

# NOTICE OF ORDINARY MEETING

Notice is hereby given that a meeting of

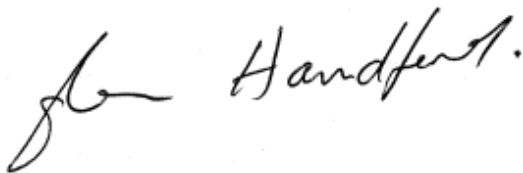
**MidCoast**Council

**Will be held at the Forster Administration Centre,  
4 Breese Parade, Forster**

**22 MARCH 2017 AT 2.00PM**

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

1. Acknowledgement of Country
2. Declaration of Pecuniary or Conflicts of Interest (nature of Interest to be Disclosed)
3. Apologies
4. Confirmation of Minutes
5. Matters Arising from Minutes
6. Address from the Public Gallery
7. Matters for Information
8. Close of Meeting



**Glenn Handford  
INTERIM GENERAL MANAGER**

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## **CONSIDERATION OF OFFICERS' REPORTS:**

### **DIRECTOR PLANNING & NATURAL SYSTEMS**

#### **1 DCP AMENDMENT - LOT 612 BLACKHEAD RD HALLIDAYS POINT**

**Report Author** Angela Tinlin, Assistant Strategic Planner

**File No. / ECM Index** S1250

**Date of Meeting** 22 March 2017

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#### **SUMMARY OF REPORT**

Lot 612 Blackhead Road, Hallidays Point is currently subject to a rezoning application to extend the Tallwoods village. A Local Area Plan is proposed to be included in the *Greater Taree Development Control Plan 2010* (DCP) for the site to ensure specific requirements are considered in future development applications relating to ecological, bushfire, landscape areas and the road network. It is proposed to exhibit this DCP amendment with the planning proposal to provide the community with information regarding future planning controls for the site.

#### **SUMMARY OF RECOMMENDATION**

That Part L – Local Area Plans of the *Greater Taree Development Control Plan 2010* be amended to include planning controls for Lot 612 Blackhead Road, Hallidays Point, relating to ecological and landscape areas and the road network.

#### **FINANCIAL/RESOURCE IMPLICATIONS**

The amendment to the DCP is undertaken on a user-pays basis. All required studies, consultant fees and other required documents are paid by the applicant.

#### **LEGAL IMPLICATIONS**

The DCP amendment is to be developed in accordance with the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*. The amendments will be exhibited for a minimum period of 28 days in accordance with Part 3, Division 2 of the *Environmental Planning and Assessment Regulation 2000*.

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#### **BACKGROUND**

The planning proposal for Lot 612 Blackhead Road, Hallidays Point proposes to include the land in the General Residential (R1) and Environmental Conservation (E2) zone to enable the extension of the Tallwoods village. A Gateway determination was received on 26 February 2016 which outlined additional studies to be undertaken and consultation with State Departments. As a result of this work, it was identified that site specific planning controls in a Local Area Plan (DCP amendment) would assist with achieving appropriate development outcomes for the site.

#### **DISCUSSION**

A Local Area Plan is to be developed for inclusion in the DCP which will require future development to address the following:

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## **1. Ecological and landscape areas**

The site has a freshwater wetland which is an endangered ecological community (EEC) along the eastern boundary. To protect the wetland and the surface water regime that feeds into the wetland, an area of land is to be included in the Environmental Conservation (E2) zone and is to be referred to in the draft Local Area Plan as an "Environmental Protection Area" (refer Attachment A). The ecological values of the wetland and woodlands are to be maintained and improved. It is proposed that this area remain in single ownership and form part of an adjoining residential lot.

It is also proposed that a vegetated buffer be provided along the Blackhead Road frontage to screen the road for future residents.

In addition, there are a number of large trees that will be removed as part of the residential development. The Office of Environment and Heritage (OEH) recommended that an offset arrangement be in place. The Local Area Plan will require offset planting in both the Environmental Protection Area and vegetated buffer. Discussions will be undertaken with OEH to ensure that the offset arrangements meet their requirements.

A vegetation management plan will be required to show how the desired environmental outcomes, maintenance and long term goals will be achieved.

The water quality of the site is required to be maintained or improved as a result of any future development.

## **2. Road network**

It is important that the road network make provision for access from The Pulpit and provide future road access to adjoining properties to the east and west. In addition, the Rural Fire Service (RFS) requested that emergency access be provided to Blackhead Road in the event of a fire, which will be included in the Local Area Plan. RFS will be consulted in the development of the Local Area Plan.

A DCP Local Area Plan will be developed for this site to address the above issues. Consultation with OEH and RFS will be undertaken to ensure their requirements are met. Once concurrence with these agencies is achieved the Local Area Plan will be exhibited.

## **CONSULTATION**

The DCP Local Area Plan will be developed in consultation with:

- Council's Natural Systems and Development Assessment Departments
- Office of Environment and Heritage
- NSW Rural Fire Service of Council.

The Local Area Plan will be exhibited in conjunction with the planning proposal (28 days) and will involve the following:

- public notification in the Manning River Times and Great lakes Advocate
- notification letters sent to all adjoining property owners
- information made available on Council's website
- copies available in the Taree and Forster Administration Buildings, and the Taree and Hallidays Point Libraries.

## **COMMUNITY IMPACTS**

The impacts for the community will be positive as the Local Area Plan will provide details on site specific outcomes that need to be achieved through the development of the site. There may be a negative impact if there is concern over the site being changed from a rural to a residential use through the planning proposal.

The community will have the opportunity to provide feedback on both the Local Area Plan and the planning proposal. This community feedback will be reported to Council after the consultation is completed. The community impacts will be known and considered in more detail at that time.

## **ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN**

The Local Area Plan amendment to the DCP is in line with a number of key strategies in the *Manning Valley Community Plan 2010-2030*, in particular Strategy 6:

*Maintain a strategic land-use planning framework that will establish a clear balance between development and conservation, and accommodate economic investment and lifestyle change demands"*

## **TIMEFRAME**

It is appropriate that the community consultation for the Local Area Plan and planning proposal are concurrent so the community can review the proposed zone change and detailed planning controls at the same time.

## **BUDGET IMPLICATIONS**

The costs associated with the development of the Local Area Plan will be covered by the applicant in accordance with the Council's fees and charges.

## **RECOMMENDATION**

That an amendment to Part L – Local Area Plans of the *Greater Taree Development Control Plan 2010* (DCP 2010) be prepared to address the matters raised in this report and the draft DCP Local Area Plan be exhibited concurrently with the planning proposal for Lot 612 Blackhead Road, Hallidays Point.

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## **ATTACHMENTS**

A Draft Local Area Plan map

Attachment A has been circulated in hard copy to the Administrator and Senior Staff only. However, this Attachment is publicly available on Council's Website, copies are available at Council offices and copies are available on request.

## **2 PLANNING PROPOSAL - 363 DIAMOND BEACH RD, DIAMOND BEACH**

**Report Author** Michael Griffith, Strategic Planner

**File No. / ECM Index** S648

**Date of Meeting** 22 March 2017

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### **SUMMARY OF REPORT**

This planning proposal seeks to alter the zoning of Lot 18 DP 576415, 363 Diamond Beach Road, Diamond Beach from Primary Production (RU1) to a combination of Tourist (SP3) and Environmental Conservation (E2). The proposal also seeks to include the land in Schedule 1 of the Greater Taree Local Environmental Plan 2010 (LEP 2010) to allow up to 30% of the gross floor area of the tourist facilities to be used as permanent residential accommodation, and introduce a maximum Height of Buildings of 11.5 metres. The changes were made available for community feedback and the public exhibition period has now ended.

### **SUMMARY OF RECOMMENDATION**

Eighteen (18) submissions were received raising a number of matters, including public access to the coastal area. It is proposed that a Planning Agreement (PA) be entered into to facilitate future public access. It is also proposed to forward the exhibited planning proposal (PP) to the NSW Department of Planning and Environment for the amendment to LEP 2010 to be drafted and made following the exhibition and subsequent adoption of the proposed PA.

### **FINANCIAL/RESOURCE IMPLICATIONS**

The Planning Agreement will commit Council to the preparation of a pedestrian/access strategy which will identify how a connection can be provided along the coastline in Northern Diamond Beach.

### **LEGAL IMPLICATIONS**

LEP 2010 and any amendments to the instrument have been developed in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* and the associated *Environmental Planning and Assessment Regulation 2000*.

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### **BACKGROUND**

The planning proposal aims to alter the zoning of Lot 18 DP 576415 from rural to a combination of environmental and tourist zones to both acknowledge the current use of the site and protect important vegetation on the site; while making it possible for Seashells Beachfront Resort to upgrade and extend in the future. The land is outlined in Attachment A.

The site has an area of 5.4ha and contains Seashells Beachfront Resort. The resort includes 37 holiday units, an administrative centre, recreational facilities and a bistro/restaurant. The site has approval for future extensions, which will add an additional 28 units.

The former Greater Taree City Council resolved at its Ordinary Meeting on 10 December 2014 to forward the planning proposal to the Department of Planning and Environment for their consideration. A Gateway determination was received in April 2015 allowing the planning proposal to proceed to exhibition following the completion of necessary studies and investigations identified in the Gateway determination. For this planning proposal Council didn't receive authorisation to make the plan. A summary of the process for considering this planning proposal and Planning Agreement is shown below.

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PLANNING PROPOSAL						
 Application lodged (October 2014)	 Council refer to Minister (January 2015)	 Gateway determination (April 2015)	 Exhibit planning proposal (November 2016)	Consider submissions . Report to Council (March 2017)	Consult with Parliamentary Counsel to make the plan	Minister to approve rezoning

PLANNING AGREEMENT (PA)			
Develop draft PA (April 2017)	Exhibit PA	Consider submissions. Report to Council	Sign and register PA

The submissions received during the exhibition period are discussed below.

## DISCUSSION

### Community consultation

Eighteen (18) submissions were received during the exhibition period and the issues raised are addressed below. Seventeen (17) supported the proposal on the basis that the environment is protected and provision is made for coastal access in front of the subject site.

### Coastal access

Seventeen (17) submissions raised the need to ensure that the environment is protected and provision is made for coastal access in front of the subject site. In response to the access issues raised by the community, the proponents for the rezoning have offered to enter into a Planning Agreement (PA) with Council. This is the most appropriate means of ensuring the coastal access identified by the community can be realised. PAs are an agreement entered into by a planning authority and developer whereby the developer, in this case, commits to the dedication of land free of cost and payment of a monetary contribution.

In other areas of Hallidays Point, the general public have access to coastal parks and reserves an extension of public access to the north is reasonable.

The PA will be drafted in accordance with section 93F-93L of the *Environmental Planning and Assessment Act 1979*. Section 93G of the *Environmental Planning and Assessment Act 1979* requires a copy of the proposed agreement to be made available for inspection by the public for a period of not less than 28 days. An explanatory note for the PA will also be prepared in accordance with Section 25E of the *Environmental Planning and Assessment Regulation 2000*. The explanatory note will summarise the objectives, nature and effect of the agreement.

Principles of the PA will relate to the letter of offer from Seashells Beachfront Resort (Annexure A) which agreed to a public access path along the eastern boundary of their land. This includes:

- Dedication of a 5m strip of land on the eastern boundary to Council;
- Providing a monetary contribution to construct a 3m wide concrete path along the dedicated land to a satisfactory standard as determined by Council;
- Providing a monetary contribution to construct fencing to control access to the coastal area;
- A time limit of three years for the preparation of a strategy by Council, dedication of the land one year after the endorsement of the strategy and the payment of the monetary contribution immediately upon the dedication of the land; and
- The conditions of the PA will be reliant on Council preparing a strategy with the aim to provide a link along the coastline in North Diamond Beach.

The PA will commit Council to the preparation of a pedestrian/access strategy which will identify how a connection can be provided along the coastline in Northern Diamond Beach.

### ***Environmental protection***

The western part of the subject land contains environmentally sensitive land, which is proposed to be protected by being rezoned Environmental Conservation (E2). This land is dependent on groundwater, and the vegetation in this area is also Potential Koala Habitat. Future development on the site will be required to ensure that the vegetation is not significantly impacted by stormwater runoff.

Eleven (11) submissions expressed concern over remnant vegetation on the western portion of land quickly degrading unless provision is made for regular weeding and maintenance. Submitters sought that the land be managed through a vegetation management plan or included in a PA.

In consultation with staff from the Natural Systems Department, it is recommended that the issue be addressed through Council's Noxious Weeds Urban Inspection Program currently being implemented at Hallidays Point. This is because the majority of the weeds are declared noxious weeds and the weed infestation is considered to be only minor. Following this, the owner is encouraged to work with Hallidays Point Landcare to effectively manage the native vegetation and minimise the presence of weeds.

### ***Maximum Height of Buildings***

One (1) submission expressed concern over the proposed 11.5m maximum Height of Buildings, in particular the potential for the construction of three storey development and the aesthetics of future development in the area.

While the proposed 11.5m maximum Height of Buildings is higher than the 8.5m we have applied to our other areas zoned Tourist (SP3), existing developments and current approvals for these areas exceed their maximum height limitation as this can be varied through the development assessment process. It is considered reasonable that a tourist zone include a greater height limitation than that imposed on residential development as it is expected that this form of development is generally more intensive and should seek to maximise its potential in coastal locations such as Diamond Beach.

The former Greater Taree City Council approved a three storey 24 unit development on a neighbouring site that has a height of approximately 12 metres above natural ground levels (330/2009/DA). In addition to this approval, the former Greater Taree City Council approved a two storey, two unit development on a neighbouring site that has a height of approximately 11.5 metres above natural ground level (253/2016/DA). These approvals represent an acceptable height limitation for buildings in the Tourist (SP3) zone in this locality.

Future Development Applications (DAs) will be subject to a merit assessment process which will look at the controls contained in the Greater Taree Development Control Plan 2010. Depending on the site and the building design, 11.5m may accommodate a two or three storey development.

### ***Road upgrades and pathways***

One submission raised the need to upgrade the full length of Diamond Beach Road. Council recently commenced the renewal of 2.65km of Diamond Beach Road, extending from its intersection with Blackhead Road in the south, up to the northern end of Panorama Drive. There is no short or medium term plans to upgrade the remaining section of Diamond Beach Road, and future upgrades will be a consideration of future Development Applications (DAs).



The draft Greater Taree City Council Pedestrian Bike Plan identified an on-road bicycle lane and Bicycle Awareness Zone (BAZ) on Diamond Beach Road. This draft plan has not been exhibited, and as a merged Council, pathways and cycleways will need to be considered on a broad scale.

Two submissions raised concern over the extent of cycleways and walking paths between Diamond Beach and Black Head. A coastal pathway connecting the Diamond Beach and Black Head villages was included in the work schedules for the Greater Taree Section 94 Contributions Plan 2016. This coastal pathway will improve the connectivity of the pathway network in the Hallidays Point area. One of the submissions raised the point that land must be earmarked for future pathways to ensure that adequate access can be provided in the future. To ensure that coastal access and coastal pathways are provided in a coordinated approach, it is proposed that a strategy be prepared following the rezoning to identify the alignment of the pathways and where land needs to be acquired and/or dedicated. The strategy could also identify the locations of public beach accesses and coastal carparks.

### **Ownership and legality**

One submission expressed concern over the ownership of the site and legality of the company representing the owners to pursue the rezoning. The issue of ownership and legality is a matter for the company responsible for the application to address. The rezoning application to Council was on the Seashells Beachfront Resort letterhead so it assumed it was validly made. Regardless, Council is able to rezone land if it believes that the changes are in the community's interest.

Prior to a PA being registered on the title and the amendment being made to LEP 2010, the company board will hold a meeting to address any further concerns of the shareholders. All shareholder consultation is the responsibility of the proponent, with the proponent for this planning proposal being Seashells Beachfront Resort. This submission also raised concern over the extent of the land being included in the Environmental Conservation (E2) zone.

### **Agency consultation**

Consultation was undertaken with the NSW Rural Fire Service, Purfleet-Taree Local Aboriginal Land Council, MidCoast Water and the NSW Office of Environment and Heritage. Copies of the agency submissions are contained in Annexure B.

