Taree cannot be understated for both our high school graduates, as well as local mature age students particularly those who are unable to travel away from home to study for various reasons such as and including economic, disability, family and or employment.

TUC will facilitate quality education for our youth and mature age students through a system which aims to achieve significantly higher rates of graduates, by providing quality support mechanisms that would include mentoring and creating opportunities and facilities which would not necessarily be available in similar quality and scale to that in the larger cities.

Recently, the Chair Dr Alison McIntosh, and the CEO Donna Ballard, of the Taree University Campus (TUC) attended a Councillor workshop and presented a compelling case as to the benefits of the Campus to our LGA, not only for the individual students, but for businesses and the boarder community at large.

The aim of this Motion is not to review the merits and benefits of having a University Campus in our LGA, which are already established, and irrefutable, but rather for Council to recognise and respond, by demonstrating civic leadership, and directly contributing to the TUC through a combination of positive and constructive measures.

Such measures could include direct financial assistance through a ‘*Scholarships Program*’ as well as other tangible and meaningful actions that would serve to build confidence and inspire the community as well as creating widespread public awareness to this most exciting and meaningful enterprise.

Many of the elements contained within this Notice of Motion have been discussed recently with both the Chair and the CEO of TUC and have received their tacit support.

NOTICE OF MOTION

That MidCoast Council:

1. Supports a Scholarship Program with TUC which in the 2021 Academic year would provide financial assistance to the total value of \$22,400 in order to fund three (3), one (1) year scholarships consisting of:
 - a. One Business Degree Scholarship to Central Qld University – Value \$14,500.
 - b. Two Education Degree Scholarships to Central Qld University - Each to the value of \$3,950.
2. Grants the scholarship funds to the TUC, who would determine the appropriate method of allocation, including the determination of the selection system of scholarship recipients.
 - a. As a condition of this grant, TUC would be required to provide regular reports to Council on the progress of the Scholarships Program through the General Manager.
 - b. As a further condition, TUC would be required to consult with Council's General Manager on the Scholarship recipients prior to announcement.
3. Requires that Scholarships should be granted to persons who have been resident in the MidCoast Council Local Government Area for at least 12 months prior to commencement of the Academic Year.
4. Undertakes a review of the Scholarships Program, by 30 October 2021.
5. Directs the General Manager to provide a report to Council by 30 June 2021 outlining other practical and tangible areas of assistance and support that could be made available to students undertaking studies through the Taree University Campus including but not limited to work experience with Council, cadetships & traineeships, and mentoring opportunities.
6. Funding for this Scholarship Program could be sourced from either of:
 - a. Savings from funds not expended on the New Year's Fireworks in the 2019/20 Financial Year.
 - b. Savings from funds that will now not be expended on New Year's Fireworks in the 2020/21 Financial Year.
 - c. Savings made from Councillor Training which have not been expended in the 2019/20 Financial year and are unlikely to be expended in the 2020/21 Financial Year.
 - d. Funds which have not been expended from the Community Donations Program or the Event Sponsorship Program.
 - e. General Funds.

QUESTIONS WITH NOTICE

QUESTIONS WITH NOTICE – COUNCILLOR P EPOV

Report Author **Councillor P Epov**

File No. / ECM Index **MidCoast Council - Questions with Notice**

Date of Meeting **16 December 2020**

QUESTION(S):

Council's Application of Restricted and Un-Restricted Funds

Will the General Manager provide to Council by 30 March 2021 a report detailing Council's application of Restricted and Un-Restricted Reserves during the 2019/20 Financial Year, and for the current financial year (YTD)?

RESPONSE BY GENERAL MANAGER:

Note 7(c) to the Financial Statements for 2019/20 provides a list of External and Internal Restrictions that apply to Council's total cash, cash equivalents and investment balances. The Note includes a comparison of the level of restrictions that applied at year end for both the 2018/19 year and the 2019/20 year. The unrestricted funds referred to in the statements are effectively cash or cash equivalents and are not attributed to any reserves.

A report on the application of Restricted Reserves (Internal and External) will be provided to Council by 30 March 2021.

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CONSIDERATION OF OFFICERS' REPORTS:

GENERAL MANAGER

1 MATTERS OUTSTANDING

Report Author **Adrian Panuccio, General Manager**
File No. / ECM Index **Governance/Council Meetings**
Date of Meeting **16 December 2020**
Authorising Director

SUMMARY OF REPORT

This report provides a list of matters outstanding from Notices of Motion and other Resolutions of Council since 1 January 2018.

SUMMARY OF RECOMMENDATION

That the report and Attachment A be noted.

FINANCIAL/RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Section 335(b) of the *Local Government Act 1993* states that one function of the General Manager is to implement, without undue delay, lawful decisions of the Council.

ATTACHMENTS

A: Resolution Register.

Attachment A has been circulated to the Councillors and Senior Staff, however this Attachment is publicly available on Council's website.

DISCUSSION

This report provides a list of matters outstanding from Notices of Motion and other resolutions of Council. It provides details of:

- Resolution number
- Meeting date
- Item name
- Resolution as adopted
- Responsible Directorate
- Current status of implementation

CONSULTATION

Relevant Directors and staff of Council.

COMMUNITY IMPACTS

To ensure the decisions of Council are implemented.

BUDGET IMPLICATIONS

Nil.

RECOMMENDATION

That the report and Attachment A be noted.

DIRECTOR LIVEABLE COMMUNITIES

2 THE BIGHT CEMETERY, WINGHAM – UPDATE 4

Report Author Paul De Szell - Director Liveable Communities

File No. / ECM Index

Date of Meeting 16 December 2020

Authorising Director Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

This report provides both Council and the community with an update on the feedback provided in relation to the draft Conservation Management Plan and the revised Restoration Action Plan for The Bight Cemetery, Wingham.

SUMMARY OF RECOMMENDATION

That:

1. Council note the information provided in this report.
2. Council adopt draft 'The Bight Cemetery Conservation Management Plan' subject to the changes outlined in this report.
3. Council adopt the updated 'The Bight Cemetery Restoration Action Plan'.

FINANCIAL/RESOURCE IMPLICATIONS

Council's insurers have advised that all rectification works at The Bight Cemetery will be covered under Council's Insurance Policy.

Council will however be required to pay the excess on the policy which is \$12,500. The cost of the excess is proposed to be funded out of revoted unspent funds in the Cemetery operations budget. This means that there will be no decrease in the planned level of service in cemetery operations over 2020-21 as the current budget will not be affected.

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

- A: 'The Bight Cemetery Conservation Management Plan'
- B: 'The Bight Cemetery Restoration Action Plan' (Updated)
- C: Summary of submissions
- D: Submissions received in relation to the draft 'The Bight Cemetery Conservation Management Plan' and 'The Bight Cemetery Restoration Action Plan'

Attachments A, B, C & D have been circulated to the Councillors and Senior Staff, however these attachments are publicly available on Council's website. The copy of attachment D on

the website has had the personal information redacted to protect the privacy of the members of the public providing submissions.

BACKGROUND

Council at its meeting of 11 September 2019 considered an initial update report in relation to the actions that have occurred and are proposed to occur at The Bight Cemetery, Wingham.

At this meeting Council resolved:

1. *That the information provided in this report be noted; and*
2. *That Council endorse the actions identified in Annexure A to this report.*

The actions identified in Annexure A to the report that were presented to Council on 11 September 2019 were in a tabular form which was updated with additional columns to highlight:

- a) at what stage the action will be undertaken; and
- b) the status of the action.

This was presented to Council on 27 November 2019.

This table is contained in Attachment B.

Also presented to Council at its meeting of 27 November 2019 was a Draft 'Restoration Action Plan for The Bight Cemetery', Wingham which was agreed to as a stage two action.

At this meeting Council resolved:

1. *That the information provided in this report be noted.*
2. *That Council liaise with "The Blight of the Bight", community group, National Trust, Heritage Advisor and affected families prior to the formal adoption of the Draft "The Bight Cemetery Restoration Action Plan".*
3. *That information provided by Council in response to GIPA Application 20/20 be provided to Councillors via email by the next Council Meeting.*
4. *Council liaises with the families over the appointment of the stonemasons*

At the Council meeting of 25 March 2020 a report on point two of the above resolution was presented.

This report discussed the feedback received on the draft 'The Bight Cemetery Restoration Action Plan' from Council's Heritage Advisor, Cemeteries and Crematoria NSW, Blight of the Bight community group, National Trust and family members.

At this meeting Council resolved:

1. *Council note the information provided in this report.*
2. *Council engage an independent professionally qualified heritage consultant to prepare a Conservation Management Plan for The Bight Cemetery in accordance with the NSW Heritage Office guidelines and the National Trust Guidelines for Cemetery Conservation.*

3. *Information from the Conservation Management Plan for The Bight Cemetery (once adopted by Council) be used to update the Draft 'The Bight Cemetery Restoration Action Plan'.*
4. *The Draft 'The Bight Cemetery Restoration Action Plan' be updated as recommended in the body of this report.*
5. *Further to consultation with Council's Heritage officer and Heritage Reference group, a further report be provided to Council that includes a finalised Restoration Action Plan for The Bight Cemetery so that it can be adopted and works can proceed.*
6. *As a parallel process, Council undertake the assessment of all impacted headstones as a separate task.*
7. *Council split the repair and restoration into 2 sections (headstones less than 50 years and headstones more than 50 years old).*
8. *Council discuss assessments with families.*
9. *Council proceed with work for headstones less than 50 years old (in parallel with the development of the Conservation Management Plan) if deemed appropriate by Council's Heritage Officer.*

DISCUSSION

This report discusses points 2-5 of Council's resolution of 25 March 2020 as follows.

- Point 2: *Council engage an independent professionally qualified heritage consultant to prepare a Conservation Management Plan for The Bight Cemetery in accordance with the NSW Heritage Office guidelines and the National Trust Guidelines for Cemetery Conservation.*
- Point 3: *Information from the Conservation Management Plan for The Bight Cemetery (once adopted by Council) be used to update the Draft 'The Bight Cemetery Restoration Action Plan'.*
- Point 4: *The Draft 'The Bight Cemetery Restoration Action Plan' be updated as recommended in the body of this report.*
- Point 5: *Further to consultation with Council's Heritage officer and Heritage Reference group, a further report be provided to Council that includes a finalised Restoration Action Plan for The Bight Cemetery so that it can be adopted, and works can proceed.*

Following this resolution Council underwent a formal procurement process which resulted in engaging Umwelt Pty Ltd to prepare a draft conservation management plan for The Bight Cemetery.

Umwelt Pty Ltd have qualified archaeologists with experience in undertaking conservation management plans for heritage cemeteries. Umwelt also engaged a local historian to research the history of the cemetery.

The Restoration Action Plan was updated to refer to the Conservation Management Plan as an overarching document in the restoration of the damaged headstones/grave markers.

The draft Conservation Management Plan and revised Restoration Action Plan were placed on formal exhibition through the Council website during October and November.

The draft Conservation Management Plan and revised Restoration Action Plan were also provided to all family members who have registered their interest in the process with Council since the damage took place in July 2019.

Council's Heritage Advisor and Heritage Reference Group were also consulted as per point 5 of the resolution.

In response, formal written comments were received from Council's Heritage Advisor, the Heritage Reference Group, Cemeteries and Crematoria NSW, The National Trust, The Tinonee Historical Society, the "The Blight of the Bight" community group, the Purfleet Taree Local Aboriginal Lands Council and 16 affected family members and members of the general community. Copies of these submissions are provided in Attachment D.

The remaining resolutions from the 25 March 2020 meeting (points 6-9) are addressed below:

Point 6: *As a parallel process, Council undertake the assessment of all impacted headstones as a separate task.*

Update: This work will be completed following the adoption of The Bight Conservation Management Plan and The Bight Restoration Action Plan

Point 7: *Council split the repair and restoration into 2 sections (headstones less than 50 years and headstones more than 50 years old).*

Update: Following the meeting of 25 March 2020, Council's Heritage Advisor provided guidance that indicated Council should not undertake any restoration, regardless of age, until the Conservation Management Plan was completed and adopted. As a result, this item has not been actioned, given the advice requested by part 9 of the resolution contradicted this item in the resolution.

Point 8: *Council discuss assessments with families.*

Update: This will occur following the adoption of The Bight Conservation Management Plan and The Bight Restoration Action Plan

Point 9: *Council proceed with work for headstones less than 50 years old (in parallel with the development of the Conservation Management Plan) if deemed appropriate by Council's Heritage Officer.*

Update: Following the meeting of 25 March 2020, Council's Heritage Advisor provided guidance that indicated Council should not undertake any restoration, regardless of age, until the Conservation Management Plan was completed and adopted. As a result, this item has not been actioned.

CONSULTATION

On 15 October 2020, draft 'The Bight Cemetery Conservation Management Plan' and the revised 'The Bight Cemetery Restoration Action Plan' were provided by email to the 67 family members who had registered as having an interest in one of the damaged headstones, the Bight of the Blight Community Group, Council's Heritage Advisor, Cemeteries and Crematoria NSW, The National Trust and Council's Heritage Reference group.

In addition, a hard copy letter was sent to all those who had registered as having an interest to advise that the plans could be accessed through Council's website.

Both plans were also placed on Council's website for the advice of the general community, who were also invited to provide feedback. This was advertised via media release and our weekly newspaper advertisements. During this period there were 191 visits to the website page.

Follow up emails were also sent to remind all those who had received the draft plan of the submission deadline.

Submissions from family members, community members and other agencies:

While it was not expressly a resolution of the Council that family members and the wider community were to be consulted on the Conservation Management Plan and revised Restoration Action Plan, these documents were provided to these groups to provide ongoing transparency and consultation on the repair program.

Written advice and feedback has been provided by the following:

- Council's Heritage Advisor
- Council's Heritage Reference Group
- Cemeteries and Crematoria NSW
- The National Trust
- Tinonee Historical Society
- The Blight of the Bight community group
- Family members of those interred at The Bight Cemetery
- Members of the community

Submissions/comments were also received from 16 family and community members.

Copies of the submissions are provided in Attachment D.

The feedback from these submissions, the suggested changes to the plan as a result of the submission and the implications of the feedback are outlined below:

The items raised in these submissions addressed both the draft Conservation Management Plan and the revised Restoration Action Plan.

This feedback, along with responses and recommended changes to the documents, can be found as Attachment C.

Council's Heritage Advisor:

As per point 5 of the resolution of 25 March 2020 Council's Heritage Advisor has reviewed both the draft Conservation Management Plan and revised Restoration Action Plan and has indicated support for the Conservation Management Plan as it is fundamental to the heritage conservation of the cemetery going forward and is general strongly supported.

A suggestion was made to list the Conservation Management Plan as a separate item in the Restoration Action Plan. This has been implemented.

Council's Heritage Reference Group:

As per point 5 of the resolution of 25 March 2020 Council's Heritage Reference Group reviewed the draft Conservation Management Plan and revised Restoration Plan at a meeting held on 5 November 2020. The minutes of this meeting form part of Attachment D.

The main points raised by the reference group – and responses are tabled below:

Feedback	Response	Changes to plan
Conservation Management Plan		
Unmarked graves Recommended the CMP identify buffers near existing graves and around the boundary of the cemetery to protect against the risk of disturbing unmarked graves. CMP currently shows a track running over identified unmarked graves, vehicular paths should be formalised to avoid grave sites, marked or unmarked	<p>Unmarked graves are an issue in all cemeteries, where the records of earlier or unauthorised burials are not recorded. As a result, a strict procedure is in place if human remains are unearthed in a cemetery and investigations are undertaken. These procedures are in place for all cemeteries in the MidCoast.</p> <p>While ground penetrating radar can be beneficial for identifying unmarked graves in cemeteries, it can be cost prohibitive.</p> <p>As a result, it is a process typically undertaken where cemetery records are very limited and human remains are being regularly unearthed, which is not the case at the Bight Cemetery.</p> <p>It was agreed that there are locations in cemeteries where there is an increased risk of uncovering unmarked graves, being next to existing graves (marked and unmarked) and around the boundary of the cemetery. It is proposed to amend the CMP to identify buffers in these locations to acknowledge that there is an increased risk of disturbing unmarked graves in these locations.</p> <p>A review of the formalised vehicle paths in the cemetery will be undertaken to ensure that they avoid grave sites, marked or unmarked (where known). A current track through an area identified as unmarked graves will be relocated.</p> <p>It is not possible to exclude tracks from all buffer areas as vehicles need to access the cemetery to undertake works.</p>	<p>Amend the CMP to show buffers next to existing graves (marked and unmarked) and around the boundary of the cemetery, where caution is required and vehicle movements are limited. Relocate the current track from the location where unmarked graves have been identified.</p>

<p>Boundary of active portion not clear on the ground or in the CMP – markers be placed in the cemetery to delineate the active portion of the site</p>	<p>A boundary survey will be completed prior to the start of any landscaping works and a means of identifying the boundary on site will be implemented.</p>	<p>Nil required</p>
<p>Gradings of significance – discussed at length and accepted the grades designed specifically for the Bight Cemetery and can differ in CMPs based on the heritage values of each cemetery, terminology generally acceptable to heritage practitioners. Not the role of the CMP to undertake detailed assessment on scope of works for each headstone.</p> <p>RAP needs to be amended to reflect the CMP timeframe of pre-1950s for involvement by a heritage stonemason.</p>	<p>The purpose of the CMP was to assess the historic, aesthetic and social/cultural significance of monuments in the cemetery in accordance with <i>The NSW Heritage Office: Assessing Heritage Significance</i> guidelines. The significant gradings used for Conservation Management Plans (CMP) relate to the relative heritage significance of each site. In the case of cemeteries, it relates to grave markers and items within the context of the cemetery.</p> <p>Table 6.2 (page 83) “Gradings of heritage significance definitions used in this CMP” includes the following gradings of significance: Exceptional, High, Moderate, Low, Neutral and Intrusive. A date range is also included alongside an explanation. The significance gradings are based on the physical fabric, age and the historical significance of the grave markers in the context of their local area, not age alone. The gradings of significance developed by the Heritage Council of NSW have been adapted for use in the CMP to be relevant to both ancillary elements/fabric and grave markers. The gradings of significance are in accordance with <i>The NSW Heritage Office: Assessing Heritage Significance</i> guidelines which state (page 11):</p> <p><i>“Different components of a place may make a different relative contribution to its heritage value. Loss of integrity or condition may diminish significance. In some cases it may be useful to specify the relative contribution of an item or its components. While it is useful to refer to the following table (Gradings of significance) when assessing this aspect of significance it may need to be modified to suit its application to each specific item.”</i></p> <p>Council’s Heritage Advisor has assessed the approach undertaken for the CMP and is satisfied that it meets the requirements of the relevant guidelines.</p>	<p>The RAP will be amended to align with the CMP</p>
<p>National Trust Guidelines</p> <p>Agree the CMP references the current guidelines but needs to make reference to new and updated guidelines to ensure the CMP remains relevant. Proposed to amend the CMP</p>	<p>The National Trust advises that they may have guidelines available in sometime in 2021. Any plan should be developed on the basis of the current approved guidelines and practices, which is the case for this CMP. In recognition that new guidelines are impending, the CMP can be amended to make reference to ‘new and updated guidelines’, to ensure the CMP remains relevant to practices current at that time.</p>	<p>CMP amended to refer to not only existing guidelines but updated or new guidelines.</p>

to refer to not only existing guidelines but updated or new guidelines.		
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Cemeteries and Crematoria NSW:

Landscaping Concerned about landscaping but have been informed there will be opportunity to comment on the plan when developed.	<p>It is acknowledged that there are some concerns about the landscaping proposed. A Landscaping Plan will be drafted and circulated to the families and the Heritage Reference Group to review, prior to planting occurring. All proposed landscaping is to be carried out adjacent the cemetery and within road reserve. With regard to timing, the priority will be the commencement of restoration of the damaged headstones which will be undertaken ahead of the landscaping.</p> <p>The development of a weed strategy is in relation to the ongoing maintenance of grave sites. To ensure that the strategy does not impact on the heritage integrity of the site, it will be reviewed by Council's Heritage Advisor</p>	Amend the CMP to make reference to the development of a Landscaping Plan for the Bight Cemetery
Restoration Action Plan		
1. CMP to be own action 2. Action to coordinate with National Trust should be reinstated 3. Remove the words 'while it is flowering' from Action 4	<p>1. Agreed – this has also been recommended by the Heritage Advisor</p> <p>2. References to the National Trust have been removed from the plan. This is because <i>The Bight Cemetery Conservation Management Plan</i> is the over-arching document in relation to the heritage significance of the cemetery and therefore should be the tool used to guide the management of the repairs / restoration to be undertaken.</p> <p>It is important to note that the National Trust is an independent community body that promotes the conservation of and access to Australia's unique natural, cultural and indigenous heritage. Advocacy is an important part of their activities to bring attention to important heritage issues.</p> <p>While this is an important role in the community, there appears to be a perception that the National Trust is a statutory authority with a legislative responsibility which is not the case.</p> <p>It should be noted that the National Trust has provided a submission for feedback (which forms part of Attachment D) and the items they have raised are addressed in the submissions and response table for the Conservation Management Plan.</p> <p>3. Agreed – this has been actioned</p>	The RAP is amended to include the CMP listed as own action and to remove the words 'while it is flowering' from Action 4

Cemeteries and Crematoria NSW have provided feedback on both the Conservation Management Plan and the Restoration Action Plan.

It should be noted that Cemeteries and Crematoria NSW, which sit within the NSW Department of Planning, Industry and Environment, are the statutory agency supporting and regulating the interment industry, assessing interment needs and developing planning strategies for cemetery space.

The feedback they have provided is tabled below with responses and suggested changes to the Conservation Management Plan for The Bight Cemetery.

Summary of feedback	Response	Change to the CMP
Conservation Management Plan		
Section 3.2 'State Legislation; on page 9 is missing reference to the <i>Cemeteries and Crematoria Act 2013</i> and the <i>Crown Lands Management Act 2013</i>	To be included	Adjusted to include reference
Section 7.5 'Owner's requirements' on page 95 incorrectly refers to The Bight Cemetery as being located on MidCoast Council owned land.	Council is the Crown Cemetery Operator of the land under the <i>Cemeteries and Crematoria Act 2013</i>	Adjusted to indicate ownership and Council responsibility
Section 8.4 'Conservation and Maintenance' on page 99 also needs to note that as stated above under Section 46(1)(e) of the <i>Cemeteries and Crematoria Act 2013</i> a cemetery operator must leave any memorial to the deceased person lawfully erected at that site, with the permission of the cemetery operator, undisturbed (providing the interment right remains in force and the memorial is kept in good repair) until such time as the memorial may be disturbed in accordance with the Act unless disturbance at an earlier time is requested or authorised by the holder of the interment right.	To be included	Adjusted to include reference
Restoration Action Plan – specifically comments relate to Annexure A, <i>The community's desired outcomes and Council's responses</i>		
Item 7 – Cemeteries and Crematoria NSW expects Council to refer to them any relevant policies processes and procedures prior to adoption and implementation.	Agreed - This will form part of Council's process when we reach that stage.	No change
Item 14 - Council should note that families saying they represent the families of the deceased interment right holder or those interred may not necessarily have the legal right to provide consent to works on monumentation on a grave. As noted above where a holder is deceased, the cemetery operator can transfer the interment right to the beneficiaries	Agreed - This will be factored into our practical administration of the repair program.	No change.

of the holder's estate or their successors, with appropriate supporting documentation. That new holder can then give permission concerning any works to memorialisation of a grave. A cemetery operator cannot override that right. Beneficiaries of an estate may not necessarily be family members or those contacting Council. In addition succession for those who pass away intestate is determined in accordance with intestacy rules set out in the Succession Act 2006.		
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ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

The development of a local community plan is in line with:

- Our community strategic plan, *MidCoast 2030: Shared Vision, Shared Responsibility*, value of 'our unique, diverse, and culturally rich communities' and 'a connected community' and strategies:
 - *2.2 Support the preservation and uniqueness of our history and cultural heritage in towns, villages and significant places*
 - *6.1 Working together to promote and enhance community safety*
- Our delivery program three-year focus areas of:
 - *2.2.3 Ensure our heritage is valued and conserved*
 - *6.1.7 Provide safe public areas*

RECOMMENDATION

That:

1. Council note the information provided in this report.
2. Council adopt draft 'The Bight Cemetery Conservation Management Plan' subject to the changes outlined in this report.
3. Council adopt the updated 'The Bight Cemetery Restoration Action Plan'.

Annexure A Issues raised in relation to The Bight Cemetery Restoration Action Plan

A number of submissions raised issues in relation to the revised Restoration Action Plan, the main themes and a response to them are below.

1. Text changes as per 25 March 2020 resolution

A number of changes to the Restoration Action Plan were endorsed at the 25 March 2020 meeting and were not reflected in the version of the Restoration Action Plan sent to families and made available on Council's website as part of the consultation on the Conservation Management Plan. This was raised in a number of submissions.

Response:

Changes endorsed at the March 2020 meeting have been implemented as per the below in the attached revised Restoration Action Plan.

Included in the principles of implementation listed on page two of the plan:

- *All repairs will be undertaken in line with the advice of qualified heritage stone masons in the case of heritage headstones*
- *Subject to the advice of professional and suitably qualified stone masons, where the restoration of a headstone or surround/kerbing/ashlar requires new material it should be a like for like material and colour matched as close as possible*
- *The restoration seeks to restore the fabric of the cemetery to how it was before headstones were laid down in July 2019 as per the principles of the Burra Charter*

Changes to items in the action plan.

- *Item 4 – replacement of the words ‘while it is flowering’ with ‘at all times’*
- *Item 6 – addition of words ‘qualified heritage stone masons were appropriate’*
- *Item 8 – addition of words ‘The headstone will be inspected and assessed by a stone mason or heritage stone mason (as appropriate). This assessment will inform the individual scope of works to be prepared for each of the damaged headstones.’*
- *Item 9 – Addition of words ‘the scope of works is to be provided to the family for review’*
- *Item 11 – Addition of words ‘Repairs to be undertaken by a stone mason or heritage stone mason (as appropriate depending on the age of the monument)’ and ‘Council’s Heritage Advisor will provide a monitoring and overseeing role of all documentation’*
- *Item 12 – Addition of the words ‘The photographic evidence of the repair works will include photos of the work being undertaken at various stages’.*

Additions/adjustments to the Restoration Action Plan:

- *Insertion at item 5 of the development of a Conservation Management Plan as per request from Council’s Heritage Advisor and Heritage Reference Group.*
- *Reference to The Bight Cemetery Conservation Management Plan has been included in the Restoration Action Plan in the principles, along with items 6 and 11, as the CMP is the document that is required to guide the work to be undertaken at the cemetery.*
- *Adjustment of stone mason to stone masons in various sections of the Restoration Action Plan to reflect the intent that multiple stone masons will be involved in the repairs*
- *The intent to liaise with families on the appointment of stonemasons has been removed from item 8, and included in the general principles*
- *Item 11, re-inclusion of original sentence into the action item, which had inadvertently been removed from the version provided to families and community for comment ‘this would include documenting the materials used, certifying how the work complied with Australia Standard AS 4204-2019 ‘Headstones and Cemetery Monuments’ and if this was not possibly why not’.*

2. Removal of reference to the National Trust from the Restoration Action Plan

Submissions raised the removal of the reference to the National Trust from several items in the Restoration Action Plan, including:

- the principles of implementation, which indicated 'work will be undertaken in accordance with National Trust Guidelines' and 'headstones will be repaired in accordance with advice from the National Trust and qualified heritage stone masons'
- Item 5 of the Action Plan originally indicated Council would coordinate with the National Trust of Australia (NSW) in the assessment and restoration of headstones to ensure it is undertaken in a manner recommended by the National Trust. (This item has been replaced with reference to the CMP as per the first dot point in section above)
- The reference has also been removed from item 7, which previously said 'in developing each scope of work the advice received from the National Trust and the appropriate stone mason will need to be taken into consideration'.

Response:

References to the National Trust have been removed from the plan. This is because *The Bight Cemetery Conservation Management Plan* is the over-arching document in relation to the heritage significance of the cemetery and therefore should be the tool used to guide the management of the repairs / restoration to be undertaken.

It is important to note that the National Trust is an independent community body that promotes the conservation of and access to Australia's unique natural, cultural and indigenous heritage. Advocacy is an important part of their activities to bring attention to important heritage issues.

While this is an important role in the community, there appears to be a perception that the National Trust is a statutory authority with a legislative responsibility which is not the case.

It should be noted that the National Trust has provided a submission for feedback (which forms part of Attachment D) and the items they have raised are addressed in the submissions and response table for the Conservation Management Plan.

3. Reference to the gradings of significance in the Conservation Management Plan

The restoration action plan references the 'gradings of significance' of the Conservation Management Plan. A number of submissions made comment on the inclusion of these gradings in the Restoration Action Plan.

Response:

The Restoration Action Plan needs to reference the Conservation Management Plan as the guiding document for the repair of the cemetery. Discussion on the gradings of significance has been dealt with in the section of this report that deals with the Conservation Management Plan.

4. Reference to monuments older than and younger than 50 years

A number of submissions questioned the lack of reference to the splitting of repairs into the two programs of those older than 50 years and those less than 50 years as per the resolution of 25 March 2020 which stated '*Council split the repair and restoration into two sections (headstones less than 50 years and headstones more than 50 years old).*

Response:

This resolution has been superseded by the gradings of significance developed for the Conservation Management Plan. The Conservation Management recommends that headstones pre-1950s should be restored by a heritage stonemason. This identification of the trigger for involvement of a heritage stonemason was made based on a detailed heritage assessment undertaken for The Bight Cemetery, which was not available at the time of the Council resolution in March 2020.

5. Process for preparing detailed scopes of work

A query has been submitted regarding the process for having detailed scopes of work prepared for individual graves. The question has been asked if a scope of works is undertaken and then families decide which stone mason they use, or do families choose the stone mason to prepare the individual scope of works.

Response:

The process is that a scope of works is undertaken by a suitably qualified stone mason and then if the family chooses to use another stone mason, that stone mason will have to repair the monument to the scope of works provided.

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3 'ZONING IN' – CONSULTATION

Report Author	Sue Calvin - Senior Strategic Planner
File No. / ECM Index	S1885/03
Date of Meeting	16 December 2020
Authorising Director	Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

This report documents the feedback received during consultation on the 'Zoning In' project from 5 February until 9 April 2020.

The consultation examined the future planning controls that would apply to the urban areas of the MidCoast. The 'Zoning In' - Consultation report provides an assessment of the feedback and recommends changes to refine and improve the exhibited documents.

SUMMARY OF RECOMMENDATION

1. That the 'Zoning In' - Consultation report be adopted and uploaded on Council's website.
2. That the Housing Strategy, Employment Zones Review, Manning Health/Taree CBD Precinct Plan, Urban Land Monitor, and Large Lot Residential Supply and Demand Analysis be amended based on the findings of the 'Zoning In' - Consultation report.
3. That the Housing Strategy, Employment Zones Review, Manning Health/Taree CBD Precinct Plan, Urban Land Monitor, and Large Lot Residential Supply and Demand Analysis be uploaded on Council's website as final versions after they are amended.
4. Amend the Recreation Zones Review and Infrastructure Zones Review based on the findings of the 'Zoning In' - Consultation report and upload these documents on Council's website as draft versions to be exhibited with the Rural Strategy.

FINANCIAL/RESOURCE IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

- A: Zoning In Response to Feedback
- B: Zoning In Response to Feedback – Appendix A
- C: Zoning In Response to Feedback – Appendix B
- D: Zoning In Response to Feedback – Appendix C
- E: Zoning In Engagement Outcomes Report
- F: Zoning In Submissions

Attachments A, B, C, D & E have been circulated to the Councillors and Senior Staff, however these Attachments are publicly available on Council's website.

Due to the size of Attachment F this has been circulated in electronic format only to Councillors and Senior Staff, however this Attachment is publicly available on Council's website. The copy on the website has had the personal information redacted to protect the privacy of the members of the public providing submissions.

BACKGROUND

Community consultation on the 'Zoning In' project was undertaken from 5 February until 9 April 2020. It involved community conversations on future planning controls that would apply to the urban areas of the MidCoast, being our towns and villages.

The 'Zoning In' documents that were exhibited included the:

- Housing Strategy
- Manning Health/Taree CBD Precinct Plan
- Employment Zones Review
- Recreation Zones Review
- Infrastructure Zones Review
- Urban Land Monitor
- Large Lot Residential Supply and Demand Analysis

Feedback received during the consultation came from a number of sources:

- 378 submissions were received as forms, letters and emails (refer Attachment F)
- a petition was received from the Pacific Palms community (191 signatures)
- issues raised by the community during conversations with over 1,000 people at the information sessions, discussions over the phone and via emails
- State Government comments.

This report documents the feedback received, outlines how it was considered and identifies changes proposed to the documents that were exhibited (refer Attachment A).

DISCUSSION

1. Zoning In Feedback

This report examines the feedback provided in three parts:

Part 1 - Emerging themes: common themes emerged from the issues raised in each town and village. Key themes were:

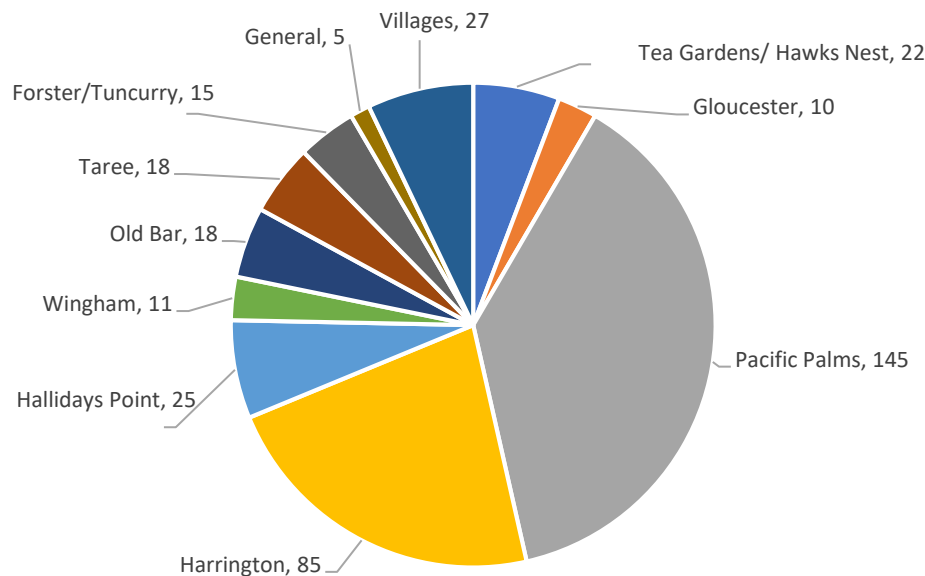
- **Proposed maximum building heights** - particularly in Pacific Palms and Harrington. The Employment Zones Review had included a bonus clause for centres where good urban design outcomes could result in additional building heights. The community were particularly concerned about the impact the additional height would have on the character of their town. In Harrington, the increased heights from 8.5m to 12m proposed

in the Housing Strategy added to the community's concerns, along with the 12m proposed building height for land in the Private Recreation zone (e.g. golf courses and caravan parks). The maximum building heights across all documents were reviewed and changes are proposed that often reflect the current height limits.

- **Place-based planning** - this emerged as an important need in our community. The character of their town or village was an important discussion in every community. The 'Zoning In' project is currently focused on establishing a planning framework across the MidCoast, which is at a higher strategic level to inform the development of the MidCoast Local Environmental Plan and Development Control Plan. The next stage will focus on place-based planning – examining the character, growth and infrastructure needs of our towns and villages in partnership with the community. Based on feedback received, the community are eager to see these local land use plans developed
- **Potential urban lands** – this was raised by landowners wanting to develop their lands and the State Government requiring more details. A review was undertaken and it is proposed to include more details in the Housing Strategy about the process and expectations for potential urban lands. It is proposed to reduce the extent of sites where studies demonstrate that the whole site cannot be developed and justify where new sites are proposed. The Employment Zones Review is also to be amended to include potential employment lands in Taree, Nambucca and Gloucester
- **Height consolidation** - this was examined after the community commented that there were too many heights, making it difficult to determine which height applied to sites. Maximum building heights are proposed in the Housing Strategy, Employment Zones Review, Recreation Zones Review and the Manning Health/Taree CBD Precinct Plan. Across all of these documents sixteen different height controls were proposed, with some differing by only half a metre. The maximum building heights have been consolidated to ten different heights. This resulted in minor increases to building heights in the centres in Taree, Tuncurry, Forster and Tea Gardens
- **Local Aboriginal Land Councils** - consultation is required where sites are subject to Native Title Claims. A number of publicly owned sites were proposed to have their zone changed, but have recently changed ownership to a Local Aboriginal Land Council. It is important to consult with each Local Aboriginal Land Council to determine which may be included in the recent Aboriginal Land State Environmental Planning Policy (SEPP) 2019 and the appropriate zone for the land.

Part 2 – Site Specific: the majority of submissions received related to specific sites, typically where people lived. As shown in Figure 1, the 378 submissions were from across the MidCoast (NB. some submissions covered multiple areas). The five general submissions raised MidCoast-wide issues.

Figure 1: Location of Submissions



In addition to the submissions; the petition and points raised through the community conversations were also location specific. For each town and village, this feedback was summarised into key issues, the points were considered and where appropriate, changes were recommended.

This detailed information is provided in Appendix A of this report.

Part 3 – State Government interests: the NSW Department of Planning, Industry and Environment (DPIE) advised that Transport for NSW and the Environment and Planning sections of their Department should be contacted as part of the ‘Zoning In’ consultation. The key point raised from DPIE was to continue to consult with the Department as we move from the development of strategies to writing the MidCoast Local Environmental Plan. This will ensure that we are meeting their requirements with regard to State interests and the level of technical information required.

In addition to this consultation, the Local Land Services were consulted with regard to the Recreation Zones Review and Hunter New England Health for the Manning Health/Taree CBD Precinct Plan.

2. Zoning In documents

Feedback received during the Zoning In consultation has identified proposed changes to all of the documents exhibited. The proposed changes are outlined in Attachment A to this report.

The amended Housing Strategy, Employment Zones Review, Manning Health/Taree CBD Precinct Plan, Urban Land Monitor and Large Lot Residential Supply and Demand Analysis will be the final versions of these documents. They will be uploaded on Council’s website, along with the ‘Zoning In’ – Consultation report so that they are available for the community.

The amended Recreation Zones Review and Infrastructure Zones Review will remain as draft versions as they apply to the rural lands and will be exhibited with the Rural Strategy. The draft versions will also be uploaded on Council’s website.

CONSULTATION

Community consultation on the 'Zoning In' project was undertaken from 5 February until 9 April 2020. The Zoning In Engagement Outcomes Report (Attachment E) provides details on the community engagement undertaken for the project and feedback received on the effectiveness of the consultation.

In summary, the community was engaged through:

- eighteen information sessions in twelve locations attended by around 1,000 people
- presentations to eight community groups
- advertisements, media releases, media interviews, posters, Facebook posts and displays in the Council administration offices
- 9,249 visits to the 'Know your Zone' project page on our website.

60% of submissions came from the Pacific Palms and Harrington communities. Both communities were concerned about height controls proposed in the Housing Strategy and Employment Zones Review. The issues were investigated and new heights proposed.

To check-in with these communities about the proposed changes, an additional consultation process was undertaken with the people who had lodged a submission (25 September until 16 October 2020). Based on this consultation, the response to the new proposed building heights was favourable.

COMMUNITY IMPACTS

The 'Zoning In' consultation was extensive with over 1,200 people having conversations with Council staff and 9,249 visits to the 'Know your Zone' project page on our website. The majority of submissions have resulted in changes to the 'Zoning In' documents, which is a positive outcome for the community. In addition, the Zoning In Engagement Report (Attachment E) indicates that of the 83 people surveyed they generally had a positive experience, for example:

- 92% of participants felt better informed about the proposed changes after coming to the drop-in session as a result of the way the consultation was facilitated
- 93% felt that they had the opportunity to have their say.

This is the first stage of 'checking-in' with the community. The next stage – the Rural Strategy, will be available in 2021 for community feedback. Once the Rural Strategy is complete, work will commence on writing the MidCoast Local Environmental Plan and MidCoast Development Control Plan. Consultation on these draft plans is anticipated to occur in 2022. This process ensures that the community have the opportunity to be involved as the plans develop.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

The Zoning In consultation and documents are aligned with the MidCoast 2030: Shared Vision, Shared Responsibility, particularly with regard to the following objectives:

- we will embrace the uniqueness and creativity of our communities
- we protect, maintain and restore our natural environment
- we balance the needs of our natural and built environments
- our region is a popular place to visit, live, work and invest

- we make opportunities available for the community to inform decisions and shape our future.

The Zoning In consultation and documents are consistent with the Delivery Program (2018-2021) and Operational Plan (2020-2021) with regard to:

- Focus Ref 1.1.8: Complete Recreation Zones Review for urban and rural areas identifying land that could or should be zoned for recreational purposes
- Focus Ref 1.4.3: Complete Urban Land Monitor to identify any residential land supply deficiencies
- Focus Ref 9.1.5: Complete Urban Land Monitor, including criteria for growth areas to consider natural assets and heritage sites
- Focus Ref 9.2.4: Assess the supply and demand of residential land for urban settlements for inclusion in the Urban Land Monitor
- Focus Ref 10.2.1: Include in the draft MidCoast Local Environmental Plan (LEP) clauses and mapping identified in the Manning Health/Taree CBD Precinct Plan and Employment Zone Review
- Focus Ref 11.3.1: Include consideration in draft MidCoast Local Environmental Plan (LEP) of controls identified in the Employment Zones Review
- Focus Ref 11.3.2 Include consideration in draft MidCoast Local Environmental Plan (LEP) and Development Control Plan (DCP) of all appropriate planning controls identified in the Manning Health/Taree CBD Precinct Plan
- Focus Ref 15.1.6: Include all appropriate planning controls identified in the Infrastructure Zones Review in the draft MidCoast Local Environmental Plan (LEP)

TIMEFRAME

It is intended to complete the 'Zoning In' projects for the urban areas, prior to commencing consultation on the rural areas in 2021.

RECOMMENDATION

1. That the 'Zoning In' - Consultation report be adopted and uploaded on Council's website.
2. That the Housing Strategy, Employment Zones Review, Manning Health/Taree CBD Precinct Plan, Urban Land Monitor, and Large Lot Residential Supply and Demand Analysis be amended based on the findings of the 'Zoning In' - Consultation report.
3. That the Housing Strategy, Employment Zones Review, Manning Health/Taree CBD Precinct Plan, Urban Land Monitor, and Large Lot Residential Supply and Demand Analysis be uploaded on Council's website as final versions after they are amended.
4. Amend the Recreation Zones Review and Infrastructure Zones Review based on the findings of the 'Zoning In' - Consultation report and upload these documents on Council's website as draft versions to be exhibited with the Rural Strategy.

4 DEVELOPMENT APPLICATION 455/2020 - SECONDARY DWELLING – 1 CLARE PLACE, TAREE

Report Author Susan Blake – Development Planner
File No. 455/2020/DA
Date of Meeting 16 December 2020
Authorising Director Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

MidCoast Council is in receipt of a Development Application seeking consent for a secondary dwelling at No.1 Clare Place, Taree. The application was lodged under the provisions of State Environmental Planning Policy (Affordable Rental Housing) 2009 as secondary dwellings are currently prohibited development in the R5 zone under the *Greater Taree LEP 2010*.

Clause 22(3)(b) of the ARH SEPP permits a secondary dwelling if they do not have a total floor area greater than 60m². The development proposes a dwelling with a floor area of 110m² and the applicant has sought a variation to Clause 22(3)(b) of the SEPP to permit a development greater than 60m² in floor area.

DETAILS

Date Received: 28 April 2020
Applicant: PDA Planning Pty Ltd
Owner: Geoffrey and Jeanette Tull
Land: Lot 104, DP 1056818 - No.1 Clare Place, Taree

SUMMARY OF RECOMMENDATION

That Council refuse the development application.

FINANCIAL/RESOURCE IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

A: Applicant's Submitted Development Plans

Attachment A has been circulated to the Councillors and Senior Staff, and this attachment is publicly available on Council's website.

BACKGROUND

Development Application 455/2020 was submitted to Council on 28 April 2020. The applicant lodged the DA utilising the provisions of clause 22 of State Environmental Planning Policy (Affordable Housing Policy) 2009 [ARH SEPP]. The ARH SEPP enables a total floor area for any secondary dwelling to be no more than 60m², or if a greater floor area is permitted in respect of secondary dwellings under another environmental planning instrument, that greater floor area.

In accordance with clause 5.4(9) of Greater Taree Local Environmental Plan 2010 [GTLEP 2010] where development for the purposes of a secondary dwelling is permitted, the floor area of the secondary dwelling must not exceed whichever is greater – a floor area of 60m² or 43% of the total floor area of the principle dwelling.

The application was notified and internally referred. Council identified to the applicant that clause 5.4(9) of GTLEP 2010 can only be relied upon if a secondary dwelling is permitted in the zone. Under the GTLEP 2010 secondary dwellings are prohibited in zone R5 Large Lot Residential, and as such the *provisions relating to the greater floor area do not apply for this development*.

The applicant in turn sought independent legal advice. The applicant on 23 July 2020 submitted to Council a copy of their legal advice, and a request was made for a variation under clause 4.6 of the GTLEP 2010 to vary the 60m² development standard required by clause 22(3)(b) of the AHR SEPP.

It is important to note that Council is presently reviewing the draft MidCoast Housing Strategy which asked for public comments on the various types of development across the MidCoast region (publicly exhibited from 5 February until 9 April 2020). The MidCoast Housing Strategy has identified the potential for secondary dwellings and detached dual occupancies to be permitted within all R5 zones. If this position is accepted by Council it is likely that corresponding changes will be introduced into future Environmental Plans and the need to rely on variation to the standard will not be required.

[illegible]

The site is located on the corner of Ruby Drive and Clare Place and is known as No. 1 Clare Place, Taree. The subject property has an area of 10,200m² (1.02 hectares). The locality contains large lot residential lifestyle allotments set in a semi-rural setting. Each lot generally has a dwelling and out-buildings, pools and driveways with scattered native trees, manicured lawns and established gardens. The adjoining lots have similar land areas - 8,585m² (north), 1 hectare (east), 9,089m² and 8,114m² (west), 1.14ha and 1.45 ha (south).

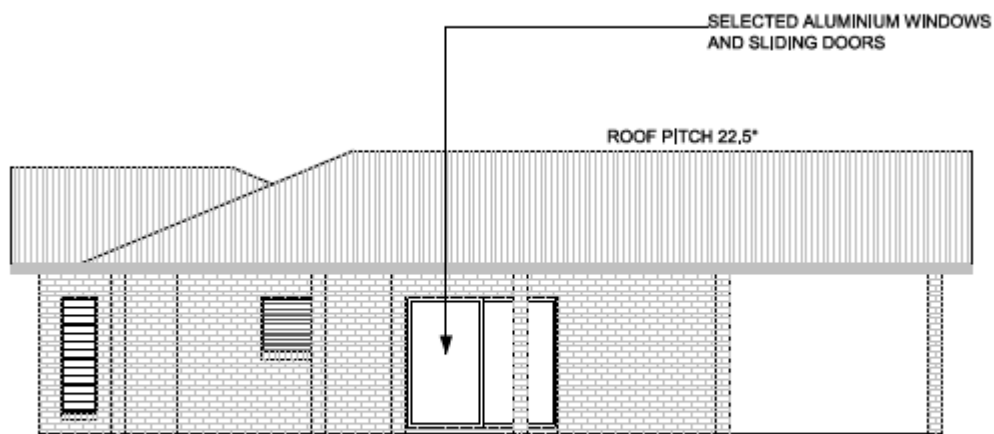
Lot 4 contains an existing large single 4-bedroom dwelling, separate shed/garage, driveway, landscaped gardens and mature trees. The existing dwelling has a drive-through double garage, and amenities including separate office, sound room, family room, kitchen, ensuite and main bathroom, laundry, porch and sunroom. There is a paved driveway curved up to the dwelling accessed from the eastern side of Clare Place, located midway along the allotment. There is an additional paved area connecting from the north-west of the dwelling to a separate outbuilding/garage. The applicant has stated the existing dwelling has a floor area of 269.4m². An existing aerated wastewater treatment system to cater for occupants of the dwelling has been installed which disposes of treated wastewater to an irrigation field.



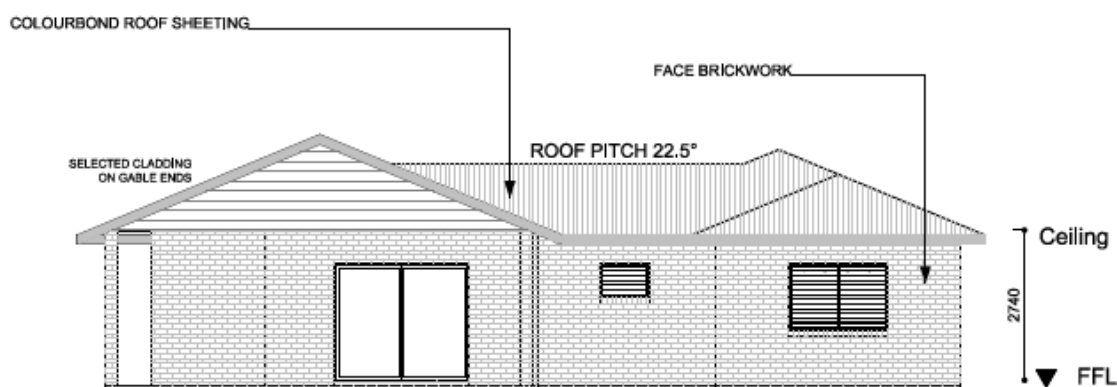
Figure 2: Aerial View of 1 Clare Place, Taree.

PROPOSAL

The proposed development seeks to permit a detached secondary dwelling on Lot 4. The proposed dwelling comprises 2 bedrooms, a bathroom with toilet, shower and basin adjoining a separate room with another toilet and basin, a hallway with office nook, kitchen and butler's pantry with laundry, living area, outdoor deck and alfresco living area. The dwelling proposes a floor area of 110m².



EAST ELEVATION



NORTH ELEVATION

Figure 3: Applicant's submitted Elevations of the Proposed Secondary Dwelling

The secondary dwelling will be located to the north-west of the existing dwelling and outbuilding/shed. The proposed dwelling design does not include any extension of the existing driveway or garage, however existing internal fences will be relocated. It is proposed that the new dwelling be connected to the existing on-site effluent disposal system, and the irrigation field expanded. The stormwater drainage from the proposed development is to be directed to the stormwater system in Clare Place.

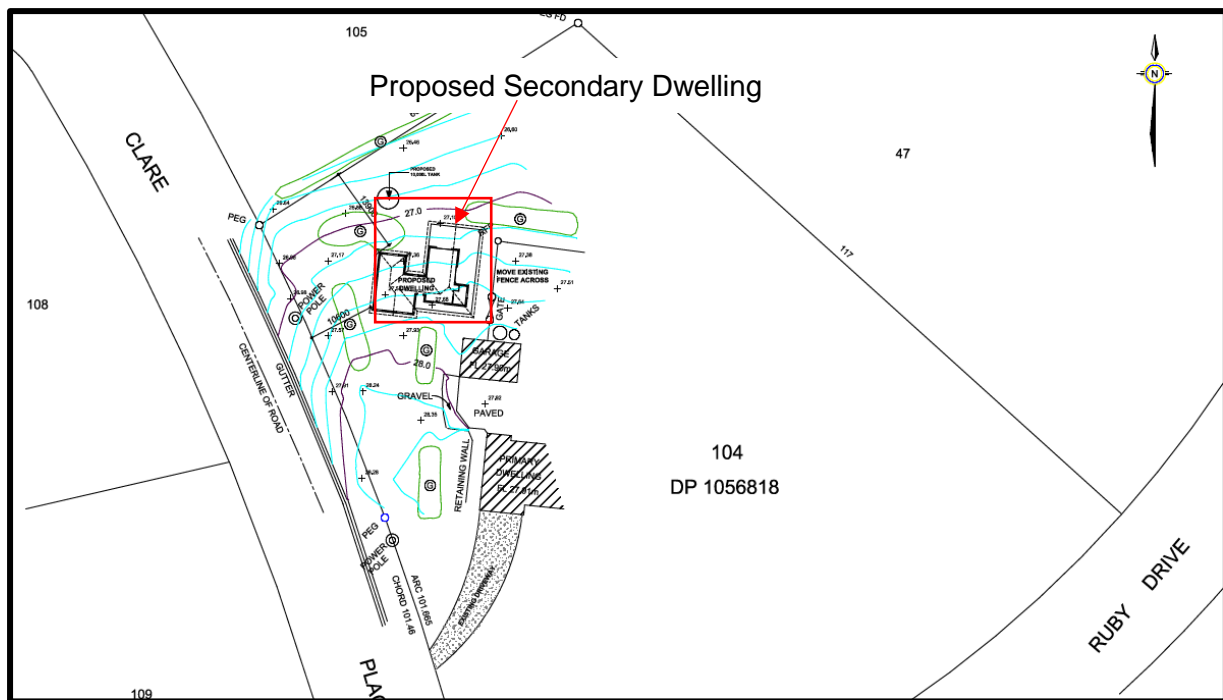


Figure 4: Applicant's Partial Site Plan including proposed Secondary Dwelling

The submitted development plans are provided as Attachment A.

REPORT

Under S4.15 of the Environmental Planning & Assessment Act 1979 (EP & A Act), a consent authority (the Council) when determining a development application, “*is to take into consideration such of the following matters as are of relevance to the development the subject of the development application*”. The relevant matters for consideration are summarised below:

4.15 (1)(a)(i) the provisions of any environmental planning instrument

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

Regulations under the Act established a scheme to encourage sustainable residential development (the BASIX scheme). The applicant's BASIX certificate assessment lists the key elements of the design and the manner in which the development will be carried out to meet the BASIX targets and sustainability commitments.

The proposed development is a BASIX affected development in accordance with Part 1, clause 3 of the EP&A Regulation 2000. BASIX requirements for the development are indicated in BASIX Certificate No. 1096279S dated 21 April 2020.

State Environmental Planning Policy (Koala Habitat Protection) 2019

The Koala SEPP aims to encourage the conservation management of areas of natural vegetation that provide habitat for koalas to support permanent free-living populations over their present range and to reverse the current trend for koala population decline.

Pursuant to clause 9 of the SEPP, the site is identified on the Koala Development Application Map, is 1 hectare in area, and does not have an approved koala plan of management applying to the land. Therefore, prior to Council granting consent to enable development, Council must

consider the Guidelines, or information from a suitably qualified and experienced person to ensure that the land does not include any trees belonging to the feed tree species listed in Schedule 2 of the SEPP and that the land is not core koala habitat. The applicant did not submit an ecological report.

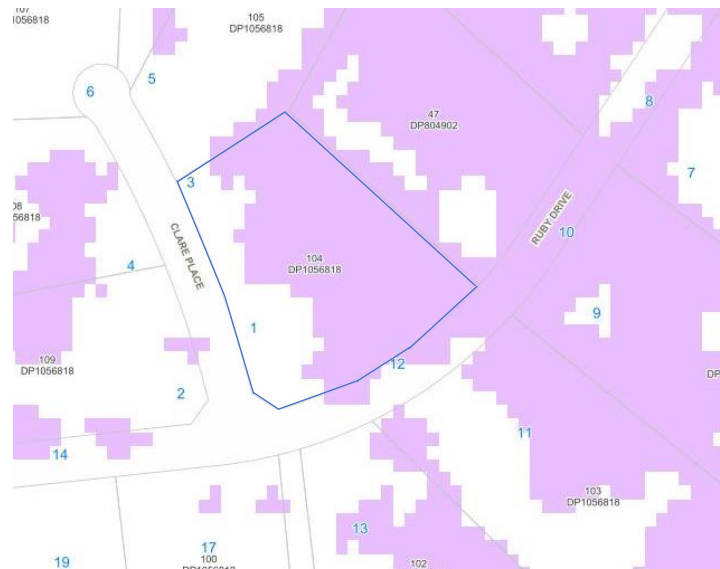


Figure 4: 1 Clare Place, Taree is identified on the Koala SEPP - Koala Development Application Map.

Council has identified that the vegetation is considered Koala Primary habitat. The location of the proposed secondary dwelling is considered to be generally cleared, and the proposal does not require the removal of any vegetation or koala habitat feeding trees. The proposed development is considered to not significantly impact on koala habitat, and construction can be appropriately managed through conditions of consent to minimise any potential impacts.

State Environmental Planning Policy (Affordable Rental Housing) 2009

The intent of the ARH SEPP policy is to facilitate the increased supply and diversity of affordable rental housing in NSW. The aims of the Policy are as follows:

- a) *to provide a consistent planning regime for the provision of affordable rental housing,*
- b) *to facilitate the effective delivery of new affordable rental housing by providing incentives by way of expanded zoning permissibility, floor space ratio bonuses and non-discretionary development standards,*
- c) *to facilitate the retention and mitigate the loss of existing affordable rental housing,*
- d) *to employ a balanced approach between obligations for retaining and mitigating the loss of existing affordable rental housing, and incentives for the development of new affordable rental housing,*
- e) *to facilitate an expanded role for not-for-profit-providers of affordable rental housing,*
- f) *to support local business centres by providing affordable rental housing for workers close to places of work,*

- g) *to facilitate the development of housing for the homeless and other disadvantaged people who may require support services, including group homes and supportive accommodation.*

Division 2 of the ARH SEPP relates to Secondary Dwellings. The policy establishes a NSW wide consistent planning regime for the provision of affordable housing, whilst facilitating the delivery of housing by providing incentives, and non-discretionary development standards.