The NSW Rural Fire Service had no objection to the proposal proceeding. No response was received from the Purfleet-Taree Local Aboriginal Land Council.

The NSW Office of Environment and Heritage had no objection to the proposal proceeding on the basis that the impacts on vegetation are kept to a minimum and as large an area of vegetation as possible in the Environmental Conservation (E2) zone is retained.

The submission from MidCoast Water supported the planning proposal on the basis that a number of matters will be addressed at the Development Application (DA) stage. The matters included the preparation of a local water supply and sewerage strategy, and construction of the necessary water supply and sewerage infrastructure. These matters are consistent with the requirements for new urban release areas and pose no concern to the rezoning proceeding.

MidCoast Water raised concerns that the necessary water and sewer works are not permitted in the Environmental Conservation (E2) zone. Under Section 106 and 125 of *SEPP Infrastructure 2007* a public authority can undertake development for the purpose of sewage and water reticulation systems without consent on any land.

## **CONSULTATION**

Community consultation was undertaken from 16 November until 14 December 2016 and involved:

- letters being sent to all neighbouring landowners;
- placing a notice in the Manning News section of the Manning River Times on 16, 23, 30 November and 7 December 2016; and a notice in the Great Lakes News section of the Great Lakes Advocate on 23 and 30 November and 7 December 2016.
- making the planning proposal and associated document available on Council's website, in the Taree and Forster Administration Buildings, and the Taree and Hallidays Point Libraries;
- a notice and article in the December 2016 edition of the Hallidays Point News of Our World;
- a number of radio and local television interviews about the proposal; and
- a drop in session between 4pm and 6pm on 7 December 2016 attended by thirteen (13) members of the community.

## **COMMUNITY IMPACTS**

Based on the community feedback this planning proposal will provide a positive impact for the community by protecting important vegetation on the site, while making it possible for Seashells Beachfront Resort to upgrade and extend in the future. The proposed PA, in response to submissions, will also facilitate improved coastal access for the community. Any concerns raised by the community through the community consultation for the PA will be considered and reported back to Council.

## **ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN**

The rezoning of land is consistent with a number of strategies in the Manning Valley Community Plan 2010-30, with the key strategy being:

*"Ensure a wide choice of housing styles and locations, with consideration of accessibility, adaptability and affordability" (Strategy 21).*

The Manning Region Operational Plan 2016/2017 identified the processing of planning proposals as a key initiative.

## **TIMEFRAME**

The Gateway determination requires this amendment process be completed by 4 November 2017. The project is on target to meet this timeframe.

## **BUDGET IMPLICATIONS**

The application is assessed on a user-pays basis, and all required studies and fees in association with the planning proposal have been, and will continue to be incurred by the applicant.

The PA will commit Council to future ownership and maintenance of a 5m wide strip of land along the eastern edge of the property for public access as the strip will be dedicated to Council. The dedication is to be undertaken in accordance with the *Dedication of Land to Council Policy*. The PA does commit Council to a level of maintenance for this land into the future, with this maintenance to occur following the construction of a coastal pathway by the developer.

Following the construction of the coastal pathway, Council will assume responsibility for maintaining the existing private accesses which will ultimately become public accesses. Ongoing maintenance will need to be budgeted for in the Community Spaces, Recreation and Trades budget.

## **RISK CONSIDERATION**

Nil.

## **RECOMMENDATION**

- A. That Council adopt the exhibited planning proposal, subject to the consultation section and timeframes being updated, and inclusion of a statement about the intention to enter into a Planning Agreement in response to community submissions.
  - B. That a draft Planning Agreement between MidCoast Council and Seashells Beachfront Resort be prepared in accordance with the letter of offer to enter into a Planning Agreement from Seashells Beachfront Resort.
  - C. That the draft Planning Agreement between MidCoast Council and Seashells Beachfront Resort be exhibited for a period of 28 days in accordance with the requirements of the *Environmental Planning and Assessment Act 1979*.
  - D. Should submissions be received at the expiry of the 28 day exhibition period, a further report be submitted to Council detailing and addressing any submissions received.
  - E. In the event no submissions are received to the exhibition of the draft Planning Agreement and upon registration of the Planning Agreement on the title to the land, the revised planning proposal be submitted to the NSW Department of Planning and Environment and Parliamentary Counsel's Office for the associated Local Environmental Plan (LEP) to be drafted.
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## **ATTACHMENTS**

- A: Location of the proposed rezoning

Attachment A has been circulated in hard copy to the Administrator and Senior Staff only. However, this Attachment is publicly available on Council's Website, copies are available at Council offices and copies are available on request.

## ANNEXURES:

A: Letter of offer to enter into a Planning Agreement from Seashells Beachfront Resort



BEACHFRONT RESORT

15th February, 2016

The General Manager  
Midcoast Council  
2 Pulteney Street  
Taree NSW 2430

Dear Sir,

*Re: Seashells Planning Proposal  
Rezoning to SP3 and E2, 363 Diamond Beach Road, Diamond Beach.*

Council's assessment of the submissions received during the Planning Proposal exhibition period identified only one issue raised that requires further assessment. Eighteen (18) submissions received indicated that Public access to the foreshore should be provided behind the dune in the locality. Council have undertaken an initial assessment of this issue and will be undertaking further investigation and preparation of a Beach Access Strategy in the location to provide Public access from Diamond Beach Road north to the National Park.

In order to adequately address the issue of concern raised in the Public submissions, Seashells provides this letter of offer to prepare a Voluntary Planning Agreement (VPA) that commits to the following:

1. Dedication to Council of a 5m strip of land adjacent to the eastern boundary of the land for the entire frontage.
2. A monetary contribution (TBD) for the construction of a 3m wide concrete pathway within this 5m strip that will provide future public access, and fencing to control access to the coastal area.
3. The conditions of the VPA will be reliant on Council preparing a strategy with the aim to provide a link along the coastline to the north. In consultation with the community, the strategy will identify the extent of the coastal link.
4. A time limit of up to three years for the preparation of a strategy by Council, and one year after the endorsement of the strategy by Council for the dedication of land. Immediately upon the dedication of land, the monetary contribution for construction of the pathway and fencing will be paid to Council.

We trust this letter is sufficient to enable Council to progress the rezoning of the land and we look forward to further discussions in relation to the preparation of the VPA.

Yours faithfully  
**SEASHELLS LIMITED**

*Robert Gould  
Company Secretary*

363 Diamond Beach Road, Diamond Beach North, Via Hallidays Point NSW 2430  
Seashells Limited ABN: 86 001 722 541 Phone: 61 2 6559 2779 Fax: 61 2 6559 2811  
Website: [www.seashellsresort.com.au](http://www.seashellsresort.com.au) Email: [info@seashellsresort.com.au](mailto:info@seashellsresort.com.au)

B: State agency submissions collated

All communications to be addressed to:

Headquarters  
15 Carter Street  
Lidcombe NSW 2141

Telephone: 1300 NSW RFS  
e-mail: [csc@rfs.nsw.gov.au](mailto:csc@rfs.nsw.gov.au)

Headquarters  
Locked Bag 17  
Granville NSW 2142

Facsimile: 8741 5433



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The General Manager  
Greater Taree City Council  
PO Box 482  
TAREE NSW 2430

PP\_2015\_GTARE\_002\_  
Your Ref:00  
Our Ref: L08/0054  
DA16050901813 AB

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**ATTENTION:** Michael Griffith

6 June 2016

Dear Mr Griffith

**Planning Instrument for Amend Greater Taree LEP 2010 - Rezone 18//576415,  
363 Diamond Beach Road Diamond Beach 2430**

I refer to your letter dated 3 May 2016 seeking advice for the above Planning Instrument in accordance with the 'Environmental Planning and Assessment Act 1979'.

The Service has reviewed the plans and documents received for the proposal and subsequently raise no concerns or issues in relation to bush fire.

For any queries regarding this correspondence please contact Alan Bawden on 1300 NSW RFS.

Yours sincerely

John Ball  
Manager

ID:101813/95408/5

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The RFS has made getting information easier. For general information on 'Planning for Bush Fire Protection, 2006' , visit the RFS web page at [www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au) and search under 'Planning for Bush Fire Protection, 2006'.



Date: 9<sup>th</sup> December 2016  
MCW Ref: 2535  
MCC Ref: S648

Att: Sue Calvin  
MidCoast Council  
PO Box 482  
Taree NSW 2430

By Email: [sue.calvin@midcoast.nsw.gov.au](mailto:sue.calvin@midcoast.nsw.gov.au)

CC: Michael Griffith: [Michael.griffith@midcoast.nsw.gov.au](mailto:Michael.griffith@midcoast.nsw.gov.au)

PROPOSED REZONING – 363 DIAMOND BEACH RD, DIAMOND BEACH (LOT 18 DP576415)

Dear Sue,

Thank you for the opportunity to provide a submission in relation to the proposed rezoning for 363 Diamond Beach Rd, Diamond Beach (Lot 18 DP576415).

The proposed rezoning is within MidCoast Water's servicing area and the subject land can be serviced through an extension of both water and sewerage reticulated networks.

MidCoast Water is content for the rezoning to proceed subject to the following comments/conditions:

1. The site is currently connected to MidCoast Water's reticulated water network, however the location of this service is outside the property boundaries and will be required to be relocated within the property boundaries at time of further development. The proposed relocation will require the service to be constructed along the existing internal access road which will pass through the proposed E2 conservation area and may require an easement to be created. (Refer Appendix A)
2. The site is not currently connected to MidCoast Water's sewer network. Provision has been made for the future connection upon further development, however it should be noted that the proposed connection point is located within the North-West corner of the property. The internal sewer service line will be required to pass through the proposed E2 conservation area and may require an easement to be created. (Refer Appendix A)
3. From the supplied map, it appears that the Special Purpose Tourist Zone will become land locked by the E2 zoning. This will result in both water and sewer services ultimately passing through this area to service the existing development as well as any future extensions. At present due to the existing topography, and existing connection points, there are no alternate routes for the provision of these services except those noted above.

ABN 33 274 464 218 All correspondence to PO Box 671 Taree, NSW 2430

General enquiries 1300 133 455 Fax 02 6555 8516 Web [midcoastwater.com.au](http://midcoastwater.com.au)

Forster Customer Service Centre 16 Breese Parade Forster Taree Customer Service Centre 26 Muldoon Street Taree

Obj Id: B524215



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4. Within the existing *Greater Taree Local Environmental Plan 2010* (LEP), both water and sewer services are not listed as either being *'Permitted without consent'* or *'Permitted with consent'*. As such, the matters relating to the provision of water and sewer to the site should be given consideration within the proposed E2 conservation areas and any modifications to the LEP.
5. Applicants for development of the site are required to submit a local water supply and sewerage strategy for MidCoast Water's approval. This strategy is to confirm that any proposed development can be serviced through connections to the existing water supply and sewerage networks.
6. In order to satisfy water supply and sewerage servicing requirements the following conditions are to be applied to approvals for development within the site:
  - a. *Provision of Certificate of Compliance (for construction of services)*
  - b. *Provision of Certificate of Attainment (for Subdivision)*

Please feel free to contact me on (02) 6591 7513 should you have any questions or require further information.

Yours faithfully

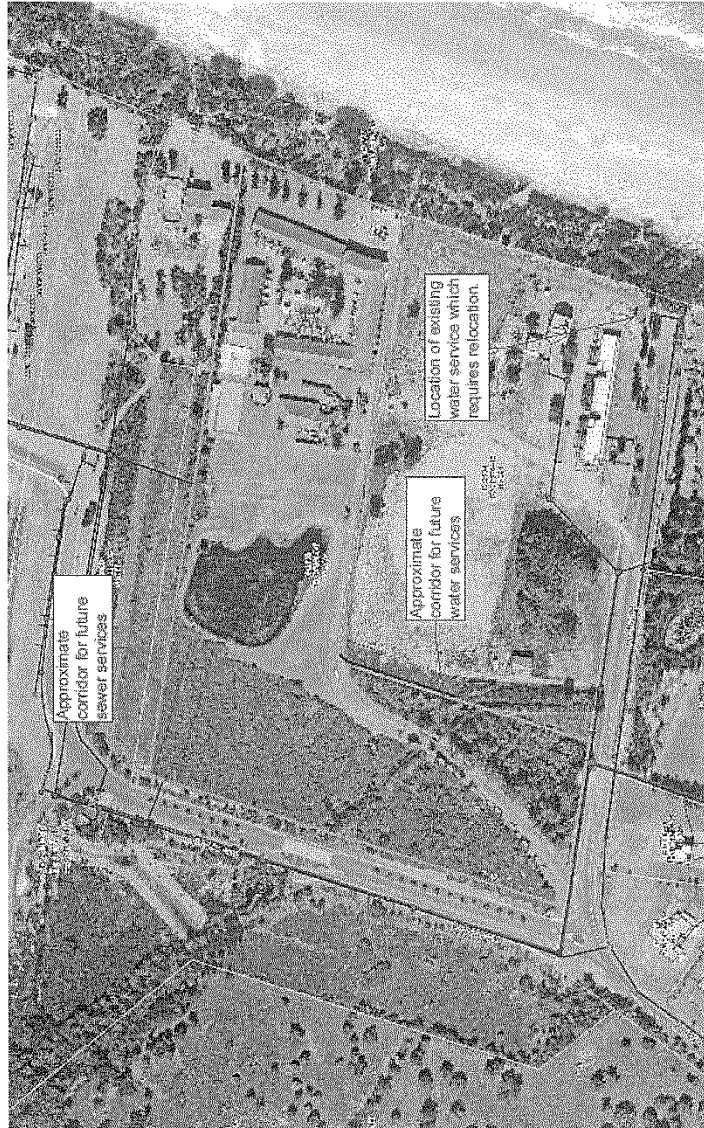
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**Craig Wilkinson**  
Development Coordinator





**Appendix A: Approximate Corridors for Future Services**





Office of  
Environment  
& Heritage

Your reference PP 2015 GTARE 00200  
Our reference: DOC16/210719-3  
Contact: Karen Thumm, 4927 3153

Mr Ron Posselt  
General Manager  
Greater Taree City Council  
PO Box 482  
TAREE NSW 2430

Attention: Michael Griffith

Dear Mr Posselt

**RE: PLANNING PROPOSAL – SEASHELLS RESORT - LOT 18 DP576415, 363 DIAMOND BEACH ROAD, DIAMOND BEACH**

I refer to your email dated 29 April 2016 requesting comment from the Office of Environment and Heritage (OEH) under Section 52(2)(d) of the *Environmental Planning and Assessment Act 1979* in relation to the Seashells Resort planning proposal at Diamond Beach. The proposal seeks to rezone 5.431 hectares of rural land for tourism, introduce a 30 per cent permanent residential component to the accommodation and rezone areas for environmental protection. The Gateway Determination is specifically seeking comment from OEH on the zone boundaries for environmental protection lands, the minimum lot size and the assessment of Aboriginal cultural heritage.

OEH has reviewed the document titled '*Planning Proposal Lot 18 DP 576415, 363 Diamond Beach Road Diamond Beach, NSW*, prepared for Seashells Ltd (dated February 2016) and provides the following comments on biodiversity, Aboriginal cultural heritage, and flood management in **Attachment 1**.

If you have any enquiries concerning this advice, please contact Karen Thumm, Conservation Planning Officer, on 4927 3153.

Yours sincerely

~~20~~ MAY 2016

**RICHARD BATH**  
Senior Team Leader Planning, Hunter Central Coast Region  
Regional Operations

Enclosure: Attachment 1

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**ATTACHMENT 1: OEH REVIEW - PLANNING PROPOSAL – LOT 18 DP576415, 363 DIAMOND BEACH ROAD, DIAMOND BEACH**

**BIODIVERSITY**

OEH notes that this planning proposal seeks to allow tourism development on parts of the site which are already cleared and to protect the vegetated parts of the site through an E2 Environmental Conservation zone. The intention is that the small area of Coastal Heath Paperbark vegetation and Wallum Wet Heath on the site will be retained and will continue to function as a stepping stone for wildlife and to provide habitat for a number of species, in particular the mobile nectivores that utilise the Swamp Mahogany and paperbark blossom. This parcel is part of a mapped regional fauna corridor to support the Blossom Bat and the Osprey (Scotts 2003). As this vegetation is in good to excellent condition, OEH supports the use of the E2 zone to contribute to biodiversity conservation within a fragmented coastal area that remains valuable given its close proximity to Khappinghat Nature Reserve.

The assessment of the vegetation community as a groundwater dependant ecosystem (GDE) states that it will be extremely important to protect the hydrological needs of this paperbark community in order to retain its habitat value. Council will need to ensure that any indirect impacts of the development such as the modification of the dam or stormwater management does not impact on the GDE. The implementation of Water Sensitive Urban Design will be required to minimise environmental degradation. OEH recommends the inclusion of the dam in the E2 zone.

Council should also ensure that vegetation is not potentially impacted by the NSW Rural Fire Service 10/50 Vegetation Clearing Code of Practice irrespective of the zone provisions.

It is understood that the area of vegetation is approximately two hectares and therefore is smaller than the usual minimum lot size for an E2 parcel. OEH supports the intent of the planning proposal to protect this remnant vegetation and encourages the use of flexibility in the use of split zones and minimum lot size specifications.

It is unfortunate that a rezoning to E2 does not provide a mechanism for the on-going management of the high biodiversity values of this vegetation. It is hoped that the proponent may investigate conservation programs available through OEH, such as BioBanking, which would provide financial support for the management of the vegetated area. OEH notes that the proponent will not remove any foreshore vegetation, however, the degraded area at the front of the property, proposed as E2 zone, will need active management to prevent further degradation and to improve habitat value.

**ABORIGINAL CULTURAL HERITAGE**

OEH has reviewed the Aboriginal heritage impact assessment report by McCardle Cultural Heritage 2015, presented as 'Appendix D' of the planning proposal. Based on this review OEH acknowledges that there is a low likelihood of harm to known or expected Aboriginal objects within the project area. OEH has no additional concerns with respect to the management of Aboriginal objects within the project area. It is important to note, however, that an Aboriginal cultural heritage assessment to support a rezoning application should focus on both the Aboriginal values of the subject area and the archaeology that may be contained within it.

The following concerns are noted in regard to the adequacy of the Aboriginal heritage impact assessment report:

- the management recommendations detailed in both the Executive Summary and in Section 9.1 (General) are poorly worded and require revision to provide meaningful guidance
- the archaeological predictions for the project area are, as expected, largely based on proximity to currently known fresh water sources. OEH considers this predictive modelling simplistic as it does not account for changing hydrology/geomorphology over time. Importantly, the model does not account for the likely Aboriginal exploitation of the shallow water-table within the project area (as detailed in Section 6.3.2 of the ecological assessment undertaken by Naturecall Environmental for this site)

- the management recommendations do not inform the proponent of the need to proceed with caution. Additionally, they do not provide a clear framework of actions to be undertaken in the event of an unexpected archaeological find
- Section 2 (Consultation) states that four stages of consultation were followed in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents (April 2010)*. It is noted that only one stage is detailed in the report
- Section 8 (Mitigation and Management Strategies) introduces the management options for "...the identified site within the study area." This is contradictory to all previous instances which state that no Aboriginal sites/objects were identified within the project area.

While it is acknowledged that the Aboriginal consultation for this project was undertaken in accordance with the minimum consultation requirements detailed in the *'Aboriginal cultural heritage consultation requirements for proponents 2010'*, it is considered unfortunate that a simple program of follow-up correspondence (i.e.: phone-calls/emails) was not instigated (or documented) to either solicit a response to the invitation to register, or to seek advice on the provision of cultural values for the project area. This omission has likely resulted in an absence of registrations from potentially interested Aboriginal parties, and therefore information relevant to establishing the Aboriginal cultural values of the project area.

The following information is summarised from the standard OEH Aboriginal cultural heritage advice for rezoning applications:

Excerpt from: A Guide to Preparing Planning Proposals (DPI 2012):

*"An amendment to an LEP is a stand-alone component of the development process. The RPA [relevant planning authority] and the community must be confident that the proposed planning controls suggested by the planning proposal are acceptable as an outcome appropriate in that location, regardless of the subsequent approval or refusal of any future development application. Sufficient information must be provided to enable an assessment of the proposal to be undertaken."*

#### **Planning proposals must help to conserve Aboriginal cultural heritage**

The requirement to protect Aboriginal cultural heritage in planning proposals is additionally stated in Local Planning (section 117) Direction 2.3 Heritage Conservation:

*"A planning proposal must contain provisions that facilitate the conservation of:*

- items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,*
- Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and*
- Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people."*

#### **Planning proposals should identify whether Aboriginal cultural heritage values are known or are likely to occur**

The significance of cultural heritage values for Aboriginal people who have a cultural association with the land should be documented in the planning proposal. These results should be considered in addition to any archaeological values that the land may retain.

**FLOOD MANAGEMENT**

Although no flood or related criteria were identified in the Gateway Determination the following comments are provided.

OEH concurs that the site in question is not shown to be flood affected on the flood maps including the 2100 flood mapping. The site is sandy soil with minor drainage lines passing through it (most likely to drain the existing development). There are therefore not likely to be any flood related development constraints apart from evacuation/resupply for the entire suburb in a large flood event.

It is noted that Council has already approved additions to this development which take up the remaining available land with the exception of the proposed E2 zone and most of the dam footprint. Therefore, the main changes which will occur as a result of the rezoning are the potential for subdivision, a potential for slightly higher Floor Space Ratio, and an increased height allowance.

The rear of the site contains a ground water dependent ecosystem. The impacts on this area are summarised on page 23 of the planning proposal. The zone boundary for the proposed Tourist zone SP3 is located on the western side of the existing dam. This means that the dam will be taken into account in any FSR calculations and may lead to a highly impervious fraction on the remaining areas of the site. This is likely to have effects on the hydrology of the downstream ground water dependent community. Water Sensitive Urban Design controls including reuse of water and infiltration would be essential to help manage the changed hydrology, with on-site detention likely to be of no benefit in this location.

It is noted that there is also some mention in the early documentation of Wallum froglets in the vicinity of the existing dam. It is therefore recommended that the zone boundary for the E2 zone includes the dam. This not only protects the dam but is an effective way of reducing the total impervious area on the remaining site. Inclusion of the dam in the SP3 zone potentially allows it to be filled in and redeveloped. The dam may be important as a source of fresh water adjacent to the bushland, may form a component of the groundwater recharge, and may have a Wallum froglet population (noted in the early environmental assessment).

The rezoning also opens up the potential for subdivision down to one hectare lots. It would be important if this is permitted to ensure controls on connection to sewer to control effects of nutrient laden runoff on the E2 zone.



Office of  
Environment  
& Heritage

Your reference: PP 2015 GTARE 00200  
Our reference: DOC16/210719-5  
Contact: Karen Thumm, 4927 3153

Mr Glenn Handford  
Interim General Manager  
MidCoast Council  
PO Box 482  
TAREE NSW 2430

Attention: Michael Griffith

Dear Mr Handford

**RE: ADDITIONAL ADVICE - DIAMOND BEACH PLANNING PROPOSAL - LOT 18 DP576415, 363 DIAMOND BEACH ROAD, DIAMOND BEACH**

I refer to your email dated 7 September 2016 requesting further advice from the Office of Environment and Heritage (OEH) on the Diamond Beach Planning Proposal. The main focus of your email was a request for OEH to reconsider our recommendation to rezone the dam on the property to E2 Environmental Conservation.

Without detailed geological investigation, rather than a desktop assessment, it cannot be known for certain whether the dam is on a perched aquifer and likely receiving surface flows, or comprises groundwater via the unconfined aquifer from the upstream catchment (probably a stream entering the dam in the form of a baseflow system). The proponent argues that it is a closed, sealed and perched system with no interaction to the regional aquifer.

If it is a perched system the regional aquifer will not be affected by development of part of the dam area. If it is not a perched aquifer, however, as implied by the statement in the consultant's report that there are leaks into the regional aquifer, Council is exposed to a certain level of risk. OEH's risk assessment indicates that Council needs to be aware of the potential consequences if there is permeability to the regional aquifer, and of the potential need for remediation in future. Furthermore, Council should be aware of the risk of cumulative impacts if there were to be further impacts of this nature in the region.

Assuming that the ecosystems in the local vicinity of the dam are dependent on the perched aquifer, then these Groundwater Dependant Ecosystems (GDE), (using the definition of GDE in the proponent's report) would be affected by the development. However, OEH's review of the description of the vegetation in the biodiversity assessment for the area near and around the dam, indicates that neither of the vegetation communities present is considered an endangered ecological community, that no threatened species have been recorded, and that the anticipated impacts on biodiversity are therefore relatively low. OEH has therefore reconsidered our previous advice that the dam be zoned E2. OEH recommends that Council suggests mechanisms are put in place to retain as much of the dam as possible.

OEH recommends that the proponent still be advised to keep all impacts on vegetation to a minimum and to retain as large an area of vegetation as possible in the E2 zone. OEH does not object to this planning proposal proceeding without the dam being rezoned E2.

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**Aboriginal Cultural Heritage**

OEH understands that the Aboriginal heritage impact assessment has been revised to address OEH's concerns over the adequacy of the assessment. Please note that OEH was not requested to review the assessment and has no knowledge of what revisions have been undertaken.

If you have any enquiries concerning this advice, please contact Karen Thumm, Conservation Planning Officer, on 4927 3153.

Yours sincerely

22 SEP 2016

**RICHARD BATH**  
Senior Team Leader Planning, Hunter Central Coast Region  
Regional Operations

### **3 DETAILED STRATEGIC PLANNING WORK PROGRAM FOR MCC**

**Report Author** Roger Busby, Manager Strategic Planning

**File No. / ECM Index** SP-STRAT-15

**Date of Meeting** 22 March 2017

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#### **SUMMARY OF REPORT**

The creation of MidCoast Council has generated the need to establish a strong strategic planning framework to ensure balanced and sustainable growth for the new Council area. At the same time, Council also has to continue with current projects that demonstrate strategic merit or which are otherwise of a high priority.

A review of all current projects on the work programs of the three former Councils has been undertaken and these have been prioritised. Key projects to establish a sound strategic planning framework have also been identified.

At the meeting of 14 December 2016, Council considered a report on the highest priorities to establish a high level framework for sustainable growth of the newly created MidCoast Council. This report now follows up with a more detailed work program comprising current and future projects and seeks Council's endorsement of the work program. It has also been prepared after further consultation with NSW Department of Planning and Environment.

#### **SUMMARY OF RECOMMENDATION**

- A. That Council endorse the Strategic Planning Section work program contained in Attachment A.
- B. That heritage projects, where grant funding is available, be included on the work program where there will be significant community benefit and where there is capacity to take on these projects.
- C. The work program be reviewed regularly to identify when capacity is available to undertake additional projects.

#### **FINANCIAL/RESOURCE IMPLICATIONS**

The work program will be funded by a combination of Council, merger implementation and developer funds. The full financial implications can only be determined when quotes are sought for the main strategic projects.

#### **LEGAL IMPLICATIONS**

Nil.

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#### **BACKGROUND**

In establishing a new work program for Council's Strategic Planning Section it has been necessary to review and prioritise the projects on the work programs across the three former Councils and to identify key projects to give MidCoast Council (MCC) a solid framework for managing growth.

Consultation with the NSW Department of Planning and Environment (DPE) has greatly assisted in establishing key projects to manage growth. Release of the Hunter Regional Plan has also clarified key strategic directions.

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The main priorities agreed to between Council and the DPE at a meeting shortly after the merger proclamation were:

1. *Completion of a new Local Strategy*

The preparation of a Local Planning Strategy (LPS), based on the framework set by the Hunter Regional Plan, is the highest planning priority for the merged entity. A new Local Strategy will be essential as there are many fundamental issues, as well as strategic directions across the new area, which will have to be explored in close consultation with the community. A Local Strategy will identify new opportunities and issues across the diverse MCC landscape as well across the many diverse urban centres and villages. It will also give direction to, and underpin, a new local environmental plan for MCC.

Whilst it is acknowledged that a LPS is the highest priority, it was also acknowledged that such a strategy should not be of such scale and complexity that it is beyond the resources of Council and the Department to deliver in a reasonable timeframe. On this basis, it was agreed with the Department that the work be undertaken in stages with the first priority being a strategy that addresses economic opportunities and issues across the MCC rural landscape. This has become known as the Rural Economic Diversity Strategy (REDS).

At the Council meeting of 14 December 2016 Council resolved to proceed with the preparation of the REDS and consultant quotations have now been sought for the project.

2. *New Local Environmental Plan (LEP)*

The LEP will be one of the main mechanisms to implement many of the actions that will arise from the Local Strategy.

Work can commence on the LEP before the Local Planning Strategy is completed as there are numerous tasks that can be undertaken to rationalise the current Great Lakes, Taree and Gloucester instruments. For example, opportunities to commence harmonising the three LEPS by standardising provisions are being investigated.

3. *New Development Control Plan*

Preparation of a new DCP will be the next logical step after finalisation of the new LEP for MCC. Much work on the DCP will be able to be undertaken while the LEP is being prepared, but it will only be possible to finalise all DCP provisions when the LEP has been adopted.

### **Recent Position of Department of Planning and Environment**

In developing the more detailed work program, contained in Attachment A, there has been further consultation with DPE. The department supports the proposed high level work to deliver a sound framework, as set out under the heading "Establishing a Strategic Framework" in Attachment A. There is concern, however, from the department with new rezonings that Council may commence in advance of a sound platform for growth.

The department, in response to meetings and other consultation, has provided the following advice to Council:

*The strategic priorities in Council's work program aim to align with the priorities identified for Mid-Coast Council in the Hunter Regional Plan 2036 (the Regional Plan). The Department is happy to work with Council in the scoping and delivering these projects to ensure the subsequent local strategies align with the Regional Plan, particularly where Council intends for these to be endorsed and form the strategic basis for subsequent planning proposals.*

*There are several projects we are progressing which will assist Council's projects. More detailed comment on collaboration opportunities and Council's projects are below:*

- 1. Rural economic diversity strategy – The Department is supportive of this progressing as a priority and will be guided by Council in respect of what assistance we can provide to the process and with discussions with other Government agencies.*
- 2. The development of an Urban Development Program (UDP) is a priority project in the Regional Plan implementation plan – The Department, with the assistance of a consultant, recently completed a pilot project to identify a potential UDP methodology for the Hunter Region. We are happy to share this with you (see attached) and provide assistance with the development and refinement of Council's methodology.*

**Note: This is referred to as the MidCoast Urban Growth Plan in the work program contained in Attachment A.**

*Our office could also coordinate a review of Council's methodology by the Department's housing data team which runs the Metropolitan Development Program for the Sydney region.*

- 3. The development of a toolkit of resources to assist the preparation of local planning strategies - the intention is provide guidance for the preparation of local strategies to achieve consistency with the Regional Plan. We will discuss this project with several councils in the next few weeks and include MidCoast in these discussions. In particular, we intend to provide guidance for local housing and employment strategies and can provide comment on methodologies and briefs for Council's projects in these areas.*
- 4. We're happy to discuss the Manning Health Precinct project and other health precinct planning work we intend to do as part of the Greater Newcastle Metropolitan Plan.*
- 5. Opportunities for consolidation of LEP provisions – we are happy to continue to discuss this project and work with Council as it works towards its consolidated LEP.*

*Several other components of the Greater Newcastle Metropolitan Plan project will be relevant to the MidCoast Council work – we will keep you up to date on these and advise you of relevant work.*

*As advised 1 February 2017, we would prefer that the investigation of housing needs and opportunities be undertaken before any new residential development sites are identified.*

In February of this year Council sought advice from the department on their position with progressing a Planning Proposal for the rezoning of a medium sized residential release area on Wingham Road (about 450 lots). This advice was sought because the department had previously declined to support the rezoning on the basis of the need for a growth strategy for Taree and Wingham and that there appeared to be sufficient land already zoned to meet the growth needs of Taree for some years.