Accordingly, the SEPP provides the potential for secondary dwellings to be permitted in Zone R5 Large Lot Residential, which in this circumstance would be prohibited under Council's policy. The AHR SEPP provides under clause 22(3) that Council must not consent to development for secondary dwellings unless:

- (a) *the total floor area of the principal dwelling and the secondary dwelling is no more than the maximum floor area allowed for a dwelling house on the land under another environmental planning instrument, and*
- (b) *the total floor area of the secondary dwelling is no more than 60 square metres or, if a greater floor area is permitted in respect of a secondary dwelling on the land under another environmental planning instrument, that greater floor area.*

The maximum floor area provisions under GTLEP 2010 do not apply as the development (secondary dwellings) is currently prohibited in the R5 zone. The NSW standard provision is for a maximum secondary dwelling area of 60m². The proposed new dwelling is 50m² larger than the ARH SEPP standard. The application is however supported with a request to vary the development standard.

Greater Taree Local Environmental Plan 2010 (GTLEP 2010)

The development is subject to the provisions of the GTLEP 2010. Pursuant to this plan the development site is zoned R5 Large Lot Residential.

The objectives of the zone are:

- *To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.*
- *To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.*
- *To ensure development in the area does not unreasonably increase the demand for public services or public facilities.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*

The proposed development although not identified as a permitted land use in the R5 zone, can be considered to meet the general objectives of the zone. The allotment is 10,200m² and the proposed secondary dwelling can be constructed in a way which preserves the rural setting, can mitigate environmental impacts by maintaining landscaping and providing appropriate on-site sewerage and waste management. The additional dwelling is not considered to unreasonably increase the demand for public services or public facilities in this locality. Also, due to the land topography, siting of the building, natural assets, landscaping, and single driveway on the site, these measures potentially minimise conflict with adjoining neighbours.

While approval of the proposal would currently be contrary to the current GT LEP 2010, it is in keeping with the future strategic direction identified within the MidCoast Housing Strategy presented to Council.

The additional provisions of the GTLEP 2010 that apply to the site and proposed development are clauses 4.3 Height, 4.4 Floor Space Ratio, 7.1 Acid Sulphate Soils.

A clause 4.6 Exception to Development Standards has been requested by the applicant to vary the ARH SEPP.

4.3 Height

The maximum allowable height on the subject lot is 8.5m. The proposed dwelling is single storey having an approximate dwelling ridgeline of 4.6m, which is below the maximum roof height.

4.4 Floor Space Ratio

There is no maximum allowable floor space ratio on the subject site.

7.1 - Acid Sulphate Soils

The site and surrounding development is not affected by Acid Sulphate Soils.

Clause 4.6 - Exceptions to development standards

The development proposes a variation to the ARH SEPP maximum floor area standard of 60m² having a total floor area of 110m². Clause 4.6 of the LEP provides a degree of flexibility in the application of certain development standards where it can be demonstrated that compliance with the standard is unreasonable or unnecessary in the circumstances of the proposed development.

Subclause 4.6(1)

The variation to the floor area development standard is considered to be consistent with the objectives of Clause 4.6(1). It is considered reasonable to vary the development standard in this instance as it results in a positive outcome for the site, which would not be able to be achieved through strict compliance with the development standard.

Subclause 4.6(2)

The floor area prescribed by the ARH SEPP is a development standard which is not excluded from the operation of Clause 4.6. As such, consideration of the variation to the development standard is permitted.

Subclause 4.6(3)

In accordance with Clause 4.6(3) the applicant has provided a written request with justification for the variation, there are insufficient planning grounds to support the variation. The applicant has provided the following in support of the variation:

“The SEPP allows for the use of provisions in the Greater Taree Local Environmental Plan 2010 that would allow for floor areas of secondary dwellings in all residential zones with the exception of the R5 zone due to the prohibition of secondary dwellings in that zone. It is noted that secondary dwellings are permissible in the R5 zone in the Great Lakes Local Environmental Plan 2014. It is unreasonable for the strict compliance with the 60m² in this circumstance given the opportunity exists in the equivalent zone within the Great Lakes area of the Midcoast Council region.”

While the applicant's justification is not satisfactory, strict compliance with floor area standard is considered unnecessary as:

- Additional dwellings (being attached dual occupancies) are permitted on the land without limitation on floor area;
- The area of the land is such that the secondary dwelling will have no adverse impact on streetscape, amenity of the area or adjoining properties; and
- Secondary dwellings and detached dual occupancies are identified within MidCoast Council's DRAFT Housing Strategy as a permitted form of development within the R5 zone.

Subclause 4.6(4)

The applicant's written request has not adequately addressed the matters required to be demonstrated by subclause 4.6(3). The justification is based solely on differences in permissibility within different LEP's. The request does not address site impacts, objectives of the standard and makes no reference to the fact that secondary dwellings permitted under the Great Lakes LEP in R5 zones are to be of a smaller floor area than that proposed by this application.

The consent authority must also be satisfied that the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.

Affordable housing is considered to be in the public interest and the proposed development is not inconsistent with the relevant objectives of the R5 zone.

Subclause 4.6(5)

The proposed variation does not bring rise to any matters of State or regional environmental planning significance.

It is considered that strict compliance with the development standard would result in a substandard outcome for the public.

4.15 (1)(a)(ii) the provisions of any draft environmental planning instrument

Draft Greater Taree Local Environmental Plans on exhibition

The proposal is not impacted by any draft LEPs.

4.15 (1)(a)(iii) any development control plan

Greater Taree Development Control Plan 2010

Greater Taree Development Control Plan (DCP) 2010 applies to the proposed development.

The relevant objectives of the Residential Section of the DCP are to:

- *Encourage a variety and choice of housing types and sizes in localities;*
- *Ensure new housing integrates with the surrounding scale and character of the locality;*
- *Ensure that the impact of new housing on the amenity of surrounding properties is minimised.*

Comment: The proposed development is considered to provide a different choice and variety of housing for the public. The development will not lead to land use conflict, or a reduction in amenity for the surrounding properties..

There are specific DCP performance requirements under H3.2 of the DCP relating to secondary dwellings. The objectives are to:

- *Provide unique dwelling types that satisfy a social need;*
- *Contribute to the availability of affordable housing;*
- *Promote innovative housing solutions that are compatible with the surrounding residential environment*

The DCP provides that *secondary dwellings shall be designed to complement the design of the principal dwelling and be subservient to the principal dwelling in terms of visual bulk and scale. Provision must be made for clothes drying facilities in a location with adequate solar access, and states that Strata or Torrens title subdivision of secondary dwellings is not permitted.*

Comment: The proposed development is smaller than the large existing principal dwelling, so is considered subservient. Solar access, and utility services to the site can be achieved. The DCP enables innovative housing solutions that are compatible with the surrounding residential environment. The dwelling style and design fits with the principal dwelling, and Council may consider the development to be compatible with the surrounding residential environment and strategic policy considerations.

There are also specific DCP performance criteria for dwellings in R5 zones, as discussed below:

Setbacks

1. *The minimum front street boundary setback is 10m*
2. *Side and rear setbacks are a minimum of 5m*
3. *Council may consider reducing setback requirements where it can be demonstrated that it is necessary because of the topography or other feature including setbacks required for bushfire planning purposes*
4. *The reduced setback must not create amenity impacts for adjoining properties.*

Comment: The proposal meets the minimum required setbacks.

Car parking

Comment: In accordance with the DCP there is no maximum permissible length for driveways accessing large lot residential. In this circumstance, the driveway has been constructed, and all vehicles are able to leave the site in a forward direction. There is no requirement for additional carparking for secondary dwellings under the DCP.

4.15 (1)(a)(iia) any planning agreement or any draft planning agreement

Not Applicable

4.15 (1)(a)(iv) any matters prescribed by the regulations

Applicable Regulation considerations including compliance with the Building Code of Australia, compliance with the Home Building Act, PCA appointment, notice of commencement of works, sign on work sites, critical stage inspections and records of inspection have been made, and can be reflected in the conditions contained within any future notice of determination.

4.15 (1)(b) the likely impacts of that development

Context and Setting

The proposal is for a detached secondary dwelling within a large lot residential locality on the outskirts of Taree. The locality is predominately large lot residential lifestyle allotments set in a semi-rural setting. Each lot generally has a dwelling and out-buildings, pools and driveways constructed, and has scattered native trees, manicured lawns and established gardens. The development has been designed to complement the existing dwelling located on the site.

Site Design and Internal Layout

The secondary dwelling will be located to the north-west of the existing dwelling and outbuilding/shed. The proposal design does not include any extension of the driveway or garage/car parking for the secondary dwelling, however existing internal fences will be relocated. The applicant has indicated these fences will ensure appropriate koala movement.

Bushfire

The site is identified as being bushfire prone land. The application was referred to NSW Rural Fire Services in accordance with section 4.14 of the *EP&A Act 1979*. THE NSW RFS approval provided two (2) conditions and a general advice relating to the provision of asset protection zones including a 50m inner protection area, and construction standards. These recommendations will be inserted into any future development consent.

Views, Visual Impact and Overshadowing

The proposed dwellings will be viewed from neighbouring properties as they are set within the higher areas of the subject site. The wooded area along the eastern boundary, the scattered trees across the site, the managed gardens and landscaping soften the impacts of the secondary dwelling on the locality. The proposal doesn't create any overshadowing impacts on neighbours.

Privacy (Aural and Visual)

The proposed secondary dwelling and existing principal dwelling can satisfactorily manage and mitigate any impacts on privacy. The living areas of either dwelling are not located facing each other, and the garage/shed/outbuildings and gardens provide satisfactory private open space, and separation. Gardens are proposed and are presently managed on the site to provide better amenity for the residents.

Access, Transport and Traffic

The property is accessed from an existing crossover from the eastern side of Clare Place and the driveway curves up to the existing dwelling. The potential increase in vehicular movements can be managed on the local road system. No additional car parking is required or has been proposed as part of this development. It is noted that the site is located on the outskirts of town, with limited availability to public transport.

Utilities

Reticulated water and telecommunication services are provided to the site. It is proposed that the new dwelling be connected to the existing on-site effluent disposal system, and the irrigation field expanded. The proposed on-site waste management requirements can be reflected in the conditions contained within any future notice of determination.

Drainage

Stormwater drainage from the proposed development is still to be determined by the applicant. The applicant will need to identify the location and management of stormwater drainage as part of their future section 68 approval under the Local Government Act 1993. Appropriate conditions can therefore be contained within any future notice of determination.

Soils

The site is not affected by Acid Sulphate Soils.

Flora and Fauna

As noted previously, the vegetation on site is considered Koala Primary habitat. The location of the proposed secondary dwelling is cleared, and the proposal does not require the removal of any vegetation or koala habitat feeding trees. The proposed development is considered to not significantly impact on koala habitat, and construction can be appropriately managed including through conditions of consent, to minimise any potential impacts.

Climate Change

The proposal is unlikely to have any direct impact on climate change.

4.15 (1)(c) the suitability of the site for the development

As identified throughout this report, a dwelling can be constructed on the site. The ARH SEPP permits secondary dwellings to be constructed on the subject land. The construction and future use of the site for a secondary dwelling can potentially be managed appropriately, and conditions can be reflected within any future notice of determination.

Section 88B Instrument Impacts

The subject land has several restrictions to user/agreements, as established in the Section 88B Instrument, Part 1 table relating to Item Nos. 3 and 5. Of particular relevance is the need for the applicant to get Council approval to dispose of effluent generated on the lot, internal fencing is to be of a type which does not restrict Koala movement, and also includes design and material construction requirements for buildings. There are also private restrictions between the owners and developers of the original subdivision.

Clause 1.9 of GTLEP 2010 has provisions that can suspend covenants, agreement and instruments affecting development on land through the development consent process.

4.15 (1)(d) any submissions made in accordance with this Act or the Regulations

The application was notified to adjoining owners in accordance with Council's Policy and no submissions were received.

4.15 (1)(e) the public interest

Section 94 contributions will apply to the subject development in accordance with Council policy and will be levied via conditions of development consent.

CONCLUSION

The site has been inspected and the application assessed having regard to all documentation submitted by the applicant and the provisions of:

- Environmental Planning and Assessment Act 1979;
- State Environmental Planning Policies
- Environmental Planning and Assessment Regulation 2000;
- All relevant and draft Environmental Planning Instruments;
- Greater Taree Local Environment Plan;
- Greater Taree Development Control Plan; and
- Codes and Policies of Council.

This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, and all other documentation supporting the application.

In conclusion, the proposed development has a floor area beyond the standard development provisions.

Council has the ability to approve the proposed development if the applicant has demonstrated that the development standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard.

The applicant has not demonstrated that the standard is unreasonable or unnecessary and has not demonstrated that there are sufficient environmental planning grounds to justify contravening the development standard.

RECOMMENDATION

That Development Application 455/2020 for a secondary dwelling on Lot 4, DP 1056818, being No.1 Clare Place, Taree be refused for the following reasons:

- The ARH SEPP 2009 limits the total floor area of secondary dwellings to no more than 60m².
- The proposal does not meet the requirements of clause 4.6 of GTLEP 2010:
 - as the applicant has not demonstrated that the development standard (ARH SEPP clause 22(3)(b)) is not unreasonable and unnecessary in the circumstances of the case, and
 - the applicant has not demonstrated that the proposed development has sufficient environmental grounds to justify contravening the development standard.

ANNEXURE

A: Applicant's 'Variation of development standard application' form



Variation of development standard application

Written application providing grounds for variation to development standards

About this Form

This form is to be submitted with the development application where a variation to a development standard is sought.

DA number (if known)

455/2020/DA

Property details

Lot number

105

Deposited/Strata Plan number

1056818

Section number

Address

1 Clare Place

Suburb/Town

Taree

What is the name of the environmental planning instrument that applies to the land?

Greater Taree Local Environmental Plan 2010 and State Environmental Planning Policy (Affordable Rental Housing) 2009

What is the zoning of the land?

R5 Large Lot Residential

What are the objectives of the zone?

Clause 22 (3) (b) of State Environmental Planning Policy (Affordable Rental Housing) 2009

What is the development standard being varied? eg FSR, height, lot size

Maximum Floor Area (60m2)

Under what Clause is the development standard listed in the environmental planning instrument?

Clause 22 (3) (b)

What are the objectives of the development standard?

The objective of the development standard to provide consistency with the requirements for the floor area of secondary dwellings as outlined in Greater Taree Local Environmental Plan 2010.

What is the numeric value of the development standard in the environmental planning instrument?

60 square metres

What is proposed numeric value of the development standard in your development application?

269.4 square metres

What is the percentage variation (between your proposal and the environmental planning instrument)?

449%

How is strict compliance with the development standard unreasonable or unnesscary in this particular case?

The SEPP allows for the use of provisions in the Greater Taree Local Environmental Plan 2010 that would allow for floor areas of secondary dwellings in all residential zones with the exception of the R5 zone due the the prohibition of secondary dwellings in that zone. it is noted that secondary dwellings are permissible in the R5 zone in the Great Lakes Local Environmental Plan 2014. It is unreasonable for the strict compliance with the 60m2 in this circumstance given the opportunity exists in the equivalent zone the Great Lakes area of the Midcoast Council region.

How would strict compliance hinder the attainment of the objects specified in Section 1.3 of the Environmental Planning and Assessment Act?

Strict compliance would not allow the most economic use of the land.

Note: If more than one development standard is varied, an application will be needed for each variation (eg FSR and height)

Is the development standard a performance based control? Give details

No

Would strict compliance with the standard, in your particular case, be unreasonable or unnecessary?
Why?

Strict compliance with the 60m2 in this circumstance given the opportunity exists in the equivalent zone the Great Lakes area of the Midcoast Council region. In addition it is understood that the R5 zone to be incorporated in the consolidated Midcoast Local Environmental Plan currently being prepared will list secondary dwellings as a permissible use.

Are these sufficient environmental planning grounds to justify contravening the development standard?
Give details

Yes.

The requirement for the variation to the development is only necessary given that the Greater Taree Local Environmental Plan 2010 prohibits secondary dwellings. This is not the case in the Great Lakes Area. Allowing a variation to the development standard will allow consistency of application of the planning controls across the whole Midcoast Area.

How to lodge this form

Completed form can be:

- Emailed (select the submit button below); or
- Forwarded by post; or
- Lodged at our Customer Service Counters - Monday to Friday (excluding public holidays).

Submit

Privacy: This information is required to process your request and will not be used for any other purpose without seeking your consent, or as required by law. Your application will be retained in Council's Records Management System and disposed of in accordance with current legislation. Your personal information can be accessed and corrected at any time by contacting Council.

Forster | 4 Breese Parade | PO Box 450 Forster 2428 | 6591 7222
Gloucester | 89 King Street | PO Box 11 Gloucester 2422 | 6538 5250
Taree | 2 Pulteney Street | PO Box 482 Taree 2430 | 6592 5399

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5 MODIFICATION OF DEVELOPMENT CONSENT - PALM LAKES RESORT - 223 THE LAKES WAY, FORSTER

Report Author Ben Lim-Cooper - Development Assessment Planner

DA No. DA-529/2019/B

Date of Meeting 16 December 2020

Authorising Director Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

Council is in receipt of an application to modify DA-529/2019 pursuant with Section 4.55(1A) of the *Environmental Planning & Assessment Act 1979* (EP & A Act). The application seeks to modify the height of three skylights and a chimney of the approved clubhouse.

The plan amendments propose a variation to the maximum building height controls prescribed by Clause 4.3 of the *Great Lakes Local Environmental Plan 2014*.

DETAILS

Date Received: 27 October 2020

Applicant: PALM LAKE WORKS PTY LTD

Owner: PACIFIC RIM ACCOMMODATION GROUP PTY LTD

Land: Lot 496, DP 1018916 & Lot 402, DP 773088, 223 The Lakes Way, FORSTER NSW 2428

SUMMARY OF RECOMMENDATION

The application to modify the consent be approved.

FINANCIAL/RESOURCE IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

A: Original Notice of Determination

B: Modified Notice of Determination

C: Modified Plans

Attachments A, B & C have been circulated to the Councillors and Senior Staff, however these Attachments are publicly available on Council's website.

BACKGROUND

- 14 November 2017: Development Application DA-279/2016 for a new caravan park was approved by the Land and Environment Court.
- 21 February 2020: Development Application DA-529/2019 for a new clubhouse was approved by delegated authority. The approved clubhouse is in association to the approved caravan park also located on the site.
- 29 September 2020: A modification to DA-529/2019 was approved under delegated authority. The modification sought plan amendments and additional on-site car parking.

SITE DESCRIPTION

The site is described as Lot 496 DP 1018916 & Lot 402 DP 773088, 223 The Lakes Way, Forster. The site is located on the southern/south-western side of The Lakes Way, approximately 200 metres south-east of the intersection between Tea Tree Road and The Lakes Way. The site is an irregular shaped allotment with a total area of approximately 23.5 hectares.

The site is currently undergoing site works which includes bulk earthworks in accordance with Stage 1 of DA-529/2019. The southernmost portion of the site contains areas of vegetated land which is subject to a Vegetation Management Plan approved under DA-279/2016. This area of vegetated land generally aligns with that part of the land zoned 'E2 - Environmental Conservation' under the provisions of the *Great Lakes Local Environmental Plan 2014* (LEP). The remainder of the site is zoned 'R2 Low Density Residential' and 'R3 Medium-Density Residential'. Dunns Creek traverses the site in a north-easterly/south-westerly direction.

Land adjoining the western boundary of the site comprises established residential allotments which maintain frontage to Tea Tree Road. Land adjoining the southern boundary of the site comprises a large densely vegetated rural allotment. Wallis Lake and associated foreshore is located to the south-west of the site.

A site locality map is provided in Figure 1 below.

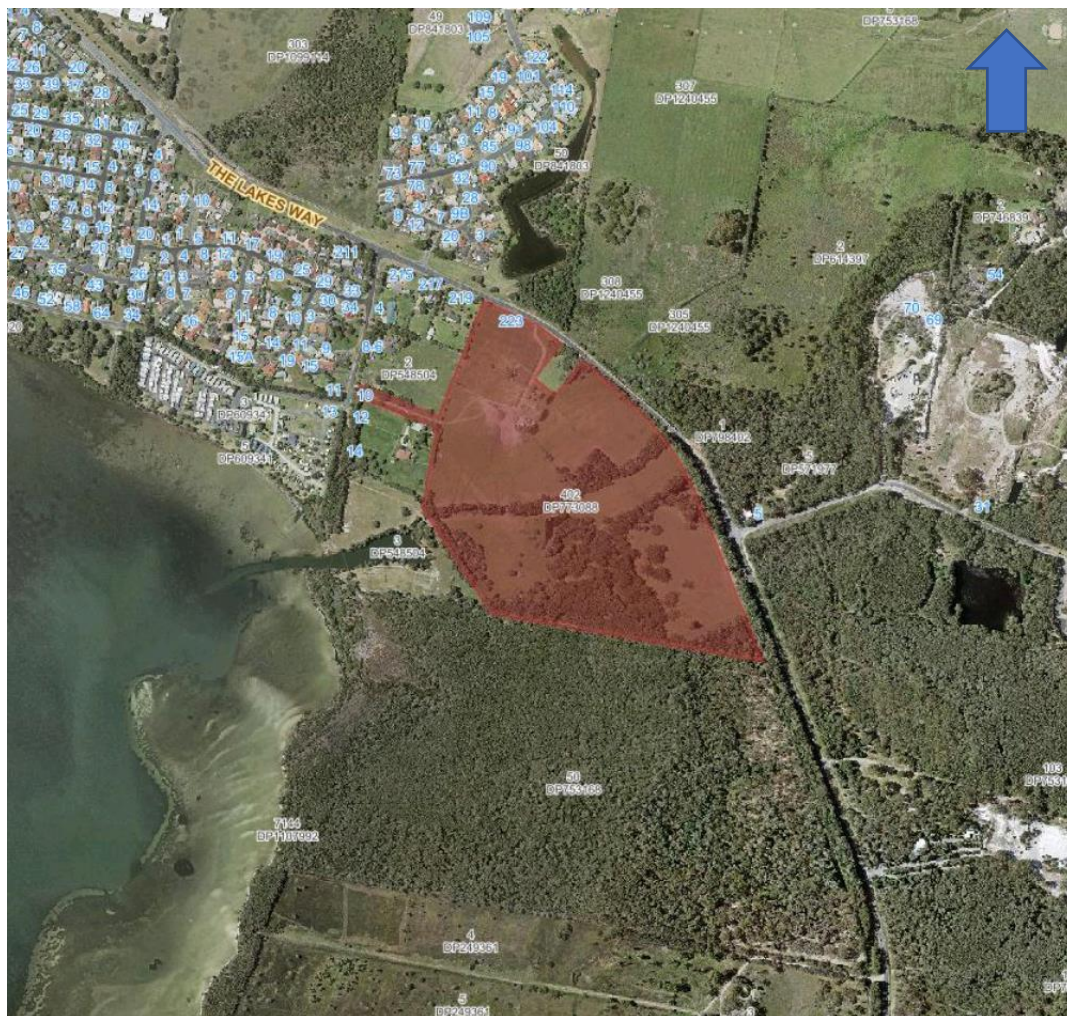


Figure 1: Site Locality Map - Lot 496 DP 1018916 & Lot 402 DP 773088, 223 The Lakes Way, FORSTER NSW 2428 - Source: Intramaps

PROPOSAL

The application for modification seeks plan amendments which include a height increase to features of the approved club house. The proposed height increase is confined to the chimney and three (3) skylights approved under the original application. These features form important architectural elements and assist in the overall sustainability of the building. The development statistics associated with the proposed modification are itemised in Table 1 below.

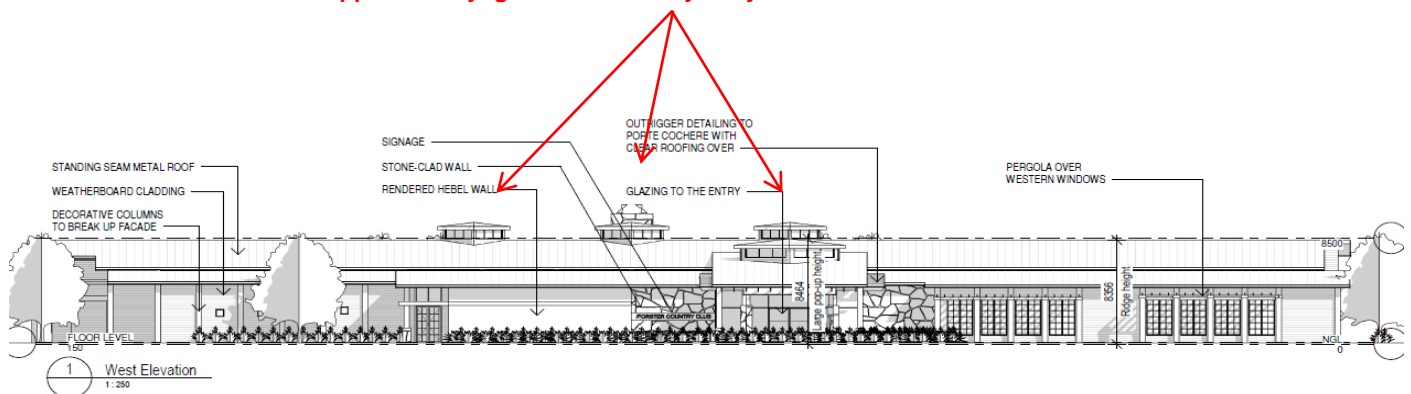
Table 1 - Development Statistics

Approved Feature	Approved Height	Proposed Height
Skylights	9.35m	9.79m
Chimney	9.35m	10.15m

Figure 2 below identifies the proposed modified elements of the approved clubhouse building.

Figure 2: Western Elevation - Source: PW Architecture

The approved skylights and chimney subject to this modification



REPORT

The proposed modification has been submitted under Section 4.55(1A) of the *Environmental Planning & Assessment Act 1979* (EP & A Act). Assessment against the matters for consideration prescribed by Section 4.55(1A) is provided below.

Section 4.55(1A)(a)

The consent authority must be satisfied that the proposed modification is of minimal environmental impact. As detailed within this Report, it is considered that the proposed modification will result in only minimal environmental impact. The proposed modification is confined to only minor portions of the approved building and is not likely to result in significant adverse visual impacts or overshadowing.

Section 4.55(1A)(b)

The proposed modification pertains to only minor elements of the approved building and the visual mass of the overall building is not likely to notably increase. The increased height of the modified elements is not likely to be greatly discernible in comparison to that originally approved under DA-529/2019. The internal floor layout and all other external features of the approved building will remain unchanged. The proposed modification will result in a building design that is substantially the same to that approved under DA-529/2019.

Section 4.55(1A)(c) & (d)

The proposed modification was not notified. The approved building subject to the proposed modification maintains sufficient separation distance from adjoining dwellings. It is considered that the proposed modification will not impact on the enjoyment of adjoining landowners and, therefore, was not notified in accordance with Appendix B of Council's Community Participation Plan.

Section 4.55(3) of the EP & A Act requires the consent authority when determining a modification application to take into consideration such of the following matters of relevance to the development. The relevant matters for consideration are summarised below.

4.15 (1)(a)(i) the provisions of any environmental planning instrument

NSW Coastal Policy 1997 and Coastal Design Guidelines for NSW

The proposed modification presents no further consideration for the matters raised in the *NSW Coastal Policy 1997 and Coastal Design Guidelines for NSW*.

State Environmental Planning Policy

State Environmental Planning Policy (Coastal Management) 2018

Division 4 of the *State Environmental Planning Policy (Coastal Management) 2018* (Coastal SEPP) is applicable to the proposed modification as the site is mapped as being within the 'coastal use area'.

The approved building subject to the proposed modification is located approximately 500 metres from the Wallis Lake and associated foreshore reserve. The modification is confined to only minor elements of the originally approved building and the extent of the modification is not likely to be inconsistent with relevant provisions prescribed by Clause 14 of the Coastal SEPP.

Draft Local Environmental Plan

No draft Local Environmental Plans are applicable to the proposed development.

Local Environmental Planning Instruments

The provisions of the *Great Lakes Local Environmental Plan 2014* (LEP) are applicable to the proposal.

The proposed modification seeks to increase the maximum building height of the approved building to 10.15 metres and a variation to the maximum building height control is sought pursuant with Clause 4.6 of the LEP. Assessment of the proposed modification against Clause 4.6 of the LEP is provided below.

Clause 4.6 - Exceptions to development standards

The development proposes a variation of approximately 19.4% to the building height development standard prescribed by Clause 4.3 of the LEP. Clause 4.6 of the LEP provides a degree of flexibility in the application of certain development standards where it can be demonstrated that compliance with the standard is unreasonable or unnecessary in the circumstances of the proposed development.

Subclause 4.6(1)

The variation to the building height development standard is considered to be consistent with the objectives of Clause 4.6(1). It is considered reasonable to vary the development standard in this instance as it results in a positive outcome for the site, which would not be able to be achieved through strict compliance with the development standard. The variation to the maximum building height control facilitates sustainable building performance and contributes to the architectural design of the approved building.

Subclause 4.6(2)

The building height prescribed by the LEP is a development standard which is not excluded from the operation of Clause 4.6. As such, consideration of the variation to the development standard is permitted.

Subclause 4.6(3)

In accordance with Clause 4.6(3) the applicant has provided a written request with justification for the variation, noting that the application of Clause 4.3 is unreasonable in this instance, and that there are sufficient planning grounds to support the variation. The applicant has identified the following points in support of the variation:

"In order to promote solar access into the proposed development, three (3) feature pop-up skylights are proposed within the amended design which slightly exceed the 8.5m height threshold for the site (i.e. they are a maximum of 9.79m in height). Furthermore, a proposed stone-clad chimney is proposed within the middle of the proposed Clubhouse which has a maximum height of 10.5m.

Despite these minor exceedances, we submit that the skylight features and their focus on enhancing the overall sustainability of the project (improved solar access, natural heating, reduced energy costs etc.) warrant support by Council. It is also noted that the skylight and chimney features are proposed within the central parts of the building, ensuring that their potential visual impact is lessened when viewed from the public domain and adjoining allotments (which form part of the broader Palm Lake Resort Forster Project)."

Strict compliance with the maximum building height is considered unreasonable as the height exceedance is confined to only minor elements of the approved building, being three (3) skylights and a chimney. The maximum ridge height of the roof structure will maintain a compliant height of 8.5 metres. The variation to the maximum building height control enhances the architectural design of the building and facilitates sustainability of the building by reducing the reliance on artificial lighting.

It should also be noted that parts of the site are zoned 'R3 - Medium Density Residential' which permits a maximum building height of 12 metres. The maximum allowable building height within the R3 Zone is approximately 18% greater than the maximum height proposed under this modification.

It is considered there is sufficient planning grounds to support the variation as the approved building is located approximately 200 metres from the nearest adjoining dwelling. Furthermore, the skylights and chimney are located approximately centrally within the approved building envelope and the visual prominence of these features is softened by the extent of the remainder of the building. There is not likely to be any significant adverse visual impacts or overshadowing.

Subclause 4.6(4)

The applicant's written request has adequately addressed the matters required to be demonstrated by subclause 4.6(3).

Clause 4.6(4)(ii) that the consent authority must be satisfied that the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.

The proposed height exceedance is not likely to render the approved development inconsistent with the relevant objective of the 'R2 - Low Density Residential' zone.

The relevant objective of Clause 4.3 of the LEP is as follows:

"to ensure that the scale of proposed buildings is compatible with the existing environmental character and the desired future urban character of the locality,"

As discussed previously, parts of the site are zoned 'R3 - Medium Density Residential' which provides for a maximum allowable building height of 12 metres. The maximum allowable building height within the R3 Zone is approximately 18% greater than the maximum height proposed under this modification.

Notwithstanding, it is considered that the majority of future development throughout the site will be of single-storey or two-storey construction. The modified elements subject to the variation are only minor features of the approved clubhouse building - with the remainder of the building maintaining single-storey construction.

The proposed modification is not likely to render the approved building incompatible with desired future urban character of the locality.

Subclause 4.6(5)

The proposed variation does not bring rise to any matters of State or regional environmental planning significance.

It is considered that strict compliance with the development standard would result in a substandard outcome for the public.

The proposal satisfies the established tests for Clause 4.6 variations, is an appropriate form of development for the site and will result in an improved outcome over and above a development that would comply with the development standards. Flexibility in the application of the development standard is justified.

4.15 (1)(a)(ii) the provisions of any draft environmental planning instrument

No draft environmental planning instrument is applicable to the proposed development.

4.15 (1)(a)(iia) any planning agreement or any draft planning agreement

No planning agreements are applicable to the proposed development.

4.15 (1)(a)(iv) any matters prescribed by the regulations

Applicable regulation considerations will be addressed via conditions to be imposed on any consent granted.

4.15 (1)(b) the likely impacts of that development

There is not likely to be any significant adverse impacts associated with the proposed modification.

4.15 (1)(c) the suitability of the site for the development

The site is suitable for the proposed modification.

4.15 (1)(d) any submissions made in accordance with this Act or the Regulations

The proposed modification was not notified. The approved building subject to the proposed modification maintains sufficient separation distance from adjoining dwellings. It is considered that the proposed modification will not impact on the enjoyment of adjoining landowners and, therefore, was not notified in accordance with Appendix B of Council's Community Participation Plan.

4.15 (1)(e) the public interest

The proposed development does not raise any issues contrary to the public interest.

CONCLUSION

The proposed modification is considered to be:

- Of a minimal environmental impact; and
- Substantially the same development as that originally approved.

The proposed modification satisfies the matters of consideration prescribed by Section 4.15 of the E P & A Act.

RECOMMENDATION

That Development Application DA-529/2019/B for additions to a caravan park - new clubhouse be approved in accordance with the modified conditions of consent contained in Annexure A.

ANNEXURES

A: Modified Conditions of Consent

Amend Condition 3. to read:

3. Development in accordance with approved plans

The development must be implemented in accordance with the plans and supporting documents set out in the following table.

Plan Document	type/Supporting	Plan No. & version	Prepared by	Dated
Context Plan		SD 101, DA-2	PW Architecture	18 Jun 2020
Site Plan		SD 102, DA-2	PW Architecture	18 Jun 2020
Ground Floor Plan		SD 103, DA-2	PW Architecture	18 Jun 2020
Elevations 1		SD 400, DA-2	PW Architecture	18 Jun 2020
Elevation 2		SD 401, DA-2	PW Architecture	18 Jun 2020
Sections		SD 500, DA-2	PW Architecture	18 Jun 2020

The approved plans and supporting documents endorsed with the Council stamp and authorised signature must be kept on site at all times while work is being undertaken.

Reason: Information and to ensure compliance.

B: Written Request for Clause 4.6 Variation



22nd of October, 2020

MidCoast Council
PO Box 450
Forster NSW 2428

ATTN: Ben Lim-Cooper < ben.lim-cooper@midcoast.nsw.gov.au >

Dear Ben,

APPLICATION TO MODIFY CONSENT DA/529-2019/A FOR A CLUBHOUSE AT 223 THE LAKES WAY, FORSTER

Palm Lake Works is electing to seek approval for a redesigned Clubhouse which we consider is a superior design and development outcome for the subject site and its surrounds.

This modification simply seeks to make minor design amendments to slightly increase the heights of the chimney and skylight. No other changes are proposed to be made to the floor areas' internal layout.

In support of this document, we refer to the following attachments:

- Attachment A – *Proposed Plan of Development*, dated 18/6/2020 and prepared by PW Architecture; and
- Attachment B – *Consolidated Access and Services Plans*, Drawing Numbers SK-107-A – SK-110-A, dated 30/4/2020 and prepared by Burchills Engineering Solutions.

Introduction and Context Review

On the 30th of September 2020, MidCoast Council granted approval for a modification to the Clubhouse that will operate in conjunction with the approved Caravan Park across 223 The Lakes Way, Forster. As detailed in the submitted development proposal plan, Palm Lake Works have engaged a specialist architectural firm to review and redesign the chimney and skylights of the Clubhouse.

The request to further modify the development consent is required as the following amendments to the originally approved modification have been made:

Item	Existing Approval (DA/529/2019/A)	Proposed Design (DA/529/2019/B)
Building Height	9.35m	Predominantly 8.5m, with maximum height of 10.5m

Overall, it is considered that the proposed redesign of the approved development maintains compliance with the requirements as prescribed within the *Great Lakes Environmental Plan 2014*.

(07) 5552 1300
Southport Central Tower 3, 9 Lawson Street, Southport QLD 4215
PO Box 10479, Southport BC QLD 4215

Palm Lake Works
Palm Lake Works Pty Ltd
ACN 095 986 119

Regulatory Overview

The following section provides an assessment of the proposed development against relevant regulatory instruments.

Section 4.56 of the Environmental Planning and Assessment Act 1979

The proposed modification has been lodged under the provisions of Section 4.56 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and there are a number of issues in this statute which need to be addressed. In response to the provisions of the section, we note that:

- The proposed development will remain substantially the same as that originally approved by Council and is able to be modified under the provisions of the clause;
- The modified development will have the same footprint as the approved development;
- The modified proposal will facilitate an enhanced design outcome which is more responsive to the particulars of the site and its surrounds; and
- The proposed changes will not result in additional environmental impacts on the biophysical values of the site or surrounding area.

Overall, it is considered that the modified proposal is substantially the same development as the original approval.

Great Lakes Local Environmental Plan 2014

The subject premises is zoned R2 – Low Density Residential under the provisions of *Great Lakes Environmental Plan 2014*. The objectives of the R2 – Low Density Residential zone are detailed as follows.

Zone R2 Low Density Residential

1 Objectives of zone

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

Clauses 4.3 and 4.4 provide development standards which affect the land in terms of height of buildings and floor space ratio. The development standards are:

- Height of Buildings – 8.5m
- Floor Space Ratio – 0.5:1

Details on Clause 4.6 Variation Request

The maximum height of the proposed Clubhouse is generally 8.5 metres, which is compliant with the maximum height standard specified by the LEP. In order to promote solar access into the proposed development, three (3) feature pop-up skylights are proposed within the amended design which slightly exceed the 8.5m height threshold for the site (i.e. they are a maximum of 9.79m in height). Furthermore, a proposed stone-clad chimney is proposed within the middle of the proposed Clubhouse which has a maximum height of 10.5m.

Despite these minor exceedances, we submit that the skylight features and their focus on enhancing the overall sustainability of the project (improved solar access, natural heating, reduced energy costs etc.) warrant support by Council. It is also noted that the skylight and chimney features are proposed within the central parts of the building, ensuring that their potential visual impact is lessened when viewed from the public domain and adjoining allotments (which form part of the broader *Palm Lake Resort Forster Project*).

Overall, it is considered that the modified proposal maintains compliance with the requirements set out by the *Great Lakes Environmental Plan 2014*.

Great Lakes Development Control Plan 2014

The *Great Lakes Development Control Plan 2014* does not contain any provisions specifically relating to caravan parks. There are a number of chapters which deal with specific site issues, however these matters are not altered as a result of the proposed modification.

Great Lakes Section 94 Plans

Condition 6 of the consent imposes developer contributions for the approved Clubhouse. It is anticipated that no changes will be required to the contents of this condition as a consequence of the proposed modification to the design.

Likely Environmental Impacts

The proposed modified design of the Clubhouse maintains the same development footprint as the approved design and does not result in any significant changes to land disturbance or impact to the biophysical environment. The proposed modification will not result in any impacts to the surrounding locale.

Suitability of the Site

The site is suitable for the establishment of the Clubhouse and there are no aspects of the site which would be adversely affected by the proposed updated design. Noting the contents of Condition 56 from the consent, it is considered that the design of the proposed Clubhouse will be able to satisfy all elements of that condition.

Assessment of the Public Interest

We submit that the proposed modified design of the Clubhouse does not conflict with any matters in the public interest.

Review of Approved Conditions

The following table provides general reference information and commentary relating to the conditions of approval that will be required to be adjusted as part of this request:

Condition Review	Discussion																																												
Condition 3 <i>Listing of approved plans and drawings.</i>	The proposed updated plans of development have been prepared to generally accord with the suite of approved drawings for the project.																																												
Recommendation It is recommended that the plan references contained with Condition 3 are updated to reflect the updated suite of drawings as prepared by <i>PW Architecture</i> (refer Attachment A), listed as follows:																																													
<table><tr><th>Plan Title</th><th>Plan No. & Version</th><th>Prepared by</th><th>Dated</th></tr><tr><td>Cover Sheet</td><td>SD000 DA-2</td><td>PW Architecture</td><td>18/6/20</td></tr><tr><td>Site Analysis</td><td>SD100 DA-2</td><td>PW Architecture</td><td>18/6/20</td></tr><tr><td>Context Plan</td><td>SD101 DA-2</td><td>PW Architecture</td><td>18/6/20</td></tr><tr><td>Site Plan</td><td>SD102 DA-2</td><td>PW Architecture</td><td>18/6/20</td></tr><tr><td>Ground Floor Plan</td><td>SD103 DA-2</td><td>PW Architecture</td><td>18/6/20</td></tr><tr><td>Elevations 1</td><td>SD400 DA-2</td><td>PW Architecture</td><td>18/6/20</td></tr><tr><td>Elevations 2</td><td>SD401 DA-2</td><td>PW Architecture</td><td>18/6/20</td></tr><tr><td>Sections</td><td>SD500 DA-2</td><td>PW Architecture</td><td>18/6/20</td></tr><tr><td>3D Views 1</td><td>SD900 DA-2</td><td>PW Architecture</td><td>18/6/20</td></tr><tr><td>3D Views 2</td><td>SD901 DA-2</td><td>PW Architecture</td><td>18/6/20</td></tr></table>	Plan Title	Plan No. & Version	Prepared by	Dated	Cover Sheet	SD000 DA-2	PW Architecture	18/6/20	Site Analysis	SD100 DA-2	PW Architecture	18/6/20	Context Plan	SD101 DA-2	PW Architecture	18/6/20	Site Plan	SD102 DA-2	PW Architecture	18/6/20	Ground Floor Plan	SD103 DA-2	PW Architecture	18/6/20	Elevations 1	SD400 DA-2	PW Architecture	18/6/20	Elevations 2	SD401 DA-2	PW Architecture	18/6/20	Sections	SD500 DA-2	PW Architecture	18/6/20	3D Views 1	SD900 DA-2	PW Architecture	18/6/20	3D Views 2	SD901 DA-2	PW Architecture	18/6/20	
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Recommendation and Conclusion

On the 30th of September 2020, MidCoast Council granted approval for a modification to the Clubhouse that will operate in conjunction with the approved Caravan Park across 223 The Lakes Way, Forster. As detailed in the submitted development proposal plan, Palm Lake Works have engaged a specialist architectural firm to review and redesign the chimney and skylights of the Clubhouse.

The proposed modification involves the following changes to the approved clubhouse development:

- The predominant height of the building (8.5m) is to remain, with the building to have a maximum height of 10.5m in order to accommodate the chimney and pop-up skylights.

Despite these minor exceedances, we submit that the skylight features and their focus on enhancing the overall sustainability of the project (improved solar access, natural heating, reduced energy costs etc.) warrant support by Council.

The proposal is considered to be substantially the same development and can be modified under the provisions of Section 4.56 of the Act. The proposed changes are compliant with relevant regulatory planning instruments applying to the land and does not increase the severity of any environmental impacts to the surrounding natural and built environment.

We trust that the information contained within this document will enable MidCoast Council to progress with finalising the issue of this consent in an expedited manner. Should you wish to discuss this correspondence, please do not hesitate to contact the undersigned on (07) 5552 1314 or 0402-482-955.

Kind Regards,



Shane Murrphy
Project Coordinator

Attachments:

- A. *Proposed Plan of Development, dated 18/6/2020, as prepared by PW Architecture.*
- B. *Consolidated Access and Services Plans, dated 30/4/20 and prepared by Burchills Engineering Solutions.*

6 COMMUNITY RECYCLING CENTRE (DA 437/2020) - LOT 1 DP 700282, 160 SIMMSVILLE ROAD, STROUD

Report Author Petula Bowden - Senior Town Planner

File No. / ECM Index DA-437/2020

Date of Meeting 16 December 2020

Authorising Director Paul De Szell – Director Liveable Communities

SUMMARY OF REPORT

Development Application (DA437/2020) seeks consent for a Community Recycling Centre at Lot 1, DP 700282, No. 160 Simmsville Road, Stroud. The purpose of the development is to upgrade the current waste management centre.

The Development Application has been reported to Council as MidCoast Council is the landowner and the applicant for the proposal.

DETAILS

Date Received: 12 May 2020

Applicant: MidCoast Council

Owner: MidCoast Council

Land: Lot 1 DP 700282, No 160 Simmsville Road Stroud

Area: 8.1 ha

Zoning: SP2- Infrastructure, GLLEP 2014

SUMMARY OF RECOMMENDATION

That the development application be approved subject to conditions.

FINANCIAL/RESOURCE IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

A: Floor plans

B: Plans

Attachments A & B have been circulated to the Councillors and Senior Staff, however these Attachments are publicly available on Council's website.

SUBJECT SITE AND LOCALITY

The subject site has an area of 8.1 hectares and is situated on the southern side of Simmsville Road, east of the township of Stroud. The site is currently operated as a Waste Transfer Station and Community Recycling Centre.

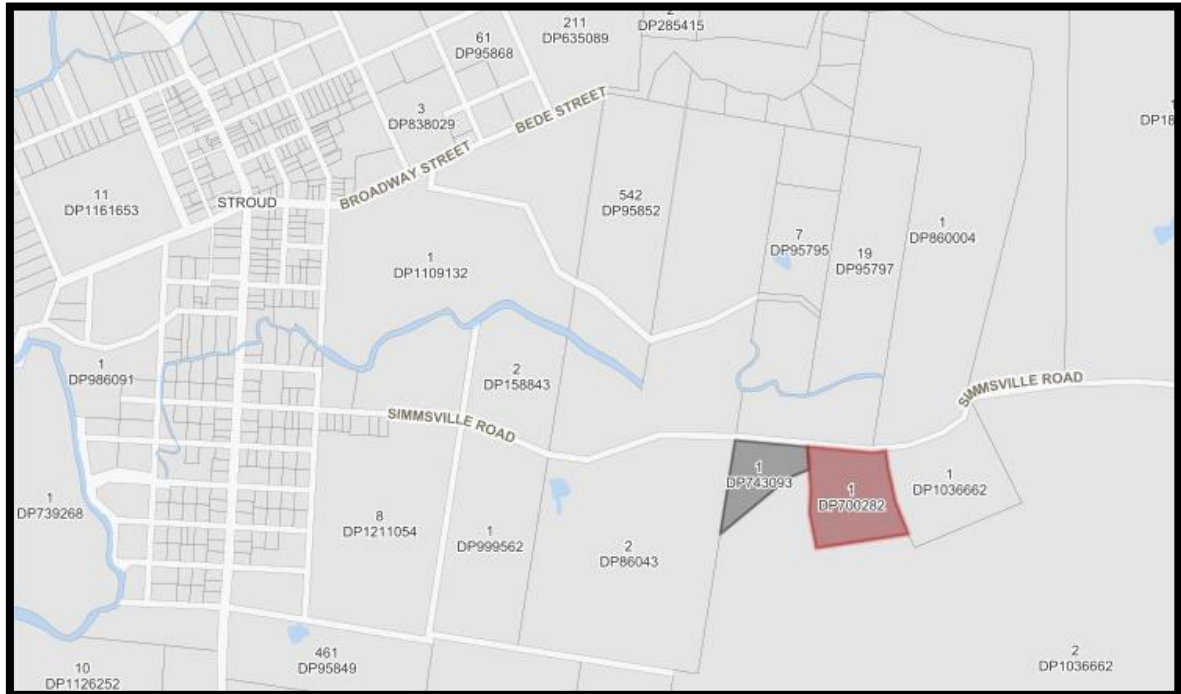


Figure 1- Location Plan

Portion of site containing the current waste management centre and the existing site sheds and temporary office.



Figure 2- Site for proposed facility



Figure 3- Proposed CRC

The proposed site is within the current facility and is bound by bushland to the east and south (Myall River State Forest), scrap metal stockpile to the west, existing green waste to the north west, entry driveway to the north and vacant land to the north-east.

The photograph below depicts the shed currently used as a temporary office and the entry driveway.



Figure 4- Current office

PROPOSAL

The DA seeks consent for the erection of a structure above the existing community recycling centre.

The proposal will comprise a slab on ground with moderate cut and fill in an already cleared portion of the site. The shed will be constructed of steel and is not located in an area prone to bush fire. Facilities within the centre will comprise a storage area, shop, office, amenities, drop off area and car parking.

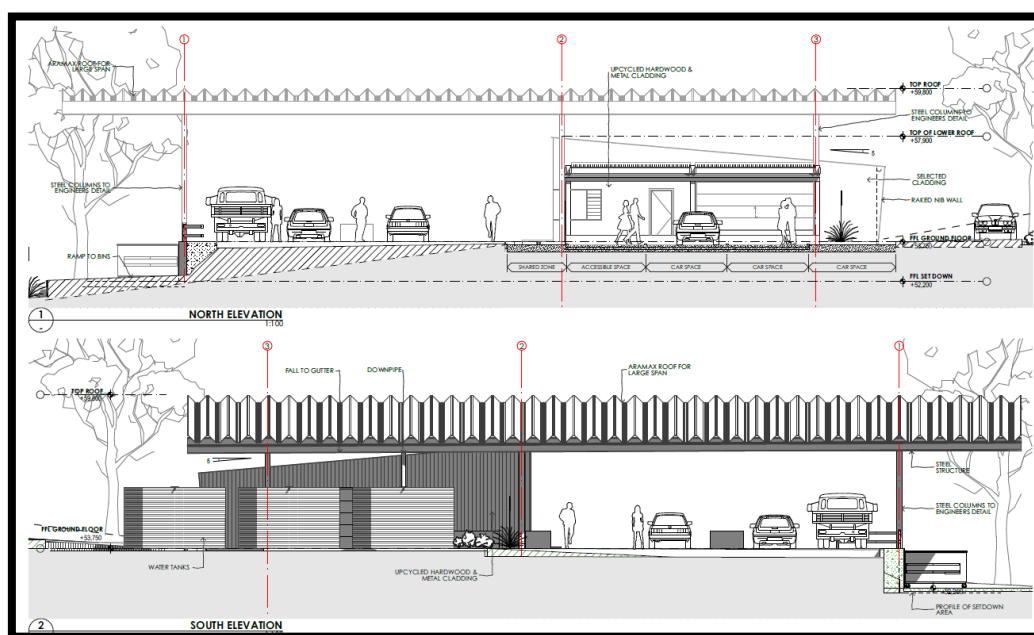


Figure 5-Elevations

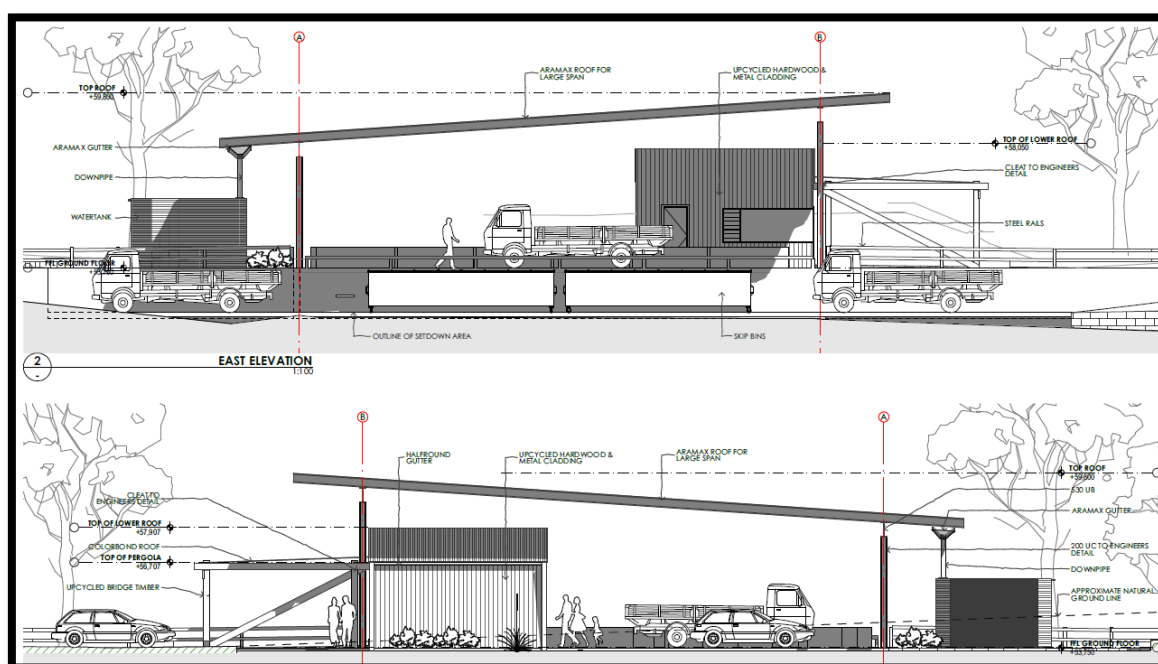


Figure 6-Elevations

The development will require the removal of an existing shed and the relocation of another. Access to the development will be via the existing site entrance driveway. The structure will be suitably drained, and constructed to meet BCA requirements.

The proposed development is to be constructed on filled land (up to 1.3m). The photograph below depicts the fill pad with its slopes to the north east of 2-4 degrees.



Figure 7-Fill pad

REPORT

Under S4.15 of the Environmental Planning & Assessment Act 1979 (EP & A Act), a consent authority (the Council) when determining a development application, *“is to take into consideration such of the following matters as are of relevance to the development the subject of the development application”*. The relevant matters for consideration are summarised below:

4.15 (1)(a)(i) the provisions of any environmental planning instrument

State Environmental Planning Policy

There are no relevant SEPP's applying to this land.

Great Lakes Local Environmental Plan 2014 (GLLEP 2014)

The subject land is zoned SP2 Infrastructure pursuant to the Great Lakes LEP 2014. In this zone the only development permissible are roads, and the use shown on the Land Zoning Map which is *Waste and Resource Management Systems*.

The proposed development is compliant with the objectives of the zone and is permissible with consent.

Draft Local Environmental Plan

There are no draft LEP's applying to this land.

4.15 (1)(a)(ii) the provisions of any draft environmental planning instrument

There are no relevant draft EPI's applying to this land.

4.15 (1)(a)(iii) any development control plan

Great Lakes Development Control Plan 2014

The Great Lakes DCP does not specifically provide for waste recycling centres. Part 4 of the DCP- Environmental Considerations provides for environmental matters that may need to be addressed in the design of development. It is considered that the proposed facility achieves the objectives of ensuring that development is designed in a manner that avoids, mitigates or offsets negative impacts on biodiversity and the quality and function of the natural environment and responds to relevant ecological constraints and opportunities.'

4.15 (1)(a)(iiia) any planning agreement or any draft planning agreement

There are no planning agreements applying to this land.

4.15 (1)(a)(iv) any matters prescribed by the regulations

Council Policy

The *Determination of Applications and Approvals Policy* requires that applications where Council is proposing a development itself be reported to Council for determination. MidCoast Council is both the owner and applicant for this proposal.

4.15 (1)(b) the likely impacts of that development

Context and Setting

The existing waste management centre is situated off Simmsville Road within a site that is largely vegetated with mature native flora. An access road weaves through the vegetation to the cleared area that comprises the waste management centre. The site is adjacent to the sewerage treatment plant to the east.

Site Design and Internal Layout

The proposed internal site design will provide an improved system for waste delivery and management with increased accessibility for customers and contractors.

Visual Impact

There are no residences nearby that would likely be impacted by the proposal. The proposed structure will not adversely impact on any adjoining site lines as it is screened by existing on-site vegetation.

Access, Transport and Traffic

Access to the site from Simmsville Road will not change for this proposal. The existing access point is considered appropriate.

Drainage

A Water Sensitive Design Strategy has been prepared for the facility and has been assessed as suitable, with further details to be provided at construction stage.

Soils

The site investigations revealed the proposed new office, shop and amenities area is underlain by up to 0.75m of fill overlying very stiff residual clay soils up to 1.0m which are underlain by extremely to highly weathered sandstone. The soil types do not preclude the proposed development.

Flora and Fauna

No vegetation is to be removed to facilitate the recycling facility.

4.15 (1)(c) the suitability of the site for the development

The site currently operates as a waste management centre. The proposed facility will enhance the operation of the centre.

4.15 (1)(d) any submissions made in accordance with this Act or the Regulations

The application was not required to be notified to adjoining owners in accordance with Council's Policy.

4.15 (1)(e) the public interest

This upgraded facility is considered to be in the public interest as it will provide for more suitable waste unloading and recycling.

CONCLUSION

Subject to the conditions contained in Annexure A, the impacts of the development are considered to be acceptable against the relevant provisions of section 4.15 of the *Environmental Planning and Assessment Act 1979*.

RECOMMENDATION

It is recommended that Development Application DA437/2020 for a community recycling centre on Lot 1 DP 700282 (No. 160 Simmsville Road Stroud) be approved in accordance with the conditions of consent contained in Annexure A.

ANNEXURE

A: Conditions of Consent

GENERAL CONDITIONS

1. Development in accordance with approved plans

The development must be implemented in accordance with the plans and supporting documents set out in the following table except where modified by any conditions of this consent.