The department has reiterated their previous position by advising that their *preference would be for Council to investigate opportunities to deliver housing from existing housing sites, before identifying new residential development sites. This could involve looking at the housing needs and supply of the MidCoast LGA, including the Taree and Wingham sub-market/s.*

This advice has increased the priority that should be given by Council to preparing a MidCoast Urban Growth Plan to clearly define future growth areas and to identify a logical and efficient sequencing of release (and rezoning) areas based on demand and servicing.

### **How Has the Work Program Been Determined?**

The proposed work program, contained in Attachment A, has been established by identifying new projects that are critical to establishing a sound strategic framework for MCC and by reviewing all projects on the work programs of the three former Councils.

Highest priority will be ascribed to those projects that will establish the framework for growth.

Other active projects have then been retained if they fall into the following categories:

1. *Those where there has been a long standing commitment to complete*

These are projects that were well advanced or nearing completion when the merger was proclaimed. Some of the projects have been ongoing for many years and there is a high expectation that these will be completed due to the funds and resources that have been committed by the proponent and Council. All the retained projects either have a resolution of the former Council to proceed or were nearing this point when the merger was proclaimed.

One area in particular, Kolodong on Wingham Road, Taree, has undergone considerable scrutiny as to its strategic merit. This is because the Department of Planning and Environment in 1994 declined to support the rezoning in the absence of clear growth plan for Taree and Wingham and because, at that time, there appeared to be sufficient land to accommodate residential growth.

The Department of Planning and Environment has recently reiterated their previous advice on Kolodong by stating that Council should investigate opportunities to deliver housing from already zoned land before investigating new release areas.

In accordance with this advice from the Department, work has already commenced on the investigation of existing land supply and demand, servicing and other constraints to release of currently zoned areas. Concurrent with this work, investigations are being undertaken into the available supply of residential lots so that Council can gain a picture of what is happening in the land market.

A planning proposal for Kolodong was submitted to Council in 2015. Processing was delayed until the consent of all landowners was provided to Council.

The work being undertaken in accordance with the advice from DPE will enable potential release areas, such as Kolodong, to be considered in the broader context of land releases across MidCoast Council.

2. *Those with a high level of strategic merit or community benefit*

All projects that Council retains on the work program over the short to medium term should demonstrate a high level of strategic merit. Projects that don't demonstrate a high level of strategic merit should be delayed until higher priority projects are completed.

Strategic merit can be assessed according to whether:

- The rezoning of the land is identified in a local strategy adopted by Council or a regional strategy produced by the NSW Department of Planning and Environment;
- There is sound community benefit from proceeding with the project at this time, such as, will it result in growth and employment opportunities currently not available or deliver good environmental or infrastructure outcomes; or
- The change to the respective LEP is important, such as to overcome anomalies or clarify provisions in the respective LEPs.

**Projects that Will be Delayed**

The additional work generated by the merger has meant that some strategic planning work will be delayed or discontinued due to the the need to establish a sound framework for growth. These fall into the following two categories:

1. *Those that can be delayed until a new LEP/DCP is prepared for MCC*

Each of the former Councils had projects on their work programs that involved revisions or alterations to their LEPs and Development Control Plans. Projects that are highest priority and which will deliver significant community benefit have been retained, but others can be delayed pending either the preparation of a planning proposal to align as many provisions as possible, or the completion of a single LEP for the entire LGA.

2. *Those that have been delayed for other reasons*

There are some projects that have not advanced for some time or which were submitted just prior to, or just after, the merger and which have not reached an advanced stage of completion. The strategic merit of some of these projects is unclear until further work is done.

These projects should not be given precedence over others that demonstrate greater merit and/or are more advanced.

Projects in the above two categories include but are not limited to:

- Highway service centre in the rural zone outside of Bulahdelah. In early 2016 a planning proposal was lodged for an amendment to the Great Lakes LEP to allow a service centre in the rural zone on the northern side of Bulahdelah. This project has been retained on the work program because the owners have requested DPE to consider the proposal via the government's formal review process. Consequently, Council has a role in this process and must liaise with the Department. An independent consultant has been used by Council to assess the proposal and this will continue as long as the proponent is prepared to fully fund the consultants and Council's time.
- Reduced lot size and DCP provisions for small lots in the medium density zone at "greenfield locations" in former Great Lakes. These issues should be explored more broadly across all of MCC as part of a Housing Strategy.
- Investigation of appropriate lot sizes in some rural areas across the LGA. This should be addressed as part of the Rural Economic Diversity Strategy and Housing Strategy.
- Investigation of medium density zones at various locations. This should be addressed as part of a Housing Strategy.

### **Projects to Establish a Sound Strategic Land Use Planning Framework for MidCoast Council**

Since the meeting with the NSW Department of Planning and Environment shortly after the merger, the Hunter Regional Plan (HRP) has been released. This document has helped clarify and confirm the highest strategic planning priorities for the new Council.

There are four (4) broad Goals under the HRP that help to inform the key actions that should be taken. These key actions can be translated into five (5) key areas:

- Urban Growth Plan.
- Housing diversity and affordability.
- Economic development.
- Rural planning.
- Infrastructure.

The report to the Council meeting of 14 December 2016 identified three (3) high priority projects to establish a sustainable framework for the balanced growth of MCC. One of these was the Rural Economic Diversity Strategy which was endorsed by Council to proceed and is now underway. The other two were the preparation of a Housing Affordability and Diversity Strategy and the preparation of an Economic Development Strategy. An additional project is the preparation of an Urban Growth Plan that includes a process for monitoring land supply and demand.

### 1. *Urban Growth Plan*

The primary purpose of the plan is to identify all undeveloped areas across MidCoast Council area that are already zoned for development as well as those areas which have been identified for future potential rezoning for growth in local and state strategies. An assessment of demand and servicing capability and other constraints will be undertaken to identify when, and if, the land should be released. In the terms of the Hunter Regional Plan, this will involve the preparation of an Urban Development Program.

This plan will play an important part in defining where growth occurs rather than Council reacting to ad hoc rezoning requests.

### 2. *Housing Diversity and Affordability*

A housing strategy would identify the extent of urban growth into the foreseeable future and then establish principles and guidelines for the type of residential growth (redevelopment and new housing) across the urban environment.

The scope of this project will be established in consultation with the department but some specific matters to be addressed would include:

- Review the current type and form of housing within the study LGA.
- Assess appropriate lot sizes to deliver diversity.
- Review demographic trends and policies to determine whether the current style of housing will effectively provide for the housing needs of the future population.
- Identify the types and form of housing that will be of benefit to the future population.
- Determine whether there are any gaps in the housing needs of the existing and future population.
- Identify practical means of achieving a greater variety in form and type of housing for the future population and satisfying special needs groups.
- Identify opportunities for maximising residential densities (in appropriate locations).
- Identify planning measures to ensure that the desired urban form and densities for residential precincts are practically achieved.
- Identify key needs and issues in regard to greater access to affordable housing.
- Identify what strategies Council can implement in order to address affordable housing needs and issues.
- Detail a strategic action plan to deliver sustainable affordable housing options.
- Recommend modifications to Council's planning instruments to better achieve affordable housing.
- Assess the affordability of housing in the Study Area for a broad demographic and socio-economic range including, young and single parent families, the unemployed and the retired.
- Investigate mechanism to achieve better affordability of housing for disadvantaged groups.

A Housing Strategy will draw upon and respond to many of the issues and actions from the Draft Manning Valley Local Strategy that was at an advanced stage of completion just prior to the merger. When the merger was proclaimed the strategy was deferred by Council in recognition that a Local Planning Strategy should be prepared for the entire MCC LGA.

### 3. *Economic and Employment Strategy*

The scope of this project will be established in consultation with the department but some specific matters to be addressed would include:

- What is the current supply of employment land across MCC?
- Future employment opportunities and how to provide for these, including planning mechanisms.
- Amount of land required for employment into the future in the MCC towns.
- Types of employment land available in different locations, for example do the different towns across MCC lend themselves to different employment opportunities?
- Is there a need to more strongly reinforce town centres by providing greater differentiation between employment opportunities in the town centre zones and industrial zones?

This project will overlap with the portfolio of the recently appointed Manager, Growth, Economic Development and Tourism and the full scope of the project will be determined when priorities for the position have been established. At the appropriate time, the project will be reported to Council for endorsement.

#### *4. Infrastructure*

Before the scope or need for an Infrastructure Strategy can be identified, there will have to be engagement broadly across Council to identify deficiencies, opportunities and issues. There will also be overlap with an Economic and Employment Strategy due to the close relationship between infrastructure and economic development.

### **Other Strategic Planning Priorities**

The Hunter Regional Plan nominated some specific priorities for each of the Local Government areas that fall within the Hunter region. Most of these involve the preparation of strategies to give broad direction under one or more of the key areas above but there some specific projects that can deliver short term community benefits. Two, in particular, have the potential to deliver sound economic and housing in the short term for MidCoast Council if they are commenced. These projects were elevated from the draft Manning Valley Local Strategy to the Hunter Regional Plan and include:

1. Support for the Manning Rural Referral Hospital by developing a health precinct cluster.
2. Maintain the retail and commercial role of the CBD, centered on Victoria Street.

Both of the above priorities are related due to the close proximity of the hospital and town centre to each other. It is recommended that that they be included in the Strategic Planning Work Program, contained in Attachment A, for commencement when capacity is available.

A separate report will be submitted to Council on the scope of the project when it is to commence.

### **Future projects**

The final group of projects in the work program contained in Attachment A under the heading "Future Projects" includes recently lodged planning proposals, rezoning proposals where there have been discussions with landowners/consultants in about the last six months and work that will be required as a result of likely amendments to the Environmental Planning and Assessment Act. These projects will progress when capacity is available.

During the year heritage grant funding opportunities arise. These should be pursued for projects that will deliver significant community benefit as resources are available.

### **Recent Rezoning Requests**

Since the merger was proclaimed there have been numerous approaches to Council from landowners for their land to be rezoned. These have been requests for rezoning for businesses and industrial purposes, extensions to caravan parks and residential and rural residential purposes.

Most of these have not been for land identified in adopted growth strategies and, while there may be some strategic merit in proceeding, the rezoning work should not commence until a sound strategic planning framework is in place for the new Council.

## **CONSULTATION**

Considerable community consultation will be undertaken with the preparation of the various projects. Community engagement plans will be prepared at the beginning of each project.

## **ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN**

Former Great Lakes Council had identified a review of its Conservation and Development Strategies in its Operational Plan, and Greater Taree City Council was well advanced with the preparation of Manning Valley Local Strategy when the merger was proclaimed. It is now a matter of bringing the former Gloucester Council into the strategic planning process of the other two former LGAs.

The site specific projects set out in the work program contained in Attachment A are also included in the Operating Plans of the former Councils.

## **TIMEFRAME**

The work program has been prepared on the basis of the current capacity of the Strategic Planning Section of Council and will set the scope of work for at least the next couple of years.

## **RISK CONSIDERATION**

There is risk to Council in not having in place a strategic planning framework to guide the future sustainable growth of the area so as to achieve the aspirations of the community.

## **CONCLUSION**

The proposed Strategic Land Use Planning Work Program for the short to medium term is contained in Attachment A. This is a large work program, even with numerous projects deferred or delayed. All the projects from the three former Councils demonstrate some level of strategic merit and/or long standing commitment to complete and should be retained on the work program so they can be progressed as opportunity arises.

It should be noted that some of these will only be able to proceed if they are justified by a supply and demand analysis as required by DPE.

The program reflects the priorities as discussed with NSW Department of Planning and Environment. As per these discussions, the highest priority should be given to those projects that will establish a sound framework for sustainable growth. Progression of these projects will be fundamental to the preparation of a consolidated LEP and DCP by a newly elected Council and will provide the context for the department to be able to support residential rezonings.

It is important for a work program to be endorsed by Council so as to give direction and a higher level of certainty to the community, landowners and developers on the land use planning priorities for the new Council.

The projects in red text in Attachment A are ones that were almost completed at the time of writing this report.

## **RECOMMENDATION**

- A. That Council endorse the Strategic Planning Section work program contained in Attachment A.
  - B. That heritage projects, where grant funding is available, be included on the work program where there will be significant community benefit and where there is capacity to take on these projects.
  - C. The work program be reviewed regularly to identify when capacity is available to undertake additional projects.
- 

## **ATTACHMENTS**

A: Proposed Strategic Planning Work Program.

Attachment A has been circulated in hard copy to the Administrator and Senior Staff only. However, this Attachment is publicly available on Council's Website, copies are available at Council offices and copies are available on request.

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## **4 RECYCLE BINS IN GLOUCESTER**

**Report Author:** Tania Parkinson, Environment and Waste Coordinator

**File No. / ECM Index** Public Place Recycle bins in Gloucester

**Date of Meeting** 22 March 2017

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### **SUMMARY OF REPORT**

Reducing waste generation and keeping materials circulating within the economy are priorities for NSW. Funding from the NSW Environment Protection Authority (EPA) on an annual basis allows for better practice waste avoidance projects. Providing recycle bins within Gloucester is one of those projects that has been highlighted in the Gloucester Waste Strategy 2014-18, and has been funded by the EPA Better Waste and Recycling Fund. The Gloucester Public Place Recycling Strategy 2017-19 has been completed to ensure the best location of public bins and a map of the installation areas has been completed.

### **SUMMARY OF RECOMMENDATION**

That public place recycle bins be installed in Gloucester.

### **FINANCIAL/RESOURCE IMPLICATIONS**

The purchase and installation of the recycling bins and the replacement of the waste bins is grant funded from the EPA Better Waste and Recycling Fund.

There will be financial implications regarding increased pickup of recycling bins by the contractor. This will be covered by the waste management budget.

### **LEGAL IMPLICATIONS**

Nil.

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### **REPORT**

Reducing waste generation and keeping materials circulating within the economy are priorities for the NSW state government. One of the main ways to reduce waste to landfill is the installation of public place recycling bins in the main street and in high usage areas. Public place recycling bins also reinforce the message of reduce and reuse and is an important education tool.

At present Gloucester does not have public place recycling bins.

In line with the NSW State Government, the Gloucester Waste Strategy 2014-18 recognised the need for public place recycling, and actioned targeting funds to ensure that recycle bins were introduced into Gloucester.

As such, external funds from the NSW Environment Protection Authority (EPA) were secured for the completion of the Gloucester Public Place Recycling Strategy (Annexure A), the installation of recycling bins and appropriate signage, and the replacement of waste bins in Gloucester and surrounds.

The present litter bins will be replaced with attractive stainless steel dual bin enclosures in the town centre precinct and dual plastic bins on stands in the reserves and rest areas. The bin enclosures will be consistent with the design used by the former Greater Taree City Council. Appropriate signage to ensure that contamination of the recycle bins do not occur, will be erected at the major rest areas.

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## **MANAGER WASTE, HEALTH AND REGULATORY SERVICES**

The development of the Gloucester Public Place Recycling Strategy has been undertaken in consultation with waste staff across MidCoast Council. This approach has had the benefit of many years of trials and error both in the Manning and Great Lakes. It is considered this initiative will be well received by the local community and deliver an improved public litter and recycling bin service along with enhancing the streetscape in the Gloucester CBD.

### **RECOMMENDATION**

That the public place recycle bins be installed in Gloucester in accordance with the Gloucester Public Place Recycling Strategy.

## ANNEXURES:

A: Gloucester Public Place Recycling Strategy.

MidCoast Council

### Gloucester Public Place Recycling Strategy

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#### Purpose

The Gloucester Public Place Recycling Strategy (PPR Strategy) has been developed to provide guidance to Council officers in installing public place recycling in key locations in the Gloucester area. This strategy is in line with the Gloucester Shire Waste Strategy 2014 - 2018.

It is designed to provide residents and visitors to Gloucester with the infrastructure needed to 'do the right thing' by recycling and recovering the 33% of recyclable materials currently in the public litter bins in Gloucester<sup>1</sup>. It is also designed to demonstrate leadership in the broader community in promoting resource recovery and recycling and reducing valuable materials being sent to landfill, along with reducing littering in the vicinity of the bins.

It is intended that this PPR Strategy be amended and updated in the future to apply to the other town centres and high use public areas in the MidCoast Council region.