Plan type/Supporting Document	Plan No. & version	Prepared by	Dated
Site Plan	19576 A2.1	Ian Sercombe	17/4/20
Roof Plan	19576 A2.2	Ian Sercombe	17/4/20
Elevations	19576 A3.1	Ian Sercombe	17/4/20
Elevations	19576 A3.2	Ian Sercombe	17/4/20
Ground Floor Plan	19576 A2.3	Ian Sercombe	17/4/20
Detailed Floor Plan	19576 A2.4	Ian Sercombe	17/4/20
Water Sensitive Design Strategy for the Stroud Community Recycling Centre at 160 Simmsville Road, Stroud		Whitehead & Associates Environmental Consulting	Undated
Bioretention Swale -Typical Sections Drawing	Revision 1	Whitehead & Associates Environmental Consulting	21/9/2020

The approved plans and supporting documents endorsed with the Council stamp must be kept on site at all times while work is being undertaken.

Reason: Information and to ensure compliance.

2. Compliance with National Construction Code Series- Building Code of Australia

All building work must be carried out in accordance with the requirements of the *National Construction Code Series - Building Code of Australia* as in force on the date the application for the relevant construction certificate or complying development certificate was made.

Reason: Prescribed condition under the *Environmental Planning & Assessment Regulation 2000*.

3. Adjustment to utility services

All adjustments to existing utility services made necessary by the development are to be undertaken at no cost to Council.

Reason: To ensure utility services remain in a serviceable condition.

PRIOR TO THE COMMENCEMENT OF ANY DEMOLITION WORK

The following conditions must be satisfied prior to the demolition of any building:

4. Waste management plan

Prior to the commencement of any demolition work, a waste management plan prepared in accordance with the requirements of Council's Waste Management Policy must be submitted to and approved by the certifying authority.

Reason: To ensure adequate and appropriate management of waste and recycling.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions must be complied with prior to the issue of any Construction Certificate:

5. Water and sewerage Section 68 approval

Prior to the issue of a construction certificate, an approval under Section 68 of the *Local Government Act 1993* to carry out water supply work and sewerage work must be obtained.

Reason: Statutory requirement.

6. Internal vehicular access

Prior to the issue of a construction certificate, plans and specifications prepared in accordance with AS/NZS 2890.1-2004: Parking facilities, Part 1: Off-street car parking must be submitted to and approved by the certifying authority.

The plan must include the following:

- a) Detail of vehicular access from the site boundary to the proposed car space(s).
- b) Pavement description being concrete, asphalt or similar
- c) Car park and driveway layout
- d) Drainage
- e) Accessible car parking space/s designed in accordance with Australian Standard AS/NZS 2890.6: Parking facilities - Off-street parking for people with disabilities ;
- f) Turning paths; and
- g) Line-marking and signs.

Reason: To ensure suitable vehicular access is provided to the development.

7. Water Quality

Prior to issue of a construction certificate submit final engineering plans and a maintenance plan prepared by a suitably qualified professional engineer, for the stormwater management system in accordance with:

- the approved Water Sensitive Design Strategy for the Stroud Community Recycling Centre at 160 Simmsville Road, Stroud
- Current version of 'Water Sensitive Urban Design – Technical Design Guidelines for South East Queensland', South East Queensland Healthy Waterways Partnership

In addition, the engineering plans must detail:

- Type, size and dimensions of each component of the treatment system (including rainwater tanks, inlet pits, outlet pits, weirs, underdrains, lining and batter slopes)
- A minimum of 4 species of plants from MidCoast Council's fact sheet 'Raingarden plants' (current version), planted at densities indicated in the fact sheet.
- Filter media of uniform sandy loam texture consistent with the specifications contained in Adoption Guidelines for Stormwater Biofiltration Systems, Facility for Advancing Water Biofiltration, (Monash University, June 2009).
- Construction staging and measures to avoid damage to the bioretention swale (particularly the gt filter media) during construction
- Details on where and how the high flow and overflow from the bioretention swale will be managed.

The maintenance plan must include but not be limited to:

- a) the location and nature of stormwater management structures;
- b) requirements for inspection, monitoring and maintenance including the frequency of these activities during the establishment and operational phases; and
- c) identification of responsibilities for maintenance including a reporting protocol and checklists.

Reason: To protect water quality

PRIOR TO THE COMMENCEMENT OF ANY WORK ASSOCIATED WITH THIS CONSENT

The following conditions must be satisfied prior to the commencement of any building construction or subdivision work:

8. Construction certificate required

Prior to the commencement of any building or subdivision construction work (including excavation), a construction certificate must be issued by a certifying authority.

Reason: Statutory requirement under the *Environmental Planning and Assessment Act 1979*.

9. Notification of commencement and appointment of principal certifying authority

Prior to the commencement of any building or subdivision construction work (including excavation), the person having the benefit of the development consent must appoint a principal certifying authority and give at least two (2) days notice to Council, in writing, of the persons intention to commence construction work.

Reason: Statutory requirement under the *Environmental Planning and Assessment Act 1979*.

10. Installation of erosion & sediment control measures

Prior to the commencement of work, erosion and sediment controls must be in place in accordance with Great Lakes Council Erosion and Sediment Control Policy and *"The Blue Book – Managing Urban Stormwater (MUS): Soils and Construction"* (Landcom). In particular, the following erosion and sediment control measures must be installed:

- a) Silt fence or sediment barrier.
- b) Temporary driveway from the edge of road to the building site.
- c) Temporary downpipes immediately upon installation of the roof covering.

Note: Council may impose on-the-spot fines for non-compliance with this condition.

Reason: To protect the environment from the effects of erosion and sedimentation.

11. Toilet facilities - unsewered areas

Prior to the commencement of work, toilet facilities must be provided at or in the vicinity of the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be a toilet connected to an accredited sewage management system approved by the Council.

Reason: To maintain the public health and the natural environment.

12. Site construction sign

Prior to the commencement of work, a sign or signs must be erected in a prominent position at the frontage to the site.

- a) showing the name, address and telephone number of the principal certifying authority for the work, and
- b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- c) stating that unauthorised entry to the work site is prohibited.

The sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

Reason: Prescribed condition under the *Environmental Planning and Assessment Regulation 2000*.

CONDITIONS TO BE SATISFIED DURING DEVELOPMENT WORK

The following conditions must be complied with during any development work:

13. Construction times

Construction and/or demolition works, including deliveries on or to the site must not unreasonably interfere with the amenity of the neighbourhood and must occur only in accordance with the following:

- Monday to Friday, from 7 am to 6 pm.
- Saturday, from 8 am to 1 pm.

No construction and/or demolition work, including deliveries are to take place on Sundays or Public Holidays.

Reason: To maintain amenity during construction of the development.

14. Construction of stormwater treatment measures (Bioretention Swale)

Construct the stormwater management system so that it is consistent with the approved Stormwater Strategy, engineering plans and all other consent conditions.

Install the bioretention filter media in accordance with Water Sensitive Urban Design (WSUD) Engineering Procedures (Melbourne Water, 2005) (current version).

Protect bioretention basins with erosion and sediment control measures during construction finalising the bioretention when all hard surfaces have been constructed and cleaned.

Reason: To protect water quality

15. Inspection of stormwater treatment measures

Engage a suitably qualified professional engineer to inspect each bioretention during construction. Verify compliance with the approved plans using the sign off forms in 'Construction and Establishment Guidelines: Swales, Bioretention Systems and Wetlands' Healthy Waterways (2010) including:

- a) Earthworks and functional (hydraulic) structures prior to covering in
- b) Filter media including NATA test results
- c) Finished levels (works as executed) including filter media depth
- d) Landscape installation and establishment

Submit signed inspection forms to Council including photographs and NATA test results confirming that the bioretention swale have been constructed to comply with the approved engineering plans.

Reason: To protect water quality

16. Maintenance of sediment and erosion control measures

Sediment and erosion control measures must be maintained at all times until the site has been stabilised by permanent vegetation cover or hard surface.

Reason: To protect the environment from the effects of erosion and sedimentation.

17. Standards for demolition work

All demolition works must be undertaken in accordance with the provisions of *Australian Standard AS 2601: The demolition of structures*. Prior to demolition, all services must be disconnected and capped off.

Reason: To protect public health and safety.

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

The following conditions must be satisfied prior to any occupation or use of the building:

18. Completion of car parking areas and provision of signs

Prior to the issue of an occupation certificate, the car parking areas must be constructed in accordance with the approved plans and be fully line-marked.

Reason: To ensure that adequate parking facilities for the development are provided on site.

ONGOING USE

The following conditions must be satisfied during the ongoing use of the development:

19. Maintenance of stormwater treatment measures

The Stormwater Treatment system shall be maintained by the owner in perpetuity in accordance with the approved Water Sensitive Design Maintenance Plan.

Reason: To ensure the ongoing operation of the stormwater treatment system.

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7 PUBLIC EXHIBITION - DRAFT CLIMATE CHANGE POLICY AND STRATEGY

Report Author Tanya Cross - Sustainability & Natural Assets Coordinator
File No. / ECM Index S749
Date of Meeting 16 December 2020
Authorising Director Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

The purpose of the report is to seek Council's endorsement to place the draft Climate Change Policy and Strategy on public exhibition for a period of 28 days in February 2021.

SUMMARY OF RECOMMENDATION

That the draft Climate Change Policy and the draft Climate Change Strategy for MidCoast Council is placed on public exhibition for a period of 28 days to seek community feedback.

FINANCIAL/RESOURCE IMPLICATIONS

While there are no immediate financial implications in placing the documents on public exhibition, the implementation of the Strategy will require the allocation of funding which is discussed within the body of this report.

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

A: Draft Climate Change Strategy: Phase 1

Attachment A has been circulated to the Councillors and Senior Staff, however this Attachment is publicly available on Council's website.

BACKGROUND

Following a Notice of Motion in June 2019, Council resolved (187/19) to undertake the following:

1. *A 'Draft' Climate Change Policy.*
2. *A 'Draft' Climate Change Action Plan.*
3. *Identification of potential climate change risks to the MidCoast Council Local Government Area including the residents, businesses, farmers and our environment and our biodiversity.*
4. *The identification of current (that is existing) activities by Council to mitigate carbon emissions, energy consumption and broader climate impact.*
5. *The identification of currently planned activities to mitigate climate impacts.*
6. *The identification of future activities by Council which would further mitigate climate impacts.*

7. *The identification of activities, programs and projects that Council could undertake in partnership with the residents, businesses and farmers of MidCoast Council to reduce climate impacts.*
8. *Identification of potential partnership opportunities with:*
 - a. *Other Councils*
 - b. *NSW Government*
 - c. *Australian Government*
 - d. *Other parties and NGOs*
9. *In addition to the allocation of Council resources, the identification of potential sources of funding and financing opportunities from other levels of Government, the Private sector and NGOs.*

Council has since joined the Cities Power Partnership and resolved to declare a Climate Emergency in October 2019 (335/19) which recognises that if we are to avert a climate crisis that urgent action is required by all levels of government, including local councils, to reduce our carbon emissions and to adapt to the unavoidable impacts of climate change.

DISCUSSION

With funding assistance provided through the NSW Sustainability Advantage Program, Council engaged consultants 100% Renewables to prepare a Climate Change Policy and a Climate Mitigation and Adaptation Strategy for Council's operations (*the Climate Change Strategy*).

Climate Change Policy

The purpose of the Climate Change Policy is to demonstrate leadership by providing a framework and a set of guiding principles (see below) for climate action, setting ambitious targets for climate mitigation, committing to reducing the risks of climate change to Council's assets and operations and supporting the community's efforts to do the same.

Guiding Principles

1. *Council will adopt a precautionary-principled response to climate change, by taking urgent action in line with its June 2019 resolution and subsequent climate emergency declaration, to mitigate and adapt to the effects of climate change over the long term.*
2. *Council will adopt and implement an evidence-based and risk-informed approach to assessing climate change impacts and responses in its operations.*
3. *Council has a responsibility to reduce emissions from its operations and to ensure its assets and services are resilient to the impacts of climate change by adopting adaptation measures.*
4. *Council will integrate economic, social and environmental factors, as well as good governance into its decision-making processes that deal with its response to climate change.*
5. *Climate change planning will be incorporated into Council's Integrated Planning and Reporting Framework.*

6. *Council will adopt a proactive and collaborative process to inform, educate and work with the community, business and other levels of government about our climate change mitigation and adaptation approach.*
7. *Council recognises that the risks of climate change and the adaptation responses vary across the region, and collaboration and planning to make communities and environments more resilient will reflect this.*
8. *Responding locally to climate change is a responsibility shared by Council, the community and business, and significant reductions in regional emissions will only happen if all stakeholders work together.*
9. *Identifying and developing climate change finance and investment opportunities in partnership with the community will be a key element of Council's approach.*

Climate Change Strategy – Phase 1

The Strategy outlines an approach to renewable energy, energy efficiency and climate adaptation for MidCoast Council that responds to its June 2019 resolution and sets out the case for a range of cost-effective actions that can be implemented progressively over several years to mitigate and adapt to climate change in Council's operations. Specifically, Council's Climate Change Strategy is intended to:

- Focus Council's efforts on increasing the uptake of on-site solar photovoltaic (PV) systems and batteries, energy efficiency and purchasing of renewable energy in the short to medium term, to progressively increasing its renewable energy supply as batteries and electric vehicles become more cost effective over time, and to continually improve its sustainable procurement policies and practices to make Council's operations more energy efficient.
- Provide a roadmap of actions that Council can initiate and progress in the short, medium and long term that respond to those climate risks assessed to have the greatest potential impact on Council's and the community's capacity to adapt to climate change.
- Initiate a process to determine what a sustainability framework looks like for Council, with particular consideration of how the Climate Change Strategy can inform Council's Integrated Planning and Reporting Framework, Long-term Financial Plan and other key strategic planning documents, and Council's Delivery Programs and Operational Plans.

The Climate Change Strategy can be best represented by the graphic below, which illustrates nine key areas for action that when implemented together in a planned way, will significantly reduce energy demand, increase on-site renewables, reduce emissions and increase Council's resilience to climate change.



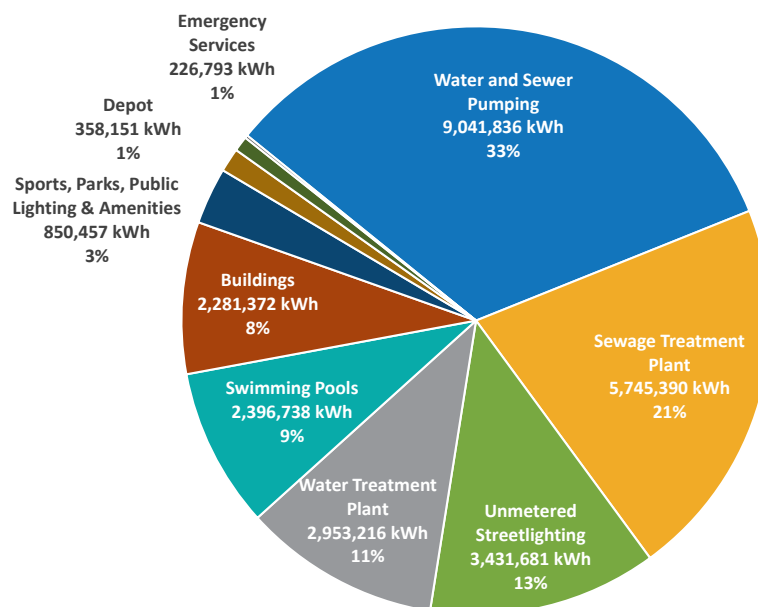
It is important to note that the Climate Change Strategy is the first phase in a two-part program of work, and is focused on Council's assets and operations. The second phase of the project will focus on working with the MidCoast Community to help them to reduce their emissions and increase their resilience to climate change.

Council's Baseline Emissions

Council's carbon footprint was assessed based on energy consumption covering the financial year 2018-19 and is summarised in the table below.

	Emission source	Activity data	Units	Scope 1 t CO ₂ -e	Scope 2 t CO ₂ -e	Scope 3 t CO ₂ -e	Total	%
	Diesel for fleet	1,374	kL	3,739		191	3,929	13.6%
	Petrol for fleet	185	kL	428		23	451	1.6%
	Ethanol for fleet	1	kL	0.01		0	0.01	0.0%
	Biodiesel	3	kL	0.28		0	0.28	0.0%
	LPG	10	kL	16		1	17	0.1%
	Electricity used in council assets	23,896,597	kWh		19,356	2,151	21,507	74.2%
	Electricity used by streetlighting	3,431,681	kWh			3,089	3,089	10.7%
	Electricity use from solar PV	86,470	kWh				0	0.0%
	TOTAL:			4,184	19,356	5,454	28,994	100.0%

Electricity use accounts for 85% of Council's energy-related emissions. The graph below provides a breakdown of this consumption and shows that water and sewer assets consume 65% of Council's power, while unmetered street lighting and swimming pools use 13% and 9% respectively. Electricity usage in Council's buildings, sporting facilities, parks, public lighting and amenities make up around 11% of Council's total electricity use.



It is important to note that greenhouse gas emissions from waste have not been included in the Strategy. While Council operates waste management facilities such as landfill sites and wastewater treatment plants, the associated emissions result mostly from consumption by the community.

Future assessment of, and strategies to reduce greenhouse gas emissions of the MidCoast community will take place during Phase 2 and include emissions from waste, as well as electricity use in buildings and industry, fuel use for transport, emissions from agriculture, and net emissions or sequestration from forestry.

The Strategy also only addresses Scope 1 and 2 emissions, which are emissions that Council is directly responsible for (e.g. fuel use in Council vehicles) or emissions Council is indirectly responsible for such as electricity use. Scope 3 emissions are indirect emissions and happen upstream and downstream of Council's operations such as waste generation, air travel, the consumption of goods and services, contractor emissions, or leased assets, and will be addressed during the development of a Sustainable Procurement Policy for Council.

Targets

In March 2020 the NSW Government released its Net Zero Plan Stage 1: 2020-2030, which lays the foundation for NSW's action on climate change and its goal to reach net zero emissions by 2050. The plan targets an interim 35% cut in emissions by 2030, and sets out a number of actions that will see significant investment in zero and low emissions technologies, including investment and job creation in regional NSW.

In light of the NSW targets, Council's October 2019 declaration and recent scientific reports which suggest that past warming projections are already being exceeded, the Strategy recommends that Council adopt a net zero emissions target and a 100% renewable energy target for its operations by 2040. These targets are considered ambitious but feasible and have been adopted by numerous other organisations, including many local councils in NSW.

Achieving net zero emissions for Council's operations will include cost-effective measures to reduce electricity and fuel consumption over the next 20 years, and the offsetting of residual emissions by purchasing renewable energy or through local carbon sequestration initiatives such as wetland restoration and reafforestation.

Mitigation Actions

The targets recommended are consistent with Council implementing the measures identified in the Strategy. In the short to medium term (i.e. within the period of the current and the next Delivery Program cycle for Council), more than 150 actions are recommended that will help Council to achieve significant resource and emission reductions and associated cost savings.

There are a number of actions that Council can begin immediately to unlock savings and secure support for a multi-year program of work, including:

1. Review and adopt the Climate Change Policy.
2. Implement some small to mid-sized solar PV projects across the Water Services portfolio that will achieve some 'quick wins' and put in place specifications and a process for future installations.
3. Ensure that solar PV, energy efficiency and control is incorporated within new developments (such as the 160 kW solar PV recently installed at Yalawanyi Ganya).
4. Ensure that all Council departments consistently review and incorporate priority actions for mitigation within relevant plans and strategies including the development of the Operational Plan for 2021/22.

It is important to note that Council is not starting from scratch and that the Strategy will build on the extensive work previously undertaken by each of the former entities prior to the amalgamation which is discussed in detail in the Strategy.

Adaptation Planning

Climate change will impact the Mid North Coast region of NSW in a number of ways. According to the AdaptNSW Integrated Regional Vulnerability Assessment for the NSW North Coast, this will include:

- *Hotter temperatures, including more hot days and fewer cold nights. Heatwaves will be hotter and last longer.*
- *Increased risk of drought and changes in rainfall patterns, with projected decreases in winter, and increased rainfall in autumn and spring, resulting in reduced water supply and lower stream flows.*
- *More frequent and intense rainfall and storm events resulting in flash flooding and the inundation of low-lying areas.*
- *Increased frequency, length and intensity of bushfires.*
- *Rising sea levels resulting in increased coastal erosion, flooding, inundation, wave overtopping and salinisation.*

These projected climate changes will significantly impact our natural environment, ecosystems, agricultural industry, the built environment and the health and wellbeing of our community. There will also be impacts on Council's services and operations including land use planning and development assessment, community services, the management and protection of our natural resources, stormwater and flood risk management, and the

management of infrastructure and assets such as roads and bridges, parks and recreational facilities, water supply and wastewater services.

In December 2019, Council staff undertook a climate change risk assessment with Council's insurer Statewide Mutual. This assessment resulted in the identification of 74 climate risks of which 44 were rated 'high' or 'extreme' (see table below).

The Adaptation Plan included in the Strategy identifies current controls together with short, medium and long term actions to respond to each of these risks. In order to adapt to climate change, Council will need to commit time, resources and financial support to a multi-year program of work to ensure the measures identified in the adaptation plans are implemented.

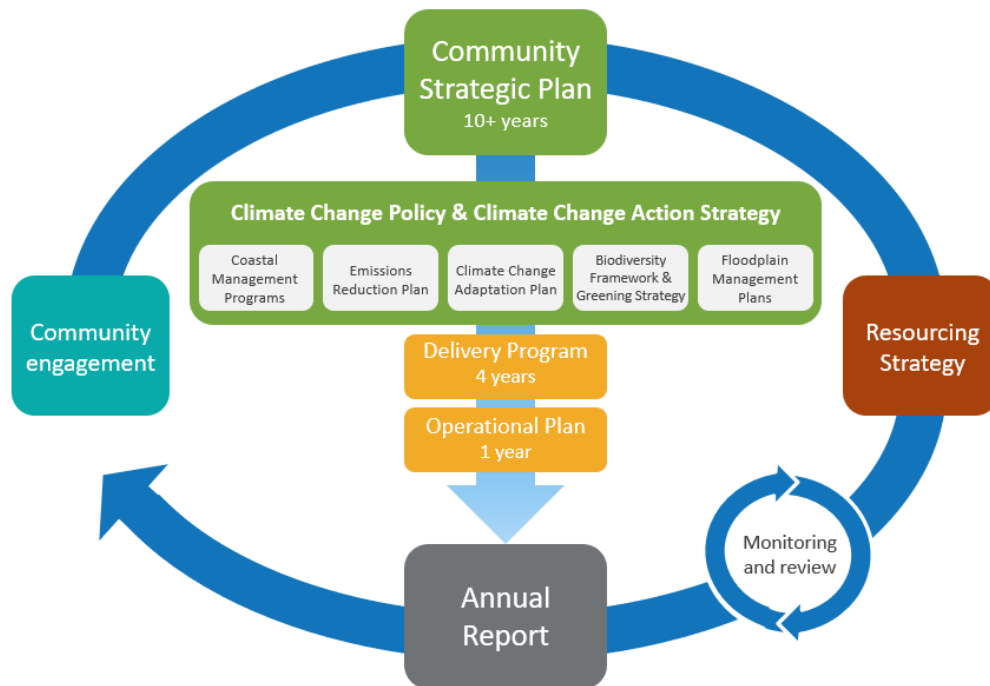
Table 1 - Impact Rankings by Scenario								All Impacts Total	
	Temperature	Hot Days	Rain	Fire Weather	Sea Level	Wind	Rain Intensity		
Low	0	0	0	2	0	0	1	Low	3
Medium	7	4	2	3	5	1	5	Medium	27
High	2	4	5	7	7	2	10	High	37
Extreme	0	0	2	2	1	0	2	Extreme	7
	9	8	9	14	13	3	18	74	74

Sustainability Framework

Executive leadership and commitment is also required if Council's Climate Change Strategy is to be successful. A Sustainability Framework has been identified by Council as one of its key 'transformational projects' in an effort to embed sustainability in the way it does business.

To ensure the outcomes of the Strategy are delivered, the actions will need to be incorporated within Council's Integrated Planning & Reporting (IP&R) Framework (illustrated below) including:

1. The existing Community Strategic Plan's value of environment already provides a mandate to act to improve outcomes on climate action and broader sustainability issues across Council's assets and within the community.
2. The Climate Change Strategy informs the development of Council's 4-yearly Delivery Program and annual Operational Plans within each section of Council.
3. The Climate Change Strategy sits alongside Council's other key strategies, policies and plans, and is used to inform updates to these where relevant, such as Floodplain Risk Management Plans.
4. The Climate Change Strategy, and climate mitigation and adaptation measures reflected in other strategies and plans, are used to inform Council's Resourcing Strategy, including future updates to Asset Management Plans, Long-term Financial Plan and Workforce Management Plan.



The Strategy by itself will not result in actual emissions reduction and adaptation, but good leadership and an effective sustainability framework will be key factors in Council achieving its targets. Without good governance, management and monitoring of progress, Council's efforts to reduce its emissions and adapt to climate change will be less effective in the long term.

Council should continue its participation in the NSW Government's Sustainability Advantage Program to guide Council in this space.

CONSULTATION

The draft Climate Change Policy and Strategy were both developed in consultation with key staff within Council that are responsible for the management and operation of Council's assets. This included a briefing at a meeting of Extended MANEX, a workshop with relevant staff to identify adaptation actions to address climate change risks and a number of one-on-one site visits with operational staff. These staff were also provided the opportunity to provide feedback on the draft Climate Change Policy and Strategy.

Presentations were also delivered by staff and the consultant at three separate Councillor workshops in August 2019, October 2020 and November 2020 to discuss the development of the draft Climate Change Policy and Strategy.

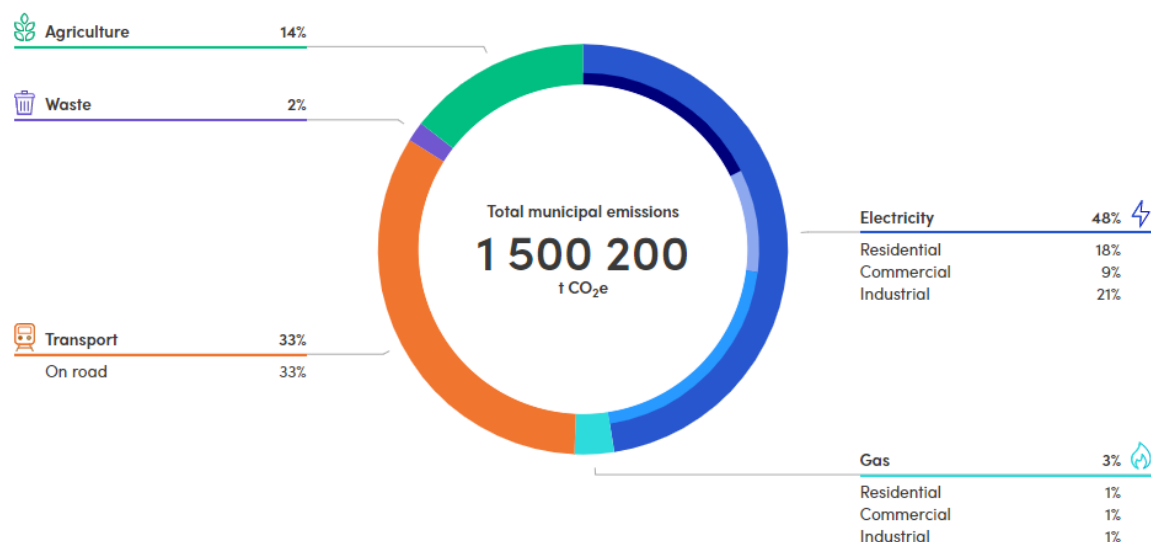
COMMUNITY IMPACTS

While the Climate Change Strategy largely focuses on addressing Council's carbon emissions and climate change risks, Council does recognise through its June 2019 resolution and declaration the important role of government in building the capacity of the community and households to take their own action.

The first step in influencing the community to take action is for Council to lead by example which can be demonstrated by adopting emission reduction and renewable energy targets and undertaking measures to reduce its own carbon footprint.

Council will focus on supporting the community to reduce its own emissions as part of its Phase 2 work on the community's climate change response. This will encompass action around strategic planning, education and capacity building, incentives and financial support, advocacy and collaboration, infrastructure development and land use planning.

In the interim, a Baseline Emissions Profile for the MidCoast community has been prepared which shows the majority of the community's emissions are generated through electricity and transport use (see below).



According to data sourced from the Australian Photovoltaic Institute, the MidCoast LGA currently has 13,417 solar PV installations (30% penetration rate) totalling around 59MW. This figure indicates that the local community is already actively engaged in reducing their carbon footprint.

Council has also been assisting the group Energise Gloucester with the planning of their community solar farm project, which has recently been successful in attracting government funding, and provides a good case study for other projects.

As discussed earlier in this report, while Council is responsible for managing landfills, most of this waste is generated by the community. Council currently implements a range of educational and capacity building programs to help the community to reduce, reuse and recycle its waste, through its 'Reimagine Waste' initiative and long-term participation in the MidWaste Regional Waste Forum.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

The development of the draft Climate Change Policy and Strategy aligns with Council's Community Strategic Plan, Delivery Program and Operation Plan, specifically:

Strategy 8.2: Proactively manage our resource consumption

8.2.1	Develop and implement a Sustainability Action Plan for Council assets and operations that focuses on minimising consumption.	Establish targets and develop a plan to reduce emissions across Council's operations.
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TIMEFRAME

The public exhibition of the Climate Change Policy and Strategy is scheduled to commence following the summer holidays in February 2021.

BUDGET IMPLICATIONS

The implementation of the Climate Change Strategy will require the allocation of funding and staff resources if Council is committed to meeting the recommended emission reduction and renewable energy targets.

Implementation of all short and medium term energy efficiency and renewable energy actions recommended in the Strategy has been estimated to cost \$6.3 million, with expected annual cost savings of over \$1 million, and a simple payback period of 6 years.

One funding option is to set up a Revolving Energy Fund (REF), which is an internal fund that provides financing to implement energy efficiency, renewable energy, and other sustainability projects that generate cost savings. These savings are tracked and used to replenish the fund for the next round of investments, thus establishing a sustainable funding cycle while cutting operating costs and reducing the environmental impact of an organisation. The seed capital for the REF could either come from an annual operating budget such as Council's Environmental Rate or the capital budget. The advantage of having a REF is it cements Council's commitment to its targets and provides a tangible vehicle to achieve them.

Access to grant funding will be another important element of Council's Climate Change Strategy. While only a limited number of funding programs are currently available to Council (such as the NSW Energy Savings Scheme (ESS) which subsidises the upfront cost of small-scale solar PV systems up to 100 kW), with the recent development of the NSW Government's Net Zero Plan 2020-2030, a range of programs and funding opportunities will arise in coming years, particularly in areas such as solar power, battery energy storage, electric vehicles and waste management.

While the implementation of individual actions can be coordinated by the relevant asset managers, additional staff resources will be required during Phase 2 to engage with the community to help reduce their emissions and deliver programs to build community capacity to adapt to the impacts of climate change.

RECOMMENDATION

That the draft Climate Change Policy and draft Climate Change Strategy be placed on public exhibition for a period of 28 days in February 2021.

ANNEXURE

A: Draft Climate Change Policy



Policy

Name of policy:	Climate Change Policy		
Adoption by Council:		Minute number:	
Last review date:			
Review timeframe:	2 years		
Next scheduled review date:			
Related legislation:	Clean Energy Act 2011 Coastal Management Act 2016 Local Government Act 1993		
Associated policies/documents:	MidCoast Climate Change Strategy: Phase 1 MidCoast Climate Change Risk Assessment		
Responsible division:	Natural Systems		

Policy objective

This policy has been developed to articulate MidCoast Council's position and response to climate change. It defines Council's role in reducing its carbon emissions and adapting to the projected impacts of climate change and supporting the community to do the same.

Policy statement

MidCoast Council recognises a state of climate emergency exists, declaring a climate emergency in October 2019.

The policy provides a framework that brings together plans for sustained action to both manage and reduce our greenhouse emissions and to adapt our practices to become more resilient to the unavoidable impacts of climate change. A key objective of this policy is to demonstrate leadership by setting emission reduction and renewable energy targets for Council's operations.

MidCoast Council will also incorporate risk-based assessment of climate change impacts in its decision-making, processes and operations, and will develop partnerships and engage with local communities and industry bodies to adapt to these risks and manage these impacts collaboratively.

Coverage of the policy

Position	Directorate	Responsibility
Mayor	Council	To lead Councillors and the community in their understanding of the impacts of climate change and the need to mitigate and adapt to climate change
General Manager	Executive	To lead staff (either directly or through delegated authority) in their understanding of the impacts of climate change and to ensure appropriate organisational strategies and decision-making frameworks are in place to respond to climate change

Directors	All Directorates	To communicate the policy and to ensure that staff have the frameworks and strategies necessary to implement and comply with this policy
Council Leaders	All Directorates	To ensure that climate change is integrated into planning and decision-making and that staff adhere to the policy
All Council Staff	Council	To have an understanding and comply with this policy

Strategic Plan link

The development of the draft Climate Change Policy and Strategy aligns with Council's Community Strategic Plan, specifically:

Strategy 8.2: Proactively manage our resource consumption:

8.2.1	Develop and implement a Sustainability Action Plan for Council assets and operations that focuses on minimising consumption.	Establish targets and develop a plan to reduce emissions across Council's operations.
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Policy content

Over the last 12-18 months, the MidCoast region has experienced firsthand the disastrous effects of climate change including the worst bushfire season on record, which burnt a quarter of the LGA and resulted in the significant loss of biodiversity, life and property; a crippling drought including the hottest day on record; an increase in the number of intense storm events resulting in coastal erosion and localised flooding; and a massive reduction in annual rainfall leading to the introduction of Level 4 (Severe) water restrictions for the very first time. Since 2009, the MidCoast LGA has also had 23 natural disaster declarations; the second worst affected council area in NSW (NSW Office of Emergency Management, 2020).

In declaring a state of climate emergency, Council affirmed that urgent action is required by all levels of government, including local councils, to avert a climate crisis by reducing our carbon emissions and helping our communities adapt to the impacts of climate change.

In March 2020 the NSW Government released its Net Zero Plan Stage 1: 2020-2030, which lays the foundation for NSW's action on climate change and its goal to reach net zero emissions by 2050.

MidCoast Council will achieve net zero greenhouse gas emissions and 100% renewable energy for its operations by 2040, by implementing actions to reduce its emissions and offsetting those emissions that can't be mitigated by investing in renewable energy and local carbon sequestration initiatives such as wetland restoration, where feasible.

Council will use its influence to lead and support the community to reduce its own emissions, which encompasses action around strategic planning, education and capacity building, incentives and financial support, advocacy and collaboration, infrastructure development and land use planning.

Council will also plan and implement measures to increase the resilience of Council's assets and operations and to help the MidCoast community adapt to the impacts of climate change, in particular to the increased inundation of low-lying areas as a result of sea level rise, accelerated coastal erosion, and the reduction in annual rainfall, stream flow and water supply.

Guiding Principles

MidCoast Council's Climate Change Policy and future actions will be guided by the following:

- Council will adopt a precautionary-principled response to climate change, by taking urgent action in line with its June 2019 resolution and subsequent climate emergency declaration, to mitigate and adapt to the effects of climate change over the long term.
- Council will adopt and implement an evidence-based and risk-informed approach to assessing climate change impacts and responses in its operations.
- Council will reduce the emissions from its operations and ensure its assets and services are resilient to the impacts of climate change by adopting adaptation measures.
- Council will integrate economic, social and environmental factors, as well as good governance into its decision-making processes that deal with its response to climate change.
- Climate change planning will be incorporated into Council's Integrated Planning and Reporting Framework.
- Council will adopt a proactive and collaborative process to inform, educate and work with the community, business and other levels of government about our climate change mitigation and adaptation approach.
- Council recognises that the risks of climate change and the adaptation responses vary across the region, and collaboration and planning to make communities and environments more resilient will reflect this.
- Responding locally to climate change is a responsibility shared by Council, the community and business, and significant reductions in regional emissions will only occur if all stakeholders work together.
- Identifying and developing climate change finance and investment opportunities in partnership with the community will be a key element of Council's approach.

Implementation

MidCoast Council will implement this Climate Change Policy by:

- Developing a Climate Change Mitigation Plan – to invest in cost-effective renewable energy, efficiency measures and set emission reduction targets for all Council sectors.
- Developing a Climate Change Adaptation Plan – to integrate climate change risk management into coastal management programs, floodplain risk management plans, and land use planning so we are more resilient to the impacts of climate change.
- Budgeting and resourcing climate change mitigation and adaptation action through Council's Operational Plan, and for each term of Council through its Delivery Program.
- Implementing approved plans and reviewing these plans at regular intervals and updating them to reflect changing climatic conditions and priorities.

- Developing and updating Council's services that educate, inform, incentivise and recognise local community and business efforts to reduce their emissions and adapt to climate change.
- Collaborating with community groups, business groups, State Government, neighbouring councils and the wider community to increase understanding, advocate for new legislation, and accelerate implementation of climate change responses.

Definitions

Climate Change	a change in global or regional climate patterns, in particular a change apparent from the mid to late 20th century onwards and attributed largely to the increased levels of atmospheric carbon dioxide produced by the use of fossil fuels.
Greenhouse gas emissions	any gaseous compound in the atmosphere that is capable of absorbing infrared radiation, thereby trapping and holding heat in the atmosphere.
Climate emergency	a situation in which urgent action is required to reduce or halt climate change and avoid potentially irreversible environmental damage resulting from it.
Net zero emissions	when human-caused GHG emissions are balanced out by removing GHGs from the atmosphere. Firstly, human-caused emissions should be reduced as close to zero as possible. Any remaining GHGs would be balanced with an equivalent amount of carbon removal, such as reforestation.
Climate risk assessment	can help organisations identify their climate change related risks or to test their existing risk management strategies under climate change and therefore identify areas where new strategies are needed.
Climate change mitigation	refers to efforts to reduce or prevent emission of greenhouse gases. Mitigation can mean using new technologies and renewable energies, making older equipment more energy efficient, or changing management practices or consumer behaviour.
Climate change adaptation	the process of adjustment to actual or expected climate and its effects.
Carbon sequestration	describes long-term storage of carbon dioxide or other forms of carbon to either mitigate or defer global warming and avoid dangerous climate change.
Precautionary principle	the precautionary principle requires that, if there is a strong suspicion that a certain activity may have environmentally harmful consequences, it is better to control that activity now rather than to wait for incontrovertible scientific evidence.

References and related documents

Plans that inform Council's responses to mitigate and adapt to climate change include:

- Community Strategic Plan: MidCoast 2030 – Shared vision, shared responsibility
- Local Environmental Plans (LEPs) for the Great Lakes, Greater Taree and Gloucester
- Hunter Regional Plan 2036
- NSW Government Net Zero Plan Stage 1: 2020–2030

- AdaptNSW Integrated Regional Vulnerability Assessment for the NSW North Coast
- MidCoast Council Community Emissions Profile Report (Ironbark, 2018)
- Statewide Mutual Program Climate Change Risk Assessment MidCoast Council (June 2020)
- Draft MidCoast Climate Change Strategy – Phase 1 (December 2020)

Responsible officer (position)

Manager Natural Systems

Attachments

Nil

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8 MIDCOAST COUNCIL BIODIVERSITY FRAMEWORK

Report Author	Karen Bettink - Catchment Officer
File No. / ECM Index	Biodiversity Framework
Date of Meeting	16 December 2020
Authorising Director	Paul De Szell – Director Liveable Communities

SUMMARY OF REPORT

The MidCoast Council area is recognised as containing outstanding biodiversity and natural assets that play an important role in underpinning the concept of a liveable or sustainable community. A Biodiversity Framework is being developed that will set the strategic direction for biodiversity management across the MidCoast region.

This report provides the background to the Framework, the results of the initial engagement and outlines next steps forward.

SUMMARY OF RECOMMENDATION

That the content of the report be noted.

FINANCIAL/RESOURCE IMPLICATIONS

Nil

LEGAL IMPLICATIONS

The Biodiversity Framework is a strategic rather than a regulatory document. The framework will set out strategies and actions for Council to implement in collaboration with the community, government agencies and partners.

It will be adaptive so that it can evolve over time, enabling Council to respond to emerging pressures, statutory changes, funding opportunities and community priorities.

BACKGROUND

Biodiversity is a term used to describe the variety of living things in the environment. It includes species diversity (for example koalas, Manning River Helmeted Turtles); the variety of habitats (e.g. littoral rainforest and wetlands); and genetic diversity essential for ongoing adaptation.

The MidCoast Council area contains important biodiversity and natural assets that have a vital role in supporting our community's socio-economic and cultural wellbeing. Our geography ranges from beaches and coastline, to mountains and hinterland, with green spaces and National Parks in between. This landscape is characterised by pristine waterways, striking scenery and an abundance of natural treasures.

Maintaining healthy and biodiverse environments underpins the economy of the region and the way of life of its residents and visitors. The MidCoast community values our natural environment. Protection of the natural environment was nominated as one of five (5) core values in the inaugural *MidCoast Community Strategic Plan* in 2016. Biodiversity and the environment provide ecosystem services, support water quality protection, farming, carbon sequestration and food and fibre production.

A healthy environment and biodiversity support industries such as tourism, agriculture, forestry and fishing that employ a significant number of people in the region. Biodiversity and the environment is also of great significance to the Aboriginal culture of the Worimi and Biripi communities.

However, this biodiversity is in decline at a state and regional level, with threats to our natural environment needing to be managed more effectively. More information on biodiversity, its importance, why it is at risk and what the framework is and what it covers is provided in the fact sheets attached (Annexures 2-5).

Local government plays an important role in biodiversity conservation and management. It is a land use planning authority, a regulatory authority acting in the public interest and a land manager responsible for natural area reserves. It operates within a legal and regulatory framework that recognises the principles of ecologically sustainable development.

To achieve our communities' vision, we have a shared responsibility to appropriately and effectively manage, conserve and restore our local biodiversity, environment and natural assets.

DISCUSSION

MidCoast Council is developing a Biodiversity Framework that will guide the conservation of identified priorities. It will provide a platform for meaningful partnerships with stakeholder groups and Government bodies to achieve the best outcomes for biodiversity across the Local Government Area. The Framework will have six themes (see Annexe 1):

- Strategic Planning and Policy
- Land Use Planning and Development;
- Reserves and Biodiversity Conservation and Land Stewardship Agreements
- Land Management
- Engagement and Partnerships
- Science and Knowledge

Each theme will provide a suite of management tools to protect and restore biodiversity.

The Framework will bring together Council's existing biodiversity management activities into a cohesive program and set out strategies and actions to implement through the IP&R Framework. It will be an adaptive framework that will evolve over time. This will enable Council to respond to emerging pressures, statutory changes, new research and management practices, funding opportunities and community priorities.

CONSULTATION

An engagement plan was developed by Council's Natural Systems and Community Engagement teams.

The plan is aligned to the IAP2 Public Participation Framework. It creates a platform for ongoing engagement within Council and in the wider community to implement biodiversity conservation and management. Engagement also needs to allow for the Covid-19 pandemic, with consideration for the safety and wellbeing of both staff and the community.

The engagement plan includes six phases:

- Phase 1: Consult MCC teams to ensure the draft Biodiversity Framework reflects their strategic priorities and programs.
- Phase 2: A project web page was established featuring an introduction to the project, a series of information sheets (Annexures B-F), contact information and an online survey was published in October 2020 (<https://www.midcoast.nsw.gov.au/Have-Your-Say/Biodiversity-Framework-2020-2030>).
- Phase 3: Consult with key community interest groups and government agencies to understand their goals, concerns, priorities and partnership opportunities.
- Phase 4: Public exhibition and then revision of the Biodiversity Framework.
- Phase 5: Submission to Council for adoption and integration into IP&R Framework and DPOP.
- Phase 6: Empower stakeholders and the wider community to implement the Biodiversity Framework.

Phase 1 (MCC staff) was completed in April 2020 and Phase 2 and 3 were completed in November 2020. Groups and individuals targeted ranged from rural landowners, agricultural bodies, community groups, agencies such as Hunter LLS, NPWS, DPIE Lands, developers and planners, Aboriginal Land Councils and Landcare.

A total of 98 surveys were received with 48% from community individuals, 35% from rural landholders, 14% from environment and interest groups, and 3% from Government Agencies (see Figure 1). Additional consultation will be undertaken to expand input from government agencies.

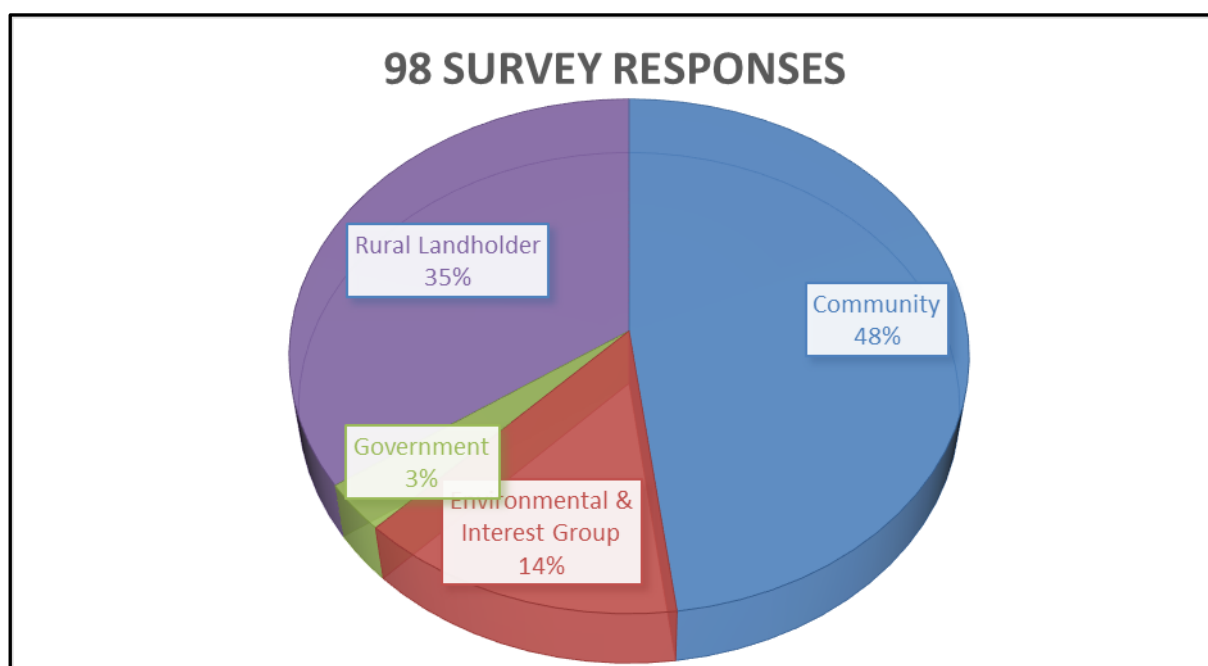


Figure 1: Breakdown of the survey responses by government, rural landholders and community.

Analysis of the Phase 3 consultation is still underway. Highlights include identification of flagship species people think are iconic to the MidCoast Region: e.g the Manning River Helmeted Turtle. Survey respondents reported using natural environments in a range of ways with bushwalking, water sports and picnics being the top three activities as shown in Table 1 below:

Bushwalking	76
Fishing / canoeing / swimming / surfing	62
Picnics	56
Photography	50
Camping	46
Other cultural activities	28
Four-wheel driving or motorbike riding	14
Horse or mountain bike riding	16
Rock climbing	5

Table 1: Preferred activities in MidCoast natural areas

COMMUNITY IMPACTS

The Biodiversity Framework is not a regulatory instrument. Rather it is strategic program being developed with the community and stakeholders to foster engagement and partnerships for biodiversity conservation in the MidCoast region. Activities included in the Framework such as Local Conservation Action Plans and the Greening Strategy will be subject to their own Council and community consultation programs to ensure support.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

Protection of the natural environment was nominated as one of five core values identified in the *MidCoast Community Strategic Plan* in 2016.

Developing a framework that allows protection and management of the natural environment aligns with this community value.

In Councils Delivery Program (2018-21) and Operational Plan (2020-21), development of the Biodiversity Framework contributes to Strategy 7.1: "Value, protect, monitor and manage the health and diversity of our natural assets, wildlife and ecosystems". It fulfils focus reference 7.1.2 "Develop and implement a Biodiversity Framework for the MidCoast LGA".

TIMEFRAME

The Framework is due to be finalised and adopted by 30 June 2021. Key dates during development are:

- Key stakeholder engagement October-November 2020
- Councillor briefing 16 December 2020
- Document drafting 1 December – 26 February 2021
- Councillor workshop late March/April 2021
- Public exhibition of draft 12 April – 7 May
- Finalisation of document 14 May – 11 June
- Council report, finalisation and adoption by 30 June 2021

RECOMMENDATION

That the content of the report be noted.

ANNEXURES

A: Six major draft themes of the Framework.



**MIDCOAST**
council

FACT SHEET
ONE



CONSERVING BIODIVERSITY IN THE MIDCOAST REGION

The MidCoast supports some of Australia's unique and globally significant biodiversity.

Australia has more species found nowhere else in the world than any other country. Around 10% of all species on Earth occur in Australia and our biodiversity developed largely in isolation over many millions of years. This national context is important when considering biodiversity in the MidCoast region.

The MidCoast is rich in biodiversity, which benefits us all. Our distinct and varied natural environment supports the health of our community, the strength of the economy and our way of life. Our community recognised this by identifying protection of the natural environment as one of five core values in the first MidCoast Community Strategic Plan in 2016.

For local Aboriginal people, the Biripi and Worimi, plants, animals and places are part of 'Country' with cultural, spiritual and economic significance and a central place in stories.



Spread over 10,000km², our region extends from the mountains to the coast. As MidCoast residents we enjoy pristine waterways, striking scenery and an abundance of natural treasures.

In many areas, biodiversity and the condition of the natural environment is declining.

Habitat loss and fragmentation, invasive species (especially feral pest animals), changes to fire and hydrological regimes and climate change are some of the pressures driving this decline. As a result, we are losing the important ecosystem services provided by natural, biodiverse landscapes.

The local events of 2019, with severe drought and extensive bushfire is a stark reminder of the complex and critical biodiversity challenges that Council, other stakeholders and the community face.

WHAT IS BIODIVERSITY?

Biodiversity is the variety of all life forms on earth - the different plants, animals and micro-organisms and the ecosystems of which they are a part.

Biodiversity includes:

- Genetic diversity - the variety of genetic information in individual plants, animals and micro-organisms
- Species diversity - the variety of species
- Ecosystem diversity - the variety of habitats, ecological communities and processes

It's up to all of us to look after biodiversity in all its variety.

WHAT ARE WE DOING?

MidCoast Council is preparing a Biodiversity Framework, which will help us work with our community to conserve and manage the biodiversity and natural assets in our region. We all have a part to play in protecting our region's precious plants, animals and natural environment.

We look forward to working with our community to develop and implement this framework.

Find out more and get involved:

-  midcoast.nsw.gov.au/biodiversity
-  biodiversity@midcoast.nsw.gov.au



Biodiversity Fact Sheet 1 (October 2020)

midcoast.nsw.gov.au/biodiversity

**MIDCOAST**
council

FACT SHEET
TWO

WHAT'S SPECIAL ABOUT
OUR REGION?

The MidCoast region is rich in natural assets... here are some of our most precious.

The World Heritage listed Gondwanan Rainforests of Australia in Barrington Tops National Park

Myall Lakes National Park, a Ramsar-listed wetland of international significance

The Port Stephens - Great Lakes Marine Park, home to threatened species such as the Gould's petrel, black rock cod and green turtle



Little Tern, Farquhar Inlet

A local koala, Tinonee

Flying foxes, Wingham Brush

Significant koala populations (where numbers across NSW have declined by 26% over the last 20-years)

The endangered (NSW) Manning River helmeted turtle, a reptile with 55 million years of evolutionary history

The iconic platypus, one of only two monotremes on the planet and reportedly nearing threatened-species status

The most important nesting site for the endangered little tern in NSW, at the entrance to the Manning Estuary

Migratory shorebirds protected by international agreements such as the Critically Endangered eastern curlew, the largest migratory shorebird in the world

The maternity camp of vulnerable grey-headed flying fox in a patch of Sub-tropical Lowland Rainforest (EEC) at Wingham Brush

State-listed threatened ecological communities including littoral rainforest, coastal saltmarsh, swamp sclerophyll forest on coastal floodplains and lowland rainforest

The largest area of seagrass in any estuary in NSW in Wallis Lake

BIODIVERSITY ABOUNDS

Our region is rich in biodiversity, due to both tropical and temperate climatic influences and our varied topography.

Extending over 10,000km² the MidCoast includes beaches and sea-cliffs, the high peaks and deep valley floors of the Great Dividing Range, and beautiful lakes and estuaries.

Our community values the natural features, unique species and areas of International, National and State significance in our region. These are important for our social, cultural and economic well-being.

The region's rich biodiversity is something we all need to conserve and manage.

WHAT ARE WE DOING?

MidCoast Council is preparing a Biodiversity Framework, which will help us work with the community to conserve and manage the biodiversity and natural assets in our region. We all have a part to play in protecting our region's precious plants, animals and natural environment.

We look forward to working with our community to develop and implement this framework.

Find out more and get involved:

 midcoast.nsw.gov.au/biodiversity

 biodiversity@midcoast.nsw.gov.au

Biodiversity Fact Sheet 2 (October 2020)

midcoast.nsw.gov.au/biodiversity

**MIDCOAST**
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**FACT SHEET
THREE**



WHY IS BIODIVERSITY IMPORTANT?

The benefits of biodiversity in our region are many and varied.

Well-being
Experiencing nature contributes to physical and mental health. The MidCoast offers recreational access to many natural areas and waterways.

Production economy
Agriculture, fisheries and forestry rely on a healthy, diverse environment. Ecosystem services such as nutrient-cycling, soil formation, erosion control, water purification and pollination help support primary production.

Drinking water supply
Healthy catchments deliver clean water in both riverine and aquifer sources.

Tourism
The MidCoast is a popular holiday destination. Nature-based tourism is a key driver of the local economy and relies on access to healthy natural environments.



Healthy catchments sustain our water supply



Our environment provides recreation for locals and tourists



Local businesses rely on our environment every day

Amenity
Access to nature contributes to the liveability of communities. Maintaining amenity whilst providing for sustainable growth is a goal of our Community Strategic Plan.

Aboriginal connection
For Aboriginal people, the Biripi and Worimi, healthy Country is integral with identity, spiritual and cultural belonging, and in some cases livelihoods.

Resilience and adaptation
Biodiverse habitats protect shorelines, store floodwaters and sequester carbon to assist our community to avoid or mitigate climate change risks and natural disasters.

BIODIVERSITY BENEFITS ALL

The biodiversity of the MidCoast region has environmental, economic, social and intrinsic value.

Our well-being, lifestyle and economy is connected to the health of the natural environment and the plants and animals within it.

Biodiversity and our environment provide resources that sustain us including food, timber and fuel. Biodiversity provides the oxygen we breathe and purifies the water we drink. It builds and protects soils and stores and cycles nutrients essential for food production.

In short, we can't afford to lose it!

WHAT ARE WE DOING?

MidCoast Council is preparing a Biodiversity Framework, which will help us work with the local community to conserve and restore the biodiversity and natural assets in our region. We all have a part to play in protecting our region's precious plants, animals and natural environment.

We look forward to working with you our community develop and implement the Biodiversity Framework.

Find out more and get involved:

 midcoast.nsw.gov.au/biodiversity

 biodiversity@midcoast.nsw.gov.au



Biodiversity Fact Sheet 3 (October 2020)

midcoast.nsw.gov.au/biodiversity

**MIDCOAST**
council

**FACT SHEET
FOUR**

**WHAT IS AT RISK
AND WHY?**

Threats to our natural environment mean we need to manage biodiversity more effectively.

Land clearing and fragmentation This is one of the major causes of species loss and ecosystem service disruption. It creates small isolated populations which limits gene flow, impairs dispersal and inhibits recolonisation after disturbances.

Habitat degradation The complexity and habitat value of ecological communities for plants and wildlife are degraded by land-uses such as over-grazing, under-scrubbing and logging.

Introduced plants, pest animals and disease Weeds displace native vegetation, compete for light and nutrients, alter vegetation structure and degrade fauna habitat. Introduced pest animals hunt native wildlife, compete for resources and degrade habitats.



Foxes threaten native wildlife

Pollution is an ongoing challenge

Habitat loss, November 2019

Altered fire regimes Most native plants, animals and ecosystems are adapted to specific fire regimes. However, altered fire regimes (too frequent and intense fires) can cause death and habitat loss for many species such as gliders.

Altered hydrological regimes Activities such as water harvesting, draining, channelisation and infilling have degraded a significant proportion of coastal and riverine wetlands in the region.

Pollution Sediments, nutrients and pathogens from agricultural run-off and urban stormwater can cause algal blooms, affect organisms and smother aquatic habitats.

Human impacts These include hunting/culling, over-fishing and vehicle strikes.

Changing climate Projections include increasing temperatures, increasingly severe droughts and wildfires, and rising sea levels, which will impact the MidCoast region's most vulnerable habitats.

THREATS TO BIODIVERSITY

Human activities have pushed our natural systems into decline.

Habitat loss, land clearing, degradation and fragmentation, invasive plants and animals and the impacts of climate change are just some of the pressures on biodiversity.

Australia has a poor track record when it comes to biodiversity loss, ranking second in the world for ongoing species extinction. Since European settlement, more than 50 species of Australian animals have become extinct and more are at risk. New approaches are needed to address the downward trajectory.

We have a collective responsibility to halt this decline in the MidCoast region.

WHAT ARE WE DOING?

MidCoast Council is preparing a Biodiversity Framework, which will help us work with the community to conserve and manage the biodiversity and natural assets in our region. We all have a part to play in protecting our regions precious plants, animals and natural environment.

We look forward to working with our community to develop and implement this framework.

Find out more and get involved:

 midcoast.nsw.gov.au/biodiversity

 biodiversity@midcoast.nsw.gov.au

Biodiversity Fact Sheet 4 (October 2020)

midcoast.nsw.gov.au/biodiversity

**MIDCOAST**
council

**FACT SHEET
FIVE**



WHAT IS MIDCOAST COUNCIL'S BIODIVERSITY FRAMEWORK?

The MidCoast region is blessed with biodiversity and natural habitats that are highly valued by the local community.

Biodiversity – the great diversity of all living things – has intrinsic value and plays a vital role in supporting our community's socioeconomic and cultural well-being. The MidCoast community nominated protection of the natural environment as one of five core values in the inaugural MidCoast Community Strategic Plan in 2016.

To achieve our community's vision, MidCoast Council is preparing a Biodiversity Framework to help us work alongside others to manage, conserve and restore our ecosystem health and biodiversity. Other government agencies and community members are vital to this effort and we invite you to partner with us for biodiversity conservation.



MidCoast Council has an important role in biodiversity conservation and management.

Council is a service provider, a land use planning authority, a regulatory authority acting in the public interest and an owner of natural area reserves. It operates within a legal and regulatory framework that recognises the principles of ecologically sustainable development and delivers biodiversity conservation outcomes.

The Biodiversity Framework will establish strategic guidance for these activities so that they work in concert to appreciate, conserve and manage our region's natural assets.

Applying clear and consistent objectives for biodiversity will help us meet our statutory responsibilities and assist in stopping the decline of biodiversity in the MidCoast region.

Plants, animals and habitats are in decline, and we all have a shared responsibility to look after these natural treasures.

GUIDING OUR FUTURE

The biodiversity framework provides a blueprint for a suite of plans, principles, policies, actions datasets and management tools in a format that promotes adaptive management. This format allows us to respond to contemporary pressures and opportunities, as well as changing community principles.

The framework will be developed using six key themes:

- Strategic Planning and Policies**
Adopting strategic plans and policies to guide best-practice and communicate with stakeholders
- Land Use Planning and Development**
Protecting biodiversity through land use and development controls
- Reserves and Conservation Agreements**
Helping achieve well-managed public and private conservation areas
- Engagement and Partnerships**
Protecting and improving biodiversity values through on-ground work
- Land Management**
Building relationships, supporting community stewardship
- Science and Knowledge**
Building scientific knowledge for evidence-based management



Biodiversity Fact Sheet 5 (October 2020)

midcoast.nsw.gov.au/biodiversity

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9 GLENTHORNE EMPLOYMENT LANDS DEVELOPMENT CONTROL PLAN

Report Author Aaron Kelly - Strategic Planner

File No. / ECM Index S1714/12

Date of Meeting 16 December 2020

Authorising Director Paul De Szell – Director Liveable Communities

SUMMARY OF REPORT

This report seeks Council endorsement of a Development Control Plan relating to the proposed Glenthorne Employment Lands area.

SUMMARY OF RECOMMENDATION

That Council endorse a draft amendment (Part L12) to the *Greater Taree Development Control Plan 2010* (DCP 2010) for exhibition concurrently with the Glenthorne Employment Lands Planning proposal and that if no objections are received to the Development Control Plan during the community consultation, the amendment be made.

FINANCIAL/RESOURCE IMPLICATIONS

The Development Control Plan was prepared by a Consultant on behalf of the proponent and reviewed by Council's Strategic Planning Teams with assistance from a number of internal stakeholders.

The Development Control Plan and associated Planning Proposal are assessed on a user-pays basis.

LEGAL RISK IMPLICATIONS

The Development Control Plan has been prepared in accordance with Part 6 (Urban Release Areas) of the Greater Taree Local Environmental Plan 2010. Development Control Plans are prepared, exhibited and adopted in accordance with the *NSW Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*.

BACKGROUND

The site shown in Figure 1 below, forms an extension of the Manning River Drive Employment Area to the east and has a maximum potential developable area of approximately 18.7 ha. An associated Planning Proposal for the site seeks to facilitate the rezoning of R1 Primary Production zoned land to a combination of IN1 General Industrial and B6 Enterprise Corridor zones. E2 Environmental Conservation zones are proposed over specific drainage and biodiversity lands. A proposed zoning layout plan is illustrated in Figure 2.

The proposed rezoning area will also be included as an Urban Release Area under the provisions of the Greater Taree Local Environmental Plan 2010. Under Part 6 of the LEP, to ensure that development on land in an urban release area occurs in a logical and cost-effective manner and in accordance with a staging plan a site specific Development Control Plan is required to be prepared.

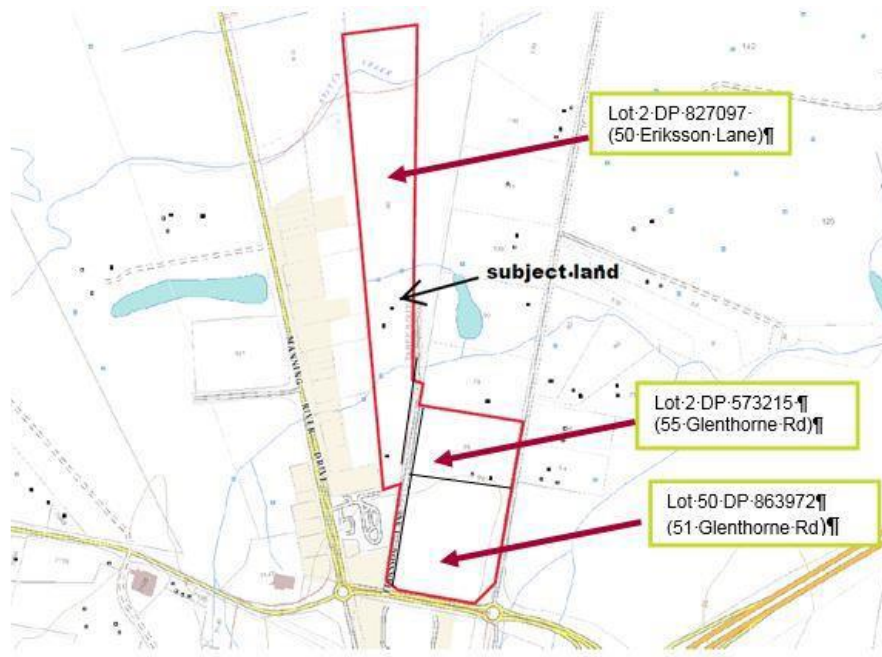


Figure 1 – Glenthorne Employment Lands Area area

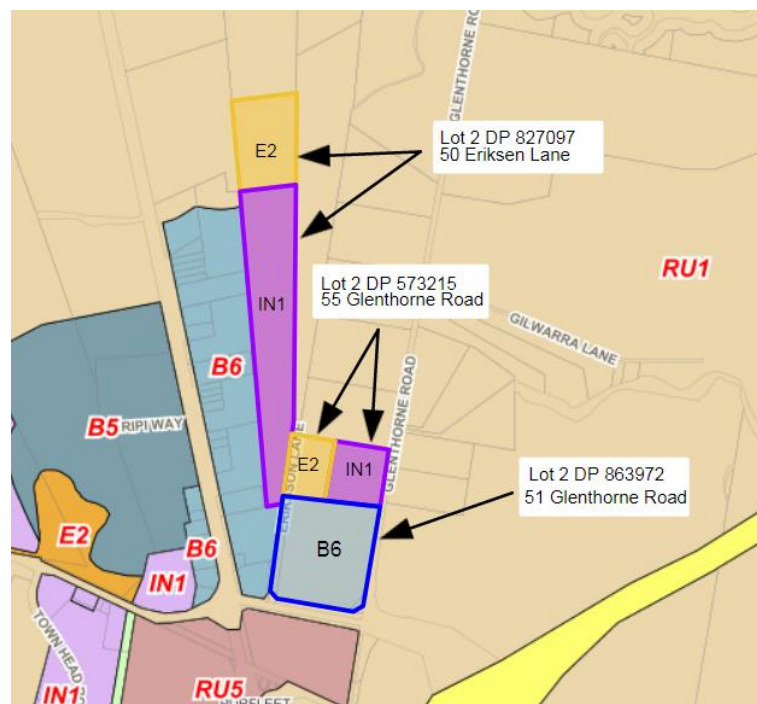


Figure 2 – Proposed rezoning of Glenthorne Employment Lands Area

Development of the site is anticipated to be carried out in 2 stages. Figure 3 illustrates a concept subdivison staging layout.

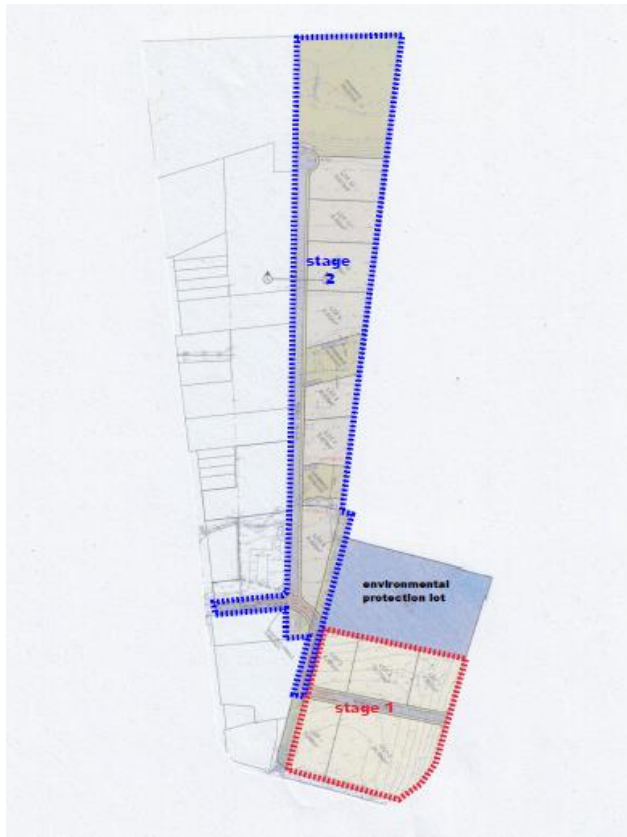


Figure 3 – Proposed staged subdivision concept layout plan

At its meeting on 27 March 2019, Council resolved to prepare a draft Development Control Plan for proposed Glenthorne Employment Lands area and report it back to Council for endorsement so that it could be exhibited concurrently with the Planning Proposal following the receipt of a Gateway Determination.

A Gateway Determination for the Planning Proposal was issued by the NSW Department of Planning, Industry and Environment on 21 August 2019.

DISCUSSION

The draft DCP provisions for the Glenthorne Employment Lands Area have been prepared by the proponent's consultant and are included in Annexure A. The draft DCP contains additional requirements to those already contained within the Greater Taree Development Control Plan and should be read in conjunction with the relevant chapters of the plan including (but not limited to) chapters relating to subdivision, landscaping and environmental requirements.

A primary objective of the draft DCP is the recognition that the Glenthorne Employment Lands area represents a key gateway site to the southern Taree interchange and hence quality design and landscaping to sites that front Manning River Drive is critical.

To ensure a functional road layout the draft DCP also includes the concept layout plan in figure 3. This is to ensure that a functional road layout incurs minimal impacts on the surrounding road network. All traffic as part of stage 1 of the development will exit via the Manning River Drive/Glenthorne Road roundabout. Only one left turn entry in from Manning River Drive will be permitted as part of stage 1 of the development. An additional access/exit point for stage 2 of the development is also proposed to the west through land also owned by the proponent.

Other draft DCP provisions include:

- Biodiversity and vegetation management provisions to ensure the retention and enhancement of habitat and habitat linkages for nearby identified koala populations.
- Ensuring active transport by connection to existing of footpath and cycleway infrastructure in Manning River Drive whilst also ensuring end of trip facilities for all new developments.
- Provisions for estate entry signage.
- The requirement for each lot to prepare a site specific stormwater management plan.
- Ensuring each lot is appropriately serviced with reticulated sewerage and water, underground power and telecommunications.

Overall, the draft Glenthorne Employment Lands Development Control Plan provides for all of the requirements as stated in Clause 6.3 of the Greater Taree LEP 2010.

CONSULTATION

Community consultation in relation to the draft Development Control Plan will be undertaken in accordance with Part 3 - Development Control Plans of the *Environmental Planning and Assessment Regulation 2000*.

Council is required to place the draft Development Control Plan on public exhibition with the Planning Proposal for a minimum of 28 days.

COMMUNITY IMPACTS

Community impacts identified through the community consultation for the draft Development Control Plan provisions will be reported back to Council for consideration.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

The draft Glenthorne Employment Lands DCP is aligned to MidCoast 2030: Shared Vision, Shared Responsibility (CSP) in “we balance the needs of our natural and built environments” as it will:

- Ensure growth and new development complements our existing natural assets, cultural assets and heritage sites; and
- Optimising land use to meet our environmental, social, economic and development needs.

The Glenthorne Employment Lands project is consistent with the Draft Delivery Program (2018-2021) and Operational Plan (2020-2021) with regard to Focus Ref 10.2.1: Strengthen the region as a location of choice for business to invest.

TIMEFRAME

The Development Control Plan provisions are closely aligned with the associated Planning Proposal for which the Gateway Determination has provided a timeframe for state agency consultation, community consultation and completion of the planning proposal. It is anticipated the Planning Proposal and Development Control Plan provisions will be finalised in July 2021.

BUDGET IMPLICATIONS

The planning proposal is assessed on a user-pays basis. All required studies and consultant fees are paid by the proponent.

RECOMMENDATION

1. That Council endorse the draft amendment (Part L12) to the *Greater Taree Development Control Plan 2010* (DCP 2010) being the Glenthorne Employment Lands DCP.
 2. That the Glenthorne Employment Lands DCP be prepared and exhibited concurrently with the Glenthorne Employment Lands planning proposal.
 3. That the amendments to the Greater Taree Development Control Plan be adopted if no objections are received during public exhibition and the land is rezoned.
-

ANNEXURE

A: Draft Glenthorne Employment Lands Development Control Plan

L12 Glenthorne Employment Area

About this part:

This part provides detailed guidelines for land located at Glenthorne which has been rezoned for industry, business and environmental conservation. This Part applies in addition to the other requirements of the DCP.

Applies to:

All land within the site shown below in Figure 12.1.

Date adopted by Council:**Effective date:**

This DCP will become effective upon gazettal of Amendment No X to Greater Taree Local Environmental Plan 2010

Related Policy / Technical Manual:

Nil

L12.1 Introduction

The subject land is located at Glenthorne on the southern entry into Taree, close to the southern interchange of the Pacific Highway. This land, adjacent to a significant koala habitat site has been identified as a suitable location for an extension of the Manning River Drive employment precinct. It will facilitate additional economic activity within the precinct as well as providing opportunities for business and industry which require efficient access on to the Pacific Highway. Site specific controls are required to ensure appropriate development outcomes.

L12.2 Boundaries of the site



Figure 12.1 Subject Land

Greater Taree DCP 2010. *Uncontrolled when printed.*

L12.3 Relationship to other parts

All standard relevant provisions from within this DCP apply to development on the subject land where not varied by this part.

L12.4 Principle objectives for the site

- o To provide an active and visually appealing southern gateway into Taree through quality design and landscaping.
- o To ensure that the release of land provides the necessary services, infrastructure and environmental management.
- o To provide a road hierarchy within the site to ensure that development does not adversely impact on the function and efficiency of Manning River Drive.
- o To facilitate the movement of koalas through the important habitat site and ensure that environmentally sensitive land is protected.

L12.5 Performance criteria

Gateway Landscaping and Design:

A site-specific landscaping plan is to be lodged with development applications (excluding subdivision applications) for lots fronting Manning River Drive. The landscaping plan must achieve the following:

- Only low native vegetation is to be planted along the frontage with Manning River Drive to prevent visually obscuring the development from Manning River Drive. Gateway landscaping should soften and filter the view to the proposed development rather than screen it. Buildings on lots fronting Manning River Drive are to address Manning River Drive and ensure an active frontage along Manning River Drive. Large, blank areas of wall or storage areas fronting Manning River Drive are not acceptable.
- No solid fence will be permitted forward of the building line for lots fronting Manning River Drive.
- Gateway landscaping is to include a mixture of low-maintenance flowering native shrubs and ground covers. The landscaping is to provide an interesting mix of colour and native vegetation types that provide a focal point to the entry.
- Gateway landscaping within lots fronting Manning River Drive is to include Aboriginal designs which can be viewed from Manning River Drive and must create respectful, and culturally and geographically relevant formal gardens.

Gateway Signage:

- Any Glenthorne estate entry signage is to be established on the corner of the lot closest to the intersection of Glenthorne Road and Manning River Drive. Such entry signage is to be of a high design standard incorporating natural materials and colours and using a theme that is specific to Taree's culture and heritage. Such a sign must be softly lit at night using only low-glare lights with minimal light spill.

Greater Taree DCP 2010. *Uncontrolled when printed.*

Part L | Page 2

Biodiversity and Native Vegetation Management:

- Drainage reserves are to be planted with local koala feed trees to establish forested buffer zones and create a connection with adjoining habitat to the east.
- A vegetation management plan (VMP) must be prepared prior to the issue of the subdivision certificate for each stage of the development. The VMP must be prepared to Council's satisfaction and must detail measures to maintain or improve the environmental value of the E2 areas, including responsibility for ongoing management and maintenance.
- Passive traffic speed control measures are to be incorporated into the design of the internal roads to minimise the risk to koalas of vehicle strike.

Stormwater Management:

- Each future lot is to provide its own water quality treatment and on-site detention in accordance with a site-specific stormwater management plan that is to be lodged with each development application for specific uses on the lot. Such water quality treatment and on-site detention is to be incorporated into landscaping features associated with the development. Generally, not less than 5% of each development lot shall be dedicated for stormwater treatment and landscaping.

Active Transport:

- Provision for cycle-ways shall be made linking Manning River Drive and Glenthorne Road
- All developments are to be provided with bicycle parking and associated end-of-trip facilities such as showers and lockers to encourage workers to cycle to work.

Security Fencing:

- Solid boundary fencing materials will only be permitted forward of any building frontage to a public road (excluding Manning River Drive) where they can be shown to be screened by landscaping. Such fences are to be constructed of materials that integrate with the building design and advertising signage and contribute positively to the streetscape.

Site Specific Setbacks:

- A building setback of not less than 5m must be provided along the western boundary of the site where it adjoins Eriksson Lane opposite Lot 102 DP1118846, unless justified by a site-specific acoustic assessment demonstrating that acoustic impacts are acceptable on the nearby caravan park. This provision is only relevant whilst a caravan park continues to operate on Lot 102.

Staging and Road Hierarchy:

- Subdivision of the land shall be generally undertaken in accordance with the staging plan and road layout shown below in Figure 12.2.
- No newly created lot as part of Stage 1 shall have direct egress (exit) on to Manning River Drive. Only one ingress (entry) from Manning Drive is permitted as part of the Stage 1 development. All traffic exiting the site from stage 1 of the development is to exit via Glenthorne Road.

Greater Taree DCP 2010. *Uncontrolled when printed.*

Servicing:

- Underground power and telecommunication infrastructure is to be supplied to all allotments.
- A water and sewerage servicing plan is to be lodged with any development applications for subdivision. Such a plan is to demonstrate that all lots are able to be connected to Council's reticulated water and sewerage network and the methods of connection thereto.



Figure 12.2: Development Staging

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10 PLANNING PROPOSAL - TALLWOOD DRIVE AND OLD SOLDIERS ROAD, RAINBOW FLAT

Report Author Michael Griffith - Strategic Planner
File No. / ECM Index S769/05
Date of Meeting 16 December 2020
Authorising Director Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

This report seeks support to request a new Gateway determination from the Department of Planning, Industry and Environment to rezone land at Rainbow Flat to facilitate the realignment of Old Soldiers Road outside of Khappinghat Nature Reserve.

SUMMARY OF RECOMMENDATION

That Council seek a new Gateway determination for the planning proposal known as Tallwood Drive and Old Soldiers Road and that the current Gateway determination and application be discontinued.

FINANCIAL/RESOURCE IMPLICATIONS

All required studies and consultant fees are paid by the applicant. The realignment of Old Soldiers Road within the land being rezoned will be funded by the landowners. The road upgrades required outside of private land will be funded through development contributions.

LEGAL IMPLICATIONS

Planning proposals are to be prepared in accordance with *A guide to preparing planning proposals* as required under Section 3.33(3) of the *Environmental Planning and Assessment Act 1979*. The planning proposal process is to be undertaken in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* and the associated *Environmental Planning and Assessment Regulation 2000*.

BACKGROUND

History of development in Hallidays Point and options for the Old Soldiers Road upgrade

Old Soldiers Road has been used as a secondary access road to Diamond Beach and Red Head for many years and provides an alternate link to The Lakes Way. With the growth of the beachside villages, the use of this road has increased. It also provides an alternate route when there are delays on Diamond Beach Road, Blackhead Road and The Lakes Way, for example during road accidents and bushfires.

Through Khappinghat Nature Reserve, Old Soldiers Road is currently an unsealed winding track, which is often perceived by tourists and residents as dangerous. As illustrated by the red line on Figure 1, the road travels through the Nature Reserve from the eastern boundary to the northern boundary. The community has consistently requested that Council consider options to formalise this 'track' to make it safer and more suitable for current usage levels. Options for Old Soldiers Road have been discussed by Council for over twenty years. The

recent bushfires in our region, particularly in the Rainbow Flat area has reaffirmed the importance of having an alternate access to Hallidays Point.

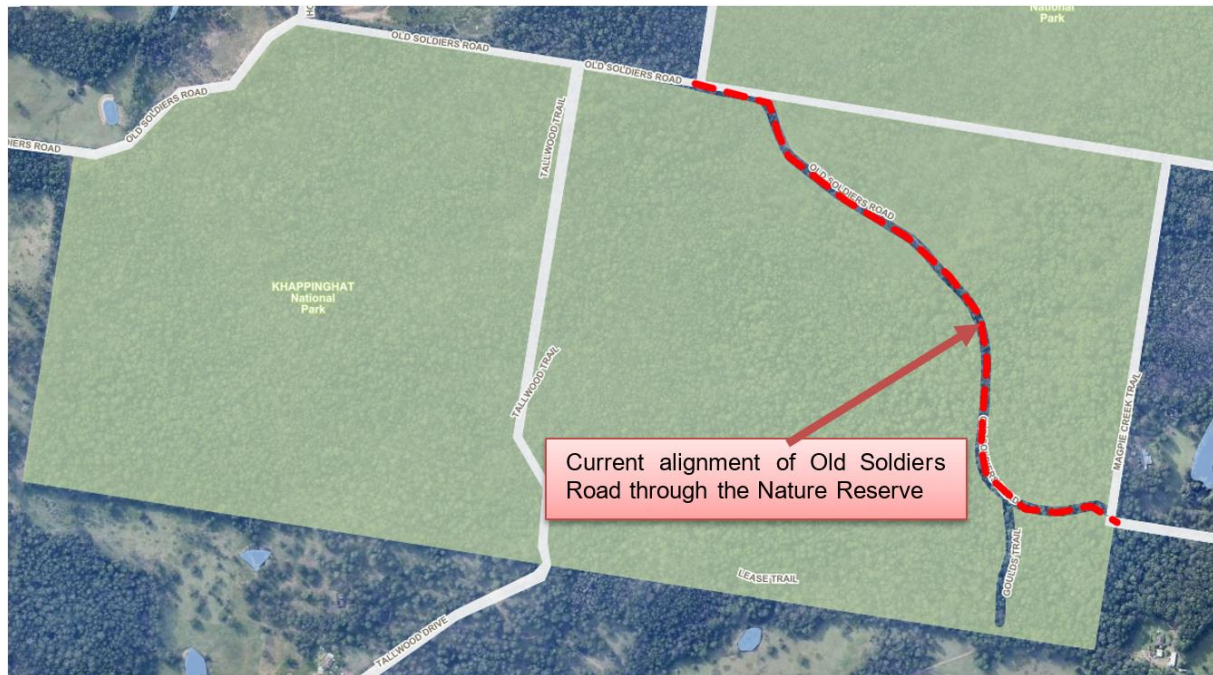


Figure 1: Map showing Old Soldiers Road through the Khappinghat Nature Reserve

Khappinghat Nature Reserve was created in August 1993. Kiwarra State Forest along with adjoining vacant Crown Land was transferred into Khappinghat Nature Reserve in 1999. This change of land tenure influenced flexibility in developing options for the upgrade of Old Soldiers Road. Nature reserves such as “Khappinghat” are given a high level of protection, making any changes to road boundaries or changes to the alignment of the road very difficult, often requiring an act of parliament.

On the 26 May 1999, Council’s Planning Building and Development Committee resolved that:

“Old Soldier’s Road be upgraded, subject to detailed costing and availability of funding as part of Council’s next budget consideration and in consultation with New South Wales State Forests”.

In between the late 1990s and early 2000s, Council supported the rezoning of land in Rainbow Flat in exchange for delivering an alternative route for Old Soldiers Road. Land surrounding Khappinghat Nature Reserve to the south and west was identified in the Hallidays Point Development Strategy 2000 as Phase 1 - Rural Residential, which was then adopted by Council and endorsed by the Department of Planning and Infrastructure.

In 2003 the landowners commenced rezoning, and in 2005 Council resolved to place the proposal on exhibition. However, the Department of Planning and Infrastructure refused to allow exhibition due to the fact that Council was undertaking a Conservation and Development Strategy (CADS) and required the entire realignment to be rezoned at the same time. A draft CADS was prepared and exhibited, but placed on hold by the Department of Planning and Infrastructure as they were preparing the Mid North Coast Regional Strategy. The rezoning subsequently lapsed when the Department of Planning and Infrastructure introduced a new rezoning process.

In August 2012, one of the landowners wrote to Council requesting that the rural residential rezoning of the land be recommenced. On the 5 September 2012, Council staff along with representatives from the Office of Environment and Heritage and National Parks and Wildlife Service met the landowners and their representatives on site. A range of options were inspected and discussed for the realignment and development opportunities.

On the 3 October 2012, Brian Lidbury of Lidbury, Summers and Whiteman on behalf of landowners presented options for the Old Soldiers Road realignment to a Councillor Workshop. The Councillors requested an update via a report to Council following the outcome of the proponent's approaches to the Minister for the Environment.

Local member Stephen Bromhead MP made representations to the Minister for the Environment. The Minister identified that the project would not be considered for revocation of land from the National Parks estate, as the project only has local significance, and it is not a major State Government infrastructure priority. In a letter addressed to Mr Bromhead, the Minister reaffirmed this in writing stating that:

"revocations are subject to parliamentary scrutiny and are generally supported where there is a significant public good, where the proposal is an option of last resort and no practical alternative exists and where compensation properly accounts for the loss of a protected area".

On the 15 April 2013, Council staff met with staff from the Newcastle office of the Department of Planning and Infrastructure. At this meeting the realignment was discussed, and the staff from the Department provided in-principle support for the realignment. In order to progress this issue, staff undertook a review of the realignment options to determine the preferred option.

In June 2013, Council considered options outlined in the Old Soldiers Road Options Analysis Report - June 2013 for the formalisation of the 'track'. It was resolved to pursue an option that followed the existing alignment of Old Soldiers Road, or if support could not be obtained from the NSW Government that the road be realigned along Goulds Trail.

In July 2013, the General Manager wrote to the Minister for the Environment seeking the upgrade along the existing alignment. In September 2013, the National Parks and Wildlife Service responded to Council's request on behalf of the Minister for the Environment, seeking a meeting with Council staff and outlining that they do not support the upgrade of the road on the existing alignment.

In October 2013, Council staff met with National Parks and Wildlife Service staff to discuss their preferred option to realign along Goulds Trail. Subsequently in December 2013 Council resolved to seek the dedication of Goulds Trail and part of Old Soldiers Road. Following this resolution, Council staff have continued to work with National Parks and Wildlife Service to realign Old Soldiers Road along Goulds Trail as a part of a rezoning proposal.

The rezoning proposal

In October 2014, Council considered a request to rezone approximately 107ha (Lots 4 and 5 DP 243425, and Lot 22 DP 255386) at Rainbow Flat as shown in Figure 2. The proposal sought to allow rural residential development in order to achieve the realignment of Old Soldiers Road through Khappinghat Nature Reserve.

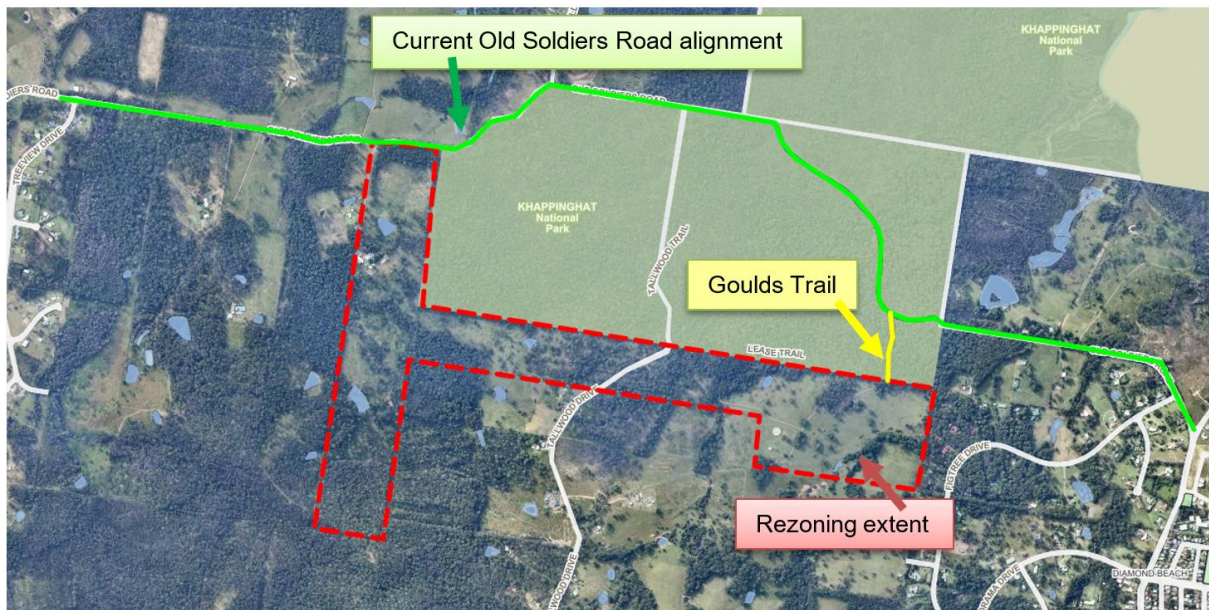


Figure 2: Map showing the extent of the rezoning and current alignment of Old Soldiers Road

On the 19 March 2015, a Gateway determination was received from the Department of Planning and Environment to rezone land zoned RU1 - Primary Production to R5 - Large Lot Residential, and other areas E2 - Environmental Conservation or E3 - Environmental Management. The proposal also proposed a minimum lot size range of 1ha to 1.5ha depending on the suitability of the land for effluent disposal. The Gateway determination included a number of conditions that needed to be addressed including a number of further studies, agency consultation, public consultation and two Planning Agreements. Council has been working with the applicant and NSW Government Agencies to process this complex application.

The rezoning of this land will result in the landowners funding the realignment of Old Soldiers Road on their land subject to the rezoning. The road outside of the private land will need to be upgraded. To facilitate this the Greater Taree Section 94 Contributions Plan 2016, adopted on 28 September 2016 includes upgrading these sections of Old Soldiers Road. These upgrades were costed at approximately \$7 million.

Another component of this rezoning is the dedication of environmental land to the National Parks estate. Both the road reserve dedication and construction, and the environmental land dedication will be realised through the two Planning Agreements.

On the 25 March 2020, Council wrote to the Department of Planning, Industry and Environment seeking an extension of time to process this application. On the 5 May 2020 the Department of Planning, Industry and Environment wrote to Council requesting further information to process the request for an extension of time and reconfirmation of National Parks and Wildlife Service's support for the realignment.

In response to the Department's request for information, Council staff met with representatives from the National Parks and Wildlife Service and the Department of Planning, Industry and Environment on 13 August 2020 to discuss options for the realignment. The National Parks and Wildlife Service advised that the realignment of Old Soldiers Road along Goulds Trail is no longer supported, and that the road alignment should follow the boundary of the Nature Reserve as much as possible.

On 18 September 2020, the National Parks and Wildlife Service provided in-principle support for a realignment of Old Soldiers Road along the eastern boundary of Khappinghat Nature Reserve. The option is similar to the preferred option adopted by Council at its Ordinary Meeting of 11 December 2013. However, the proposed alignment has been shifted to ensure the effects are minimised on the Nature Reserve and reduce the area of the Nature Reserve requiring revocation (as shown below in Figure 3). This has addressed the National Parks and Wildlife Service's concerns. Ongoing discussions have commenced with the landowner of 518 Old Soldiers Road, Rainbow Flat to explore options for the realignment of the road through the northern portion of the lot.

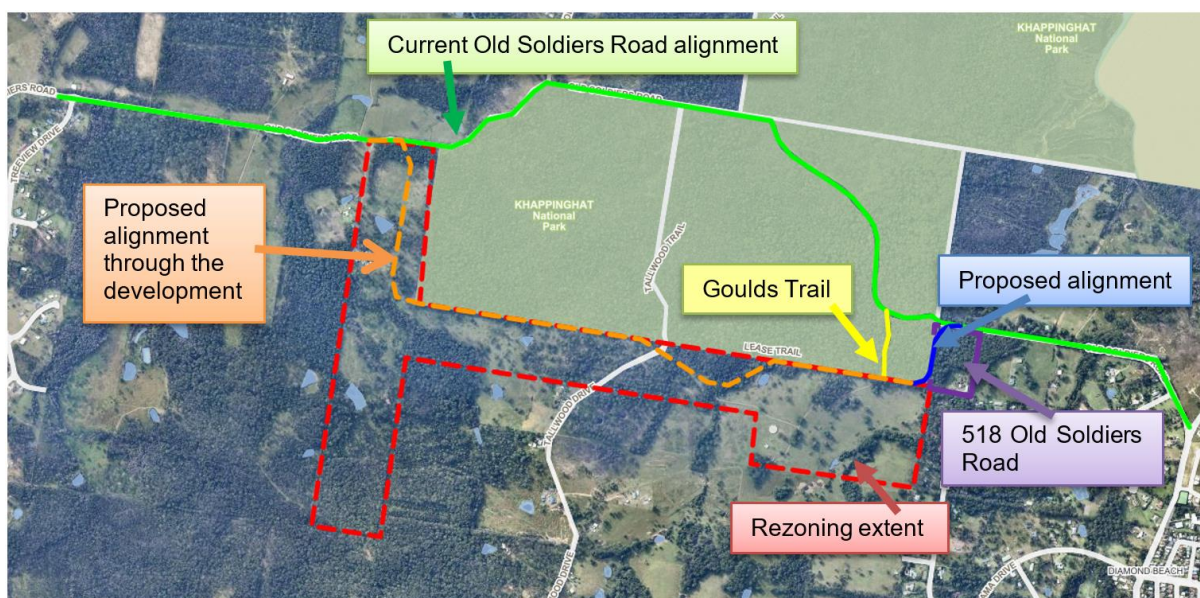


Figure 3: Map showing the proposed alignment of Old Soldiers Road along the eastern boundary of Khappinghat Nature Reserve and alignment through the development

DISCUSSION

On 1 October 2020, a letter was received from the Group Secretary of the Department of Planning, Industry and Environment (Annexure A). The letter notified Council that planning proposals older than four years should be finalised by 31 December 2020, and that the Department is commencing a focused program to work with Councils to finalise these proposals by this date.

This rezoning is the only planning proposal that falls in this category, as Council staff have been working to reduce the amount of older proposals. There is still a considerable amount of work to be done on this complex application, which cannot be completed by 31 December 2020.

On 12 October 2020, a meeting was held with representatives from the Department of Planning, Industry and Environment. Council staff made it clear that this application and the associated realignment of Old Soldiers Road has strategic merit, though the outstanding work cannot be completed before the finalisation date. It was also acknowledged that Council has made significant progress with the realignment of Old Soldiers Road along the eastern boundary of Khappinghat Nature Reserve, and that in principle support had been received from National Parks and Wildlife Service.

On the basis that extensive work has been completed for this complex rezoning, the Department will issue a new Gateway determination for the rezoning and discontinue the current Gateway determination and application. The new Gateway determination will

acknowledge the extensive work done to date, and replace the like for like planning proposals. The Department of Planning, Industry and Environment has requirements and timeframes that cannot be avoided.

CONSULTATION

Consultation has been occurring with NSW Government Agencies including the Office of Environment and Heritage, National Parks and Wildlife Service and the Rural Fire Service. Internal consultation has also been undertaken with the Water Services section of Council. Consultation is still yet to be undertaken with the Department of Primary Industries, Essential Energy and Telstra.

A 28-day consultation period is proposed for this planning proposal, in accordance with the current Gateway determination conditions.

COMMUNITY IMPACTS

The proposed rezoning will progress the realignment of Old Soldiers Road, which will then be constructed as the development progresses and it will then provide a safe and convenient alternate route to the coastal villages of Hallidays Point. On this basis, the proposed rezoning will help secure a significant positive community impact.

The provision of additional Large Lot Residential zoned land is consistent with Council's adopted strategies. Consequently, community impacts are considered to have been assessed as acceptable under this planning proposal.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

The project is aligned to MidCoast 2030: Shared Vision, Shared Responsibility (CSP) in terms "*our unique, diverse and culturally rich communities*" and "*a connected community*" as it will:

- Support a diverse housing mix that provides choice and meets the needs of our community; and
- Plan for, provide and maintain a safe road network that meets current and future needs.

The project is consistent with the Draft Delivery Program (2018-2021) and Operational Plan (2020-2021) with regard to Focus Ref 1.4.3: Ensure there is sufficient land identified for future rezoning to cater for residential growth in appropriate locations.

TIMEFRAME

The new Gateway determination issued by the Department of Planning, Industry and Environment will provide a timeframe for the completion of the planning proposal, and specify the length of consultation required. It is likely that with the specialist studies and consultation required, this rezoning could take up to 18 months to complete. There are other components of this complex project that will run separately outside of this timeframe including the reserve revocation process led by the National Parks and Wildlife Service.

BUDGET IMPLICATIONS

All required studies and consultant fees are paid by the applicant. Preparation of the two Planning Agreements and processing of the planning proposal is being undertaken via existing staff resources within the Strategic Planning Department budget.

RISK CONSIDERATION

The applicant, the same as for any planning proposal, will need to decide whether the risk of the application not ultimately being supported by Council or NSW Government Agencies outweighs the investment required for the application to reach those decision points.

The risk for Council of not seeking a new Gateway determination is a loss of reputation and community support in not working with the NSW Government to realise the realignment of Old Soldiers Road to achieve a viable second access for Hallidays Point.

RECOMMENDATION

1. That PP_2015_GTARE_001_04 to rezone land known as Tallwood Drive and Old Soldiers Road be discontinued.
2. That a new planning proposal be processed by Council for the land known as Tallwood Drive and Old Soldiers Road, Rainbow Flat.
3. That the Department of Planning, Industry and Environment be informed that Council has formally resolved to discontinue planning proposal PP_2015_GTARE_001_04 and a revised planning proposal be submitted to the Department of Planning, Industry and Environment requesting that a new Gateway determination be issued.
4. That Council note the commitment of the landowners to enter into a Planning Agreement for the dedication of the road alignment to Council and construction of the new road.
5. That Council note the commitment of the landowner of the Lot 5, DP 243425 to enter into a Planning Agreement for the dedication of environmental land to the National Parks estate.
6. That the Planning Agreements outlined above be reported back to Council prior to exhibition following drafting and agreement to the wording by the landowners and the National Parks and Wildlife Service.
7. That Council note and support the ongoing work with the National Parks and Wildlife Service to process the revocation of the south-eastern corner of the Knappinghat Nature Reserve to facilitate the realignment of Old Soldiers Road through the Nature Reserve.
8. That Council note and support the ongoing work with the landowners of 518 Old Soldiers Road, Rainbow Flat to acquire land for a public road for the realignment of Old Soldiers Road.
9. That should a new Gateway determination be issued, that any additional studies be prepared, government agency consultation be undertaken and the planning proposal be revised (to reflect the findings of the studies and results of agency consultation) in accordance with the Gateway determination.
10. That the new planning proposal be exhibited for a minimum period of 28 working days in accordance with Council's Community Engagement Plan and the *Environmental Planning and Assessment Act 1979*.

11. In the event that no objections are received to the exhibited planning proposal, that the associated Local Environmental Plan amendment be drafted and made without referral back to Council.
-

ANNEXURE

A: Letter from Department of Planning, Industry and Environment – 1 October 2020



Planning,
Industry &
Environment

IRF20/4503

1 October 2020

Email: paul.deszell@midcoast.nsw.gov.au

Dear Sir / Madam,

On 15 July 2020 the Premier announced the Planning System Acceleration Program to reform the NSW planning system. The reforms, which streamline and simplify the planning system, will unlock productivity, keep people in jobs and support sustained economic recovery from the Covid-19 pandemic.

A key part of the reform program involves delivering improved processes for determining and finalising planning proposals more efficiently to cut the time taken to finalise rezoning decisions by 33%. This will provide greater clarity to local government and the community, and more certainty to proponents and investors.

Going forward our intention is that planning proposals should generally take 1 year and no more than 2 years to complete. This has been shown to be achievable in many cases where applications are supported by enough evidence to justify strategic and site-specific merit, and when proposals are aligned to a strong strategic planning framework.

Further information about changes and improvements to existing processes such as online lodgement via the NSW Planning Portal will be provided to councils as part of ongoing communication about the planning reform program.

To ensure the new system achieves these outcomes we must first clear the backlog of planning proposals that have remained under consideration for an extended period.

A review of current proposals identified a number that have been delayed or, are yet to be finalised after more than four years. To address these, the Department is commencing a focused program to work with councils to finalise these proposals by 31 December 2020. Following the initial focus on proposals lodged more than four years ago the program will start to address those that are between two – four years old.

I am aware that many councils are working to improve planning assessment timeframes. This includes eligible councils with long standing proposals applying to the Public Spaces Legacy Program. The Department will work with all councils to help finalise the long standing proposals.



Planning, Industry & Environment

Mid-Coast Council has the following planning proposals that we will initially be working with you to finalise by 31 December 2020:

- PP_2015_GTARE_001_04

Daniel Simpkins, Director Hunter & Central Coast Region, will contact you in the coming days to establish a project plan and timeframe for finalising the above proposals.

Should Council have any immediate questions regarding the finalisation program please discuss these with Dan Simpkins during this initial discussion.

Alternatively, you can contact Dan Simpkins on 02 9373 2820 or daniel.simpkins@planning.nsw.gov.au

We look forward to working with Council to deliver this program as a major step towards improving and streamlining the plan making process.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Marcus Ray'.

Marcus Ray
Group Deputy Secretary
Planning and Assessment

11 TAREE AQUATIC POWER BOAT CLUB - REQUEST TO EXTEND CURRENT NOISE LIMIT EXEMPTION

Report Author Robyn Brennan - Economic Development Coordinator

File No. / ECM Index Project - Event 6/2020 & Event 33/2020

Date of Meeting 16 December 2020

Authorising Director Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

The purpose of this report is to seek Council approval for a request by the Taree Aquatic Power Boat Club (TAPBC) to allow noise levels of up to 110dB(A) for participating powerboats at Club Race Days and 120dB(A) for participating Grand Prix Hydroplanes at three club race days and an Easter event each year.

SUMMARY OF RECOMMENDATION

1. That Council support the application by Taree Aquatic Power Boat Club (TAPBC) for an aquatic licence from *Transport for NSW (TfNSW)* to enable the participation of powerboats that emit noise levels of up to 110dB(A) (maximum limit) at Club race days and Grand Prix Hydroplanes that emit noise levels of up to 120dB(A) (maximum limit) at three club race days and an Easter event each year;
2. That Council's support be given for a five (5) year period from December 2020 until December 2025, subject to compliance with the Protection of the Environment Operations (Noise Control) Regulation 2017.
3. That the TAPBC be required to obtain all necessary licenses and approvals from *TfNSW*.
4. That the TAPBC makes available appropriate ear protection for all persons attending the race events.
5. That the TAPBC bring to the attention of nearby residents (at least 7 days prior to an event) and persons attending the event, by way of signage and inclusion in any advertising and promotion, the noise levels and the effect they may have on an individual's hearing, and the time at which the event will be conducted.
6. That the TAPBC comply with all conditions of hosting the events on Council managed land.

FINANCIAL/RESOURCE IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

BACKGROUND

On an annual basis, the Taree Aquatic Power Boat Club organise and host a series of nationally and internationally significant race meetings that attract large numbers of participants to the area. These events have a positive impact on the economy and activate a number of public areas including the Manning River.

Powerboat events are a well-documented part of Taree's history and the community is accustomed to these events being held. There have been no noise complaints registered with Council as a result of any previous power boat race events held by TAPBC.

Previous Council approvals have consented to a noise limit of 110dB(A) for powerboats and 120dB(A) for the Grand Prix hydroplanes, with the most recent approval being given by Council in 2016 for a period of 5 years, expiring December 2020 (see *Annexure A*).

DISCUSSION

Council has received a request from the TAPBC (see *Annexure B*) seeking a Noise Limit exemption for their club race days (up to 3 per year) and their Easter Classic event, which will allow noise levels of up to 110dB(A) for participating powerboats and 120dB(A) for participating Grand Prix Hydroplanes.

Events proposed for the next 12 months are:

- 7 March 2021 (Club race day)
- April 2021 (Easter Classic)
- 15-16 May 2021 (Club race day)

TfNSW are the regulatory authority for noise emitted from water vessels and as such, have primary responsibility for regulating noise during powerboat races. TfNSW require evidence of Council's support of the event/s before they will issue an aquatic licence.

Council's endorsement is therefore required to support the proposed noise level limits of 110dB(A) and 120dB(A) respectively, thus allowing final determination by TfNSW of the current applications for licenses. TfNSW assign officers to attend significant events to monitor the conditions of licences including noise levels.

CONSULTATION

In the preparation of this report, consultation was undertaken with relevant TfNSW staff and Taree Aquatic Power Boat Club Inc committee members.

COMMUNITY IMPACTS

Powerboat events are a well-documented part of Taree's history, and the community is well acquainted with these events and anticipates that they will occur. The annual Easter Classic Power Boat event in particular draws spectators from a wide area resulting in tourism and positive economic impacts in the area.

There have been no noise complaints registered with Council as a result of any previous power boat race events held by TAPBC.

BUDGET IMPLICATIONS

Nil

RECOMMENDATION

1. That Council support the application by Taree Aquatic Power Boat Club (TAPBC) for an aquatic licence from *Transport for NSW (TfNSW)* to enable the participation of powerboats that emit noise levels of up to 110dB(A) (maximum limit) at Club race days and Grand Prix Hydroplanes that emit noise levels of up to 120dB(A) (maximum limit) at three club race days and an Easter event each year;
 2. That Council's support be given for a five (5) year period from December 2020 until December 2025, subject to compliance with the Protection of the Environment Operations (Noise Control) Regulation 2017.
 3. That the Taree Aquatic Power Boat Club be required to obtain all necessary licenses and approvals from *TfNSW*.
 4. That the Taree Aquatic Power Boat Club makes available appropriate ear protection for all persons attending the race events.
 5. That the Taree Aquatic Power Boat Club bring to the attention of nearby residents (at least 7 days prior to an event) and persons attending the event, by way of signage and inclusion in any advertising and promotion, the noise levels and the effect they may have on an individual's hearing, and the time at which the event will be conducted.
 6. That the Taree Aquatic Power Boat Club comply with all conditions of hosting the events on Council managed land.
-

ANNEXURES

A: Previous Determination from Council Meeting of 20 April 2016

69	<p>5 TAREE AQUATIC POWERBOAT CLUB (\$80)</p> <p><i>MOVED</i> Cr Hogan/West <i>(as per recommendation)</i></p> <ul style="list-style-type: none"> (i) That Taree Aquatic Powerboat Club's application for an RMS licence to enable the participation of powerboats that emit noise levels of up to 110dB(A) (maximum limit) at Club race days and Grand Prix Hydroplanes that emit noise levels of up to 120dB(A) (maximum limit), at a maximum of three Race Club Day events per year, be supported. (ii) That support be given for the next five years (2016 – December 2020), subject to compliance with the Protection of the Environment Operations (Noise Control) Regulation 2008. (iii) That the Taree Aquatic Powerboat Club be required to obtain all necessary licenses and approvals from the NSW Roads and Maritime Services (RMS). (iv) That the Taree Aquatic Powerboat Club makes available appropriate earplugs for all persons attending the race events. (v) That the Taree Aquatic Powerboat Club bring to the attention of nearby residents (at least 7 days prior to an event) and persons attending the event, by way of signage and inclusion in any advertising and promotion, the noise levels and the effect they may have on an individual's hearing, and the time at which the event will be conducted. (vi) That the Taree Aquatic Powerboat Club comply with all conditions of hosting the events on Council managed land. <p style="text-align: right;">CARRIED</p> <p>For: Jennison, Epov, West, Keegan, Tickle, Jenkins, Christensen & Hogan.</p>
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B: Request for Noise Limit Exemption from Taree Aquatic Power Boat Club



24th November, 2020

To Mid Coast Council,

The Taree Aquatic Powerboat Club is requesting to maintain the current agreement for noise limits it has in place for race days on the Manning River.

These current limits are as follows:

1. All powerboats excluding Grand Prix Hydroplanes is 110db.
2. Grand Prix Hydroplanes are 120db.

Race Days are as follows:

5th, 6th December 2020

7th March 2021

2nd, 3rd, 4th April 2021

15th, 16th May 2021

These decibel levels allow the club to have a large variety of craft on the water to compete.

The Manning River is a major draw card to powerboat racers as it has the ability to cater for all classes of boats that run under the National governing body – Australian Powerboat Association (APBA). I feel that if these limits were lessened in anyway it would certainly effect the clubs chances of hosting any Australian or World Championships ,which it has successfully done in the past.

Mid Coast Council has supported these levels for approximately 10 years and the TAPBC is hopeful that they will support these levels again moving forward.

As per our many application requests to host such events, we have a letterbox drop that is done 7 days prior to any event informing residents along the river bank that there will be powerboats racing. And we also have available disposable ear plugs for anyone that requires ear protection.

In closing, I put it to Mid Coast Council that the current agreement for noise limits be rolled over for another 5 year period.

Regards,
Scott Godfrey
Commodore

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12 EVENT SPONSORSHIP (ROUND 2) 2020/21

Report Author	Robyn Brennan - Economic Development Coordinator
File No. / ECM Index	Event Sponsorship Applications
Date of Meeting	16 December 2020
Authorising Director	Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

This report provides an overview of the applications received for Round 2 of the 2020/21 Event Sponsorship Program (for events proposed to be held between 1 February 2021 and 31 July 2021).

SUMMARY OF RECOMMENDATION

It is recommended that Council endorse the allocation of event sponsorship under Round 2 of the 2020/21 Events Sponsorship Program as detailed in Annexure A of this report.

FINANCIAL/RESOURCE IMPLICATIONS

Round 2 of the 2020/21 Events Sponsorship Program is funded within the existing events budget allocation.

LEGAL IMPLICATIONS

Nil.

ATTACHMENTS

A: CONFIDENTIAL – Event Sponsorship Applications

Attachment A has been classified as confidential and circulated to the Councillors and Senior Staff only. The Attachment has been classified as CONFIDENTIAL in accordance with Section 10A(2)(d)(i)(ii) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

- (d) *commercial information of a confidential nature that would if disclosed:*
 - (i) *prejudice the commercial position of the person who supplied it, or*
 - (ii) *confer a commercial advantage on a competitor of the council.*
-

BACKGROUND

Applications for Round 2 of the 2020/21 Event Sponsorship Program under Council's 'Interim' (Current) Event Sponsorship Policy opened on 1 August 2020 and closed on 11 September 2021. Council advertised the sponsorship opportunity via the Council website, direct email to existing organisers, print and social media.

Events eligible for sponsorship under Round 2 are those planned to be held 1 February 2021 to 31 July 2021.

Payment of Event Sponsorship is made post event and on receipt of evidence that the event organiser has met agreed outcomes such as the recognition of Council as an event sponsor, inclusion of Council logos in marketing material and the event contributing to increases in overnight stays and/or activation of public spaces. Event organisers are advised via their sponsorship agreement that payment of event sponsorship is not provided if an event is cancelled for any reason.

As a result of Covid-19 a number of events were cancelled during 2020. Council resolved the following on 22 July 2020:

‘For events who have been allocated sponsorship but cancelled due to Covid-19, ...[Council will]... provide the recommended sponsorship amount on the condition the event is held within 12 months of the original date and there are no other major changes to the event or expected outcomes.

This resolution significantly reduced the number of sponsorship applications submitted and has allowed event organisers to move forward with planning for future events with certainty around Council sponsorship.

DISCUSSION

A total of 12 applications were received for Round 2 event sponsorship. A summary of the applications received and an initial recommendation is provided below:

Sponsorship Type	Funding Sought	Funding Recommended
Community Events – Under \$2,000	\$2,400	\$1,400
Medium Events - \$2,000 to \$5,000	\$22,000	\$6,800
Large Events - \$5,001 to \$10,000	\$42,500	\$29,400
Iconic Events – Over \$10,000	Nil	Nil
TOTAL	\$66,900	\$37,600

The applications were initially reviewed by Council staff prior to them being assessed by a panel of three (3) Councillors during November 2020 in order to determine eligibility and the extent to which the events met the sponsorship criteria for each sponsorship type as detailed under the Interim Policy.

The recommendations from these assessments are now presented in Annexure A of this report.

CONSULTATION

Round 2 of the 2020/21 Events Sponsorship program was promoted widely via:

- Council website;
- Council social media;
- Media releases to print, radio and television;
- Network distribution lists; and
- One-to-one discussions with event organisers on request.

WITH COMMUNITY PLAN/OPERATIONAL PLAN

The recommendation positively supports our Community Strategic Plan (CSP) vision:

‘...strong community connection, coupled with innovative development and a growing economy that builds the quality of life we value’.

11.2.1 Develop a coordinated approach to supporting events in the area – Implement the integrated MidCoast Events Sponsorship Policy 2019 for events taking place in 2020/21.

RECOMMENDATION

It is recommended that Council endorse the allocation of event sponsorship under Round 2 of the 2020/21 Events Sponsorship Program as detailed in Annexure A of this report.

ANNEXURE

A: Event Sponsorship Allocation Recommendations (Round 2) 2020/21

Sponsorship Type	Event Name	Sponsorship Requested	Previous Year's Sponsorship	Sponsorship allocated as per assessment panel
Community events – under \$2,000	Bulahdelah Bass Bash	\$400	\$240	\$400
	Bush Poetry in the Saleyards	\$2,000	\$1,000	\$1,000
Medium events - \$2,001 - \$5,000	Fred Williams Skiers & Boaties Reunion	\$5,000	\$1,000	\$1,000 (as per resolution dated 22 July 2020 for events cancelled due to Covid-19)
	Motorfest 2021	\$3,000	New applicant	\$800
	NSW Assoc. of Caravan Clubs Annual State Rally	\$5,000	New applicant	Unsuccessful
	Wingham Agricultural Show	\$5,000	\$500 (under the former Greater Taree City Council)	\$1,000
	NSW Surfmasters	\$4,000	\$3,000	\$4,000
Large events - \$5,001 - \$10,000	Taree & District Eisteddfod	\$10,000	\$9,900	\$9,900 (as per resolution dated 22 July 2020 for events cancelled due to Covid-19)
	Gloucester Chill Out Festival	\$10,000	\$5,000	\$5,000 (as per resolution dated 22 July 2020 for events cancelled due to Covid-19)
	2021 Australian Cricketers Assoc. Masters Tour	\$9,500	New application	\$2,500
	WSL Great Lakes Pro QS1000	\$7,000	\$7,000	\$7,000
	Battle of the Boats	\$6,000	\$5,000	\$5,000

13 DESTINATION BARRINGTON COAST - UPDATE

Report Author	Sharon Bultitude - Destination Management Coordinator
File No. / ECM Index	Tourism - General
Date of Meeting	16 December 2020
Authorising Director	Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

The purpose of this report is to provide Council with an update on the success of Destination Barrington Coast

SUMMARY OF RECOMMENDATION

That the content of the report be noted.

FINANCIAL/RESOURCE IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

A: Barrington Coast Destination Management Report 2020

Attachment A has been circulated to the Councillors and Senior Staff, however this Attachment is publicly available on Council's website.

DISCUSSION

In August 2018 MidCoast Council endorsed the new destination brand name of "Barrington Coast".

Our destination name is inspired by an Aboriginal description of our region - "the place where the leaves touch the waters from the mountains to the sea".

The new destination name Barrington Coast is a unique identifier, which no other destination in Australia can own in the marketplace. While it is a small part of the overall brand strategy, the name provides us with an opportunity to bring increased attention to our region with a clean, uncluttered starting point on Google and other search engines.

Our destination name also leverages the best-known attributes of the region – its spectacular and popular coastline and the world heritage-listed plateau of Barrington Tops. Barrington Coast offers the ability to connect and bring to life the stories of all the places within a diverse and vibrant region.