#### PPR Strategy

##### i. Introduction

Public Place Recycling (PPR) refers to systems installed in high use public areas to collect recyclable materials from the waste stream<sup>2</sup>. Providing recycling infrastructure helps people dispose of waste responsibly when away from home. In addition to supporting materials being diverted from landfill, research indicates that providing accessible and well maintained bins has a positive impact on litter prevention<sup>3</sup>.

There is an expectation that the Gloucester community is serviced in a similar way to the Manning and Great Lakes communities and provided with public place recycling. Gloucester is a NSW Tidy Towns Sustainable Communities winner<sup>4</sup> which demonstrates the pride that residents have in their place and their commitment to keeping Gloucester clean. PPR will complement the service offered at the drop off recycling facility at the Gloucester landfill.

The introduction of recycling infrastructure requires an integrated approach with public litter bin infrastructure. Consequently the location and number of public litter bins and the

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<sup>1</sup> Public Place Bin and Litter Audits June to July 2016, report produced for MidCoast Council

<sup>2</sup> Public Place Recycling toolkit (2013) Sustainability Victoria, p 2.

<sup>3</sup> Better Practice Guide for Public Place Recycling, DEC NSW, p. 5.

<sup>4</sup> Gloucester won the NSW Tidy Towns Overall State Sustainable Communities Award in 2015.

consistency of presentation between waste and recycling bins has been addressed in this Strategy.

The former Gloucester Shire Council received funds from the NSW Better Waste and Recycling Fund for public place recycling in the 2016 financial year. This funding has enabled a comprehensive approach to the implementation of this Strategy.

The Strategy covers the various elements of PPR system required to meet recycling objectives, - bin locations, style of infrastructure, signage and community education, and also collection, cleaning and maintenance. A biennial review of the Strategy will be undertaken.

#### ii. Bin locations

Research on bin locations suggests that in addition to installation and maintenance cost effectiveness criteria, the following criteria be taken into account in locating recycling bins.

- **Visibility**  
Bins should be located as near as possible to the point where people are ready to dispose of recyclables, for example where people stop to eat or rest
- **Distance between bins**  
There are no firm guidelines as to how far people are prepared to go to use a waste bin. NSW Government guidance <sup>5</sup> suggest people will not move more than twelve metres to dispose of waste in a public place
- **Pedestrian destinations**  
People often delay disposing of waste until leaving a site so bin placement in surrounding areas and streets needs to be considered
- **Information for end users**  
The public (including visitors) should be informed about the PPR system and what recyclables are acceptable via simple signage and other means
- **Practicality and safety**  
Bins need to be located where it is practical and viable economically to service them.

These criteria were taken into account by Council staff in recommending the specific locations for PPR infrastructure in the Town Centre Precinct, Gloucester District Park and Council serviced reserves and rest areas.

#### iii. Bin infrastructure

The style of bin enclosures to be installed in the Town Centre, Billabong Park and select locations in Gloucester District Park will be a dual unit (waste and recyclable enclosure) to

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<sup>5</sup> Better Practice Guide for Public Place Recycling, DEC NSW, p. 9

replace a number of the existing waste bins. Co-location with litter bins is needed to ensure that the potential for contamination of recycling is reduced.

The enclosures will be consistent with the stainless steel waste enclosures recently installed in the Taree commercial district. These designs satisfy planning and heritage requirements that apply to Gloucester and are not as easy to vandalise as other designs. The bin openings will be protected from rain by the top cover. The size of the bin openings will be designed for the targeted materials while making it difficult to dispose of commercial or household waste. The cigarette butt trap is designed to minimise the chance of a fire starting in the bin and also ensures the butts end up in the bin.

In public reserves, rest areas and other locations where enclosures are not required, wheelie bins will continue to be used and double bin stands will be used to keep the waste and recycling bins in place.

Other design considerations included the following:

- Minimising vandalism
- Locking mechanism that is easy to open for collection drivers but not obvious to the public
- Size of enclosures and wheelie bins to suit the location and frequency of collection.

Appendix A includes illustrations of the type of infrastructure proposed for Gloucester.

#### **iv. Signage**

PPR signage helps convey what behaviour is expected and distinguish recycling from rubbish, using colour coding and other signage on bin enclosures.

##### **Signage on bin enclosures**

The current bin enclosures in the Town Centre have no signage. Signage elements for the new bin enclosures include the use of standard waste and recycling colours on the side panels and the bin openings. A platypus image associated with the local Gloucester environment will be included on the enclosure door. Any other signage such as the Council logo will be constructed as a removable sign so it can be updated if needed in the future.

##### **Labelling on and signage above parks bins**

Different sign types on bins and a range of different overhead sign types are used in parks and public reserves. This Strategy aims for greater consistency in labelling and signage and clarity of messages.

### **Overhead signage**

Overhead signs are used to draw attention to recycling bins in high use park and recreational locations and rest areas. Sites recommended for new overhead signs are:

- Gloucester Recreation Centre
- Gloucester Swimming Pool
- Lions Park
- Mograni Lookout
- Ted Woolford Rest area.

#### **v. Community education and promotion**

Community education is important to ensure that PPR bins are used correctly. Messages about what can and can't be placed in public recycling bins need to be clear and consistent. An example from current practice is the 'No plastic bags' sticker used on some wheelie bins.

Ways to promote the new bin infrastructure will include

- Flyer about the PPR bins as well as other reuse and recycling information for business owners in the Town Centre precinct
- Information on the MCC website and Facebook and Twitter pages, and link to social media pages of other local organisations
- Information on MidCoast Waste and Midwaste Regional Waste Forum websites
- Display for use at events including local Farmers markets
- Local newspaper articles.

A detailed communications plan will be developed in consultation with communications staff at MidCoast Council. It will include actions that residents, visitors and businesses can take to reduce waste and avoid unnecessary packaging and single use plastic bags.

#### **vi. Collection, cleaning and maintenance**

MidCoast Waste has a contract with JR Richards & Sons to collect kerbside waste weekly, and green waste and recycling fortnightly. Recyclables are taken to the Material Recovery Facility (MRF) at Tuncurry.

Once the new PPR infrastructure is in place, records of bin size, style and location will be added to the MidCoast Council asset register.

For the public place recycling bins to be effective, operational arrangements with the collection contractors and the Council Parks cleaning staff need to be clear.

In addition to the residential services, JR Richards & Sons collects waste from wheelie bins in Billabong Park and several other parks and rest areas. Council Parks staff currently collect waste from the bins in the Town Centre and some other areas.

With the introduction of public place recycling, some waste bins will be removed and JR Richards staff will collect both recycling along with litter from the new dual bin systems. The bin enclosures will require unlocking and the bins will be manually removed.

It is acknowledged that preventing contamination is a key issue for the effectiveness of the PPR system. Bin opening and signage will be designed to help control contamination.

Cleaning and maintenance will be carried out in accordance with the contract with JR Richards & Sons and Council Parks staff. Monitoring by the Council contract manager will be undertaken to ensure the enclosures are maintained in a good condition.

### **Future development of the PPR Strategy**

This Strategy will be reviewed and updated every five years and sooner if required

Elements of a PPR system for future consideration include:

- Results of audits
- Provision of extra bins during peak periods and special events, and how these are managed
- Implications of Container Deposit Scheme infrastructure on existing PPR infrastructure and signage.

### **References**

Better Practice Guide for Public Place Recycling (2009) Produced by the NSW Department of Environment and Conservation

Public Place Recycling Toolkit (2013) Produced by Sustainability Victoria

Midwest Regional Waste Avoidance and Resource Recovery Strategy 2014 – 20121, Produced by the MRA Consulting Group for the Regional Waste Forum

Public Place Bin and Litter Audit, June to July 2016, Produced by *ec Sustainable* for Midwest Regional Waste Forum

Midwest Regional Waste Forum Annual Report 2015/16

Gloucester Shire Waste Strategy 2014 – 2018. Produced by the former Gloucester Shire Council

### **Appendices**

## Appendix A – Illustrations of proposed PPR infrastructure

Stainless steel enclosures similar to those installed in the Taree commercial precinct are proposed to be installed in Gloucester. An image associated with Gloucester will be included on the enclosure door and the MidCoast Council logo attached as a removable sign.

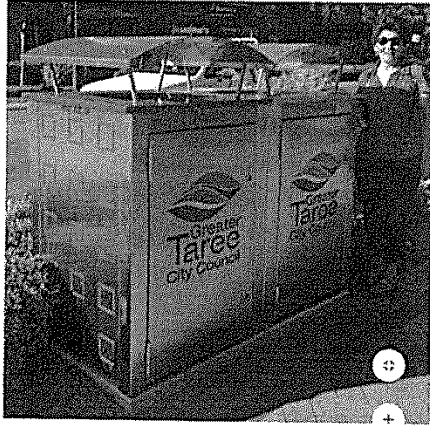


Figure One: Dual waste and recycling enclosures installed by the former Greater Taree City Council

Dual waste and recycling bin stands are proposed for reserves and rest areas. Overhead signs similar to those in Figure 2 will be erected in five key locations.



Figure Two: Dual waste and recycling bins with overhead signage installed by Coffs Harbour City Council



**5 MINUTES FOR WALLIS & SMITHS COAST & ESTUARY COMMITTEE  
30 NOVEMBER 2016**

**Report Author** Prudence Tucker, Environmental Projects Coordinator  
**File No. / ECM Index** NS-EST-W/L-S/L; Estuary, Coast Mgmt, Smiths & Wallis  
**Date of Meeting** 22 March 2017

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**SUMMARY OF REPORT**

The Minutes of the Wallis & Smiths Coast & Estuary (WSCE) Committee meeting held on 30 November 2016, and adopted by the WSCE Committee at their quarterly meeting of 22 February 2017, are submitted for information.

**SUMMARY OF RECOMMENDATION**

It is recommended that the Minutes of the Wallis & Smiths Lake Coast & Estuary Management Committee meeting held 30 November 2016 be noted.

**FINANCIAL/RESOURCE IMPLICATIONS**

Nil.

**LEGAL IMPLICATIONS**

Nil.

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**REPORT**

That the Minutes of the Wallis & Smiths Lake Coast & Estuary Management Committee held 30 November 2016 are attached as Annexure A for noting.

**RECOMMENDATION**

It is recommended that the Minutes of the Wallis & Smiths Lake Coast & Estuary Management Committee meeting held 30 November 2016 be noted.

**ANNEXURES:**

A: Minutes of Wallis & Smiths Lake Coast & Estuary Management Committee meeting held 30 November 2016.

**MINUTES OF  
THE WALLIS & SMITHS COAST & ESTUARIES  
COMMITTEE MEETING  
HELD ON 30 November 2016**

**ATTENDED BY:**

<b>Committee Member</b>	<b>Organisation Represented</b>
Carl Atchison	Community Member
Debe Brassey	Community
Graeme Byrnes	Community Member
Leslie Cheers	Professional Fisherman Smiths Lakes (Rep Newcastle Co-op
Sue Gould	Community
Janusz Haschek	Community Member
Frank Hemmings	University of New South Wales
Brian Hughes	LLS (Local Land Services) Hunter
Kirsty Hughes	Midcoast Water
Dr George McKay	Community Member
Michael Barberie	Crown Lands
Fiona Miller	Booti Booti National Park
Katheryn Smith	MidCoast Council LRC
Isabelle Strachan	MidCoast Council
Prue Tucker	MidCoast Council
Gerard Tuckerman	MidCoast Council

**1. APOLOGIES:**

<b>Committee Member</b>	<b>Organisation Represented</b>
Drew Morris	MidCoast Council
Luke Erskine	NSW Department of Primary Industries

**2. CONFIRMATION OF MINUTES**

The minutes of the meeting held 14 September 2016 including addendum (noted below) were moved as a true and accurate record of the meeting, and subsequently adopted.

Moved by: Sue Gould  
Seconded: Katheryn Smith

All in favour

## Addendum to Minutes of WSCEC Meeting held 14 September 2016

### Agency Reports & Update

Marine Parks update, contained information that has been revised by Luke and has since been updated.

#### Marine Parks

The NSW Government announced its decision on the recreational fishing amnesty in NSW marine parks in December 2014. Based on the Marine Estate Expert Knowledge Panel's advice and further consideration of social values and use conflicts, the NSW Government proposes to:

- rezone 10 sites in NSW marine parks from sanctuary zone to habitat protection zone to make shore-based recreational line fishing lawful, and to continue the amnesty at these sites until the rezoning process is finalised. For Port Stephens – Great Lakes Marine Park, this proposal relates to the Cellito South Sanctuary Zone and Fiona Beach Sanctuary Zone.

Marine Parks have developed a MOU with the Worimi Knowledge holders Aboriginal Corporation. The purpose of the MoU is to:

- encourage the involvement of Aboriginal people in the planning and management of the Port Stephens – Great Lakes Marine Park;
- support the cultural use of fisheries resources in the Marine Park, in accordance with the Department's Policy for Aboriginal Engagement and Cultural Use of Fisheries Resources in NSW Marine Parks; and
- establish the Worimi Aboriginal Advisory Group.

Sea pens to be deployed as part of the Marine Aquaculture Research Lease (MARL) within the next fortnight for fin fish farming between Broughton and Cabbage Tree Islands within the Marine Park.

### 3. MATTERS ARISING FROM PREVIOUS MEETINGS WITH OUTSTANDING ACTIONS

Action Arising from Meeting	Meeting	Responsible	Comments
Provide data on the quantity of building material over whole litter collection study	26/8/15	Andrew Morris	Ongoing - Prue to pass on to Karen Bee, this project will now include Wyuna Canal
Provide information about dogs and horses on Smiths Lake to regulatory officers	24/02/16	Prue Tucker	ongoing
Liaise with Oyster Growers and Fisherman Co-op to discuss the idea of dedicating a meeting to industry projects/practices and estuary management observations	24/02/16	Prue Tucker	ongoing
Include Council's progress against DP/OP as agenda item on and reference in the project report to these actions	24/02/16	Prue Tucker	ongoing
Consider concept of implementation plan to track project progress in relation to management plans and reference to management plan in progress reports	24/02/16	Prue Tucker	ongoing
Tina to discuss with Drew contractors using long handled spray for weed eradication in hard to reach places	25/5/16	Tina Clemens / Drew Morris	Prue to follow up

Action Arising from Meeting	Meeting	Responsible	Comments
Anyone who is aware of any additional access points to Smiths Lake that were not presented in the attached maps should draw them on a map and provide to Prue or Drew - to help with improving the concept plan	25/5/16	Committee members	Completed
Consideration should be given to using racks of plants that remove nutrients from the water on large water bodies RE: Dunns Creek stormwater	25/5/16	Prue Tucker	Completed
Geoff Love to report back next meeting regarding Smiths Lake stormwater issues RE: East coast low	25/5/16	Geoff Love	ONGOING Agenda item for next meeting
Information to be passed onto National Parks regarding weed issues identified on Regatta Island	25/5/16	Prue Tucker	Completed  NPWS haven't committed any resources as there are none available.  Area for future investment as funds become available.
Follow up with compliance team regarding the complaints received water quality at Charlotte Bay after the heavy rainfall in January 2016.	25/5/16	Prue Tucker	What are the different agencies that are involved with water quality compliance and management?  Include as a future agenda item.
Luke to send air photo of the sea pens being deployed	14/9/16	Luke Erskine	Actioned
Contact maritime to address the trees in Smiths Lake  RE: Navigational issues around Bull Island towards the east & the entrance	14/9/16	Prue Tucker	Email sent by Prue regarding navigational issues. Follow up required.
Isabelle to contact Sue regarding dates of Southern Wallis Lake foreshore restoration plan	14/9/16	Isabelle Strachn	See agenda item 6
Isabelle/Terry to discuss asparagus fern with Forster Tuncurry Golf Club	14/9/16	Terry Inkson / Isabelle Strachn	This site is on the list to address through the current Biodiversity Grant - Seal rocks and Forster area. Council are aware weeds exist and eradication is part of the plan.
Contact Janusz regarding clean-up to find out where they are up to	14/9/16	Prue Tucker	Clean up has not yet commenced in Wyuna canal

#### 4. ISSUES ARISING FROM PROJECT PROGRESS REPORT

NIL.