Importantly, Barrington Coast doesn't replace the use of existing names such as Great Lakes, Manning Valley and Gloucester. Instead it provides an umbrella name that sits across all three.

- Brand Architecture includes five strategic themes: Nature's Bounty; Natural Adventure; Vibrant Country Life; Culture on Country; Contemporary Coast.
- Brand Archetype: 'The Explorer' (naturally independent, authentic, spirited and curious)
- Emotional Territory: Transformation
- Creative Territory: Curiosity.

Value of Tourism

Every minute of every day tourism delivers \$1,197 of direct visitor spend into the MidCoast Council region. That is equivalent to over \$1.7 million per day.

(Source: Tourism Research Australia, LGA Profile, 2019)

- Supporting our local economy, Tourism supplies 7.9% of our regions employment (2265 jobs), supporting approximately 919 tourism related business in the MidCoast.
- Economically tourism businesses directly deliver \$202.4 million (4.7%) of our regions Gross Value Add (GVA) – over 80% of which is delivered by our Accommodation, Food Services & Retail establishments.
- Tourism also contributes \$430.2 million of the regions total output.

(Remplan Economic Tourism Profile 2020)

Digital Strategy (Dec 2018 to Nov 2020)

The digital journey started in May 2016 with 4 separate websites, 4 separate Facebook pages, and 2 separate Instagram accounts.

It was inefficient and costly to keep these operating individually, all competing for the same digital space. So the digital strategy involved consolidation, unifying and building on the strengths of the whole region and former brands.

Critically this integration needed to be staged in a way that ensured visitor information channels were not disrupted while the framework, digital strategy and integration was developed and undertaken.

A new online structure and digital strategy based on a visitor-facing positioning and destination brand architecture was developed in 2018 to provide the most contemporary and effective platform for promoting the Barrington Coast. This also enabled the staged integration of the former three local government areas (Great Lakes, Greater Taree and Gloucester Councils).

After the new Barrington Coast brand name was endorsed, work began on consolidation of the four Facebook pages, which was finalised in April 2019 when the remaining two pages of Great Lakes and Barrington Tops were merged. These pages had the largest audiences, giving a new total audience of 59,000 people with minimal loss of followers.

The Great Lakes Instagram account was rebranded Barrington Coast at the same time and has become the star performer of our media channels.

Destination Website Development

An interim destination website was launched in January 2019, designed to educate residents and visitors about the new brand Barrington Coast. The website held details about the Destination Management Plan and the journey from 3 separate tourism regions into a single cohesive region united under an inspiring umbrella brand.

The new destination website went live in at the end of October 2020. It focuses on the visitor and what makes researching their potential stay engaging and fun. It also enhances their stay by being a useful reference point and tool while they're here. Other design elements:

- It is experience-led, showcasing the best we have on offer with experience-based content tailored to our audiences
- It has a visually impressive design, including inspiring content designed to drive preference for the Barrington Coast and connect with our target audiences
- It has great functionality, particularly search and filtering content based on our audience's preferences
- It includes influencer recommendations and the voice of our locals within Explore Field Guides (recently replicated by Destination NSW on their visitnsw.com.au website.)

The use of Field Guides on our website fits within our focus on the 'happy explorer' target market. This is a trend where the desire or expectation of visitors for assistance in creating tailored or curated itineraries and experiences that will match their interests, motivations or behaviour. This is especially relevant as competition between destinations increases in the aftermath of Covid19.

Our new website caters to this trend with our Field Guides written by locals using their knowledge relating to special interests or niche markets such as nature-based activities (from kayaking to multi-day walks), health and well-being itineraries through to art and culture and food and drink. Website users can also build and print their own personal itineraries from the Wishlist functionality.

Social Media Strategy

We utilise the social media channels of Facebook, Instagram, YouTube and just recently joined TikTok.

Facebook is the most-used social media channel worldwide but Instagram is the fastest growing. Facebook allows for easy sharing of our content and starting conversations while Instagram is filled with beautiful images that inspire viewers to visit us.

The Facebook and Instagram pages for the three previous tourism regions were renamed in December 2018 and the final merger of Facebook pages for the Great Lakes and Barrington Tops was completed in April 2019. Our audience has continued to grow fast since then:

- Facebook audience grew from 59,193 at April 2019 to 68,815 at Nov 2020 (16% growth)
- Instagram audience grew from 14,283 at April 2019 to 31,704 at Nov 2020 (122% growth)

And we know who our audience is:

- Facebook: 66% female with 51% aged 25-44 years; 40% from Sydney, 18% Newcastle and 4% Forster.
- Instagram: 67% female with 66% aged 25-44 years; 50% from Sydney, 10% Newcastle and 5% from Forster

Our total social media audience at 01 Dec 2020 is now over 100,000 people. Barrington Coast has the biggest social media audiences on the north coast and equates to an overall increase of 73% since the last pages of the previous tourism brands were merged in April 2019.

Meanwhile, engagement rates (= audience reactions, comments, shares and clicks) remain strong despite the exponential audience growth: Facebook 6.5% and Instagram 3.6%

The BC team has had great success in promoting Barrington Coast through our own social media channels organically plus some paid social media advertising. We source inspiring content from several sources: local photographers, influencers and the general public. There has been extensive uptake of our social media content through Tourism Australia and Destination NSW's channels.

In January 2020 we became the first regional NSW destination to be officially verified by Facebook and Instagram. This is important for increased credibility and trust in an era of fake accounts and trolls, plus it establishes legitimacy when compared to competing destinations who haven't verified their pages. During Covid19 we pinned the latest advice to the top of our Facebook page and always included safety messages as the first comment to our posts on Facebook and Instagram. We told our industry partners and our audience why we would be continuing to post inspiring images of the Barrington Coast:

"We will still be posting beautiful images and video captured by visitors to our region. We want to provide hope in these uncertain times and an escape from what is a changing world. When this is over, we will need our visitors more than ever. Until then we'll be waiting to embrace you with all that the Barrington Coast has to offer. We never thought we'd say this, but this is the perfect time NOT to visit the Barrington Coast." (01/4/20)

Barrington Coast Marketing Collateral

While the new destination website was being built and compiled, supporting collateral with the new Barrington Coast branding was published:

- Branded Cartoscope maps (for the Manning Valley and Great Lakes)
- Tear-off maps for major towns (Forster-Tuncurry, Taree-Old Bar, Wingham, and Gloucester)
- Scenic drives map featuring 6 drive itineraries is already into its second print run of 10,000 copies due to customer demand
- Regional markets brochure
- Destination services brochure
- AIME Business Events prospectus
- Tourism Partnership Prospectus

- Paper carry bags for use at visitor information centres and events
- Summer What's On guides and posters / Billboards along the Pacific Highway
- New destination information signs at key towns across the region
- Branded marquee, flags and gazebos for use at pop-up events.

Marketing Campaigns

Whilst work proceeded on the digital strategy, consumer website and inaugural marketing campaign, interim marketing activity was conducted, mostly in the digital sphere. These activities were undertaken to continue building awareness and driving visitation:

- **Inaugural Social Media Influencer Campaign** - Jan 2019
- **Barrington Coast Business Hub launched** - Apr 2019
- **Women Adventurers Social Media Influencers Campaign** – Aug-Sep 2019
- **AIME Business Events Conference** - Feb 2020
- **DNSW Cooperative Digital Campaign** – Sep to Nov 2020
- **DNSW Road Trip Campaign** – Nov 2020 onwards

Key Visitor Metrics

The Barrington Coast is the most visited destination on the NSW North Coast.

- Total annual visitation 2019 of 2.3 million with 8% growth year on year. (And 16% growth from 2016 visitation.)
- 98.7% of which is domestic (overnight plus daytrip) travellers, the highest share of domestic market on the mid north coast.
- Total visitor spend of \$629 million with 8% growth year on year. (And 25% growth from 2016 visitor spend.)
- Overnight stays total 4.0 million nights which is the second highest on the north coast after Byron Bay.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

The work of the Destination Management Team is aligned to the Community Plan and Operational Plan – predominantly relating to our '*thriving and growing economy*'.

RECOMMENDATION

That the content of the report be noted.

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14 BARRINGTON COAST VISITOR SERVICES STRATEGY 2020

Report Author Sharon Bultitude - Destination Management Coordinator
File No. / ECM Index Tourism – General
Date of Meeting 16 December 2020
Authorising Director Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

The purpose of this report is to provide Council with an overview of the recently developed Destination Barrington Coast - Visitor Services Strategy, November 2020.

SUMMARY OF RECOMMENDATION

That Council note the contents of this report and the Destination Barrington Coast - Visitor Services Strategy (November 2020).

FINANCIAL/RESOURCE IMPLICATIONS

The strategy has been developed to be delivered within existing Destination Management budget parameters.

Although the function of the strategy is operational, it has been provided to Council due to the potential implications around the way that Council delivers its visitor services. These changes may impact on staffing by way of changing role requirements or work location. It should be noted that all Destination Management Staff have been involved with the development of the Strategy and are aware of the proposed recommendations and actions.

Prior to implementation, work will be undertaken to assess and manage any operational impacts including staffing and continuity of service with staff.

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

A: CONFIDENTIAL - Destination Barrington Coast Visitor Services Strategy, November 2020

Attachment A has been classified as confidential and circulated to the Councillors and Senior Staff only. The Attachment has been classified as CONFIDENTIAL in accordance with Section 10A(2)(a) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

(a) *personnel matters concerning particular individuals (other than councillors)*

BACKGROUND

The MidCoast Destination Management Plan (DMP) was developed and then endorsed by Council in December 2017. A high priority action of the DMP was the development of a Visitor Services Strategy for the region *“to drive consistency in the level of service and allocate*

resources to the highest priority need. Adopting a multi-channel visitor centric approach and maximising resources to achieve an increase in awareness and appeal of the destination within target markets as well as visitor information.”

Destination Marketing Store was engaged (via a competitive procurement process) in March this year to work with Council on the development of a Visitor Services Strategy.

DISCUSSION

For the purpose of the strategy, to avoid confusion and provide clarity across all stakeholder groups, the following definition of Visitor Services was developed:

“Visitor Services is the delivery of any information that has the potential to influence someone’s choice of destination or experience at any stage of the purchase cycle - both outside and inside a destination”

Visitor Information, like all marketing, competes for people’s time in the attention economy. An economy that is full of communication clutter and consumer indifference, and importantly, an economy where people ignore the ordinary.

To succeed in the attention economy our visitor servicing solutions need to be remarkable. Remarkable in terms of their content. Remarkable in terms of their format and remarkable in terms of the channels used to communicate with visitors.

To deliver the MidCoast a pragmatic, best-practice, visitor servicing solution the following three key elements were used:

1. Review global case studies not just global research.

There are important insights to be gleaned from global research. It is through the learnings from how different destinations (the majority of which are outside of Australia) are evolving their traditional visitor servicing model that provides the most interesting and innovative insights.

2. Customise global learnings to our local environment.

Applying local information gathered through data analysis and stakeholder consultation to customise our key global learnings and determine the most efficient and effective way to implement them.

3. Utilise marketing models to develop visitor-centric solutions.

The models help to identify the broad range of challenges and opportunities necessary to produce an evidence-based solution that can deliver ratepayers value for money as well as positive outcomes for the tourism industry.

To deliver an effective visitor servicing solution our strategy therefore needed to reflect:

- **A visitor-centric approach** - that first and foremost meets the needs of visitors and thereafter garners stakeholder support and alignment behind the idea that everyone within the visitor economy has a role to play in engaging visitors and helping distribute and communicate visitor information.
- **Partnerships with industry and other organisations** - to deliver visitor services.

- **Applying local meaning to global and domestic trends (Think Global, Act Local)** – to capture what is best practice. Best practice that is informed by consumer and visitor research and stakeholder and community consultation.
- **Our destination's brand identity and positioning**
- **Allocation of resources to assist in evaluating outcomes against Key Performance Indicators (KPIs).**

As work on the strategy progressed it became clear that a new and extremely critical additional factor would need to be addressed.

COVID-19 has clearly disrupted the 'normal' visitation pattern to our destination. The way we deliver visitor services will also need to adapt to meet the impacts of COVID. The final strategy therefore considers the potential impacts of COVID on visitor servicing both globally and within the Barrington Coast.

Key Objectives

1. To deliver a Visitor Services Strategy for the Barrington Coast destination which:
 - provides a road-map for the seamless delivery of exceptional visitor experience across the user journeys of our target markets (online & offline touchpoints).
 - is unified and consistent across the whole region, connecting visitors to our authentic destination story.
 - Is innovative and inspirational and makes visitor servicing everyone's business.
2. To develop the following:
 - Short-term (1-3 year) prioritised Action Plan.
 - Communication Plan for the implementation and activation of the Strategy.
 - An effective and cost-effective consultation process with the aim of capturing feedback from key stakeholders to garner 'ownership' and 'buy-in' for the proposed strategic direction.

Project Milestones & Deliverables

The key stages and deliverables of the Visitor Services Strategy were:

Stage 1 - Review & Test

- Analysis of the wider visitor communication environment.
- Examination of the broader barriers and opportunities both inside (eg. visitor communication channel opportunities) and outside of the destination (eg: media consumption habits/trends)
- Analysis of current domestic & global visitor servicing trends and best-practice learnings. Domestic and international.

- Analysis of relevant MidCoast Council information (eg: Barrington Coast User Journey & Persona Research; current staffing and management arrangements, brand positioning etc)
- Critical learnings from regional NSW visitor services case studies eg: Eurobodalla, transition of Newcastle City Visitor Services Model.

Stage 2 - Strategy Development

- The Community Task: sharing the visitor servicing responsibilities.
- The Visitor Task: getting the right information to the right people, in the right way and at the right time.
- The Commercial Task: increasing visitor yield - persuading our visitors to stay longer and disperse further.
- The Resourcing Task: identifying the right balance of resources between creating visitor demand and delivering a positive visitor experience. A Cost-Benefit Analysis (CBA) process was undertaken as part of this process.

Stage 3 - Delivery of a high-level Visitor Services Strategy, Action Plan and Communication Plan

Stage 4 - Stakeholder Engagement and Consultation Process

Stage 5 – Delivery of the final Barrington Coast Visitor Services Strategy, Action Plan and Communication Plan.

Overview of findings

The Strategy provides ten high level recommendations, which have been structured to correlate with the various stages of the Customer Journey. This is because the visitor services required at each stage will vary either in the nature of the content or the channel through which it is delivered.

These recommendations outline the rationale as well as the services to be offered and options or stages of implementation. They also detail the key actions required for implementation and delivery.

Recommendations:

1. Raise awareness of and drive visitor demand for the Barrington Coast.
2. Define the model of delivery of visitor services through the VICs.
3. Recommend Flagship Hubs for Destination Barrington Coast.
4. Transition the Taree Visitor Servicing Model.
5. Provide mobile or pop-up visitor information.
6. Reimagine community-operated VICs.
7. A centralised multi-channel (or omnichannel) Contact Centre.

8. People still play an important role in visitor servicing.
9. Build Business Partnership and Information Programs.
10. Develop & deliver remarkable visitor information and content

CONSULTATION

It was recognised that consultation and collaboration with key stakeholders was important in managing expectations and competing stakeholder interests. It also enabled ownership and 'buy-in' for the future delivery of visitor services across the Barrington Coast.

To meet these objectives the following engagement was undertaken:

- A **Visitor Services Working Group** was established to assist with the consultation process. This group included Destination Management Staff, industry representatives from the Barrington Coast Destination Management Reference Group, including the two elected Council representatives. This Group has reviewed work and provided feedback at each key stage of the project.
- Engagement was also undertaken with a range of tourism operators (range of sectors & locations), local businesses, Chambers of Commerce. Internal consultation was held with staff from Communications & Engagement, Economic Development, Gallery, MEC, Customer Service and Libraries/MidCoast Assist. This was delivered in a variety of ways by offering a mix of stakeholder workshops, one-on-one or small group meetings.

COMMUNITY IMPACTS

Nil

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

Development of a Visitor Services Strategy for the region was a high priority action of the Destination Management Plan 2017.

Development of a Barrington Coast Visitor Services Strategy to assist with the delivery of a first class customer experience for visitors and residents across all channels and touchpoints, was an action contained in the DPOP under action 10.1.3.

TIMEFRAME

Implementation of the Visitor Services Action Plan will commence January 2020.

RISK CONSIDERATION

These changes may impact on staffing by way of role requirements or work location. It should be noted that all Destination Management Staff have been involved with the development of the Strategy and are aware of the proposed recommendations and actions.

Prior to implementation, work will be undertaken to assess and manage any operational impacts including staffing and continuity of service with staff.

RECOMMENDATION

That Council note both this report and the Destination Barrington Coast Visitor Services Strategy (November 2020).

15 LOCAL COMMUNITY PLANNING – STEERING GROUP

Report Author	Marcelle Boyling - Manager of Engagement, Communication & Education
File No. / ECM Index	Community Planning General
Date of Meeting	16 December 2020
Authorising Director	Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

As part of instigating a local community planning process in Pindimar and Bundabah, Council called for members of the community to nominate for a steering group to guide the process in the community.

This report presents the recommended membership for the group for the endorsement of Council.

SUMMARY OF RECOMMENDATION

That Council adopt the recommended membership of the Pindimar and Bundabah Community Planning Steering Group as noted in confidential Attachment A.

FINANCIAL/RESOURCE IMPLICATIONS

The costs and resources required to support the steering group are contained within existing budgets.

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

A: CONFIDENTIAL - Pindimar and Bundabah Steering Group nominations

Attachment A has been classified as confidential and circulated to the Councillors and Senior Staff only. The Attachment has been classified as CONFIDENTIAL in accordance with Section 10A(2)(a) of the Local Government Act 1993, which permits this attachment and any discussion specifically in relation to the attachment be closed to the public for business relating to the following:

(a) *personnel matters concerning particular individuals (other than councillors)*

BACKGROUND

Local community planning is a process which involves the community working together to identify their own long-term objectives to improve the social, economic and environmental wellbeing of their community. Actions identified within these plans can be community led or joint initiatives with other stakeholders.

Local community plans are intended to compliment Council's Integrated Planning and Reporting Framework, as well as other local and regional plans, and are supported by the MidCoast Local Community Planning Framework.

Local community plans are an opportunity to develop a vision and range of actions specific to that community, while linking in with the higher level objectives outlined in the MidCoast 2030 Community Strategic Plan, Delivery Programs and Operational Plans.

DISCUSSION

It is a priority of MidCoast Council to work with communities within the MidCoast to develop their own local plans. This is an action as outlined in our Delivery Program and Operational Plan, as outlined further in this report.

During October and November, residents in Pindimar and Bundabah were invited to be part of a 'think tank' process via direct mail to each resident and property holder in the area, asking for information on the things they loved about their area, where improvements could be made and the type of community they wished to have in their locality in 10 years' time.

The next step in the process is to form a local community planning steering group in each location to guide the delivery of a local plan. This steering group will be supported by Council's engagement staff to develop their community plans following the steps outlined in Council's adopted Community Planning Framework.

Nominations for the steering groups were called as part of the 'think tank' process and the nominees details are in Appendix A.

To support the steering groups a Local Community Plan Steering Group Charter has been developed. This is available on our website at:

<https://www.midcoast.nsw.gov.au/Community/Local-Community-Planning>

It should be noted that the issue of non-urban land is topical in the Pindimar and Bundabah area and as a result, this issue did arise in the feedback received. Non-urban land, such as that located at Pindimar, Bundabah and surrounding areas, is generally located within an existing rural or environmental zone and will be considered as part of the MidCoast Rural Strategy, rather than through a local community plan.

Council has written to all non-urban landholders in the Pindimar and Bundabah area to explain their feedback will be taken into account as part of the investigations and development of the draft Rural Strategy.

COMMUNITY IMPACTS

The delivery of a local community planning program aims to deliver stronger links between Council planning and community visions, and empower local communities to help set the direction of their future.

The local community planning steering groups play an important role in working with a broad cross section of their communities to determine what that future is in their location.

The first step in the process for the newly appointed steering groups will be attendance at a training session conducted by Council staff to ensure participants are fully aware of the process and are supported in starting work on their community's plan. At this first meeting meetings times and frequencies are determined by the members.

CONSULTATION

The call for nominations was advertised directly to all residents and property owners through direct mail, and via the North Arm Cove Community Association website and newsletter, with information also available on Council's website.

COMMUNITY IMPACTS

As outlined in the Local Community Plan Framework, this plan provides a way communities can maintain a strong voice through a representative driven process and provide a key linkage point between Council and the community. Other benefits include:

- Greater community ownership over priorities and actions, which in turn can increase community pride.
- Communities that are well organised are more likely to be able to make the most of arising opportunities. For example, grants.
- Provides an opportunity to build relationships and connections within communities that may not have otherwise happened.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

The development of a local community plan is in line with:

- Our community strategic plan, *MidCoast 2030: Shared Vision, Shared Responsibility*, value of 'our unique, diverse, and culturally rich communities'
- Strategy 1.6: Empower our towns and villages to retain and celebrate their unique identity while working towards a shared community vision
- Our delivery program 1.6.1: Develop local community plans for MidCoast towns and villages
- Our operational plan action of developing a local community plan program

TIMEFRAME

The successful members of the steering groups will be informed as soon as practical after the decision of Council.

RECOMMENDATION

That Council adopt the recommended membership to the Pindimar and Bundabah Community Planning Steering Group as noted in confidential Attachment A.

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16 DEVELOPMENT ACTIVITY AND ASSESSMENT PERFORMANCE 19/20

Report Author Bruce Moore – Acting Manager Major Assessment & Regulatory Services
Gary Mead - Manager Building & Environmental Health Services
Beth Langley - Manager Customer Experience

File No. / ECM Index Land Use Planning – Development Applications General

Date of Meeting 16 December 2020

Authorising Director Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

This report provides a summary of development assessment and building certification activities for the period 1 July 2019 to 30 June 2020.

SUMMARY OF RECOMMENDATION

That the content of the report be noted.

FINANCIAL/RESOURCE IMPLICATIONS

The report reflects the level of development activity which impacts on Council's application fee income. Budget estimates are adjusted to reflect development activity trends on a quarterly basis.

LEGAL IMPLICATIONS

Nil

DISCUSSION

The development and building activity report is provided for the information of Council. Due to differences in the former Councils' operating systems, not all intended data can be provided at this stage.

As Council continues to develop and refine its operating systems, further data will be provided with future reports. The following tables provide data on development and building activity that is currently available.

Development Activity Data	2019 – 2020 (FY)
DA's received	1090
DA's determined	1064
DA Modifications received	250
DA Modifications determined	241
Complying Development Certificates determined (Council)	19
Complying Development Certificates determined (Private Certifier)	282
Construction Certificates (building) determined (Council)	221

Construction Certificates (building) determined (Private Certifier)	556
Subdivision Certificates issued	91
Number of reviews on planning matters	14

The estimated construction value of the work approved for the 2019-2020 financial year is \$367,848,498.

The following table provides a breakdown of the development categories associated with approved development applications:

Development description	Number of applications approved	Value of works
Commercial/retail/office	109	\$55,457,279
Community Facility	8	\$10,378,167
Industrial	11	\$1,761,882
Infrastructure	3	\$1,100,268
Mixed	13	\$12,454,180
Other	92	\$10,811,477
Residential - alterations and additions	648	\$29,469,527
Residential - new multi-unit	12	\$11,341,198
Residential - new second occupancy	65	\$10,573,988
Residential - other	59	\$6,341,919
Residential - seniors living	11	\$80,994,890
Residential - single new dwelling	460	\$131,064,903
Subdivision	69	\$274,887
Tourist	23	\$5,823,933
TOTAL APPLICATIONS	1,583	\$367,848,498

Recent Activity

There has been a marked increase in development and building activity during July to September 2020 when compared to the same period in 2019. While this has an immense economic value to our community, it has impacted on our ability to deliver significant improvement in assessment times.

Recent data indicates that improvements have been achieved in application determination times when compared to the 2019/2020 financial year.

The comparison of applications received and application determination times are shown in the following tables:

Application Type	July-September 19	July-September 20	% Increase
DA's - Modifications	376	494	31%
Construction Certificates	77	97	26%

Application Determination Timeframes	Avg (days)	Med (days)
19/20	96	54
Jul 20 - present	73	46

A key component in the assessment process of development applications, excluding “straight-forward” applications, is the internal referral process.

Internal referrals are applications that are referred to other sections of Council for specialist advice and input, including Transport Assets, Ecology, Environmental Health, Building Services and other specialist areas of Council depending upon the nature and scale of the proposal. The following table provides data on the internal referral process.

Total Number	Avg. Days	Med. Days	Still Open
1464	42	17	15

BUSINESS IMPROVEMENT INITIATIVES

Application lodgement

The ‘Development and Building Advisory’ team with the ‘Customer Experience’ department are now the conduit between enquiries at first point of contact and the Building Services and Development Assessment teams. The focus for this team is on pre-lodgement and support to our customers, especially through the transition to an all-electronic lodgement process.

From 1 September 2020 the creation of hard copy DA files ceased and all DA files are now referred electronically, which also supports our paper-lite project. In line with Council’s Community Participation Policy, the notification of certain applications is now completed at time of lodgement. This process change ensures an assessment ready application when it is received by the assessing officer.

While an assessing officer may still require access to the hard copy plans and related information when undertaking site inspections, building construction inspections and assessments, the remainder of the assessment process is also undertaken electronically. These measures reduce reliance on paper resources and facilitate a more streamlined and efficient application pathway from lodgement to determination.

ePlanning Digital Services

In November 2019 the Premier announced ePlanning Digital Services would become mandatory for certain Councils in 2020.

The implementation of the Premier’s mandate makes the use of the ePlanning Portal mandatory for the lodgement of certain planning applications (in particular, development applications including modifications, applications for complying development certificates (CDCs) and for certificates under Part 6 of the EP&A Act), the assessment of those applications, as well as the issue of any relevant consents, CDCs and certificates.

As a result, MidCoast Council and registered certifiers in the MidCoast area commenced using the ePlanning Digital Services from 1 July 2020 and will process 100% of the applications identified above in this way from 31 December 2020.

Council's 'Development and Building Advisory' Team have been working with local development and building companies to support this transition and will continue to work with our community to ensure a seamless transition to this new lodgement process.

State agency referrals

Integrated development applications require approval from a NSW Government agency before a determination can be made by Council. Council now refers the development application, via the ePlanning Portal to the necessary approval body so that there is an integrated assessment of the proposal. This new service will help reduce assessment times and make it easier for applicants to pay fees online and track the consultation process.

Standard Conditions

Staff continue to meet on a regular basis in order to refine and further align Council's standard conditions across all relevant sections of Council. Conditions have been reviewed to ensure clarity, consistency and relevance. A review of Engineering, On Site Sewage Management, Water Quality and Environmental Health conditions has been completed. All conditions are being uploaded to our new MC1 corporate system, ensuring consistency and alignment for staff.

COMMUNITY IMPACTS

Bushfire Recovery

In order to facilitate recovery and the rebuilding of fire damaged or destroyed buildings following the 2019 bushfires, Council's Building Services Coordinator, as previously reported, has been deployed to be the single point of contact to assist and help navigate residents in the rebuilding process.

To date 35 development applications have been approved relating to bush fire affected properties for the building or rebuilding of fire damaged or destroyed buildings, with 19 of these applications being for new or replacement dwellings.

The vast majority of these applications have been fast tracked and approved within 14 days of lodgement.

Fast track applications

Development applications for straight forward small scale developments continue to be identified as Fast Track applications.

These applications are allocated to dedicated fast track assessment officers to ensure the applications are determined without being delayed by being in an application que with more complex applications.

Processes are continuing to be refined to ensure that applications are complete at lodgement, i.e. containing all the required information, to maximise the efficient processing of all applications. In addition, processes are being developed to ensure fast track application

assessment times are readily reportable. Data indicates that the majority of applications identified as fast track are being determined in less than 15 days. It is anticipated that assessment times will be further reduced when MC1 is fully implemented.

CONSULTATION

Development assessment statistics are reported to the Department of Planning annually and are discussed internally, primarily between the two teams responsible for development assessment. Council's Development Assessment planning team assess major and more complex applications and the Building Assessment team assess small scale applications, primarily being single dwellings and ancillary development.

Council is being pro-active with the community and we continue to offer free services such as pre-lodgement meetings, a duty planner service and a dedicated customer liaison team who now support counter and telephone enquiries and responses. A Development Assessment Panel also meets weekly to provide free pre-lodgement advice to applicants.

RECOMMENDATION

That the content of the report be noted.

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17 DEVELOPMENT DETERMINATIONS MADE UNDER DELEGATED AUTHORITY - NOVEMBER 2020

Report Author Paul De Szell - Director Liveable Communities

File No. / ECM Index Development Consents Issued Under Delegated Authority

Date of Meeting 16 December 2020

Authorising Director Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

This report outlines each of the development determinations which have been issued during November 2020 under delegated authority.

SUMMARY OF RECOMMENDATION

It is recommended that the information be noted.

FINANCIAL/RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Nil.

REPORT

123 development determinations were made during November 2020 under the authority delegated to me on 3 May 2018. Details of these determinations are contained in Annexure "A".

Should any Councillor have a query regarding the attached Annexure, please contact the Director Liveable Communities so that the appropriate documentation may be brought to the meeting for clarification.

RECOMMENDATION

It is recommended that the information be noted.

ANNEXURE

A: Determinations made during November 2020

DA number	Applicant	Address	Suburb	Description	Value of works	Decision type
104/2021/DA	Stuart Anthony Rhodes	45 Gannet Crescent	Old Bar	Shed	\$12,498	Approved
106/2021/DA	Taree Universities Campus Board of Directors	1 Pulteney Street	Taree	Change of Use - Community Facility	\$140,000	Approved
111/2021/DA	Caprice Home Additions	20 Lazzarini Drive	Harrington	Carport	\$9,974	Approved
118/2021/DA	Clare Mary Cattell and Andrew John Cross	2053 Bulga Road	Bobin	Dwelling Additions	\$373,000	Approved
119/2021/DA	Nicholas Flatman Architecture Pty Ltd	362 Dargavilles Road	Nabiac	Single Storey Dwelling	\$403,100	Approved
124/2021/DA	Mark William Burrows	11 Leopold Street	Crowdy Head	Demolition of Existing Structures and Construction of New Two Storey Dwelling	\$520,000	Approved
125/2021/DA	Renate May Barnier	10 Dolphin Avenue	Taree	Demolition of Existing Structures and Use of Land for Manufactured Home and Carport	\$224,881	Approved
127/2021/DA	Riba Homes Pty Ltd	99 Boambee Street	Harrington	Single Storey Elevated Dwelling	\$370,515	Approved
129/2021/DA	Tony Dove Drafting	10 May Dries Close	Kundle Kundle	Dwelling Additions	\$230,000	Approved
135/2021/DA	Graham James Saunders	40 Panorama Drive	Diamond Beach	Dwelling Additions	\$125,000	Approved
137/2021/DA	Azure Pools Pty Ltd	72 Bootawa Dam Road	Bootawa	Swimming Pool	\$53,515	Approved
139/2021/DA	Ian Sercombe Architect	274 The Den Road	Mooral Creek	Single Storey Dwelling - Bush fire Affected	\$93,125	Approved
143/2021/DA	Raelene Edwina Avid Blundell	45 West Street	Coopernook	Use of Above Ground Swimming Pool	\$2,500	Approved
147/2021/DA	Tim Cross Building & Design	47 Cottesloe Circuit	Red Head	Two Storey Dwelling	\$349,400	Approved
150/2021/DA	Sorensen & Caldon Pty Ltd	11 Bangalow Road	Coopernook	Secondary Dwelling (Granny Flat)	\$76,347	Approved
153/2021/DA	Donald James Gray	1810 Lansdowne Road	Langley Vale	Pool	\$18,000	Approved
154/2021/DA	Olga Wan-Sien Margherita Eileen Long	237 Godfrey Hill Road	Rainbow Flat	Horse Arena	\$40,000	Approved
157/2021/DA	Maryanne Christine Johnson	198 Bow Hill Road	Dollis Flat	Dwelling Additions	\$41,000	Approved
158/2021/DA	Tamika Kathleen McCarthy and Alexander Thomas McCarthy	6 Louis Street	Taree	Dwelling Additions	\$40,000	Approved
159/2021/DA	Allan Pierre Christopher Faugeras	17 Mountview Avenue	Wingham	Dwelling	\$330,000	Approved
165/2021/DA	Riba Homes Pty Ltd	20 Rifleman Place	Harrington	Single Storey Dwelling	\$236,544	Approved
172/2021/DA	Paul Anthony Axisa and Jessica Axisa	27 Diamond Beach Road	Hallidays Point	Farm Shed with lean-to	\$45,000	Approved
174/2021/DA	Caprice Home Additions	27 Spence Street	Taree	Detached Shed	\$9,500	Approved
175/2021/DA	Buildcert Consultants	19 Bangalow Road	Coopernook	Single Storey Dwelling	\$379,244	Approved
176/2021/DA	I & C Homes T/As GJ Gardner Homes	44 Hilltop Parkway	Tallwoods Village	Single Storey Elevated Dwelling	\$355,447	Approved
183/2021/DA	Mid North Coast Drafting & Construction	173 Beach Street	Harrington	Dwelling Additions	\$100,000	Approved
186/2021/DA	Christopher Glen Ferguson and Angela Gillard	1 Bangalee Place	Harrington	Demolition	\$25,000	Approved
206/2021/DA	Douglas Bucknell and Sarah Jane Bucknell	151 Bulby Brush Road	Bunyah	Dwelling additions and above-ground swimming pool	\$117,164	Approved
211/2021/DA	Jodie Lee Burns	16 Viewmont Way	Old Bar	Single Dwelling	\$311,000	Approved
216/2021/DA	Azure Pools Pty Ltd	109 Brimbin Road	Brimbin	Inground Pool	\$41,320	Approved
218/2021/DA	Jason Anthony Clarke	5 Redbank Road	Pampoolah	Inground Pool	\$40,000	Approved
231/2019/DA/A	Andoni Manuel Longa	1 Bunyan Avenue	Old Bar	Dual Occupancy	\$0	Approved
233/2021/DA	Kikine Pty Ltd	126 Hobbits Way	Caparra	Dwelling	\$550,000	Approved
245/2021/DA	Andrew Stewart McNeice	9 Viewmont Way	Old Bar	Single Storey Dwelling and Pool	\$400,000	Approved
248/2021/DA	Cheryl Rogan	17 The Sands Way	Diamond Beach	Single Storey Dwelling	\$392,327	Approved
250/2021/DA	Indulge Pools Pty Ltd	239 Diamond Beach Road	Diamond Beach	Inground Swimming Pool	\$35,100	Approved
256/2021/DA	Caprice Home Additions	5 Belinda Place	Cundletown	Patio Cover	\$13,823	Approved
257/2021/DA	Emily Anne Bath and Thomas Francis Bath	5 Spotted Gum Drive	Old Bar	Shed	\$30,347	Approved
258/2021/DA	Azure Pools Pty Ltd	131 Wynter Street	Taree	Inground Swimming Pool	\$49,900	Approved

265/2021/DA	Azure Pools Pty Ltd	185 Candoormakh Creek Road	Nabiac	Inground Swimming Pool	\$65,640	Approved
283/2021/DA	Tim Cross Building & Design	23 Kolinda Drive	Old Bar	Carport and Enclose Garage	\$32,985	Approved
31/2021/DA	Robert Anthony Archer	27 West Street	Cooperbrook	Use only - Garage	\$0	Deferred Commencement
331/2020/DA	Brokers Property Holdings Pty Ltd	9/148 Coates Road	Possum Brush	Convert Back to Residential Occupation	\$0	Withdrawn
43/2021/DA	Coastplan Group Pty Ltd	91 Coastal View Drive	Tallwoods Village	Two Storey Dwelling & Swimming Pool	\$340,000	Approved
433/2020/DA	PDA Planning	9 The Boulevard	Tallwoods Village	Two Storey Dwelling and Secondary Dwelling	\$189,990	Approved
44/2020/DA/A	Tom Scott	Lot 3085 Boambee Street	Harrington	Multi Dwelling Housing	\$0	Approved
443/2018/DA/A	I&c Homes T/As GJ Gardener Homes Taree	8 Ocean Street	Black Head	Demolition of Single Storey Dwelling and Construction of New Two Storey Dwelling	\$0	Approved
449/2020/DA	PDA Planning	31 Illingari Circuit	Taree	Dual Occupancy and Dwelling Additions	\$40,000	Approved
464/2019/DA/A	Midcoast Council	114 Glenwarrin Road	Elands	Shed	\$1,394	Approved
526/2020/DA	Coastplan Group Pty Ltd	232 Stony Creek Road	Kimbriki	Use Only - Single Storey Dwelling	\$0	Approved
541/2020/DA/A	Brooke Allison Marriott	57 Pitt Street	Taree	Dwelling Additions and pool	\$0	Approved
549/2020/DA	Lidbury Summers & Whiteman	11 Bangalow Place	Taree	Subdivision - 3 lot	\$0	Approved
552/2020/DA	Tim Cross Building & Design	250 Central Lansdowne Road	Lansdowne	Single Storey Dwelling	\$198,900	Approved
559/2020/DA/A	Austin McFarland Pty Ltd	21 Manning River Drive	Taree	Alterations and Additions to entertainment centre	\$0	Approved
576/2020/DA	Stephen John Gabb and Kim Gabb	151 Manning Point Road	Old Bar	Use of Detached Sleepout/Studio	\$17,000	Approved
80/2021/DA	Coastplan Group Pty Ltd	362 Godfrey Hill Road	Rainbow Flat	Underground Fuel Tank	\$40,000	Approved
82/2021/DA	Michael Charles Barberie and Alison Margaret Haigh	1 Kolang Street	Old Bar	Alterations & Additions to Existing Two Storey Dwelling	\$156,230	Approved
83/2021/DA	Archispectrum	10 The Sands Way	Diamond Beach	Two Storey Dwelling (PAN - 28977)	\$346,500	Approved
93/2021/DA	Tim Cross Building & Design	13 Coastal View Drive	Tallwoods Village	Single Storey Elevated Dwelling	\$307,700	Approved
94/2021/DA	Stanton Dahl & Associates Pty Ltd	423 Kolodong Road	Taree	Alterations & additions - new hospitality kitchen, new bathroom amenities	\$250,000.00	Approved
99/2021/DA	Tim Cross Building & Design	84 River Street	Cundletown	Alterations & Additions to Existing Two Storey Dwelling	\$142,100	Approved
DA-1/2021	Alan Rudge Architects	4/102 Shallow Bay Road	Coomba Bay	Use only for dwelling, and dwelling additions	\$150,000	Approved
DA-35/2021	Mr M V Hutchinson	3 Cove Avenue	Bundabah	Install manufactured home, verandah, double carport & removal of vegetation.	\$359,000	Approved
DA-55/2020	Mr G Zerk	119 Myall Street	Tea Gardens	Construction of four dwellings and subdivision (two into four Lots).	\$919,020	Approved
DA-55/2020	Mr G Zerk	121 Myall Street	Tea Gardens	Construction of four dwellings and subdivision (two into four Lots).	\$919,020	Approved
DA-69/2021	Mr T J Gleeson	23 Dunshea Avenue	Tea Gardens	Shed	\$15,850	Approved
DA-76/2021	Stablemaster Australia Pty Ltd	2342 The Bucketts Way	Booral	Signage - steel clock tower	\$8,000	Approved
DA-79/2021	Mr D E J Baker	64 Bent Street	Tuncurry	Extension of existing detached garage	\$30,000	Approved
DA-97/2021	Mr M P Bourke	Lot 27 Markwell Back Road	Markwell	New Single Storey Dwelling	\$265,000	Approved
DA-102/2021	Mr M F Smith	31 Divide Street	Forster	Use of Pergola	\$4,000	Approved
DA-103/2021	LE Mottee Group Pty Ltd	2340 The Bucketts Way	Booral	Change of use to hairdressing and beauty salon	\$5,000	Approved
DA-111/2021	PDA Planning	3 Rockpool Road	Tuncurry	Demolition of dwelling and construction of two-storey dwelling	\$800,000	Approved
DA-112/2021	Mr A Munro and Mrs V A Munro	12 Broadway Street	Stroud	Alterations and additions - front and rear deck and carport	\$17,130	Approved

DA-115/2021	Catalyze Property Consulting Pty Ltd	28 Mountain Road	Upper Karuah River	Demolition of existing dwelling and associated structures and erection of new dwelling and solid fuel heater	\$450,000	Approved
DA-117/2021	Moore Design	45 Newman Avenue	Blueys Beach	Demolish existing garage and replace with studio. Alterations and additions to existing dwelling and solid fuel heater	\$375,838	Approved
DA-131/2021	Mr G Gianniotis and Mrs L S Gianniotis	16 Kentia Drive	Forster	Shade sail	\$3,500	Approved
DA-136/2021	Mr A E Daly	17 Wangaree Street	Coomba Park	Single storey dwelling	\$105,300	Approved
DA-137/2021	Sheds N Homes	11 Cove Boulevard	North Arm Cove	Shed	\$18,890	Approved
DA-146/2021	Ms J Dures	30 Sugar Creek Road	Bungwahl	Alterations to existing house including solid fuel heater and new farm shed	\$95,000	Approved
DA-159/2021	Mr G R Hutchison	12 Parkes Street	Tuncurry	Detached Garage	\$7,000	Approved
DA-161/2021	Mr G R Riordan	16 Cliff Road	Forster	Demolish existing dwelling and construct new two storey dwelling	\$334,342	Approved
DA-165/2021	Mr M P Slevin and Mrs A M Slevin	23 Belbourie Crescent	Boomerang Beach	Alterations & additions to existing residence	\$200,000	Approved
DA-166/2021	Mr C A Giampietro and Miss J L Brooks	5 Isabella Parade	Forster	Single storey dwelling	\$510,912	Approved
DA-175/2021	Mr S D Wise and Mrs D Wise	10 Rest Point Parade	Tuncurry	Demolition works, Dwelling alterations and additions	\$165,000	Approved
DA-177/2021	Perception Planning Pty Ltd	284 Clarke Street	Pindimar	Two Storey Dwelling	\$245,000	Approved
DA-181/2021	Mr L J Denning	67 Newman Avenue	Blueys Beach	Replace and extend existing deck	\$5,000	Approved
DA-185/2021	Coastplan Group Pty Ltd	49 Karloo Street	Forster	Dwelling alterations and additions and new pool	\$65,000	Approved
DA-188/2021	Coastplan Group Pty Ltd	9 Showground Lane	Nabiac	Dwelling alterations and additions	\$69,000	Approved
DA-189/2021	Mr J R Greer	Lot 206 Church Street	Carrington	Temporary placement of shipping containers (4) and site office	\$10,000	Approved
DA-190/2021	Compass Sheds Pty Ltd	16 Holbert Close	Tea Gardens	Shed	\$14,600	Approved
DA-192/2021	Mrs J L A Penfold	6 Anderson Street	Wards River	Above ground swimming pool	\$4,500	Approved
DA-195/2021	Mr J Basden	131 Ferny Creek Road	Wootton	Dwelling additions	\$178,985	Approved
DA-200/2021	Mr R A Brown and Ms C B Sipple	286-288 Clarke Street	Pindimar	Detached shed	\$18,500	Approved
DA-201/2021	Phil Jones Constructions Pty Ltd	3 Reef Circuit	Blueys Beach	Two storey dwelling	\$300,000	Approved
DA-202/2021	Ian Sercombe Architect	6 Reef Circuit	Blueys Beach	Two storey dwelling and pool	\$377,330	Approved
DA-203/2020	Michael Fox Architects	2523 The Lakes Way	Bungwahl	Change of use from church to dwelling including alterations and additions	\$250,000	Refused
DA-210/2021	Caprice Home Additions	51 Divide Street	Forster	Patio Cover	\$9,349	Approved
DA-217/2021	Mr R Light	55 North Street	Tuncurry	Demolition of existing dwelling	\$15,000	Approved
DA-218/2021	Mr R N Smith and Mrs J M Smith	1328 Coomba Road	Coomba Bay	Swimming Pool	\$18,100	Approved
DA-220/2021	Mr M J Crosdale and Mrs P J Crosdale	16 Rest Point Parade	Tuncurry	Swimming Pool	\$19,300	Approved
DA-222/2021	Miss R Bridges	65 King George Parade	Forster	Dwelling additions and detached shed	\$22,620	Approved
DA-223/2020	Michael Fox Architects	Lot 103 The Lakes Way	Forster	Temporary use (Function Centre)	\$150,000	Approved
DA-224/2021	Mr G A Marsh and Mrs A M Marsh	50 King George Parade	Forster	Carport	\$19,490	Approved
DA-229/2021	RGR Design	13 Daphne Street	Forster	Dwelling additions - open front porch and replace roof tiles with colorbond	\$10,000	Approved
DA-241/2021	Mr I C McCrindle and Mrs E K McCrindle	180 Hubbards Road (S)	Topi Topi	Above ground pool and deck	\$30,000	Approved
DA-249/2021	Mr T J Cumins and J Nichols	236 Warri Street	Pindimar	Swimming pool and detached shed	\$35,000	Approved
DA-261/2021	Mr M J Wright and Mrs E D Wright	18 Goldens Road	Forster	Double garage	\$10,000	Approved
DA-264/2021	Azure Pools Pty Ltd	9A Pioneer Drive	Forster	Swimming pool, cabana and retaining walls	\$76,885	Approved
DA-415/2020	RGR Design	61C Coomba Road	Charlotte Bay	Two storey dwelling, pool, cabana and shed	\$656,800	Approved
DA-445/2020	Mr R Ambrose	85 Booner Street	Hawks Nest	Demolition of existing dwelling and erection of new two storey dwelling	\$295,100	Approved

2013/2294/04	PSA Consulting (Australia) Pty Ltd	32 Gloucester Tops Road & 79 Faulkland Road	Forbesdale & Faulland	Modification to Egg Packing Shed	\$0	Approved
2019/2745/02	Mr DW Campbell & Ms RL Moore	61 Bridge Street	Stratford	Modification to Shed Site	\$0	Approved
2020/2753/02	Mr TJ Bratfield	17 Henderson Street	Gloucester	Modification to Dwelling Plans	\$0	Approved
2020/2789	Ms KM Steel	44 Argyle Street	Barrington	Change of Use	\$0	Approved
2020/2797	Mr ER & Mrs NR Swadling	9 Philip Street	Gloucester	Garage	\$14,850	Approved
2020/2798	LMD Building Services	36 Church Street	Gloucester	Refurbishment of Front Awning	\$15,000	Approved
2020/2801	Ms DA Ellis	265 Mud Hut Road	Cobark	New Dwelling & Shed	\$371,099	Approved
2020/2802	Mr LZ Davies	15 Phascogale Crescent	Barrington	Shed	\$65,294	Approved
2020/2806	Mr G Morgan	6 Higgins Close	Gloucester	New Dwelling & Carport	\$260,000	Approved
2020/2807	Mr M & Mrs TL Perry	352 Barrington East Road	Barrington	Additions to Dwelling	\$96,634	Approved
2020/2808	Mr SJ & Mrs JC Kriss	213 Church Street	Gloucester	Carport & Shed	\$10,700	Approved
2020/2809	Mr JS & Mrs KL Bratfield	4530 The Bucketts Way	Gloucester	New Dwelling	\$471,064	Approved
2020/2819	Indulge Pools Pty Ltd	42 Argyle Street	Barrington	Swimming Pool	\$39,900	Approved

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18 MATTERS CURRENTLY BEFORE THE LAND AND ENVIRONMENT COURT

Report Author Paul De Szell - Director Liveable Communities

File No. / ECM Index Land & Environment Court Appeals

Date of Meeting 16 December 2020

Authorising Director Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

This report both lists and provides an update on planning matters that are currently before the Land and Environment Court.

SUMMARY OF RECOMMENDATION

It is recommended that the information be noted.

FINANCIAL/RESOURCE IMPLICATIONS

As identified in Attachment 'A'.

LEGAL IMPLICATIONS

As identified in Attachment 'A'.

ATTACHMENT

A: List of Planning matters currently before the Court.

Attachment A has been circulated to the Councillors and Senior Staff, and this attachment is publicly available on Council's website.

REPORT

This report both lists and provides an update on planning matters that are currently before the Land and Environment Court. The information is provided for the consideration of Council.

RECOMMENDATION

It is recommended that the information be noted.

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19 BARRINGTON COAST DESTINATION MANAGEMENT REFERENCE GROUP MEETING NOTES

Report Author	Angela Hutchins – Acting Destination Services Team Leader
File No. / ECM Index	Committees/Working Groups
Date of Meeting	16 December 2020
Authorising Director	Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

This report presents the meeting notes of the Barrington Coast Destination Management Reference Group meeting held on 24 November 2020.

SUMMARY OF RECOMMENDATION

That the Barrington Coast Destination Management Reference Group meeting notes (Annexure A) be noted.

FINANCIAL/RESOURCE IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

DISCUSSION

The Barrington Coast Destination Management Reference Group (Reference Group) was established by resolution of Council at its Ordinary Meeting on 26 September 2018.

The Reference Group meets quarterly to discuss and provide guidance, support and advocacy to ensure the successful delivery of the outcomes detailed in the MidCoast Destination Management Plan and associated documents.

The meeting of the Group was held via Zoom to enable Group members from across the region to participate.

This meeting was primarily to seek feedback from the Reference Group around the opportunities for industry to partner in the Barrington Coast Tourism Campaign currently under development.

CONSULTATION

Meeting agendas and draft notes are distributed to all Reference Group members.

COMMUNITY IMPACTS

The Reference Group reflects the value the community places on our thriving and growing economy.

The Group assists Council to deliver on the objectives and strategies from the Community Strategic Plan including to develop and promote our region as an attractive visitor destination offering products and experiences that meet the needs of our visitors and residents.

BUDGET IMPLICATIONS

Nil

RECOMMENDATION

That the Barrington Coast Destination Management Reference Group meeting notes of 24 November 2020 provided in Annexure A be noted.

ANNEXURE

A: Barrington Coast Destination Management Reference Group meeting notes for 24 November 2020



Meeting Notes

MidCoast Destination Barrington Coast Reference Group

Date	Monday 24 November 2020	Time	13:00
Venue	Via zoom	Chair	Cr Hutchinson
		Note-taker	Angela Hutchins
Attendance	Cr Karen Hutchinson (Chair), Donna Carrier, Sue Hedditch, Rob Jeffress, Rick Wraight, David Brown, Jan Ross, Anthony Somers, Deb Tuckerman, Angela Hutchins, Ben Andrews, Thomas Davey		
Apologies	Cr Troy Fowler, Donna Carrier, Michaela Breese, Brooke Heath, Duncan Campbell, Naomi Kilby, Sharon Bultitude		
Guests	Kate Faithorn & Gerard - Leonards Advertising.		

Meeting items

Item	Key points/actions
1	Acknowledgment of Country
2	Introductions/Apologies: Refer to above. Housekeeping/WHS: Completed by the Chair
3	Actions arising from previous notes not covered elsewhere in agenda. Refer attached table. All actions completed.
4	Destination Marketing Campaign – Campaign Partnership Presentation from lead project consultants, Leonards Advertising, on the development of the up-coming Destination Marketing Campaign and details of the proposed partner program buy in. Group members suggested inclusion of more details of the packages and return on investment; and time frame of the campaign. The Group discussed ways to best collaborate and communicate with industry stakeholders on the campaign and packages. Overall the group was positive about the campaign direction.
5	Barrington Coast Destination Website – overview Staff provided an online overview of the new website. Feedback was very positive.

6	<p>Discussion: skills/staff shortage in our hospitality sector</p> <p>Staff and skills shortages was raised at the last meeting. Reference group members expressed interest in forming a Focus Group to consider local solutions. Council's Manager of Growth, Economic Development & Tourism to consider and liaise with members.</p>
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Record of Actions

Item		Date added	Resp	Status
1	2020/21 Meeting Dates to be scheduled	12.10.20	SB	Completed
2	Feedback on Tourism Campaign Reference Group to be considered by BC and Leonards.	24.10.20	BA	
3	Consider special meeting to develop local strategies to address skills/staff shortages in the industry	20.10.20	DT	

Next meeting (or as required for urgent business)

Date:	4 February	Time	1-3pm
Venue:	Zoom		

20 COMMUNITY INCLUSION AND WELLBEING REFERENCE GROUP MEETING NOTES

Report Author Lyndie Hepple – Coordinator Community Strengthening
File No. / ECM Index Committees/Working Groups
Date of Meeting 16 December 2020
Authorising Director Paul De Szell - Director Community Spaces and Services

SUMMARY OF REPORT

This report presents the notes of the Community Inclusion and Wellbeing Reference Group meeting held on 28 August 2020.

SUMMARY OF RECOMMENDATION

That the Community Inclusion and Wellbeing Reference Group meeting notes of 28 August 2020 (Annexure A) be noted.

FINANCIAL/RESOURCE IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

DISCUSSION

The Community Inclusion and Wellbeing Reference Group was established by resolution of Council at its Ordinary Meeting on 31 October 2018.

The Reference Group meets at least quarterly to provide strategic advice and feedback to assist Council in making the MidCoast an accessible, inclusive and cohesive community, where all people can participate fully in community life, regardless of their age, ability or background.

CONSULTATION

Meeting agendas and draft meeting notes were distributed to all Reference Group members.

COMMUNITY IMPACTS

The Community Inclusion and Wellbeing Reference Group reflects the value Council places on our unique, diverse and culturally rich communities as well as our connected community.

The group assists Council to deliver on the following strategies from the Community Strategic Plan:

- Provide equitable access to services, programs, spaces and facilities;
- Strengthen the capacity of our young people to participate and thrive in community life;

- Support the strengthening of social connectedness through programs and partnerships; and
- Welcome people of all abilities and backgrounds

RECOMMENDATION

That the Community Inclusion and Wellbeing Reference Group meeting notes of 28 August 2020 (Annexure A) be noted.

ANNEXURE

A: Community Inclusion and Wellbeing Reference Group meeting notes of 28 August 2020



Meeting notes

Community Inclusion and Wellbeing Reference Group

Date	28/08/20	Time	9:30am – 11:00
Venue	Zoom	Note-taker	Hannah Earley
Present	Hannah Earley, Felicity Carter, Cr Katheryn Smith, David Isbel, Elizabeth Green, John Price, Paul De Szell and Mark Norris		
Apologies	Mave Richardson, Kylie Atkinson, Karen Fuller, Cr Dave Keegan, Anna Burley, Bree Katsamangos, Jane Stevenson & Judy Hollingsworth		
Not present			

Meeting items

Item	Key points/actions
1	Acknowledgement of Country Hannah Earley
2	Declaration of any conflicts of interests Nil
3	Action items update The group reviewed progress on action items from their previous meeting.
4	General discussion The group had general discussion on relevant issues.
5	Presentation of Delivery Program & Operational Plan (DPOP)
6	Inclusion process with employment and recruitment
7	International Day of People With Disability
8	Meeting review and Close

Next meeting

Date	30 th October 2020	Time	9:30am – 11:00am
Venue	Via Zoom (unless otherwise specified)		

Community Inclusion and Wellbeing Reference Group

Action items update

Item No	Description	Date Raised	Action for	Due Date/ Timeframe	Status Update as at 27/09/19
1	Consult Aboriginal community on Aboriginal representation on the reference group.	29/3/19	HE	27/8/19	Ongoing
2	Members were interested in viewing the minutes from the Bushfire Health and Wellbeing committee and the opportunity to offer a supporting partnership	28/02/20	PDS		Paul to circulate minutes when available
3	Walk around community for disability	28/02/20	HE	Deferred	Resume planning walk when COVID-19 laws allow
4	Invite new caretaker CEO of community transport to attend next meeting	28/02/20	HE		Hannah Earley to invite new CEO to attend next meeting
5	Red Cross Webinar	24/04/20	PDS		
6	Vacant Generalist position MCC and DCJ funding	24/04/20	PDS		Position now filled and updated
7	Distribute DPOP with members	26/06/20	HE		DPOP sent to members
8	Invite Head of Community Housing and Department of Housing to future meeting to talk about broader strategies of housing.	26/06/20	FC & HE		Try lock in for next meeting
9	Presentation of DPOP	26/06/20	MCC		Present DPOP to look at next 12 months
10	Enquire with HR for input and understand for Inclusion Policy for council	26/06/20	HE		

Key:

Not yet scheduled for commencement	Commenced and on schedule	Commenced and not on schedule or overdue	Complete	Deferred	W	Withdrawn
				→		

Community Inclusion and Wellbeing Reference Group

3. Action items update

- 1 **Consult Aboriginal community on Aboriginal representation on the reference group – ongoing**
- 2 **Members were interested in viewing the minutes from the Bushfire Health and Wellbeing committee and the opportunity to offer a supporting partnership – Paul still trying to track down.** Changing space in bushfire recovery, resilience NSW pulling out regionals across the whole of landscape. Keep on agenda for update at next meeting and what resilience NSW are doing. MCC currently recruiting 2 roles to replace what resilience NSW were doing.
- 3 **Walk around community for disability –** Find out limitations on moving forward with walk. Check with Karen and others with mobility impairment that are potentially interested in taking part. There would be a couple interested from valley industries. John suggested Kelly to attend the walk also. Hannah to organise date in the next couple of weeks. Hannah to check when Karen and Kelly are available then work around date. MidCoast Council also raising awareness with internal staff organising event for White Cane day, 15th October – council signed off for staff to participate.
- 4 **Invite new caretaker CEO of community transport to attend next meeting –** Cr Katheryn Smith to email Anna Burley for contact
- 5 **Red Cross Webinar – remove from actions**
- 6 **Vacant Generalist position MCC and DCJ funding –** We have filled the generalist position. Calypso Watson has been appointed to the position. The position is fully council funded. There is a second position advertised as a Community Strengthening Officer Aboriginal. Calypso's role is specifically linked to some issues in this network and therefore would see future involvement in this network.
- 7 **Distribute DPOP with members –** Sent out with agenda and minutes.
- 8 **Invite Head of Community Housing and Department of housing to future meeting to talk about the broader strategies of housing –**Amanda Murray is state manager for community housing. October meeting to have housing on agenda. Felicity to invite Amanda to October meeting pending availability.
- 9 **Presentation of DPOP – present in general business**
- 10 **Enquire with HR for input and understand Inclusion policy for council employment –** *MidCoast Council Equal Employment Opportunity – Management Plan* was distributed with minutes. Invite a couple of key people from HR to next meeting. Disability employment funding is changing, opportunity for council to access. Invite a couple of people from HR team to attend next meeting David Isbel mentioned disability employment funding is changing, going to be open to all employees.