#### AGENDA TOPICS

#### 5. AGENCY REPORTS & UPDATES - AGENCY REPRESENTATIVES

Agency	Project	Comments
National Parks	The saving our species program	<p>New flagship program for threatened species, administered by OEH. Looking at funding works to protect threatened species on National Parks, Crown Lands and private land.</p> <p>OEH no longer has a threatened species department - Government looking at funding project for 5 years and will then re-assess the program. This is the first year of this project. This funding includes threatened ecosystems</p> <p>6 'iconic species' that have been identified for the program:            Koala            Malleefowl            southern corroboree frog            brush tailed rock wallaby            Wollemi pine            plains wanderer</p> <p>Funding commenced this year and was directed to National Parks, the intention is to include private land in the future.</p> <p>NPWS are working with their regional operations group (scientific technical group) to have 'sites' listed for funding.</p> <p>Trying to identify threatened species within Endangered Ecological Communities so that these can be managed more holistically.</p> <p>Q: Are there incentives and programs available for private landholders? - all information is available on the saving our species website with links to threats, what projects are happening. Individual assistance isn't currently covered.</p> <p>\$100 million over 5 years - with proportion of funding for staffing and engagement with the public.</p>

**6. Southern Wallis Lake Foreshore Restoration Plan - update and community engagement**

**PLEASE REFER TO ATTACHMENT #1 - SOUTHERN WALLIS FORESHORE PLAN**

The Foreshore Plan covers the area from Tiona Park through to Rose Bay and has a \$100, 000 budget with 50/50 funding between OEH Estuary Program and Environmental Special Rate (former GLC). Studies include vegetation assessment, Stormwater plan for Coomba, Aboriginal Cultural Heritage Assessment and community engagement.

The area covered contains two (2) National Parks - Wallingat and Booti Booti and has a large area of crown land not currently under the control of Council.

Vegetation assessment has now been completed and has been mainly based on aerial photograph assessment and mapping. Further work is required to complete the stormwater planning part of this project.

It was noted that foreshore areas identified in blue are at risk of grazing pressures. The area is fenced but there is an open gate. There is also an opportunity to use cattle for crash grazing.

What is the legislative status of the plan? This plan will not be included as part of the Councils' Development Control Plan but will be adopted by Council for implementation. Crown Lands are supportive of the project the next step is to hold discussions with them about the actions to include in the plan for Crown Land management..

The Plan will enable long term management of the foreshore.

Isabelle ran a facilitated session to receive feedback from the committee about the values of the foreshore along Southern Wallis Lake.

<b>Action</b>	Isabelle to report back with update to committee at May 2017 meeting.
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**7. Report Card Results Summary**

**PLEASE REFER TO ATTACHMENT #2 - WSCEC REPORT CARD 2016**

Reporting on waterway health commenced in 2011 with a focus on estuary health assessment. This year's report card included catchment monitoring for the first time, sites were last monitored in the Wallis Lake Catchment 1999. Sites for macroinvertebrates were revisited, there originally 12 sites but the number was increased to 29 sites across the Wallis, Myall and Karuah Catchments. Links between catchment and estuary were evident in the data.

Some sites in the estuary reported poorer scores between 2015 and 2016. These changes were likely due to the high rainfall experienced at the time of sampling. Catchment data was collected and analysed in Spring and Autumn, with estuary samples taken every two weeks from September through to February. Catchment re-sampling will take place in 5-10years with estuaries continuing to be monitored each year.

Lessons were learnt during the development of this first Catchment Health report in particular site selection. It was noted in the Wallis Lake Estuary that despite having catchment data for the Coolongolook there was no way to connect this to the estuary health results as there were no sites in this part of the estuary. Next summer sites will be added in this area.

The Report Card release took place on 18 November at the Stroud County Club with over 70 people in attendance. Lynne Strong, multi-award winning farmer from Clover Hill Dairies presented

along with Peter Scanes from the Office of Environment and Heritage. The event was designed to assist with engaging landholders in the Karuah Catchment and was a great opportunity for Debbi Delaney to continue conversation regarding catchment management with landowners.

Question asked: how are we going in the Myall area, are we making headway in relation to farmers improving land management practice? Recently the focus has been on working with farmers in the Karuah Catchment. It was noted that there is no legislation regarding the management of chicken litter. This is currently causing problems with chicken manure/nutrients into the Mid Myall catchment.

Surprisingly, the Myall Lakes received their first "A" grade result in 2016 with it normally receiving a "B" result. The nearby / connected waterway the Bombah Broadwater receiving a 'D'.

No significant changes to bug communities were seen between the samples taken in 1999 and 2015/16 - change in the response of bugs is slow. Good news that bugs are currently hanging in there - however there are concerns that pressures on the system are present. We need reduce these stressors by working with landholders on land use practices and projects that protect the catchment.

Committee members commended Prue regarding the work done to complete the catchment wide report card this year.

<b>Action</b>	Prue to discuss how close the bug communities were to tipping into poor condition with researchers.
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**8. Wallis Lake Oyster Health Research Program - Brian Hughes**

The research framework has been drafted to assist with better understanding why there has been a drop in oyster production over the last 5 to 10 years.

There are two key parts to the research:

- 1) Mike Dove (DPI) - there is a selective breeding program exploring comparisons of oyster growth using different production methods. Older inter tidal methods are not as good as the newer basket and line methods that can be set according to the water level. Mike is working alongside Anthony Sciacca regarding oyster growth and which growing method works best.
- 2) Tidal flow, salinity and temperature - gathering information from tidal gauges and discussions are currently taking place with OEH regarding putting pressure sensors in to better understand tidal ranges/spacially.

Tani currently completing an internship from Sothern Cross University with LLS. Tani has been profiling oyster growers across the region and analysing data with the hope to have an estimate of hard timbers (tar sticks) currently in the estuary and the associated costs for growers to transition to more modern and sustainable growing methods. Tani will begin with Wallis Lake and hopefully cover the whole region including Port Stephens - accuracy of the data will depended on amount of time that can be put in.

This research will allow for industry members to consider what direction to head in over 10-20yrs regarding change of practices.

## 9. General Business

The Draft Coastal Management State Environmental Planning Policy (SEPP) is currently on exhibition on the OEH coastal website - (<http://www.planning.nsw.gov.au/Policy-and-Legislation/Coastal-Reforms>) exhibition runs till the end of December - refers to literal rainforest, coastal setback and changes. Council are currently working through to find implications for MidCoast Council. Gerard has already noticed that not all areas of wetland have been mapped. Submission can be made up to 23 December 2016.

Coastal Conference 2016

<http://www.coastalconference.com/program.php>

George McKay discussed papers on tidal changes in Wallis Lake and on the East Coast Low by Joanna Burston and Lex Nielsen

5/6 June 2016 saw an east coast low - highest swell was recorded at Cillito Beach where the water level went from 0.25m to 1.7m overnight. This storm surge blew the sandbar and half the sand dune away causing trees to be lodged in the lake (Les Cheers has previously discussed).

Effects of breakwalls - Wallis Lake - mean high and low water levels increasing at 2mm each year. Monitoring takes place approximately half way up Forster/Tuncurry breakwall near the Coastal Patrol building. 3 gages - Tiona, Wallamba and Forster/Tuncurry breakwall - see net increases in tidal flows.

Local Aboriginal Land Council has a new CEO - Jay Currie.

<b>Action</b>	Invite Jay Currie to join committee
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Local Land Services are continuing with crab trap research alongside Greg Golby. Also working with Matt Broadhurst regarding new size limits and blue swimmer and mud crab inserts in traps, allowing for undersized crabs to escape.

<b>Action</b>	Update on progress at next meeting
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### MATTERS STILL REQUIRING ACTION FROM PREVIOUS MEETINGS & NEW MATTERS REQUIRING ACTION

Action Arising from Meeting	Meeting	Responsible	Comments
Provide data on the quantity of building material over whole litter collection study	26/8/15	Andrew Morris	Ongoing - Prue to pass on to Karen Bee, this project will now include Wyuna Canal
Provide information about dogs and horses on Smiths Lake to regulatory officers	24/02/16	Prue Tucker	ongoing
Liaise with Oyster Growers and Fisherman Co-op to discuss the idea of dedicating a meeting to industry projects/practices and estuary management observations	24/02/16	Prue Tucker	ongoing
Include Council's progress against DP/OP as agenda item on and reference in the project report to these actions	24/02/16	Prue Tucker	ongoing

7.



Action Arising from Meeting	Meeting	Responsible	Comments
Consider concept of implementation plan to track project progress in relation to management plans and reference to management plan in progress reports	24/02/16	Prue Tucker	ongoing
Tina to discuss with Drew contractors using long handled spray for weed eradication in hard to reach places	25/5/16	Tina Clemens / Drew Morris	Prue to Follow up
Geoff Love to report back next meeting regarding Smiths Lake stormwater issues  RE: EAST COAST LOW	25/5/16	Geoff Love	ONGOING  <b>Add agenda item</b>
Follow up with compliance team regarding the complaints received water quality at Charlotte Bay after the heavy rainfall in January 2016.	25/5/16	Prue Tucker	What are the different agencies that are involved with water quality compliance and management?  Include as a future agenda item.
Contact maritime to address the trees in Smiths Lake  RE: Navigational issues around Bull Island towards the east & the entrance	14/9/16	Prue Tucker	Email sent by Prue regarding navigational issues. Prue to Follow up
Prue to discuss how close the bug communities were to tipping into poor condition with researchers.	30/11/16	Prue Tucker	
Invite Jay Currie to join committee - new CEO Forster Local Aboriginal Land Council	30/11/16	Prue Tucker	
Local Land Services to update on crab trap research	30/11/16	Brian Hughes	

MEETING CLOSED AT 3:56 PM

NEXT MEETING SCHEDULED FOR 22 February 2017

Thank You

## **DIRECTOR ENGINEERING & INFRASTRUCTURE**

### **6 ROAD RESUMPTION COMPENSATION FOR THE BUCKETTS WAY, FORBESDALE**

**Report Author** Julian Schneider, Senior Survey Design and Property Officer

**File No. / ECM Index** R5/216-A

**Date of Meeting** 22 March 2017

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#### **SUMMARY OF REPORT**

The former Gloucester Shire Council acquired Lots 5 of Deposited Plan 822601 being part of what is now known as The Bucketts Way in February 1993. The acquisition process was never completed and this report seeks to resolve the compensation of the former land owner and finalise the acquisition.

#### **SUMMARY OF RECOMMENDATION**

That Council agrees to compensate Mr N J Williams in accordance with the Valuation Report prepared by Country Coast Valuers dated 12 August 2016.

#### **FINANCIAL/RESOURCE IMPLICATIONS**

Funds are available within Council's (former Gloucester Shire) Road Resumptions account. These funds are from the sale of land comprising former Council Public Roads. This is in accordance with Section 43 of the Roads Act 1993.

#### **LEGAL IMPLICATIONS**

Nil

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#### **BACKGROUND**

The former Gloucester Shire Council commenced negotiations with Mr N J Williams on 13 May 1985 to acquire land to ensure The Bucketts Way was within the road reserve.

Deposited Plan 822601 covering the road acquisition was registered on the 7 February 1990. On 12 February 1993 the Department of Conservation and Land Management published the gazettal notice for road resumption for Deposited Plan 822601.

Council then began financial negotiations with the land owner Mr N J Williams in 1995 over Lot 5 DP 822601 having an area of 695.1m<sup>2</sup>, however the negotiations were never concluded. Recently the Mr Williams health has declined and he has approached Council to finalise this matter.

The former Gloucester Shire Council had resolved to compensate the owner Mr N J Williams on 21 September 1995. Mr Williams has asked for a current valuation to finalise this matter.

#### **DISCUSSION**

Mr Williams approached Council in June 2016 seeking compensation for the land Council resumed for public road being Lot 5 DP 822601. Council agreed to this and had a Valuation Report prepared by a suitably qualified consultant.

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## **CONSULTATION**

Mr Norm Williams  
Senior Survey Design and Property Officer (Gloucester Office)

## **COMMUNITY IMPACTS**

The finalisation of this matter will resolve a long outstanding acquisition with a positive outcome for all parties involved.

## **ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN**

This complies with the former Gloucester Shire Council's Direction 5 – Governance and partnerships – Objective 2: Establish strong partnerships with community groups and government.

## **TIMEFRAME**

Both Council and the Williams family are keen to have this matter finalised and it would be prudent to resolve this matter as soon as possible while council has an agreement in principle with the effected land owner.

## **BUDGET IMPLICATIONS**

Administration and legal fees are estimated at no more than \$6,000.

Compensation is in accordance with the attached Valuation Report.

## **RISK CONSIDERATION**

Council does not have a Memorandum of Release, however it has a good relationship with the Williams family and an agreement in principle with the land owner.

## **RECOMMENDATION**

That Council agrees to compensate Mr N J Williams in accordance with the Valuation Report prepared by Country Coast Valuers dated 12 August 2016.

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## **ATTACHMENTS**

A: Confidential Valuation Report dated 12 August 2016.

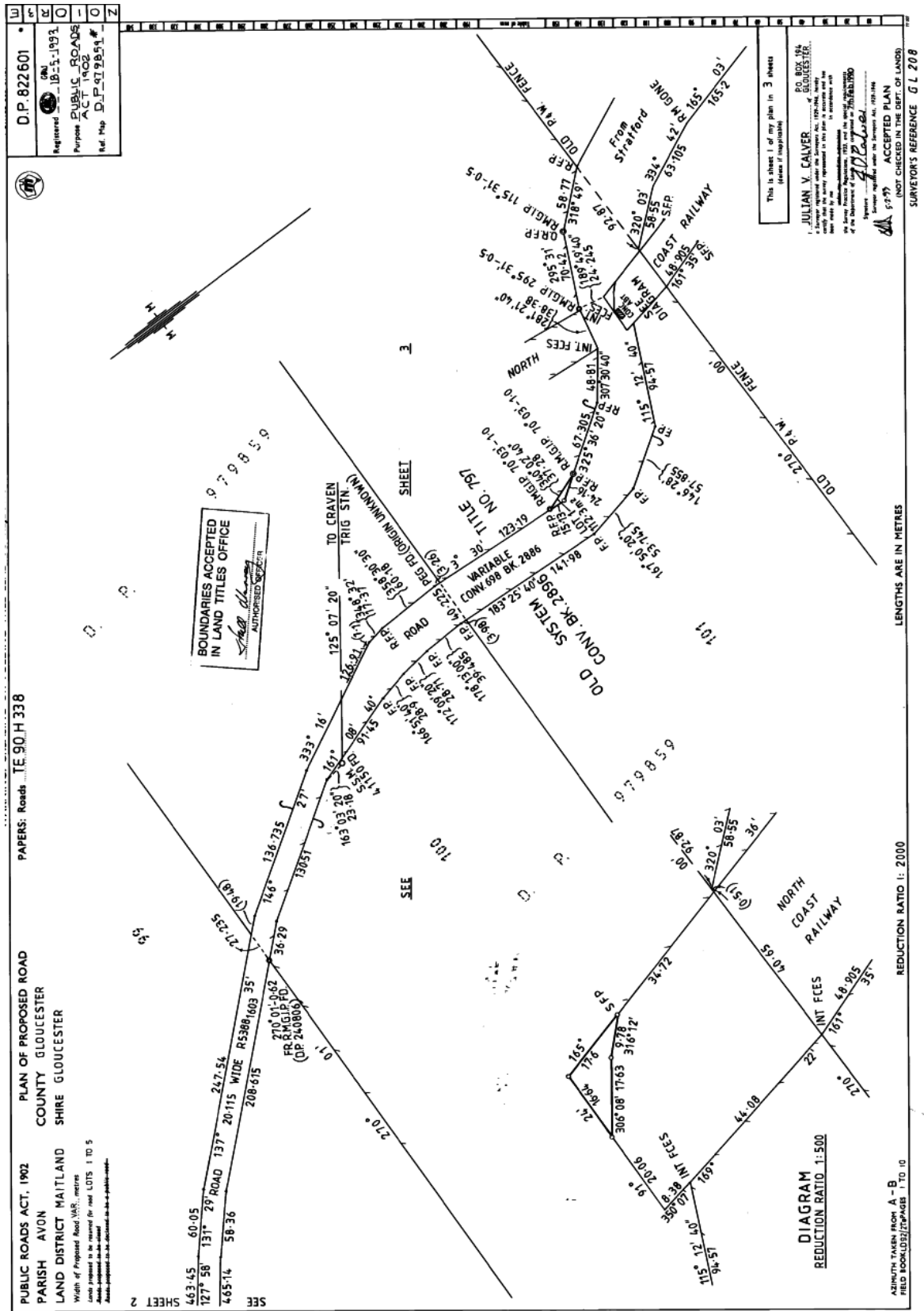
Attachment A has been classified as confidential and circulated to the Administrator and Senior Staff only. The Attachment has been classified as confidential in accordance with Section 10A(2) of the Local Government Act 1993 as it relates to:

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

It is considered that it would be contrary to the public interest for this matter to be discussed in an open meeting. The disclosure of information such as valuation ranges and negotiated prices prior to acceptance may disadvantage Council in ensuring that only a reasonable price is paid for land and that ratepayers are not impacted by Council having to pay a premium.

**ANNEXURES**

A: Deposited Plan 822601



## **7 CAPITAL WORKS REPORT - JANUARY, FEBRUARY & MARCH 2017**

**Report Author** Phil Miles, Manager Projects and Engineering

**File No. / ECM Index** Corp Mgmt - Works Depot

**Date of Meeting** 22 March 2017

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### **SUMMARY OF REPORT**

This report provides advice on work currently in progress or recently completed within MidCoast Council by day labour staff and contractors. Also included is advice on work planned in the near future.

### **SUMMARY OF RECOMMENDATION**

That Council note the information included in this report.

### **FINANCIAL/RESOURCE IMPLICATIONS**

Projects listed within this report are included in the 2015/16 Operational Plans of the former Great Lakes, Greater Taree and Gloucester Shire Councils. In addition this report includes projects included in the 2016/17 Operational Plan of MidCoast Council or grant funding that has subsequently been accepted by Council.

Work funded under Council's Road Maintenance Council Contract (RMCC) with Road & Maritime Services (RMS) for the state road sections of The Lakes Way and Failford Road is also included.

### **LEGAL IMPLICATIONS**

Nil.

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### **BACKGROUND**

An update on the progress of capital works included in the 2015/16 and 2016/17 Operational Plans for the MidCoast Council area is included in this report. It also includes works undertaken through special grants and the RMCC. The report is provided for the information of Council.

### **DISCUSSION**

Attachment A (Works Program - Monthly Report) provides a summary of the capital works completed in the previous month and those in progress or commencing in the subsequent month. The projects listed to commence in the future are a projection based on work programs at the time of writing this report. The attachment outlines whether the work is being undertaken by day labour staff or contractors.

Within the projects listed in Attachment A, a summary of the main highlights is as follows:

#### **Taree**

- Abdoos Bridge replacement on Comboyne Rd is now complete with approaches constructed and primer sealed.
  - Lansdowne Rd and Comboyne Rd rehabilitation projects are now completed.
  - Reconstruction of the southern abutment of Killawara Bridge has commenced with a road closure in place. Wet weather has delayed completion with road opening now expected mid-March.
  - Diamond Beach Road reconstruction has commenced. This will see full pavement reconstruction and drainage upgrade between Blackhead Rd and Diamond Drive over the next 6 months.
-

- Rehabilitation works on Combined Street and Dennes Street in Wingham has commenced.
- Drainage improvement on Wootton Crescent Taree and reconstruction works on Comboyne Rd Cedar Party will start this month.

#### **Forster**

- The urban resealing program has been completed.
- Wharf St, Nabiac has been reconstructed and drainage works have been undertaken to improve roadside drainage. This has also improved drainage for adjoining properties.
- Breese Pde reconstruction works will begin early March.
- The rehabilitation of Manns Rd is planned to commence in March.

#### **Bulahdelah**

- The works on the approaches to Dorneys Bridge are now completed and the new concrete bridge has been opened to traffic.
- The urban and rural reseals for Bulahdelah are nearing completion with only Kestevens Road yet to be finalised. The urban reseals for Nerong are planned to occur in March.

#### **Stroud**

- Gloucester Ave has been reconstructed and sealed. Previously a gravel road, the access for residents along this section has been improved.
- Reseals on two segments of Stroud Hill Road are planned for March.

#### **Tea Gardens / Hawks Nest**

- Work is recommencing on Marine Drive reconstruction. These works will include reconstruction of the road.
- Works on the rehabilitation of Limekiln Rd and Cooma St are complete.
- The urban reseals have been completed along with the reseals on Tarean Rd, Karuah and Gooreengi Rd, North Arm Cove.
- Reseals on sections of Mungo Brush Rd and Warri Rd, Pindimar are planned to occur in March.

#### **Smiths Lake**

- Works are completed on Macwood Road at Smiths Lake.

#### **Gloucester**

- Continuation of The Bucketts Way Upgrade Project #86 (2.5 Km of reconstruction commencing approx. 6 Km east of Gloucester) with sealing of the final section now complete. Safety fence, signs and guidepost installation is underway.
- The Bucketts Way Upgrade - Part Project #84 (up to 0.8km of reconstruction of the approaches to the bridge over the Avon River at Stratford) Project has commenced with completion in April.
- Scone Road Seal Extension Project is complete with guardrail installed early March.
- Planning and development for SRV – Boundary St and Philip St Intersection Reconstruction Project is underway with further pavement testing being undertaken. Site establishment and site preparation works to commence mid-late March.
- Reseal preparation works for SRV – Bundook Road are now complete. Sealing works are planned for early March.
- Preparation works for additional reseals under the amalgamation are under way, which includes various urban streets.
- Planning and development for SRV – Geales Bridge Deck Replacement on Scone Road is complete with the demolition/dismantle works of existing timber structure commenced.

## **CONSULTATION**

The management and coordination of all aspects of the Capital Works Program is undertaken in consultation with a wide range of internal and external stakeholders.

The key stakeholders in the preparation of this monthly report include the Transport Assets Section, Projects and Engineering Section, Operations (North and South) Sections and the Finance Section.

## **COMMUNITY IMPACTS**

Community Impacts are considered and managed as part of each Capital Works Program project.

## **TIMEFRAME**

Details are reported within Attachment A.

## **RECOMMENDATION**

That Council note the information in this report.

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## **ATTACHMENTS**

A: Summary of projects completed or to be completed January, February & March 2017

Attachment A has been circulated in hard copy to the Administrator and Senior Staff only as a paper conservation measure. However, this Attachment is publicly available on Council's Website, copies are available at Council offices and copies are available on request.

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## **8 MINUTES OF LOCAL TRAFFIC COMMITTEE MEETING HELD 1 FEBRUARY 2017**

**Report Author** Richard Wheatley – Traffic Engineer  
**File No. / ECM Index** Traffic Committee Agendas  
**Date of Meeting** 22 March 2017

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### **SUMMARY OF REPORT**

This report presents the Minutes of the Local Traffic Committee meeting held on 1 February 2017 for adoption.

### **SUMMARY OF RECOMMENDATION**

It is recommended that the Minutes of the Local Traffic Committee meeting held on 1 February 2017 be noted and that Council endorse the recommendations made at the meeting.

### **FINANCIAL/RESOURCE IMPLICATIONS**

For the items 1, 2, 3, 4, 5, 6, 7, 8, 9, 11 and 13 Council will be responsible for the costs associated with the installation of signage and pavement markings.

### **LEGAL IMPLICATIONS**

Nil

### **BACKGROUND**

The Local Traffic Committee meeting was held on Wednesday 1 February 2017 at MidCoast Council's Taree Office. The minutes of the meeting are attached as Annexure A with the recommendations for each item.

It should be noted that in order for traffic control devices to be approved and installed Council must seek the opinion of members of the Local Traffic Committee. The Committee make a recommendation to install a device, and the recommendation must then be accepted or rejected by Council.

By noting the minutes and endorsing the recommendations made at the meeting Council is accepting the advice and installing traffic control devices.

### **CONSULTATION**

Attendees at the Local Traffic Committee meeting are listed in the minutes. Consultation was undertaken in the development of the recommendations in the minutes with Police, RMS and Council staff.

### **COMMUNITY IMPACTS**

Community impact (negative and positive) is considered by the Local Traffic Committee in its deliberations for each item. A whole of community impact is taken into account when formulating the recommendations within the regulations, standards and guidelines that administer the roads, traffic management and road safety

### **BUDGET IMPLICATIONS**

For the items 1, 2, 3, 4, 5, 6, 7, 8, 9, 11 and 13 Council will be responsible for the costs associated with the installation of signage and pavement markings.



## **RECOMMENDATION**

It is recommended that the Minutes of the Local Traffic Committee meeting held on 1 February 2017 be noted and that Council endorse the recommendations made at the meeting.

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## **ATTACHMENTS**

A: Minutes of the Local Traffic Committee meeting held on 1 February 2017

Due to its large size, Attachment A has been circulated in hard copy to the Administrator and Senior Staff only as a paper conservation measure. However, this Attachment is publicly available on Council's Website, copies are available at Council offices and copies are available on request.

## **DIRECTOR CORPORATE & BUSINESS SYSTEMS**

### **9 MIDCOAST COUNCIL POLICY FRAMEWORK - MARCH 2017**

**Report Author** Rob Griffiths, Manager Governance

**File No. / ECM Index** Governance / Policy Framework

**Date of Meeting** 22 March 2017

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#### **SUMMARY OF REPORT**

The MidCoast Council Policy Framework has been developed to ensure a consistent approach to policy development that is supported by procedures and guidelines. It will inform staff and the community, ensuring that decision making is consistent and compliments Council's Strategic direction.

#### **SUMMARY OF RECOMMENDATION**

That the MidCoast Council Policy Framework be adopted.

#### **FINANCIAL/RESOURCE IMPLICATIONS**

Nil

#### **LEGAL IMPLICATIONS**

Nil

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#### **BACKGROUND**

The MidCoast Council Policy Framework has been developed to ensure a consistent approach to policy development that is supported by procedures and guidelines. It will inform staff and the community, ensuring that decision making is consistent and compliments Council's Strategic direction.

The framework ensures that an appropriate approval process is followed for all policy development and that policies maintain their currency through a regular review process.

#### **CONSULTATION**

Consultation has been undertaken with relevant stakeholders including Council staff, and Senior Management.

#### **COMMUNITY IMPACTS**

The Policy Framework provides a platform to facilitate consistent policy development across Council to inform the community about Council's position on particular issues.

#### **ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN**

Community Strategic Plan Direction Four – Civic Leadership

#### **RISK CONSIDERATION**

The adoption of the MidCoast Council Policy Framework will reduce corporate risk by ensuring a consistent approach to policy, procedure and guideline development. It will ensure that appropriate policy approval processes are outlined and followed and that policies maintain their currency via a documented review timeframe.

It will also ensure that legislative and/or policy changes are a trigger to ensure affected policies are reviewed in line with those changes.

#### **RECOMMENDATION**

That the attached MidCoast Council Policy Framework be adopted.

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## **ATTACHMENTS**

A: MidCoast Council Policy Framework (Version 1) March 2017

Due to its large size, Attachment A has been circulated in hard copy to the Administrator and Senior Staff only as a paper conservation measure. However, this Attachment is publicly available on Council's Website, copies are available at Council offices and copies are available on request.

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## 10 INVESTMENTS REPORT - FEBRUARY 2017

Report Author Phil Brennan, Manager Finance

File No. / ECM Index Investments - Monthly Reports

Date of Meeting 22 March 2017

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### 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.

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### BACKGROUND

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.

This report represents the position as at 28 February 2017. It is a consolidation of the investments made by the 3 offices under the existing policies. As previously reported this will remain the case for most, if not all, of 2016/2017 as the financial systems, policies and operations are merged.

Over the next few months the previous Investment Policies will be reviewed and consolidated into a new Investment Policy which will be presented to Council for adoption. It is proposed that this draft policy will be referred to an appropriate external adviser to peer review the contents against relevant guidelines and industry best practice. Once adopted each office will start to realign the investment portfolios to match the new policy settings.

### DISCUSSION

The following comments are made in respect of the individual offices:

#### ***Gloucester Office***

Total invested funds held by the Gloucester Office at 28 February 2017 amounted to **\$8,120,161**. The average return on invested funds was 2.59%. It should be noted that this is not a weighted average return.

The Gloucester policy limits for investments held per rating and per institution and the actual results are set out below.

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<b>Per rating</b>	<b>Policy Limit</b>	<b>Actual</b>
A1+ or above	100%	34%
A1 or below	65%	46%
Unrated (max. of \$250k)	34%	3%
<b>Per Single Institution</b>		
A1+ or above	80%	23%
A1 or below	34%	23%
Unrated	34%	4%

It should also be noted that in 2007 the former Gloucester Shire Council purchased a CDO investment with the Commonwealth Bank worth \$500,000 which subsequently reduced down to zero as a result of the Global Financial Crisis (GFC).

Council instructed Piper Alderman (now Squire Patton Boggs) through International Litigation Partners Pty Ltd on a no-win - no-fee basis to try and recoup the lost investment. The initial case has been settled for the group of claimants represented against the Commonwealth Bank, recouping \$150,000 of the original \$500,000 capital for Council.

Squire Patton Boggs have submitted a second claim against the Fitch rating agency for any amounts unrecovered from the Commonwealth Bank (Fitch was the rating agency behind the Palladin investment purchased by Council). This claim is proceeding through various court hearings at present.

The CDO is not included on the list of investments (Attachment A) due to the investment being fully provided for back in 2008.

#### ***Taree Office***

The Taree Office cash position as at 28 February 2017 was as follows:

	<b>Balance</b>
	<b>(\$'000)</b>
Cash on Hand and at Bank (Ledger balance)	\$3,952
Investment Portfolio (Attachment A)	\$41,400
<b>Total Funds</b>	<b>\$45,352</b>

Investment movements during the month were:

Opening Balance	\$39,600
New Investments	\$8,800
Withdrawn Investments	(\$7,000)
Net Movement Cash at Call	\$0
<b>Closing Balance</b>	<b>\$41,400</b>

The weighted average return on the Taree Office investment portfolio at the end of January 2017 was 2.68%.

The Taree Office investments are being maintained in a series of term deposits with short maturities (typically 90 days) in accordance with previous policy directions.

#### ***Forster Office***

The Forster Office investments at 28 February 2017 amounted \$79,132,424. This includes the \$20 million from the NSW Government as part of the merger arrangements. This includes \$15 million in Stronger Communities Fund investments and \$4 million in New Councils Implementation Fund investments.

The Forster Office investment portfolio remains weighted to shorter investments, however more floating rate notes have been acquired in recent months.

The following table provides a summary of movement of Investments for the month of February 2017.

Investment Type	Opening Balance 01/02/2017	Movement	Closing Balance 28/02/2017	Portfolio %
Term Deposits	\$47,000,000	\$0	\$47,000,000	59.39%
Managed FRNs & FTDs	\$29,050,000	\$0	\$29,050,000	36.71%
On Call Deposits	\$3,177,644	-\$95,220	\$3,082,424	3.90%
<b>Total</b>	<b>\$79,227,644</b>	<b>-\$95,220</b>	<b>\$79,132,424</b>	<b>100.00%</b>

Whilst Attachment A provides a detailed summary of each investment held by the Forster Office, the following table provides an analysis of those investments based on their maturity horizon, the actual amount and percentage of portfolio, the benchmark return and the actual weighted average return for the month.

Investment Horizon	Amount Invested	Actual % of Portfolio	Targeted Minimum Return	Weighted Average Monthly Return	Investment
On Call	\$3,082,424	3.90%	Cash Rate (1.78%)	2.10%	On Call Accounts
0-3 Months	\$27,000,000	34.12%	BBSW +20-40 (1.98%)	2.77%	Term Deposits, FRNs, FTFDs
3-6 Months	\$20,000,000	25.27%	BBSW +30-50 (2.08%)	2.81%	Term Deposits, FRNs, FTDs
6-12 Months	\$6,300,000	7.96%	BBSW +40-60 (2.18%)	3.23%	Term Deposits, FRNs, FTDs
1-2 Years	\$1,000,000	1.26%	BBSW +80-100 (2.58%)	3.08%	Term Deposits, FRNs, FTDs
Greater	\$21,750,000	27.49%	BBSW +100 (2.778)	3.20%	Term Deposits, FRNs, FTDs
<b>Total</b>	<b>\$79,132,424</b>	<b>100.00%</b>			

Council uses a weighted average when determining the return (interest rate) on investments within any given period. A weighted average calculation takes into account the interest rate applied to each investment and the actual amount of each investment. The greater the amount invested the more weight its interest rate carries.