4. General business

Update and refocus activities for 2021.

5. Presentation of Delivery Program & Operational Plan (DPOP)

Paul DeSzell presented DPOP – The way a DPOP works is there's a cascade of planning and reporting documentation that's required legislatively by department of local government. There's an overarching community strategic plan that goes out to 2036 and every 3-4 years (depending on council cycle) there's a delivery plan (DP) and every year there's an operational Plan, which sets out what council will do in a within the month period. That was on exhibition last June.

Paul explained the structure and how other plans flow into the Community Strategic Plan such as the DIAP (Disability Inclusion Action Plan) (The progress report for the DIAP was sent to all members via email yesterday from Michelle Jobson), Land use strategies, and Economic Development Strategy, Resourcing Strategy.

The purpose of a delivery program is to provide future planning and capacity to plan for long term projects and to allow the delivery of projects. The community strategic plan is a document that is driven by the community. It's designed to meet the aspirational goals of the community.

Katheryn suggested adding task list from this Network recommend to be included in the next strategic plan. Felicity suggested members take the time to read the plan and review against what we consider as priorities for this network then set priorities for the council to consider. Paul agreed that this would be really important for members to read the DPOP.

Felicity suggested identifying our critical success factors and barriers. We could identify areas in the DPOP where we could provide our considered opinion and a priority pathway. Start with what we think is important and see where it matches.

Liz agreed with the Felicity's ideas and interested in identifying gaps that council might have missed.

An action was then agreed for each member to read the DPOP and identify our own gaps then discuss further at the next meeting. Paul mentioned the DIAP that's been sent out and asked members to read the annual report and bring anything to the table. David Isbel had read the report and gave credit where its due and that a lot has been done. He gave comments around opportunity for improvement around intellectual and psychosocial disabilities, such as support groups but commented the overall amount that has been done already is impressive.

6. Inclusion process with employment and recruitment

Carry over to next meeting to have HR involved. Paul will invite HR representatives to next meeting to have a discussion around inclusive employment. Dave mentioned to inform HR that NDIS now allows non-registered providers (Council would be a non-registered provider) to fund support for employees with disabilities which is a real game changer.

7. International Day of People with Disability

MidCoast, Community Strengthening Officer Coordinator, Lyndie Hepple is planning on forming a working group to start planning a day for International Day of People with Disability. We would like this to be inclusive group where people with disability can have a say and how they would like to mark and respect the day.

Dave Isbel suggested Lyndie to contact him if she would like engage with Valley Industries clients and employees. Hannah to inform Lyndie.

8. Meeting review and Close

Next meeting in person on the 30th October, change from large committee room to Chambers room.

Additional meeting end of year Christmas meeting November Tentatively

Hannah to send poll for future meetings with a start date to be decided 2021

Block out Mondays and Wednesdays

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21 COMMUNITY RECOVERY BUSHFIRE REFERENCE GROUP MEETING NOTES

Report Author Paul De Szell – Director Liveable Communities
File No. / ECM Index S1830/12
Date of Meeting 16 December 2020
Authorising Director Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

This report presents the notes of the Community Recovery Bushfire Reference Group meetings held on 13 October and 3 November 2020.

SUMMARY OF RECOMMENDATION

That the Community Recovery Bushfire Reference Group meeting notes of 13 October and 3 November 2020 (Attachment A) be noted.

FINANCIAL/RESOURCE IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

ATTACHMENT

A: Community Recovery Bushfire Reference Group meeting notes of 13 October and 3 November 2020.

Attachment A has been circulated to the Councillors and Senior Staff, however this Attachment is publicly available on Council's website.

DISCUSSION

The Community Recovery Bushfire Reference Group was established by resolution of Council at its Ordinary Meeting on 25 March 2020. Membership of the group was adopted at the Council meeting held on 27 May 2020.

The Reference Group meets every three weeks to discuss various issues related to Bushfire Recovery.

The meeting notes will be placed on the Committees page of the website once noted by Council.

CONSULTATION

Meeting agendas and draft meeting notes were distributed to all Reference Group members.

COMMUNITY IMPACTS

The Community Bushfire Recovery Reference Group links to the community values identified in the Community Strategic Plan:

- Strong leadership and share vision
 - We work in partnership with our community and government to ensure Council is a trusted and flexible organisation that delivers on their needs.
 - We make opportunities available for the community to inform decisions that shape our future.

RECOMMENDATION

That the Community Bushfire Recovery Reference Group meeting notes of 13 October and 3 November 2020 (Attachment A) be noted.

22 HERITAGE REFERENCE GROUP MEETING NOTES

Report Author Sue Calvin - Senior Strategic Planner
File No. / ECM Index S1798
Date of Meeting 16 December 2020
Authorising Director Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

This report presents the notes of the Heritage Reference Group meeting held on 4 November 2020 and the Heritage Reference Group comments on the Bight Cemetery Conservation Management Plan and Restoration Action Plan.

SUMMARY OF RECOMMENDATION

That the Heritage Reference Group meeting notes of 4 December 2019 (Annexure A) and comments on the Bight Cemetery Conservation Management Plan and Restoration Action Plan (Annexure B) be noted.

FINANCIAL/RESOURCE IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

DISCUSSION

The Heritage Reference Group was established by resolution of Council at its Ordinary Meeting of 31 October 2018. The Heritage Reference Group meets quarterly to provide strategic advice and feedback in relation to protecting and promoting our local heritage. Due to Covid-19 there were only two meetings in 2020.

At this meeting, the aim was to provide comments on the Bight Cemetery Conservation Management Plan and Restoration Action Plan, which are provided in Annexure B.

CONSULTATION

The agenda, draft meeting notes and comments on the Bight Cemetery Conservation Management Plan and Restoration Action Plan were distributed to all members of the group.

COMMUNITY IMPACTS

The Heritage Reference Group provides guidance to Council on prioritising areas where heritage efforts should be focused, promoting heritage within the community, identifying place and items of heritage significance, and identifying opportunities for improved heritage outcomes.

BUDGET IMPLICATIONS

Nil

RECOMMENDATION

That the Heritage Reference Group meeting notes of 4 December 2019 (Annexure A) and comments on the Bight Cemetery Conservation Management Plan and Restoration Action Plan (Annexure B) be noted.

ANNEXURES

A: Heritage Reference Group meeting notes of 4 December 2019



Heritage Reference Group notes

Heritage Reference Group (HRG)

Date	Wednesday, 4 November 2020	Time	10am-12 noon
Venue	Taree Council Chamber and Zoom	Note-taker	Sue Calvin
Present	Cr Bell, Cr Roberts, Lillian Cullen, Sue Calvin, Penny Teerman, Judith Glover (Tea Gardens Hawks Nest FRG), Ian Herford, Ken Beeton (Manning Wallamba FHS), Barbara Waters, Helen Duggan and Anne Masters (Great Lakes HS), Janette Hayden (Tinonee HS), Mike Parsons, Gerard Tuckerman (part of meeting) Guests: Dan Aldridge, Karyn Virgin and Tim Adams (Umwelt), Tim Crossley (observer)		
Apologies	Kevin Carter (Bulahdelah HS), Margaret Love (Cundletown HS), Pauline Ibbetson (Stroud HS), Jenny Richards (Gloucester HS), Kathie Bell, Anne Shannon (Tea Gardens Hawks Nest FRG), Paul De Szell, Janine Roberts (refer explanatory note below)		
Explanatory Note	<i>Janine Roberts prepared the historical content of the Bight Cemetery Conservation Management Plan and was paid for her work. Prior to the commencement of the Heritage Reference Group Meeting, it was raised with Ms Roberts as to whether or not this constituted a pecuniary conflict of interest. The issue was not able to be clarified at the time but, to ensure the integrity of the process, Ms Roberts absented herself from the meeting.</i>		

Meeting items

Item	Key points/actions	Who
1	Acknowledgement of Country	Cr Roberts
2	Welcome	Cr Bell
3	Bight Cemetery overview	Sue/Dan

Item	Key points/actions	Who
	An overview of the process to date and the request for feedback on the Conservation Management Plan and Restoration Action Plan	
4	<p>Bight Cemetery Conservation Management Plan</p> <p>An overview of the project was provided by Karyn Virgin from Umwelt. The Umwelt presentation is attached to the meeting notes.</p> <p>Key questions asked of Umwelt were on slide 10-11 and related to upcoming National Trust Guidelines, unmarked graves, the grading of the headstones, the 'active portion' of the cemetery, ecological values and the heritage stonemason role.</p> <p>After the presentation and questions, Karyn Virgin, Tim Adams and Tim Crossley left the meeting.</p> <p>Some members of the Reference Group had documented their views which were used as discussion points for the meeting. The comments are attached.</p> <p>Penny Teerman expressed concerns that Umwelt had not contacted the National Trust during the development of the CMP.</p>	<p>Karyn (Umwelt)</p> <p>All</p>
5	<p>Restoration Action Plan</p> <p>A limited discussion on the Restoration Action Plan was undertaken given time constraints. The comments are attached.</p>	All
6	<p>Meeting closed</p> <p>Remaining items on the agenda were carried over to the next meeting</p>	Cr Bell

Next meeting

Date	To be confirmed in 2021	Time	10am-12noon
Venue	Yalawanyi Ganyah and Zoom	Note-taker	Sue Calvin

- B: Comments on the Bight Cemetery Conservation Management Plan and Restoration Action Plan



Heritage Reference Group

BIGHT CEMETERY

The Heritage Reference Group (HRG) were requested to provide comment on the draft Bight Cemetery Conservation Management Plan (CMP) and the Restoration Action Plan (RAP).

At the HRG meeting on 4 November 2020, both the CMP and RAP were reviewed and discussed. It was acknowledged by HRG the importance to commence restoration as soon as possible, in a manner that maintains the heritage integrity of the monuments and the cemetery and in consultation with the families. The following provides comments on each document.

CONSERVATION MANAGEMENT PLAN

The following key points are raised:

1. Unmarked graves

The HRG acknowledged that ground penetrating radar can be beneficial for identifying unmarked graves in cemeteries, but can be cost prohibitive. The HRG were satisfied that there is a legislative framework and practices in place for situations where human remains are uncovered in cemeteries.

It was agreed that there are locations in cemeteries where there is an increased risk of uncovering unmarked graves, being next to existing graves (marked and unmarked) and around the boundary of the cemetery. It is recommended that the CMP identify buffers in these locations to identify that there is increased risk of disturbing unmarked graves in these locations.

The CMP currently shows a track running over identified unmarked graves. The HRG request that vehicular paths be formalised to avoid grave sites, marked or unmarked (where known)

2. Boundary of 'active portion'

The boundaries of the 'active portion' of cemetery are not clear on the ground or in the CMP. The HRG requests that markers be placed in the cemetery to delineate the 'active portion' of the site.

3. Gradings of significance

The HRG discussed the gradings of significance in detail. They were satisfied that the gradings were designed specifically for the Bight Cemetery, and can differ in CMPs based on the heritage values of each cemetery. The consultants noted that they used terminology that is generally acceptable for heritage practitioners in NSW.

The HRG acknowledged that when work is triggered to be undertaken by a heritage stonemason, the stonemason would determine the scope of works for each headstone. It was not the role of the CMP to undertake this detailed assessment.

The trigger for involvement by a heritage stonemason differed between the CMP (pre-1950s) and the RAP (over 50 years old). It was agreed that the CMP was based on a

detailed heritage assessment undertaken for the Bight Cemetery, and that the RAP should be amended to reflect the CMP timeframe.

Some HRG members provided comments on the grading of specific headstones, which in Attachment A for consideration.

4. National Trust Guidelines

Penny Teerman had been advised that the National Trust is reviewing their guidelines. Contact was made with the National Trust who advised that they do not have an anticipated timeframe for the release of these guidelines. HRGs agreed that the CMP will reference the current guidelines, but needs to make reference to 'new and updated guidelines', to ensure the CMP remains relevant to current practices. It is proposed to amend the CMP to refer not only to existing guidelines, but also any updated or new guidelines.

5. Landscaping

The HRG were concerned about the landscaping proposed in the CMP. Dan Aldridge advised that the HRG would have the opportunity to comment on the landscaping plan when developed.

RESTORATION ACTION PLAN

Due to time constraints discussion on the Restoration Action Plan was limited. The following key points are raised:

1. Conservation Management Plan (CMP)

The CMP appears under Action 5 being 'Seek advice from qualified stonemasons. Given the importance of the CMP in being a guiding document, should it be noted as its own action?




2. National Trust consultation

The HRG noted that an action to coordinate with the National Trust has been removed from this revised action plan and suggest that it should be reinstated.

3. Pale Yellow Doubletail Orchid

The HRG requests that Action 4 regarding the orchid, be amended to delete the wording "while it is flowering". This will ensure that the orchid is protected at all times, not just when flowering.

Attachment A - comments on the grading of specific headstones

Photograph of headstone	Comments
	<p>ID144</p> <p>Sydney Robert Taylor</p> <ul style="list-style-type: none"> Graded as 'Neutral' due to no date on grave NSW BDM – born and died 1879 This moves it to 'Exceptional'
	<p>ID079</p> <p>Madeline Blanche McDermid</p> <ul style="list-style-type: none"> Graded 'Low' Has marble book with lead lettering Sandstone surround has been damaged Suggest at least 'Moderate'
	<p>ID027</p> <p>John Gardiner</p> <ul style="list-style-type: none"> Graded 'Neutral' Military Cross recipient Integral part of the sawmill industry in Wingham Started a welfare group with RSL "The removal of the headstone has exposed the metal supports and caused structural damage to the stone base. Fragments of sandstone are visible." <p>What actions will be taken with this person's grave?</p>

Photograph of headstone	Comments
	<p>ID048</p> <p>Kennedy and Fowler, 1877</p> <p>Graded 'Exceptional'</p> <p>Death dates: 1877, 1895</p> <p>This headstone was created by 'Edstein - Taree' which did not exist as a company until 1908 (Raymond Tce started 1896)</p>
 	<p>ID040</p> <p>Hodgins, 1907</p> <p>Graded 'High'</p> <p>Same craftsmanship as ID048</p> <p>Probably erected around the same year ~1908.</p>

23 OLD BAR MANNING POINT COASTAL MANAGEMENT PROGRAM (CMP) COMMUNITY REFERENCE GROUP MEETING NOTES

Report Author **Andrew Staniland - Coastal Management Coordinator**

File No. / ECM Index **Committees/Working Groups**

Date of Meeting **16 December 2020**

Authorising Director **Paul De Szell - Director Liveable Communities**

SUMMARY OF REPORT

This report presents the meeting notes of the Old Bar Manning Point CMP Community Reference Group meeting held on 25 November 2020.

SUMMARY OF RECOMMENDATION

That the Old Bar Manning Point CMP Community Reference Group meeting notes provided in Annexure A be noted.

FINANCIAL/RESOURCE IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

DISCUSSION

The Old Bar Manning Point CMP Community Reference Group was established by a resolution of Council at its Ordinary Meeting of 11 September 2019.

The Reference Group meets quarterly and provides strategic stakeholder advice to MidCoast Council to inform the development of the Old Bar Manning Point CMP. The CMP will guide future management of the Old Bar Manning Point coastline under the Coastal Management Act 2016.

CONSULTATION

Meeting agendas and draft meeting notes were distributed to all Reference Group members.

COMMUNITY IMPACTS

The Old Bar Manning Point CMP Reference Group is comprised of twenty (20) members representing: MidCoast Council; Old Bar Beach Sand Replenishment Group; Manning Point Concerned Citizens Group; Manning Coastcare; Farquhar Inlet Management Group; Manning Great Lakes Birdwatchers; Old Bar Manning Point Business & Community Association; Surf Life Saving Lower North Coast Branch; Hastings Birdwatchers; Old Bar Tavern Fishing Club; NSW Department of Planning Industry & Environment; National Parks & Wildlife Service; Transport NSW.

The Group works together to understand key issues and formulate management actions to include in the CMP. The group has been established to:

- provide local knowledge and strategic stakeholder input throughout the development of the Old Bar Manning Point CMP
- assist Council to reach out to the wider community and champion the development of the CMP;
- provide advice to Council on the adequacy of the plan prior to exhibition and adoption;
- ensure that the Old Bar Manning Point CMP will be aligned with the strategic objectives of each organisation (where relevant) in order to achieve plan certification and gazettal.

BUDGET IMPLICATIONS

Nil

RECOMMENDATION

That the Old Bar Manning Point CMP Community Reference Group meeting notes provided in Annexure A be noted.

ANNEXURE:

A: Old Bar Manning Point CMP Community Reference Group meeting notes of 25 November 2020



Meeting notes

Old Bar Manning Point Coastal Management Program Community Reference Group (OBMP CMP RG)

Date	25 November 2020	Time	10am – 12.20pm
Venue	MidCoast Council – Boardroom, Taree Office	Note-taker	Andrew Staniland
Present	Councillor Len Roberts (co-chair), Councillor Katheryn Smith (co-chair), Anne Rorke - Manning CoastCare, Brian McCauley –Manning Great Lakes Birdwatchers Greg Crisp – Farquhar Inlet Management Group Lesley Woods – Manning Point Concerned Citizens Group Mel Rosmand – Old Bar Manning Point Business & Community Association Sue Proust – Hastings Birdwatchers Josh Chivers – National Parks and Wildlife Service Gerard Tuckerman – MidCoast Council Andrew Staniland – MidCoast Council		
Apologies	Councillor Dr David Keegan Joedie Lawler, CEO Taree Purfleet Local Aboriginal Lands Council Elaine Pearce – Old Bar Beach Sand Replenishment Group Steve Worboys – Old Bar Tavern Fishing Club Jim Tyrpenou – Surf Life Saving Lower North Coast Branch Brett Ryan – Transport NSW Neil Kelleher- NSW Department of Planning Industry and Environment Andre Ujee – Transport NSW		

Meeting items

Item	Key points/actions
1	Councillor Roberts, opened the meeting, providing a welcome to Country and gave a brief on the origins of this practice. Councillor Smith welcomed all for attending and acknowledged the gap we had between meetings due to restrictions.
2	<p><u>Purpose & Outcomes of today's meeting.</u></p> <ul style="list-style-type: none"> Recap on the Coastal Management Program. Explain the results of the science that backs the CMP process (Stage 2). Discuss how to approach Stage 3 of the Old Bar Manning Point Coastal Management Program (OB MP CMP).
3	<p><u>CMP Stages</u></p> <p>The Coastal Management Act 2019 (CM Act) and the associated guidelines, break the Coastal Management Program (CMP) into 5 Stages.</p> <p>Stage 1 Scoping Study.</p> <ul style="list-style-type: none"> Stage 1 'Scoping Study' - sets the scene of the CMP, identifying the area covered, main issues to be addressed, identifies gaps in current knowledge; how to fill knowledge gaps and projects the forward plan of how to run Stages 2 – 5 of the CMP. Staff from the NSW Department of Planning, Industry and Environment (DPIE) assess Council's Stage 1 plans against the CM Act. Then provide feedback to the Council. The Scoping Study sets the plan to generate the Old Bar Manning Point CMP prior to establishing an Open Coast CMP which will cover the Manning Valley Coastal Zone Management Plan (CZMP), Great Lakes CZMP and Jimmys Beach CZMP. In 2025 it is intended to roll the Old Bar Manning Point CMP and the Open Coast CMP into one Open Coast CMP. Scoping Study aims to: <ul style="list-style-type: none"> Identify gaps in current knowledge by outlining the context of the coastal region. Identify high level threats to the MidCoast LGA coast line. Identify required coastal management programs and their boundaries. Set the forward plan to implement the required Coastal Management Programs and identified actions for the MidCoast Council LGA Inform Council's Delivery Program / Operational Plan (DPOP) framework for coastal management. <p>Old Bar Manning Point CMP.</p> <ul style="list-style-type: none"> Vision - Supporting the OB MP coastal region as a liveable and sustainable environment for our people and wildlife, by understanding and managing for current and changing coastal processes and climate. We will think innovatively, learning from our experiences, while planning for the future.

Stage 2 – Determine the Risks, fill Knowledge gaps.

- Stage 2 works to fill the gaps in knowledge identified. These studies assist in determining the risks, vulnerabilities and opportunities for the identified section.
- OB MP CMP Stage 2 accomplished the following tasks.
 - Old Bar to Manning Point Coastal Erosion Hazard Manning Update 2020 (Probabilistic Hazard model).
 - Old Bar to Manning Point Coastal Geomorphological Field Study 2019.
 - Racecourse Creek Flood Study and Options Assessment 2020.
 - Manning River Floodplain Risk Management Study and Plan 2020.
 - Erosion Analysis of the Manning Valley Coastal Sediment Compartment Report 2017 [MHL2408].
 - Issues paper – entrance modifications and modified hydrology.
 - Issues paper – coastal wetlands.
 - Issues paper – flood and inundation.
 - Issues paper – Wildlife conservation.
 - Community based adaptation to sea-level rise from Manning Point to Wallabi Point: Preliminary results 2018 (social science research)
 - Old Bar Beach Trail Beach Scraping Project.
 - Manning Point sand nourishment – Harrington Backchannel Dredging.

Stage 3.

- This stage uses the knowledge gained from Stage 2 to determine the risks and develop management opportunities.
- The Acceptability, Feasibility and Viability of the management options are assessed.
- Management options are prioritised based on this ranking.
- Top priority management options progress to a Cost Benefit Analysis.
- A rigorous community engagement model is developed to allow the community to understand the science of Stage 2 and the Management Options of Stage 3. This community engagement ultimately determines the acceptability of the management options.

Stage 4.

- The final draft report is assessed by DPIE to ensure it meets the mandatory components of the CM Act and associated Manuals.
- Final Draft Report is placed on public exhibition. With submitted commentary being incorporated into the plan.
- Completed report is adopted by Council, who recommends it be sent to the State Government for certification and Gazettal.

Stage 5.

- Implement the management options from the report.

4	<p><u>Racecourse Creek Flood Model – Science</u></p> <p>The science behind the flood model developed by contractors, Manly Hydraulics Laboratory, was explained.</p> <p>Discussion focused on understanding how the management options would assist the flood mitigation within the creek and its wider catchment. Discussion on how the creek exits over the beach was also discussed. With the explanation of how this may function in differing events including wave run up.</p> <p>The Flood Study is presently on public exhibition. Feedback given was that the explanation video is really good and helped to understand the Report.</p> <p>Please click the link below to view the Report and provide feedback. Submissions on the report close 9 December 2020.</p> <p>https://www.midcoast.nsw.gov.au/Have-Your-Say/Racecourse-Creek-Flood-Study-and-Options-Assessment</p> <p>The report developed a computer model showed how the catchment responds to a variety of rain events. These events were reviewed. Ten (10) management options were tested in the computer model to determine if they would reduce identified flooding. Four management options were identified to create improvements towards flood mitigation within the creek. The four options are listed below with details contained within the report.</p> <p>Management Options being investigated</p> <ul style="list-style-type: none"> • Option 1: Replacement of culvert under David Street by a single span concrete bridge to allow flood water to flow better under the road and reduce upstream flood levels. • Option 4: Widen cross-section of creek at area restricted by timber retaining wall to reduce upstream flood levels • Option 9: Removal of GPT structure • Option 10 – Rusby Park constructed wetland <p>Each of these management options can be implemented by themselves to generate improvements in the creek. The report identifies that once all four are implemented they will provide the greatest benefit for flood mitigation within the creek. Once adopted, the report can be used to apply for funding to implemented prioritised management options. Application to funding rounds is based on Council having available funds to match grant funds. The next flooding grant scheme opens in February 2021. It is hoped that the report will be adopted in time to allow for application to this round, should funds be available. round</p>
5	<p><u>Beach Scraping</u></p> <p>Approx. 15 – 17,000 cubic meters of sand was moved, in two campaigns from the tidal zone to the back of the beach. This served the beach well for two years.</p> <p>Application to the Coastal and Estuary grant program has been submitted. The grant submission proposed Council wide beach scraping program. Both Old Bar and Manning Point beaches were included in this application. Council will advise success of this application.</p>

6	<p><u>Harrington Backchannel Navigational Program</u></p> <p>The reasoning behind the project was explained. Reports from Manning Point community representative Lesley Woods, state the dredge material remains in situ with the beach remaining wide due to a proportion of the material being placed directly into the surf zone.</p> <p>Project is a success and proves that if similar works are undertaken in the area Manning Point will benefit from sand buffers.</p>
7	<p><u>Farquhar Flood Notch and Navigational Dredging Program</u></p> <p>After 17 months the licencing to undertake the works has been acquired.</p> <p>Unfortunately, for the navigational dredging program, the contractor had conflicting work in another location. Farquhar dredging works will be commenced in April 2021, with South Creek, Scotts Creek and the Farquhar Campground channel being dredged. The bulk of the dredged spoil will be placed in the surf zone to the north of Farquhar Campground. Where the distance to pump to the ocean is too far, dredged material will be placed on existing sand islands within the Manning River.</p> <p>The Manning River at Farquhar was opened in February 2020 under emergency powers. The river naturally closed over in September/October 2020. The closure aligned with the receipt of licensing to implement a flood notch. Council staff surveyed the site and found the sand berm to be between 0.2 – 1m AHD. It was decided not to implement the notch formally at that time due to the height of the sand berm. With the arrival of the migratory shorebirds, the ability to implement the notch was restricted. When the birds leave in April 2021 the sand berm will be surveyed again and the notch implemented as conditions suit.</p> <p>Strong discussion was held in relation to the establishment of conservation only areas and a delineation to restrict public access to identified areas. The discussion established that management of people living with wildlife across the landscape was the preferred approach. With education, awareness and engagement being used to communicate to the general community about living with wildlife. (Share the Shore program, Koala Management Plans, Biodiversity Frameworks, Manning River Turtle Threatened Species Plan being cited as good examples). Conversation continued questioning population growth and climate change. It was agreed that the Coastal Management Program and other Strategic Planning documents will be tasked with finding this balance.</p>
8	<p><u>Probabilistic Hazard Modelling - the results</u></p> <p>The development of the plan and the science behind the probabilistic hazard model was recapped with the range of distributions (data) input into the computer model explained. The computer model generated literally millions of scenarios / iterations of the following information to determine the probable hazard:</p> <ul style="list-style-type: none"> • previous storms • historic beach erosion • geophysical substrate (bed rock and other durable material) • Sea Level Rise as per IPCC average calculated • Historic volume/shore line change (based on photogrammetric analysis) <p>These ranges created millions of scenarios / iterations. This creates a huge range of output lines for the selected timeframe. Each map produced contains all events from minor to catastrophic. It is noted that storms and their strength are not guaranteed, however, this mapping shows the probability of area potentially affected.</p>

	<p>Areas relating to the Manning River entrances (Harrington and Farquhar) have a degree of uncertainty around them that make them unable to be mapped. Additional studies are required to determine how these entrances would respond under the above listed scenarios / iterations. Until this is completed, these areas of uncertainty will be clearly identified on produced maps.</p> <p>Mapping will be produced to represent three different timeframes – present day, 2060 and 2100.</p> <p>The iterations generated by the computer and the probability of the area being effected are based on a risk matrix. This likelihood and consequence rating will be included in the final “banding” on produced maps.</p> <p>The final maps will show <u>all</u> above data via different coloured banding.</p> <p>Green – 50% chance that this area may be affected Orange – 10% chance that this area may be affected Red – 1% chance that this area may be affected</p> <p>Probability was explained using the metaphor of buying a lottery ticket and the chances of winning.</p> <p>The timeframes of the mapping were explained by asking the attendees to think of where they may be in 5 years' time, where they may be in 40 years' time and where they will be in 80 years' time.</p> <p>The members were shown the maps and discussion on how the general community may interpret the maps was held.</p> <p>ACTION</p> <p>Members of the OBMP CMP RG have tasked with thinking through questions and concerns the general public would have when viewing these probabilistic hazard maps. The intention is to use this feedback to design community engagement session.</p> <p>Members are encouraged to supply thoughts and suggestions on this topic to koran.north@midcoast.nsw.gov.au</p>
9	<p><u>Stage 3 of the OB MP CMP</u></p> <p>As explained at the commencement of the meeting, Stage 3 of a CMP:</p> <ul style="list-style-type: none"> • This stage uses the knowledge gained from Stage 2 to determine the risks and develop management opportunities. • The Acceptability, Feasibility and Viability of the management options are assessed. • Management options are prioritised based on this ranking. • Top priority management options progress to a Cost Benefit Analysis. • A rigorous community engagement model is developed to allow the community to understand the science of Stage 2 and the Management Options of Stage 3. This community engagement ultimately determines the acceptability of the management options.

	<p>Council will tender for a consultant to generate the management opportunities. The consultant will be responsible for the prioritisation of the management options through the acceptability, feasibility and viability framework. The consultant will create the first draft of the OB MP CMP.</p> <p>Coastal Management Coordinator, Andrew Staniland, announced his resignation from MidCoast Council. Andrew assured the OB MP CMP RG that he would set all the paperwork to tender for the consultant prior to his departure. The Manager Natural Systems, Gerard Tuckerman, informed the Reference Group that recruitment to fill the Coastal Management position may take 5 – 6 months.</p> <p>Andrew thanked the representatives of the OB MP CMP RG for their commitment to seeing the progression of coastal management in the MidCoast region. He expressed his passion for the MidCoast area and the people in it, saying it was a hard decision to make to move away from this area. Andrew encouraged all the members to keep working towards the management of a changing coast line. Well wishes to Andrew's future endeavours were given from meeting attendees.</p>
10	<p><u>Next meeting</u></p> <p>With Andrew's departure and no immediate replacement, the next meeting date is yet to be advised.</p>
11	<p><u>Meeting Closed</u></p> <p>Councillor Smith thanked all for their attendance and contribution then closed the meeting.</p>

Meeting Actions

Meeting	Action	Status
25 th Nov 2020	<p>Members of the OBMP CMP RG have tasked with thinking through questions and concerns the general public would have when viewing these probabilistic hazard maps. The intention is to use this feedback to design community engagement session.</p> <p>Members are encouraged to supply thoughts and suggestions on this topic to koran.north@midcoast.nsw.gov.au</p>	Ongoing

Next meeting

Date		TBA	Time	TBA
Venue		Administration and Customer Service Centre MidCoast Council Yalawanyi Ganya 2 Biripi Way Taree NSW 2430	Note-taker	TBA

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DIRECTOR INFRASTRUCTURE & ENGINEERING

24 TENDER FOR RECONSTRUCTION OF AVALON ROAD DYERS CROSSING

Report Author	Steve Glendenning, Project Manager
File No. / ECM Index	Summaries of Tenders, TEN-PD-RD-AVALO-20A
Date of Meeting	16 December 2020
Authorising Director	Robert Scott, Director Infrastructure & Engineering Services

SUMMARY OF REPORT

This report provides the outcomes of the tender process conducted to select a contractor for the reconstruction of Stages 3 and 4 of Avalon Road, Dyers Crossing.

SUMMARY OF RECOMMENDATION

Award the contract for Reconstruction of Avalon Road (segments 430 to 480), Dyers Crossing to Ditchfield Contractors Pty Ltd.

FINANCIAL/RESOURCE IMPLICATIONS

This project is funded through the '\$100M' joint MCC and RMS program of works. The tender is within the estimated budget.

LEGAL IMPLICATIONS

This tender has been conducted in accordance with the requirements of the Local Government Act 1993 and the Local Government (General) Regulation 2005.

ATTACHMENTS

- A: CONFIDENTIAL – Tender Evaluation Report
- B: CONFIDENTIAL – Value for Money Graph

Attachments A and B have been classified as confidential and circulated to Councillors and Senior Staff only. The Attachments have been classified as CONFIDENTIAL in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

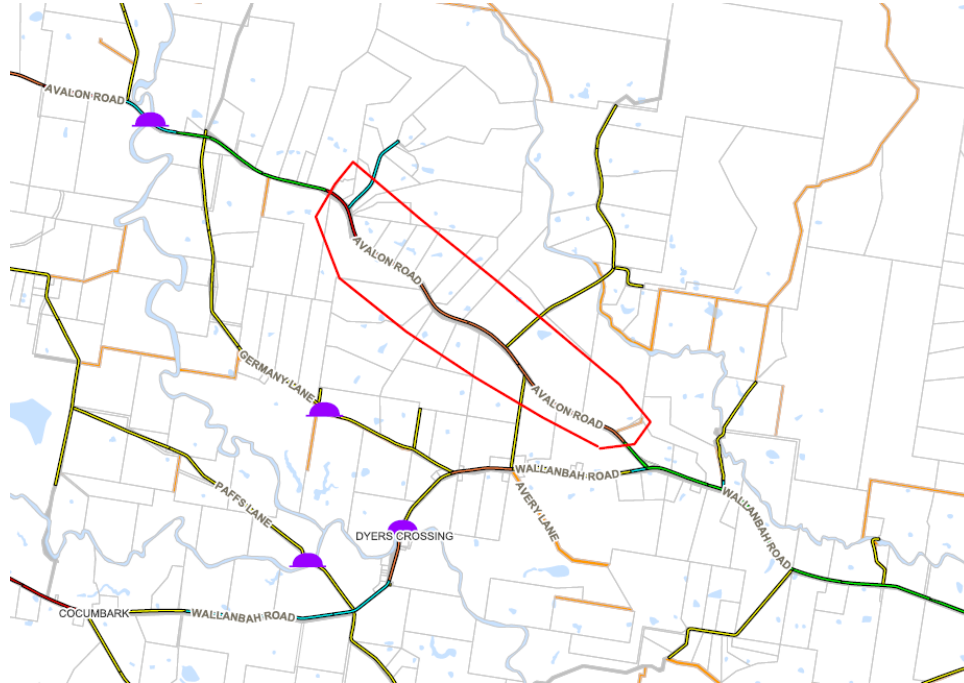
- (d) commercial information of a confidential nature that would if disclosed:
- (i) prejudice the commercial position of the person who supplied it

Tender details, should they be revealed, may result in commercial disadvantage to parties involved in the tender process. Some information provided to Council by tenderers is provided on the basis that Council will treat it as commercial in confidence.

It is not in the public interest to reveal all details of these tenders or the assessment process. Tenderers have provided sensitive information about their operations in the confidence that their details will not be made public by Council. The practice of publication of sensitive information provided by tenderers could result in the withholding of such information by tenderers and reduction in the provision of information relevant to Council's decision.

BACKGROUND

The scope of work is for the Reconstruction of Avalon Road (road segments 430 to 480), Dyers Crossing which is located approximately 6km to the west of Nabiac. The project starts approximately 200m to the north of the intersection with Wallanbah Road and finishes 220m to the west of the intersection with Idalorn Close. The approximate location is shown on the map below.



The reconstruction works are to include (but not limited to);

- the provision of traffic control
- clearing of the site
- installation and maintenance of sedimentation and erosion control measures
- construction of table drains
- installation of drainage infrastructure and subsoil drainage
- pavement construction, bitumen sealing and line marking
- re-establishment of signage and regeneration of disturbed areas

The contract is a lump sum fee quality assured contract.

DISCUSSION

Tender

The tender was issued as an open tender and placed on Council's TenderLink site on Thursday 29 October 2020. A compulsory pre-tender meeting was conducted on 5th November 2020. Five (5) companies were represented.

Tenders Closed on 20 November 2020 with four tenders received from the following organisations, listed in alphabetical order:

- Civil Contractors (Aust) Pty Ltd T/A CCA Winslow
- Civil Mining & Construction Pty Ltd
- Ditchfield Contracting Pty Ltd
- Statewide Civil Pty Ltd

Evaluation

The evaluation process was carried out by the Evaluation Panel which comprised members of Council's Project Delivery team. The tenders were evaluated in accordance with the tender evaluation plan. The evaluation covered compliance, technical worth and pricing.

All tenderer submissions complied with the requirements of the tender. Council's insurance team will confirm compliance of the successful tenderer's insurances prior to signing the Contract.

A brief summary of each tender received (Company profile and company capacity in terms of this tender):

CCA Winslow (Civil Contractors (Aust) Pty Ltd)

A Queensland based company (Rocklea) with significant full-time staff of 118 employees. Substantial civil works experience including road and drainage works. CCA Winslow has undertaken numerous projects across Queensland and NSW.

Civil Mining and Construction Pty Ltd

A Queensland based company (Eagle Farm) with approximately 95 fulltime staff with extensive long term road and drainage civil works experience across Northern Territory, Queensland and NSW.

Ditchfield Contracting Pty Ltd

A Mid-North Coast/Hunter based specialist in roadworks construction projects with 147 current employees. Ditchfield has a positive working history with both former Greater Taree City Council and more recently with MidCoast Council. In addition to completing a number of projects of similar size and scope for Mid-Coast Council and Greater Taree City Council, Ditchfield has a demonstrated history of completing similar projects for a large number of Councils in the Hunter and Mid-North Coast region.

Statewide Civil Pty Ltd

A Sydney based company (Baulkham Hills) with 46 fulltime staff with contract experience in parks, road and pipe works construction projects. The information provided indicated that all their previous contracts have been within the Sydney metropolitan area.

All four Contractors are considered as very competent contractors able to perform the work.

Overall Comments

All of the tenderers are considered capable of undertaking the project. Based on the responses received, it appeared that most of the tenderers had a demonstrated working history in projects that were similar to the tendered works on offer as the principal contractor.

All tenderers indicated that they complied with the project specifications.

When reviewing the tender submissions against the lump sum value of the tenders, the Value for Money graph indicates the tender submitted by Statewide Civil Pty Ltd as providing best value for money. However, following a risk assessment and detailed cost breakdown analysis, the Tender Evaluation Committee was in consensus that the Statewide Civil Pty Ltd pricing demonstrated inconsistencies that provided significant risk to MidCoast Council. Therefore, the tender submitted by Ditchfield Contracting Pty Ltd was identified as being best value for money.

It is recommended the Contract be awarded to the second lowest priced tenderer, Ditchfield Contracting Pty Ltd, meeting all the requirements of the tender once Council's insurance team can confirm that their insurance fully meets Council's requirements.

CONSULTATION

In advance of the commencement of works, community notifications will occur with local residents and commercial premises. The notifications will identify expected impact including construction staging and key traffic management controls to be implemented in and around the site, allowing those impacted to plan their travels around those proposed impositions.

COMMUNITY IMPACTS

The proposed works will involve the rehabilitation of the nominated 3.23km section of Avalon Road. The works will address the deteriorating nature of the existing roadway, and also improve the level of road user safety by increasing the width of the road formation and improvements to both the horizontal and vertical alignments.

The impact to the community during the construction works will be moderate. This will involve construction works over an expected 5 to 6 months. Traffic control will be limited to 500m sections, with no more than 2 non-consecutive sections in operation at any one time, typically under traffic signals. These work sections will be reduced to a single lane for the duration of the work. The Contractor is also required to undertake liaison with surrounding residents regarding continued and uninterrupted access to their properties.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

The Reconstruction of Avalon Road (segments 430 to 480) is part of the infrastructure renewal in the Capital Works Program of Council's Operations Plan.

TIMEFRAME

The preferred tenderer has identified a commencement date in mid-January 2021 in line with the tender requirements with a contract completion date in mid-June 2021, subject to weather.

BUDGET IMPLICATIONS

The nominal tender submission lump sum value for the recommended tenderer is within the value budgeted in the capital works plan.

RISK CONSIDERATION

Council will utilise the GC21, General Conditions of Contract to manage the risks associated with the undertaking of these works. Each tenderer was assessed for their technical expertise, Work Health and Safety record and systems, environmental and quality assurance record and systems, and financial capability. Management of the contract by Council will assist in mitigating risks affecting quality, delivery schedule and costs.

RECOMMENDATION

1. Award the contract for 2020-2021/02 TEN-PD-RD-AVALO-20A Reconstruction of Avalon Road, Dyers Crossing to Ditchfield Contracting Pty Ltd subject to a final check of insurance compliance by Council's insurer and compliance with Council's Conditions of Contract; and
2. Authorise execution of the contract by the General Manager.

25 TENDER FOR CONSTRUCTION OF ROUNDABOUT ON MR7776 – NORTHERN GATEWAY CUNDLETOWN

Report Author	Duncan Clarke, Project Manager (Contract)
File No. / ECM Index	Summaries of Tenders, TEN-PD-RD-7776-20A
Date of Meeting	16 December 2020
Authorising Director	Robert Scott, Director Infrastructure & Engineering Services

SUMMARY OF REPORT

This report provides the outcomes of the tender process conducted to select a contractor for the construction of a Roundabout for the Northern Gateway, Cundletown.

SUMMARY OF RECOMMENDATION

Award the contract for construction of Roundabout on MR7776 – Northern Gateway, Cundletown to Ditchfield Contracting Pty Ltd.

FINANCIAL/RESOURCE IMPLICATIONS

This project is funded in full through a \$15 million State Government Regional Road Special Purpose Grant being administered by Transport for New South Wales (TfNSW). TfNSW have made \$8.41m available in the current financial year towards the planning, design, project management/surveillance and construction of the roundabout and future industrial land access road.

LEGAL IMPLICATIONS

This tender has been conducted in accordance with the requirements of the Local Government Act 1993 and the Local Government (General) Regulation 2005.

ATTACHMENTS

- A: CONFIDENTIAL – Tender Evaluation Report
- B: CONFIDENTIAL – Value for Money Graph

Attachments A and B have been classified as confidential and circulated to the Councillors and Senior Staff only. The Attachments have been classified as CONFIDENTIAL in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

- (d) commercial information of a confidential nature that would if disclosed:
- (i) prejudice the commercial position of the person who supplied it

Tender details, should they be revealed, may result in commercial disadvantage to parties involved in the tender process. Some information provided to Council by tenderers is provided on the basis that Council will treat it as commercial in confidence.

It is not in the public interest to reveal all details of these tenders or the assessment process. Tenderers have provided sensitive information about their operations in the confidence that their details will not be made public by Council. The practice of publication of sensitive information provided by tenderers could result in the withholding of such information by tenderers and reduction in the provision of information relevant to Council's decision.

BACKGROUND

The Northern Gateway Transport Hub, Cundletown is identified within the Regional Economic Development Strategy that was adopted by Council on 28 November 2018. The Northern Gateway project is identified as a high priority project to encourage business investment in the area. Funding for infrastructure works, to allow the first stage of the Northern Gateway Project to proceed was announced by the NSW State Government in March 2019.

The funded infrastructure works have been split into two stages, the first being the construction of a new multilane concrete roundabout with new stub road for the future industrial land access road and the second being construction of the new road west of the roundabout to facilitate industrial development. This tender relates to the construction of first stage of works being the roundabout.

The works in this contract comprise the construction of a new multilane four-leg roundabout at the intersection of Princes Street and Emerton Close, Cundletown. The roundabout will be a steel fibre reinforced concrete pavement construction in accordance with TfNSW (RMS) specifications.

The works include the construction of approximately 35m of new, four lane flexible pavement which is the stub road for the future access road into the proposed industrial area to the north west of the roundabout. Works also include new pavement, new kerb & gutter and pavement reconstruction on the other three legs of the roundabout. In addition there is piped stormwater drainage, open basins, electricity and street light relocations and new construction, along with barriers, fencing and other ancillary works.

The contract is a lump sum fee quality assured contract.

DISCUSSION

Tender

The tender was issued as an open tender and placed on Council's TenderLink site on Thursday 22 October 2020. A compulsory pre-tender meeting was conducted on 2 November 2020. Eight (8) companies were represented, some of whom were potential sub-contractors.

Tenders Closed on 19 November 2020 with four tenders received from the following organisations, listed in alphabetical order:

- Civil Contractors (Aust) Pty Ltd T/A CCA Winslow
- Devcon Civil Pty Ltd
- Ditchfield Contracting Pty Ltd
- Eire Constructions Pty Ltd

Evaluation

The evaluation process was carried out by the Evaluation Panel which comprised members of Council's Project Delivery team. The tenders were evaluated in accordance with the tender evaluation plan. The evaluation covered compliance, technical worth and pricing.

All tenderers submissions complied with the requirements of the tender. Council's insurance team will confirm compliance of the successful tenderer's insurances prior to signing the Contract.

Brief summary of each tender received (Company profile and company capacity in terms of this tender):

CCA Winslow (Civil Contractors (Aust) Pty Ltd)

A Queensland based company (Ipswich) with significant full-time staff of 118 employees. Substantial civil works experience including road and drainage works. CCA Winslow have undertaken steel fibre reinforced concrete pavement construction works previously but have not constructed a steel fibre reinforced concrete roundabout under traffic to TfNSW specifications.

Devcon Civil Pty Ltd

A Sydney based company (Blacktown) with approximately 30 fulltime staff with long term road and drainage civil works experience particularly in the construction of land subdivisions, mostly in the Sydney area. Devcon Civil have undertaken many road projects, though mostly greenfield developments, they have experience with major road interfaces. Key personnel have experience in the use of steel fibre reinforced concrete, however not in the construction of a new steel fibre reinforced concrete roundabout under live traffic.

Ditchfield Contracting Pty Ltd

A Mid-North Coast / Hunter based specialist in roadworks construction projects with 147 current employees. Ditchfield has a long and positive working history with MidCoast Council. Ditchfield have completed a similar multi-lane steel fibre reinforced concrete roundabout on Hastings-River Drive in Port Macquarie, Ditchfield are the only tenderer who has previously constructed a steel fibre reinforced concrete roundabout to TfNSW specifications. In addition, they have completed a number of similar projects for MidCoast Council, and have a demonstrated history of completing similar projects for a large number of Councils in the hunter and mid-north coast region.

Eire Construction Pty Ltd

A mid-north coast / far-north coast based specialist in road and pipe works construction projects with 93 current employees. Eire has a long and positive working history with MidCoast Council. In addition to completing a number of similar projects for MidCoast Council, Eire has a demonstrated history of completing similar projects for a large number of Councils in the mid-north coast region. They have steel fibre reinforced concrete experience, but not in the construction of a steel reinforced concrete roundabout under traffic to TfNSW specifications.

Overall Comments

All tenderers have a demonstrated working history in projects as the principal contractor undertaking similar road and drainage works. Most tenderers demonstrated experience in the use of steel fibre reinforced concrete works, including pavement works, however only one tenderer demonstrated experience in the construction of a steel fibre reinforced concrete roundabout, under traffic using the TfNSW specifications.

All tenderers indicated that they complied with project specifications.

When reviewing the detailed tender submissions against the lump sum value of the tenders, as indicated on the Value for Money graph, the tender submitted by Ditchfield Contracting Pty Ltd is considered the best value for money tender and meets Council's requirements. The Tender Evaluation Panel was in consensus with this result and recommends this tenderer for engagement once Council's insurance team confirm that their insurance fully meets Council's requirements.

CONSULTATION

During the development of the construction drawings for the roundabout, Council representatives met with affected landowners on Emerton Close to discuss the project and its impacts. Council representatives have worked with representatives from Jim Pearson Transport to achieve cohesion between the roundabout works and future development works on the future Jim Pearson Transport depot. In particular, this work focused on managing Telstra, Water and Electrical relocations, so that only one relocation would be required to meet all needs. MidCoast Council representatives have also met with the Principal of Manning Valley Anglican College to discuss the upcoming works.

Prior to commencement of, and during works, the successful contractor will issue community notifications to local residents and commercial premises. The notifications will identify key traffic management controls to be implemented in and around the site, including construction staging and services that may be impacted for a period of time.

COMMUNITY IMPACTS

The completion of the project will provide the community with a greatly improved road formation and safe intersection for the future industrial land access road, and access for the already approved developments in the area. The works will also lay the foundations for the future Cundletown-Bypass.

During construction there will be ongoing interruptions to traffic flow through the area. TfNSW have stipulated that there is to be no queuing of traffic onto the highway and the tender documentation has also stipulated that at least one lane must be open to traffic at all times. The works are expected to continue for approximately seven (7) months, dependant on weather. The Contractor is also required to undertake liaison with surrounding residents, school and businesses to ensure restriction to access and construction impacts are minimised and managed appropriately.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

The support of the Northern Gateway development is identified in Council's current Delivery Program and Operational plan, and is also identified within the adopted Regional Economic Development Strategy.

TIMEFRAME

The preferred tenderer has identified a commencement date in mid-January 2021 in line with the tender requirements with a contract completion date in mid-August 2021, subject to weather.

BUDGET IMPLICATIONS

The works are fully grant funded and the lump sum price of the recommended tenderer is below the funding made available by TfNSW this financial year.

RISK CONSIDERATION

Council will utilise the GC21, General Conditions of Contract to manage the risks associated with the undertaking of these works. Each tenderer was assessed for their technical expertise, Work Health and Safety record and systems, environmental and quality assurance record and systems, and financial capability. Management of the contract by Council will assist in mitigating risks affecting quality, delivery schedule and costs. Council has also specified the

use of TfNSW specifications in the placement of the steel fibre reinforced concrete and will utilise specialist surveillance resources to monitor this work.

RECOMMENDATION

1. Award the contract for 2020-2021/03 TEN-PD-RD-7776-20A Construction of Roundabout on MR7776 – Northern Gateway, Cundletown to Ditchfield Contracting Pty Ltd subject to a final check of insurance compliance by Council's insurer and compliance with Council's Conditions of Contract; and
 2. Authorise execution of the contract by the General Manager.
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26 MONTHLY CAPITAL WORKS PROJECT STATUS REPORT

Report Author Lorna Barber, Project Officer
Stuart Small, Team Leader Project Delivery

File No / ECM Index B580833

Date of Meeting 16 December 2020

Authorising Director Robert Scott, Director Infrastructure & Engineering Services

SUMMARY OF REPORT

This monthly report provides the status of major infrastructure and engineering projects and highlights potential issues with schedule, cost or impacts on delivery.

SUMMARY OF RECOMMENDATION

That the Monthly Project Status and Project Gateway Reports be received and noted. The Project Gateway Reports recommend variations to both budget and timing of specific projects for adoption.

FINANCIAL / RESOURCE IMPLICATIONS

Projects within the report are included in the 2020/21 Operational Plan. Funding for these projects are budgeted in either the Capital Works Plan, by grants or by Council's Road Maintenance Council Contract RMCC with Transport for NSW. Projects are currently progressing within their allocated budget unless noted otherwise.

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

- A: Transport & General - Project Status Report
- B: Water & Wastewater - Project Status Report

Attachments A and B have been distributed to the Councillors and Senior Staff, and are publicly available on Council's website.

DISCUSSION

A brief synopsis of the status of current major projects follows:

Transport & General Projects FY20/21

Urban Rehabilitation

- Cornwall / Marathon / Olympia Streets, Taree – Pavement works have commenced. Works are programmed to be finished prior to Christmas.
- Primrose Street, Wingham – Reconstruction works between Farquhar and Isabella Streets are programmed to be finished prior to Christmas.

- Blackhead Road, Hallidays Point – from Diamond Beach Rd towards village to the current extent of kerb and gutter. Works are programmed to be paused over the school holiday period and recommence after Australia Day. Pavement works will be undertaken in 2021.
- Old Bar Rd, Old Bar – colouring of asphalt at the pedestrian crossing and at the threshold to Cross Street was completed in November along with the installation of the pedestrian fence. This now completes this project.

Rural Rehabilitation

- No activity to report.

Rural Construction

- Wattle Hill Road, Bungwahl – Works have commenced on-site with tree clearing undertaken and widening of the road corridor prior to Christmas. Pavement works will commence in the New Year. Teatree Creek Bridge will be undertaken as part of this project and involves the replacement of an old timber bridge with a pre-cast concrete culvert.

Regional Rehabilitation

- The Lakes Way, Hallidays Point – Council has received grant funding to upgrade the intersection with Blackhead Rd to a large roundabout. A concept design is being prepared prior to engaging a consultant to complete a detailed design. This project will be tendered for construction with the goal to commence construction after Easter 2021.
- The Lakes Way, Mayers Flat – works have now been completed.
- Avalon Road, Krambach – Initial seals have been placed. The finishing touches and the final seal are programmed for completion prior to Christmas.
- The Bucketts Way, St. Clairs – water utility relocations have been completed. Road construction preliminary works are underway.

Bridge Renewals

- Deep Creek Bridge, Wherrol Flat Road – Bridge complete, roadworks currently being finalised.
- Browns Creek Bridge, Bunyah Rd – Deck poured, parapets formed, approach roadworks being constructed.
- Wrights Lane – Sealing of the works is being completed in early December.
- Craven Close – Works have been opened to the public with minor works outstanding.

Other Internal Council Works

- Dredge Tender – Myall River dredging works are complete. Farquhar is targeting an April 2021 commencement in compliance with REF restrictions.

Panel Contract Utilisation

The list below provides an update on usage of the minor civil works, civil consultants and asphalt panel contracts.

Minor Civil Works

- The Bucketts Way, Tinonee. Works being conducted as part of the \$100M roads program and will commence in January/February. This project has been awarded to Durack Civil.
- Failford Rd, Failford. Works being completed for TfNSW under the RMCC has been awarded to Ditchfield Contracting, preliminary works to commence prior to Christmas with pavement works programmed for February 2021.
- Tuncurry Rock Pool refurbishment, Tuncurry. Project has gone out to RFQ, closed 1 December.
- Manning River Drive Service Road, Taree. RFQ closed 26 November and involves the construction of the service road in front of the new Service Station located adjacent to the roundabout at the intersection of Biripi Way and Manning River Drive. Works have been awarded to Goldsprings and due to commence early December.

We will be advertising over December and January for contractors to be added to this panel contract (in accordance with the conditions of tendering previously advised to the contractors already on the panel). In addition, we will also be activating the first 12 month extension to this contract. The original contract permits two 12 month extensions. We will be contacting the contractors on the panel to formally advise them of this.

Civil Consultants

- Survey & Design of 5 road projects. RFQ conducted for Stoney Ck (The Bucketts Way), Mill Ck (The Bucketts Way), Tibbuc (Thunderbolts Way #6), Gloucester Road Burrell Ck (\$100M), and Cowper St. Consultants engaged in order of projects is Local Government Engineering Services, Kellog Brown, Lindsay Dynan, Land Dynamics, and Barker Ryan Stewart.
- Project Managers. RFQ conducted to increase resources to match recent grant funding announcements. 2 consultants have been engaged for a minimum of 12 months and 2 consultants for a minimum of 3 months.
- Survey & design of roundabout at the intersection of Blackhead Rd and The Lakes Way. RFQ issued early December.
- Geotech investigations for 3 bridges (Cox, little Tiri, Killabakh). RFQ issued late November.

Asphalt

- Dawson River Bridge approach, Cundletown. NewPave engaged.

Water & Wastewater Asset Renewal Programs FY19/20

- Reservoir Renewals Program – Inspections, audits and repairs were undertaken across sites including Forster, Kolodong and Lantana
- Sewer Pump Renewals Program – Design was completed for 3 sites including Taree, Tiona and Harrington with installation being completed at Pacific Palms.
- Dams, Weirs and Aquifers – Works to the additional monitoring bores at Nabiatic continue.
- Water Mains Renewal Program – Works were completed in Wingham, Coopernook Gloucester and Forster.
- Building Renewals – Works continue insulating Comms hut at Bulahdelah
- Water Pump Station RTU Renewals Program – Construction on pilot RTU for Redhead Reservoir commenced.