The following table provides a break-up of Council's investments into long and short term with their corresponding credit ratings.

<b>Long Term Credit Rating</b>	<b>% of Portfolio</b>	<b>Short Term Credit Rating</b>	<b>% of Portfolio</b>
AA	12.64%	A1	32.96%
A	8.53%	A2	34.50%
BBB & Unrated	6.32%	Unrated	5.05%
<b>Total</b>	<b>27.49%</b>	<b>Total</b>	<b>72.51%</b>

Long term investments are investments with a maturity of greater than 2 years.

### **CONSOLIDATED INVESTMENT POSITION**

The following is a summary of the individual positions from each of the offices.

<b>Office</b>	<b>Amount Invested</b>
Gloucester Office	\$8,120,161
Taree Office	\$41,400,000
Forster Office	\$79,132,424
<b>Total</b>	<b>\$128,652,585</b>

### **RECOMMENDATION**

That the report be received and noted.

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**ANNEXURES**

**A: Mid-Coast Council Investments at 28 February 2017**

Investment Date	Interest Rate	Security Type	Duration	Amount Invested	Maturity Date	Held With	Credit Rating
<b>Financial Securities as at 28 February 2017</b>							
<b>FORSTER OFFICE INVESTMENTS</b>							
<u>Floating Rate Notes</u>							
11/12/2015	BBSW +110	FRN		\$750,000.00	11/06/2019	AMP	A1/A+
24/06/2014	BBSW +110	FRN		\$1,000,000.00	24/06/2019	Bank of Queensland	A1/AA
24/10/2014	BBSW +113	FRN		\$1,000,000.00	22/12/2017	Bank of Queensland	A1/AA
12/11/2014	BBSW +130	FRN		\$1,000,000.00	6/11/2019	Bank of Queensland	A1/AA
19/06/2013	BBSW + 1.2	FRN		\$1,000,000.00	17/05/2017	Bendigo & Adelaide	A2/BBB
27/11/2013	BBSW +1.30	FRN		\$1,000,000.00	27/11/2018	Bendigo & Adelaide	A2/BBB
18/08/2015	BBSW+110	FRN		\$1,000,000.00	18/08/2020	Bendigo & Adelaide	A2/BBB
28/01/2016	BBSW +115	FRN		\$1,000,000.00	18/01/2021	CBA	A1/AA+
9/03/2016	BBSW +195	FRN		\$1,000,000.00	9/03/2021	Credit Suisse	A1/A
20/03/2014	BBSW +130	FRN		\$1,000,000.00	20/03/2017	CUA	A2/BBB+
24/02/2017	BBSW +145	FRN		\$1,000,000.00	24/02/2020	Greater Bank	A2/BBB
9/08/2016	BBSW+152	FRN		\$1,000,000.00	7/06/2019	Greater Bank	A2/BBB
30/08/2016	BBSW+155	FRN		\$1,500,000.00	30/08/2019	Greater Bank	A2/BBB
3/03/2015	BBSW+110	FRN		\$2,000,000.00	3/03/2020	Macquarie Bank	A1/A
7/07/2015	BBSW+110	FRN		\$1,000,000.00	3/03/2020	Macquarie Bank	A1/A
5/11/2015	BBSW+108	FRN		\$1,000,000.00	5/11/2020	Macquarie Bank	A1/A
26/02/2015	BBSW+110	FRN		\$500,000.00	27/02/2018	NAB	A1/AA
15/12/2015	BBSW +110	FRN		\$800,000.00	27/02/2018	Newcastle Permanent	A2/BBB+
21/09/2014	BBSW +110	FRN		\$1,000,000.00	17/08/2017	Newcastle Permanent	A2/BBB+
4/03/2016	BBSW + 150	FRN		\$1,000,000.00	4/03/2021	Police Bank	A2/BBB+
20/10/2015	BBSW +125	FRN		\$1,000,000.00	20/10/2020	RaboBank	A1/A+
4/12/2014	BBSW+1.05	FRN		\$1,000,000.00	4/12/2017	Suncorp	A1/A+
28/10/2016	BBSW+140	FRN		\$500,000.00	28/10/2019	Teachers Mutual Bank	A2/BBB+
				<b>\$23,050,000.00</b>			
<u>Floating Rate Notes</u>							
19/02/2015	3.2800%	FTD		\$1,000,000.00	21/02/2020	ING	A1/AA
11/12/2014	3.6000%	FTD		\$1,000,000.00	11/12/2019	NAB	A1/AA
11/12/2014	3.6000%	FTD		\$1,000,000.00	11/12/2019	NAB	A1/AA
11/12/2015	3.0000%	FTD		\$1,000,000.00	1/12/2020	WESTPAC	A1/AA
				<b>\$4,000,000.00</b>			
<u>Floating Term Deposits</u>							





<u>Stronger Communities Investments</u>									
22/12/2016	2.8000%	Term Deposit	182	\$2,000,000.00	22/06/2017	AMP	A1/A+		
27/06/2016	BBSW+148	FRN		\$1,000,000.00	18/05/2021	Bank of Queensland	A1/AA		
22/09/2016	2.7500%	Term Deposit	210	\$1,000,000.00	20/04/2017	Beyond Bank	A2/BBB+		
24/06/2016	3.0000%	Term Deposit	364	\$1,000,000.00	23/06/2017	CUA	A2/BBB+		
23/06/2016	3.0000%	Term Deposit	371	\$2,000,000.00	29/06/2017	CUA	A2/BBB+		
27/10/2016	2.6500%	Term Deposit	175	\$1,000,000.00	20/04/2017	ME Bank	A2/BBB+		
17/11/2016	2.7500%	Term Deposit	181	\$1,000,000.00	17/05/2017	ME Bank	A2/BBB+		
24/11/2016	2.7500%	Term Deposit	182	\$1,000,000.00	25/05/2017	ME Bank	A2/BBB+		
23/12/2016	2.8500%	Term Deposit	188	\$2,000,000.00	29/06/2017	My State Bank	A2/BBB		
19/01/2017	2.6000%	Term Deposit	91	\$2,000,000.00	20/04/2017	NAB	A1/AA		
25/11/2016	2.7600%	Term Deposit	195	\$1,000,000.00	8/06/2017	Suncorp	A1/A+		
				<b>\$15,000,000.00</b>					
<u>Implementation Funds Investments</u>									
27/10/2016	2.7500%	Term Deposit	365	\$1,000,000.00	27/10/2017	Bananacoast CU	NR		
24/06/2016	2.8500%	Term Deposit	272	\$1,000,000.00	23/03/2017	Bank of Queensland	A1/AA		
27/06/2016	BBSW+148	FRN		\$1,000,000.00	18/05/2021	Bank of Queensland	A1/AA		
21/02/2017	2.5700%	Term Deposit	91	\$1,000,000.00	23/05/2017	NAB	A1/AA		
				<b>\$4,000,000.00</b>					
<b>TOTAL FORSTER OFFICE INVESTMENTS</b>									<b>\$79,132,423.59</b>

**GLOUCESTER OFFICE INVESTMENTS**

<u>Term Deposits</u>									
20/09/2016	2.6500%	Term Deposit	175	\$500,000.00	14/03/2017	Bank of Queensland	A2		
20/09/2016	2.6000%	Term Deposit	182	\$500,000.00	21/03/2017	People's Choice Credit Union	A2		
15/11/2016	2.7500%	Term Deposit	140	\$500,000.00	4/04/2017	ME Bank	A2		
22/11/2016	2.7500%	Term Deposit	126	\$500,000.00	28/03/2017	ME Bank	A2		
29/11/2016	2.6500%	Term Deposit	119	\$500,000.00	28/03/2017	NAB	A1+		
6/12/2016	2.7500%	Term Deposit	133	\$500,000.00	18/04/2017	Beyond Bank Australia	A2		
6/12/2016	2.8000%	Term Deposit	210	\$500,000.00	4/07/2017	Suncorp	A2		
20/12/2016	2.6000%	Term Deposit	126	\$500,000.00	25/04/2017	NAB	A1+		
20/12/2016	2.5500%	Term Deposit	140	\$250,000.00	9/05/2017	Bankwest	A1+		
9/01/2017	2.5500%	Term Deposit	64	\$500,000.00	14/03/2017	Bankwest	A1+		
10/01/2017	2.5800%	Term Deposit	91	\$250,000.00	11/04/2017	NAB	A1+		
17/01/2017	2.5500%	Term Deposit	126	\$250,000.00	23/05/2017	NAB	A1+		
24/01/2017	2.5500%	Term Deposit	147	\$500,000.00	20/06/2017	Bankwest	A1+		
31/01/2017	2.8500%	Term Deposit	126	\$250,000.00	6/06/2017	Bank of Sydney	Unrated		
21/02/2017	2.6500%	Term Deposit	140	\$500,000.00	11/07/2017	ME Bank	A2		
		<b>Term Deposits</b>		<b>\$6,500,000.00</b>					

**On Call Bank Accounts**

28/02/2017	1.6500%	On Call		\$1,620,161.00			
		On Call		\$1,620,161.00			
		<b>Term Deposits</b>		<b>\$6,500,000.00</b>			
		<b>On Call</b>		<b>\$3,240,322.00</b>			
		<b>TOTAL GLOUCESTER OFFICE INVESTMENTS</b>		<b>\$9,740,322.00</b>			

**TAREE OFFICE INVESTMENTS**

<u>Term Deposits</u>										
25/11/2016	2.7500%	Term Deposit	96	\$4,500,000.00	1/03/2017	Members Equity Bank Pty Ltd	A2/BBB+			
30/11/2016	2.7500%	Term Deposit	98	\$2,500,000.00	8/03/2017	Bank of Queensland Ltd	A2/A-			
2/12/2016	2.7500%	Term Deposit	96	\$1,700,000.00	8/03/2017	Bank of Queensland Ltd	A2/A-			
7/12/2016	2.7500%	Term Deposit	98	\$2,000,000.00	15/03/2017	Newcastle Permanent	A2/BBB+			
9/12/2016	2.7000%	Term Deposit	96	\$1,500,000.00	15/03/2017	Bank of Queensland Ltd	A2/A-			
14/12/2016	2.7500%	Term Deposit	98	\$2,000,000.00	22/03/2017	Newcastle Permanent	A2/BBB+			
23/12/2016	2.7500%	Term Deposit	96	\$1,200,000.00	29/03/2017	Newcastle Permanent	A2/BBB+			
23/12/2016	2.9000%	Term Deposit	124	\$2,000,000.00	26/04/2017	Members Equity Bank Pty Ltd	A2/BBB+			
5/01/2017	2.6400%	Term Deposit	90	\$1,500,000.00	5/04/2017	NAB	A1+/AA-			
11/01/2017	2.7000%	Term Deposit	91	\$3,500,000.00	12/04/2017	Members Equity Bank Pty Ltd	A2/BBB+			
19/01/2017	2.7000%	Term Deposit	90	\$3,000,000.00	19/04/2017	Beyond Bank	A2/BBB+			
25/01/2017	2.5900%	Term Deposit	98	\$1,000,000.00	3/05/2017	NAB	A1+/AA-			
1/02/2017	2.5800%	Term Deposit	98	\$1,200,000.00	10/05/2017	NAB	A1+/AA-			
2/02/2017	2.6000%	Term Deposit	90	\$1,300,000.00	3/05/2017	IMB Bank	A2/BBB+			
2/02/2017	2.6000%	Term Deposit	97	\$1,000,000.00	10/05/2017	IMB Bank	A2/BBB+			
8/02/2017	2.5600%	Term Deposit	98	\$2,000,000.00	17/05/2017	NAB	A1+/AA-			
10/02/2017	2.6000%	Term Deposit	96	\$800,000.00	17/05/2017	IMB Bank	A2/BBB+			
15/02/2017	2.6000%	Term Deposit	98	\$3,000,000.00	24/05/2017	NAB	A1+/AA-			
17/02/2017	2.5800%	Term Deposit	103	\$1,500,000.00	31/05/2017	NAB	A1+/AA-			
20/02/2017	2.6500%	Term Deposit	100	\$1,000,000.00	31/05/2017	Beyond Bank	A2/BBB+			
20/02/2017	2.6500%	Term Deposit	107	\$1,000,000.00	7/06/2017	Beyond Bank	A2/BBB+			
23/02/2017	2.5600%	Term Deposit	104	\$1,200,000.00	7/06/2017	IMB Bank	A2/BBB+			
23/02/2017	2.5600%	Term Deposit	111	\$1,000,000.00	14/06/2017	NAB	A1+/AA-			

**Term Deposits**

**\$41,400,000.00**

**TOTAL TAREE OFFICE INVESTMENTS**

**\$41,400,000.00**

**TOTAL MID-COAST COUNCIL INVESTMENTS**

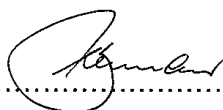
**\$128,652,584.59**

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 February 2017.

A handwritten signature in black ink, appearing to read 'Phil Brennan', is written over a horizontal dotted line.

Phil Brennan  
Responsible Accounting Officer  
13 March 2017

## CLOSED COUNCIL

### 11 ACQUISITION OF LOT 109 DP 772655 DARAWANK

Report Author John Cavanagh, Manager Waste Health & Regulatory Services

File No. / ECM Index Waste Strategy

Date of Meeting 22 March 2017

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#### REASON FOR CONFIDENTIALITY

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) 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*

*It is considered that it would be contrary to the public interest for this matter to be discussed in an open meeting. The disclosure of information such as valuation ranges and negotiated prices prior to acceptance may disadvantage Council in ensuring that only a reasonable price is paid for land and that ratepayers are not impacted by Council having to pay a premium.*

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### 12 CONTRACT 2016-17-50 - ASPHALT RESURFACING & HEAVY PATCHING

Report Author Phil Miles, Manager Projects & Engineering

File No. / ECM Index CW0069

Date of Meeting 22 March 2017

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#### REASON FOR CONFIDENTIALITY

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) and 10A(2)(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.*

*It is considered that it would be contrary to the public interest for this matter to be discussed in an open meeting. The disclosure of information such as valuation ranges and negotiated prices prior to acceptance may disadvantage Council in ensuring that only a reasonable price is paid for land and that ratepayers are not impacted by Council having to pay a premium.*

- (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.

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**13            CONTRACT 2016-17-15 - KELLYS BRIDGE & THE BUCKETTS WAY  
UPGRADE**

**Report Author            Phil Miles, Mgr Projects & Engineering**  
**File No. / ECM Index    CW0061**  
**Date of Meeting            22 March 2017**

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**REASON FOR CONFIDENTIALITY**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) and 10A(2)(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.*

*It is considered that it would be contrary to the public interest for this matter to be discussed in an open meeting. The disclosure of information such as valuation ranges and negotiated prices prior to acceptance may disadvantage Council in ensuring that only a reasonable price is paid for land and that ratepayers are not impacted by Council having to pay a premium.*

- (d) *commercial information of a confidential nature that would if disclosed:*
  - (i) *prejudice the commercial position of the person who supplied it.*

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**14            TRANSFER OF LAND IN PAYMENT OF RATES - NORTH ARM COVE**

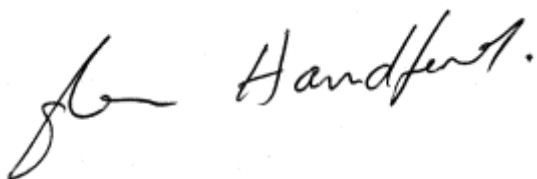
**Report Author            Lee Howard, Revenue Coordinator, (Forster)**  
**File No. / ECM Index    Rate Recovery**  
**Date of Meeting            22 March 2017**

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**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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Glenn Handford  
**INTERIM GENERAL MANAGER**

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