Water & Wastewater Major Capital Projects

- Bootawa Water Pump Station 1A, Building Renewal Works – Contract awarded. Ready to implement gateway report completed and revised budget approved. Letters sent to neighbouring property owners advising of proposed construction works.
- Forster Sewer Pump Station No.18, Backup generator – Installation works continued. PLC and SCADA workshop completed. Implemented the operational pump station procedure and equipment for bypass with operational staff.
- Sewer Pump Station Stair access platforms – Finalisation activities completed. This project is now complete and will no longer be reported.
- Sewer Pump Station Switchboard Renewals – Finalised scope for design completion. Continued preparation of standard drawing packages for switchboards. Continued evaluation for protecting grading assessment, arc fault containment capabilities and short circuit currents. Design packages for Pacific Palms, Tiona and Tea Gardens are underway. Preparation of individual technical notes continued for each pump station.
- Sewer Treatment Plant (STP) Chemical Systems Upgrades – Security mesh and gates were installed at Stroud STP as well as continuation of SCADA electrical upgrades. FDS were finalised and SAT documents were started. Installation of new dosing skid was completed at Old Bar as well as the commencement of Functional Description Specification (FDS). Dosing line pits were replaced at Bulahdelah STP and SCADA electrical upgrades and FDS commenced. Dosing skid was completed at Manning Point STP and is ready for installation.
- Gloucester Reservoir & Associated Mains – Completed review of 60% of design package. Completed draft water hammer analysis. Completed draft noise assessment report and safety in design workshops.
- Gloucester Sewerage Treatment Plant Replacement – Proposed effluent quality targets and requested background documentation submitted to EPA for approval. Tenders are being sought for the concept design, including a review of environmental factors and preparation of detailed design specification. Geotechnical assessment on site completed.
- Hallidays Point Sewer Pump Station no.13 – Pipe laying continues on rising main (approx. 90% complete). Fixed generator added to electrical design. Arc flash and Protection Studies completed. Switchboard design approx. 95% complete. Modified gravity main design to suit additional storage requirements. Completed design modification to suit carbon box. Review of contract specification has continued and is nearing completion ahead of calling tenders.
- Harrington Water Main Renewal – Land valuation continued and is nearing completion.
- Lantana Crossing Sewer Treatment Plant, High Voltage Transformer Renewal – Pricing from suitable contractors received. All submitted prices reviewed and post tender meeting facilitated. Ready to implement gateway report prepared.
- Manning Point Sewer Treatment Plant, Blower Renewals – Blower 1 has been incorporated into the site SCADA and is operational. Blower 2 has been fully installed and is awaiting SCADA integration.
- Pacific Palms Sewage Treatment Plant, Stage 1 – Variation to complete accepted, Contractor advised. Recommencement planned for February 2021.
- Asset Signage Renewals – Review of artworks has been completed and initial samples are being manufactured for approval. Identification of addition signage is being investigated and collated.
- Blackhead Road, Water Main Replacement – Pipe laying continued along Blackhead Road and is approx. 33% complete.
- Hawks Nest Sewer Treatment Plant, Upgrade Date 2 & 3 – Received final Feasibility and Options reports. Business Case and Initiation Gateway report prepared and endorsed by Capital Works Committee. Project initiated. Review of EPA licence commenced.

Public works approached to undertake Contemporary Environmental Study. Scope of works to be developed by mid-Dec.

- Comboyne Communication Tower, Construction and Implementation – Initial consultation with internal SCADA and electrical stakeholders has been undertaken. Concept report is being developed based on consultation. Electrical options and availability are being investigated.
- Taree Sewer Pump Station 01, Switchboard Upgrade – Draft detailed design scope of works started. Developed project schedule to allow project milestones to be assigned as well as project budget.
- Taree Sewer Pump Station 06, Switchboard Upgrade – Draft detailed design scope of works started. Developed project schedule to allow project milestones to be assigned as well as project budget.
- Nahiack Water Treatment Plant, Upgrade Stage 2A – Detailed master schedule developed. Preparation of design documentation, specification and contract documentation has commenced.

CONSULTATION

The management and coordination of all aspects of infrastructure and engineering projects are undertaken in consultation with a range of internal and external stakeholders.

The internal stakeholders which have contributed to the preparation of this monthly report include:

- | | |
|----------------------------|-------------------------------------|
| - Transport Assets | - Operations (North and South) |
| - Projects and Engineering | - Response Operations & Maintenance |
| - Assets and Planning | - Water Management & Treatment |
| - Capital Works | - Finance |

COMMUNITY IMPACTS

Community impacts are considered and managed in accordance with communication plans tailored to individual projects. Regular reporting of progress and advanced notice of issues is coordinated through our Communications Team.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

These activities align with the following objectives of MidCoast Council's Operational Plan:

Objective 2, Strategy 2.2, Focus Ref 2.2.2:

Ensure consultation on future capital projects that provide opportunities or impact upon individual qualities of towns / villages

Objective 4, Strategy 4.2, Focus Ref 4.1.1

Deliver maintenance programs within allocated budgets

Objective 6, Strategy 6.2, Focus Ref 6.2.5:

Implement the long term service delivery strategies and plans (incl. the Integrated Water Cycle Management Plan, Drinking Water Quality Management Plan and the Asset Class Management Strategy) for Water Services

Objective 9, Strategy 9.2, Focus Ref 9.4.2:

Incorporate streetscape considerations in road designs

TIMEFRAME

The timeframes associated with each infrastructure and engineering project are outlined in Attachments A and B.

BUDGET IMPLICATIONS

These activities are proceeding within existing financial and resource allocations. Projects listed within this report have been included in the 2020/21 Budget and future financial years' budgets.

RISK CONSIDERATION

The risks associated with each infrastructure project are identified and managed within individual management plans in accordance with the risk management framework.

RECOMMENDATION

1. That the Monthly Project Status Report and Project Gateway Reports be received and noted.
2. That the current baseline budget and milestones are adjusted to reflect the revised budget and milestones in the Gateway Reports for:
 - Lantana Crossing, Water Pump Station – HV Transformer Renewal
 - Tea Gardens, Water Treatment Plant – Back Wash Tank
 - Sewer & Water Pump Station - Switchboard Renewals
 - Gloucester, Sewer Treatment Plant - Replacement
 - Hallidays Point, Sewer Pump Station - No.13 & Rising Main construction
 - Manning Point, Sewer Treatment Plant - Blower Renewal
 - Water and Sewer - Asset Signage Renewals
 - Nabiac, Water Treatment Plant – Upgrade Stage 2
3. That project reporting cease following completion of all works for the Sewer Pump Station Stair access platform project

27 WATER AND WASTEWATER MONTHLY PERFORMANCE REPORT - NOVEMBER 2020

Report Author Robert Scott, Director Infrastructure & Engineering Services

File No. / ECM Index B576564

Date of Meeting 16 December 2020

Authorising Director Robert Scott, Director Infrastructure & Engineering Services

SUMMARY OF REPORT

The report provides key information on performance of our water and wastewater services.

SUMMARY OF RECOMMENDATION

That the Report for November 2020 be received and noted.

FINANCIAL/RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

A: Water and Wastewater Monthly Performance Report – November 2020

Attachment A has been circulated to Councillors and Senior Staff, however this Attachment is publicly available on Council's website.

BACKGROUND

The report provides a snapshot of water and sewerage performance metrics. This enables management to identify and take appropriate action on a timely basis.

DISCUSSION

Water usage has returned to similar and slightly higher levels compared to last year. It is also comparable with the last 5 year's average. Sewer inflows continue to reflect the more recent drier conditions, especially when compared to the wet conditions in early 2020.

The level of outstanding debt has increased to \$2.37M, with \$1.80M of this being in arrears of greater than 90 days. A total of 3,108 customers are currently in arrears, with 2,124 being for more than 90 days. COVID-19 does not appear to be having an adverse impact. We will continue to monitor this outcome.

CONSULTATION

There has been no consultation.

COMMUNITY IMPACTS

There are no direct community impacts.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

This report aligns with;

- Strategy 6.2 - *Continue to develop a sustainable network of water, sewer and storm water systems to meet community needs and health and safety standards.*
 - 3 Year Focus - 6.2.4 - *Deliver ongoing service quality and continuity with increasing efficiency and better performance for Water Services*
- Strategy 15.1 – *Provide clear, accessible, timely and relevant information to support and inform the community.*
 - 3 Year Focus - 15.1.5 - *Maintain existing reporting capability in Water Services for capital projects and operations.*

BUDGET IMPLICATIONS

There are no outstanding budget implications as a result of the report

RISK CONSIDERATION

The Risk and Compliance section specifically reports on treatment plant licence compliance, drinking water quality and any environmental impacts from sewage spills.

RECOMMENDATION

That the Water and Wastewater Monthly Performance Report for November 2020 be received and noted.

28 DRINKING WATER QUALITY MANAGEMENT SYSTEM ANNUAL REPORT SUMMARY 2019 - 2020

Report Author	Lisa Andersons, Coordinator Water Quality
File No. / ECM Index	B580834
Date of Meeting	16 December 2020
Authorising Director	Robert Scott, Director Infrastructure & Engineering Services

SUMMARY OF REPORT

This report describes the implementation and status of the drinking water quality management system across MidCoast Council during 2019 – 2020.

SUMMARY OF RECOMMENDATION

It is recommended that the Drinking Water Quality Management System Annual Report Summary 2019 – 2020 is received and noted.

FINANCIAL/RESOURCE IMPLICATIONS

Nil, the program elements are fully funded in the capital and operating budgets.

LEGAL IMPLICATIONS

Drinking water suppliers in NSW are required to develop and adhere to a drinking water quality management system as stated in *Public Health Act 2010* and *Public Health Regulation 2012*. This requires annual reporting to NSW Health and the community.

ATTACHMENTS

A: Drinking Water Quality Management System Annual Report Summary 2019 – 2020.

Attachment A has been distributed to the Councillors and Senior Staff, and is publicly available on Council's website.

BACKGROUND

The *Public Health Act 2010* and *Public Health Regulation 2012* require drinking water suppliers to develop and adhere to a drinking water quality management system based on principles included in the Australian Drinking Water Guidelines. In accordance with this, Council's Drinking Water Quality Policy and Memorandum of Understanding with NSW Health, an annual report is produced to describe performance and implementation of the quality system.

DISCUSSION

The annual report includes; description of water supplies, bush fire and drought management, upgrades and system improvements, water quality monitoring, customer complaints, improvement plans and status of reservoirs.

Progress has been made on the implementation of the quality system during 2019 - 2020. Due to resources redirected to bush fire and drought management to ensure continued delivery of water and sewer services, some of the planned projects did not progress as well as expected.

However, considerable progress has been made in planning for water security, upgrades to water treatment plants in preparedness for the next drought and investigative monitoring on the effects of drought, fires and heavy rain on water quality in the catchment. This has improved the resilience of the water supply and quality systems.

CONSULTATION

The quality system was developed in consultation with key internal stakeholders including; water treatment plant operators, engineers, scientists, laboratory technicians and managers as well as our regulators NSW Health and NSW Department of Planning, Industry and Environment.

COMMUNITY IMPACTS

Implementation of the quality system ensures the delivery of safe, high quality drinking water to our customers under a proven framework.

There is the potential for increased operating costs to comply with regulatory requirements, policies and procedures; however, there is an overall positive benefit of reduced risk and cost to public health incidents and reputation as a result of minimising water quality failures.

If the drinking water quality management system does not continue to be implemented effectively, the risk of impacting customers with poor drinking water quality may increase.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

The drinking water quality management system aligns with the following strategies and focus areas in MidCoast Council's Delivery Plan & Operational Plan:

6.2.4: Deliver ongoing service quality and continuity with increasing efficiency and better performance for Water Services.

6.2.5: Implement the long term service delivery strategies and plans (incl. the Integrated Water Cycle Management Plan, Drinking Water Quality Management Plan, and the Asset Class Management Strategy) for Water Services

7.3: Protect, maintain and restore water quality within our estuaries, wetlands and waterways.

TIMEFRAME

An annual report is produced for regulators at the end of each reporting period. Following this, a summary report is provided to the community.

BUDGET IMPLICATIONS

The implementation of the plan is fully funded in the operational and capital budgets. Priority for future funding is heavily influenced by the level of contribution the action has in the objectives of the plan.

RISK CONSIDERATION

The ongoing implementation, including reporting of the quality system will minimise risk to MidCoast Council by continuing to manage drinking water quality effectively. A risk review was undertaken for each of the water systems during the reporting period in partnership with NSW Health and NSW Department of Planning, Industry and Environment.

RECOMMENDATION

It is recommended that the Drinking Water Quality Management System Annual Report Summary 2019 – 2020 is received and noted.

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29 ASSET MANAGEMENT POLICY

Report Author	Deborah Silva, Asset Management Coordinator, Water Service
File No. / ECM Index	Asset Management General
Date of Meeting	16 December 2020
Authorising Director	Robert Scott, Director Infrastructure & Engineering Services

SUMMARY OF REPORT

The purpose of this report is to present the revised Asset Management Policy 2020.

SUMMARY OF RECOMMENDATION

That the Draft Asset Management Policy be placed on public exhibition for a minimum period 28 days allowing for submissions to be received from members of the public.

That following public exhibition period a further report detailing the submissions be brought back to Council.

FINANCIAL/RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

The Asset Management Policy has been prepared to comply with the integrated planning and reporting guidelines of the Local Government Act (s406).

BACKGROUND

Council's infrastructure assets represent a vast investment over many generations that support modern living in the community.

The Local Government Act 2009 and the Local Government Amendment (Planning and Reporting) Act 2009 place a number of obligations on councils in relation to asset management. This IP & R legislation requires that the Council must account for and plan for all of the existing assets under its ownership, and any new assets proposed in its Community Strategic Plan and Delivery Program and associated Resourcing Strategy.

The IP & R Framework requires that asset management planning is supported by three key documents:

- An Asset Management Policy – endorsed by the Council.
- An Asset Management Strategy – identifying assets that are critical to Council's operations and outlines risk management strategies for these assets; and
- Asset Management Plans – for all assets under a Council's control, which identify asset service standards and contain long-term (minimum 10 years) projections of asset maintenance, rehabilitation and replacement costs.

The draft Asset Management Policy, is the first in a suite of documents required by Integrated Planning & Reporting (IP & R) Framework and incorporates all Council's assets.

DISCUSSION

The purpose of Council's Asset Management Policy is to guide the strategic management of Council's assets. The Asset Management Policy defines Council's vision and service delivery objectives for asset management in accordance with legislative requirements, community needs and affordability.

Whilst Council had adopted an Asset Management Policy in 2018, it did not include all asset classes under its ownership and control.

Furthermore, the earlier version of the Policy was due for review in July 2020.

CONSULTATION

Internal consultation on the asset management requirements of the IP & R Framework, including the Asset Management Policy have been presented to;

MANEX	October 2019
Audit, Risk & Insurance Committee (ARIC)	29 November 2019
Councillor briefing	30 September 2020
Policy Review Committee	4 November 2020
Asset Management Working Group (AMWG)	16 October and 9 November 2020

The draft Asset Management Policy was presented to the Policy Working Group on 4 November 2020 who supported adoption of the policy.

Feedback obtained from the internal consultations has been incorporated into the attached version.

COMMUNITY IMPACTS

The Asset Management Policy indirectly supports a range of strategic objectives, where the provision and management of physical assets are required as part of the related service delivery.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

The policy seeks to respond to and support the vision and priority themes outlined in the Community Strategic Plan – MidCoast 2030;

Strong leadership and shared vision	13.3: Provide strong corporate and financial management that is ethical, fair, transparent and accountable 13.4: Provide strong governance frameworks 13.5: Develop and deliver services and programs that provide value for money
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TIMEFRAME

The Asset Management Policy will be placed on public exhibition for 28 days, after which a further report will be brought back to Council in early 2021.

BUDGET IMPLICATIONS

The draft Asset Management Policy was developed within existing resources as such there are no budget implications.

RISK CONSIDERATION

The Asset Management Policy provides significant input into the development of Council's Resourcing Strategy which supports the outcomes identified in Council's Delivery Program and Operational Plan.

The development of the Asset Management Policy is the first of a suite of documents required to comply with the IP & R requirements that will commence following the next local government election in September 2021.

This includes the development of Council's Asset Management Policy, Strategy and Plans aligned with the Resourcing Strategy and to be adopted no later than 30 June 2022.

It facilitates continuous business improvement processes related to infrastructure asset management and responds to issues identified by the NSW Audit Office to provide robust and documented policies, strategies and processes associated with our asset management portfolio.

RECOMMENDATION

1. That the Draft Asset Management Policy be placed on public exhibition for a minimum of 28 working days allowing for submissions to be received from members of the public.
 2. That following public exhibition period a further report detailing the submissions be brought back to Council.
-

ANNEXURES

A: Draft Asset Management Policy

A: Draft Asset Management Policy



Policy

Name of policy:	Asset Management
Adoption by Council:	Minute number:
Last review date:	October 2020
Review timeframe:	4 Years
Next scheduled review date:	November 2024
Related legislation:	<i>Local Government Act 1993</i> <i>Water Management Act 2000</i>
Associated policies/documents:	<i>MidCoast 2030 Shared Vision, Shared Responsibility Community Strategic Plan 2018-2030</i> <i>Asset Management Strategy</i> <i>Asset Management Plans</i> <i>Office of Local Government's Integrated Planning and Reporting Manual for local government in NSW 2013</i> <i>NSW Government's Best-practice Management of Water Supply and Sewerage Guidelines 2007</i> <i>AS IS055000:2014</i> <i>AS IS055001:2014</i> <i>AS IS055002:2018</i>
Responsible division:	Infrastructure & Engineering Services
Policy Objective	

This asset management policy provides the framework for the establishment of consistent asset management processes throughout MidCoast Council. This ensures that Council's assets provide quality services to the community and are managed, maintained and renewed in a manner that is sustainable and meets community expectations.

Policy Statement

The purpose of this policy is to demonstrate MidCoast Council's commitment to the responsible management of its assets. The policy sets out principles, requirements and responsibilities for implementing consistent asset management processes throughout Council. It also ensures that Council, as the custodian of public infrastructure, has mechanisms in place to deliver infrastructure services in the most effective manner.

Policy implementation

Council's assets will be managed in the most cost effective manner, driven by defined service levels and performance standards. This will require ongoing assessment of the following key issues:

- customer and community expectations;
- strategic and corporate goals;
- long term financial model; and
- legislative requirements

These should be achieved through strategic planning, service level review, output review, and development/implementation of the asset management framework.

Coverage of the policy

This policy applies to all physical assets owned and/or managed by Council.

Community Strategic Plan link

We strive to be recognised as a place of unique environmental and cultural significance. Our strong community connection, coupled with our innovative development and growing economy, builds the quality of life we value.¹

Community Strategic Plan Values		
We value	our unique, diverse and culturally rich communities	Our diverse communities offer active and social opportunities, are safe and are places where we work together with a creative focus acknowledging our rich history and culture.
We value	a connected community	We are socially and physically connected with each other, by ensuring we have activities, facilities, roads, footpaths and technology that are upgraded and well maintained
We value	our environment	Our natural environment is protected and enhanced, while we maintain our growing urban centres and manage our resources wisely.
We value	our thriving and growing economy	We are a place where people want to live, work and play, business is resilient and adaptable to change by utilising knowledge and expertise that supports innovation

¹ MidCoast Council's Community Strategic Plan 2018-2030 MidCoast 2030 Shared Vision, Shared Responsibility

We value strong leadership and shared vision

We work in partnerships towards a shared vision, that provided value for money and is community focused

To meet the objectives of the Community Strategic Plan, Council will:

- prepare an integrated Asset Management Strategy and Asset Management Plans which supports the Community Strategic Plan, Resourcing Strategy, Delivery Program & Operational Plan
- ensure that the Asset Management Strategy and Plans cover a minimum timeframe of ten years
- ensure that the Asset Management Strategy includes an overarching Council endorsed Asset Management Policy
- engage with the community to establish agreed levels of service for delivery of infrastructure assets
- ensure that the Asset Management Strategy identifies assets that are critical to Council's operations as categorised in the Business Continuity Plan, and outline risk management strategies for these assets as per the Risk Management Framework
- ensure that the Asset Management Strategy includes specific actions required to improve Council's asset management capability and projected resource requirements and timeframes

Asset Management Principles

The organisation's sustainable service delivery requirements will be met by adequately providing for the long-term planning, financing, operation, maintenance, renewal, upgrade, and disposal of assets. This is accomplished by ensuring that:

- all relevant legislative requirements together with social, political and economic environments are taken into account in asset management
- the Asset Management Strategy outlines the implementation of systematic asset management and appropriate best practice throughout Council
- the Asset Management Plans are revised to align with the Resourcing Strategy. The Plans are informed by community consultation, technical and financial planning and reporting
- the risks of Climate Change are addressed in each asset management plan and adaptation actions are implemented to minimise the impacts
- service levels are developed and defined in each asset management plan. The Service Levels will form the basis of annual budget estimates
- programs are developed for each asset class and regular inspections, maintenance and repairs are carried out to maintain the agreed service levels and to identify asset renewal priorities
- future service levels are determined in consultation with the community
- renewal plans are developed based on service levels, conditions and risk
- assets are managed, valued, and accounted for in accordance with appropriate best practice

- future lifecycle costs are reported and considered in all decisions relating to new services and assets and upgrading existing services and assets
- an organisational culture of living asset management is promoted whereby all employees with asset management responsibilities are provided the necessary training and professional development
- the required operational capabilities and resources are provided and asset management responsibilities are effectively allocated

Responsibilities

The implementation of this policy will rely upon the efforts of three key groups. The responsibilities of these groups are:

Elected Council

Council is responsible for:

- providing leadership and governance
- adopting a corporate asset management policy and strategy
- considering the impact of financial and service level decisions on Council's assets
- ensuring that organisational resources are allocated to safeguard sustainable service delivery.

MANEX & Extended MANEX

The General Manager, Directors and Managers are responsible for:

- allocating resources to the implementation of the Asset Management Strategy and Plans
- ensuring that actions identified in the Asset Management Strategy and Improvement Plan are completed within timeframes
- ensuring the integration and compliance with the Asset Management Policy and Strategy with other policies and business processes of the organisation
- developing and implementing maintenance and capital works programs in accordance with the Integrated Planning and Reporting documents
- delivering Levels of Service to agreed risk and cost standards
- Ensuring the community is involved and engaged on all key Council matters affecting service delivery
- managing infrastructure assets in consideration of long term sustainability
- presenting information to Council on lifecycle risks and costs
- approve the Asset Management Plans

Asset Management Working Group

The Asset Management Working Group is responsible for:

- reviewing the Asset Management Policy and Asset Management Strategy and ensuring integration with the Long Term Financial Plan and other Integrated Planning & Reporting documents
- monitoring the development and implementation of Asset Management Policy, Strategy and Plans
- developing and reviewing policies, processes and practices to ensure effective asset management across the organisation
- the implementation of the Asset Management Improvement Plan

- providing professional advice and collaborate with other departments of Council in relation to asset management
- operating within an agreed 'Terms of Reference'

Definitions

Term	Definition
Asset	A physical item owned by council that has economic value and enables services to be provided.
Asset life cycle	The life of an asset; from its acquisition to disposal.
Asset Management Information System	An asset management information system is a combination of processes, data and software applied to provide the essential outputs for effective asset management such as reduced risk and optimum infrastructure investment.
Asset management	Asset management (AM) is a systematic process to guide the planning, acquisition, creation, operation and maintenance, renewal and disposal of assets.
Asset Management Plan	A plan developed for the management of an asset class that combines multi-disciplinary management techniques (including technical and financial) over the life cycle of the asset, in the most cost effective manner to provide a specified level of service.
Asset Management Strategy	The Asset Management Strategy is a component of the Resourcing Strategy. It demonstrates how our assets support service delivery in consultation with the community and within available funding.
Asset register	A record of asset information including inventory, historical, financial, condition, construction, technical, and financial details.
Infrastructure asset	Infrastructure assets are typically large, interconnected networks or portfolios of composite assets, comprising components and sub-components
Level of service	The defined service quality for a particular activity or service area against which service performance may be measured. Service levels usually relate to quality, quantity, reliability, responsiveness, environmental acceptability and cost.
Life-cycle cost	The total cost of an asset throughout its useful life.
Useful life	Either, the period over which an asset or component is expected to be available for use by an entity, or the number of production or similar units expected to be obtained from the asset or component by the entity.

Responsible officer (position)

Director Infrastructure & Engineering Services

Attachments

Nil

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DIRECTOR CORPORATE SERVICES

30 CODE OF CONDUCT COMPLAINTS STATISTICS REPORT

Report Author	Rob Griffiths, Manager Governance
File No. / ECM Index	Governance/Code of Conduct for Councillors and Staff
Date of Meeting	16 December 2020
Authorising Director	Steve Embry, Director Corporate Services

SUMMARY OF REPORT

To report on the Code of Conduct Complaint statistics from 1 September 2019 to 31 August 2020.

SUMMARY OF RECOMMENDATION

That the report be noted.

FINANCIAL/RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Council is required to receive this report and the information to be provided to the Office of Local Government.

BACKGROUND

Under the Procedures for the Administration of the Code of Conduct Council's Complaints Coordinator must arrange for the following statistics to be reported to Council and the Office of Local Government (OLG) within 3 months of the end of September of each year:

- a) the total number of code of conduct complaints made about councillors and the general manager under the code of conduct in the year to September (the reporting period)
- b) the number of code of conduct complaints referred to a conduct reviewer during the reporting period
- c) the number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage during the reporting period and the outcome of those complaints
- d) the number of code of conduct complaints investigated by a conduct reviewer during the reporting period
- e) without identifying particular matters, the outcome of investigations completed under these procedures during the reporting period
- f) the number of matters reviewed by the Office during the reporting period and, without identifying particular matters, the outcome of the reviews, and
- g) the total cost of dealing with code of conduct complaints made about councillors and the general manager during the reporting period, including staff costs.

The statistical reports are included with this report as Annexure A. The reports identify that two complaints were received in this reporting period. The statistical reports have been transmitted to the OLG in accordance with their request so that the figures can be incorporated into the Comparative Information publication.

RECOMMENDATION

That the report be noted.

ANNEXURES

A. – Code of Conduct Complaint Statistics

Page 1 of 3

Model Code of Conduct Complaints Statistics Mid-Coast Council		
Number of Complaints		
1	a The total number of complaints received in the period about councillors and the General Manager (GM) under the code of conduct	2
	b The total number of complaints finalised in the period about councillors and the GM under the code of conduct	3
Overview of Complaints and Cost		
2	a The number of complaints finalised at the outset by alternative means by the GM or Mayor	2
	b The number of complaints referred to the Office of Local Government (OLG) under a special complaints management arrangement	0
	c The number of code of conduct complaints referred to a conduct reviewer	0
	d The number of code of conduct complaints finalised at preliminary assessment by conduct reviewer	1
	e The number of code of conduct complaints referred back to GM or Mayor for resolution after preliminary assessment by conduct reviewer	0
	f The number of finalised code of conduct complaints investigated by a conduct reviewer	0
	g The number of finalised complaints investigated where there was found to be no breach	3
	h The number of finalised complaints investigated where there was found to be a breach	0
	i The number of complaints referred by the GM or Mayor to another agency or body such as the ICAC, the NSW Ombudsman, OLG or the Police	0
	j The number of complaints being investigated that are not yet finalised	0
	k The total cost of dealing with code of conduct complaints within the period made about councillors and the GM including staff costs	0

Preliminary Assessment Statistics	
3	The number of complaints determined by the conduct reviewer at the preliminary assessment stage by each of the following actions:
a	To take no action (clause 6.13(a) of the 2018 and 2020 Procedures) 1
b	To resolve the complaint by alternative and appropriate strategies (clause 6.13(b) of the 2018 and 2020 Procedures) 0
c	To refer the matter back to the GM or the Mayor, for resolution by alternative and appropriate strategies (clause 6.13(c) of the 2018 and 2020 Procedures) 0
d	To refer the matter to another agency or body such as the ICAC, the NSW Ombudsman, OLG or the Police (clause 6.13(d) of the 2018 and 2020 Procedures) 0
e	To investigate the matter (clause 6.13(e) of the 2018 and 2020 Procedures) 0
Investigation Statistics	
4	The number of investigated complaints resulting in a determination that there was no breach , in which the following recommendations were made:
a	That the council revise its policies or procedures 0
b	That a person or persons undertake training or other education (clause 7.37 of the 2018 Procedures or clause 7.40 of the 2020 Procedures) 2
5	The number of investigated complaints resulting in a determination that there was a breach in which the following recommendations were made:
a	That the council revise any of its policies or procedures (clause 7.36(a) of the 2018 Procedures or clause 7.39 of the 2020 Procedures) 0
b	In the case of a breach by the GM, that action be taken under the GM's contract for the breach (clause 7.36(h) of the 2018 Procedures or clause 7.37(a) of the 2020 Procedures) 0
c	In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 (clause 7.36(i) of the 2018 Procedures or clause 7.37(b) of the 2020 Procedures) 0
d	In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 and that the matter be referred to OLG for further action (clause 7.36(j) of the 2018 Procedures or clause 7.37(c) of the 2020 Procedures) 0
6	Matter referred or resolved after commencement of an investigation (clause 7.20 of the 2018 or 2020 Procedures) 0

Categories of misconduct	
7 The number of investigated complaints resulting in a determination that there was a breach with respect to each of the following categories of conduct:	
a General conduct (Part 3)	0
b Non-pecuniary conflict of interest (Part 5)	0
c Personal benefit (Part 6)	0
d Relationship between council officials (Part 7)	0
e Access to information and resources (Part 8)	0
Outcome of determinations	
8 The number of investigated complaints resulting in a determination that there was a breach in which the council failed to adopt the conduct reviewers recommendation	0
9 The number of investigated complaints resulting in a determination that there was a breach in which the council's decision was overturned following a review by OLG	0

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31 INVESTMENTS REPORT – NOVEMBER 2020

Report Author Phil Brennan, Manager Finance

File No. / ECM Index Investments - Monthly Reports

Date of Meeting 16 December 2020

Authorising Director Steve Embry, Director Corporate Services

SUMMARY OF REPORT

This report provides details of the funds invested by Mid-Coast Council under section 625 of the Local Government Act 1993 as required by clause 212 of the Local Government (General) Regulation 2005.

SUMMARY OF RECOMMENDATION

That the report be received and noted.

FINANCIAL/RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

A monthly report on Investments made and held by Council together with a statement by Council's Responsible Accounting Officer is required by legislation.

BACKGROUND

Section 625 of the Local Government Act 1993 permits a Council to invest money that is not, for the time being, required for any other purpose. This money may only be invested in a form of investment that has been notified in an Order by the Minister for Local Government.

Clause 212 of the Local Government (General) Regulation 2005 requires that the Responsible Accounting Officer of Council must provide Council with a written report setting out all money invested under section 625 of the Local Government Act, at the last day of the month immediately preceding the meeting. It also requires that the Responsible Accounting Officer must include a certificate as to whether or not the investments have been made in accordance with the Act, Regulations and Policies. This Certificate is included as Annexure A.

DISCUSSION

At 30 November 2020 Council had \$230,492,452 in invested funds with financial institutions. Those funds consist of:

Product	Amount Invested
At-Call Accounts	\$18,852,452
6 Month Notice Accounts	\$5,000,000
Term Deposits	\$143,250,000
Floating Term Deposits	\$5,000,000
Floating Rate Notes	\$58,390,000
Total	\$230,492,452

Of that amount the following is the break-up of those funds between the 3 Funds operated by Council:

Fund	Amount Invested
General Fund	\$151,553,270
Water Fund	\$5,500,303
Sewer Fund	\$73,438,879
Total	\$230,492,452

The Investment Policy requires a report on the following matters:

1. Details of each investment - these details are shown in Annexure B to this report. That report provides the following detail for each investment held by Council:

Investment Date, Interest Rate, Security Type, Duration, Amount Invested, Maturity Date, Counter Party (who holds the investment), Credit Rating

2. Counterparty Holdings

The Policy provides for the following Counterparty Limits (maximum amount to be held with any one institution):

Credit Rating	Individual % of Portfolio
AAA / A-1	40%
AA / A-1	40%
A / A-1 & A / A-2	20%
BBB / A-2	10%
BBB- / Unrated	2%
TCorp IM Funds	20%

Additionally, the total investments held in BBB- rated and ADI / unrated financial institutions are not to exceed 5.00% of the total portfolio.

The position at 30 November 2020 with respect to Counterparty compliance is as follows:

Counterparty	Rating	Amount Invested	% Invested	Max % Limit	Comply (Y / N)
NSWTC ICM CF (TCorp)	AAA	\$7,436	0.00%	20.00%	Y
ANZ Bank	AA-	\$13,850,303	6.01%	40.00%	Y
Commonwealth Bank / BankWest	AA-	\$35,344,713	15.33%	40.00%	Y
NAB	AA-	\$42,200,000	18.31%	40.00%	Y
Westpac	AA-	\$24,500,000	10.63%	40.00%	Y
Rabobank	A+	\$1,000,000	0.43%	20.00%	Y
Suncorp-Metway	A+	\$3,750,000	1.63%	20.00%	Y
UBS	A+	\$5,540,000	2.40%	20.00%	Y
Bank of China	A+	\$1,000,000	0.43%	20.00%	Y
Credit Suisse AG	A	\$1,000,000	0.43%	20.00%	Y
ING Bank	A	\$2,000,000	0.87%	20.00%	Y
Macquarie Bank	A	\$11,500,000	4.99%	20.00%	Y

Mizuho Bank Ltd	A	\$2,000,000	0.87%	20.00%	Y
Australian Military Bank	BBB+	\$3,000,000	1.30%	10.00%	Y
Bank of Queensland	BBB+	\$17,800,000	7.73%	10.00%	Y
Bank Vic	BBB+	\$3,500,000	1.52%	10.00%	Y
Bendigo - Adelaide / Rural Bank	BBB+	\$5,000,000	2.17%	10.00%	Y
RACQ Bank	BBB+	\$1,500,000	0.65%	10.00%	Y
AMP Bank	BBB	\$20,250,000	8.79%	10.00%	Y
Auswide Bank	BBB	\$7,000,000	3.04%	10.00%	Y
Greater Bank	BBB	\$10,000,000	4.34%	10.00%	Y
Credit Union Australia	BBB	\$3,000,000	1.30%	10.00%	Y
Newcastle Permanent	BBB	\$9,250,000	4.01%	10.00%	Y
Members Equity Bank	BBB	\$1,000,000	0.43%	10.00%	Y
MyState Bank	BBB	\$5,500,000	2.39%	10.00%	Y
Total		\$230,492,452	100.00%		

The percentage of the portfolio held in BBB- rated and ADI / unrated financial institutions at 30 November 2020 is 0.00% which is within the limit.

Council is within counterparty limits for all holdings at the end of November 2020.

3. Dissection based on Maturity Horizon

The policy requires that Council maintain sufficient funds in on-call accounts and short-term investments to ensure that liquidity and income requirements are met. Once liquidity requirements are met, the portfolio maturity profile will aim to spread risk across the investment horizon.

The following table shows the break-up of the portfolio based on the investment term at the time of purchase of the investment.

Investment Term	Amount	% of Portfolio	Policy Limits
Cash	\$18,852,452	8.18%	
0 - 3 months	\$0	0.00%	10% - 100%
3 - 6 months	\$10,000,000	4.34%	10% - 100%
6 - 12 months	\$50,000,000	21.69%	10% - 100%
12 - 24 months	\$44,000,000	19.09%	0% - 70%
24 - 60 months	\$107,640,000	46.70%	0% - 50%
Greater than 5 years	\$0	0%	0% - 25%

It should be noted that the 3 - 6 month investments are predominantly 6 month terms, the 6 - 12 months are evenly spread between 6, 9 and 12 month terms while the 12 - 24 months are becoming evenly spread between 12 and 24 month terms.

The current positioning of the portfolio based on the remaining term to maturity is as follows:

Investment Maturity	Amount	% of Portfolio	Policy Limits
Cash	\$18,852,452	8.18%	
0 - 3 months	\$29,500,000	12.80%	10% - 100%
3 - 6 months	\$22,500,000	9.76%	10% - 100%
6 - 12 months	\$70,250,000	30.48%	10% - 100%
12 - 24 months	\$26,740,000	11.60%	0% - 70%
24 - 60 months	\$62,650,000	27.18%	0% - 50%
Greater than 5 years	\$0	0%	0% - 25%

This indicates that Council still has acceptable levels of funds maturing over the short-term to meet liquidity requirements.

4. Portfolio by Credit Rating

The table below shows the diversification of the portfolio by credit rating:

Credit Rating	Amount	% of Portfolio	Policy Limits
AAA Category	\$7,436	0.00%	0% - 100%
AA Category	\$115,895,016	50.28%	20% - 100%
A Category	\$27,790,000	12.06%	15% - 60%
BBB Category	\$86,800,000	37.66%	0% - 40%
BBB- / Unrated ADIs	\$0	0.00%	0% - 5%
Total	\$230,492,452	100.00%	

Council is within the policy limits across the credit ratings at the end of November 2020.

As Council will have noticed over the past reports the 60 / 40 split between A (and above) and B rated investments is normally very close to those limits. This reflects the risk v return environment that presently exists. Returns for A (and above) rated financial institutions are low as are the number of these institutions that will actually offer reasonable rates and better value is available in the BBB category and with a number of unrated Authorised Deposit Institutions (ADIs).

Council's Investment Advisor, Imperium Markets provides the following advice in respect of ratings changes that have recently occurred:

"During September 2020, ratings agency S&P downgraded AMP Bank by one notch to 'BBB' stating that its view that *"the overall creditworthiness of the AMP Group is weaker"* and that *"the group is exposed to challenges that may disrupt its overall strategic direction and its ability to effectively execute its strategy"*.

Separately, Moody's downgraded MyState Bank's long-term credit rating from Baaa1 (BBB+ equivalent from S&P) to Baa2 (BBB equivalent from S&P). The downgrade reflects the bank's lower financial buffers in a more challenging operating environment when compared to its peers. Moody's acknowledged though that the bank's capital ratio remained steady during the 2020 financial year.

We have no issue with Council's investments with both AMP Bank and MyState, given they are senior ranked assets, very low risk and high up the bank capital structure."

Council is working through the process of registering so that funds can be placed with ICBC (Industrial & Commercial Bank of China Ltd, Sydney Branch) in an effort to expand the number of A rated institutions that hold Council deposits. ICBC is ranked as the largest bank in the

world by assets and holds Standard & Poors credit rating of A – long term and A-1 – short term. Deposits would be made to the Sydney Branch which is an ADI (authorised deposit-taking institution) and subject to APRA requirements. It should be noted that this a 'branch of a foreign bank' and the Federal Claims Scheme – Federal Government guarantee of \$250,000 does not apply to term deposits.

Investments with ICBC do meet the requirements of the Ministerial Investment Order and interest rates being offered are noticeably higher than those being offered by other A-rated institutions. Given the extremely low interest rate environment in which we are now operating and the recommendations of Council's Investment Advisers (Imperium Markets) it is intended to commence the registration process to allow for the placement of funds with ICBC.

At the end of November 2020 62.34% of the portfolio is held with institutions that are rated at A or higher against a limit of 60%. Council holds no BBB- investments (the lowest investment grade rating) or unrated ADIs at the present time.

As previously reported, during March 2020, and given the significant fluctuations being observed across stock markets, a decision was made to redeem funds held within the TCorp Short Term Income Fund with these funds subsequently placed within an At-Call account with the Commonwealth Bank. This fund relies on unit prices to determine the value of Council's investment and while the fund has a AAA rating by virtue of its State Government ownership it does not provide a guarantee of principal and there was a risk of a negative return. To protect the capital investment, the decision was made to redeem these funds. A small amount remains within that account to keep it active in anticipation of depositing funds into it at an appropriate time in the future.

5. Performance of the Portfolio

Council's performance (excluding cash holdings) for the month ending 30 November 2020 is summarised below.

Performance	1 month	3 months	6 months	FYTD	1 year
Official Cash Rate	0.01%	0.05%	0.11%	0.09%	0.36%
Ausbond Bank Bill Index	0.01%	0.03%	0.05%	0.04%	0.44%
Council's TD Portfolio	0.10%	0.32%	0.71%	0.57%	1.63%
Council's FRN Portfolio	0.09%	0.27%	0.56%	0.46%	1.48%
Council's Portfolio	0.10%	0.31%	0.67%	0.54%	1.59%
Outperformance	0.09%	0.28%	0.62%	0.50%	1.15%

This shows that Council's total portfolio outperformed the benchmark index over the month of November.

Official Cash Rate Movements:

During June 2019 the Reserve Bank of Australia (RBA) lowered the official cash rate by 25 basis points to 1.25%. It followed this up at its July 2019 Board Meeting with a further 25 basis point cut leaving the official cash rate at 1.00%.

The RBA subsequently cut the official cash rate by 25 basis points at its October 2019 meeting leaving the official cash rate at 0.75%. The RBA did not change official interest rates at its

November or December 2019 meetings. However, economists continued to predict a further easing in the new year (2020).

The RBA reduced the official interest rate to 0.50% at its scheduled 3 March 2020 Board Meeting to “support the economy as it responds to the global coronavirus outbreak”. On 19 March 2020 the RBA held an emergency meeting and announced a further 25 basis point cut, bringing the official cash rate down to 0.25%, their “effective lower bound”. Their forward guidance is not to raise rates until there is a sustainable recovery and its economic objectives of full employment and target inflation are back on track.

However, there has been a recent suggestion that the RBA could ease policy further by cutting the cash rate, 3-year yield target and Term Funding Facility (TFF) rate by 15bp to 0.10% (from 0.25%).

At the 3 November 2020 RBA Board Meeting the official interest rate was reduced to 0.10% with the Board not expecting to increase the cash rate for at least 3 years. This will impact on forecast interest income over the medium – longer term and this will be reflected in the Long Term Financial Plan which is currently being reviewed.

Council has lengthened the duration of its portfolio so as to provide some protection from these rate cuts and reinvestment risk. The weighted average duration of its term deposit portfolio is now around 365 days or 1 year. Council’s investment advisors (Imperium Markets) continue to recommend that Council seek to further extend this average duration and place funds with longer durations (3 – 5 years).

However, there will be a reduction in anticipated returns on investments as these longer term investments gradually mature and are re-invested at lower rates than have historically been available.

RECOMMENDATION

That the report be received and noted.

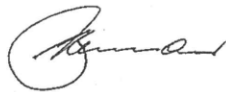
ANNEXURES

B: Responsible Accounting Officer's Certificate

Investment Certificate

In accordance with the provisions of the Local Government (General) Regulations, Part 9 Division 5 Clause 212, I certify that Council's Investments have been made in accordance with the Local Government Act 1993, Regulations and Council's Investment Policy.

This certificate is to be read in conjunction with the Investment Report and Annexures for the month of November 2020.



Phil Brennan
Responsible Accounting Officer
4 December 2020

B: Mid-Coast Council Investments at 30 November 2020

Details of Mid-Coast Council Investments at 30 November 2020 - By Counterparty									
Institution	Rating	Acquisition Date	Interest Rate	Invested	Days	Maturity Date	Product	Fund	% of Portfolio
AMP	BBB / A-2	23-Jul-20	1.40%	\$3,000,000.00	180	19-Jan-21	6mth Not	General	
AMP	BBB / A-2	23-Jul-20	1.40%	\$2,000,000.00	180	19-Jan-21	6mth Not	Sewer	
AMP	BBB / A-2	10-Sep-18	BBSW+108	\$1,500,000.00	1096	10-Sep-21	FRN	General	
AMP	BBB / A-2	20-Mar-19	BBSW +164	\$2,000,000.00	905	10-Sep-21	FRN	General	
AMP	BBB / A-2	10-Jul-19	BBSW +1.08	\$2,000,000.00	793	10-Sep-21	FRN	General	
AMP	BBB / A-2	10-Sep-18	BBSW +1.08	\$1,000,000.00	1097	11-Sep-21	FRN	Sewer	
AMP	BBB / A-2	22-Aug-19	BBSW +1.08	\$1,000,000.00	751	11-Sep-21	FRN	Sewer	
AMP	BBB / A-2	22-Aug-19	BBSW +1.08	\$1,000,000.00	751	11-Sep-21	FRN	General	
AMP	BBB / A-2	09-Aug-19	2.00%	\$1,000,000.00	730	8-Aug-21	Term Deposit	General	
AMP	BBB / A-2	23-Sep-19	1.50%	\$1,250,000.00	731	23-Sep-21	Term Deposit	General	
AMP	BBB / A-2	12-May-20	1.55%	\$2,500,000.00	548	11-Nov-21	Term Deposit	Water	
AMP	BBB / A-2	02-Jun-20	1.45%	\$2,000,000.00	541	25-Nov-21	Term Deposit	General	
				\$20,250,000.00					8.79%
ANZ Bank	AA- / A-1+	30-Nov-20		\$303.24	0		At Call	Water	
ANZ Bank	AA- / A-1+	24-Feb-20	BBSW+93	\$1,000,000.00	1096	24-Feb-23	FRN	Sewer	
ANZ Bank	AA- / A-1+	24-Feb-20	BBSW+93	\$850,000.00	1096	24-Feb-23	FRN	General	
ANZ Bank	AA- / A-1+	06-Dec-18	BBSW+1.03	\$4,000,000.00	1826	6-Dec-23	FRN	General	
ANZ Bank	AA- / A-1+	29-Aug-19	BBSW +77	\$1,500,000.00	1827	29-Aug-24	FRN	General	
ANZ Bank	AA- / A-1+	06-Sep-19	BBSW+97	\$1,000,000.00	1827	6-Sep-24	FRN	General	
ANZ Bank	AA- / A-1+	06-Sep-19	BBSW+97	\$1,500,000.00	1827	6-Sep-24	FRN	Sewer	
ANZ Bank	AA- / A-1+	16-Jan-20	BBSW+76	\$2,000,000.00	1827	16-Jan-25	FRN	General	
ANZ Bank	AA- / A-1+	16-Jan-20	BBSW+76	\$2,000,000.00	1827	16-Jan-25	FRN	Sewer	
				\$13,850,303.24					6.01%
Australian Military Bank	BBB+ / A-2	26-Jun-20	1.01%	\$3,000,000.00	730	26-Jun-22	Term Deposit	Sewer	
				\$3,000,000.00					1.30%
Auswide Bank	BBB / A-2	12-Aug-19	1.95%	\$2,000,000.00	731	12-Aug-21	Term Deposit	General	
Auswide Bank	BBB / A-2	12-Sep-19	1.75%	\$1,000,000.00	735	16-Sep-21	Term Deposit	General	
Auswide Bank	BBB / A-2	03-Oct-19	1.72%	\$2,000,000.00	735	7-Oct-21	Term Deposit	General (Strong Comm)	
Auswide Bank	BBB / A-2	19-Mar-20	1.70%	\$2,000,000.00	1092	16-Mar-23	Term Deposit	General	
				\$7,000,000.00					3.04%
Bank of China	A+ / A-1	26-Apr-19	BBSW +1.00	\$1,000,000.00	1270	17-Oct-22	FRN	Sewer	
				\$1,000,000.00					0.43%
Bank of Queensland Ltd	BBB+ / A-2	27-Jun-16	BBSW +148	\$2,000,000.00	1786	18-May-21	FRN	General (Strong Comm)	
Bank of Queensland Ltd	BBB+ / A-2	28-May-20	1.20%	\$2,000,000.00	273	25-Feb-21	Term Deposit	General	

Bank of Queensland Ltd	BBB+ / A-2	28-May-20	1.25%	\$2,000,000.00	364	27-May-21	Term Deposit	General	
Bank of Queensland Ltd	BBB+ / A-2	27-Nov-19	1.60%	\$1,800,000.00	736	2-Dec-21	Term Deposit	General	
Bank of Queensland Ltd	BBB+ / A-2	30-Apr-20	1.45%	\$2,500,000.00	728	28-Apr-22	Term Deposit	Sewer	
Bank of Queensland Ltd	BBB+ / A-2	12-Mar-20	1.70%	\$3,000,000.00	1463	14-Mar-24	Term Deposit	Sewer	
Bank of Queensland Ltd	BBB+ / A-2	16-Aug-19	2.00%	\$2,500,000.00	1827	16-Aug-24	Term Deposit	General	
Bank of Queensland Ltd	BBB+ / A-2	16-Aug-19	2.00%	\$2,000,000.00	1827	16-Aug-24	Term Deposit	Sewer	
				\$17,800,000.00					7.72%
Bank Vic	BBB+ / A-2	11-Jun-20	1.00%	\$3,500,000.00	364	10-Jun-21	Term Deposit	General	
				\$3,500,000.00					1.52%
Bendigo & Adelaide	BBB+ / A-2	12-Dec-19	BBSW+85	\$3,000,000.00	1096	12-Dec-22	FRN	General	
Bendigo & Adelaide	BBB+ / A-2	12-Dec-19	BBSW+85	\$2,000,000.00	1096	12-Dec-22	FRN	Sewer	
				\$5,000,000.00					2.17%
Commonwealth Bank	AA- / A-1+	30-Nov-20		\$10,663,269.71	0		At Call	General	
Commonwealth Bank	AA- / A-1+	30-Nov-20		\$8,181,443.52	0		At Call	Sewer	
Commonwealth Bank	AA- / A-1+	28-Jan-16	BBSW +115	\$1,000,000.00	1817	18-Jan-21	FRN	General	
Commonwealth Bank	AA- / A-1+	11-Jan-19	BBSW +1.13	\$2,000,000.00	1826	11-Jan-24	FRN	Sewer	
Commonwealth Bank	AA- / A-1+	24-Sep-20	0.64%	\$2,000,000.00	175	18-Mar-21	Term Deposit	Sewer	
Commonwealth Bank	AA- / A-1+	24-Sep-20	0.64%	\$2,000,000.00	182	25-Mar-21	Term Deposit	General	
Commonwealth Bank	AA- / A-1+	29-Sep-20	0.65%	\$2,500,000.00	184	1-Apr-21	Term Deposit	General	
Commonwealth Bank	AA- / A-1+	28-Aug-20	0.70%	\$2,000,000.00	356	19-Aug-21	Term Deposit	General	
Commonwealth Bank	AA- / A-1+	29-Sep-20	0.70%	\$2,500,000.00	380	14-Oct-21	Term Deposit	General	
Commonwealth Bank	AA- / A-1+	29-Sep-20	0.70%	\$2,500,000.00	387	21-Oct-21	Term Deposit	General	
				\$35,344,713.23					15.33%
Credit Suisse	A / A-1	09-Mar-16	BBSW +195	\$1,000,000.00	1826	9-Mar-21	FRN	General	
				\$1,000,000.00					0.43%
Credit Union Australia	BBB / A-2	06-Sep-18	BBSW +125	\$1,000,000.00	1096	6-Sep-21	FRN	General	
Credit Union Australia	BBB / A-2	06-Dec-18	3.02%	\$2,000,000.00	735	10-Dec-20	Term Deposit	Sewer	
				\$3,000,000.00					1.30%
Greater Bank	BBB / A-2	11-Jun-20	1.20%	\$1,000,000.00	371	17-Jun-21	Term Deposit	General (Strong Comm)	
Greater Bank	BBB / A-2	30-Jun-20	1.12%	\$2,000,000.00	723	23-Jun-22	Term Deposit	General	
Greater Bank	BBB / A-2	30-Jun-20	1.12%	\$2,000,000.00	744	14-Jul-22	Term Deposit	General	
Greater Bank	BBB / A-2	30-Jun-20	1.15%	\$2,000,000.00	1094	29-Jun-23	Term Deposit	General	
Greater Bank	BBB / A-2	13-Nov-20	1.00%	\$3,000,000.00	1095	13-Nov-23	Term Deposit	General	
				\$10,000,000.00					4.34%
ING	A / A-1	28-Aug-20	0.61%	\$2,000,000.00	363	26-Aug-21	Term Deposit	Sewer	
				\$2,000,000.00					0.87%

Macquarie Bank	A / A-1	07-Aug-19	BBSW+80	\$1,250,000.00	1827	7-Aug-24	FRN	General	
Macquarie Bank	A / A-1	07-Aug-19	BBSW+80	\$1,250,000.00	1827	7-Aug-24	FRN	Sewer	
Macquarie Bank	A / A-1	07-Feb-20	BBSW+84	\$1,500,000.00	1832	12-Feb-25	FRN	General	
Macquarie Bank	A / A-1	07-Feb-20	BBSW+84	\$1,500,000.00	1832	12-Feb-25	FRN	Sewer	
Macquarie Bank	A / A-1	05-Mar-20	1.55%	\$2,000,000.00	305	4-Jan-21	Term Deposit	General	
Macquarie Bank	A / A-1	24-Apr-20	1.70%	\$2,000,000.00	356	15-Apr-21	Term Deposit	Sewer	
Macquarie Bank	A / A-1	24-Apr-20	1.70%	\$2,000,000.00	363	22-Apr-21	Term Deposit	General	
				\$11,500,000.00					4.99%
Members Equity Bank Pty Ltd	BBB / A-2	29-May-20	1.15%	\$1,000,000.00	230	14-Jan-21	Term Deposit	General	
				\$1,000,000.00					0.43%
Mizuho Bank Ltd	A / A-1	21-Oct-20	BBSW + 53	\$2,000,000.00	1094	20-Oct-23	FRN	General	
				\$2,000,000.00					0.87%
My State Bank	BBB / A-2	12-Mar-20	1.55%	\$2,000,000.00	364	11-Mar-21	Term Deposit	Sewer	
My State Bank	BBB / A-2	08-Oct-20	0.70%	\$1,500,000.00	371	14-Oct-21	Term Deposit	Sewer	
My State Bank	BBB / A-2	05-Nov-20	0.65%	\$2,000,000.00	364	4-Nov-21	Term Deposit	General	
				\$5,500,000.00					2.39%
National Australia Bank	AA- / A-1+	26-Sep-18	BBSW +93	\$3,000,000.00	1826	26-Sep-23	FRN	General	
National Australia Bank	AA- / A-1+	06-Dec-19	1.50%	\$2,000,000.00	365	5-Dec-20	Term Deposit	Sewer	
National Australia Bank	AA- / A-1+	20-Mar-20	1.35%	\$1,500,000.00	265	10-Dec-20	Term Deposit	General	
National Australia Bank	AA- / A-1+	12-Dec-19	1.50%	\$3,000,000.00	368	14-Dec-20	Term Deposit	General	
National Australia Bank	AA- / A-1+	29-May-20	0.98%	\$3,000,000.00	237	21-Jan-21	Term Deposit	General	
National Australia Bank	AA- / A-1+	29-May-20	0.98%	\$3,000,000.00	258	11-Feb-21	Term Deposit	Sewer	
National Australia Bank	AA- / A-1+	18-Jun-20	0.88%	\$3,000,000.00	245	18-Feb-21	Term Deposit	General	
National Australia Bank	AA- / A-1+	24-Sep-20	0.62%	\$3,000,000.00	161	4-Mar-21	Term Deposit	General	
National Australia Bank	AA- / A-1+	18-Jun-20	0.96%	\$3,000,000.00	329	13-May-21	Term Deposit	Sewer	
National Australia Bank	AA- / A-1+	28-May-20	1.00%	\$2,000,000.00	364	27-May-21	Term Deposit	Sewer	
National Australia Bank	AA- / A-1+	28-May-20	1.00%	\$2,000,000.00	371	3-Jun-21	Term Deposit	General	
National Australia Bank	AA- / A-1+	09-Jul-20	0.98%	\$2,000,000.00	385	29-Jul-21	Term Deposit	General	
National Australia Bank	AA- / A-1+	10-Sep-20	0.77%	\$2,000,000.00	371	16-Sep-21	Term Deposit	General	
National Australia Bank	AA- / A-1+	10-Sep-20	0.77%	\$1,500,000.00	378	23-Sep-21	Term Deposit	General	
National Australia Bank	AA- / A-1+	17-Sep-20	0.75%	\$2,000,000.00	378	30-Sep-21	Term Deposit	General	
National Australia Bank	AA- / A-1+	12-Mar-20	1.40%	\$2,000,000.00	1095	12-Mar-23	Term Deposit	Sewer	
National Australia Bank	AA- / A-1+	13-Mar-20	1.40%	\$2,200,000.00	1098	16-Mar-23	Term Deposit	General	
National Australia Bank	AA- / A-1+	26-Nov-20	0.65%	\$2,000,000.00	1092	23-Nov-23	Term Deposit	General	
				\$42,200,000.00					18.31%
Newcastle Permanent	BBB / A-2	21-Mar-18	BBSW +165	\$500,000.00	1405	24-Jan-22	FRN	General	
Newcastle Permanent	BBB / A-2	06-Feb-18	BBSW +140	\$1,250,000.00	1826	6-Feb-23	FRN	General	
Newcastle Permanent	BBB / A-2	21-Mar-18	BBSW +140	\$500,000.00	1783	6-Feb-23	FRN	General	
Newcastle Permanent	BBB / A-2	04-Jun-18	BBSW +140	\$1,000,000.00	1708	6-Feb-23	FRN	General	

Newcastle Permanent	BBB / A-2	30-Apr-19	2.50%	\$2,500,000.00	730	29-Apr-21	Term Deposit	Sewer	
Newcastle Permanent	BBB / A-2	25-Jan-19	3.05%	\$2,000,000.00	1098	27-Jan-22	Term Deposit	Sewer	
Newcastle Permanent	BBB / A-2	07-Feb-19	3.05%	\$1,500,000.00	1099	10-Feb-22	Term Deposit	General	
				\$9,250,000.00					4.01%
RaboBank	A+ / A-1	04-Mar-16	BBSW +150	\$1,000,000.00	1826	4-Mar-21	FRN	General	
				\$1,000,000.00					0.43%
RACQ Bank	BBB+ / A-2	23-May-19	BBSW+105	\$1,500,000.00	1096	23-May-22	FRN	General	
				\$1,500,000.00					0.65%
Suncorp Metway	A+ / A-1	30-Jul-19	BBSW+.78	\$1,250,000.00	1827	30-Jul-24	FRN	General	
Suncorp Metway	A+ / A-1	08-Oct-20	0.60%	\$2,500,000.00	189	15-Apr-21	Term Deposit	General	
				\$3,750,000.00					1.63%
T-Corp	AAA / A-1+	30-Nov-20		\$7,435.90	0		At Call	Sewer	
				\$7,435.90					0.00%
UBS	A+ / A-1	21-May-20	BBSW + 105	\$940,000.00	914	21-Nov-22	FRN	General	
UBS	A+ / A-1	08-Mar-18	BBSW +90	\$2,000,000.00	1826	8-Mar-23	FRN	General	
UBS	A+ / A-1	30-Jul-20	BBSW+87	\$1,600,000.00	1826	30-Jul-25	FRN	General	
UBS	A+ / A-1	30-Jul-20	BBSW+87	\$1,000,000.00	1826	30-Jul-25	FRN	Sewer	
				\$5,540,000.00					2.40%
Westpac Bank	AA- / A-1+	01-Dec-15	Fix 2yrs at 3% then BBSW +120	\$1,000,000.00	1827	1-Dec-20	FTD	General	
Westpac Bank	AA- / A-1+	02-Aug-19	Cash Rate +1.00	\$2,000,000.00	732	3-Aug-21	FTD	Sewer	
Westpac Bank	AA- / A-1+	13-May-19	BBSW + .95	\$2,000,000.00	1827	13-May-24	FTD	Sewer	
Westpac Bank	AA- / A-1+	11-Jun-20	0.94%	\$1,000,000.00	371	17-Jun-21	Term Deposit	General	
Westpac Bank	AA- / A-1+	30-Jun-20	0.85%	\$2,500,000.00	373	8-Jul-21	Term Deposit	General	
Westpac Bank	AA- / A-1+	28-Aug-20	0.73%	\$3,000,000.00	363	26-Aug-21	Term Deposit	General	
Westpac Bank	AA- / A-1+	28-Aug-20	0.73%	\$3,000,000.00	370	2-Sep-21	Term Deposit	Sewer	
Westpac Bank	AA- / A-1+	03-Sep-20	0.75% - Qtrly re-set	\$2,000,000.00	371	9-Sep-21	Term Deposit	General	
Westpac Bank	AA- / A-1+	26-Jun-20	0.92%	\$3,000,000.00	741	7-Jul-22	Term Deposit	Water	
Westpac Bank	AA- / A-1+	30-Jun-20	0.89%	\$2,500,000.00	744	14-Jul-22	Term Deposit	Sewer	
Westpac Bank	AA- / A-1+	30-Jun-20	0.89%	\$2,500,000.00	751	21-Jul-22	Term Deposit	General	
				\$24,500,000.00					10.63%
				\$230,492,452.37					100.00%

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32 FINANCIAL STATEMENTS & AUDITORS REPORTS FOR 2019-2020

Report Author	Phil Brennan, Manager Finance
File No. / ECM Index	Financial Statements 2019-2020
Date of Meeting	16 December 2020
Authorising Director	Steve Embry, Director Corporate Services

SUMMARY OF REPORT

This report presents the Financial Statements and Auditors Reports for the period 1 July 2019 to 30 June 2020 for Mid-Coast Council to the public in accordance with section 419 (1) of the Local Government Act 1993.

SUMMARY OF RECOMMENDATION

That Council receive and note the audited Financial Statements for Mid-Coast Council for the period 1 July 2019 to 30 June 2020.

FINANCIAL/RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

This report has been prepared to meet Council's legislative obligations in respect of the presentation of the Financial Statements for the 2019-2020 financial period to the public.

ATTACHMENTS

A: Financial Statements for Mid-Coast Council for the period 1 July 2019 to 30 June 2020.

Attachment A has been circulated to the Councillors and Senior Staff, however this Attachment is publicly available on Council's website.

BACKGROUND

Chapter 13, Part 3, Division 2 of the Local Government Act 1993 sets out the requirements for the preparation of Financial Statements and the auditing of such statements. As advised at the Ordinary Council Meeting held on 18 November 2020, the preparation of the Financial Statements covering the financial period from 1 July 2019 to 30 June 2020 and the subsequent audit of those Statements has been completed. The Auditor issued the required reports on 26 November 2020 and these have now been incorporated into the Financial Reports. These were lodged with the Office of Local Government on 27 November 2020.

Upon receipt of the Auditor's Reports Council must fix a date for a meeting to present the Financial Statements and give notice of the date of this meeting (section 418 (1) (a)). That meeting was scheduled for 16 December 2020 being within the required period under the Act.

Section 418 (2) requires public notice of at least 7 days be given of the Council meeting date fixed for presentation of the audited Financial Statements. This notice (prepared in the required format) was published in the Great Lakes Advocate, the Manning River Times and Gloucester Advocate. The notice and a copy of the audited Financial Statements were also made available

on Council's website from Wednesday 2 December 2020. Printed copies are not available for public inspection at the 3 main Council Administration buildings as part of Council's COVID-19 procedures.

Section 420 of the Act makes provision for any person to make submissions to Council with respect to the Financial Statements or Auditor's Reports. Such submissions must be made within 7 days after the reports are presented to the public. Copies of submissions must be referred to the Auditor and, if required, amendments made to the Financial Statements.

The Financial Statements consist of consolidated General Purpose Financial Statements, Special Purpose Financial Statements and Special Schedules.

The General Purpose Financial Statements (GPFS) incorporate 5 'primary' financial statements:

- The Income Statement - summarises Council's financial performance for the year listing all income and expenses.
- The Statement of Comprehensive Income - primarily records changes in the fair value of Council's Infrastructure, Property, Plant and Equipment.
- The Statement of Financial Position - a 30 June snapshot of Council's financial position indicating its assets, liabilities and 'net wealth'.
- The Statement of Changes in Equity - the overall change for the year (in dollars) of Council's 'net wealth'.
- The Statement of Cash Flows - indicates where Council's cash came from and where it was spent.

The Notes to the Financial Statements provide greater detail and additional information on the five primary financial statements.

Council is also required to prepare Special Purpose Financial Statements (SPFS) which are used by Council, the Office of Local Government and other users and are subject to audit. These reports are prepared in relation to Council's Business Activities those being Water Services operations and MidCoast Assist operations (Council being an NDIS provider).

Council also prepares Special Schedules which are designed to meet the requirements of special purpose users such as the Office of Local Government.

Those Special Schedules are the Schedule of Permissible Income for General Rates and the Report on Infrastructure Assets.

The Auditor is required, under section 417 of the Act, to prepare 2 reports - a report on the General Purpose Financial Statements and a Report on the Conduct of the Audit. They are also required to prepare an Independent Audit Report on the Special Purpose Financial Statements and for the Special Schedule 2.

The Auditor responsible for the audit on behalf of the NSW Audit Office, Mr Jan-Michael Perez (Director, Financial Audit Services) has been invited to present the Auditors Reports to Council at this meeting.

DISCUSSION

As mentioned above the General Purpose Financial Statements are consolidated financial reports. As Council is aware it operates a General Fund, Water Fund and Sewer Fund following the transfer of water and sewer operations to it on 1 July 2017.

To ascertain the financial position of those individual operations it is necessary to look at Note 27 to the GPFS which dissects the consolidated results back into the individual fund components.

The SPFS provide additional information on the water and sewer operations including notional adjustments for National Competition Policy and Best-Practice Management Disclosure requirements under the National Water Initiative and for compliance with Best-Practice Management of Water and Sewerage Guidelines in determining whether there is eligibility for the payment of dividends.

The table below provides a break-up by Fund of the financial results and various performance measures taken from Note 27, Note 28 and the Special Schedule - Report on Infrastructure Assets – Values (previously known as Special Schedule 7).

Item (\$'000)	General Fund	Water Fund	Sewer Fund	Consolidated Fund	OLG Industry Benchmarks
Income Statement					
Total Income	199,997	47,298	47,737	295,032	
Total Expenses	181,641	43,247	33,632	258,520	
Net Operating Result	18,356	4051	14,105	36,512	
Net Operating Result before Capital Grants & Contributions	-19,896	-912	9,740	-11,068	
Performance Ratios					
Operating Performance Ratio	-10.55%	-0.14%	23.33%	-2.83%	>0.00%
Own Source Operating Revenue Ratio	65.83%	87.28%	89.90%	73.17%	>60.00%
Unrestricted Current Ratio	3.26x	2.88x	5.89x	4.28x	>1.50x
Debt Service Cover Ratio	3.01x	1.81x	2.83x	2.61x	>2.00x
Rates & Annual Charges Outstanding %	7.16%	6.65%	8.62%	7.49%	<10.00%

Infrastructure Asset Performance Ratios					
Build. & Infra Renewals Ratio	52.26%	3.04%	2.46%	34.20%	>=100.00%
Infrastructure Backlog Ratio	4.49%	2.77%	2.82%	3.98%	<2.00%
Asset Maintenance Ratio	112.34%	252.71%	126.66%	128.95%	>100.00%

Auditor's Report on the Conduct of the Audit provides comments in respect of the Consolidated Principal Accounts and the Performance Indicators.

RECOMMENDATION

That Council receive and note the audited Financial Statements for Mid-Coast Council for the period 1 July 2019 to 30 June 2020.

33 RATES HARMONISATION PROJECT – DRAFT RATES STRUCTURE FOR 2020-2021

Report Author	Phil Brennan, Manager Finance
File No. / ECM Index	Rates Harmonisation
Date of Meeting	16 December 2020
Authorising Director	Steve Embry, Director Corporate Services

SUMMARY OF REPORT

This report addresses the Rates Harmonisation Project currently underway and provides a recommendation for the adoption of categories and sub-categories for rating purposes and of a draft rate structure to form a community information program.

SUMMARY OF RECOMMENDATION

That Council:

1. Adopt the categories and sub-categories outlined in the Table 'Proposed Categories & Sub-Categories' contained within the report.
2. Adopt the draft rate structure contained within Annexure A as the basis for a community information program to be undertaken in early 2021.

FINANCIAL/RESOURCE IMPLICATIONS

The rates harmonisation project does not increase the total amount of rates that Council can levy and collect as this is governed by 'rate pegging' legislation.

LEGAL IMPLICATIONS

The categorisation of land for rating purposes and development of rating structures are covered by specific requirements within the Local Government Act. These are outlined within the report.

ATTACHMENTS

- A: Rates Harmonisation Briefing Paper – Morrison Low – May 2019
- B: Assessment of Ability to Pay – Mid Coast Council – Morrison Low – July 2019
- C: Rates Benefit & Service Pricing Report – MidCoast Council – Morrison Low – September 2020

Attachment A-C have been circulated to the Councillors and Senior Staff, however these Attachments are publicly available on Council's website.

BACKGROUND

The Local Government (Council Amalgamations) Proclamation 2016 which created Mid-Coast Council contained the following clause in respect of the rating structure and categorisation of land for rating purposes.

25 Rating structure and categorisation of land for rating purposes

- (1) This clause applies to the levying of rates for the 2016/2017 rating year.*

- (2) *The structure for rates applied by a former council to rates levied for a parcel of land in a former area for the 2015/2016 rating year is to be applied by the new council to that parcel.*
- (3) *The category or sub-category applied to a parcel of land in a former area for rating purposes for the 2015/2016 rating year is to be applied by the new council to that parcel.*
- (4) *It does not matter that different rating structures apply to different parcels because of subclause (2).*
- (5) *This clause does not prevent a person from applying for a review of a category under section 525 of the Act or from making an appeal under section 526 of that Act.*
- (6) *The rating structure is to be reviewed within the first term of the new council following the first election of the council.*

The Local Government Act 1993 was subsequently amended by the inclusion of section 218CB 'Transitional provision for maintenance of pre-amalgamation rate paths' which allowed the Minister for Local Government to make a determination that allowed for the rating structures of the former councils to remain in place for a period of 3 years after such a determination was made.

The Minister at the time made such a determination in May 2017 which meant that the rate structures of the former councils remained in place until 30 June 2020.

Further changes to the Act provided the Minister with the ability to extend the 'rate freeze' provisions for a further 12 months. Council chose to accept the additional 12-month extension the result being that Council is required to have a single or 'harmonised' rates structure in place by 30 June 2021 taking effect for the 2021/2022 rating period.

IMPACT OF RATES & RATEPAYERS

The objectives of this project were twofold:

1. To develop an equitable rating structure that distributes the rates burden fairly across the new LGA
2. Balanced with the need to reduce the extent of a sudden, unexpected impact for the majority of ratepayers.

To an extent these are conflicting objectives as any increase in what a ratepayer is currently paying may be viewed as being the result of an inequitable rate structure. The rates harmonisation process is also impacted by all of the rating policy decisions made by the former councils since 1993 (coinciding with the introduction of the new Act) and in some instances prior to that date. Those decisions have created the differentials that are being highlighted through this process.

It is important to note at the outset that this Rates Harmonisation Project does not increase the total amount of rates that Council can levy and collect. This is governed by the general income requirements of the Act and by the rate pegging and special rate variation processes overseen by the Independent Pricing & Regulatory Tribunal (IPART).

The announced rate peg for the 2021/2022 rating year is 2%. Council will increase its general income by this figure. It will not be making an application to the IPART for a special rate variation above the rate peg for the 2021/2022 rating year.

The Rates Harmonisation Project will impact the amount of rates that will be levied on and payable by individual ratepayers. There will be ratepayers who will receive a decrease in their rates as a result of this process. Similarly, there will be ratepayers who will experience an

increase in the level of rates payable. This is an unavoidable outcome of the requirement to move to a single or 'harmonised' rate structure.

Morrison Low described the impact as follows:

“Even small changes to the rating structure will normally have large effects on the calculation of rates on some individual assessments, due to the nature of differential rates.

History and past policy decisions work against this process because small policy differences have large cumulative impacts on individual rate assessments that will necessarily result in large adjustments in any new harmonised rate structure.

There is no solution that will not produce outlier increases and decreases for individual ratepayers that may be beyond Council's accepted tolerance level. Our objective throughout this process is to produce an equitable rates structure that distributes the rates burden fairly; and this objective is balanced with the requirement to reducing sudden, unexpected increases for the majority of ratepayers.”

Using the Farmland category to illustrate this point, the following table shows the existing Farmland structures of the former councils.

	No. of Assess	Base %	Base Amt	Land Value	Rate in \$	Yield
Gloucester						
Farmland	643	15.97%	\$619.50	\$467,465,800	0.004485	\$2,494,922
Great Lakes						
Farmland	4,082	44.00%	\$387.00	\$630,189,665	0.003191	\$3,590,669
Greater Taree						
Farmland	1,521	35.08%	\$741.00	\$707,944,839	0.002946	\$3,212,827
Total	6,246			\$1,805,600,304		\$9,298,418

There are significant differences between the Base Amount and the Rate in the \$ applied to each of these existing structures. A move to a single Farmland structure will result in the movement of yield between the former areas and between ratepayers. The table below illustrates this using a base amount of \$729 which is approximately 49% of the total yield for the combined Farmland category.

Category - Farmland	No. of Assess	Base %	Base Amt	Land Value	Rate in \$	Yield
Gloucester	643	48.97%	\$729.00	\$467,465,800	0.002628	\$1,697,247
Great Lakes	4,082	48.97%	\$729.00	\$630,189,665	0.002628	\$4,631,916
Greater Taree	1,521	48.97%	\$729.00	\$707,944,839	0.002628	\$2,969,288
Total	6,246			\$1,805,600,304		\$9,298,452

The above table indicates a movement of rate burden from Gloucester and Greater Taree Farmland properties to Great Lakes Farmland properties. This is due to the lower value of these properties and the lower base rate that applied. Gloucester properties with a higher base rate and ad valorem rate would experience a large decrease in rate burden from the example above. The Great Lakes figures contain 3,194 non-urban properties that are categorised as

Farmland and that generally have low values. Substantial increases in rates for these properties would be the result of adoption of this model.

Note that this example is not the recommended structure but is provided to illustrate and highlight the challenges associated with this project.

In preparation for the initial 30 June 2020 deadline Council engaged Morrison Low consultants to assist with the Rates Harmonisation Project. This work included the preparation of a number of briefing papers, undertake rates modelling and participation in workshops with Council to present, review and refine a draft structure of consideration.

The Briefing Papers developed and presented to Council workshops included a Rates Harmonisation Briefing Paper, Assessment of Ability to Pay Report and a Rates Benefit & Service Pricing Report. These reports were prepared to provide Council with information in preparation for the strategic conversations that were held in respect of setting a new Revenue Policy and Harmonised Rates Structure.

Those reports are included as Attachments A – C. It is noted that Attachment B “Assessment of Ability to Pay” has a Table on Page 1 which cannot be completed until Council adopts a Rate Structure. When this information is available the Table in the Report will be completed and included in the community information program.

LEGISLATIVE REQUIREMENTS

The legislative framework for setting rates and designing rating structures is set out in Chapter 15 of the Local Government Act 1993.

The focus of this report and of the council workshops has been on the development of a structure that addresses the ordinary rates levied by Council. Separate work is being undertaken in respect of annual charges, specifically domestic and non-domestic waste management charges and stormwater management charges.

The rates that will be levied on an individual ratepayer are based on a combination of the category (or sub-category) that applies to the land, the valuation of that land and the structure of the rate determined by Council.

Categorisation of Land

Section 493 of the Act states that there are 4 categories of rateable land – farmland; residential; mining and business, and that Council may divide these categories into sub-categories in accordance with section 529.

The relevant sections of the Act are reproduced below:

514 Categorisation of land for purposes of ordinary rates

Before making an ordinary rate, the council must have declared each parcel of rateable land in its area to be within one or other of the following categories—

- *farmland*
- *residential*
- *mining*
- *business.*

Note—

Land falls within the “business” category if it cannot be categorised as farmland, residential or mining. The main land uses that will fall within the “business” category are commercial and industrial.

515 Categorisation as farmland

- (1) Land is to be categorised as farmland if it is a parcel of rateable land valued as one assessment and its dominant use is for farming (that is, the business or industry of grazing, animal feedlots, dairying, pig-farming, poultry farming, viticulture, orcharding, bee-keeping, horticulture, vegetable growing, the growing of crops of any kind, forestry or aquaculture within the meaning of the Fisheries Management Act 1994, or any combination of those businesses or industries) which—
 - a) has a significant and substantial commercial purpose or character, and
 - b) is engaged in for the purpose of profit on a continuous or repetitive basis (whether or not a profit is actually made).
- (2) Land is not to be categorised as farmland if it is rural residential land.
- (3) The regulations may prescribe circumstances in which land is or is not to be categorised as farmland.

516 Categorisation as residential

- (1) Land is to be categorised as residential if it is a parcel of rateable land valued as one assessment and—
 - a) its dominant use is for residential accommodation (otherwise than as a hotel, motel, guest-house, backpacker hostel or nursing home or any other form of residential accommodation (not being a boarding house or a lodging house) prescribed by the regulations), or
 - b) in the case of vacant land, it is zoned or otherwise designated for use under an environmental planning instrument (with or without development consent) for residential purposes, or
 - c) it is rural residential land.
- (1A) For the purposes of this section, a boarding house or a lodging house means a building wholly or partly let as lodging in which each letting provides the tariff-paying occupant with a principal place of residence and in which—
 - a) each tariff charged does not exceed the maximum tariff for boarding houses or lodging houses for the time being determined by the Minister by order published in the Gazette for the purposes of this subsection, and
 - b) there are at least 3 tariff-paying occupants who have resided there for the last 3 consecutive months, or any period totalling 3 months during the last year, and includes a vacant building that was so let immediately before becoming vacant, but does not include a residential flat building, licensed premises, a private hotel, a building containing serviced apartments or a backpacker hostel or other tourist establishment.
- (2) The regulations may prescribe circumstances in which land is or is not to be categorised as residential.

517 Categorisation as mining

- (1) Land is to be categorised as mining if it is a parcel of rateable land valued as one assessment and its dominant use is for a coal mine or metalliferous mine.
- (2) The regulations may prescribe circumstances in which land is or is not to be categorised as mining.

518 Categorisation as business

Land is to be categorised as business if it cannot be categorised as farmland, residential or mining.

519 How is vacant land to be categorised?

If vacant land is unable to be categorised under section 515, 516 or 517, the land is to be categorised—

- a) if the land is zoned or otherwise designated for use under an environmental planning instrument—according to any purpose for which the land may be used after taking into account the nature of any improvements on the land and the nature of surrounding development, or*
- b) if the land is not so zoned or designated—according to the predominant categorisation of surrounding land.*

529 Rate may be the same or different within a category

- (1) Before making an ordinary rate, a council may determine a sub-category or sub-categories for one or more categories of rateable land in its area.*
- (2) A sub-category may be determined—*
 - a) for the category “farmland”—according to the intensity of land use, the irrigability of the land or economic factors affecting the land, or*
 - b) for the category “residential”—according to whether the land is rural residential land or is within a centre of population, or*
 - c) for the category “mining”—according to the kind of mining involved, or*
 - d) for the category “business”—according to a centre of activity.*

Note—

In relation to the category “business”, a centre of activity might comprise a business centre, an industrial estate or some other concentration of like activities.

- (3) The ad valorem amount (the amount in the dollar) of the ordinary rate may be the same for all land within a category or it may be different for different sub-categories.*
- (4) Land may be taken to be irrigable for the purposes of subsection (2)(a) if, and only if, it is the subject of a water right within the meaning of the Valuation of Land Act 1916.*

Sections 520 – 528 deal with the procedural aspects of land categorisation for rating purposes.

Each of the former councils had categorised and sub-categorised parcels of rateable land to meet the requirements of those councils at the time. The current categories, the rate that applies and definition of uses to the various sub-categories are set out in the tables below which have been taken from the current Operational Plan.

Former Great Lakes Council area

Category	Sub-category	Definition of use
Residential		Dominant use of land is for residential purposes. Includes vacant land zoned to permit use for residential purposes.
	Residential Towns	Separate sub-categories based on “centres of population” for NABIAC, Stroud, Bulahdelah, Forster, Tuncurry, Green Point, Pacific Palms, Hawks Nest, Tea Gardens, Seal Rocks, Pindimar, Coomba Park, North Arm Cove and Winda Woppa. Includes vacant land within those areas that are zoned to permit residential purposes.
Business		Includes all properties which cannot be categorised as Residential or Farmland. Includes vacant land zoned to permit business.
	Business Towns	Separate sub-category for business properties in the towns of Forster and Tuncurry and the Council Administration Centre in Forster. Includes vacant land zoned for purposes such as business, commercial or industrial use.
Farmland		All land deemed to be Farmland in accordance with the provisions of Section 515 Local Government Act 1993.
		All residential type blocks such as at North Arm Cove and Pindimar which are zoned Zone RU2 - Rural Landscape. These properties cannot receive building approval, however limited agricultural use may be permitted.
Mining		Land is to be categorised as mining if it is a parcel of rateable land and its dominant use is for a coal or metalliferous mine.

Former Greater Taree City Council area

Category	Sub-category	Definition of use
Residential		Dominant use of land is for residential purposes. Includes vacant land zoned to permit use for residential purposes.
	Residential Town	All properties within the defined boundaries of Taree, Cundletown and Wingham whose dominant use is for residential accommodation; also includes vacant land zoned or otherwise designated for use for Residential purposes under an environmental planning instrument.
	Residential Village	All properties within the defined boundaries of the villages of Black Head, Coopernook, Croki, Crowdy Head, Diamond Beach, Hallidays Point, Harrington, Johns River, Krambach, Lansdowne, Manning Point, Old Bar, Red Head, Tallwoods Village, Tinonee and Wallabi Point whose dominant use is for residential accommodation; also includes vacant land zoned or otherwise designated for use for Residential purposes under an environmental planning instrument.
	Residential Rural Estate	All properties zoned for rural residential subdivisions and having been developed for that purpose with the dominant use being for residential accommodation; also includes vacant land within these estates.
	Residential Rural	All properties used for residential purposes that are outside the areas defined as Towns, Villages and Rural Estates. Also included are vacant concessional allotments having designated use for Residential purposes under an environmental planning instrument.
Business		Includes all properties that cannot be categorised as Residential or Farmland. Includes vacant land zoned to permit business.
	Business Town	All properties within the defined town boundaries with the dominant use being commercial or industrial activities. Includes property which cannot be categorised as Farmland, Residential or Mining. Includes vacant land zoned for commercial or industrial use.
	Business Village	All properties within the defined village boundaries with the dominant use being commercial or industrial activities. Includes vacant land zoned for commercial or industrial use.
	Business	All properties used for commercial or industrial activities that are outside the town and village defined boundaries. Includes vacant land zoned for commercial or industrial use.
Farmland		All properties that fulfil the definition of Farmland eligibility determined in accordance with Section 515 of the Local Government Act 1993.

Former Gloucester Shire Council area

Category	Sub-Category	Definition of use
Residential		Dominant use of land is for residential purposes. Includes vacant land zoned to permit use for residential purposes.
	Residential Gloucester	All properties within the defined boundary of Gloucester. Includes vacant land within the area that is zoned to permit residential purposes.
	Residential Village	All properties with the defined boundaries of Barrington, Stratford and Craven. Includes vacant land within those areas that is zoned to permit residential purposes.
	Residential Rural	All properties that are outside the areas defined as towns and villages and do not fall into the category of farming.
Business		Includes all properties that cannot be categorised as Residential or Farmland. Includes vacant land zoned to permit business.
	Business Commercial / Industrial	All properties within the defined town boundaries with the dominant use being commercial or industrial use. Includes vacant land zoned for commercial or industrial use.
	Business Other	Any business that does not fall into the category of commercial or industrial.
Farmland		All land deemed to be Farmland in accordance with the provisions of Section 515 Local Government Act 1993.
Mining		Land is to be categorised as mining if it is a parcel of rateable land and its dominant use is for a coal or metalliferous mine.
	Mining (Working Coal)	Land is to be categorised as mining if it is a parcel of rateable land and its dominant use is for coal.
	Mining (Other Gold)	Land is to be categorised as mining if it is a parcel of rateable land and its dominant use is for gold.

For the purposes of this project a detailed review of the existing categorisation of land was not undertaken i.e. it was assumed that existing categorisation declarations were correct. Attention at workshops was focussed on the level of sub-categorisation that would be desirable in combining the existing rate structures into a single structure.

Farmland

Farmland can be sub-categorised on the basis of intensity of land use, irrigability of land or economic factors affecting the land (noting that irrigability is related to water rights within the meaning of the Valuation of Land Act).

The existing Farmland structures contained 1 sub-category within the former Great Lakes structure that covered land described as non-urban predominantly located in the North Arm Cove, Pindimar, Carrington etc areas. These properties are residential type blocks which are zoned RU2 - Rural Landscape but cannot receive building approval however limited agricultural use may be permitted.

Following consideration of various Farmland models that removed this sub-category it is proposed that it be retained on the basis of the intensity of use as it is recognised within the LEP as being capable of limited agricultural use in comparison with all other Farmland categorised properties which are required to meet the definition of Farmland under the Act.

Mining

There are 6 properties categorised as Mining across the entire MidCoast Council area. It is not proposed to sub-categorise on the basis of the kind of mining involved and as such there will be a single Mining category covering all such properties.

Residential

The Residential category covers the majority of rateable properties in the MidCoast Council area. Acknowledging the differences in values, availability of and access to services and facilities and the varying size and locality of population centres it is proposed that sub-categories be utilised in the Residential rate structure.

The Residential category can be sub-categorised based on centres of population or if the land is rural residential land.

The definition of rural residential land is land that is the site of a dwelling, is not less than 2 hectares and not more than 40 hectares and does not have a significant and substantial commercial purpose or character. There are also criteria in relation to the zoning of the land that need to be considered.

It is not proposed that a rural residential sub-category be created. For land to fall within this sub-category it must meet the all parts of the criteria. In practice this raises anomalies particularly in rural residential estates where there may be small variations in the area of adjoining properties eg 1 property with an area of 1.99ha adjoining a property with an area of 2.01ha and both having a dwelling – the result is that the 2.01ha property is sub-categorised as rural residential and the 1.99ha property is not.

It is proposed to continue with the sub-categorisation of the Residential category based on centres of population. The current sub-categories for the former council areas are set out below:

Great Lakes	Greater Taree	Gloucester
Forster	Taree	Gloucester
Tuncurry	Cundletown	Barrington
Green Point	Wingham	Stratford
Pacific Palms	Hallidays Point	Craven
Winda Woppa	Old Bar	Residential Rural
Hawks Nest	Harrington	
Tea Gardens	Coopernook	

North Arm Cove	Croki	
Pindimar	Johns River	
Seal Rocks	Krambach	
Coomba Park	Lansdowne	
Nabiac	Tinonee	
Bulahdelah	Rural Estates	
Stroud	Residential Rural	
Residential Rural	Black Head	
	Crowdy Head	
	Wallabi Point	
	Diamond Beach	
	Manning Point	
	Red Head	
	Tallwoods Village	

Following considerable discussion at the workshops it is proposed to create the following sub-categories under the new structure.

Sub-Category	Sub-Category
Forster	Pindimar
Tuncurry	Pacific Palms
Taree	Seal Rocks
Cundletown	Smiths Lake
Wingham	Green Point
Gloucester	Hallidays Point - including Black Head, Red Head, Diamond Beach & Tallwoods Village
Hawks Nest	Old Bar / Wallabi Point – including Manning Point
Tea Gardens	Harrington / Crowdy Head
North Arm Cove	Winda Woppa

It is also proposed that those existing sub-categories that are not mentioned in the table above will cease to be sub-categories and will remain categorised as Residential.

It is a requirement of the Act that all properties across the council area be categorised into one of the four allowable rating categories. It is not a requirement that all properties be sub-categorised. The rate structure that will be proposed below groups certain sub-categories and applies a common base amount and ad-valorem rate to them eg properties along the coastal strip. It is the properties falling in centres of population where a common rate other than that proposed for the Residential category that have been identified above as requiring sub-categorisation.

Business

As identified above land is categorised as Business if it cannot be categorised in one of the other 3 categories. Sub-categorisation is based on centres of activity. All of the former councils have created sub-categories that generally align with town or village boundaries with the remaining properties in the Business category.

Those existing sub-categories are set out below followed by the proposed sub-categories

Great Lakes	Greater Taree	Gloucester
Forster	Town	Commercial / Industrial
Tuncurry	Village	Other
Council Administration	Rural	
Business		

Proposed Business Sub-categories

Forster
Tuncurry
Gloucester
Taree
Cundletown
Wingham

Note that all other properties that are categorised as Business will not be sub-categorised. There are approximately 975 of these properties to which the Business rate will apply.

The table below outlines the new category / sub-category proposal and includes the number of properties within each category or sub-category. Where there is no sub-category listed, this represents the properties that have not been further sub-categorised.

PROPOSED CATEGORIES & SUB-CATEGORIES

Category	Sub-Category	No. of assessments
Farmland		3,056
	Low-Intensity	3,194
Residential	(No Sub-Category)	12,313
	Forster	7,250
	Tuncurry	3,171
	Taree	6,823
	Cundletown	717
	Wingham	2,140
	Gloucester	1,175
	Hawks Nest	1,384
	Tea Gardens	1,409
	North Arm Cove	403
	Pindimar	196
	Pacific Palms	1,042
	Smiths Lake	1,022
	Seal Rocks	61
	Green Point	311
	Hallidays Point	2,022
	Old Bar / Wallabi Point	2,498
	Harrington / Crowdy Head	1,934
	Winda Woppa	167
Business	(No Sub-Category)	975
	Forster	405
	Tuncurry	215
	Taree	722
	Cundletown	11
	Wingham	108
	Gloucester	243
Mining		6

It should be noted that these sub-categories are based on the existing sub-category maps. It will be necessary to review these maps and identify any areas where town or village boundaries have expanded and require adjustments to sub-categories.

Should Council adopt these categories / sub-categories there is an administrative process that will follow to notify ratepayers of the new category / sub-category that is proposed to apply for the 2021/2022 rating year. There are appeal processes associated with these declarations which are set out in sections 520 – 528 of the Act.

The Structure of a Rate

The existing rate structures of the former councils predominantly consist of a base amount to which an ad-valorem amount is added. Business rates in the former Greater Taree structure consisted of an ad-valorem amount subject to a minimum amount of rates while the Gloucester Mining rate structure was 100% ad-valorem.

The proposed structures for each category and sub-category are all configured on a base amount + ad-valorem component methodology.

From a legislative perspective the following matters need to be considered in applying a base amount and ad-valorem structure.

- The base amount may be uniform or may vary between categories or sub-categories.
- The base amount is applied uniformly to all land subject to the rate (or category or sub-category of a rate).
- The base amount cannot produce more than 50% of the total revenue to be derived from a rate (or the category or sub-category of the rate).
- The ad-valorem amount of a rate is to be levied on the land value of all land that is rateable to the rate.
- The ad-valorem rate may be the same for all categories or it may be different for different categories.
- The same applies to categories and sub-categories i.e. the ad-valorem rate applied to a category and its sub-categories may be the same or different.

Rate Structure Modelling

A series of workshops have been conducted with councillors to consider the impact of moving from the 3 existing rate structures to a single rate structure. Initial modelling and workshops were undertaken by Morrison Low and focussed on the use of a range of common base percentages applied across a range of options for the number of sub-categories that may apply. Later workshops undertaken by council staff focussed on the movement within categories and sub-categories to identify the percentage and dollar movements from the application of new structures. There was also a move from a common Base percentage to a common Base amount applying to categories and sub-categories.

Having considered the information provided by Morrison Low around service costing and benefit analysis, models were prepared so that the rate burden was not shifted between categories i.e. the current amount of rates levied on the Residential category would be the same after the modelling. It was understood that the rate burden may move within categories and across sub-categories and this was a consideration in assessing the impact of any model that was produced.

Modelling also focussed on the application of a common rate across sub-categories where there was a similarity in services and facilities provided and/or comparable valuations.

The modelling has also been based on the 2020/2021 rate levy and each model reconciles back to the level of rating income levied for that year. This allows for a direct comparison between the current and modelled structure. Once a draft structure is adopted it will be subject to an increase equivalent to the rate peg of 2% when it is included in the draft 2021/2022 Integrated Planning and Reporting documents.

The initial groupings looked at an Urban rate that would apply to the major urban centres of Taree / Cundletown / Wingham and Forster / Tuncurry, a Coastal rate that would apply to the centres of population along the coastline of the MidCoast area given the higher values and similar service levels, a Village rate focussed on small villages such as Stroud, Bulahdelah, Nabadah, Tinonee and a Residential rate that would apply to all other properties within this category.

Based on the consideration of these models, the movement of rates burden between sub-categories and the range of movements in terms of percentage and dollar value a draft structure as contained in Annexure A was provided for consideration.

For Farmland, modelling focussed on the use of a single category covering all properties categorised as Farmland. Consideration was also given to the creation of a separate sub-category containing those non-urban properties from the former Great Lakes structure. Models were prepared for this scenario as well.

There are few options available to minimise the movement of rates across the Farmland category. The differences between each of the former councils is significant and any model that applies a common structure across all of these properties results, in general, in a reduction of rates levied on former Gloucester Farmland, increases in the former Great Lakes Farmland properties and increases and decreases across the former Great Taree Farmland category.

A separate sub-category for the non-urban land in the former Great Lakes is recommended with the rate burden maintained at a similar level to the current level. While this does not provide a resolution to the longstanding issue of the rating of these properties, it does maintain the status quo in terms of level of rates paid, level of outstanding debts etc.

This proposed structure is shown in Annexure A.

The Mining category contains 6 properties of which 2 are large coal mines. Any single structure results in a shift of rate burden from the Gloucester mine (Stratford) to the Great Lakes mine (Duralie) with smaller increases in the smaller mines.

A structure utilising a 1% base amount is recommended and included in Annexure A.

The Business category provides similar challenges to the Residential category. A change from a minimum rate structure to a base and ad-valorem structure is proposed for the former Greater Taree business properties. This provides consistency across the entire rate structure. To minimise impact, it is proposed that there be separate sub-categories and rates that cover the main business centres of Forster / Tuncurry, Taree / Cundletown / Wingham and Gloucester. All other Business categorised properties would be subject to a single rate.

This structure is shown in Annexure A.

For comparative purposes the current rate structure as adopted by Council is included as Annexure B.

COMMUNITY CONSIDERATION

It is proposed that the draft structure form the basis of a community information program to be undertaken in the new year. This will provide the community opportunities to understand the likely impact of the move to a single or 'harmonised' rate structure on their individual circumstances and for feedback on the structure at a strategic level.

This provides time for Council to consider any feedback received and whether amendments are required to the draft rate structure prior to its inclusion in the 2021/2022 draft Statement of Revenue Policy (which forms part of the 2021/2022 draft Delivery Program / Operational Plan).

RECOMMENDATION

That Council:

1. Adopt the categories and sub-categories outlined in the Table 'Proposed Categories & Sub-Categories' contained within the report.
 2. Adopt the draft rate structure contained within Annexure A as the basis for a community information program to be undertaken in early 2021.
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ANNEXURES

A: Proposed Draft Rate Structure for MidCoast Council

PROPOSED DRAFT RATE STRUCTURE FOR MIDCOAST COUNCIL

RESIDENTIAL CATEGORY	Assessments	Base Amount	Base %	Ad valorem Rate	Base \$	Ad-valorem \$	Total Rates	Average rate	Average Movement	Rates 2020-2021	Average Rate 2020-2021
Urban Sub-Categories											
Residential Forster Tuncurry Rate	10,421	\$662.00	45.88%	0.0034780	\$6,898,702.00	\$8,138,892.37	\$15,037,594.37	\$ 1,443.01	\$ -	\$ 15,037,594.37	\$ 1,443.01
Forster	7,250	\$662.00	44.92%	0.0034780	\$4,799,500.00	\$5,886,156.22	\$10,685,656.22	\$ 1,473.88	\$ -	\$ 10,685,656.22	\$ 1,473.88
Tuncurry	3,171	\$662.00	48.24%	0.0034780	\$2,099,202.00	\$2,252,736.15	\$ 4,351,938.15	\$ 1,372.42	\$ -	\$ 4,351,938.15	\$ 1,372.42
Residential Taree Wingham & Cundletown Rate	9,680	\$595.00	46.53%	0.0051710	\$5,759,600.00	\$6,619,302.63	\$12,378,902.63	\$ 1,278.81	\$ 0.00	\$ 12,378,902.74	\$ 1,278.81
Residential Taree	6,823	\$595.00	46.51%	0.0051710	\$4,059,685.00	\$4,669,750.92	\$ 8,729,435.92	\$ 1,279.41	\$ 0.02	\$ 8,729,333.02	\$ 1,279.40
Residential Cundletown	717	\$595.00	40.03%	0.0051710	\$ 426,615.00	\$ 639,169.21	\$ 1,065,784.21	\$ 1,486.45	\$ 4.86	\$ 1,062,299.83	\$ 1,481.59
Residential Wingham	2,140	\$595.00	49.28%	0.0051710	\$1,273,300.00	\$1,310,382.49	\$ 2,583,682.49	\$ 1,207.33	\$ 1.67	\$ 2,587,259.89	\$ 1,209.00
Residential Gloucester Rate	1,175	\$525.00	44.41%	0.0071780	\$ 616,875.00	\$ 772,141.41	\$ 1,389,016.41	\$ 1,182.14	\$ -	\$ 1,389,016.41	\$ 1,182.14
Residential Gloucester	1,175	\$525.00	44.41%	0.0071780	\$ 616,875.00	\$ 772,141.41	\$ 1,389,016.41	\$ 1,182.14	\$ -	\$ 1,389,016.41	\$ 1,182.14
Coastal Sub-Categories											
Coastal Rate	12,282	\$611.00	43.16%	0.0031616	\$7,504,302.00	\$9,883,757.18	\$17,388,059.18	\$ 1,415.74	-\$ 2.33	\$ 17,416,632.84	\$ 1,418.06
Hawks Nest	1,384	\$611.00	42.70%	0.0031616	\$ 845,624.00	\$1,134,607.81	\$ 1,980,231.81	\$ 1,430.80	-\$ 80.42	\$ 2,091,530.18	\$ 1,511.22
Tea Gardens	1,409	\$611.00	42.36%	0.0031616	\$ 860,899.00	\$1,171,455.33	\$ 2,032,354.33	\$ 1,442.41	-\$ 80.83	\$ 2,146,249.94	\$ 1,523.24
North Arm Cove	403	\$611.00	39.26%	0.0031616	\$ 246,233.00	\$ 380,984.56	\$ 627,217.56	\$ 1,556.37	-\$ 84.92	\$ 661,441.84	\$ 1,641.29
Pindimar	196	\$611.00	41.50%	0.0031616	\$ 119,756.00	\$ 168,830.28	\$ 288,586.28	\$ 1,472.38	-\$ 81.91	\$ 304,640.60	\$ 1,554.29
Pacific Palms Rate	1,042	\$611.00	30.23%	0.0031616	\$ 636,662.00	\$1,469,691.71	\$ 2,106,353.71	\$ 2,021.45	-\$ 21.76	\$ 2,129,023.56	\$ 2,043.21
Seal Rocks	61	\$611.00	19.40%	0.0031616	\$ 37,271.00	\$ 154,868.56	\$ 192,139.56	\$ 3,149.83	-\$ 142.10	\$ 200,807.88	\$ 3,291.93
Smiths Lake	1,022	\$611.00	48.19%	0.0031616	\$ 624,442.00	\$ 671,280.35	\$ 1,295,722.35	\$ 1,267.83	-\$ 18.15	\$ 1,314,270.64	\$ 1,285.98
Green Point	311	\$611.00	49.26%	0.0031616	\$ 190,021.00	\$ 195,728.44	\$ 385,749.44	\$ 1,240.35	-\$ 22.12	\$ 421,201.50	\$ 1,354.35
Residential Hallidays Point	2,022	\$611.00	46.04%	0.0031616	\$1,235,442.00	\$1,447,743.59	\$ 2,683,185.59	\$ 1,327.00	\$ 52.44	\$ 2,576,327.20	\$ 1,274.15
Residential Old Bar/Wallabi Pt	2,498	\$611.00	48.60%	0.0031616	\$1,526,889.00	\$1,614,731.95	\$ 3,141,620.95	\$ 1,257.15	\$ 47.32	\$ 3,022,747.67	\$ 1,210.07
Residential Harrington/Crowdy	1,934	\$611.00	44.49%	0.0031616	\$1,181,063.00	\$1,473,834.60	\$ 2,654,897.60	\$ 1,373.46	\$ 55.84	\$ 2,548,391.84	\$ 1,317.68

Winda Woppa Sub-Category	Assessments	Base Amount	Base %	Ad valorem Rate	Base \$	Ad-valorem \$	Total Rates	Average rate	Average Movement	Rates 2020-2021	Average Rate 2020-2021
Winda Woppa Rate	167	\$662.00	20.33%	0.0042900	\$ 110,554.00	\$ 433,195.62	\$ 543,749.62	\$ 3,255.99	\$ -	\$ 543,749.62	\$ 3,255.99

Residential Category	Assessments	Base Amount	Base %	Ad valorem Rate	Base \$	Ad-valorem \$	Total Rates	Average rate	Average Movement	Rates 2020-2021	Average Rate 2020-2021
Residential Rate	12,313	\$694.47	49.50%	0.0029793	\$8,557,164.77	\$8,730,036.78	\$17,287,201.55	\$ 1,403.98	\$ -	\$ 17,287,201.55	\$ 1,403.98

FARMLAND CATEGORY	Assessments	Base Rate	Base %	Ad-valorem Rate	Base \$	Ad-valorem \$	Total Rates	Average rate	Average Movement	Rates 2020-2021	Average Rate 2020-2021
Farmland Rate	3,056	\$613.06	24.00%	0.0034395	\$1,873,513.78	\$5,932,793.64	\$ 7,806,307.41	\$ 2,554.42	\$ 0.41	\$ 7,805,068.41	\$ 2,554.01

Farmland Low Intensity Sub-Category

Farmland Low Intensity Rate	3,194	\$229.88	49.00%	0.0092940	\$ 734,247.28	\$ 764,216.56	\$ 1,498,463.85	\$ 469.15	\$ -	\$ 1,498,463.85	\$ 469.15
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BUSINESS CATEGORY	Assessments	Base Rate	Base %	Ad-valorem Rate	Base \$	Ad-valorem \$	Total Rates	Average rate	Average Movement	Rates 2020-2021	Average Rate 2020-2021
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Business Sub Categories

Forster Tuncurry Business Rate	620	\$763.00	15.66%	0.0092650	\$ 473,060.00	\$2,548,579.36	\$ 3,021,639.36	\$ 4,873.61	\$ 14.29	\$ 3,012,781.45	\$ 4,859.32
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Business Forster Rate	405	\$763.00	15.43%	0.00926500	\$ 309,015.00	\$1,693,279.06	\$ 2,002,294.06	\$ 4,943.94	\$ 101.47	\$ 1,978,758.03	\$ 4,897.92
Business Tuncurry Rate	215	\$763.00	16.09%	0.00926500	\$ 164,045.00	\$ 855,300.30	\$ 1,019,345.30	\$ 4,741.14	\$ 101.47	\$ 1,034,023.42	\$ 4,809.41

Gloucester Business Rate	243	\$525.00	25.49%	0.0109080	\$ 127,575.00	\$ 372,877.11	\$ 500,452.11	\$ 2,059.47	\$ -	\$ 500,452.11	\$ 2,059.47
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Business Gloucester Rate	243	\$525.00	25.49%	0.0109080	\$ 127,575.00	\$ 372,877.11	\$ 500,452.11	\$ 2,059.47	\$ -	\$ 500,452.11	\$ 2,059.47
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Taree Business Rate - Base Rate Structure	841	\$248.00	4.07%	0.0210720	\$ 205,840.00	\$4,854,478.16	\$ 5,060,318.16	\$ 6,017.03	-\$ 25.31	\$ 5,081,606.37	\$ 6,042.34
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Business Taree Rate	722	\$248.00	3.83%	0.0210720	\$ 179,056.00	\$4,493,190.93	\$ 4,672,246.93	\$ 6,471.26	\$ -		
Business Wingham Rate	108	\$248.00	6.90%	0.0210720	\$ 26,784.00	\$ 361,287.24	\$ 388,071.24	\$ 3,593.25	\$ -		
Business Cundletown	11	\$248.00	14.93%	0.0210720	\$ 2,728.00	\$ 18,277.22	\$ 18,277.22	\$ 1,661.57	\$ -		

Business Rate	975	\$521.89	25.00%	0.0064660	\$ 508,842.75	\$1,526,586.31	\$ 2,035,429.06	\$ 2,087.62	\$ 0.05	\$ 2,035,383.47	\$ 2,087.57
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MINING CATEGORY	Assessments	Base Rate	Base %	Ad-valorem Rate	Base \$	Ad-valorem \$	Total Rates	Average rate	Average Movement	Rates 2020-2021	Average Rate 2020-2021
Mining Rate	6	\$551.50	0.99%	0.0075660	\$ 3,309.00	\$ 330,539.63	\$ 333,848.63	\$ 55,641.44	-\$ 1.67	\$ 333,858.63	\$ 55,643.11

B: Current Rate Structure for MidCoast Council

Current Rate Structure for MidCoast Council

2020-2021 rates										Average Value Average Rate	
Minimums	Assessments	Base %	Base Amount	Base Dollar	2019 Land Value	Rate in \$	Ad Valorem Amount	Total Rates			
Residential Sub Categories											
Residential Forster Tuncurry Rate											
Forster		7,250	44.92%	\$ 662.00	\$ 4,799,500.00	1,692,396,843	0.00347800	\$ 5,886,156.22	\$ 10,685,656.22	233,434	\$ 1,473.88
Tuncurry		3,171	48.24%	\$ 662.00	\$ 2,099,202.00	647,710,220	0.00347800	\$ 2,252,736.15	\$ 4,351,938.15	204,261	\$ 1,372.42
Green Point		311	48.88%	\$ 662.00	\$ 205,882.00	61,909,000	0.00347800	\$ 215,319.50	\$ 421,201.50	199,064	\$ 1,354.35
Pacific Palms Rate											
Smiths lakes		1,042	32.40%	\$ 662.00	\$ 689,804.00	464,864,200	0.00309600	\$ 1,439,219.56	\$ 2,129,023.56	446,127	\$ 2,043.21
Winda Woppa Rate											
		167	20.33%	\$ 662.00	\$ 110,554.00	100,978,000	0.00429000	\$ 433,195.62	\$ 543,749.62	604,659	\$ 3,255.99
Lower Coastal Rate											
Hawks Nest		1,384	43.81%	\$ 662.00	\$ 916,208.00	358,877,000	0.00327500	\$ 1,175,322.18	\$ 2,091,530.18	259,304	\$ 1,511.22
Tea Gardens		1,409	43.46%	\$ 662.00	\$ 932,758.00	370,531,890	0.00327500	\$ 1,213,491.94	\$ 2,146,249.94	262,975	\$ 1,523.24
North Arm Cove		403	40.33%	\$ 662.00	\$ 266,786.00	120,505,600	0.00327500	\$ 394,655.84	\$ 661,441.84	299,021	\$ 1,641.29
Pindimar		196	42.59%	\$ 662.00	\$ 129,752.00	53,401,100	0.00327500	\$ 174,888.60	\$ 304,640.60	272,455	\$ 1,554.29
Seal Rocks		61	20.11%	\$ 662.00	\$ 40,382.00	48,985,000	0.00327500	\$ 160,425.88	\$ 200,807.88	803,033	\$ 3,291.93
Coomba Park Rate											
		642	48.63%	\$ 580.00	\$ 372,360.00	59,507,330	0.00661000	\$ 393,343.45	\$ 765,703.45	92,691	\$ 1,192.68
Residential		2,460	57.85%	\$ 724.00	\$ 1,781,040.00	479,814,900	0.00270500	\$ 1,297,899.30	\$ 3,078,939.30	195,047	\$ 1,251.60
Residential (Rural)		2,029	42.53%	\$ 724.00	\$ 1,468,996.00	733,910,450	0.00270500	\$ 1,985,227.77	\$ 3,454,223.77	361,710	\$ 1,702.43
Nabiac		256	49.34%	\$ 602.00	\$ 154,112.00	39,209,800	0.00403500	\$ 158,211.54	\$ 312,323.54	153,163	\$ 1,220.01
Bulahdelah		498	49.49%	\$ 602.00	\$ 299,796.00	57,773,548	0.00529700	\$ 306,026.48	\$ 605,822.48	116,011	\$ 1,216.51
Stroud		327	49.20%	\$ 602.00	\$ 196,854.00	54,438,290	0.00373300	\$ 203,218.14	\$ 400,072.14	166,478	\$ 1,223.46
Residential Urban Rate											
Residential Taree		6,823	47.76%	\$ 611.00	\$ 4,168,853.00	903,065,350	0.00505000	\$ 4,560,480.02	\$ 8,729,333.02	132,356	\$ 1,279.40
Residential Cundletown		717	41.24%	\$ 611.00	\$ 438,087.00	123,606,500	0.00505000	\$ 624,212.83	\$ 1,062,299.83	172,394	\$ 1,481.59
Residential Wingham		2,140	50.54%	\$ 611.00	\$ 1,307,540.00	253,409,880	0.00505000	\$ 1,279,719.89	\$ 2,587,259.89	118,416	\$ 1,209.00

Residential Village Rate											
Residential Hallidays Point		2,022	47.95%	\$ 611.00	\$ 1,235,442.00	457,640,000	0.00293000	\$ 1,340,885.20	\$ 2,576,327.20	226,330	\$ 1,274.15
Residential Old Bar/Wallabi Pt		2,498	50.49%	\$ 611.00	\$ 1,526,278.00	510,740,500	0.00293000	\$ 1,496,469.67	\$ 3,022,747.67	204,460	\$ 1,210.07
Residential Harrington/Crowdy		1,934	46.37%	\$ 611.00	\$ 1,181,674.00	466,456,600	0.00293000	\$ 1,366,717.84	\$ 2,548,391.84	241,187	\$ 1,317.68
Residential Coopernook		170	64.54%	\$ 611.00	\$ 103,870.00	19,474,000	0.00293000	\$ 57,058.82	\$ 160,928.82	114,553	\$ 946.64
Residential Croki		22	66.01%	\$ 611.00	\$ 13,442.00	2,362,600	0.00293000	\$ 6,922.42	\$ 20,364.42	107,391	\$ 925.66
Residential Johns River		47	64.75%	\$ 611.00	\$ 28,717.00	5,335,400	0.00293000	\$ 15,632.72	\$ 44,349.72	113,519	\$ 943.61
Residential Krambach		58	63.99%	\$ 611.00	\$ 35,438.00	6,807,400	0.00293000	\$ 19,945.68	\$ 55,383.68	117,369	\$ 954.89
Residential Lansdowne		146	71.83%	\$ 611.00	\$ 89,206.00	11,939,900	0.00293000	\$ 34,983.91	\$ 124,189.91	81,780	\$ 850.62
Residential Tinonee		350	59.73%	\$ 611.00	\$ 213,850.00	49,201,300	0.00293000	\$ 144,159.81	\$ 358,009.81	140,575	\$ 1,022.89
					\$ -			\$ -	\$ -		
Residential Rural Estates Rate		841	42.38%	\$ 611.00	\$ 513,851.00	254,415,550	0.00274600	\$ 698,625.10	\$ 1,212,476.10	302,516	\$ 1,441.71
Residential Rural Rate		4,366	43.17%	\$ 611.00	\$ 2,667,626.00	1,135,087,370	0.00309400	\$ 3,511,960.32	\$ 6,179,586.32	259,983	\$ 1,415.39
Residential Rural		907	35.63%	\$ 619.50	\$ 561,886.50	204,767,590	0.00495800	\$ 1,015,237.71	\$ 1,577,124.21	225,764	\$ 1,738.84
Residential Gloucester		1,175	44.41%	\$ 525.00	\$ 616,875.00	107,570,550	0.00717800	\$ 772,141.41	\$ 1,389,016.41	91,549	\$ 1,182.14
Residential Village		216	45.00%	\$ 525.00	\$ 113,400.00	28,548,520	0.00485400	\$ 138,574.52	\$ 251,974.52	132,169	\$ 1,166.55
Farmland		645	16.02%	\$ 619.50	\$ 399,577.50	467,045,800	0.00448500	\$ 2,094,700.41	\$ 2,494,277.91	724,102	\$ 3,867.10
Farmland		1,521	35.11%	\$ 741.00	\$ 1,127,061.00	706,997,630	0.00294600	\$ 2,082,815.02	\$ 3,209,876.02	464,824	\$ 2,110.37
Farmland		890	16.38%	\$ 387.00	\$ 344,430.00	550,837,820	0.00319100	\$ 1,757,723.48	\$ 2,102,153.48	618,919	\$ 2,361.97
Farmland (Non Urban)		3,194	82.49%	\$ 387.00	\$ 1,236,078.00	82,226,840	0.00319100	\$ 262,385.85	\$ 1,498,463.85	25,744	\$ 469.15
Business Sub Categories											
Business Forster		404	15.58%	\$ 763.00	\$ 308,252.00	177,260,827	0.00942400	\$ 1,670,506.03	\$ 1,978,758.03	438,764	\$ 4,897.92
Business Tuncurry		215	15.86%	\$ 763.00	\$ 164,045.00	92,315,197	0.00942400	\$ 869,978.42	\$ 1,034,023.42	429,373	\$ 4,809.41
Business Forster Council Admin		1	8.91%	\$ 763.00	\$ 763.00	5,500,000	0.00141800	\$ 7,799.00	\$ 8,562.00	5,500,000	\$ 8,562.00
Business		430	29.98%	\$ 763.00	\$ 328,090.00	127,794,392	0.00599700	\$ 766,382.97	\$ 1,094,472.97	297,196	\$ 2,545.29
Business Commercial/Industrial		243	25.49%	\$ 525.00	\$ 127,575.00	34,183,820	0.01090800	\$ 372,877.11	\$ 500,452.11	140,674	\$ 2,059.47
Business Other		22	40.10%	\$ 525.00	\$ 11,550.00	3,505,050	0.00492200	\$ 17,251.86	\$ 28,801.86	159,320	\$ 1,309.18
Business Town minimums	31	841	188,860	\$ 374.00	\$ 11,594.00	231,243,137	0.02194200	\$ 5,069,792.95	\$ 5,081,386.95	274,962	\$ 6,042.08
Business Village minimums	65	189	769,560	\$ 374.00	\$ 24,310.00	54,859,760	0.00766300	\$ 414,493.20	\$ 438,803.20	290,263	\$ 2,321.71
Business Rural minimums	96	333	1,313,415	\$ 374.00	\$ 35,904.00	49,935,185	0.00899600	\$ 437,401.44	\$ 473,305.44	149,956	\$ 1,421.34
Mining (working Coal)		1	0.00%	\$ -	\$ -	25,700,000	0.01012100	\$ 260,109.70	\$ 260,109.70	25,700,000	\$ 260,109.70
Mining (Other Gold)		1	0.00%	\$ -	\$ -	17,500	0.06280700	\$ 1,099.12	\$ 1,099.12	17,500	\$ 1,099.12
Mining		4	4.20%	\$ 763.00	\$ 3,052.00	17,970,000	0.00387300	\$ 69,597.81	\$ 72,649.81	4,492,500	\$ 18,162.45
Total all		54,972							\$ 84,330,283.39		

CLOSED COUNCIL

34 TRANSFER OF LAND IN PAYMENT OF RATES – KEMPSEY AVENUE, NORTH ARM COVE

Report Author **Lee Howard, Revenue Coordinator**

File No. / ECM Index **Rate Recovery**

Date of Meeting **16 December 2020**

Authorising Director **Steve Embry, Director Corporate Services**

REASON FOR CONFIDENTIALITY

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(b) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

(b) the personal hardship of any resident or ratepayer

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35 TRANSFER OF LAND IN PAYMENT OF RATES – RAILWAY ROAD, NORTH ARM COVE

Report Author **Lee Howard, Revenue Coordinator**

File No. / ECM Index **Rate Recovery**

Date of Meeting **16 December 2020**

Authorising Director **Steve Embry, Director Corporate Services**

REASON FOR CONFIDENTIALITY

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(b) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

(b) the personal hardship of any resident or ratepayer

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36 ACQUISITION OF VARIOUS LOTS WITHIN THE CUNDLETOWN BYPASS CORRIDOR

Report Author Scott Nicholson, Manager Transport Assets
File No. / ECM Index Urban Roads / RD23133/05/01
Date of Meeting 16 December, 2020
Authorising Director Robert Scott, Director Infrastructure and Engineering Services

REASON FOR CONFIDENTIALITY

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c)(d) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
- (d) commercial information of a confidential nature that would, if disclosed--
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret



Adrian Panuccio
General Manager